

GOVERNMENT OF NAGALAND
DEPARTMENT OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NAGALAND : KOHIMA

NOTIFICATION

Dated Kohima the 21st June 2017

No. FOR/GEN-7/2000-II:: Whereas, by interim order dated 12.5.2001 passed in W.P © No. 202 of 1995, the Hon'ble Supreme Court had directed, inter-alia, that guideline, rules be framed regarding felling of trees from non-forest areas including in respect of plantations on non-forest areas.

Therefore, in pursuance of the directions of the Hon'ble Supreme Court referred to in the above said order dated 12.05.2001 and in exercise of all enabling powers vested in the State, the Government hereby makes the following amendment to the regulations as follows:

1. (i) These regulations shall be called the "Nagaland Tree Felling Regulation, 2017".
- (ii) These shall extend to the whole of Nagaland in respect of felling of trees from Non-forest areas including tree plantations on Non-forest areas.
- (iii) These shall come into effect from the date of Notification.
2. **Registration of Tree plantations:**
 - (i) Tree plantations raised in private and community holdings on Non-forest areas shall be registered with the local Divisional Forest Officers in the manner as may be prescribed in this behalf.
 - (ii) Registration of such plantations shall be made on the basis of a certificate issued by the respective Village Council authority as to the ownership and rights.
 - (iii) The Divisional Forest Officer shall prepare and make available a certificate of such registration to the registered owner with copies to the Village Council, Conservator of Forest and Principal Chief Conservator of Forest.
3. **Procedure for permission for felling of trees from registered plantation.**
 - (i) Applications for permission for felling of trees shall be made to the Divisional Forest Officer.
 - (ii) Application shall contain the species, number and quantity of trees to be felled and the same be accompanied with a copy of registration certificate.
 - (iii) The Divisional Forest Officer shall prepare and make available a certificate of such registration, which shall inter-alia include a location map/sketch of the plantations to the registered owner with copies to the Village Level Body, Conservator of Forests and Principal Chief Conservator of Forests.
 - (iv) The registered owner shall be informed of the outcome of his application within a period of 60 days from the date of filing of his application.
 - (v) Permission shall be issued by the Divisional Forest Officer and copy of such permission shall be transmitted to the respective Village Council.

4. Tree species not requiring felling permission.

Horticultural tree species will not require permission for felling from Non-Forest Area.

Relaxation of felling & transit Rules.

The following Agro Forestry tree species raised in man made plantations from Non-Forest Area shall be relaxed for felling and transit rules within and outside North East Region.

- (a) Aam - *Mangifera indica*
- (b) Koroï - *Albizia procera*.
- (c) Walnut- *Juglans regia*.
- (d) Neem - *Melia spp.*
- (e) Alder - *Alnus nepalensis*
- (f) Manipuri Sim - *Parkia roxburghii*
- (g) Kadam - *Anthocephalus kadamba*
- (h) Hollock - *Terminalia myriocarpa*
- (i) Khokan - *Duabanga sonneritoides*
- (j) Teak - *Tectona grandis*
- (k) Gamari - *Gmelian arborea*

5. Restriction of permission.

- (i) No permission for felling shall be allowed except in respect of registered plantations or in respect of felling of isolated trees as provided in this Regulation.
- (ii) Permission shall not be granted where the Trees are not less than 5 years old.

6. Permission for felling of isolated Trees in Non-Forest Areas like Homestead/Farm Houses etc.

- (i) Permission for felling of isolated trees from Non-Forest Areas like homestead/farm houses etc shall be granted by the Divisional Forest Officer.
- (ii) Application along with the certificate of ownership issued by the Village Council shall be made to the Divisional Forest Officer through the respective Range/Beat Officer, who shall make a Verification Report of the trees.
- (iii) The Divisional Forest Officer shall forward proposal to the Conservator of Forest of the respective Circle, who shall in turn forward the same to PCCF for obtaining approval of the State Government.
- (iv) Applicant shall be informed of the outcome of his application within 60 days of the date of filing such application.
- (v) Permission shall be issued by the Divisional Forest Officer and a copy of such permission shall be transmitted to the respective Village Council, Range/Beat Officer.

7. Removal of felled trees.

- (i) No trees/timber shall be removed from the felling site without Transit Pass issued by the Officers of the Forest Department authorized under the relevant Nagaland Transit Rules.
- (ii) Transit Pass shall be issued in accordance with the permission and on realization of dues and fees payable to the State Government.

8. Seizure of trees felled in violation of rules/guidelines.

- (i) Timber obtained from trees felled in violation of these instructions shall be deemed to have been seized to the State 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 to an amount equal to 200% of the royalty for the tree/timber.

Provided that wherein claim of ownership has not been made in respect of the seized Timber in transit within a reasonable time, it shall open to the State Government to dispose of such seized timber and the proceeds thereof may be returned to the lawful claimant after deducting all the expenses and applicable royalty.

- (ii) The seizure of timber as per 8.1 above is without prejudice to any action or penalty leviable under the relevant acts or rules.

9. Revision:

The State Government may at any time call for and examine the record relating to any order passed or proceedings taken under these regulations by another/other authorities for the purpose of satisfying itself as to the legality or correctness of such order or proceedings and may pass such order as it may deem fit.

10. This supercedes Government Notification No. FOR/GEN-7/2000-II of even number dated 11th July, 2002 issued earlier in this regard.

Sd/- (PANKAJ KUMAR)
Chief Secretary to the Govt. of Nagaland

No. FOR/GEN-7/2000-II

Dated Kohima , the 21st June 2017

1. The Commissioner & Secretary to the Governor, Nagaland, Raj Bhawan, Kohima.
2. The Commissioner & Secretary to the Chief Minister, Nagaland, Kohima.
3. The Sr. P.S. to Minister, Environment, Forests & Climate Change, Nagaland, Kohima.
4. The Director General of Forests & Special Secretary, Government of India, Ministry of Environment & Forests & Climate Change Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi-110003.
5. The OSD to Chief Secretary, Nagaland, Kohima
6. The Commissioner, Nagaland, Kohima.
7. The Agriculture Production Commissioner, Nagaland.
8. The Principal Chief Conservator of Forests & Head of Forest Force, Nagaland, Kohima
9. The Principal Chief Conservator of Forests & Head of Forest Force, Government of Assam/ Meghalaya/Manipur/ Mizoram/Arunachal Pradesh/ Tripura
10. All Administrative Heads of Departments, Nagaland, Kohima.
11. The Addl PCCF, Government of India, Regional Office, Ministry of Environment & Forests & Climate Change, Shillong Meghalaya.
12. All Heads of Departments Nagaland, Kohima.
13. The PCCF & Chief Wildlife Warden, Nagaland, Dimapur.
14. The Accountant General , Nagaland ,Kohima.
15. The Principal Resident Commissioner, Nagaland House, 29, Aurazeb road, Delhi
16. All IFS /SFS officers/ Territorial & Functional Forest Divisions/ Circles.
17. The Publisher, Nagaland Gazette, Nagaland, Kohima for publication in the Gazette.
18. Guard file.

(LHOUBELATUO KIRE) IFS
Principal Secretary to the Govt. of Nagaland

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