

Madhya Pradesh ■

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Policies influencing NTFP management & trade

The state of Madhya Pradesh has many firsts to its credit when it comes to policies related to forests, and especially so NTFP. MP was the first state to nationalise an NTFP, Tendu Leave (TL) in 1964 and then followed it up with nationalising Harra, Sal seed, and Gums. The state let most items go from the list of specified produces and permitted free trade in them way back in 1986, thereby foregoing all royalties from the same. It was one of the first states to come up with a reasonably clear definition of NTFP in 1998. It probably is the only state to have a functioning three tier co-operative structure to procure and trade nationalised NTFP. The same co-operative structure has a clearly laid out policy for distributing incentive wages to primary collectors that has no parallel in the country.

Definition of MFP/NTFP

The MP government has defined Minor Forest Produce (MFP) in response to conferring of ownership rights to Panchayats and Gram Sabhas by central government through a constitutional amendment, Provisions for Panchayat (Extension to Scheduled Areas) Act, 1996. The MP government circular dated 15/05/1998 defines "MFP" as "non timber forest produce which can be harvested on a non-destructive basis and will not include minerals and wild animals or their derivatives". Timber and forest produce will have meaning as given in the Indian Forest Act, 1927. The important aspect to recall here would be the definition of timber as per the said act - timber includes trees when they have or have been felled, and all wood whether cut up or fashioned or hollowed out for any purpose or not. The act goes on to define the trees that include palms, bamboos, stumps, brushwood and canes. This implies those last mentioned items - notably bamboo, are excluded from the list of NTFP and thereby is not MFP in legal terms. The definition refers to harvesting practices (non - destructive) that makes it a subject to debate.

Though there might be case for some debate in the definition, primarily because of the exclusions, this is one of the better and logical definitions in comparison to other states that have tried to define the same.

NTFP Lease & Licensing Policy

Nationalised

Tendu leave was the first item to be nationalised in 1964. In erstwhile Madhya Bharat malguzars and ex-zamindars gave contracts to individual traders for rights of harvesting Tendu leaves till 1951. Abolition of proprietary rights in 1951 vested same rights with the state government, who in turn leased it to contractors. Contractors paid wages to pluckers and royalty to the government. It was observed that this arrangement led to number of malpractices. In view of its importance as an income source for tribal and revenue potential to state government, Tendu leave was nationalised by enactment of Tendu leaves (Vyapar Viniyaman) Adhiniyam, 1964.

The primary objectives for nationalisation were -

- i. Stopping pilferage in government forest and other lands,
- ii. Provide definite value for Tendu leaves to growers,
- iii. Increase revenue to state,
- iv. Provide adequate wages to labour,
- v. Improve quality and quantity of leaves by regular pruning and
- vi. Ensure supply of leaves to small and medium manufacturers of bidis

Salient features of the act are

- i. Empowering state government to divide areas into units,
- ii. Giving right to collect leaves from forests and carry out trade on its behalf to appointed agents,
- iii. Restricting purchase and transport of leaves through transit permits,
- iv. Registration of growers of TL,
- v. Registration of manufacturer of bidis and
- vi. Empowering state government to make rules to dispose TL.

Convinced by success of nationalisation of TL that was nationalised in 1964, Harra, Sal seed, and gums were added to the list later on. The year of nationalisation of above produces are as

follows - 1969 - Harra and Gums, 1975 - Sal seed. Collection and trading of gums, a specified produce, was being carried out by the FD itself or through its agents from 1970. But it was observed that the trees were being destroyed due to deep tapping. Therefore, the state government banned extraction of gums in 80's. This ban was lifted in 1995 and controlled extraction was permitted.

Mahua was nationalised in MP in 1969 -70, but was withdrawn in 3 years. Ostensibly this was done as more trees were found to be in private lands, the logistics was mind boggling as the tree was spread in most areas, and it was too important (edible, staple food for some during certain seasons) an item to be nationalised. But government was fixing support prices till very recently. The permission of FD was required for storage of Mahua till 1996, when the trade was delicensed and made free to allow collectors to freely market their surplus. Now one can hold Mahua without any restriction.

Similarly in 2000 - 2001 season, Chironji and Aonla were nationalised in selective parts of MP, but were later withdrawn in the same year for the above reasons. What could also have influenced the decision is role of the traders lobby that seem quite influential in the state.

The state was a leading producer in most of the items that have been nationalised. The state accounted for nearly 45% of TL and 75% of Harra production in the country. Erstwhile eastern MP (present Chhatisgarh) along with Orissa and Bihar is the leading region for production of Sal seed. Similarly in case of most of the gums, the state is the leading producer. This resulted in these produces being actively collected and traded in the state. This might have played a crucial role in deciding about nationalisation of the produces.

Nationalisation in one sense has been about giving monopoly rights in trading - while local people can collect items under nationalised list, they can only sell it to government or forest department or any other agents so appointed by former. The produce in the nationalised list, even if grown in private land, has to be handed over to government agency, albeit at a higher rate. The private growers of nationalised items are required to register with government to get these higher collection rates.

Three primary objectives have been put forward for nationalisation of any item - giving fair deal to collectors, sustainable harvesting and increased revenue to state from forests. While till recently it has been seen that state has been interested in the revenue aspect more than any

other reasons. This can be said because it has focussed on those items (TL) that are able to give more revenue to its coffers to the neglect in management of others (Sal Seed, Harra and Gum). As we will observe, whereas things have definitely taken a turn towards better after the days of co-operatisation and then PESA in the majority revenue earner i.e. TL, situation is more or less the same for other nationalised produces.

Specified

Some produces were defined as specified forest produce as per MP Van Upaj (Vyapar Viniyaman) Adhiniyam, 1969. The state government under this act empowered to make rules as it deems fit for disposal of specified forest produces. Prominent among specified produces are - Kullu Gum, Dhawra Gum, Khair Gum, Babool gum, Sal and Salai resin, Rosha Grass, Lac in all forms, Mahua Flowers and seed, chironji, Guthli, Sal seed, Harra and Kacharia, Mahul Leaves, Phool Bahari, and Bamboo. Mahua flower and seed were removed from specified produce in 1972.

Free Produces

In 1986, state government stopped system of royalty on all non-nationalised NTFP. Prior to 1986 it was mostly royalty system with minimum collection prices announced that was prevalent in the state for all such produces. In affect, all the produces apart from the nationalised ones were now open for free collection, storage and trade.

