

मध्य प्रदेश ग्राम वन नियम, 2015

www.govtpressmp.nic.in -g-IF rh-g 211] 4 2015 14, 1937 4 2015 1927 (F 1927 16) 28 76 (1) 2015 t. 1927 (1927 16), 3i-{' 'Til-UT (ÄH 2006 i, 1995 19 1995) TAT i, 14 3-TfQATd t, 421 422 (U) (31) (33) (e) (U) (AJA5) (Q) (Miq) (€8) 4 2015 -qt...u 1993 (FHiq 1 1994) (31-m•ö---ö 16—4 91 22 2001 13 1972 (1972 ØT 53) i; 'uTH (z) i u-hß-le hirr lh hit hæ '2 h-LE he '11th 'LLaÄfi (9b LZ6L) hi QI 'R h-IE hæ hi Ilap LA I hæ (696b OZ ±-lhÆ) 696b SCOZ (z) 422 (2) (3) (4) (2) (q) 4 2015 q-aq5 u-r-q ,3Tq-m -RI-g-q q-q-o-fi I -qurgü"QT 4 2015 422 (3) 7. 8. (3) 16 1 5 g--ci (2) (3) ft--åfifrT .31Q_TAT 9. 4 2015 12 fr5 qq @ren-é) uT (tq) ee-n:r GTVTIT I @IR) 21 --q-i-& ft-VI—a-r (trq) 4 2015 422 (5) (20 gg 10 — 12 i, 3 10 3 10-3=7 15 Q. 45 Q.fi. 30 GTTkT4fi I 422 (6) 11, 12. 13. 4 2015 2000 I (1) 1986 ATH -q-ft zhq-qT,— (2) 422 (7) (a-IN) (I-TET) (06) (Rff(f) (341Ü) 14. 4 2015 -åq-GT i3ft ft-u--qä -O 422 (8) No. 4 2015 In exercise of the powers conferred by Section 28 and Section .76 of the Indian Forest Act, 1927 (16 of 1927) the State Government, hereby, makes the following rules, namely : RULES 1. Short title, extent and commencement.- (1) These rules may be called the Madhya Pradesh Village Forest Rules, 2015. (2) These rules shall be applicable to the whole State of Madhya Pradesh. (3) They shall come into force from the date of their publication in the official Gazette

2. Definitibns.- (1) In these rules, unless the context otherwise requires: (a) "Act" means the Indian Forest Act, 1927 (16 of 1927); "community rights" and "minor forest produce" (b) "Bona fide livelihood needs", for the purpose of these rules have the same meaning as assigned to them in The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006; (c) "District Planning Committee" for the purpose of these rules shall have the same meaning as assigned to it in Madhya Pradesh Zila Yojana Samiti Adhiniyam, 1995 (No. 19 of 1995); (d) "Duties of Residents" mean duties of residents as provided. in Rule 14 of these rules; (e) "Government" means the Government of Madhya Pradesh; (f) "Gram Sabha" shall have the same meaning as assigned to it in Madhya Pradesh Panchayat Raj avam Gram Swaraj Adhiniyam, 1993 (No. I of 1994); (g) "Gram Van Samiti" means the committee constituted by Gram Sabha as per the Government Resolution published in the Notification No. F 16-4-91-X-2, Dated 22 October, 2001; (h) "Nistar" means and includes:- (i) Timber of unreserved trees; (ii) Dry fallen wood not fit for timber; (iii) Dry bamboos and green bamboos where specifically mentioned; (iv) Grasses other than Rusa, Khus or Sabai grass; (v) Thorns other tharl those of Khair and Kardhai; (vi) Leaves excluding tendu leaves; (vii) Bark (Bakkal) of un-reserved trees; and (viii) Minor minerals surface boulders, murum, sancl, chhui and clay works pernnitted under Rule 13 and for bona fide purpose within the sanxe village for dwelling pul'poses. 4 2015 422 (9) (i) "Occupational Nistar" means nistar required for the purpose of carrying on an occupation as a means of livelihood except manufacturing of charcoal; (j) "Paidawar" means and includes all edible roots, fruits and flowers, naturally exuded gum except the gum from Kullu trees, honey and wax; (k) "Protected area" shall have the same meaning as assigned to it under The Wild life Protection Act, 1972 (53 of 1972); (l) "Resident of a Village" means a person who ordinarily resides in that village; (m) "Urban area" shall have the same meaning as assigned to it in the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959). (2) The words and expressions used herein but not defined in these rules, shall have the same meanings as assigned to them in the Indian Forest Act, 1927 (XVI of 1927), as applicable to the State of Madhya Pradesh. 3, Management of Village Forest: Gram Sabha of the village, where the village community, that has been assigned the rights of the Government, resides shall be responsible for the management of that forest including its protection and development

