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separate compilation.

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PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATô FOREST, ECOLOGY AND
ENVIRONMENT DEPARTMENT

Notification

Srinagar, the 7th July, 2022.

S.O.-327.ô In exercise of powers conferred by Section 28 of the
Indian Forest Act (Section 16 of Act, 1927), the Lieutenant Governor,
hereby make the following rules : namely :ô

1. **Short title and commencement.**ô (1) These rules shqall be
called the Jammu and Kashmir Social Forestry (Plantation) Rules, 2022.

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other detail concerned to the functioning of VPPC ;

- (m) **“Regional Director”** means an officer holding the charge as Regional Director, Jammu or Kashmir of Department of Social Forestry ;
- (n) **“Village Woodlot(VWL)”** means plantation unit raised by the VPPC/SFD on non forest land as a common property resource of Gram Panchayat ;
- (o) **“VPPC”** means Village Panchayat (Plantation) Committee constituted at Panchayat level under these rules ;
- (p) **“Union Territory”** means Union Territory of Jammu and Kashmir ;
- (q) **“Rules and norms”** means rules within the ambit of this Act and norms as prescribed by Govt. from time to time ;
- (r) **“Terms”** means terms of VPPC, EC, GB/Gram Sabha (it shall be in consonance with Panchayat body of the concerned Halqa Panchayat ;

(2) Words and express and used herein and not defined shall have the meanings respectively assigned to them under section 16 of Indian Forest Act, 1927.

3. Composition of Committees.—(1) There shall be constituted Village Panchayat (Plantation) Committee (hereinafter called as VPPC) for each Panchayat for the purpose of creation, protection and management of plantation on all types of non-forest lands within the jurisdiction of concerned Panchayat excluding farm forestry lands established under these rules.

(2) The VPPC will function with a two-tier system, consisting of an Executive Committee (EC) and the General Body (GB)

(3) The Gram Sabha of the concerned Panchayat shall be General Body of the VPPC with representation of one adult male/female member of each independent household of Panchayat, within which plantation units is located.

(4) Executive Committee, VPPC shall have 11 members, headed

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 by concerned Sarpanch as nits Chairperson (Ex-officio) as per Annexure
 to these rules.

S. No.	Category	Nos.	Designation
1.	Chairperson (Ex-pfficio)	1	Sarpanch
2.	Women Mwmbber	2	Member
3.	SC/ST/OSC/OBC Member	3	Member (at least one female member).
4.	Member of Panchayat Gram	2	Member (to be nominated by Sabha).
5.	Ex-officio Member	1	Concerned Patwar
6.	Member Secretary	1	Officer in-charge S. F. Block
7.	Treasurer (Exofficio)	1	Concerned Panchayat Secretary (RDD).
Total		11	

(5) The member of Executive Committee shall be nominated/ elected simultaneously with the election of Gram Panchayat.

(6) The 50% presence of General Body (Gram Sabha) members including Chairperson shall be minimum quorum to take any decision with adequate presence of female members.

(7) The Gram Sabha will elect Executive Committee of VPPC as per the composition given at rule 3 (iv). A resolution to this effect be placed on record register.

(8) The Block Officer (Social Forestry) concerned shall act as Member-Secretary and shall be responsible for assisting the VPPC to co-ordinate its activitieswith other Government Deopartment and shall also be responsible for the maintenance of records in close liaison with Panchayat Secretary.

(9) If any inclusion or change in the member constituent of VPPC

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(EC) is necessitated after its initial constitution, the VPPC (EC) through Member Secretary shall make the recommendations to the concerned VPPC (GB) viz. Gram Sabha whose decision shall be final and binding.

4. **Meeting and Procedure.**—(1) The VPPC (EC) shall meet at such a place as may be convenient to members or in such village where such plantations are to be raised or have been raised on the dates that may be notified by the Chairperson, at least seven (7) days in advance.

(2) At-least four meetings of the VPPC (EC) and two meetings of the VPPC(GB), shall be held in a calendar year.

