

## **||Chattishgarh ■**

- Policies of NTFPs.
- Acts & Rules.
- Notifications.

### **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 ■

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- Chhattisgarh State Forest Policy, 2001
- Some excerpts from Chhattisgarh Transit (Forest Produce) rules, 2001

**Government of Chhattisgarh**  
**Forest and Culture Department**  
**Mantralaya , Raipur**

No F7-42/2001/F.C. Raipur, 22nd October 2001

**RESOLUTION**

Subject:- **Chhattisgarh State Forest Policy, 2001**

**1. PREAMBLE**

The GOI vide resolution no. 3-1/1986/F.P. dated the 7th December 1988, enunciated a National Forest Policy that provided a national perspective on forest management problems and specified actions required for tackling them.

1.1 The new state of Chattisgarh came into being on 1st November 2000. There is a necessity to review the situation and to evolve for the future, a new strategy of forest conservation, which encompasses the special characteristics of the state as well as provides it a new direction. Since forest is a concurrent subject under the constitution of the country, the State's Forest Policy has to remain in tune with the current National Forest Policy.

1.2 The state of Chhattisgarh, lying between 17 0 46 ' N to 24 0 6 ' N latitude and 80 0 15 ' E to 84 0 51 ' E longitude, has about 44 percent of its geographical area (135,224 sq. km) under forests and provides catchment to at least four main river systems, i.e., Mahanadi, Godavari, Narmada and Ganges. Major rivers of the state are Mahanadi, Indravati, Hasdeo, Sheonath, Arpa and Ibb. The climate of the state is generally sub humid with an annual rainfall ranging from 1200 to 1500 mm.

1.3 Over the years, the forests in the state have suffered serious depletion. This can be attributed to relentless pressures arising from ever-increasing demand for fuel wood, fodder and timber; inadequacy of protection measures; diversion of forest lands to non-forest uses without ensuring compensatory afforestation and essential environmental safe-guards; and the tendency to look upon forests as a revenue earning resource.

1.4 The forests of the state fall under two major forest types, i.e., Tropical Moist Deciduous

Forest and the Tropical Dry Deciduous Forest. Sal (*Shorea robusta*) and Teak (*Tectona grandis*) are the two major tree species in the state. Other notable overwood species are Bija (*Pterocarpus marsupium*), Saja (*Terminalia tomentosa*), Dhawra (*Anogeissus latifolia*), Mahua (*Madhuca indica*), Tendu (*Diospyros melanoxylon*) etc. Amla (*Embilica officinalis*), Karra (*Cleistanthus collinus*) and bamboo (*Dendrocalamus strictus*) constitute a significant chunk of middle canopy of the state's forests.

1.5 Biogeographically, the state falls in Deccan bio region comprising representative fauna of central India like the tiger (*Panthera tigris*), leopard (*Panthera pardus*), gaur (*Bos gaurus*), sambhar (*Cervus unicolor*), chital (*Axis axis*), nilgai (*Boselaphus tragocamelus*) and wild boar (*Sus scrofa*). The state is a proud possessor of rare wildlife like the wild buffalo (*Bubalus bubalis*) and hill myna (*Gracula religiosa*) which have been declared as the state animal and bird respectively.

1.6 The state is richly endowed with mineral resources like the coal, iron, bauxite, limestone, corundum, diamond, gold, tin, etc which fall mainly within the forests of the state.

1.7 The population of the state is predominantly tribal, who have significant economic and cultural dependence on the forests of the state. There is a large population of non tribal landless and economically backward communities in the state who derive livelihood security from the forests of the state

## **2. BASIC OBJECTIVES**

2.1 The basic objectives that should govern the State Forest Policy are the following:

- Unlocking of the vast array of forest resources on sustainable basis for enhanced well-being of local people by converting these open access resources (OAR) into community controlled, prioritized, protected and managed resources.
- A shift in accent from major to minor forest produces, from crown to multi tier forestry and from flagship species to smaller denizens of the forests.
- Maintenance of environmental stability through preservation and where necessary, restoration of ecological balance that has been adversely disturbed by serious depletion of forests in the state.
- Conserving the Bio-cultural heritage of the state by preserving the biologically rich natural forests that provide the essential cultural milieu to the tribals of the state.

