

A HANDBOOK OF

- **Notifications**
- **Acts**
- **Amendments**



**For
Assam Forest Department**

Compiled by
D. Mathur, IFS
Conservator of Forests

P R E F A C E

The hallmark of a democratic country lies in its adherence to the principle of Rule of Law. India is no exception and has been consistently following this tenet since gaining independence in 1947. In India, elected bodies enact Acts and subsequently amend such Acts, if the need so arises. In a similar manner, under the provisions of Delegated or Subordinate Legislation, Ministries and Departments issue Rules, Notifications, Guidelines and Circulars from time to time. These are framed and issued in order to ensure better governance and so that Government officials and the common people alike can derive maximum benefit.

Law cannot be static. It is a dynamic entity, which has to change with the changing times. Law needs to be reviewed from time to time in order to plug loopholes and make them better and more efficient to fulfill the needs of a developing society.

As with other Departments, the Department of Environment & Forests, Government of Assam has been issuing various Rules, Notifications, Guidelines and Circulars from time to time. However, most of such enactments do not come to the notice of all since their circulation remains limited owing to official constraints. This has, at times, led to confusion. In order to aim at increasing the work efficiency in the Environment & Forests Department, it has been my humble attempt to compile all Rules, Notifications, Guidelines and Circulars relating to the Environment and Forests Department in the form of a book. Although, this is primarily an attempt to help the officials serving in the Department, it is nevertheless expected that this compilation will help others, such as Civil Service Officials, Politicians, Lawyers, Academicians, Students of Law, Officials of User Agencies and Business-men trading in forest produce.

Despite all my care and effort, there is nevertheless the possibility of errors or omissions that may have crept in either inadvertently or through sheer ignorance. I will deem it an honour, if the esteemed readers bring to light such errors and omissions. This will help me rectify the same in the forthcoming editions. I also cannot claim that the list of articles quoted in this book is exhaustive. Depending upon suggestions from the readers, I will incorporate more in the editions that will follow.

I would like to place on record my sincere appreciation to Shri V. K. Vishnoi, IFS, Chief Conservator of Forests for his valuable guidance and practical suggestions, which have gone a long way in converting a dream into a reality. I extend my sincere thanks to Shri Partha Mazumdar (working in CBTC). Specially, Shri Santanu Das (working in the Governor's Secretariat, Assam, Dispur) deserves special mention due to his sincere and hard efforts on formatting and proof reading of this edition. My sincere thanks are also due to Shri Abhijeet Choudhury and Shri Dulal Bhattacharya for helping me in compiling this edition.

Last but not the least, I would like to invite suggestions for making this book more user-friendly and informative.

(D. MATHUR)

TABLE OF CONTENTS

SOME GENERAL NOTIFICATIONS :	Pages
Notification regarding :-	
1. Change of name of Department (2003)-----	1
2. Declaration of State bird etc. (2003)-----	1
3. Minimum Daily Wages (2003)-----	2
4. Purchase of Computers (2001)-----	3-4
5. Royalty of Forest produces (1992)-----	5-16
6. Change in Royalty (1998)-----	17
7. Change in Royalty of Bamboo for HPC (2003)-----	18-19
8. Change of Head of Department (1998)-----	20
9. Revalidation of Funds released in C.S.S. schemes (1997)-----	21-23
ACTS, AMENDMENTS, RULES AND GUIDELINES :	
10. Assam Forest Regulation, 1891-----	24-52
11. Assam Forest Regulation (Amendment) Act, 1995-----	53-59
12. Assam Forest Regulation (Amendment) Act, 1995 (initiation of confiscation proceedings)-----	60-65
13. Assam Government's Notification dated 19.09.03 for Review by C.Fs.-----	66
14. Assam Wood Based Industries Rules, 2000-----	67-79
15. Crusher Machine Guidelines, 2003-----	80-81
16. Industrial Estates-----	82-106
17. Assam Revolving Fund Rules, 2000-----	107-108
18. Assam (Control of Felling and Removal of trees from Non-forest Land) Rules, 2002-----	109-123
19. Clarification dated 23.05.03 for Assam (Control of Felling and Removal of trees from Non-forest Land) Rules, 2002-----	124
20. The Assam Forest (Removal And Storage Of Forest Produce) Regulation Act, 2000-----	125-131
21. Forest Conservation Act, 1980-----	132-135
22. Forest (Conservation) Rules, 2003-----	136-147
23. Assam Government's Guidelines for Compensatory Afforestation, 2000-----	148-153
24. Assam Compensatory Afforestation Fund Rules, 1994-----	154-155
25. Supreme Court's order-----	156-161
26. No Development Zone around Numaligarh-----	162-163
27. Assam Sale of Forest Produce, Coupes, Mahal Rules, 1977--	164-172

28.	Assam Sale of Forest Produce, Coupes, Mahal (Amendment) Rules, 2000-----	173-174
29.	Assam Preferential Store Purchase Act, 1989-----	175-189
	REGARDING J.F.M. AND F.D.A.	
30.	Assam Joint (People's Participation) Forestry Management Rules, 1998-----	190-198
31.	Constitution of FDAs-----	199-201
32.	Appointment of Nodal Officer for FDAs-----	202
33.	Appointment of Joint Nodal Officer & Nodal Officer for JFMCsv-----	202
34.	Constitution of SLCC-----	203-204
	FOREST POLICY	
35.	National Forest Policy, 1988-----	205-213
36.	Draft Assam Forest Policy, 2002-----	214-245
	WILD LIFE	
37.	Office memorandum regarding Compensation, 2000-----	246-247
38.	Notification for Nambor-Doigrung Wildlife Sanctuary, 2003--	248-263
39.	Notification for Kaziranga-Karbi Anglong Elephant Reserve, 2003-----	264-265
40.	Notification for Dihing-Patkai Elephant Reserve, 2003-----	266-268
41.	Notification for Marat-Longri Wild Life Sanctuary, 2003-----	269-283
42.	Notification for Dhansiri-Lungding Elephant Reserve, 2003----	284-285
43.	Notification for Chirang-Ripu Elephant Reserve, 2003-----	286-287
44.	Notification for Sonitpur Elephant Reserve, 2003-----	288-289
	NOTIFICATIONS ON SERVICE MATTER	
45.	Notification regarding Departmental Examination, 1999-----	290
46.	Notification regarding options for AIS Officers for I.T.C, 1998-	291
47.	Assam Forest Service Rules, 1942-----	292-300
48.	Landmark Judgment in connection with AFS-----	301-302
49.	IFS (Fixation of Cadre Strength) Regulation, 1995-----	303-307
50.	IFS (Regulation of Seniority) Rules, 1997-----	308-311
51.	IFS (Fixation of Cadre Strength) Third Amendment Regulations, 1997-----	312-317
52.	IFS-Promotion to various grades-Guidelines regarding, 2000---	318-330
53.	IFS-Promotion to various grades-Revised Guidelines regarding, 2002-----	331-333

**GOVERNMENT OF ASSAM
ADMINISTRATIVE REFORMS AND TRAINING DEPARTMENT
DISPUR GUWAHATI -6.**

NOTIFICATION

Dated Dispur, the 24th February, 2003.

• No.AR.17/2002/44 : In the interest of public service, the Governor of Assam is pleased to rename the Forest Department as the "Environment and Forest Department" and the Science, Technology and Environment Department as the "Science and Technology Department", with immediate effect.

Sd/-

Dr. Prem Saran

Commissioner & Secretary to the Government of Assam
Administrative Reforms and Training Department, Dispur.

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

ENVIRONMENT AND FOREST DEPARTMENT

NOTIFICATION

No. FRW.29/2002*5

Dated Dispur 31st March, 2003

The Governor of Assam is pleased to declare the following animal, bird, tree and flower respectively as the State Animal, State Bird, State Tree & State Flower of the State of Assam with immediate effect. The scientific names of the different species are given in italics.

STATE ANIMAL	Indian one-horned rhinoceros , <i>Rhinoceros unicornis</i>
STATE BIRD	White winged Wood Duck <i>Carina scutulata</i>
STATE TREE	Hollong <i>Dipterocarpus macrocarpus</i>
STATE FLOWER	Fox-tail orchid <i>Rhynchostylis retusa</i>

Sd/-

Dr. Anwaruddin Choudhury

Joint Secretary to the Government of Assam
Environment & Forest Department, Dispur.

GOVERNMENT OF ASSAM
LABOUR AND EMPLOYMENT DEPARTMENT : LABOUR (BC) BRANCH

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Dispur, the 3rd May, 2003.

NO.GLR.628/78/218 : In exercise of the powers conferred by Clause (b) Sub-Sec.(1) of Sec.5 of the Minimum Wages Act, 1948 read with Clause(b) of Sub-Sec.1 of Sec.3 of the said Act, (Act No. XI of 1948), the Governor of Assam is pleased to make the following draft proposal for revising the minimum rates of wages in respect of the M.R / Casual workers / employees employed in FORESTRY AND TIMBERING OPERATION in Assam.The proposal is hereby published for information of all persons likely to be affected thereby which will be taken into consideration on expiry of two months (60 days) from the date of publication of this notification in the Assam Gazette.

The rates will be revised after consideration of the objections or suggestion received from any person or organization on or before the date indicated above.

DRAFT PROPOSAL

CATEGORY OF EMPLOYEES/WORKERS	MINIMUM RATES OF WAGES	
	DAILY	MONTHLY
1. Unskilled workers	Rs.62.00	Rs.1860.00
2. Semi-Skilled/ Unskilled Supervisory	Rs.65.00	Rs.1950.00
3. Skilled/Clerical works	Rs.75.00	Rs.2250.00

In addition to the rates of wages as may be revised, the workers/employees shall be entitled to Variable Dearness Allowance (VDA) to the extent of 75% of the rise or fall of index point in the All India Consumer Price Index. Rate of VDA shall be revised in every six month on the basis of change in CPI during the intervening period.

Sd/-
B. Basumatary
Secretary to the Government of Assam
Labour and Employment Department, Dispur.

**GOVERNMENT OF ASSAM
INDUSTRIES AND COMMERCE DEPARTMENT
DISPUR GUWAHATI-6**

No.ML98/2001/3

Dated Dispur, the 12th October, 2001.

From : Sri S.C.Das, IAS
Commissioner & Secretary to the Government of Assam,
Industries & Commerce Department.

To : 1. All Principal Secretary/Commissioner and Secretary/Secretary of
Government of Assam.
2. All Heads of Departments/Directorates, Government of Assam.
3. All Deputy Commissioner/Sub-Divisional Officers
4. All PSUs/Government Corporations

Sub : Purchase of electronic equipment/goods and services information
technology (IT).

Sir,

I am directed to say that the Department of Industries has been acting as the nodal Department for Information Technology in the Government of Assam and Assam Electronic Development Corporation (AMTRON) a State Government undertaking has been giving its technical support to the nodal department as well as to the State Government. It has been decided by the State Government, that in order to maintain uniformity in the computer hardware and software procured by different State Government departments, Public Sector undertakings, Statutory bodies and Autonomous bodies under the Government of Assam, all purchases of electronic equipment as per Annexure-1 should be made from AMTRON. Similarly, all technical services etc. may be obtained from AMTRON.

In case any department/PSU/Autonomous body requires any branded products, they should also procure the same from AMTRON. If any department/PSU has any doubt regarding the price etc. offered by AMTRON, this may be brought to the notice of Department of Industries as well as Assam Electronic Department Corporation Ltd.(AMTRON), Industrial Estate, Bamunimaidan, Guwahati-21 Assam (Phone-0361-550724. Fax 0361-551747, e-mail matron@sancharmet.in).

In view of the above, I am therefore, directed to request you to kindly ensure that the purchases and obtaining of services in the field of Information Technology is made through AMTRON. Any deviation from the above will be seriously viewed.

Yours faithfully

Sd/-

Commissioner & Secretary to the Government of Assam
Industries & Commerce Department, Dispur.

ANNEXTURE-1

LIST OF PRODUCTS & SERVICES IN THE FIELD OF ELECTRONICS & INFORMATION TECHNOLOGY (IT) TO BE OBTAINED FROM ASSAM ELECTRONIC DEVELOPMENT CORPORATION LTD (AMTRON)

1. Computer Hardware Selection, supply, installation, repair and services (including Annual Maintenance Contracts-AMC) of Computer Hardware like desktop, servers nodes, terminals, laptop computers, LCD projectors etc and accessories like printers, UPS, SCVS, Scanner, Modem, Digitizers etc.
2. Installation Installation of computers in standalone/LAN/WAN etc modes & including site preparation works.
3. Education & Training Training of Manpower in computer.
4. Data processing Computer Data Processing works, specialized processing services like computerized identity cards etc and all such related works etc.
5. Software Development Development of Customized software etc.
6. Web sites Website design & hosting etc.
7. Consultancy services Consultancy services in areas and turn-key solutions etc.
8. Misc. works Selection, supply, installation, repairs, and services (including Annual Maintenance Contract- AMC) of electronic products like TV, CCTV equipment, VCRs, VCDs, Multi-media, kits, EPEABX systems, Telephone, Electro-medical equipment, inverters, stabilizers, CVT, UPS etc.

**GOVERNMENT OF ASSAM
FOREST DEPARTMENT (ESTABLISHMENT BRANCH).**

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Dispur, the 30th June, 1992.

No.FRE.242/88/98 :- In exercise of the powers conferred by section 32, 33, 34, (2) (d) (h) of the Assam Forest Regulation, 1891, the Governor of Assam is pleased to publish the following Schedule of rates of royalty livable on all clauses of forest produces removed from any unclassified State Forest in Assam.

The Governor of Assam is further pleased to revise the rates of royalty on sand & stone, gravel & shingles etc. payable by certain Department of the State and Central Government viz. P.W.D., Irrigation, Flood Control, C.P.W.D., Defence Department, Railways, Municipal Corporation, Town Committee, Town Planning, P.H.E., Development Blocks and B.R.T.F. for undertaking working works within the State.

This supersedes all previous Government Notification issued in this regard and will come into force with effect from 1.7.92 and shall remain valid until further orders.

Sd/-

(C. Babu Rajeev)

Commissioner & Secretary to the Government of Assam
Forest Department, Dispur.

SCHEDULE

Based on the use, trees are categorized into five categories A to E as follows :-

CATEGORY : A - I

1. Testone grandias	Teak, Sagun
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CATEGORY : A-II

2. Acacia catechu	Khoir
3. Dalbergia sissoo	Sissoo
4. Gamolina arborea	Gamari
5. Mesua ferrea	Nahar, Nageswar
6. Morus laevigate	Pola
7. Michelia champaca	Champ, Titasopa, Sundi
8. Phoebe parensia	Bonsum
9. Shorea robusta	Sal

CATEGORY : A –III

10. *Adina cordifolia*
11. *Canarium resiniferum/bengalensia*
12. *Dipterocarpus macrosarpus*
13. *Dipterocarpus turoinatus*
14. *Mansonia dipikae*
15. *Shorea assamica*
16. *Terminalia myiocarpa*
17. *Terminalia tomentosa*

Haldu, Taraksopa
Dhuna, Gokuldhup, Dhunarate
Hollong
Gurjan
Badam
Mekai
Hollock
Sain, Panisai

CATEGORY : B-I

18. *Artocarpus chaplasha*
19. *Amoora wallichii*
20. *Actocarpus frazinifolius*
21. *Ailanthus grandis*
22. *Artocarpus integrifolia*
23. *Albissia odoratissima*
24. *Albizia lebbek*
25. *Albizia procera*
26. *Altingia excelsa*
27. *Adina obigocephala*
28. *Betula alneidis*
29. *Bischofia javanica*
30. *Bridelia retusa*
31. *Cinnamomum cecidodapene*
32. *Chikrassia tabularia*
33. *Cedrela toona*
34. *Cassia fistula*
35. *Cynometra ployandra*
36. *Calophyllum polyanthum*
37. *Duabanga sonneratioides*
38. *Dysoxylum binectiferum*
39. *Eugenia jambolana*
40. *Eugenia pracco*
41. *Lagerstroemia flosreginae*
42. *Lagerstroemia parviflora*
43. *Mangifera species*
44. *Nyssa sessiliflora*
45. *Phoebe cooperiana*
46. *Phoebe attenuata*
47. *Pterospermum acerifolium*
48. *Sohima wallichii*
49. *Stercolia alata*
50. *Terminalia belerica*
51. *Terminalia chebula*
52. *Talauma pheliocarpa*
53. *Vitex peduncularia*
54. *Zanthoxylum budrunga*

Sam, Champ
Amari, lald
Handhani
Borpat
Kathal
Hiharu
Kokko, Kala, Siria
Kokoi, Safed Siris
Jutuli
Halduchopa
Birch
Uriam
Kuhim
Gonsoroi
Bogipoma
Jatipoma, Poma
Sonaru
Ping
Pogn
Khakan, Ramdala
Rate, Bandardima
Jamuk
Bogijamuk
Ajhar, Jarul
Sida
Am, Bon-Am
Gaharisopa
Mekahi
Mekahi
Matipolia
Nagabha, Makrisal, Gogra
Pahari
Bohera, Bhomora
Hilika, Hartaki
Kharikasopa
Ahoi
Brajanali, Barjoreni, Beirong

CATEGORY: B-II

55. <i>Articarpus lakoocha</i>	Dowachali, Dowasam
56. <i>Anthocephalus cadamba</i>	Kadam, Reghu
57. <i>Albizia lucida</i>	Moj, Sundi
58. <i>Alcoodaphne ewdenil</i>	Morichasundi
59. <i>Alcoodaphne owdenil</i>	Morichasundi
60. <i>Alstonia schelaris</i>	Satina Sathi
61. <i>Bombas insigne</i>	Dumboll
62. <i>Bombax caba</i>	Simul
63. <i>Castonopa indica</i>	Hingori
64. <i>Dillenia indica</i>	Owtenga
65. <i>Dysoxylum hamiltonii</i>	Genodhelipoma, Rauni, Poma
66. <i>Endospermum chinense</i>	Phulgamari, Tarua
67. <i>Garuga pinnata</i>	Thutmala, Rohimala
68. <i>Kayea assamica</i>	Sianahar
69. <i>Kayea floribunda</i>	Karal
70. <i>Palagium polyanthum</i>	Kurta
71. <i>Podocarpus nerifolia</i>	Jinari
72. <i>Pinus khasia</i>	Pine, Saral, Dinnea
73. <i>Stereospermum chelonides</i>	Paroli
74. <i>Tetramelia nudiflora</i>	Bhelu, Tula
75. <i>Trewia nudiflora</i>	Bhelkor, Bhura, Boara, Pitai

CATEGORY -C

76. <i>Agalia edulia</i>	Momai-Leteku
77. <i>Albizia stipulata</i>	Saw, Harish
78. <i>Cinnamomus obutushifolium</i>	Maduridima
79. <i>Cinnamomus fragrantisaima</i>	Mahidal
80. <i>Dillenia pantagyna</i>	Oxi, Bajiraw
81. <i>Kydia calycina</i>	Pichola
82. <i>Lonnes grandis</i>	Jia
83. <i>Lophopetalum fimbriatum</i>	Sutrong
84. <i>Machilus globosa</i>	Kowla
85. <i>Premna bengalensis</i>	Gohora, Guzengga
86. <i>Pterospermum lancifolium</i>	Bonboguri
87. <i>Prem illilora</i>	Hillgamari
88. <i>Steeculia villosa</i>	Udal
89. <i>Soondius mangifera</i>	Amora
90. <i>Saplum baccatum</i>	Selleng, Sella

CATEGORY -D

91. <i>Aperosh rexothrghil</i>	Garokhat, Chapnol
92. <i>Buserra serrata</i>	Mistengra Neuri, Heru
93. <i>Selchniedia assamica brandisii</i>	Amsoi, Bonjalkia, Loluk
94. <i>Cassia nedosa</i>	Sonari
95. <i>Caraliia integerrima</i>	Mohithekera

96. <i>Coltis australia</i>	Mauhita
97. <i>Cryptocaria amygdalina</i>	Bonhoalu
98. <i>Crytemarya paniculate</i>	Garumara
99. <i>Gyelostemen assamioa</i>	Rali
100. <i>Echnocarpus assamica</i>	Jataningori, Bendorkakkot
101. <i>Eugenia eperculate</i>	Goohajam
102. <i>Ficus nervosa</i>	Khaipan, Kheripan
103. <i>Gironniera speciece</i>	Dudchampa
104. <i>Hibiscus macrophyllia</i>	Cherna
105. <i>Laritiers acuminata</i>	Baroi, Dhamen
106. <i>Litsa panamonja</i>	Bhuichapa
107. <i>Melia azaderach</i>	Ghoranim
108. <i>Parkia roxburghii</i>	Manipuri Urahi
109. <i>Ulma ancifolia</i>	Manik, Diongtyrgam

CATEGORY-E

All other species not mentioned in the forgoing Categories.

Rates for logs Per Cubic Metre.

Categories Mid Girth 0.61 Metre above but less than 1.22. metre.			
1.	2. Existing Rates	3. Proposed Rates	4. Percentage
A-I	Rs.1,925/-	Rs.3,000/-	60.00 %
A-II	Rs.1,575/-	Rs.2,464/-	56.44 %
A-III	Rs.875/-	Rs.1,820/-	108.00 %
B-I	Rs.630/-	Rs.1,232/-	95.55 %
B-II	Rs.350/-	Rs.690/-	97.14 %
C	Rs.245/-	Rs.431/-	75.91%
D	Rs.175/-	Rs.210/-	20.00%
E	Rs.140/-	Rs.140/-	

Mid Girth. 1.22 Metre & above.			
1.	2. Existing Rates	3. Proposed Rates	4. Percentage
A-I	Rs.3,150/-	Rs.5,040/-	60.00%
A-II	Rs.2,100/-	Rs.3,280/-	56.44%
A-III	Rs.1,400/-	Rs.2,910/-	108.00%
B-I	Rs.1,050/-	Rs.2,050/-	95.55%
B-II	Rs.525/-	Rs.1,035/-	97.14%
C	Rs.350/-	Rs.616/-	75.04%
D	Rs.210/-	Rs.252/-	20.00%
E	Rs.175/-	Rs.210/-	20.00%

The cubic contents of the logs will be calculated by multiplying the square of the quarter girth taken at the middle of the logs multiplied by the length of the logs. But for the logs above, 3.65 metre in length, midgirth will be measured at 1.83 metre from but end.

The above rates are for girth measurement taken over bark. For barked logs and dressed logs the rates will be 10 (ten) percent and 33 (thirty three) percent respectively higher than the rates for log measured over bark embodied on item 2 above.

Rates for sawn timbers will be doubled the above rates given girth 1.22 metre and over irrespective of girth class of the logs from which the sawn timbers has been converted.

Payment of log rates will enable the purchaser to remove slab obtained on conversion without further payment on sawn timber rate after conversion, in the forests will not enable the purchaser to remove the slabs and royalty on them will be leviable at the rates fixed below :-

RATES FOR POLES.

	Existing Rates	Proposed Rates	Percentage
A-I	Rs.4.00/-	Rs.6.00/-	50.00%
A-II	Rs.3.00/-	Rs.4.50/-	50.00%
B-I and B-II	Rs.2.00/-	Rs.3.00/-	50.00%
C D and E	Rs.1.00/-	Rs.1.50/-	50.00%

RATES FOR FIREWOOD

	Existing Rate	Proposed Rate	Percentage
(a) For removal by head load.	Rs.2.00/-	Rs.2.00/-	Same %
(b) For removal by buffallo	Rs.60.00/-	Rs.75.00/-	25.00%
(c) For removal by bullock or pony	Rs.40.00/-	Rs.50.00/-	25.00%
(d) For removal otherwise per stack cubic metre	Rs.40.00/-	Rs.50.00/-	25.00%
(e) For industrial Wood (Raw materials of firewood specification utilised by various industries) stack per cubic metre	Nil	Rs.150.00/-	Nil

RATES OF SLABS

Category	Existing Rate	Proposed Rate	Percentage
A-I	Rs.12.00/-	Rs.18.00/-	50.00%
A-II	Rs.8.00/-	Rs.12.00/-	50.00%
B-I, II	Rs.5.00/-	Rs.7.00/-	50.00%
C, D, E	Rs.2.00/-	Rs.3.00/-	50.00%

RATES FOR CHARCOAL

Existing Rate	Proposed Rate	Percentage
Rs.50.00 Per quintal	Rs.60.00/-	20.00 %

RATES FOR SPECIAL AGRICULTURAL IMPLEMENTS

(a) Plugh pieces of unreserved species converted from branch wood for felled trees	Rs.3.00	Rs.3.00	Same Percentage
(b) Plugh pieces of reserved species converted from branch wood of felled trees	Rs.3.00	Rs.3.00	Same Percentage
(c) Khoir straps	Rs.40.00	Rs.60.00	50.00 %

RATES OF MINOR FOREST PRODUCT

(a) Bambusa bulgaricus Bariala	Rs.125.00	Rs.350.00	180.00%
(b) Bambusa tulda Jati	Rs.125.00	Rs.350.00	180.00 %
(c) Bambusa pallida makai	Rs.125.00	Rs.750.00	60.00%
(d) Bambusa belooora Bhaluka	Rs.125.00	Rs.750.00	500.00%
(e) Dendracalamus hamiltoni Koko	Rs.62.50	Rs.125.00	100.00%
(f) Dendracalamus strictus Mol	Rs.62.50	Rs.125.00	100.00%
(g) Pseddostachyum poly Morphum Bajal	Rs.62.00	Rs.100.00	60.00%
(h) Teinostachyum dullo Dallo	Rs.62.50	Rs.100.00	60.00%
(i) Malocanna Bambus cides Muli	Rs.62.50	Rs.100.00	60.00%
(j) Other Bamboos 5 cm & above in diameter	Rs.56.25	Rs.68.00	200.88%
(k) Other bamboos, 2 cm above	Rs.31.25	Rs.40.00	28.00%
(l) Other bamboos less than 2.5 cm in dia metre	Rs.12.50	Rs.15.00	20.00%

SAN GRASS OR THATCHING GRASS

	Existing Rate	Proposed Rate	Percentage
0.30 metre in girth (Blis)	Rs.12.50	Rs.18.00	44.00%
0.45 metre in girth (Blis)	Rs.25.00	Rs.35.00	40.00%
0.60 metre in girth (Blis)	Rs.50.00	Rs.75.00	50.00%

CANE

(a) Calamus Gurba Sund	Rs.4.00	Rs.6.00	50.00%
(b) Calamus Tenuls Jari Jali			
(c) Calamus plagellum			
(d) Calamus latiolius Houk Horna			
(e) Doomororops Jemkinsianus Raidang Golla	Rs.5.00	Rs.10.00 per 72 mt.	100.00%
(f) Clamus leplespadix Tita	Rs.3.00	Rs.6.00 per 72 mt.	100.00%
(g) Clamus floribunus legori	Rs.2.00	Rs.4.00 per 72 mt.	100.00%

ABOVE RATES ARE NOT WHOLE CANE.

EKRA AND OTHER REEDS

(a) Upto 1.15 metre in girth	Rs.10.00	Rs.12.00	20.00%
(b) Over 1.15 metre in to 0.30	Rs.30.00	Rs.36.00	20.00%
(c) Over 0.30 to 0.45 metre	Rs.50.00	Rs.60.00	20.00%

SAND/GRAVEL/STONE

Sand	Rs.8.00	Rs.50.00	525.00%
Gravel broken Stone, single boulder	Rs.16.00	Rs.70.00	337.1/2%
Squared stone	Rs.16.00	Rs.50.00	212.50%
(A) Clay and birth	Rs.6.00	Rs.8.00	33.33%
(B) Clay for industrial use.	Rs.10.00	Rs.20.00	100.00%
Lime stone	Rs.32.00	Rs.64.00	100.00%
Silemanite Stone	Rs.200.00	Rs.300.00	100.00%

ROOFING LEAVES

(a) Tokc at	Rs.10.00 Per	1000 leves
(b) Jeng and other leaves	Rs.4.00 Per	"

25. Increase or decrease of any of the rate is vested in Chief Conservator of Forests, Assam, to a limit of 50 percent of decrease and 50 percent increase accordingly to distance and difficulties of extraction or due to sudden increase of market price of Forest Production.

- (i) Increase or decrease of any of the rates by 30 percent is vested with the Conservator of Forests and by 50 percent with the Chief Conservator of Forest, Assam on being referred by the Conservator of Forests beyond which the Administration Department shall have to referred to.
- (ii) The Chief Conservator of Forests, Assam, is also empowered to prohibit extraction of certain produce generally or in specified local limit which is considered harmful to the Conservation and ecoconeds of the Forests and preservation certain species

All other minor Forest Produce not listed above such as bee wax, honey, ivory, agar chalmugra, lme, all medicinal plants Bhat-rhila barks (Groxylum) Phuljharu etc. will be charged at 121½ percent "Advalorum as fixed by the Chief Conservator of Forests, Assam for all Forest including land at the disposal of Government.

Assam sale tax at rates prevalent will be leviable on payment of royalty for any kind of Forest Produce operated under permit only.

Advalorum rate will be issued on 1st April each year from the office of the Forest Utilisation Officer, Assam with prior approval of Forests, Assam.

The general terms and conditions governing the issue of permits on sand, stone etc. are shown below :-

A.	1. Sand	<u>Rates Payable.</u> Rs.50/- Per Cum ³
	2. Boulder/Stone	Rs.70/- Per Cum ³ .

B.1. All Departments/undertakings of the State & Central Government shall obtain permits for the above materials from the Forest Department on prior payment. The above rate is exclusive of sales Tax which will be realized as per prevalent rates

2. From now onwards the concerned Department/undertaking will write to the respective Divisional Forest Officer recommending the names of contractors for permit against the concerned departmental job.

Information required to be furnished are as follows :-

- (a) Name of the job and place of use.
- (b) Time allowed for the job.
- (c) Name of the contractors.
- (d) The quantity recommended.
- (e) Name of the quarry.

3. The respective Divisional Forest Officers shall issue the permit only on obtaining the above information.

4. No permit shall be issued in favour of any contractor directly unless they are authorized by the respective Department for whom forest produce is required.

5. The authorized contractor shall submit their bills to the respective authority of the Department by whom they are engaged in the job.

6. The respective Department on receipt of the bill will inform Divisional Forest Officer with reference to his letter about the quantity billed for and request the Divisional Forest Officer to confirm the quantity lifted.

7. The Divisional Forest Officer on receipt of the letter shall report to the concerned Department about the quantity collected and if there be any difference in the quantity collected and billed for, the Divisional Forest Officer will submit bills imposing upto 200% monopoly fee for difference and the concerned Department will realize the amount from the contractors bill and credit the amount to the Divisional Forest Officers as Forest Revenue.

8. In concerned Department while issuing any tender notice should insert a clause in the said notice that forest produce required by the Department will be made available at the rates as applicable

9. This rate is applicable only for utilization of forest produce within the State of Assam.

10. The mahal/Quarry once allotted will not be transferable.

11. All Government Departments including Corporate bodies shall obtain permit from Forest Department only for their requirement.

12. The Department shall have the right to modify the rates at any time or stop issue of permit without any prior intimation.

Deputy Secretary to the Government of Assam
Forest Department, Dispur.

**GOVERNMENT OF ASSAM
FOREST DEPARTMENT (ESTABLISHMENT BRANCH)**

ORDERS BY THE GOVERNOR

CORRIGENDUM

Dated Dispur, the 16th July, 1992.

No.FRE.242/88/101 : Please read the word "Rate" instead of words "Proposed rates" appearing in Column 3 at pages from 5 to 9. Further the Column 2 & 4 i.e. the words "Existing rate & percentage" and figures below the Column 2 & 4 at pages from 5 to 9 of the Department's Notification No.FRE.242/88/98, dated 30th June, 1992 is deleted.

Sd/- (C. Babu Rajeev)
Commissioner & Secretary to the Government of Assam
Forest Department, Dispur

**GOVERNMENT OF ASSAM
FOREST DEPARTMENT (ESTABLISHMENT BRANCH)**

CORRIGENDUM

NO.FRE.242/88/109

Dated Dispur, the 20th August, 1992

Please read "Midgirth under 0.30 M" as headline against the rates of poles appeared in the Notification issued under No.FRE.242/88/98, dated 30-06-1992 under Column No.2. Further to the corrigendum issued vide No.FRE.242/88/101, dated 16-07-1992.

Please also read the following rates of poles as below :

Midgirth 0.30 M to less than 0.45 M.	Per Unit 1 metre when the length is more than 4 metre.
(3)	(4)
A-I Rs.9.00	Rs.16.00
A-II Rs.6.00	Rs.12.00
B-I, B-II Rs.4.00	Rs. 8.00
C, D, E Rs.3.00	Rs. 4.00

Note : The above rates are for girth measurement taken over bark in the middle of the Poles. For barked and dressed poles the rates will be 10 (ten) percent and 33 (thirty three) percent respectively higher than these rates. Length of the poles in fractions of 5 metre or more will be taken into the next higher numerical unit length in assessment of royalty.

Please also read the following definition below the rates quoted for firewood Notification No.FRE.242/88/98, dated 30-06-1992.

7. Rates of Firewood.

Firewood is defined as wood under 0.60 metre in length and upto 0.45 metre in girth. Unsuitable wood of higher dimension if found owing to hollowness, crookness or other defects for sawing and plan may be removed as firewood after splitting.

Please also add column No. 3 & 4 against Sl. No.9 Rates of Slab below :-

Category 1	2 metre to below 4 metre 2	4 metre and above 3
A-I	Rs.32.00	Rs.54.00
A-II	Rs.21.00	Rs.36.00
B-I, II	Rs.18.00	Rs.24.00
C, D, E	Rs.9.00	Rs.18.00

Please also add the words per quintal after Rs.60.00 against Sl. No. 10 Rates for Charcoal.

Please also read the words "each" after the rates quoted against Sl. No.11 (a), (b), (c) and add the following :-

- (d) Paddle or oar of all species upto 1.50 metre in length Rs.3.00 each.
- (e) Paddle or oar of over 1.50 metre in length Rs.4.00 each.
- (f) Gail (a round wooden vessel for husking paddy) of all species upto 1 metre in girth and 0.45 to 0.60 metre and above in length Rs. 3.00 each.
- (g) Gail of all species of our 1 metre in girth and 0.45 metre to 0.69 metre and above in length R.3.00 each.

And add the words per stump after Rs.60.00 against Sl. No.11 (h)

Please also add the words "per hundred" against (a) to (1) of Sl. No. 12 Rates of Minor Forest Produce and read the following definitions :-

Above rates are per hundred in each case where diameter is mentioned, the diameter should be taken at the thickest end.

Also effect the following grass :-

13-San grass or thatching grass :-

"per 1000 bundles" after the rates quoted against each items.

14. Cane :-

"pre 72 metre" after the rates of Rs.6.00 against Sl. No.(a), (b), (c) and also the words "for" in place of "not" in foot-note thereof.

15. Ekra and other reeds :-

(a), (b) and (c) - The works "100 bundles" after the quoted rates against each item.

16. Sand.

- | | |
|-----------------------------------|--|
| 17. Gravel, Broken stone, Boulder | Per cum against each of the rates |
| 18. (a) Clay and earth | |
| (b) Clay for industrial Use | Per cum after each of the rates. |
| 19. Lime stone | |
| 20. Silemanite stone | |
| 21. Roofing leaves. | |
| (a) Toko at | |
| (b) Jeng and other leave | Per 1000 leaves against the rates of each items. |

Sd/- (C. Babu Rajeev)
Commissioner & Secretary to the Government of Assam
Forest Department, Dispur, Guwahati -6.

**MEMORANDUM FOR THE CABINET
(CIRCULATED UNDER RULE 17 OF THE ASSAM RULES OF EXECUTIVE
BUSINESS)**

File No.FRE.242/88/Pt.I

Sub : Realisation of royalty on Forest Produce by the consuming Department.

The Forest Department has notified schedule of rates of royalty on different Forest Produces. A copy of the said Notification is annexed as annexure-A. As per the said Notification all Departments/Undertakings of the State and Central Government shall obtain permits for the Forest Produces from the Forest Department on prior payment of the prescribed rate of royalty.

2. The Council of Ministers, in an informal discussion on the subject, discussed the difficulties faced by contractors of P.W.D. and Flood Control Departments due to delayed payment and suggested that the forest royalty in respect of forest goods supplied to contractors may be collected to the extent of 25% in advance, and balance 75% may be deducted from the running bills of the contractors. The Council of Ministers desired that the subject may be examined in detail and a note place before the Cabinet for their consideration.
3. The matter has been examined. The Forest Department apprehends that the above procedure is likely to lead to difficulties in accounting and adjustments. It is also likely to cause delay in collection of forest dues which would have implications on the State resources. However, considering the problems faced by Departmental contractors due to delayed payments, it is proposed that the registered contractors of State Government Departments like Flood Control, PWD, etc. ma collect forest produce for Government works on payments of 50% of the royalty in advance and the remaining 50% of the royalty would be deducted at source at the time of payment of bills by the concerned Government Department in a single installment. The Forest royalty would be the first charge on the contractors payments and it would be the responsibility of the concerned Government Department to deduct this out of the bills of the contractors. Details in this regard would be worked out by Forest Department and guidelines would be issued to other concerned Department on the manner in which the deductions are to be made.
4. The Cabinet is requested kindly to approve the proposal at para 3 above for payment of 50% royalty in advance and the balance to be adjusted in the running bills by the concerned Department.

Commissioner & Secretary to the Government of Assam
Forest Department, Dispur.

**GOVERNMENT OF ASSAM
FOREST DEPARTMENT DISPUR.**

ORDERS BY THE GOVERNOR

NOTIFICATION.

Dated Dispur, the 17th August, 1998.

No.FRM.4/98/58 : The Governor of Assam, in pursuance of the order of the Hon'ble Supreme Court dated 15.1.98 in WP(C) No.202/95, is pleased to review and revise the existing royalty of timber of different sizes, girth etc. as per the Annexure -I appended herewith.

This supercedes earlier Notification issued vide Government letter No.FRM.4/98/38 dated 28.4.98.

Sd/- Harish Sonowal
Commissioner & Secretary to the Government of Assam,
Forest Department, Dispur.

ANNEXURE - I

**REVISED RATES OF ROUND LOG TIMBERS OF VARIOUS
CATEGORIES TILL NEXT REVISION**

Category of Timber Per Cub	Revised rates of royalty (in Rs. Per Cub Metre)	
	Lower girth	Upper girth
A-I	4,004	6,552
A-II	3,203	4,264
A-III	2,366	3,783
B-I	1,602	2,665
B-II	897	1,345
C	562	801
D	273	328
E	182	273

- N.B :- (1) A.G.S.T., C.S.T. and other departmental charges as and where applicable will be charged extra.
(2) The prices mentioned above are @ Rs. Per Cub. mt.

Joint Secretary to the Government of Assam
Forest Department, Dispur.

**GOVERNMENT OF ASSAM
DEPARTMENT OF ENVIRONMENT & FORESTS
DISPUR :: GUWAHATI-6**

No.FRW.15/2003/70

Dated Dispur, the 4th September, 2003.

From : Dr. A.U. Choudhury, ACS
Joint Secretary, DEF

To : The Principal Chief Conservator of Forests, Assam
Rchabari, Guwahti-8

Sub : Price of bamboo.

Sir,

I am directed to state that the present price of bamboo used by the HPC mills at Panchgram and Jagiroad at Rs.62.50/MTAD is unreasonably low and it was fixed way back in 1990. Although during the intervening period, there was increase in case of bamboos obtained from the Autonomous Councils of N.C. Hills and Karbi Anglong, there was however no revision of rates in case of the bamboo obtained from reserve forests of the plain districts. Hence, a reasonable revision was long over due.

In this connection, you may also refer to the meeting held in the office chamber of the Hon'ble Minister and also other meetings between the officials of Department of Environment & Forest and HPC during the last few months. Although the great disparity in prices was apparent (see enclosed "bamboo economics", there was no consensus on a reasonable increase.

Therefore, after careful consideration, it has been decided to fix an interim price of bamboos at Rs.300.00 per MT with an annual increase of 5% on this in compounding manner till the expiry of the existing agreement in 2007. This rate will be applicable with immediate effect.

Yours faithfully
Sd/-
(A.U.Choudhury)
Joint Secretary, DEF.

APPENDIX-6

BAMBOO ECONOMICS-CACHIAR PAPER MILL (HPC, PANCHGRAM)

Source of Raw Material	Rs. Per Metric Ton Basis
	Royalty
District Council Royalty	108/-
Govt. Of Assam Royalty	62.50/-
Amount paid FOR Delivery At Panchgram	
Muli Bamboo From Manipur	1143/-(Including Royalty)
Muli Bamboo From Mizoram	1442/-(Including Royalty)
Muli Bamboo From Barak Valley	949/-(From Lease Area) (Including Royalty)
	1000/-(From Private Land) (Including Royalty)
Muli Bamboo From N.C. Hills	1450/-(From Lease Area) (Excluding Royalty)
	1735/-(From Private Land) (Including Royalty)
Muli Bamboo From Tripura	1660/-(Including Royalty)
Muli Bamboo From Meghalaya	1641/-(Including Royalty)
Local Collection(Home Grown)	905/- (Including Royalty)
Lower Assam	2162/-(Including Royalty)
	2591/-(Including Royalty)
Upper Assam(Diphu)	2109/-(Including Royalty)
East Khasi Hills	1717/-(Including Royalty)

**GOVERNMENT OF ASSAM
FINANCE (ESTABLISHMENT A) DEPARTMENT
DISPUR::: GUWAHATI**

ORDERS BY THE GOVERNOR

NOTIFICATION

No. FEG.54/84/20

Dated Dispur, 21st July,1998

In exercise of the powers conferred by the proviso to Article 309 of the constitution of India, the Governor of Assam is pleased to order that the following further amendment to Appendix-5 under S.R.4 (4) of the State FRs & SRs be made.

In Appendix-5 for entry (4) the following shall be substituted namely:- (4) "Principal Chief Conservator of Forests" in place of (4) "Conservator of Forests"

This takes place from the date of issue of the notification.

Sd/- Illegible
Under Secretary to the Government of Assam
Finance (Esstt. A) Department, Dispur.

CORRECTION SLIPS TO FRs & SRs

C.S No. 524

Dated Dispur, 21st July,1998

Under SR. 4 (4) in Appendix-5 for entry (4) the following shall be substituted namely:- (4) "Principal Chief Conservator of Forests" in place of (4) "Conservator of Forests".

Sd/- Illegible
Under Secretary to the Government of Assam
Finance (Esstt. A) Department, Dispur.

**GOVERNMENT OF INDIA
MINISTRY OF WELFARE
SHASTRI BHAVAN
NEW DELHI - 110 001.**

No.19020/31/97-SCD-VI

Dated May, 1997.

To,

The Chief Secretary, Government of Assam
Dispur, Guwahati.

Sub : Revalidation of unspent central assistance released under Centrally Sponsored Schemes-Instruction regarding -

Sir/Madam,

As you know this Ministry has been releasing its share of central assistance to the State Governments for the implementation of the Centrally Sponsored Schemes indicated in the annexure enclosed. It has been observed that in large number of cases proposals seeking due central assistance are received late from the State Governments. As a result, the release of Central assistance is invariably delayed, and in many cases released at the hag end of the financial year and therefore, large amounts of unspent balance remain with the State Governments at the end of the financial year.

2. According to the existing instructions on the subject, State Governments are required to seek revalidation of unspent balances lying with them at the end of the previous financial year for utilizing the same during the current financial year. This not only involves delay but also disrupts the continuity of the schemes/programmes.
3. With a view to overcoming the above difficulty and to ensuring continuity in the implementation of the schemes/programmes it has been decided in consultation with the Ministry of Finance (Department of Expenditure) that the revalidation of sanction/unspent balance is not required, particularly when the amount has already been released to the State Government as per the conditions specified in the sanction order and the same has gone out of the central balances. In view of this, the State Government can spend the unspent balance lying with them at the end of the financial year for the same purpose for which it was sanctioned, during the next financial year without approaching this Ministry for revalidation etc. However, while releasing further central assistance, unspent balance, if any, lying with the State Government, will be taken into consideration and adjusted against the due central assistance to be released to them.

4. In order to work out the next requirement of the State Government under these schemes, it is requested that the unspent balance of central assistance, if any, with the State Government at the end of the financial year 1996-97 may please be intimated to this Ministry immediately.
5. I shall be grateful, if you kindly issue necessary instructions to the concerned officers.

Yours faithfully

(K. K. Baksi)
Secretary to the Government of India.

**LIST OF CENTRALLY SPONSORED SCHEMES IMPLEMENTED THROUGH
THE STATE GOVERNMENT.**

- (i) Post-Matric Scholarships to students belonging to SCs and STs.
- (ii) Pre-Matric Scholarships to the children of those engaged in unclean occupations.
- (iii) Book Banks for SC/ST students.
- (iv) Construction of hostels for SC Boys.
- (v) Construction of hostels for SC Girls.
- (vi) Coaching and allied scheme.
- (vii) Protection of Civil Rights Act & the SCs and STs (Prevention of Atrocities) Act.
- (viii) National Scheme of Liberation and Rehabilitation of Scavengers and their Dependents.
- (ix) Upgradation of Merit of SC/ST Students.
- (x) Assistance to Scheduled Castes Development Corporations.

**THE ASSAM FOREST REGULATION, 1891
(REGULATION 7 OF 1891)**

Dated 1st April, 1892.

A Regulation to amend the law relating to forest, forest produce and the duty leviable on timber in Assam.

Whereas it is expedient to amend the law relating to forest, forest produce and duty leviable on timber in Assam;

It is hereby enacted as follows:-

CHAPTER I

Preliminary

- 1.(1) **Title, extent and commencement.**- This Regulation may be allied the Assam Forest Regulation, 1891.
- (2) It extends to the whole of the territories * * *¹ administered by the [Government]² of Assam :
- Provided that the [State Government]³ may, by notification in the official Gazette, exempt any place from the operation of the whole or any part thereof, and withdraw such exemption; and
- (3) It shall come into force on such day as the [State Government]³ by notification in the official Gazette, directs.
- (4) A notification under the proviso to sub-section (2), exempting a place from the operation of the whole or any part of the Regulation shall not affect anything done, or any offence committed, or any fine or penalty imposed, in such place before such exemption.
1. The words " for the time being" omitted by the A.O., 1937.

LOCAL EXTENT - This regulation extends to Assam, but any place therein may be exempted from its operation. It came into force on first April 1892, vide Notification No.612-R., dated the 23rd February 1892, published in the Assam Gazette of the 5th March 1892,

The regulation has been extended under section 5 of the Scheduled Districts Act, to the Sadiya Frontier Tract and the tract added to it by Notification No.7280-A.P., dated 2nd December 1921, the Balipara Frontier Tract and the tract added to it by Notification No.7881-A.P., dated 8th December 1921, No. 1470-A.P. dated 26th February 1931 and No.6779-A.P., dated 2nd November 1934, Lakhimpur Frontier Tract and the area added to it by Notification No. 5783-A.P., dated 12th August 1929, and Notification No.713-L. dated 27th September 1937.

The application of the Regulation was barred in the Lushai Hills vide Notification No.920-P, dated 1st April 1898

2. Substituted by the A.O. 1954 "Chief Commissioner".
3. Substituted by the A.O., 1950 for "provincial Government" which was substituted by the A.O. 1937 for "Local Government".
4. The 1st April 1892- See Assam Gazette, part II dated 5th March 1892, page 176.

(2) * * *

1. Section 2 which dealt with Repeals and Saving of Rules and other Proceedings repealed by Assam Act I of 1938.

3. **Definitions.**- In this Regulation and in all rules made there under, unless there is something repugnant in the subject or context,-

(1) "Forest Officer" means any person appointed by name or as holding an office by or under the orders of the * *¹ the [State Government]² to be a Conservator, Deputy Conservator, Assistant Conservator, (Forest Ranger, Deputy Ranger, Forester, Assistant Forester)³ Forest-guard or to discharge any function of a Forest-officer under this Regulation or any rules there under :

1. The words "Government General in Council or" omitted by the A.O. 1937.
2. Substituted by A.O., 1950 for "Chief Commissioner".
3. Substituted for the words "Sub-Assistant Conservator, Forest Ranger Forester" by Assam Act IX of 1952.

(2) "tree" includes palms, bamboos, stumps, brushwood and canes;

(3) "timber" includes trees when they have fallen or have been felled and all wood, whether cut up or fashioned or hollowed out for any purpose or not :

(4) "forest-produce" includes-

(a) the following whether found in, or brought from, a forest or not, that is to say,-

timber, charcoal, wood-oil, resin, natural varnish, bark, lac, myrabolams, [and rhinoceros horns]¹ and, caoutchone, catechu and

(b) the following when found in, or brought from, a forest that is to say,-

(i) trees and leaves, and fruits and all other parts or produce not hereinbefore mentioned of trees.

(ii) plants not being trees (including grass creepers, reeds and moss) and all part or produce of such plants.

(iii) wild animals and skins, [tusks, and horns other than rhinoceros horns]², bones, silk, cocoons, honey and wax and all other parts or produce of animal, and

(iv) peat, surface-soil, rock and minerals(including limestone, late rite, mineral oils and products of mines or quarries):

1. Inserted by Assam Act III 1953.
2. Substituted by Assam Act III of 1933 for "tusks horns".

- (5) "forest offence" means an offence punishable under this Regulation or any rule there under :
- (6) "cattle" includes also elephants, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids;
- (7) "river" includes also streams, canals, creeks and other channels, natural or artificial:
- (8) "Land at the disposal of the Government" means land in respect of which no person has acquired-
- (a) a permanent, heritable and transferable right of use and occupancy under any law for the time being in force, or
- (b) any right created by grant or lease made or continued by, or on behalf of, the [Government]¹ not being land vested in the [Government]² for the purpose of the Central Government;
- (9) "Magistrate" means a Magistrate of the first or second class, and includes a Magistrate of the third class when he is specially empowered by the [State Government]² to try forest-offences.
1. Substituted by the A.O. 1937 for "British Government".
2. Substituted by the A.O., 1950 for "Crown".

CHAPTER II Reserved Forest

4. **Power to constitute reserved forest.**- The [State Government]¹ may constitute any land at the disposal of the Government a reserved forest in manner hereinafter provided.
1. Substituted by the A.O 1950 for "Provincial Government," which was substituted by the A.O 1937 for "L.G."
5. **Notification by State Government of proposal to constitute a reserved forest.** - (1) Whenever it is proposed to constitute any land a reserved forest, the [State Government]¹ shall publish a notification in the Official Gazette.-
- (a) specifying as nearly as possible, the situation and limits of such land;
- (b) declaring that it is proposed to constitute such land a reserved forest; and,
- (c) appointing an officer (hereinafter called the Forest Settlement Officer), to inquire into and determine the existence, nature and extent of any rights claimed by, or alleged to exist in favour of any person in or over any land comprised within such limits, any claims relating to the practice within such limit of *Jhum* cultivation, and to deal with the same as provided in this Chapter.
- (2) The Forest Settlement Officer shall ordinarily be a person other than a Forest Officer, but a Forest Officer may be appointed by the [State Government]¹ to assist the Forest Settlement Officer in the inquiry prescribed by this Chapter.

1. Substituted by the A.O., 1950 for "Provincial Government" which was substituted by the A.O., 1937 for "L.G."
6. **Proclamation by Forest – Settlement Officer.**- When a notification has been published under section 5, the Forest Settlement Officer shall publish in the language of the country, at the headquarters of each district and subdivision in which any portion of the land comprised in such notification is situate, and in every town and village in the neighborhood of such land, a proclamation --
 - (a) specifying as nearly as possible, the situation and limits of the proposed forest;
 - (b) setting forth the substance of the provisions of the next following section;
 - (c) explaining the consequences which, as hereinafter provided, will ensue on the reservation of forest; and.
 - (d) fixing a period of not less than three months from the date of publication of such proclamation, and requiring every person claiming any right or making any claim referred to or mentioned in section 5 either to present to such officer within such period a written notice specifying, or to appear before him within such period and state, the nature of such right or claim.
7. **Bar of accrual of forest right after proclamation.**- (1) During the interval between the publication of such proclamation and the date fixed by the notification declaring the forest to be reserved as hereinafter provided, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in writing made or entered into by or on behalf of, the [Government]¹ or some person in whom such right or power to create such right was vested when the proclamation was published; and on such land no new house shall be built or plantation formed, no fresh clearings for cultivation or for any other purpose shall be made, and no trees shall be cut for the purpose of trade or manufacture except as hereinafter provided.
 - (2) Nothing in this section shall be deemed to prohibit any act done with the permission in writing of the Forest Settlement Officer, or any clearings lawfully made for *jhum* cultivation by persons in the habit of practicing such cultivation on such land.
1. Substituted by the A.O., 1950 for "Crown" which was substituted by the A.O., 1937 for "Government".
8. **Inquiry by Forest Settlement Officer.**- (1) The Forest Settlement Officer shall take down in writing all statements made under section 6, and shall inquire into all claims made under that section and the existence of any right or practice mentioned in section 5 in respect of which no claim is made.
 - (2) The Forest Settlement Officer shall at the same time consider and record any objection which the Forest Officer, if any appointed under section 5 assist him, may make to any such claim or with respect to the existence of any such right or practice.
9. **Powers of Forest Settlement Officer.**- For the purposes of such inquiry the Forest Settlement Officer may exercise –

- (a) power to enter, himself or by any officer, authorized by him for the purpose, upon any land, and to survey, demarcate and make a map of the same; and
 - (b) the power of a Civil Court in the trial suits.
10. **Treatment of claims relating to practice of *jhum* cultivation.**- (1) In the case of a claim relating to the practice of *jhum* cultivation, the Forest Settlement Officer shall record a statement setting forth the particulars of the claim and of any local rule or order under which the practice is allowed or regulated, and submit the statement to the [State Government]¹, together with his opinion as to whether the practice should be permitted or prohibited wholly or in part.
- (2) On receipt of the statement and opinion the [State Government]¹ may make an order permitting or prohibiting the practice wholly or in part.
 - (3) If such practice is permitted wholly or in part, the Forest Settlement Officer may arrange for its exercise -
 - (a) by altering the limits of the land under settlement so as to exclude land of sufficient extent of a suitable kind, and in a locality reasonable convenient for the purposes of the claimants, or
 - (b) by causing certain portion of the land under settlement to be separately demarcated, and giving permission to the claimants to practice *jhum* cultivation therein under such conditions as he may prescribe.

All arrangement made under this sub-section shall be subject to the previous sanction of the [State Government]¹
 - (4) The practice of *jhum*-cultivation shall in all cases be deemed to a privilege subject to control, restriction and abolition by the [State Government]¹ and not to be a right.
1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by the A.O. 1937 for L.G.
11. **Power to acquire land over which right is claimed.**-- (1) In the case claim to a right in or over any land other than the following rights, namely,-
- (a) a right-of-way.
 - (b) a right to a water-course or to use of water,
 - (c) a right of pasture or to forest-produce,
- the Forest Settlement Officer shall pass an order specifying the particulars of such claim and admitting or rejecting the same wholly or in part.
- (2) If such claim is admitted wholly or in part, the Forest Settlement Officer may,-
 - (x) come to an agreement with the claimant for the surrender of the right, or
 - (y) exclude the land from the limits of the proposed forest, or

(z) proceed to acquire such land in the manner provided by the Land Acquisition Act, 1870 (X of 1870)¹.

(3) For the purpose of so acquiring such land-

- (i) the Forest Settlement Officer shall be deemed to be a Collector proceeding under the under Acquisition Act, 1870 (X of 1870);
- (ii) the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under section 9 of that Act;
- (iii) the provisions of the preceding sections of that Act (X of 1870)¹ shall be deemed to have been complied with; and
- (iv) the Collector, with the consent of the claimant, may award compensation in land, or in money, or partly in land and partly in money.

1. Act X of 1870 has been repealed and reenacted as Act I of 1894, the Land Acquisition, Act, 1894.

12. **Order on claim to rights-of-way, water-course or pasture, or to forest produce.-** (1) : In the case of a claim to a right of a kind specified in clause (a), clause (b) or clause (c) of section 11, sub-section (1) the Forest Settlement Officer shall pass an order specifying the particulars of such claim and admitting or rejecting the same wholly or in part.

(2) When a claim to any such right is admitted, if the right is for the beneficial enjoyment of any land or building, the Forest Settlement Officer shall record the designation, position, and area of such land or the designation and position of such building.

(3) Where the right is a right to forest-produce, the Forest Settlement Officer shall record whether the forest-produce obtained by the exercise of such right may be leased, sold or bartered, and such other particulars as may be necessary in order to define the existence, nature and extent of the right.

13. **Provision for rights of pasture or to forest-produce admitted.-** (1) When the Forest Settlement Officer has admitted wholly or in part and recorded under the last foregoing section a claim to a right of pasture or to forest produce, he shall, as far as possible, provide for the exercise of such right –

- (a) by altering the limits of the proposed reserved forest so as to exclude land of sufficient extent of a suitable kind and in a locality reasonably convenient for the purposes of the claimant, or
- (b) by recording an order continuing to the claimant a right of pasture or to forest produce, as the case may be, subject to such rules as may be prescribed by the [State Government]¹

(2) An order passed under clause (b) of sub-section (1) shall record, as far as practicable,-

- (1) Where the right is a right of pasture, the number and description of the cattle which the claimant is from time to time entitle to graze, and the local limits within which and the seasons during which such pasture is permitted, and
- (ii) Where the right is a right to forest produce, the quantity of such produce which the claimant is authorized to take or receive, and the local limits within which, the season during which, and the mode in which, the taking or receiving of such produce is permitted, and
- (iii) Whether the right is a right of pasture or a right to forest produce, such other particulars as may be required in order to define the extent of the right which is continued, the mode in which it be exercised and the extent to which the benefit thereof may be leased, sold or bartered.
1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by A.O. 1937 for "Local Government".
14. **Commutation of such rights.**- Whenever any right of pasture or to forest produce admitted under section 12 is not provided for in one of the ways prescribed in such 13, the Forest Settlement Officer shall, subject to such rules as the [State Government]¹ may prescribe in this behalf commute such right by paying a sum of money in lieu thereof or, with the consent of the claimant, by the grant of land, or in such other manner as such officer thinks fit.
15. **Appeal from order passed under foregoing sections.**- Any person who has made a claim under this Chapter [or any Forest Officer or other person generally or specially empowered by the [State Government]¹ [in this behalf]² may within three months from the date of any order passed on such claim by the Forest Settlement Officer under sections 11, 12, 13 or 14 present an appeal from such order to such officer of the Revenue Department, of rank not lower than that of a Deputy Commissioner as the [State Government]¹ may by notification in the official Gazette appoint by name, or as holding an office, to hear appeals from such orders.
1. Substituted by A.O., 1950.
2. Inserted by Assam Act V of 1931.
16. (1) **Appeal under the last foregoing section.**- Every appeal under the last foregoing section shall be made by petition in writing and may be delivered to the Forest Settlement Officer, who shall forward it without delay to the officer competent to hear the same.
- (2) Every such appeal shall be heard in the manner prescribed for the time being for the hearing of appeals in matters relating to revenue, and except as hereinafter provided, the order passed on the appeal shall be final.
17. **Notification declaring forest reserve.**-(1) When the following events have occurred, namely,-

- (a) the period fixed under section 6 for preferring claims has elapsed and all claims, if any, made within such period have been disposed of by the Forest Settlement Officer, and
- (b) if such claims have been made, the period fixed by section 15 for appealing from the order passed on such claims has elapsed, and all appeals, if any, presented within such period have been disposed of by the appellate officer and.
- (c) all lands, if any, to be included in the proposed reserved forest which the Forest Settlement Officer has under section 11, elected to acquire under the Land Acquisition Act, 1870 (X of 1870)¹ have become vested in the Government under that Act.

the [State Government]² may publish a notification in the official Gazette, specifying the limits of the forest which it is intended to reserve, and declaring the same to be reserved from a date fixed by such notification.

- (2) From the date so fixed such forest shall be deemed to be a reserved forest.

1. Act X of 1870 has been repealed and re-enacted as Act I of 1894 (the Land Acquisition Act, 1894).

- 18. **Extinction of rights not claimed.**- Rights in respect of which no claim has been preferred under section 6 and of the existence of which no knowledge has been acquired by inquiry under section 8 shall thereupon be extinguished, unless, before the publication of such notification, the person claiming them has satisfied the Forest Settlement Officer that he has sufficient cause for not preferring such claim within the period fixed under section 6.

- 19. **Publication of translation of such notification on neighborhood of forest.**- The Deputy Commissioner of the district in which the forest is situated shall, before the date fixed by such notification, cause a translation thereof in the language of the country to be published in the manner prescribed for the proclamation under section 6.

- 20. **Power to revise arrangement made under section 13 or 16** – The [State Government]¹ may, within five years from the publication of any notification under section 17 revise any arrangement made under section 13 or 16, and may rescind or modify any order made under this Chapter and direct that any one of the proceedings specified in section 13 be taken in lieu of the other of such proceedings, or that a right admitted under section 12 be commuted in the manner mentioned in section 14.

1. "Local Government" substituted for the words "the Governor General in Council" by the Devolution Act of 1920 (Act XXXVIII of 1920). "Local Government" substituted by the A.O. by 1937 "Provincial Government" which was again substituted by A.O. 1950.

21. **Acquisition of right over reserved forest.**- No right of any description shall be acquired in or over a reserved forest, except by succession or under grant or contract in writing made by, or with the previous sanction of, the [State Government]¹ or some person in whom such right, or the power to create such right, was vested when the notification under section 17 was published.

1. "Local Government" substituted for the words "the Governor General in Council" by the Devolution Act of 1920 (Act XXXVIII of 1920). "Local Government" substituted by the A.O. by 1937 "Provincial Government" which has been substituted by A.O. 1950.

22. **Alienation of right in reserved forest.**-(1) Notwithstanding anything herein contained, no right continued under section 13 shall be alienated by way of grant, sale, lease, mortgage or otherwise without the previous sanction of the [State Government]¹ :

Provided that, when any such right is continued for the beneficial enjoyment of any land or building, it may be sold or otherwise alienated with such land or building without such sanction.

(2) The benefit of any right continued under section 13 shall not be leased, sold or bartered, except to the extent defined by the order recorded under that sanction.

1. "Local Government" substituted for the words "the Governor General in Council" by the Devolution Act of 1920 (Act XXXVIII of 1920). "Local Government" substituted by the A.O. by 1937 "Provincial Government" which has again been substituted by A.O. 1950.

23. **Power to stop ways and water-courses in reserved forest.**- Any Forest Officer may, from time to time, with the previous sanction of the [State Government]¹ or of a Forest Officer or other officer authorized by the [State Government]¹ in this behalf, stop any public or private way or water course in a reserved forest :

Provided that for the way or water course so stopped another way or water-course which, in the opinion of the [State Government]¹ is equally convenient already exists or has been provided or constructed by the Forest Officer stopping the way or water course.

1. "Local Government" substituted for the words "the Governor General in Council" by the Devolution Act of 1920 (XXXVIII of 1920). "Local Government" substituted by the A.O. by 1950.

24. **Penalties for trespass or damage in reserved forests.**- Any person who in a reserved forest-

- (a) trespasses, or pastures cattle, or permits cattle to trespass, or
- (b) causes any damage by negligence in felling any tree or cutting or dragging any timber,
- (c) * * * *

shall be punished with fine which may extend to fifty rupees, or when the damage resulting from his offence amounts to more than twenty-five rupees, to double the amount of such damages * * *

1. The words "or" omitted by Assam Act III of 1933.
2. Clause (c) omitted by Assam Act III of 1933. It ran thus :-
"[c] Poison water or in contravention of any rules, made by the Local Government hunts, shoots, fishes or sets traps or snares".
3. The words "and in cases where a rhinoceros has been killed, with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both" which were inserted by Assam Act I of 1931 omitted by Assam Act III 1933.

25. Acts prohibited in such forests- Any Person who –

- (a) makes any fresh clearing prohibited by section 7, or
- (b) sets fire to a reserved forest, or, in contravention of any rules by the [State Government]² kindles any fire, or leaves any fire burning, in such manner as to endanger such a forest, or who in any such forest.
- (c) kindles, keeps or carries any fire except at such seasons and in such manner as a Forest Officer specially empowered in this behalf may from time to time notify, or
- (d) fells, cuts, girdles, marks, lops, tap, or injures by fire or otherwise any tree, or
- (e) quarries stone, burns lime or charcoal, or collects, subject to any manufacturing process or removes any forest produce, or
- (f) clears or breaks up any land for cultivation on any other purpose [or]¹
- (g) poisons water or, in contravention of any rules made by the [State Government]², bunts, shoots, fishes or sets traps or snares]¹

shall be punished with imprisonment for a term which may extend to six months [or with fine which, in cases where a rhinoceros has been killed, may extend to one thousand rupees and in other cases to fine hundred rupees, or with both]³

1. Inserted by Assam Act III of 1933.
2. Substituted by A.O 1950 for "Provincial Government".
3. Substituted by Assam Act III of 1933 for the words "or with fine which may extend to five hundred rupees, or with both".

26. Acts excepted from sections 24 and 25.- Nothing in section 24 or section 25 shall be deemed to prohibit-

- (a) any practice of *jhum* cultivation permitted under section 10, or
- (b) the exercise in accordance with the rules, if any, made by the [State Government]¹ under section 13, of any right continued under that section, or
- (c) the exercise of any right created by grant or contract in the manner described in section 21, or
- (d) any act done with the permission in writing of a Forest Officer specially empowered to grant such permission,

1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by A.O., 1937 for "Local Government".

27. **Penalty for offences committed by persons having rights in reserved forests.**- Whenever fire is caused willfully or by gross negligence in a reserved forest by any person having rights in such forest or permission to practice *jhum* cultivation therein, or by any person in his employment, or wherever any person having rights in such forest contravenes the provisions of section 22, the [State Government]¹ may, notwithstanding the inflictions of any punishment under this Regulation, direct that in such forest, or any specified portion thereof, the exercise of all or any of the rights of pasture to forest produce shall be extinguished, or for such period as it thinks fit be suspended, and, with respect to the practice of *jhum* cultivation, may take such action under section 10, sub-section (4), as may seem to it to be proper.
1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by A.O., 1937 for "Local Government".
28. **Power to declare forest no longer reserved.**-(1) The [State Government]¹ ***² may, by notification in the official Gazette, direct that from a date to be fixed by such notification, any forest, or any portion thereof, reserved under this regulation shall cease to be reserved.
- (2) From the date so fixed such forest or portion shall cease to be reserved, but the rights, if any which have been extinguished therein, shall not revive in consequence of such cessation.
1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by A.O., 1937 for "Local Government".
2. The words "subject to the control of the Governor General in council" omitted by the A.O., 1937.

CHAPTER III Village Forests.

29. **Constitution of Village forest.**-(1) The [State Government]¹ may by notification in the official Gazette, constitute any land at the disposal of the Government a village forest for the benefit of any village community, or group of village communities and may, in like manner, vary or cancel any such notification.
- (2) Every such notification shall specify the limits of such village forest.
1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by A.O., 1937 for "Local Government".
30. **Powers to make rules for village forests.**-(1) The [State Government]¹ may make rules for regulating the management of the village forests prescribing the conditions under which the community or group of communities for the benefit of which any such forest is constituted may be provided with forest produce or with pasture, and their duties in respect of the protection and improvement of such forest.

- (2) The [State Government]¹ may, by such rules, declare any of the provisions of Chapter II of this Regulation to be applicable to village forests.

1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by A.O., 1937 for "Local Government".

31. **Inquiry into, and settlement of rights.**- All claims to any rights other than the rights of the village communities for the benefit of which such village forest is constituted shall be inquired into, recorded and provided for in the manner prescribed by Chapter II of this Regulation.

CHAPTER IV

General Protection of Forests and Forest Produce

32. **Reserved trees in unsettled tracts.**- The [State Government]¹ may, by notification in the official Gazette,-

- (a) declare that any trees or any specified class of trees standing on any land at the disposal of the government shall, from a date to be fixed by such notification, be reserved trees;
- (b) vary or cancel any such notification.

1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by A.O., 1937 for "Local Government".

33. **Protection of reserved trees.**- No person shall fell, cut, girdle, mark, lop, or injure by fire or otherwise any reserved tree, except in accordance with rules made by the [State Government]¹ in this behalf or as provided by the last section of this Chapter.

1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by the A.O., 1937 for "Local Government".

34. **Protection of unsettled forests belonging to the Government.**—(1) No person shall make use of any forest produce of any land at the disposal of the Government and not included in a reserved forest or village forest, except in accordance with rules to be made by the [State Government]¹ in this behalf, or as provided by the last section of this Chapter.

- (2) Such rules may, with respect of such land,-

- (a) regulate or prohibit the cutting of *jhums* or the issue of grant or leases on behalf of the Government ;
- (b) regulate or prohibit the kindling of fires, and prescribe the precautions to be taken to prevent the spreading of fires :

- (c) regulate or prohibit the felling, cutting, girding, marking, lopping, tapping, or injuring by the fire or otherwise of any trees, the sawing, conversion and removal of timber, and the collection and removal of other forest produce;
 - (d) regulate or prohibit the quarrying of stone, the boiling of catechu or the burning of lime or charcoal;
 - (e) regulate or prohibit the cutting of grass and pasturing of cattle, and regulate the payments, if any, to be made for such cutting or pasturing;
 - (f) prohibit the poisoning of water, and regulate or prohibit hunting, shooting and fishing, and the setting of traps or snares;
 - (g) regulate the sale or free grant of forest produce; and
 - (h) prescribe, or authorize any Forest Officer to prescribe, subject to the control of the [State Government]¹, the fees, royalties or other payments for forest produce, and the manner in which such fees, royalties or other payments are to be levied, whether in transit, or partly in transit, or otherwise.
- (3) The [State Government]¹ may exempt any person or class of persons, or any local area, from the operation of any such rule, and may cancel such exemption.
1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by A.O., 1937 for "Local Government".
35. **Penalties.-** (2) If any person infringes the provisions of section 33, he shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundreds rupees, or with both. The [State Government]¹ may, by a rule under section 34, attach to the breach of any rule under that section any punishment not exceeding that mentioned in sub-section (1)
36. **Nothing in this Chapter to prohibit acts done in certain cases.-** Nothing in this Chapter, or in any rule under this Chapter, shall be deemed to prohibit any act done in the exercise of any right or with the permission in writing of a Forest Officer specially empowered to grant such permission.
1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by the A.O., 1937 for "Local Government".

(CHAPTER IVA)*

Of the control over Forests and Waste Lands not being the Property of Government.

- 36 A. **Protection of forests for special purposes.-** (1) The [State Government]¹ may, by notification in the [official Gazette]² regulate or prohibit in any forest or waste land-
- (a) the breaking up or clearing of land;

- (b) the pasturing of cattle; or
- (c) the firing or clearing of the vegetation; when such regulation or prohibition appears necessary in the public interest for any of the following purpose :-
- (d) for protection against storms, winds, rolling stones, floods and avalanches,
 - (ii) for the preservation of the soil on the ridges and slopes and in the valleys of hilly tracts, the prevention of land-slips or of the formation of ravines and torrents, or the protection of land against erosion, or the deposit thereon of sand, stones or gravel;
 - (iii) for the maintenance of a water-supply in springs, rivers and tanks;
 - (iv) for the protection of public roads, public bridges, railways, and other lines of communication;
 - (v) for the preservation of the public health.
- (2) The [State Government]¹ may, for any such purpose construct at its own expense, in or upon any forest or waste land, such work as it thinks fit.
- (3) No notification shall be made under sub-section (1) nor shall any work be begun under sub-section (2), until after the issue of a notice to the owner of such forest or land calling on him to show cause within a reasonable period to be specified in such notice, why such notification should not be made or work constructed, as the case may be, and until his objections, if any, and any evidence he may produce in support of the same, have been heard by an officer not below the rank of a Deputy Commissioner duly appointed in that behalf.
- (4) All objections filed under the preceding sub-section, together with the proceedings of the Special Officer relating thereto, shall be referred to the [State Government]¹ for orders. On receipt of such reference, and after hearing such further cause as the objector may have to show, the [State Government]¹ shall pass such orders as it thinks fit.

