

# THE KARNATAKA PRESERVATION OF TREES RULES, 1977

## NOTIFICATION

NO.FFD 120 FDP 76, Bangalore, dt. 30-11-1977

**S.O.3278** — In exercise of the powers conferred by Section 23 of the Karnataka Preservation of Trees Act, 1976 (Karnataka Act 76 of 1976), the Government of Karnataka hereby makes the following rules, namely: -

**1. Short title and commencement:** (1) These rules may be called the Karnataka Preservation of Trees Rules, 1977.

(2) They shall come into force at once.

**2. Definitions:** (1) These rules, unless the context otherwise requires,

(1) 'Act' means the Karnataka Preservation of Trees Act, 1976 (Karnataka Act 76 of 1976);

(2) 'Chairman' means the Chairman of the Tree Authority;

(3) 'Form' means form appended to these rules;

(4) 'Section' means section of the Act;

**3. Tree Authority:-** (1) The Chairman, if for any reason is unable to attend any meeting, any other member chosen by the members present at the meeting shall preside over the meeting.

(2) All questions which come up before the meeting of the Tree Authority shall be decided by the majority of votes the members present and voting and in the event of equality of votes, the Chairman or in his absence, the person presiding, shall have a second or casting vote.

(3) A member shall not take part in the discussion of or voting on any matter in which he has directly or indirectly any interest.

(4) Every Tree Authority shall have a Secretary appointed by the Chief Conservator of Forests (General) from among or the officers of the Forest Department.

(5) The Secretary Shall, -

(a) convene meetings of the Tree Authority at such place and time as may be directed by the Chairman and shall draw the proceedings of every such meeting which shall be signed by the Chairman and the members present;

(b) maintain a register of appeals received indicating therein name of the appellant and other relevant particulars;

(c) on receipt of the appeal petitions, filed before the tree Authority, in consultation with the Chairman, notify and communicate to the parties concerned the date of hearing of such appeal;

(d) communicate to the parties concerned the orders of the Tree Authority, on the appeal petitions;

(e) perform such other duties and functions as may be entrusted to him by the Tree Authority and the Chairman.

**4. Felling of Trees** - (1) Every application under sub-section (2) of Section 8 for permission to fell a tree shall be in Form No. 1.

(2) Every person desiring to fell trees for bona fide domestic use under sub-section (6) of Section 8 shall before felling the trees intimate the Tree Officer in writing the approximate quantity of trees proposed to be felled and the land from which it is proposed to fell the same. After felling the

trees he shall again intimate the Tree Officer about the quantity of trees felled.

- (3) No tree felled under sub-section (6) of Section 8 shall be used for any purpose other than the one specified in the said sub-section.

**5. Appeal :** (1) Every appeal under Section 14 shall be in the form of a memorandum signed by the appellant setting forth concisely the grounds of objections to the order appealed against and shall be accompanied by the original or a certified copy of such order, six Copies of the memorandum and treasury receipt for having paid the fee specified in sub-section (2) of Section 14 and shall be presented to the Tree Authority or the Secretary thereof by the appellant or his agent duly authorised in writing.

- (2) On receipt of the memorandum of appeal, the Tree Authority shall call for the records of the case from the Tree Officer and after receipt of the records the Tree Authority shall notify the date of hearing of the appeal to the appellant.

## NOTIFICATIONS

### Notification No. FFD 208 FTS 78 Bangalore, dated 15th May 1979

In exercise of the powers conferred by Section 23 of the Karnataka Preservation of Trees Act, 1976 (Karnataka Act 76 of 1976) the Government of Karnataka hereby makes the following rules to amend the Karnataka Preservation of Trees Rules 1977 namely:

**1. Short title and Commencement :** These rules may be called the Karnataka Preservation of Trees (Amendment) Rules, 1979.

- (2) They shall come into force at once.

**2. Substitution of new form for Form I :** For Form No.1 of the Karnataka Preservation of Trees Rules, 1977 the following form shall be substituted, namely—

### FORM 1 (See Rule 4) FORM OF APPLICATION

From:

To

The Tree Officer.

Sir,

I/We the owner/s occupant/s of the Sy. Nos..... of ..... Village.....Taluk ..... District residing in ..... intend to fell and remove ..... Tree as detailed below. I/we am/are furnishing herewith the following particulars along with certified copies of the extracts of revenue records and certificates prescribed in Government Circular NO.RD 10 LGN 73, dated 4th June 1973 from the Revenue Officers and the Survey Sketch Certified by the Assistant Superintendent of Land Records in support of the proof that I/We have the right to the land and the tree growth in question for your reference and further action.

1. Sy.No. and extent of the land from which the trees are to be felled.
2. Location of the Sy.No. with Sy.sketch
3. Whether the boundary of Sy.No. is clear and demarcated properly on the ground.
4. The number and kind of trees intended to be felled with girth of each tree (detailed list to be attached).

5. The purpose for which the trees are to be felled (specific mention to be made about the purpose)
6. Khata extract and Certificate from the Tahasildar regarding the tenure of the Land (Hiduvalli, Darkhast, Inam, Lease, Coffee/Cardamum, Malki, Bane and so on and whether the tree growth is redeemed or unredeemed) and the right over the Land and Tree growth.
7. Whether any tree proposed to be felled is reserved to Government, if so, details may be give.
8. Whether unconditional consent of the other owners having share in the right to land and the trees if any is obtained (Proof thereof to be enclosed).
9. Whether the license or certificate in respect of the following is enclosed in case the purpose of felling is for;

- (i) Coffee cultivation certificate from Coffee Board
- (ii) Rubber Cultivation - Certificate from Rubber Board.
- (iii) Cardamum Cultivation- Certificate from Cardamum Board.
- (iv) For construction of building Certificate from Village Panchayat or Executive Officers of the Municipality as the case may be.

I/We therefore, request you to accord permission to fell the trees from Sy.No. mentioned above.

I/We am are prepared to furnish other particulars if any require and demanded by the ' tree Officer in this regard during the course of enquiry.

I/We agree to abide by the provision of the Karnataka Preservation of Trees Act, 1976 and the Karnataka Forest Act, 1963 and the Rules made thereunder and such other conditions that may be imposed by the Tree Officer.

I/We do hereby agree to indemnify Government of Karnataka against any loss or damage caused on account of permission accorded to me by the Tree Officer based on erroneous or wrong information furnished by me.

Yours faithfully,  
(Applicant)