However, once purchased by trader and when it is transported from a haat to any other place, a transit pass is required from concerned forest authorities. Primary logic given for stipulation of transit pass is that it helps restricting unsustainable harvesting practices. Transit pass is the only medium through which FD can know the amount of forest produces harvested from a particular area.

The SDO (ACF) issues a TP to the trader after proper verification and authorisation from concerned DFO. A transit pass is required as many times as produces are transported from a haat, or after a transaction. Validity of TP stays in force for 4-5 days and for only one transaction/ journey. In the process, sometimes, transit pass is required more then once for same produce to be transported may be in diminished quantity. Mahua and Charota are exceptional cases where TP is not required. Mahua has been exempted from Excise act in 1996.

But once a produce is processed, there is no need for a transit pass. The concerned agency has to however keep supporting documents regarding transport of raw material and processing accounts. Similarly, though no registration is required with forest department for setting up of enterprises in case of free produces, it is required that stock books are maintained and comply with transit passes drawn and issued in support of trading and transportation.

Some of the privatised NTFP can be traded in Mandis primarily meant for trading in agricultural produces. Though Mandis do not have any special facility for trading of NTFP, Mandi Tax is imposed on volume traded on the buyer.

The trader needs to register if he or she wants to import produces from outside the state with all details about forest produce being imported and transit permit issued.

In case of any produce, (even free produces), under exceptional circumstances, forest department or DFO can restrict harvesting of the endangered specie(s). There are some NTFP that are restricted either in whole state or in certain districts. This list may change time to time and from district to district. Most barks have now been banned for trading all over the state. Similarly Sal seed (after the borer attack in the mid 90s) and Aonla are currently banned in some districts.

Government Regulations in NTFP trade

Registration Requirements

There are quantitative restrictions on transport, production and processing of specified forest produces. The primary logic for restrictions given is that it will facilitate tribal community for bonafide use and restrict illegal trade in such products. A transport permit is to be obtained from DFO in case of purchase of specified forest produces beyond this quantity and transport will be restricted to the specified route and permitted during daytime only. The buyer has to obtain a certificate of purchase from concerned officer and show it whenever demanded by police or forest department officials. Agencies have to register with local DFO for establishing enterprises that use specified forest produces as raw materials.

Table: Quantity Restrictions under MP Van Upaj Rules (In KGs)

Name of Produce	Transport	Production	Processing or Consumption		Sell through retail
			Trader	Consumer	
Kullu	0.1	1	1	1	0.1
Dhawra/ Babool/ Khair/ Salai	1	1	1	5	1
Harra	5	200	1	5	5
Sal Seed	50	50	1	5	5

Local Taxes

Table: Tax on NTFP Produces in 2000-01(per centages)

Sl. No.	Commodity	Sales Tax	Surcharge on ST	Entry Tax	Nirashrit Tax	Mandi Tax*
1	Amchur	4	15	0.5	0	0
2	Aonla	0	0	0	0	2
3	Baibidang	8	15	0	0	0
4	Ban Tulasi	8	15	0	0	0
5	Char Guthli	8	15	0.5	0	2
6	Chironji	4	15	0.5	0	2
7	Dhawai Phool	8	15	0	0	0
8	Harra					2
9	Hill Grass	0	0	0	0	0
10	Kaju Seed	8	15	0	0	0
11	Karanj Seed	4	0	1	0	0
12	Kosa	8	15	0	0	0
13	Kulthi	0	0	0	0	2
14	Kusum Seed	4	0	1	0.2	2
15	Lac	0	0	0	0	0
16	Mahua Flower	8	15	0	0	2
17	Mahua Seed	4	0	0	0.2	2
18	Mango Kernel	0	0	0	0	0
19	Mustard	4	0	1	0.2	2

20	Niger Seed	4	0	1	0.2	2
21	Paddy	2	0	0	0.2	2
22	Phool Jhadu	0	0	0	0	0
23	Seasame	4	0	1	0	0
24	Siali Leaf	0	0	0	0	0
25	Shikakai	4	15	0.5	0	0
26	Tamarind Bricks	4	15	0.5	0	0
27	Tamarind Deseeded	4	15	0.5	0	2
28	Tamarind Seed	8	15	0	0	0
29	Tamarind Seeded	4	15	0.5	0	2

* On selling price collected from buyer

The traders give 2% Mandi tax and 4% commercial tax if trading is within the state. For trading outside the state purchaser has to obtain a C-FORM from the sales tax office and give it to the seller. In that case the seller will give only 4% tax, otherwise 10% tax will be given. For Nationalised/ Leased NTFP - 22.2% income tax, 2% forest development tax, 4% sales tax is collected on bid amount.

Acts & Rules ■

- THE MADHYA PRADESH
- LAGHU VAN UPAJ (GRAM SABHA KO SWAMITWA KA SANDAN) VIDHEYAK, 1999

THE MADHYA PRADESH LAGHU VAN UPAJ (GRAM SABHA KO SWAMITWA KA SANDAN) VIDHEYAK, 1999

A Bill to endow the ownership rights of Minor Forest Produce to the Gram Sabhas. Be it enacted by the Madhya Pradesh Legislature in the Fiftieth Year of the Republic of India as follows :-

1. Short title, extent, and commencement

(1) This Act may be called the Madhya Pradesh Laghu Van Upaj (Gram Sabha Ko Swamitwa Ka Sandan) Adhiniyam, 1999.

(2) It extends to the whole of Madhya Pradesh.

(3) It shall come into force on such date as the State Government may by notification, appoint and different dates may be appointed for different areas.

2. Definitions :- In this Act, unless the context otherwise requires,

(a) "Forest Officer" means a forest officer as defined in clause (2) of Section 2 of the Indian Forest Act, 1927(No. 16 of 1927). .

(b) "Forest produce" means the forest produce as defined in clause (4) of Section 2 of the Indian Forest Act, 1927 (No. 16 of 1927).

(c) "Minor Forest produce" means that non-timber forest produce which can be harvested on non-destructive basis, but this shall not include minerals and wild animals or their derivatives

(d) "Panchayat" means a Panchayat as defined in clause (xvii) of section 2 of the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No.1 of 1994)

(e) "Panchayat area" means the territorial area of a Panchayat as defined under Madhya Pradesh

Panchayat Raj Adhiniyam, 1993 (No.1 of 1994) but shall not include National parks and Sanctuaries.