In any case in which an order under sub-section (1) or action under sub-section (2) is, in the opinion of the [State Government]¹ likely to disturb substantially the owner's rights in the land to which such order or action relates, the [State Government]² may award to such owner such compensation as it may deem equitable :

Provided that any compensation so paid shall be deducted from the amount payable to the owner under the provisions of the Land Acquisition Act, 1894 (Act 1 of 1894), in the event of action being taken under the provisions of section 36c.

- * Chapter IV A inserted by Assam Act V of 1931.
- 1. Substituted by the A.O. 1950 for "Provincial Government", which was substituted by the A.O., 1937 for "Local Government".
- 2. Substituted by the A.O., 1937 for "Local official Gazette".

- 36 B. (i) **Power to assume management of forests.**-(1) In case of neglect of, or willful disobedience to, any regulation or prohibition under section 36 A, or if the purposes of any work to be constructed under that section so require, the

[State Government]¹ may, after notice in writing to the owner of such forest or land and after considering his objections, if any, place the same under the control and management of a Forest Officer and may declare that all or any of the provisions of this Regulation shall apply to such forest or land.

- (2) The net profits, if any, arising from the management of such forest or land shall be paid to the said owner.

1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by the A.O., 1937 for "Local Government".

36. C. **Expropriation of forests in certain cases.**-(1) In any case under this Chapter in which the [State Government]¹ considers that, in lieu of placing the forest or land under the control and management of a Forest Officer, the same should be acquired for public purposes, the [State Government]¹ may proceed to acquire it in the manner provided by the Land Acquisition Act, 1894 (Act 1 of 1894).

- (2) The owner of any forest or land comprised in any notification under section 36A, or if there be more than one owner thereof, the owners of shares therein amounting in the aggregate to at least two-thirds thereof may, at any time not less than three or more than twelve years from the date thereof, require that such forest or land shall be acquired for public purposes and the [State Government]¹ shall acquire such forest or land accordingly.

1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by the A.O., 1937 for "Local Government".

36. D. **Protection of forests at request of owners.**-(1) The owner of any land or, if there be more than one owner thereof, the owners of shares therein amounting in the aggregate to at least two-thirds thereof may, with a view to the formation or conservation of forests thereon, represent in writing to the Deputy Commissioner their desire-

- (a) that such land be managed on their behalf by the Forest Officer on such terms as may be mutually agreed upon; or

- (b) that all or any of the provisions of this Regulation be applied to such land.

- (2) In either case, the [State Government]¹ may, by notification in the [Official Gazette]², apply to such land such provisions of this Regulation as it thinks suitable to the circumstances thereof and as may be desired by the applicants.

1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by the A.O., 1937 for "Local Government".

2. Substituted by the A.O., 1937 for "Local official Gazette."

CHAPTER V Duty on Imported Forest Produce.

37. (1) **Power to impose duty on forest produce.**-(1) The Central Government may levy a duty in such manner, at such places and at such rates as it may prescribe by notification in the [Official Gazette]², on all forest produce which is brought into the territories to which this Regulation extends from any place beyond those territories.
- (2) In every case in which such duty directed to be levied *ad valorem*, the Central Government may, by like notification, determine the manner in which the value is to be ascertained.
- (3) Until provision to the contrary is made by the [Parliament]² the [State]⁴ Government may continue to levy on forest produce brought into the territories to which this Regulation extends from any place in the [State]⁵ beyond those territories any duty which it was levying immediately before commencement of [the Constitution]⁶.

Provided that nothing in this sub-section authorizes the levy of any duty which as between forest produce of the [State]⁵ and similar produce of a locality outside the [state]⁵ discriminates in favor of the former, or which, in the case of forest produce of localities outside the [State]⁵ discriminates between forest produce of one locality and similar forest produce of another locality.)

1. Sec. 37 substituted by the A.O., 1937 for the original section which ran thus :

"37.(1) The Local Government may levy a duty, in such manner at such places and at such rates as it may prescribe by notification in the official Gazette, on all forest-produce which is brought into the territories to which this Regulation extends from any place, beyond those territories.

Provided that a notification directing the levy of a duty, in the case of forest produce brought from any place beyond the frontier of British India, which is not under the control of the Local Government, shall not be issued without the previous sanction of the Governor General in Council.

- (2) In every case in which such duty is directed to be levied *ad valorem*, the Local Government may, by like notification determine the manner in which the value is to be ascertained",

2. Substituted by the A.O., 1937 for "L.G."
 3. Substituted by the A.O., 1950 for "Central Legislature."
 4. Substituted by the A.O., 1950 for "Provincial".
 5. Substituted by the A.O., 1950 for "Province".
 6. Substituted by the A.O., 1950 for "Part III of the Government of India Act, 1935."

38. **Power to exempt forest produce from duty.**- The [Central, or as the case may be, the (State Government)2]¹ may exempt any forest-produce from the duty to which it is liable under the last foregoing section, and revoke such exemption.

1. Substituted by A.O., 1937.
 2. Substituted by A.O., 1950.

39. **Provisions of Chapter not to limit purchase money or royalty.**- Nothing in this Chapter shall be deemed to limit the amount, if any, chargeable as purchase-money or royalty in respect of any forest produce.

CHAPTER VI
Control of Forest Produce in Transit

40. **Power to make rules to regulate transit of forest produce.-** (1) The control of all rivers and their banks as regards the floating of timber, as well as the control of all forest produce in transit by land or water, is vested in the [State]¹ Government], and that Government may make rules to regulate the transit of any forest produce-
- (2) Such rules may, among other matters,-
- (a) Prescribe the routes by which alone forest produce may be imported into, exported from or moved within the territories to which this Regulation extends;
 - (b) prohibit the import, export, collection or moving of forest produce without a pass from an officer authorized to issue the same, or otherwise than in accordance with the conditions of such pass;
 - (c) provided for the issue, production and return of such passes;
 - (d) fix, or authorize any Forest Officer, subject to the control of the [state Government]¹ to fix the fees payable for such passes;
 - (e) in the case of timber formed into a raft or fastened to the shore, prohibit the loosening or the setting adrift of such timber by any person not the owner thereof or not acting on behalf of such owner or of the [Government]²;
 - (f) provide for the stoppage, reporting, examination and marking of forest produce in transit in respect of which there is reason to believe that any money is payable to the [Government]³ or to which it is desirable, for the purposes of this Regulation, to affix a mark;
 - (g) establish revenue-stations to which forest produce is to be taken by the persons in charge of it for examination, or for the realization of such money, or in order that such mark may be affixed to it, and prescribe or authorize a Forest Officer, subject to such control as aforesaid, to prescribe, the conditions under which forest produce is to be brought to, stored at and removed from such revenue stations;
 - (h) provide for the management and control of such revenue stations, and for regulating the appointment and duties of persons employed thereat;
 - (i) authorize the transport of timber across any land, and provide for the award and payment of compensation for any damage done by the transport of such timber;
 - (j) prohibit the closing up or obstruction of the channel or banks of any river used for the transit of forest produce and the throwing of grass, brushwood, branches or leaves into any such river, or any other act which tends to cause the obstruction of such channel;
 - (k) provide for the prevention and removal of any obstruction in the channel or on the banks of any such river and for recovering the cost of such prevention and removal from the person causing such obstruction;

- (l) Prohibit absolutely, or subject to conditions, within specified local limits, the establishment of sawpits [and saw mill]¹, the converting, cutting, burning, concealing, marking, or supermarking of timber, the altering of any marks on the same, and possession or carrying of marking-hammers or other implements used, for marking timber; and
- (m) regulate the use of property-marks for timber and the registration of such marks, authorize the refusal or cancellation of the registration of any property-marks, prescribe the time for which the registration of property-marks is to hold good, limit the number of such marks which may be registered by any one person, and provide for the levy of fees for such registration.
- (3) The [State Government]¹ may direct that any rule made under this section shall not apply to any specified class of timber or other forest produce or to any specified local area.
1. Substituted by the A.O., 1950 for "Provincial Government" which was substituted by the A.O., 1937 for "L.G."
2. Substituted by the A.O., 1950 for "Crown" which was substituted by the A.O., 1937 for "Government".
3. Inserted by Assam Act IX of 1964 w.e.f. 14.05.1964.
- 40 A. **Powers of Central Government as to movement of timber across customs frontiers.**- Notwithstanding anything in section 40, the Central Government may make rules to prescribe the route by which alone timber or other forest produce may be imported, exported, or moved into or from [Assam]¹ across any customs frontier as defined by the Central Government, and any rules made under section 40 shall have effect subject to the rules made under this section]².
1. Substituted by the A.O. 1950 for "British India".
2. Substituted by the A.O., 1937.
41. **Penalties for breach of rules under the last foregoing section.**- (1) The State Government may, by a rule under the last foregoing section, attach to the breach of any rule under that section any punishment not exceeding imprisonment for a term which may extend to six months or fine which may extend to five hundred rupees, or both.
- (2) In cases where the offence is committed after sunset and before sunrise or after preparation for resistance to the execution of any law or any legal process, or where the offender has been previously convicted of a like offence the convicting court may inflict double the penalty prescribed for such offences.
42. **All persons bound to aid in case of accident at revenue station.**- In case of any accident or emergency involving danger to any property at a revenue station established under a rule made under section 40, every person employed at such revenue- station, whether by the Government or by any private person, shall render assistance to any Forest Officer or Police Officer demanding his aid in averting such danger and securing such property, from damage or loss.
1. Substituted by A.O., 1950.

CHAPTER VII

Collection of drift, stranded and other timber

43. **Certain kinds of timber to be deemed the property of the [State Government]¹ until title thereto proved.**-(1) Timber falling under any of the following descriptions, namely :-
- (a) timber found adrift, (beached), stranded or sunk,
 - (b) timber bearing marks which have not been registered under rules made section 40,
 - (c) timber which has been supermarketed, or on which marks have been obliterated, altered or defaced by fire or otherwise and
 - (d) in such areas as the [State Government]¹ directs, all unmarked timber,
- shall be deemed to be the property of the [State Government]¹ unless and until any person establishes his right thereto as provided in this Chapter.
- (2) Such timber may be collected by any Forest Officer or other person entitle to collect the same, and may be brought to such stations as a Forest Officer specially empowered in this behalf may, from time to time, notify as stations for the reception of drift timber.
- (3) The [State Government]¹ may, by notification in the official Gazette, exempt any class of timber from the provisions of this section and withdraw such exemption.
1. Substituted by the A.O., 1950.
44. **Notice to claimants of timber of those kinds.**-(1) Public notice shall, from time to time as occasion may require, be given by a forest officer specially empowered in this behalf of timber collected under the last foregoing section.
- (2) Such notice shall contain a description of the timber and shall require any person claiming the same to present to such officer, within a period not less than one month from the date on which such notice is given, a written statement of such claim.
45. **Procedure on claim preferred to such timber.**-(1) When any such statement is presented as aforesaid, the forest Officer may, after making such inquiry as he thinks fit, either reject the claim after recording his reasons for so doing or deliver the timber to the claimant.
- (2) If such timber is claimed by more than one person, the Forest Officer may either deliver the same to any of such persons whom the deems entitled thereto or may refer the claimants to the Civil Court and retain the timber pending the receipt of an order from such Court for its disposal.
- (3) Any person whose claim has been rejected under this section may, within three months from the date of such rejection, institute a suit to recover possession of

the timber claimed by him, but no person shall recover any compensation against the [Government]¹ or against any Forest Officer on account of such rejection or the detention or removal of any timber or the delivery thereof to any other person under this section.

- (4) No such timber shall be subject to process of any Civil Court until it has been delivered, or a suit brought under this section has been decided.

1. Substitute for "Crown" by A.O., 1950 which was substituted by the A.O. 1937 for "Government".

46. **Disposal of unclaimed timber,-** Where no statement is presented in the manner and within the period prescribed by notice issued under section 44, or where such statement having been so presented and the claim rejected, the claimant omits to institute a suit to recover possession of such timber within the further period mentioned in section 45, the ownership of such timber shall vest in the [State Government]¹ free from all incumbrances or when such timber has been delivered to another person under section 45, in such other person free from all incumbrances not created by him.

1. Substituted by the A.O., 1950 for "Crown" for the purposes of the Province which was substituted by the A.O. 1937 for "Government".

47. **Payments to be made by claimant before timber is delivered to him-** No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until such sum as may be due for salving, collecting, moving, storing and disposing of the timber has been paid by him to the Forest Officer or other person entitled to receive the sum.

48. **Power to make rules and prescribe penalties.-**(1) The [State Government]¹ may make rules to regulate the following matters, namely :

- (a) the salving, collection and disposal of all timber mentioned in section 43;
- (b) the use and registration of beats used in salving and collecting timber;
- (c) the amount to be paid for salving, collecting, moving, storing and disposing of such timber; and
- (d) the use and registration of hammers and other implements to be used for marking such timber.

- (2) The [State Government]¹, may by a rule under this section, attach to the breach of any rule under this section any punishment for exceeding imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees or both.

1. Substituted by the A.O., 1950.

CHAPTER VIII

Penalties and Procedure

49. **Seizure of property liable to confiscation** – (1) When there is reason to believe that a forest offence has been committed in respect of any forest produce, such produce together with all tools, boats, carts and cattle used in the commission of such alleged offence may be seized by any Forest Officer or Police Officer.
- (2) Every officer seizing any property under this section shall place on such property, or the receptacle, if any, in which it is contained, a mark indicating that the same has been so seized, and shall as soon as may be, make a report of such seizure to the Magistrate having jurisdiction to try the person accused of the offence on account of which the seizure has been made.

Provided that when the forest produce with respect to which such offence is believed to have been committed is the property of the (Government)¹ and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

1. Substituted by the A.O., 1950.

- [49.A. **Power to lease property seized under section 49** – Any Forest Officer of a rank not inferior to that of a Forester who or whose subordinate has seized any tools, boats, carts, or cattle under section 49, may release that same on the execution by the owner or the person incharge, thereof of a bond for the production of the property so released, if and when so required before the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.]¹

1. Inserted by Assam Act V of 1931.

50. **Procedure on receipt by Magistrate of report of seizure** – Upon the receipt of any such report, the Magistrate shall take such measures as may be necessary for the trial of the accused and the disposal of the property according to law.
51. **Forrest produce, tools, etc. when liable to confiscation.**-(1) When any person is convicted of a forest offence, all forest produce which is not the property of the Government and in respect of which such offence has been committed, and all tools, boats, carts and cattle used in the commission of such offence, shall be liable, by order of the convicting Court, to confiscation.
- (2) Such confiscation may be in addition to any other punishment prescribed for such offence.
52. **Disposal on conclusion of trial for forest offence of produce in respect of which it was committed.**-When the trial of any forest offence is concluded, any forest produce in respect of which such offence has been committed shall, if it is the property of the Government or has been confiscated be taken possession of

by a Forest Officer specially empowered in this behalf, and in any other case shall be disposed of in such manner as the Court may order.

1. Substituted by the A.O.,1950 for "Crown" which was substituted by the A.O., 1937 for "Government".

- 53.(1) **Procedure when offender is not known or cannot be found.**-(1) When the offender is not known or cannot be found, the Magistrate inquiring into the offence, if he finds that an offence has been committed, may, on application in this behalf, order the property in respect of which the offence has been committed to be confiscated and taken possession of by Forest Officer specially empowered in this behalf, or to be made over to such Forest Officer or other person as the Magistrate may consider entitled to the same :

Provided that no such order shall be made till the expiration of the month from the date of the seizure of such property, or without hearing the person, if any, claiming any right thereto and the evidence, if any, which he may produce in support of his claim.

- (2) The Magistrate shall either cause a notice of any application under sub-section (1) to be served upon any person whom he has reason to believe to be interested in the property seized, or publish such notice in any way which he may think fit.
54. **Procedure as to perishable property seized under section 49.**- The Magistrate may, notwithstanding anything herein before contained, direct the sale of any property seized under section 49 and subject to speedy and natural decay, and may deal with the proceeds as he might have dealt with such property if it had not been sold.
55. **Appeal from orders under sections 51, 52 and 53.**- Any person claiming to be interested in property seized under section 49 may, within one month from the date of any order passed by a Magistrate under section 51, section 52 or section 53, present an appeal therefrom to the Court to which orders made by such Magistrate are ordinarily appealable, and the order passed on such appeal shall be final.
56. **Vesting of confiscated property in the State Government.**- When an order for the confiscation of any property has been passed under section 51 or section 53, and the period limited by section 55 for presenting an appeal from such order has elapsed, and no such appeal has been presented or when, on such an appeal being presented the Appellate Court confirms such order in respect of the whole or a portion of such property, such property or portion, as the case may be, shall vest in the [State Government]¹ free from all incumbrances

1. Substituted by the A.O.,1950 for "Crown" for the purposes of the province which was substituted by A.O., 1937 for "Government".

57. **Saving of power to release properties seized.**-Nothing herein before contained shall be deemed to prevent any Forest Officer or other officer empowered in this behalf by the [State Government]¹ from directing, at any time, the immediate

release of any property seized under section 49 which is not the property of the [Government]¹ and the withdrawal of any charge made in respect of such property.

1. Substituted by A.O.1950 for "Crown" which was substituted by the A.O., 1937 for "Government".

58.(1) **Punishment for wrongful seized.**-(1) Any Forest Officer or Police Officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Regulation shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

(2) Any fine so imposed, or any portion thereof, shall, if the convicting Court so direct, be given as compensation to the person aggrieved by such seizure.

59. **Penalty for counterfeiting or defacing marks on trees and for altering boundary marks.**- Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code. (XLV of 1860).

(a) knowingly counterfeits upon any tree or timber a mark used by Forest Officers to indicate that such tree or timber is the property of the [Government]¹ or of some person, or that it may lawfully be felled or removed by some person or.

(b) unlawfully affixes to any tree or timber a mark used by Forest Officers, or

(c) alters, defaces or obliterates any such mark placed on any tree or timber by or under the authority of a Forest Officer, or

(d) alters moves, destroys or defaces any boundary mark of any forest or waste land to which any provisions of this Regulation apply.

shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

1. Substituted by the A.O., 1950.

60. **Power to arrest without warrant.**-(1) Any Forest Officer or Police Officer may, without order from a Magistrate and without a warrant, arrest any person reasonably suspected of having been concerned in any forest offence punishable with imprisonment for one month or upwards, if such person refuses to give his name and residence, or gives a name or residence which there is reason to believe to be false, or if there is reason to believe that he will abscond.

(2) Every officer making an arrest under this section shall, without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case *****.

¹(3) Any Forest Officer or Police Officer who vexatiously or maliciously arrests any person on the pretence that he is suspected of having been concerned in any forest offence or otherwise as provided by section 60 (1) of this Regulation shall

be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

- (4) No Forest Officer or Police Officer shall detain in custody a person arrested under-section (1) of this section for a longer period than under all the circumstance of the case is reasonable; and such period shall not exceed twenty-four hours exclusive of the time necessary for the journey from the place of arrest to the Magistrate's Court having jurisdiction in the case,***²⁾

1. Inserted by the Assam Act II of 1943.

2. Omitted by the A.O. 1950, the words "or to the officer-in-charge of the nearest police station".

61. **Power to prevent commission of offence-** It shall be duty of every Forest Officer and Police Officer to prevent, and any such officer may interfere for the purpose of preventing, the commission of any forest offence.

62. **Power to compound offences.-** (1) The [State Government]¹ may by notification in the official Gazette, empower a Forest Officer by name, or as holding an office,-

(a) to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence, other than an offence specified in section 58 or section 59, a sum of money by way of compensation for the offence which such person is suspected to have committed, and

(b) when any property has been seized as liable to confiscation to release the same on payment of the value thereof as estimated by such officer.

(2) On the payment of such sum of money, or such value, or both as the case may be, to such officer, the suspected person, if in custody shall be discharged, the property, if any, seized shall be released and no further proceedings shall be taken against such person or property.

(3) No Forest Officer shall be empowered under this section unless he is a Forest Officer of a rank not inferior to that of a Forest Ranger, and is in receipt of a monthly salary amounting to at least one hundred rupees: and the sum of money accepted as compensation under sub-section (1), clause (a), shall in no case exceed the sum of fifty rupees.

1. Substituted by the A.O. 1950 for "crown for the purposes of the Province" which was substituted by A.O., 1937 for "Government".

- [63. **Presumption that forest produce belongs to Government.-** When in any proceedings taken under this Regulation or in consequence of anything done under this Registration, a question arises as to whether any forest produce is the property of the Government, such produce shall be presumed to be the property of the Government until the contrary is proved.]¹

1. Original Sec.63 omitted by the Assam Act II of 1943. The existing was again inserted by the Assam Act XXXVII of 1950.

64. **Compensation for damage caused by commission of offences.**-(1) When any person is convicted of felling, cutting, girding, marking, loping or tapping trees, or of injuring them by fire or otherwise, in contravention of this Regulation or of any rule thereunder, the convicting Court may, in addition to any other punishment which it may award, order that person to pay to the [State Government]¹ such compensation, not exceeding ten rupees for each tree, with respect to which the offence was committed as it may deem just.
- (2) If the person convicted of the offence committed is the agent or servant of another person, the convicting Court may, unless after hearing that other person, it is satisfied that the commission of the offence was not a consequence of his instigation or of any neglect or default on his part, order him, instead of the person who committed the offence, to pay the compensation referred to in sub-section (1)
- (3) An appeal from any order under sub-section (1) or sub-section (2) shall lie to the Court to which orders made by the convicting Court are ordinarily appealable, and the order passed on such appeal shall be final.
1. Substituted by the A.O. 1950 for "Crown" which was substituted by A.O., 1937 for "Government".
65. **Forfeiture of leases.**-When the holder of any lease, license or contract whatsoever granted or continued by or on behalf of the [Government]¹ for any of the purposes of this Regulation commits an offence against this Regulation or any rule hereunder, or when any such offence is committed by any agent or servant of the holder of any such lease, license or contract, and the [State Government]¹ is satisfied that the commission of the offence was a consequence of the instigation of such holder or of any neglect or default on his part, the [State Government]¹ may by order in writing, declare the lease, license or contract to be forfeited in whole or in part with effect on and from a date to be specified in the order not being prior to the date of the commission of the offence.
1. Substituted by the A.O., 1950.

CHAPTER IX Cattle Trespass

66. **Cattle Trespass Act, 1871, to apply.**-Cattle trespassing in a reserved forest or in a village forest shall be deemed to be cattle doing damage to a public plantation within the meaning of section 11 of the Cattle Trespass Act, 1871 (1 of 1871), and may be seized and impounded as such by any Forest Officer or Police Officer.
67. **Power to alter fines fixed by that Act.**-The [State Government]¹ may, by notification in the official Gazette, direct that, in lieu of the fines fixed by section 12 of the Act, last aforesaid, there shall be levied for each head of cattle impounded under section 66 of this Regulation such fines as it thinks fit, but not exceeding the following, namely :-

	Rs.	a.
For each elephant	10	0
For each buffalo	2	0
For each horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer	1	0
For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid	0	8

1. Substituted by the A.O. 1950 for "Crown for the purposes of the Province" which was substituted by A.O., 1937 for "Government".

CHAPTER X Forest Officers

68. **Investiture of forest Officers with certain powers.**-(1) The [State Government]¹ may invest any Forest Officer by name, or as holding an office, with all or any of the following powers, namely :-

- (a) power to enter upon any land and to survey, demarcate and make a map of the same;
- (b) the powers of a Civil Court to compel the attendance of witness and the production of documents;
- (c) powers to issue search-warrants under the Code of Criminal Procedure, 1882 (X of 1882)²;
- (d) power to ~~hold~~ inquire into forest-offences, and in the course of such inquires to receive and record evidence;
- (e) powers to notify the seasons and manner in which fire may be kindled, kept or carried in a reserved forest;
- (f) power to grant any permission referred to in sections 26 and 36;
- (g) power to notify stations for the reception of drift timber;
- (h) power to give public notice of timber collected under section 43;
- (i) powers to take possession of property under this regulation;
- (j) power to direct the release of property or withdrawal of charges;

and may withdraw any power so conferred -

- (2) Any evidence recorded under clause (d) of sub-section (1) shall be admissible in any subsequent trial before a Magistrate of the alleged offender:

Provided that it has been taken in the presence of the accused person and recorded in the manner provided by section 355, section 356 or section 357 of the Code of Criminal Procedure, 1882 (X of 1882)²

1. Substituted by the A.O., 1950, for "Local Government"

2. Act X of 1882 was repealed and re-enacted by Act V of 1898 (the Code of Criminal Procedure, 1898) and again repealed and re-enacted as Code of Criminal Procedure, 1973 (Act 1 of 1974), and this reference should now be taken to be made to the Act 1 of 1974).
69. **Forest Officers deemed public servants.**-All Forest Officers shall be deemed to be public servants within the meaning of the Indian Penal Code (XLV of 1860).
70. **Indemnity for acts done in good faith** – No suit or criminal prosecution shall lie against any public servant for anything done or omitted by him in good faith under this Regulation.
71. **Forest Officers not to trade.**- No Forest Officer shall, as principal or agent, trade in forest produce, or be or become interested in any lease or mortgage of any forest, or in any contract for working any forest, whether in [India or in any]¹ foreign territory.
1. Substituted by the A.O., 1950 for "British or"

CHAPTER XI Supplemental Provisions

72. **Additional powers to make rules.**- The [State Government]¹ may make rules, consistent with this Regulation.-
- (a) to declare by what Forest Officer or class of Forest Officers the power or duties conferred or imposed by or under this Regulation on a Forest- Officer are to be exercised or performed;
- (b) ~~to regulate the~~ procedure of Forest Settlement Officers;
- ²[(c) to provide for ejection of any person who has entered into unauthorized occupation in a Forest Reserve and for the disposal of any crops raised or other construction erected without authority in Forest Reserves:
- No Civil Court shall exercise jurisdiction in any matter provided for by the rules made under this clause].
- ²[(d) to regulate the rewards to be paid to officers and informers
* * * * * ; and
- ²[(e) generally, to carry out the provisions of this Regulation.

1. Substituted by the A.O., 1950 for "Provincial Government" which was substituted by A.O. 1937 for "Local Government".
2. Clause (c) added by Assam Act IX of 1946 and existing clauses (c) and (d) were renumbered as (d) and (e) It was substituted by the existing clause (c) by Assam Act XXIV of 1971 w.e.f. 12.12.1971. Prior to substitution it read:
- "(c) to provide for the ejection of any person who has encroached upon forest reserves")

3. The words "from the proceeds of fines and confiscations under the Regulation or from the public treasury" omitted by the A.O., 1937.
73. **Rules when to have force of law.**- All rules by the [State Government]¹ under this Regulation shall be published in the official Gazette, and shall thereupon have the force of law.
74. **Persons bound to assist Forest Officer and Police Officer.**- Every person who exercises any right in a reserved forest or village forest, or who is permitted to remove any forest produce from, or to pasture cattle or practice *jhum* cultivation in, such forest and every person who is employed by such person in such forest, and every person in any village contiguous to such forest, who is employed by the [Government]¹, or who receives emoluments from the [Government]¹, for services to be performed to the community, shall be bound to furnish, without unnecessary delay, to the nearest Forest Officer or Police Officer any information which he may possess respecting the occurrence of a fire in or near such forest, or the commission of, or intention to commit, any forest offence, and shall assist any Forest Officer or Police Officer demanding his aid-
- (a) in extinguishing any fire occurring in such forest;
 - (b) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest;
 - (c) in preventing the commission in such forest of any forest offence; and
 - (d) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.
1. Substituted by the A.O., 1950.
75. **Recovery of money due to the (Government)¹.**- All money, other than fines, payable to the [Government]¹ under this Regulation, or under any rule made thereunder, or on account of the price of any forest produce or expenses incurred in the execution of this Regulation in respect of any forest produce, may, if not paid when due, be recovered under the law for the time being in force as if it were an arrear of land revenue.
1. Substituted by A.O. 1950 for "Crown" which was substituted by A.O., 1937 for "Government".
- 76.(1) **Lien on forest produce for such money.**-When any such money is payable for, or in respect of, any forest produce, the amount thereof shall be deemed to be a first charge on such produce, and such produce may be taken possession of by a Forest Officer specially empowered in this behalf, and may be retained by him until such amount has been paid.
- (2) If such amount is not paid when due, such Forest Officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.
- [Provided that when, no price is offered or the price offered in such auction is considered inadequate the sale by such auction shall be stopped and such Forest

Officer shall sell the produce in such other manner as the State Government may direct in this behalf.]²

- (3) The surplus, if any, if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to [Government]¹.

1. Substituted by A.O. 1950 for "Crown" which was substituted by A.O., 1937 for "Government".
2. Inserted by Assam Act XI of 1953.

77. **Government and its officers not liable for loss or damage in respect of certain forest produce.**- The [Government]¹ shall not be responsible for any loss or damage which may occur in respect of any forest produce while at a revenue station established under a rule made under section 40, or while detained elsewhere for the purposes of this Regulation, or in respect of any timber collected under section 43; and no Forest Officer shall be responsible for any such loss or damage unless he shall have caused the same negligently, maliciously or fraudulently.

1. Substituted by the A.O. 1950 for "Crown" which was substituted by A.O., 1937 for "Government".

78. **Land required under this Regulation to be deemed to be needed for a public purpose.**-Whenever it appears to the [State Government]¹ that any land is required for any of the purposes of this Regulation, such land shall be deemed to be needed for a public purpose within the meaning of section 4 of the [Land Acquisition Act, 1870 (X of 1870)].

1. Substituted by the A.O. 1950 for "Provincial Government" which was substituted by A.O., 1937 for local "Government".

2. Act X of 1870 has been repealed and re-enacted as Act 1 of 1894 (The Land Acquisition Act, 1894) and this reference should now be construed as a reference to S.4 of the latter Act.

79. **Recovery of penalties due under bond.**-When any person, in compliance with any rule under this Regulation, binds himself by any instrument to perform any duty or act, or covenants by any instrument that he, or that he and his servants and agents, will abstain from any act, the whole sum mentioned in such instrument as the amount to be paid in case of a breach of the conditions thereof may, notwithstanding anything in section 74 of the Indian Contract Act, 1872 (X of 1872), be recovered from him in case of such breach as if it were an arrear of land revenue.

**GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
LEGISLATIVE DEPARTMENT : LEGISLATIVE
BRANCH**

NOTIFICATION

The 2nd May, 1995.

No. LGL. 24/94/130.- The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

**ASSAM ACT NO. XIV OF 1995
(Received the assent of the Governor on 30th April, 1995)
THE ASSAM FOREST REGULATION (AMENDMENT)
ACT, 1995
AN
ACT**

further to amend the Assam Forest Regulation, 1891.
(Regulation VII of 1891).

Preamble	Whereas it is expedient further to amend the Assam Forest Regulation VII of 1891, hereinafter referred to as the principal Regulation. It is hereby enacted in the Forty-sixth Year of the Republic of India, as follows :-
Short title and commencement	1.(1) This Act may be called the Assam Forest Regulation (Amendment) Act, 1995. (2) It shall come into force on such date as the State Government may by notification, published in the Official Gazette, appoint.
Amendment of Section 3.	2. In the principle Regulation, in Section 3, for Sub-section (3), the following shall be substituted namely : (3) 'timber' means trees when they have fallen or have been felled or all wood, whether cut out or fashioned or hollowed out for any purpose or not and includes these when cut into pieces or sizes or peeled out or sliced out (veneer) for manufacturing of plyboard, block board or any other purposes or not."
Amendment of Section 24.	3. In the principal Regulation, in Section 24, for the portion beginning with the words, "such damage", occurring after the clause (b), the following shall be substituted, namely : "Shall be punished with fine which may extend to five thousand rupees or with imprisonment which may extend to one year or with both, or when the damage resulting from his offence amounts to more than one

		thousand rupees, with fine which is not less than five thousand rupees or with imprisonment which is not less than one year but may extend to three years or with both."
Amendment of Section 25.	4.	In the principle Regulation, in Section 25 for the portion beginning with the words "shall be" and ending with the words "with both", occurring after the clause (g) the following shall be substituted, namely : "Shall be punished with imprisonment for a term which is not less than one year but may extend to three years or with fine which may extend to five thousand rupees or with both."
Amendment of Section 35.	5.	In the principle Regulation, in Section 35, for sub-section (1), the following shall be substituted, namely: (1) If any person infringes the provisions of Section 33, he shall be punished with imprisonment for a term which is not less than one year but may extend to three years or with fine which may extend to five thousand rupees or with both."
Amendment of Section 40.	6.	In the principal Regulation, in Section 40, in sub-section (2), for clause(1), the following shall be substituted, namely: (1) Prohibit absolutely, or subject to conditions, rules, within specified local limits, the establishment of saw mills, saw pits, veneer mills, plywood factories and any kind of forest based industries for the purpose of conversion, manufacturing, peeling, slicing, cutting, burning concealing, marking or supermarking the timber, altering or effecting any of the marks on the same and possession or carrying of marking hammers or other implements, used for marking timber; and"
Amendment of Section 41.	7.	In the principal Regulation, in Section 41, for the sub-section (1), the following shall be substituted, namely: (1) The State Government may, by a rule under the last foregoing section, attach to the breach of any rule under that section any punishment not exceeding imprisonment for a term which may extend to three years or fine which may extend to five thousand rupees or both."
Amendment of Section 49. "Seizure of property liable to confiscation	8.	In the principal Regulation, for Section 49, the following shall be substituted, namely : 49.(1) When there is reason to believe that a forest offence has been committed in respect of any forest produce, such produce together with all tools, boats, motorized boats, vessels, cattle, carts, rafts, machineries, vehicles, trucks, ropes, chains or any other implements, articles or materials used in the commission of such offence may be seized by any Forest Officer not below the rank of a Forester or any

Police Officer not below the rank of a Sub- Inspector of Police.

- (2) Every Officer, seizing any property under sub-section (1), shall place on such property or the receptacle, if any, in which it is contained, a mark indicating that the same has been so seized and shall, as soon as may be, either produce the property seized before an officer not below the rank of Assistant Conservator of Forests authorized by the State Government in this behalf by notification in the Official Gazette (hereinafter referred to as the 'Authorized Officer') or where it is, having regard to the quantity or the bulk or any other genuine difficulty, not practicable to produce the property seized before the Authorized Officer, or where it is intended to launch prosecution against the offender, immediately make a report of such seizure to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made :

Provided that where the forest produce with respect to which such offence is believed to have been committed is the property of the Government and the offender is unknown, it shall be sufficient if the Officer makes, as soon as may be, a report of the circumstance to his official superiors.

- (3) Any Forest Officer or Police Officer may, if he has reason to believe that a vehicle has been or is being used for the transport of any forest produce in respect of which any forest offence has been committed, require the driver or any other person or persons in-charge of such vehicle to stop the vehicle and cause it to remain stationary as long as may reasonably be necessary to examine the contents in the vehicle and inspect all records relating to the goods carried, which are in possession of such driver or other person in-charge of the vehicle.
- (4) Subject to the provisions of sub-section (5) and (6), where the Authorized Officer upon production before him of the property seized or upon receipt of a report about seizure, as the case may be, and after such personal inspection or verification as he may deem fit and necessary, is satisfied that a forest offence has been committed in respect thereof, he may by order in writing and for reasons to be recorded therein, confiscate the forest produce so seized together with all tools, vehicles, cattle, trucks, motorized boats, boats, carts, machineries, rafts, vessels, ropes, chains or any other implements or articles used in committing such offence. A copy of the order of

confiscation shall, without any undue delay, be forwarded to the Circle Conservator of Forests of the Circle in which the forest produce has been seized and the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.

- (5) No order confiscating any property shall be made under the proceeding provisions unless the Authorized Officer
- (a) sends an intimation in the prescribed form about the initiation of the proceeding for confiscation of property to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made;
 - (b) issue a notice in writing to the person from whom the property is seized, and to any other person who may appear to the Authorized Officer to have some interest in such property and in cases of motorized boats, vessels, vehicles, trucks, etc. having a registered number to the registered owner thereof;
 - (c) affords to the persons referred to in clause (b) above a reasonable opportunity of making a representation within such reasonable time as may be specified in the notice, against the proposed confiscation; and
 - (d) gives to the Officer effecting the seizure and the person or persons referred to in clause (b) or (c) above, a reasonable opportunity of being heard on a date or dates to be fixed for the purpose.
- (6) Notwithstanding anything contained in the foregoing provisions, an order of confiscation under sub-section (4) of any tools, boats, motorized boats, vessels, cattle, carts, rafts, machineries, vehicles, trucks, ropes, chains or any other implements, articles (other than timber or forest produce) shall be made if any person referred to in clause (b) of sub-section (5) proves to the satisfaction of the Authorized Officer that such tools, vehicles, machineries, trucks, vessels, boats, motorized boats, rafts, carts, cattle, ropes, chain or any other implements, articles were used without his knowledge or connivance or abetment or as the case may be, without the knowledge or connivance or abetment of his servant or agent and that all reasonable and due precautions had been taken against the use of the object aforesaid for the commission of forest offence."

Amendment of
Section 49-A.

9. In the principal Regulation, for Section 49-A, the following shall be substituted, namely :

"Power to release property seized under Section 49.	<p>49-A Any Forest Officer not below the rank of a Forest Ranger, whose subordinate has seized any tools, vehicles, trucks, vessels, rafts, machineries, boats, motorized boats cattle, ropes, chains or any other implements, articles, etc. under Section 49, may release the same on the execution by the owner or the person in-charge thereof of a bond for the production of the property so released if and when so required before the Magistrate having jurisdiction to try the offence or before any Authorized Officer whenever required for the purpose as mentioned under Section 49 to proceed ahead with the offence on account of which the seizure has been made :</p> <p>Provided that whenever such release is made, the Officer releasing the property shall immediately make a report to the Authorized Officer describing the circumstances and the reasons for the release of the property to the claimant or the owner or the person in charge of the property."</p>
Insertion of new Section 49-B and 49-C. Review.	<p>10. In the principal Regulation, after Section 49-A, the following new sections shall be inserted respectively as Sections 49-B and 49-C, namely :</p> <p>49-B Any Forest Officer not below the rank of a Conservator of Forests specially empowered by the State Government in this behalf by notification in the Official Gazette may, suo-motu or on application by the aggrieved person call for and examine any record or any order under Section 49(4) and may make such enquiry or cause such enquiry to be made and may pass such order as he deems fit :</p> <p>Provided that no order under this Section shall be made if in the meantime an appeal has been preferred under Section 49-C :</p> <p>Provided further that no order prejudicial to any person shall be passed without giving him a reasonable opportunity of being heard</p>
Appeal	<p>49-C Any person aggrieved by an order under Section 49 (4) or Section 49-B may, within thirty days from the date of communication to him of such order prefer an appeal to the District Judge having jurisdiction over the area in which the property has been seized and the District Judge shall after giving a reasonable opportunity of being heard to the parties, pass such order either varying, confirming, modifying, annulling or setting aside the order appealed against and the order of the Court so passed shall be final.</p>

Explanation :

- The time required for obtaining the certified copy of the order of confiscation or the order passed under Section 49-B shall be excluded while computing the period of thirty days referred to in this Section."
- | | | |
|---------------------------------------|-----|--|
| Amendment of Section 50. | 11. | In the principal Regulation in Section 50, the full stop mark occurring at the last part shall be substituted by a colon mark and a proviso thereto as under shall be inserted, namely :
"Provided that before passing any order for disposal of property, the Magistrate shall satisfy himself that no intimation under sub-section (5) of Section 49 has been received by his Court or by any other Court having jurisdiction to try the offence on account of which the seizure of the property has been made." |
| Amendment of Section 59. | 12. | In the principal Regulation, in section 59, for the words " it may extend to two years or with fine or with both" occurring at the last part, the following shall be substituted, namely :
"Which is not less than three years, and may extend to seven years or with fine which is not less than five thousand rupees or with both." |
| Amendment of Section 62. | 13. | In the principal Regulation in Section 62 for sub-section (3), the following shall be substituted, namely:
"(3) No Forest Officer shall be empowered under this section unless he is of the rank of an Assistant Conservator of Forests or above and the sum of money accepted as compensation under sub-section (1), clause (a) shall in no case exceed five thousand rupees." |
| Amendment of Section 64. | 14. | In the principal Regulation, in Section 64, for the sub-section (1), the following shall be substituted, namely:
"(1) When any person is convicted of felling, cutting, girdling, marking, lopping or tapping trees or of injuring them by fire or otherwise in contravention of this Regulation or of any rules thereunder, the convicting Court may, in addition to the other punishment which it may award, order that person to pay to the State Government such compensation, not less than one thousand rupees for each tree with respect to which the offence was committed, as it may deem just." |
| Amendment of Section 70. | 15. | In the principal Regulation, for Section 70, the following shall be substituted, namely : |
| Indemnity for act done in good faith. | 70. | No suit or criminal prosecution or other legal proceeding shall lie against any public servant or anything done in good faith or omitted to be done likewise under these Regulations or the rules or orders made thereunder." |

- Repeal and Saving 16. The Assam Forest Regulation (Amendment) Assam Ordinance No.XI of 1994, is hereby repealed Ordinance No.XI of 1994.
Provided that notwithstanding such repeal all order made, action taken or notification issued or proceeding taken up shall be deemed to have been validly made or taken under the corresponding provisions of this Act as if this Act came from the date the Ordinance came to force.

Sd/-
(M. K. DEKA)
Joint Secretary and I/c Secretary to the Government of Assam
Legislative Department.

**GOVERNMENT OF ASSAM
FOREST DEPARTMENT**

ORDERS BY THE GOVERNOR

NOTIFICATION

The 1st November, 1995.

No. FRM.44/94/Pt./44.- The Government of Assam in pursuance of the provisions contained in Clause(a) in sub-section(5) of Section 49 of the Assam Forest Regulation (Amendment) Act, 1995, do hereby prescribed Assam Schedule (Part-I) Form No. 31(B) for confiscation of property by the authorized Forest Official with effect from the date of commencement of the Assam Forest Regulation (Amendment) ordinance, 1994.

OFFICE MEMORANDUM

Sub: Assam Forest Regulation (Amendment) Act, 1995 initiation of confiscation proceedings, use of prescribed forms regarding.

No. FRM.44/94/Pt./45.- Whereas the Assam Forest Regulation (Amendment) Act, 1995, was notified vide Government Notification No.LGL.24/94/130, dated 2nd May, 1995.

And whereas for effective implementation of the said Regulation i.e. initiation of confiscation proceedings against seized articles/ forest produces/ vehicles/motorized boats, elephants/ buffaloes etc., the Government of Assam do hereby prescribed the form numbers given below and annexed herewith for administrative convenience in dealing the forest offences by the authorized forest officials -with effect from the date of effect of the Assam Forest Regulation (Amendment) ordinance, 1994.

Assam Schedule VIII,-Form No. 127, High Court Criminal Form No.(M) 106.

Assam Schedule VIII, -Form No. 93, High Court Criminal Form No.(M) 83.

Notice to be issued by the Seizing Officer in Assam Schedule L(Part-I) Form No. 31(A).

Notice to be served by the Authorized Officer regarding production of documents in respect of vehicles/Trucks/Elephants etc. in Assam Schedule L (Part-I) Form No. 31(C).

Noticed to be served by the Authorized Officer regarding summoning of witness/accused/seizing officer etc. required in connection with confiscation proceeding in Assam Schedule L(Part-I) Form No. 31(D).

Assam Schedule L(Part-I) Form No. 31(A)
By Hand/Registered A/D

GOVERNMENT OF ASSAM
OFFICE OF THE FOREST RANGE OFFICE/ BEAT OFFICE/ DIVISION
Division/Circle

Notice

To,

Shri/Ms.
C/o. Shri/Ms.
Village P.S.
P.O. Dist.
State

You are hereby called upon to produce legality and proof of origin of Forest Produce as per provision of the Rules and Regulations having the force of law loaded in Truck No./ Vehicle No./ Cart/ Bullock-cart etc. seized from your possession/ Sawmill premises/ veneer mill premises/ Home stead/ House premises/ shed (etc.) on u/s 49 of the AFR (Amendment) Act. 1995 and the rules made under Section 40 of the Transit Rules of AFR(vii) of 1891 and title thereto within 30 days from the date of issue of this notice to the office of the undersigned (Rang/Beat/Division) failing which necessary legal action will be taken against you without further notice to you.

Please also show-cause as to why the seized (article) shall not be confiscated to the State.

Description of the seized articles

Signature of the Seizing Officer
Full address Office
Date

NB: Please strike-off the one, which is not applicable and insert specifically the item/article/Office which one is applicable/ required for the purpose.

Assam Schedule L (Part-I) Form No. 31(B)

GOVERNMENT OF ASSAM
FOREST DEPARTMENT
C/D D.F.O. Division.

No.....

Dated1995.

From:

The Divisional Forest Officer,
..... Division,
District Assam.

To,

Shri/Ms.
C/o.(S/o)/Ms.
District Assam.
Owner of vehicle (Cart/Boat/Truck No.) property

Whereas complaint/ written report has been made by (Name of Seizing Officer/ Range Officer/ Beat Officer on That Shri (full address) has committed the offence of illegal feeling/collection/carrriage/ collection and carrying of timbers/ (specify the forest produce) which was detected and seized on U/S 49 of the AFR (Amendment)Act, 1995 and it appears Buffalo..... (specify the appropriate article/ implement/ cattle vehicle under seizure) has/have been used for the Commission of the said offence under the said Forest Act/Rules and the AFR, VII 1891, within your knowledge and you were the driver/ occupant/ owner of the said Vehicle/ Truck/ Implement/Elephant/Buffalo/Property/seized articles.

I, Shri D.F.O. Division, authorized by the Government of Assam do hereby draw-up this confiscation proceeding against you U/S 49(4) (b) of the AFR (Amendment) Act, 1995 after having been satisfied that there is a prima-facie case against you and paper in support of your claim (if any) and to show cause as to why the above mentioned Vehicle/Truck/Elephant Property /implement/article shall not be confiscated to the State

If you fail to show cause within 30 (thirty) days time from the date of issue of this notice, the seized articles/properties including the Truck/Vehicle/Elephant/Boat (Specify wherever is applicable) will be confiscated to the State without further notice to you.

Given under my hand and Seal on this day of 1995.

(Seal of the Office)
Divisional Forest Officer,
..... Division,
Place, Assam.

(Authorized Officer)

Memo No....., Dated 1995.

Copy forwarded for information and necessary to

The Magistrate, with reference to the Seizure report communicated under Memo No., Dated.....,

NB :- Strike off the one which is not applicable, depending on the kind of forest produce/ article and nature of Offence.

(Authorized Officer) and
Divisional Forest Officer,
..... Division,

Assam Schedule L (Part-I) Form No. 31(C)

By Hand/Registered A/D

**GOVERNMENT OF ASSAM
FOREST DEPARTMENT**
C/D D.F.O. Division.

No.....

Dated1995.

From:

The Divisional Forest Officer,
..... Division,
District Assam.

To,

Shri/Smti/Ms.
S/o.(C/o)/
P.O.
District(Proper address)

Sub: Seizure of Vehicle/Truck/Elephant.

In exercise of the power conferred upon by Section 49(4), 49(5) (b) of AFR (Amendment) Act, 1995, the undersigned hereby directs you to produce the following documents before me on or before..... at Personally or through your authorized person in connection with the service of Vehicle No. Seized under Division on

Details of Documents-

- 1)
- 2)
- 3)
- 4)

NB: Please clearly specify the seized Article/Vehicle/Elephant for which documents are required.
..... Division.

Authorized Officer
and
Divisional Forest Officer

Assam Schedule L (Part-I) Form No. 31(D)
By Hand/Registered A/D

GOVERNMENT OF ASSAM
FOREST DEPARTMENT

..... Division,

No.....

Dated 1995.

From:

The Authorized Officer,
And
Divisional Forest Officer.
..... Division,
..... District.

To,

Shri/Smti/M/s.
C/o.(S/o. M/s).....
Dist., P.S., (full address)

Sub: Confiscation proceedings against seizure of Forest produce (specify kind of forest produce) seized at loaded in Truck No./Vehicle/Truck No. (Specify the means)

Ref: Offence report no of 1995-96 (Specify the year)

Whereas it appears that you are to give material evidences for prosecution/in defence, you are hereby summoned to appear before me in the Office of the undersigned at A.M. on..... 1995 to dispose of the above case failing which the case will be heard expert in your absence and will be disposed of on the basis of material evidences and exhibits already on records or founded on facts gathered on witness etc.

Given under my hand and Seal of this Office on day of 1995.

(Authorized Officer) and
Divisional Forest Officer.
..... Division,

Assam Schedule VIII, Form No. 127
High Court Criminal Form No. (M) 106

ORDER SHEET FOR MAGISTRATES RECORDS

DISTRICTS
IN THE COURT OF..... NO. OF 19..... OF.....,

VERSUS

Serial No. of Order	Date	Order	Signature

Notes: This form should be written up in English whenever possible (See Vol. I, Chapter III, Rule 22).

Assam Schedule VIII, Form No. 93
High Court Criminal Form No. (M) 83

FORM FOR RECORDING DEPOSITION

THE DEPOSITION of aged
about years taken in oath of solemn affirmation under
provisions of the Indian Oaths Act. X of 1878, before me this day
of of

My name is, My father's name is
..... I am by caste
..... My house is at Mauza, Police
Station, District, I reside at present in Mauza
..... Police Station, District
....., where I am

H. SONOWAL
Commissioner & Secretary to the Government of Assam,
Forest Department, Dispur.

**GOVERNMENT OF ASSAM
DEPARTMENT OF ENVIRONMENT AND FORESTS : : DISPUR**

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Dispur, the 19th September, 2003

No. FRM. 44/94/Pt/3 : In exercise of the powers conferred by sub-section (2) of Section 49 of the Assam Forest Regulation, 1891 (Regulation VII of 1891) the Governor of Assam is hereby pleased to designate all the Assistant Conservator of Forests attached to Territorial Division and Divisional Forest Officers of Social Forestry and Research, Education and Working Plan wing in Assam as Authorised Officer for the purposes of the said sub-section with immediate effect.

No. FRM. 44/94/Pt/3-A : In exercise of the powers conferred by Section 49B of the Assam Forest Regulation, 1891 (Regulation VII of 1891) the Governor of Assam is hereby pleased to empower all the Conservator of Forests of the Territorial Divisions to review the orders passed by the Authorised Officer as required under section 49 B of the said Act with immediate effect.

Sd/- (S. K. Chouhan)
Deputy Secretary to the Government of Assam
Department of Environment and Forests, Dispur.

**GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
FOREST DEPARTMENT**

NOTIFICATION

The 15th February, 2000.

No. FRM.69/97/Pt./1 : In exercise of the powers conferred by Clause (1) of sub-section (2) of section 40 of the Assam Forest Regulation, 1891 Regulation VII of 1891, the Governor of Assam is hereby pleased to make the following rules, namely:

- | | | | |
|-------------------------------|----|-----|--|
| Short title and commencement. | 1. | (1) | These rules may be called the Assam Wood Based Industries (Establishment and Regulation) Rules, 2000. |
| | | (2) | They shall come into force on the date of their publication in the Official Gazette. |
| Definitions | 2. | | In these rules, unless there is anything repugnant in the subject or context: |
| | | (a) | "Act" means the Assam Forest Regulation, 1891 (Regulation 7 of 1891); |
| | | (b) | "Government" means the Government of Assam; |
| | | (c) | "Authorized Officer" means the Divisional Forest Officer (Territorial); |
| | | (d) | "Licensing Committee" means the committee for the purpose of dealing with the grant or refusal to grant of a licence and it shall be constituted with the following official members: |
| | | | 1. Chief Conservator of Forests (Territorial) Chairman, |
| | | | 2. Conservator of Forests of Circle concerned Member, |
| | | | 3. Director of Industries Member, |
| | | | 4. Conservator of Forests(HQ) Member Secy. |
| | | (e) | "Wood-based Industries" included saw mills, veneer mills, plywood mills, match/match splint/particle board/hardboard/katha manufacturing units, agar-wood oil extracting units, or any other industry which may use wood as raw materials; |
| | | (f) | "document" includes a valid record in the form of a pass or permit or receipt indicating a transaction in forest produce issued by competent authority; |

- (g) "form" means a form appended to these rules;
- (h) "licence" means a licence granted under these rules;
- (i) "permit" means written permission for carrying out any of acts or operations covered by these rules;
- (j) "person" includes a body, company or a society duly registered for the purpose of carrying on a business;
- (k) "saw mill" means plant and machinery with which, and the premises including the precinct thereof in which, or in any part of which, sawing is carried out with aid of electrical or mechanical power, which will include cutting or converting timber/wood into pieces or like acts;
- (l) "veneer mill/plywood mill" means plant and machinery with which, and the premises including the precinct thereof in which, or in any part of which conversion into required sized, slicing, peeling, fashioning or seasoning of timber, including preservation and treatment thereof, either by mechanical process or chemical process with the aid of electrical or mechanical power or manually, is carried out;
- (m) "hard board/particle board manufacturing unit" means plant and machinery with which and the premises including the precinct thereof in which, or in part of which conversion of forest produce into hard board/particle board is carried out;
- (n) "katha manufacturing unit" means plant and machinery with which and the premises including the precinct thereof in which or in any part of which conversion of khoir wood into katha is carried out;
- (o) "agar-wood oil extracting unit" means plant and machinery with which and the premises including the precinct thereof in which, or in any part of which extraction of oil from the agar-wood by chemical and mechanical process is carried out;
- (p) "match splint/match manufacturing unit" means plant and machinery with which and the premises including the precinct thereof in which, or in any part of which, conversion into required splints/matches are carried out;
- (q) awards and expression used in these rules but not defined and defined in the Act, shall have

the meaning respectively as assigned to them in the Act.

Restriction on establishment of wood-based industries

3. (1) No wood based industries shall be established or run without a valid licence granted under these rules.

(2) Wood based industry, both existing and proposed shall be established and run only in the specific areas as notified by the Government for such purpose.

Procedure for obtaining/renewal of licence

4. (1) Any person desirous to establish or run a wood based industry in a specific area shall make an application for licence to the authorized officer in Form No. I given in the schedule.

(2) Each application shall be accompanied by a non-refundable application fee as prescribed below in the form of a receipted Treasury Challan:

Saw mill, Match Splint/Katha/Agarwood Oil manufacturing/extracting unit. Rs.500.00

Veneer/Plywood Mill, Hardboard/Particle Board/Match Manufacturing Unit and any other wood based industry. Rs.2,000.00

(3) Grant of a licence shall be made subject to payment of licence fee as specified below in the form of a receipted Treasury Challan:

Saw Mill, Match Splint/Katha/Agarwood Oil Manufacturing/Extracting unit and other wood-based industry other than listed below: Rs.10,000.00

Veneer Mill, Hardboard/Particle Board Manufacturing Unit. Rs.50,000.00

Plywood Mill, Match Manufacturing Unit. Rs.1,00,000.00

(4) Application for renewal of licence granted shall be made to the authorized officer in Form No.III given in the schedule, 3(three) months before expiry of the licence. Each application shall be accompanied by anon-refundable application of Rs.500.00 in the form of a receipted Treasury Challan.

(5) Renewal of licence shall be made subject to payment of renewal fee as specified below in the form of a receipted Treasury Challan:

Saw Mill, Match Splint/Katha/Agarwood Oil Manufacturing/Extracting Unit and any wood-based industry other than listed below:	Rs.5,000.00
Veneer Mill, Hardboard/Particle Board Manufacturing Unit.	Rs.10,000.00
Plywood Mill, Match Manufacturing Unit.	Rs.25,000.00

- (6) Sales Tax/Income Tax Clearance Certificate must accompany the application for grant/renewal of licence.
- (7) The Licencing Committee shall after having got made such enquiry as it thinks fit, and within a period of sixty days from the date of receipt of such application, either granted or refuse to grant/renew the licence. Provided that no licence shall be granted/renewed unless it is satisfied about the location, availability of raw materials, financial capacity and past records in business of such person. Where the Licencing Committee refuses to grant/renew a licence, it will record the reasons therefore and such reasons shall be communicated to the person in writing. Form No. II and Form No. IV for grant/renewal of a licence are given in the schedule.
- (8) For the purpose of enquiry under sub-rule 7, the authorized officer may exercise the following powers:
 - (a) enter into or upon and land, survey and demarcate the same, make a map thereof or authorize any other officer to do so.
 - (b) call for such documents as he deems necessary for ascertaining the merit of the application.
- (9) No application for renewal of a licence shall be rejected unless the holder of such licence has been given an opportunity of presenting his case and unless the Licencing Committee is satisfied that-
 - (a) the application for such renewal has been made after the expiry of the period specified thereof,
 - (b) any statement made by the person making application for renewal of the licence was incorrect or materially false; or
 - (c) such person has contravened any of the terms or conditions of the licence or any provision of the Act of these rules, or
 - (d) such person does not fulfill the terms and conditions for such licence.

Conditions of licence	5.	<p>A Licence granted/renewed under Rules 4.</p> <p>(a) shall remain valid for the calendar year ending on 31st day of December, following the date of such issue or renewal of the licence;</p> <p>(b) shall not be transferable;</p> <p>(c) shall be subjected to the terms and conditions specified therein.</p>								
Suspension/Revocation of Licence	6.	<p>(1) The Conservator of Forests of Circle concerned may for reasons to be recorded in writing suspend any licence granted or renewed under these rules till such time as the licence rectifies the shortfalls pointed out by him.</p> <p>Provided that no such suspension shall be made except after giving the holder of the licence an opportunity of being heard.</p> <p>(2) In case the Conservator of Forests of Circle concerned deems the case fit for cancellation of the licence, he shall refer it to the Licencing Committee, who shall take a decision thereon within 30 days of the order of suspension and after giving licensee an opportunity of being heard.</p>								
Appeal	7.	<p>(1) An appeal on an order refusing to grant/renew a licence under these rules, as the case may be, or an order suspending or canceling a licence under these rules shall lie with an Appellate Body consisting of a Committee with the following official members; namely:</p> <table border="0" style="margin-left: 20px;"> <tr> <td style="padding-right: 20px;">(a) (i) Commissioner/Secy., Forest Department</td> <td>Chairman.</td> </tr> <tr> <td style="padding-right: 20px;">(ii) Commr./Secy., Industries & Commerce Deptt.</td> <td>Member.</td> </tr> <tr> <td style="padding-right: 20px;">(iii) Principal Chief Conservator of Forests</td> <td>Member.</td> </tr> <tr> <td style="padding-right: 20px;">(iv) Joint Secy./Dy. Secy. of Forest Deptt.</td> <td>Member Secretary</td> </tr> </table> <p>(b) Subject to the provisions of this Act and the rules framed there under the Committee shall have power to regulate its own procedure of business in hearing the appeal.</p> <p>(c) At least two members of the Committee shall hear the appeal.</p> <p>(d) The decision of the majority of the members present and hearing the matter shall be the decision of the Committee. Where the members are equally divided in their opinion, the appeal</p>	(a) (i) Commissioner/Secy., Forest Department	Chairman.	(ii) Commr./Secy., Industries & Commerce Deptt.	Member.	(iii) Principal Chief Conservator of Forests	Member.	(iv) Joint Secy./Dy. Secy. of Forest Deptt.	Member Secretary
(a) (i) Commissioner/Secy., Forest Department	Chairman.									
(ii) Commr./Secy., Industries & Commerce Deptt.	Member.									
(iii) Principal Chief Conservator of Forests	Member.									
(iv) Joint Secy./Dy. Secy. of Forest Deptt.	Member Secretary									

shall be heard and decided by all the members and the decision arrived at by the majority of all the members shall be the decision of the Committee. In case the members are equally divided at such a meeting of all the members, the Chairman shall exercise a casting vote.

- (e) The Committee shall have power to confirm, modify or reverse the order against which the appeal is preferred or to remand the matter for a fresh decision by the competent authority passing the order in accordance with such directions, if any, as may be given by the Committee.
 - (f) The Member Secretary shall have a status similar to that of an ordinary member in the decision making process.
 - (g) The Committee may function in accordance with the above mentioned procedure and any vacancy in the Committee shall not effect the decision of the Committee.
- (2) An appeal under these rules shall be preferred within thirty days from the date of communication of the order appealed against :

Provided that the Appellate Authority may admit any appeal preferred after the expiry of the period as aforesaid if he is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

- (3) An appeal shall be decided within 30 days of receipt of the appeal.
 - (4) Every order passed in appeal under the rules shall be final.
8. (1) A licensee under these rules shall maintain Registers in Form No. V, VI and VII as given in the Schedule appended herewith.
- (2) Every licensee shall submit to the Authorized Officer(s) once in every three months within seven days of the expiry of the period of the said three months a declaration in Form No. VIII as given in the Schedule which shall be compiled from the Registrar maintained in the Form No. VII.

Maintenance of Register and submission of declaration to the Authorized Officer(s).

Inspection and
Verification of
Records.

9. (1) The Authorized Officer may inspect and verify at any time without notice the following within the premises of the woodbased industry of a licensee-
- (a) records required to be maintained under sub-rule(1) and rule 8;
 - (b) stock of raw material; and
 - (c) stock of sawn timber or manufactured products or processed products.
- (2) During such inspection and verification, the licensee or his authorized agent, employees and workers, shall be lawfully required to extend all possible assistance and produce all documents and records as may be required during such inspection and verification.

Transit Pass for
Forest Produce.

10. Any kind of forest produce, be it a raw material, processed or manufactured item, entering or leaving a woodbased industry or its premises shall be covered by a transit pass or a transit challan duly issued under the provisions of the Act.

Sd/- Alok Jain,
Commissioner & Secretary to Govt. of Assam,
Forest Department, Dispur.

FORM - I

[As per Rule 4(1) of Assam Wood-Based Industries (Establishment and Regulation) Rules, 2000]

FORM OF APPLICATION FOR GRANT OF LICENCE FOR SETTING UP OF
WOOD BASED INDUSTRY

To,

The Conservator of Forests,

.....

..... Circle,

(Through the Divisional Forest Officer, Division)

Sir,

I/We Shri (in block letters) inhabitant(s) of
..... (address to
be given in details) under Police Station, District
..... by profession, do hereby apply for
grant of licence for setting up of a wood-based industry as mentioned below
using as raw materials. The particulars of the
wood-based industry are given herein below:

1. Name of the Wood-based Industry :
2. Location & name of the industrial estate where the wood-based industry is proposed to be established and details of area etc. :
3. Legal status (whether ownership of Private Limited Company) :
4. Whether a Limited Company, Partnership or a Proprietorship business and the relationship of the applicant(s) with such Company or Partnership or Proprietorship business (documents to be attached). :
5. Capital Value: :
6. Rated capacity (volume of timber etc.) per year in cu.m. :
7. Expected source/sources of raw :

materials.

8. Expected conversion ratio from raw material :
9. Employment:
- (a) Strength of regular employees :
- (b) Strength of daily workers :
10. Source of capital investment :
11. Source of power :
12. Whether convicted or penalized in any Criminal/Forest Offence case. :
13. Whether possessing any other wood based industry in the State, if yes, details thereof. :
14. Whether the licence fee is attached, if so, No. and date of the challan. :

Place:

Date:

Yours faithfully,

.....
Signature(s) of the applicant(s).

FORM - II

[As per Rule 4(7) of Assam Wood-Based Industries (Establishment and Regulation) Rules, 2000]

FORM OF LICENCE

Registered Licence No. Dated the day of
..... (Month) (Year).

.....(Name. Names), inhabitant(s) of
..... (address to be
given in details) in the Police Station..... District.....
by profession is/are hereby permitted to set up/run the wood-
based industry as indicated below under the terms and conditions as laid down in
these rules as well as other terms and conditions specified hereunder, using
..... as the raw materials, upto 31st December,

1. Name of the Wood-Based Industry :
2. Location and name of the Industrial Estate/Minor Industrial Estate. :
3. Legal status (whether ownership of Private Limited Company) :
4. Install capacity with description of the machinery. :
5. Capital Value of the wood based industry. :
6. Employment:
 - (i) No. of regular employees :
 - (ii) No. of daily workers :
7. Licence fee paid vide Treasury Challan No. and place of deposit. :

OTHER TERMS AND CONDITIONS

1. Only the registered number allowed to the holder of this licence must be used and no other number.
2. A property mark as approved by the concerned Divisional Forest Officer of the territory must be registered and only that mark must be used on all timbers received and issued from the woodbased industry.
3. Timbers bearing no property mark/import invoice and or Government hammer mark must not be received in the woodbased industry.
4. All timbers received in the woodbased industry must be covered by certificate of origin or trade permit or transit pass.
5. Any timber seized in the industry's premises by any Forest Officer must be taken charge of by the owner of the industry under proper Zimmanama and be produced when required.
6. Breach of any of the above conditions or infringement of any law of the State for the time being in force will render this licence to be cancelled.

7. In the event of any dispute arising between the holder of this licence and the Forest Department as regards interpretation of rules made in the Licence or in its execution, the decision of the Chief Conservator of Forests shall be final and binding on all concerned.
8. The woodbased industrial unit other than veneer mill, plywood mill, hardboard/particle board factory must not run from dusk to dawn.

Date:

Signature of the Issuing Authority
(Seal)

ANNEXURE OF ITEM NO.11

FORM – III

[As per rule 4(4) of Assam Woodbased Industries (Establishment and Regulation) Rules, 2000]

FORM OF APPLICATION FOR RENEWAL OF LICENCE

To,

The Conservator of Forests,
.....Circle,
.....

(Through the Divisional Forest Officer, Division)

Sir,

I/We (in block letters) inhabitant(s) of
..... (address in details)
under Police Station, District by profession
..... do hereby apply for renewal of my/our Licence No.
..... Dated, the validity of which is expiring on
An amount of Rs..... (Rupees)
only being the renewal fee has been deposited in the Treasury, vide Treasury
Challan No., Dated, copy of which is enclosed herewith.

Yours faithfully

Place:

Date:

Signature of the Applicant(s)

.....

FORM - IV

[As per rule 4(4) of Assam Wood-based Industries (Establishment and Regulation) Rules, 2000]

FORM OF RENEWAL OF LICENCE

No. Dated

The licence No. Dated, is renewed upto 31st December,

Place:

Date:

Signature of the Issuing Authority
(Seal)

FORM - V

[As per Rule 8(1) of Assam Wood Based Industries (Establishment and Regulation) Rules, 2000]

DAILY RECEIPT REGISTER

Date	Mill Sl. No.	Detail of raw materials (Log No. etc)	Species	Measurement Length /Girth	Volume	Received from which Divn./ Depot, etc.	Transit Challan /Transit Pass No. & Date	Log converted on (Ref. Form VII)	Remarks
1	2	3	4	5	6	7	8	9	10

FORM - VI

[As per Rule 8(1) of Assam Wood Based Industries (Establishment and Regulation) Rules, 2000]

DAILY CONVERSION REGISTER

Date	Mill Sl. No. Form V	Species	Log etc. volume/ weight	Outturn size, No. of species, volume	Outturn volume/ weight	Percent age of recovery	Despatch documents No. & Date	Remarks
1	2	3	4	5	6	7	8	9

Note: Column 5 - For Timber/Veneer/Plywood/Particle & Hardboard
Column 6 - For Katha/Agar.

FORM – VII

[As per Rule 8(1) of Assam Wood Based Industries (Establishment and Regulation) Rules, 2000]

DAILY STOCK REGISTER

Date	Type of Forest Produce	Opening Stock	Received during the day	Converted during the day	Despatched during the day	Closing balance
1	2	3	4	5	6	7
	Log					
	Sawn timber					
	Veneer					
	Plywood					
	Other forest produce (Specify)					

FORM – VIII

[As per Rule 8(2) of Assam Wood Based Industries (Establishment and Regulation) Rules, 2000]

DECLARATION OF QUARTERLY RETURN OF FOREST PRODUCE FOR THE QUARTER ENDING ON.....

(Unit: As applicable for the particular item)

Type of Forest Produce	Opening Stock	Received during the period	Despatched during the period	Closing balance at the end of the period
1	2	3	4	5
1. Log				
2. Sawn timber				
3. Veneer				
4. Plywood				
5. Other Forest Produce (Specify)				

Seal & Signature
(on behalf of the woodbased industry)

ALOK JAIN
Commissioner & Secretary to the Government of Assam
Forest Department, Dispur.

**GOVERNMENT OF ASSAM
FOREST DEPARTMENT
DISPUR, GUWAHATI-6.**

NOTIFICATION

No.FRM.152/2001/54,

Dated Dispur, the 29th January, 2003.

The Governor of Assam is pleased to issue guidelines for installation of a stone crushing machine, identified as Stone Crusher, within the State. Consequent on the issue of the guidelines so Stone Crusher shall be installed in the State without obtaining a permit from the Government in the Forest Department. The procedure to be followed for obtaining a permit for installation of a Stone Crusher is as follows :

1. A person desiring to install a Stone Crusher shall submit an application to this effect to the respective DFO as per proforma prescribed (Annexure-I). The application should also contain the following documents :
 - i) Certified copies of Chitha and Jamabandi of the plot of land where the Stone Crusher is proposed to be installed, along with up-to-date certificate of clearance of land revenue.
 - ii) Certified copies of the agreement between the applicant and the owner of the plot of land granting permission to use the plot of land by the owner for installation of Stone Crusher, in case the plot of land does not belong to the applicant himself.
 - iii) No Objection Certificate (NOC) for installation of a Stone Crusher from the respective Gaon Panchayat/Town Committee/Municipality/Corporation Authority having jurisdiction over the site on which the Stone Crusher is proposed to be installed.
 - iv) No Objection Certificate (NOC) for the State Pollution Control Board.
 - v) Authenticated copy of certificate indicating up-to-date clearance of Income Tax and Sale Tax.
 - vi) Provisional Registration Certificate from the respective District Industries Centre.
2. Each application shall be accompanied by a non-refundable application fee of Rs.3,000/- to be attached in the form of a Treasury Challan.
3. On receipt of the application the DFO shall cause a field verification to be conducted which should be completed within the period of 15 days from the date of receipt of the application. The DFO shall then forward the application to the respective Conservator of Forests along with his comments. (Annexure-II).
4. At the Circle level, a Permit Committee is constituted with the following as members :

i)	Conservator of Forests	:	Chairman
ii)	DFO of concerned Division	:	Member
iii)	District Industries Officer	:	Member
iv)	Representative from Pollution Control Board	:	Member
v)	Representative of DC of concerned District	:	Member

5. The function of the Permit Committee is to examine the various application received from the DFO under his Circle and take a decision accordingly. On being approved by the Permit Committee at the Circle level for issue of a permit the Conservator of Forests shall intimate the concerned DFO who shall be authorized to issue a permit accordingly. (Annexure-III).
6. The Permit Committee shall also consider cases for renewal of permit issued earlier. Applications for renewal of permit should be submitted by interested parties to the concerned DFO as per prescribed format (Annexure-IV) on payment of a renewal fee of Rs.1,000/- in the form of a Treasury Challan.
7. The Permit issued shall be valid for one calendar year or part thereof, and in no case shall be valid beyond 31st December of a calendar year.
8. Permit issued is not transferable.
9. The DFO shall issue the Permit approved by the Permit Committee only after obtaining a declaration from the applicant that he/she shall abide by all the terms and conditions and other directions issued by the Government from time to time as per format prescribed. (Annexure-V).
10. The Permit holder shall have to procure a Permanent Registration Certificate from the Industries Department before putting the Unit into operation.
11. The Permit holder shall maintained a Register as per Formats prescribed. (Annexures-VI, VII and VIII).
12. Every Permit holder shall submit to the DFO a declaration of Quarterly returns in the prescribed Format within one week of the end of the Quarter. (Annexure-IX).
13. Application in prescribed Format shall be made to the concerned DFO for renewal of the licence 2 months before the expiry of validity period of the permit. (Annexure-IV).
14. The DFO concerned shall forward the renewal application along with the Quarterly returns to the Permit Committee with a certificate of his satisfaction that the Unit is not involved in any irregularity/offence during the previous period of operation.
15. The Permit Committee shall scrutinize the application for renewal and take a decision accordingly. The concerned DFO shall take action based on the intimation received from the Chairman of the Permit Committee.
16. Any Forest Officer not below the rank of Forester-I can inspect the Stone Crusher and the records maintained by the Unit.
17. Any type of stone entering or leaving the premises of the Stone Crusher Unit shall be governed by TP and Transit Challan duly issued under provision of rules. (Annexure-X).
18. The DFO shall also maintain two Registers as per formats for keeping the records of all the crusher machines set up within the jurisdiction of the Division. (Annexure XI & XII).
19. All the crusher machines, which were installed in the Division earlier with or without such permission shall be asked by the DFO to apply for the required permission within 30 days from the date of this Notification.

