

**Jammu and Kashmir
Pollution Control Committee**

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Parivesh Bhavan, Forest Complex
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**The Consultant (Judicial),
Hon'ble National Green Tribunal, (P.B)
New Delhi.**

No. JKPCC/NGT/OA 360-2024/ 3866-67

Dt. 11-10-2024.

Sub: - Report on behalf of J&K Pollution Control Committee in pursuant to Hon'ble NGT Order dated 15-07-2024 passed in OA No. 360 of 2024 titled "Felling of 234 trees on Century-old college campus distresses many in Kashmir".

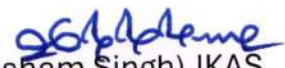
Sir,

In compliance to the Hon'ble National Green Tribunal **Order dated 15-07-2024 passed in OA No. 360 of 2024 titled "Felling of 234 trees on Century-old college campus distresses many in Kashmir"**, the Report of J&K Pollution Control Committee is submitted herewith.

It is therefore, requested that the report may kindly be taken on record and placed before the Hon'ble National Green Tribunal for consideration.

Yours faithfully,

Encl: (As above)


(Ghansham Singh) JKAS
Member Secretary 11-10-24
JKPCC, Jammu

Copy to the: -

1. Sh. G.M Kawoosa, Additional Standing Counsel, Supreme Court of India / Hon'ble NGT New Delhi, for information and necessary action. This is in reference to Govt. of J&K Order No. 15387-JK(LD) of 2024 Dated 03-09-2024.

Before the Hon'ble National Green Tribunal Principal Bench, New Delhi

Original Application No. **360 of 2024**

IN THE MATTER OF **"Felling of 234 trees on century-old college campus
distresses many in Kashmir" appearing in The
Hindu dated 22.03.2024.**

Report on behalf of Jammu and Kashmir Pollution Control Committee pursuant to Hon'ble National Green Tribunal Order dated 15-07-2024 passed in OA No. 360 of 2024 titled "Felling of 234 trees on century-old college campus distresses many in Kashmir" appearing in The Hindu dated 22.03.2024".

Background:

That the Hon'ble National Green Tribunal vide Order dated **15-07-2024** passed in **OA No. 360 of 2024** directed as follows:-

1. *"Since the allegation is in respect of the cutting of trees in the College Campus, hence, we implead the following as respondent no. 5:-
(5) Principal, Amar Singh College, Srinagar"*
2. *"Let Notice be issued directly and through the Member Secretary, J&K PCC to the newly added respondents for filing the response at least one week before the next date of hearing".*
3. *"The Member Secretary, J&K PCC and also RO, MoEF&CC, Chandigarh are directed to place on record the full details of the order passed by the competent authority permitting felling of the trees such as the date of the order, the authority which had passed the order, the number of trees which were allowed to be cut along with a copy of the said order on record and a copy of the inspection report of the Forest Department, if any, prepared before giving the permission. Let the same be done within the period of four weeks".*
4. *"We also direct that the concerned authorities will ensure that no further illegal felling of trees takes place in the College premises in question".*

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Status Report:

In compliance to the directions of Hon'ble National Green Tribunal dated 15-07-2024 passed in OA No. 360 of 2024, notice was served to the newly added respondent i.e. Principal, Amar Singh College, Srinagar by J&K PCC, vide this office No. JKPC/Sc/ OA 360 dated: 12-09-2024 and was asked to appear before the Hon'ble Tribunal either in person or by pleader duly instructed on the date of hearing and also file response before the Hon'ble NGT well before the next date of hearing i.e. 15-10-2024.

The detailed response of the J&K Pollution Control Committee in terms of the aforesaid order of the Hon'ble NGT is submitted as under:-

1. That for trees growing on private land and State land but not on Forest land, the restriction on felling is applicable only on tree species that have been declared as Specified Trees and is regulated as per the provisions laid out in J&K Preservation of Specified Trees Act, 1969. As of now, the following species have been declared as specified trees:- Walnut, Willow, Khair, Conifers and Oaks. Further, Felling of khair trees is regulated as per the provisions laid out in SRO-111 of 2016 (**Annexure 1**).
2. Outside of Municipal Corporation areas, removal of trees other than those mentioned above from private land does not require permission from the Forest/Revenue department. Further, the following Agroforestry species are also exempted from the requirement of transit pass under the Jammu and Kashmir Forest Produce Transit Rules, 2020:

#	Name
1	Bamboo
2	<i>Populus spp</i> (Poplar)
3	<i>Salix spp</i> (Willow)
4	<i>Ailanthus excelsa</i>
5	<i>Acacia nilotica</i> (Kikar)

6	<i>Eucalyptus spp</i> (Safeda)
7	<i>Albizzia spp</i> (Siris)
8	Apple, Pear, Plum, Peach, Apricot, Cherry, Guava

3. However, trees of the above-mentioned species growing on non-forest state land are Government property and therefore, have to be disposed of with the approval of the competent authority in the Department in accordance with procedural requirements.
4. That with regard to felling of trees posing threat to life and property, the PCCF, Forest Department, Jammu and Kashmir has issued **Circular 01 of 2019** dated 28/11/2019, which is reproduced as hereunder:
- i) In forest areas, removal of trees posing threat to life and property shall be governed strictly in accordance with the Qualitative and Quantitative norms formulated in pursuance of the orders of Hon'ble Supreme Court dated 12.12.1996 in the case titled T.N. Godavarman V/s UOI & others.
 - ii) If removal of trees raised by Forest Department on other State lands, if outside demarcated forests is required:
 - a) The application-for felling of trees should be submitted-by-the concerned government department along with a certificate issued by a Revenue officer not below the rank of Tehsildar having jurisdiction of the area that the trees pose threat to life and property.
 - b) The DFO concerned shall inspect the site and submit a report to the Conservator of Forests. The Conservator of Forests concerned shall accord the approval on the recommendations of the DFO concerned.
 - c) The Conservator of Forests shall satisfy himself that the area in question is not a "Forest" as defined in the order of Hon'ble

26/11/19

Supreme Court dated 12.12.1996 in case titled T.N. Godavarman V/s UOI & others.