(3) The VPPC (EC) shall maintain record of the proceedings of the meetings held from time to time under the signature of the Chairperson of the Committee in the record register and a copy of the same/minutes of such meetings duly attested shall be sent to the concerned Range Officer aspect :ô

- a. Description of Boundaries of the area to be covered/already covered under plantation/afforestation programmes.
- b. The produce to be removed by the villagers and method of sharing.
- c. Actions that are prohibited.
- d. Regulation on allowing or closing of grazing.
- e. Any other matter specific to the village/plantation unit.

(5) In case of any point of disagreement between villagers, the objections, claims and rights thereof will be heard by the VPPC (EC) and proceedings thereof shall be recorded. The decision by the majority vote of the Members of the Committee, shall be binding upon and final.

5. **Village woodlots (VWL).**—Village woodlots should be established as plantation units on available village common Lands/State/Revenue Lands etc. The sites for afforestation works to establish a village woodlot within its Gram Panchayat shall be identified by VPPC (EC) in consultation with Social Forestry Department. The concerned Range Officer Social Forestry Department shall, participate in the Gram Panchayat Development Plan formulation process and inform the Gram Sabha about number of plantation units (along with financial implication)

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lots and their sustainable management. The Panchayat may take up
plantation units utilizing its own financial resources also. The Department
of Social Forestry will regularly inspect and monitor the establishment
and impact of Village Woodlots. The Panchayat who are found to
develop and manage best woodlots shall be conferred with the recognition
and honour by the department to generate healthy competition amongst
Gram Panchayat.

(9) The agreement for raising the Village Wood Lot shall be
signed between the VPPC (EC) and the concerned Range Officer and
duly countersigned by the Divisional Forest Officer as per the schedule
appended at Annexure B and agreement there under

(10) The VPPC (GB/EC) shall enforce the rules framed for the
protection of the village woodlots, regulation of concessions, benefits
and grazing as approved in the resolution.

6. Executive of works.—(1) After the approval of the annual
plan by the VPPC (GB), and its acceptance by Director (SF), the VPPC
shall be informed by the Block Officer) Member Secretary, VPPC (EC)
accordingly. The Department of Social Forestry shall issue the
administrative approval/technical sanctions and place the funds for
raising the plantation as per the technical sanction so issued at the
disposal of concerned VPPC (EC). The VPPC (EC) shall take up the
execution of works by engaging the local labour from within the
concerned Gram Panchayat. In case sufficient labour are not available,
it shall be managed from adjoining gram Panchayat. The procedure
for execution of work is given at clause 5 (3).

(2) Once the execution of work is completed, the joint inspection
shall be carried out by VPPC (EC) and representative of Department
of Social Forestry not below the rank of Range Officer. In case the
works are executed, the representative of contractor shall also be present.
On receipt of satisfactory work done certificate, the Divisional Forest
Officer (SF) shall release the payment in favour of the bonafide labour
or contractor as the case may be.

(3) When the VPPC takes up the execution of work out of fund
from Village Panchayat Fund, these funds shall be released by joint
Account Holders of VPPC (EC) i.e. Chairperson, Member Secretary
and the Treasurer on receipt of Satisfactory work done certificate.

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decision to open up the closures for grazing would be taken up by
VPPC on the advance of Department of Social Forestry and keeping
in view the status of plantation and natural regeneration.

(5) Any individual/household whose membership stands terminated
by VPPC (GB) for any of the reason, which may include damage to
plantation and non-adherence to rules and regulations on protection of
plantations, shall be debarred to avail benefits/usufructs sharing which
shall be in addition to any other action/penalties imposed on such
defaulters/offenders.

10. Final Harvest of Plantation. (1) The decision on final
harvest of plants in plantation units (VWL) shall be taken by VPPC
9EC0 in accordance with the Management plan and on advance of
the Department of Social Forestry. The sanction to fell the trees shall
be accorded by the competent authority following the laid down
procedure as per the existing rules/guidlines of Government in this
regard.

(2) The produce shall be disposed of in open auction/e-auction
after completing the procedure and financial proceeds (75% of the total
revenue realized) shall be deposited in the joint accounts which would
constitute the Village Panchayat Fund. 25% of the proceeds shall be
deposited by Department of Social Forestry in Treasury as part of Govt.
revenue.