Sd/- (L. Rynjah)
Principal Secretary, Forests.

**GOVERNMENT OF ASSAM
FOREST DEPARTMENT DISPUR**

ORDER BY GOVERNOR

NOTIFICATION

Dated Dispur, the 4th May, 1999.

No.FRM.150/96/Vol.I/Pt.V/450 : - In pursuance of the order of the Hon^{ble} Supreme Court in Writ Petition (C) No.202/95 & W.P. (C) No.107/96, the Governor of Assam in consultation with the Ministry of Environment and Forests, Government of India, whose approval has been conveyed vide their letter No.NEF/1(7)/IND/EST/98-99, dated 29-01-1999, is hereby pleased to notify the following Industrial Estates (IEs/Minor Industrial Estates (MIEs) in the State of Assam :-

Sl. No.	Division	Industrial Estate (IE)		Minor Industrial Estate (MIE)	
		Name	Area (Hect)	Name	Area (Hect)
1	2	3	4	5	6
1.	Digboi	(i) Margherita (ii) Margherita Segunbari (iii) Margherita Veneer Mill Bazar. (iv) Ledo Hamukjan I.E.-I (v) Ledo Hamukjan I.E.-II	75 20 10 10 10		
2.	Doom Domma	(i) Rupaisiding (ii) Bishnunagar	20 20	(iii) Chapakhowa	5
3.	Dibrugarh	(i) Tinsukia (ii) Makum I.E.-I (iii) Makum I.E.-II (iv) Tinsukia I.E.-I (v) Tinsukia I.E.-II (vi) Tinsukia I.E.-III (vii) Tinsukia I.E.-IV (viii) Naharkatia (ix) Jeypore	50 50 50 150 20 20 20 10 25	(x) Dibrugarh M.I.E.-I (xi) Dibrugarh M.I.E.-I (xii) Chabua	25 25 5
4.	Sibsagar	(i) Sonari	20	(ii) Sibsaagar (iii) Amguri (iv) Sonari & Nazira	5 5 2
5.	Jorhat	(i) Cinnamora	15	(ii) Jorhat (iii) Titabar	5 5
6.	Golaghat			(i) Bengenakhowa-II (ii) Bengenakhowa-I (iii) Dergaon (iv) Borpathar (v) Sarupathar	5 5 5 5 5

7.	Kamrup East	(i) Boragaon (ii) Panikhaiti	50 15	(iii) Palasbari M.I.E.-I (iv) Palasbari M.I.E.-II (v) Palasbari M.I.E.-III (vi) Kalapahar (vii) Kamakhya (viii) Sonapur	20 20 20 20 5 5
8.	Kamrup West			(i) Mirza (ii) Barnunigaon (iii) Rampur	5 5 5
9.	North Kamrup			(i) Sarbhog (ii) Barpeta Road (iii) Pathsala	5 20 5
10.	Goalpara			(i) Goaltuli (ii) Boladmari (iii) Lakhipur (iv) Krishnai (v) Dudhnoi	2 5 2 2 2
11.	Darrang			(i) Udalguri (ii) Tangla (iii) Mazbat	2 2 2
12.	Kachugaon			(i) Gossaigaon (ii) Sapatgram (iii) Fakiragram	100 20 2
13.	Dhubri	(i) Dhubri Mission (ii) Dhubri Match Factory	25 50	(iii) Dhubri Dahar Beel (iv) Gauripur (v) Bilasipur (vi) Chagolia (vii) Tipkai	20 1 1 1 1
14.	Aie-Valley			(i) Bongaigaon M.I.E.-I (ii) Bongaigaon MIE-II (iii) Basugaon (iv) Bijn	50 50 10 10
15.	Haltugaon			(i) Kokrajhar Town (ii) Titaguri (Kokrajhar) (iii) Chapar	5 5 1
16.	Cachar			(i) Jatingamukh	10
17.	Karimganj	(i) Karimganj	25	(ii) Badarpur	5
18.	Hailakandi			(i) Matijuri (ii) Pachgram	5 5
19.	Sonitpur East			(i) Biswanath Chariali (ii) Borgaon (iii) Jamuguri	5 5 5
20.	Sonitpur West			(i) Tezpur M.I.E.-I (ii) Tezpur M.I.E.-II (iii) Amaribari (iv) Dhejiajuli	2 1 1 10
21.	Nagaon			(i) Nagaon M.I.E.-I (ii) Kaliabar (iii) Nagaon M.I.E.-II (iv) Morigaon (v) Ahotguri	10 5 5 5 6.45

22.	Lakhimpur			(i) Bihpuria (ii) N. Lakhimpur (iii) Narayanpur	4.60 4.80 4.56
23.	Dhemaji			(i) Gogamukh (ii) Dhemaji (iii) Jonai	5.2 5.3 5
24.	Nagaon South	(i) Lumding (ii) Lanka	8.3 16.5	(iii) Lanka (iv) Hojai (v) Dabaka	5 1 4.75
25.	Eastern Assam Wild Life			(i) Bokakhat	10

The boundary of each Industrial Estate is as per the annexure.

Only such wood based Industries as are located in the Industrial Estates / Minor Industrial Estates will henceforth be issued licences under the relevant Rules.

Industrial Estates may accommodate all wood bases units including Plywood Mills, Veneer Mills and Saw Mills, Minor Industrial Estate shall, however, accommodate only Saw Mills which do not use as raw material timber brought in from outside the State of Assam.

Arrangements for land, infrastructure etc. in the Industrial Estates and Minor Industrial Estates shall be the responsibility of the industry.

This is in supercession of the notification No.FRE.150/96/Vol.I/Pt-V/239, dated 23-09-1998.

(Alok Jain)
Commissioner and Secretary to the Government of Assam
Forest Department, Dispur.

AnnexureAnnexure to the Notification No.FRM.150/96/Vol.V/450, dated 4th May, 1999.**DETAILS OF INDUSTRIAL ESTATES / MINOR INDUSTRIAL ESTATES AND
BOUNDARY DESCRIPTION**

Sl. No	Division	Name	Area (Hect)	Boundary
1	2	3	4	5
1.	Digboi	Margherita I.E.	75	North : K.M. post No.35 from Makum on N.H. 38 fixed at a distance of 25 Mts. the Northern boundary runs towards East upto a distance of 575 Mts. meet near the plot of Sri Nandaeswar Saikia, of No.2 Lajumbasti (P.P. Land)
				East : From the Patta Land of Nandeswar Saikia Lajumbasti the boundary runs towards South upto a distance 1250 Mts. and meets near the P. Land of Sri Dilip Bora of No.2 Lajumbasti.
				South : From the land of Sri Dilip Bora of No.2 Lajumbasti, the boundary runs towards west upto a distance of 575 Mts. the N.H.38.
				West : Western boundary runs along the N.H. 38 road upto a distance of 1350 Mts. meets the starting point near K.m. Post 35.
		Margehrita Segunbari I.E.	20	North : Northern boundary starts from 360 Mts. way from Southern boundary of Makum Pater Ind. Estate on N.H.38 and runs towards East upto a distance of 500 Mts. meets near the plot of Thermal Colony of Margherita.
				East : From the plot of Thermal Colony Margherita boundary line runs towards South upto a distance of 400 Mts. meets near Lajumbasti Charali.
				South : From the Lajumbasti Chariali boundary line runs towards west upto a distance of 500 Mts. meets N.H.38.
				West : From the above point boundary line runs along the N.H.38 road at a distance of 400 meters meets starting point.
		Margherita Veneer Mill Bazar I.E.	10	North : Northern boundary starts from 120 Mts. from N.H.38 on Veneer Mill Bazar Road and runs towards East upto distance 400 Mts. meets Eastern boundary of ART Mill colony.

				East : From the Eastern boundary of ART Mill colony, boundary runs towards South upto distance of 300 Mts near PWD bungalow.
				South : Thence boundary line runs towards West upto a distance of 450 Mts. meets near B.G. Railway lines.
				West : Thence the western boundary line runs towards north upto a distance of 175 Mts. and meets the starting point.
		Ledo Hamukjan I.E.-I	10	West : From the junction of N.H.38 & Hamukjan road at a distance of 150 Mts. On Hamukjan road the Western boundary starts towards north upto a distance of 400 Mts. Near the plot of Ganga Gowala of Hamukjan Gaon.
				North : From the plot of Sri Ganga Gowala boundary line runs towards East upto a distance of 250 Mts. meets near the plot of Sri Purna Pd. Sarmah of Hamukjan Gaon.
				East : From the plot of Sri Purna Pd. Sarmah, of Hamukjan Gaon, boundary lines runs towards south upto a distance of 400 Mts. meets near the plot of "Thermal Colony" of Ledo
				South : From the plot of Termal Colony, boundary line runs towards west upto a distance of 250 Mts. meets the starting point.
		Ledo Hamukjan I.E.-II	10	South : From the Junction of N.H.38 with Airstrip road at a distance of 125 Mts. on Air strip road, the southern boundary starts and runs towards west upto a distance of 400 Mts. meets near the plot of Abdul Sattar of Hamukjan Village.
				West : From the plot of of Abdul Sattar of Hamukjan Vill. boundary line runs upto a distance of 250 Mts. meets near the colony of M/s Wood Crafts, Ledo.
				North : From the colony of M/s Wood craft, Ledo boundary line runs upto a distance of 400 Mts. meets near the coolly of M/s Assam Frontier Wood Proucts, Ledo.
				East : From the colony of M/s Assam Frontier Wood Product, Ledo boundary line runs upto a distance of 250 Mts., meets the starting point along wht boundary wall of M/s Assam Frontier Wood Products, Ledo.
		Chapakhowa M.I.E.	5	North : No.2 Shantipur village Road. East : Jiya Nadi.

				South : A demarcated line connecting Jiyanadi with Sadiyghat-Rowing Road at a point lying at a distance of 300 Mts from the starting point.
				West : Sadiyghat – Rowing Road.
		Rupaisiding East IE	20	North : Boundary of Mankhowa Tea Estate.
				East : Boundary of Mankhowa T.E. and Dhan Nagar Village Road.
				South : National Highway No.52
				West : National Highway No.37
		Bishnu Nagar IE	20	North : Shantipur village.
				East : N.H.37.
				South : Bishnu Nagar Rupaban Village Road.
				West : A footpath connecting Bishnu Nagar Village Road with Balijan-Kardoaguri Road, then along the latter upto the starting point.
3.	Dibrugarh	Tinsukia I.E.	50	East : Gangabari T.E. & Assam Gold Factory (Tea Factory).
				North : Baloknath T.E. and civil village area from N.H.37 to village area and T. Garden is approx 200 Mts.
				South A. N.H.37.
				West : "Technoved", a manufacturer of Electrical equipment's etc.
		Makum I.E.-I	50	East : Makum Township Makum-Betjan PWD, Betjan Block Complex.
				West : Hukanphukhuri T.E.
				North : Lechenga Bongaligaon & Betjan T.E.
				South : N.H.37 & N. F. Rly. line from TSK to Makum.
		Makum I.E.-II	50	East : 2 nd A.P.Bn campus and Anandabug T.E. & Village area.
				West : Civil area with villages and Paddy field.
				North : N.H.38 for all Mills and on South for M/s Shree Timber Industry.
				South : Langkash Road to Langkash T. and Lakhpathar Range Office.
		Tinsukia I.E.-I	150	East : Shivdham Temple & Hukanphukhuri T.E.
				West : Chiwrapatti Road from police point at N.H.37, upto meeting point and G.N.B. Road, then along G.N.B. road upto meeting point of chamber road then towards Tulshiram Road.

				North : Kachujan T. covering M/s Kamlang Veneer & Saw Mills then meets the Paibatia road an then upto police point at Khageswar Bazar. Then along Gelepukhuri road upto meeting point of Sulshiram road, and then along Tulshiram road upto meeting point of Chamber road.
				South : N.H.37 starting from Chirwapatty Police point to Shivdham temple.
		Tinsukia I.E.-II	20	East : A.S.E.B. Complex.
				West : A line of approx 400 m length starting from a point 400m west of ASEB complex towards south to meet the village road running from Tinsukia-Bardubi PWD road to Bhimpara village, then along the said village road towards west to meet the Tinsukia-Bardubi PWD road, then about 200m along the said PWD road upto the boundary of M/s Bimal Manufacturing Industries.
				North : Railway line from Tinsukia to Makum.
				South : Bhimpara and Rangpuria village Paddy field.
		Tinsukia I.E.-III	20	East : Jugipathargaon and Gobindapur village road.
				West : Jugipathatgaon.
				North : Rly. Line from Tinsukia to Dibrugarh and N.H.37.
				South : Gabindapur Gaon.
		Tinsukia I.E.-IV	20	East : Kokoratoli civil village and agricultural area.
				West : Rongagara road (Tinsukia-Guijan P.W.D. road).
				North : Nokrai village and Lazaiholagaon.
				South : Hengalugurigaon towards Tinsukia Town.
		Dibrugarh M.I.E-I	25	North : E&D Dyke from Panchalighat to Phulbaganghat.
				East : From Phulbagan along with P.W.D. road upto Khalihanari Tinali.
				West : School Campus of Bagmabor Nilmoni H. School & E&E Dyke from Amorangurigaon to Panchali.
		Dibrugarh M.I.E-II	25	North : E&D Dyke from Chandmarighat to Majjanghat covering a distance of 300 Mts.
				East : Along wht west boundary refugee colony thence along the PWD road upt Paltonbazra Police then towards Seujpur PWD road covering a distance upto 200Mts
				South : PWD road from Seujpur to Indian Airlines Office.
				West : Polo field.

		Chabua M.I.E.	5	East : M/s Beridhar Murulidhar Petrol pump and Dinjoy T.E. West : Chabua Dinjoy PWD road. North : Dinjoy T.E. South : N.H.37 & Rly. from Tinsukia to Dibrugarh.
		Naharkatia I.E.	10	North : The PWD road from the opposite side point of forest beat office at Naharkatia then crossing approximately 150 Mts. towards Naharkatia Bazar. South : From the last boundary point of Naharkatia PWD colony then along northern boundary of Naharkatia T.E. & Lengerijan T.E. covering M/s Dambaru Saw Mill. East : An artificial line along the Western boundary of the residential area starting from Dag No.78 to 64 Naharkatia town upto the meeting point of N.H.K-Joypure Road. West : Lengerijan T.E. and Dhadurniagaon Approx 70 Mts. wide strip along right side of Dibrugarh-Naharkatia PWD Road.
		Jeypore I.E.	25	North : An artificial line along the Southern boundary of M/s Ghiji T.E. (Jypore) starting from the PWD Road to residential area meeting about 250 Mts point. South : An artificial line along the Northern boundary of Motipathergaon, Starting from the PWD Road and from the meeting point at a distance of 1000 Mts. to the meeting point of the residential area in the east where the point meet at a distance of 250 Mts. East : An artificial line along the Western boundary of the residential area starting from the point where the Northern boundary meet the meeting point of Southern boundary of the plot. West : An artificial line along the PWD Road from Pirla Tinali to Matipather L.P. School at a distance of 1000 Mts. from North-west corner of the plot M/s Wood craft Products, Ind.
4.	Sibsagar	Sonari I.E.	20 +	North : The Northern boundary is Teak Garden covering a distance of 1000 Mts. towards the East 100 Mts. distance from Dhodar Ali Cutting the point of Jabaka T.E. adjacent to the patta land of patta No.29, Dag. No.176

				East : Eastern boundary start from the Jabaka T.E. adjacent to patta No. 1 & Dag No.176. A distance of 200 Mts. towards south cutting a point of Jabaka T.E. adjacent to the pata land of patta No.29, Dag No.396 & 370.
				South : The southern boundary starts from the point of Jabaka T.E. adjacent to the patta land of patta No.29 & Dag No.369 & 370 to a distance of 1000 Mts. to the patta land oa patta No.41 & Dag No.356.
				West : The Western boundary starts from the point of patta land of patta No.41 & Dag No.356 to a distance of 200 Mts. towards north to the point of Teok Tea Garden.
		Sibsagar M.I.E.	5	North : Patta Land of Dag No.4851.
				East : Assam Trunk Road from Dikhow River to towards Sibisagar Town.
				West : Embankment of Dikhow River.
				South : Dikhow River.
		Amguri M.I.E.	5	North : Patta land and Patta No.10 & Dag No.10 of Sri Bihua Kalita.
				South : Patta land of Patta No.49 & Dag No.346 of Sri Rupeswar Kumar.
				East : Jhanji-Mokakchang Road and land of Sri Sishudhar Ahom of Patta No.198 & Dag No.347.
				West : Patta No.101, Dag No.12, Patta No. 125 Dag No.16 & 17, Patta No.102, Dga No.20.
		Sonari & Nazira M.I.E.	2	North : The Northern boundary is Patta land of Dag No.198, 627, 625, 129, 624, 629 of Sonari Circle.
				South : The Southern boundary is Patta land of patta No.5 & Dag No.627, 625 of Nazira Circle.
				East : The Eastern boundary is patta land of patta No.199, dag No.629 of Sonari Circle and patta No.5 & Dag No.625 of Nazira Circle.
				West : The Western boundary is patta land of patta No.5 & Dag No.627 of Nazira Circle and patta No.Nil, Dag No.198 of Sonari Circle.

5.	Jorhat	Jorhat M.I.E.	5	Starting from the Podumoni Tin-Ali point on the A.T. Road upto 250 Mts. distance point on the same A.T. Road towards Sibsagar. Than 100 Mts. width on both sides of the A.T. Road upto 250 Mts. distance point. The status of land falling inside this proposed industrial estate are private land. [The name of the wood based industries falling inside this I.E. are M/s Sankar Saw Mill and M/s Shre Shyam Veneer Mill].
		Titabar M.I.E.	5	Starting from the culvert No.1/2 on the Kachojan Road upto 170 Mts. distance point i.e. upto culvert No.1/3 on the same Road towards Kachojan. 200 Mts. width on the western side of the Kachojan Road upto 170 Mts. distance point i.e. culvert No.1/3. The Status of land falling under this proposed I.E. are of both Govt. land private land. [The names of the wood bases industries falling inside this estate are M/s Sardar Saw Mill and M/s Shiva Veneer Mill].
		Cinnamora I.E.	15	Starting from the point of Tin-Ali on Jorhat Mariani Road near the IOC crude oil depot. upto 750 Mts. distance point on the same Road towards Mariani. 100 Mts. width on the both sides of the Jorhat Mariani Road. The status of land falling inside this proposed I.E. are of private land and Railway land. [The name of the west based industries falling inside this proposed industries Estate].
6.	Golaghat	Bengenakhowa-II M.I.E.	5	East : Periodic Patta land of Dag No.132, 133, 136 & 137. West : Periodic Patta land of dag No.71, 91, 92, 93, 94, 97, 99, 104, 105 & 106. North : Golaghat Saw Mill Road. South : Tetali-tal Tin Ali.
		Bengenakhowa-I M.I.E.	5	East : Golaghat-Furkating Rly. G.B. Line. West : Golaghat Saw Mill Road. North : Periodic Patta Land of Dag No.121, 115, 116, 117, 118, 123 & 124. South : Golaghat-Merapani NEC Road.
		Dergaon M.I.E.	5	East : Battalion Field 3 rd Grade and A.S.E.B. Office Road. West : Dergaon Forest Beat Office and Rajkhowa Hotel. North : Don Bosco School and Kumar Gaon Village. South : N.H.37.
		Borpathar M.I.E.	5	East : Periodic Patta land of the Mill owner.

				West : Periodic Patta land of Sri Ashok Kumar Agarwala.
				North : United Bank of India, and Barpathar-Sarupather Road.
				South : Furkating Sarupather Rly. line and Borpathar, Dighalipather, Matikhola Gaon Road and Station Road.
		Sarupathar M.I.E.	5	East : Girls H.S. Road where connected with Sarupather Uriamghat Road.
				West : Private patta land of Dag No.260, Patta No.38 and Lakhi Talkies.
				North : Sarupather – Uramghat Road.
				South : Paddy land Dag No.262, 268, 269 & 579, Patta No.38.
7.	Kamrup East	Palasbari M.I.E.-I	20	East : Paddy field of Sri Bipin Kalita, Sri Rajeswar Kalita and others under Dag No. 956, 701, K.P. Patta No.435, 294 Village Kokrajhar and paddy field of Sri Jogendra Kumar, Dag No.33 K.P. Patta No.26 village Palasbari.
				West : Paddy field of Sri Ganga Devi, H. Goswami, P. Thakuria, D. Das, B.R. Mazumdar and others under Dag No.813, 868, 814, 696, 945 K.P. Patta No.146, 262, 13, 231 of village Kokajhar and Paddy field of Sri Rabindar Kumar under Dag No.31 K.P. Patta No.26 village Palasbari.
				North : Palasbari-Guwahati PWD Road.
				South : Guwahati – Goalpara N.H. No.37.
		Palasbari MIE.-II	20	East : Kalbag Stream.
				West : Hudampur Village.
				North : Brahmaputra River.
				South : Palasbari-Guwahati PWD Road.
		Palasbari MIE-III	20	East : Parli Village PWD Road.
				West : Kalbag Stream.
				North : Paddy field of Sri Krishna Das, Dag No.105 K.P. Patta No.153 village Parli.
				South : Palasbari-Guwahati PWD Road.
		Boragaon I.E.	50	East : Garchuk-Fatasil PWD Road and Lakhra-Umthana Road.
				West : Jalukbari-Gotanagar PWD Road and Paddy land of Sri Gobinda Baishya, Dag No.275, K.P. Patta No.75 village Garchuk.
				North : Village Tetalia, Pachim Baragaon, Pub-Baragaon, Katabari and P.P. Land of Sri Maheswar Rajbonsi Dag No.10 (old) Jalukbari Mouza and P.P. land of Sri Dhaneswar Das and family members Dag No.104, 105, 251 and P.P. No.66 of Jalukbari Mouza and Gotanagar R.F. and Fatasil R.F. and Private land of Vikash Industries Dag No.561 of Jalukbari Mouza.

				South : Paddy field of Sri Raju Kumar Jagadia and others under Dag No.810 K.P. Patta No.28 village lahung Gaon and Garchuk etc.
		Kalapahar M.I.E.	20	East : A. K. Azad Road.
				West : Villages Bhaskar Nagar, Luturna and Gopinath Nagar, Lal Ganesh and Bharali River tributary P.P. land of Sri S. Bhawmik Dag No.64 Patta No. 114 of Beltola Mouza.
				North : Kalapahar-Fatasil PWD Road.
				South : Villages Udalbakra and Jyotikuchi.
		Kamakhya M.I.E.	5	East : Bhutnath Road.
				West : Adbari Bus Terminus.
				North : Foot Hills of Kamakhya Temple Trust.
				South : Mahatma Gandhi PWD Road (old A.T. Road)
		Sonapur M.I.E.	5	East : P.P. land of Sri A.S. Bhaduri of Jyotinagar Village
				West : P.W.D. Depot.
				South : N.H. W. N.37.
				North : Village Road of Kushal Nagar.
		Panikhaiti I.E.	15	East : PWD Road and SDO's Office.
				West : Home Guards Training Centre.
				North : Private Land of M/s National Hard Board Factory of Village Panikhaiti.
				South : Narangi-Chandrapur PWD Road.
8.	Kamrup West	Mirza M.I.E.	5	North : Starts from a point 1 K.M. from Mirza Chariali along Mirza Loharghat PWD Road boundary runs towards west for 100 Mts.
				West : Thence it runs straight South paralleled to M.L. P.W.D. road for a distance of 200 Mts.
				South : Thence it turns towards east for 100 Mts. & meet the M.L. P.W.D. road.
				East : Thence it moves along Loharghat Mirza Road towards south for 200 Mts. & meet the starting point.
		Bamunigaon MIE	5	South : Starting point from the RCC culvert the N.H.37 through which the Deemily Stream Passes upto 100 Mts. along N.H.37 towards west.
				West : Thence towards North 100 Mts. length.
				North : Thence upto 100 Mts. towards its parallel to H.H.37.
				East : Thence along deemali stream towards South upto RCC culvert over N.H.37 the statting point.

		Rampur M.I.E.	5	South : From the point where Rly. B.G. line inter sects N.H.37 towards east for 100 Mts. then runs 50 Mts. towards south. Then turn 50 Mts. East then turns North for 50 Mts. & meet N.H.37. Then the boundary runs for another 100 Mts. towards east along N.H.37.
				West : Thence the boundary runs towards North for 50 Mts.
				North : Thence runs 250 Mts towards West.
				East : Thence it runs towards south for 50 Mts. & meet the starting point at N.H.37.
9.	N. Kamrup	Sarbhog M.I.E.	5	North : An imaginary line at a distance 300 Mts. towards Northern direction from the Sarbhog Rly. station runs towards eastern direction which meets at PWD road at Kamargaon.
				East : From the junction point of N.H.31 and Kamargaon PWD road at Sarbhog town towards Northern direction at a distance of 300 Mts. from the Rly. Crossing of Kamargaon PWD road.
				South : From the junction point of N.H.31 & PWD road towards West direction along N.H.31 which meet Western boundary near Sarbhog town i.e. Chokchoka Tinali.
				West : A line from the point on N.H.31 where the PWD road to Sarbhog town start Chokchok Tinali to western last point of the Sarbhog Rly. Station & extended upto Northern boundary.
		Barpeta Road M.I.E.	20	North : From the Barpeta Road Rly. station the boundary runs along Rly. station towards Eastern side upto 300 Mts.
				East : From that point the boundary runs 1000 Mts. towards south touching the village Goagasa Majgaon upto 1000 Mts.
				South : From that point at right angle the boundary runs towards Western side upto 1000 Mts. touching the N.H.31, Village Das Mill and it touches the N.H.31.
				West : From that it runs towards Northern side at right angle touching the village Kalabhanga and meets the Barpeta Road Rly. station.
		Pathsala M.I.E.	5	North : From a point on extreme Northern end of Bamunkuch Village to Maguria Village to North of N.H.31.
				East : Bamunkuch Village (Where village included).
				South : From a point on the extreme Southern point of Bamunkuch village to Titka village along the Rly. line.

				West : The PWD road from Marguri village to Titka village.
10.	Goalpara	Goaltuli M.I.E.	2	North : Residential of Smt. Kamala bala Ghosh.
				South : Paddy land of Sri Paresh Ghosh.
				East : Baldamari-Goaltuli PWD road.
				West : Paddy land of Sri Promod Ghosh.
		Boladmari M.I.E.	5	North : PWD road.
				South : Residential area of Md. Abdul Haque, Md. Abdul Rahman, Md. Sukur Ali & Md. Abu Hussain.
				East : N.H. No.37.
				West : Paddy land of Md. Nazimuddin Ahmed and Nazmul Haque.
		Lakhipur M.I.E.	2	North : Residential of Sri Dayashankar Pd. Sing.
				South : Residential area of Md. Januiddin Ahmed and Tarapada Ghosh.
				East : Residential area of Late Kashinath Pandey.
				West : Veterinary Hospital.
		Krishnai M.I.E.	2	North : Residential area of Moibhan Nesi.
				South : N.H. 37.
				East : PWD Road.
				West : Krishinai River.
		Dudhnoi M.I.E.	2	North : Residential arca of Sri Kanak Saha.
				South : Godown of Sri Chandmol Jain.
				East : District Agricultural Office.
				West : N.E.C. Road.
11.	Darrang	Udalguri M.I.E.	2	North : M/s Mahabir Rice Mill, Govt. land Dag No.581.
				South : Private Residence of Sri Chandra Mohan Chetry, Dag No.557, Patta No.59.
				East : Resd. Of Sri Iswar Ch. Agarwalla, Dag No.591, Patta No.159.
				West : Udalguri-Tangla PWD Road.
		Tangla M.I.E.	2	North : Tangla - Bargaon PWD Road.
				South : Tangla Town Committee Road.
				East : Private Residence of Sri Ranjan Sing.
				West : Tangla Town Committee Road Joining Tangla Bhargaon PWD Road W.No.3.
		Mazbat M.I.E.	2	North : Private land of Sri Anil Bora.
				South : Private land of Sri Mantu Sarkar
				West : Private land of Sri Lila Baruah
				East : Orang-Sikaridonga CPWD Road.
12.	Kachugaon	Gossaigaon M.I.E	100	North : Starting from Honapara PWD Road and NH-31 C junction running towards East upto Sasan Khala Habrubil PWD Road and NH-31 C Junction.

				East : Starting from Sasan Khala PWD Road NH-31 C junction running towards south upto D.K. Road then from Sasan Khala PWD Road and D.K. Road junction running towards south upto Rly. level crossing, then through Rly. line running towards East upto Rly. station building and then towards south upto Rly. station building and then towards south upto Pukuripara Village.
				South : From Pukuripara village the line running towards West along the boundary of Dhubri Forest Division upto D.K. Road.
				West : Starting from D.K. Road the line running through the Eastern side of Kamarpara village and then through Padmabil village upto Honapara NH-31 Junction point.
				North : Ghagemari Village.
		Sapatgram M.I.E.	20	North : Ghagemari Village
				South : Forest Depot. Road from depot. office to the Sankosh river.
				East : Sapatgram Town Committee Road towards Ghagemari village.
				West : The Sankosh River
		Fakiragram M.I.E.	2	North : Land of Shree Surendra Das & Harekrishna Saha.
				South : Land of Ainulla Munshi & others.
				East : Land of Omar Ali, Umed Ali, Hasmat Ali, Md. Ali Son of Late Atiman Sheikh.
				West : Datma Bilasipara PWD Road.
13.	Dhubri	Dhubri Dahar Beel M.I.E.	20	West : The boundary starts from the junction point of the D.K. Road and the J.N. Road & runs in North-West direction along the eastern side of D.K. Road upto a distance of 2000 Mts. from the starting points.
				North : The boundary line then runs North east wards making an angle of 90° with the D.K. Road upto a distance of 100 Mts.
				East : The boundary line then runs South-East wards parallel to the western boundary and meets at a point where the extension line of J.N. Road.
				South : The boundary then turns right a angle of 90° and proceeds south west wards & meets at the starting point.
		Dhubri Mission I.E.	25	East : The boundary start from the junction point of N.F. Rly. line and the Dhubri M. Boards North-western boundary and runs along the western edge Rly. upto the level crossing with Dhubri-Pattamari PWD Road

				South : Then the boundary runs the Northern edge of Dhubri-Pattamari Road upto the junction point where it meet with the College Nagar Road.
				West : The boundary then runs Northwards along the Eastern edge of College Nagar Road upto Krishna Mohan Path.
				North : Then the boundary runs along Krishna Mohan Path Eastwards and meet R.K. Mission Road. Then it runs along R.K. Mission Road Southwards upto the North boundary D.M. Boards then runs along Dhubri M.B. boundary eastwards upto starting point.
		Dhubri Match Factory I.E.	50	North : The boundary starts from the junction point where the Dhubri M. Boards Western boundary meets Dhubri-Pattamari road and then runs eastwards along the roads upto the junction point where meets with the Match Factory-College road.
				East : The boundary then along the Match factory-College Road upto N. B. Road. Then along N.B. Road eastwards upto the junction point of Shiv Mondir Road. From there the boundary turns southwards and runs along the Shiv Mondir Gally upto the junction point of B.N. Road.
				South : The boundary then runs westwards along B.N. Road upto the western boundary of Dhubri M. Boundary.
				West : The boundary then runs northwards along Municipal boundary upto the starting point of Dhubri-Patamari Road.
		Gauriput M.I.E.	1	South : The boundary starts from the south-eastern corner of the boundary of M/ Farida Saw Mill and runs Westwards and then Southwards along the Northern edge of the N.H.-31 upto the junction point with Kadamtali Road. The boundary then turns right at right angle and runs upto a distance 18 Mts.
				West : The southern boundary then turns right and run northwards and then eastwards parallel to the southern boundary above and meets the western boundary of M/s Farida Saw Mill. Then the boundary turns left at right angle and runs along the said boundary upto a distance of 92 Mts.
				North : The Western boundary then turns right at right angle and runs along the Northern boundary of M/s Farida Saw Mill.

				East : The boundary then runs along the eastern boundary of M/s Farida Saw Mill & finally meets the starting point.
		Bilasipur M.I.E.	1	South : The boundary starts from a meeting point of Dhubri-Jogighopa PWD road and the private road of M/s Bilashipara Saw Mill and run westwards along the northern edge of the PWD road in a st. line upto the southern boundary M/s Chakrabarty & Song Saw Mill and then along its southern boundary upto the LNB Road.
				West : The South boundary line then turns right making a inner angle of 88° and runs Northwards upto a distance of 20 Mts.
				North : The West boundary line then turns right making inner angle of 93° and runs eastwards upto a distance of 560 Mts. and meets the private road of M/s Bilashipara Saw Mill.
				East : The boundary line then turns right and runs along the private road of the Bilashiapara Saw Mill and meets the starting point.
		Chagolia M.I.E.	1	West : The boundary starts from the junction point of the cremation ground road and the M.N. Road and then runs northwards along the eastern edge C.G. Road upto a distance of 111.28 Mts.
				North : The Western boundary then turns right at right angle and tuns eastwards upto a distance of 137.20 Mts.
				East : The Northern boundary then turns right at right angle and runs Southwards upto a distance of 18.29 Mts. and then again turns right at right angle and runs westwards upto a distance of 18.29 Mts and then turns left at right angle and runs southwards upto a distance of 73.17 Mts. to meet the N.N. Road.
				South : The boundary westwards along Northern edge of N.N. Road upto distance of 68.60 Mts. and turns right at right angle and runs northwards upto a distance of 60.97 Mts. and then turns left at right angle and runs westwards upto a distance of 19.81 Mts. and then again turns again turns left at right angle and runs southwards upto a distance of 60.97 Mts. to meet N.N. Road. Then the boundary runs along N.N. Road westwards upto a distance of 30.48 Mts and meet at the starting point.

		Tipkar M.I.E.	1	South : The boundary starts from a point where the B.T. Road meets the T.A. PWD road and then runs North-westwards along eastern edge of B.T. Road upto a distance 64 Mts.
				West : The boundary then turns right making inner an inner angle of 83° and then runs straight upto a distance of 130 Mts.
				North : The western boundary line then runs right making an inner angle of 75° and then runs straight upto a distance of 115 Mts and meets the T.A. PWD Road.
				East : The Northern boundary line then turns right and then runs along the western edge of PWD Road and meets at the starting point.
14.	Aie-Valley	Bongaigaon M.I.E.-I	50	North : N.H.-31 (C)
				South : Oil Pipeline
				East : P.P. land of Sri Sambhu Ghose, Shyamsundar Agarwalla and Dinesh Das etc.
				West : Chilarai Path
		Bongaigaon M.I.E.-II	50	North : N.H.-31 (C)
				South : Bongaigaon-Dantaol Road Via Bongaigaon.
				East : Chilarai Path
				West : Kukurnari-Paglasthan N.F. Rly. line
		Basugaon M.I.E.	10	North : Basugaon-Kachudola PWD Road.
				South : Forest Depot. Office Bongaigaon area
				East : Private Patta land of Sibmandir, Noni Mazumdar, Gaur Saha etc.
				West : Tulibari Village.
		Bijni M.I.E.	10	North : Town Committee Road.
				South : N. F. Rly. line
				East : Bijani - Ulubari Road.
				West : Dalam River.
15.	Haltugaon	Kokrajhar Town M.I.E.	5	North : The Northern boundary starts from the junction point of Karigaon-Kokrajhar PWD Road Tengapara main Road and runs along the Tengapara Road towards east upto a culverts over a Nala flowing from north to South.
				East : The Eastern boundary runs from above point along the Nala down stream towards East-south till it touches Depot. Road.

				South : From above point the Southern boundary runs towards West along the Depot. Rd. upto Kokrajhar-Karigaon PWD Rd. touching southern boundary wall of M/s Assam Saw Mill compound.
				West : From the junction point of Kokrajhar-Karigaon Road and above depot road runs towards North along the PWD road upto Tengapara main Road.
		Titaguri (Kokrajhar) M.I.E	5	North : The Northern boundary start from the junction point of Kokrajhar-Karigaon PWD Road and Southern boundary wall of stoeryad Chamabati irrigation project Dr. No.1 at Titaguri, Kokrajhar and runs along boundary towards East 200 Mts approx.
				East : From the above point the Eastern boundary straight way runs towards south upto Romanpara road at Kadamotola East, Titaguri.
				South : From the above point southern boundary runs along Romanpara road upto Kokrajhar-Karigaon PWD Rd. the Romanpara Rd. demarcates boundary of M/s Bosco Saw Mill compound and Kadamtola east village.
				West : From the above point the Western boundary runs along the Kokrajhar PWD Rd. upto the starting point of Northern boundary i.e. junction point of Kokrajhar-Karigaon PWD Rd. and storeyard of Champabati irrigation Project of Dr. No.1
		Chapar M.I.E.	1	North : Dag No. Old 252 and other of village Kazipara Pt-I (Town) under Chapar Circle, Dist-Dhubri.
				East : Dag No. Old 377 and 338 of above.
				South : Kazipara Pt-I village road connecting N.H-31.
				West : Continuance of above road towards North and then turning towards West.
16.	Cachar	Jatingamukh MIE	10	North : The Northern boundary starts from a point (A) on Jatingamukh Farry Ghat and runs along the Farry Ghat approach road to meet the Silchar-Masimpur PWD Rd. at the point (B).
				West : From the point (B) the western
				South : The Southern boundary then runs along the Northern boundary of Cachar Saw Mill to meet the river barak at the point (D).
				East : From this point (D) the eastern boundary runs along the left bank of the river Barak to meet the starting point (A).

17.	Karimganj	Karimganj I.E.	25	North : Starting from a point on the left bank of Kushiara river near Modren Saw Mill along the bank of the said river upto Assam Saw Mill.
				West : A road originating from the aforeadis meeting point of N.H.44 Rd. and the said Road to a point of Alongjuri-Sarisha Village on N.H.44.
				East : Thence along the Alongjuri-sarisha village and the road leading to P.V.C. Pipe factory to Kushiara river from where the North boundary starts/
		Badarpur M.I.E.	5	East : Overhead Rly. Line that crosses the N.H.-44 Road and Barak river at Badarpurghat.
				North : Along the left bank of Barak river from the point where the Rly. line crosses the Barak river at Badarpurghat at a point through north of North-Eastern Delicate Saw Mill at Khajan Nagar and the left bank Barak river
				West : Thence along the line running Southwards direction upto the ends point of the approach road of the North-Eastern Delicate Saw Mill and thence along the said road to N.H.-44 Road.
				South : Thence along the N.H.-44 to the starting point at Badarpurghat.
18.	Hailakandi	Matijuri M.I.E.	5	North : From 1.5 Km. point on Barhailkandi Road then along left bank of Katakhal river upto 500 Mts.
				South : From Barhailkandi Road point eastwards along Hailakandi-Silchar PWD Road upto 500 Mts.
				East : From 1.5 Km. point of Southern boundary East on Hailakandi-Silchar PWD along North to bank of Katakhal river to meet 500 Mts. point of Northern boundary.
				West : Along Barhailkandi Road upto 500 Mts. of Southern boundary.
		Panchgram M.I.E.	5	East : From the Eastern most point of Southern east boundary runs straight to the North until it touches the Barak river.
				West : Western meet boundary between Hailakandi & Karimganj from Barak to Rly. line.
				South : Along the Barak river Eastwards from the Dist. boundary of Karimganj dist. upto approximately 500 Mts.
19.	Sonitpur East	Biswanath Chariali M.I.E.	5	North : Land of Sri Jogan Bhagabaty.
				South : Land of Sri Kunja Hazarika.

				East : Biswanath Chariali Japowbari village road.
				North : Chariali Borpukhuri Road.
		Borgaon M.I.E.	5	North : Govt. land (Gopsar) Dag No.42&45
				South : Jonabil village Road.
				East : Agriculture land, Patta No.118, Dag No.386 of Sri Kanak Ch. Das.
				West : Borgaon Behali PWD Road.
		Jamuguri M.I.E.	5	North : Land of Sri Kameswar Baruah.
				South : Land of Sri Prabin Baruah.
				East : N.H.-52.
				West : Land of Sri Prabin Baruah.
20.	Sonitpur West	Tezpur M.I.E.-I	2	North : Land covered under Dag No.722 & 729.
				South : Land covered under Dag No.734, 735 & 736.
				West : Land covered under Dag No.545, (A.S.T.C. Building).
				East : Tezpur-Mission Chariali Road.
		Tezpur M.I.E.-II	1	North : Land covered under Dag No.245 (Govt. Land).
				South : Tezpur-Marabhoroli-Smashan Rd.
				East : Land covered under Dag No.225.
				West : Land covered under Dag No.30.
		Amaribari M.I.E.	1	North : Land covered under Dag No.459, 518, 821.
				South : Land covered under Dag No.522, 491, 823, 517, 477 & 460.
				West : Smashamghat Rd. & land covered Dag No.462.
				East : Land covered under Dag No.817.
		Dhekiajuli M.I.E.	1	North : N.H.-52.
				South : Dwijen Bhuyan Path, connecting Moniram Boro Rd. on the west.
				West : Noniram Boro Road & land covered under Dag No.11 (Patta-44).
				East : Land covered under Dag No.38 (Patta-1) & A.S.T.C. Complex.
21.	Nagaon	Nagaon M.I.E.-I	10	North : Starting from 200 Mts. ahead of 175 No. K.M. post N.H.-37, near Caltex Petro! pump then again Northern side upto 40 Mts. Where from a straight line parallel to the N.H.-37 upto a distance of 1.25 K.M.
				East : From the point a straight line 80 Mts. towards south crossing the N.H.-37.
				South : From the point a straight line parallel to the Northern boundary as well as N.H.-37 upto distance of 1.25 M.K. Where it meet the R.K. Rd. neat Caltex.
				West : From the point tracing towards north a straight line with a distance of 40 Mts. meeting the starting point of Northern boundary.

		Kaliabar M.I.E.	5	North : Starting from the North-west corner of Kaliabar Saw Mill the Northern boundary runs along the N.H.-37 towards Jakhala bandha side upto distance of 200 Mts. Where it touches towards the N.F. Rly. line.
				East : From that point a straight line towards Southern side upto a distance of 250 Mts.
				South : From that point a straight line towards Western side upto distance 250 Mts.
				West : From that point a straight line parallel to the eastern boundary upto a distance of 250 Mts. where it meets the North-west corner of the Kaliabar Saw Mil (i.e. starting point).
		Nagaon M.I.E.-II	5	East : Starting from eastern corner of the existing Nagaon Saw Mill which is 100 Mts. ahead from Haibargaon Rly. crossing towards Juria. From that point 125 Mt. Along the Nagaon Juria Road towards Juria
				North : From that point a straight line perpendicular to the Nagaon Juria Road towards Western side upto a distance 400 Mts.
				West : From that point a straight line perpendicular to the Northern line upto a distance of 125 Mts.
				South : From that point a straight line parallel to the Northern line upto distance of 400 Mts. where meets the starting point perpendicular to Nagaon Juria Road.
		Marigaon M.I.E.	5	North : From the North-east corner of M/s Sarma Saw Mill of Marigaon a straight line upto distance of 60 Mts. towards east. From that point a 140 Mts straight line parallel to Barangabari Road meet the Nagaon Marigaon PWD Road. Then a straight line towards eastern side along the Marigaon Nagaon PWD Road upto distance of 570 Mts.
				East : From that point a straight line towards western side upto a distance of 60 Mts.
				South : From that point a straight line towards western side at a distance of 630 Mts.
				West : From that point a straight line parallel to the Barangabari Road upto distance of 200 Mts. meets the starting point.

		Ahotguri M.I.E.	6.45	South : From the crossing point in between N.H.-37 & Marigaon Amsoi Road 100 Mts. ahead towards Amsoi, a straight line to the Western side upto distance of 80 Mts.
				West : From that point a straight line parallel to the Amsoi, Marigaon PWD Road crossing N.H.-37 & N.F. Rly. line upto a distance of 600 Mts.
				North : From that point a straight line crossing Morigaon Amsoi PWD road towards east parallel to the N.F. Rly. line upto a distance of 140 Mts.
				East : From that point a straight line parallel to the Amsoi-Morigaon PWD road towards south upto a distance of 280 Mts. Then again 60 Mts. to the western side where it touches the Amsoi-Morigaon PWD Road. Then again along the Amsoi, Morigaon PWD road towards Amsoi upto a distance of 320 Mts. meets the starting point.
22.	Lakhimpur	Bihpuria M.I.E.	5	North : P.W.D. Road upto Dikrong River. South : P.W.D. Road. East : Dikrong River. West : P.W.D. Road.
		N. Lakhimpur M.I.E.	5	North : College link Road. South : N.H.-52. East : Bazar Road. West : College Road.
		Narayanpur M.I.E.	5	North : Line Road between N.H.-52 and N.F. Rly. line. South : PWD Road to Tati Bahar Rly. Station. East : N.H.-52. West : Paddy Field, Dag No.313, 317, 320 & 322 of P.P. No.49.
23.	Dhemaji	Gogamukh M.I.E.	5	North : Approach Road to Paddy fields. South : Silimpur Sonowal Gaon Road. East : Private land of Sri R. Sonowal. West : Hospital Road.
		Dhemaji M.I.E.	5	North : Private land of Sri Madhab Konch and Sri Bhugeswar Dutta and approach Road to M/s Dhemaji Saw Mill. South : Private land of Sri Lakhya Handique and public land with a Namghar and institutional land of Sisu Kalyan Achani. East : Ratanpur Road and private land of Sri Budheswar Mille, Ghana Sonowal and Kamakhya Agarwalla.

				West : Private land of Sri Jadab Bordoloi, Roma Bordoloi and Rabin Bordoloi and the Footpath from Highway approaching to M/s Dhemaji Saw Mill and the private land of Sri Ramendra Naraian Das.
		Jonai M.I.E.	5	North : Jonai Raskin Road and private land of Sri Panna Lal. South : Land of Mill owner and Paddy field East : Office of the Tribal Dev. Corporation
				West : Hostel of Shree Jey School and private land of Sri Jagannath Agarwalla.
24.	Nagaon South	Lumding I.E.	8	North-West : Town Committee Road-Shankar Palli Road and Ananda Palli Road. North-East : Shankar Palli Basti along the Mill boundary of R.K. Industry Saw Mill, Lumding. South-East : Residential area adjacent to the boundary of the Sharma Saw Mill from House No.369/97 of Late Nanigopal Basak upto House No.171/97 of Sri Tomu Mazumdar. South-West : Ananda Palli Basti along Mill boundary of Sharma Saw Mill. North-East : Private land-Agricultural field bearing Dag No.324, 313, 428, 336, 337 etc.
		Lanka I.E.	16 Hect.	North-West : Monipuri Basti Road and the Mill boundary of Sri Lakshmi Saw Mill. South-West : Lanka-Lumding Road. South-East : Bamungaon Forest Check Gate, Boundary of Pragiyotish Saw Mill.
		Lanka M.I.E.	5	North-East : Agricultural field, Aneria of ward No.2 North-West : Hindu Satkar Somiti Swashanghat Jarabasti Ex-Servicemen M.E. School, Mill boundary of MahaVeer and Sarvojaneen Patti. South-East : Rama Krishna bye Lane Road. South-West : L.P. (Laskar Pathar) Road and Mill boundary of Mahaveer Veneer.
		Hojai M.I.E.	1	North : Private Cultivated Land of Md. Fakaruddin and Md. Nuruddin, Patta No.37 and Dag No.377 and 378. South : Nagaon Lanka Road. East : Private Cultivated Land of Dr. Allaluddin and Pakhi Miya. Patta No.37, Dag No.377 and 378. West : Private Cultivated Land of Md. Khursid Miya & Pakhi Miya, Patta No.37 and Dag No.374 & 376.
		Dabaka M.I.E.	5	North-East : N.H.-36 and J.V. Stone Crusher Machine.

				South-West : 100 Mts. along the boundary of Tafadar Saw Mill and paddy fields of Teli Ram Bora, Mutafa, Uma, Sayer Ali, Sona Miya etc.
				North-West : 100 Mts. along boundary of Tafadar Saw Mill.
				South-East : Boundary of Chowdhury Saw Mill and extending upto 50 Mts. in the South West direction.
25.	Eastern Assam Wild Life Div.	Bokakhat M.I.E.	10	North : National Highway-37.
				East : Lakhijan Tinali road, which meets at N.H.-37.
				South : Naharjan Tea Estate.
				West : Gormur Tinali road to Naharjan Bagan.

(Alok Jain)

Commissioner & Secretary to the Government of Assam
Forest Department, Dispur.

**GOVERNMENT OF ASSAM
FOREST DEPARTMENT DISPUR**

ORDERS BY THE GOVERNOR

NOTIFICATION

The 11th February, 2000.

No. FRM.150/96/VOL.I/Pt.VIII/132 : Governor of Assam is pleased to constitute a fund for the purpose of meeting the expenses involved in collection and transportation of seized illegal timber and also for raising plantation by local tribal population and as assistance to the tribals as per the direction contained in the para 29 and 32 of the Hon'ble Supreme Court order dated 15/01/98 in WP(C) No. 202/95, and to make the following rules for regulating the operation of the said fund in the manner hereinafter appearing, namely:

- | | | | |
|-------------------------------------|----|-------|--|
| Short title Extent and commencement | 1. | (1) | These rules may be called "The Assam Revolving Fund (Forest Department) Rules,2000" |
| | | (2) | They shall extend to the whole of the State of Assam. |
| | | (3) | They shall come into force on the date of their publication in the Official Gazette. |
| Definition | 2. | | In these rules unless there is anything repugnant to the subject or context:
(a) "Fund" means 'The Assam Revolving Fund (Forest Department);
(b) "State" means the State of Assam;
(c) "Government" means the Government of Assam in the Forest Department. |
| Constitution of Fund | 3. | | There shall be constituted a fund to be called the Assam Revolving Fund (Forest Department) in the public account of the State under the Head of Account-"K-Deposit and Advances-8443-Civil Deposit-800-Other Deposit- Deposit into the Revolving Fund of Forest Department" and the money realised out of the penalties levied on the Wood-based Industries as ordered by the High Power Committee and also from the sale proceeds from the sale of seized timber as well as timber products manufactured and disposed of by the State Government shall be deposited into the fund. |
| | 4. | (1) | The fund shall be administered by a committee with the following members: |
| | | (i) | Commissioner & Secy., Forest Department Chairman. |
| | | (ii) | Principal Chief Conservator of Forests Member. |
| | | (iii) | Chief Conservator of Forests (Territorial) Member. |
| | | (iv) | Chief Conservator of Forests (Social Forestry) Member. |
| | | (v) | Senior Financial Adviser of Forest Department Member. |
| | | (vi) | Conservator of Forests (HQ) Member Secy. |

- (2) The concerned Divisional Forest Officers shall credit the amount so realised under the particular head as specified in rule 3 and intimate the same to the Principal Chief Conservator of Forests, Assam for his information.
- (3) The Principal Chief Conservator of Forests, Assam then obtain definite proposals along with estimates from the different Divisional Forest Officers through their Circle Conservators for specific works to be undertaken against this fund as stated above.
- (4) After scrutiny of the proposal to the extent of actual amount credited to the fund, the Principal Chief Conservator of Forests, Assam shall forward the proposal to the Commissioner and Secretary, Forest Department with his comments. The proposal shall be placed before the Committee as stated in sub-rule (1) above and on its approval with modification as may be considered necessary, the Principal Chief Conservator of Forests shall intimate the Divisional Forest Officer concerned for taking up appropriate action and release money for the purpose.
- (5) One half of the amount available in the fund shall be utilised for raising forest plantations by the tribal population and as assistance to the tribals. Out of the remaining one half of the total sale proceeds, the expenses involved in collection and transportation of the seized/illegal timber shall be met. After meeting the said expenses the amount remaining in the fund would be deposited by the Principal Chief Conservator of Forests, Assam to the State coffers under proper heads as specified in Rule 6 for other developmental activities in the State.
- (6) The operation of this fund by the Principal Chief Conservator of Forests, Assam shall not require any ceiling from the Finance Department, Government of Assam.
- (7) For this fund also, the rules contained in the Assam Financial Rules and all others Government orders in force for the time being, if any, shall apply.
- (8) The fund shall be subject to audit by the Accountant General, Assam during the course of their routine audit of the office of the Principal Chief Conservator of Forests, Assam as well as Divisional Forest Officers as a special agenda item.

Sd/- ALOK JAIN

Commissioner & Secretary to the Government of Assam
Forest Department, Dispur.

**GOVERNMENT OF ASSAM
ORDER BY THE GOVERNOR
FOREST DEPARTMENT**

NOTIFICATION

NO.FRM.88/2001/77 : In complienace with the directions of the Hon'ble Supreme Court of India in its order dated 12-05-2001 in W.P. (C) No.202 of 1995 and in exercise of powers conferred under sections 40 and 72(c) of the Assam Forest Regulation, 1891 (Regulation VII of 1891), the Governor of Assam is poeased to make the following Rules for controlling the felling and removal of trees from non-forest lands in the manner hereinafter appearing.

Short title and Commencement :

- 1 (a) These rules may be called "Assam (Control of felling and removal of trees from non-forest lands) Rules, 2002";
- 1 (b) These rules shall be applicable to the whole of Assam in respect of non-forest land as defined in 2 (c) below.
- 1 (c) These rules shall come into force with effect from the date of publication in the official gazette.

Definitions :

- 2. In these rules, unless there is anything repugnant in the subject or context.
 - (a) "Government" means Government of Assam;
 - (b) "Forest" means
 - (i) Reserved Forest or Protected Forest or any other areas legally constituted as forest;
 - (ii) Any area recorded as "Forest" in Governmen records maintained by the Forest Department or any other Government departments; and
 - (iii) Land to be treated as deemed forest as per Supreme Court Orders dated 12-12-1996. A continuous patch of 10 ha. or more having not less than 200 naturally grown rates per ha. on an average.
 - (c) "Non-forest land" for the purpose of these Rules means are which is not "forest" as per 2(b) above.
 - (d) "Plantation" means a continuous patch of two ha. or more having tree plantation. This will not include trees planted along farm bunds and species such as rubber, areca nut etc. and the shade trees in tea-garden areas.
 - (e) "Rules" means Assam (Control of felling and removal of trees from non-forest land) Rules, 2002.
 - (f) Other expressions as defined in the Assam Forest Regulation, 1891 (Regulation VII of 1891) shall be followed for the purpose of these Rules.

Regulation of tree plantations :

- 3.1. Tree plantations raised in non-forest areas by an individual or institution or non-government organization or any other non-government agency shall be registered with the Divisional Forest Officer in the manner as shall be prescribed in this behalf by the Principal Chief Conservator of Forests.
- 3.2. While registering a plantation, it shall be ensured that the applicant is the legal title holder, and it is a non-forest land as per 2 (c) above.
- 3.3. The Divisional Forest Officer shall prepare and make available a certificate of such registration, in a manner as prescribed by the Principal Chief Conservator of Forests.
- 3.4. The registration certificate shall normally be issued within 60 days of the receipt of complete application by the Divisional Forest Officer.
- 3.5. The plantations of tree species not requiring felling permission need not be registered.
- 3.6. The title holder shall have to pay a fee of Rs.100/- per ha. per year for late registration of his plantation, if he does not register his plantation within the time frame as prescribed by the Principal Chief Conservator of Forests.

Tree species not requiring felling permission :

- 4.1. For felling and conversion of trees of the following species from non-forest areas, no felling permission from the Forest Department under these rules is needed :

Aam (Mangifera indica), Jamun (Syzygium cumini), Kathal (Artocarpus integrifolia), Eucalyptus, Poplar all species of home grown bamboo, Leteku, Paniol and Madhuriam (Psidium guajava).

- 4.2. The State Government may add or delete species in 4.1 above with prior approval of the Central Government.

Permission for felling of trees :

- 5.1. The permission for felling of trees from non-forest areas including from registered plantations shall be granted following the provisions as prescribed by the Principal Chief Conservator of Forests, Assam, issued with prior approval of the Forest Department.
- 5.2. Permission for felling of trees for self-consumption shall normally be granted within 30 days from the date of receipt of application, complete in all respects, by the Divisional Forest Officer. In such cases no Transit Passes shall be issued against the operated trees. Permission for felling of trees in other cases shall

normally be granted within 60 days from the date of receipt of applications, completed in all respects, by the Divisional Forest Officer.

- 5.3. In case of registered plantations felling permission shall normally be granted within 30 days.

Transit of timber :

6. The transit of timber from non-forest land shall be regulated as per the provisions of relevant acts-rules regulations/guidelines regarding movement of timber or timber proucts.

Confiscation of trees felled in violation of Rules/Guidelines :

- 7.1. Timber obtained from trees felled in violation of these instructions, shall be seized and confiscated to the Government. However, the Divisional Forest Officer shall be at liberty to release the timber obtained from such trees, to the legal title holder(s) after recovery on an amount equal to 50% of the government royalty of the timber. The Principal Chief Conservator of Forests may restrict/prohibition the issue of Transit Passes in such cases.
- 7.2. The seizure of timber as per 7.1. above is without prejudice to any action or penalty as prescribed under the relevant acts/rules.

Penalty :

8. For violation of the provisions of these Rules, appropriate penalties may be imposed on any person(s) as per the procedure contained in Chapter VIII of the Assam Forest Regulation, 1891 (Regulation VII of 1891) and rules or orders thereunder.

Sd/- (L. Rynjah)
Principal Secretary to the Government of Assam
Forest Department.

**PROCEDURES PRESCRIBED UNDER THE ASSAM (CONTROL OF FELLING
AND REMOVAL OF TREES FROM NON-FOREST LAND)
RULES, 2002.**

1. Registration of plantations :

- (a) Legal title holders/institutions shall apply to the Divisional Forest Officer for registration of the plantations raised by them on their non-forest lands in the proforma as per **Annexure-I** in the fifth year from the date of such planting. The records of registration shall be updated every five years thereafter on the basis of field verification.
- (b) The applicant shall enclose a map certified by the Revenue Authority of the non-forest area where the plantation has been raised and the land ownership certificate issued by the competent authority along with their application.
- (c) On receipt of application, complete in all respects, the Divisional Forest Officer shall depute a gazetted Forest Officer to verify the facts and inspect the plantation area.
- (d) On being satisfied about the credentials of the application, the Divisional Forest Officer shall issue the certificate of registration in accordance with Rule 3.3 as per **Annexure-II**.

2. Permission for felling trees from non-forest land :

- (a) For operation of trees from non-forest land, the title holder shall submit application in duplicate to the Divisional Forest Officer as per **Annexure-III** along with a copy of each of the required documents specified therein.
- (b) Receipt of the application for permission for felling of trees shall be acknowledged and then the concerning Circle Officer (Revenue) shall be requested for fixing up a date for joint verification of the plot as per **Annexure-IV**.
- (c) In case of non-forest land settled continuously for more than 20 years, trees which are considered to have grown prior to the settlement, decided on the basis of its normal growth pattern and in case of which no value has been realised either at the time of settlement or later on, shall be allowed to be operated on realisation of government value thereof.
- (d) No tree grown in pattaland shall be allowed to be operated without payment of Government value thereof if the patta is less than 20 years old and if value of the tree has not been paid earlier.
- (e) Depending upon the distance of the plot from any reserved forests, proposed reserved forests or notified wildlife areas, the joint verification shall be attended by the officers of the Forest and Revenue Departments as follows and the Joint Verification Report (J.V.R.) shall be prepared as per **Annexure-V**.
- (i) When the distance is 2 Km. or more, then the Forest Department shall be represented by the concerned Range Forest Officer and the Revenue Department by a Circle Officer.

- (ii) When the distance is between ½ km. and 2 km., then the Forest Department shall be represented by an Assistant Conservator of Forests and the concerned Range Forest Officer and the Revenue Department by the concerned Circle Officer.
- (iii) When the plot is within a distance of ½ km., then the officers shall remain same as in sub-rule (ii) above, but the matter shall be referred by the Divisional Forest Officer after his personal satisfaction to the Circle Conservator of Forests for prior approval for operation of the trees.
- (f) Base marking of the verified trees shall be done by a Forest Officer not below the rank of a Forest Officer not below the rank of a Forester-I and the report shall be submitted along with the relevant pages of the "Tree Marking Book (T.M.B.).
- (g) Felling and sanctioning shall be allowed by the Divisional Forest Officer only when the Tree Marking Book entries tally with the records of the Joint Verification Report.
- (h) Piece passing of the sectioned logs shall be done only at the stumps site by a Forest Officer not below the rank of Fr.I.
- (i) Sectioned logs, if removed from the stump site or any tree if felled without prior permission from the Divisional Forest Officer shall not be piece passed, but be seized and offence reports drawn to be dealt as per provisions of relevant rules.
- (j) Piece passing report shall be submitted as per format at **Annexure-VI** along with the relevant Log Measurement Book pages.
- (k) Whenever the volume of the outturn of any tree is found to exceed 10% of the volume obtained from the local volume table (percentage deviation is shown in column 9 of **Annexure-VI**), then the outturn of the tree shall be physically verified at stump site by an officer not below the rank of an Assistant Conservator of Forests and the findings shall be recorded in the **Annexure-VI** itself under his own seal and signature giving the probable reasons of such increase in volume. For the species for which volume table is not available, the piece marked logs at stump site shall be physically verified by an officer not below the rank of an Assistant Conservator of Forests and the findings shall be recorded in the said **Annexure-VI**. If the deviation in volume exceeds 25%, the same shall be physically verified by a Committee constituted by the concerned Conservator of Forests.
- (l) The Certificate of Origin (C.O.) shall be issued by the Divisional Forest Officer as per format at **Annexure-VII** after realising 1% of the Government value of out turn as the cost of the C.O. Copy of the Certificate of Origin shall be sent simultaneously to the concerned Conservator of Forests along with the photo copy of the Joint Verification Report.
- (m) The outturn shall be removed from the stump site only after check hammering by the Range Forest Officer under whose jurisdiction the plot falls.
- (n) The outturn recorded in the Certificate of Origin shall be removed from stump site within 15 days from the date of issue of Certificate of Origin under the cover of a valid Transit Pass and a monthly report shall be submitted to the Conservator of Forests as per proforma at **Annexure-VIII**. In case the same cannot be lifted within the stipulated period, then he shall intimate the Divisional Forest Officer in writing about the reasons of his inability to do so and praying for the required time. The Divisional Forest Officer in turn may allow a reasonable time after examining the circumstances.

- (o) The Transit Passes in case of timber which has been seized and released as per the provisions of the 7.1 of the Assam (control of felling and removal of trees from non-forest land) rules, 2002 shall be issued only after approval of the Conservator of Forests concerned.
- (p) Different Forest Officers shall be entrusted for execution of different works like Joint Verification, base marking, piece passing and check hammering.
- (q) Separate files shall be maintained for each Certificate of Origin numbering them serially for each year attaching a code of the division along with the code of the concerned Range. A permanent register shall also be maintained in the division as per format at **Annexure-IX**.

**FORM FOR APPLICATION FOR REGISTRATION OF PLANTATION
RAISED ON NON-FOREST LAND**

Court fee Stamp of Rs.1.10

To,

The Divisional Forest Officer
..... Division,
.....

Sub : **Request for Registration of Plantation raised on my/our non-forest land.**

Sir,

I/We would request you to kindly register the plantation of trees raised on my/our Pattaland. The details of the land and plantation along with the required documents are furnished below :

1. Name and address of the Pattadar: Sri.....
Vill..... P.O.....
P.S.....Dist.....
2. Father's name and address : Sri/Late.....
Vill..... P.O.....
P.S.....Dist.....
3. Details of the Pattaland over which the plantation has been raised :
Dag No..... Patt No.....
Mouza.....
Revenue Circle.....
Area of the Plot (in Bigha or Hect),...
Year of issue of Patta.....
Nature of Patta (Annual/Periodic/Special grant).....
4. Details of the Plantation :
 - (a) Years of Creation,
 - (b) Area,
 - (c) Species wise no. of trees planted,
 - (d) Spacing,
 - (e) Average height,
 - (f) Average girth,
 - (g) Boundary description of the plantation area.

Signature of the Pattadar
(with date)

- Enco : 1. Copy of Jamabandi certified by revenue authority.
2. Map of the Plantation are certified by revenue authority.

Annexure-II

**GOVERNMENT OF ASSAM
OFFICE OF THE DIVISIONAL FOREST OFFICER..... DIVISION.**

No.....

Date.....

Certified that Sri.....s/o..... resident of village
..... District.....has raised plantation of (name of the
species) onHa./Bigha/Katha of his non-forest land under Dag
No..... Patta No..... during He has planted the
following trees.

Sl. No.	Name of the Species (Locale/ Botanical)	Approximate Spacing	No. of trees planted
1	2	3	4

Divisional Forest Officer
.....Division.

FORM FOR APPLICATION FOR CERTIFICATE OF ORIGIN

Court fee Stamp of Rs.1.10

To,

The Divisional Forest Officer
 Division,

Sub : Permission for operation of trees under C.O.

Sir,

I would request you to kindly accord me the necessary permission to operate the following trees existing in my pattaland. The necessary details of the land and trees along with the required documents are furnished below :

1. Name and address of the Pattader: Sri.....
 Vill..... P.O.....
 P.S.....Dist.....
2. Father's name and address Sri/Late.....
 Vill..... P.O.....
 P.S.....Dist.....
3. Details of the Pattaland over which the plantation has been raised :
 Dag No..... Patt No.....
 Mouza.....
 Revenue Circle.....
 Area of the Plot (in Bigha or Hect)....
 Year of issue of Patta.....
 Status of Pattaland (Annual or Periodic).....
4. Whether the Plantation is registered : Yes/No.
5. If yes give Registration Certificate numer.....
6. Details of trees standing over the Pattaland :

Tree Sl. No.	Species	Approximate Girth at breast height in	Approx. height of the tree in m.	Remarks, if any.	Signature of the Gaonbura or Panchayat President with Seal
1	2	3	4	5	6

7. No. of trees required to be operated
 (The tree serial nos required to be operated should be encircled in the Table 4(b) above).

8. Purpose of operation : **Domestic use/For sale.**

Undertaking by the Pattadar / Tenant (Rayats)/Owner.

I, Sri..... s/o..... ofvill.....Mouza.....
P.S.....District..... state that the information

Encl :-

1. Copy of Dag chitha.
2. Copy of Jamabandi.
3. Copy of Patta.
4. No objection certificate from Co-Pattadar, If any.

Signature of the Pattadar/Tenant/Owner
(with seal)

Certificate by the village/Headman/Panchayat President.

Certified that Sri....., s/o..... of vill.....
Mouza..... Is the actual owner of the above specified Plot of land and the
trees as specified in the table at item 4(b) above are physically standing in the
said plot.

(SEAL)

Signature and Name in full (IN CAPITAL)
of the village Headman/Panchayat President
(with seal)

Annexure-IV

GOVERNMENT OF ASSAM
OFFICE OF THE DIVISIONAL FOREST OFFICER..... DIVISION.

Memo No.B/.....

Date.....

To,

The Circle Officer,
..... Circle
.....

Sub : Joint Verification for operation of trees from Pattaland.

Sir,

In enclosing herewith a copy of application, dated..... submitted by Shri..... of village..... Mouza..... under Circle along with the copies of the enclosures praying for permission to mutually convenient date at your earliest convenience for conducting the Joint Verification for ascertaining the status of the land and the existence of the said trees in the said plot of land.

Encl : As stated.

Yours faithfully,

Divisional Forest Officer
.....Division
.....

Copy to :-

1. Shri....., A.C.F. for information.
2. The Deputy Commissioner..... District for information and necessary action.
3. Shri.....,of village..... P.O..... for information and necessary action.

Divisional Forest Officer
.....Division
.....

REPORT OF THE PIECE PASSING OFFICER

1. Name of the Pattadar and address :

Sri.....
Village..... P.O.....
P.S..... Revenue Circle.....
District.....

2. Details of the plot :

Dag No.....Patta/Khatian No.....
Mouza.....Circle.....

3. Details of outturn of the trees :

Sl No	TMB page no of the trees	Relevant LMB page no.	Species	No. of pieces of the outturn	Total length of the pieces in m.	Total vol Of the outturn in cu.m.	Vol. As per vol table for that particular girth class in cu.m.	Percentage deviation of vol. i.e. Col-8/Col-7 Col-7	Remarks if any
1	2	3	4	5	6	7	8	9	10

Enco : LBM page Nos.

Findings and recommendation of the ACF
if asked to enquire into the reasons of increase
in volume beyond tolerance limit.

Signature, Name in full (in capital)
and designation of the Piece Passing Officer
with date and seal

Annexure-VII

CERTIFICATE OF ORIGIN NO...../...../..... OF.....
(Division Code) (Range Code) (S. No.)

File No.....

Date.....

Name and Address of the Pattadar along with details of parcelled	Details of Trees Marked					Details of Piece Passing				Details of Removal		Remarks
	Sl No	Species	Girth	Approx height	Vol as per vol table	Piece No.s	Measurements (Girth & Length)	Volume	Details of firewood, if any	TP No. and date	Relevant piece Nos. from Col B	
1	2	3	4	5	6	7	8	9	10	11	12	13
Name Village PO PS Circle Dag No Patta No Khasra No												

Signature and name in full of the Pattadar with date

Base marking Officer

Signature and Name in full with designation of the Base-Marking Officer with date

Piece Passing Officer

Signature and Name in full with designation of the Piece Passing Officer with date

Signature and Name in full of the Divisional Forest Officer with date of seal

Annexure-VIII

Monthly Report on CO for the Month of.....
Name of the Division.....

Sl. No.	CO No. and date	Name of the CO Holder with Address	Details of Timber		Details of the TPs issued			
			Species	Volume	TP No. and Date	Species	Volume	Destination
1	2	3	4	5	6	7	8	9

Divisional Forest Officer,
.....Division
.....

Annexure-IX

Details of the Certificate of Origins for the Division during the Year.....

CO No. & Date	Name of the Pattadar /Khatibandar	Dag No. & Patta No.	Area (in Hs.)	Revenue Village, Muzam & Circle	Trees existing in the plot		Trees operated under the CO			Whether utilized locally	If transported to other Division		Remarks, if any
					Species	No.	Species	No.	Volume (in cum)		TP No. & Date	Volume (in cu ft)	
1	2	3	4	5	6	7	8	9	10	11	12	13	14

MOST URGENT

**GOVERNMENT OF ASSAM
DEPARTMENT OF ENVIRONMENT AND FOREST : : DISPUR**

U/O NO. FRM.88/2001/103

Dated Dispur, the 23rd May, 2003.

Principal Chief Conservator
of Forests, Assam, Rehabari
Guwhati-8

U/O

Sub: Assam (Control of felling and removal of trees from Non-Forest Land) Rules, 2002.

It has come to the notice of the Government of Assam in the Department of Environment and Forests that under rule 4.1 of the Assam (Control of felling and Removal of trees from Non-Forest Land) Rules, 2002, the tree species not requiring felling permission have no provision for their transportation from the place of origin. It is, therefore, clarified that in case the owner of these exempted tree species requires to transport the timber outside the place of origin, the owner of such trees shall have to follow the provisions of the Rules applicable for non-exempted tree species for obtaining the required Certificate of Origin.

The above instructions may please be circulated to all concerned and wide publicity of these instructions may please be ensured.

Sd/-

Deputy Secretary to the Government of Assam
Department of Environment and Forests, Dispur.

**GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
LEGISLATIVE DEPARTMENT : LEGISLATIVE BRANCH**

The 22nd September, 2000.

NOTIFICATION

No. LGL.25/2000/14. The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. XII OF 2000
(Received the assent of the Governor on 20th September, 2000).