- iii) The procedure to be adopted for felling and transportation of trees grown on private lands shall continue to be regulated in accordance with Circular No. 5 of 1998 dated 05.03.1998, issued under endorsement No. PCCF/Lease/90-1125; dated 05.03.1998(**Annexure 2**).
 - iv) In case of removal of trees from the premises of institutions, the J&K State Forest Corporation (SFC) may be requested by the concerned institutions for felling of such trees after obtaining the approval of the competent authority of the institution. However, in case, the institute intends to transport the felled timber, the same shall be governed by the Circular 5 of 1998 dated 05-03-1998.
 - v) The trees removed shall be replaced with ornamental shrubs or trees that do not grow very tall under appropriate scheme. Any attempt to encroach upon the land in question shall be reported to the appropriate authorities by staff concerned for necessary action under law.
- 6) In the instant case, the removal of trees has been entrusted to the J&K State Forest Corporation after obtaining administrative approval from the competent authority in terms of the Circular 1 of 2019 mentioned above.
- 7) However, since the area under question falls under the jurisdiction of Srinagar Municipal Corporation, permission is additionally required from the Tree authority constituted under the Jammu and Kashmir Municipal Corporation Act, 2000.
- 8) That, the J&K Pollution Control Committee, vide No. JKPCC /Sc. /911/24/ 261-266 dated 29-07-2024 (appended as **Annexure 3**) sought details regarding functioning of Tree Authority from Srinagar Municipal

26/07/24

Corporation and Jammu Municipal Corporation. The response of Srinagar Municipal Corporation and Jammu Municipal Corporation is appended herewith as **Annexure 4 and 5**.


- 9) That as per the response received from the Srinagar Municipal Corporation, it is evident that no permission for removal of trees has been accorded from 2020-21 to 2024-25 by the SMC. Both SMC and JMC have reported that as of now there is no prescribed format for making an application for cutting/ felling/ removal of trees and no fees have been prescribed for submitting the application.
- 10) That in terms of Government Order 110-JK(FST) of 2023 dated 11.05.2023, appended as **Annexure – 6**, Divisional Forest Officer, Social Forestry, Jammu and Divisional Forest Officer, Social Forestry, Srinagar have been appointed as Tree Officers for the purpose of Tree Authorities of Jammu Municipal Corporation and Srinagar Municipal Corporation.
- 11) That the Divisional Manager, Pirpanjal West Division, J&K FDCL, requested the DFO, Social Forestry Division, Srinagar, for felling permission for the auctioned trees to get them removed / extracted at the earliest before the academic session starts to avoid any mishap, vide Communication No. DM/FDC/PPW/Estt/693-95 dated 17.02.2024 appended as **Annexure-7**.
- 12) That DFO, Social Forestry, Srinagar, responded with communication No. 1462-63/SF/Sgr-20 dated 22/02/2024 with a clarification *inter alia* that as per provisions of SO-327 of 7th July 2022 (Social Forestry Plantation Rules) and as per the report/ recommendation of the committee constituted by the Govt. of Jammu and Kashmir vide Govt. Order No. 470-JK (GAD) of 2020 dated 14-04-2020 in Writ Petition (Civil) PIL No. 04 of 2022 titled Azra Ismail V/s UT of J&K and Others (appended as **Annexure 8**), the NDC, valuation and felling permission for plantations other than raised by the Department of Social Forestry is not issued by this department and only technical guidance is shared as and when required.

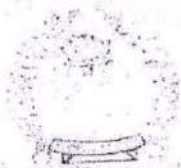
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13) That the committee constituted by the Govt. of Jammu and Kashmir vide Govt. Order No. 470-JK (GAD) of 2022 dated 14-04-2022 has inter alia suggested for phasing out of female poplar trees planted by Govt. Departments like Social Forestry, PWD (R&B) etc. standing on or adjoining sensitive locations like hospitals, schools, market places within Srinagar Municipal Corporation or similar other cities / towns in valley and such phasing out shall be carried out on attaining exploitable size of more than 4 feet girth. The lopping / felling at these places should be carried out by concerned department / institution / individuals who own these plantations after identification of the trees by Social Forestry Department in spring season.

Prayer:

In the premises, it is therefore respectfully prayed that the report may kindly be taken on record before the Hon'ble National Green Tribunal for consideration.


(Ghansham Singh)
Member Secretary 11.8.24
J&K PCC



Government of Jammu and Kashmir
Civil Secretariat, Revenue Department

Notification
Jammu, the 31st March, 2016



SRO III .- In pursuance of powers conferred by section 137 read with sub-section (2) of section 37 of Jammu and Kashmir Land Revenue Act, Samvat 1996 (XII of 1996), the Government hereby makes the following rules, namely:-

1. Title, commencement and application

- (1) These rules may be called "*The Jammu and Kashmir Non-Forest Land Khair Trees 'Acacia catechu' (Management Plan) Rules, 2016*".
- (2) These rules shall come into force from the date of their publication in the Government Gazette.
- (3) These rules shall apply to the Khair trees standing on non-forest land including private (Milkiyat) lands, and shall not apply on Khair Trees standing on forest lands.

