

मंग.घोर-अ] महाराष्ट्र शासन राजपत्र, असा., नोव्हेंबर २७, २००१/अग्रहायण ६, शके १९२३ - ६०९

REVENUE AND FORESTS DEPARTMENT

Mantralaya, Mumbai 400 032, dated the 27th November 2001.

NOTIFICATION

INDIAN FOREST ACT, 1927.

No. S. 30/97/CR-39/F3.--In exercise of the powers conferred by section 32 of the Indian Forest Act, 1927 (XVI of 1927) the Government of Maharashtra hereby makes the following rules namely :--

1. (A) These rules may be called the Maharashtra Protected Forests (Marathwada/Konkan and Western Maharashtra) Rules, 1998.

(B) These rules will extend to Konkan and Western Maharashtra including Marathwada region of Maharashtra State.

(C) Nothing in these rules shall apply to forest produce on an occupied area or village site.

2. In these rules, unless the context otherwise requires,--

(A) "Protected Forest" means an area declared as protected forests, within the meaning of section 29 of the Indian Forest Act, 1927.

(B) "right of nistar" means the right of inhabitants for a village/villages in the vicinity of protected Forests for removing there from forest produce for their own bonafide use either free or on payment as provided in the "Nistar Patrak" prepared under the provisions of section 161 to 167 of Chapter X of the Maharashtra Land Revenue Code, 1966.

(C) "Closure" means the areas where all rights and concessions are suspended for the period stipulated in section 30(b)

3. The Dy. Conservator of Forests/Sub Divisional Forest Officer of independent Sub Division shall from time to time set aside, in consultation with the Collector.

(1) areas of suitable size in a protected forests containing forest produce for exercising the right of nistar in village or villages adjoining such protected forests and

(2) Compact areas containing timber trees and other forest produce, therein having commercial value for management by the State Government.

६१० महाराष्ट्र शासन राजपत्र, असा., नोव्हेंबर २७, २००१/अप्रकाशन ६, राके १९२३ (भाग चार-अ)

4. No trees of any species whatsoever shall be cut, removed or burnt for the purpose of manufacturing charcoal, except with a previous permission of the Dy. Conservator of Forests/Sub Divisional Forest Officer of independent Sub Division.

5. Subject to the provision of rule (6) no trees of the species falling under clause (a) and (b) of this rule, shall be cut without the previous permission in writing of the Dy. Conservator of Forests/Sub-Divisional Forest Officer of independent Sub Division.

(i) Declared on and with effect from the 27th November 2001 the following classes of trees in the protected forests, in the Konkan, Marathwada and Western Region of Maharashtra State to be reserved namely :—

(i) For Konkan Region—

S. No. (1)	Local name of the Tree (2)	Botanical (Latin) Name (3)
1	Ain	Terminalia tomentosa.
2	Al or Ashi	Moringa tinctoria.
3	Amba	Mangifera indica.
4	Apta	Bauhinia racemosa.
5	Asana	Bridelia retusa.
6	Arjun Sadada	Terminalia arjuna.
7	Avali	Phyllanthus amblica. (Syn. Emblica officinalis)
8	Bamboo	Dendro calamus strictus.
9	Bel	Aegle marmelos
10	Bava (Bhava)	Cassia fistula.
11	Behada	Terminalia bellerica.
12	Bhokar (Shelute)	Cordia myxa.
13	Bhor Jambul	Ammania baccifera.
14	Biba	Senecarpus apocordium.
15	Bija	Pterocarpus marsupium.
16	Bor	Zizyphus Jujuba. (Syn. Zizyphus mauritiana)

