

**Government of Himachal Pradesh
Department of Forests.**

No. FFE-B-A(3)-4/99-I

Dated Shimla-171002, the

15th March, 2017.

ORDER

The felling of trees over private, forest, non-forest lands is governed under various acts and rules formulated by the Government from time to time. It has been observed that there is lack of clarity amongst the field functionaries of the Forest Department regarding provisions with respect to felling of trees.

Therefore, in order to bring clarity the various provisions under various acts and rules governing felling of trees are given in the table below:-

Sr. No.	Name of the Act(s)/ Rule(s)/ GoHP Order Governing Felling	Purpose of felling	Particulars of Authority for granting permission	Remarks
A. PRIVATE LAND NOT CLASSIFIED AS 'FORESTS'				
1	H.P. Land Preservation Act, 1978 & GoHP Order No. FFE-B-A(3)-4/99 dated 10-09-2002	i) Bonafide domestic and agricultural use	No permission is required upto 5 trees in one financial year in case of broad leave species including Chil and Ban/Oak and upto 3 trees in case of Coniferous species; Upto ten trees with the written permission of the Range Officer and more than ten trees with the written permission of the DFO concerned.	Where private land adjoins Govt. land demarcation of land is necessary
	H.P. Land Preservation Act, 1978; GoHP Order No. FFE-B-A(3)-4/99 dated 10-09-2002	ii) Felling of trees (except Ban/Oak trees) for sale purposes i.e. under Ten Year Felling Programme	Upto-50 trees-DFO concerned Upto-100 trees - CF/CCF concerned Circle Upto-200 trees-PCCF, H.P.	Felling will be done through HPSFDC Ltd. in case of nationalized species.

Pr-CCF(MT)

DFO (GIS)

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& Order No. FFE-B-A(3)-4/99-Loose dated 11-11-2013		Above-200 trees-Govt. of H.P.	
H.P. Land Preservation Act, 1978; GoHP Order No FFE-B-A(3)-4/99 dated 29-04-2003; Order No. FFE-B-F(1)1/2010-11 dated 03-02-2011 & Order No. FFE-B-A(3)4/1999-I dated 16-10-2014	iii) Felling of exempted species which requires no permission	Albizia ¹ , Poplar ² , Bahunia ³ , Eucalyptus ⁴ , Mulberry ⁵ , Siris ⁶ and Bamboo ⁷ . Japanese Shahtoot ⁸ . In case of bamboo as per three years felling programme approved by DFO.	Where private land adjoins Govt. land demarcation of land is necessary
B. PRIVATE LAND CLASSIFIED AS 'FORESTS' e.g. Bani, Ban & Jungle, Jungle Jhari etc.			
Forest Conservation Act, 1980	i) The case shall be required to be processed under Forest Conservation Act, 1980. Felling in this category will be granted by DFO after processing the case under F.C. Act, 1980 and getting its approval.		
C. GOVERNMENT LAND NOT CLASSIFIED AS 'FORESTS' i.e. NON-FOREST LAND INCLUDING LAND OWNED BY OTHER DEPARTMENTS INCLUDING ACQUIRED WIDTH OF PWD/NHAI.			
GoHP letter No. FFE-(B)F(13)53/2006-I dated 20-08-2011	i) Felling of trees (except Ban/Oak trees) from non-forest land in rural areas for developmental activities which is not forming compact wooded block of above 5 ha. and land is not classified as Van, Bani, and Jungle etc in Revenue record.	Chief Conservator of Forests/ Conservator of Forests of concerned circle will grant felling permission.	DFO concerned shall inspect these trees and after obtaining approval from CCF/CF, the felling will be done through HPSFDC Ltd.
GoHP letter No. Fts(F) 13-38/84 dated 11.02.1986	ii) Felling of Ban/Oak trees	There is complete ban on felling of Ban/Oak trees. In case felling is necessary for developmental purposes such as Constructions of	