**THE ASSAM FOREST (REMOVAL AND STORAGE OF FOREST PRODUCE)
REGULATION ACT, 2000.**

AN
ACT

To regulate and control removal of forest produces outside the State of Assam and the setting up of or establishment of trading depot for forest produce and matters connected therewith.

It is hereby enacted in the Fifth-first Years of the Republic of India as follows :

- | | |
|--------------------------------------|---|
| Short title extent and commencement. | 1. (1) This Act may be called the Assam Forest (Removal and Storage of Forest Produce) Regulation Act, 2000.
(2) It shall extend to the whole of the State of Assam.
(3) It shall come into force at once. |
| Definition. | 2. (1) In this Act, unless the context otherwise requires:
(a) "Competent authority" means such authority as the Government may, by notification, appoint for the purpose of exercising the powers or functions of a competent authority under this Act and Rules made thereunder, for the whole or any part of the State of Assam;
(b) "Government" means the Government of the State of Assam;
(c) "Prescribed" means prescribed by rules made under this Act;
(d) "State" means the State of Assam;
(e) "Trading Depot" means any place where forest produce is collected, stored or stocks for sale or |

		conversion including shops and establishments for trading in forest produce.
	(2)	Words and expressions used, but not defined in this Act but defined in the Assam Forest Regulation, 1891 shall have the meaning assigned to them respectively in that Regulation.
Restriction on removal of Forest produce outside the State of Assam.	3.	No person shall remove or cause to be removed from the State for the purpose of trade or otherwise any forest produce to any other place outside the State, and no trading depot for any forest produce shall be set up or established in the State without a licence issued therefor by the Competent authority.
Application for licence and the disposal	4. (1)	Every application for grant of licence under this Act shall be made to the competent authority in such form and on payment of such fee as may be prescribed.
	(2)	Every order granting or refusing licence under this Act shall be in writing, in such form as may be prescribed, and in case of refusal shall contain the reasons therefor.
Licence fee and period of its validity	5. (1)	The fee payable for a licence granted under this Act, the conditions of the licence, the route or routes through which the forest produces are to be transported to a place outside the State, and the period of validity of the licence, shall be such as may be prescribed and shall be specified in the licence: Provided that the licence fee, the conditions of the licence and the period of its validity may vary for different categories of forest produce: Provided further that such period of validity shall not exceed twelve months at a time.
	(2)	The licence fee may be paid in such manner as may be prescribed.
	(3)	Every licence granted under this Act may be renewed immediately before the expiry of the period of its validity by the competent authority in such manner and on payment of such fees as may be prescribed: Provided that the period of validity so extended together with the original period of validity shall not exceed twenty-four months.
	(4)	The provision of Section 4 shall apply in case of an application for renewal under this Section.
Appeal	6.	Any person aggrieved by any order passed by the competent authority under Section 3 or Section 4 may within a period of sixty days from the date on which the order is communicated and

		<p>on payment to such fee as may be prescribed, prefer an appeal to such authority as the Government may, be notification, appoint in this behalf and the order of such authority shall be final:</p> <p>Provided that the appellate authority may entertain an appeal after the expiry of the said period of sixty days if it is satisfied that the appellant was prevented by sufficient cause from filling the appeal in time.</p>
Penalty	7.	<p>Any person who contravene any of the provisions of Section 3 shall, on conviction, be punished with imprisonment which may extend to one year, or with fine which may extend to two thousand rupees, or with both, and the Court trying the offence may further order that the forest produce in respect of which the offence was committed and the vessel or vehicle or animal with which the offence was committed, shall be confiscated to the Government.</p> <p>Provided that in case of a second or subsequent offence under this Act, the fine shall be double the above amount.</p>
Power to direct submission of report or return.	8.	<p>The competent authority may direct any person holding any licence under this Act to submit such report or return in such form and manner as may be prescribed.</p>
Power to enter search, arrest and detain.	9. (1)	<p>Any Forest Officer not below the rank of Forester and any Police Officer not below the rank of Assistant Sub-Inspector of Police, who from his personal knowledge or information received, and after such enquiry as he may consider necessary, has reason to believe that any person has committed an offence under this Act, may –</p> <ul style="list-style-type: none"> (a) enter and search, at all reasonable times, any premises, land, vehicle or vessel in the occupation of such person; (b) required such person to produce for his inspection the licence or any other documents granted by the competent authority or any books of accounts or other documents that may have any bearing on such offence; (c) seize any timber in respect of which the offence was committed, any books of account or other documents relating to such timber and may also detain and seize any animal, vessel or vehicle with which the offence was committed.

- (2) Any officer referred to in sub-section (1) may stop and detain any person committing an offence under this Act or abetting in the commission of such offence and such officer may arrest without warrant any such person: Provided that the officer making such arrest may release any such person if he furnishes his name and address and otherwise satisfies such officer that he will duly answer any summons or other proceedings which may be taken against him.
- Searches and arrest how to be made. 10. All searches and arrests under this Act shall be conducted and made in accordance with the procedure laid down in the Code of Criminal procedure, 1973 (2 of 1974).
- Production of persons arrested & things seized. 11. Every person detained or arrested under any of the provisions of this Act, shall be taken by the officer referred to in Section 9 and produce before the nearest Magistrate having jurisdiction along-with a report containing full particulars of the person arrested or articles seized and the circumstances under which the arrest or seizure was effected, within twenty four hours of such arrest or seizure, excluding of the time necessary for the actual journey from the place of arrest to the Court of the Magistrate.
- Report of arrest and seizure. 12. Any Forest Officer or Police Officer making an arrest or seizure under this Act shall forthwith make a full report of all particulars of such arrest or seizure to his immediate superior officer.
- Erection of Check Posts. 13. (1) The competent authority may after notification, in the Official Gazette, set up and erect in such manner as may be prescribed, check posts and barriers at any place in the State with a view to preventing the unlawful removal of forest produce from the State to any place outside the State.
- (2) Every person transporting forest produce before crossing such a check post or barrier shall produce before the officer-in-charge of the check post or barrier such documents as may be demanded.
- (3) The Officer-in-charge of the check post or barrier for the purpose of satisfying himself that the provisions of this Act and the Rules made thereunder are not being contravened or intercept may detain and search any animal, vehicle or vessel.

Penalty for refusal to produce things or furnish information.

14. Whoever-
Willfully refuses or is unable to produce licence or document or willfully refuses or fail to give such information which under the provisions of this Act or the rules made thereunder, is required to be produced or furnished or otherwise furnishes information which he knows or believes to be false or does not believe to be true;

OR

forcibly resists the arrest or attempts to evade arrest or obstructs any Forest Officer or Police Officer to enter or to effect arrest or seizure under the powers conferred by the Act or the Rules made thereunder, shall be guilty of an offence under this Act, and on conviction, be punished with fine which may extend to one thousand rupees or with imprisonment for a term which may extend to six months or with both.

Power to compound offence.

15. (1) Any Forest officer duly authorized by the Government in this behalf by name or by designation may accept from any person against whom a reasonable suspicion exist that the has committed an offence punishable under this Act, such sum of money as may be prescribed, by way of composition of the offence which such person is suspected to have committed.
- (2) When any property has been seized as liable for confiscation, such Forest officer after the composition referred in sub-section(1) of the Section may release the same on payment of the value thereof as estimated by such officer.
- (3) On payment of such sum of money, and such value, or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged. the property, if any seized shall be released and no further proceedings shall be taken against such person or property.
- (4) The provisions of this Section shall apply also where a prosecution or an appeal against conviction of offence under this Act, is pending before a Court and in such case, the composition of such offence shall have the effect of the acquittal of the accused with whom an offence has been compounded provided the Court before whom such prosecution or appeal is pending grants permission for such composition.

When Court to take cognizance of offence.	16.	No Court shall take cognizance of any offence under this Act-
	(1)	except on the complaint made by an officer authorized by the Government in this behalf, and
	(2)	unless the prosecution is instituted within six months from the date on which the offence is alleged to have been committed.
Bar of suit in civil courts.	17.	No suit shall be brought in any Civil Court to set aside or modify any order made this Act.
Suit, etc. against authority, officers or persons acting in good faith.	18.	No suite, prosecution or legal proceeding shall lie against any authority, officer or person for anything which is in good faith done or intended to be done under this Act.
Officer and person to be public servant	19.	Every person or officer, appointed under, or exercising any power conferred by and under this Act shall be deemed to be a public servant within the meaning of Section 21 of the Indian Penal Code.
Effect of other laws.	20.	The provisions of this Act shall be in addition to and not in derogation of the provision of the Assam Forest Regulation, 1891 and the rules made thereunder.
Exemption.	21.	The provision of this Act shall not apply to removal of produce to a place outside the State by or an behalf of the Government under the provisions of the Assam Forest Regulation, 1891.
Power to make rules.	22. (1)	The State Government may, by notification, make rules for carrying out the purposes of this Act.
	(2)	In particulars and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matter, namely:
	(a)	the form and conditions of licence under Section 3 and Section 5 and the fees payable therefor;
	(b)	the form and manner in which application for licence under Section 4 may be made and the fees payable therefor;
	(c)	the fees payable for appeal under Section 6;
	(d)	the form register, report or return to be maintained and submitted by the licensee;
	(e)	the conditions of storing, stocking and the manner of marking and identifying the forest produce of different categories in the trading depots;
	(f)	the manner in which the inspection of forest produce and of documents maintained by licensee shall be carried out;

- (g) the routes by which the forest produce shall be transferred to a place outside the State;
- (h) the terms and conditions for setting up or establishment of trading depots;
- (i) the manner in which the right or access to documents and the right to entry conferred by Section 9 may be exercised;
- (j) the manner in which a check-post or barrier may be set up or erected and the form of documents under Section 13;
- (k) the procedure and manner for payment of fees under this Act and of money payable because of commission of offence under Section 15;
- (l) the amount of levy or duty and the manner for payment of such levy or duty for forest produce removed out of the State.
- (m) any other matter which is to be or may be prescribed.

M.K. Deka
Secretary to the Government of Assam
Legislative Department.

THE FOREST (CONSERVATION) ACT, 1980.

(Act No. 69 of 1980)

(The text of the Act printed here is as on 15-01-1990)

CONTENTS

SECTIONS.

1. Short title, extent and commencement.
2. Restriction on the dereservation of forest or use of forest land for non forest purpose.
3. Constitution of Advisory Committee.
- 3A. Penalty for contravention of the provisions of the Act.
- 3B. Offences by authorities and Government departments.
4. Power to make rules.
5. Repeal and Saving.

STATEMENT OF OBJECTS AND REASONS

Deforestation causes ecological imbalance and leads to environmental deterioration. Deforestation had been taking place on a large scale in the country and it had caused widespread concern.

2. With a view to checking further deforestation, the President promulgated on the 25th October, 1980, the Forest (Conservation) Ordinance 1980. The Ordinance made the prior approval of the Central Government necessary for dereservation of reserved forest and for use of forest land for non-forest purposes. The Ordinance also provided for the constitution of an advisory committee to advise the Central Government with regard to grant of such approval.
3. The Bill seeks to replace the aforesaid Ordinance (**Gazette of India dated 02-12-1980, Pt. II-S. 2 Ext. p 1183**)

THE FOREST CONSERVATION ACT, 1980.

(ACT NO. 69 OF 1980)

Dated 27th December, 1980.

An Act to provide for the conservation of forests and for matters connected therewith or ancillary or incidental thereto.

Be it enacted by Parliament in the Thirty-first Year of the Republic of India as follows :-

1. **Short title, extent and commencement.**- (1) This Act may be called THE FOREST (CONSERVATION) ACT, 1980

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall be deemed to have come into force on the 25th day of October, 1980.

2. **Restriction on the dereservation of forests or use of forest land for non-forest purpose.**- Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing,-

(i) that any reserved forest (within the meaning of the expression "reserved forest" in any law for the time being in force in that State) or any portion thereof, shall cease to be reserved;

(ii) that any forest land or any portion thereof may be used for any non-forest purpose.

¹[(iii) that any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organization not owned, managed or controlled by Government;

(iv) that any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for reforestation.]

Explanation.- For the purpose of this section "non-forest purpose" means the breaking up or clearing of any forest land or portion thereof for-

(a) the cultivation of tea, coffee, spices, rubber, palms, oil-bearing plants, horticultural crops or medicinal plants;

(b) any purpose other than reforestation.

but does not include any work relating or ancillary to conservation, development and management of forests and wild life, namely, the establishment of check-posts, fire lines, wireless communications and construction of fencing, bridges and culverts, dams, waterholes, trench marks, boundary marks, pipelines or other like purposes]²

1. Inserted by the forest (Conservation) (Amendment) Act, 1988 w.e.f. 15.3.89

2. Substituted by the Forest (Conservation) Amendment Act, 1988 w.e.f. 15.3.89. for the following:

"Explanation.- For the purposes of this section "non-forest purpose" means breaking up or clearing of any forest land or portion thereof for any purpose other than reforestation".

3. **Constitution of Advisory Committee.-** The Central Government may constitute a Committee Consisting of such number of persons as it may deem fit to advise that Government with regard to –
- (i) the grant of approval under section 2; and
 - (ii) any other matter connected with the conservation of forests which may be referred to it by the Central Government.

¹[3-A. **Penalty for contravention of the provisions of the Act.-** Whoever contravenes or abets the contravention of any of the provisions of Section 2, shall be punishable with simple imprisonment for a period which may extend to fifteen days.]

1. Inserted by the Forest (Conservation) Amendment Act, 1988 w.e.f. 15.03.1989.

[3-B. Offences by authorities and Government departments.- (1) Where any offence under this Act has been committed –

- (a) by any department of Government, the head of the department; or
- (b) by any authority, every person, who, at the time the offence was committed, was directly in charge of, and was responsible to, the authority for the conduct of the business of the authority as well as the authority.

shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this sub-section shall render the head of the department or any person referred to in clause (b) liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

- (2) Notwithstanding anything contained in sub-section (1), where an offence punishable under the Act has been committed by a department of Government or any authority referred to in clause (b) of sub-section(1) and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the head of the department, or in the case of an authority, any person other than the persons referred to in clause (b) of sub-section (1), such officer or persons shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly]¹

1. Inserted by The Forest (Conservation) Amendment Act, 1988 w.e.f. 15.03.89.

4. **Power to make rule.-**(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of the Act.

- (2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty

days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

5. **Repeal and saving.**- (1) The Forest (Conservation) Ordinance, 1980 is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the provisions of the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

MINISTRY OF ENVIRONMENT AND FORESTS
NOTIFICATION

New Delhi, the 10th January, 2003.

G. S.R. 23(E)- In exercise of the powers conferred by sub-section (1) of section 4 of the Forest (Conservation) Act, 1980 (69 of 1980) and in supersession of the Forest (Conservation) Rules, 1981, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely :-

1. **Short title, extent and commencement-**

1. These rules may be called the Forest (Conservation) Rules, 2003.
2. They shall extend to the whole of India except the State of Jammu and Kashmir.
3. They shall come into force on the date of their publication in the Office Gazette.

2. **Definition** :- In these rules, unless the context otherwise requires :-

- a. Act means the Forest (Conservation) Act, 1980 (69 of 1980);
- b. "Committee" means the Advisory Committee constituted under section 3 of the Act;
- c. "Chairperson" means the Chairperson of the Committee;
- d. "Member" means a member of the Committee;
- e. "Nodal Officer" means any officer not below the rank of Conservator of Forests, authorized by the State Government to deal with the forest conservation matters under the Act;
- f. "Regional Office" means a Regional Office of the Central Government in the Ministry of Environment and Forests establishment as part of the Ministry to deal with the forest conservation matters under the Act;
- g. "Section" means a section of the Act;
- h. "User Agency" means any person, organization or Company or Department of the Central or State Government making a request for diversion or de-notification of forest land for non-forest purpose or using forest land for non-forest purpose in accordance with the permission granted by the Central Government under the Act or the rules.

3. **Composition of the Committee-**

- (1) The Committee shall be composed of the following members:-
- | | |
|---|------------------|
| (i) Director General of Forests, Ministry of Environment and Forests | Chairperson |
| (ii) Additional Director General of Forests, Ministry of Environment and Forest | Member |
| (iii) Additional Commissioner (Soil Conservation), Ministry of Agriculture | Member |
| (iv) Three eminent experts in forestry and allied disciplines (non-officials) | Member |
| (v) Inspector General of Forests (Forest Conservation), Ministry of Environment and Forests | Member Secretary |

- (2) Additional Director General of Forests shall act as the Chairperson in the absence of Director General of Forests.

4. Terms of appointment of non-official members shall be as follows:-

- i. a non-official member shall hold his office for a period of two years,
- ii. a non-official member shall cease to hold office if he becomes of unsound mind becomes insolvent or is convicted by court of law on a criminal offence involving moral turpitude.
- iii. a non-official member may be removed from his office if he fails to attend three consecutive meetings of the Committee with any sufficient cause or reasons.
- iv. any vacancy in the membership caused by any reason mentioned in clauses (ii) and (iii) shall be filled by the Government for the unexpired portion of two years term.
- v. traveling and daily allowance shall be payable to the non-official members of the Committee at the highest rate admissible to the Government servants of Group 'A' under the rules and orders made by the Central Government and for the time being in force.

Provided that the payment of traveling allowance and daily allowance to a member who is a Member of the Parliament or a Member of the State Legislature shall be regulated in accordance with the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954) or the respective provisions of law pertaining to the member of the concerned State Legislature.

5. Conduct of business of the Committee :-

- i. The Chairperson shall call the meeting of the Committee whenever considered necessary, but not less than once in a month.
- ii. The meeting of the Committee shall be held at New Delhi.
- iii. In a case where the Chairperson is satisfied that inspection of site or sites of forest land proposed to be used for non-forest purposes shall be necessary or expedient in connection with the consideration of the proposal or proposals received under sub-rule (3) of rule 6, he may direct that the meetings of the Committee to be held at a place other than New Delhi from where such inspection of site or sites is necessary.
- iv. The Chairperson shall preside over every meeting of the Committee at which he is present.
- v. Every question upon which the Central Government is required to be advised shall be considered in the meeting of the Committee provided that in urgent cases if the meeting cannot be convened within a month, the Chairperson may direct that papers may be circulated and sent to the members for their opinion within the stipulated time.
- vi. The quorum of the meeting of the Committee shall be three.

6. Submission of the proposals seeking approval of the Central Government under Section 2 of the Act.

- (1) Every user agency, who wants to use any forest land for non-forest purposes shall make his proposal in the appropriate Form appended to these rules, i. e. Form 'A' for proposals seeking first time approval under the Act and Form 'B' for proposals seeking renewal of leases where approval of the Central Government under the Act had already been obtained earlier, to the concerned nodal officer authorized in this behalf by the State Government, along with requisite information and documents, complete in all respect, well in advance of taking up any non-forest activity on the forest land.
- (2) Every State Government or other authority, after having received the proposal under sub-rule (1) and after being satisfied that the proposal requires prior approval under section 2 of the Act, shall send the proposal to the Central Government in the appropriate forms, within ninety days of the receipt of the proposal from the user agency for proposals seeking first time approval under the Act and within sixty days for proposals seeking renewal of leases where approval of the Central Government under the Act had already been obtained earlier.

Provided that all proposals involving clearing naturally grown trees in forest land or portion thereof for the purpose of using it for reafforestation shall be sent in the form of Working Plan or Management Plan.

- (3) The proposal referred to in sub-rule (2) above, involving forest land of more than forty hectare shall be sent by the State Government to the Secretary to the Government of India, Ministry of Environment and Forests, Paryavaran Bhavan, CGO Complex, Lodhi Road, New Delhi- 110003, with a copy of the proposal (with complete enclosures) to the concerned Regional Office.
- (4) The proposal referred to in sub-rule (2) above, involving forest land up to forty hectare shall be sent to the Chief Conservator of Forests or Conservator of Forests of the concerned Regional Office of the Minister of Environment and Forests.
- (5) The proposal referred to in sub-rule (2) above, involving clearing of naturally grown trees in forest land or portion thereof for the purpose of using it for reforestation shall be sent to the Chief Conservator of Forests of the concerned Regional Office of the Ministry of Environment and Forests.

7. Committee to advise on proposals received by the Central Government.

- (1) The Central Government shall refer every proposal, complete in all respects, received by it under sub rule (3) of rule 6 including site inspection report, wherever required, to the Committee for its advice thereon.
- (2) The Committee shall have due regard to all or any of the following matters while tendering its advice on the proposals referred to it under sub-rule (1), namely :-

- a. Whether the forests land proposed to be used for non-forest purpose forms part of a nature reserve, national park wildlife sanctuary, biosphere reserve or forms part of the habitat or any endangered or threatened species of flora and fauna or an area lying in severely eroded catchment;
 - b. Whether the use of any forest land is for agricultural or for the rehabilitation of persons displaced from their residences by reason of any river valley or hydro-electric project;
 - c. Whether the State Government or the other authority has certified that it has considered all other alternatives and that no other alternatives in the circumstances are feasible and that the required area is the minimum needed for the purposed; and
 - d. Whether the State Government or the other authority undertakes to provide at its cost for the acquisition of land of an equivalent area and afforestation thereof.
- (3) While tendering the advice, the Committee may also suggest any conditions or restrictions on the use of any forest land for any non-forest purpose, while in its opinion, would minimize adverse environmental impact.

8. Action of the Central Government on the advice of the Committee:-

The Central Government shall, after considering the advice of the Committee tendered under rule 7 and after such further enquiry as it may consider necessary, grant approval to the proposal with or without conditions or reject the same within sixty days of its receipt.

9. Proceedings against persons guilty of offences under the Act:-

- (1) The Central Government may, by notification, authorize any officer not below the rank of Conservator of Forests or the concerned forest officer having territorial jurisdiction over the forest land in respect of which the said offence is said to have been committed, to file complaints the against the person (s) prima facie found guilty of offence under the Act or the violation of the rules thereunder, in the court having jurisdiction in the matter.

Provided that no complaint shall be filled in the court, without giving the person (s) or officer (s) or authority(s) gainst whom the allegations of offence exist, an opportunity to explain his or their conduct and to show cause, by issuing a notice in writing of not less than sixty days, as to why a complaint should not be filed in the court against him or them for alleged offences.

- (2) The officer authorized by the Central Government in sub-rule (1) may require any State Government or its officer or any person or any other authority to furnish to it within a specified period any reports, document, statistics and any other information related to contravention of the Act or the rules made thereunder, considered necessary for making a complaint in any court of jurisdiction and every such State Government or officer or person or authority shall be bound to do so.

**APPENDIX
(See Rule 6)
FORM - 'A'**

**Form for seeking prior approval under section 2 of the proposals
by the State Governments and other authorities**

**PART - I
(to be filled up by user agency)**

1. Project details :
 - (i) Short narrative of the proposal and project/scheme for which the forest land is required.
 - (ii) Map showing the required forest land, boundary of adjoining forest on a 1:50,000 scale map.
 - (iii) Cost of the project :
 - (iv) Justification for locating the project in forest area.
 - (v) Cost-benefit analysis (to be enclosed).
 - (vi) Employment likely to be generated.
2. Purpose-wise break-up of the total land required :
3. Details of displacement of people due to the project, if any:
 - i. Number of families.
 - ii. Number of Scheduled Castes/Scheduled Tribe families.
 - iii. Rehabilitation plan. (to be enclosed)
4. Whether clearance under Environment (Protection) Act, 1986 required? (Yes/No.)
5. Undertaking to bear the cost of raising and maintenance of compensatory afforestation and/or penal compensatory afforestation as well as cost for protection and regeneration of Safety Zone etc as per the scheme prepared by the State Government (undertaking to be enclosed).
6. Details of Certificates/document enclosed as required under the instructions.

Signature
(Name in Block letters)
Designation
Address (of User Agency)

Date :- _____

Place :- _____

State serial No. of proposal _____
(To be filled up by the Nodal Officer with date of receipt)

**PART - II
(To be filled by the concerned Deputy Conservator of Forests)**

State serial No. of proposal _____

7. Location of the Project/Scheme:

- i. State/Union Territory
 - ii. District.
 - iii. Forest Division
 - iv. Area of forest land proposed for diversion (in ha.)
 - v. Legal status of forest
 - vi. Density of vegetation.
 - vii. Species-wise (scientific names) and diameter class-wise enumeration of trees (to be enclosed. In case of irrigation/hydel projects enumeration at FRL, FRL-2 meter & FRL-4 meter also to be enclosed.)
 - viii. Brief note on vulnerability of the forest area to erosion.
 - ix. Approximate distance of proposal site for diversion from boundary of forest.
 - x. Whether forms part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. (If so, the details of the area and comments of the Chief Wildlife Warden to be annexed).
 - xi. Whether any rare/endangered/unique species of flora and fauna found in the area- if so details thereof.
 - xii. Whether any protected archaeological/heritage site/defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.
8. Whether the requirement of forest land as proposed by the user agency in col.2 of Part-I is unavoidable and barest minimum for the project. If no, recommended area item -wise with details of alternatives examined.
 9. Whether any work in violation of the Act has been carried out (Yes/No). If yes, details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.
 10. Details of compensatory afforestation scheme.
 - i. Details of non forest area/degraded forest area identified for compensatory afforestation, its distance from adjoining forest, number of patches, size of each patch.
 - ii. Map showing non-forest/degraded forest area identified for compensatory afforestation and adjoining forest boundaries.
 - iii. Detailed compensatory afforestation scheme including species to be planted, implementing agency, time schedule, cost structure, etc.
 - iv. Total financial outlay for compensatory afforestation scheme.
 - v. Certificates from competent authority regarding suitability of area identified for compensatory afforestation and from management point of view (To be signed by the concerned Deputy Conservator of Forests).
 11. Site inspection report of the DCF (to be enclosed) especially highlighting facts asked in col. 7 (xi, xii), 8 and 9 above.
 12. Division/District profile.
 - i. Geographical area of the district.
 - ii. Forest area of the district.

- iii. Total forest area diverted since 1980 with number of cases.
- iv. Total compensatory afforestation stipulated in the district/division since 1980 on
 - (a) forest land including penal compensatory afforestation,
 - (b) non-forest land
- v. Progress of compensatory afforestation as on (date) _____ on
 - (a) forest land
 - (b) non forest land.
- 13. Specific recommendations of the DCF for acceptance or otherwise of the proposal with reasons.

Signature
Name
Official Seal

Date:- _____
Place:- _____

PART-III
(To be filled by the concerned Conservator of Forests)

- 14. Whether site, where the forest land involved is located has been inspected by concerned Conservator of Forests (Yes/No). If yes, the date of inspection & observations made in form of inspection note to be enclosed.
- 15. Whether the concerned Conservator of Forests agree with the information given in Part -B and the recommendations of Deputy Conservator of Forests.
- 16. Specific recommendation of concerned Conservator of Forests for acceptance or otherwise of the proposal with detailed reasons.

Signature
Name
Official Seal

Date:- _____
Place:- _____

PART-IV
(To be filled in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

- 17. Detailed opinion and specific recommendation of the State Forest Department for acceptance of otherwise of the proposal with remarks.

(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).

Date _____
Place _____

Signature
Name & Designation
(Official Seal)

PART-V

(To be filled by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

18. Recommendation of the State Government.

(Adverse comments made by any officer or authority in Part-B or Part-C or Part-D above should be specifically commented upon)

Signature
Name & Designation
(Official Seal)

Date:- _____
Place: _____

INSTRUCTIONS (for Part-I) :-

1. The project authorities may annex a copy of the approved project/plan in addition to filling Col-1 e.g. IBM approved mining plan for major minerals/CMPDI plan with subsidence analysis reports, etc.
2. Map has to be in original duly authenticated jointly by project authorities and concerned DCF- Col 1 (ii).
3. Complete details of alternative alignments examined especially in case of project like roads, transmission lines, railway lines, canals, etc. to be shown on map with details of area of forest land involved in each alternative to be given-Col.1(iii)
4. For proposals relating to mining, certificate from competent authority like District Mining Officer about non-availability of the mineral in surrounding/ nearby non -forest areas.
5. In case the same company/individual has taken forest land for similar project in the State, a brief detail of all such approvals/leases be given as an enclosure along with current status of the projects.
6. The latest clarifications issued by the Ministry under Forest (Conservation) Act, 1980 may be kept in mind. In case such information do not fit the given columns, the same shall be annexed separately.

GENERAL INSTRUCTIONS:-

1. On receipt of proposal, Nodal Officer shall issue a receipt to the user agency indicating therein the name of the proposal, user agency, area in hectare, serial number and date of receipt.
2. If the space provided above is not sufficient to specify any information, please attach separate details/documents.
3. While forwarding the proposal to the Central Government, complete details on all of the case as per Form prescribed above read with the clarifications issued by the Ministry of Environment and Forests, Government of India, New Delhi should be given. Incomplete or deficient proposals shall not be considered and shall be returned to the State Government in original.

4. The State Government shall submit the proposal to the Central Government within stipulated time limits. In case of delay while forwarding, the reason, for the same to be given in the forwarding/covering letter.

FROM -'B'
(See Rule 6)

Form for seeking prior approval under section 2 of the proposals by the State Government and other authorities in respect in respect of renewal of leases, which have been earlier granted clearance under Forest (Conservation) Act, 1980

PART-I
(to be filled up by user agency)

1. Letter No. & date vide which clearance under Forest (Conservation) Act, 1980 according by the Central Government (copy to be enclosed):
2. Project details
 - (i) Short narrative of the proposal and project/scheme for which the forest land is required.
 - (ii) Map showing the required forest land, boundary of adjoining forest on a 1:50,000 scale map.
 - (iii) Cost of the project
3. Purpose-wise break-up of the total land required (already broken & to be broken):
4. Details of Certificates/documents enclosed as required under the instructions.

Signature
(Name in Block letters)
Designation
Address (of User Agency)

Date:- _____

Place:- _____

State serial No. of proposal _____
(To be filled up by the Nodal Officer with date of receipt)

PART-II
(To be filled by the concerned Deputy Conservator of Forests)

State serial No. of proposal _____

5. Location of the project/Scheme
 - i. State/Union Territory
 - ii. District.
 - iii. Forest Division
 - iv. Area of forest land proposed for diversion (in ha.)

PART-IV

(To be filled in by the Novel Officer or Principal Chief Conservator of Forest or Head of Forest Department)

13. Detailed opinion and specific recommendation of the State Forest Department for acceptance of otherwise of the proposal with remarks.

(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).

Signature
Name & Designation
(Official Seal)

Date:- _____

Place:- _____

PART-V

(To be filled in by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

14. Recommendation of the State Government :

(Adverse comments made by any officer or authority in Part-B or Part-C or Part-D above should be specifically commented upon)

Signature
Name & Designation
(Official Seal)

Date:- _____

Place:- _____

INSTRUCTIONS (for Part-I)

The Project authorities may annex a copy of the approved project/plan in addition to filling Col.2 (i) e.g. IBM approved mining plan for major minerals/CMPDI plan with subsidence analysis reports etc.

2. Map has to be in original duly authenticated jointly by project authorities and concerned DCF-Col.2 (ii).
3. In case the same company/individual has taken forest land for similar project in the State, a brief detail of all such approvals/leases be given as an enclosure along with current status of the projects.
4. Item-wise requirement (Col.3) should be separately shown for broken up and fresh areas.
5. The latest clarifications issued by the Ministry under Forest (Conservation) Act, 1980 may be kept in mind. In case such information do not fit in the given columns, the same shall be annexed separately.

PART-IV

(To be filled in by the Novel Officer or Principal Chief Conservator of Forest or Head of Forest Department)

13. Detailed opinion and specific recommendation of the State Forest Department for acceptance of otherwise of the proposal with remarks.

(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).

Signature
Name & Designation
(Official Seal)

Date:- _____

Place:- _____

PART-V

(To be filled in by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

14. Recommendation of the State Government :

(Adverse comments made by any officer or authority in Part-B or Part-C or Part-D above should be specifically commented upon)

Signature
Name & Designation
(Official Seal)

Date:- _____

Place:- _____

INSTRUCTIONS (for Part-I)

The Project authorities may annex a copy of the approved project/plan in addition to filling Col.2 (i) e.g. IBM approved mining plan for major minerals/CMPDI plan with subsidence analysis reports etc.

2. Map has to be in original duly authenticated jointly by project authorities and concerned DCF-Col.2 (ii).
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4. Item-wise requirement (Col.3) should be separately shown for broken up and fresh areas.
5. The latest clarifications issued by the Ministry under Forest (Conservation) Act, 1980 may be kept in mind. In case such information do not fit in the given columns, the same shall be annexed separately.

GENERAL INSTRUCTIONS:-

1. On receipt of proposal, Nodal Officer shall issue a receipt to the user agency indicating therein the name of the proposal, user agency, area in hectare, serial number and date of receipt.
2. If the space provided above is not sufficient to specify any information, please attach separate details/documents.
3. While forwarding the proposal to the Central Government, complete details on all aspects of the case as per form prescribed above read with the clarifications issued by the Ministry of Environment and Forests, Government of India, New Delhi should be given. Incomplete or deficient proposals shall not be considered and shall be returned to the State Government in original.
4. The State Government shall submit the proposal to the Central Government within stipulate time limits. In case of delay while forwarding, the reasons for the same to be given in the forwarding/covering letter.

(File No. 5-5/98-FC)

Sd/-

(DR. V.K. Bahuguna)

Inspector General of Forests (Forest Conservation)

Note:- The Principal rules were published vide G.S.R. No.719 dated the 1st August, 1981, in part II, Section 3, sub-section (i) of the Gazette of India and subsequently amended vide.

1. G.S.R. 14 dated the 28th December, 1987
2. G.S.R. 640 (E) dated the 26th June, 1989
3. G.S.R. 563 (E) dated the 21st May 1992.

**GOVERNMENT OF ASSAM
FOREST DEPARTMENT : : DISPUR**

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Dispur, the 19th July' 2000.

NO.FRS. 134/94/Pl. I/45 : - The Governor of Assam is pleased to formulate the following guidelines for preparation of estimates for compensatory afforestation in lieu of Forest land diverted for non forestry purposes under the Forest (Conservation) Act, 1980 :

A. Estimate for Project cost for compensatory afforestation :

Estimate for the project cost for Compensatory afforestation will take into consideration all costs related to creation of plantations, their protection, their maintenance and up-keep for required period. Thus, it will include the following costs:

- (i) Cost of procurement of seed; if the plantation is to be raised following the method of direct seeding.

Or

Cost of modern nursery for raising seedlings adequate in number for creation of plantations as well as subsequent vacancy filling and maintenance of nursery so raised for a period of at least 3(three) years.

- (ii) Cost of transportation of seed/seedlings from storage godown or nursery to plantation site(s), where-ever necessary, as per prevailing market rates of transportation.

- (iii)(a) Cost of construction of inspection path if the plantation site is within 2(two) k.m distance from the nearest forest/P.W.D road. The cost of inspection path will also include cost of construction of foot bridge(s) over small streams and/or rivulets, if any. It will also include cost of maintenance of inspection path as well as foot bridge(s), if constructed, for a period co-terminus with the period of maintenance of plantation.

Or

- (b) Cost of construction of 4.8 meters wide approach road wherever the distance of planting site is more than 2 (two) k. m. from the nearest forest/P.W.D. road. The cost will include cost of earthwork in cutting and/or filling and cost of application of sand gravel in wheel track in accordance with existing departmental norms as well as cost of construction of bridge(s)/culvert(s), wherever necessary. It will further include cost of maintenance of the approach road and bridge(s)/culvert(s), if constructed, for a period same as that of maintenance of plantation.

Or

- (c) Cost of repair of existing road and bridge(s)/culvert(s) over it, if any, leading to the plantation site and its maintenance for a period equal to that of maintenance of plantation.

Cost in either case will be calculated based on P.W.D./departmental norms in application at the time of preparation of estimates. Cost of timber etc. will be calculated based on market price or the price at which such materials are actually being supplied by the Forest Department to other Departments- whichever is less.

- (d) No road will be constructed if the plantation site is in non forest area. However, such work as construction and maintenance of foot bridge(s) over any stream(s)/rivulet(s) will have to be undertaken to facilitate movement of staff.
- (e) The works will be executed departmentally to avoid any price or time over run.
- (iv) Cost of advance work for creating plantation
- (v) Cost of creation of plantation.
- (vi) Cost of maintenance of plantation for 5 (five) years including weeding, fire line cutting, pressing etc.
Advance work, creation and maintenance of plantation including number of weeding will be done as per departmental norms and the daily wages will be calculated and paid as per prevalent site specific rates.
- (vii)(a) Cost of erecting barbed wire/goat proof fencing, wherever required. Site specific prevalent rates for material and labor will be considered while calculating the cost of erecting fencing.
- (b) Cost of repairing of fencing so erected @ 25 % of the initial cost/year in each of the 2nd, 3rd, 4th, and 5th years.
- (viii)(a) Cost of construction of semi permanent camp hut having requisite facilities for cooking, safe drinking water and improvised sanitary latrine etc., using prefabricated tubular structures and C.I. sheet in roof. The wall will comprise of 1.0 meter high brick wall and two layers of *tarza bera* (bamboo mat) beyond.
- (b) Cost of annual maintenance @10% of the total cost in the 2nd and 3rd years and @ 15% of the total cost in each of the remaining years till the end of maintenance of plantation.

A camp hut will invariably be constructed if the plantation site is in non forest area or is near human habitation, encroachment, forest village(s) or located at a distance of more than 2.0 k. m. from the nearest beat/sub beat office.

The camp hut will have two units if the area of plantation (more than 10.0 hectares) or distance of plantation site from the nearest beat/sub beat office (more than 5.0 k. m.) or vulnerability of plantation to encroachment, cattle grazing etc. necessitates deployment of 2 or more staff.

- (ix) Cost of watch and ward - one watch and ward will be engaged for every plantation area up to 10.0 hectares. In case the plantation area is not a compact block and consists of two or more sites located at a reasonably long distance from each other then one watch and ward will be engaged at every site irrespective of area of plantation at each site.

Persons engaged as watch and ward will be paid daily wages at prevalent site specific rates. Watch and ward will be engaged on a purely temporary basis for a maximum period equal to period of maintenance of plantation(s) raised under Compensatory Afforestation and the Department will have no liability, what so ever, to absorb persons engaged as watch and ward in the same or any other capacity after the plantation work at a particular site is over.

- (x) T. A. and D. A. of staff engaged in implementation of afforestation and other related works.
- (xi) In specific circumstances the project cost may also include cost of permanent office building(s) as well as residential units, if the need be so, either because of the vastness of area under compensatory afforestation or due to circumstantial necessity for greater protection of forest resources or because of the richness of the area in bio-diversity or the need to undertake long term research or similar studies to assess the impact of industrial or non-forestry activity on flora and fauna and/or on the total environment in the area. It may also include payment of salary to staff specially engaged/hired for the aforesaid purpose and cost of all equipment and material required for a period as recommended by the State Advisory Group.
- (xii) Cost of felling or lopping of tree(s), as the case may be, and cost of transportation of timber and/or lops and tops to the Departmental depot in order to make the diverted forest land available for use by the User agency.
- (xiii) Cost of reclamation or rehabilitation of land and removal of pollutants if the use of land by the User agency in a way (digging of pits or tanks, disposal of waste etc. or otherwise) renders it unsuitable for forestry activities in future. Such reclamation cost, if otherwise not specified, will generally not exceed 25 % of the cost of C.A. project.

The User agency will thus, be required to furnish all the requisite information related to proposed use of land.

- (i) Cost of inspection and survey of site(s).
- (ii) Cost of suitable anti erosion measures including river training if the land for compensatory afforestation is vulnerable to water and wind erosion.

In addition the User agency may be required to pay additional sum in order to meet any other cost or expenses becoming necessary on account of

- (i) The creation of plantation being difficult in nature because of soil type, soil condition or species required to be planted and/or
- (ii) the site of plantation being difficult owing to erodibility, gradient, mining activity etc. that requires adoption of specific measures.

B. Resource Value :

It is desirable to realize resource value for the forest land diverted for non forestry uses. The resource value will be arrived at taking into consideration the market price of the land and the value of the tree cover growing over the land area. The following criteria will be followed while calculating the resource value in each instance as the case may be :

- (i) when the land diverted will be used in perpetuity for such works as construction of dams, roads, buildings etc. resource value will be realized;

Resource value = Market price of equivalent land in the adjoining revenue area + Capitalized Value of forests over the area.

- (ii) when diversion is temporary in nature rent for land as certain percentage of resource value will be realized as mentioned below;
 - a. if the area is barren :- economic rent of land @ 25 % of the probable resource value
 - b. if the area has scrub forest :-economic rent @ 40 % of the probable resource value.
 - c. if the area has forest cover :- land rent @ 25 % of the market price of land + capitalized value of forests will be realized.

Capitalized value of Forest :

$$V = E/OP$$

Where, V = Capitalized value of forest over a given area in rupees.
 E = Annual income from the given forest area in rupees
 OP = Rate of interest @ 10 %
 $E = 1/60 \times \text{Volume of timber/Ha} \times \text{market price of timber} \times \text{total area in Ha.}$

The market price of land will be decided by the Deputy Commissioner of the district in which the land in question falls.

For calculation of the capitalized value in case of plantations, the following assumption will be made :-

- i. 1.0 ha of teak plot will fetch 174.69 Cu. m. of timber at rotation age of 60 years.
- ii. 1.0 ha of sal plot will also yield 174.69 Cu. m. of timber after 60 years rotation.
- iii. 1.0 ha of miscellaneous plantation will too yield 174.69 cu. m of timber after 60 years rotation.

Government of Assam, at their desecration, may waive projects of national importance like defense and that of public utility like drinking water etc. from paying the resource value or rent of any nature.

C. Overhead Cost.

(A) The user agencies will be required to pay over head cost, other than those included in the project cost, to meet the expenses related to implementation of compensatory afforestation projects. It will include expenses related supervision inspection tours of senior supervisory officers, office maintenance, cost of communication including material cost, levy for purchase of vehicles and their maintenance and all other contingency expenditure in each case. The different components in the overhead cost will be calculated as percentage of the total project cost of compensatory afforestation at the following rate.

- i. Officer/Staff man power cost @ 5% of the total project cost.
- ii. Office expense- @ 5% of the total project cost
- iii. T.A. & D.A - @ 10% of the total project cost
- iv. Purchase and maintenance of vehicles;
 - a. for project cost up to Rs.2.0 lacs. - @ 40% of the total project cost
 - b. for project cost between Rs 2.0 lacs and Rs.3.0 lacs - @ 35% of the total project cost
 - c. for project cost between Rs.3.0 lacs and Rs.4.0 lacs - @ 30% of the total project cost
 - d. for project cost of Rs.4.0 lacs and above - @25% of the total project cost.
- v. Contingency will be charged @ 10% for all projects costing up to Rs.2.0 lacs and @ 5% there after.

Thus, the total over head cost in each case will be realized at the following rates against different slabs of project cost for Compensatory afforestation.

Project Cost	Over head cost as % of the project cost
(a) Up to Rs.2.0 lacs	70%
(b) Above Rs.2.0 lacs but less than Rs.3.0 lacs.	65%
(c) Above Rs.3.0 lacs but less than Rs.4.0 lacs.	55%
(d) Above Rs.4.0 lacs.	50%

General :

- i. All the proposals will be prepared according to the guidelines issued under Forest Conservation Act, 1980 and the Forest Conservation Rules, 1981 or issued, from time to time, by the M.O.E.F., Government of India.
- ii. Proposal will be forwarded by the concerned Divisional Forest Officer within (a) 15 days if it does not require any detailed survey of the area, and (b) 30 days if it

- requires detailed survey of area on account of number of trees or presence of wild life or reasons of protection of forest flora and fauna.
- iii. Decision regarding purchase of vehicle for use in any Division will be taken by the Nodal Officer in consultation with the P.C.C.F. on recommendation of the concerned circle Conservator.
 - iv. Quarterly monitoring report on progress achieved in implementation of each item of work as well as actual survival % of plantation raised will be submitted to the Nodal Officer by the concerned Divisional Forest Officer through the circle Conservator.
 - v. Regular accounts for expenditures incurred will be submitted as per financial rules in force by the concerned D.F.O. to the Nodal Officer for onward submission to the Accountant General, Assam.
 - vi. For all works other than plantations, all records like M.B., Stores Register, Muster Roll, etc. will be properly maintained in the prescribed forms.
 - vi. Plantation Journals will be maintained in the proper format along with appropriate map(s) and posted up-to-date and will be produced when required by the inspecting Officer.
 - viii. A permanent record of diversion of forest land and Compensatory afforestation from the beginning of enforcement of F.C. Act, 80 in the State of Assam will be maintained in all the concerned territorial diversion as well as a consolidated record for the entire State will be maintained in the office of the Nodal Officer.
 - ix. All the compensatory afforestation work should commence not later than the financial year following one in which money for the C.A project is deposited by the User agency. This is necessary to reach targets in time bound manner to reduce depletion of forest cover in the State.
 - x. Inspection report of plantation raised under Compensatory afforestation inspected by the senior officers of the Department will be sent to the Nodal Officer who himself will inspect the plantation and submit a consolidated report to the P.C.C.F, Assam, at least once in six months.
 - xi. The User Agencies will extend all necessary help and assistance to the officers of the Forest Department in an emergent situation as is required under section 74 of the Assam Forest Regulation, 1891 or any other Act or Rule in force for the time being. Section 74 provides for giving information or assistance to Forest Officers or Police Officers in periods of emergency.

Sd/ - A. Jain
Commissioner & Secretary, to the Government of Assam
Forest Department, Dispur.

The 18th April 1994.

NO.FRS. 367/86/153 – The Government of Assam in pleased to constitute a Fund for the purpose of Compensatory Afforestation to be raids against the Forest area diverted for non forest use under the provisions of Section 4(1) of the Forest (Conservation) Act, 1980 and to made the following rules for regulation, the operation of the said fund in the manner hereinafter appearing, namely :-

- | | | |
|--------------------------------------|----|--|
| Short title extent and commencement. | 1. | (1) These rules may be called "The Assam Compensatory Afforestation Fund Rules, 1994."

(2) They shall extend to the whole of the State of Assam.

(3) They shall come into force with effect from the date of their publication". |
| Definitions of context. | 2. | In these rules, unless there is anything repugnant to the subject or context.

(a) "Fund" means the Assam Compensatory Afforestation Found;

(b) "State" means the State of Assam ;

(c) "Government" means the Government of Assam in the Forest Department;

(d) "User Agency" means the Agency permitted by the Government to use the forest land for non-forest purpose;

(e) "Nodal Officer" means the officer designated as such by the Government who shall be an officer of the rank of the Conservator of Forest. |
| Constitution of the Fund. | 3. | There shall be constituted a fund to be called "The Assam Compensatory Afforestation Fund, in the Public Account of the State under the head of Account" J-Reserve Funds (b) Reserve Funds not bearing Interest 8835 General and Other Reserve Funds-200-Other Fund-Fund for Compensatory Afforestation" and the money realized from the User Agencies shall be deposited into the Fund. |
| Administration of the Fund. | 1. | (1) The Fund shall be a ministered by the Nodal Officer,

(2) The Nodal Officer shall receive the money from the User Agency and deposit the same into the relevant receipt head "0406-Forestry and Wildlife-800-Other receipts-receipts under Compensatory Afforestation" through Treasury Chelan.

(3) In order to enable the transfer of the total amount of revenue received under Compensatory Afforestation, necessary budget provision under the head "2406-Forestry and Wildlife-01- Forestry – 800-Other Expenditure (h) Compensatory |

Afforestation" shall be made. Thereafter the amount shall be transferred to the Compensatory Afforestation Fund as "901- Deduct amount net from 8235- General and Other Reserve Fund – Funds for Compensatory Afforestation"

- (4) The Nodal Officer shall draw money out of the Fund against proper sanction and disburse the amount to the Divisional Forest Officers concerned assigned with the work of Compensatory Afforestation.
- (5) The concerned Divisional Forest Officers shall submit a separate monthly account to the Nodal Officer who shall compile all such accounts received from the Divisional Forest Officers and forward the compiled monthly account to the fund to the Accountant General, Assam and to the Government.
- (6) In all Financial matters, the rule contained in the Assam Financial Rules and the Government Orders in force for the time being, if any, shall apply.

Audit of the Fund. 5.

The Fund shall be subject to audit by the Accountant General, Assam during the course of their routine audit of the Office of the Conservator of Forests as special agenda item.

(A.B.ROY.CHOUDHURY)

Deputy Secretary to the Government of Assam
Forest Department, Dispur.

**GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS
NORTH EASTERN REGIONAL OFFICE
UPLAND ROAD, LAITUMKHRAH
SHILLONG-793 003**

No.1-3-204/91/CF-NE/1013-2

August 26, 2003.

To,

The Principal Chief Conservator of Forests
Government of Arunachal Pradesh, Assam, Manipur, Maghalaya, Mizoram,
Nagaland, Sikkim & Tripura

Sub: Orders of the Hon'ble Supreme Court issued on date 12.11.2002 in Interlocutory Application No.566 in Write Petition (Civil) No.202 of 1995 regarding collection of Net Present Value (NPV) from the User Agencies.

Ref: Ministry's letter No. 5-1/98- FC (Part-II) dated, 10.7.2003.

Sir,

I am directed to refer to the subject and letter cited above and to enclosed herewith copy of the Ministry's letter cited under reference for your kind information and necessary action.

Your's faithfully

(B.S. Kharmawphlang)
Deputy Conservator of Forests (C)

Encl : Ministry's letter
As stated above

Most Immediate/Supreme Court Matter

By speed post

F.NO.5-1/98-FC (Part-II)
Ministry of Environment & Forests
Government of India
(FC Division)

Paryavaran Bhavan, C.G.O. Complex.
Lodi Road, New Delhi-110003.
Telefax-24363982.
New Delhi, the 29th June, 2003

To,

The Principal Secretary (Forests),
All States & Union territories.

Sub - **Order of the Hon'ble Supreme Court issued on date : 12-11-2002 in Interlocutory Application No.566 in Writ Petition (Civil) No.202 of 1995 regarding collection of Net Present Value (NPV) from the User Agencies.**

Sir,

The undersigned is directed to refer above-mentioned orders of the Hon'ble Supreme Court issued on date : 12-11-2002 in Interlocutory Application No-566 in Writ Petition (Civil) No.202 of 1995 regarding collection of Net Present Value (NPV) from the User Agencies (Order copy enclosed) para (c) of the operative part states :

"..... while according transfer under Forest Conservation Act, 1980 for change in user -agency from all non-forest purposes, the user agency shall also pay into the said fund the net present value of the forest land directed for non-forest purposes. The present value is to be recovered at the rate of Rs.5.80 lakhs per hectare to Rs.9.20 lakhs per hectare of forest land depending upon the quantity and density of the land in question converted for non-forest use. This will be subject to upward revision by the Ministry of Environment & Forests in consultation with Central Empowered Committee as and when necessary."

In this regard, this Ministry has already filed an affidavit in the Hon'ble Court for modification in the Order in respect of public utility development project etc. However, the order of the Hon'ble Court is being sent herewith for your information and further necessary action.

Encl :- Copy of the Order of Supreme Court.

Your's faithfully

(Anurag Bajpai)
Assistant Inspector General of Forests.

**SUPREME COURT ORDER
ISSUED ON 12-11-2002**

IA NO.703

List after four weeks before a Bench of which Hon'ble Mr. Justice Y.K. Sabharwal and Hon'ble Mr. Justice Arijit Pasayat are members.

LA. No. 708

Learned Amicus Curiae has submitted a Fourth Report of the Central Empowered Committee. As per this Report 31 additional advertisements have been found to be painted on the rocks in the Kullu-Manali area. Details of this are contained in an annexure to the Report. Let notice be issued to the concerns specified in the column 2 of the said Annexure-A requiring them to show cause why they should not be liable to pay damages as well as costs, returnable in the last week of November, 2002. List it before a Bench of which Hon'ble Mr. Justice Y.K.Sabharwal and Mr. Justice Arijit Pasayat are members.

On 23rd November, 2001 Mr. Kirit N. Raval, the learned Additional Solicitor General during the hearing of the LA. Nos. 419 and 420 had placed on record a statement showing the position of the cases approved for diverting forest area for non-forest purposes, compensatory afforestation stipulated and what was actually done, funds to be received and were actually received and utilized. This Court then issued notices to the defaulting States which had recorded poor progress in utilization of the said funds and had not submitted quarterly progress reports.

The order of 23rd November, 2001 envisaged a scheme being formulated by the Ministry of Environment & Forests, inter alia for ensuring proper utilization of the funds for compensatory afforestation in respect of permission granted for user-agency of forest land.

The Central Empowered Committee examined this question while dealing with LA. Nos 566 and after notice of all State Governments and hearing the learned counsel has submitted a Report dated 5th September, 2002. The Report, inter alia, provides that there should be a change in the manner in which the funds are released by the State Governments relating to compensatory afforestation. It has, therefore, been observed in this Report by the Centre Empowered Committee that it is desirable to create a separate fund for compensatory afforestation wherein all the monies received from the user agencies are to be deposited and subsequently released directly to the implementing agencies as and when required. The funds received from a particular State would be utilized in the same State.

There was also consensus amongst the States and the Union Territories that the funds for compensatory afforestation which were to be recovered from the user-agencies as well as the unutilized funds lying with the States should be

transferred to such a fund. This fund will not be part of general revenues of the Union, of the States or part of the Consolidated Fund of India.

The said Report of the Central Empowered Committee contemplates the involvement of user-agencies for compensatory afforestation. The Report also refers to the permissible activities under compensatory afforestation, adequate compensation to be received for loss of forest land and funds for catchment area treatment plan. The Committee has also made eight recommendation. Copy of the Report of September,2002 of the Central Empowered Committee was given to the counsel for the parties. An affidavit on behalf of Union of India in response to the said Report has been filed. In paragraph 5 of the same, it is being submitted by the Ministry of Environment & Forests that it accepts the recommendations of the Central Empowered Committee in principle. It is, further, mentioned in this affidavit that major institutional reorganization of the present mechanism has to be undertaken and that it was proposed that comprehensive rules would be framed which will inter alia also relate to the procedure and compensation. It is also proposed that there will be a body for the management of the Compensatory Afforestation Funds (CAF). The proposal in this affidavit of the Union of India is that the said body of management would be composed of a Director General of Forest and Special Secretary who will be the ex-Officio Chairman and Inspector General of Forest who will be the ex-Officio Member Secretary. Comprehensive rules etc. will be placed before this Court of examination

No other State has filed any response to the said Report of the Central Empowered Committee. It is, therefore, presumed that the State Governments are not opposed to the said Report and like Union of India, they have accepted the same.

We have examined the said Report and are of the opinion that it merits acceptance by us as well. As recommended by the Central Empowered Committee we directed as follows :-

- (a) The Union of India shall within eight weeks from today frame comprehensive rules with regard to the Constitution of a body and management of the compensatory afforestation fund in concurrence with the Central Empowered Committee. These rules shall be filed in this Court within eight weeks from today. Necessary notification constituting this body will be issued simultaneously.
- (b) Compensatory Afforestation Funds which have not yet been realized as well as the unspent funds already realized by the States shall be transferred to the said body within six months of its constitution by the respective states and the user-agencies.
- (c) In addition to the above, while according transfer under Forest Conservation Act, 1980 for change in user-agency from all non-forest purposes, the user-agency shall also pay into the said fund the net value of the forest land diverted for non-forest purposes. The present value is to be recovered at the rate of Rs.5.80 lakhs

per hectare to Rs.9.20 lakhs per hectare of forest land depending upon the quantity and density of the land in question converted for non-forest use. This will be subject to upward revision by the Ministry of Environment of Forests in consultation with Central Empowered Committee as and when necessary.

- (d) A Compensatory Afforestation Fund shall be created in which all the monies received from the user-agencies towards compensatory afforestation, additional compensatory afforestation, penal compensatory afforestation, net present value of forest land, Catchment Area Treatment Plan Funds, etc. shall be deposited. The rules, procedure and composition of the body for management of the Compensatory Afforestation Fund shall be finalized by the Ministry of Environment & Forests with the concurrence of Central Empowered Committee within one month.
- (e) The funds received from the user-agencies in cases where forest land diverted falls within Protected Areas i.e. area notified under Section 18, 26 A or 35 of the Wild Life (Protection) Act, 1972, for undertaking activities related to protection of bio-diversity, wildlife, etc., shall also be deposited in this Fund. Such monies shall be used exclusively for undertaking protection and conservation activities in protected areas of the respective States/Union Territories.
- (f) The amount received on account of compensatory afforestation but not spent or any balance amount lying with the States/Union Territories or any amount that is yet to be recovered from the user-agency shall also be deposited in this Fund.
- (g) Besides artificial regeneration (plantations), the fund shall also be utilized for undertaking assisted natural regeneration, protection of forests and other related activities. For this purpose, site specific plans should be prepared and implemented in a time bound manner.
- (h) The user agencies especially the large public sector undertaking such as Power Grid Corporation, N.T.P.C., etc. which frequently require forest land for their projects should also be involved in undertaking compensatory afforestation by establishing Special Purpose Vehicle. Whereas the private sector use agencies may be involved in monitoring and most importantly, in protection of compensatory afforestation. Necessary procedure for this purpose would be laid down by the Ministry of Environment & Forests with the concurrence of the Central Empowered Committee.
- (i) Plantations must use local and indigenous species since exotics have long term negative impacts on the environment.
- (j) An independent system of concurrent monitoring and evaluation shall be evolved and implemented through the Compensatory afforestation Fund to ensure effective and proper utilization of funds.

Place it before a Bench of which Hon'ble Justice Y.K. Sabharwal and Hon'ble Mr Justice Arij Pasayat are members for examination of the rules.

I.A.Nos.634-635-697 and 698L

I.A. Nos. 697 and 698 are taken on board.

These applications have been filed for permission to erect transmission lines by Power Grid Corporation which lines are to pass through the Rajaji National Park.

Since the filing of these applications lot of discussion has taken place, ground situation examined and now it is reported by the learned counsel for the applicant that though the proposed corridor where the transmission lines will be erected 14, 739 trees will have to be cut. Permission for erecting the lines through the Rajaji National Park and cutting these trees had been accorded by the Union of India as well as the State of Uttaranchal. Permission was not made operative because of the earlier orders of this Court.

Taking all circumstances into consideration, these applications are allowed. Permission is granted to the Power Grid Corporation to erect the transmission lines through the Rajaji National Park. Aforesaid 14739 trees. **Rest not printed here.**

MINISTRY OF ENVIROMENT AND FORESTS
NOTIFICATION

New Delhi, the 5th July, 1996.

S.O. 481(E)- Whereas anthropogenic activities cause air, water and land pollution thereby endangering forests, genepool reserves, vegetation and living creatures and these activities are required to be carried out at a safe distance so as to ensure that our natural resources are not be affected adversely;

And whereas the Kaziranga National Park with Headquarter at Bokhakat in the State of Assam is the home of three-fourth of the total population of Rhino and contains largest single concentration of endangered species wild animals like swamp-deer, wild-buffalo, elephants, tigers and Gangetic Dolphins and it is the only park of its kind with a viable low land grassland ecosystem in South Asia.

And whereas M/s IBP Co. Ltd. under the administrative control of the Central Government in the Ministry of Petroleum and Natural Gas is proposing to set-up a Petroleum Refinery at Numaligarh (East of Kaziranga) and the developmental activities for said refinery is likely to cause tremendous pressure on the natural resources and the wild-life habitat in the Kaziranga National Park and its surroundings;

And whereas it is proposed to create a "No Development Zone" within a radius of 15 Km around the said refinery site except towards North West where the "No Development Zone" shall extend right up to the eastern boundary of the said park;

And whereas clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 provides that whenever the Central Government considers that prohibition or restrictions of any industry or carrying on any processes or operation in any area should be imposed, it shall give notice of its intention to do so;

And whereas sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986 provides that, notwithstanding anything contained in sub-rule (3), wherever it appears to the Central Government that it is in public interest to do so, it may dispense with the requirement of notice under clause (a) of sub-rule (3);

And whereas in view of the magnitude and the urgency of the threat to the environment the Central Government is of the opinion that it is in public interest to dispense with the requirement of notice under clause (a) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with clause (d) of sub-rule (3) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby directs that on and from the date of the publication of this notification the

expansion of industrial area, townships, infrastructure facilities and such other activities which could lead to pollution and congestion shall not be allowed within "No Development Zone" specified in the Appendix to this notification, except with the prior approval of the Central Government.

APPENDIX

"No Development Zone"

The coordinates of the "No Development Zone" around Numaligarh refinery site are as follows :-

<u>Longitude</u>	<u>Latitude</u>
1. 93 ⁰ -32'-49"	26 ⁰ -40'-30"
2. 93 ⁰ -33'-15"	26 ⁰ -41'-45"
3. 93 ⁰ -36'-45"	26 ⁰ -37'-30"
4. 93 ⁰ -40'-30"	26 ⁰ -40'-45"
5. 93 ⁰ -47'-30"	26 ⁰ -43'-40"
6. 93 ⁰ -47'-10"	26 ⁰ -26'-08"
7. 93 ⁰ -58'-30"	26 ⁰ -34'-20"

(No.J-11011/16/90-IA-II)
VISHWANATH ANAND
ADDITIONAL SECRETARY

**ASSAM SALE OF FOREST PRODUCE COUPES AND
MAHALS RULES, 1977**

(Published in the Assam Gazette, Part II A, dated April 5, 1978)

The 16th December 1977

No.FRS.586/77.- In exercise of the powers conferred by Sections 26,33,34, and 72 (c) of the Assam Forest Regulation VII of 1891, the Governor of Assam is pleased to frame the following Rules for sale of Forest Produce from the Reserved and unclassified State Forests.

These Rules supersede the Assam Settlement of Forest Coupes and Mahals by Tender System Rules, 1967 notified under No. FOR.329/65/46, dated, 25th September 1967 and No. FOR.329/65/56 dated 25th September 1967 respectively.

1. **Title and application of the Rules.**- These Rules shall be called the Assam Sale of Forest Produce, Coupes and Mahals Rules, 1977.
 - (2) They shall come into force with effect from 1st day of August 1977.
 - (3) They shall extend to all areas to which the Assam Forest Regulation 1891 applies.
2. **Definition.**-In these Rules, unless there is anything repugnant in the subject or context :-
 - (a) "Governor" means "the Governor of Assam".
 - (b) "Government" means "the Government of Assam".
 - (c) "Conservator" means "the Conservator of Forests" and includes Chief Conservator of Forests also.
 - (d) "Divisional Forest Officer" means the "Divisional Forest Officer of a territorial or non-territorial Forest Division".
 - (e) "Contractor" means the Contractor registered as such under the Forest Department".
 - (f) "Mahalder" means the "Mahalder registered as such under the Forest Department" or in the office of the C.C.F. or in any of the Circle Officer or Division, Officer.
 - (g) "Coupe" means a compact area where in a number of trees are premarked for sale.
3. **Mode of Sale.**-(a) The Forest produce shall be sold by any of the following methods :
 - (1) By inviting tender.
 - (2) By public auction.
 - (3) By negotiation, direct by Government or on behalf of Government of Assam in Forest Department or any other manner as decided by Government on its own discretion.

- (iii) Original or certified copy of the registration certificate of the tenderer issued by the Appropriate Authority of the Forest Department.
 - (iv) If a tender is submitted on behalf of a Co-operative Society or a partnership Firm or a Joint Stock Company, then in addition to the requirement of (i), (ii) and (iii) above the copy of the resolution authorizing the person who signs the tender to manage the business of such society, firm or company on its behalf, and undertake the liability as a tenderer on behalf on the Society Firm and Company. In case of Co-operative Society a certificate from local Co-operative Officer (not below the rank of Assistant Registrar of Co-operative Societies) about the composition of society and its genuineness and financial condition. In case of a firm also a certified copy of the registration certificate granted by the Registry of Firms under the Indian Partnership Act and authorization to one of the partners to act shall have to be furnished.
8. **Procedure for dealing with tenders :-** (1) Immediately after the closure of the tender box for receipt of tenders the Divisional Forest Officer indicating time and date when the tenders shall be opened.
- (2) After scrutiny of the tenders the order for acceptance of any tender shall be passed by the respective competent authority whose competency shall be according to the delegation of financial powers under the Assam Delegation of Financial Powers Rules, 1960.

According to the present delegation of power the D.F.O. can accept tender up to Rs.25,000.

C.F.	Rs.1,00,000.
C.C.F.	more than Rs.1,00,000

Government in Forest Department have the full power or have the full residuary powers of withdrawal of settlement or otherwise not repugnant in these rules.

9. **Appeal and review.**-(1) An appeal shall lie within 15 days from the date of communication of the order of acceptance of the tender by the Divisional Forest Officer as follows :-
- (a) Against the order of acceptance of tender by the Divisional Forest Officer, to the Conservator whose order in the appeal shall be final.
 - (b) Against the order of acceptance of tender by the Conservator of Forest and the C.C.F. to the Governor whose order in the appeal shall be final.
 - (c) A petition shall lie with the Governor for review of his original order within 15 days from the date of communication of the order of acceptance of tender as provided under Rule 8 (4) but no petition for review of appellate order of Governor shall lie.
 - (d) All review petition against the order of settlement shall lie before Government within 30 days of settlement order of C.F. and C.C.F. as the case may be.

- (iii) Original or certified copy of the registration certificate of the tenderer issued by the Appropriate Authority of the Forest Department.
 - (iv) If a tender is submitted on behalf of a Co-operative Society or a partnership Firm or a Joint Stock Company, then in addition to the requirement of (i), (ii) and (iii) above the copy of the resolution authorizing the person who signs the tender to manage the business of such society, firm or company on its behalf, and undertake the liability as a tenderer on behalf on the Society Firm and Company. In case of Co-operative Society a certificate from local Co-operative Officer (not below the rank of Assistant Registrar of Co-operative Societies) about the composition of society and its genuineness and financial condition. In case of a firm also a certified copy of the registration certificate granted by the Registry of Firms under the Indian Partnership Act and authorization to one of the partners to act shall have to be furnished.
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 - (c) A petition shall lie with the Governor for review of his original order within 15 days from the date of communication of the order of acceptance of tender as provided under Rule 8 (4) but no petition for review of appellate order of Governor shall lie.
 - (d) All review petition against the order of settlement shall lie before Government within 30 days of settlement order of C.F. and C.C.F. as the case may be.

- 2.(a) The appeal or review petition, as the case may be shall be submitted in triplicate, two copies, of which shall be submitted to the appellate or reviewing authority and one copy shall be simultaneously sent by the appellant or the petitioner to the Divisional Forest direct. The requisite court fee stamp need be affixed only on the principal copy.
- (b) The Divisional Forest Officer on receipt of the copy of the appeal or review petition shall immediately stay the order issued under Rule 8 (4) and forward the appeal or review petition along with the original tenders and other connected document to the Conservator who shall dispose of the appeal lies with him under sub clause (1) (a) above else forward the appeal and/or review petition to the Government if the same lies with the Government under sub-clause (1) (b) and (c) above.
10. **No obligation to accept the highest or any tender.**-The highest tender will generally be accepted but it shall not be obligatory on the part of the setting authority to accept to accept the highest or any tender. Maximum no. of coupe/coupes that one party may get should be not more than 5.
11. **Preference and concession in settlement with tenderers belonging to Scheduled Castes, Scheduled Tribes or Other Backward Classes-** (1) subject to suitability and ability of the tenderer to perform the work satisfactorily preference and concession in settlement of a coupe or mahal shall be admissible in the following manner to a person belonging to any of the Scheduled Castes, Scheduled Tribes or Other Backward Classes recognized by the State Government, provided the recognized highest offer for the coupe or the mahal does not exceed Rs.50,000 (a) if the offer from a member of the above mentioned categories of persons is not below 92.50 % percent of the recognized highest offer the coupe or the mahal shall be settled with such person at his own offer.
- (b) Even if the offer from a member of the aforementioned categories of persons is below 92.50 % percent of the recognized highest offer, the coupe or the mahal may at the discretion of the competent authority be settled with such person at an amount 7.50 % per cent less than the recognized highest offer.
- (2) The preference and concession shall also be admissible in the following manner to a Co-operative Society, provided not less than 80 per cent of the members thereof are persons belonging to Scheduled Castes, Scheduled Tribes or Other Backward Classes and provided the recognized highest offer for the coupe or the mahal does not exceed Rs.1 lakh.
- (a) If the offer from the above mentioned Co-operative Society is not below 90 per cent of the recognized highest offer, the coupe or the mahal shall be settled with such Co-operative Society at its own offer.
- (b) Even if the offer from the Co-operative Society is below 90 percent of the recognized highest offer, the coupe-or-the mahal may at the discretion of the

competent authority, be settled with such Co-operative Society at an amount 10 per cent less than the recognized highest offer.

- (c) As between individual members of the categories mention in Sub Rule (1) above and a Co-operative Society, mentioned in this Sub-Rule the Co-operative Society shall be given preference over the individuals.
- (3) No preferential treatment and concession as mentioned in (1) and (2) above shall be admissible when the recognized highest offer for the coupe or the mahal exceed Rs.50,000 or Rs.1 lakh as the case may be.
- 12. **No joint settlement.**- No coupe or mahal shall be sold jointly with more than one person except in the case of a Co-operative Society or a firm or a Joint Stock Company duly registered in the office of the appropriate Registering Authority in Assam.
 - (a) **Deconcentration of opportunities** – No person shall be settled with more than five coupes/mahals at any price. If any person is found to get settlement of more than five coupes/mahals at any given time he shall have to surrender all the excess coupe/mahals retaining only five coupes and mahals to his choice. The surrendered coupes/mahals shall be immediately resold at such persons' risk.
- 13. **Non acceptance of tender of a defaulter.**- No tender of a mahalder or contractor or Co-operative Society of Firm who is a defaulter in respect of any Government dues or any land or forest revenue shall be entitled to get settlement.
- 14. **Security deposit.**- The tenderer whose tender has been finally accepted shall be informed by the Divisional Forest Officer about the amount of security to be adjusted from his fixed security deposit for the coupe or mahal.
 - (2) The amount of such security shall be at the amount at which the coupe or the mahal is sold, Subject to a minimum of Rs.10.00.
 - (ii) 5 per cent on the amount in excess of the first 2,000 subject to a minimum of Rs.200.00.
 - (iii) In case of a tenderer belonging to any of the Scheduled Castes/Scheduled Tribes or Other Backward Classes, the amount of Security deposit mentioned in sub-rule 2 above shall be reduced by 50%
 - (iv) If the whole amount of fixed deposit is adjusted against the security of a particular coupe or mahal and if the security exceeds the fixed deposit, the amount fell short of and the amount of fixed deposit shall have to be deposited before communication of the final order of acceptance of tender.
- 15. **Installment.**-The sale value of the mahal or coupe shall be paid by the mahalder or contractor in the following manner;

- (i) Where the mahal or coupe is for one year, in four equal installments at a interval of not more than 3 months each the first installment falling within 15 days from the date of issue of order of final acceptance of the tender.
 - (ii) Where the mahal or coupe period is for less than one year in two equal instalments falling due on the same period as mentioned in sub-rule (1) above and the third installment not less than one month before the expiry of the mahal or coupe period.
 - (iii) Where the mahal or coupe period is for more than year the total amount payable for each year shall be paid in four equal installments at an interval of not more than 3 months each, the first installment of the first year falling due within the period as mentioned in sub-rule (1) above and the first installment in succeeding year falling due at the beginning of each year.
16. **Agreement.**- An agreement as in from in appendix shall be executed within one week of the payment of the first installment and security as mentioned in rule 15 by the mahaldar or contractor whose tender has finally been accepted by the competent authority.
 17. **Cancellation and resale for failure to pay Security installments and to execute agreement.**- If the tenderer whose tender has been accepted fails to pay the security or to pay the installment on due dates mentioned in rule 5 or to executive agreement mentioned in rule 16, the sale of the coupe or mahal shall be liable to be cancelled and the coupe or the mahal shall be resold for the remaining part of the coupe or mahal period at the risk of such tenderers as regards the loss to Government and if the proceeds on resale are less than the value at which it originally sold, the difference shall be realizable from him, and further the earnest money shall be forfeited and the whole of the fixed security deposit or part thereof as may be necessary, shall be adjusted against the dues.
 18. **Mode of realization of arrear sale value.**-Any amount due under those rules shall be recoverable as arrears of land revenue.
 19. **Power of attorney.**-No power of attorney or mortgage deed or any encumbrance shall be recognized in respect of coupe or the mahal except when executed with previous permission from the authority competent to pass order of acceptance of tender under Sub-Rule (2) of Rule 8.
 20. **Right of withdrawal of any coupe or mahal from sale.**- Government in Forest Department and the authority competent to accept tender shall have the right to withdraw any coupe or mahal from sale at any time before issue of final order of acceptance of tender or otherwise by negotiation.
 21. **Extension of Mahal or Coupe period.**-(1) No extension of the coupe or mahal period shall ordinarily be admissible. In exceptional cases, Government may however reserve to itself the right of extension on merit of each case at its discretion.