S. No. (1)	Local name of the Tree (2)	Botanical (Latin) Name (3)
17	Char, Chroli	<i>Buchnania lanzeni</i> .
18	Chera	<i>Erinocarpus nimmognus</i> .
19	Chinchi	<i>Tamarindus indica</i>
20	Dhaman	<i>Gravia tiliacolia</i> .
21	Dhavda	<i>Anogeissus latifolia</i> .
22	Dikemali	<i>Gardenia lucida</i> .
23	Ghatbor	<i>Zizyphus xylopyra</i> .
24	Hed (Haldu)	<i>Adina cardifolia</i> .
25	Hirda	<i>Terminalia chebula</i> .
26	Jamba	<i>Xylia xylocarpa</i> .
27	Jambhul	<i>Eugenia Jambolana</i> . (Syn. <i>Syzygium cumini</i>)
28	Kalam	<i>Stephegyne parvifolia</i> . (Syn. <i>Mitragyna parvifolia</i>).
29	Kandol	<i>Sterculia urana</i> .
30	Karanj	<i>Pongamia glabra</i> (Syn. <i>Pongamia pinnata</i>).
31	Kaju	<i>Anacardium occidentale</i> .
32	Kavath	<i>Feronia elephantum</i> .
33	Khair	<i>Acacia catqchu</i> .
34	Kharshing	<i>Steraospermum xylocarpum</i> .
35	Khavas	<i>Sterculia colorata</i> .
36	Kinhat	<i>Albizzia Procera</i> .
37	Kokam (Ratambi)	<i>Garcinia indica</i> .
38	Kusum (Koshimb)	<i>Scheleichera trijuga</i> . (Syn. <i>Scheleichera Oleosa</i>).
39	Kura	<i>Ixora Parviflora</i> . (Syn. <i>Ixora arborea</i>).
40	Lokhandi	<i>Ixora nigricans</i> .
41	Mokha	<i>Schrebera swietentoides</i> .
42	Moha or Mowhra	<i>Bassia latilia</i> . (<i>Madhuca indica</i>)

S. No. (1)	Local name of the Tree (2)	Botanical (Latin) Name (3)
43	Nana	Lagerstroemia microcarpa.
44	Nandruk	Ficus retusa.
45	Palas	Butea frondosa. (Syn. Butea monosperma).
46	Pandhara Khair (Kanti)	Acacia ferruginea.
47	Pangara	Erythrina indica. (Syn. Murraya paniculata).
48	Phasi	Delbergia paniculata.
49	Raktarohida	Maba nigrescens.
50	Ritha	Sapindus emarginta.
51	Sag (Teak)	Tectona grandis.
52	Sawar	Bombax malabarica/Cieba. (Syn. Salmalia malabarica).
53	Shemat	Odina wodier (Syn. Lannea coromandelica).
54	Shenkhair	Acacia siamiae. (Syn. Lannea coromandelica).
55	Shendri or Kamala	Mellotus philippinensis.
56	Shindi	Phoenix sylvestris.
57	Shivan	Gmelina arborea.
58	Shisham	Dalbergia latifolia.
59	Tambhuri	Diospyros melanoxylon.
60	Tiwax	Ougeinia delbergioides (Syn. Ougeinia Cojeinensis).
61	Tetu	Oroxylum indicum
62	Toddy plant	Borassus flabellifer.
63	Umbar	Ficus glomerata.
64	Vad	Ficus bengalensis.
65	Fanas	Artocarpus integrifolia.
66	Sandal Wood	Santalum album.

(2) For Western Maharashtra, including Marathwada Region—

S. No. (1)	Vernacular Name (2)	Botanical Name (3)
1	Ain (Sadada)	<i>Terminalia tomentosa</i> .
2	Mango (Amba)	<i>Mangifera indica</i> .
3	Anjan	<i>Hardwickia binata</i> .
4	Arjun Sadada	<i>Terminalia arjuna</i> .
5	Awala	<i>Phyllanthus amblica</i> (Syn. <i>Eublica officinalis</i>).
6	Bel	<i>Aegle marmelos</i> .
7	Dehada	<i>Terminalia helerica</i> .
8	Bhendi	<i>Thespesia populanea</i> .
9	Bhokar (Shelate)	<i>Cordia myxa</i> .
10	Hor	<i>Zizyphus Jujuba</i> .
11	Bamboo	<i>Dendrocalatius strictus</i> .
12	Chandan	<i>Santalum album</i> .
13	Hirda	<i>Terminalia chebula</i> .
14	Hed (Haldu)	<i>Adina cardifolia</i> .
15	Bija	<i>Pterocarpus marsupium</i> .
16	Kadai	<i>Sterculia urens</i> .
17	Kalamb	<i>Stephegyne Parvifolia</i> .
18	Char Churoli	<i>Buchnanania latifolia</i> .
19	Chinch	<i>Tamarindus indica</i> .
20	Dhaman	<i>Gravia tiliaefolia</i> .
21	Dhavda	<i>Anogeissus latifolia</i> .
22	Dikemali	<i>Gardenia lucida</i> .
23	Ghatbor	<i>Zizyphus xylopyra</i> .
24	Gorakh Chinch	<i>Adansonia digitata</i> .
25	Hingan	<i>Balanities roxburghi</i> .
26	Hiwar	<i>Aracia leucophlua</i> .
27	Jambhul	<i>Syxygium cumini</i> .
28	Kashid	<i>Cassia siamea</i> .