- Checking the denudation of forests and soil erosion in the catchment area of the rivers, and reservoirs for soil and water conservation; mitigating the floods and droughts; recharging of water bodies, aquifers and for the retardation of siltation of the reservoirs.
- Increasing the forest / tree cover in forest deficient districts through afforestation and agro forestry/ farm forestry programmes, especially on all denuded, degraded and unproductive lands.
- Meeting the requirements of fuel wood, fodder, minor forest produce and small timber of the rural and tribal population with due regard to the carrying capacity of the forests.
- The derivation of direct economic benefit from the forests of the state shall be subordinated to the requirements of the environmental stability and maintenance of ecological balance in the state.
- Creating appropriate policy and legal framework for the achievement of these objectives.

### **3. ESSENTIALS OF FOREST MANAGEMENT**

3.1 Existing forests and forest lands should be fully protected and their productivity increased. It is necessary to promote efficient methods of timber harvest and utilisation to maximize economic returns from the forests.

3.2 The network of national parks, sanctuaries, biosphere reserves and other protected areas should be strengthened and extended adequately for the conservation of total bio-cultural diversity in the state.

3.3 Targeting on broad range of goods and services in terms of physical, material, human, social, cultural and environmental assets in conjunction with appropriate entitlement regime, People's Protected Area (PPA) envisions a proactive and people's friendly framework to ensure long term protection and maintenance of biological diversity and providing at the same time a sustainable flow of natural products and services to meet local community needs. Therefore, a network of PPAs should be established as poor people's pool of assets for strengthening livelihood security of forest dwellers.

3.4 Provision of sufficient fodder, fuel and small timber to local people, especially in areas adjoining forests, is necessary to prevent further depletion of forests beyond their sustainable capacity. As fuel wood continues to be the predominant source of domestic energy in rural areas, the programme of afforestation should be intensified with special emphasis on augmenting fuel wood production to meet the requirements of the people. Furthermore, to reduce the pressure on forests due to increasing demand for fuelwood, its substitution by alternative sources of energy should be promoted.

3.5 Minor Forest Produce (MFP) including medicinal plants provides sustenance to the tribal population and other communities residing in and around the forests. Such produce should be conserved, developed and their non-destructive harvesting methods evolved with due regard to providing employment and income generation opportunities to the dependent people. MFP is the major source of livelihood of tribals and other forest based rural communities. Therefore, rather than exporting MFP in raw form, efforts should be made, as far as possible, to promote processing and value addition of the same, at the local level.

3.6 Supply of timber and poles to urban centers from non-forest sources is necessary to reduce pressure on natural forests. Therefore, state government should encourage agro-forestry, farm forestry and on-farm cultivation of timber trees.

3.7 Establishment of appropriate instruments including policy and legislative measures to protect the rich bio-cultural heritage of the state in view of increasing threats of bio piracy and infringement of IPR (Intellectual Property Rights) from within and outside the state.

3.8 All forest areas in the state should be managed in accordance with a duly approved management/working plan.

#### **4. STRATEGY**

The objectives and essentials of forest management for the state should be achieved through a well-defined strategy as under:

##### **4.1 Area under forests**

The national goal is to have a minimum of one-third of the total land area of the country under forest or tree cover. Though the state has the rare distinction of having more than one third of its geographical area under forest, there are few districts, where the forest area is less than the norm, and where there is a need to expand the forest cover in addition to preserving the existing forest cover.

There is a necessity to preserve the existing tree cover on hill slopes and landscapes providing catchment to rivers originating or flowing through the state.

##### **4.2 Management of state forests**

4.2.1 No forest should be permitted to be worked without a duly approved working/management plan, which should be in a prescribed format and in keeping with the National Forest Policy / State Forest Policy and the principles of sustainable forest management. The effects of forest management on forests should be periodically measured with the help of set criteria and indicators (C&I). The state should issue necessary guidelines to put in place a

monitoring mechanism to ensure regular compliance of management/working plan prescriptions.

