

The Orissa Preservation of Private Forests Rules, 1963

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Rule

THE-ORISSA-PRESERVATION-OF-PRIVATE-FORESTS-RULES-1963 of 1963

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The Orissa Preservation of Private Forests Rules, 1963 Published vide Notification No. 1686-B.F., dated 1st February, 1964, Orissa Gazette Part 3 No. 7-D, dated 14.2.1964 No. 1686-B.F. - In exercise of the powers conferred by Section 7 of the Orissa Preservation of Private Forests Act, 1947 (Orissa Act, 8 of 1947), the State Government do hereby make the following Rules, namely:

1. Short Title, Extent and Commencement.

(a) These Rules may be called The Orissa Preservation of Private Forests Rules, 1963. (b) They shall come into force at once.

2. Definitions.

- In these Rules, unless the context otherwise requires- (a) "Act" means the Orissa Preservation of Private Forests Act 1947; (b) "Reserved trees" means Sal (*Shorea robusta*), Bija (*Ptarocarpus marsupium*), Sisu (*Daibergia latifolia*), Assn, Sahaja (*Terminalia tomentosa*), Kurum, Haldu (*Adina cardifolia*), Jum (*Eugenia jambolana*), Teak (*Tectona grandis*), Gombhar (*Gmelia arborea*), Mundi (*Mitragyna parvifolia*), Mahul (*Basia latifolia*), Tamarind (*Lamarindus indica*), Mango (*Mangifera indica*), Bamboo (*Dandro calamus strictus*, *Bambusa arundinacea*), and any other trees which may be added from time to time by a notification by the State Government; (c) "Prohibited trees" shall mean Kuchila (*Stychnos nuxvomica*) and shall include any other trees that may be prohibited from time to time by a notification by the State Government; (d) "Unreserved trees" means all other trees not included under 'Reserved trees' and Prohibited trees; (e) "Clear felling method" shall mean the felling of all trees in a particular area except those trees not permitted to be felled; (f) Words and expressions used but not defined herein shall have the same meanings as assigned to them

respectively under the Act.

3.

(1) No permission to fell a prohibited tree shall be granted. (2) Before granting permission to cut reserved trees by clear felling method, one or more compact block shall be selected so as to provide for not less than 40 annual coupes : Provided that at least 10 to 15 reserved trees shall be retained as standard per acre in the annual coupe and where no reserved trees are available, sufficient number of unreserved species shall be retained: Provided further that in all cases where there is an eroded area no tree-growth shall be cut in it or within one chain thereof : Provided also that no clear felling with standard may be adopted where the area is hilly or the slope is more than 1 in 10. (3) Where because of the nature of the terrain it is not possible to clear fell the trees in the coupe the entire area shall be divided into, 20 coupes and trees above Such as may be recommended by the Divisional or District Forest Officer may be allowed to be felled in the coupe. (4) Every permission granted for cutting trees by clear felling method shall be subject to the following conditions : (a) The trees shall be felled as close to the ground as possible at a height not exceeding 6 inches from the ground if the diameter of the stump at such height is below 12 inches and without damaging the bark in any way; (b) Every coupe in which trees are cut shall be clearly demarcated on the ground by cut lines and corner post; (c) The standard shall be marked both at the ground level and at breast height by coltar rings. (5) Permission for felling by selection method as per Rule 3 (3) may be granted subject to the following conditions : (a) The trees shall be marked by a Forest Officer, not below the rank of a Range Officer both at the breast height and at the stump; (b) The coupe is demarcated on the ground by cut lines and corner posts. (6) Permission for cutting of bamboos may be granted subject to the conditions laid down below or such other conditions as the permit granting authority may, in consultation with the Divisional Forest Officers may lay down. (i) The forests are divided into four coupes in case of Salia bamboo or twelve coupes in case of Daba bamboo. (ii) The following cutting rules shall be observed for Salia bamboos- (a) no culm under 13 months old shall be felled (b) culms with less than 10 bamboos shall not be worked; (c) a minimum of 8 old bamboos evenly distributed over the culm shall be left ; (d) all [debris] [Substituted by Notification No. 13460-C dated 17.7.1974 O.G. Part III Pg. 1245 dated 31.7.1964.] shall be removed from the clump (e) all culms shall be felled by a sharp bill-hook within six [or twelve] [Inserted by Notification No. 13460-C dated 17.7.1974 O.G. Part III Pg. 1245 dated 31.7.1964.] inches from the ground level without injuring the rhizome; (f) bamboos shall not be felled between the 1st July to the 30th September. (iii) For Dab bamboos the clumps shall be clear felled. (iv) Where Dab and Salia bamboos occur in mixture it shall be worked in such a manner as may be directed by the District/Divisional Forest Officer.

4.

(1) Every application made by the owner of a forest or any other person acting under his authority for permission to cut trees shall be made to the Collector of the district shall contain the following informations: (a) location, name, survey number and approximate area of the forest in which trees are proposed to be cut ; (b) particulars regarding documents in support of the ownership of the forest; (c) the route through which the felled trees shall be taken to the nearest market ; (d) a list in

duplicate specifying the trees marked for felling, indicating the species and girth in inches at breast height; the marking hammer shall be registered in the office of the District/Divisional Forest Officer.(2)On receipt of the application the Collector shall forward the same to District/Divisional Forest Officer for enquiry :(3)Provided that where the Divisional/District Forest Officer does not agree that a tree as per list furnished under Rule 4 (d) is to be felled he shall make a note of it in the remarks column.(4)The District/Divisional Forest Officer shall forward the application with the list of trees with his recommendation.

5.

On receipt of the application with recommendation of the-Divisional Forest Officer, the Collector shall pass final orders.

6.

No permission under Sub-section (2) of Section 3 of Act, shall be required for the cutting and removal, in head loads of trees other than reserved or prohibited trees by professional wood-cutters for the purpose of fuel.

7.

Every permission granted by the Collector shall be subject to the following conditions :(1)The timber is passed at the stumps size by an officer not below the rank of a Range Officer.(2)Necessary transit permit is taken from the Forest Officer.(3)The transit permit shall be subject to check Naka Stations and by officers as provided in Rules regulating the transit of timber and other forest produce.Explanation. - For the purpose of this Rule 'timber' has the same meaning as assigned to it under the Rules regulating the transit of timber and other forest produce in force.