

No. B. 11020/42/2015 - FST
GOVERNMENT OF MIZORAM
ENVIRONMENT, FOREST & CLIMATE CHANGE DEPARTMENT

NOTIFICATION

Dated Aizawl, the 26th Sept' 2017

Whereas trees have been planted/standing on lands at the disposal of the government/public, institutions, organizations/NGOs, individuals, etc which are within municipal area of cities, towns, villages, road reserves along highways/roads/railways and other government / public lands in Mizoram;

And whereas it has come to the knowledge of the government that some government departments, institutions, organizations, individuals have put forth dispute/claim over the felling and removal of trees which are dead, dying, wind fallen and standing dangerous to life and property for which it is felt necessary to evolve uniform guideline for felling and removal of such trees from such lands;

Now, therefore, in exercise of the power conferred under section 42 of the Mizoram (Forest) Act, 1955, the Governor of Mizoram is pleased to notify the guideline for felling and removal of trees from such lands as follows:-

1. Short title, extent and commencement.

- (1) This guideline shall be called the "Guideline for felling and removal of trees from municipal areas of cities, towns, villages and along highways, railways and other government/public lands in Mizoram"
- (2) It shall extend to the whole of Mizoram except the Mara, Lai and Chakma Autonomous District Councils.
- (3) It shall come into effect from the date of publication in the official gazette.

2. Felling of trees on lands at the disposal of government departments/institutions/ organizations/individuals within municipal areas of cities and district headquarters.

- (1) No tree shall be felled without the cutting permission granted by the Divisional Forest Officer of the division concerned.
- (2) Proposal for felling of trees with specific reasons accompanied by No Objection Certificate (NOC)/recommendation from the President of Local Council/Village Council concerned should be sent by the concerned authority/individual to the Divisional Forest Officer of the respective division.

- (3) The Divisional Forest Officer, after due verification and settlement of dispute regarding ownership of the tree(s) and/or land where the trees are standing and objection for felling of the tree(s), if any, will consider the application and issue felling permission or reject ~~the application~~ within 20 days.
- (4) Permission shall be granted for felling of trees which are dead, wind fallen and standing dangerous to the life and property and those which are required to be felled for the development of infrastructure.
- (5) Felling permission shall be restricted to the least number of trees required to be removed for the purpose.
- (6) After obtaining felling permission, tree felling will be done by the institution authorities/land owner and the produce shall be sold by them in public auction based on the upset price fixed by the Forest authorities.
- (7) The Institution/land owner will undertake the responsibility of planting suitable tree species elsewhere in lieu of the trees felled.
- (8) The profit from the sale of the produce will be shared in 1:4 ratio between the Forest Department and the Institution/land owner.
- (9) If the Forest Department desires to fell the tree(s) due to silvicultural reason, the felling shall be undertaken by the Forest Department after giving due notice to the institution authorities/individuals. In such cases sale of the produce may be done by the Forest authorities.
- (10) In case of any dispute regarding felling permission, felling and sale of produce etc. that can not be settled at the Division level, the matter shall be referred to the Conservator of Forests concerned who will consider the matter and take appropriate decision which will be final.

3. Felling of trees on lands at the disposal of government/institutions/organizations/ individuals within the limit of other towns and villages.

- (1) No tree shall be felled without the cutting permission granted by the Range Forest Officer concerned.
- (2) Proposal for felling of trees with specific reasons accompanied by No Objection Certificate (NOC)/recommendation from the President of Local Council/Village Council should be sent by the concerned authority/individual to the Range Forest Officer concerned.