4.2.2 In order to meet the growing needs of people for the essential goods and services that the forests provide, it is necessary to enhance the forest cover in forest deficient districts and to increase the productivity of the existing forests through appropriate scientific and technical inputs.

4.2.3 No exotic species should be introduced, through public or private sources, unless long-term scientific trials undertaken by specialists in ecology, forestry, sociology and agriculture have established that they are suitable and have no adverse impact on indigenous vegetation, ecology and bio cultural environment of the state.

4.2.4 Joint forest management (JFM) practices should form the basis of forest management in the state. Necessary provisions should be made for the adequate participation at all levels of decision making by the landless, marginal farmers and women in all JFM bodies like the VFC (Village Forest Committee), FPC (Forest Protection Committee) and EDC (Eco Development Committee).

4.2.5 The abundant potential of people living in rural and forest areas should be tapped for sound participatory forest management. Efforts should be made to facilitate assistance from financial institutions to the forest dwellers engaged in forest based economic activities for furthering participatory forest management in the state.

4.2.6 For sustainable forest development, livelihood security and bio-cultural diversity conservation, People's Protected Areas (PPAs) should be established. This paradigm shift of adaptive management can reconcile the dichotomy of threat perception arising out of conservation-development orthodoxy by taking into account the human sensitivities like their socio-cultural norms, beliefs and systems borne out of history, culture and traditions.

### **4.3 Rights and Concessions**

Forests of the state recognize traditional rights and concessions of entry into forests and use of the produce there of, by the people living in and around the forest areas. Such rights and concessions, popularly called 'Nistar', have sometimes legal as well as customary basis and the state is obliged to provide for them. In due course of time, such rights and concessions with the exception of cultural rights, may no longer be required with an improvement in the standard of living of the majority of people in the state.

4.3.1 The provision of Nistar, should always remain related to the carrying capacity of the forests. The capacity itself should be optimized by increased investment in silvicultural research and socio-economic development of the area. Stall-feeding of cattle should be encouraged. The

requirements of the community which cannot be met from the existing forests, should be met from plantations under social forestry/agro forestry / farm forestry in areas outside the natural forests.

4.3.2 The holders of customary rights and concessions in forest areas should be motivated to identify themselves with the protection and development of forests from which they derive these benefits. The rights and concessions from forests should primarily be for the bonafide use of the communities living within a radius of five kilometer from the existing natural forests. It is visualized that the JFM practices will motivate people to keep their customary rights and concessions on forests within the carrying capacity of the forests.

4.3.3 The socio-economic and cultural life of tribals and other communities living within and near forests revolves around the forests. Their domestic requirements of fuel wood, fodder, minor forest produce and construction timber should be the first charge on the forests of the area. The rights and concessions enjoyed by them should be protected, with due regard to the demands of the conservation of biological diversity in the area.

#### **4.4 Management of Sal and Bamboo Forests:**

Sal and Bamboo forests in the state constitute an important component of the forest ecosystem of the state. The state has large chunks of ecotone forests between Sal and Miscellaneous forests requiring special management practices. Such forests are not only ecologically sensitive but also provide basic goods including bamboo that constitute the essential elements of the livelihood security of the poor and tribal people of the state. Therefore, special treatment of ecotone Sal forests and the restoration of the degraded bamboo forests as well as the maintenance of good bamboo forests should be the state's priority.

#### **4.5 Conservation of Minor Forest Produce (MFP)**

Non timber forest produce called the Minor forest products or MFP like Tendu, Sal seed, Imli, Chironji, Kullu and Dhawra gum, Kosa cocoon, Honey etc., form an essential element of the means of livelihood of the tribals and, the landless, marginal farmers and other rural poor communities of the state. It is now increasingly recognised that it is the MFP and not the so-called major forest produce like timber, which is the mainstay of the rural poor economy. MFP like Tendu patta (leaf) and Sal seed also add sizeable revenue to the state exchequer, which is now distributed among the gatherers..