2. Definition

(1) In these rules, unless the context otherwise requires:-

- a. "Assessment Year" means last year of the eleven year felling cycle;
- b. "Divisional Forest Officer" means the Divisional Forest Officer of the Territorial Division including the Divisional Forest Officer, Urban Forestry Division, Jammu;
- c. "Empowered Officer" means the Chief Conservator of Forests, Jammu;
- d. "Forest Lands" mean demarcated and un-demarcated forests under the control of J&K Forest Department and shall have the same meaning as assigned in the Jammu and Kashmir Forest Act, 1987 (A.D. 1930);

- e. "Form" means the form appended to these rules;
- f. "Khair Tree" means tree having, the botanical name 'Acacia catechu' and shall include its roots, stumps, stem and branches whether standing or fallen and shall also include seedlings, saplings and pole of the species;
- g. "Management Plan" means the plan prepared under these rules for scientific management of Khair trees covering all management units;
- h. "Management Unit" means the aggregate of areas of non-forest land Khair trees falling within the jurisdiction of a Territorial Division;
- i. "Outturn" means a quantity of produce obtained from any unit of an area;

(2) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Jammu and Kashmir Land Revenue Act, Samvat 1996, and in the Jammu and Kashmir Forest Act, Samvat 1987 (A.D. 1930).

3. Restriction on felling, conversion and utilization of trees

(1) No Khair tree shall be felled or converted for any purpose without permission granted under these rules.

(2) No Khair tree/wood shall be used for any purpose except in accordance with the provisions made under these rules.

4. Preparation and approval of management plan

(1) The identification of Khair tree bearing areas and assessment of growing stock in all management units including the working out of the silvicultural availability of Khair trees in each management unit shall be made by the Forest Department directly or through a credible agency, as may be deemed necessary, appointed for the purpose following a transparent process, in the assessment year. During the assessment year, no felling of Khair trees shall be permitted.

(2) On the basis of assessment report prepared after survey as in sub-rule (1), a management plan shall be prepared by the Forest Department covering all management units, and the

same shall be submitted to the Principal Chief Conservator of forests for approval by the end of the assessment year.

(3) The management plan shall be prepared by a committee comprising the following:-

- i. Chief Conservator of Forests, Working Plan (Chairman).
- ii. Conservator of Forests, West Circle (Member).
- iii. Conservator of Forests, East Circle (Member Secretary).

(4) On the basis of approved management plan, the concerned Divisional Forest Officer shall prepare year-wise felling programme/block for the management unit under his jurisdiction, for ten years as per FORM-'A'.

(5) No Deviation from eleven year felling programme fixed as in above mentioned FORM- 'A', shall be permissible.

5. Accord of sanction to the felling programme in Milkiyat land.

a) In Proprietary Land

- (1) The Divisional Forest Officer shall submit the ten year felling programme as drawn by him for the management unit under sub-rule (4) of rule 4 for sanction by the Empowered Officer.
- (2) The Empowered Officer shall accord sanction to the adoption of the felling programme for each management unit after obtaining a report from the concerned Territorial Conservator of Forests, in accordance with rule 4.
- (3) The concerned territorial Conservator of Forests shall publish the same for information of all concerned within a period of one month from the date of accord of approval by the Empowered Officer.

b) In Non-Forest Land

No felling of Khair trees shall be permitted on non-forest land excluding private (Milkiyat) land, except dead and dry trees, till next assessment survey. The revenue realised from disposal of these Khair wood, Khair firewood and other remnants shall be remitted into the State Treasury immediately.

6. Notification of felling block, invitation and processing of application for grant of felling permission

- (1) The concerned Divisional Forest Officer, on receipt of the sanction to the adoption of the ten year felling programme for management unit under his jurisdiction, shall notify the village (s) having trees sanctioned for being felled during a particular year and shall invite application in Form -'B' from the owners of Khair trees or any person authorized by him in this behalf.
- (2) The applications received in this behalf shall be referred to the concerned Tehsildar and territorial Range Officer for Nishandehi/demarcation and enumeration of trees with reference to the relevant revenue records. The Nishandehi/Demarcation report alongwith enumerated trees shall be made in presence of the Block Forest Officer concerned and the same shall be countersigned by the Naib Tehsildar concerned and attested by the Tehsildar concerned. A certificate shall be made by the Naib Tehsildar certifying:
 - a) that the identified private land is neither encroached land/Government land nor under any dispute/ mortgage and that the trees have been enumerated after following the prescribed procedure for demarcation/enumeration.
 - b) that all the enumerated trees fall within the demarcated private land of the applicant.
 - c) that the connected papers, applications and an affidavit of the land owners etc have been duly scrutinized and found in order.
- (3) The territorial Range Officer shall direct the concerned Block Forest Officer for verification and enumeration of the silviculturally available trees. The Block Forest Officer shall make an inspection report in Form-'C' after verification and enumeration of the silviculturally available trees and submit the same to the territorial Range Officer.
- (4) On receipt of the verification report alongwith enumeration list from the concerned Range Officer and Nishandehi/ Demarcation report alongwith the prescribed certificate from the concerned Tehsildar, the Divisional Forest Officer may invite objections, if required, from the residents of the 'felling blocks' which shall be submitted to him within a period of 10 days. Such objections, if

any received, shall be disposed off by the concerned Divisional Forest Officer in such manner as may be necessary under rules within 15 days from the date of receipt.