S. No. (1)	Vernacular Name (2)	Botanical Name (3)
29	Kajarba, nirmali	... Strychnos Potatorum.
30	Karanj	... Pongamia pinnata.
31	Kinchán	... Bauhinia malabarica.
32	Kavath	... Feronia elephantum.
33	Khair (lal)	... Acacia chundra.
34	Kinhi	... Albizzia procera.
35	Khair	... Aca-cia catechu.
36	Khair (Soo/Pandhara)...	... Acacia feruginea.
37	Kumbha	... Careya arborea.
38	Lokhandi	... Ixora nigriculis.
39	Medsing	... Dolichandroffe falcata.
40	Maharukh	... Ailanthus excelsa.
41	Moha	... Maduca indica.
42	Murmati	... Acacia emburnea.
43	Neem	... Azadirachata indica.
44	Palas	... Butea monosperma.
45	Pangara, mandar	... Erythrina indica.
46	Pimpal or Pæmpal	... Ficus religiosa.
47	Sag (Teak)	... Tectonia grandis.
48	Salai	... Boswellia serrata.
49	Sawar	... Bombax malabarica/cinba.
50	Ritha	... Sapindus emarginata.
51	Jamba	... Xylia xylocigera.
52	Shammi, Soundad	... Prosopis spicigera.
53	Shindi	... Phoenix sylvistris.
54	Shivan	... Gmelina arborea.
55	Sisso, Shisham	... Dalbergia latifolia.
56	Setaphal	... Annona squamosa.
57	Tendu	... Diospyros melanoxylon.
58	Umbar	... Ficus glomerata.
59	Vad	... Ficus bengalensis.
60	Vedj Babhul	... Prosopis juliflora.

(B) Trees of any size growing within 20 mtres. of edge of the bank of any water course therein provided that no such permission shall be necessary for cutting small branches upto 5 cm. in diameter at the cut end of babul and other thorny trees or thorny shrubs.

6. (1) No fruit trees or tree falling under clause (a) of rule 5 upto 23 cm. Girth at breast height shall be cut.

(2) All trees felled shall be cut flush with the ground.

(3) No tree may be girdled or pollarded.

(4) (i) In bamboo clumps, no culm under one year of age shall be cut, and in each clump at least 8 culm over one year of age shall be retained.

(ii) All bamboo clumps shall be cut within 30 cm. From ground level.

(5) Except with the permission of the Dy. Conservator of Forest/Sub-Divisional Forest Officer of independent Sub-Division in the case of palas, the roots of trees shall not be dug up.

(6) Except with the permission in writing by the Dy. Conservator of Forest/Sub-Divisional Forests Officers of independent Sub-Division, no forest produce shall be removed from a protected forest between sunset and sunrise.

(7) All forest produce removed from a protected forest shall be covered by a transit pass issued by the person duly authorised in that behalf and may be examined by the Forest Officer at the nakas or places specified by the Dy. Conservator of Forest/Sub-Divisional Forests Officers of independent Sub-Division in that behalf.

(8) (1) Subject to any restriction which the Dy. Conservator of Forest/Sub-Divisional Forests Officers of independent Sub-Division may by special or general order impose in that behalf, every person holding land in the village outside the Scheduled areas as prescribed in section 246 of Constitution of India, the village artisan and agricultural labour shall be entitled to collect minor forest produce (other than harra, lac, rusa, grass, tendu leaves and gum) and minor minerals viz. Grass, leaves of mahu and teak, bakkal, edible roots, and leaves of mahu and teak bakkal, edible roots and edible fruits and flowers from the protected forest of the village.