(3) The plantations raised on road side/canalbanks/wetlands and
within the Govt. institutions shall also be raised/managed by VPPC with
the assistance of Department of Social Forestry and concerned
Department/Institution. These plantations shall be managed as per the
prescriptions of Management Plan and Final harvest shall be shared
in the ratio of 1.3 between the Department of Social Forestry and VPPC
respectively. However, the 50% of VPPC share realized from the
institutes like school shall be earmarked for taking up development
activities within the same institute.

(4) The Village Panchayat Fund shall be established by each
VPPC for proper management of funds earned from such plantation
assets. Each joint account shall be maintained. Member Secretary and
Treasurer of the VPPC.

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11. **Operationalisation of Village Panchayat Funds.**ô The Village Panchayat Funds shall receive funds (75%) from sale of interim usufructs, the final harvest and from other sources, if any high VPPC may manage to earn. The utilization of funds shall be proposed by VPPC 9EC0 by-afforestation on felled units, minor public utility works as per needs of the inhabitants of Gram Panchayat. It would be as per procedure prescribed in Clause-8 of Annexure-B . The account shall be operated jointly by Chairperson, Member Secretary and Treasurer of vpp (EC).

12. **Termination and appeal.**—(1) The VPPC 9GB0 may take action including termination of the membership of any member, who fails to perform his functions under these rules.

(2) Any person aggrieved by te order of termination, may prefer an appeal within a period of 15 days to the Gram Sabha concerned.

(3) Any person causing damage to the plantationassests and violating rules may be treated as offender/defaulters and shall be booked under law with the consent of VPPC (EC).

13, **Maintenance of Records.**ô The record of the proceedings of the VPPC shall be maintained in three registers as follows :ô

- a. **Register No. 1** shall contain the proceedings of the Executive Committee under section (A) constitution of the Committee and section (B) Record of resolutions and meetings held by the Committee.
- b. **Register No. 2** will record the busisness/proceedings of the General Body and shall records resolution and meetings held by General Body (Gram Sabha).
- c. **Register No. 3** shall contain the information about usufruct sharing details and its records such as grass guel wood, fodder, fruits, fallen/dry trees etc. given to members of VPPC and revenue realized thereof alongwith expenditure if any.

(the formats for these registers shall be notified by the Director, Social Forestry).

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14. Village Woodlots on Private land/Birathari Land/Trust Land or of similar type of land.—(1) The existing cases regarding claims of proprietorship on Village woodlots established by the Department on private or on similar nature of lands which may belong to other departments/organization, trusts etc. shall be looked into/disposed off on case to case basis on grounds of their merit in light of authentic Lands Revenue Records at District level in a Coordination Committee, consisting of following which will meet once in two months :ô

1. Deputy Commissioner Concerned Chairma/Chairperson
2. Divisional Forest Officer (Social Forestry) Concerned Member Secretary
3. Tehsildar Concerned Member
4. Representative of VPPC Concerned Member

(2) Provided that plantation raised on such land/area will vest with Social Forestry Department till the crop attains maturity and thereafter the benefits of final harvest shall be shared in the ratio of 3:1 between land owner/trust/birathari, and Department of Social Forestry respectively. However, the land owners shall have liberty for deciding future land use of the areas.

15. Rehabilitation of Degraded Forest (RDF).ô Under the component of Rehabilitation of degraded forest areas (RDF), the area shall be taken up as per the provisions of the working plan and with the consent of Territorial Forest Department. The plantation in given area will be done through the Department of Social Forestry following the standard norms and procedures under the existing and new schemes of the Department of SF. However, the VPPC (EC) will be involved for protection of plantation and would be allowed to cut and carry grasses/leaf fodder from such RDF units under supervision of concerned Range Officer (SF) and subject to working plan prescriptions and guidelines of the scheme(s). The VPPCs shall be duty bound to offer their services of protection of such plantations including protection from fire.