(t) "Gram Sabha" means a gram sabha as defined under clause (viii) of section 2 of the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No.1 of 1994).

3. Endowment of ownership of minor forest produce :-

The Panchayats at the appropriate level and the Gram Sabhas are endowed with the ownership of minor forest produce found on public land in the Gram Sabha area in conformity with the following principles

(a) Harvesting of minor forest produce will be on non-destructive and sustainable basis.

(b) The members of the Gram Sabhas will be free to collect minor forest produce for their own consumption.

(c) The manner, frequency and intensity of minor forest produce collection for any use other than bonafide domestic use by the members of the Gram Sabhas will be in accordance with the

prescriptions of a management plan prepared by Zila Panchayat in conformity with the guidelines as may be notified from time to time.

4. Harvesting and Trade :-

(a) Notwithstanding anything contained in section 3, in the collective interests of Gram Sabhas or the gatherers of the minor forest produce, the State Government may by notification, direct that harvesting and trade of any minor forest produce in the areas notified by the state Government from time to time shall be done by Co-operative Societies which are members of the Madhya Pradesh State Minor Forest Produce (Trading and Development) Cooperative Federation Ltd., Bhopal in accordance with the provisions of the Madhya Pradesh Tendu Patta (Vyapar Viniyaman) Adhiniyam, 1964 (No. 29 of 1964) and the Madhya Pradesh Vail Upaj (Vyapar Viniyaman) Adhiniyam, 1969 (No.9 of 1964).

(b) The net profit if any, from the said harvesting and trade shall be distributed among the gatherers, invested in regeneration and development of forests and for infrastructure development in the Gram Sabha area in such proportion and in such manner as may be notified by the State Government from time to time.

5. Search and Seizure of property liable to confiscation and procedure there for :-

(1) Any Forest officer or Police officer not below the rank of Assistant Sub-Inspector or any person authorised by the state Government may, with a view to securing compliance with the provisions of this Act or the rules made there under or to satisfying himself that the said provisions have been complied with-

(i) Stop and search any person, boat, vehicle or receptacle used or intended to be used for the transport of minor forest produce;

(ii) Enter and search any place;

(2) When there is reason to believe that the provisions of section-3 have been violated in respect of any minor forest produce, such produce together with all tools, boats, vehicles, ropes, chains or any other article used in such violation, may be seized by any Forest officer or Police officer.

(3) Every officer seizing any property under this section shall place on such property a mark indicating that the same has been so seized, and shall, as soon as may be either produce the property seized before an officer not below the rank an Assistant Conservator of Forests authorised by the State Government in this behalf by notification (hereinafter referred to as the authorised officer) or where it is, having regard to quantity or bulk or other genuine difficulty, not practicable to produce property seized before the authorised officer, shall make a report about the seizure to the authorised officer:

Provided that, when the property involved belongs to Government and the violator is unknown it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

(4) Where the authorised officer, upon production before him of property seized or upon receipt of report about seizure, as the case may be, is satisfied that the provisions of this Act have been violated, he may by order in writing and for reasons to be recorded confiscate minor forest produce so seized together with all tools, vehicles, boats, ropes, chains or any other article used in such violation. A copy of order of confiscation shall be forwarded without any undue delay to the Conservator of Forests of the forest circle in which the minor forest produce has been seized.

(5) No order confiscating any property shall be made under sub-section (4) unless the authorised officer -

(a) sends an intimation in form prescribed about initiation of proceedings for confiscation of property to the magistrate having jurisdiction to try the offence on account of which the seizure has been made;

(b) issues a notice in writing to the person from whom the property is seized, and to any other person who may appear to the authorised officer to have some interest in such property;

(c) affords an opportunity to persons referred to in clause (b) of making a representation within such reasonable time as may be specified in the notice against the proposed confiscation; and

(d) gives to the officer effecting the seizure and the person or persons to whom notice has been issued under clause (b), a hearing on date to be fixed for such purpose.

(6) No order of confiscation under sub-section (4) of any tools, vehicles, boats, ropes, chains or any other article (other than minor forest produce seized) shall be made if any person referred

to in clause (b) of sub-section (5) proves to the satisfaction of authorised officer that any such tools, vehicles, boats, ropes, chains or other articles were used without his knowledge or connivance or, as the case may be, without the knowledge or connivance of his servant or agent and that all reasonable and necessary precautions had been taken against use of objects aforesaid for commission of violation.

6. Appeal against order of confiscation :-

(1) Any person aggrieved by an order of confiscation may, within thirty days of order, or if fact of such order has not been communicated to him, within thirty days of date of knowledge of such order, prefer an appeal in writing, accompanied by such fee and payable in such form as may be prescribed, and by certified copy of order of confiscation to the Conservator of Forests (herein after referred to as Appellate Authority) of the forest circle in which the minor forest produce, has been seized.

Explanation:- The time requisite for obtaining certified copy of order of confiscation shall be excluded while computing period of thirty days referred to in this sub-section.

(2) The Appellate Authority referred to in sub-section (1), may, where no appeal has been preferred before him, suo moto within thirty days of date of receipts of copy of order of confiscation by him, and shall on presentation of memorandum of appeal issue a notice for hearing of appeal or, as the case may be or suo moto action to the officer effecting seizure and to any other person (including appellant, if any) who in the opinion of the Appellate Authority, is likely to be adversely affected by the order of confiscation, and, may send for record of the case:

Provided that no formal notice of appeal need be issued to such amongst the appellant, office effecting seizure and any other person likely to be adversely affected as aforesaid, as may waive the notice or as may be informed in any other manner of date of hearing of appeal by the Appellate Authority.

(3) The Appellate Authority shall send intimation in writing of lodging of appeal or about "suo moto" action, to the authorised officer.

(4) The Appellate Authority may pass such orders for interim nature for custody, preservation or disposal of the subject matter of confiscation, as may appear to be just or proper in the circumstances of the case.

(5) The Appellate Authority, having regard to the nature of the case or the complexities involved, may permit parties to the appeal to be represented by their respective legal practitioners.

(6) On the date fixed for-hearing of the appeal or suo moto action, or on such date to which the hearing may be adjourned, the Appellate Authority shall peruse the record and hear the parties to the appeal if present in person, or through any agent duly authorised in writing or through a legal practitioner, and shall thereafter proceed to pass an order of confirmation, reversal or modification of order of confiscation:

Provided that before passing any final order the Appellate Authority may, if it is considered necessary for proper decision of appeal or for proper disposal of suo moto action, make further inquiry itself or cause it to be made by the authorised officer, and may also allow parties to file affidavits for asserting or refuting any fact that may arise for consideration and may allow proof of facts by affidavits.