- (3) The Range Forest Officer, after due verification and settlement of dispute regarding ownership of the tree(s) and/or land where the trees are standing and objection for felling of the tree(s), if any, will consider the application and issue felling permission or reject the application within 20 days.
- (4) Permission shall be granted for felling trees which are dead, wind fallen and standing dangerous to the life and property and those which are required to be felled for the development of infrastructure.
- (5) Felling permission shall be restricted to the least number of trees required to be removed for the purpose.
- (6) After obtaining felling permission, tree felling will be done by the institution authorities/land owner and the produce shall be sold by them in public auction based on the upset price fixed by the Forest authorities.
- (7) The Institution/land owner will undertake the responsibility of planting suitable tree species elsewhere in lieu of the trees felled.
- (8) The profit from the sale of the produce will be shared in 1:4 ratio between the Forest Department and the Institution/land owner.
- (9) If the Forest Department desires to fell the tree(s) due to silvicultural reason, the felling shall be undertaken by the Forest Department after giving due notice to the institution authorities/individuals. In such cases sale of the produce may be done by the Forest authorities.
- (10) In case of any dispute regarding felling permission, felling and sale of produce etc. that can not be settled at the Range level, the matter shall be referred to the Divisional Forest Officer concerned who will consider the matter and take appropriate decision which will be final.

4. Felling of trees on land along the sides of highways/roads, railways and other government/public lands.

- (1) No tree shall be felled without the cutting permission granted by the Divisional Forest Officer of the division concerned.
- (2) Proposal for felling of trees with specific reasons should be sent by the concerned authority to the Divisional Forest Officer of the respective division.
- (3) The Divisional Forest Officer, after due verification and settlement of dispute regarding ownership of the tree(s) and/or land where the trees are standing and objection for felling of the tree(s), if any, will consider the application and issue felling permission or reject the application within 20 days.

- (4) For issuing permission for felling trees along National Highways, the guidelines issued by the National Highway/Railway authorities, if any, may also be taken into consideration.
- (5) Permission shall be granted for felling trees which are dead, wind fallen and standing dangerous to the life and property and those which are required to be felled for the development of infrastructure.
- (6) Felling permission shall be restricted to the least number of trees required to be removed for the purpose.
- (7) After obtaining felling permission, tree felling will be done by the concerned authority and the produce shall be sold by them in public auction based on the upset price fixed by the Forest authorities.
- (8) Trees or branches obstructing visibility and which require emergency removal may be felled or lopped by the concerned authorities after informing the Divisional Forest Officer concerned.
- (9) The authority concerned will undertake the responsibility of planting suitable tree species elsewhere in lieu of the trees for which cutting permission have been granted.
- (10) Profit sharing may be done in 1:1 ratio between the Forest Department and the concerned authority.
- (11) If the Forest Department desires to fell the plantation due to silvicultural reasons, the felling shall be under taken by the Forests Department after giving due notice to the authority/applicant. In such cases sale of the produce will be done by the Forest authorities.
- (12) In case of any dispute regarding cutting permission, felling and sale of produce etc. that can not be settled at the Division level, the matter shall be referred to the concerned Conservator of Forests concerned who will consider the matter and take appropriate decision.

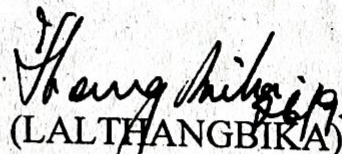
Sd/- LALRAM THANGA
Principal Secretary to the Government of Mizoram
Environment, Forest & Climate Change

Memo No.B. 11020/42/2015 - FST

Dated Aizawl, the 26th Sept' 2017

Copy to :-

1. Secretary to Governor, Mizoram.
2. Principal Secretary to Chief Minister, Mizoram.
3. P.S to Minister, Environment, Forests & Climate Change Department.
4. Sr. P.P.S to Chief Secretary, Govt. of Mizoram.
5. Principal Chief Conservator of Forests / Principal Chief Conservator of Forests (WL) & Chief Wildlife Warden, Mizoram.
6. All Administrative Department, Government of Mizoram.
7. All Heads of Department, Government of Mizoram.
8. All Chief Conservators of Forest/Conservators of Forests/Divisional Forest Officers, Environment, Forests & Climate Change Department.
9. Controller, Printing & Stationery, Mizoram with 2 (two) spare copies along with soft copy for publication in the Mizoram Gazette.
10. Web Manager, Environment, Forests & Climate Change Department for uploading to the Department website.
11. Guard File.


(LALTHANGBIKA)

Joint Secretary to the Government of Mizoram
Environment, Forest & Climate Change