4.5.1 The state should take appropriate measures through the Chhattisgarh State MFP (Trade and Development) Cooperative Federation Ltd for sustainable utilization and long term conservation of all MFP found within the forests of the state.

4.5.2 The state should take necessary steps for endowing the ownership rights of MFP on local

communities as per the provisions of the Panchayat Upbandh (anusuchit chetron ka vistaar) Adhiniyam 1996.

#### **4.6 Conservation of Medicinal Plants**

Forests have been the source of invaluable medicinal plants since the time man realized their preventive and curative properties and started using them for human health cover. In view of the richness of medicinal and herbal plants in the state, a mechanism should be developed for in situ and ex situ conservation, domestication and non-destructive harvesting with the active support from local people including traditional healers and Vaidyas. The socio-cultural, spiritual and medicinal arena of the rural populace particularly the tribal should form the backbone of community based conservation and utilisation of medicinal and herbal plants.

#### **4.7 Protection of Forests**

Forests being an open access resource (OAR) are vulnerable to various kinds of pressures like theft, fire, illegal grazing and encroachment. Theft of forest resources like timber, and animal parts and products is considered as high return and low risk offence. Uncontrolled forest fire result in significant loss of biodiversity, loss of forest regeneration, burning of biomass and destruction of micro-organisms necessary for essential forest ecological processes. Unregulated grazing by livestock inside forests is a major cause of forest degradation and decrease in its regeneration. Encroachment on forest lands for agricultural diversion has been a major cause of forest loss. Therefore there is a need to strengthen forest protection measures.

4.7.1 Protection mechanisms should be strengthened by involving local people through village level committees. These committees should be empowered and provided special incentives to prevent the forest offences.

4.7.2 A 'Forest Crime Bureau' with an adequate legal and statistical base should be established for a systematic tackling of crimes and criminals in the forest areas.

4.7.3 Steps should be taken for the establishment of special courts at the district level for quick disposal of forest offence cases.

4.7.4 Grazing regulation in forests should be made more effective through community participation. Grazing by livestock inside the forests should not exceed the carrying capacity of the forest.

4.7.5 Fire in forests should be strictly controlled. Improved and modern techniques for forest fire prevention and control as well as tools like GIS (Geographical Information system) and remote sensing should be utilized for fire control.

#### **4.8 Diversion of Forest Lands for Non-forest Purposes**

4.8.1 Forest land or land with tree cover should not be treated merely as a resource readily available to be utilized for various projects and programmes, but as a state asset which requires to be properly safeguarded for providing sustained benefits to the entire community. Diversion of forest land for any non-forest purpose should be subjected to the most careful examination by specialists from the standpoint of ecological, environmental and social costs and benefits. Projects, which involve diversion, should provide in their investment budgets, funds not only for prior regeneration/compensatory afforestation, but also for the development of social infrastructure in the area.

4.8.2 Beneficiaries who are allowed mining and quarrying in forest land and in land covered by trees should be required to adopt cluster approach in mining and to repair and re-vegetate the area, after having used it, in accordance with the Government of India guidelines and established forestry practices. Rehabilitation of the mined areas should be done to ensure ecological restoration of the affected site.

#### **4.9 Conservation of Bio-Cultural Diversity**

4.9.1 The State is extremely rich in its bio-cultural diversity. This diversity should be preserved through action as under:

- Intensification of surveys and inventorization of bio- cultural resources in different parts of the state. The survey should include information on the distribution pattern of various species/ population/ communities and the status of ethnobiologically important groups.
- Conservation of biodiversity through the establishment of a representative network of protected areas including Biosphere Reserves, National Parks, Sanctuaries, Gene conservation centers, and People's Protected Area. Such areas should cover sites of exceptional taxonomic and ecological value in terms of flora and fauna with adequate emphasis on the lower vertebrate, invertebrate and micro flora, which are important for the maintenance of healthy ecosystems. Tribals and the rural people displaced if any, due to creation of such national parks/ biosphere reserves/ or gene conservation centers should be fully and properly rehabilitated on such sites and in such manner that their standard of living after the rehabilitation is markedly improved.
- Legal and administrative measures should be taken for the protection of state's bio-cultural diversity against bio-piracy and for sustainable use of plant and animal genetic resources. Intellectual Property Rights (IPR) of the people of the state specially the tribals should be zealously guarded. Domesticated species/ varieties of plants and animals should be conserved as an integral part of the state's rich genetic diversity.

