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Regarding online method through portal for obtaining permission for cutting trees on private lands for industrial and commercial purpose and for its re-forestation

Government of Gujarat
Forest and Environment Department
Sachivalaya
Gandhinagar
Resolution No. : PEN/2014/51/W
Date: 20-05-2016

Having read :

1. Forest and Environment Department, Govt. of Gujarat, Sachivalaya, Gandhinagar Resolution No.Gh/Kh/S.S.T./P A N/2014/51/W dated 20-10-2015

Foreword

“Saurashtra Tree Cutting Felling Cutting Felling of Trees (infliction of punishment) (regarding punishment) Act, 1951” is in force in State for regulation and control of cutting of trees grown on private lands.

Forest and Environment Dept, Government of Gujarat has issued a notification dated 20-10-2015 as indicated at Ref 1 for encouraging of planting of trees and regulation and control on cutting of trees grown on private lands outside of forest area, vide which 86 type of trees shown in list “C” have been exempted from permission for cutting and transporting. But, permission of competent authority is required for cutting and transportation of trees like Neem, indigenous Babul, Kanji , Mango and Tamarind(Ambli) trees in areas, which are indicated in resolution. Apart from this, permission of competent authority is required for cutting and transportation of 22 type of unreserved trees and 5 type of reserved trees indicated in list “B”.

To encourage industrial and commercial activities, it was under consideration of Government of Gujarat, under “Ease of Doing Business”, to grant online permission through portal by

making necessary changes in method of obtaining permission for cutting of trees and ensuring re-forestation in private land, its procedure, time limit, conditions and related issues.

Resolution

After due deliberation, it has been resolved to implement following method for permission of cutting trees on private lands for industrial and commercial purpose, for its re-forestation and allied activities

General conditions for permission for cutting trees:

- (1) Application has to be made compulsorily online for obtaining permission for cutting trees for industrial and commercial purposes.
- (2) Order to grant permission for cutting of trees will be made available online.
- (3) Permission to cut reserved trees will be granted by Deputy Conservator Forests and Permission for transportation will be granted by Forester (Forester).
- (4) The under-mentioned officers will be the authority to give permissions for cutting of un reserved 17 type of trees and 5 type of reserved trees indicated in Annexure-B.

Sr. No.	Area	Competent authority
1	Mahanagarpalika area	Officer designated by Municipal commissioner
2	Urban Development Authority	Chief Executive Officer
3	For Nagarpalika area	Chief Officer
4	For Rural areas	Mamlatdaar

- (5) Transit pass will be issued by Forester for unreserved 17 type of trees and 5 type of reserved trees indicated in Annexure-B. Whereas for other areas, officer designated by competent authority/talati cum mantri will give transit permission in the prescribed format.
- (6) **Special provisions for Ganda Baval :**

For cutting Ganada baval and/or for making charcoal in areas of reserved forests, protected forest or area notified under Section-4 of Indian Forest Act, 1927, areas upto 16 km from sanctuary and national park and 2 km from sea-coast will be given by Deputy Conservator Forests.

For areas indicated above as well as Kutch, Patan, Banaskantha, Mehsana, Surendranagar and Rajkot district, permission for transportation of coal will be given by Range Forest Officer.

- (7) Details like application made by the applicant, assurance for re-forestation, permission for cutting of trees, if permission not granted, reasons thereof, self-certification regarding re-forestation, verification and cross-verification, trees actually cut and goods obtained from the same can be seen online on the portal.
- (8) The inspection procedure and its check-list will be displayed on the website of Principal Chief Conservator of Forests (HoFF).
- (9) Applicant has to upload copy of 7/12, Hak-patra 8(a) online along with application.
- (10) The time limit for permission of cutting of trees and issuing transit pass and the related activities will be as under :

Sr. No.	Particulars	Time-limit
1	Permission for cutting of reserved trees	60 days
2	Permission for cutting of unreserved trees	30 days
3	Permission for making charcoal from wild babul	30 days
4	Grant of transportation pass/certificate	30 days
5	Time limit for re-forestation	1 year
6	Verification of re-forestation	60 days
7	Cross-verification of re-forestation	60 days

Note: The period of 15th June to 15th October will be considered off season for cutting of trees and transportation, because of which permissions will not be issued during this period. And this period will not be considered within time limit for clearance of cases, correspondences.

- (11) For reserved trees, provisions shown in Annexure-A, and for unreserved trees and list of 05 exempted trees, provisions shown in Annexure-B will be applicable.

By orders and on behalf of Governor, Gujarat.