- (5) Thereafter, the DFO may accord permission or reject the application giving reasons in writing for marking, felling and conversion of particular tree (s) in favour of applicant (owner) or the authorized person in Form-'D' within 15 days.

7. Conditions for felling

- (1) The owner of the Khair trees or any person authorized by him for the purpose of these rules shall be required to pay a fee of Rs 10/- per tree or such amount as may be fixed by the Government from time to time, for grant of permission for felling of the tree.
- (2) The felling shall be done only after adhering to conditions regarding payment of fees for each Khair tree, prescribed felling conditions, compensatory plantation as mentioned in management plan approved under rule 4.

8. Marking, felling, conversion, transportation and disposal

- (1) After the accord of marking and felling permission, the marking shall be conducted by the *Block Forest Officer concerned*. The felling, conversion and transportation shall be done under the strict supervision of the Block Forest Officer/ Forest Guard Incharge of the area and shall submit an outturn report to the Range Officer. After receipt of the outturn report from Range Officer, the Divisional Forest Officer/Empowered Officer, as the case may be, may accord transportation permission.
- (2) The owner shall be free to sell their Khair wood to anybody, for utilization within or outside the State, on the price acceptable to him.
- (3) The registered co-operative societies/institutions formed by owners and registered under the Societies Registration Act VI 1998 Samvat (1941 AD) shall be eligible to deal with sale/purchase/disposal of Khair wood.
- (4) The transportation permission may be issued within the State by the Divisional Forest Officer concerned and outside the State by the Empowered Officer, for a specified purpose under these rules in favour of the Khair Tree owner or any other agency to

whom the owner may have sold the Khair wood, Khair firewood and other remnants of the felled Khair trees.

- (5) The fee of Rs 20/- per quintal within State and Rs 120/- per quintal for export outside State or such sum as may be fixed by the Government from time to time, shall be payable for transportation permission.
- (6) Marking, felling, conversion, transportation and disposal of the Khair wood from the non-forest land excluding private (Milkiyat) land shall be done by the Divisional Forest Officer after receiving approval from the Empowered Officer.
- (7) The Divisional Forest Officer shall submit a monthly return to Empowered Officer with regard to the felling, conversion, transportation in Form-'E' and a consolidated report at the end of financial year in Form-'F'.

9. Validity of felling permission and timeframe for various operations.

- (1) The felling permission granted shall be valid for a period of two months from the date of its issuance.
- (2) Any Extension in the validity period of the felling permission upto the maximum of two months may be granted by the Conservator of Forests concerned upon the recommendations of the Divisional Forest Officer concerned in the same financial year.
- (3) Time frame for various operations shall be followed as per approved management plan/felling programme.

10. Control over Katha manufacturing units

The Katha manufacturing units in the State, utilizing Khair wood, shall be governed by the J&K Wood Based Industries (Registration and Regulation) Rules, 2012 as a Primary Wood Based Industry.

11. Remittance of the Fees/Revenue

The revenue generated as a result of felling permission fee, transportation permission fee and revenue realized from disposal of Khair wood shall be remitted into the State Treasuries immediately on its being realized, as revenue receipts of Forest Department. These

charges shall be realized by the authorities who are empowered to grant such permissions.

12. Appeal

- (a) Any person or agency aggrieved of any order of the Empowered Officer may prefer appeal against that order before the Principal Chief Conservator of Forests, J&K, within a period of 30 days from the date of issue of such order.
- (b) Any person or agency aggrieved of any order of the Divisional Forest Officer under sub-rule (5) of rule 6 or sub-rule (1) of rule 8 may prefer an appeal against that order before the concerned Conservator of Forests, within a period of 10 days from the date of issue of such order.

13. Penalty

Any person, who contravenes any of the provisions of these rules, shall be liable to penalties provided under section 38 of the Jammu and Kashmir Land Revenue Act, Samvat 1996 (1939 A.D.) and the Jammu and Kashmir Forest Act, 1987 (A.D. 1930).

14. Application of other laws not barred

The provisions of these rules shall be in addition to, and not in derogation of, any other law for the time being in force, save as otherwise expressly provided under the Jammu and Kashmir Land Revenue Act, Samvat 1996 (1939 A.D.).

15. Repeal and Savings

The Jammu and Kashmir Khair Trees 'Acacia catechu' (Regeneration and Utilization) Rules, 1995 are hereby repealed. However, any actions taken under the rules so repealed shall be deemed to have taken under the provisions of these rules.

By order of the Government of Jammu and Kashmir.

Sd/-

(Muhammad Afzal) IAS
Secretary to the Government
Revenue Department


Dated: 31-03-2016

No:- Rev/Lit/14/2014

Copy to the:-

1. Financial Commissioner, Revenue, J&K, Jammu.
2. Principal Secretary to the Government, Forest Department.

3. Principal Secretary to the Hon'ble Governor.
4. Divisional Commissioner, Jammu/Kashmir.
5. Commissioner/Secretary to Government, General Administration Department.
6. Commr/Secretary to Government, Department of Law, Justice and Parliamentary Affairs (with 07 spare copies)
7. All Deputy Commissioners
8. Director General Information, J&K, Jammu.
9. Pvt. Secretary to Secretary to Government, Revenue Department.
10. Manager Government Press Jammu/Srinagar, for publication in the Government Gazette.
11. Notification file/Stock file.


(Ghulam Rasool) KAS
Deputy Secretary to the Government
Revenue Department

FORM-'B'

Application for Grant of Permission for Felling Khair tree

(Refer sub-rule (1) of Rule 6)

To

The D.F.O.

