



**Government of Jammu & Kashmir,
Civil Secretariat: Forest Department**

Subject: Empowerment of Panchayati Raj Institutions (PRIs) in the State in respect of Forest Department.
Reference: Government Order No.1126-GAD of 2011 dated 22.09.2011.

**Government Order No: 259-FST of 2012
Dated: 04-06-2012**

The Forest Department is entrusted with the primary responsibility of Conservation of biodiversity and natural habitats through preservation of natural forests with the diverse variety of flora and fauna, rehabilitation of degraded forests, poverty alleviation by meeting livelihood needs of forest dependent communities through sustainable supply of forest produce by improving productivity of existing forests and through forestry activities, schemes and programmes, extending tree cover outside forests to reduce pressure on natural forests for supply of forest produce, checking denudation and soil erosion in catchments through integrated watershed management techniques, maintenance of the health of forest vegetation and forest soils for augmenting water supplies through recharge of underground aquifers and regulation of surface water flows, reducing pressure on forests through appropriate interventions including development of forest fringe belt into high production tree strips and utilisation of natural resources using best management practices including development of non-timber forest produce.

In pursuance of Government Order No.1126-GAD of 2011 dated 22.09.2011, the following detailed instructions are hereby issued with regard to devolution of functions to the Panchayati Raj Institutions (PRIs) at the level of Halqa Panchayat, Block Development Council and District Planning and Development Board in respect of the activities pertaining to the Forest Department for strict compliance: -

A) PREPARATION OF PLANS

1. HALQA PANCHAYAT

- i) Identification of village common lands, other community and non-forest lands, for development of village wood lots.
SRO-61 of 1992 dated: 19.03.1992 read with SRO-17 of 1999 and SRO-143 of 2011 provides an elaborate procedure for protection and

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management of waste lands/ un-demarcated lands and khalsa-sarkar lands, which are not included in demarcated forest lands. The said SRO's provide for constitution of Village Plantation (Protection & Management) Committees in a village or group of villages for such purposes. One adult male/female member of each house hold shall have the right to be the member of the general body of the "Village Plantation (Protection & Management) Committee". Each village committee shall elect an executive committee from amongst its members comprising of 11-15 members including at least 2 women, 3 members from SC/ST/ backward classes, a representative of nomads and 2 members from each Panchayat falling under the jurisdiction of Village Committee, to be nominated by the Sarpanch (Halqa Panchayat). The Patwari of the Halqa shall be the ex-officio member of the committee.

Halqa Panchayat after the identification of the village common lands, other community lands and non-forest lands for development of village woodlots will communicate the same to the concerned functionary (Member Secretary) of the Forest who can be a Block Forester/ Forest Guard/ Watcher/ Helper, as the case may be. The concerned functionary of the Forest Department in consultation with the Halqa Panchayat, will constitute the "Village Plantation (Protection & Management) Committee" for implementation of the programme.

Thereafter the Member-Secretary shall hold the meeting(s) of the executive body for formulation of the plan and submit the same to the Halqa Panchayat for authentication and onward transmission to Block Development Council.

ii) Constitution of Fire protection committee

In fire prone areas, a committee of the inhabitants living in and around forest area shall be constituted by the Halqa Panchayat in consultation with Block Forester / Forest Guard concerned. The Committee will work as a subcommittee of the Halqa Panchayat. The role and responsibility of the committee shall be the same as prescribed in the 'Kashmir Forest Notice' and 'Jammu Forest Notice'. The funds, if any, required by the Fire Protection Committees shall be provided to it through the Halqa Panchayat. The Fire Protection Committee will render monthly accounts in respect of the funds given to it to the Halqa Panchayat and will also submit quarterly Physical & Financial reports to it.

iii) Supervision of the protection of Wildlife.

The Eco-development Committees constituted by the Wildlife Protection Department for the Development of fringe areas around Protected Areas will be the Sub-Committee of the Halqa Panchayat to deal with the matters pertaining to the Protection of Wildlife in the area. They will specifically be responsible for the following works:-

- a) Identification of vulnerability with respect to wildlife for its protection in consultation with the local wildlife guards.
- b) Preparation of micro-plans and supervision in implementation of eco-developmental activities in the concerned fringe areas / villages.
- c) Assisting in handling Man-Animal Conflict in the respective fringe areas / villages.