Gaurav Dahiya
Deputy Secretary
Forest and Environment Department
Government of Gujarat

Copy to:

- Principal Secretary to Hon'ble CM, Gujarat, Gandhinagar
- Secretary to Hon'ble CM, Gujarat, Gandhinagar
- Personal Secretary to Hon'ble Minister for Forest and Environment, Sachivalaya, Gandhinagar
- Personal Secretary Hon'ble Minister of State for Forest and Environment, Sachivalaya, Gandhinagar
- Personal Secretary to All Hon'ble Ministers/Ministers for State/Deputy Ministers/Parliamentary Secretaries, Gujarat, Sachivalaya, Gandhinagar
- Principal Secretary, Gujarat, Sachivalaya, Gandhinagar
- Additional Principal Secretary, Industry and Mines Department, Sachivalaya, Gandhinagar
- Principal Secretary, Forest and Environment Dept; Sachivalaya, Gandhinagar
- Principal Secretary, Revenue Dept., Sachivalaya, Gandhinagar
- Principal Secretary, Panchayat Urban Housing and Rural Development Dept., Sachivalaya, Gandhinagar
- Secretary, Urban Development and Housing Development Dept., Sachivalaya, Gandhinagar
- All departments of Sachivalaya, Sachivalaya, Gandhinagar
- Principal Chief Conservator of Forests & HOFF, Aranya-Bhavan, Sector 10A, Gandhinagar (with request to inform respective offices).
- Principal Chief Conservator of ForestS (Wildlife) Aranya-Bhavan, Sector 10A, Gandhinagar.
- Additional Principal Chief Conservator of Forests SF-2, Gujarat, Sachivalaya, Gandhinagar
- Development Commissioner, Gujarat, Gandhinagar for issuing circulars to all gram panchayats
- Managing Director, Nagarpalika, Gujarat, Gandhinagar for issuing circulars to all nagarpalikas and for implementation
- All Municipal Commissioners
- All Collectors/District Development Officers/Deputy Conservator Forests for implementation for issuing circulars to regional officers.
- All branches of Forest and Environment, Sachivalaya, Gujarat, Gandhinagar.
- Accountant General Rajkot/Ahmedabad.
- System Manager, Forest and Environment Department, Sachivalaya, Gandhinagar for displaying online.

Forest and Environment Department

Enclosure to Resolution No. : PEN/2014/51/W dated 20-05-2016

Annexure – 5

Provisions for cutting of reserved trees and transportation

A-1 List of reserved trees:

Teak, Sisam, Mahuda, Kher (*Acacia catechu*) and Sandalwood are indicated as reserved trees.

A-2 Method of applying:

For obtaining permission for cutting of trees, applicant will have to apply online on e-portal and will have to give assurance of re-forestation of three times trees for which permission has been granted.

A-3 Technical opinion:

Within 30 days of receipt of application, Range Forest Officer will have to give technical opinion and upload it within 48 hours. For all opinions issued by Range Forest Officer, Assistant Conservator of Forests will conduct verification of 10% of the cases for which opinion has been issued.

A-4 Permission for cutting of trees:

Within 60 days of receipt of application, Deputy Conservator Forests will issue permission for cutting of trees and will have to inform applicant online and through SMS. In case, it is not possible to issue permission within this time limit, the applicant will be informed regarding the same by online and through SMS. If, no intimation is given to the applicant within 60 days, it will be deemed that applicant has been given permission (deemed permission). In such cases, responsibility of the Deputy Conservator Forests will be fixed for delay without reasonable reasons.

A-5 Information regarding cutting of trees by the applicant:

After obtaining permission / deemed permission, applicant will have to apply online for transit pass.

A-6 Transit Pass:

Within 30 days of receipt of application, the Forester will have to issue transit pass and upload its details.

A-7 Re-forestation:

1. Reforestation of 3 times of trees for which permission /deemed permission has been obtained will have to be done within 1 year, and self-certification for the same will be displayed online on the portal by the applicant.
2. Verification: Within 60 days of display of details of reforestation by the applicant, related Range Forest Officer will verify the 100% reforestation activities and display the notes regarding the same online on the portal.
3. Cross-verification: Within 60 days of display of details of verification of 100% reforestation, related Assistant Conservator of Forests will verify the 10% cases selected randomly and display the notes regarding the same online on the portal.

A-8 Record maintenance:

Related Deputy Conservator Forests will maintain register and correspondence as shown in prescribed sample.

Gaurav Dahiya
Deputy Secretary
Forest and Environment Department
Government of Gujarat

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Annexure – B

Provisions for cutting and transportation of unreserved trees and five trees, viz. Neem, Indigenous Babul, Kanji, Mango and Tamarind tree for cutting and transporting indicated in Annexure 5

B-1 List of unreserved trees:

Total 17 trees, viz. Banyan tree, Pipalo (*Ficus religiosa*), Timru (fruit tree), *Terminalia tomentosa* (sadam), Simado, *Prosopis senereria*, Kilai, Sevan, Biyo, Rohan, Dhavado, Kalam, Haldu, Myrobalan (Harde), Kadayo, Rohido, Rayan have been indicated as unreserved trees in the above-mentioned resolution.