(2) The Social Forestry plantations raised over degraded area in demarcated forests shall remain free from all encumbrances excepting as

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laid down under rules and the Territorial Forest Department shall assume
change/management of such plantations within 5 to 11 years of their
raising/plantation as per norms.

(3) The RDF units raised by the Department of Social Forestry shall be handed over to the Forest (Territorial Department) with proper handover/takeover alongwith record/inventories to be made between the concerned DFOs with the approval of concerned Regional Director (SF) and Conservator of Forests (T).

16. Strip Plantation. The plantation raised on road sides/canal banks/wetlands under strip plantation component shall be raised/managed by VPPC with the assistance of Department of Social Forestry and concerned Department/Organization owning the land. These plantations shall be managed as per the prescriptions of Management Plan.

17. Institutional Plantation.—(1) Under this component, the areas available with Government Institutions like School, Colleges, Universities, Government Offices, Army, PRIs and Police Camps shall be used for plantations of suitable ornamental and other useful species.

(2) Village Panchayat (plantation) Committee (EC) will render help to identify the Institutions for plantation under this component. The institutions will be done by involving the members of VPPC/Members of Institutions/Students representatives of civil society. The plantations shall be managed by concerned institution, and Department of Social Forestry shall render technical guidance/assistance required if any in this regard, In case of any damage to such plantation works VPPC may take appropriate action in consultation with concerned institution.

(3) Whenever such plantations are required to be felled for use of land by the concerned institution/or removal due to threat to life and property, the Department of Social Forestry shall dispose of plantations as per laid down standard procedure of e-auction/open auction on the recommendations of VVPC (FC). The revenue realized on this account shall be shared between VVPC and Department in the ratio of 3:1. The VPPC may earmark 50% of such share for taking up Development works/activities in the said institution on the request of the head of the said institute.

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18. Farm Forestry. (1) It would primarily include farmers interested to take up plantations on their farm lands, the saplings may also be made available to NGOs/VA (Volunteer Associations), Trust(s) individual households and other interested groups of society by Department of Social Forestry in consultation with VPPCs of concerned Gram Panchayats. The VPPC (EC), however, shall assess the viability and potential of successful raising and managing plantations before distribution of saplings.

(2) The distribution of plants under Farm Forestry shall be made as per prevailing rates sanctioned by the Department of Social Forestry under the farm forestry component and render their services in generating awareness to raise and protect plantations.

(3) The VPPC (FC) shall be involved to ensure that plants taken under farm forestry component are planted by the beneficiaries at right time and proper maintenance thereof is ensured.

19. Outreach and Capacity Building Programme. (1) The plantation drives shall be carried out by the Department of Social Forestry by involving VPPCs and the general public/institutions through outreach programmes. The distribution of pamphlets, booklets and success stories of field work shall be shared with VPPC members to increase outreach and acceptability of the plantation initiative.

(2) The Department shall organize capacity building measures to enhance the knowledge and skills of the VPPC (EC) to strengthen their role and effectiveness in afforestation programmes.

(3) Best performing VPPC at Province Level/District Level would be identified in an objective manner and incentivized with awards to sustain their interest.

20 Corporate Social Responsibility Scheme (CSR). The VPPC/Department of Social Forestry would be authorized to receive the funding under corporate social responsibility component from other sources adopting the procedure laid down by the Government in this regard. so that financial resources under Village Panchayat Fund could be augmented. These funds shall be properly budgeted, utilized and audited in consultation with VPPC (EC) under existing norms.

21. Grievance Cell. A grievance cell shall be established in the office of the Divisional Forest Officer, Regional Director and Director

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Social Forestry to address the genuine grievances of the public, if any
received, pertaining to the implimentation of these rules.

22. **Repeal and saving.** (1) All previous rules and orders
corresponding to Jammu and Kashmir (Rehabilitation of Degraded Forest
and illage Plantation) rules, are hereby repealed.

(2) Notwithstanding anythng contained in the aforesaid rules so
repealed any action taken or done or orders issued shall be deemed
to have been issued under the corresponding provisions of these rules

By order of the Lieutenant Governor.