- Crucial corridors between national parks, sanctuaries, forests and other protected areas should be identified and notified for linking them to maintain genetic continuity of flora and fauna. Such areas should be managed with prescriptions favoring wildlife requirements like the retention of snags, natural gaps, grassy areas, special lithic habitats, caves, cliffs, den sites and water bodies etc.
- Modern techniques of ex-situ conservation like tissue culture and biotechnology should be promoted for the preservation of endangered and threatened species of wild flora and fauna.
- Monoculture and planting of exotic floral species should be avoided unless sufficient experimentation on strict scientific lines has established their usefulness. Exotic faunal species should not be introduced into the forests of the state.
- Tribals and other indigenous people of the state, residing in and around forest areas, with rich cultural traditions and practices, should be encouraged to maintain their unique relationship with the forests for mutual benefit. Unique geographical and cultural landscapes existing in protected areas should be managed keeping in view the conservation of bio- cultural diversity of the state.

4.9.2 Forest management should take special care of the needs of bio-cultural diversity conservation of the state and the forest management/working plans should include specific prescriptions for this purpose. Wild life management plans should be prepared for each protected area of the state. Biotic pressures on protected areas should be managed through eco developmental activities with the active involvement of the local communities.

#### **4.10 Afforestation, Social Forestry & Farm Forestry :**

4.10.1 A need-based and time-bound programme of afforestation and tree planting, with particular emphasis on fuelwood and fodder development, in all the forest deficient districts of the state is an urgent necessity to meet the growing needs of the forest dependent sections of the society specially the landless and those identified as BPL (Below Poverty Line).

4.10.2 Planting of trees along side of roads, railway lines, rivers, streams and canals, and on other unutilized lands under the state, corporate, institutional or private ownership should be encouraged. Green belts should be raised in urban/industrial /mined out areas. Such a program will also help to improve the microclimate of the concerned area.

4.10.3 The village and community lands not required for other productive uses, should be taken up for the development of tree crops and fodder resources. Technical assistance and other inputs necessary for initiating such programs should be provided by the State Government,

public sector undertakings and the agricultural universities.

4.10.4 The revenue generated through such programs should belong to the Panchayat where the lands are vested in them. In all other cases, such revenue should be shared with the local communities. The vesting, in individuals, particularly from the weaker sections (such as landless labor, small and marginal farmers, scheduled castes, tribals, women and BPL) of ownership rights over trees, should be considered, subject to appropriate regulations. Beneficiaries should be entitled to usufruct from the trees and in turn be responsible for their safety and maintenance.

4.10.5 The state Land Revenue Code (LRC) and the forest laws should be suitably modified along with the simplification of felling, transit and trading rules, wherever necessary, to facilitate and motivate individuals and institutions to undertake tree-farming and the growing of tree crops on their own land.

4.10.6 The management plan/working prescriptions should be strictly followed for raising plantations inside the government forest areas.

4.10.7 Irrigated and high input plantation of tree crops should be encouraged for meeting the timber demand of the state. The State Forest Development Corporation, FDC should play a pivotal role in this endeavor.

#### **4.11 Production of Biomass.**

For the vast majority of the people in the state, the foremost need is for fuelwood, timber, fodder and fiber. The issue of enhanced production and sustainable resource utilization should therefore be prioritized in favour of and with due regard to the requirements of the rural people.

4.11.1 The management / working plan prescriptions should guide the production of biomass including timber from the forests of the state. Necessary steps to promote efficient conversion and utilization of timber should be promoted for the maximization of resource use.