4. Constitution of committee for Managemeqt: Gram Van Samiti constituted by the Gram Sabha of the village concerned shall be responsible for management of that Forest on behalf of the Gram Sabha, including its protection arid development

5. Nistar (1) Subject to the provisions in rules laid down hereinafter and orders issued by the Government or any other officer authorised by the Government for this purpose, residents of the village shall be permitted to obtain, either free of charge or on payment to Gram Van Samiti, their nistar and paidawar requirements from the Village Forest.Explanation- The expression "Nistar requirements" and "Paidawar requirements" mean the Nistar and Paidawar, required for the purpose of bona fide domestic consumption and livelihood needs. (2) District Planning Committee shall in consultation with Divisional Forest Officer from time to time fix rates payable to Gram Van Samiti for

timber and fuel wood for Nistar including occupational Nistar removed from the Village Forests. (3) The quantum of nistar and paidawar requirements permitted under sub-rule (1) shall be subject to the bona fide livelihood needs of each family and limited to availability of nistar material. Where available nistar material falls short of the total requirement, the nistar material shall be equitably rationed by the Grain Van (4) (a) The Divisional Forest Officer or any Forest Officer specially authorised by him not below the rank of Range Officer shall, from time to time, in consultation with the Grain Van Samiti specify the area from which the nistar is to be obtained each year and the villagers shall obtain their nistar only from such areas. 422 (10) 4 2015 6. (b) The Divisional Forest Officer or any officer not below the rank of Range Officer authorised by the Divisional Forest Officer shall from time to time specify and reserve a reasonable area for the exercise of occupational nistar and communicate the quantum of additional material which could be obtained from such area under exploitation limited to availability of material, after meeting the "Nistar" and "Paidawar" requirements under sub-rule (1). Closed Period.- (1) Village Forest shall remain closed for felling of trees and removal of timber and fuel-wood, under these rules, in the period beginning on 1st July and ending on 15th October every year, to be known as closed period. (2) Gram Van Samiti, in consultation with the concerned range officer, for the village forest may declare certain period or periods of a year as closed season, or may declare certain forest areas as closed areas for a specified period for collection of certain forest produce, or may impose limits on quantities of any minor forest produce that can be removed, or may require that certain sustainable harvesting practices for the collection or extraction of any minor forest produce should be followed. (3) Fishing in water bodies existing in the village forest will remain closed for a period between 16th June to 15th of August every year

7. Removal of timber and fuel wood.- (1) Gram Van Samiti shall regulate the felling of trees and removal of timber and fuel wood from a village forest in consultation with the Range Officer. (2) Every year before the beginning of the open period, the Range Officer shall communicate to the Gram Van Samiti the estimated quantity of the timber and fuel wood likely to be available for felling or removal in the village forest assigned to it. (3) Gram Van Samiti shall decide the days when it intends to fell trees and communicate the same to the Range Officer. (4) Felling of trees in the village forest shall be carried under the supervision of a Forest Officer deputed by Range Officer. (5) The timber will be removed from the forest after putting a hammer mark on it for identification by the forest officer deputed by the Range officer

8. Sharing of forest produce.- (1) The timber and fuel wood, surplus after the Nistar, including occupational Nistar requirements, may be disposed of by Gram Van Samiti. (2) The proceeds from disposal of timber or fuel wood shall be first utilized for the protection and development of the forest. The surplus, if any, may be utilized by the Grain Van Samiti for the welfare of residents of the village. 4 2015 422 (11) (3) Notwithstanding anything contained in rule 5, Gram Van Samiti with the prior approval of the Government, can enter into an agreement with a company or a body corporate, owned, managed and controlled by the Government or engaged in a manufacturing activity for which any forest produce is a raw material, to share certain forest produce from that village forest as consideration for the investment made by that company or body corporate towards the development of that village Forest