- (2) In case, however, there is delay in communication of final order of acceptance of tender by two months or less beyond the date from which the coupe or mahal period is to commence, the D.F.O. within whose jurisdiction the coupe or mahal is situated shall automatically, if necessary, recoupe by giving extension for so much time as is lost without charging any extension fee.
- (3) Where, under exceptional circumstances any extension beyond the time mentioned in sub rule (2) above is found to be justified, such extension may be given on the following condition-
- (i) extension under this sub-rule together with any extension given under sub-rule (2) shall not exceed more than three years at a time.
 - (ii) application for extension shall have to be submitted to the D.F.O. or to Government with a copy to the competent authority one month period to the expiry of the mahal or coupe period.
 - (iii) coupe or mahal dues shall not have fallen in arrear due to the lapses on the part of the contractor or mahaldar;
 - (iv) extension granted under this sub-rule in respect of mahals shall be on payment of proportionate value, or extension fee as determined by competent authority to grant extension.
- (4) Extension under sub-rule (3) shall be granted by the following authorities :-
- (i) D.F.O. -(a) upto a maximum of one month in respect of Drift Wood and clear felling coupe at half proportionate value.
 - (b) upto a maximum of 4 months in respect of Dead Wood, Wind fallen and Green Wood Coupes at extension fee equivalent to 5 percent of the coupe value.
 - (ii) C.F.-upto a maximum of 8 months in addition to extension granted under Sub-Rule (4) (i) at extension fee equivalent to 5 percent of the coupe value on recommendation of the Divisional Forest Officer.
 - (iii) Governor in all other cases not covered under sub rule 4 (i) and (ii) on payment of extension fee or proportionate value as may be decided up to 3 years maximum at a time.

PART II

Sale by auction system

22. Forest Coupes/mahals/lots or any other Forest Produce estimated valuation of which does not exceed Rs.1,000.00 that in the opinion of the Divisional Forest Officer requires immediate disposal shall be sold by auction amongst the registered Forest contractors and mahalders in the following manner :- (1) a

proclamation for auction sale shall be published not less than 15 days before the date fixed for auction stating therein.

- (a) the name of the coupe or mahal or lot of any other forest produce
 - (b) the particulars necessary for its identification.
 - (c) the period for which it is proposed to be sold.
 - (d) the date and place of auction.
 - (e) the officer who will hold the auction.
23. **Manner of publication of proclamation.-** The proclamation shall be published by pasting copies thereof on the notice boards of the office of :-
- (i) the Conservator, the Divisional Forest Officer and the Range Officer.
 - (ii) the Deputy Commissioner; the Sub Divisional Officer and the Sub-Deputy Collector, and
 - (iii) the Mohkuma Parishad within whose local limits the coupe or the mahal situate.
24. **Manner of conducting the sale :-**
- (1) The auction sale shall be held by the Divisional Forest Officer or some Officer deputed by him not below the rank of A.C.F. for the purpose.
 - (2) The D.F.O. may postpone the auction sale on reasonable grounds but shall in such case, issue fresh proclamations in the manner of rule 23 above, publishing the new date fixed.
 - (3) On the date fixed for auction the D.F.O. or the Officer authorized to hold the auction shall call for the bids from registered contractors present :-

Provided that if there is no bid or insufficient bid, he may continue the sale from day to day informing the bidders on the spot.
 - (4) The Officer holding the auction shall indicate by striking a hammer on the table, the closure of the sale of a particular coupe, mahal or any other forest produce in the auction.
 - (5) The auction shall be closed in favour of the highest bid which is received and final sale shall be made with the highest bidder.

Subject to the production of the document mentioned at Sub-rule (ii), (iii), & (iv) Rule 7.
 - (6) If the highest bid received exceeds the limit of financial power delegated to the officer conducting the auction the procedure as is laid down in Rule 8 (3) of Part I these Rules shall be followed.
25. No appeal shall lie against the sale with the highest bidder in any auction.

26. **Mode of payment of bid value.-** The person declared to be the auction purchaser at an auction sale shall be required to pay immediately in the spot 50% of the sale value and if he fails to do so the coupe or the mahal or lot shall forthwith be again paid up and sold.

The remaining 50% of the sale value should have to be paid immediately before lifting the forest produce of issue of work order as may be directed by the Divisional Forest Officer.

27. The provisions of Rules 7(4)(ii)(iii) and (iv) 12, 13, 16, 17, 18, 19, 20 and 21 shall equally be applicable in the sale of auction system.

28. **Savings-** (i) Notwithstanding any of the provisions contained in these rules, the Government of Assam in Forest Department reserve the right to settle or dispose of any forest produce in the form of mahal, coupes or by direct negotiations or in any other manner at its direction, otherwise than mentioned in these rules in public interest or in accordance with provisions of the Assam Forest Regulations, 1891.

- (ii) Any act done or purported to have been done prior to the introduction of these rules of 1977 or any action taken or purported to have been taken under the Settlement Rules, 1967 shall be deemed to have been done under the New Rules, 1977.
- (iii) No State Government or State Government Officers or Forest Officers shall be responsible for loss or damage unless he shall have caused the same maliciously or fraudulently prior to the enforcement of these rules or thereafter under these rules.

**GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
FOREST DEPARTMENT**

NOTIFICATION

The 14th March, 2000.

No.FRS.116/98/24 – In exercise of the powers conferred by Section 26, 33, 34 and 72 (e) of the Assam Forest Regulation, 1891 (Regulation VII of 1891), the Governor of Assam is pleased to make the following rule further to amend the Assam Sale of Forest Produce, Coupes and Mahal Rules, 1977, hereinafter referred to as the principal Rules, in the manner hereinafter appearing, namely :-

- | | |
|------------------------------|---|
| Short title and commencement | 1. (1) These Rules may be called as the Assam Sale of Forest Produce, Coupes and Mahals (Amendment) Rules, 2000.
(2) They shall come into force on such date as the State Government may by notification in the Official Gazette, appoint. |
| Amendment of Rule 3. | 2. In the Principal Rules, in rule 3, sub-rule (3) shall be deleted and after sub-rule (2), the following proviso shall be inserted, namely :-
"Provided that the State Government in the Forest Department may settle a Mahal by negotiation with the intending parties or purchasers giving them opportunity to make offers of negotiation, if offer for a particular Mahal is not received by inviting tender or by public auction by putting sale notices consecutively for three times within a period of 6 (six) months or if the concerned Divisional Forest Officer, fails to put such sale notice consecutively for three times within a period of 6 (six) months." |
| Amendment of rule 4. | 3. In the principal rules for rule 4, the following rule shall be substituted, namely :-
"4. Notice for tender–Brief advertisement inviting tender (Tender Notice) for sale of Mahal/Timber lots containing the names of the Mahals/lots, areas of the Mahal/quantity of timber, period of the lease/settlement which shall not exceed two years along with the date, time and venue for receipt of tenders, shall be published in the "Local daily newspapers" for at least consecutive two days by the Divisional Forest Officer at least one month prior to the last date fixed for submission of tender stating that the details of the Mahals/lots and other terms and conditions shall be available in the sale notice, which can be procured from the offices of the Divisional Forest Officer during office hours of any |

working day on payment of Rs.50.00 (Rupees fifty) per copy of the sale notice.

"Provided that for resale of any Mahal or timber lot, publication of short sale notice at least fifteen days before the last date of receipt of the tender shall be made which may or may not be published in the newspapers."

Amendment of rule 21.

4. In the principal rules, for the existing rule 21, the following shall be substituted, namely :-

"21, Terms of the Mahal :- (1) The mahal shall be allowed to be operated strictly for the period as advertised in the Notice inviting tender and the Sale Notice. However, the term of the Mahal shall automatically expire in the case the stipulated quota is exhausted before the expiry of the Mahal period.

(2) As regards the stipulated quota of the mahal materials, any quantity remaining unextracted within the mahal period shall automatically belong to the Government after expiry of the advertised mahal period and no claim of the settlement holder on the same shall be entertained.

(3) In case the settlement holder is not able to operate the Mahal for certain periods within the settled term of the Mahal, for reasons beyond his control, such periods, may be provided to him in addition to the Mahal period, but not exceeding a total of 3 months, by the principal Chief Conservator of Forests. The Mahalder, in every such case shall apply to the Divisional Forest Officer concerned within 7 days of each occurrence. The Divisional Forest Officer shall submit a report in the matter through the concerned Conservator of Forests for consideration."

A. JAIN

Commissioner & Secretary to the Government of Assam
Forest Department, Dispur.

**GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
LEGISLATIVE DEPARTMENT : LEGISLATIVE BRANCH**

NOTIFICATION

The 17th July, 1989.

No.LGL.230/87/75-The following Act of the Assam Legislative Assembly which received the assent of the Governor is here by published for general information.

**ASSAM ACT NO.OF 1989
(Received the assent of the Governor on 14th July, 1989)
THE ASSAM PREFERENTIAL STORES PURCHASE ACT, 1989**

An
Act

for encouraging growth of Industries in the State of Assam specially small scale and cottage industries and for taking measures ancillary there to :-

Preamble	Whereas it is expedient and necessary to encourage growth of industries in the State of Assam specially small scale and cottage industries by patronizing their products on preferential basis and to rationalize and the procedure for purchase of stores required by the State Government undertaking. And whereas the Assam Preferential Stores Purchase Rules, 1972 need to be replaced by an Act of the State Legislature to implement Industrial Policy announced and published by the Government of Assam Vide Notification No. CL586/85, dated 24 th December, 1986. It is hereby enacted in the Fortieth Year of the Republic of India as follows:-
Short title extent and commentment	1. (i) This Act may be called the Assam Preferential Stores Purchase Act, 1989. (ii) It shall come into force at once. (iii) It extends to the whole of the State of Assam.
Definitions	2. In this Act, unless there is anything repugnant in the subject or context; (a) "Governor" means the Governor of Assam. (b) "State" means the State of Assam. (c) "State Government" means the Government of Assam. (d) "State Board" means the Assam State Stores Purchase Board constituted under Section 3 of this Act. (e) "Departmental Purchase Committee" means a Committee constituted under section 8 of the Act.

- (f) "Small Scale Industry" means an industrial unit in which the capital investment for plant and machinery does not exceed thirty five lakhs rupees or any other amount as may be decided by the Central Government from time to time and located in the state of Assam :
- (g) "Ancillary Industries" means undertakings having investment in fixed assets in plant and machinery not exceeding forty five lakhs rupees or any other amount as may be decided by Central Government from time to time and located in the State of Assam and engaged in:
 - (i) The manufacture of parts, components, subassemblies, tooling or intermediates : or
 - (ii) The rendering of services and supplying or rendering or proposing to supply or render fifty percent of its production of the total services as the case may be to other units for production of other articles :
- (h) "Tiny industry" means undertaking having investment in fixed assets in plant and machinery not exceeding two lakhs rupees or any other amount as may be decided by Central Government from time to time and located in the State of Assam.
- (i) "Other industry" means an industrial unit located in the State of Assam being other than a small scale industry and ancillary industry, a cottage industry, a tiny industry and a Khadi and Village Industry.
- (j) "Cottage Industry" means a village industry situated within the State of Assam under the Assam Khadi and Village Industries Board, Silk Board and also includes a home industry conducted in the State by an artisan member of a family or groups or organization without the aid of hired labour.
- (k) "Purchasing Authority" means the person or authority which is duly authorized or is competent to make purchase of stores.
- (l) "Registered Industry" means an industrial unit registered under the Directorate of Industries in accordance with provisions of this Act.
- (m) "Stores" means and includes all items procured by the Department/Corporations/Autonomous Bodies-Statutory Bodies.
- (n) "Technical Committee" means the Committee constituted in pursuance of this Act.

- (o) "Director" means Director of Industries, Government of Assam.
 - (p) "Unit" means the Small Scale Industrial Unit, ancillary industrial unit, tiny industrial unit, cottage industrial unit and other industrial units.
 - (q) "Prescribed" means prescribed by rules made under this Act.
 - (r) "Requiring Authority" means the State Governments Departments and their subordinate authorities, State Government Undertaking/ Corporation/Statutory bodies/Autonomous bodies.
 - (s) "ASIDC" means the Assam Small Industries Development Corporation Ltd.
3. (i) The State Government, by notification in the Official Gazette, shall constitute a Board to be known as "The Assam State Store Purchase Board" on such term as may be specified in the notification with the members specified in the Schedule-1.
- (ii) The State Government may, by notification in the Official Gazette, reconstitute the Board from time to time by changing the members of the Board.
4. (i) The term of the Board shall be for a period of three years unless reconstituted earlier.
- (ii) The Board shall meet at least once in three month.
- (iii) The minimum of five members with the Chairmen or Vice-Chairman and the Member-Secretary shall form a quorum.
5. (i) The Board shall supervise and review the proper implementation of the Act and rules framed there under.
- (ii) Without prejudice to the generality of the foregoing provisions, the Board may –
- (a) Constitute suitable technical committee consisting of the Director representatives of major purchasing authorities, representative of the concerned industries, Cost Accountant, Quality Control Officer of the Directorate of Industries for laying down quality specification or reasonable prices for different items of stores, subject to the general or special directions of the Board.
- Provided that Technical Committee for items of Stores in Schedule-II shall be constituted by ASIDC as per Government guide lines laid down in G.M. issued vide Notification No. PE.61/88/1 dated 28th March, 1988 as in Schedule – IV.

- (b) decide whether in respect of any items of stores or any registered industries any earnest money and security deposit should be prescribed.
 - (c) approved prosecution of concerned purchasing official for breach of the provisions of the Act. or directives issued by the Board there under.
6. A unit fulfilling the following criteria shall be registered under this Act and shall be eligible for incentives under this Act.
- (i) A unit under small scale sector shall have 100 percent employment to local people.
 - (ii) A unit in the medium and large sector shall have employment of 80% local people in the managerial cadre and 90% of local people in the non-managerial cadre and that over a period of 5 years from the commencement of production of such medium and large unit should take all effective steps to ensure 100% employment of local people in non-managerial and 90% managerial posts.
 - (iii) The location of administrative, registered controlling officers shall be within the State of Assam.
 - (iv) The unit should be in regular production having requisite machinery.
- 7.1(a) Small Industries, Khadi and Cottage Industries registered under this Act shall be exempted from payment of earnest money and security deposit for items in respect of which the units are registered. However, medium and large units have to pay earnest money and security deposit as may be prescribed.
- (b) Items of stores mentioned in Schedule II, be known as "Reserved Item", shall be purchased by all requiring authorities from registered industries. Provided that where the Director with the prior approval of the Chairman of the State Board certifies that the capacity for production within the State of any such item has exhausted, purchase from the open market as per usual procedure as long as this certificate remaining in force.
 - (c) Items of stores mentioned in Schedule III shall be purchased by requiring authorities from ASIDC. ASIDC shall follow the guideline regarding fixation of price, commission etc. as laid down in office memorandum issued by Notification No.PE-61/88/1, dated 28th March 1989 as in Schedule IV.

(d) The State Government shall from time to time publish a list of stores which shall be purchased by requiring authorities only from industrial units, having valid Store Purchase Registration and in accordance with the policy laid down by the State Board.

(2) In respect of Items of stores other than those mentioned in Schedule – II or covered by the Act, price preference shall be given to registered industries (or their authorized agents and dealers) up to 15 percent in case of Cottage Industries, 10 percent in case of Small Industries and 5 percent in case of other Industries of Assam.

(3) Without prejudice to the other provisions of the Act, other things being equal, registered industries should be preferred to units not so registered and within the industries so registered preference should be given to cottage industries, small industries and other industries in that order by giving a price preference up to 10 percent and 5 percent to registered other industries.

Purchase Committee. 8. For each department of the State Government there shall be a purchase Committee with the following official :-

Chairman

- | | | |
|------|---|------------------|
| i. | Head of Department | Member |
| ii. | Director of Industries or his representative not below the rank of Deputy Director. | Member |
| iii. | A representative of the Department not below the rank of Under Secretary. | Member |
| iv. | Financial Adviser of the Department. | Member-Convener. |
| v. | Finance and Accounts Officer of the concerned Directorate : | |

Provided that in case of Printing and Stationery Department, Secretariat Administrative Department of the Assam Secretariat, the Deputy Secretary of Joint Secretary of the department shall be the Member- Secretary and the Departmental Purchase Committee shall be headed by the Special Commissioner or Commissioner or the Secretary of the Department.

9. For each Government Corporation, Government Undertaking, Assam Electricity Board, there shall be a Purchase Committee which shall included two representatives from the State Government, one of which shall be the Director of Industries or his representative nor below the rank of Deputy Director and the other representing the Finance Department.

Purchase Committee decision shall be binding	10.	The decision of the Purchase Committee shall be recorded in a minutes to be signed by all members. The decision of the Purchasing Committee shall be binding on the Department.
Inspection.	11.	The Purchasing authorities shall make necessary arrangements for inspection of quality and quantity etc. of stores and arrange for prompt payment of bills within 15 days or receipt of the stores. Any dispute about quality may be referred to the Technical Committee constituted under Section 5 (2) (a).
Sanction for Prosecution.	12.	Where it appears that any Department, Company, State Government Undertaking or Organization or Industrial Unit has contravened any provision of the Act, or rule framed thereunder or any directive issued by the Board, the State Government may after such enquiry as it deems necessary, sanction prosecution of the Head of the Office, Organization, State Government Undertaking of Industrial Unit, as the case may be.
Penalty of offence	13.	Whoever contravenes any provision of this Act, shall be punishable with the fine not exceeding one thousand rupees.
Cognizance of offence	14.	No court inferior to that of a Judicial Magistrate, First Class shall take cognizance and try and offence under this Act.
Offence.	15.	If any industrial unit furnishes any false information or conceal information, defaults in supplying stores in accordance with commitments or supply short or substandard stores contrary to its commitment or indulge in any other undesirable activities such act or acts shall constitute an offence under this Act.
Annual Return	16.	All purchasing authorities shall submit to their respective administrative, departments in the month of May every year an annual return of the purchase made during the last financial year. The administrative departments shall consolidate these returns and send them to the State Board in the month of June every year for review.
Power to make rules.	17.	The State Government may make rules for carrying out the purposes of this Act.
Repeal and savings	18.i	The Assam Preferential Stores Purchase Rules 1972 are here repealed.
	ii.	Notwithstanding such repeal, any action under the Assam preferential Stores Purchase Rules, 1972 shall be deemed to have been under this Act.

- | | | |
|--------------------------|-----|--|
| Removal of difficulties. | 19. | If any difficulty arises in giving effect to the provisions of the Act, the State Government may be general or special order give such direction not inconsistent with the provisions of the Act as appears to be necessary or expedient for removing such difficulty and the State Government in such cases shall be final. |
| Power to exempt. | 20. | The State Government may, by notification in the Official Gazette, after recording the reasons in writing exempt any unit from the operation of any provisions of this Act on such condition as deems fit. |

SCHEDULE-I

(Section-3)

(1) State Board shall be constituted with the following Members :

- | | | |
|-----|---|--------------------|
| 1. | Commissioner, Industries Department | Chairman. |
| 2. | Secretary, Industries Department | Vice-Chairman. |
| 3. | Director, Industries Department | Member- Secretary. |
| 4. | Secretary, Public Works Department | Member. |
| 5. | Secretary, Finance Department | Member. |
| 6. | Chief Engineer, P.W.D. (Building) | Member. |
| 7. | Chief Engineer, P.W.D. (Roads) | Member. |
| 8. | Chief Engineer, Public Health Engineering Department | Member. |
| 9. | Chief Engineer, Irrigation | Member. |
| 10. | Chief Conservator of Forest (General) | Member. |
| 11. | Director, Health Services | Member. |
| 12. | Director, Public Instruction | Member. |
| 13. | Director, Technical Education | Member. |
| 14. | Director, Agriculture | Member. |
| 15. | Director General of Police (G) | Member. |
| 16. | Director, Rural Development | Member. |
| 17. | Director, Printing and Stationery | Member. |
| 18. | Inspector General, Prisons | Member. |
| 19. | Registrar of Co-operative Societies | Member. |
| 20. | Chairman, Assam State Electricity Board | Member. |
| 21. | Managing Director, Assam Small Industries Development Corporation Ltd | Member. |
| 22. | Managing Director, Assam State Road Transport Corporation Ltd. | Member. |

SCHEDULE-II

[(Section-7 (I) (b)]

1. Hospital Beds of Steel.
2. Water Tanks with Capacity up to 2,000 Gallons.
3. Water Buckets.

4. Steel Trunks.
5. Soaps.
6. Phyenyle.
7. Handloom and Khadi Table-Cloth.
8. Handloom and Khadi Curtains.
9. Handloom and Khadi Bed-Covers.
10. Pesticides.
11. Jerseys, Socks, Pattis, vests and Ganjis.
12. Gamousas (Including Khadi Gamousas) instead of Toweles for Police and Officers.
13. Water Filters.
14. Surgical cotton, Gauze and Absorbent Cottons.
15. Paints and Varnishes.
16. Bicycles.
17. Galvanised and Conduit Pipes.
18. Conductors.
19. Aluminium Utensill.
20. Brooms.
21. Roofing Tiles.
22. Prestressed Concrete Pole.
23. R.K.K. Spun Pipes.
24. Garments..
25. Aluminium Furniture.
26. Steel Folding Cots.
27. Steel kit Boxes.
28. Rain Coat.
29. Umbrella.
30. Wax Candle.
31. Bed-Sheet.
32. Cotton Bandages.

SCHEDULE – III
[Section- 7(I) (c)]

List of S.S.I. Products to be Marketed by Assam Industries Development Corporation Limited, Initially..

1. Wire Netting and Berbed wire.
2. Sewing Machine.
3. Canvas Articles
4. Drugs and Pharmaceuticals and Clinical Equipments.
5. Steel Furniture.
6. Ayurvedic Medicines.
7. Black Boards and Dusters.
8. Plastic Items.
9. Can and Bamboo Items.
10. Electrical Accessories.
11. Wooden Furniture.

12. Uniforms and Curtains.
13. File Board/File Covers/Envelopes.
14. Chalk Pencils/Ink.
15. Iron Gates and Grills.
16. P.V.C.Pipes.
17. Hand Pumps No.6
18. Brass Jecketted Strainer.
19. Wooden Carpet & Druggest.
20. Self Ink Stamp-Pad and Marking Ink.

SCHEDULE-IV

[Section-(I) (c)]

GOVERNMENT OF ASSAM DEPARTMENT OF PUBLIC ENTERPRISES

No. Pf.61/88/1 Dated Dispur, the 28th March 1988.

OFFICE MEMORANDUM

Sub :- **Purchase of Products Manufactured by Local SSI Units, ASIDC Ltd. and Dealt in by Assam Industries Development Corporation Ltd.**

In the matter of purchases made by the Government Departments and other organization and public sector undertaking etc. pursuant to the Cabinet decision on the subject mentioned above, the Governor of Assam is pleased to issue the following guide- lines which shall be strictly adhered to henceforth by all Government departments, their subordinates authorities, Governments Organizations and public Sector undertaking while making their purchases of any SSI products which are dealt in or manufactured by ASIDC Limited.

1. Investments in the public sector are made on overall grounds of public policy, public enterprises have to be made viable and the capacities created should be utilized to the fullest extent. The State Government Department, their subordinate authorities, Government Organization and public sector undertaking shall, therefore, invariably make purchases of all their requirements for such items/materials/products from the ASIDC Limited, which the Corporation deals in or, manufactures. Quality requirement and reasonable delivery schedules should, of course, be Cenforced. A list of items of materials/products to be dealt in or manufactured by the ASIDC Limited, is given in Annexure-1. The ASIDC limited, may publish such list incorporating there in any changes/modification is with regard to items as and when such assign arises.

2. The price of such SSI products will be fixed by any Technical committee constitution by Assam Small Industries Development Corporation Ltd. with members from neutral organizations and concerned departments.
3. Purchasing authorities shall pay to the Corporation up to 5% as commission over the price fixed by the Corporation.
4. The purchasing authorities shall pay advance to the extent of 90% of the value of the orders placed with the corporation.
5. This guideline will not be applicable in cases of purchase of such items as at the time of flood, earthquake, storm and such other natural calamities/epidemic etc.
6. If any dispute or difference of opinion arises in regard to any matter mentioned in this office Memorandum, the same should be referred to the Department of Public Enterprises for decision and any decision given by the Department of Public Enterprises on such reference shall be binding on all the concerned parties.
7. This will come into force with immediate effect.

Sd/-
(S.Chatterjee) 4.4.88
Secretary to the Government of Assam
Department of public Enterprises.

ANNEXTURE-1

LIST OF S.S.I PRODUCTS TO BE MARKETED BY ASSAM SMALL INDUSTRIES DEVELOPMENT CORPORATION LIMITED INITIALLY.

1. Wire Netting and Barbed Wire.
2. Sewing Machine.
3. Canvas Articles.
4. Drugs and Pharmaceuticals and clinical Equipments.
5. Steel Furniture.
6. Ayurvedic Medicines.
7. Black Boards and Dusters.
8. Plastic Items.
9. Cane & Bamboo Items.
10. Electrical Accessories.
11. Wooden furniture's.
12. Uniforms and Curtains.
13. File Board/file Cover/Envelopes.
14. Chalk Pencils/Ink.
15. Iron Gates and Grills.

ANNEXTURE – A

MARKETING ASSISTANCE SCHEME

To implement the new SSI products purchase Rules, the Assam Small Industries Development Corporation will follow the Schemes enumerated below.

Identifications of the items : In the first stage only 15 items of SSI products will be taken over by the ASIDC for supply to the Government Department.

The items are :

1. Wire Netting and Barbed Wire
2. Sewing Machine.
3. Canvas Articles
4. Drugs and Pharmaceuticals and clinical Equipments.
5. Steel Furniture.
6. Ayurvedic Medicines.
7. Black Boards and Dusters.
8. Plastic items.
9. Cane and Bamboo Items.
10. Electrical Accessories.
11. Wooden Furniture.
12. Uniforms and Curtains.
13. File Board/File Cover/Envelopes.
14. Chalk Pencils/Ink.
15. Iron Gates and Grills.

Quality Control:

1. The items for which simple measuring tools are sufficient Technical Officers of the Corporation will look after the quality control. A Certificate will be issued by the Corporation if required by the purchasing authority. Other items for which he central Quality Control Laboratory, Directorate of Industries, the Small Industries Service Institute and the Public Analyst Assam.
2. Deviation: If an item is found to deviate from the specified standard, the purchasing authority may accept the item under deviation and at a certain percentage reduction of price which is agreeable to SSI Unit.
3. Rejected Items : Every effort will be made by the corporation officials to maintain a uniform quality of the items before supply is made by the SSI Units even after that there must remain some substandard stores fixed with standard items. Such items may be rejected by the purchasing authority. The SSI Units will replace and remove such stores at their own cost. The purchasing authority will inform the Corporation about the acceptance or rejection immediately after the stores are received.

Manufacturing : The corporation will provide the necessary raw-materials to a unit for execution of the order. One field officer will look after the proper utilization of the materials in every step. An order can be cancelled and materials withdrawn from a unit with an immediately effective notice. This might be necessary to ensure proper utilization of the materials.

Pricing: The following steps will be taken by the Corporation to ensure a reasonable and fair price of the items.

- (i) The entire State will be divided into Zones and price of each item will be fixed Zonewise. This will help the purchaser to procure required stores from the nearest source at the most reasonable price.
- (ii) Tenders will be invited by the corporation by advertisement in three or four local news papers in three consecutive issues giving one month time to the SSI Units. Tender papers will be issued by the Corporation by realizing the cost of the papers from the intending tenderers.
- (iii) The rates quoted will be show the break up of cost of each item.
- (iv) A technical committee will be formed by the Corporation with its own personnel and representatives of the Directorate of industries, Small Industries Service Institute, Bureau of Indian Standard, State Public Analyst and any other agencies that the Corporation deem.
- (v) The Committee shall sit and examine the rate and fixed most reasonable at a certain date.
- (vi) As the market price of every item of raw-materials, labour, rent etc. are increasing every day. There shall be a increase factor of each item fixed by the Technical Committee.

$$F = \frac{(A+B+C) \dots \dots \dots}{P}$$

- Column F- Price increase factor.
P- Price fixed, original.
A- Cost of raw-materials.
B- Cost of labour.
C- Cost of etc.

This procedure of a variable price will save the purchasers from loss due to increase in cost with time. The technical committee cannot sit every month and spend enough time to fix new prices for the times. Thus enormous man-power, money and stationery will be saved by the Government in purchasing the stores.

REGISTRATION OF UNITS :

1. A SSI Unit with valid stores purchase registration with the Directorate of Industries are eligible to be enrolled under this scheme if its products falls under the enlisted items.
2. A unit found to be suitable for registration will be asked to deposit Rs.100.00 as registration fee and all relevant particulars of the unit will be entered in a

- register. The units found to be not suitable will be informed of the reason for disqualification, so that the unit can take steps to rectify the short comings.
3. As the Corporation cannot handover the raw-materials to unit without security, all units registered under this scheme shall have to provide sufficient security with the corporation. The Securities shall be in form (a) Landed property form or (b) Collateral surety in the form of guarantee or (c) Bank guarantee.

INDENTING :

The purchasing authority will issue indent to the Corporation for the required produce with 90% advance. The Corporation will immediately allot the work to the most suitable unit or units to complete supply within stipulated time. If the supply could not be completed in due time by the Corporation, the purchasing authorities will deduct 1.50 p.m. from bills.

The stores will be dispatched by the units only after they are given dispatch instruction by the ASIDC. Normally the dispatch will have to commence within the third day from the date of dispatch instructions, failing which the unit may be penalized the extent of bank interest on the amount. The stores will be received by the purchasing authority and the acceptance or rejection notes will be issued on the challans.

The corporation will release payment up to 90% of the bills to the units on completion of supply. Any advance or advances will be deducted fully. The remaining 10% will be released on receipt of full payment of the bills from the purchasing authority.

INABILITY TO SUPPLY

If the Corporation is unable to supply some items for any reasons the purchasing authority will be be communicated immediately in writing so that the authority may arrange purchase from alternative sources.

ORGANISATION

The scheme will be looked after by a manager with senior officer under him. There shall be some field officers who will constantly visit the units executing orders.

They will report to the senior officers about the smooth operation of the Schemes. The problems arise which could not be solved by the senior officers, the matter will be reported to the Manager for further action

The management of the Corporation shall review the procedure from time to time for any changes required.

Sd/-
(A. RAHMAN)
Secretary to the Government of Assam
Legislative Department.

**GOVERNMENT OF ASSAM
INDUSTRIES DEPARTMENT : COTTAGE INDUSTRIES BRANCH**

ORDERS BY THE GOVERNOR OF ASSAM

NOTIFICATION

Dated Dispur, the 20th February, 1992.

No. CI 341/87/416 : In super session of this Department's notification No. CI 341/87/390 dated 17.6.91 and in exercise of the powers conferred by section 21 of the Assam Preferential Store Purchase (amendment) Act, 1990, the Governor of Assam is pleased to include the following items in the schedule III of the said Act.

Names of Items :

1. P.V.C. Pipes.
2. Hand Pump No.6.
3. 40 mm. diameter Brass Jacketted strainer.

Sd/- P. Sengupta,
Commissioner to the Government of Assam
Industries Department.

**GOVERNMENT OF ASSAM
INDUSTRIES DEPARTMENT : COTTAGE INDUSTRIES BRANCH**

ORDERS BY THE GOVERNOR OF ASSAM

NOTIFICATION

Dated Dispur, the 14th May, 1992.

No. CI 430/91/35 in exercise of the powers conferred by section 21 of the Assam Preferential store purchase (amendment) Act, 1990, the Governor of Assam is pleased to include the following item in the schedule II of the said Act.

Galvanized plain and
Corrugated Iron Sheets.

Sd/- N. Dasgupta,
Under Secretary to the Government of Assam
Industries Department.

**GOVERNMENT OF ASSAM
INDUSTRIES DEPARTMENT : COTTAGE INDUSTRIES BRANCH**

ORDERS BY THE GOVERNOR OF ASSAM

NOTIFICATION

Dated Dispur, the 27th August, 1992.

No. CI 430/91/48 : In Exercise of powers conferred by section 21 of the Assam Preferential Store Purchase (Amendment) Act, 1990 the Governor of Assam is pleased to include the following items in schedule III of the said Act.

Name of Item
Woolen Carpet & Drugets.

Sd/- A.K. Thakur
Under Secretary to the Government of Assam
Industries Department

**GOVERNMENT OF ASSAM
INDUSTRIES : COTTAGE INDUSTRIES BRANCH**

ORDERS BY THE GOVERNOR OF ASSAM

NOTIFICATION

Dated Dispur, the 18th February, 1994.

No. CI 430/91/92 : In exercise of the powers conferred by section 21 of the Assam Preferential store purchase (amendment) Act, 1990, the Governor of Assam is pleased to include the following item in the schedule III of the said Act.

Self Ink Stamp Pad and

Marking Ink.

Sd/- C.R.Thakuria.
Under Secretary to the Government of Assam
Industries Department.

**GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
FOREST DEPARTMENT, DISPUR**

NOTIFICATION

The 10th November, 1998.

NO.FRW.8/93/75. – The Government of Assam is pleased to make the following Rules for the active participation and involvement of local people for regeneration, maintenance and protection of degraded forest and plantations.

The Assam Joint (people's participation)
Forestry Management Rules, 1998.

- | | |
|---------------------------------|---|
| 1. Short title and commencement | (i) The Rules shall be called "Assam Joint (people's participation) Forestry Management Rules, 1998. |
| | (ii) They shall come into force with immediate effect. |
| Definition | 2. In these resolution, unless there is anything repugnant in the subject or context : |
| | (a) "State" means the State of Assam; |
| | (b) "Governor" means the Governor of Assam; |
| | (c) "Government" means the Government of Assam; |
| | (d) "Committee" means the Forest Protection and Regeneration Committee; |
| | (e) "Usufructs" means use and profit of the benefits accrued from the property but not the property; |
| | (f) "Minor Forest Produce" includes leaves, twigs of trees, edible fungil, honey, medicinal plants, fodder, fruits, reeds and moss, silk, cocoon, wax, myrabolams, lac; |
| | (g) "Beneficiary" means the members of the Forest Protection and Regeneration Committee the unit of which is a family; |
| | (h) "Working scheme" means the short term scheme formulated for generation, protection and management of forest areas jointly by the members of Forest Protection and Regeneration Committee and the Forest Department keeping in view of the needs and aspirations of the Committee Members; |
| | (i) "Natural regeneration" means : Regeneration of a forest natural seedfall with or without human aids; |
| | (j) "Intensive planting" : Man made plantation with much larger number of seedlings than the number of matured number of trees sustainable under a given sets of locality factors; |

Committee	3.	There shall be Committee namely "Forest Protection and Regeneration Committee" to be constituted under provision of rule 7 for the purpose of regeneration, maintenance and protection of Forest areas in the State under continued degradation because of biotic interference. The families acting as members of the Committee shall be allowed, as a measure of incentive, usufructs defined hereinbefore in rule subject to observance of the conditions provided in these rules.
Selection of area	4.	The sites including all areas outside Reserve Forests and only peripheral degraded areas of Reserve Forests shall be selected in accordance with a working scheme prepared in consultation with the beneficiaries and duly approved by the concerned circle Conservator of Forests.
Limitation of area	5.	The area under the protection of such Committees may usually be limited to 3 (three) hectares per beneficiary family for natural regeneration and 1 (one) hectre for intensive planning. The area for natural regeneration and artificial regeneration will depend upon number of beneficiary families in the Committee. The performance of the Committees shall be closely monitored and the extent or limit of the area reviewed and revised if considered necessary.
Cost of scheme	6.	The cost of regeneration and maintenance of degraded Forests and allied development works as per the approved schemes shall be borne by the Government.
Constitution of the Committee	7.	<p>(i) Each Range Officer shall organize meeting with villagers of one or cluster of villages residing adjacent to forest areas and explain the concepts of Joint Forestry Management and its benefits in simple language and the President or some members of the local Gaon Panchayat will be invited to attend. In case a minimum of 50% of the total number of adults in the village accepts the proposal of Forest Protection and Regeneration Committee proposal in the meeting then the Divisional Forest Officer shall constitute the Forest Protection and Regeneration Committee(s), within the frame work of this Rules.</p> <p>(ii) The option to become members of the Committee shall be open to all the concerned villagers, living in the vicinity of the Forest concerned. Membership of each family will be in the name of the husband and wife or a male and a female member of the family and shall be considered as one unit of beneficiary.</p>

The families who are already entitled to rights, concessions or privileges over the forest area also shall be included as members of the Committee.

- (iii) Committee Non-Government Organizations (N.G.O.) and Voluntary Associations (V.As.) of the locality shall be utilized and motivating and organizing village communities living close to the forests selected for protection, regeneration and afforestation etc.

The Non-Government Organizations (N.G.Os.) and Voluntary Associations (V.As.) may be associated as interface between the Forest Department and Village Communities. No ownership or lease right over the forest land will be given to the beneficiaries or to the N.G.Os./ V.As. No act in contravention of the provisions of Forest (Conservation) Act, 1980 shall be permitted.

- (iv) Each Forest Protection and Regeneration Committee shall have an Executive Committee to carry out various activities as assigned to the Forest Protection and Regeneration Committee.
- (v) The composition of the Executive Committee shall be as follows :
 - (a) Gaonbura or any member of the local Member Gaon Panchayat (s)
 - (b) Elected representative of the Members beneficiaries (not exceeding 9)
 - (c) Concerned Beat Officer or any Forest Member Official not below the rank of Secretary Forester deputed for the purpose
- (vi) The members of the Executive Committee shall elect the President in each meeting.
- (vii) Constitution of the Forest Protection and Regeneration Committee including Executive Committee will be approved by the Divisional Forest Officer concerned on the recommendation of the concerned Range Officer.
- (viii) The concerned Divisional Forest Officer will monitor, supervise and review the functions of the Forest Protection and Regeneration Committee.
- (ix) If any change in the Forest Protection and Regeneration Committee or the Executive Committee is necessitated, after initial constitution, the Executive Committee shall make suitable recommendation to the Divisional Forest Officer concerned duly endorsed by the concerned Range Officer for approval.

- (x) The Beat Officer, or the Forester as the case may be, as Member-Secretary shall convene the meeting of the Executive Committee at least once in every three months and once in every 6 months for the Forest Protection and Regeneration Committee.
 - (xi) The representative of the beneficiaries for the Executive Committee shall be elected each year in the annual general meeting of the Committee, where the concerned Range Officer shall be an observer.
- Meeting and Quorum 8. (i) Forest Protection and Regeneration Committee shall maintain a register showing necessary particulars of the members of the Committee, e.g. name, father's name, address, number of family members, name of the nominee etc. The nomination forms fully filled in and approved by the concerned Divisional Forest Officer should be pasted in the register. Such registers shall also be maintained in the concerned Range Officer or the Forest Department for permanent record.
- (ii) The Forest Protection and Regeneration Committee shall maintain a "Minutes Book" wherein proceeding of the meeting of the Executive Committee held from time to time as well as proceedings of the annual general meeting of the Forest Protection and Regeneration Committee shall be recorded under the signature of the Chairperson of the Executive Committee and such minutes duly attested shall be checked by the concerned Range Officer for record and initiating any action proposed in the resolutions adopted in the meeting.
 - (iii) The Forest Protection and Regeneration Committee (to be referred to as the Committee hereinafter) shall hold an annual general meeting once every year where activities of the Committee as well as details of distribution of unfructuary benefits shall be discussed, besides electing representative of the beneficiaries to the Executive Committee.
 - (iv) The quorum of the meetings of the Committees shall be treated as complete if 1/3rd of the members are present in the meeting.
- Duties and Functions 9. The duties and functions of the Forest Protection and Regeneration Committee shall be as follows :
- (a)(i) To ensure protection of forests/plantation through the members of the Committee.

- (ii) To protect the same forests/plantation(s) with the members of the Committee :- The forest area selected for joint forest management shall be worked out in accordance with approved working plan/working scheme for subsequent revision/preparation of working plan/working scheme, the Executive Committees of the Forest Protection and Regeneration Committees shall be consulted for working plan prescriptions in the forest areas taken up for joint forest management. It shall also be ensured that no grazing of cattle and other animals is permitted in the forest land under joint forest management but permission for cutting and carrying of grass and fodder as permissible silviculturally shall be allowed free of cost to encourage stall feeding of cattle and other animals. Improved varieties on Non-wood Forest Produce shall also form a component in the plantation activities.
- (iii) To report to the Forest Officials any attempted trespass or willful damage to or theft in the forest(s)/plantation(s) by any person or persons.
- (iv) To prevent any trespass or encroachment on grazing, fire or theft in or damage to any forest/plantation or use of such land for agricultural purposes.
- (v) To apprehend or assist the Forest Officials in apprehending any such person or persons committing any of the offences mentioned above.
- (b)(i) To ensure smooth and timely executed of all forestry works taken up in the area under protection by the Committee.
 - (ii) To involve every member of the Committee in the matter of protection of Forest(s)/Plantation(s) as well as other duties assigned to the Committee.
 - (iii) To assist the concerned Forest Officials in the matter of selection/engaging labourers required for forestry works mainly from the beneficiaries and their families.
- (c)(i) To ensure smooth harvesting of the forest produce by the Forest Department.
 - (ii) To assist the concerned Forest Officials in proper distribution of the earmarked portion of the usufructs among the eligible members of the Committee.
 - (iii) To ensure that usufructuary right allowed by the Government are not in any way misused by any member and the forest/plantation sites are kept free from any encroachment whatsoever.

- (d)(i) To prevent any activities in contravention of the provisions of the Indian Forest Act, 1927 or the Assam Forest Regulation, 1891 or any other relevant Acts or Rules.
 - (ii) To report to the concerned Beat Officer/Range Officer about the activities of a beneficiary which are found pre-judicial and detrimental to the interest of a particular plantation of forest, which may result in cancellation of the membership of the erring beneficiary.
 - (iii) To assist the Forest Officials to take action or proceed under the Assam Forest Regulation, 1891, the Indian Forest Act, 1927 the Wildlife (Protection) Act, 1972 and any other Acts or Rules against the offenders including any erring member of the Committee found to be violating the provision of such Acts, and Rules on damaging the Forests/Plantations.
 - (e) To ensure protection of Wildlife in such areas.
 - (f) To ensure protection of all forests/plantations in areas other than the areas taken up for participatory management within the jurisdiction of the respective village/villages from which members of the aforesaid Committee have been drawn, by prevention any trespass or encroachment or, garazing, fire or theft in or damage to any forest/plantation, and by generally assisting the Forest Officials in their lawful function in prevention of such forest offences and prosecution of the offenders.
 - (g) To ensure that none of the beneficiaries included under the participatory management programme practices jhuming.
- Unfructuary benefits 10 (i) In case of natural regeneration/plantations taken up under the scheme, the beneficiaries shall have to protect the forest to be eligible for sharing of unfructs under this programme.
- (ii) The beneficiaries shall be permitted to collect minor forest produces, free of cost without causing any damage to the forest/plantations.

Termination of membership, dissolution of committee

- (iii) 25% output from Silvicultural thinnings shall be set aside for distribution to the beneficiary families through the Executive Committee for meeting their bonafide house hold needs. In case of shortfall, the Executive Committee shall prioritise examining the requirements of the individuals and arrange smooth distribution. In case of surplus, the Forest Department will dispose it off through the approved system of sale and deposit the said proceeds in the fund of the Forest Protection and Regeneration Committee for utilisation for the cause of common interest of the beneficiaries. Balance 75% shall be disposed of by the Forest Department and 1/3rd of the net receipt (after deduction of proportionate cost of creation and harvest) shall be deposited to the Executive Committee for proportionate distribution to the members of the Forest Protection and Regeneration Committee.
 - (iv) The output from the harvest from main fellings shall be sold by the Forest Department. The beneficiaries will be entitled to 25% of the net receipts from main fellings. The net receipt will mean, the sale value of the produce less the direct cost of creation and harvest. The concerned Divisional Forest Officer shall set apart proportionate amount from the sale proceeds as above and shall arrange distribution of the same to the eligible beneficiaries in consultation with the Executive Committee upon satisfactory performance of the duties and functions detailed here-in-before
 - (v) The receipt from the harvest of plantations under Social Forestry shall be distributed as above, amongst the beneficiaries after deduction of cost of plantation and cost of harvest.
- 11.(i) Failure to comply with any of the conditions laid down hereinbefore or contravention of the provisions of the Indian Forest Act, 1927 or the Assam Forest Regulation, 1891 or other relevant Acts or Rules, may entail cancellation of individual membership and/or dissolution of the Executive Committee on Forest Protection and Regeneration Committee, as the case may be, without paying compensation to any one for any work that might have been done prior to such cancellation, by the concerned Divisional Forest Officers.

- (ii) The concerned Divisional Forest Officer, shall be competent to take appropriate action and even to dissolve any Executive Committee, on the grounds stated above, on the recommendation of the concerned Range officer or otherwise.
 - (iii) The concerned Divisional Forest Officer may authorise the concerned Range Officer to take proper action and even terminate the membership of an individual member on the above mentioned grounds, on the recommendation of the Executive Committee of Forest Protection and Regeneration Committee.
 - (iv) Appeal against any such penal action by the Range Officer may be preferred to the concerned Divisional Forest Officer.
 - (v) Appeal against any such penal action by the Divisional Forest Officer may be preferred to the concerned Circle Conservator of Forests, whose decision shall be final.
- The format for the memorandum of understanding to be adopted by the Forest Protection and Regeneration Committee formed by the village community is given below :-

MEMORANDUM OF UNDERSTANDING

We, the members of the Forest Protection and Regeneration Committee do hereby undertake to perform the duties and functions as detailed in the Rule No..... dated..... of the Forest Department, Government of Assam for proper protection of the forests plantation assigned to this Committee as per the Schedule given hereunder :-

SCHEDULE :-

- 1. Name of Forest Protection & Regeneration Committee :-
- 2. District :-
- 3. Sub-Division :-
- 4. Police Station :-
- 5. Mouze :-
- 6. Panchayat :-
- 7. Status of the land :-
- 8. Area in Hectres :-
- 9. Boundary :-

North - East -
South - West-

We understand that the usufructuary benefits as detailed in the aforesaid Rule dated shall be allowed only upon satisfactory performance of the duties and functions by this Committee and the individual beneficiaries as per the aforesaid Rule.

A copy of the aforesaid Rule is annexed herewith duly signed by us on every page as proof/evidence of our having and understood the same in letter and spirit.

Signature of the members of the Committee		Signature of Witness	
Name and Address	Signature	Name and Address	Signature
1.....
2.....
3.....
4.....
5.....
6.....

SIGNATURE OF LOCAL FOREST OFFICIALS :

Sl. No.	Name and Designation	Signature
1.....
2.....
3.....
4.....
5.....
6.....

H. SONOWAL
Commissioner & Secretary
Forest Department

GOVERNMENT OF ASSAM
DEPARTMENT OF ENVIRONMENT & FOREST (DEF)
DISPUR:: GUWAHATI-6

ORDER BY THE GOVERNOR

NOTIFICATION

No.FRM.131/2002/71

Dated Dispur, the 12th August.2003.

Whereas Government have decided to rationalize and optimally utilize the available man-power in the Department for giving a thrust to the implementation of the micro-plans drawn up by the FDAs.

And

In consonance with the mandate of entrusting the DFOs in charge of the Territorial Division besides Wildlife Divisions, to carry out the works and functions of the FDAs which have been constituted in different Divisions in the State.

And

In pursuance of the objectives of the FDAs, the Governor of Assam is pleased to notify the DFOs under the different Wings of the Department of Environment and Forests viz Social Forestry, Logging and Afforestation Divisions as DFO of the Territorial Division notified. The DFO so notified shall exercise the powers and functions of a CEO and Member-Secretary of an FDA as the Memorandum of Association and the Rules of Business of the FDA, and nothing else besides.

The Governor of Assam is further pleased to notify the Conservator of Forests in charge of the Social Forestry Wing to be the Conservator of Forests having jurisdiction over the designated Territorial Circle and authorize the Conservator of Forests so notified preside over the specified FDA in his capacity as the Chairman of such and FDA as per the Memorandum of Association and the Rules of Business of the FDA, and nothing else besides.

The FDA assigned to each DFO and Conservator of Forests is as notified and indicated in the Annexure attached.

Sd/-L.Rynjah.
Principal Secretary, DEF.

SL. NO	EXISTING DIVISION	NEW DESIGNATION	NAME AND HEAD QUARTER OF F.D.A.	CHAIRMAN OF FDA	NEW DESIGNATION
1	2	3	4	5	6
1.	DFO,SF. Divn, Gouripur, Dhubri	DFO Territorial, Dhubri Divn.	Dhubri Divn Divn. Dhubri.	C.F. W.A.C. Kokrajhar	C.F. W.A.C., Kokrajhar
2.	D.F.O, S.F. Divn. Kokrajher	DFO Territorial, Haltugaon Divn.	Haltugaon Divn. Kokrajhar.	C.F.W.A.C. Kokrajhar	C.F. W.A.C., Kokrajhar
3.	D.F.O, S.F. Divn. Bongaigaon	DFO Territorial, Air-Valley Divn.	Air-Vally Divn. Bongaigaon	S.F. W.A.S.F.C. Bongaigaon.	C.F. Territorial ,Bongaigaon
4.	DFO.S.F. Divn. Nalbari	DFO. Territorial, N.K.Divn	N.K. Divn. Nalbari	C.F. C.& S.A.C. Ghy.S.F.	C.F.(T), GHY.
5.	D.F.O.S.F. Divn. Mangaldoi	D..F.O. (T), Darrang Divn. Mangaldoi	Darrang Divn. Mangaoldoi	C.F. C. & S.A.C. (SF), Ghy	C.F.(T), Guwahati
6.	D.F.O.SF Divn. Goalpara	D..F.O. (T), Goalpara Divn.	Goalpara Divn. Goalpara	C.F.C.A.C. Ghy	C.F. C.A.C. Ghy
7.	D.F.O.S.F. Divn. Ghy	D.F.O. (T), Kamrup West Divn	Kamrup West Divn. Ghy	C.F.C.A.C. Ghy	C.F. C.A.C. Ghy
8.	D.F.O. Logging Divn	D.F.O.(T), Kamrup East Divn, Ghy	Kamrup East Divn, Ghy	C.F.CAC, Guwahati.	C.F. C.A.C. Ghy
9.	D.F.O. SF Divn. Nagaon	D.F.O. (T) Nagaon Divn	Nagaon Divn. Nagaon	C.F.S.F. Circle Nagaon	C.F.(T), Nagaon
10.	D.F.O.E.A. Affth. Divn. Hojai	DFO.(T), Nagaon South Divn.	Nagaon South Divn. Hojai.	C.F.S.F, Nagaon. Circle	C.F.(T) Nagaon.
11.	DFO.S.F. Divn. B/Chariali	D.F.O.(T),S/ East.	Sonitpur East Divn. B/ Chariali	CF.N.A.C. Tezpur.	C.F. N.A.C. Tezpur.
12.	D.F.O.S.F. Divn. N/Lakhimpur	D.F.O.(T), Lakhimpur Divn	Lakhimpur Divn. N/Lakhimpur	C.F.N.A.C. Tezpur	C.F. N.A.C. Tezpur.
13.	D.F.O.S.F. Divn. Golaghat	D.F.O.(T), Golaghat Divn	Golaghat Divn Golaghat	C.F.E.A.C., Jorhat.	C.F. E.A.C., Jorhat.
14.	D.F.O.S.F.Divn. Sibsagar	D.F.O.(T), Sibsagar	Sibsagao Divn Sibsagar	C.F.E.A.C., Jorhat,	C.F. E.A.C., Jorhat.
15.	D.F.O.S.F. Divn. Dibrugarh	D.F.O.(T), Dibrugarh Divn	Dibrugarh Divn Dibrugarh	C.F.E.A.C., Jorhat.	C.F. E.A.C., Jorhat.
16.	DFO. Logging Divn Tinsukia	D.F.O.(T), Digboi Divn	Digboi Divn, Tinsukia.	C.F.E.A.C., Jorhat.	C.F. E.A.C., Jorhat.

17.	D.F.O.S.F. Silchar	D.F.O.(T), Cachar Divn	Cachar Divn. Silchar	C.F.S.A.C., Silchar	C.F. A.C.,Sil char
18.	D.F.O.S.F. Divn. Karimganj	D.F.O.(T), Karimganj Divn	Karimganj Divn	C.F.S.A.C., Silchar	C.F. S.A.C., Silchar
19.	D.F.O.(T) Kachugaon (T), Divn	D.F.O. Kachugaon (T), Divn	Kachugaon (T), Divn	C.F.W.A.C., Kokrajhar	C.F. W.A.C., Kokrajhar
20.	D.F.O.(T), S/ West Divn	D.F.O.(T),S/ West Divn	S/ West Divn Tezpur	CF. N.A.C. Tezpur.	CF. N.A.C. Tezpur.
21.	D.F.O., Dhamaji (T) Divn	D.F.O., Dhamaji (T) Divn	Dhamaji (T) Divn. Dhamaji	CF. N.A.C. Tezpur.	CF. N.A.C. Tezpur
22.	D.F.O., Jorhat (T) Divn Jorhat	D.F.O., Jorhat (T) Divn Jorhat	Jorhat (T) Divn Jorhat	C.F.E.A.C., Jorhat.	C.F. E.A.C., Jorhat.
23.	D.F.O., Doomdoma (T) Divn, Doomdoma	D.F.O. Doomdoma (T) Divn	Doomdoma (T), Divn. Doomdoma	C.F.E.A.C., Jorhat.	C.F. E.A.C., Jorhat.
24.	D.F.O. Hailakandi (T) Divn	D.F.O. Hailakandi (T) Divn, Hailakandi	Hailakandi (T) Divn Hailakandi	C.F.S.A.C., Silchar	C.F. S.A.C., Silchar
25.	D.F.O. Karbi Anglong East (T) Divn	D.F.O. K. A East (T) Divn, Diphu	K. A East (T) Divn, Diphu	C.F.K.A. Diphu	C.F.K.A .Diphu
26.	D.F.O. Karbi Anglong West (T) Divn	D.F.O. K. A West (T) Divn, Diphu	K. A West Divn (T) Divn, Diphu	C.F.K.A. Diphu	C.F.K.A .Diphu
27.	D.F.O. Hamron (T) Divn	D.F.O. Hamron (T) Divn Hanran	Hamren (T) Divn, Diphu	C.F.K.A. Diphu	C.F.K.A Diphu
28.	D.F.O.N.C. Hills (T) Divn Haflong	D.F.O.N.C. Hills (T) Divn Haflong	N.C. Hills (T) Divn Haflong	C.F. Hills, Haflong	C.F. Hills, Haflong

Sd/-(L.Rynjah)
Principal Secretary, DEF.

**GOVERNMENT OF ASSAM
DEPARTMENT OF ENVIROMENT AND FORESTS (DEF)
DISPUR GUWAHATI**

ORDER BY THE GOVERNOR OF ASSAM

NOTIFICATION.

No.FRM.131/2002/91:: The Governor of Assam is pleased to designate Sri V. K. Visnoi, IFS, presently holding charge of the post of Chief Conservator of Forests (Territorial) as the State's Nodal Officer for all matters relating to FDAs in the State.

Sd/- A.U.Choudhury
Joint Secretary,DEF.

**GOVERNMENT OF ASSAM
DEPARTMENT OF ENVIROMENT & FORESTS (DEF)
DISPUR GUWAHATI**

ORDER BY THE GOVERNOR OF ASSAM.

NOTIFICATION.

No.FRE.14/2003/20:: The Governor of Assam is pleased to designate Sri Amit Sahai, IFS Conservator of Forests as the Nodal Officer for all matters relating to Joint Forest Management (JFM) in the State.

No.FRE.14/2003/20-A::Shri Amit Sahai is also designated as the Joint Nodal Officer for FDA and shall assist the State Nodal Officer for FDA in all matters relating to FDAs.

Sd/-
Deputy Secretary, DEF.

**GOVERNMENT OF ASSAM
DEPARTMENT OF ENVIRONMENT & FORESTS
DISPUR::GUWAHATI-6**

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Dispur, the 1st October, 2003.

No.FRM.131/2002/99 : With the view to ensure proper and effective implementation of Micro-Plans drawn up, approved and being implementation by the FDAs in the state, as per sanction accorded by the Ministry of Environment & Forests issued from time to time, the Governor of Assam is pleased to constitute a State Level Coordination Committee (SLCC) with the following as members.

- | | | |
|------|--|------------------|
| 1. | Principal Secretary to the Government of Assam,
Department of Environment & Forests, | Chairman |
| 2. | Chief Conservator of Forests (Territorial), Assam, | Member Secretary |
| 3. | Commissioner & Secretary to the Government of
Assam, Planning & Development Department | Member |
| 4. | Commissioner & Secretary to the Government of Assam,
Revenue Department | Member |
| 5. | Commissioner & Secretary to the Government of Assam,
WPT & BC Department | Member |
| 6. | Commissioner & Secretary to the Government of Assam,
Finance Department | Member |
| 7. | Commissioner & Secretary to the Government of Assam,
Panchayat & Rural Development Department | Member |
| 8. | Commissioner & Secretary, Handloom, Textiles and
Sericulture Department | Member |
| 9. | Principal Chief Conservator of Forests, Assam | Member |
| 10. | Chief Conservator of Forests (Social Forestry), Assam | Member |
| 11. | Six Chairpersons of FDA | Members |
| | (a) Conservator of Forests, Western Assam Circle, Kokrajhar | |
| | (b) Conservator of Forests, Social Forestry Circle, Nagaon. | |
| | (c) Conservator of Forests, Northern Assam Circle, Tezpur | |
| | (d) Conservator of Forests, Eastern Assam Circle, Jorhat | |
| | (e) Conservator of Forests, Southern Assam Circle, Silchar | |
| | (f) Conservator of Forest, Karbi Anglong, Diphu | |
| 12. | Non-Official Members representing Six FDAs | Member |
| i) | Sri Suresh Kurmi, Member, Dibrugarh Zilla Parishad, C/o Chief Executive
Officer Dibrugarh Zilla Parishad, Dibrugarh | |
| ii) | Sri Badan Ch. Kotoki, Digboi, P.O.Digboi,Dist.Tinsukia | |
| iii) | Sri Dhan Singh Timung, Vill.Borjan village, P.O.Longnit,Dist,Karbi Anglong | |

- iv) Sri Chandra Nath Doley, C/o Late Takat Doley, Vill-Galiborbali P.O.& P.S, Jonai
- v) Sri Sontosh Kr.Jain, C/o Mr.H.P.Jain, Old Station Road, Karimganj
- vi) Sri Nazimuddin Laskar, S/o Late Wahabali Laskar, Vill.Balighjat. P.O. Arunachal, Dist. Cachar

The Terms of Reference of the State Level Co-ordination Committee are as indicated below:-

- (i) to review and give overall policy guidance and direction for efficient functioning of the FDA Society.
- (ii) to consider and approve the balance sheet and audited account;
- (iii) to consider and approve Annual Reports;
- (iv) to consider and approve Annual Work Plan and budget of the FDA Society;
- (v) to recommend amendment of the Rules of Business of the FDA Society to the Government whenever deemed necessary;

This Notification has been issued in partial modification of the Notification of even number dated 25th September,2003.

Sd/ L.Rynjah
Principal Secretary to the Government of Assam
Department of Environment & Forests, Dispur

NATIONAL FOREST POLICY, 1988.

**GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT AND FORESTS
NEW DELHI**

**No. 3-1/86-FP
Minister of Environment and Forests
(Department of Environment, Forests & Wildlife)**

Paryavaran Bhawan, CGO Complex,
Lodi Road, New Delhi-110003

Dated the 7th December, 1988.

RESOLUTION

National forest policy, 1988

1. PREAMBLE

- 1.1. In Resolution No. 13/52-F, dated the 12th May, 1952, the Government of India in the erstwhile Ministry of Food & Agriculture enunciated a Forest Policy to be followed in the management of State Forests in the country. However, over the years, forests in the country have suffered serious depletion. This is attributable to relentless pressures arising from ever-increasing demand for fuel-wood, fodder and timber; inadequacy of protection measures; diversion of forest lands to non-forest uses without ensuring compensatory afforestation and essential environmental safeguards; and the tendency to look upon forests as revenue earning resource. The need to review the situation and to evolve, for the future, a new strategy of forest conservation has become imperative. Conservation includes preservation, maintenance, sustainable utilization, restoration and enhancement of the natural environment. It has thus become necessary to review and revise the National Forest policy.

2. BASIC OBJECTIVES:

- 2.1. The basic objectives that should govern the National Forest Policy are the following:-

Maintenance of environmental stability through preservation and, where necessary, restoration of the ecological balance that has been adversely disturbed by serious depletion of the forests of the country.

- Conserving the natural heritage of the country by preserving the remaining natural forests with the vast variety of flora and fauna, which represent the remarkable biological diversity and genetic resources of the country.
 - Checking soil erosion and denudation in the catchment areas of rivers, lakes, reservoirs in the interest of soil and water conservation, for mitigating floods and droughts and for the retardation of siltation of reservoirs.
 - Checking the extension of sand dunes in the desert areas of Rajasthan and along the coastal tracts.
 - Increasing substantially the forest/ tree cover in the country through massive afforestation and social forestry programmes, especially on all denuded, degraded and unproductive lands.
 - Meeting the requirements of fuel-wood, fodder, minor forest produce and small timber of the rural and tribal populations.
 - Increasing the productivity of forests to meet essential national needs.
 - Encouraging efficient utilization of forest produce and maximizing substitution of wood.
 - Creating a massive people's movement with the involvement of women, for achieving these objectives and to minimize pressure on existing forests.
- 2.2. The principal aim of Forest Policy must be to ensure environmental stability and maintenance of ecological balance including atmospheric equilibrium which are vital for sustenance of all life forms, human, animals and plant. The derivation of direct economic benefit must be subordinated to this principal aim.

3. **ESSENTIALS OF FOREST MANAGEMENT**

- 3.1. Existing forests and forest lands should be fully protected and their productivity improved. Forest and vegetal cover should be increased rapidly on hill slopes, in catchment areas of rivers, lakes and reservoirs and ocean shores and on semi-arid, and desert tracts.
- 3.2. Diversion of good and productive agricultural lands to forestry should be discouraged in view of the need for increased food production.
- 3.3. For the conservation of total biological diversity, the network of national parks, sanctuaries, biosphere reserves and other protected areas should be strengthened and extended adequately.
- 3.4. Provision of sufficient fodder, fuel and pasture, specially in areas adjoining forest, is necessary in order to prevent depletion of forests beyond the sustainable limit. Since fuel-wood continues to be predominant source of energy in rural areas, the programme of afforestation should be intensified with special

emphasis on augmenting fuel-wood production to meet the requirement of the rural people.

- 3.5. Minor forest produce provides sustenance to tribal population and to other communities residing in and around the forests. Such produce should be protected, improved and their production enhanced with due regard to generation of employment and income.

4. STRATEGY

4.1. Area under forests:

The national goal should be to have a minimum of one-third of the total land area of the country under forest or tree cover. In the hills and in mountainous regions, the aim should be to maintain two-third of the area under such cover in order to prevent erosion and land degradation and to ensure the stability of the fragile eco-system.

4.2. Afforestation, Social Forestry & Farm Forestry:

- 4.2.1. A massive need-based and time-bound programme of afforestation and tree planting, with particular emphasis on fuel-wood and fodder development, on all degraded and denuded lands in the country, whether forest or non-forest land, is a national imperative.
- 4.2.2. It is necessary to encourage the planting of trees alongside of roads, railway lines, rivers and streams and canals, and on other unutilised lands under State/ corporate, institutional or private ownership. Green belts should be raised in urban/ industrial areas as well as in arid tracts. Such a programme will help to check erosion and desertification as well as improve the microclimate.
- 4.2.3. Village and community lands, including those on foreshores and environs of tanks, not required for other productive uses, should be taken up for the development of tree crops and fodder resources. Technical assistance and other inputs necessary for initiating such programmes should be provided by the Government. The revenues generated through such programmes should belong to the panchayats where the lands are vested in them; in all other cases, such revenues should be shared with the local communities in order to provide an incentive to them. The vesting, in individuals, particularly from the weaker sections (such as landless labour, small and marginal farmers schedules castes, tribals, women) of certain ownership rights over trees, could be considered, subject to appropriate regulations; beneficiaries would be entitled to usufruct and would in turn be responsible for their security and maintenance.
- 4.2.4. Land laws should be so modified wherever necessary so as to facilitate and motivate individuals and institutions to undertake tree farming and grow fodder plants, grasses and legumes on their own land. Wherever possible, degraded lands should be made available for this purpose either on lease or on the basis of a tree-patta scheme. Such leasing of the land should be subject to the land grant

rules and land ceiling laws. Steps necessary to encourage them to do so must be taken. Appropriate regulations should govern the felling of trees on private holding.

4.3. MANAGEMENT OF STATE FORESTS

4.3.1. Schemes and projects which interfere with forests that clothe steep slopes, catchments of rivers, lakes and reservoirs, geologically unstable terrain and such other ecologically sensitive areas should be severely restricted. Tropical rain/moist forests, particularly in areas Arunachal Pradesh, Kerala, Andaman & Nicobar Islands, should be totally safeguarded.

4.3.2. No forest should be permitted to be worked without the Government having approved the management plan, which should be in a prescribed format and in keeping with the National Forest Policy. The Central Government should issue necessary guidelines to the State Government in this regard and monitor compliance.

4.3.3. In order to meet the growing needs for essential goods and services which the forests provide, it is necessary to enhance forest cover and productivity of the forests through the application of scientific and technical inputs. Production forestry programmes, while aiming at enhancing the forest cover in the country, and meeting national needs, should also be oriented to narrowing, by the turn of the century, the increasing gap between demand supply of fuel-wood. No such programme, however, should entail clear felling of adequately stocked natural forests. Nor should exotic species be introduced, through public or private sources, unless long-term scientific trials undertaken by specialists in ecology, forestry and agriculture have established that they are suitable and have no adverse impact on native vegetation and environment.

4.3.4. Rights and Concessions.

4.3.4.1 The rights and concessions, including grazing, should always remain related to the carrying capacity of forests. The capacity itself should be optimized by increased investment, silvicultural research and development of the area. Stall-feeding of cattle should be encouraged. The requirements of the community, which cannot be met by the rights and concessions so determined, should be met by development of social forestry outside the reserved forests.

4.3.4.2 The holders of customary rights and concessions in forest areas should be motivated to identify themselves with the protection and development of forests from which they derive benefits. The rights and concessions from forests should primarily be for the bonafide use of the communities living within an around forest areas, specially the tribals.

4.3.4.3 The life of tribals and other poor living within and near forests revolves around forests. The rights and concessions enjoyed by them should be fully protected. Their domestic requirements of fuel-wood, fodder minor forest produce and construction timber should be the first charge on forest produce. These and

substitute materials should be made available through conveniently located depots at reasonable prices.

4.3.4.4 Similar consideration should be given to schedule castes and other poor living near forests. However, the area, which such consideration should cover, would be determined by the carrying capacity of the forests.

4.3.5 Wood is in short supply. The long-term solution for meeting the existing gap lies in increasing the productivity of forests, but to relieve the existing pressure on forests for the demands of railway sleepers, construction industry (particularly in the public sector), furniture and panelling, mine-pit props, paper and board etc. substitution of wood needs to be taken recourse to. Similarly, on the front of domestic energy, fuel-wood needs to be substituted as far as practicable with alternate sources like bio-gas, LPG and solar energy. Fuel-efficient "Chulhas" as a measure of conservation of fuel-wood need to be popularized in rural areas.

4.4. **Diversion of forest lands for non-forest purposes**

4.4.1. Forest land or land with tree cover should not be treated merely as a resource readily available to be utilised for various projects and programmes, but as a national asset which requires to be properly safeguarded for providing sustained benefits to the entire community. Diversion of forest land for any non-forest purpose should be subject to the most careful examinations by specialists from the standpoint of social and environmental costs and benefits. Construction of dams and reservoirs, mining and industrial development and expansion of agriculture should be consistent with the needs for conservation of trees and forests. Projects which involve such diversion, should at least provide in their investment budget, funds for regeneration/ compensatory afforestation.

4.4.2. Beneficiaries who are allowed mining and quarrying in forest land and in covered by trees should be required to repair and re-vegetate the area in accordance with established forestry practices. No mining lease should be granted to any party, private or public, without a proper mine management plan appraised from the environmental angle and enforced by adequate machinery.

4.5. **Wildlife Conservation**

Forest Management should take special care of the needs of wildlife conservation, and forest management plans should include prescriptions for this purpose. It is specially essential to provide for "corridors" linking the protected areas in order to maintain genetic continuity between artificially separated sub-sections of migrant wildlife.

4.6. **Tribal People and Forests**

Having regard to the symbiotic relationship between the tribal people and forests, a primary task of all agencies responsible for forest management, including the forest development corporations should be to associate the tribal people closely in the protection, regeneration and development of forests as well

as to provide gainful employment to people living in and around the forest. While special attention to the following:

- One of the major causes for degradation of forest is illegal cutting and removal by contractors and their labour. In order to put an end to this practice, contractors should be replaced by institutions such as tribal co-operatives, labour co-operatives, government corporations, etc. as early as possible.
- Protection, regeneration and optimum collection of minor forest produce along with institutional arrangements for the marketing of such produce;
- Development of forest villages on par with revenue villages;
- Family oriented schemes for improving the status of the tribal beneficiaries; and
- Undertaking integrated area development programmes to meet the needs of the tribal economy in and around the forest areas, including the provision of alternative sources of domestic energy on a subsidies basis, to reduce pressure on the existing forest areas.

4.7. Shifting Cultivation

Shifting cultivation is affecting the environment and productivity of land adversely. Alternative avenues of income, suitably harmonised with the right land use practices, should be devised to discourage shifting cultivation. Efforts should be made to contain such cultivation within the area already affected, by propagating improved agricultural practices. Area already damaged by such cultivation should be rehabilitated through social forestry and energy plantations.

4.8. Damage to Forests from Encroachments, Fires and Grazing

- 4.8.1. Encroachment on forestlands has been on the increase. This trend has to be arrested and effective action taken to prevent its continuance. There should be no regularization of existing encroachments.
- 4.8.2. The incidence of forest fires in the country is high. Standing trees and fodder are destroyed on a large scale and natural regeneration annihilated by such fires. Special precautions should be taken during the fire season. Improved and modern management practices should be adopted to deal with forest fires.
- 4.8.3. Grazing in forest areas should be regulated with the involvement of the community. Special conservation areas, young plantations and regeneration areas should be fully protected. Grazing and browsing in forest areas needs to be controlled. Adequate grazing fees should be levied to discourage people in forest areas from maintaining large herds of non-essential livestock.