_____ Forest Division,

Sir,

Kindly grant permission for felling of Khair Tree in my favour as per following detail:-

Photo attested
by Notary

I) Name with parentage:

II) Address:

III) Number of Khair trees intended to be felled, converted and sold:

IV) Location of the tree:

a) Village:

b) Khasra No:

V) Purpose of felling:

VI) Name/names of the Co-shares with parentage and complete address(s)

2. The following documents are enclosed:-

I) Affidavit of the applicant to the effect that above particulars are correct.

II) Khasra Girdawari signed by the Patwari of the Halqa.

III) Attorney of Co-shares if any.

IV) Identity proof.

3. Certified that Khair saplings have been planted by me in lieu of the intended felling which are alive as on date.

Date and Place

Signature

FORM-'C'

Verification Report of the R. O.

(Refer sub-rule (3) of Rule 6)

- I Reference to DFO's letter No. and date on which verification is based.
 II Name/names of the tree growers.
 III Khasra No./Nos.
 IV Area of the Khasra No./Nos.
 V Enumeration list of the silviculturally available trees

VI Tree Number

Girth of the tree

Remarks

At breast Height (CM)

TOTAL:

Under remarks column the details regarding dry, green, health, growth etc should be shown.

Certified that:-

a) As under sub-rule (2) of rule 6, the Naib Tehsildar has certified:

- i) That the identified private land is not neither encroached land/ Government land nor under any dispute/mortgage and that the trees have been enumerated after following the prescribed procedure for demarcation/enumeration.
- ii) That all the enumerated trees fall within the demarcated private land of the applicant.
- iii) The connected papers, applications and an affidavit of the land owners etc have been duly scrutinized and found in order.

- 1) The enumeration of silviculturally available trees have been carried out by the Block Forest Officer in the Demarcated land and trees only per sub-rule (2) and (3) of rule 6.
- 2) The identification of land by the land owner and the Patwari of the Halqa with reference to the relevant revenue records have been done and signed this statement in authentication of this fact.
- 3) The felling of the tree enumerated above will not cause any major ecological problem like soil erosion, water availability.
- 4) The land owner has already planted _____ khair saplings in _____ of the proposed felling.
- 5) The enumeration have been made on private lands only and does not include any forest and State land, Nautor or village common lands.

FORM-'D'**Format for felling permission****(Ref. sub-rule (5) of Rule 6)**

- 1) Reference to the PCCF's sanction to the adoption of the felling block:-
- 2) Name of the felling village/block with full description:-
- 3) Khasra No. where from felling has to be made:-
- 4) Reference to the ROs proposal of felling:-
- 5) Details of the trees allowed to be felled:-
- 6) Amount recovered on account of felling permission with reference TR No. & dates:-

Tree number as per enumeration list	Girth (CM)	Remarks
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TOTAL:-

The above permission for felling as per column 5 is subject to the following conditions:-

- I The applicant (tree grown) will plant, protect and maintain at least three Khair seedlings in lieu of each tree permitted to be felled.
- II The tree is cut and felled at 6" height above the ground level in a slanting manner so as to ensure emergence of coppice and preservation of marking number and hammer facsimile for future verifications.
- III No grubbing of stumps is made except where specifically permitted by the competent authority.
- IV Felling permission fee is deposited with the DFO concerned.
- V Marking of the trees sanctioned to be felled is done by the concerned RO only.
- VI RO will maintain a felling diary as per the prescribed procedure.
- VII The Khair wood is converted into billets of standard size of one meter length and the mid girth of each billet is measured under bark and records.
- VIII Any other condition is considered to be necessary by the departments.

FORM-'E'

Monthly return of Khair felling, Conversion, Sales and Transportation

(Refer sub-rule (7) of rule 8)

1. Name of the Division/Range/Block/beat.
2. Name of the felling block (village).
3. Name of the owner/owners.
4. Number of trees marked with volume in Cms.
5. Number of trees felled.
6. Outturn obtained (M3)
 - a) Khair wood.
 - b) Khair Firewood.
7. Name(s) of the agency in whose favour transportation permission has issued.
8. Details of transportation permission.
 - a) Form 25 No. and date.
 - b) Quarterly for which form 25 issued.
9. Accounts recovered on account of Transportation fees with reference to TR No. and date.

1. Name of the Division/Range/Block/beat

2. Name of the felling block (village)

3. Name of the owner/owners

4. Number of trees marked with volume in Cms.

5. Number of trees felled

6. Outturn obtained (M3)

a) Khair wood

b) Khair Firewood

7. Name(s) of the agency in whose favour transportation permission has issued

8. Details of transportation permission

a) Form 25 No. and date

b) Quarterly for which form 25 issued

9. Accounts recovered on account of Transportation fees with reference to TR No. and date

FORM-'F'

Pr. Chief Conservator of Forests, Reports of availability Extraction etc. of
the Khair tree to the Government

(Refer Sub-rule (7) of rule 8)

1. Year of Report.
2. Total area of the felling blocks operated during the year with name.
3. Agregate gross growing stick available in the felling block as.
4. Agregate silviculturally available stocks in the felling blocks as at (2) above (in Cms).
5. Agregate volume marked for felling during the year (in Cms).
6. Agregate volume of the Khair wood actually felled during the year (in Cms).
7. Agregate volume of the Khair wood purchased by the Katha manufacturing unit during the year (in Cms).
8. Agregate value of the Khair wood purchased by the Katha manufacturing unit during the year (in Rs per cum)
9. Agregate sale rate of the Khair wood purchased by the Katha manufacturing units during the year (in Rs per cum)
10. Felling charges recovered from the tree owners (in Rs).
11. Permission charges recovered from the Katha manufacturing units (in Rs).