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			Roads, Hydro Projects, Irrigation lines, and construction of hospitals, schools, universities etc same will be accorded by Government.	
D. GOVERNMENT LAND CLASSIFIED AS 'FORESTS'				
2	Forest Conservation Act, 1980 & GoHP letter No. FFE-B-A(3)-3/2015 dated 08-07-2015	i) Felling of trees from diverted forest land where final approval has been granted by Govt. of India u/s 2 of FCA, 1980.	After seeking approval of diversion proposal by State/Govt. of India, permission of felling over diverted forest land as per GoI sanction is given by DFO, concerned.(Full powers)	Felling of trees will be done through H.P.SFDC Ltd.
3	The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006; GoHP letter No. FFE-B-A(4)-1/2015 dated 17-02-2016 & MoEF, GoI letter No. 11-09/1998-FC(Pt.) dated 08-11-2016	ii) The provisions of sub-section(2) of Section 3 are applicable which provide for diversion of forest land for certain facilities managed by the Government as per details below which involve felling of trees not exceeding seventy five trees per hectare, provided that such diversion of forest land shall be allowed only if 1) the forest land to be diverted for the purposes mentioned below is less than one hectare in each case; and 2) the clearance of such developmental projects shall be subject to the	Felling permission to be given by Divisional Forest Officer concerned as per sanction maximum upto 75 trees in one ha.	-do-

		<p>condition that the same is recommended by the Gram Sabha.</p> <p>a) School</p> <p>b) Dispensary or Hospital</p> <p>c) Anganwadis;</p> <p>d) Fair Price Shop;</p> <p>e) Electric and Telecommunication lines;</p> <p>f) Tanks and other Minor Water Bodies;</p> <p>g) Drinking Water supply and Water pipelines;</p> <p>h) Water or Rain Water Harvesting structures;</p> <p>i) Minor irrigation canals;</p> <p>j) Non-conventional source of energy;</p> <p>k) Skill up-gradation or vocational training centres;</p> <p>l) Roads;</p> <p>m) Community centers;</p> <p>n) Community toilets</p>		
E. URBAN AREAS				
4	Municipal Corporation Act, 1994	i) Felling of trees which are either causing danger to life and property or mandatorily required for developmental activities in Municipal Corporation, Shimla Area.	Permission to be granted by Cabinet Sub-committee headed by the Hon'ble Forest Minister on recommendation of Tree Authority constituted under the Chairmanship of Mayor of Corporation.	Felling of trees will be done by HPSFDC

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	GoHP letter No. FFE-B-F(13)53/20 06-I dated 20.08.2011	ii) Felling of trees in Municipal/NAC areas (except Shimla Municipal Corporation) either causing danger to life and property or mandatorily required for developmental activities within the city limits which is not forming compact wooded block of above 5 ha. and land is not classified as Van, Bani, and Jungle etc in Revenue record.	Deputy Commissioner concerned will grant felling permission in the limits of Municipal/NAC areas except Municipal Corporation Shimla.	-do-
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By order,

Tarun Kapoor

Addl. Chief Secretary (Forests) to the Government of Himachal Pradesh.

Endst. No. FFE-B-A(3)-4/99-I Dated Shimla-171002, the 15th March, 2017.
Copy forwarded to:-

- ✓ 1. The Principal Chief Conservator of Forests (HoFF), Himachal Pradesh, Shimla-171001 with the request to circulate it to all concerned.
2. The Principal Chief Conservator of Forests-cum-Chief Wildlife Warden, Himachal Pradesh, Shimla-171001.
3. Guard File.

Wim

(Sat Pal Dhiman) 15-3-2017
Joint Secretary (Forests) to the Government of Himachal Pradesh.
Phone No. 0177-2621874.

Endst. No. Ft. 783-54/70(Mgt)Orders Dated: Shimla-171001, the 22 MAR 2017
Copy to CCFs(Wild Life) Dharamshala & Shimla and all
CCFs/CFs(T) in H.P for information and necessary action.

Pr. CCF (Forest Management)
21/3/2017