(7) The Appellate Authority may also pass such orders of consequential nature, as it may deem necessary.

(8) Copy of final order or of order of consequential nature, shall be sent to the authorised officer for compliance or for passing any other appropriate order in conformity with the order of Appellate Authority.

7. Revision Before Court of Sessions against order of Appellate Authority :-

(1) Any party to the appeal, aggrieved by final order or by order of consequential nature passed by the Appellate Authority may within thirty days of the order sought to be impunged, submit a petition for revision to the Court of Sessions within the Sessions division whereof the headquarters of the Appellate Authority are situate.

Explanation - In computing the period of thirty days under this sub-section, the time requisite for obtaining certified copy of order of Appellate Authority shall be excluded.

(2) The Court of Sessions may confirm, reverse or modify any final order or an order of consequential nature passed by the Appellate Authority.

(3) Copies of the order passed in revision shall be sent to the Appellate Authority and to the authorised officer for compliance or for passing such further orders or for taking such further action as may be directed by such Court.

(4) For entertaining, hearing and deciding a revision under this section, the Court of sessions shall, as far as may be, exercise the same powers and follow the same procedure as it exercises and follows while entertaining, hearing and deciding a revision under the Code of Criminal Procedure, 1973 (No.2 of 1974).

(5) Notwithstanding anything to the contrary contained in the Code of Criminal Procedure, 1973 (No. 2 of 1974), the order of the Court of Sessions passed under this section shall be final and shall not be called in question before any Court.

8. Bar to jurisdiction of Court etc., under certain circumstances :-

On receipt of intimation under sub-section (5) of section 5 about initiation of proceedings for confiscation of property by the Magistrate having jurisdiction to try the offence on account of which the seizure of property which is subject matter of confiscation, has been made, no Court, Tribunal or Authority (other than the authorised officer, Appellate Authority and Court of Session referred to in sections 5, 6 and 7) shall have jurisdiction to make orders with regard to possession, delivery, disposal or distribution of the property in regard to which proceedings for confiscation are initiated under section 5, notwithstanding anything to the contrary contained in this Act, or any other law for the time being in force.

Explanation- Where under any law for the time being in force, two or more courts having jurisdiction to try the offence, then receipt of intimation under sub-section (5) of section 5 by one of the Courts of Magistrates having such jurisdiction shall be construed to be in receipt of intimation under that provision by all the Courts and the bar to exercise jurisdiction shall operate on all such Courts.

9. Property when to vest in Zila Panchayat :-

The property ordered to be confiscated by an authorised officer under section 5, subject to result of proceedings before Appellate Authority on presentation of appeal or upon suo moto action under section 6 and later on revision before Court of Sessions under section 7, shall

upon conclusion of proceedings in revision vest in the concerned Zila Panchayat free from all encumbrances.

Provided that such vesting shall take effect

(a) where no appeal is preferred or no suo moto action is taken, before an Appellate Authority- on Expiry of period specified for preferring appeal or for taking suo moto action under section 6 whichever is later;

(b) where final orders are passed by Appellate Authority under section 6, but no revision is preferred under Section 7- on expiry period specified for submitting petition for revision under section 7.

10. Power to make rules :-

(1) The state Government may, by notification make rules for carrying out the purposes of this Act.

(2) All rules made under this Act shall be laid on the table of the legislative Assembly,

11. Protection of action taken in good faith :-

No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act.

12. Presumption that minor forest produce belongs to Government : -

When in any proceedings taken under this Act, or in consequence of any thing done under this Act, a question arises as to whether any minor forest produce is the property of the Government, such produce shall be presumed to the property of the Government, until the contrary is proved,

13. Saving :-

It is hereby declared that any thing done or any action taken (including any notification, order, certificate, notice or receipt issued, application made, or permit granted) under the provisions of existing Acts relating to minor forest produce, be deemed to have been done or taken under the corresponding provisions of this Act as if this Act were in force at the time of such thing was

done or action was taken and shall continue to be in force, unless and until superseded by any thing done or any action taken under this Act.

Notification:

- Madhya Pradesh Lok- Vaniki Rules -2002
- Resolution for Community Participation in Conservation and Development of Forests (2001) Amended in 2002 and Proposed to be further liberalized in 2003.

Madhya Pradesh Lok- Vaniki Rules -2002

-NOTIFICATION-

In exercise of the powers conferred by section 11 of the Madhya Pradesh Lok Vaniki Adhinyam, 2001 (No. 10 of 2001), the State Government hereby makes the following rules, namely: -

1. Short title, commencement and application:-

1. These rules may be called the Madhya Pradesh Lok Vaniki Rules, 2002.
2. They shall come into force with effect from the date of their publication in the Madhya Pradesh Gazette.
3. These rules shall apply to such private and revenue areas, which the Bhumiswami, the Gram Panchayat or the Gram Sabha, as the case may be, voluntarily intends to manage as tree-clad area.

2. Definitions:-

In these Rules, unless the context otherwise requires: -

- a. 'Act' means the Madhya Pradesh Lok Vaniki Adhinyam 2001 (No. 10 of 2001);
- b. 'Code' means the Madhya Pradesh Land Revenue Code 1959 (No. 20 of 1959);
- c. 'DFO' means Divisional Forest Officer having territorial jurisdiction.
- d. 'Enrolment Officer' means the Divisional Forest Officer having territorial jurisdiction;
- e. 'Forest Ranger' means the Forest Range Officer having territorial jurisdiction.

- f. 'Gram Sabha' and 'Gram Panchayat' shall have the same meaning as assigned to them in Madhya Pradesh Panchayat Raj A vam Gram Swaraj Adhiniyam, 1993 (No.1 of 1994);
- g. 'Lok Van' means a piece of revenue land handed over to a Gram Panchayat or Gram Sabha as tree clad area for the purpose of scientific management and for which a management plan has been prepared under the provisions of these Rules;
- h. 'Management Plan' means a scientific plan prepared for a revenue or private tree-clad area under these rules.