2) BLOCK DEVELOPMENT COUNCIL

- i) **Preparation of action plan in respect of lands identified by the Halqa Panchayats.**

On receipt of plans from Halqa Panchayat, the Block Dev. Council in consultation with the concerned Range Officer will prepare and finalize the Action Plan(s) falling in the area of its jurisdiction. Thereafter the Block Dev. Council will submit the programme to District Planning and Development Board for further necessary action, with a copy to the Divisional Forest Officer concerned.

- ii) **Supervision of the protection of Wildlife.**

The Block Development Council will supervise the protection of wildlife in the area under its control and report deviation, if any, to the concerned wildlife Range Officer / Block Forest Officer for action. The Block Dev. Council will also facilitate resolution of Man-Animal Conflict and report the same to the concerned wildlife Range Officer / Block Officer for action.

3) DISTRICT PLANNING AND DEVELOPMENT BOARD

- i) **Preparation, finalization and submission of micro/action plans proposed by Block Dev. Council.**

The micro-plans prepared by the Block Dev. Council will be finalized by the District Planning and Development Board as per the existing system of finalizing the District Plan. The said plan will be submitted to the Forest Department for authorisation of funds.

- ii) **Fixation of targets.**

The District Planning and Development Board after receiving the technical approval from the concerned officer of Forest Department

shall convey final targets to the Block Dev. Council. The Block Dev. Council will in turn convey the same to the Halqa Panchayat for implementation of programme.

B) IDENTIFICATION OF BENEFICIARIES

1) HALQA PANCHAYAT:

Benefit sharing out of the assets so created.

The "Village Plantation (Protection & Management) Committee" and Halqa Panchayat shall jointly work out the arrangement for sharing of benefit acquiring on creation of assets as per the agreement contained in J&K (Rehabilitation of Degraded Forests and Village Plantation) Rules, 1992 read with SRO-143 of 2011 so far as they pertain to village forest plantations.

2) BLOCK DEVELOPMENT COUNCIL

Facilitating and ensuring benefit sharing.

The Block Dev. Council will facilitate and ensure benefit sharing arrangement by way of monitoring and settlement of the disputes arising thereof, if any, at the time of sharing of intermittent benefits and final harvest of the plantation. The Range Officer concerned will facilitate and guide the Block Dev. Council in doing so in consonance with the procedure laid down in J&K (Rehabilitation of Degraded Forests and Village Plantation) Rules, 1992 as amended from time to time.

3) DISTRICT PLANNING AND DEVELOPMENT BOARD

Monitoring the forest fire cases and recommending awards.

The District Planning and Development Board may constitute a committee to monitor the cases of forest fires and recommend the names of the panchayat members/ individuals, if any, for grant of awards for commendable work if any done.

C) SUPERVISION OF WORKS

1) HALQA PANCHAYAT

i) Implementation and monitoring of micro plans.

The Halqa Panchayat will undertake the programme of plantation and allied works, through the "Village Plantation (Protection & Management) Committee" so constituted under the overall management of the Forest Department for its implementation and monitoring at different levels. The "Village Plantation (Protection & Management) Committee" and Halqa Panchayat shall jointly

endeavour for implementation and monitoring of the plan so conceived.

The funds for the purpose shall be provided to the "Village Plantation (protection & management) committee" through Halqa Panchayat.

The maintenance and protection of different plantations would be done jointly by Halqa Panchayat/ "Village Plantation (Protection & Management) Committee" and Forest Department for the first 5 to 6 years. The local population will participate in protecting the plantation. Thereafter the management and protection of the plantation will be responsibility of the Halqa Panchayat as per the agreement laid down in SRO-61 of 1992 read with other allied SRO's related to J&K (Rehabilitation of Degraded Forests and Village Plantation) Rules. The concerned functionary of the Forest Department shall ensure execution of the agreement.