६१६ महाराष्ट्र शासन राजपत्र, असा., नोव्हेंबर २७, २००१/अग्रहायण ६, शके १९२३ [भाग चार-अ

(2) Nothing in this rule shall debar a person from collecting harra, lac, rosha, grass, tendu leaves and gum and produce of mahua trees found in his own land adjacent to a protected forest.

(9) (1) No person shall as provided in rule 8 have a right to collect any lac, harra, rosha, grass, apta, tendu leaves and gum which are of commercial value.

(2) The right to collect lac, harra, rosha, grass, apta, tendu leaves and gum from the protected forest of the village shall save as otherwise provided in rule 8 be auctioned by the Dy. Conservator of Forest/ Sub-Divisional Forests Officers of independent Sub-Division.

10. (A) The Dy. Conservator of Forest/Sub-Divisional Forests Officers of independent Sub-Division in consultation with the Collector, shall by order declare a protected forest to be open to persons of any village or contiguous villages adjoining a protected forest for the purpose of exercising their rights of nistar and there upon any person residing in such village or villages may subject to provision of section 161 to 167 of Chapter X of the Maharashtra Land Revenue Code, 1966 cut and remove for his own use only (and not for sale barter or gift) any forest produce not exceeding such quantity as is set out in the Nistar Patrak of the reduced quantity as may be determined by the Dy. Conservator of Forest/Sub-Divisional Forests Officers of independent Sub-Division in consultation with the Collector, when the total quantity of the forest produce available is not enough to meet the full requirements of such persons.

(1) No person shall set fire to any portion of a protected forest or shall set fire in the vicinity of a protected forest so as to cause damage to any timber, laying in such forest or to any trees reserved under section 30 of the Indian Forest Act, 1927.

(2) All persons, who are permitted to remove forest produce according to these rules shall inform the nearest forest officer of the occurrence of a fire and shall take steps, whether or not so required by the Forest Officer.

(a) to extinguish any forest fire of which he has knowledge and

(b) to prevent by any lawful means in his power any fire in the vicinity of such forest from spreading to such forest.

10. (B) No forest produce granted as nistar or concession or as a right shall either be sold or barter away.

11. (1) The Cultivators (including malik, makbuzas) village artisan and labourers shall subject to the provisions of section 163 and the provision of Chapter X of the Maharashtra Land Revenue Code, 1966 be entitled for removal of grass by headloads for stall feeding of such cattle kept for agricultural purpose free of charge in a protected forest as follows :—

(a) cultivators ... 2 plough units.

(b) Agricultural artisans and labourers :—

(i) 4 cattle including one she buffalo

(ii) Provided further that a calf under six months shall not be counted.

(iii) Provided further that animals in excess of those specified in clause (a) and (b) shall be charged as the State Government may from time to time sanction in this behalf.

Explanation :—

(1) Cattle units : The Cattle units should be computed as follows :—

(a) Adult buffalo ... 2 Units.

(b) Adult cow, bull or bullock ... 1 Unit.

(c) Buffalo calf under three years ...

of age at the commencement of

the Grazing year ... 1 Unit.

(d) Cow calf ... $\frac{1}{2}$ Unit.

६१८ महाराष्ट्र शासन राजपत्र, असा., नोव्हेंबर २८, २००१/ आहारायण ६, राळे १९२३ [भाग चार-अ]

(2) Plough Unit ; Shall mean for cattle units computed as per details given in (1) above.

(II) No such person shall removed grass by headloads for stall feeding of his cattle in accordance with the provisions of sub-rule (1) except under a licence for headloads granted by a person duly authorised in that behalf and in accordance with the conditions thereof.

(12) All plantation raised on protected forest shall be declared closed for removal of grass by headloads and exercise of other rights/concessions for 10 years, provided, while closing under section 30(b) the enough area shall be kept assigned for the local population to exercise their rights/ concessions.

(13) No further rights or concessions shall accrue to any individual or community, after the area has notified as protected forest under section 29.

(14) The breaking of soil for whatsoever purpose shall be strictly prohibited.

(15) Whatsoever violates the provision contained in section 10(b) of the above rules, shall on conviction be punished with imprisonment for a period not exceeding one year or a fine not exceeding Rs. 1,000 or both.

By order and in the name of the Governor of Maharashtra,

NAVIN KUMAR,
Principal Secretary to Government.

राजकीय मध्यवर्ती मुद्रणालय, मुंबई