3. Application for Management under Lok Vaniki:-

1. A Bhumiswami, who wants to undertake management of a tree-clad area shall submit an application to the Forest Ranger or to any Forest Officer authorised by the DFO.
2. If a Gram Panchayat or a Gram Sabha wants to undertake the management of any tree-clad revenue land located within its jurisdiction, the concerned Gram Sabha or Gram Panchayat, as the case may be, will apply to the Sub-Divisional Officer (Revenue) to demarcate and hand-over the area to them to be managed as 'Lok Van'. The Sub-Divisional Officer (Revenue) shall decide the application within a period of 30 days. If the Sub-Divisional Officer (Revenue) decides in favour of the applicant, then he shall get the land demarcated and hand over the land to the concerned Gram Sabha or Gram Panchayat within a period of 15 days from the date of taking decision. After taking the possession of the land, the Gram Panchayat or the Gram Sabha, as the case may be, shall submit an application to the Forest Ranger or any Forest Officer authorised by the DFO for scientific management as tree-clad area.
3. The application under sub-rule (1) and (2) shall be accompanied by a declaration about the land ownership, or possession of land as the case may be with relevant record.
4. The Forest Range Officer shall send a copy of the declaration to the Patwari within 15 days of the receipt of the application who shall verify the claim from revenue records and give the certificate within 15 days. If the Patwari fails to give the certificate within the prescribed time, the declaration given by the Bhumiswami shall be deemed as correct. Subsequently if any discrepancy is detected in such records, the Patwari and the person who has given the declaration shall be held responsible for the same and punishable under the relevant law.
5. If the boundary is contiguous with the forest land the Forest Range Officer shall satisfy

himself about the boundary.

6. The Forest Ranger shall intimate the Bhumiswami or the Gram Panchayat or the Gram Sabha as the case may be, within a period of 45 days from, the receipt of application as per sub-rule (3), about the certification of t records. If no such intimation is received within a period of 60 days from J the date of submission of application as per sub-rule (3), the records so submitted shall be deemed to be accepted as correct.

4. Preparation of Management Plan:-

1. After compliance of the procedure laid down in rule 3, the Bhumiswami, Gram Panchayat or the Gram Sabha as the case may be, shall have to get a management plan prepared for the same area.
2. The management plan for a tree-clad area shall be prepared by a Chartered Forester as enrolled under rule-8.
3. The management plan shall be prepared keeping in view the social, economic and environmental roles.
4. The management plan shall specify the following issues, namely: -
 - a. Ensuring sustainable production of timber and/or other forest products;
 - b. Encouraging and protecting natural regeneration and/or planting of suitable species;
 - c. Felling of mature, over mature, dry and diseased trees and removal of wind fallen trees;
 - d. Thinning and pruning;
 - e. Improving the health and vitality of the crop; and
 - f. Ensuring soil and moisture conservation.
5. The management plan shall be prepared in format given in schedule-I for a period of 10 years.

5. Sanction of the Management Plan:-

1. The application for sanction of a management plan prepared for private areas shall be submitted to the DFO in Form:1 along-with 5 copies of management plan.
2. The application for sanction of a management plan prepared for revenue areas proposed to be managed as 'Lok Van' shall be submitted in Form-2 along-with 5 copies of management plan. The application in such cases shall be shall be submitted to the

DFO by an authorised representative of the concerned Gram Panchayat or Gram Sabha along-with a resolution of the Gram Panchayat or the Gram Sabha, as the case may be, for the sanction of the plan.

3. The Competent Authority shall have powers to inspect the plan area himself or through his authorised representative, to verify the validity of any prescriptions made in the management plan. Based on such action, the Competent Authority may suggest certain amendments in the proposed management plan. In such case, the applicant/chartered forester shall submit the revised plan incorporating the amendments suggested by the competent authority.
4. The Competent Authority for sanctioning the management plan shall be the DFO. In case where the management plan area exceeds 10 hectares, the Competent Authority shall submit the management plan with his opinion to the Ministry of Environment and Forest, Government of India for approval through the State Government within 30 days after the receipt of management plan.
5. The Competent Authority shall take decision regarding the sanction of management plan within 30 days if the management plan area is upto 10 hectares and in case where the management plan area exceeds 10 hectare, the competent authority after receiving the approval as required in sub rule (4) shall issue the sanction order of the management plan within 7days.
6. The Competent Authority shall pass an order of sanction for a management plan of private area in Form 3 and for a Lok Van in Form 4, Conditions for the implementation of the management plan may be specified in schedule-II/III of the sanction order.
7. After having sanctioned the management plan, the Competent Authority shall send a copy of the sanctioned plan along with sanction order to the concerned Bhumiswami, Gram Panchayat or Gram Sabha as the case may be, with intimation to the concerned chartered forester. A copy of the sanction order along with a copy of the sanctioned management plan shall also be endorsed to the concerned Sub-Divisional Officer (Revenue) for intimation and for the purpose of entry into the land record under sub section (2) of section 114-A of the Code, as provided under Section-4 of the Act.
8. In case the Competent Authority denies the sanction of the management plan, he shall record the reasons of denial and such order shall be communicated to the applicant.
9. If the management plan area is upto 10 hectares, an appeal against the order under sub-rule (8), shall lie before the Conservator of Forests having territorial jurisdiction. Such appeal against the order of the competent authority can be preferred within 30

days of the receipt of the denial order. The Conservator of Forests, after hearing the chartered forester and the concerned bhumiswami/representative of Gram Panchayat or Gram Sabha, shall decide the appeal within 60 days. The decision of the Conservator of Forests shall be final and binding. This decision shall be communicated to the applicant in writing and a copy shall be endorsed to the Competent Authority.

6. Implementation of the Management Plan:-

1. Every Bhumiswami, Gram Panchayat or Gram Sabha, as the case may be, after having received the sanctioned management plan from the competent authority, shall implement the management plan as per the prescriptions and conditions.
2. The Gram Panchayat or the Gram Sabha may authorise Sarvajanic Sampada Samiti of the Gram Sabha for implementation of the plan prescriptions for 'Lok Van'.
3. The Bhumiswami, the Gram Panchayat or Gram Sabha as the case may be, shall give an intimation regarding the proposed date of felling of trees in the plan area to the concerned Forest Ranger and Tehsildar. This intimation shall be given at least 7 days before the proposed date of felling of trees.
4. The person implementing the management plan shall maintain a felling register in format as prescribed in the management plan.
5. Transport of forest produce obtained from felling operation in accordance with the approved management plan shall be subject to the provisions of the Madhya Pradesh Transit (Forest Produce) Rules 2000.
6. Disposal of a forest produce declared as a specified forest produce under the Madhya Pradesh Van Upaj (Vyapar Viniyaman) Adhiniyam 1969 shall be subject to the rules framed in this behalf.
7. All operations prescribed in the management plan shall be completed within the specified time. If any operation prescribed in the plan is not executed due to some unforeseen reasons, further implementation of the plan shall remain suspended till such time the operations prescribed for the previous year are completed.