9. Cutting of trees and removal of timber.- (1) The cutting and removal of trees and timber from the village forests shall be in accordance with the management plan, as provided in rule 12 and are subject to the following conditions, unless permitted in writing by the range officer, namely:- (i) No tree shall be girdled, pollarded or lopped. (ii) No tree shall be wounded for the collection of gum and resin. (iii) No tree shall be uprooted, burnt or injured in any other manner. (iv) No tree under 21 cms girth at breast height shall be cut. (2) Bamboos shall be cut subject to the following conditions : (i) The cutting cycle for bamboos shall be at least two years. Annual coupe shall be divided into appropriate sections and felling shall proceed sectionwise, i.e. cutting in the next section shall be taken up after previous section has been worked in accordance with these rules. (ii) No live immature culm, viz. karla or the current season's culm and mahila or culm of the previous season, shall be cut. (iii) Rhizomes of bamboos shall not be dug. (iv) No bamboo clump containing less than ten live culms including karla and mahila shall be worked; (v) In clump containing 10 or more live culms, the mature culms (other than those broken at a height of less than 20 cms.) that are left after cutting shall be uniformly spaced and their number shall be equal to at least twice the number of karlas subject to a minimum of 10 live culms. Example:- In case there are 12 culms in

a clump of which 3 are karlas then all the karlas i.e. 3 plus twice that number i.e. 6, total 9 culms should ordinarily have been left in the clump, but as this total is less than 10, one more culm shall be retained. That is, in all 3 karlas plus (10-3) i.e. 7 other culms excluding Inahila, shall be left in the clump. (vi) The height above ground level at which the culms are cut shall be less than 15 cms. or more than 45 cms. and in any case not below the first inter node. 422 (12) 4 2015 (vii) The cut shall be made with a sharp instrument so that the stump is not split. (viii) All cutting debris shall be removed at least 30 cms. away from the periphery of the clump, (ix) Karla and mahila bamboos shall in no case be used for making strips for tying bundles

10. Transportation of forest produce (1) All timber and fuel wood, removed from a village forest under these rules, shall be first moved to a place in the village determined by the Gram Van Samiti, and then transported to any other place, if required. (2) Transportation of timber and fuel wood from the village shall be regulated by the provisions of MP Transit (Forest produce) Rules, 2000

11. Grazing rights.- (1) Residents of the concerned village shall be permitted to graze their cattle in Village Forest in accordance with the Madhya Pradesh Grazing Rules, 1986: Provided that no person shall graze cattle in grass-birs, fuel-cum- fodder reserves, areas under re-generation and plantation except with the prior permission of the Divisional Forest Officer. Sheep, goats and camel shall not be allowed for grazing in assigned village forest. (2) Gram Van Samiti may permit grazing by cattle from other villages on such fee to be charged for grazing in the village forest as may be fixed by it, in consultation with Range Officer, from time to time

12. Management Plan.- (1) Management of a village forest, including cutting of trees, removal of timber and grazing, shall be regulated, as per the provisions of the Management Plan of the village forest, prepared in consonance with these rules by the Range Officer in consultation with the Gram Sabha. (2) The Management Plan, so prepared, shall be put up before the concerned Sub -Divisional Forest Officer for approval, who shall approve it after making such amendments as he deems necessary

13. Clearing and breaking of land,- The clearing and breaking up of land in the village forest is permitted for facilities mentioned below for the benefit of residents of the village (i) School; (ii) Dispensary, hospital; (iii) Anganbadi; (iv) Drinking water supply and water pipeline; (v) Construction of village ponds; 4 2015 (vi) Water and rain water harvesting structures; (vii) Minor irrigation canal, and water distribution channels; (viii) Construction and maintenance of roads; (ix) Installation of photovoltaic power generating systems

14. Duties of Residents.- It shall be the duty of every resident of the village to:- 422 (13) (a) prevent the commission of any offence which is in contravention of the provision of the act and is being committed in the village forest; (b) help in apprehending and initiating legal action against the person who has committed any offence in the village forest in contravention of the provision of the act; (c) to report the forest officer about the offence committed in the village forest and safeguard the forest produce until the forest officer takes charge thereof; (d) to help in extinguish the fire about which he has knowledge or has received information and to prevent the fire from spreading; (e) to assist any forest officer or police officer demanding his aid for preventing the commission of any offence against the Act or these rules or in the investigation of any such offence.