

वनों के संरक्षण एवं विकास हेतु जन-सहयोग प्राप्त करने के लिये पुनरीक्षित संकल्प

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2000. Hence superseding the resolution of 7th Feb.2000 the State Govt. passes the following resolution:-- According to the current practices of forest management in the State, the forest areas of the State are divided into three pans (zones)- First Zone • Second Zone . Forest areas included in the National Parks and Sanctuaries. These areas are extremely important from the viewpoint of biodiversity conservation. Other dense forest areas, from where forest produce is exploited through regular forestry works. Those forest areas, which have become open due to biotic pressure, . and Third Zone need reforestation/restoration

4. Committees : 4 1 Eco-development committees shall be constituted.for securing the cooperation of the people in the management of forests, in all the villages situated inside the National Parks and sanctuaries, and in such viiages outside and within five kilometers form the boundaries of protected areas which influence their management and in the villages within a notified .doe 5. 5.1 buffer zone. Joint forest manågement committees already constituted in these areas will also be known as eco-deve!opment committees. Förest Protection Committees shall ibe constituted in villages situated within five kilometers from the forest b!ec.k boundaries in dense foreets, except those covered under para 4.1, Viiiage Förest committees shall be constituted in villages situated within five kilometers from the forest block boundaries of degraded forests, except those covered under para 4. I and 4.2. Procedure for constituting committees : Meetings will be organized in the villages of the State, by the local forest staff, to apprise the people about joint forest management, and thereafter, if the villagers voluntarily want to get involved in forest protection, development and management of forests, then on getting such information a forest committee, for a term of five years from the date of registration, will be formed by convening a meeting of the Gram Sabha under section 6 of the Panchayat Raj and Gram Swaraj Adhiniyam, 1993 and according to the procedure laid down in Madhya Pradesh Gram Sabha(Procedure of Meeting) Rules, 2001. The type of the committee will be according to the zone in which the village is situated. in case both dense and degraded forests are situated near the village, then according to the predominance of the kind of forest area, the forest protection committee Of the village forest committee shall be formed. The period of the already

existing committees and their executive, after their approval by the Gram Sabha will be 5 years from their date of renewal of registration. Explanation : 1. 2. 5.3 If a committee 'A' was formed on 1. 7.94, then at present more than 5 years have elapsed, hence the Gram Sabha will approve the formation of the committee. Also the constitution of the new executive body will be taken up immediately. If a committee 'B' was formed on 1. 10.99, the Gram Sabha will approve the formation of the committee while the present executive body will continue in office till 30.9.2004. For the purpose of the constitution of committees, the habitations or groups of habitations or small villages or their groups, which include such communities which have been managing their affairs traditionally as a village, shall be treated as a village, in accordance with section 4 (B) of the Panchayat (Extension to Schedule Areas) Act, 1996, irrespective of the fact whether that village is situated in a scheduled area (Schedule to the Constitution of India) or outside it. The committee shall be registered by the concerned Divisional Forest Officer (territorial)/ Divisional Forest Officer (Wildlife)/ Director, National Park within one month of formation of the committee, in accordance with para 4 of this resolution. All the villagers, who are eligible to vote, shall be the members of the general body of the committee. In the first meeting of the committee, which shall be held in accordance with the procedure laid down in MP Gram Sabha (Procedure of Meeting) Rules 2001, election of the chairperson, vice-chairperson and the executive body will be held, whose term in office will be 5 years. Either of the chairperson or the vice-chairperson will necessarily be a woman. A federation of the chairpersons of the committees shall be constituted at the Forest Division level. C : kushaS%Ep 2001 .doc