7. Monitoring of the Management Plan Implementation:-

1. For each development block or a part thereof the Implementation of approved management plans shall be monitored by a committee constituted by the Competent Authority under the chairmanship of Territorial Range Officer and will comprise a Non-

Government Individual or Organization, a representative each from the Revenue Department and a Gram Panchayat or a Gram Sabha as the case may be. The committee shall report its observations and recommendations to the Competent Authority. The State Government, whenever necessary, may authorise any official, body or agency to monitor the implementation of such plan for a specified area or period.

2. The DFO shall take cognizance of any contravention, if reported. On receiving the report, the DFO or the officer authorised by him, shall refer the matter to the Sub Divisional Officer (Revenue) for further action as provided in rule 10.

8. Enrolment of Chartered Forester:-

1. The Following persons / category of persons shall be eligible to be considered for enrolment as Chartered Forester:-
 - a. Persons with bachelor's degree in forestry from a recognised university/institution, or post graduate diploma in forest management from the Indian Institute of Forest Management, having field experience of at least three years in planning and management of forests.
 - b. Retired Forest Officers, not below the rank of Forest Ranger, or equivalent officers of Madhya Pradesh Forest Development Corporation.
 - c. A registered society or a non-Government organisation consisting of members having qualifications as mentioned in sub-rule (a) and (b) above.
2. Any serving Forest Officer of the Government of Madhya Pradesh not below the rank of Forest Ranger shall be deemed to be a chartered forester.
3. Any person or group of persons fulfilling criteria as per sub-rule (1) above may apply for enrolment as a Chartered Forester in Form 5 with an Affidavit annexed to these rules along with non-refundable application fee of Rs. 1000/-.
4. The Enrolment Officer shall enrol the person fulfilling the criteria laid down in sub-rule (1) above within a period of 15 days from the date of receipt of the application in his office. He shall issue an Enrolment Certificate in Form 6 and maintain an Enrolment Register in Form 7 annexed to these rules. A copy of enrolment certificate issued shall be sent to the Officer in charge Lok Vaniki at the State Level every quarter who shall get the updated list displayed at the web site of the Forest Department.
5. In case the applicant is denied enrolment, the Enrolment Officer shall communicate in writing the grounds of denial to the applicant. The appeal against the denial of enrolment

shall lie before the Officer in charge Lok Vaniki at the State Level whose decision shall be final and binding.

6. The enrolment of a Chartered Forester shall be valid until it is terminated by a specific order issued by the Enrolment Officer.
7. The enrolment of a Chartered Forester shall be liable for termination by the Enrolment Officer on grounds of: (a) gross professional misconduct, or (b) a self written request by the enrolled Chartered Forester.
8. The Enrolment Officer, before terminating any enrolment, on ground of misconduct, shall serve the concerned Chartered Forester with a show cause notice and provide him full opportunity for explaining his/her stand.
9. An appeal against such termination shall lie before the Officer in charge Lok Vaniki at the State Level. Such an appeal can be preferred within a period of 45 days from the date of order of the enrolment officer and the decision of the Officer in charge Lok Vaniki at the State Level shall be final and binding.

9. Duties and remuneration of the Chartered Forester:-

1. The chartered forester shall be responsible for the following:-
 - a. Preparation of the management plan; and
 - b. Obtain its sanction from the competent authority.
2. The Chartered forester shall receive remuneration of an amount of Rs.1000 or 6% of the amount received during the 1st year of sale of forest produce by the Bhumiswami/ Gram Panchayat or Gram Sabha, which ever is more. However, if the management plan is prepared by the Chartered forester authorised as per sub rule (2) of rule 8, the remuneration payable shall be deposited by the Bhumiswami/ Gram Panchayat or the Gram Sabha as the case may be, to the State Government.

10. Punishment for contravention :-

1. The Sub-Divisional Officer (Revenue) on receiving the information about the contravention of an approved management plan from the concerned Forest Ranger/Competent Authority or the Officer authorised by him, shall issue a show cause notice to the concerned Bhumiswami, or the Gram Panchayat or the Gram Sabha, as the case may be and give a reasonable time for filing the reply to the notice.
2. If the concerned Bhumiswami or the Gram Panchayat or Gram Sabha as the case may

be, fails to submit the reply of the show cause notice, within the specified time limit or after due consideration of the reply to show- cause notice, the Sub Divisional Officer (Revenue) may decide the case within a period of 30 days as per the provisions of section 8 of the Act.

11. Appeal:-

1. Appellate Authority, for considering the appeal against an order passed by the Sub-Divisional Officer (Revenue) under section 8 of the Act shall be the District Collector.
2. The application for appeal shall be received by the Reader of the Collector and will be processed as per procedure laid down in the Code.
3. Every appeal shall be accompanied by relevant documents of the case along with the order of the Sub-Divisional Officer (Revenue) against which the appeal is preferred and a non-refundable fee of Rs. 1 DO/- payable through a Treasury challan or Demand draft.
4. The Appellate Authority shall hear the parties of the appeal in person or through any agent duly authorised in writing by the applicant and shall decide the appeal within 60 days from the date of receipt of the application.
5. Copies of the order passed by the Appellate Authority shall be sent to the concerned Sub-divisional Officer (Revenue) for compliance, or for passing such further order, as may be directed by the Appellate authority.

Resolution for Community Participation in Conservation and Development of Forests (2001) Amended in 2002 and Proposed to be further liberalized in 2003.

Forest and Culture Department
Mantralaya,
Dau Kalyan Singh Bhavan, Raipur

Resolution

No. F-7-36/2001/F.C./10 Raipur,
Dated 22 Oct. 2001

Sub : **Resolution for Community Participation in Conservation and Development**

of Forests 2001

1. The National Forest Policy 1988 envisages participation of local people is necessary for conservation and development of forests. Accordingly Ministry of Environment and Forests, Government of India, (on 1st June 1990), has directed all the State Governments that tribals and other communities living in and around forests have their first rights on the forest produce. In consonance with these principles, the local people have been involved in the management of forest through Joint Forest Management.

