

CHAPTER 5

Orders relating to Joint Forest Management

1. Management and Transfer of Strip Plantations

**GOVERNMENT OF WEST BENGAL
FOREST DEPARTMENT
FOREST BRANCH**

NOTIFICATION

No. 2914-For./D/6M 31/S4

Dated: Calcutta, the 22nd July, 1986

1. The Forest Department has taken up a massive Social Forestry Project since 1981 for raising plantation of trees on lands belonging to PWD, I&W Department and Panchayat Bodies along roads and canals which envisages popular participation for successful execution of the Project. One of the objectives of the aforesaid Project is to share benefits accruing from such plantations with the local people to make it more meaningful socially and also to ensure their active participation, co-operation and support in raising, maintaining and protecting such plantations.
2. (i) Under the scheme the Forest Officer (which includes his successors sub-ordinates and agents) shall establish and maintain plantations on the lands selected by him within his jurisdiction with the project fund placed at his disposal.
(ii) In establishing and maintaining the said plantations, the Forest Officer will employ labour, as far as practicable, from amongst the landless residents and poorer sections of the populations of the concerned Gram Panchayat area contiguous to the said land.
3. Now in exercise of power conferred by clause (K) and clause (O) of sub-section(i) of section 20 of the West Bengal Panchayat Act, 1973 (West Bengal Act XLI of 1973), the Governor is pleased hereby to direct that for proper maintenance and protection of such plantations and facilitating sharing of benefits arising out of the plantations with the beneficiaries i.e. local people, management and control of sectors of such strip plantations be transferred to the local Gram Panchayet within whose jurisdiction such strip plantations lie, from the third year of creation (e.g. plantations raised in 1984 shall be handed over in 1986 after first maintenance in 1985) or at the earliest convenience thereafter by an order of the Forest Officer having jurisdiction over such plantations subject to observance of procedure laid down below.
4. In exercise of the powers conferred by section 222 of the said Act, the Governor is pleased hereby to give the following instructions and directions for the guidance of the Gram Panchayats, Samities and the Zilla Parishads in the discharge of their functions:

Instructions and Directions:

- A. After a strip plantation is established by the Forest Officer, the Gram Panchayat, on receipt of intimation from the Forest Officer, shall by a resolution undertake to—

- (i) Protect the said plantation;
 - (ii) Inform the Forest Officer about any person or persons attempting to trespass or wilfully, maliciously damage the said plantation or commit theft thereon;
 - (iii) Prevent such trespass, mischief, theft or damage; and
 - (iv) Apprehend or assist in the apprehension of such person or persons.
- B. For facilitating the transfer of strip plantations and proper upkeep of the plantations transferred in the 3rd year or conveniently thereafter—
- (i) The Bhumi Sanskar Sthayee Samiti of the Panchayat Samiti will work out modalities for post-transfer management, especially the aspect of protection of such plantations and sharing of benefits with local people on behalf of the Panchayat Samiti;
 - (ii) The beneficiaries shall be identified by the Bhumi Sanskar Sthayee Samiti of the Panchayat Samiti from amongst the economically backward people living in the vicinity of the plantation, preference, however, being given to the members of Scheduled Caste and Scheduled Tribe Communities.
- While selecting such beneficiaries for the above purpose, well-defined sectoral allotments may be made to the beneficiaries (individual/family/group) for protection and maintenance of such plantations, keeping the numbers of trees the same as far as practicable.
- C. After the strip of plantation is transferred by the Forest Officer to the Gram Panchayat on completion of above tasks—
- (i) The beneficiaries as identified shall be allowed to collect grass fodder, fallen woods and other minor produce from the plantations including thinning & cutting of such plantations, prior to harvesting of the principal crop but without any damages to such crop;
 - (ii) The beneficiaries will enjoy only the benefits accruing from said plantations without any rights on the land;
 - (iii) The Forest Officer would continue to monitor the management of the strip plantations even after control and management of the same is transferred to the Gram Panchayat;
 - (iv) The plantations will be harvested on maturity and disposed of by the Forest Officer in consultation with the Bhumi Sanskar Sthayee Samiti of the Panchayat Samiti;
 - (v) The Forest Officers shall arrange distribution of the prespecified percentage of harvested produce, to be decided upon in consultation with the Bhumi Sanskar Sthayee Samiti of the Panchayat Samiti, to the selected beneficiaries at a concessional rate, or free of cost, subject to recovery of the direct cost for establishing, protecting and maintaining the plantation less the cost for seedlings, and transfer of required funds to the Gram Panchayats for raising future plantations;
 - (vi) The Gram Panchayat shall ensure that the beneficiaries protect and manage such strip plantations without any damage to roads, canals, bridges, culverts, etc. and take every precaution for safety of roads/canals and traffic movements;
 - (vii) The Gram Panchayat shall ensure that the first row on either side of road/canal together with all fruit and ornamental trees are retained;
 - (viii) The Forest Department may retain any particular strip plantation and also reserve the right to resume any strip plantation transferred to Panchayats for specific public purpose;