4.11.2 Promotion of alternative sources of domestic energy should be taken up on a priority basis to reduce pressures on forests for the supply of fuelwood.

#### **4.12 Forest based Industries**

In consonance with the National Forest Policy 1988, forest based industries should be encouraged to produce their own raw material through private forestry and to use alternative raw material.

4.12.1 No forest-based enterprise except the one at the village or cottage level, should be allowed in future without a proper ecological, cultural and social impact assessment. The fuel, fodder and timber requirements of the local population should not be sacrificed for raw material supplies to such enterprises.

4.12.2 Direct relationship between forest based industry and farmers should be encouraged to meet the raw material requirements of the industry. This industry-farmer collaboration should in no way be allowed to result in diversion of prime agricultural lands and displacement of small and marginal farmers.

4.12.3 The biomass resources of the state should not be subsidized to the industry, which should be encouraged, to the extent possible, to use alternative non-forest raw material.

4.12.4 Allotment of land to the industry should be subject to land ceiling and other land laws of the state. Such industry should not in any way be allowed to adversely affect the socio-cultural traditions of the tribals and other communities living in the state.

4.12.5 Appropriate institutional and technological systems should be developed to enable rural artisans to sustain their forest biomass-based crafts and enterprise.

#### **4.13 Tribal People and Forests**

Having regard to the symbiotic relationship between tribals and forests, a primary task of all agencies responsible for forest management, including the forest department, the Forest Development Corporation and the Minor Forest Produce Federation should be to associate the tribals closely in the protection, regeneration and development of forests as well as for providing gainful employment to people living in and around the forests on following lines .

- Protection, regeneration and non-destructive harvesting of minor forest produce in collaboration with the local people specially tribals, and provision of institutional arrangements for the marketing of such produce.
- Conversion of forest villages into revenue villages;
- Community based schemes for improving the economic status of the tribals;
- Undertaking integrated area development programmes to meet the needs of the tribal economy and to reduce the pressure on the existing forests.

#### **4.14 Forest Extension**

Forest conservation programme cannot succeed without the willing support and co-operation of the people. It is essential, to inculcate in the people a direct interest in forests, their development and conservation, and to make them conscious of the value of trees, biodiversity and nature in general. This can be achieved through the involvement of educational institutions, right from the primary stage.

Farmers and other interested groups should be provided opportunities through different institutions to learn and adopt agri-silvicultural techniques to ensure optimum utilization of their land and water resources. Suitable programs should be propagated through mass media using

audio-visual aids and the extension machinery already existing with the universities and the government departments.

#### **4.14.1 Promotion of nature tourism**

Nature tourism or eco tourism that utilizes the forest scenic spots as well as the opportunities provided by the protected areas for wildlife viewing should be seen as a forest extension activity. This activity should also be promoted as a revenue generating mechanism that can benefit the rural communities through their active involvement in promotion of eco tourism.

#### **4.15 Forestry Education**

Forestry should be recognised both as a scientific discipline as well as a profession. Universities and institutions dedicated to the development of forestry education should impart academic education and promote post-graduate research and professional excellence, keeping in view the manpower requirements of the state. Academic and professional qualifications in forestry should be kept in view for the recruitment of the State Forest Service personnel.

#### **4.16 Forestry Research**

An increasing recognition of the importance of forests for environmental stability, as a source of energy, and as a provider of essential requirements and employment to rural poor, calls for scientific forestry research, by adequate strengthening of the research base as well as by setting new priorities for action. The state should promote, aid and coordinate research projects, to be undertaken by research organizations like the ICFRE (Indian Council of Forestry Research and Education), and universities, in a transparent and competitive manner. Some broad priority areas of research and development needing special attention in the state are:

