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Office of the Principal Chief Conservator of Forests
Andaman & Nicobar Islands
Van Sadan, Haddo

NOTIFICATION

No. 82/05/F.No. F.10(G-I)/37/133

Port Blair, dated the 20th May, 2005.

ANDAMAN & NICOBAR ADMINISTRATION
(DEPARTMENT OF ENVIRONMENT & FORESTS)

RESOLUTION FOR JOINT FOREST MANAGEMENT

Whereas the Administration of Union Territory of Andaman & Nicobar Islands is concerned about the increasing pressure on forest resources in the Islands to meet the basic demand of fuel wood, food and small timber for agricultural implements and land for habitation with ever rising population.

Whereas, there are no rights and concessions recognized in the Reserved Forests/Protected Forests and any other forests except easements recognized in the Protected Forests under the Andaman & Nicobar Islands Protected Forest Rules, 1986 to the Inhabitants of Andaman & Nicobar Islands to meet their basic domestic needs in respect of Minor Forest Products hereinafter termed as Non Timber Forest Products (NTFP) and small timber for agricultural implements etc.

Whereas the facility extended to the inhabitants of Andaman & Nicobar Islands for supply of timber and NTFP free of royalty under the above mentioned Rules, has been totally discontinued as per the recommendations of Shekhar Singh Commission Report accepted by the Hon'ble Supreme Court in its order dated 07.05.2002 in I.A. 502 of 1999 in WP(C) 202/95.

Whereas, the participation of villagers residing in the vicinity of the forests is considered essential for effective protection and management of the forest areas to meet the bonafide domestic needs of villagers.

Whereas, the Ministry of Environment and Forests, Government of India vide letter No.6-21-89 dated 1.6.90 have issued guidelines for joint participatory forest management through involvement of village communities and voluntary agencies in planning, protection, regeneration, development and management of degraded forest areas and other Government lands adjacent to the villages.

Whereas, the Government of India vide letter No. 22-82/200-JFM (FPD) dated 21.2.2000 have also extended the scope of Joint Forest Management (JFM) in good forest areas having crown density more than 40%, except Protected Areas for the purpose of implementing JFM programme.

And whereas, it is considered expedient to launch programmes with active participation and involvement of local people for effective protection and regeneration of the forests and raising of bamboos, canes and trees for timber and fuel wood etc. to reduce dependence of villagers on high forests as envisaged in the National Forest Policy, 1988.

Now, therefore, the Administration of Union Territory of Andaman & Nicobar Islands hereby decides to constitute Joint Forest Management (JFM) Committees for the purpose of development and protection of forests in the vicinity of villages and beneficiary's acting as members of such committees shall be allowed, as a measure of incentive, a share of the usufructs, small timber subject to observance of the guidelines provided in the resolution.

1. CONSTITUTION AND FUNCTIONS OF JOINT FOREST MANAGEMENT COMMITTEE (JFMC)

- 1.1 There shall be a Joint Forest Management Committee to oversee the implementation of Joint Forest Management Programme and address the issues related thereto.
- 1.2 Every adult member of the households residing in villages adjoining forest areas shall be eligible to become the member of the Committee and shall be the beneficiaries under this programme.
- 1.3 There shall be normally a joint membership for each household (i.e. husband being a member, wife automatically becoming a member) either of the two can exercise rights to represents the household. The Range Forest Officer (RFO) shall contact the panchayat samiti concerned to select beneficiaries for constitution of the JFMC after explaining the objectives of JFM Programmes to enlist their support and elicit their willing participation. Through this consultative process when a minimum of 50% of the households in the village agree to the proposal, the JFMC shall be constituted.
- 1.4 The concerned Gram Panchayat(s) shall extend necessary support and help to the committee(s) to ensure their smooth and proper functioning.
- 1.5 Each JFMC shall have 33% of its members from amongst women.
- 1.6 The JFMC shall maintain a register showing necessary particulars of beneficiaries who are members of the committee i.e. name, father's name, address, age, number of families, number of family members, etc. The forms duly filled in and approved by the Executive Committee shall be pasted in the register, such registers are also to be maintained in the concerned range offices of the forest department for the permanent record.