4.9. **Forest based Industries**

The main considerations governing the establishment of forest-based industries and supply of raw material to them should be as follows:

- As far as possible, a forest-based industry should raise the raw material needed for meeting its own requirements, preferably by establishment of a direct relationship between the factory and the individuals who can grow the raw material by supporting the individuals with inputs including credit, constant technical advice and finally harvesting and transport services.
- No forest-based enterprise, except that at the village or cottage level, should be permitted in the future unless it has been first cleared after a careful scrutiny with regard to assured availability of raw material. In any case, the fuel, fodder and timber requirements of the local population should not be sacrificed for this purpose.
- Forest based industries must not only provide employment to local people on priority but also involve them fully in raising trees and raw material.
- Natural forests serve as a gene pool resource and help to maintain ecological balance. Such forests will not, therefore, be made available to industries for undertaking plantation and for any other activities.
- Farmers, particularly small and marginal farmers would be encouraged to grow, on marginal/ degraded lands available with them, wood species required for industries. These may also be grown along with fuel and fodder species on community lands not required for pasture purposes, and by Forest department/ corporations on degraded forests, not earmarked for natural regeneration.
- The practice of supply of forest produce to industry at concessional prices should cease. Industry should be encouraged to use alternative raw materials. Import of wood and wood products should be liberalised.
- The above considerations will however, be subject to the current policy relating to land ceiling and land-laws.

4.10. **Forest Extension**

Forest conservation programme cannot succeed without the willing support and cooperation of the people. It is essential, therefore, to inculcate in the people, a direct interest in forests, their development and conservation, and to make them conscious of the value of trees, wildlife and nature in general. This can be achieved through the involvement of educational institutions, right from the primary stage. Farmers and interested people should be provided opportunities through institutions like Krishi Vigyan Kendras, Trainers Training Centers to learn agrisilvicultural and silvicultural techniques to ensure optimum use of their land and water resources. Short term extension courses and lectures should be organized in order to educate farmers. For this purpose, it is essential that

suitable programmes are propagated through mass media, audio-visual aids and the extension machinery.

4.11. **Forest Education**

Forestry should be recognized both as a scientific discipline as well as a profession. Agriculture universities and institutions dedicated to the development of forestry education should formulate curricula and courses for imparting academic education and promoting post-graduate research and professional excellence, keeping in view the manpower needs of the country. Academic and professional qualifications in forestry should be kept in view for recruitment to the Indian Forest Service and the State Forest Service. Specialized and orientation courses for developing better management skills by inservice training need to be encouraged, taking into account the latest development in forestry and related disciplines.

4.12. **Forest Research**

With the increasing recognition of the importance of forests for environmental health, energy and employment, emphasis must be laid on scientific forestry research, necessitating adequate strengthening of the research base as well as new priorities for action. Some board priority areas of research and development needing special attention are:

- (i) Increasing the productivity of wood and other forest produce per unit of area per unit time by the application of modern scientific and technological methods.
- (ii) Revegetation of barren/marginal/waste/mined lands and watershed areas.
- (iii) Effective conservation and management of existing forest resources (mainly natural forest eco-system).
- (iv) Research related to social forestry for rural/ tribal development.
- (v) Development of substitutes to replace wood and wood products.
- (vi) Research related to wildlife and management of national parks and sanctuaries.

4.13. **Personnel Management**

Government policies in personnel management for professional foresters and forest scientists should aim at enhancing their professional competence and status and attracting and retaining qualified and motivated personnel, keeping in view particularly the arduous nature of duties they have to perform, often in remote and inhospitable places.

4.14. **Forest Survey and Data Base**

Inadequacy of data regarding forest resources is a matter of concern because this created a false sense of complacency. Priority needs to be accorded to completing the survey of forest resources in the country on scientific lines and to updating information. For this purpose, periodical collection, collation and publication of reliable data on relevant aspects of forest management needs to be improved with recourse to modern technology and equipment.

4.15. Legal Support and Infrastructure Development

Appropriate legislation should be undertaken, supported by adequate infrastructure, at the Centre and State levels in order to implement the Policy effectively.

4.16. Financial Support for Forestry

The objectives of this revised Policy cannot be achieved without the investment of financial and other resources on a substantial scale. Such investment is indeed fully justified considering the contribution of forests in maintaining essential ecological processes and life-support systems and in preserving genetic diversity. Forests should not be looked upon as a source of revenue. Forests are a renewable natural resource. They are a national asset to be protected and enhanced for the well being of the people and the Nation.

(K. P. Geethakrishnan)
Secretary to the Government of India.

DRAFT
"ASSAM FOREST POLICY, 2002".

*"Grooming the forests, nature's bounty
To make the people healthy and wealthy"*

1. **Preamble :**

The constitution of India and directive principles of state policy :

Article 48 A is one of the directive principles of the State Policy and States that the State shall endeavour to protect and improve the environment and to safeguard the forests and wildlife of the country.

Article 51 A deals with the fundamental duties of citizens, which includes the citizen's duty to value and preserve the rich heritage of our composite culture and to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures.

Article 246 points towards the seventh schedule to the Constitution, which enlists (in the union list, the state list, and the concurrent list) the subjects that the Central and State Governments are to legislate upon. The Forest is one of the subjects that occur in the concurrent list for which both the Central and State Governments shall legislate upon. It has become imperative to review the situation and adopt new strategy of forest conservation which includes preservation, maintenance, evolution of management strategies for sustainable utilisation, restoration, quantitative and qualitative improvement of stand composition and structure and overall enrichment of the environment.

The National Forest Policy :

In 1952, the erstwhile Ministry of Food and Agriculture, Government of India enunciated a forest policy to be followed in the management of state forests in the country. Forests, however, continued to be viewed as source of revenue. Large-scale deforestation and diversion of forest land for non-forestry uses finally led to the formulation of a New Forest policy with a focus on conservation.

The National Forest Policy, 1988 enunciated nine basic objectives, identifies five essentials of forest management and sets the strategy to attain the goal.

The North East Forest Policy :

The North East Region of India having a special status for rich natural heritage, a separate North East Forest Policy have been drafted by the Ministry of Environment and Forests, Government of India, which shall be adopted soon.

Need of Revision of Policy due to 73rd and 74th Constitutional Amendments :

The 73rd and 74th amendment to the Indian Constitution in 1992 made it mandatory for all the States to introduce democratic decentralisation of governance through 3 tier structure of Panchayati Raj (Local Self Government) Institutions (PRIs). The spirit of the constitutional amendment is to promote participatory democracy through empowering Gram Sabhas to have a decisive say through open and transparent decision making at the village level instead of the concentration of decision making power in a few elected representatives. The 29 functions recommended for decentralisation to the Panchayati Raj Institutions listed in the 11th schedule include – Agriculture, Land reforms, Land improvement and management, Minor irrigation, Water management, Watershed development, Animal husbandry, Fisheries, Social and Farm forestry, Non-Timber Forest Produces (NTFPs) and maintenance of community assets. Management of state owned forestlands is not included but may be specifically notified by individual State Governments.

Encroachment in the forests of Assam–National Forest Policy & other legal issues :

The National Forestry Policy, 1988 in para 4.8.1 envisages that –

“Encroachment in forest land has been on the increase. This trend has to be arrested and effective action taken to prevent its continuance. There should be no regularisation of existing encroachment”.

Eviction of encroachers from forest land as per provisions of rules framed under section 72(c) of the Assam Forest Regulation, 1891 is a normal duty of the Forest Department, which should be carried out regularly by the department as and when required subject to availability of logistical supports. It was, however, emboldened by the Hon'ble Supreme Court's order dated 12.12.1996 in W.P. (C) No. 202 of 1995, where it is stated that –

“The Forest (Conservation) Act, 1980 was enacted with a view to check further deforestation, which ultimately results in ecological conservation; and therefore, the provisions made therein for conservation of forests and for matters connected therewith, must apply to all forests irrespective of the nature of ownership or classification thereof. The word “forests” must be understood according to the dictionary meaning. This description covers all statutorily recognised forests, whether designated as reserved, protected or otherwise;..... The term “forest land” will not only include “forests” as understood in the dictionary sense, but also any area recorded as forests in the Government record irrespective of the ownership..... The provisions enacted in the Forest (Conservation) Act, 1980 for the conservation of forests and the matters connection therewith must apply clearly to all forests so understood irrespective of the ownership or classification thereof It is reasonable to assume that a State Government, which has failed to appreciate the correct position in law so far, will forthwith correct its stance and take the necessary remedial measures without any further delay”.

Thereafter, the Hon'ble Gauhati High Court also in its order dated 19.9.2000 in Civil Rule (PIL) No. 648/98 – Shri Bhibhav Kumar Talukdar – VS – State of Assam and others directed that –

“..... The respondents shall also take all necessary steps for clearance of the forest land from the encroachers in accordance with law The respondents therefore, must make all genuine efforts to ensure that Encroachments on forest area be cleared and no deforestation is undertaken”.

Then the Hon'ble Supreme Court in its order dated 19.2.2002 in W.P. (C) No. 202/95 on L.A. No. 703 and 502 directed the Chief Secretaries of Assam and 8 other States to file affidavits within four weeks in relation to the steps required to be taken by them to prevent further encroachment of forest land asking also to indicate the steps so far taken to clear the encroachments from the forests, which have taken place at an earlier point of time. The Chief Secretary, Assam stated in his affidavit filed on 15.3.2002 that the State Government was committed to conserve its forests and protect them against encroachment and also to remove the existing encroachments on the forest land.

The Central Government also vide their letter No. 7-16/2002-FC dated 3.5.2002 asked the State Governments to summarily evict all encroachers in a time bound manner within 30th September, 2002.

As such, it has become imperative to review the situation and adopt new strategy of forest conservation which includes preservation, maintenance, evolution of management strategies for sustainable utilisation, restoration, quantitative and qualitative improvement of stand composition and structure and overall enrichment of the environment.

The Government resolves to review and revise the State Forest Policy of Assam with immediate effect.

2. Basic objectives :

2.1. The basic objectives that governs the Assam Forest Policy, 2002 are :

- Maintenance of environmental stability through preservation and where necessary, restoration of ecological balance that has been adversely disturbed by serious depletion of forests in the State.
- Conserving natural heritage of the state by preserving the remaining natural forests with vast variety of flora and fauna which represent the remarkable biological diversity and genetic resources of the State.
- Checking the denudation of forests and soil erosion in catchment areas of rivers and reservoirs for soil and water conservation; mitigating floods and droughts; recharging of water bodies, aquifers and for the retardation of siltation of the reservoirs.

- Enhancing the quality of forests/tree cover in the denuded and degraded land of the State through the involvement of people, their traditional knowledge and use of efficient technologies.
 - Increasing the forest/tree cover in forest deficient areas of State like chars, chapories permanently established along the course of the river Brahmaputra, through community afforestation, through suitable agro-forestry and farm forestry models.
 - Meeting the bonafide livelihood needs of fuelwood, fodder, bamboo, canes, small timbers and other N.T.F.Ps. of the rural and tribal population with due regard to the carrying capacity of the forests.
 - Increasing forest productivity through extension of accent from major to minor forest produces; from top canopy to lower canopies and from flagship species to smaller denizens of the forests.
 - Encouraging efficient utilisation of forest produce and maximising value addition to the timber and non-timber forest produce in the State. The use of non-durable secondary species as constructional timber is to be encouraged after inducing durability through wood preservation techniques.
 - Creating a massive people's movement with the involvement women for achieving the objectives and to minimize pressure on existing forests under the programme "*Seuji Amar Dharani Dhuniya*".
 - Special measures shall be taken to demarcate all forest lands, irrespective of ownership for the purpose of scientific management.
 - To understand the forest dynamics and encourage the researchers from the region to undertake quality research work on forest conservation and its sustainable use.
- 2.2. The principal aim of this policy is to ensure progressive sustainable development of the State of Assam, consistent with the environmental stability and maintenance of ecological pressures including atmospheric equilibrium vital for the sustenance of all life forms.
3. **The essentials of forest management :**
- 3.1. Existing forest and forest land including Unclassed State Forests and Community Forests should be protected and their productivity improved through latest technological inputs. Forest and vegetal cover should be maintained and where necessary increased rapidly and open forests should be converted to dense forests particularly on hill slopes and in catchment areas of rivers and reservoirs.
- N.B. Unclassed State Forests :** U.S.F. means any lands at the disposal of the Government and not included in a reserved or village forests. This definition is

given in the Rule made under the provision of Section 34 (1) of AFR, VII of 1891 vide notification No.1443 – R, dated, 20.5.1922.

- 3.2. The network of national parks, sanctuaries, biosphere reserves, world heritage sites and other protected areas should be strengthened and extended adequately with the involvement and meaningful participation of communities.
 - 3.2.1. The existing rhino bearing areas and potential Rhino Habitats should be conserved as glory of Assam.
 - 3.2.2. Existing Project Tiger areas should be protected to ensure maintenance of a viable population of tiger in the State for scientific, economic, aesthetic, cultural and ecological values. To preserve, for all times, the areas of such biological importance as a natural heritage for the benefit, education and enjoyment of people.
 - 3.2.3. To extend support to Project Elephant to ensure long term survival of identified viable population of elephants in their natural habitat with the objective of ecological restoration of existing natural habitats and migratory routes of elephants, development scientific and planned management for conservation of elephant habitats and viable population of wild Asiatic elephants in the State, promotion of measures for mitigation of man-elephant conflict in crucial habitat, strengthening the measures for protection of wild elephants from poachers and un-natural causes of death, public awareness and education programmes, eco-development and veterinary care.
 - 3.2.4. To conserve all other species of threatened wildlife and their habitat including golden langur, hoolock gibbon, river dolphin, swamp deer, gaur, wild buffalo, pigmy hog, hispid hare, spot-billed pelican, white –bellied heron, greater adjutant stork, white winged wood duck, greater spotted eagle, pallas’s fish eagle, swamp francolin, blyth’s tragopan, purple wood pigeon, rufous-becked hornbill, magsh spotted babbler, jerdon’s babbler, black-breasted parrot bill, gharial, endangered turtles, etc.
- 3.3. Development of-sufficient fodder, fuel and pasture, bamboo, canes and other N.T.F.P. resources, specially in areas adjoining to forest, is necessary to avoid harvesting of forests beyond sustainable limit. Since the fuelwood continues to be the predominant source of energy in rural areas, afforestation should be intensified with special emphasis on augmenting fuelwood production to meet the requirement of the rural people.
- 3.4. N.T.F.Ps. including medicinal and aromatic plants provide sustenance to the tribal and other people residing in and around the forests. Such produce should be sustainably managed and their production enhanced with the objective of generating employment and income opportunities for the local people.
- 3.5. Supply of timber and poles to urban centres from non-forest sources is necessary to reduce pressure on natural forests. Therefore, Agro-forestry, Farm-forestry and Non-Farm cultivation of timber trees should be encouraged in the State.

- 3.6. Trade of bamboo and other N.T.F.Ps. including medicinal and aromatic plants after adequate value addition and development of market facilities should be actively promoted. Surplus raw materials can also be exported after meeting local needs, within the limit of sustainable production.
- 3.7. Targeting on broad range of goods and services in terms of physical, material, human, social, cultural and environmental assets in conjunction with appropriate entitlement regime, peoples protected area (PPA) envisions a pro-active and people's friendly framework to ensure long term protection and maintenance of biological diversity and providing at the same time a sustainable flow of natural products and services to meet local community needs. Therefore, a network of PPA should be established as people's pool of asset for strengthening livelihood security of forest dwellers.

4. Strategy :

4.1. Area under forest cover :

The national goal is to have a minimum of one-third of total geographical area of the country under forest or tree cover. In Assam, the total forest cover is 23,688 Sq. KM., which is 30.20% of the total geographical area of the State. So, there is a need to extend the forest cover in addition to preserving the existing forest cover. This is extremely necessary to preserve the existing tree cover on hill slopes and landscape providing catchment to river originating or flowing through the State.

Total geographical Area of Assam	78,438 Sq. Km.
Total Reserved Forest Area in Assam	15,203 Sq. Km.
Total Protected Area, i.e. N.P. & Sanctuaries	2,864 Sq. Km.
Total Recorded Forest Areas	26,218 Sq. Km.
Total forest cover of Assam (As per State forest Report, 1999 published by Forest Survey of India).	23,688 Sq. Km.
Percentage of forest cover as per F.S.I.	30.20%
Dense forest	14,517 Sq. Km.
Open forest:	9,171 Sq. Km.
scrub	328 Sq. Km.
Non-forest	54,426 Sq. Km.

Sibsagar, Jorhat, Golaghat, Darrang, Nalbari are the districts having less than 10% of the total geographical area under forest cover, whereas Kamrup, Kokrajhar, Karbi Anglong and North Cachar Hills Districts have more than 33% area under forest cover.

- 4.1.1. Existing forest cover should be maintained and enriched (open forest should be restored back to dense forest) consistent with the developmental needs of the State.
- 4.1.2. Enrichment plantations in open forests and protection of natural regeneration through Forest Development Agencies, which are confederation of Joint Forest

Management Committees and Eco-Development Committees in respective divisions.

4.2. **Management of States, Autonomous Council, Community and Private forests :**

- 4.2.1. The activities which interfere with forests that clothe steep slopes, river catchment, reservoirs and geologically unstable areas should be restricted. Tropical wet and moist forests should be cautiously and sustainably managed consistent with their role in preserving the bio-diversity and hydrological cycle and meeting the livelihood needs of the people of the State.
- 4.2.2. No forest should be permitted to be worked without a duly approved working/management plan which should be in a prescribed format and in keeping with National Forest Policy/North East Forest Policy/State Forest Policy and the principle of sustainable forest management. The effects of forest management on forests should be periodically measured with the help of set criteria and indicator (C & I). The State should issue necessary guidelines to put in place a monitoring mechanism to regular compliance of management/working plan prescriptions.
- 4.2.3. In order to meet the growing need of people for essential goods and services that the forest provide, it is necessary to enhance the forest cover in forest deficient districts and to increase the productivity of existing forests through appropriate scientific and technical inputs.
- 4.2.4. No exotic species should be introduced through public or private source, unless long term scientific trials undertaken by specialist in ecology, forestry, sociology and agriculture have established that they are suitable and have no adverse impact on indigenous vegetation, ecology and bio-cultural environment of the State.
- 4.2.5. Joint Forest Management (J.F.M.) practices should form the basis of forest management in the State. Necessary provisions should be made in the working plans/Management Plans for adequate participation of forest fringe people.

The abundant potential of people living in rural and forest areas should be tapped for sound participatory forest management. Efforts should be made to facilitate assistance from financial institutions to the forest dwellers engaged in forest based economic activities for furthering participatory forest management in the State.

- 4.2.6. There is an increasing emphasis on greater stake of communities in forest management and benefit sharing. Joint Forest Management has to graduate to Community Forest Management (C.F.M.). However, J.F.M. or C.F.M. are only means to achieve Sustainable Forest Management (S.F.M.). Transparency and stake will improve, if the participation leads to Sustainable Forest Management. Thus, use of C & I becomes mandatory.

The State Forest Department shall make effort to upgrade the JFM cell. The SFM cell shall be encouraged to network with the I.I.F.M., Bhopal for implementation of C & I for SFM evolved under Bhopal-India process.

- 4.2.7. The Autonomous Council Forests and the forest areas owned by community and private individuals shall also be managed under the same policy as laid down above for the State Forests.

Forests in the areas covered by the two Autonomous Councils, namely, Karbi Anglong and North Cachar Hills Autonomous Councils (hereinafter mentioned as Councils) are located in geographically, geomorphologically and ecologically fragile and sensitive areas and provide a back drop to the plains of the Brahmaputra and Barak Valleys. Viewed in this context, management of forest areas attracts considerable significance.

It shall be the endeavour of the State Government to seek co-operation and involvement of the council authorities in framing measures to avert any possible and anticipated adverse impact on –

- (a) the vulnerable areas located in the plains of the Brahmaputra and Barak Valleys prone to inundation and other natural calamities;
- (b) generation of adverse market forces due to incompatible market prices vis-à-vis royalty rates;
- (c) large scale diversion of forest areas for non-forestry purposes.

Emphasis need be laid on enrichment of the total forest areas to maximise the benefits as acquired from a larger compact forests against the demerits of fragmented forest areas including conservation of bio-diversity both flora and fauna of the region as a whole, without infringement of any rights and legal status vested upon the Councils by the Constitution.

4.3. **Forest Protection :**

Forests being an open access resource (O.A.R.) are vulnerable to various kind of pressures, like (a) encroachment; (b) Illicit felling and smuggling of timber; (c) fire; (d) illegal grazing, (e) Shifting cultivation, etc.

4.3.1. **Encroachment :**

Encroachment is the main cause of depletion of valuable forests in Assam. The encroachment of forest land is mainly for the following reasons :

- (a) Inter-state boundary dispute with the neighbouring States, like, Nagaland, Mizoram, Meghalaya, Arunachal Pradesh.
- (b) Flood and erosion effected people to forest land for settlement.
- (c) High growth rate of population is also a cause of increasing encroachment in forest land.

- (d) The Tea employees of Assam when become jobless like to settle in nearby forest land adjoining the tea estates and forms an another class of encroachers.

The total reserved forest land under encroachment is around 3,560 sq. km., which is about 20% of the total Reserved Forests and Protected Areas of the State.

The National Forest Policy, 1988 envisages in para 4.8.1 that –

“Encroachment on forest land has been on the increase. This trend has to be arrested and effective action taken to prevent its continuance. There should be no regularisation of existing encroachment”.

The Central Government also vide its letter No. 7-16/2002-FC, dated 3.5.2002 asked the State Government to summarily evict all encroachments, which are not eligible for regularisation as per guidelines issued by the Ministry of Environment and Forests, Government of India vide No. 13.1/90-FP(I), dated 18.9.1990 in a time bound manner and in any case not later than 30th September, 2002.

- 4.3.1.1 Government of Assam shall endeavour to identify those encroachers of Pre-1980 encroachments, where the State Government had taken a decision before enactment of the Forest (Conservation) Act, 1980 to regularise the eligible category of encroachment.

Action Plan should be formulated for :

1. Demarcation of forest boundaries and erection of permanent boundary pillars.
2. Categorization of existing encroachment into –
 - (a) Pre-1980 encroachment having Government commitments. Proposal should be prepared for submission to the Government of India as per provision given in the Ministry of Environment and Forest's Circular mentioned in para 4.2.1. above. The onus of proving eligibility for regularisation should lie with the encroachers, i.e. they should be asked to produce evidences to the effect that they have been occupying the forest land prior to 1980 and that there was any assurance from the Government for regularisation.
 - (b) Encroachment by local inhabitants, whose rights were not looked into or settled at the time of constitution of the area as reserved forest.

Proposal should be prepared for submission to the Government of India as per provisions of the circular vide No. 13.1/90-FP(2), dated 18.09.1990 issued by the Ministry of Environment and Forests.
 - (c) Encroachment which are old but ineligible for regularisation under the above two provisions and the occupants are genuine landless due to natural calamities -

Economic rehabilitation package should be prepared by settling them outside the reserved forest land and allowing them to take up forestry activity in the degraded reserved forests through participatory approach:

3. These areas to be treated as People's Protected Area (P.P.A.) inside forest where the settlers shall create community asset of forest along with the services derived for their livelihood. These P.P.A. shall act as people's pool of asset for strengthening livelihood security of forest dwellers.
 4. The Government of Assam in the Forest Department shall also take necessary steps to convert the Forest Villages to Revenue Villages as per the guidelines of the Government of India in the Ministry of Environment and Forests. Proposal seeking prior approval of the Government of India for the purpose under the Forest (Conservation) Act, 1980 may be submitted expeditiously.
- 4.3.1.2. In no case, encroachment which have taken place after 24.10.1980 shall be regularised. Action shall be taken to evict the encroachers. No development activities under D.R.D.A. or under any department shall be taken in these encroached areas. The State Government shall suggest the Election Commission of India to issue necessary instructions not to include the names of the encroachers of reserved forest land in the voter lists of respective Legislative Assembly/Parliamentary constituency, where the reserved forest is located because the encroachers are not being permanent residents of the locality.
- 4.3.2. **Illicit felling of trees in forest and smuggling of timber :**
- 4.3.2.1. Protection mechanism should be strengthened by involving local people through village level committees. These committees should be empowered and provided special incentives to prevent the forest offence.
 - 4.3.2.2 Forest officers should be made well equipped to prevent illicit felling of trees and other forest offences inside the forests with all logistic support. Adequate legal and statistical base should be established for systematic tackling of crimes and criminals in the forest area.
 - 4.3.2.3 For tackling the crimes and criminals of forest offences outside the forest areas, the police should also be made equally responsible and for any loss of forest produce from forests, F.I.R. to be lodged in local Police Station immediately after detection of the same by the respective Beat or Range Officer in-charge of the concerned Forest Beat or Range.
 - 4.3.2.4 Assam Forest Protection Force Battalion which is unique in the country should be modernize with proper weapons and tools at par with State Police Force.
 - 4.3.2.5 Steps should be taken for establishment of Special Courts at the district level for quick disposal of forest offence cases. Establishment of Green Bench in Gauhati High Court should also be pursued.

4.3.3. **Forest fire :**

The incidence of forest fire in the State of Assam is not so much pronounced but the same causes considerable damage in plantations and regeneration areas. Special precaution should be taken during the fire season. Improved and modern management practice should be adopted to deal with the forest fires. Community approach to fire management needs to be given due emphasis.

4.3.4. **Illegal grazing in forests :**

Grazing in forest area should be regulated with the involvement of the community. Special conservation area, young plantations and regeneration areas should be fully protected. Grazing and browsing in forest areas need to be controlled. Adequate grazing fees should be levied to discourage people in forest areas from maintaining large herds of non-essential livestock.

4.3.5. **Shifting cultivation :**

One of the most tricky problem in the gamut of shifting cultivation is to dissuade the 'Jhumias' (people practicing shifting cultivation, i.e. jhum) from their age old traditions. Jhuming is an emotional and cultural heritage with the Hill Tribes.

An Integrated Area Development Programme with due respect towards tradition and culture will be the mainstay in tackling the problem related to jhumming. Various central schemes such as IJDP, etc. should be properly implemented.

Forest Development works generating steady employment;

Efforts would be to contain jhumming through short term and long term project implementations and their constant and continuous monitoring, facilitating re-orientation and improvement of the initial project parameters to suit the local requirements.

- Area already effected by such cultivation should be rehabilitated through innovative community based afforestation/ agro-forestry schemes with a significant input of horticulture and specifically approved cash crop cultivation on gentle slopes. The Nodal agency should be the Forest Department to ensure primacy of conservation.

4.4. **Rights and Concessions :**

- 4.4.1. Rights and concessions including grazing should always remain related to the carrying capacity of the forests. The capacity itself should be optimised by increased investment, silvicultural research and development of the area. Stall feeding of cattle should be encouraged. The requirements of the community, which cannot be made by the rights and concessions so determined should be met by development of Social Forestry outside the reserved forests.

The holders of customary rights and concessions in forest areas should be motivated to identify themselves with the protection and development of forests from which they derive benefits. The rights and concessions from forests should

primarily be for the bonafide use of the backward communities, viz. The tribal and the scheduled casts in particular and the poor in general.

4.5. Management of Bamboo and Canes :

- 4.5.1. Bamboo being a multipurpose, eco-friendly crop abundantly available, yet an under-utilised natural resource, needs to be managed and exploited for sustainable use. Bamboo is conceived as thrust area in the industrial development of Assam for economic and ecological security of people. This precious resource needs to be fully tapped as an industrial raw material, as substitute for wood in rural/urban housing, engineering works, handicrafts, furnitures and value addition through export. Undoubtedly bamboo can revolutionalise the economy of the State ensuring employment opportunities to a large number of people. Extension and awareness about bamboo sector development will be given renewed thrust.
- 4.5.2. Conservation of bamboo diversity, bamboo germ plasm, sustainable management and use of dedicated bamboo forest, promoting bamboo cultivation in homestead are the main thrust the bamboo policy of the State.
- 4.5.3. To enhance the productivity in bamboo sector, improved planting stock of bamboo should be developed through application of modern technique for distribution to public.
- 4.5.4. Linkage between bamboo plantation growers and bamboo enterprise, industry and craft centres shall be established so that bamboo plantation can support the bamboo trade, bamboo industries and marketing of bamboo produce and products within and outside the State.
- 4.5.5. Large-scale harvesting of bamboo for paper mills should be properly monitored and silvicultural practices should be strictly followed. Such industries should be asked to procure at least half of their requirement from village communities, which will encourage them to grow more bamboo and also help their economic upliftment. For all industrial use, the pricing should be done adequately and precious commodities such as bamboo should not be given at a through away price.
- 4.5.6. N.G.O. like Cane and Bamboo Technology centre, an UNIDO Project, INBAR, etc. are to be involved to develop modern technology in the sector and impart necessary training to the local people of the State.
- 4.5.7. Canes are now in a very dwindling state in Assam because of large scale conversion of cane bearing areas or cane brakes to paddy field both in and outside the forests. The different species of canes (rattans) available in Assam are – (1) Jati/Hill Jati (*Calamus tenuis*); (2) Tita/Rangi (*Calamus leptospadix*); (3) Raidang (*Calamus flagellum*); (4) Oyahing; (5) Lejai (*Calamus floribundus*); (6) Jeng (*Calamus erectus*); (7) Golla (*Daemonorops jenkinsiannus*); (8) Huka (*Calamus latifolius*); (9) Sundi (*Calamus guruba*).

4.5.8. Joint Forest Management Committees are to be involved in propagation and multiplication of cane plantations in suitable areas, which will form base for raw materials for the cottage industries making handicraft and furniture.

4.6. **Conservation of Non-Timber Forest Produces (N.T.F.Ps.) :**

4.6.1. Rich flora of Assam yields various N.T.F.Ps. and are classified in the following groups :

4.6.1.1. **Oil yielding plants :**

- | | | |
|----|------------------|---|
| a) | Oil from leaves | Citronella grass, Patchouli oil. |
| b) | Oil from seeds | Sal seed, Nahar seed, Karach seed, Bhotera seed. |
| c) | Oil from wood | Agarwood, Sandal wood (recently introduced in Hojai Sub Division of Nagaon District). |
| d) | Oil from flower | Nahar flower, Champa flower, Keteki (Keora) flower, etc. |
| e) | Oil from fruit | Salmogra, Dalmogra. |
| f) | Oil from Rhizome | Gandhi/Gan-Kachu/ Ganchena/Sugandha Mantri |

4.6.1.2. **Medicinal plants :**

- | | | |
|----|-----------------------------|---|
| a) | Medicine from leaves | Neem, Vasak, Nayantara, Nephaphu, etc. |
| b) | Medicine from bark | Ahoi, Arjuna, Ashoka, Chirota, Laham, Kaula, Bhatghila, Amora, etc. |
| c) | Medicine from roots/rhizome | Sarpagandha, Keturi, Chukchini, Majathi/ Manjitha. |
| d) | Medicine from fruits/seeds | Amlokhi, Hilikha, Bhome, Thekera, Makuri Kendu, Bel |

4.6.1.3. **Resins and gums :**

- | | | |
|----|---------------------|----------------------|
| a) | Gum-resin (Dhuna) - | Sal Dhuna, Dhuna. |
| b) | Gum - | Katira Gum from Odal |

4.6.1.4. **Kutch and Katha :**

Khoir yields Kutch and Katha from wood and root.

4.6.1.5. **Charcoal :**

By burning wood.

4.6.1.6. **Broom grass :**

Thysanolaena maxima is used for making broom sticks.

4.6.1.7. **Roofing materials :**

Thatches, Tokoupat, Jengupat.

4.6.1.8. **Mat making :**

Patidoi and Kuhila.

4.6.1.9. **Fruit trees :**

Jamon, Bogori, Thekera, Taportenga, Nagatenga, Miricatenga, Satkora, etc.

4.6.1.10. **Spices :**

Dalchini, Pipali.

4.6.1.11. **Vegetables :**

Use of wild herbs and leaves as vegetables by the people of Assam is unique in the country. Wild Dhekiu (fern), Kachu, Masundari, Hoklati, Manimuni, Khutora, Jilmil, Matikanduri, Kalmau, Tengechi, Narsinha, etc. are common and various tribes also use various leaves of wild plants as vegetables.

Screening of non-conventional N.T.F.Ps. should be carried out in the State.

4.6.2. The ownership rights of N.T.F.Ps. are to be endowed on the local communities as per provision of the Panchayat Raj Section 4 of the Panchayats (Extension to the Scheduled Areas) Act, 1996 is stated below :

"Sec. 4, (m) While endowing Panchayats in the Scheduled Areas with such powers and authority as may be necessary to enable them to function as institution of self-government, a State Legislature shall ensure that the Panchayats at the appropriate level and the Gram Sabha are endowed specifically with –

- (i) the power to enforce prohibition or to regulate or restrict the sale and consumption of any intoxicant.
- (ii) Ownership of the Minor Forest Produce.
- (iii) The power to prevent alienation of land in the Scheduled Areas and to take appropriate action to restore any unlawfully alienated land of Scheduled Tribes.
- (iv) The power to manage village markets by whatever name called.
- (v) The power to exercise control over money lending to the Scheduled Tribes.
- (vi) The power to exercise control over institutions and functionaries in all social sectors.
- (vii) The power to control over local plans and resources for such plans including Tribal Sub-Plans.

4.6.2.1 After examining all the socio-religious and legal implications, Government of Assam shall enact suitable Act endowing ownership rights of Minor Forest

Produce as stated above to the Gaon-Panchayats taking the following points into consideration while implementing the said act –

- (i) Minor Forest Produce (M.F.P.) means that Non-Timber Forest Produce, which can be harvested on non-destructive basis but this shall not include minerals and wild animals or their derivatives.
- (ii) Bamboos and Canes cannot be included within the meaning of the term Minor Forest Produce (as Bamboo and Cane have been defined as “tree” in the Assam Forest Regulation, 1891).
- (iii) Protected Areas, Biosphere Reserves and the refractory areas in high hills would not be used for harvesting M.F.P. as it would go against the concept of conservation of wildlife habitat and bio-diversity.
- (iv) Rights of ownership of M.F.Ps. by Gaon Panchayats may be exercised in a regulated manner under the supervision of Forest Department so that forests are not subjected to irreparable damage and the usufructs are available on a sustainable basis.
- (v) To begin with, rights of M.F.Ps. that are not being collected or disposed off departmentally should be transferred to Panchayat. The revenue from the products that are being collected and disposed of departmentally should be made available to the Panchayats instead of being taken in the State Exchequer in accordance with the provision of Panchayats (Extension to the Scheduled Areas) Act, 1996.
- (vi) As per the provisions of the above Act, State Government should refrain from allotting the minor forest produce from the scheduled areas on preferential rates to any industry.

4.6.3. Invaluable medicinal plants since the time man realised their preventive and curative properties and started using them for human health cover. In view of the richness of medicinal and herbal plants in the State, a mechanism shall be developed for in situ and ex-situ conservation, domestication and non-destructive harvesting with active support from local people including traditional healers and local Bej/Baidyas. The socio-cultural, spiritual and medicinal arena of local populace particularly the tribal should form the backbone of community based conservation and utilisation of medicinal and herbal plants.

4.7. **Bio-diversity Conservation Strategy :**

4.7.1. **Status of Bio-diversity in Assam.**

Plant Diversity :

The State of Assam represents the transitional zone between the Indian, Indo-Malayan and Indo-chinese biogeographical region. It is, therefore, considered as one of the most biologically diverse areas in the whole of South Asia. The

vegetation of Assam is primarily of tropical type covering areas of evergreen, semi-evergreen, deciduous forests and grasslands. There are 3,017 species of flowering plants, a good number of medicinal plants including several rare, endangered and endemic species. The state is also rich in Bamboo and Cane diversith have 10 genera and 42 species of bamboo and 14 species of cane. About 192 species of orchids are distributed in the plains and hilly areas of the state. A large part of Assam is covered by wetlands rich in both flowering and non-flowering plants. As many as 102 species belonging to 75 genera are considered to be endemic.

Animal Diversity :

In Assam, the forests are extremely rich and diverse with wide varieties of primates, carnivores, herbivores and birds. About 190 species of mammals and more than 800 species and subspecies of birds are so far reported from Assam. The Wildlife areas of the state house nearly 44 types of endangered and rare species of mammals and 14 types of reptiles and amphibia. Altogether around 230 forms of mammals including species and sub species have been recorded so far from Assam. There are 9 species of primates in Assam, which also includes the only ape of India, the Hoolock gibbon (*Hylobates hoolock*). As many as 8 cat species are found in the state. Moreover, Assam holds the entire known world population of Pygmy hog (*Sus salvanius*), 75% of the world population of the Indian rhinoceros (*Rhinoceros unicornis*) and wild water buffalo (*Bubalus bubalis*) and a sizeable population of Asian elephant (*Elephas maximus*) and tigers (*Panthera tigris*).

Diversified habitats and various ecological associations have significantly enriched the avian diversity in Assam with more than 800 avian species. The largest family being Sylviidae followed by Muscicapidae, Accipitridae, Corvidae, Anatidae, Scolopacidae, etc. The State represents 53.5% of total birds species of Indian sub-continent. The White Winged Wood Duck (*Cairina sculalata*) and Bengal florican (*Eupodotis hegnalensis*) are two of the noteworthy endangered species.

Reptiles constitute an important vertebrate group. Assam with its varied topography and habitat types supports a species rich reptilian fauna. Members of three living orders, namely, Crocodylia (Crocodiles & Gharials), Chelonia (Turtles & Tortoises) and Squamata (Snakes and Lizards) are found in the state. The records of reptilian resource of Assam show the presence of 2 species of crocodylia, 19 species of Chelonia and 77 species of Squamatas. Assam has diversified amphibian fauna too, so far 185 species belonging to 98 genera under 34 families have recorded. This group has 33 representatives endemic to the region, 25 species of fish have been identified as threatened.

The fresh water molluscs constitute an important part of the ecosystem. In Assam, 10 species of fresh water snails are used as food by different tribal communities. The family Thiariadae has the highest number (10) of species but the family planordidae, Achatinidae, Bithyniidae, Cyclophoridae, Ariophantidae and Unionidae have the lowest number (1) of species.

In India about 1,500 species of butterflies have been identified so far and amongst these about 50% species are reported from Assam.

The cultivated lands of Assam harbors large varieties of useful microbes. The nitrogen-fixing bacteria and blue-green algae are abundant in the soils of the State.

4.7.2. The activities related to management of Bio-diversity shall have the three basic goals –

- a) Conservation of bio-diversity;
- b) Sustainable use of biological resources and
- c) Equity in conservation and use.

Protection, conservation and management of bio-diversity shall also aim at both (a) ecological security and (b) livelihood security.

- (a) Ecological security refers to the maintenance of the diversity of eco-systems and habitats; the activity of species/sub-species/varieties, population and communities; the interaction between species, population, communities and their habitats and eco-systems; their integrity including biological productivity of eco-system and taxa; the evolutionary potential of natural system and critical eco-system service.

The policy of the State is to make and promote efforts for protection, conservation and management of bio-diversity through maintenance of critical eco-system including Ecologically Sensitive Areas (E.S.As.), Ramsar Sites, Heritage Sites, Biosphere Reserves, Medicinal Plant Conservation Area, Gene Conservation Centre, etc.

- (b) Livelihood security refers to the security of human communities and individuals critically dependent on biological resources including guaranteed access to and control over such biological resources and related knowledge.
- (c) The status of forests with regards to its ecological functions and role of livelihood security of the people should be monitored and evaluated.

4.7.3. **Wildlife Conservation.**

4.7.3.1. Protected Area Network (P.A.N.) would be enlarged to at least 5 percent of the geographical area of the State. Special management plans shall be drawn up for protection and habitat restoration.

4.7.3.2. Wetlands being the areas supporting highest level of bio-diversity would be identified and brought under P.A.N. prescribing efficient management plans. The wetlands which are under heavy human use and at the same time very important for biodiversity and which cannot be included in P.A.N. will be

covered by a separate agency, which may be called the 'Wetland Development Agency' (like the Loktok Development Agency in Manipur).

- 4.7.3.3. The State would persistently strive to improve the status of wildlife by augmenting vigilance mechanism to curb poaching and illegal traffic of wildlife and wildlife products.
- 4.7.3.4. Action Plan for protection and management of wildlife in multiple use areas shall be drawn up. N.G.Os., National and State Institutes will be called upon to associate in the sphere of wild life education and interpretation and generation of public support for ensuring better protection and management of protected areas.
- 4.7.3.5. Action Plan for identification, classification and listing of endangered and threatened species of plants and animals will be drawn up with an aim of their rehabilitation, development and preservation. Herbarium may be established at suitable sites for taxonomic study.
- 4.7.3.6 Research and monitoring activities would be geared up to keep pace with national efforts to meet the local needs of wildlife management. High priority to ethno-biological research involving both plants and animals as well as their derivatives should be ensured and endeavour is to be made for identification of useful species.
- 4.7.3.7. The ecological risk of the important wildlife habitat including the Pas be made mandatory after a period of 3 – 5 years. The ecological sensitivity of the habitats can save resources or accelerate the expenditure of the precious resources.
- 4.7.3.8. Eco-development works will be encouraged around the protected areas to reduce dependence of the people on forests and forest products and generate a friendly support from the communities appreciating the need for tolerant attitude towards preservation, protection and conservation of the protected areas in general and particularly the flora and fauna.
- 4.7.3.9. Man-animal conflict resolution mechanism shall be tried to be evolved through innovative preventive measures, more effective compensation schemes, insurance scheme and so on.
- 4.7.3.10 Ensuring viability of small sized protected areas through compatibly managed buffer zones and dispersal corridors. This would call for adjustment in forestry operations to take care of the bio-diversity. Man-animal conflicts shall be resolved through appropriate measures in the tension zones. The State Government shall also give importance on establishment of wildlife rehabilitation centre for temporarily disadvantageous wildlife saved by people.

4.7.4. **Bio-cultural Diversity conservation :**

The diverse ethnic groups of Assam have mosaic of traditions and culture, which are intrinsically associated with the biological diversity of the State. This diversity shall be preserved through action as under –

Intensification of survey and inventorisation of bio-cultural resources of the various parts of the State shall be carried out. The survey shall include information on the distribution pattern of various species/population/ community and the status of ethno-biologically important groups.

Legal and administrative measures shall be taken for the protection of the State's bio-cultural diversity against bio-piracy and/or sustainable use of plants and animal genetic resources. Intellectual property rights (I.P.R.) of the people of the State, specially the tribal shall be well guarded. Domesticated species/ varieties of plants and animals shall be conserved as a integral part of the State's rich genetic diversity.

The various ethnic groups of the State living in the fringe of the forests with rich cultural tradition and practices and their age-old relationship with the forests shall be identified and strengthened and shall be used as tool for conservation and preservation of the forests.

The Traditional Knowledge (TK) and Traditional Eco-logical Knowledge (TEK) shall be studied, documented and acknowledge, which will be in conformity with India's commitment to the Convention on the Biological Diversity.

4.7.4.1. **Silvi-Muga Culture :**

In Assamese culture, muga is intrinsically associated with our dresses and costumes. Muga occupies a respectable berth in famous Bihu song "*Atikoi Seneher Mugaare Mohura*". Production cum conservation of muga which is a part of sericulture is practised on the host trees like Som, Hoanlo, Mejankari, etc. Being the tree species, these shall be planted in wasteland, degraded forests which will enhance the muga production and the silvi-muga culture may be the boon to the Joint Forest Management programme.

4.7.4.2. **In-vitro propagation of orchids for commercial exploitation :**

Assamese first month "Bohag" brings thrills to the assamese folk, particularly the women. This is the season for "Kopou phool", which is an orchid and also the State flower. Season's greetings is offered by our Nature with Orchids. Orchids are the most beautiful and wondrous among the flowering plants of the world. Orchid culture is a lucrative industry of considerable economic importance. In our State, Orchids occur in diverse agro-climatic conditions indicating the potential of growing wide variety of orchids on commercial basis for augmenting orchid industry through Bio-technology. The strategy for conservation and propagation of Orchids includes :

- a) A model of Agro-technological development from lab to field for orchid plants and cut flower production for Assam is to be established.
 - b) to use the Agro-technological development park for orchid for generation of data with enormous practical and scientific utility to bring the knowledge in regards to orchids particularly those threatened and high valued orchids.
 - c) Development of process of commercial exploitation.
 - d) Training/demonstration to certain beneficiaries for commercial exploitation.
 - e) Dissemination of information on orchids to bring awareness among people regarding importance of the orchids and their commerce in the national and international market.
 - f) Transfer of technology for ex-situ conservation through cultivation of orchids by entrepreneurs.
 - g) Development of gene bank for threatened and high valued orchid.
 - h) Socio-economic development through production and marketing of high value orchids in internal market and abroad.
- 4.7.5. To protect and promote the bio-cultural diversity of the State, Government of Assam has declared the famous One Horned Rhino as the 'State Animal', extremely rare White Winged Wood Duck as the 'State Bird', magnificent Hollong tree as the 'State Tree' and the beautiful *Kopouphool*, an orchid as the 'State Flower'. The Government shall further make endeavour to encourage preservation of bio-cultural diversity of the State.
- 4.8. **Afforestation, Social Forestry and Farm Forestry.**
- 4.8.1. A massive need based and time bound programme of afforestation and tree planting with particular emphasis on small timber, fuelwood and fodder development on all degraded and denuded lands in the State, whether forest or non-forest land.
- 4.8.2. The Eco-Task Force under the Territorial Army Act, 1984 assisted by the local unemployed youth would be most suited for carrying out the massive afforestation work for re-greening the fragile Bhabar tract at the foot hills of Himalaya under hostile condition.
- 4.8.3. To encourage planting of trees along side of roads, railway lines, rivers, streams, canals and other fallow lands under State/Corporate, Institutional or private ownership. Green belts should be raised in urban/industrial areas to check pollution and improve the micro-climate.
- 4.8.4. Village and community lands or any other such lands not required for other productive uses, should be taken up for development of tree crops and fodder resources. Technical guidance necessary for initiating such programmes would be provided. The revenue generated through such programmes shall be deposited to the Panchayats, where the lands are vested in them; in all other cases, such revenue should be shared with the local communities in order to provide an incentive to them. The vesting, in individuals, particularly from the weaker sections (e.g. landless labour, small and marginal farmers, scheduled castes, scheduled tribes and women) in general certain ownership rights over trees,

would be considered subject to appropriate regulation, beneficiaries would be entitled to usufruct and would in turn be responsible for their protection and maintenance.

- 4.8.5. Land laws and the pricing structure of forest products should be so modified and standardised so as to facilitate and motivate the individuals and institutions to undertake tree-farming and growing of fodder plants, grasses, legumes and fuelwood on their own land. Wherever possible, degraded lands would be made available for the purpose to local bodies, panchayats, N.G.Os. on terms of usufructory benefits so as to make each village/panchayat self reliant.
- 4.8.6. Laws relating to harvesting of trees from private land should be simplified and the Forest Department must clear the petitions within a fixed time frame so that the growers are not discouraged to undertake such plantations. Currently, this is a major issue with such farmers, who face harassment because of undue delay.
- 4.8.7. Developed market linkages for disposal of the non-wood forest products (N.W.F.Ps.) at remunerative prices, which would act as an incentive to the tribal and other rural folk in taking positive interest in growing such crops.
- 4.8.8. Mono-culture and planting of Exotic Species should be avoided unless sufficient experimentation on strict scientific lines has established their usefulness.

4.9. **Production of Biomass.**

For the vast majority of the people in the State, the foremost need for fuelwood, timber, fodder and fibre. The issue of enhanced production and sustainable resource utilisation should therefore be prioritized to meet the need of the rural people.

- 4.9.1. The working plan prescriptions should guide the production of the biomass. Necessary steps to promote efficient conversion and utilisation of timber should be promoted for maximisation of resource use.
- 4.9.2. Promotion of alternative source of domestic energy such as biogas should be taken up to reduce pressure on the forests. Use of solar energy should also be encouraged in a big way.

4.10. **Forest Based Industries :**

The directive of the Hon'ble Supreme Court of India vide its order passed on 15.01.1998 in W.P.(C) No. 202 of 1995 are as below :

"Para 6. The State Governments shall formally notify industrial estates for locating the wood based industrial units in consultation with the Ministry of Environment and Forests."

Pricing of Timber :

- "11. The State Governments shall ensure that timber/forest produce is supplied to industries, including Government Undertakings, at full market rate....."

Licensing :

- "12. Licenses given to all wood based industries shall stand suspended.
13. Wood based industries which have been cleared by the High Power Committee without any penalty shall have the option to shift to industrial estates which shall be identified by the States within 45 days and developed within six months thereafter.
14. Units which have been penalised because they were found to exceed normal recovery norms, but were within 15% of the said norms, will have a right to approach the High Power Committee on or before 9th February, 1998. The High Power Committee shall examine all relevant material, in particular the income tax and excise records for the preceding three years. The High Power committee shall dispose of all such applications within 45 days thereafter and such mills may be granted licence if the High Power Committee finds that it is not against public interest so to do.
15. Units which have not furnished details/information to the High Power Committee so far or which have not been cleared by the High Power Committee, shall not be granted any licence and the stocks in their custody if any, shall be confiscated to the State Government. In case of leased mills belonging to corporations/trusts/co-operative societies owned/controlled/ managed by the State Government and where the lessees have been penalised by the High Power Committee, the leases shall stand revoked. Such mills shall, however, be eligible for relicensing subject to the condition that these mills are not leased out in future except to a entity fully owned by the Government.
16. Units who do not want to shift to the designated industrial estates shall be allowed to wind up as per law.
17. Henceforth, licenses of units shall be renewed annually only in those cases where no irregularity is detected.
18. There shall be a complete moratorium on the issue of new licenses by the State Governments or any other authority for the establishment of any new wood based industry for the next five years after which the situation shall be reviewed with the concurrence of the Ministry of Environment and Forests.
19. Number of wood based industries shall be determined strictly within the quantity of timber which can be felled annually on sustainable basis as determined by the approved working plans from time to time. If it is found that units after relocation in industrial estate have excess capacity then their capacities shall be reduced pro rata to remain within the sustainable levels."

- 4.10.1. Based on the directives of the Hon'ble Supreme Court of India as above, the establishment of forest based industries and supply of raw materials would be as follows :
- 4.10.1.1 All wood based industries should be located within approved industrial estates.
- 4.10.1.2 No forest based industries, except that at the village or cottage level, should be permitted in the future unless cleared after careful scrutiny with regard to assured availability of raw materials, in any case, the fuel, fodder and timber requirements of the local population would remain the first charge on the out put from forests.
- 4.10.1.3 Forest based Industries should raise the raw materials needed for meeting their requirements, preferably by establishing direct relationships between the factories and the individuals/ communities, who can grow the raw materials by supporting the individuals/ communities with inputs including credit, constant technical advice and finally harvesting and transport services. Farmers, particularly, small and marginal farmers should be motivated to grow on marginal/degraded land available with them, wood species required for industries. The industries should undertake purchase of the outturn after a fixed number of years at a minimum prefixed price capable of attracting growers.
- 4.10.1.4 The prescribed annual harvest from the State Forests as per the Working/Management Plan prescription shall first serve the need as social obligation. The surplus only shall be made available to the industry at prevailing market rate.
- 4.10.1.5 Forest based industries must not only provide employment to the local people on priority but also involve them fully in raising trees and raw materials.
- 4.10.1.6 Natural forests serving as repositories of gene pool resource and helping in maintenance of ecological balance shall not be made available to the industries for undertaking plantation and for any other activities in contravention of rules and provisions of the Forest (Conservation) Act of 1980.
- 4.10.1.7 No forest based industries would be allowed where component of value added product is either missing or insignificant.
- 4.10.1.8 The practice of supply of forest produce to industry at concessional prices would cease. Industries would be encouraged to use alternative raw materials and import wood.
- 4.10.1.9 Above consideration however will be subject to the current policy relating to land ceiling and land laws.

4.11. **Eco-Tourism :**

Eco-tourism or Nature tourism that utilizes the forest scenic spots as well as the opportunities provided by the Protected Areas for wildlife viewing should be seen as industrial activity. This activity should be promoted as a revenue generating mechanism that can benefit the rural communities through their active involvement in promotion of eco-tourism along with employment opportunities in various sectors, like tour operator & guide, hotel and restaurant, boating sites, bio-mass based crafts and enterprises, etc.

4.11.1. The Nation Eco-Tourism Policy and Guidelines (1998) after considering the National Policy on Tourism has identified the following cardinal principles for development of Eco-Tourism.

1. It should involve the local community and lead to the overall economic development of the area.
2. It should identify the likely conflicts between the resource use for tourism and the livelihood of local inhabitants and attempt to minimise such conflicts.
3. The type and scale of tourism development should be compatible with the environment and socio-cultural characteristics of the local community, and
4. It should be planned as a part of the overall area development strategy guided by an integrated land use plan while avoiding inter-sectoral conflicts and ensuring sectoral integration, associated with commensurate expansion of public services.

4.11.2. Forest Development Agencies (F.D.As.) constituted in Wildlife areas, which is the confederation of Eco-Development Committees should be the implementing agency with State Tourism Development Corporation/Tourism Department/Forest Department of the State assuring supportive and supervisory roles.

4.11.3. Operational guidelines (a) for the Government; (b) for the Tour Operators/Developers; (c) for the Visitors; (d) for the host community shall be framed towards development of Eco-Tourism in the State.

4.11.3. Carrying capacity of tourist locations shall be taken due care of while promoting Eco-tourism.

4.12. **Marketing, Supply and Utilisation of Forest Produces :**

The State Government should make all endeavour to utilise the forest produces efficiently and extract maximum economic return from the forest produces in the form of income to the stake holders and revenue to the State Exchequer. The State shall take appropriate measures for procurement, marketing and supply of forest produces to serve the social obligation.

4.12.1. **Marketing and Supply of Timber from State Forests :**

- (a) The State Government shall thrust upon proper marketing and supply of timber to achieve maximum economic return from the available resources. The existing

administrative set up of the Assam Forest Department shall be re-organised constituting a full-fledged Marketing Wing upgrading the office of the Forest Utilisation Officer of the State. The Forest Department shall evolve such measures as to make the marketing of forest produce simpler and hassle free.

- (b) The Government shall promote education and training to the farmers, tribal and others involved in the marketing of forest products on value-addition of timber products, use by various industries, market price, market preference, etc. and shall forecast the minimum prices of the forest products in the market analysing its supply and demand scenario.

4.12.2. Marketing of wood from Agro-Forestry and Commercial Plantations :

- (a) The Assam Forest Department shall promote education to the farmers on use of timber by various industries, market prices, various sizes of timbers preferred by users, value addition by proper processing and treatment, etc. These efforts would include use of Radio and T.V. on a large scale as is done for agricultural crops. Wherever possible, the Government shall make reliable forecasts of minimum wood price available to the farmers.
- (b) The Government in order to check the slump in the market shall encourage commercial and industrial enterprises to offer a minimum support or guaranteed price for the wood produced by farmers and other tree growers and also take steps so that State owned forests do not compete with farm forestry.
- (c) The Government shall encourage the private sector and where appropriate, make arrangement for the public sector entities to make quality stock of planting materials available to farmers and other tree growers.

4.12.3. Marketing of Non-Timber Forest Produces (N.T.F.Ps):

- (a) The Government shall foster steps to improve the bargaining position of local N.T.F.P. collectors by developing the capacity of Forest Protection Committees and/or Local Co-operative Societies. These steps would include (a) increasing the knowledge and awareness of prices, quality differentials, purchaser preferences and possible marketing channels and (b) developing their financial and management capacities through training and arrangements to establish revolving funds, etc. Depending on costs and benefits of possible options specific to various sites and products, steps might also include participation of committees and/or co-operatives in N.T.F.P processing and/or marketing.
- (b) The Government shall sponsor research to better understand N.T.F.P. marketing chains and identify potential reforms affecting competition among market agents and processors, transparency and availability of information, market linkages, value addition (e.g. collection technologies, processing, packaging), consumer demand, contract arrangements, etc. that would increase returns to N.T.F.P. collectors, especially those who are participating in forest management. The Government shall also sponsor research to analyse the environmental and

economic sustainability of N.T.F.P. supplies, market demands and harvesting levels.

- (c) The Government shall ensure efficient market transactions and prompt payments to N.T.F.P. collectors.

4.12.4. Trade implications and Forest Certification :

One of the major implications of Sustainable Forest Management is in terms of International trade. For trade in international market, it would be necessary to certify the products for their origin from sustainably managed forests. Also export items from India basically have rural origin. Among the major products exported under this category are – Bamboo products, Cane products, handicrafts and N.T.F.Ps.

Importers are always insisting a certification of these products. Thus, forest certification will promote these products at the same time will also result in higher economic returns.

The State of Assam has the advantage of possessing a very rich variety of commercially useful medicinal plants and other non-timber forest products. It also has abundant bamboo and other resources and dependent artisans capable of producing exportable items. Most of these are in terms of cottage industries employing thousands of rural people, skilled persons and artisans. With western importers of these products insisting on certification, the State Forest Department shall implement the Forest Certification Scheme using national set of C & I of Bhopal-India process.

4.12.5. Social obligation by meeting the demand of local needs:

The Forest Department shall work out the estimated quantity of timber and forest produces annually from the building permission issued by the Municipal Authority and other local bodies and try to meet those demand of local needs on no loss no profit basis by installing Consumer Depots at District and Sub Division Headquarters.

4.12.6. Wood substitution and preservation :

More emphasis shall be given on wood substitution and efficient utilisation of wood. In all government constructions, use of timber shall be minimised by maximising wood substitution.

Local entrepreneurs shall be encouraged to set up timber treatment plants for increasing the durability of non-durable timbers to reduce the wood consumption.

4.13. Forests and Tribal :

The 10th Plan Approach Paper, 2002 of Government of India narrates the unresolved issues in tribal development as below-

“From the viewpoint of policy, it is important to understand that tribal communities are vulnerable not only because they are poor, asset less and illiterate compared to the general population; often their distinct vulnerability arises from their inability to negotiate and cope with the process of integration with the mainstream economy, society, cultural and political system, from which they were historically protected as the result of their relative isolation. Post-independence, the requirements of planned development brought with them the spectre of dams, mines, industries and roads on tribal lands. With these came the concomitant process of displacement, both literal and metaphorical – as tribal institutions and practices were forced into uneasy existence with or gave way to market or formal state institutions (most significantly, in the legal sphere), tribals found themselves at a profound disadvantage with respect to the influx of better-equipped outsiders into tribal areas. The repercussions for the already fragile socio-economic livelihood base of the tribals were devastating – ranging from loss of livelihoods, land alienation on a vast scale, to hereditary bondage.

As tribals grapple with these tragic consequences, the small clutch of bureaucratic programmes have done little to arrest the precipitous pauperisation, exploitation and disintegration of tribal communities. Tribals respond occasionally with anger and assertion, but more often in anomie and despair, because the following persistent problems have by and large remained unattended to :

- ◆ Land alienation and their non-restoration
- ◆ Indebtedness
- ◆ Tribal Forest Rights, Development of Forest Villagers and Shifting Cultivators.
- ◆ To give effect to the provisions of Panchayats (Extension to the Scheduled Areas) Act of 1996 (PESA, 1996) through required legislations at the State Level.
- ◆ Involuntary displacement due to development projects and lack of proper rehabilitation.
- ◆ Rehabilitation of displaced and disabled tribals.
- ◆ Survival, protection and development of the Primitive Tribal Groups.
- ◆ Effective and meaningful implementation of strategy of Tribal Sub Plan.

To tackle the various unresolved problems of the tribals, the Tenth Plan shall formulate a comprehensive National Policy for Empowering Tribal through their integrated development, which will lay down the responsibilities of the different wings of Government with appropriate accountability”.

Therefore, the policy of the State emphasise that while safeguarding the customary rights and interests of tribal and scheduled caste people living within

or in the vicinity of forests, forestry programmes should pay special attention to the following :

Having regard to the symbiotic relationship between the tribal people and forests, a primary task of all agencies responsible for Forest Management should be to associate the tribal people closely as partners in management in the protection, regeneration and development of forests as well as to provide gainful employment to people living in and around forests.

Protection, regeneration and optimum collection of minor forest produce along with institutional arrangements for marketing of such produces.

Such economic activities shall have linkage with State Bio-diversity Action Plan.

The contractors system of the Forest Department should be replaced by institutions such as tribal village councils and other institutions, tribal co-operatives, labour co-operatives etc.

To avoid the exploitation of the tribal, there should be proper marketing development fixing of a minimum price for all important forest produces and mechanism for dissemination of information.

Undertaking Integrated Area Development Programmes to meet the needs of tribal economy in and around forest areas including provision of alternative sources of domestic energy on a subsidized basis to reduce pressure on existing forests.

Family oriented schemes for improving the status of the tribal beneficiaries, forest villagers in general and tribal and scheduled caste in particular.

Creation of a Forest Development Agency (FDA) for taking up integrated development forest resources for alleviation of poverty among the tribal and other people dependent on forests.

4.14. Forest Extension.

- 4.14.1. Without active support and co-operation of the people, forest conservation programme shall remain a myth. It is, therefore, essential to inculcate in the people an awareness of the value of trees, forests and wild lives and their contribution towards not only a healthy environment but also towards their poverty alleviation. This may be achieved through involvement of educational institutions, right from the primary stage. Study of forests and environment would be included in school curricula. Teachers would be given orientation training on environmental protection and its impact on social life. Raising of fruit and other useful trees by the students on institutional land, their own homestead land and nearby degraded areas would be encouraged. State awards would be declared to facilitate the institutions doing best work in this sphere. Award of credit would be given to the students showing special interest in

matters related to forestry and environment. Modalities would be worked out in consultation with the authorities of education department.

- 4.14.2. Farmers and interested people would be provided opportunities through institutions, like Krishi Vigyan Kendras, Trainers' Training Centres, Gram Sewak Training Centres to learn agro-silvicultural, Silvopastoral and Silvicultural techniques to ensure optimising the productivity of their land and water resource. Short term extension courses and lectures would be organised to educate farmers and other interested persons.
- 4.14.3. Publicity and extension activities of the Forest Department would be intensified. Suitable programmes would be propagated through mass media, audio-visual aids and extension machinery, which is essential for the purpose.
- 4.14.4. Joint Forestry Management programmes would be introduced involving the people for conservation and development of forests with transparent policy resolutions regarding sharing of usufructory benefits that would be released in favour of the participants. This would surely bring in a healthy and happy change from the present scenario of fast denudation of forests.

4.15. **Forestry Education.**

Study of forestry science has been considered as a part of environment study. Government would endeavour recruiting forestry professionals of academic and professional excellence. Government would consider sponsoring larger number of forestry personnel for attending specialised and orientation training for developing better management skills.

Institutes of Forestry Education of the state shall be upgraded and strengthened to take up multi-disciplinary short and medium term courses including on the job training in addition to regular programme.

4.16. **Forestry Research.**

With the increasing realisation of the importance of forests for environmental health, energy and employment, emphasis is warranted on scientific forestry research necessitating adequate strengthening of the research base as well as new priority formulation. Some broad priority areas of research and development needing special attention are -

Increasing the productivity of wood and other forest produce per unit area per unit time through modern scientific and technological inputs.

Re-vegetation of barren/marginal/waste/mined lands and watershed areas.

Effective conservation and management of existing forest resources (mainly, natural forest eco-systems).

Research related to social forestry for rural/tribal development.

Development of substitutes to replace wood and wood products.

Research related to wildlife and management parks, sanctuaries, biosphere reserves and non-forest protected areas. Research priorities are to be identified at system level, community level and species level.

Discovery of new indigenous species with hitherto unknown utility status.

Research on marketing of N.T.F.P.

Research on rough processing and scope of developing cottage industries with N.T.F.P. for marketing value added products.

Research related to tribal-forest interface including development of site specific viable models of rehabilitation of shifting cultivation lands.

For the above purposes linkage with Universities and other institutions should be established.

4.17. Personnel Management and Capacity Building.

4.17.1. Government policies in personnel management for professional Foresters, while aiming at optimum utilisation of their professional skill, would endeavour to enhance their status attracting qualified and motivated personnel, keeping in view particularly the arduous nature of duties performed, often in remote and inhospitable areas.

4.17.2. Government policy would be to recruit grass root level forest workers amongst people from rural areas, particularly living in vicinity of forests and not habituated to urban life, as far as practicable.

4.17.3. Service rules under various stages of scrutiny would be finalised and notified for different categories of forest employees.

4.17.4. Posting of forest officials would be guided by the current principles. Government would consider retaining officers holding specialised assignments, like teaching, research, resources survey, working plan, etc. at the choice of the officers having special interest in those activities.

4.17.5. Restructuring the Department incorporating there in all related departments and corporations with well defined duties and responsibilities at each level of the departmental functionaries.

4.18. Application of Information Technology into Forestry :

4.18.1. Development of comprehensive data base.

Efficient planning requires information as trends as well as updated actual situated at macro and micro levels. Information ranges from statistical – costs, prices, production, supply, demand, consumption, area of employment, rates and ratio, co-efficient and indices to non-statistical – research findings, locality factors, maps and sketches, collection, validation, analysis, storage-retrieval,

dissemination and updating information requires (i.e. GIS, MIS, Resource information) suitable system.

The present state of forest information is unsatisfactory in terms of availability, coverage, consistency and reliability. Information on private and non-forest sources of forest products, processing sector, markets, costs and prices and analytical details like average productivity, input/output ratios and elasticity are almost non-existent. Present capability in these areas is also weak. This has led to adhoc planning as well as funding.

There is urgent need for improving the forestry information base, with clear definition of scope, sources and acceptable standards of accuracy and efficiency in order to strengthen forestry planning process as well as implementation.

Priority needs to be accorded to develop a comprehensive data base regarding the forest resources in the State and to update it on a regular basis. Forest Management Information System Division should be set up and well provided for in terms of man-power as well as computation of hardware and software resources.

4.18.2. Use of Geographic Information System/Global Positioning System in forestry.

Geographic Information System (G.I.S.) and Global Positioning System (G.P.S.) technologies have important applications in forestry. A full fledged G.I.S. Centre for rapid adoption of these technologies into the planning, implementation and monitoring of forestry plans and schemes should be established.

4.18.3. Promotion of Electronic Governance in forestry.

Electronic Governance, which is the application of Information Technology (I.T.) to the process of governance has assumed importance in all walk of life. Forest administration should be encouraged to maximise the use of e-technology in all its operations, specially that which pertains to public dealings. Electronic Governance Symbolizes application of information technology to the process of Government functioning to bring about simple, moral, accountable, responsive and transparent governance. Forest Department has recognised the power of I.T. to act as catalyst in efficient governance and development of human resources. The policy of the department is to draw detail plan for improving transparency, providing information speedily to all citizen and improving administrative efficiency. Official web sites be specially dedicated to promote E-Governance for the Assam Forest Department as a whole, again exclusively for wildlife with regular updating of status, for nodal officer for catering to the specific needs of applicants in the cases of forest land diversion.

4.19. Legal support and Infrastructure Development.

Appropriate legislation would be undertaken supported by adequate infrastructure in order to implement the State Forest Policy effectively. Every effort would be made to frame Rules and Procedures within a period of six

months from the date of policy coming into force for its effective implementation.

4.20. Diversion of forest land for non-forestry purposes.

- 4.20.1. Forest land or land with tree cover should not be treated merely as a resource readily available to be utilised for various projects and programmes but as a national asset which requires to be properly safeguarded for providing sustained benefits to the entire community. Diversion of forest land for non-forestry purposes should be subject to the most careful examinations by specialists from the standpoint of social and environmental costs and benefits. Construction of dams and reservoirs, mining and industrial development and expansion of agriculture should be consistent with the needs for conservation of trees and forests. Projects which involve such diversion should at least provide in their investment budget, fund for regeneration/compensatory afforestation.
- 4.20.2. Beneficiaries, who are allowed mining and quarrying in forest areas and in land covered by trees should be required to repair and re-vegetate the areas in accordance with the established forestry practices as enjoyed by the Forest (Conservation) Act, 1980 as amended. No mining lease should be granted to any party, private or public, without a proper mine management plan appraised from the environmental angle and enforced by adequate machinery.

4.21. Financial support for forestry.

The objectives of this revised policy cannot be achieved without investment of financial and other resources on a substantially higher scale. Considering the contribution of forests in maintaining essential ecological processes and life support systems and in preserving genetic diversity, higher level of investment in forestry sector is the crying need of the day. To fulfil the objectives, there would be a constant endeavour of the Government to strive to channelise the resources from its own diverse sources, central contribution and also from external sources through the Forest Department. Forests would not be looked upon as a source of revenue. Forests are a renewable natural resource. They are an asset to be protected and enhanced for the well being of the people of Assam.

Working Plan prescriptions should be backed by financial commitment by the state government. It must be ensured that a minimum level of funds (at least 10% for hills and 5% for plains) from state plan resources are made available for the development and protection of forests of Assam.

**GOVERNMENT OF ASSAM
FOREST DEPARTMENT DISPUR**

NO.FRM.37/99/70,

Dated Dispur, the 5th September, 2000.

OFFICE MEMORANDUM

Whereas it is considered necessary to adequately compensate the victims of Wildlife depredation in the vicinity of reserve forests/national parks/wildlife sanctuaries, the Governor of Assam is pleased to revise the existing rates of ex-gratia grants contained in the Government O.M. No.FRW.19/80/72, dated 19-06-1986 as below :

	Existing Rate	Revised Rate
1. To the next of kin of a person killed by wild animals.	Rs.5,000/- (Rupees Five Thousand)	Rs.20,000/- (Rupees Twenty Thousand)
2. For loss of limb or other injuries caused by Wild animals resulting in permanent disablement.	Rs.3,000/- (Rupees Three Thousand)	An amount not exceeding Rs.20,000/- (Rupees Twenty Thousand)

Ex-gratia payment as above will be considered by only after proper investigation by authorised officer on receipt of information of wild animal depredation.

Provided that no payment shall be made if a person is killed or injured at a time when he was engaged in any illegal activity punishable under the wildlife (Protection) Act, 1972 of Assam Forest Regulation, 1891 or any other law in force.

Provided further that no compensation shall be considered for any person entering any reserved forest or national Park or Wildlife Sanctuary in an unauthorised manner.

This issues with the concurrence of Finance (EC-I) Department vide their U/O No.372/2000, dated -06-06-2000 and will take immediate effect.

(Alok Jain)
Commissioner & Secretary to the Government of Assam
Forest Department, Dispur.

**GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
ENVIROMENT & FOREST DEPARTMENT**

NOTIFICATION.

The 31st August, 2003.

No.FRW-13/91/74- In exercise of the powers conferred under Section 26-A (i) (b) of The Wild Life (Protection) Act 1972 as amended up to date, the Governor of Assam is pleased to declare the land described in the schedules below as a 'Sanctuary' with effect from the date of publication of this notification in the official gazette.

SCHEDULES

A. Location,Area and name.

District (civil) Golaghat.

Sub-division(civil) Golaghat.

Forest Division.Golaghat.

Name NAMBOR-DOIGRUNG WILDLIFE
SANCTUARY

Area9715 ha [97.15 sq km]

B. Description of the boundary.

The Nambor-Doigrung Wildlife Sanctuary comprises of three disjunct forest areas, referred to here as 'Blocks, which were reserved forests or part thereof. The Blocks 2 and 3 have contiguity through Nambor Wildlife Sanctuary of Karbi Anglong.

