

Procedure for grant of tree felling permission in private lands

- In J&K, felling and removal of trees standing on private lands was governed by J&K Agrarian Reforms Act 1976, where under Revenue Department officials were issuing the permission for felling of such trees.
- However, the Act was amended vide J&K Agrarian Reforms (Amendment) Act 1997, and Section 31 of the Act dealing with regulation of felling and removal of trees on private lands was deleted.
- Thus, the owners of private land no longer have to seek permission of the Revenue Department for felling of trees.
- However, some trees have been classified as Royal and Reserved trees under the Land Revenue Act, 1966. In addition, some species have been notified as specified trees under the Jammu and Kashmir Preservation of Specified Trees Act, 1969.
- The felling permission of Royal trees, Reserved trees and Specified trees is granted by revenue authorities in accordance with the procedure provided in the acts mentioned above.

List of Royal trees under J&K Land Revenue Act, SVT, 1996: Some trees have been notified as royal trees and reserved trees under Sections 36 and 37 of the J&K Land Revenue Act, Samvat 1996. The detailed sections are reproduced as under:

Section 36. Provision relating to royal and reserved trees. Rights of the government in royal trees.

Royal trees: All trees of the following descriptions, namely--

English name	Botanical name	Local name
<i>In the Provinces of Jammu & Kashmir</i>		
Deodar	<i>Cedrus deodara</i>	Deodar, Diar
Chil pine	<i>Pinus longifolia</i>	Chil, Chir
Blue pine	<i>Pinus excelsa</i>	Kairu, Bair, Kail, kachir
Edible pine	<i>Pinus gerardiana</i>	Chilghoza, Iri
Fir	<i>Abies pindrow</i>	Rewar, Budlu, Rai rayal, Tung sararn
Spruce	<i>Picea morinda</i>	Kachai, Kachhlu, Tos, Riar
Himalayan cypress	<i>Cupressus torulosa</i>	Padam
Pencil cedar	<i>Juniperus macropoda</i>	Shelai, Chheali, Padam, Dhua
Chinar	<i>Platanus orientalis</i>	Chenar, Buin
Box	<i>Buxus sempevirens</i>	Chikri
<i>In the District of Ladakh</i>		
Blue pine	<i>Pinus excelsa</i>	Thangshing
Chinar	<i>Platanus orientalis</i>	Shingyel
<i>In the District of Gilgit</i>		
Blue pine	<i>Pinus excelsa</i>	Chi
Fir	<i>Abies pindrow</i>	Rai
Spruce	<i>Picea morinda</i>	Kathal
Chinar	<i>Platanus orientalis</i>	Buch

Shall be deemed to be royal trees. They, even when standing on private land, cannot be cut, or removed except in accordance with the rules framed by the government in this behalf.

Section 37. Reserved Trees

(1) All trees of the following descriptions, namely--

English name	Botanical name	Local name
<i>In the Province of Jammu</i>		
Mulberry	Moru spp	Tut.
<i>In the province of Kashmir except Muzaffarabad and Karnah tehsils</i>		
Mulberry	Moru spp	Tul kul, Tut.

Shall be deemed to be reserved trees. The Government may, by notification, order that trees of any description specified in such notification shall be deemed to be reserved trees in any local areas specified therein.

(2) Reserved trees, although standing on private land, shall not be sold or converted by any person to his own use otherwise than in accordance with a general or special order of the Government or of an officer empowered by the Government in this behalf, under the rules in force for the time being.

List of Specified Trees notified under Preservation of Specified Trees Act, 1969 (V Of 1969)

Scientific name	Local Name	Date of Notification
<i>Juglans regia</i>	Walnut	Notification, SRO-292, dated 18 th June, 1973,
<i>Acacia catechu</i>	Khair	Notification, SRO-320, Dated 10 th June, 1978
<i>Salix spp</i>	Willow	Notification, SRO-16 Dated 9 th January, 1981
<i>Cedrus deodara</i>	Deodar	Notification, SRO-100 Dated 15 th March, 1985
<i>Pinus wallichiana</i>	Kail	
<i>Abies pindrow</i>	Fir	
<i>Picea smithiana</i>	Spruce	
<i>Pinus roxburgii</i>	Chir	
<i>Quercus incana</i>	Banj Oak	Notification, SRO-694 Dated 5 th November, 1986
<i>Quercus delitata</i>	Moru oak,	
<i>Quercus semecarpifolia</i>	Kharsu oak.	
<i>Quercus illex</i>	Holy oak	

The permits for specified trees is granted under Sec 4 and sec 13-A of the Prescribed Act. vide Notification SRO-404 dated 12th Sept, 1981, the following Officers were notified to be the prescribed authorities under the said Act for the purpose of sections mentioned within the jurisdiction specific against each.

Officers	Sections of the Act	Jurisdiction
Divisional Commissioners	Sec 4	Within their territorial jurisdiction
Deputy Commissioners	Sec 13 and 13-A	