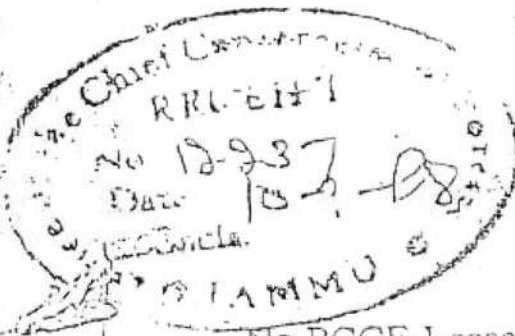
On receiving the application accompanied with revenue record of ownership, the DFO will scrutinize the application in his office and forward the same to Range Officer concerned for spot inspection and reporting the facts such as:-

- i) Species, number of trees with diameter at breast height.
- iii) Estimated quantity of firewood which could be extracted from the trees.

03. The Range Officer should verify the facts either himself or through a Forester after spot inspection, and report back to the DFO with his recommendation or otherwise within one week. Immediately on receipt of the verification report from the Range Officer, the DFO may sanction issue of Form 25, if so recommended by the Range Officer.

Following instructions will also be followed:-

- a) Form 25 will be issued personally on spot by the Block Forester concerned observing all rules and formalities.
- b) DFO will monitor operation of sanctions from time to time by deputing ACF or special parties.
- c) DFO will also reflect the sanctions issued by him and the quantity of firewood extracted from private lands in his monthly progress reports submitted to CF who in turn will submit a consolidated return to CCF on 10th of every month. This will ensure due check in the Circle office as well.



P. Patnaik

(P. Patnaik)

Pr. Chief Conservator of Forests

No. PCCF-Lease/90-125

Dated 01-01-1998

Copy for information and necessary action to the:-
 Divisional Commissioner, Jammu.
 All CCFs/CFs/DFOs J&K Forest Department.
 Managing Director, J&K SFC, Jammu.

CIRCULAR NO :- 6 OF 1998
 DATED :- 15 - 6 - 1998

Subject - Addendum to circular No:- 5 of 1998 dated:-05-03-98 relating procedure for regulating transportation of firewood extraction from private lands in Jammu province.

The words " and timber " be added after the word " Firewood " where-ever it exists in the circular No: 5 of 1998 dated: 05-03-1998 issued by this office under endorsement No: PCCF/Lease/90-125 dated: 05-03-1998.

(P . Patnaik)

Pr. Chief Conservator of Forests.

P.P.
14.6

PCCF/Lease/ 370-410

Dated: 15 -06-98

Copy for information and n/ action to the :-

Divisional Commissioner, Jammu.

All CCF's / CF's / DFO's J&K Forest Department:

Managing Director, J&K S.F.C. Srinagar.

Handwritten notes:
 H. Patnaik
 PCCF
 14.6

Large handwritten signature

Jammu and Kashmir Pollution Control Committee

Parivesh Bhavan, Forest Complex || Silk Factory Road
Transport Nagar, Jammu, 180 006 || Rajbagh, Srinagar, 190 008
Tel - 0191-2476927; mail - membersecretaryjkspcb@gmail.com

1. The Commissioner
Jammu Municipal Corporation,
Jammu.
2. The Commissioner
Srinagar Municipal Corporation,
Srinagar.

No:- JKPCC/Sc./911/24/261-266

Dated: 29-07-2024

Sub: Felling of trees posing threat to life and property in the Municipal Corporation areas.

Ref:- Hon'ble NGT Order dated 05-04-2024 in the matter of OA No. 911 of 2022 titled "NGT Bar Association vs Department of Environment, GNCTD".

Sir,

Kindly refer to the above captioned subject. In this connection, I am to say that the OA referred to above has been listed before the Hon'ble National Green Tribunal.

In this regard, you are requested to kindly provide the following information:


1. Notification regarding the constitution of Tree Authority under Section 340 of Municipal Corporation Act 2000.
2. Form prescribed under Section 344 of Municipal Corporation Act for making application for cutting / felling / removal of a tree.
3. Fees prescribed for making application referred to above.
4. Time period prescribed for disposal of application received under section 344.
5. Whether the permission granted above is covered under the Public Service Guarantee Act.

I am to further request to kindly provide information on the permissions granted so far from the year 2020-2021 onwards in the following format:

Year	No. of Applications Received	No. of Permissions granted for felling/ pruning of trees	No. of Trees felled / pruned	No. of Offences registered / Compounded
2020-2021				
2021-2022				
2022-2023				
2023-2024				
2024-2025				

The information above may kindly be submitted to this office by or before **31-07-2024** since the matter is listed for hearing on 06.08.2024.

Yours faithfully,


 (Ghansham Singh) JKAS
 Member Secretary 29.7.24
 J&K PCC

Copy to the:

1. Financial Commissioner (Additional Chief Secretary), Department of Forest, Ecology and Environment, Civil Secretariat, Jammu/Srinagar.
2. Commissioner/ Secretary to Government, Housing and Urban Development Department, Civil Secretariat, Jammu/Srinagar.
3. Principal Chief Conservator of Forests (HoFF), J&K Forest Department, Jammu/Srinagar.
4. PCCF/Director, Social Forestry Department J&K, Jammu / Srinagar.