B-2 Method of applying:

For obtaining permission for cutting of trees, applicant will have to apply online on e-portal, and will have to give assurance of re-forestation of two times trees for which permission has been sought.

B-3 Technical opinion:

For issuing permission for cutting of trees in areas indicated in Annexure-ka, competent authority will have to obtain technical opinion from Range Forest Officer.

On receipt of correspondence from competent authority issuing permission, Range Forest Officer will have to give technical opinion within 30 days, and upload it within 48 hours. If technical opinion is not issued within 30 days, it will be deemed that permission has been granted (deemed permission).

B-4 Permission for cutting of trees:

For 17 type of unreserved trees and 5 type of trees indicated in Annexure-ka, revenue officers indicated at para number 5 will be considered as competent authority.

For areas near the Forest, within 7 working days of receipt of technical opinion, the concerned officer will issue permission for cutting of trees and will have to inform applicant online and through SMS. If, no intimation is given to the

applicant within 7 days, it will be considered that applicant has been given deemed permission.

For areas indicated at para number 7, for cutting of Gaando-baaval (wild babul) and/or for making charcoal, the permission will be issued by Deputy Forest Conservator within 30 days and will have to inform applicant online and through SMS. If, no intimation is given to the applicant within 30 days, it will be considered that applicant has been given deemed permission.

B-5 Information regarding of cutting of trees by the applicant

After obtaining permission / deemed permission, applicant will have to apply online for transit pass.

B-6 Transit Pass:

1. Within 30 days of receipt of application, Forester will have to issue transit pass for areas indicated in Annexur-ka.
2. For areas upto 16 km from sanctuary and national park and 2 km from sea-shore as well as Kutch, Patan, Banaskantha, Mehsana, Surendranagar and Rajkot districts, permission will be given by Range Forest Officer within 30 days.
3. For areas other than forest areas, officer designated by competent authority/Talati cum Mantri will give transit pass within 30 days of receipt of online application.
4. The officer issuing permission for cutting of trees will have to display notes regarding issue of transit pass/certificate on the portal.
- 5.

B-7 Re-forestation:

1. Reforestation of 2 times of trees for which Permission /deemed permission has been obtained will have to be done within 1 year, and self-certification for the same will be displayed online on the portal by the applicant. No reforestation is required to be done for cutting of wild babul.
2. Verification: Within 60 days of display of details of reforestation by the applicant, competent authority issuing permission will verify the 100% reforestation activities and display the notes regarding the same online on the portal.
3. Cross-verification: Within 60 days of display of details of verification of 100% reforestation, competent authority issuing permission will verify the 10% cases selected randomly and display the notes regarding the same online on the portal.

B-8 Record maintenance:

The competent authority issuing permission will maintain register and correspondence as shown in prescribed sample.

Gaurav Dahiya
Deputy Secretary
Forest and Environment Department
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Annexure – C

Special Provisions for Neem, Indigenous Babul, Pongamia tree, Mango tree and Tamarind tree.

Vide Department's resolution dated 20-10-2015, it is necessary to obtain permission in under-mentioned areas for cutting and transportation of exempted trees, viz. Neem, Indigenous Babul, Pongamia tree, Mango tree and Tamarind tree.

- 1 Mangrove covered area, notified area, eco-sensitive area
- 2 Boundary of reserve forest, national park, sanctuary, sea shore, within 5 km in the area of boundary of desert
- 3 Area above 500 meter MSL (from sea shore)
- 4 Area within distance of 200 meter from National highway, State highway, district roads
- 5 The under mentioned talukas of Gujarat State – Kaparada, Dang, Vandsa, Vyara, Uchchal, Songadh, Umarpada, Mandvi, Valod, Tilakwada, Dediypada, Saagbaara, Nizar, Kawant, PaviJetpur , ChotaUdepur, Naswadi, Sankheda, Jambughoda, Khanpur, DevgadhBariya, Garbada, Limkheda, Dahod, Jhalod, Fatepur, Morva (Hadaf), Halol, Ghoghamba, Kalol, Godhara, Sahera, Lunawada, Santrampur, Kadana, Khanpur, Virpur, Bhaayad, Maalpur, Dhansura, Modasa, Meghraj, Bhiloda, Vijaynagar, Khedbrahma, Mendarda, Daanta, Maliya, Talala, Una, Khambha, Dhari, Visavadar, Junagadh and Vanthali.

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