2. In accordance with the direction provided by the Government of India, the State Government herewith passes a resolution for people's participation in forest protection and management:

2.1 Forest Protection Committees will be constituted in the villages situated within 5 Km. radius of dense forest Area.

2.2 Village Forest committees will be constituted in the villages, excluding the villages mentioned under section 2.1, situated within 5 Km. radius of degraded forest Area.

3. Procedure for the Constitution of committee

3.1 Local staff of forest department will convene meetings of villagers in villages of the State to introduce the concept of joint forest management and if villagers voluntarily decide to join in protection and management of forest then on intimation, a formal meeting will be organised in the presence of a forest officer not below the rank of Forester with the help of local public representatives. If 50% or more villagers, who have the voting rights in the Gram sabha, are present and unanimously pass the resolution for constitution of a committee then a relevant committee as per zonation mentioned above shall be constituted. In case both degraded and dense forest areas are present around the village then, either Forest Protection Committee or Village Forest Committee may be constituted, depending upon the forest area in majority.

3.2 With the aim of constitution of in committees as per Panchayat (Extension to Scheduled Areas) Act 1966 section 4 (b) those hamlets or group of hamlets or small

village or its group in which such communities are included which manage their activities as per their traditions and beliefs shall be treated as village whether that village falls in or out side scheduled area (Schedule of constitution). Divisional Forest Officer (Territorial) concerned shall register the committee as per para-2 within one month after passing of such resolution. Every villager having voting rights, shall be the member of general body of these committees. These members shall elect President and Vice President, whose tenure will be of two years, out of the villagers in the first meeting of committee, presided over by Sarpanch of concerned village Panchayat. It is obligatory to have at least one female member as President/ Vice- President.

3.3 If any forest committee already exists in the village, it will be recognized as either of the mentioned joint forest management committees.

3.4 Confederation of Presidents of the committees shall be constituted at Forest Division level.

4. Executive Committee

The Executive Committee shall be constituted comprising minimum 11 and maximum 21 members out of members of the committee (excluding nominated members) as per following procedure: -

1. Executive committee members will be nominated by organizing a meeting under chairmanship of the elected President of the committee.
2. President / Vice President of Forest Committee will act as ex-officio President / Vice President of the executive committee.
3. Representation of schedule tribe, schedule caste & other backward classes in the executive committee will be in accordance with ratio of their population in village.
4. At least the executive committee will have 33% of women members and one member must be from the women savings group, if such group is existing in village.
5. At least two members (one male & one female) of the landless families, if existing and one member from the self help group, if existing in village, must be included in the executive committee.
6. All Panch & Sarpanch residing in village will be ex-officio members of the executive committee.

7. At least one beneficiary from different beneficiary groups of Watershed Development Committee under Rajiv Gandhi Watershed Mission will be member of committee.
8. At least one member from each of various user groups of village resources will be elected as members of working committee for remaining vacancies.
9. Forest Guard or Forester of that forest area will be ex-officio Secretary of the executive committee.
10. Members of executive committee, excluding ex-officio members, will have maximum 2 years as "tenure of service".

5. Selection of Area

After constitution of the committee Divisional Forest Officer (Territorial) shall select forest area for various committees on the advice of executive committee. The Divisional Forest officer can authorise an officer, not below the rank of Range Forest officer, for this purpose. While selecting forest area for the committee the distance of the said forest area from the village and traditional 'nistar' rights of villagers over that forest area will be taken into consideration. Technically, the suitability of the area will be considered on the basis of feasibility report of Assistant Conservator of Forests. In case of any dispute in selection of area, the decision of Divisional Forest Officer (Territorial) shall be final.

6. Micro Plan

6.1 After constitution of the committee, the villagers will prepare a micro plan with the help of Forest Department. Area of the village and Forest area selected under committee will be included in this plan. Plan will have provision to include both forest management and village resource development programme. The works included in the micro plan will be based on expected potential of the resource and other works will be added in appendix of the plan on priority basis. Executive agency and possible source of funding will be shown against works. The committee will sent the micro plan to district level forest officer for its approval. The micro plan will be accorded approval after the technical and legal scrutiny.

6.2 Management principles are laid down for forest/wild life management in working

plan/ management plan. Works proposed in forest area under committee will be in accordance with above principles. It will be ensured that forest/ wildlife acts or rules are not violated in the micro plan.

6.3 The financial resources for executing the works in forest as per the micro plan will be provided by state Government besides works, which reduces dependence of villagers on forests and are related to better management of forest resources. The funds will be provided, as far as possible, by Forest Department, govt. funds at the disposal of committee, District Rural Development Agency, other Govt. departments, Panchayats and other sources. Execution of works will comprise, as far as possible, 25% of labour component as "Shram Dan" by the committee members. Amount equivalent to "Shram Dan" will be deposited in the account of committee so that committee can utilise these funds in village resource development programme.

6.4 Forest Department and committee will prepare the micro plan with help of other developmental agencies. The village resource development works included in the micro plan will get technical and financial assistance from other development departments of the State.

6.5 The activities/ works for economic development, which are ecologically appropriate and feasible shall be included and prioritized in the micro plan.

6.6 The state Govt. will constitute a Coordination Committee in each district with President of Forest Sub committee of District Panchayat as chairman to coordinate the village development works to be executed through micro plan.

This committee will organize at least one meeting in every 4 months, in which President Janpad Panchayat and district level officers of all the departments will be members. A District level forest officer nominated by Conservator of Forests will be its Member Secretary.

7. Meetings

Secretary will call meetings of executive committee with the permission of President. Minimum one meeting in every three months is to be organised. Compulsorily General

committee's President / Vice President will preside over the meeting, but in their absence any member can be selected to preside over the meeting with the consensus of rest of the members. Minimum one general body meeting will be held in every six months. Time and venue of meeting will be decided after consulting the President. Proceedings of the meeting will be recorded in the concerned register by the Secretary. During the terminal year of executive committee's tenure succeeding executive committee will be elected in the existing general body meeting. This meeting has to be called one month before the end of tenure of executive committee.

8. Quorum

A quorum will be complete with the presence of 50 % members for executive committee and 30% of members for the general body meeting.

9. Rights & Duties of Committee

9.1 Rights

On the satisfaction of the District level forest officer that committee has done satisfactory work under joint forest management, the committee will be eligible to get the following benefits.