(18.11.24)



**OFFICE OF THE COMMISSIONER,
SRINAGAR MUNICIPAL CORPORATION**



Room No. 01, Block-A, Central Office, Karan Nagar Srinagar, 190010
Phone: 0194-2470466 Fax: 0194-2476931 email: commissioner-smc@jk.gov.in

The Member Secretary,
J&K PCC.

SMC/Ps/J0/230-31

Dated: 02/10/2024

Subject: Felling of trees posing threat to life and property in the Municipal Corporation areas.

Reference: No: JKPCC/Sc./911/24/249-254 Dated: 22.07.2024.

Hon'ble NGT Order dated: 05.04.2024 in the matter of OA No. 911 of 2022 titled "NGT Bar Association Vs Department of Environment, GNCTD".

Sir,

Apropos to the subject and reference cited above, kindly find enclosed the point-by-point response to the requested information for favour of information and further necessary action at your end.

(A)

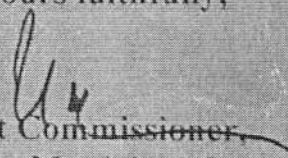
S.No	Particular	Reply
1.	Notification regarding constitution of Tree Authority under section 340 of Municipal Corporation Act 2000.	The Govt. has constituted Tree Authority for the Municipal Corporation of Jammu and Kashmir vide Government Order No: 1099-JK (GAD) of 2020 Dated: 03.12.2020 Issued by The Commissioner/Secretary to Govt. General Administrative Department (copy enclosed). Followed by Nomination of Tree Officer in terms of section 343 of Municipal Corporation Act for the Tree Authorities vide Government Order NO: 110 -JK (FST) OF 2023 Dated 11.05.20239 (copy enclosed).
2.	Form prescribed under section 344 of Municipal Corporation Act for making application for cutting /felling /removal of a tree.	There is no prescribed Form drafted yet, under section 344 of Municipal Corporation Act for making application for cutting/felling/ removal of tree.
3.	Fees prescribed for making application referred to above.	No fee has been prescribed for making application for cutting/Felling / removal of tree under Section 344 of Municipal Corporation Act-2000.
4.	Time period prescribed for disposal of application received	There is no time period prescribed for the disposal of application under Section 344 of

	under Section 344.	Municipal Corporation Act 2000
5.	Whether the permission granted above to covered under the Public Service Guarantee Act.	The accord of granting permission for felling/ cutting/ removal of trees by the Tree Authority does not fall within the prescribed services brought Under Public Service Guarantee Act 2011.

(B)

Year	No. of Applications received	No. of Permissions granted for felling/pruning of trees	No. of Trees felled/pruned	No. of Offences registered/Compounded
2020-2021	-	-	-	-
2021-2022	-	-	-	-
2022-2023	-	-	-	-
2023-2024	-	-	-	-
2024-2025	04	-	-	-

Yours faithfully,


Joint Commissioner,
Srinagar Municipal Corporation.

Copy for information to the:

1. Commissioner, Srinagar Municipal Corporation.

JAMMU MUNICIPAL CORPORATION
TOWN HALL, JAMMU

Member Secretary
J&K Pollution Control Committee
Jammu

No:JMC/Estt/3725-26

Dated: 28-8-2024

Subject: Felling of trees posing threat to life and property in the Municipal Corporation areas.

Sir,

Kindly refer to your office communication No: JKPC/SC/911/24/249-254 dated 22.07.2024 regarding the subject cited above. In this context, the information sought is as under:-

Notification regarding constitution of Tree Authority under Section 340 of Municipal Corporation Act, 2000	Tree Authority constituted by the Government vide Govt. order No: 1090-JK(GAD) of 2020 dated 03.12.2020.
Form prescribed under section 344 of Municipal Corporation Act for making application for cutting / felling / removal of tree	Nil
Fees prescribed for making application referred to above	Nil
Time period prescribed for disposal of application received under section 344	180 days
Whether the permission granted above is covered under the Public Service Guarantee Act	Nil

Year	No. of applications received	No. of permissions granted for felling / pruning of trees	No. of trees / felled / pruned	No. of offences registered / compounded
2020-2021	Nil	Nil	Nil	Nil
2021-2022	Nil	Nil	Nil	Nil
2022-2023	Nil	Nil	Nil	Nil
2023-2024	74	58	85	Nil
2024-2025	20	7	9	Nil

Yours faithfully

SL(A) (Ans)
26 June
31.8.24



(Krishan Lal) JKAS
Joint Commissioner (Adm)
Municipal Corporation
Jammu

Copy to the:-

1. Commissioner, JMc for inf.

Government of Jammu & Kashmir
Forest, Ecology & Environment Department
 Civil Secretariat, Jammu/Srinagar

Subject: Nomination of Tree officer for the Tree Authorities in Jammu Municipal Corporation and Srinagar Municipal Corporation.

Government Order No:- 110 - JK(FST) of 2023

Dated: - 11 . 05.2023

In terms of Section 343 of Municipal Corporation Act, 2000, sanction is hereby accorded to the nomination of Divisional Forest Officer, Social Forestry, Jammu; and Divisional Forest Officer, Social Forestry, Srinagar as Tree Officers for the purpose of Tree Authorities of Jammu Municipal Corporation and Srinagar Municipal Corporation respectively, within their territorial jurisdictions.

By Order of the Government of Jammu and Kashmir.