Block	Area in Ha.	Name of the reserve forest
1. Lower Doigrung	2073	Lower Doigrung
2. Uper Doigrung	2150	Upper Doigrung
3. Nambor	5492	Part of Nambor (north block)
Total	9715	

Block 1: LOWER DOIGRUNG

Reference point: The reference point is fixed at the middle point of the causeway over the Doigrung river on the Morphuloni- Bogigaon road. The 0 lies at a bearing of $177^{\circ} 30'$ and at a distance of 580 m. The boundary thence runs as follows:

	From point No.	to point No.	At a bearing of	at a distance of
SOUTH	0	1	$275^{\circ} 0'$	100.00m
	1	2	$307^{\circ} 30'$	200.00m
	2	3	$240^{\circ} 30'$	390.00m
	3	4	$169^{\circ} 30'$	180.00m
	4	5	$203^{\circ} 0'$	140.00m
	5	6	$323^{\circ} 0'$	100.00m
	6	7	$286^{\circ} 0'$	150.00m
	7	8	$308^{\circ} 30'$	215.00m
	8	9	$240^{\circ} 30'$	162.00m
	9	10	$331^{\circ} 0'$	140.00m
	10	11	$250^{\circ} 30'$	175.00m
	11	12	$322^{\circ} 30'$	250.00m
	WEST	12	13	$80^{\circ} 0'$
13		14	$331^{\circ} 30'$	510.00m
14		15	$338^{\circ} 30'$	340.00m
15		16	$323^{\circ} 0'$	440.00m
16		17	$335^{\circ} 30'$	300.00m
17		18	$314^{\circ} 0'$	570.00m
18		19	$333^{\circ} 0'$	170.00m
19		20	$275^{\circ} 30'$	100.00m
20		21	$42^{\circ} 0'$	140.00m
21		22	$92^{\circ} 0'$	50.00m
22		23	$6^{\circ} 0'$	280.00m
NORTH	23	24	$318^{\circ} 0'$	240.00m
	24	25	$11^{\circ} 0'$	530.00m
	25	26	$346^{\circ} 0'$	270.00m
	26	27	$75^{\circ} 0'$	160.00m
	27	28	$97^{\circ} 30'$	560.00m
	28	29	$133^{\circ} 0'$	260.00m
	29	30	$58^{\circ} 30'$	200.00m
	30	31	$99^{\circ} 0'$	180.00m
	31	32	$26^{\circ} 30'$	210.00m
	32	33	$328^{\circ} 0'$	480.00m
	33	34	$275^{\circ} 0'$	180.00m
	34	35	$28^{\circ} 0'$	270.00m
	35	36	$90^{\circ} 0'$	220.00m
	36	37	$28^{\circ} 0'$	200.00m
	37	38	$88^{\circ} 0'$	422.00m
	38	39	$45^{\circ} 30'$	300.00m
	39	40	$82^{\circ} 0'$	150.00m
40	41			

	41	42	8° 0'	220.00m
	42	43	300° 0'	100.00m
	43	44	0° 0'	230.00m
	44	45	71° 0'	350.00m
	45	46	11° 0'	125.00m
	46	47	92° 30'	250.00m
	47	48	32° 0'	300.00m
	48	49	157° 0'	470.00m
EAST	49	50	226° 0'	200.00m
	50	51	166° 0'	570.00m
	51	52	297° 0'	375.00m
	52	53	164° 0'	510.00m
	53	54	219° 30'	100.00m
	54	55	141° 0'	230.00m
	55	56	220° 0'	150.00m
	56	57	150° 30'	670.00m
	57	58	219° 0'	250.00m
	58	59	217° 0'	260.00m
	59	60	178° 0'	270.00m
	60	61	151° 30'	430.00m
	61	62	216° 30'	210.00m
	62	63	149° 0'	250.00m
	63	64	184° 0'	690.00m
	64	65	90° 30'	350.00m
	65	66	198° 0'	310.00m
	66	67	281° 0'	200.00m
	67	68	200° 0'	250.00m
	68	69	79° 0'	150.00m
	69	70	200° 30'	300.00m
	70	71	76° 30'	322.00m
	71	72	202° 0'	650.00m
	72	Starting point	165° 0'	280.00m

Thus the traverse is closed.

Block 2 : UPPER DOIGRUNG

Reference point : The reference point is fixed on the middle point of the RCC bridge over the E & D nullah constructed in front of E & D office, Letekubari No,12 near the Tiniali where Garampani- Morphuloni road meets the E & D nullah road. The point 0 lies at a bearing of 9° 30' and at a distance of 206.7 m. The boundary thence runs as follows :-

EAST	From point No. 0	to point No. 1	At a bearing of 180° 0'	at a distance of 450.00m
	1	2	238° 0'	250.00m
	2	3	182° 0'	400.00m
	3	4	236° 30'	300.00m
	4	5	200° 0'	250.00m
	5	6	211° 30'	480.00m

SOUTH

WEST

6	7	304° 30'	150.00m
7	8	212° 30'	150.00m
8	9	291° 0'	280.00m
9	10	249° 0'	140.00m
10	11	188° 0'	410.00m
11	12	309° 0'	440.00m
12	13	201° 30'	750.00m
13	14	312° 30'	210.00m
14	15	240° 0'	350.00m
15	16	186° 0'	250.00m
16	17	253° 30'	160.00m
17	18	278° 0'	80.00m
18	19	188° 0'	550.00m
19	20	240° 0'	150.00m
20	21	215° 0'	450.00m
21	22	238° 30'	350.00m
22	23	240° 0'	150.00m
23	24	291° 0'	100.00m
24	25	19° 0'	160.00m
25	26	281° 0'	240.00m
26	27	308° 0'	80.00m
27	28	241° 30'	170.00m
28	29	315° 0'	110.00m
29	30	239° 30'	140.00m
30	31	312° 30'	205.00m
31	32	278° 0'	180.00m
32	33	14° 30'	100.00m
33	34	283° 0'	200.00m
34	35	298° 0'	120.00m
35	36	262° 0'	150.00m
36	37	312° 0'	203.00m
37	38	12° 0'	90.00m
38	39	300° 30'	100.00m
39	40	46° 0'	120.00m
40	41	125° 30'	285.00m
41	42	69° 0'	470.00m
42	43	6° 0'	270.00m
43	44	55° 0'	850.00m
44	45	88° 30'	360.00m
45	46	33° 0'	265.00m
46	47	80° 30'	205.00m
47	48	30° 30'	500.00m
48	49	96° 0'	220.00m
49	50	35° 0'	670.00m
50	51	11° 0'	475.00m
51	52	51° 0'	140.00m
52	53	72° 0'	230.00m
53	54	50° 30'	240.00m
54	55	91° 0'	250.00m

	55	56	64° 30'	280.00m
	56	57	94° 0'	240.00m
	57	58	62° 0'	470.00m
	58	59	12° 30'	110.00m
	59	60	330° 30'	160.00m
	60	61	61° 0'	90.00m
NORTH	61	62	101° 30'	90.00m
	62	63	111° 0'	160.00m
	63	64	123° 0'	360.00m
	64	Starting point	136° 30'	420.00m

Thus the traverse is closed.

Block 3 :NAMBOR (part Nambor [north block] reserve forest)

Reference point : The reference point is fixed on the 46th kilometer post of NH 39, which is on the boundary of the proposed wildlife sanctuary and marked as the point 0 on the map. The boundary thence runs as follows:-

SOUTH WEST	From point No.	0	to point No.	1	At a bearing of	300° 0'	at a distance of	116.00m
	1		2		310° 0'		90.00m	
	2		3		300° 0'		60.00m	
	3		4		244° 0'		63.90m	
	4		5		138° 30'		72.10m	
	5		6		251° 0'		41.90m	
	6		7		186° 0'		81.20m	
	7		8		246° 30'		51.00m	
	8		9		265° 30'		97.75m	
	9		10		285° 0'		104.35m	
	10		11		225° 30'		56.20m	
	11		12		248° 30'		70.55m	
	12		13		251° 30'		124.50m	
	13		14		232° 0'		96.10m	
	14		15		207° 0'		85.80m	
	15		16		208° 0'		75.00m	
	16		17		219° 0'		65.29m	
	17		18		169° 30'		36.70m	
	18		19		211° 30'		62.70m	
	19		20		234° 0'		62.75m	
	20		21		263° 0'		212.50m	
	21		22		278° 0'		82.80m	
	22		23		296° 0'		73.00m	
	23		24		275° 0'		26.85m	
	24		25		310° 30'		111.80m	
	25		26		326° 30'		42.50m	
	26		27		350° 15'		116.80m	
	27		28		342° 15'		86.40m	
	28		29		322° 0'		30.20m	
	29		30		340° 30'		123.25m	
	30		31		326° 0'		219.25m	

31	32	294° 0'	115.25m
32	33	315° 0'	73.80m
33	34	5° 30'	53.00m
34	35	329° 0'	75.00m
35	36	310° 0'	93.00m
36	37	332° 30'	67.50m
37	38	349° 0'	30.00m
38	39	314° 30'	72.40m
39	40	284° 0'	73.40m
40	41	312° 0'	241.00m
41	42	304° 0'	64.60m
42	43	310° 30'	122.00m
43	44	284° 0'	41.00m
44	45	272° 0'	66.00m
45	46	252° 0'	50.70m
46	47	272° 30'	74.10m
47	48	281° 0'	62.50m
48	49	291° 0'	157.60m
49	50	318° 0'	22.15m
50	51	346° 0'	70.80m
51	52	337° 0'	48.20m
52	53	309° 0'	30.00m
53	54	298° 30'	64.80m
54	55	304° 30'	101.10m
55	56	297° 30'	53.00m
56	57	316° 0'	281.75m
57	58	321° 30'	61.65m
58	59	315° 15'	104.90m
59	60	299° 0'	84.50m
60	61	288° 0'	90.65m
61	62	298° 0'	72.70m
62	63	302° 0'	74.75m
63	64	281° 0'	57.20m
64	65	265° 0'	68.30m
65	66	280° 0'	38.20m
66	67	295° 0'	45.55m
67	68	304° 0'	38.40m
68	69	311° 30'	68.15m
69	70	284° 30'	103.00m
70	71	288° 30'	101.10m
71	72	303° 0'	46.30m
72	73	316° 30'	146.20m
73	74	320° 0'	65.55m
74	75	292° 0'	117.80m
75	76	296° 0'	70.15m
76	77	309° 30'	101.50m
77	78	284° 0'	98.20m
78	79	289° 0'	80.80m
79	80	312° 0'	30.00m

NORTH

80	81	327° 0'	30.00m
81	82	315° 0'	87.20m
82	83	317° 0'	60.00m
83	84	318° 0'	43.90m
84	85	322° 0'	40.30m
85	86	27° 0'	14.90m
86	87	352° 0'	11.40m
87	88	3° 30'	27.40m
88	89	13° 30'	10.30m
89	90	338° 30'	16.40m
90	91	341° 0'	22.10m
91	92	6° 0'	19.40m
92	93	10° 0'	15.90m
93	94	352° 30'	15.80m
94	95	338° 0'	19.10m
95	96	339° 30'	27.40m
96	97	26° 0'	51.50m
97	98	350° 0'	22.90m
98	99	358° 0'	15.30m
99	100	16° 30'	24.30m
100	101	356° 30'	13.70m
101	102	312° 30'	25.10m
102	103	320° 0'	3.70m
103	104	286° 0'	11.70m
104	105	298° 30'	14.20m
105	106	308° 30'	18.00m
106	107	331° 30'	41.60m
107	108	302° 0'	47.50m
108	109	323° 0'	27.30m
109	110	20° 30'	34.40m
110	111	26° 30'	18.90m
111	112	345° 0'	30.80m
112	113	26° 30'	31.00m
113	114	44° 0'	19.40m
114	115	58° 0'	19.00m
115	116	65° 30'	63.00m
116	117	61° 0'	36.10m
117	118	45° 0'	19.40m
118	119	26° 0'	28.60m
119	120	29° 0'	28.50m
120	121	15° 30'	28.80m
121	122	6° 0'	37.60m
122	123	14° 0'	49.80m
123	124	53° 0'	26.20m
124	125	75° 0'	43.00m
125	126	71° 30'	39.40m
126	127	72° 0'	36.40m
127	128	70° 30'	48.90m
128	129	77° 30'	38.00m

129	130	62°30'	58.00m
130	131	62°30'	32.00m
131	132	69°0'	34.90m
132	133	69°0'	34.90m
133	134	62°30'	22.70m
134	135	50°0'	22.60m
135	136	45°30'	45.80m
136	137	51°30'	25.20m
137	138	58°0'	38.10m
138	139	61°0'	22.50m
139	140	62°0'	34.20m
140	141	72°0'	33.00m
141	142	62°0'	38.70m
142	143	60°30'	35.10m
143	144	44°0'	30.20m
144	145	57°30'	44.30m
145	146	51°0'	39.80m
146	147	54°30'	32.60m
147	147	39°0'	28.00m
148	149	21°30'	62.20m
149	150	14°30'	38.30m
150	151	22°30'	22.20m
151	152	17°0'	55.10m
152	153	73°0'	23.60m
153	154	81°30'	27.30m
154	155	74°30'	24.0m
155	156	80°0'	28.80m
156	157	159°0'	25.80m
157	158	172°0'	17.10m
158	159	190°30'	11.00m
159	160	122°30'	11.90m
160	161	107°0'	10.90m
161	162	102°0'	10.90m
162	163	72°30'	11.50m
163	164	66°0'	21.50m
164	165	64°0'	20.70m
165	166	61°30'	42.70m
166	167	47°0'	22.40m
167	168	43°30'	24.80m
168	169	52°30'	21.10m
169	170	99°0'	15.20m
170	171	117°30'	18.30m
171	172	112°0'	19.10m
172	173	104°0'	16.60m
173	174	66°0'	19.80m
174	175	41°0'	16.00m
175	176	54°30'	20.20m
176	177	63°30'	18.90m
177	178	78°30'	14.00m

178	179	94° 0'	24.20m
179	180	79° 30'	46.60m
180	181	76° 0'	21.60m
181	182	63° 30'	20.70m
182	183	53° 0'	18.70m
183	184	47° 30'	19.10m
184	185	25° 0'	18.20m
185	186	34° 0'	25.20m
186	187	36° 0'	23.90m
187	188	47° 0'	14.80m
188	189	83° 0'	18.30m
189	190	104° 0'	24.90m
190	191	98° 30'	19.10m
191	192	100° 0'	23.30m
192	193	120° 0'	23.30m
193	194	115° 30'	27.20m
194	195	126° 0'	16.40m
195	196	114° 0'	28.60m
196	197	121° 0'	47.90m
197	198	116° 30'	19.80m
198	199	108° 30'	17.80m
199	200	91° 0'	22.50m
200	201	94° 0'	11.70m
201	202	97° 30'	36.90m
202	203	110° 30'	28.40m
203	204	110° 0'	17.60m
204	205	128° 0'	25.50m
205	206	122° 0'	30.90m
206	207	129° 0'	19.70m
207	208	97° 0'	22.70m
208	209	87° 0'	17.70m
209	210	72° 30'	31.20m
210	211	66° 0'	22.00m
211	212	116° 0'	16.60m
212	213	130° 0'	27.40m
213	214	97° 0'	39.70m
214	215	85° 0'	26.70m
215	216	77° 0'	20.20m
216	217	65° 30'	14.60m
217	218	82° 0'	20.70m
218	219	118° 0'	21.40m
219	220	129° 30'	14.60m
220	221	126° 0'	20.70m
221	222	113° 0'	21.40m
222	223	98° 30'	14.60m
223	224	347° 0'	14.40m
224	225	310° 0'	12.60m
225	226	352° 0'	11.40m
226	227	32° 0'	11.40m

227	228	88° 0'	12.90m
228	229	99° 0'	10.20m
229	230	25° 0'	11.50m
230	231	29° 0'	20.70m
231	232	68° 30'	22.90m
232	233	71° 30'	19.10m
233	234	62° 30'	19.10m
234	235	132° 0'	15.70m
235	236	163° 0'	16.40m
236	237	141° 30'	22.60m
237	238	91° 0'	29.40m
238	239	9° 0'	23.00m
239	240	351° 0'	20.00m
240	241	41° 0'	20.30m
241	242	102° 30'	21.50m
242	243	90° 0'	31.00m
243	244	81° 0'	10.60m
244	245	125° 30'	19.30m
245	246	66° 0'	12.80m
246	247	3° 30'	19.30m
247	248	359° 0'	26.20m
248	249	48° 0'	11.40m
249	250	95° 0'	26.70m
250	251	106° 0'	22.20m
251	252	122° 30'	21.10m
252	253	144° 0'	16.40m
253	254	171° 30'	22.00m
254	255	194° 30'	17.90m
255	256	178° 30'	12.10m
256	257	135° 0'	18.20m
257	258	68° 30'	24.20m
258	259	39° 0'	29.50m
259	260	87° 0'	163.60m
260	261	72° 30'	27.90m
261	262	6° 0'	40.50m
262	263	79° 30'	52.40m
263	264	124° 30'	45.40m
264	265	103° 30'	27.30m
265	266	84° 0'	22.30m
266	267	33° 30'	22.30m
267	268	3° 0'	32.10m
268	269	103° 30'	29.40m
269	270	122° 30'	22.90m
270	271	80° 0'	74.80m
271	272	92° 0'	47.90m
272	273	144° 0'	53.70m
273	274	75° 30'	52.80m
274	275	56° 30'	69.60m
275	276	74° 0'	19.20m

276	277	54° 30'	81.60m
277	278	121° 0'	64.80m
278	279	68° 0'	71.90m
279	280	63° 0'	47.30m
280	281	112° 30'	27.00m
281	282	65° 0'	29.70m
282	283	57° 30'	43.40m
283	284	28° 0'	25.00m
284	285	14° 0'	35.60m
285	286	28° 0'	20.50m
286	287	52° 0'	20.40m
287	288	65° 0'	31.20m
288	289	92° 30'	19.30m
289	290	102° 30'	34.70m
290	291	63° 0'	88.60m
291	292	110° 0'	29.50m
292	293	126° 0'	49.80m
293	294	115° 0'	17.30m
294	295	181° 0'	31.00m
295	296	159° 30'	29.70m
296	297	105° 0'	45.00m
297	298	76° 0'	73.00m
298	299	65° 0'	39.00m
299	300	68° 0'	50.40m
300	301	32° 30'	18.60m
301	302	7° 30'	15.00m
302	303	21° 0'	24.60m
303	304	65° 30'	41.20m
304	305	107° 30'	14.80m
305	306	148° 0'	15.20m
306	307	165° 30'	17.50m
307	308	187° 0'	16.20m
308	309	170° 0'	16.30m
309	310	119° 0'	34.60m
310	311	112° 0'	35.20m
311	312	90° 0'	37.00m
312	313	67° 30'	35.70m
313	314	41° 0'	29.40m
314	315	55° 30'	44.00m
315	316	88° 0'	25.00m
316	317	56° 30'	15.30m
317	318	49° 0'	27.10m
318	319	67° 00'	43.70m
319	320	81° 30'	41.10m
320	321	49° 0'	28.30m
321	322	48° 00'	34.50m
322	323	96° 30'	78.60m
323	324	64° 0'	34.40m
324	325	61° 30'	33.00m

325	326	99° 30'	62.50m
326	327	121° 30'	23.10m
327	328	130° 00'	55.90m
328	329	74° 30'	62.70m
329	330	85° 0'	38.00m
330	331	107° 00'	32.80m
331	332	89° 00'	20.90m
332	333	50° 0'	57.40m
333	334	77° 00'	24.80m
334	335	133° 30'	31.00m
335	336	123° 0'	57.00m
336	337	77° 0'	27.20m
337	338	62° 0'	44.70m
338	339	74° 0'	78.60m
339	340	81° 0'	50.20m
340	341	48° 30'	96.90m
341	342	69° 30'	41.60m
342	343	50° 30'	106.40m
343	344	63° 30'	27.00m
344	345	108° 30'	24.20m
345	346	56° 00'	44.10m
346	347	84° 0'	25.90m
347	348	42° 0'	89.80m
348	349	95° 0'	17.40m
349	350	169° 0'	64.30m
350	351	152° 0'	41.90m
351	352	106° 30'	28.50m
352	353	61° 00'	20.70m
353	354	88° 0'	35.80m
354	355	30° 00'	34.40m
355	356	331° 00'	88.80m
356	357	343° 0'	42.00m
357	358	27° 30'	27.20m
358	359	101° 0'	97.20m
359	360	59° 0'	35.80m
360	361	77° 0'	31.00m
361	362	55° 30'	29.30m
362	363	70° 30'	59.80m
363	364	61° 30'	19.80m
364	365	29° 0'	46.10m
365	366	68° 0'	38.30m
366	367	110° 0'	36.00m
367	368	115° 0'	45.70m
368	369	83° 30'	85.90m
369	370	68° 0'	73.30m
370	371	113° 0'	43.80m
371	372	102° 30'	59.00m
372	373	97° 30'	39.80m
373	374	142° 30'	75.50m

374	375	131° 0'	65.00m
375	376	109° 30'	45.30m
376	377	88° 0'	86.60m
377	378	123° 30'	39.20m
378	379	77° 0'	40.40m
379	380	110° 0'	43.90m
380	381	96° 30'	28.80m
381	382	51° 0'	25.50m
382	383	100° 30'	26.60m
383	384	52° 0'	33.60m
384	385	68° 0'	56.90m
385	386	70° 30'	38.80m
386	387	55° 30'	74.10m
387	388	68° 0'	60.70m
388	389	27° 30'	26.30m
389	390	347° 30'	37.10m
390	391	52° 0'	18.40m
391	392	114° 0'	18.90m
392	393	41° 0'	65.30m
393	394	100° 0'	42.90m
394	395	117° 0'	180.30m
395	396	133° 30'	63.40m
396	397	142° 0'	35.20m
397	398	90° 0'	24.10m
398	399	50° 0'	88.80m
399	400	67° 0'	29.80m
400	401	110° 0'	55.10m
401	402	45° 30'	29.30m
402	403	26° 30'	42.30m
403	404	13° 0'	33.50m
404	405	353° 30'	71.30m
405	406	37° 0'	49.70m
406	407	50° 0'	64.80m
407	408	40° 0'	40.00m
408	409	87° 0'	42.70m
409	410	44° 30'	101.30m
410	411	32° 30'	82.50m
411	412	20° 30'	83.30m
412	413	22° 30'	105.50m
413	414	82° 30'	36.90m
414	415	46° 0'	66.30m
415	416	94° 0'	16.50m
416	417	72° 0'	110.00m
417	418	120° 30'	60.00m
418	419	60° 0'	140.00m
419	420	85° 0'	165.00m
420	421	54° 30'	60.00m
421	422	115° 0'	122.00m
422	423	70° 0'	95.00m

423	424	37 ⁰ 0'	85.50m
424	425	115 ⁰ 30'	124.90m
425	426	186 ⁰ 0'	152.30m
426	427	94 ⁰ 0'	105.00m
427	428	136 ⁰ 0'	85.10m
428	429	9 ⁰ 0'	95.95m
429	430	56 ⁰ 0'	78.00m
430	431	126 ⁰ 30'	110.00m
431	432	72 ⁰ 30'	90.00m
432	433	52 ⁰ 30'	105.30m
433	434	78 ⁰ 0'	95.00m
434	435	16 ⁰ 0'	55.40m
435	436	344 ⁰ 0'	210.00m
436	437	297 ⁰ 30'	72.50m
437	438	16 ⁰ 0'	330.00m
438	439	293 ⁰ 0'	100.00m
439	440	310 ⁰ 0'	200.00m
440	441	215 ⁰ 30'	50.00m
441	442	111 ⁰ 0'	89.90m
442	443	11 ⁰ 0'	45.50m
443	444	330 ⁰ 30'	45.50m
444	445	108 ⁰ 30'	48.75m
445	446	343 ⁰ 30'	97.00m
446	447	60 ⁰ 30'	75.00m
447	448	116 ⁰ 0'	68.00m
448	449	286 ⁰ 0'	125.00m
449	450	49 ⁰ 0'	159.80m
450	451	41 ⁰ 30'	75.80m
451	452	58 ⁰ 0'	175.00m
452	453	335 ⁰ 30'	250.00m
453	454	28 ⁰ 30'	90.00m
454	455	81 ⁰ 0'	92.00m
455	456	111 ⁰ 0'	60.00m
456	457	89 ⁰ 0'	50.00m
457	458	343 ⁰ 0'	210.00m
458	459	12 ⁰ 30'	75.00m
459	460	41 ⁰ 30'	110.00m
460	461	116 ⁰ 30'	98.00m
461	462	90 ⁰ 0'	75.00m
462	463	147 ⁰ 0'	48.00m
463	464	184 ⁰ 0'	305.00m
464	465	172 ⁰ 0'	95.00m
465	466	127 ⁰ 0'	100.00m
466	467	111 ⁰ 0'	212.00m
467	468	78 ⁰ 0'	148.00m
468	469	43 ⁰ 0'	180.00m
469	470	12 ⁰ 30'	335.00m
470	471	9 ⁰ 0'	190.00m
471	472	32 ⁰ 30'	285.60m

EAST

472	473	47° 30'	235.00m
473	474	45° 0'	310.00m
474	475	38° 0'	312.00m
475	476	65° 0'	239.50m
476	477	95° 0'	248.75m
477	478	117° 0'	125.00m
478	479	151° 0'	120.50m
479	480	179° 0'	324.80m
480	481	222° 30'	240.00m
481	482	245° 0'	290.00m
482	483	247° 0'	498.70m
483	484	186° 0'	250.00m
484	485	161° 0'	235.00m
485	486	163° 0'	569.00m
486	487	160° 0'	180.00m
487	488	205° 0'	330.00m
488	489	225° 0'	425.00m
489	490	200° 0'	310.00m
490	491	267° 0'	99.50m
491	492	332° 0'	349.80m
492	493	284° 30'	375.00m
493	494	289° 0'	150.00m
494	495	301° 0'	275.00m
495	496	247° 0'	300.00m
496	497	180° 0'	224.60m
497	498	136° 0'	362.00m
498	499	128° 30'	200.50m
499	500	162° 0'	250.00m
500	501	138° 0'	345.00m
501	502	186° 0'	480.00m
502	503	240° 30'	290.00m
503	504	315° 30'	384.80m
504	505	285° 0'	140.00m
505	506	327° 0'	489.00m
506	507	239° 0'	80.00m
507	508	163° 30'	320.00m
508	509	189° 0'	460.00m
509	510	236° 30'	760.00m
510	511	300° 0'	428.80m
511	512	333° 30'	341.00m
512	513	246° 0'	130.00m
513	514	176° 0'	360.00m
514	515	207° 0'	249.70m
515	516	141° 30'	689.50m
516	517	219° 0'	220.00m
517	518	285° 0'	560.00m
518	519	203° 0'	150.00m
519	520	150° 30'	170.00m
520	521	124° 0'	449.60m

521	522	167 ⁰ 0'	240.00m
522	523	185 ⁰ 0'	480.00m
523	524	240 ⁰ 0'	170.00m
524	525	291 ⁰ 30'	250.00m
525	526	296 ⁰ 30'	425.00m
526	527	295 ⁰ 0'	439.90m
527	528	337 ⁰ 0'	699.30m
528	529	358 ⁰ 0'	200.00m
529	530	10 ⁰ 0'	450.00m
530	531	277 ⁰ 0'	400.00m
531	532	215 ⁰ 0'	310.00m
532	533	162 ⁰ 0'	390.00m
533	534	154 ⁰ 0'	300.00m
534	535	245 ⁰ 0'	301.00m
535	536	235 ⁰ 0'	275.00m
536	537	219 ⁰ 0'	360.50m
537	538	211 ⁰ 0'	399.60m
538	539	130 ⁰ 0'	480.00m
539	540	128 ⁰ 0'	500.00m
540	541	113 ⁰ 0'	450.00m
541	542	216 ⁰ 30'	820.00m
542	543	282 ⁰ 0'	350.00m
543	544	270 ⁰ 0'	300.00m
544	545	249 ⁰ 0'	200.00m
545	546	213 ⁰ 30'	255.00m
546	547	261 ⁰ 0'	500.00m
547	548	13 ⁰ 30'	670.00m
548	549	275 ⁰ 0'	440.00m
549	550	9 ⁰ 30'	270.00m
550	551	43 ⁰ 30'	150.00m
551	552	317 ⁰ 30'	348.00m
552	Starting point	27 ⁰ 0'	380.00m

NOTIFICATION.

The 17th April, 2003.

No. FRW. 44/2002/64, In pursuance of the guidelines of the 'Project Elephant', Government of India, and in view of the consent of the Government of India conveyed Vide F.No. 72/2000 (PE), dated July 30,2002, the Governor of Assam is pleased to declare the land described in the schedules below as an 'Elephant Reserve' with effect from the date of publication of this notification in the official gazettee.

SCHEDULES

A Location, Area and Name.

District (civil)	Golaghat, Karbi Anglong, Nagaon and Sonitpur.		
	Bishwanath	Charali, Bokajan, Bokakhat, Diphu,	
Sub-division (Civil)	Golaghat, Hojai, Kaliabor, Nogaon and Tezpur.		
	Eastern Assam Wildlife, Golaghat, Karbi Anglong East.		
Forest Divisions	Nagaon and Nagaon South.		
Name	KAZIRANGA-KARBI	ANGLONG	ELEPHANT
Area	RESERVE. 3,270 sq km.		

B. Boundary/Area description.

Reference point : The starting point is on the northern head of the Kolia Bhomora bridge over the Brahmaputra River.

North : From near the northern head of the Kolia Bhomora bridge over the Brahmaputra River, the boundary runs along the western, northern and eastern boundaries of the Bhomoraguri RF (RF= reserve forest) till it meets the northern high bank of the Brahmaputra River. Thence it joins the northern boundary of the 6th Addition to Kaziranga NP (NP= National Park) and runs eastwards along this boundary up to the north eastern of this addition.

East : From the north eastern corner of the 6th Addition to Kaziranga NP, it runs along its eastern boundary thence along the eastern boundary of Kaziranga NP till it meets the north-eastern corner of the 3rd Addition to Kaziranga NP. Then it runs along the eastern boundary of the 3rd Addition, northern and eastern boundaries of Panbari RF and Dolamara proposed RF, thence it follows the southern and western boundary of Dolamara proposed RF and western boundaries of Panbari RF and the 3rd Addition and joins the southern boundary of Kaziranga NP. Then it follows west along the southern boundary of Kaziranga NP and its proposed 2nd Addition till the north - eastern corner of North Karbi Anglong WS (WS= Wildlife Sanctuary). Then it runs along the eastern boundary of North Karbi Anglong WS and East Karbi Anglong WS till it meets the northern boundary of Kaliyoni RF. Thence it follows east following northern and eastern boundary of Kaliyoni RF and Kalapahar proposed RF, western, northern and eastern

boundary of Upper Daigurung RF and northern and eastern boundary of Nambor (north block) RF till the south-eastern corner of the RF.

South : Thence the boundary runs along the southern notified boundary of Nambor (north block) RF, Nambor WS, again Nambor (north block)RF, western boundary of Kalapahar proposed RF, southern boundary of Kaliyoni RF, eastern, southern and western boundary of Langlokso proposed RF. Thence it follows the south-western boundary of East Karbi Anglong WS, southern boundary of Barjuri proposed RF, eastern boundary of Jungthung RF. West Mikir Hills proposed RF, and the eastern and southern boundary of Doboka RF up to the south-western corner of the RF.

West: From the south-west corner of Doboka RF, the boundary runs northwards along the north-western boundary of Doboka RF, western boundary of West Mikir Hills proposed RF Suang RF, northern boundary of Barjuri proposed RF, Diyu Valley South RF, again Barjuri proposed RF through the north –western boundary of East Karbi Anglong WS and western boundary of North Karbi Anlong WS till the southern boundary of Kaziranga NP. Thence the boundary runs westwards till the south-western point of Kaziranga NP and also includes the proposed 5th Addition and 4th Addition to the park and the whole of Bagser RF. Thence the boundary follows the southern boundary of the 1st Addition to Kaziranga NP and Kukurakata RF till the southern bank of the Brahmaputra River. Then the boundary runs along the south bank i.e, the southern boundary of the 6th Addition to Kaziranga NP up to the southern head of Kolia Bhomora bridge. Thence it runs northwards along the eastern edge of the bridge up to the northern head of the bridge.

In addition to the area described above, the “KAZIRANGA-KARBI ANGLONG ELEPHANT RESERVE’ also includes four other disjunct areas, the Nambor (west block)RF, Diyu Valley North RF. Lower Daigurung RF and Haithapahar District Council RF. There is habitat contiguity with these through unclassed forests except for the Lower Daigurung RF, which is through the bed of the Daigurung River.

Dr. Anwaruddin Choudhury,
Joint Secretary to the Government of Assam
Environment & Forest Dept. Dispur.

NOTIFICATION.

The 17th April 2003.

No. FRW.44/2002/67, In pursuance of the guidelines of the 'Project Elephant' Government of India, and in view of the consent of the Government of India conveyed vide F.No.7-2/2000 (PE) dated July 16,2002, the Governor of Assam is please to declare the land described in the schedules below as an 'Elephant Reserve' with effect from the date of publication of this notification in the official gazette.

SCHEDULES

A. Location, Area and Name.

Districts (civil)	Dibrugarh, Sivasagar and Tinsukia.
Sub-division(civil)	Charaidew, Dibrugarh, Mergherita and Tinsukia.
Forest Divisions	Dibrugarh, Digboi, Dum Duma and Sivasagar.
Name	DIHING-PATKAI ELEPHANT RESERVE.
Area	937 sq km (Block 1- 460 sq km; Block 2-156 sq km; Block 3-170 sq km, and other disjunct pockets- 151 sq km).

B. Boundary/Area description.

This 'Elephant Reserve consists of three blocks, henceforth referred to as Block 1, 2 and 3, and eight other smaller disjunct pockets.

BLOCK -1.

Reference point : The starting point is the northernmost tip of Upper Dihing (west block) RF. (RF=reserve forest) near Khato Beat Office on Makum Lakhpathar road.

North: From the northernmost tip of Upper Dihing (west block) RF on Makum Lakhpathar road, the boundary runs eastwards along the notified northern boundary of Upper Dihing (west block) RF.

East: Along the eastern notified boundary of Upper Dihing (west block)RF, then along the eastern notified boundary of Digboi (west block)RF, then again the eastern and thence south-eastern boundary of Upper Dihing (west block) RF till it reaches the Burhi Dihing River. Thence the boundary runs along the northern boundary of Dirak RF and Dirak proposed (1st Addition) RF till the inter-state boundary between Assam and Arunachal Pradesh.

South : From the south-eastern tip of Dirak proposed (1st Addition)RF on the inter-state boundary between Assam and Arunachal Pradesh, the boundary follows the interstate boundary up to the south western tip of Dilli RF.

West : Thence, from this point the boundary runs along the existing western and northern boundary of Dilli and Joypur RF up to the Burhi-Dihing River, then it follows the existing western boundary of Upper Dihing (west block) RF up to the northernmost tip of this reserve forest near Khato Beat Office on Makum Lakhpathar road.

BLOCK 2.

Reference point : The starting point is the north-western corner of Kakojan RF on the banks of the Dibru River.

North : From the starting point, the boundary runs eastward along the notified north-western, northern and eastern boundaries of Kakojan RF till it reaches the northern boundary of Upper Dihing (east block) RF. Thence it runs along the northern boundary of Upper Dihing (east block) RF.

East : From the north eastern corner, on the banks of the Dibru River the boundary runs along the notified eastern boundary of Upper Dihing (east block) RF.

South: Thence the boundary follows the notified southern boundary of Upper Dihing (east Block)RF.

West : Thence, the boundary runs along the existing western boundary of Upper Dihing (east block)RF and also includes the areas leased out for oil mining, Digboi (east block) RF and Bogapani RF till it reaches the Dibru River near Nazirating. Then it follows the left bank of the Dibru River along the western boundary of Kakojan RF till it meets the reference point.

BLOCK- 3.

Reference point : The starting point is the north- western corner of Namphai RF on the banks of the Burhi Dihing River.

North : From the starting point, the boundary runs eastward along the notified northern boundary of Namphai RF till it reaches the north-eastern corner of Tinkopani RF.

East : From the north eastern corner of Tinkopani RF, on the banks of the Namchik River on Assam Arunachal Pradesh boundary, it runs along the notified eastern and southern boundary of Tinkopani RF and Tirap proposed (1st Addition) RF, and eastern boundary of Tipong proposed (1st Addition) RF.

South: Thence the boundary follows the notified southern boundaries of Tipong proposed (1st Addition) RF, Lekhapani RF, Saleki proposed RF and Makumpani RF.

West: From the south-western corner of Makumpani RF on the Assam Arunachal Pradesh interstate boundary, it follows the existing western and northern boundaries of Makumpani RF, northern boundaries of Saleki proposed RF, Lekhapani RF, Tipong proposed (1st Addition) RF, Tripong RF, Paharpur RF, again Tipong, proposed (1st Addition) RF, then Tirap proposed (1st Addition) RF, western and northern boundary of Tirap RF till the western boundary of Tinkopani RF on the banks of the Tirap River. Thence the boundary runs along the western boundary of Tinkopani RF and southern and western boundary of Namphei RF till it meets the starting point on the banks of the Burhi- Dihing River.

In addition to the areas described above the 'DIHING PATKAI ELEPHANT RESERVE' also includes five other smaller disjunct pockets, the largest of which is Abhoypur RF, which has contiguity with Block I of this reserve though forests in Nagaland and Arunachal Pradesh. Other pockets are Burhi-Dihing (north and south blocks) RFs, Duarmara RF (including Duarmara proposed 1st Addition RF), Kotha RF, Naloni RF, Phillobari RF, Tokouoni RF and Torani RF. All these as well as all the blocks have contiguity though unclassed forests, riverbeds and tea plantations.

DR ANWARUDDIN CHOUDHURY
Joint Secretary to the Government of Assam
Environment & Forest Dept, Dispur.

NOTIFICATION

The 17th April 2003.

No. FRW. 50/99/34; In exercise of the powers conferred under Section 26-A (i) (b) of The Wild Life (Protection) Act 1972 as amended up to date, the Governor of Assam is pleased to declare the land described in the schedules below as a 'Sanctuary' with effect from the date of publication of this notification in the official gazette.

SCHEDULES

A. Location, Area and Name.

District (Civil)	Karbi Anglong.
Sub-division (civil)	Diphu.
Forest Division	Karbi Anglong West.
Name	MARAT LONGRI WILDLIFE SANCTUARY.
Area	451 sq km.

B. Description of the boundary.

Reference point : The starting point is on the left bank of the Kakijan near Ramnagar Forest Sub-Beat Office.

	Station	Fore bearing	Distance	Remarks
North	0 to 1	90	2500 m	
	1 to 2	13	4500 m	Meets the left bank of the Jamuna River.
	2 to 3	113	35 m	Along the left bank of the Jamuna River.
	3 to 4	102	38 m	"
	4 to 5	101	51 m	"
	5 to 6	80 30'	30 m	"
	6 to 7	60	36 m	"
	7 to 8	14	297 m	"
	8 to 9	12	21 m	"
	9 to 10	152	101 m	"
	10 to 11	125	83 m	"
	11 to 12	105	84 m	"
	12 to 13	75	40 m	"
	13 to 14	111	35 m	"
	14 to 15	86	33 m	"
	15 to 16	101	136 m	"
	16 to 17	90 30'	58 m	"
	17 to 18	64	140 m	"

18	to	19	119	20'	90 m	"
19	to	20	142		85 m	"
20	to	21	160		88 m	"
21	to	22	273		110 m	"
22	to	23	274		95 m	"
23	to	24	271		170 m	"
24	to	25	280		63 m	"
25	to	26	167		78 m	"
26	to	27	231		63 m	"
27	to	28	222		55 m	"
28	to	29	208		47 m	"
29	to	30	187		48 m	"
30	to	31	197		50 m	"
31	to	32	169		58 m	"
32	to	33	137		52 m	"
33	to	34	84		50 m	"
34	to	35	81		41 m	"
35	to	36	39		89 m	"
36	to	37	54		70 m	"
37	to	38	85		70 m	"
38	to	39	106		60 m	"
39	to	40	116		70 m	"
40	to	41	117		110 m	"
41	to	42	123		103 m	"
42	to	43	157		64 m	"
43	to	44	204		46 m	"
44	to	45	232		87 m	"
45	to	46	223	30'	83 m	"
46	to	47	191		65 m	"
47	to	48	168		60 m	"
48	to	49	160		77 m	"
49	to	50	140		74 m	"
50	to	51	87		103 m	"
51	to	52	60		86 m	"
52	to	53	37		81 m	"
53	to	54	38		102 m	"
54	to	55	52	30	62 m	"
55	to	56	73		101 m	"
56	to	57	166		45 m	"
57	to	58	195		62 m	"
58	to	59	162		52 m	"

59	to	60	73	60 m	"
60	to	61	130	31 m	"
61	to	62	103	221 m	"
62	to	63	180	41 m	"
63	to	64	60' 30"	71 m	"
64	to	65	57	119 m	"
65	to	66	98 20	115 m	"
66	to	67	112	99 m	"
67	to	68	151 30	53 m	"
68	to	69	101	16 m	"
69	to	70	178	44 m	"
70	to	71	182	44 m	"
71	to	72	233	54 m	"
72	to	73	232	43 m	"
73	to	74	203	26 m	"
74	to	75	204	109 m	"
75	to	76	189	43 m	"
76	to	77	183	58 m	"
77	to	78	130	88 m	"
78	to	79	114	97 m	"
79	to	80	128	75 m	"
80	to	81	143 30'	78 m	"
81	to	82	167	110 m	"
82	to	83	161	62 m	"
83	to	84	128	102 m	"
84	to	85	96	96 m	"
85	to	86	34	139 m	"
86	to	87	44	80 m	"
87	to	88	110 30'	26 m	"
88	to	89	95	69 m	"
89	to	90	96 3	81 m	"
90	to	91	117	87 m	"
91	to	92	193	75 m	"
92	to	93	205	71 m	"
93	to	94	78	64 m	"
94	to	95	214	52 m	"
95	to	96	192	49 m	"
96	to	97	176	45 m	"
97	to	98	158	48 m	"
98	to	99	114 30'	98 m	"
99	to	100	113	110 m	"

100	to	101	146	67 m	*
101	to	102	166	78 m	*
102	to	103	172	78 m	*
103	to	104	163	85 m	*
104	to	105	132 30'	57 m	*
105	to	106	116	63 m	*
106	to	107	91	75 m	*
107	to	108	88	55 m	*
108	to	109	70	100 m	*
109	to	110	337	105 m	"
110	to	111	337	86 m	"
111	to	112	357	82 m	"
112	to	113	20	74 m	"
113	to	114	34	72 m	"
114	to	115	37 30'	89 m	"
115	to	116	80	63 m	"
116	to	117	100	51 m	"
117	to	118	151	53 m	"
118	to	119	165	56 m	"
119	to	120	189	55 m	"
120	to	121	217	30 m	"
121	to	122	222	68 m	"
122	to	123	191	89 m	"
123	to	124	138	77 m	"
124	to	125	115	87 m	"
125	to	126	65	97 m	"
126	to	127	80	95 m	"
127	to	128	157	75 m	"
128	to	129	183	47 m	"
129	to	130	213	189 m	"
130	to	131	204	65 m	"
131	to	132	188	57m	"
132	to	133	162	49m	"
133	to	134	160 30'	41 m	"
134	to	135	155	71 m	"
135	to	136	136	62 m	"
136	to	137	127	58 m	"
137	to	138	133	105 m	"
138	to	139	147	57 m	"
139	to	140	116	96 m	"
140	to	141	86	45 m	"

141	to	142	32	54 m	*
142	to	143	75	40 m	*
143	to	144	64	44 m	*
144	to	145	54	45 m	*
145	to	146	49	41 m	*
146	to	147	23	57 m	*
147	to	148	26	21 m	*
148	to	149	09	98 m	*
149	to	150	08	103 m	*
150	to	151	84 30'	38 m	*
151	to	152	107	42 m	*
152	to	153	106	32 m	*
153	to	154	83	41 m	*
154	to	155	74	32 m	*
155	to	156	61	83 m	*
156	to	157	337	78 m	*
157	to	158	328	125 m	*
158	to	159	359	93 m	*
159	to	160	21	78 m	*
160	to	161	111	77 m	*
161	to	162	183	89 m	*
162	to	163	118	110 m	*
163	to	164	99	65 m	*
164	to	165	46	162 m	*
165	to	166	83	70 m	*
166	to	167	121	125 m	*
167	to	168	82	91 m	*
168	to	169	73	94 m	*
169	to	170	78	79 m	*
170	to	171	74	33 m	*
171	to	172	69	50 m	*
172	to	173	79	48 m	*
173	to	174	70 30'	49 m	*
174	to	175	96	28 m	*
175	to	176	145	49 m	*
176	to	177	225	31 m	*
177	to	178	242	32 m	*
178	to	179	241	47 m	*
179	to	180	225	38 m	*
180	to	181	216	30 m	*
181	to	182	205	43 m	*

182	to	183	195	52 m	*
183	to	184	184	46 m	*
184	to	185	161	45 m	*
185	to	186	146	47 m	*
186	to	187	161	39 m	*
187	to	188	140	51 m	*
188	to	189	105	42 m	*
189	to	190	119	83 m	*
190	to	191	161	97 m	*
191	to	192	155	85 m	*
192	to	193	154	90 m	*
193	to	194	167	117 m	*
194	to	195	165	85 m	*
195	to	196	162	77 m	*
196	to	197	163	64 m	*
197	to	198	161	55 m	*
198	to	199	157	30 m	*
199	to	200	150 30'	55 m	*
200	to	201	142	42 m	*
201	to	202	126 30'	34 m	*
202	to	203	122	61 m	*
203	to	204	108 30'	45 m	*
204	to	205	111	51 m	*
205	to	206	115	51 m	*
206	to	207	117 30'	58 m	*
207	to	208	238	48 m	*
208	to	209	138 30'	41 m	*
209	to	210	147	41 m	*
210	to	211	143	69 m	*
211	to	212	139	60 m	*
212	to	213	136	70 m	*
213	to	214	126	60 m	*
214	to	215	115	51 m	*
215	to	216	106	34 m	*
216	to	217	115	60 m	*
217	to	218	129	50 m	*
218	to	219	144 30'	161 m	*
219	to	220	238	101 m	*
220	to	221	136 30'	49 m	*
221	to	222	123	34 m	*
222	to	223	173 30'	38 m	*

223	to	224	122	30'	44 m	"
224	to	225	114		35 m	"
225	to	226	100		82 m	"
226	to	227	123		71 m	"
227	to	228	123	30'	49 m	"
228	to	229	110		37 m	"
229	to	230	114		74 m	"
230	to	231	96		53 m	"
231	to	232	106		45 m	"
232	to	233	100		28 m	"
233	to	234	86		30 m	"
234	to	235	73		41 m	"
235	to	236	67		56 m	"
236	to	237	83		50 m	"
237	to	238	102		41 m	"
238	to	239	126		55 m	"
239	to	240	130		67 m	"
240	to	241	133		58 m	"
241	to	242	121		64 m	"
242	to	243	111		73 m	"
243	to	244	105		46 m	"
244	to	245	91		70 m	"
245	to	246	90		61 m	"
246	to	247	86		47 m	"
247	to	248	103		55 m	"
248	to	249	108		54 m	"
249	to	250	122		89 m	"
250	to	251	114		61 m	"
251	to	252	106		45 m	"
252	to	253	111		46 m	"
253	to	254	117		34 m	"
254	to	255	105		51 m	"
255	to	256	100		33 m	"
256	to	257	93		42 m	"
257	to	258	98		41 m	"
258	to	259	92		41 m	"
259	to	260	84		38 m	"
260	to	261	74	30'	35 m	"
261	to	262	72		31 m	"
262	to	263	77	30'	40 m	"
263	to	264	76		103 m	"

264	to	265	59	30'	150 m	*
265	to	266	73		38 m	*
266	to	267	68		43 m	*
267	to	268	74		36 m	*
268	to	269	97		49 m	*
269	to	270	102		32 m	*
270	to	271	111		52 m	*
271	to	272	114		63 m	*
272	to	273	112		41 m	*
273	to	274	110		52 m	*
274	to	275	105		57 m	*
275	to	276	100		55 m	*
276	to	277	111		68 m	*
277	to	278	118		76 m	*
278	to	279	128		66 m	*
279	to	280	141		97 m	*
280	to	281	161		86 m	*
281	to	282	197		62 m	*
282	to	283	214		69 m	*
283	to	284	211		30 m	*
284	to	285	224		35 m	*
285	to	286	226		30 m	*
286	to	287	221		30 m	*
287	to	288	224		69 m	*
288	to	289	222		60 m	*
289	to	290	225		51 m	*
290	to	291	226		57 m	*
291	to	292	225		66 m	*
292	to	293	226		71 m	*
293	to	294	225		62 m	*
294	to	295	227		51 m	*
295	to	296	232		52 m	*
296	to	297	240		60 m	*
297	to	298	217	30'	78 m	*
298	to	299	213		30 m	*
299	to	300	210		30 m	*
300	to	301	215		26 m	*
301	to	302	191	30'	26 m	*
302	to	303	191		15 m	*
303	to	304	130		100 m	*
304	to	305	130	30'	350 m	*

305	to	306	123	150 m	*
306	to	307	49	800 m	*
307	to	308	05	89 m	*
308	to	309	78 30'	535 m	*
309	to	310	111	185 m	*
310	to	311	117	158 m	*
311	to	312	74 30'	225 m	*
312	to	313	339	179 m	*
313	to	314	318	125 m	*
314	to	315	286	75 m	*
315	to	316	307	240 m	*
316	to	317	02	89 m	*
317	to	318	53	30 m	*
318	to	319	12 30'	265 m	*
319	to	320	19	250 m	*
320	to	321	33	230 m	*
321	to	322	62	258 m	*
322	to	323	116	253 m	*
323	to	324	92	308 m	*
324	to	325	129	110 m	*
325	to	326	113	170 m	*
326	to	327	193	210 m	*
327	to	328	120	80 m	*
328	to	329	10 30'	185 m	*
329	to	330	78	128 m	*
330	to	331	71	175 m	*
331	to	332	127	145 m	*
332	to	333	205	105 m	*
333	to	334	122	289 m	*
334	to	335	242	310 m	*
335	to	336	127	61 m	*
336	to	337	111	157 m	*
337	to	338	95	180 m	*
338	to	339	127	370 m	*
339	to	340	180	360 m	*
340	to	341	140	128 m	*
341	to	342	105	155 m	*
342	to	343	85	175 m	*
343	to	344	114 30'	85 m	*
344	to	345	100	110 m	*
345	to	346	196 30'	250 m	*

	346	to	347	128		75 m	"
	347	to	348	90		220 m	"
	348	to	349	37		125 m	"
	349	to	350	03	30'	115 m	"
	350	to	351	90		108 m	"
	351	to	352	131		140 m	"
	352	to	353	185		130 m	"
	353	to	354	133		120 m	"
East :	354	to	355	171		400 m	Meeting point of the Jamuna River and Disama nullah.
	355	to	356	211		350 m	From the meeting point of the Jamuna River and Disama nullah
	356	to	357	167	30'	400 m	"
	357	to	358	223		200 m	"
	358	to	359	116	30'	110 m	"
	359	to	360	173		375 m	"
	360	to	361	149		220 m	"
	361	to	362	204		300 m	"
	362	to	363	133		510 m	"
	363	to	364	156		520 m	"
	364	to	365	131		760 m	"
	365	to	366	156		1320 m	"
	366	to	367	133		450 m	"
	367	to	368	183		125 m	"
	368	to	369	151		400 m	"
	369	to	370	167		500 m	"
	370	to	371	192		525 m	"
	371	to	372	147		625 m	"
	372	to	373	182		650 m	"
	373	to	374	121		260 m	"
	374	to	375	224		380 m	"
	375	to	376	171		500 m	Meeting point of the Disama nullah and Longtoroijan.
	376	to	377	228		300 m	Along Longtoroijan.
	377	to	378	145		210 m	"
	378	to	379	215		230 m	"
	379	to	380	233		260 m	"
	380	to	381	181		110 m	"
	381	to	382	118		260 m	"
	382	to	383	198		325 m	"
	383	to	384	104	30'	350 m	"
	384	to	385	158	30'	775 m	"
	385	to	386	242		500 m	"

	386	to	387	203	400 m	*
	387	to	388	242	625 m	*
	388	to	389	214	750 m	*
	389	to	390	243 30'	665 m	*
	390	to	391	97	400 m	*
	391	to	392	122	5000 m	*
	392	to	393	212	700 m	*
	393	to	394	165	400 m	*
	394	to	395	149	500 m	*
	395	to	396	168	550 m	Meets Diphu-Lumding PWD road at a distance of 5.34 km from Diphu.
South:	396	to	397	307	1200 m	*
	397	to	398	239	3000 m	*
	398	to	399	125	1250 m	Again meets Duiphu-Lumding PWD road. Along the northern edge of Diphu-Lumding PWD road
	399	to	400	202	136 m	*
	400	to	401	228	93 m	*
	401	to	402	184	166 m	*
	402	to	403	161 30'	104 m	*
	403	to	404	186	141 m	*
	404	to	405	246	190 m	*
	405	to	406	215	90 m	*
	406	to	407	117	135 m	*
	407	to	408	205	192 m	*
	408	to	409	194	85 m	*
	409	to	410	228 30'	80 m	*
	410	to	411	254	60 m	*
	411	to	412	224	90 m	*
	412	to	413	239	100 m	*
	413	to	414	258	175 m	*
	414	to	415	232	60 m	*
	415	to	416	211	87 m	*
	416	to	417	237	91 m	*
	417	to	418	272	125 m	*
	418	to	419	241	120 m	*
	419	to	420	224	310 m	*
	420	to	421	230	220 m	*
	421	to	422	256	255 m	*
	422	to	423	274	110 m	*
	423	to	424	248	260 m	*
	424	to	425	229	77 m	*
	425	to	426	209	100 m	*

426	to	427	215	160 m	-
427	to	428	225	170 m	*
428	to	429	215	60 m	*
429	to	430	246	52 m	*
430	to	431	281	90 m	*
431	to	432	247	93 m	*
432	to	433	238	90 m	*
433	to	434	206	170 m	*
434	to	435	238	66 m	*
435	to	436	219	270 m	*
436	to	437	241	126 m	*
437	to	438	243	70 m	*
438	to	439	220	220 m	*
439	to	440	239	150 m	*
440	to	441	206	130 m	*
441	to	442	250	70 m	*
442	to	443	214	50 m	*
443	to	444	280	50 m	*
444	to	445	250	66 m	*
445	to	446	204	60 m	*
446	to	447	241	50 m	*
447	to	448	206	60 m	*
448	to	449	267	150 m	*
449	to	450	200	50 m	*
450	to	451	343	1000 m	*
451	to	452	236 30'	2800 m	*
452	to	453	163	1000 m	Again meets Duiphu-Lunding PWD road Along the northern edge of Diphu-Lunding PWD road
453	to	454	307	210 m	
454	to	455	281	70 m	*
455	to	456	341	80 m	*
456	to	457	323	180 m	*
457	to	458	342 30'	110 m	*
458	to	459	260	95 m	*
459	to	460	289	180 m	*
460	to	461	255 30'	170 m	*
461	to	462	238	150 m	*
462	to	463	207	235 m	*
463	to	464	210	101 m	*
464	to	465	196 30'	250 m	*
465	to	466	209	219 m	*
466	to	467	221	50 m	*

467	to	468	197	48 m	*	
468	to	469	273	69 m	*	
469	to	470	346	217 m	*	
470	to	471	307	55 m	*	
471	to	472	354	102 m	*	
472	to	473	315 30'	36 m	*	
473	to	474	276	50 m	*	
474	to	475	350	40 m	*	
475	to	476	23 30'	43 m	*	
476	to	477	342	100 m	*	
477	to	478	19 30'	300 m	*	
478	to	479	335	50 m	*	
479	to	480	18 30'	46 m	*	
480	to	481	332	100 m	*	
481	to	482	02	68 m	*	
482	to	483	325	112 m	*	
483	to	484	335	50 m	*	
484	to	485	310	200 m	*	
485	to	486	356 30'	290 m	*	
486	to	487	240	100 m	*	
487	to	488	295	50 m	*	
488	to	489	321	164 m	*	
489	to	490	321	150 m	*	
490	to	491	150	1000 m	*	
491	to	492	90	1800 m	*	
492	to	493	195	1050 m	Again meets the northern edge of Diphu-Lunding PWD road	
493*	to	494	351	90 m	Along the northern edge of Diphu-Lunding PWD road	
494	to	495	294	97 m	*	
495	to	496	271	100 m	*	
496	to	497	263	260 m	*	
497	to	498	285	85 m	*	
498	to	499	304	70 m	*	
499	to	500	255	100 m	*	
500	to	501	288	90 m	*	
501	to	502	229	108 m	*	
502	to	503	270	65 m	*	
503	to	504	318	234 m	*	
504	to	505	256	90 m	*	
505	to	506	225	124 m	*	
West :	506	to	507	0	1500 m	*

507	to	508	270	1600 m	Meets Langkangsumjan on the inter-district boundary between Karbi Anglong and Nagaland.
508	to	509	356	1250 m	Along the inter-district boundary between Karbi Anglong and Nagaon.
509	to	510	252	665 m	*
510	to	511	341	150 m	*
511	to	512	270	1100 m	*
512	to	513	0	1200 m	*
513	to	514	338 30'	1750 m	*
514	to	515	27	550 m	*
515	to	516	331 30'	475 m	*
516	to	517	288	1020 m	*
517	to	518	310	1250 m	*
518	to	519	14 30'	5750 m	Meets the southern boundary of Kaki RF, then follows the southern boundary.
519	to	520	290	3250 m	
520	to	521	288	2200 m	Again meets the inter-district boundary between Karbi Anglong and Nagaon on the Kakijan.
521	to	522	331 30'	1000 m	Follows the inter-district boundary between Karbi Anglong and Nagaon along Kakijan.
522	to	523	349	1900 m	
523	to	524	298	300 m	
524	to	525	332	300 m	
525	to	526	250	125 m	
526	to	527	333	650 m	
527	to	528	16 30'	525 m	
528	to	529	345 30'	165 m	
529	to	530	17	640 m	Meets the starting point (station number 0).

Rights and Concessions.

The following rights and concessions are allowed in the sanctuary area:

The right of way from 5th KM (on Diphu-Landing PWD road) to Ramnagar Forest Sub-Beat Office through Longkaijan, and from Kaki to Bokolia.

The villagers residing at the time of notification of Miyungdisa and Inglongiri Council RFs, now within the sanctuary are permitted to continue to reside therein till such time they may be shifted elsewhere. They are also allowed to (a) cultivate in the areas where it is demarcated by the forest department; (b) occupy a 100 metre belt tillal land around the demarcated paddyfields, (c) graze their cattle and (d) collection of thatch, bamboo, wooden post, etc. for their domestic use and not for any commercial purpose.

D. Main wildlife species.

MAMMALS. Chinese pangolin (*Manis pentadactyla*), Slow loris, (*Nycticebus coucang*), Pigtailed macaque (*Macaca nemestrina*), Assamese macaque (*M. assamensis*), Rhesus macaque (*M. mulatta*), Stump-tailed macaque (*M. arctoides*), Capped langur (*Presbytis pileatus*), Hoolock gibbon (*Hylobates hoolock*), Dhole or wild dog (*Cuon alpinus*), Himalayan black bear (*Ursus thibetanus*), Yellow throated marten (*Martes flavigula*), Hog-badger (*Arctonyx collaris*) Ferret-badger (*Melogale*), Jungle cat (*Felis chaus*), Leopard cat (*F. bengalensis*), Marbled cat (*F. marmorata*), Clouded Iopard (*Neofelis nebulosa*), Leopard (*Panthera pardus*), Tiger (*P. tigris*) Elephant (*Elephas maximus*), Wild pig (*Sus scrofa*), Sambar (*Cervus unicorn*) Hog deer (*Axis porcinus*), Muntjak (*Muntiacus muntjac*), Gaur or Indian bison (*Bos gaurus*), Serow (*Capricornis sumatraensis*), Malayan giant squirrel (*Ratufa bicolor*), Irrawaddy or Himalayan hoary-bellied squirrel (*Callosciurus pygerythrus*), Hoary bamboo rat (*Rhizomys pruinosus*), Chinese porcupine (*Hystrix brachyura*) and Rufous tailed hare (*Leppus nigricollis*).

BIRDS : Great Cormorant (*Phalacrocorax carbo*), Darter (*Anhinga melangaster*), Malay or Tiger Bittern (*Gorsachius melanolophus*), White-winged Wood Duck (*Cairina scutulata*), Blyth's or Jerdon's Baza (*Aviceda jerdoni*) Pied Falconet (*Microhierax melanoleuos*), White-cheeked Partridge (*Arborophila atrogularis*), Mountain Bamboo Partridge (*Bambusicola fytchii*), Kaleej Pheasant (*Lophura leucomelanos*), Grey peacock-pheasant (*Polyplectron bicalcuatum*), Green Imperial Pigeon (*Ducula aenea*), Wreathed Hornbill (*Aceros unduatus*), Great Pied Hornbill (*Buceros bicornis*) and Spotted winged Stare (*Saroglossa spiloptera*).

REPTILES: Asian leaf turtle (*Cyclemis oldhami*), Keeled box turtle (*Pyxidea mouhotii*), Brown hill tortoise (*Manouria emys*), Common monitor (*Varanus bangalensis*), Water monitor (*V. salvator*), Rock python (*Python moulurus*), King cobra (*Ophiophagus hannah*), Banded krait (*Bungarus faszgarus*). Etc.

Sd/-
(DR. ANWARUDDIN CHOUDHURY)
Joint Secretary
to the Government of Assam
Environment & Forest Department Dispur.

NOTIFICATION

The 19th April 2003

NO.FRW-44/2002/70. In pursuance of the guidelines of the 'Project Elephant' Government of India, and in view of the consent of the Government of India conveyed vide F.No.7-2/00 (PE), dated April 1, 2003, the Governor of Assam is pleased to declare the land described in the schedules below as an "Elephant Reserve" with effect from the date of publication of this notification in the official gazette.

SCHEDULE

A. Location, Area and Name

Districts (Civil)	Karbi Anglong, Nagaon and North Cachar Hills.
Sub-divisions (civil)	Bokajan, Diphu, Hojai and Maibong.
Forest Divisions	Karbi Anglong East, Karbi Anglong West, Nagaon South and North Cachar Hills.
Name	DHANSIRI-LUNGDIING ELEPHANT RESERVE
Area	2,740 sq Km.

B. Boundary/ Area description

Reference point : The starting point is the north-western corner of Lumding RF (RF= reserve forest).

North: From the north-western corner of Lumding RF (RF=reserve forest) the boundary runs eastward along the northern boundary of Lumding RF till it reaches north-western boundary of Inglongiri Council RF (Part of Marat Longri WS [WS-Wildlife Sanctuary]). Thence it follows the western boundary Inglongiri Council RF, then southern, western and northern boundary of Kaki, RF, then along the western boundary of Disama RF up to the point where it meets the southern boundary of Lungnit Council RF. Then the boundary runs along the south-western boundary of Lunguit Council RF, southern and western boundary of Patradisa Council RF and also includes the Tikok proposed RF. There after, the boundary follows the northern boundary of Lungnit Council RF up to the northernmost tip of Khunbamon Council RF.

East : Thence the boundary follows the eastern and boundary of Khunbamon Council RF and also includes Jamuna RF and continues along the south-eastern boundary of Lungnit Council RF and eastern boundary of Disama RF and Miyungdisa (Part of Marat Longri WS) and Tamulbari Council RFs till it reaches the northern boundary of Dhansiri RF. From this point, it runs along the northern and eastern boundary of Dhansiri RF and western and northern boundaries of Hapjan and Matipung proposed RFs and continues along the northern boundary

of Daldali RF and northern, eastern and southern boundaries of Lahorijan proposed RF and then again along the eastern boundary of Daldali RF till it reaches the south-eastern corner of Daldali RF on the Assam-Nagaland interstate boundary.

South: From the south-eastern corner of Daldali RF, the boundary runs along the Assam-Nagaland interstate till the trijunction of Nagalng and Karbi Anglong and North Cachar Hills districts of Assam. From this point the boundary follows the western boundary of Dhansiri RF and the western and northern boundary of Barlangpher Council RF and again western and north-western boundary of Dhansiri RF till it reaches the south-western corner of Tamulbari Council RF. Thence the boundary runs along the western boundary of Tamulbari Council RF up to the point where it meets the southern boundary of Miyungdisa Council RF. From here, the boundary follows the southern boundary of Miyugdisa and Inglongiri Council RFs (Part of Marat Longri WS) and Lunding RF. Then the boundary runs along the eastern boundary of Langting Mupa RF up to its southernmost tip.

West: From the southernmost tip of Langting-Mupa RF the boundary follows the western boundary of this reserve forest and continued along the western boundary of Lunding RF up to its north-western corner.

The habitat in 'DHANSIRI-LUNGDISA ELEPHANT RESERVE is contiguous with that in Intanki National Park, Nagaland.

Sd/-

(DR ANWARUDDIN CHOUDHURY)
Joint Secretary to the Government of Assam
Environment & Forest Department Dispur.

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR.

ENVIRONMENT & FOREST DEPARTMENT DISPUR.

NOTIFICATION.

The 6th March, 2003.

No. FRW. 44/2002/47, In pursuance of the guidelines of the 'Project Elephant' Government of India, and in view of the consent of the Government of India conveyed vide F.No.7-2/00(PE)-(III) dated July 13 2002, the Governor of Assam is pleased to declare the land described in the schedules below as an 'Elephant Reserve'.

SCHEDULES

A. Location, Area, etc.

District (civil)	Barpeta, Bongaigaon, Darrang, Kamrup, Kokrajhar and Nalbari.
Sub-division (civil)	Bajali, Barpeta, Bongaigaon, Gossaigaon, Kokrajhar, Mangaldoi, Nalbari, Rangiya, and Udalguri.
Forest Division	Aie Valley, Darrang, Haltugaon, Kachugaon, Manas Project Tiger, Mangaldoi Wildlife and North Kamrup.
Name	CHIRANG-RIPU ELEPHANT RESERVE.
Area	2,600 sq km.

B. Boundary/Area description.

North: From the left bank of the Sankosh river, on the Indo-Bhutan international Boundary Pillar No. 117, the boundary runs eastwards along the international boundary till it reaches the left bank of the river Pagladiya, i.e, the northernmost point of Subankhata RF (RF-reserve forest)

East: From the junction of the left bank of the Pagladiya river and the international boundary, it runs along the left bank of the river down stream till it touches the south eastern corner of the notified Subankhata RF.

South: Thence the boundary runs along the southern notified boundary of Subankhata RF, Dihira RF, Batabari RF, Deodhara RF, Kokilabari RF, Manas National Park, Manas RF, Sissoobari RF, Teklai RF, Bengtol RF (also the eastern and western boundaries of the last three RFs) Chirang RF, Ripu RF, and Kachugaon RF till it touches the left bank of the Sankosh river.

West: Thence, from this point the boundary runs along the left bank of the Sankosh river upstream till it meets the Boundary Pillar No. 117 at Indo-Bhutan international boundary.

In addition to the area described above, the 'CHIRANG'-RIPU ELEPHANT RESERVE also includes four other disjunct areas, the largest of which comprises of contiguous forests in Barnadi Wildlife Sanctuary, Khalingduar RF and Neoli proposed RF. This area along with two other disjunct pockets, i.e. Darranga RF and Bhairabkunda RF (part, i.e, the area falling towards west of the Dhansiri river) have contiguity with the remaining reserve through forests inside Bhutan. The fourth disjunct pocket forming part of this 'Elephant Reserve' is Mora Pagladiya RF.

DR. ANWARUDDIN CHOUDHURY
Joint Secretary to the Government of Assam
Environment & Forest Department, Dispur.

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR.

ENVIROMENT & FOREST DEPARTMENT DISPUR.

NOTIFICATION

The 7th March, 2003.

No.FRW- 44/2002/46, In pursuance of the guidelines of the 'Project Elephant' Government of India, and in view of the consent of the Government of India conveyed vide F.No. 7-2/2000 (P.E.), dated July 30, 2002, the Governor of Assam is pleased to declare the land described in the schedules below as an 'Elephant Reserve'

SCHEDULES

A. Location,Area,etc.

District (civil)	Darrang and Sonitpur.
Sub-division (civil)	Bishwanath Chariali, Tezpur and Udalguri
Forest Division	Darrang, Sonitpur East, Sonitpur West, and West Assam Wildlife
Name	SONITPUR ELEPHANT RESERVE
Area	1,420 sq km.

B. Boundary/ Area description.

North: From the right bank of the Dhansiri river where it touches the Indo-Bhutan international boundary, the boundary runs eastwards along Assam - Arunachal Pradesh interstate boundary till it meets the north eastern corner of Singlijan RF (RF = reserve forest)

East: Thence the boundary runs along the eastern notified boundary of Silijan RF up to south eastern corner.

South: Thence the boundary runs along the southern notified boundary of Singlijan RF, Behali RF, Bishwanath RF, Naduar RF, Nameri National Park, Balipara RF, Senglimara RF, Sonai - Rupai Wildlife Sanctuary, Charduar RF, Rowta RF, and Bhairabkunda RF (part i.e., area falling towards east of the Dhansiri river including the riverbed).

West: Thence the boundary runs along the right bank of the Dhansiri river till it meets the Indo-Bhutan international boundary.

In addition to the above described area, the 'SONITPUR ELEPHANT RESERVE' also includes a disjunct area comprising Gohpur RF. This area has contiguity with the remaining reserve through forests inside Arunachal Pradesh.

DR. ANWARUDDIN CHOUDHURY
Joint Secretary to the Government of Assam
Environment & Forest Department, Dispur.

**GOVERNMENT OF ASSAM
FOREST DEPARTMENT DISPUR**

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Dispur, the 14th October, 1999.

No.FRE.120/98/24 : The Governor of Assam is pleased to constitute a Committee in connection with framing of Rules for the conduct of Departmental Examinations for Indian Forest Service and Assam State Forest Service Class-I and II officers with the following members :-

- | | | |
|----|---|----------------------|
| 1. | Principal Chief Conservator of Forests. | Chairman |
| 2. | Chief Conservator of Forests (Territorial). | Member |
| 3. | Chief Conservator of Forests (Social Forestry). | Member |
| 4. | Chief Conservator of Forests (Wild Life). | Member |
| 5. | Chief Conservator of Forests (Research, Education & Working Plan) | Member |
| 6. | Conservator of Forests (Head Quarters). | Member
Secretary. |

Terms of Reference :

- (i) The Committee will offer its suggestions/advice to the Government on framing of the aforesaid rules keeping in view the existing rules for the conduct of departmental examinations for other All India Service/State Service officers.
- (ii) The Committee will give its views on the subjects, syllabus and standards of examination for the Forest Service officers.

The Committee will submit the draft rules along with its suggestions/advice to the Government on or before 31-10-1999.

Sd/- Alok Jain,
Commissioner and Secretary to the Government of Assam
Forest Department, Dispur.

Compiler's conclusion.

The 'departmental examination' has been defined under sub-rule (C) of rule 2 of the IFS (Pay) Rules, 1968 as 'the examination as may be **prescribed** by the State Government, from time to time, for members of the Service allotted to the cadre of that State or posts to that State for training.

Issue of the above notification clearly reveals that the State Government has not **prescribed** any 'departmental examination'.

**GOVERNMENT OF ASSAM
FINANCE (AUDIT & FUND) DEPARTMENT.**

No. FM (U/O).271/98/10

Dated Dispur, the 11th November, 1998.

From:- Shri J.K. Baruah
Under Secretary to the Government of Assam
Finance (A & F) Department

To:- The Under Secretary to Government of Assam,
Personnel (A) Department, Dispur.

Sub:- LTC Rules of All India Services -regarding

Sir,

I am directed to say that All India Service Officers who opt for CCS (LTC) Rules can avail LTC facilities and State Government's ban will not apply on such officers. Further, an officer has to fully shift to CCS (LTC) Rules for a given block of years. He can not have option of taking Home Travel Concession under State Rules and take LTC under Central Rules. Further after the officers opt for CSS rules they will be governed by these rules including entitlement of class and mode of journey.

Yours faithfully

Under Secretary to the Government of Assam
Finance (A & F) Department

THE ASSAM FOREST SERVICE (CLASS I) RULES, 1942.

Rules

1. Short title and commencement
2. Definition

Cadre

3. Cadre

Recruitment and Training

4. Source of recruitment
5. Additional qualifications
6. Candidate for direct recruitment

Appointment

7. Appointment on probation
8. Period of probation
9. Confirmation
- 10.

Pay and Designation

- 11.
- 12.
13. Efficiency bar
14. Special Pay
- 15.
- 16.