- ii) **Supervision of Afforestation, plantation and nursery works.**
The Halqa Panchayat in coordination with the Forester / Forest Guard / Watcher, as the case may be, will supervise the afforestation, plantation and nursery works within the area of its jurisdiction and send a quarterly report to the Block Dev. Council.
- iii) **Supervision of the protection of Wildlife.**
The Eco-development Committees constituted by the Wildlife Protection Department for the Development of fringe areas around Protected Areas will be the Sub-Committee of the Halqa Panchayat to deal with the matters pertaining to the Protection of Wildlife in the area. They will specifically be responsible for the following works:-
 - a) Identification of vulnerability with respect to wildlife for its protection in consultation with the local wildlife guards.
 - b) Preparation of micro-plans and supervision in implementation of eco-developmental activities in the concerned fringe areas / villages.
 - c) Assisting in handling Man-Animal Conflict in the respective fringe areas / villages.

2) BLOCK DEVELOPMENT COUNCIL

- i) **Monitoring and execution of micro plans through Halqa Panchayat.**

The Block Dev. Council or through a committee constituted by it for the purpose shall during execution of the work monitor its quality and quantity as per the approved physical and financial targets. This shall

be done on regular basis so as to ensure the achievement of approved physical and financial targets well in time.

- ii) **Supervision of Afforestation, Plantation and Soil Conservation works.**
The Block Dev. Council after examining the report of Halqa Panchayat regarding supervision of afforestation, plantation and soil conservation works will, after getting the comments/ remarks of Range Officer concerned in case of any default and deficiency, communicate the same to the Div. Forest Officer/District Soil Conservation Officer, as the case may be, for necessary action.
- iii) **Supervision of the protection of Wildlife.**
The Block Development Council will supervise the protection of wildlife in the area under its control and report deviation, if any, to the concerned wildlife Range Officer / Block Forest Officer for action. The Block Dev. Council will also facilitate resolution of Man-Animal Conflict and report the same to the concerned wildlife Range Officer / Block Officer for action.

3) DISTRICT PLANNING AND DEVELOPMENT BOARD

Monitoring of the execution and implementation of action plans.
District Planning and Development Board will monitor the execution and implementation of action plan as per the present procedure as followed in case of district plans as well as in other schemes.

D) SUPERVISION OF FUNCTIONARIES

DISTRICT PLANNING AND DEVELOPMENT BOARD

Coordination with Forest Department for evacuation of encroachers from forest lands.

The District Planning and Development Board on the request of Divisional Forest Officer concerned will coordinate with the Forest Department for eviction from forest lands by way of providing assistance of Revenue and Police officials in identifying the status and boundaries of revenue land in case of dispute and maintaining law and order.

E) FLOW OF FUNDS

1. HALQA PANCHAYAT

- i) **Periodical submission of physical and financial reports including monthly accounts:**
The Halqa Panchayat after receiving the physical and financial reports alongwith monthly accounts in respect of works executed from the

"Village Plantation (Protection & Management) Committee" through Member Secretary will verify and authenticate the same and submit it to the Block Development Council on monthly basis.

ii) **Constitution of Fire protection committee.**

In fire prone areas, a committee of the inhabitants living in and around forest area shall be constituted by the Halqa Panchayat in consultation with Block Forester / Forest Guard concerned. The Committee will work as a subcommittee of the Halqa Panchayat. The role and responsibility of the committee shall be the same as prescribed in the 'Kashmir Forest Notice' and 'Jammu Forest Notice'. The funds, if any, required by the Fire Protection Committees shall be provided to it through the Halqa Panchayat. The Fire Protection Committee will render monthly accounts in respect of the funds given to it to the Halqa Panchayat and will also submit quarterly Physical & Financial reports to it.

iii) **Implementation and monitoring of micro plans.**

The Halqa Panchayat will undertake the programme of plantation and allied works, through the "Village Plantation (Protection & Management) Committee" so constituted under the overall management of the Forest Department for its implementation and monitoring at different levels. The "Village Plantation (Protection & Management) Committee" and Halqa Panchayat shall jointly endeavour for implementation and monitoring of the plan so conceived.

The funds for the purpose shall be provided to the "Village Plantation (protection & management) committee" through Halqa Panchayat.

2) BLOCK DEVELOPMENT COUNCIL

Submission of periodical consolidated accounts and reports.

The Block Dev. Council on receipt of the monthly accounts and periodical reports from Halqa Panchayat will get the same scrutinized and verified by the Range Officer concerned and thereafter submit it to the Divisional Forest Officer for follow up action.