(Sd.) SANJEEV VERMA, IAS,

Commissioner/Secretary to Government.

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Rule 3(iv)
Annexure- "A"

GOVERNMENT OF JAMMU AND KASHMIR
DEPARTMENT OF SOCIAL FORESTRY, J&K.

UID

Constitution of Village Panchayat (Plantation) Committee (VPPC)

Name of Halqa Panchayat	District
ID of Halqa Panchayat	Police Station
Unit/Closure	Village
Name of Sarpanch	Blockô ô ô ô ô ô

S. Name with particulars DesignationVPPC (EC) Signature

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Date of Constitution :ô ô ô ô ô ô ô ô ô ô

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2. After identification of sites for afforestation of Village Wood Lot (s) (VWL) in the area by the VPPC (EC), the DFO concerned shall prepare a management plan as per guidelines of the Department of Social Forestry and place the same for approval before the VPPC (GB) viz. Gram Sabha and submit the same to Director (SF) duly vetted by Regional Director (SF) for acceptance by the Director (SF).
3. For a period of 5-10 years, or such length of time as may be mutually agreed upon between two parties. the VPPC shall arrange to manage and protect the plantation unit and shall assume full responsibility thereafter for management, maintenance and protection on its own and bear the necessary expenditure in this regard out of its own resources! government funding or any other sources available with the VPPC.
4. The VPPC (EC) shall agree and undertake that the beneficiaries will ensure protection to the said plantation with brush wood fencing or other means till the time 'j' is fully established as per assessment arrived at by the joint inspection of two parties.
5. For execution of plantation and other allied works, the VPPC (EC) shall preferably utilize the services of the local residents, giving preference to landless agricultural labour and persons belonging to the traditionally backward segments of the population
6. To enhance employability of locals concerned Social Forestry will provide regular training to the willing villagers nominated by the (GB) in order to develop skills enhance their capacity so that local people and members jointly manage the plantation assets on long term basis.
7. The concerned Social Forestry Officer (Block Officer Incharge) shall maintain a plantation journal, as per approved **Format** (to be with these rules), reflecting details of plants by species, survival, man days generated and expenditures incurred. The plantation journal shall be presented so that proper record of the unit right from planting to its future management is maintained.

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- plan (for afforestation works) after its approval from VPPC (GB) shall be sent to Director, Department of Social Forestry for technical approval. Works shall be taken up as per technical approval after meeting necessary codal procedure ;
- d. The VPPC shall abide by rules and regulations of Department of Social Forestry/guidelines of the Government regarding utilization of financial resources, maintenance of accounts and following the rules and procedures executing the works and during future management thereof ;
 - e. VPPC shall follow the rules and regulations in letter and spirit while taking up execution, management and harvesting of plantation assets ;
 - f. During the operation of this agreement the Range Officer or his authorized representative shall be entitled to enter upon the said lands for inspection, supervision and other works connected with or incidental to the creation, maintenance and harvesting said plantation such scientific and technical studies as may be considered by the concerned Forest Officer appropriate and relevant ;
 - g. This agreement shall remain in force for a period of thirty (30) days after distribution and/or receipt of net income from the sale of forest produce from final felling unless earlier determined by mutual consent of the parties after consultation with the beneficiaries.
 - h. After approval from concerned Regional Director (SF), shall handover the plantation units (VW Lots) to the concerned VPPC (GB) after three to five years of its establishment with proper inventory and agreement for record and reference. The VPPC will take all necessary measures to safeguard and protect plantation and ensure its judicious sustained use for the benefits of the inhabitants of the Gram Panchayat in fair and equitable manner. VPPC will take appropriate action against any person found violating/non-adhering the rules and regulations concerning the protection and management of plantation asset ;

SCHEDULE-I

Particular of Land to be used for raising plantation units

S. No.	Particulars	Detail
1.	District	
2.	NES	
3.	Gram Panchayat	
4.	Ward No.	
5.	Geo Coordinates of piece of Land to be used	
7.	Khasra No.	
8.	Total area of the Land (in Ha.)	