- Evolving innovative multi tier silvicultural systems with integrated ecosystem approach.
- Increasing the productivity of non-wood forest produce per unit of area per unit time by the application of modern scientific, silvicultural and technological methods.
- Revegetation of barren/marginal/waste/mined lands and watershed areas.
- Effective conservation and management of existing natural forest resources.
- Social forestry, farm forestry and agro-forestry.
- Establishment of modern nurseries in all districts by the department as well as by private individuals.
- Forest protection and legal measures.
- Emerging areas like the joint forest management and appropriate silvicultural practices; efficient utilization of forest resources; women and tribal empowerment; role of forestry in poverty alleviation; social and livelihood analysis of forest dependent communities; forest

policy; cultivation and marketing of medicinal plants; conservation of threatened and endangered species of wild flora and fauna; forest management at landscape level; conservation of bio-cultural values of forests; etc.

#### **4.17 Personnel Management and capacity building**

Government should aim at enhancing the professional competence and status of foresters. It should attract and retain qualified and motivated personnel and provide conducive working atmosphere, in view of the arduous nature of duties they perform, often in remote and inhospitable places.

Capacity building of local people specially the members of VFC (Village Forest Committee), FPC (Forest Protection Committee) and EDC (Eco Development Committee) should form an integral part of the human resource development (HRD) strategy of the state.

4.17.1 The government should ensure sustained availability of trained manpower at every level of the forest department's hierarchy. There should be regular recruitment of forest staff.

4.17.2 Specialized and orientation courses for in-service foresters should be conducted on a regular basis. Management Development programs incorporating the latest developments in forestry and related disciplines, should be promoted.

#### **4.18 Application of Information Technology into Forestry.**

##### **4.18.1 Development of a comprehensive forest database**

Priority needs to be accorded to developing a comprehensive database regarding the forest resources in the state and to update it on a regular basis. A Forest Information Centre (FIC) should be set up and well provided for in terms of manpower as well as computation hardware and software resources.

##### **4.18.2 Use of Geographical Information System (GIS) and Global Positioning System (GPS) in forest management.**

Geographical Information System (GIS) and Global Positioning System (GPS) technology has important applications in forestry. A full-fledged GIS center for rapid adoption of these technologies into the planning, implementation and monitoring of forestry plans and schemes should be established.

##### **4.18.3 Promotion of Electronic Governance in Forestry.**

Electronic governance which is the application of information technology to the process of governance, has assumed importance in all walks of life. Forest administration should be encouraged to maximize the use of e-technology in all its operations specially those, which pertains to public dealing.

#### **4.19 Legal Support and Infrastructure Development**

Appropriate and adequate legislative and infrastructure support would be necessary for an effective implementation of this policy.

#### **4.20 Financial Support for Forestry**

The objectives of the state policy cannot be achieved without the adequate investment of financial resources on a scale, which is appropriate to the need. The state should endeavour to arrange financial resources for the implementation of forestry programs flowing from this policy document.

#### **4.21 Epilogue**

It is envisaged that this policy should usher in forest management programs in Chhattisgarh, that will respect the thresholds of environmental stability, promote conservation of bio- cultural heritage, and fulfill basic requirements of forest based and forest adjacent tribal and analogous communities.

By order in the name of the  
Governor of Chhattisgarh,

(Ram Prakash)  
Special Secretary

### **Some excerpts from Chhattisgarh Transit (Forest Produce) rules, 2001**

#### **1. Short -title extent and commencement -**

1. These rules shall be called the Chhattisgarh Transit (Forest Produce) rules, 2001 .
2. They shall extend to the whole of Chhattisgarh.
3. They shall come into force with effect from the date of their publication in the Chhattisgarh Gazette.

#### **3. Regulation of Transit of Forest produce by means of passes -**

No forest produce shall be moved into or out side the State or within the State of Chhattisgarh except in the manner as herein after provided without a transit pass in form A, B or C annexed to these rules. The Transit Pass will be issued by a Forest Officer or Gram Panchayat or a person duly authorised under these rules to issue such pass.