3) DISTRICT PLANNING AND DEVELOPMENT BOARD

i) **Propagation of Minor Forest Produce.**

The District Planning and Development Board may arrange funds for propagation of minor forest produce. It shall also examine the reports of exploitation / over exploitation of minor forest produce, if any, received from the Block Dev. Council and take up the matter with the Conservator of Forests concerned for remedial measures.

ii) **Creation of awareness on illicit felling and poaching and monitoring thereof.**

The District board in its quarterly meeting will review the progress of work and take the appropriate action as per the Rules in vogue. The District Board will make adequate provision for providing funds to the Forest Department for organising education and awareness among the people by way of conducting meetings, symposiums, walk & talk programmes, painting competitions etc. and using print and electronic media.

F) INFORMATION, COMMUNICATION AND ADVOCACY

1) HALQA PANCHAYAT

i) **Assessment of the availability of Minor Forest Produce and reporting incidences of its misuse.**

The Halqa Panchayat in its resolution will intimate to the concerned Block Forester/Forest Guard, as the case may be, about the availability and exploitation / over exploitation of the minor forest produce whereupon the Block Forester / Forest Guard, after visiting the forest area falling in the panchayat and discussing the matter with the Halqa Panchayat, will submit its report through the Halqa Panchayat to the Block Dev. Council with a copy to the Ranger Officer for further necessary action.

ii) **Reporting cases of illicit felling/ poaching and keeping vigil over patrolling of Forest Guards.**

The Halqa Panchayat after getting report(s) of illicit felling / poaching in the area of its jurisdiction from any person(s) shall, after checking its authenticity, report the same to the Divisional Forest Officer concerned. During his movement in the area of jurisdiction, the Forest Guard concerned shall remain in touch with the Halqa Panchayat.

iii) **Reporting of encroachment cases.**

The Halqa Panchayat may report the cases of encroachments of forest lands to the Divisional Forest Officer concerned.

2) BLOCK DEVELOPMENT COUNCIL

i) **Monitoring the cases of over exploitation.**

The Block Dev. Council in its quarterly meeting will evaluate the report of the Block Forester regarding the cases of over exploitation of minor forest produce in consultation with Ranger Officer and submit its recommendations to Divisional Forest Officer concerned.

ii) **Recommending action against major and habitual defaulters/ offenders.**

The Block Dev. Council will recommend action against the habitual defaulters/ offenders to the Divisional Forest Officer concerned. The Divisional Forest Officer will initiate action as per relevant provisions of J&K Forest Act.

iii) **Consolidation of monthly encroachment reports.**

The Block Dev. Council in its quarterly meeting in consultation with Range Officer will evaluate the monthly reports of encroachment, if any, and submit its findings to Divisional Forest Officer concerned, if required.

3) DISTRICT PLANNING AND DEVELOPMENT BOARD

i) **Creation of awareness on illicit felling and poaching and monitoring thereof.**

The District board in its quarterly meeting will review the progress of work and take the appropriate action as per the Rules in vogue. The District Board will make adequate provision for providing funds to the Forest Department for organising education and awareness among the people by way of conducting meetings, symposiums, walk & talk programmes, painting competitions etc. and using print and electronic media.

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By order of the Government of Jammu & Kashmir

Sd/-
(Umang Narula),IAS
Commissioner/ Secretary to Government,
Forest Department

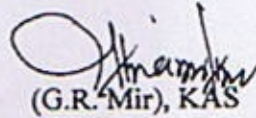
No:FST/Coord/30/ 2011 (Forest)

Dated:04.06.2012

Copy to the:

1. Principal Secretary to Hon'ble Chief Minister.
2. Commissioner/ Secretary to Government, Rural Development Department, J&K, Srinagar.
3. Divisional Commissioner, Kashmir / Jammu.

4. Secretary to Government, General Administration Department, J&K, Srinagar.
5. All Heads of Departments, Forest Department.
6. All Chief Conservators of Forests.
7. Addl. Secretary/ Pr. Private Secretary to Chief Secretary.
8. Special Assistant to Hon'ble Minister for Forests.
9. Private Secretary to Hon'ble Minister of State for Forests.
10. Private Secretary to Commissioner/ Secretary to Govt. Forest Department.
11. Manager, Government Press, Srinagar for publication in Government Gazettee.
12. Incharge Website, General Administration Department / Forest Department.
13. Government order file / Stock file (w.2.s.c).



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