6. Executive : Executive committee consisting of minimum 3 I J and maximum 2! members (excluding the ex- officio members) shall be constituted as per the following procedure.- 6.1 6.2 6.3 6.4 6.5 6.8 6.9 6.10 6.11 O 7.1 The Chairperson/ Vice-Chairperson of the forest committee will also be ex-officio Chairperson/Vice-Chairperson of the Executive Committee. The Executive Committee shall include members from scheduled castes, schedule tribes and backward classes in proportion to their population in the Gram Sabha of the village, as far as possible. Minimum 33 per cent members of the Executive Committee will be women, in which one representative from each women Self Help Group, if working in the village, will be compulsorily elected. Minimum of 2 members (1 male and 1 female) from landless families, if available will be included in the Executive Committee, out of which, one representative should compulsorily be elected from the Self Help Group, if working in the village. All Panch/Sarpanch residing in the village and the chairperson of the Village Development Committee of the Gram Sabha will be ex-officio members of the executive committee. If Rajiv Gandhi Mission Committee is working in the village, then one beneficiary from each beneficiary group will be member of the executive committee. For rest of the members of the Executive Committee, it will be essential to nominate one representative from each of the user groups of village resources created in the village, if available. Besides the above members, the Beat Guard or Forester of the concerned forest area will be ex-officio Secretary of the Executive Committee. A member of the committee, who has interest in forest and environment conservation and is preferably 8th standard pass, will be made the Assistant of the executive committee. For this a person belonging to scheduled caste/scheduled tribe and having interest in forest and environment conservation will be preferred. The Assistant Secretary, as a member of the executive committee will gain proficiency in work while working with the Secretary for initial two years and thereafter take over the responsibility of the member secretary. After the Assistant Secretary takes over as the Secretary, the in charge forest guard or forester of the concerned forest area will continue being a member of the executive committee as a technical specialist. Except the ex-officio members, the term of the other members of the Executive Committee will be 5 years. Selection of area: After the constitution of the committee, forest area for different kinds of committees will be selected by the Divisional Forest Officer (territorial)/Divisional Forest Officer (wildlife) / Director, National Park in consultation with the executive committee. An officer, not below the rank of a range officer, can be authorized by the above forest officer for this purpose. For the selection of forest area for the committee, consideration will be given to the distance between the forest and the village and the area traditionally used by the villagers for Nistar purposes. The area will be selected on the basis of the recommendation of an officer of the rank of Assistant Conservator of forests regarding its technical suitability. In case of a difference of opinion related to the selection of the area, the decision of the C 2001 .doc 7.2 8. 8.1 8.3 8.4 8.5 86 9. concerned Divisional Forest Officer ! Divisional Forest Officer (wildlife) / Director, Park shall be final. No forest area shall be selected for the eco-

development committees constituted inside the protected areas. Orgy for the eco-development committees constituted' in the villages situated outside the protected areas, which influence the management of the protected area, forest area outside the protected area can be selected under provision of para 7. I . Microplan : After the constitution of the committee, as soon as possible, a microplan shall be prepared by the villagers, with the participation Of the forest department. The microplan shall cover both the area of the village as well as the forest area selected for the committee. The microplan shall include provisions for both forest management as well as village resource development programme. The mircroplan shall propose works/activities on the basis of the expected availability of resources. Other works shall be included in a separate annexure, on the basis of priority. The name of the executing agency and the possible source of funding shall also be shown with the works. The microplan shall be submitted to the district level forest officer by the committee for approval. The microplan shall be approved after examining its technical and legal aspects. The principles of forest/wildlife management are prescribed in the existing working plan/management plan. The works proposed in the area selected for the committee shall be in accordance with these principles. The microplan shall ensure •that the laws/rules applicable to forest/wildlife management are not violated. The State Govemment shall arrange for the mnds required for executing the forest works included in the plan. In addition, the committee and the Forest Department shali also arrange for funds for works, which can reduce the dependence of the villagers on forest* through DRDA, other govt. departments, Panchayats and other sources. For the execution of these works, a contribution of from the committee members, in the form of labour, shall be necessary, as far as possible. An amount equivalent to the labour contributed Shafi be remitted in the account of the committee for use in the village resource development works. The microplan shall be prepared by the Forest Depanment and the committee, in collaboration with other development departments. Technical and financial resources, for the execution of the village development works included in the microplan, can be obtained from other development departments of the State. The economic development activities, which are ecologically sound and sustainable, shall be included in the microplan on priority basis. For the co-ordination of the activities to be executed through the microplan, in each district, a co-ordination committee, under the Chairpersonship of the chairperson of the . forest standing committee of the district Panchayat, shall be constituted by the State government. This committee will convene a meeting at least once in four months for affecting co- ordination. The Janpad Panchayat Chairperson and the district level officers of all the concemed departments shall be the members of this committee. One district level forest officer, nominated by the Conservator of Forests, shall be the member secretary of the committee. Meetings • C: u.asha\ea.lp 2001 A meeting of the executive committee will be convened by the Secretary with the consent of the Chairperson. It will be compulsory to convene at least one meeting iri three months. Nomally the meetings wiH bg. presided over by the Chair person/Vice-Chairperson, but in his / her absence members may choose oce of the members as Chairperson for the meeting. The Genera! Body meeting will be convened at least once in six months. The time and place of the meeting wilk be decided in consultation with the Chairperson. The proceedings of the meeting wili be recorded in a register maintained for this purpose. The forthcoming executive body will be elected in the last meeting of the General Body convened according to the procedure mentioned in para 5.2 in the expiry year of the term of the executive body. It will be compulsory to convene this meeting one month before the expiry of the term of the executive body