Noti. No. GFR. 140/42, dated the 25th April, 1942- In exercise of the powers conferred by Preamble, Section 241 (1) and (2) of the Government of India Act, 1935, the Governor of Assam is pleased to make the following rules regulating the recruitment to and the conditions of Service of the Assam Forest Service, Class I :

General

1. **Short title and commencement.-** These rules shall be called the Assam Forest Service (Class I) Rules. They shall have effect from the 1st April, 1942.
2. **Definition.-** (a) "The Service" means the Assam Forest Service class I.

(b) "Member of the Service" means a Government servant appointed in a substantive capacity under the provision of these rules to a post in the cadre of the Service. It does not include a member of the Indian Forest Service or of existing Assam Forest Service.
1. Published in the Assam Gazette, dated the 6th May, 1942 at pp. 48.-85.

Cadre

3. **Cadre.-** The cadre of the Service will consist of 24 posts as detailed below :-

Conservators	2
Divisional Forest Officer (including Working Plan Officer, Forest Utilisation Officer and one post of Silviculturist and Botanical Forest Officer).	14
Indian list post	1
Attached Officers (Assistant Conservators of Forests)	4
Leave and training reserve	3
Total	24

Provided that appointments to the Service shall be limited to the number of posts by which the sanctioned cadre exceeds the number of the Indian Forest Service, the Service and the Service and the existing Provincial Forest Service for the time being borne on the Assam Forest establishment :

Provided further that -

- (1) the Government may leave unfilled or hold in abeyance any post without thereby entitling any member of the service for compensation;
- (2) the Government may increase the cadre by creating permanent or temporary posts from time to time as may be found necessary.

Recruitment and Training.

4. **Source of recruitment.-** Appointments to the Service shall be made by the Governor in the following manner :-
 - (a) By direct recruitment of graduated who shall not under 19 or over 23 years of age on the 1st January of the year in which the recruitment is made, provided that the Government may exempt a candidate from the prescribed age-limit in cases where a candidate is required to have special qualification. Such graduates must have passed the B.Sc. Examination and must have passed the LSc. Examination in either Botany or Zoology.
 - (b) By direct appointment of candidates who are holders of a recognized diploma of Forestry of a European University.
 - (c) By promotion from the Provincial Forest Service or the Subordinate Forest Service of men of proved merit and efficiency who are considered fit to hold charge of an important Forest Division.
5. **Additional qualifications.-** No Person shall be eligible for appointment to the service unless-

- (1) he is either a British subject as defined in section 1 of the British Nationality and status of Alien Act, 1914, or the subject of a State in India who has been declared under the provisions of Section 262.
- (2) of the Government of India Act, 1935, eligible for the particular civil office to which he is given to a person who is a native of or domiciled in the province of Assam, the Manipur State or the Khasi State and, if a European or Anglo Indian, to a person who is domiciled in India;

Note (1)- A person ordinarily shall be deemed to be domiciled in the Province of Assam, Manipur State or the Khasi States only when he has become the owner of a homestead in some part of the Province or in one of these States, has lived for ten years in such homestead and intends to live in it until he dies, provided that the Provincial Government may in special cases relax these conditions. The children of a man whose domicile has been admitted will automatically be domiciled unless and until they have shown their intention of leaving the Province of the State, as the case may be.

Note (2)- A person who is domiciled shall be considered as equally eligible as a person who is a native of the province.

- (2) he is of sound health, active habits and free from any bodily defect or infirmity unfitting him for such service, and
- (3) his character and antecedents are such as to qualify him for such service.
- (6) **Candidate for direct recruitment**- A candidate for direct recruitment, except those recruited under Rule 4 (b) will be required to undergo training before he is appointed to the service as follows:
 - (i) For six months he will receive training under a Divisional Forest Officer including the physical test of a journey on foot over 20 miles in such forest country as the Conservator may determine, to be accomplished in six hours.

Note (1) - During such period of training, which will not count as probation, the candidate will be paid such stipend and traveling allowance as may be fixed by Government. A certificate by Government as to the amount of expenses incurred shall be final and conclusive against the candidate.

Such candidates only as during this course prove their capability and suitability for service in the Forest Department in Assam will be retained : they will be required to proceed to Dehra Dun and sign an agreement binding themselves to work diligently while at the College and to serve Government for not less than five years after passing out of the college and to furnish a bond with securities that in default they will refund all moneys expended by Government on their training and education.

Note (2).- A candidate with a European qualification will be required to sign an agreement with sureties to serve the province for five years on penalty of a lump sum.

- (ii) At Dehra Dun selected candidate will be required to undergo a two years' course in the Forest College. Failure to obtain the diploma will disqualify the candidate for appointment to the serve.

Note.(3).- During the period of such course, which will not count as probation, the candidate will be paid such stipend as may be fixed by Government.

Appointment

- 7. **Appointment on probation** – Recruits (a) promoted to the Service from the Subordinate Forest Service (b) recruits under Rule 4 (a) on satisfactorily completing the course prescribed in Rule 6, and (c) direct recruits under Rule 4 (b) will be appointed to the Service subject to the conditions prescribed in Rules 8 and 9.

COMMENT

Probation- An order discharging a public servant, even if a probationer in an enquiry on charges of misconduct, negligency inefficiency or other disqualification may appropriately be regarded as one by way of punishment, but an order discharging a probationer following upon an enquiry to ascertain whether he was fit to be confirmed is not of that nature, and to such a case Article 311 (2) of the Constitution does not apply¹.

- 8. **Period of probation-** (a) A member of the Service appointed by promotion under Rule 4 (c) shall be deemed to be on probation for a period of two years and shall within the said period pass such departmental examinations or tests as may be prescribed for the Service from time to time provided that he shall not be required to pass again any such examination or test as he may already have passed before promotion, and provided also that the Governor may in an case extend or reduce the period aforesaid. A member so appointed on probation shall, if he fails to satisfy the Governor within the period aforesaid or any further period for which extension has been granted that he is in every respect fit for promotion, revert to his substantive post.

- (b) Every member of the Service directly recruited under Rule 4 (a) and (b) shall be on probation for 2 years from the date of commencement of service which shall be from the day following the convocation at the Forest College, or until he passes tests as aforesaid, whichever is later.

Note- The last line of Rule 8 (b) beginning with the words' when the period of probation accordingly, was deleted by the Notification No. FOR.436/52/29, dated 30.3.1955 and the amendment took effect from 1.4.1948.

9. **Confirmation-** Every member of the Service shall be confirmed in his appointment when –
- (i) he has completed the period of probation in Rule 8 (a) or 8 (b) as the case may be, and
 - (ii) the Governor is satisfied that he is fit for confirmation.

SYNOPSIS

- | | |
|---|--|
| <p>1. Confirmation -- Expiry of probation period.</p> <p>1. Confirmation- Expiry of probation period,- A probationer cannot be deemed to be automatically confirmed unless the rules under which he is appointed expressly, provide for such a result².</p> <p>2. Confirmation- Meaning of,- Confirmation is nothing but appointment on substantive basis¹. The confirmation of a temporary employee will only mean that he has been put in the permanent sanctioned cadre.</p> | <p>2. Confirmation- Meaning of
3 Probationer, Confirmation of.</p> <p>3. Probationer, confirmation of- In Kedar Nath v. State of Punjab¹, observed as follows :</p> <p>“Where a person is appointed as a probationer in any post and a period of probation is specified, it does not follow that at the end of the said specified period of probation he obtains confirmation automatically even if no order is passed in that behalf. Unless the terms of appointment clearly indicated that confirmation could automatically follow at the end the specified period, or there is a specific service rule to that effect, the expiration of probationary period does not necessarily lead to confirmation. At the end of the period of probation an order confirming the officer is required to be passed and if no such order is passed and he is not reverted to his substantive post, the result merely is that he continues in his post as a probationer.”</p> |
|---|--|
1. State Orissa v. Ramnarayan Das, AIR 1961 SC 177 at 180;(1961) (SC) 209
 2. Sukhbans Singh v. State of Panjab, AIR 1962 SC 1711.
 3. Lakshman Prasad v. State (1979) 3 SLR 389.
 4. Sachida Nand v. State, (1980) 3 SLR 119. SC-64
10. (a) Untill confirmed every member of the Service will unless his appointment is terminated, continue to hold his appointment on probation.
- (b) Every confirmation shall be notified in the Assam Gazette

Pay and Designation.

- 11.(1) (a) The scale of pay of the Service will be as follows :

Year of service	Junior scale (Assistant Conservator of Forest)	Senior scale (Deputy Conservator of Forest)
1	200	...
2	200	...
3	225	...
4	225	...
5	250	...
6	250	400
7	275	425
8	275	450
9	300	475
10	300	500
11	350	525
12	350	550
13	400	575
14	400	600
15	...	625
16	...	650
17	...	675
18	...	700
19	...	725
20	...	750
21	...	775
22	...	800
23	...	825
24	...	850
25	...	875
26	...	900

(1973) 1 SC 95; AIR 1972 SC 673; 1972 SLR 320.

Note 1- At Rs.250 in junior scale there is an efficiency bar for suitability of an officer for the senior scale. At Rs.700 in the senior scale there is an efficiency bar for suitability for the post of Conservator.

Note 2- Those drawing the junior scale will be designated 'Deputy Conservator of Forests'

Note 3- An Assistant Conservator placed in charge of an Division in an officiating capacity will draw pay on the senior scale.

(2) The following posts when held by members of the Service shall carry pay as shown below :-

Conservator of Forests Rs.1,250-50-1,500

(3) The revised scale of pay for the members of the Assam Forest Service (Class I) as introduced with effect from 1st October, 1956, are as follows and members of the service electing the revised scales or appointed on or after 1st October, 1956 shall draw pay in these scale :-

(i) Assam Forest Service (Class I) Senior Scale of pay.
Rs.600-35-810 (EB)-45-900. Selection Grade on Rs.1000/-

(ii) Assam Forest Service (Class I)- Junior Scale of pay.
Rs.225-20-425 (EB)-25-600/-

(iii) Conservator of Forests :- Rs.1000-60-1300 (EB)- 60-1500/-

4. The revised scale of pay for the members of the Assam Forest Service (Class I) as introduced with effect from 1st April, 1964, are as follows and members of the service who are in service on the 1st March, 1964 or appointed on or appointed on or after 1st April, 1964 will draw pay in these scales :-

(i) Assam Forest Service (Class I) Senior scale of pay.
Rs.750-50-950 (EB)-50-1200/-

(ii) Assam Forest Service (Class I) Junior scale of pay,
Rs.350-30-500 (EB)-30-680 (EB)-35-925/-

(iii) Conservator of Forests :-
Rs.1200-60-1380 (EB)-60-1500/-

(iv) Chief Conservator of Forest :-
Rs.1500-60-1680 (EB)-60-1800/-

The scale applicable to persons having such special qualifications and experiences as may be prescribed by the Government. Otherwise the scale admissible will be Rs.1300-60-1480 (EB) -60-1600/-

Note :- Sub-rule (a) of Rule 11 was re-numbered as 11 (1) (a) and sub-rule (b) of Rule was re-numbered as 11 (2) and sub-rules (3) and (4) were inserted vide Notification No.FOR/ESTT./206/64/48, dated 26-5-1967, and the amendment took effect from 1st October, 1956.

12.(a) The initial pay of members appointed to the service on probation by promotion under Rule 4 (c) shall be fixed under Fundamental Rule 22 and the period of probation of such officers shall count as duty for the purpose of increments. When the period of probation is prolonged beyond the period of two years under Rule 8 (a) the member will cease to draw increment; but on subsequent confirmation shall in the absence of special orders be restored to the place of the time scale at the point which he would have reached had he been confirmed in due course, and his increments shall be regulated accordingly.

Note:- Sub-rule (a) of Rule 12 were substituted by the Notification No.FOR.436/52/29, dated 30-3-1955, and the amendment took effect from 1st April,1948.

(b) Member of the service appointed by direct recruitment under Rule 4 (a) or 4 (b) shall draw an initial pay at the minimum stage in the time scale of pay prescribed by the Government from time to time during the probationary period. On confirmation they will draw pay at the next higher stage and the increments in the usual course thereafter. When the period of probation is prolonged beyond the period of two years under Rule 8 (b) the member shall not draw increment even for such prolonged period but subsequent confirmation shall, in the absence of special orders to the contrary, be restored to the place in the time scale at the point which he would have reached had he been confirmed in due course and his increments shall be regulated accordingly.

Note :- If an Assistant Conservator can not be placed on probation as per Rule 8 (b) for want of a vacant permanent post or any other cause, he shall draw pay in the time scale of pay Assam Forest Service (Class I)-Junior scale as prescribed by the Government from time to time. Such an Assistant Conservator shall draw pay during probationary period at the stage reached by him and his confirmation at the next higher stage and his increment will be regulated in the same way as for an Assistant Conservator who is placed on probation or prolonged period of probation as per Rule 8 (b)

Note :- Sub-rule (b) of Rule 12 were substituted by the Notification No.FOR. 436/52/29 dated 30.3.1955 and amendment took effect from 1.4.1948. But it was again substituted by the Notification No.FOR/ESTT./206/64/48, dated 26.5.1967, and the amendment took effect from 1st October, 1956.

13. **Efficiency bar :-** No member of the Service shall draw pay at a higher rate than Rs.400 unless the Governor is satisfied that he is fit to hold charge of a Division or an important post of Research.

COMMENT

Efficiency bar:- Once the bar is lifted and the Government servants is allowed to cross the efficiency bar earlier adverse remarks in this confidential records are to

be treated as condoned and not to be taken into consideration for the purpose of his future promotion¹.

1. Shadilal v. Deputy Commissioner, Gurgaon, (1974) 1 SIR 217 at 218.

14. **Special pay** :- Members of the Service holding the posts mentioned below shall draw special pay noted against each :-

	Rs.
1. Working plan Officer	80
2. Assistant Working Plan Officer	40
3. Forest Utilisation Officer	80
4. Assistant Utilisation Officer	40
5. Silviculturist	80
6. Deputy Conservator-in-charge of Division	50
7. Personal Assistant to the Conservator in the absence of second Conservator.	100

Note :- An Assistant Conservator placed in charge of a Division in an officiating capacity will draw the special pay (item 6 above) admissible to a Deputy Conservator in charge of a Division.

15. (a) Directly recruited Assistant Conservators of Forests on probation, on joining their first appointment, shall be granted in accordance with the position in order of merit on completion of their course of training at Dehra Dun or elsewhere.

(b) Members of the Service appointed by promotion shall rank in the general list immediately below the last directly appointed recruits, above those appointed at the same time, and *inter se* according to their seniority in the subordinate service.

16. The leave, leave salary, allowances, pension and other condition of service of the members of the Service shall be regulated by the rules made by the provincial Government from time to time.

**LANDMARK JUDGEMENT IN CONNECTION WITH AFS (CLASS-I)
RULES, 1942.**

(In 1993, taking support of Assam Forest Service (Class-I) Rules, 1942, an AFS officer was promoted to the rank of Conservator of Forests. There was further move to promote him to the rank of Chief Conservator of Forests. His promotion was challenged in the Central Administrative Tribunal, Guwahati Bench and it was also prayed that he should not be promoted further. In this connection, four O.A.s viz No.52/93, 53/93, 59/93 and 96/94 were filed. In all these O.A.s, the AFS officers was referred to as respondent No.4. The operative part of the judgement in the above mentioned cases is produced below) :

- (1) Operative part of the judgement given in CAT cases.
 - (a) Common order in all the applications :
 - (i) It is hereby declared that the provisions of Rule 3 of the Assam Forest Service Rules to the extent of the first two entries therein, namely, Conservator of Forests and Divisional Forest Officer (including Working Plan Officer, Forest Utilization Officer and one post of Silviculturist and Botanical Forest Officer) stood repealed by the provisions of IFS (Cadre) Rules, 1966, read with IFS (Fixation of Cadre Strength) Regulations, 1966, read with All India Services Act, 1951.
 - (ii) Likewise, the provisions of Rule 11 of the Assam Forest Service Rules, 1942, to the extent of providing scale for Chief Conservator of Forests under Sub-rule 4 (iv) as applicable to the said post created under Assam Forest Service is hereby declared to have stood repealed by the provisions of IFS (Cadre) Rules, 1966, read with IFS (Fixation of Cadre Strength), Regulations, 1966, read with the All India Service Act, 1951.
- (2) Order on O.A. No.52/93 and O.A. No.53/93.
 - (i) The impugned order dated 28-03-1992 is quashed and the appointment of respondent No.4 to the rank of Conservator of Forests is set aside.
 - (ii) The State of Assam is hereby restrained from appointing the respondent No.4 to any IFS cadre post.
 - (iii) The State of Assam is hereby restrained from appointing or promoting any officer of the Assam State Forest Service to the post of Conservator of Forests purportedly created under Assam State Forest Service so long as the IFS (Cadre) Rules, 1966 and IFS (Fixation of Cadre Strength) Regulations, 1966, are in force.
 - (iv) The State of Assam is further restrained from promoting or appointing any officer of the Assam State Forest Service to any IFS cadre including the post of Conservator of Forests so long as the IFS (Cadre) Rules, 1966, and IFS (Fixation of Cadre Strength) Regulations, 1966, are in force.
 - (v) No order as regards seniority of the applicants vis-à-vis respondent No.4 which is left open to be regulated in accordance with appropriate rules as may be applicable.
 - (vi) No order on prayer No.4 as it is not necessary.

(2) Order on O.A. No.59/93 :

- (i) Same order as in terms of Clauses (i) & (ii) of order on O.A. No.52/93 and O.A. No.53/93. No separate order on prayers No.2 and 3 in view of order on O.A. No.52/93 and O.A. No.53/93 as above.
- (ii) It is left open to the applicant to pursue the matter if necessary with the competent authorities as regards his seniority in the post of Conservator of Forests from 30-11-1992 as prayed in accordance with the rules as applicable and in the light of findings recorded in this judgement.

(3) Order on O.A. No.96/94 :

- (i) The impugned order dated 05-05-1994 passed by the Government of Assam creating the ex-cadre post of Chief Conservator of Forests is quashed and set aside.
- (ii) The State of Assam is restrained from appointing any State Service Officer to the post of Chief Conservator of Forests including respondent No.4.

39. All the applications are allowed in terms of the aforesaid order passed in each of the applications.

Sd/- Vice Chairman

Sd/- Member (Admn)

Certified to be true copy

Sd/- Section Officer (J)
Central Administrative Tribunal
Guwahati Bench, Guwahati-5.

**No. 16016/2/95-AIS (II)-A
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, P. G. AND PENSIONS
(DEPARTMENT OF PERSONNEL AND TRAINING)**

New Delhi, the 9.11.95

NOTIFICATION

G.S.R. No.In exercise of the powers conferred by sub-section (1) of Section 3 of the All India Services Act, 1951 (61 of 1951) read with sub-rules (2) of Rule 4 of the Indian Forest Service (Cadre) Rules, 1966, the Central Government, in consultation with the Governments of Assam & Meghalaya, hereby make the following regulations further to amend the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966, namely:-

1. (1) These regulations may be called the Indian Forest Service (Fixation of Cadre Strength) Seventh Amendment Regulations, 1995.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966, for the heading "Assam-Meghalaya", and the entries occurring thereunder, the following shall be substituted, namely:-

"ASSAM-MEGHALAYA"

1	Senior Posts under the State Government	72
	<u>Posts under the Government of Assam</u>	
	Principal Chief Conservator of Forests	1
	Chief Conservator of Forests (Protection)	1
	Chief Conservator of Forests (Wild Life) & Chief Wild Life Warden	1
	Chief Conservator of Forests (Social Forestry)	1
	Chief Conservator of Forests (Research, Training & Working Plans)	1
	Conservator of Forests (Territorial)	6
	Conservator of Forests (Development)	1
	Conservator of Forests (Economic Circle)	1
	Conservator of Forests (Headquarters)	1
	Conservator of Forests (Social Forestry)	3
	Conservator of Forests (Wild life)	1
	Conservator of Forests (Border)	1
	Field Director -Project Tiger, Manas	1
	Director, Kaziranga National Park	1
	Principal, NEF Rangers College, Jalukbari	1
	Deputy Conservator of Forests (Territorial)	22
	Deputy Conservator of Forests (Wild life)	2
	Deputy Conservator of Forests (Assam State Zoo)	1

Working Plan Officer	3
Forest Utilization Officer	1
Planning Officer	3
Silviculturist	1
	<hr/>
	55
	<hr/>

Posts under the Government of Meghalaya

Principal Chief Conservator of Forests	1
Chief Conservator of Forests (Social Forestry & Environment)	1
Conservator of Forests (Territorial & Development)	1
Conservator of Forests (Wild Life)	1
Conservator of Forests (Social Forestry)	1
Conservator of Forests (Research & Training)	1
Deputy Conservator of Forests (Territorial) (Khasi Hills, Jaintia Hills, Garo Hills)	3
Deputy Conservator of Forests (Training)	1
Working Plan Officer	1
Planning Officer	1
Silviculturist	1
Director, Balphakram National Park	1
Deputy Conservator of Forests (Wildlife) East & West Khasi Hills Wildlife Division)	1
Deputy Conservator of Forests (Utilisation)	1
Deputy Conservator of Forests (Social Forestry)	1
	17
Total	72

2.	Central Deputation Reserve @ 20% of Item 1 above	14
3.	Posts to be filled by promotion in accordance with Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, @ 33.1% of Items 1 and 2 above	28
4.	Posts to be filled by direct recruitment (1+2+3)	58
5.	Deputation Reserve @ 25% of Item 1 above	18
6.	Leave, Training Reserve & Junior Posts @ 20% of Item 1 above	14
	Direct Recruitment Posts	90
	Promotion posts	28
	Total Authorised Strength	118

(Madhumita D. Mitra)
Desk Officer

Note 1: Prior to the issue of this notification the total authorised strength of the Assam-Meghalaya Cadre was 104.

Note 2: The Principal Regulations were notified vide Notification No.6/1/66-AIS(IV, dated 31-10-1966 as GSR No.1072 in the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966, has been amended vide Notification given below :

Sl. No.	G.S.R. No.	Date of Publication
1.	1673	31-10-1966
2.	17	07-01-1967
3.	653	06-05-1967
4.	654	06-05-1967
5.	689	13-05-1967
6.	1083	08-06-1968
7.	1887	09-08-1969
8.	80	17-10-1970
9.	485	21-03-1970
10.	545	04-04-1970
11.	1802	24-10-1970
12.	135	24-10-1971
13.	136	24-10-1970
14.	665	08-05-1971
15.	45 (E)	20-10-1972
16.	47 (E)	20-01-1972
17.	48 (E)	20-01-1972
18.	478 (E)	04-12-1972
19.	192 (E)	02-04-1973
20.	321 (E)	27-06-1973
21.	391 (E)	10-08-1973
22.	142	09-02-1974
23.	28 (E)	02-02-1974
24.	273 (E)	17-06-1974
25.	300 (E)	05-07-1974
26.	812	03-08-1974
27.	2227	16-08-1975
28.	71	17-01-1976
29.	407 (E)	16-06-1976
30.	1064 (E)	24-07-1976
31.	444 (E)	06-07-1976
32.	750 (E)	03-08-1976
33.	93 (E)	26-02-1977
34.	631 (E)	05-10-1977
35.	13 (E)	06-01-1978
36.	360 (E)	13-07-1978
37.	436 (E)	29-08-1978
38.	486 (E)	25-08-1980
39.	562 (E)	30-09-1980
40.	626 (E)	03-11-1980
41.	631 (E)	04-11-1980
42.	20 (E)	16-01-1981
43.	31(E)	23-01-1981
44.	84 (E)	27-02-1981
45.	456	09-05-1981

46.	360 (E)	23-05-1981
47.	376 (E)	02-06-1981
48.	386 (E)	09-06-1981
49.	602 (E)	16-11-1981
50.	604 (E)	17-11-1981
51.	653 (E)	10-12-1981
52.	657 (E)	11-12-1981
53.	294 (E)	01-04-1981
54.	354 (E)	26-04-1982
55.	356 (E)	27-04-1982
56.	478 (E)	31-05-1982
57.	530 (E)	30-08-1982
58.	24 (E)	12-01-1983
59.	126 (E)	28-02-1985
60.	308 (E)	26-03-1985
61.	327 (E)	29-03-1985
62.	489 (E)	12-06-1986
63.	266	12-04-1986
64.	654	20-08-1986
65.	763	20-09-1986
66.	798	27-09-1986
67.	796	27-09-1986
68.	835	04-10-1986
69.	837	04-10-1986
70.	880	18-10-1986
71.	164	14-03-1987
72.	407	30-05-1987
73.	619	15-08-1987
74.	802	31-10-1987
75.	826	07-11-1987
76.	835	14-11-1987
77.	836	14-11-1987
78.	432 (E)	06-04-1988
79.	546 (E)	04-05-1988
80.	404	21-05-1988
81.	834 (E)	03-08-1988
82.	352 (E)	10-03-1989
83.	832	11-11-1989
84.	916	16-12-1989
85.	933	30-12-1989
86.	590	22-09-1990
87.	603	29-09-1990
88.	728	08-12-1990
89.	730	08-12-1990
90.	125 (E)	05-03-1991
91.	246	13-04-1991
92.	473	24-08-1991
93.	527	14-09-1991
94.	565	05-10-1991
95.	584	19-10-1991
96.	538 (E)	06-08-1993
97.	685 (E)	04-11-1993
98.	687 (E)	04-11-1993
99.	514	22-10-1994

100.	513	22-10-1994
101.	321 (E)	31-03-1995
102.	213	29-04-1995
103.	278	10-06-1995
104.	264	03-06-1995

(Madhumita D. Mitra)
Desk officer

To,

The Manager,
Government of India Press
Mayapuri, Ring Road, New Delhi.

F.No.14015/54/96-AIS(I)-C

GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIVANCES & PENSIONS
(DEPARTMENT OF PERSONAL AND TRAINING)

New Delhi, the 31st December,1997.

NOTIFICATION

G.S.R.738(E) In exercise of the powers conferred by section 3 of the All India Services Act,1951 (61 of 1951) and in pursuance of sub-rule (1) of rule 8 of the Indian Forest Service (Recruitment) Rules,1996,and in supercession of the Indian Forest Service (Regulation of seniority) Rules,1968,except as respects things done or omitted to be done before such supercession, the Central Government in consultation with the State Government and the Union Public Service Commission, herby makes the following regulation. namely.

1. Short Title and Commencement :-

- (1) These rules may be called the Indian Forest Service (Regulation of Seniority) Rules,1997.
- (2) They shall come into force with effect from the First day of January,1998.

2. Definitions:-

In these rules, unless the context otherwise requires:

- (a) 'Cadre' means the Indian Forest Service Cadre constituted in accordance with rule 3 of the cadre Rules;
- (b) 'Cadre Rules' means the Indian Forests Service (Cadre) Rules 1966;
- (c) 'Cadre Schedule' means the schedule to the Indian Forest Service (Fixation of Cadre strength) Regulation, 1966.
- (d) 'Commission' means the Union Public Service Commission;
- (e) 'Competitive examination' means the examination referred to in rule 7 of the Recruitment Rules;
- (f) 'direct recruit officer' means an officer appointed to the service through a competitive examination in accordance with rule 7 of the Recruitment Rules;
- (g) 'gradation list' means the gradation list prepared under rule 5 of these rule;
- (h) 'officer' means a member of the Service;
- (i) 'promotee officer' means an officer appointment to the service in accordance with the provisions of the Indian Forest Service (Appointment by promotions) Regulations,1966;
- (j) 'Recruitment Rules' means the Indian Forest Service Recruitment) rules,1966;
- (k) 'Select List' means the Select List prepared in accordance with the Indian Forest Service (Appointment by promotion) Regulations,1966;

- (l) 'Service' means the Indian Forest Service;
- (m) 'State Cadre' and 'Joint Cadre' have the meanings respectively assigned to them in the Cadre Rules;
- (n) 'State Government concerned' in relation to a joint cadre means the Joint Cadre Authority;

3. Assignment of year of allotment :-

- (1) Every officer shall be assigned a year of allotment in accordance with the provisions hereinafter contained in these rules;
- (2) The year of allotment of an officer in service at the commencement of these rules shall be the same as has been assigned to him or may be assigned to him by the Central Government in accordance with the rules, orders and instructions in force immediately before the commencement of these rules.
- (3) The year of allotment of an officer appointed to the services after the commencement of these rules shall be as follows:-
 - (i) the year of allotment of a direct recruit officer shall be the year following the year in which the competitive examination was held;

Provided that if a direct recruit officer is permitted to join probationary training under Sub-rule(1) of Rule 6 of the Indian Forest Service (Probation) Rules, 1968 with the direct recruit officers of subsequent year of allotment, then he shall be assigned that subsequent year as the year of allotment.

- (ii) The year of allotment of a promotee officer shall be determined with reference to the year in which the meeting of the Committee to make selection, to prepare the select list on the basis of which he was appointed to the Service, was held and with regard to the continuous service rendered by him in the State Forest Service, up to the 31st day of December of the year immediately before the year in which meeting of the Committee to make selection was held to prepare the select list on the basis of which he was appointed to the Service, in the following manner:-
 - (a) for the service rendered by him up to twenty one years, he shall be given a weightage of one year for every completed three years of service, subject to a minimum of four years;
 - (b) he shall also be given a weightage of one year for every completed two years of service beyond the period of twenty one years, referred to in sub-clause (a), subject to a maximum of three years.

Explanation : For the purpose of calculation of the weightage under this clause, the fractions, if any, are to be ignored;

Provided that he shall not be assigned a year of allotment earlier than the year of allotment assigned to an officer senior to him in that select list or appointed to the service on the basis of an earlier select list;

4. Inter-se seniority of the officer who are assigned the same year of allotment.

The inter-se seniority of the officers appointed to Service shall be in the following order in each category the inter – se seniority shall be determined in the following manner:-

- (i) direct recruit officers shall be ranked inter-se in the order of merit as determined in accordance with Rule 10 or the Indian Forest Service (Probation) Rules,1954:
- (ii) promotee officers shall be ranked inter-se in the order of their dates of appointment to the service.

Provided that in the appointment of more than one officer is the same, their inter-se seniority shall be in the order in which their names are arranged in the Select List on the date of appointment to the service.

5. Gradation List.

There shall be prepared every year for each State Cadre and Joint Cadre a gradation list consisting of the names of all officers borne on that cadre arranged in order of seniority.

6. Fixation of the seniority of officers transferred to another cadre:-

- (1) If a direct recruit officer is transferred from one cadre to another in public interest, his year of allotment shall remain unchanged and his inter-se position among the direct recruits having the same year of allotment in the cadre to which he is transferred shall remain the same as determined in accordance with rule 11 of the Indian Forest Service (Probation) Rules,1986
- (2) If a promotee officer is transferred from one cadre to another in public interest, his year of allotment shall remain unchanged and he shall be ranked inter-se with promotee officers having the same year of allotment in the cadre to which is transferred with reference to the date on the basis of which he was assigned the year of allotment under these rules.
- (3) If an officer is transferred from one cadre to another at his request, he shall be assigned a position in the gradation list of the cadre to which he is transferred below all the officers of his category borne on that cadre who have the same year of allotment.

Provided that in the same case of direct recruit officer transferred from one cadre to another at his request,his seniority in the list prepared under rule 11 of the Indian Forest Service (Probation) Rules, 1968 shall remain unaffected for the purpose of the said list.

7. Interpretation:-

If any question arises as to the interpretation of these it shall be referred to the Central Government for decision.

8. Repeal and Savings:-

- (1) The Indian Forest Service (Regulation of Seniority) Rules, 1968 in force immediately before the commencement of these rules are hereby repealed.
- (2) The seniority of the officers appointed to the Service prior to the coming into force of these rules shall be determined in accordance with the Indian Forest Service (Regulation of Seniority) Rules 1968 in force on the date of their appointment to the service.

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

Sd/- (ARVIND VARMA)
Secretary to the Government of India
[No.14015/54/96-AIS(I)-C]

No. 11033/15/95—AIS (II)-C
GOVERNMENT OF INDIA
MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
DEPARTMENT OF PERSONNEL AND TRAINING

New Delhi, the 31st December, 1997.

NOTIFICATION

GSR No.741 E. In the exercise of the powers conferred by the sub-section (1) of section 3 of the All India Services Act, 1951 and read with sub-rules (1) and (2) of rule 4 of the Indian Forest Service (Cadre) Rules, 1966, the Central Government, in consultation with the Governments of States concerned, hereby make the following regulations to amend the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966, namely:-

- 1.(1) These Regulations may be called the Indian Forest Service (Fixation of Cadre Strength) Third Amendment Regulations, 1997.
- (2) They shall come into force on 1st January, 1998.
2. In the Schedule to the Indian Forest Service (Fixation of Cadre Strength) Regulations, 1966,
 - (i) Under the heading "Andhra Pradesh", for item numbers 3,4,5,and 6 and the entries relating thereto, the following shall be substituted, namely:-

3.	State Deputation Reserve @ 25 % of Item no.1 above	20
4.	Training Reserve @ 3.5 % of Item no.1 above	3
5.	Posts to be filled up by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3 of Items 1,2,3,and 4 above	39
6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item no. 1 above	13
7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	93
	Direct Recruitment posts	93
	Promotion Posts	39
	Total Authorises strength	132
 - (ii) Under the heading "Arunachal Pradesh-Goa-Mizoram and Union Territories", for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :

3.	State Deputation Reserve @ 25% of Item 1 above	23
4.	Training Reserve @ 3.5% of Item 1 above	3
5.	Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above.	46
6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	16
7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	110

	Direct Recruitment Posts	110
	Promotion Posts	46
	Total Authorised Strength	156
(iii)	Under the heading "Assam-Meghalaya", for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :-	
	3. State Deputation Reserve @ 25% of Item 1 above	18
	4. Training Reserve @ 3.5% of Item 1 above	2
	5. Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Item 1 above.	35
	6. Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	12
	7. Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	83
	Direct Recruitment Posts ~	83
	Promotion Posts	35
	Total Authorised Strength	118
(iv)	Under the heading "Bihar" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely:	
	3. State Deputation Reserve @ 25% of Item 1 above	26
	4. Training Reserve @ 3.5% of Item 1 above	4
	5. Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% Item 1, 2, 3 and 4 above	52
	6. Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above.	17
	7. Posts to be filled up by Direct Recruitment (Item 1+2+3+4+6-5)	121
	Direct Recruitment Posts	121
	Promotion Posts	52
	Total Authorised Strength	173
(v)	Under the heading "Gujrat" for items numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
	3. State Deputation Reserve @ 25% of Item 1 above	16
	4. Training Reserve @ 3.5% of Item 1 above	2
	5. Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above.	31
	6. Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	10
	7. Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	73
	Direct Recruitment Posts	73
	Promotion Posts	31
	Total Authorised Strength	104
(vi)	Under the heading "Haryana" for item number 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
	3. State Deputation Reserve @ 25% of Item 1 above.	10
	4. Training Reserve @ 3.5% of Item 1 above	1
	5. Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above.	20
	6. Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	7
	7. Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	49

	Direct Recruitment Posts	49
	Promotion Posts	20
	Total Authorised Strength	89
(vii)	Under the heading "Himachal Pradesh" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
	3. State Deputation Reserve @ 25% of Item 1 above	16
	4. Training Reserve @ 3.5% of Item 1 above	2
	5. Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	32
	6. Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	11
	7. Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	75
	Direct Recruitment Posts	75
	Promotion Posts	32
	Total Authorised Strength	107
(viii)	Under the heading "Jammu & Kashmir" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
	3. State Deputation Reserve @ 25% of Item 1 above	15
	4. Training Reserve @ 3.5% of Item 1 above	2
	5. Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 50% of Items 1, 2, 3 and 4 above	45
	6. Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	10
	7. Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	55
	Direct Recruitment Posts	55
	Promotion Posts	45
	Total Authorised Strength	100
(ix)	Under the heading "Karnataka" for entries 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
	3. State Deputation Reserve @ 25% of Item 1 above	25
	4. Training Reserve @ 3.5% of Item 1 above	4
	5. Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	49
	6. Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	16
	7. Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	116
	Direct Recruitment Posts	116
	Promotion Posts	49
	Total Authorised Strength	165
(x)	Under the heading "Kerala" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
	3. State Deputation Reserve @ 25% of Item 1 above	14
	4. Training Reserve @ 3.5% of Item 1 above	2
	5. Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	27
	6. Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	8

7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	62
	Direct Recruitment Posts	62
	Promotion Posts	27
	Total Authorised Strength	89
(xi)	Under the heading "Madhya Pradesh" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
3.	State Deputation Reserve @ 25% of Item 1 above	59
4.	Training Reserve @ 3.5% of Item 1 above	8
5.	Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	115
6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	38
7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	270
	Direct Recruitment Posts	270
	Promotion Posts	115
	Total Authorised Strength	385
(xii)	Under the heading "Maharashtra" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
3.	State Deputation Reserve @ 25% of Item 1 above	28
4.	Training Reserve @ 3.5% of Item 1 above	4
5.	Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	55
6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	18
7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	130
	Direct Recruitment Posts	130
	Promotion Posts	55
	Total Authorised Strength	185
(xiii)	Under the heading "Manipur-Tripura" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
3.	State Deputation Reserve @ 25% of Item 1 above	13
4.	Training Reserve @ 3.5% of Item 1 above	2
5.	Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	26
6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	8
7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	61
	Direct Recruitment Posts	61
	Promotion Posts	26
	Total Authorised Strength	87
(xiv)	Under the heading "Nagaland" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
3.	State Deputation Reserve @ 25% of Item 1 above	5
4.	Training Reserve @ 3.5% of Item 1 above	1
5.	Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	10

6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	3
7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	23
	Direct Recruitment Posts	23
	Promotion Posts	10
	Total Authorised Strength	33
(xv)	Under the heading "Orissa" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
3.	State Deputation Reserve @ 25% of Item 1 above	18
4.	Training Reserve @ 3.5% of Item 1 above	2
5.	Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	36
6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	12
7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	85
	Direct Recruitment Posts	85
	Promotion Posts	36
	Total Authorised Strength	121
(xvi)	Under the heading "Punjab" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
3.	State Deputation Reserve @ 25% of Item 1 above	7
4.	Training Reserve @ 3.5% of Item 1 above	1
5.	Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	13
6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	4
7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	32
	Direct Recruitment Posts	32
	Promotion Posts	13
	Total Authorised Strength	45
(xvii)	Under the heading "Rajasthan" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
3.	State Deputation Reserve @ 25% of Item 1 above	17
4.	Training Reserve @ 3.5% of Item 1 above	2
5.	Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	33
6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	11
7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	79
	Direct Recruitment Posts	79
	Promotion Posts	33
	Total Authorised Strength	112
(xviii)	Under the heading "Sikkim" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
3.	State Deputation Reserve @ 25% of Item 1 above	5
4.	Training Reserve @ 3.5% of Item 1 above	1
5.	Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	10
6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	3

7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	24
	Direct Recruitment Posts	24
	Promotion Posts	10
	Total Authorised Strength	34
(xix)	Under the heading "Tamilnadu" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
3.	State Deputation Reserve @ 25% of Item 1 above	22
4.	Training Reserve @ 3.5% of Item 1 above	3
5.	Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	43
6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	14
7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	102
	Direct Recruitment Posts	102
	Promotion Posts	43
	Total Authorised Strength	145
(xx)	Under the heading "Uttar Pradesh" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
3.	State Deputation Reserve @ 25% of Item 1 above	43
4.	Training Reserve @ 3.5% of Item 1 above	6
5.	Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	85
6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	28
7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	198
	Direct Recruitment Posts	198
	Promotion Posts	85
	Total Authorised Strength	283
(xxi)	Under the heading "West Bengal" for item numbers 3, 4, 5 and 6 and entries relating thereto, the following shall be substituted, namely :	
3.	State Deputation Reserve @ 25% of Item 1 above	15
4.	Training Reserve @ 3.5% of Item 1 above	2
5.	Posts to be filled by promotion under Rule 8 of the Indian Forest Service (Recruitment) Rules, 1966, not exceeding 33 1/3% of Items 1, 2, 3 and 4 above	29
6.	Leave Reserve and Junior Posts Reserve @ 16.5% of Item 1 above	9
7.	Posts to be filled up by Direct Recruitment (Items 1+2+3+4+6-5)	68
	Direct Recruitment Posts	68
	Promotion Posts	29
	Total Authorised Strength	97

Sd/- (Madhumita D. Mitra)
Desk Officer

NO. 20019/01/2000-IFS (II)
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS

New Delhi, dated 22nd December, 2000.

To,

The Chief Secretaries of all the
State Governments and Union Territories.

Sub: Indian Forest Service - Promotion to various grades-Revised Guidelines regarding.

Sir,

I am directed to say that the Central Government has issued detailed guidelines for functioning of Departmental Promotion Committees (DPCs) and for promotion of members of the Indian Forest Service to the Senior Scale and Super Time Scale from time to time. These guidelines, inter alia, lay down conditions for determining the eligible officers' suitability for different grades in the Service, crucial dates of promotion in these grades, composition and working of the DPCs, procedures to be adopted in cases of officers' against whom disciplinary/court proceedings are pending or whose conduct is under investigation etc.

In view of the multiplicity of these guidelines, it has been decided to consolidate the same at one place and also modify them to take care of the changes which have since taken place in the structure of the Service. Accordingly, the relevant guidelines for the Indian Forest Service as contained in Annexures I and II are being issued.

It is requested that in the interest of uniformity and objectivity, these guidelines may be followed strictly, while granting promotion to the members of the Indian Forest Service in different grades. Members of the DPCs may also be suitably briefed on these guidelines at the time the meetings are held. Prior approval of the Central Government must be obtained before any deviation from any of these guidelines is contemplated/ proposed in exceptional circumstances.

Yours faithfully

Sd. Mira Mehrishi
Joint Secretary to the Government of India

**PRINCIPLES REGARDING PROMOTION OF MEMBERS OF THE INDIAN
FOREST SERVICE AND COMPOSITION OF DEPARTMENTAL PROMOTION
COMITTEES**

I. APPOINTMENT TO SENIOR TIME SCALE

An officer is eligible for appointment to the Senior Time Scale on **completion of 4 years' service**, subject to the provisions of rule 6 A of the IFS (Recruitment) Rules, 1966. A Committee consisting of the Principal Chief Conservator of Forests and two officers of at least Chief Conservator of Forests level of the State Government concerned shall evaluate the performance of the eligible officers for deciding their suitability for promotion to posts in the Senior Time Scale. Subject to availability of posts, this scale can be allowed from or after 1st January during the relevant year in which officers become eligible for this scale.

II. APPOINTMENT TO THE JUNIOR ADMINISTRATIVE GRADE

An officer is eligible for appointment in the Junior Administrative Grade on **completing 9 years of service**. This grade is non-functional and shall be admissible without any screening, as a matter of course, to all the officers of the Senior Time Scale from 1st January of the relevant year, except in cases where any disciplinary/criminal proceedings are pending against the officer.

III. APPOINTMENT TO THE SELECTION GRADE

An officer of the Junior Administrative Grade shall be eligible for appointment to the Selection Grade on **completion of 13 years of service** as per the proviso to the rule 3 (3) of the IFS (Pay) Rules, 1968. A Committee consisting of the Chief Secretary, Principal Secretary-in-charge of Forests, Principal Chief Conservator of Forests of the State Government and Additional Principal Chief Conservator of Forests wherever available, shall screen the eligible members of the Service for promotion in this grade. This grade will be available from or after 1st January of the relevant year subject to availability of vacancies in this grade.

IV. PROMOTION TO THE POST OF CONSERVATOR OF FORESTS

The members of the Service who are working in the Selection Grade and have **completed 14 years of service** shall be eligible for appointment to the post of Conservator of Forests in the scale of Rs.16,400-450 -20,000 *at any time during the year* of their eligibility, subject to availability of vacancies in this grade. The Screening Committee to consider officers for promotion in this scale would consist of the Chief Secretary, Principal Secretary looking after the work of Forests and Principal Chief Conservator of Forests in State Government and Additional Principal Chief Conservator of Forests wherever available as members.

V. PROMOTION TO THE POST OF CHIEF CONSERVATOR OF FORESTS

The zone of consideration for promotion in this grade may consist of the officers who have **completed 18 years of service**. Promotion of officers thus cleared could be made *any time during the relevant year*, provided vacancies in this grade are available. The Screening Committee to consider officers for promotion in this scale will consist the Chief Secretary, Principal Secretary looking after the work of Forests, Principal Chief Conservator of Forests and one officer in the grade of Additional Principal Chief Conservator of Forests or holding higher post working in the Forest Department in State Government concerned, as members.

In case no officer is available with requisite number of years of service, the DPC may make appropriate relaxation in this regard after seeking approval of Government of India.

VI. PROMOTION TO THE POST OF ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS

The zone of consideration for promotion in this grade would consist of all the members of the Service who have **completed 25 years of service**. Appointment in this grade would be made from amongst the officers thus cleared, *at any time during the relevant year* and subject to the provisions of rule 9 (7) of the IFS (Pay) Rules, 1968. The Screening Committee for this purpose shall consist of the Chief Secretary, Principal Secretary looking after the work of Forests and Principal Chief Conservator of Forests and one non-IFS Officer of the rank of Chief Secretary serving in the State/Additional Director General of Forests, Ministry of Environment & Forests, Government of India when the former is not available.

VII. PROMOTION TO THE POST OF PRINCIPAL CHIEF CONSERVATOR OF FORESTS

The zone of consideration for promotion in this grade would consist of all the members of the Service who **have completed 28 years of service**. Appointment in this grade would be made from amongst the officers thus cleared, *at any time during the relevant year* and subject to the provisions of rule 9 (7) of the IFS (Pay) Rules, 1968. The Screening Committee for the purpose shall consist of the Chief Secretary, Principal Chief Conservator of Forests and Principal Secretary looking after the work of Forests and an officer not less than the rank of Additional Secretary in the Government of India/Additional Director General of Forests, Ministry of Environment & Forests, Government of India when the former is not available.

In case no officer is available with requisite number of years of service, the DPC may make appropriate relaxation in this regard after seeking approval of Government of India.

GENERAL GUIDELINES FOR PROMOTION ETC. AND FUNCTIONING OF SCREENING COMMITTEES.

1. FUNCTIONS OF SCREENING COMMITTEES.

It should be ensured while making promotions that suitability of candidates for promotion is considered in an objective and impartial manner. For this purpose, Screening Committees (hereafter referred to as Committees) as mentioned in Annexure-I should be formed for different grades whenever an occasion arises for making promotions/confirmations etc. The Committees so constituted shall adjudge the suitability of officers for :-

- (a) Promotion in various grades, including ad-hoc promotions in cases where disciplinary proceedings/criminal prosecutions are prolonged;
- (b) Confirmation; and
- (c) Assessment of the work and conduct of probationers for the purpose of determining the suitability for retention in service or their discharge from service or extending their probation.

The Committee shall also undertake the Quarterly review cases which have been placed in the Sealed Cover, as prescribed in para 19 supra.

2. FREQUENCY AT WHICH COMMITTEES SHOULD MEET.

Meetings of the Committees should be convened at regular intervals to draw panels for filling up vacancies arising during the **course of a year**. For this purpose, it is essential for the concerned State Government to initiate action to fill up the existing as well as anticipated vacancies well in advance of the expiry of the previous panel by collecting relevant documents like ACRs, integrity certificates, seniority list etc. for placing before the Committees. Meetings of the Committees may be convened every year on a pre-determined date e.g. **1st of May or June**. All the cadres should lay down a time schedule for holding the Committee meetings and the **Secretary-in-charge of the Personnel Department of the State Government and Principal Chief Conservator of Forests shall ensure that they are held regularly**. Holding of these meetings should not be delayed or postponed on one or the other administrative ground or on the ground that the necessary material for placement before the Committees is not ready. The requirement of convening regular meetings of the Committees can be dispensed with only after a certificate has been issued by the Secretary-in-charge of the Personnel Department and Principal Chief Conservator of Forests to the effect that there are no vacancies to be filled by promotion or no officers are due for promotion/confirmation during the year in question.

3. DETERMINATION OF VACANCIES.

It is essential that the number of vacancies in respect of which a panel is to be prepared should be estimated as accurately as possible. For this purpose, the

vacancies to be taken into account should be the clear vacancies arising in a grade due to death, retirement, resignation, promotions and deputation. As regards vacancies arising due to deputation, only those cases of deputation for periods exceeding one year should be taken into account, taking due note of the number of deputationists likely to return to the cadre. Purely short term vacancies arising as a result of the officers proceeding on leave, training or on deputation for a short-term period or as a result of over-utilisation of the sanctioned State Deputation Reserve not approved by the Central Government, should not be taken into account for the purpose of preparation of a panel. In cases where there has been delay in holding the Committee meetings for a year or more, vacancies should be indicated year-wise separately, by also including the names of officers in the zone of consideration who would have been eligible and available for consideration had the meeting(s) of the DPC taken place in time but have since retired or expired.

4. PAPERS TO BE PUT UP FOR CONSIDERATION BY COMMITTEES.

- 4.1 The proposals should be completed and submitted to the Committee well in time. No proposal for holding a Committee meeting should be sent until and unless **at least 90% of the up-to-date and complete ACRs** are available. Every effort should be made to keep the ACR dossiers up-to-date lest this aspect is advanced as the reason for not holding the Committee meetings in time. The officer referred in para 2 above would be responsible for monitoring and the completion of the ACR dossiers as per the existing instructions in this regard. In respect of cases relating to confirmation and assessment of the work and conduct of probationers, they would ensure the timely submission of the Assessment Reports etc.
- 4.2. The folder of ACRs/Assessment Reports should be checked to verify whether the ACRs for individual years/relevant periods are available. If the ACR for a particular year/particular period is not available and for valid/justifiable reasons it cannot be made available, a certificate should be recorded to that effect and placed in the folder.
- 4.3. The integrity certificate on the lines indicated below should be furnished to the Committees constituted to consider cases for promotion or confirmation :-

"The records of service of the following officers who are to be considered for promotion/confirmation in the grade have been carefully scrutinized and it is certified that there is no doubt about their integrity."

If there are names of persons in the list of eligible candidates, whose integrity is suspected or has been held in doubt at one stage or the other, the fact should specifically be recorded by the officer-in-charge of the Personnel Department and brought to the notice of the Committee. The integrity certificate would be withheld only in cases where one or the other contingencies as indicated in para 11.1 supra has arisen. It should be ensured that the information thus furnished is factually correct and complete in all respects. Cases where incorrect information

has been furnished should be investigated and suitable action taken against the person responsible for it.

5. CONSIDERATION OF OFFICERS ON DEPUTATION ETC.

The names of officers who are on deputation for a period exceeding one year shall also be included in the list submitted to the Committee for consideration for promotion/ confirmation in case they fulfill the prescribed eligibility conditions. In cases where a certain number of years of service in the lower grade is prescribed as a condition for becoming eligible for consideration for promotion to the higher grade and/or for confirmation, the period of service rendered by an officer on deputation should be treated as comparable service in his cadre for the purposes of promotion as well as confirmation. This is subject to the condition that the deputation is with the approval of the competent authority and it is certified that but for deputation, the officer would have continued to be in the relevant grade in his cadre. The same would apply in cases of officers who are on leave/study leave duly sanctioned by the competent authority or training under the various training schemes which are treated as duty for all purposes.

6. PROCEDURE TO BE OBSERVED BY COMMITTEES.

Each Committee should decide its own method and procedure for objective assessment of the suitability of the candidates. While merit has to be recognized and rewarded, advancement in an officer's career should not be regarded as matter of course. It should be earned by dint of hard work, good conduct and result oriented performance as reflected in the annual confidential report and based on strict and rigorous selection process. The misconception about "Average" performance also requires to be cleared. While "Average" may not be taken as adverse remark in respect of an officer, it cannot also be regarded as complimentary to the officer. Such performance should be regarded as routine and undistinguished. Nothing short of above-average and noteworthy performance should entitle an officer to recognition and suitable rewards in terms of career progression.

7. CONFIDENTIAL REPORTS.

- 7.1. The Annual Confidential Reports are the basic inputs on the basis of which assessment is to be made by each Committee. The evaluation of ACRs should be fair, just and non-discriminatory. The Committee should consider ACRs for equal number of years in respect of all officers falling within the zone of consideration for assessing their suitability for promotion. Where one or more ACRs have not been written for any reason, the Committee should consider the available ACRs. If the Reviewing Authority or the Accepting Authority as the case may be, has over-ruled the Reporting Officer or the Reviewing Authority respectively, the remarks of the Accepting Authority should be taken as the final remarks for the purposes of assessment. While making the assessment, the Committee should not be guided merely by the overall grading that may be recorded in the ACRs but should make its own assessment on the basis of the overall entries made in the ACRs.

- 7.2. In the case of each officer, an *overall grading* should given which will be either "Fit" or "Unfit". There will be *no benchmark* for assessing suitability of officers for promotions.
- 7.3. Before making the overall grading, the Committee should take into account whether the officer has been awarded any major or minor penalty or whether any displeasure of any higher authority has been conveyed to him. Similarly, the Committee would also take note of the commendations received by the officer during his service career. The Committee would also give due regard to the remarks indicated against the column on integrity.

The list of candidates considered by the Committee and the overall grading thus assigned to each candidate would form the basis for preparation of the panel for promotion.

8. PREPARATION OF YEAR-WISE PANELS WHERE THE COMMITTEE HAVE NOT MET FOR A NUMBER OF YEARS.
 - 8.1. Where for any reasons beyond control, the Committee has not met in a year(s) even though vacancies arose during that year(s), the first Committee that meets thereafter should follow the procedures indicated below.
 - (a) Determine the actual number of vacancies that arose in each of the previous year(s) immediately preceding and the actual number of vacancies proposed to be filled in the current year separately.
 - (b) Consider in respect of each of the years only those officers including the officers who have retired/died in the meanwhile, who would be within the zone of consideration with reference to the vacancies of each year starting with the earliest year onwards.
 - (c) Prepare a panel by placing the panel of the earlier year above the one for the next year and so on.
 - 8.2. Where a Committee has already met in a year and further vacancies arise during the same year, the following procedure should be followed :-
 - (a) For vacancies due to death, voluntary retirement, new creations etc. belonging to the category which could not be foreseen at the time of placing the facts and the matter before the Committee, another meeting of the Committee should be held for drawing up a panel for the vacancies thus arising. If for any reason, the Committee cannot meet for the second time, procedure of drawing up of year-wise panel, as indicated above, may be followed when it meets next for preparing panels in respect of vacancies that arise in the subsequent year.
 - (b) In cases of non-reporting of vacancies due to error or omission, whereby such an error artificially restricted the zone of consideration, a Review DPC should be held taking into consideration the total vacancies in the year.
 - (c) For the purpose of evaluating the merit of the officers while preparing year-wise panels, the scrutiny of the record of the service of the officer should be limited to the records that would have been available had the Committee met at the appropriate time. However, if on the date of such meeting, departmental

proceedings against an officer are in progress and the sealed cover procedure is to be followed, such procedure should be observed even if departmental proceedings were not in existence in the year to which the vacancy related. The officer's name should be kept in the sealed cover till the proceedings are finalized.

- (d) While promotions will be made in the order of the consolidated panel, such promotions will have only prospective effect if it is in a functional grade, involving higher duties and responsibilities, even in cases where the vacancies relate to earlier years. In cases of promotions in non-functional grades, not involving higher duties and responsibilities, promotions may be allowed from the due dates retrospectively.

9. CONFIRMATION.

In the cases of confirmation, which is now a one-time affair during one's entire service, the Committee should not determine the relative merit of officers but it should assess the officers as "Fit" or "Not Yet Fit" for confirmation in their turn on the basis of their performance as assessed with reference to their records of service. In case the Committee finds a probationer 'Not Yet fit', it shall record reasons for the same.

10. PROBATION.

In the case of probation, the Committee should not determine the relative grading of officers but only decide whether they should be declared to have completed the probation satisfactorily within the meaning of the IFS (Probation) Rules, 1968. If the performance of any probationer is not satisfactory, the Committee may advise whether the period of probation should be extended or whether he should be discharged from service, within the meaning of these Rules.

11. PROCEDURE TO BE FOLLOWED IN RESPECT OF OFFICERS AGAINST WHOM DISCIPLINARY/COURT PROCEEDINGS ARE PENDING OR WHOSE CONDUCT IS UNDER INVESTIGATION.

- 11.1. At the time of consideration of the cases of officers for promotion, details of such officers in the zone of consideration falling under the following categories should be specifically brought to the notice of the concerned Screening Committees :-

- (a) Officers under **suspension;**
- (b) Officers in respect of whom a **chargesheet has been issued and disciplinary proceedings are pending;**
- (c) Officers in respect of whom **prosecution for criminal charge is pending.**

- 11.2. The Screening Committee shall assess the suitability of the officers coming within the purview of the circumstances mentioned above, along with other eligible candidates, without taking into consideration the disciplinary case/criminal prosecution which is pending. The assessment of the Committee

including "Unfit for Promotion" and the grading awarded by it will be kept in a sealed cover. The cover will be superscribed "FINDINGS REGARDING THE SUITABILITY FOR PROMOTION TO THE SCALE OF IN RESPECT OF SHRI NOT TO BE OPENED TILL THE TERMINATION OF THE DISCIPLINARY CASE/CRIMINAL PROSECUTION AGAINST SHRI". The proceedings of the Committee need only contain the note "THE FINDINGS ARE CONTAINED IN THE ATTACHED SEALED COVER". The same procedure will be adopted by the subsequent Screening Committees till the disciplinary case/criminal prosecution against the officer concerned is concluded:

12. ADVERSE REMARKS.

12.1. Where adverse remarks in the Confidential Report of the officer concerned have not been communicated to him, this fact should be taken note of by the Committee while assessing * the suitability of the officer for promotion /confirmation. In a case where a decision on the representation of an officer against adverse remarks has not been taken or the time allowed for submission of representation is not over, the Committee may defer the consideration of the case until a decision on the representation is arrived at.

12.2. An officer whose increments have been withheld or who has been reduced to a lower stage in the time-scale, cannot be considered on that account to be ineligible for promotion as the specific penalty of withholding promotion has not been imposed on him. The suitability of the officer for promotion should be assessed by the Committee as and when occasions arise. They will take into account the circumstances leading to the imposition of the penalty and decide whether in the light of overall service records of the officer and the fact of the imposition of the penalty, he should be considered for promotion or not. Even where the Committee considers that despite the penalty the officer is suitable for promotion, the officer may be promoted only after the currency of the penalty.

13. VALIDITY OF THE COMMITTEE PROCEEDINGS WHEN ONE MEMBER IS ABSENT.

In such cases and provided that the Chairman was not absent, the proceedings of the Committee shall be legally followed and can be acted upon. It should, however, be ensured that the member was duly invited but he absented himself for one reason or the other and there was no deliberate attempt to exclude him from the Committee's deliberations and provided further that the majority of the members constituting the Committee represented in the meeting.

14. PROCESSING OF RECOMMENDATIONS OF THE COMMITTEES.

14.1. The recommendations of the Committee are advisory in nature and should be duly placed before the State Government for approval. There may, however, be occasions when the State Government may find it necessary to disagree with the recommendations. In any case, however, the decision to agree or disagree with

the recommendations should be taken within a period of 3 months from the date the Committee forwards its recommendations.

- 14.2. Where the State Government proposes to disagree with the recommendations of the Committee, it may refer the matter again to the Committee for reconsideration of their earlier recommendations. If the Committee re-iterates its earlier recommendations giving also the reasons in support thereof, the State Government shall take a decision either to accept or to vary the recommendations of the Committee, by giving reasons to be recorded in writing, and such a decision shall be final.

15. VIGILANCE CLEARANCE WHILE IMPLEMENTING THE COMMITTEE RECOMMENDATIONS.

A clearance from vigilance angle should be available before making actual promotion or confirmation of officers approved by the Committee to ensure that no disciplinary proceedings are pending against the officers concerned.

16. ORDER IN WHICH PROMOTIONS TO BE MADE.

The officers placed in the approved panels for promotion are to be considered for appointment to higher grades in the order of their inter-se position in the respective panels, except in cases where disciplinary/court proceedings are pending against an officer. The procedure to be adopted in cases of officers against whom disciplinary/court proceedings are pending has been laid down in succeeding paragraphs.

17. PROMOTION OF OFFICERS ON DEPUTATION.

If a panel contains the name of an officer who is away from the cadre and is on deputation in public interest for a period exceeding one year, including an officer who has gone on study leave/training, the officer shall be eligible for his regaining the temporarily – lost promotion in the higher grade on his return to the cadre. It has to be born in mind that seniority of members of Indian Forest Service which is initially fixed, is not to undergo any change throughout their career and early or late promotion of an officer vis-à-vis other officer(s) in a particular grade is to have no impact on their seniority. Therefore, such an officer need not be reconsidered by a fresh Committee, if subsequently held, while he continues to be on deputation/study leave/training. This would be irrespective of the fact whether or not he has got the benefit of proforma promotion under the 'Next-Below Rule'.

18. SEALED COVER CASES-ACTION AFTER COMPLETION OF DISCIPLINARY/CRIMINAL PROSECUTION.

- 18.1. If the proceedings of the Committee for promotion contain findings in a sealed cover, on conclusion of the disciplinary case/criminal prosecution, the sealed cover or covers shall be opened. In case the officer is completely exonerated, the due date of his promotion will be determined with reference to the findings of

the Screening Committee kept in sealed cover/covers and with reference to the date of promotion of his next junior on the basis of such findings. The officer shall be promoted even if it requires to revert the junior-most officiating person. Such promotion would be with reference to the date of promotion of his junior and in these cases, the officer will be paid arrears of salary and allowances.

- 18.2. If a penalty is imposed on the officer as a result of the disciplinary proceedings or if he is found guilty in the criminal prosecution against him, the findings of the sealed cover/covers shall not be acted upon. His case for promotion may be considered by the next Screening Committee in the normal course, having regard to the penalty imposed on him. In such cases, the question of arrears may be decided by taking into account all the facts and circumstances of the disciplinary / criminal proceedings. Where arrears of salary or a part thereof are denied, the reasons for doing so shall be recorded.

19. QUARTERLY REVIEW OF SEALED COVER CASES.

It is necessary to ensure that the disciplinary case/criminal prosecution instituted against an officer is not unduly prolonged and all efforts to expeditiously finalize the proceedings are taken so that the need for keeping the cases of officers in sealed cover/covers is limited to the barest minimum. The concerned State Governments shall comprehensively review such cases on the expiry of three months from the date of convening of the first Screening Committee which had adjudged his suitability and kept its findings in the sealed cover. Such a review should be done subsequently also after every three months. This review shall, *inter-alia*, cover the progress made in the disciplinary proceedings/criminal prosecution and further measures required to be taken to expedite their completion. The material/evidence collected in the investigations would also be scrutinised to determine in cases involving suspension whether there is a *prima-facie* case for initiating disciplinary action or sanctioning prosecution against the officer. If as a result of such a review, the State Government comes to a conclusion that there is *prima facie* no case, the sealed cover would be opened and the officer concerned would be given his due promotion with reference to the position assigned to him by the DPC.

Same procedure is to be followed in considering the cases of confirmation.

20. AD-HOC PROMOTIONS IN CASES WHERE DISCIPLINARY PROCEEDINGS/CRIMINAL PROSECUTIONS ARE PROLONGED.

As appointment of the members of Indian Forest Service to various grades is made on regular basis and the provision of one-time confirmation exists in their cases, the concept of grant of ad-hoc promotion is alien to them. Unlike Central Government servants, ad-hoc promotions are not to be allowed in their cases even if the disciplinary cases/criminal prosecutions instituted against them are found to have been prolonged. In their cases, only quarterly review of their disciplinary/criminal cases is to be undertaken and efforts are to be made to expedite their completion.

21. SEALED COVER PROCEDURE APPLICABLE TO OFFICERS IN WHOSE CASES CONTINGENCIES OF PARA 11.1, SUPRA ARISE BEFORE ACTUAL PROMOTION.

In the case of an officer recommended for promotion by the Screening Committee where any of the circumstances mentioned in para 11 above arise before actual promotion, sealed cover procedure would be followed. The subsequent Committee shall assess the suitability of such officers along with other eligible candidates and place their assessment in sealed cover. The sealed cover/covers will be opened on conclusion of the disciplinary case/criminal prosecution. In case the officer is completely exonerated, he would be promoted as per the procedure outlined in para 18 above and the question of grant of arrears would also be decided accordingly. If any penalty is imposed upon him as a result of the disciplinary proceedings or if he is found guilty in the criminal prosecution against him, the findings of the sealed cover shall not be acted upon, as outlined in para 18.2 above.

22. VALIDITY OF THE PANEL.

A panel for promotion recommended by the Committee and approved by the State Governments shall be valid till all the officers placed in the panel have been promoted. This will, of course, exclude officers who are away on deputation but they do not opt to rejoin the cadre in the higher post or are on study leave or training.

23. REVIEW COMMITTEE MEETING.

23.1. The proceedings of any Committee may be reviewed only if the Committee had not taken all the material facts into consideration or if material facts were not brought to their notice or if there were grave errors in the procedure followed by them. Special review may also be done in cases where adverse remarks in an officer's ACR's are expunged or modified. The Review Committee would consider only those officers who were eligible as on the date of meeting of the original Committee. They would also restrict their scrutiny of the ACR's for the period relevant to the first Committee meeting. If any adverse remarks relating to the relevant period were turned down or expunged, the modified ACR's should be considered as if the original adverse remarks did not exist at all. Before doing so, the appointing authority would scrutinize the relevant cases with a view to decide whether or not a review by the Committee is justified, keeping in mind the nature of the adverse remarks turned down or expunged. While considering a deferred case or review of the case of a superseded officer, if the Committee finds the officer fit for promotion/confirmation, it would place him at the appropriate place in the relevant panel after taking into account the turned-down remarks or expunged remarks, as the case may be.

23.2. If the officer placed junior to the above-said officer have been promoted, the latter should be promoted immediately and if there is no vacancy, the junior-most person officiating in the higher grade should be reverted to accommodate him. On promotion, his pay should be fixed at the stage it would have reached

had he been promoted from the date the officer immediately below him was so promoted, but no arrears for the past period would be admissible. In the case of confirmation, if the officer concerned is recommended for confirmation on the basis of a review, he should be confirmed from the due date.

24. AVAILABILITY OF VACANCIES.

Whenever promotions are vacancy based, while computing the available vacancies for filling up the same by promoting officers placed in the panel, care should be taken to ensure that *the total ex-cadre posts created in various grades for the purpose do not exceeds in sum the permissible quota of State Deputation Reserves* indicated in the respective Cadre Schedules. *Provisions of Rule 9 (7) of the IFS (Pay) Rules, 1968 would also require to be followed* while making promotions in the highest grade of the Service.

25. SUPERSESION OF OFFICERS.

If an officer has not been included in the panel for promotion to any of the grades, the detailed reasons for his supersession may be recorded in writing. Such officers would be eligible for reconsideration after earning two more reports, except in the case of promotion *in the grade of Principal Chief Conservator of Forests*, in which case *an officer would be eligible for reconsideration after earning only one more report*.

NO. 20019/01/2000-IFS (II)
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT & FORESTS

New Delhi, dated 18th November, 2002.

To,

The Chief Secretaries of all the
State Governments and Union Territories.

Sub: Indian Forest Service- promotion to various grades-Revised Guidelines regarding.

Sir,

1. I am directed to say that the Central Government has issued details guidelines for promotion of members of the Indian Forest Service to the Senior Scale and Super Time Scale vide this Ministry's letter of even number dated 22nd December, 2000. These guidelines, inter alia, lay down conditions for determining the eligible officers' suitability for different grades in the Service, crucial dates of promotion in these grades, composition and working of the DPCs etc.
2. These guidelines have now been revised and the revised guidelines are enclosed.
3. It is requested that in the interest of uniformity and objectivity, these Revised Guidelines may be followed strictly, while granting promotion to the members of the Indian Forest Service in different grades. Members of the DPCs may also be suitably briefed on these guidelines at the time the meetings are held.

Yours faithfully

Sd/- R. Chandramohan
Joint Secretary to the Government of India

**GUIDELINES REGARDING PROMOTION OF MEMBERS OF THE INDIAN
FOREST SERVICE AND COMPOSITION OF DEPARTMENTAL PROMOTION
COMITTEES**

I. APPOINTMENT TO SENIOR TIME SCALE

An officer is eligible for appointment to the Senior Time Scale on **completion of 4 years' service**, subject to the provisions of rule 6 A of the IFS (Recruitment) Rules, 1966. A Committee consisting of the Principal Chief Conservator of Forests or above and two officers of at least Chief Conservator of Forests level of the State Government concerned shall evaluate the performance of the eligible officers for deciding their suitability for promotion to posts in the Senior Time Scale. Subject to availability of posts, this scale can be allowed from or after 1st January during the relevant year in which officers become eligible for this scale.

II. APPOINTMENT TO THE JUNIOR ADMINISTRATIVE GRADE

An officer is eligible for appointment in the Junior Administrative Grade on **completing 9 years of service**. This grade is non-functional and shall be admissible without any screening as a matter of course, to all the officers of the Senior Time Scale from 1st January of the relevant year, except in cases where any disciplinary/criminal proceedings are pending against the officer.

III. APPOINTMENT TO THE SELECTION GRADE

An officer of the Junior Administrative Grade shall be eligible for appointment to the Selection Grade on **completion of 13 years of service** as per the proviso to rule 3 (3) of the IFS (Pay) Rules, 1968. A Committee consisting of the Chief Secretary, Principal Secretary-in-charge of Forest, Principal Chief Conservator of Forests of the State Government and Additional Principal Chief Conservator of Forests wherever available, shall screen the eligible members of the Service for promotion in this grade. This grade will be available from or after 1st January of the relevant year subject to availability of vacancies in this grade.

IV. PROMOTION TO THE POST OF CONSERVATOR OF FORESTS.

The members of the Service who are working in the Selection Grade and have **completed 14 years of service** shall be eligible for appointment in the post of Conservator of Forests in the Scale of Rs.16,400-450 –20,000 *at any time during the year* of their eligibility, subject to availability of vacancies in this grade. The Screening Committee to consider officers for promotion in this scale would consist of the Chief Secretary, Principal Secretary looking after the work of Forests and Principal Chief Conservator of Forests in State Government and Additional Principal Chief Conservator of Forests wherever available as members.

V. PROMOTION TO THE POST OF CHIEF CONSERVATOR OF FORESTS.

The zone of consideration for promotion in this grade may consist of the officers who have **completed 18 years of service**. Promotion of officers thus cleared could be made at *any time during the relevant year*, provided vacancies in this grade are available. The Screening Committee to consider officers for promotion in this scale would consist of the Chief Secretary, Principal Secretary looking after the work of Forests, Principal Chief Conservator of Forests and one officer in the grade of Additional Principal Chief Conservator of Forests or holding higher post working in the Forest Department in State Government concerned, as members.

VI. PROMOTION TO THE POST OF ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS.

The zone of consideration for promotion in this grade would consist of all the members of the Service who have **completed 25 years of service**. Appointment in this grade would be made from amongst the officers thus cleared, *at any time during the relevant year* and subject to the provisions of rule 9 (7) of the IFS (Pay) Rules, 1968. The Screening Committee for the purpose shall consist of the Chief Secretary, Principal Secretary looking after the work of Forests and Principal Chief Conservator of Forests and one non-IFS officer of the rank of Chief Secretary serving in the State/Additional Director General of Forests, Ministry of Environment & Forests, Government of India when the former is not available.

VII. PROMOTION TO THE POST OF PRINCIPAL CHIEF CONSERVATOR OF FORESTS.

The zone of consideration for promotion in this grade would consist of all the members of the Service who have **completed 30 years of service**. Appointment in this grade would be made from amongst the officers thus cleared, *at any time during the relevant year* and subject to the provisions of rule 9 (7) of the IFS (Pay) Rules, 1968. The Screening Committee for the purpose shall consist of the Chief Secretary, Principal Chief Conservator of Forests and Principal Secretary looking after the work of Forests (who should be an officer in the pay scale of Rs.26,000/-) failing which an Additional Chief Secretary level officer, and an officer not less than the rank of Special Secretary in the Government of India/ Additional Director General of Forests, Ministry of Environment & Forests, Government of India when the former is not available.