Provided that no transit pass shall be required for the removal -

- a. Of any forest produce which is being removed for bonafide domestic consumption by any person or in exercise of privilege granted in this behalf by the State Government or of a right recognised under the Act within the limits of a village in which it is produced.
- b. Of such forest produce as may be exempted by the State Government from the operation of these rules by notification in the official gazette.
- c. Of forest produce covered by Money receipts / Rated passes / Forest produce passes / Carting Challan issued by competent authority in accordance with the rules made in this behalf for the time being in force.
- d. Of minor forest produce from forests to the local market or to the collection centre or for bonafide domestic consumption.

#### **4. Officers and Person to issue passes:**

The following officers and persons shall have power to issue passes under these rules -

(A) For forest produce belonging to the Government, the Divisional Forest Officer, the Sub-divisional Forest Officer or any other officer authorised in this behalf in writing by the Divisional Forest Officer.

(B) For forest produce owned by any person, the Divisional Forest Officer or any officer or such other person authorised in writing by the Divisional Forest Officer or Gram Panchayat in whose jurisdiction the forest produce is found or grown.

To transport the timber and fuel obtained from the trees found in private land (Bhumi Swami) to transit pass will be issued.

Gram Panchayat or the person authorised by it shall issue the transit pass for transporting the forest produce within the district. To transport the forest produce outside the district, transit pass shall be issued by the forest officer authorised by the Divisional Forest Officer.

The transit pass shall be issued in forms A, B & C as annexed to these rules, as indicated below.

Form A - to be issued by Forest Officer or the person authorised in this regard.

Form B - To be issued by Gram Panchayat.

Form C - To be issued in lieu of transit pass of the State from where the forest produce is being

imported, by the officer authorised by the Divisional Forest Officer, not below the rank of a Forester.

**17. Registration for import of forest produce: -**

(1) Any person who intends to import any forest produce into the State of Chhattisgarh, shall be get himself registered in the office of the concerned Divisional Forest Officer where the forest produce is to be transported.

(2) The Divisional Forest Officer upon receipt of that application for registration, after necessary verification and on payment of Rs. 500.00 by the applicant, shall register and give the applicant registration certificate of import in Form D and such registration will be valid for the calendar year.

(3) Format of transit pass for the import of forest produce shall be registered in the Office of the Divisional Forest Officer, in whose jurisdiction the forest produce is intended to be imported. Registered format shall be intimated to the border-checking barrier. The person importing the forest produce shall submit a quarterly account of the same to the concerned Divisional Forest Officer in Form E.

**18. Transit pass for forest produce being imported into the State: -**

(1) (a) All forest produce which is being imported into the State of Chhattisgarh must be covered with a Transit pass issued by the exporting state and in case of timber every piece should bear a hammer impression indicated on the transit pass.

(b) At the border - checking barrier of Chhattisgarh new transit pass shall be issued by a forest officer authorised in this regard in lieu of original pass, which shall be deposited at the barrier.

(c) In case of forest produce passing through State of Chhattisgarh the transit pass from the first border -checking barrier shall be issued of the place of final destination, mentioning the last border-checking barrier of the State.

(2) Every transit pass must be in a form, which has been registered in the office of the Divisional Forest Officer of the Divisional into which it is sought to be imported forest produce there under.

**20. Forest produce in transit may be stopped and examined by certain officer: -**

1. Any forest produce in transit which these rules apply and any animal, vehicle, vessel or craft carrying such forest if such officer has reasonable grounds for suspecting that it is being transported in contravention of these rules or any money which is due to Government in respect thereof has not been paid or that any forest offence has been

or is being committed in respect thereof.

Provided that no such officer shall vexatiously or unnecessarily detain any forest which is lawfully in transit, nor vexatiously or unnecessarily unload any such forest produce or cause the same to be unloaded for the purpose of examination.

2. The person in charge of such forest produce shall furnish to any such officer all the information which he is able to give regarding the same, and if he is removing the same under a transit pass shall produce such pass on demand, for the inspection by such officer and shall not in any way prevent or resist the stoppage or examination of the forest produce by such officer.
3. Every forest produce in transit will be produced for checking at all the forest barrier (Checking Nakas) on route.