10. Quorum: For the executive body, 50% of the members and for the General Body, 30% members will be essential for quorum

11. Rights and Duties of the Committee: 11.1 Rights- The Committees will derive following benefits subject to the satisfaction of the District ieval Forest Officer that the committee has satisfactorily performed the works pertaining to Joint Forest Management. 1. 2 5. All families of the committee would be entitled to royalty free Nistar, every year, subject to availability, after deduction of harvesting costs. All forest committees would be given from time to time cent per cent share of the produce obtained from the thinning of timber coupes and clearing of clumps in degaded bamboo forests executed on the basis of provisions of the Microplan/ Working Plan. In the forest area allotted to the Forest Protection Committee and worked according to the prescriptions of the Working 10% of the value of forest produce obtained from final felling of timber coupes and 20% of the value of forest produce obtained from the final felling of bamboo coupes, after deducting the corresponding harvesting costs, would be made available to the committee. Calculation of the value would be made on the basis of the weighted average of the sale price

of the timber/bamboo obtained in the concerned sale depot during the calendar year. In the open/deyaded forest area allotted to the Village Forest 100% of the value of forest produce obtained from the plantation/rehabilitation of forests/pasture development works done in the area/final felling of the planted area, after deducting the corresponding harvesting costs, would be made available to the committee. Calculation of the value would be made on the basis of the weighted average of the sale price of the timber/bamboo obtained in the concerned sale depot during the calendar year: For Eco-Development Committees which are situated within the Protected areas, where felling is banned, value of the forest produce will be given to such committees. The value of the produce would be equivalent to the value of the produce made available to the Forest Protection Committee working in the area adjoining to the concerned Protected Area. This arrangement would be in addition to the annual Nistar facilities received by the Committees. The Eco-development Committees situated outside the Protected Areas will derive benefits as mentioned above depending upon the density of the forests allotted to them. Out of the 2001 6, 8. 9 li.2 1 2 3, 4 5 amount received by the committee from the final felling, 50% would be distributed to the members of the committee in cash, 30% would be spent for village resource development and 20% would be spent on forest developments. Rights of the committee With regard to minor forest produce would be in accordance with the decisions of the government of Madhya Pradesh taken from time to time, time under the provisions of the Panchayat (Extension to Scheduled Areas) Act, 1996. In case a committee co-operates in the apprehension of an offender in forest offence case registered in the area of the committee, fifty percent of the amount of the compensation fine recovered from offenders, after compounding of the case or after a decision by the court, shall be deposited in the account of the committee, which will be used for the development of the village resources. If a member of the committee does not co-operate in the activities of the committee, does not abide by the decisions of the committee or commits a forest offence, the committee, through a decision in the general body meeting, may deprive him/her of his/her eligibility for obtaining Nistar and may terminate his/her membership. But before taking this action, the member will be given an opportunity to present his/her case. The action taken in connection with the forest offence will be in addition to this action. The committee shall be able to transfer all or some of its powers to the executive through a resolution in the general body meeting. Duties — The committee members shall protect forests from fire, illegal grazing, illicit felling, illegal mining, encroachments and poaching and render all such co-operation to the Forest Department. To achieve this objective the committee, with the help of its members, will take necessary steps for the protection of forests. Information regarding person/persons causing damage to forests and wildlife or indulging in illegal or unauthorized activities in the forest, will be given to the Forest Department. If any wildlife accidentally strays out of the forest area then ensuring its protection, information will be given to the nearest forest officer. The committee will prepare a Microplan and Annual Work Plan in participation with the Forest Department. The plans will incorporate community, beneficiary oriented, necessity based and site specific programs. Activities directly or indirectly related to forest and wildlife protection will be given priority. Microplan will be signed by the Forest Range Officer on behalf of the Forest Department and Chairperson of the executive committee on behalf of the committee. Based on Microplan an Annual Work Plan will be prepared for every financial year. For the implementation of the Annual Work Plan an advance upto 10 per cent of the amount can be given at a time to the committee. Implementation of sanctioned plans will be done by the committee. If any committee is not performing the work satisfactorily or not interested in carrying out the works then in such case the work will be carried out by the department. The committee members on being informed of any forest offence within their area or outside their forest area shall report immediately the same to the concerned Beat Guard/Game Guard. At the same time, the committee members shall also assist the Forest Department in apprehending the culprits involved in forest offence. The apprehended culprits and seized forest produce will be handed over to the concerned forest officer. 2001 .doc 6 8. 9 IO. n 12