Sd/-

(Dheeraj Gupta), IAS

Principal Secretary to the Government

Dated: 11. 05.2023

No: FST-Adm/30/2022-02

Copy to the:-

1. Principal Secretary to the Hon'ble Lieutenant Governor.
2. Principal Secretary to the Government, Housing & Urban Development Department. *This is in reference to his OM NO. HUD-LSG0JMC/23/2022 dated 13.04.2023.*
3. Principal Chief Conservator of Forests & HoFF, J&K.
4. Joint Secretary, (J&K), Ministry of Home Affairs, Government of India.
5. Commissioner/Secretary to the Government, General Administration Department.
6. PCCF/Director, Social Forestry Department, J&K.
7. Director, Archives, Archaeology and Museums, J&K.
8. Private Secretary to the Chief Secretary, J&K.
9. PS to Principal Secretary to Government, Forests, Ecology & Environment Department.
10. I/c Website/Government Order file (w.3s.c)/Stock file.

(Mohammad Arshad Jan)

**Under Secretary to Government
 Forest, Ecology & Environment Department**



The Jammu Kashmir Forest Development Corporation Limited
Office of the Divisional Manager (PP West) Division Budgam

Fax / Phone : 01951-255652

Amar - 7 107

The Divisional Forest Officer
J&K Social Forestry Division
Srinagar
(Tree Officer Srinagar)

No: DM/FDC/PPW/Estt/ 693-95

Dated: 17.02.2024

Subject: Auction result of trees at Amar Singh College Gogji Bagh Srinagar.

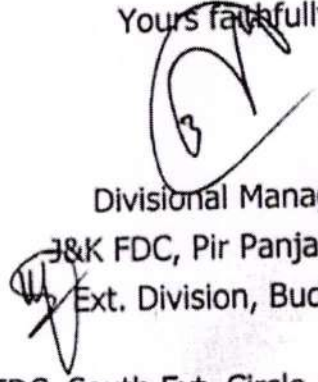
Reference: Auction Notice No: 1824-36/GM/S/FDC/Hrg , dated: 24.01.2024

Sir,

Kindly refer to the above cited subject and reference. In this regard, it is to intimate that some dry, decayed, deteriorated trees (Poplar & other species) posing threat to life & property have been put to auction on the request of the Principal Amar Singh College Gogji Bagh Srinagar, through a designated committee headed by the General Manager FDCL South. The details of auctioned stuff/proceedings are enclosed for perusal. It is as such requested to issue felling permission for these auctioned trees to get them removed/ extracted at the earliest before the academic session starts to avoid any mishap.

Early action in the matter is solicited please.

Yours faithfully


Divisional Manager

J&K FDC, Pir Panjal West

Ext. Division, Budgam

1. Copy submitted to the General Manager, J&KFDC, South Ext. Circle, Harnag Anantnag for information please.
2. Copy to Shri Sajad Majid Bhat RM to follow up action.

**Government of Jammu and Kashmir
General Administration Department
Civil Secretariat, Jammu.**

Subject: **WP(C)PIL No.4/2020 titled Azra Usmail Vs Union Territory of Jammu and Kashmir – Constitution of Committee thereof.**

**Government Order No.470-JK(GAD) of 2020
Dated:14.04.2020**

Sanction is hereby accorded to the constitution of a Committee, comprising the following to examine all aspects relating to the Russian Poplar trees including the impact of the pollen and fluff from the poplar trees, the desirability of felling Russian poplar trees and related issues, as specified in the Hon'ble High Court Order dated 10.04.2020, in the above mentioned writ petition:

1.	Dr. Mohit Gera, IFS, Pr. Chief Conservator of Forests and HoFF.	Chairman
2.	Mr. Farooq Ahmad Gillani, Chief Conservator of Forests, Kashmir	Member
3.	Dr. Mushtaq Siddiqi, Vice Chancellor, Islamic University of Science & Technology.	Member
4.	Dr. Naveed Nazir Shah, HoD, Pulmonary Medicine, Government Medical College, Srinagar.	Member
5.	Mr. Zubair Ahmad Shah, Conservator of Forests, Srinagar	Member
6.	Dr. Tariq. H. Masoodi, Dean, Department of Forestry, SKUAST, Kashmir.	Member
7.	Mr. Mehraj-ud-din Malik, Regional Director, Social Forestry, Kashmir	Member- Secretary

The Chairman of the Committee is authorized to co-opt any other expert(s) in its deliberations.

The Committee shall be serviced by the Forest, Ecology & Environment Department and shall submit its report within a period of two weeks to the Government.

By Order of the Government of Jammu and Kashmir.

(Rohit Sharma) KAS

Additional Secretary to the Government

Dated:14.04.2020

No. GAD(Adm)13/2020-III

Copy to:

1. Financial Commissioner, Health & Medical Education Department.

2. Principal Secretary to the Lieutenant Governor.
3. Principal Secretary to the Government Agriculture Production Department.
4. Principal Chief Conservator of Forest and HOFF.
5. Commissioner/Secretary to the Government, Forest, Ecology & Environment Department.
6. Chief Conservator of Forests, Kashmir.
7. Vice Chancellor, Islamic University of Science & Technology.
8. Dr. Naveed Nazir Shah, HoD, Pulmonary Medicine, Government Medical College, Srinagar.
9. Conservator of Forests, Srinagar.
10. Dean, Department of Forestry, SKUAST, Kashmir.
11. Regional Director, Social Forestry, Kashmir.
12. Private Secretary to Chief Secretary, J&K.
13. Private Secretary to the Learned Advocate General for information of the Learned Advocate General.
14. Private Secretary to Advisor(S)/(F)/(B) & (BK) to the Lieutenant Governor.
15. Private Secretary to Secretary to the Government, General Administration Department.
16. Government Order/Stock file/Website, GAD.