1. Families of all committees will be eligible to get annual royalty free nistar, after deducting expenditure on harvesting, as per availability.
2. All the forest committees shall be eligible to get 100% of the produce obtained from time to time, on thinning of timber coupes and cleaning of bamboo clumps in degraded bamboo forest as per the prescriptions of micro plan/ working plan, on payment of expenditure incurred on harvesting.
3. Forest produce equivalent to the 10% value of the amount calculated by deducting the expenditure incurred on exploitation (of timber / bamboo) from the total value of timber / bamboo obtained on final felling in coupes in forest area allotted to F.P.C. (as per prescriptions of Working plan) shall be given to the F.P.C. If a loss due to illicit felling in the forest area allocated to committee is detected then concerned forest committee will be accountable to the 50% value of the loss and the equivalent forest

produce to that amount will be deducted from the forest produce to be distributed to that committee.

4. Forest produce equivalent to 30% value, calculated by deducting the expenditure incurred on harvesting (of timber/bamboo) from the total value of timber/ bamboo obtained on final felling in plantation/ rehabilitation of degraded forest/ pasture development works etc, shall be given to Village Forest Committee. Computation of value shall be based on the approved 'Malik Maqbuja' rates of timber/ bamboo of that year in the concerned Forest Circle. If a loss due to illicit felling in the forest area allocated to committee is recorded then concerned village forest committee will be accountable to the 50% value of the loss and equivalent forest produce of that amount will be deducted out of forest produce to be distributed to that committee.

5. In case of minor forest produce, rights of committee will be in accordance with the Panchayat (Extension to Schedule Areas). Act 1996 amended as and when by the Govt. of Chhattisgarh.

6. If the committee helps in apprehending the offender against the offence occurred in jurisdiction of the committee, then 50% of fine / fees deposited by offender in lieu of compounding the case or decision of court, shall be deposited in the account of committee, which shall be used for development of the village.

7. If any member of committee does not cooperate in committee's work or does not follow committee's decision or indulges in forest offence, the committee will cancel his membership duly restricting his Nistar Rights. But before this the committee will provide an opportunity to the concerned member to present his case after taking a decision in general body meeting action against forest offence will be additional to the above action.

8. The committee can delegate its all are specific powers to the executive committee by taking decision in general body meeting.

9.2 Duties

1. Committee will elect Executive body.

2. Committee members will protect forests from fire, illicit grazing, illicit felling, illicit transportation, illicit mining, encroachment & poaching. To achieve this objective the committee will take necessary steps for forest protection with the help of its members. The Committee will be responsible for 50 % of the loss due to illicit felling in its jurisdiction.
3. Committee will give information to Forest Department about the unlawful entry / illegal activities of person or persons who cause damage to forest and wild life.
4. The committee will ensure the safety of wandering wild life who incidentally came out of the forests and will inform the nearest forest officer accordingly.
5. Committee with cooperation of Forest Department will prepare Micro plan and annual action plan. Plan will comprise community, beneficiary oriented, and site-specific need based activities. Priority shall be given to works, which are directly or indirectly related to protection of forest and wild life. Forest Range Officer, on behalf of Forest Department and President of Working Committee, on behalf of the committee will sign on micro plan. Annual Action Plan for each financial year will be prepared on basis of Micro plan. In order to implement annual action plan, 10% of amount will be released in single installment as an advance to committee. Committee shall execute the approved plan. If execution of works by the committee is not satisfactory or the committee is not interested in execution of works then, the execution of works will be done departmentally.
6. Members of committee, after receiving information of forest offence in their jurisdiction or other forest area, shall immediately inform to beat guard/ game guard besides helping forest personnel in apprehending the forest offenders. The forest produce and offenders shall be brought before the concerning forest officers.
7. A Memorandum of Understanding shall be signed by President of the committee and District level forest officer or officer authorised by him.
8. Committee will ensure "Shramdan" (labour contribution) as part of the labour component from committee members, as per the para 6.3 of resolution, in execution of the micro plan.
9. Members of committee will help Forest Department staff during the enquiry of forest offence.
10. Committee shall maintain account of the fund received from different sources and audit of expenditure will be done by agency authorised by forest officer.
11. Committee shall maintain a register of its member's list along with other registers

and records prescribed by the forest officer.

12. In reference of forest protection members of the forest committee shall be treated as public servant at par with forest personnel under various acts during the forest patrolling in their area and they shall get legal protection as in the case of public servant for the works done in good faith of public and government interest. In the same way if, member of committee gets injured or die while preventing / informing forest offence, he will get all benefits at par with forest personnel.

13. If committee assists in apprehending the forest offender against the offence occurred in its jurisdiction, 50% of the amount recovered as fees or fine after compounding or on the basis of court's decision shall be deposited in the committee's account.

10. Powers and Duties of Forest Officers

District level forest officer shall have following powers & duties. If it is not mentioned otherwise in the Resolution, he can delegate the powers to an officer not below the rank of forest Range officer.

10.1 Powers

1. Allocation of Area for committee according to para 5.1
2. Approval of the micro plan.
3. Inspection of committees account & procedures for sharing of forest produce & other benefits among committee members.
4. If committee does not discharge their duties satisfactorily according to para 9.2 & if there is no improvement after being warned in writing by forest officer, then forest officer can dissolve the committee can terminate the Memorandum of Understanding. In that condition all benefits to committee as cited in para 9.1 will be ceased.

10.2 Duties:

1. To organize meeting to constitute committee in accordance with para 3.1
2. Registration of committee.
3. Supervision of election of committee & executive body.
4. To provide training technical assistance to committee members in preparation and

execution of micro plan.

5. To provide financial resources for execution of Micro Plan as per para 6.3 and to establish coordination between different departments according to para 6.4.
6. To assist committee in execution and monitoring of their duties & to help in resolving their internal conflicts.
7. Monitoring & evaluation of works carried out by the committee.
8. To authorize an agency to inspect the annual account of committee and to carry out the annual auditing through it.
9. To distribute forest produce & other benefits from allotted area to the committee in accordance with para 9.1 & sub para 1 to 4.
10. To ensure the participation of the weaker sections of society especially women in decision making & distribution of benefits.

11. Appeal :-

1. A Person can appeal to the forest officer in jurisdiction and of the rank of Territorial Forest Range Officer, against the order passed under sub para 7 of para 9.1 within one month from the date of passing of such order.
2. An appeal can be made against forest officer's order of dissolution of committee to the Union constituted under para 3.4 with in one month of date of passing of such order.
3. The orders of above Appellant Authorities shall be final.