- (ix) The Panchayat Samiti through the Bhumi Sanskar Sthayee Samiti at the Block Level and Zilla Parishad through the Bhumi Sanskar Sthayee Samiti at the District Level will supervise and monitor execution of this scheme for transfer of management and control of strip plantations to Panchayats;
- (x) Separate ledger accounts shall be maintained by the Gram Panchayats for the purpose of depositing the net income accruing under the foregoing clause (v) of 'Instruction & Directions';
- (xi) The monies standing to the credit of the said account shall be utilised by the Gram Panchayat for the sole purpose of afforestation works and/or creation, establishment and maintenance of plantations/ woodlots within the Gram Panchayat area for the benefit of local people in accordance with the plan as may be advised by the local Forest Officer.
- (xii) The Gram Panchayat shall submit periodic reports and returns as may be prescribed by the Forest Department to the concerned Forest Officer of the district and send copies thereof to the Zilla Parishad through the Panchayat Samiti.
- (xiii) No additional post should be created by the Forest Department, the Panchayat and CD(Panchayat) Department or the Panchayat bodies for implementation of this scheme for transfer of management and control of strip plantation to Panchayats.

By order of the Government,

Sd/-

(J. Sanyal)

Secretary to the Government of West Bengal

Amendments to Notification No. 2914-For dated 22.07.1986

I. Notification No. 7534-For/D/I/6M-7/93 dated 02.08.1994

Government of West Bengal

FOREST DEPARTMENT

FOREST BRANCH

No.: 7534-For/D/I/6M-7/93

Dated, Calcutta the 2nd August, 1994

From : Officer on Special Duty and Ex-officio Dy. Secy. to the Govt. of West Bengal

To : The Principal Chief Conservator of Forests, West Bengal

Sub : Management and Transfer of strip plantations.

Ref : His Memo No. 302/SFW/2M-22 dated 18.02.1993 and
Unofficial No. 1589/SFW/2M-22 dated 25.07.1994.

In partial modification of this Department's Notification no. 2914-For., dated 22.07.1986 the undersigned is directed by order of the Governor to say that the Governor is pleased to direct that contents in clauses (iv), (v), (x) and (xi) of item C below Para 4, thereof may be substituted as stated below seriatim :

Clause (IV) The Plantation will be harvested on maturity as decided by the Forest Officer and will be disposed of by the Panchayat Samity. Each sale either by auction or by tender as deemed fit shall be made on the basis of decision of the Bon-O-Bhumi Sanskar Sthayee Samity of the Panchayat Samity in which the Forest Officer shall be invited to participate. The formation of felling coupe/lot in plantations will be done by the Forest Officer;

Clause (V) On the basis of the requisition of the Forest Officer and the resolution of the Artha Sanstha Unnayan-O-Parikalpana Sthayee Samity on it, the Panchayat Samity shall refund to the concerned Forest Officer the direct cost of establishing, protecting and maintaining the harvested plantation(s), the cost of formation of felling coupes/lots and also transfer required funds for reforestation on the same site;

Clause (X) Separate ledger account shall be maintained by the Gram Panchayat(s) for the purpose of arriving at the balance income and accruing incidental expenses for holding auction or tender;

Clause (XI) The balance money standing to the credit of the said account shall be distributed by Panchayat Samity among selected beneficiaries.

Suitable instructions may be communicated to the concerned Chief Conservator of Forests, Conservator of Forests, and Divisional Forest Officers.