12. Memorandum of Understanding will be signed between the Chairperson of the Committee and District level forest officer or an officer authorized by him/her. As per para #3 of the Resolution, the contribution of the committee members in form of labour component be ensured as far as possible in the implementation of the microplan. During Inquiry of forest offences the committee members will assist the staff of the forest department. The Committee would maintain account of funds received from various sources and the expenditure would be audited by an agency appointed by the Forest Officer. A list of its members would be maintained in a register by the Committee. Apart from this the Committee would

maintain other registers and records specified by the Forest Officer. In the context of forest protection, the members of the Committee would be treated as public servants similar to forest staff under different Acts during patrolling of forests, and they will be provided legal protection accordingly for actions taken in good faith in the interest of the Government. In the event of injury or death, during efforts made to stop or prevent forest offences, compensation similar to that given to forest staff would be provided. An amount equivalent to 100% of the compounding amount or compensation/fine decided by the Court recovered from the offender would be deposited in the committee's account if the committee takes cognizance of any forest offence within its area and helps in apprehending the forest offender. Powers and Duties of Forest Officer : The powers and duties of the District level Forest Officer would be as under. If nothing is otherwise specified in this resolution the said officer can delegate these powers to an officer not below the rank of a Range Officer. 12.1 2. 3 4 Powers — Allotment of area for the committees as per provision under para 7. 1 Approval of the Microplan. Scrutiny of committee's accounts and rules made for distribution of forest produce and sharing of benefits among members. If the committee does not discharge its duty envisaged under para 11.2 and corrective measures are not taken even after written communication by the Forest Officer to the committee, the Forest Officer may dissolve the committee and terminate the Memorandum of Understanding. In this situation the entitlement of members of the committee to receive benefits provided in para 11.1 would cease. 12.2 Duties- 2. 3. 4. 5. 6

7. Organize meeting at village level for the constitution of the committee as per para 5.1. Registration of the committee. Observe election of committee and Executive Committee. Provide training and technical help to the committee members in preparation and implementation of the Microplan. Provide financial resources according to para 8.3 for works included in the Microplan and establish co-ordination with other departments for works mentioned in para 8.4: Assist committee in discharging its duties and in monitoring, and helping them in resolving internal disputes. Monitoring and evaluation of works executed by the committee. 8 9. Appoint agency for the annual audit of committee's account and getting accounts audited through them. Provide forest produce and other benefits free of cost to the committee. per clause of sub para I to 3 of para I. i. ! Ensure appropriate participation of weaker sections of the community, especially women in committee's decisions and benefit sharing. 13, Appeal : 2 3 Any person aggrieved by an order passed under sub para 8 of para 1 i, I may file an appeal against such order to the concerned Range Officer within one month from the date of the order. An appeal against the order of the forest officer to dissolve a committee may be made within a month from the date of the order to the federation constituted under para 5.3. The decision of the above appellate officers would be final. In the name and by order of the Governor of Madhya Pradesh (Dharmendra Shukla) Government of Madhya Pradesh Forest Department. 2001 doe