

मध्य प्रदेश संरक्षित वन नियम, 2015

www.govtpressmp.nic.in 210] ue'vt 4 14, 1937 4 2015 25-1-2004-qq 37fÅfiqq, 1927 (1927 1b) 32 76 2005 g-q, t, 1. fiq-l. (1) 2015 1927 (1927 16), (aq 2006 i, 1995 19 1995) 15 419 420 (q) (U) (q) (\$1) (e) 4 2015 u-•R-QT 1993 1 1994) t; 'MTH 16—4 91 22 2001 (q-iq) grr) (3Tö) g-fil-q-å 13 1972 (1972 53) a; h" 1959 20 1959) I 420 (1) 3. 4. 5. (2) (2) (3) 4 2015 1927 (1927 16) I ATRT -\$r I 420 (2) 6. 7. (4) (q) (v) (2) (3) (2) 4 2015 GIRT .3.TQ.BT AJ@5 16 15 q-IAT,— -t •45T 420 (3) 8. 9. 4 2015 ft-g I eqRr,— wäfÄ< gä Niqfh -e-g 12 -0 g•-ä (q (khq) 4 2015 21 -üfi. (AFT) I q.TITlä (gia) (20 — 12 3 10 3 10-3=7 15 45 -Q 420 (5) 10. 11. 12. 4 2015 30 2000 -O I efiaR,— 1986 zh@AT.— (2) 420 (6) 13. 14. 4 2015 (Q) (€8) '3-Tf&-cm-O, ATH ft-fff-UT 4 2015 420 (7) 15. CT) (ED e-h-h I -Ä fin-ft 420 (8) 4 2015 No. 11-25-1-2004-X.3 —In exercise of the powers conferred by Section 32 and Section 76 of the Indian Forest Act, 1927 (16 of 1927) and in suppression of this Department's Notification No. F-25-l/X-3-04 dated 02102.2005, the State Government, hereby, makes the following rules, namely RULES 1. Short Title, Extent and Commencement,- (1) These rules may be called the Madhya PFadesh Protected 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, Definitions,- (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 purposes of these rules shall have the same meaning as assigned to them in The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007); (c) "District Planning Committee" for the Purposes 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" means the duties of residents as provided in Rule 15 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 1 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) (ii) (iii) (iv) (v) (vi) (vii) Timber of unreserved trees; DIY fallen wood not fit for timber; Dry bamboos and green bamboos where specifically mentioned; Grasses other than Rusa, Khus or Sabai grass; Thorns other than (hose of Khair and Kardhai; lueaves exch.lcling tendu leaves; Bark (Bakkal) of un-reserved trees; arid 4 2015 420 (9) (viii) Minor minerals surface boulders, murum, sand, chhui and clay for works pel'mitted under Rule 13 and for bona fide purpose within the same village for dwelling purposes. (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 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. Attachment of a Protected Forest.- The Collector, in consultation with the Divisional Forest Officer and in accordance with the orders issued by the Government, may attach any Protected Forest or a part of it, not lying within any urban area or any protected area, to a village for the purpose of these rules or cancel the same for reasons to be recorded in writing

4. Constitution of Gram Van Samiti.- The Gram Sabha of concerned village shall constitute a Gram Van Samiti for the purpose of managing the protected forest attached to that village which includes the protection and development of the protected forest. 5, Nistar rights.- (1) Subject to the provisions of these rules 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 the Gram Van Samiti for their nistar and paidawar requirements from the attached Protected Forest. and "Paidawar Explanation- The expression "Nistar requirements" shall mean the Nistar and Paidawar, required for the purpose of bonafide domestic consumption and livelihood needs. (2) District

Planning Committee shall in consultation with Divisional Forest Officer, from time to time fix rates payable to (j)run Van SalDiti for timber and including occupational i Nistar removed from attached fuel wood for Nistar, protected forests. (3) The quantum of nistar and paidawar requirements permitted under sub-rule (1) shall be subject to the bonafide livelihood needs of each family and limited to availability of nistar material. Where available nistar material falls short of the 420 (10) 6. 4 2015 total requirement, the nistar material shall be equitably rationed by the Gram Van Samiti. (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 Gram 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. (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) Protected Forest attached to village 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 Protected forest attached to it, 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 attached protected 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 protected forest attached to it, 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 protected forest attached 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 protected forest attached to the village, 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 off by Gram Van Samiti. proceeds from disposal of timber or fuel wood shall be first utilized for the welfare of residents of the village. (2) The surplus, if any, may be utilized for protection and development of the forest. by the Gram Van Samiti for the welfare of residents of the village. (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 any forest produce from that protected forest attached to it as consideration for the investment made by that company or body corporate towards the development of that Protected Forest. 9, Cutting of trees and removal of timber,- (1) The cutting and removal of trees and timber from the protected forests attached to a village shall be in accordance with the management plan, as provided in rule 12 and will be 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 unless forest department prescribe rules subject to the local conditions (i) The cutting cycle for bamboos shall be at least 2 years. Annual coupe shall be divided into appropriate section and felling shall proceed sectionwise, i.e. cutting in the next section shall be taken up after the 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 mahila, shall be left in the clump. (vi) The height above ground level at which the culms are cut shall not be less than 15 cms. or more than 45 cms. and in any case not below the first inter node. (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 Inahila bamboos shall in no case be used for making strips for tying bundles.

420 (12) 4 2015 10. Transportation of forest produce.- (1) All timber and fuel wood, removed from a protected 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 Protected Forest attached to that village in accordance with 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 attached protected area. (2) Gram Van Samiti may permit grazing by cattle from other villages on such fee to be charged for grazing. in the attached protected forest as may be fixed by it, in consultation with Range Officer, from time to time

12. Management Plan.- (1) Management of protected forest including cutting of trees, removal of timber and grazing shall be regulated, as per the provisions of the Management Plan of the protected forest attached to the village, 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 for cultivation or any other purpose is prohibited in protected forest attached to the village except 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 ; (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. Protected Forest not attached to any Village.- (1) Protected forest not attached to any village as per rule 3, shall be managed by the orders issued by the the Divisional Forest Officer according to Government from time to time. (2) The following acts are prohibited in every unattached protected forest except with the written permission of a forest officer not below the rank of a Range Officer: 4 2015 420 (13) (a) the cutting, sawing, conversion and removal of trees and timber, and the collection, manufacture and removal of forest-produce ; (b) clearing and breaking up of land for cultivation or other purposes in such forests; (3) In addition to the restrictions mentioned. in sub rule (2), cutting of grass and pasturing of cattle in every protected forest lying in any urban area are also prohibited; 15. Duties of Residents.- It shall be the duty of every resident of the village to:- (a) prevent the commission of any offence which is in contravention of the provision of the act and is being committed in the protected forest area attached to the village; (b) help in apprehending and initiating legal action against the person who has committed any offence in the protected forest area in contravention of the provision of the act; (c) to report the forest officer about the offence committed in the attached protected forest and safeguard the forest area 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. WalfQ1d--2015.