Sd/—

(S. M. Chaki)

Officer on Special Duty and Ex-Officio

Dy. Secy. to the Govt. of West Bengal

II. Notification No. 2204-For/D/1/6M-7/93 dated 12.05.1995

**Government of West Bengal
FOREST DEPARTMENT
FOREST BRANCH**

No.: 2204-For/D/1/6M-7/93

Dated, Calcutta the 12th May, 1995

From : Officer on Special Duty and Ex-officio Dy. Secy. to the Govt. of West Bengal
To : The Principal Chief Conservator of Forests, West Bengal
Sub : Management and Transfer of strip plantations.
Ref : Chief Conservator of Forest, Social Forestry, West Bengal's Memo No. 57/SFW/ 2M-22, dated 17.01.1995.

In continuation of this Department's G.O. No. 7354-For., Dated 02.08.1994 on the subject noted above, the undersigned is directed by order of the Governor to say that the Governor is further pleased to direct that the contents in Para 4B (ii) of this department Notification No. 2914-For, dated 22.07.1986 may be substituted as stated below :-

The beneficiary villages shall be identified by the Bhumi Sanskar Sthayee Samity as are situated nearest to the roadsides, canal bank, river bank, etc. The individual beneficiaries shall be selected by an executive committee of the beneficiary village, the composition of which shall be as follows:

- (a) Sabhapati or any member of the Bon-O-Bhumi Sanskar Sthayee Samity as may be nominated by the Sabhadhipati Member
- (b) Gram Pradhan or any member of local Gram Panchayet(s) as may be nominated by the Pradhan(s) Member
- (c) Elected representatives of the beneficiaries (not exceeding 6)..... Member
- (d) Concerned Beat Officer Member Secretary

The members of the executive committee shall elect the President in each meeting.

The above Committee while selecting individual beneficiaries shall give preference to economically backward people and members of Scheduled Caste and Scheduled Tribes Communities.

The Strip plantation may be divided into sectors for allotment to the beneficiaries (individual/family/groups) for protection and maintenance of such plantation, keeping the number of trees the same as far as practicable in each sector.

2. Suitable instructions may be communicated to the concerned Chief Conservator of Forests, Conservator of Forests and Divisional Forest Officers.

Sd/—
(S. M. Chaki)
O.S.D. and Ex-Officio
Dy. Secy. to the Govt. of West Bengal

III. Notification No. 2098-For. Dated 14.05.2010

Government of West Bengal
Forest Department
Forest Branch
Writers' Buildings, Kolkata – 700 001

No. 2098-For.

Dated: 14.05.2010

NOTIFICATION

In partial modification of this Department's Notification No. 2914-For., for dated 22/07/1986 and No. 7534-For., dated 02/08/1994 the undersigned is directed by order of the Governor to say that the Governor is pleased to direct that contents in clauses (iv), (v), (x) and (xi) of item C below para 4 thereof may be substituted as stated below seriatim;

- Clause (IV)** The plantations will be harvested and disposed of on maturity by the Forest Officer in consultation with Ban-O-Bhumi Sanskar Sthayee Samiti of the Panchayet Samiti maintaining normal procedure.
- Clause (V)** Forest Officer shall deduct the direct cost of establishing, protecting, maintaining, harvesting plantation(s) from total sale proceed and remit the deducted amount to the government treasury as revenue. The cost of harvesting plantation(s) shall be deducted by the forest officer for adjustment through CRSP. He shall also deduct the cost of reforestation from total sale proceed and keep it in civil deposit for subsequent reforestation work at the same site.
- Clause (X)** Separate ledge account shall be maintained by the forest officer for the purpose of arriving at the balance income.
- Clause (XI)** The balance money standing to the credit of the said account shall be distributed in following manner:
- 25% of the balance money shall be distributed amongst the selected beneficiaries. Where no beneficiary could be selected the 25% shall be transferred to Panchayet Samity for taking up developmental works in local area;
 - 25% shall be transferred to Gram Panchayet for taking up developmental works in local area;
 - Remaining 50% will be used by the forest department for taking up greening areas locally where no plantations exist.

By order of the Governor

(Shila Nag)

Joint Secretary to the Govt. of West Bengal