- 1.7 The registered members shall hold a meeting which shall be presided over by the Pro-tem Chairperson nominated by RFO from amongst the members to adopt the resolution for the constitution of JFMC.
- 1.8 The RFO concerned shall be the Member Secretary-cum-Convener of the JFMC.
- 1.9 The resolution so adopted shall be recorded in the Minutes Book under the signatures of the Chairperson and the Member Secretary of the JFMC. The Member Secretary shall forward a copy of the said resolution to the Divisional Forest Officer (DFO) concerned alongwith the application form prescribed at Appendix-IA and IB for constituting JFMC.
- 1.10 The presence of 1/3rd of the members of which 1/3rd (minimum three) should be woman members shall form the quorum for the meeting.
- 1.11 The tenure of the Chairperson of JFMC shall be of two years.
- 1.12 The Chairperson of JFMC shall not hold any office in the Executive Committee.
- 1.13 JFMC shall hold its meeting at least once in every year. A copy of the minutes of the meeting shall be forwarded by the Member Secretary to DFO.
- 1.14 The Chairperson may call Extraordinary General Body Meeting by giving 10 (ten) days notice in case of exigencies to decide any matter requiring immediate decision in the interest of JFM Programme.
- 1.15 A minimum of 21 days notice shall be required for convening the Annual General Body Meeting with the approval of the Chairperson.
- 1.16 The annual meeting of JFMC shall be the Annual General Body Meeting wherein shall constitute the new Executive Committee.
- 1.17 The Chairperson and the Member Secretary-cum-Convener shall be entitled to honorarium of a sum of Rs.100/- (Rupees One Hundred Only) per meeting.
- 1.18 JFMC so constituted shall be approved by the DFO concerned on recommendation of the Range Officer concerned.

2. DUTIES OF JFMC

- 2.1 It shall be the duty of every member of the JFMC individually and collectively to protect forests, against encroachment, regulated grazing, fire, illicit felling, theft of forest produce etc.
- 2.2 It shall also be the duty of all members to prevent, detect and report forest offences and pass on relevant information and intelligence to the Executive Committee as well as the local Forest Officials.
- 2.3 The members shall render all help to the forest officials in eviction of encroachments on forest land, apprehending offenders involved in illegal collection and removal of forest produce and giving evidence against such person in the court of law.
- 2.4 The members shall assist the forest officials in carrying out silvicultural practices and other forest improvement works in accordance with the Micro-plan of the area.

- 2.5 The members shall strive to create awareness among villagers about the importance of forests in meeting their domestic needs of forest produce on a sustainable basis.
- 2.6 The members shall take active part in the preparation of Micro-plan for JFM area.

3. CONSTITUTION AND FUNCTIONS OF EXECUTIVE COMMITTEE (EC)

3.1 There shall be an EC for each JFMC comprising both elected and ex-officio members to manage the affairs of the Committee on day-to-day basis. The EC shall have the following composition:

- | | | | |
|---------|---|---|--|
| (i). | Elected Members of Executive Committee | - | Ten (10) members of which three shall be woman members to be elected from amongst JFMC members including one Chairperson and one Vice-Chairperson. Either the Chairperson or Vice-Chairperson shall be a woman member. |
| (ii). | Pradhan of the Village Panchayat | - | Ex-officio Member |
| (iii). | A Member of the Village Panchayat nominated by the Panchayat of the village concerned. | - | Ex-officio Member |
| (iv). | A representative of teaching community of the School/College located in the area. | - | Ex-officio Member |
| (v). | A representative of the NGO active in the area | - | Ex-officio Member |
| (vi). | Two representatives from the development sector of the Administration other than the Deptt. of Environment and Forests. | - | Ex-officio Member |
| (vii). | Patwari or his representative | - | Ex-officio Member |
| (viii). | Beat Officer (Forester/Forest Guard) | - | Ex-officio Member Secretary cum-Convenor |

3.2 The term of the Executive Committee shall be of two years.

3.3 The Ex-officio Members shall not have any voting rights.

3.4 The Executive Committee shall meet at least quarterly.

3.5 The presence of 50% of the total elected members of the Executive Committee shall constitute the quorum.

4. DUTIES OF EXECUTIVE COMMITTEE

- 4.1 The Executive Committee shall maintain a register showing necessary particulars of each household and members comprises it (beneficiaries/members) e.g. name, father's name, age, address, number of family members, name of representatives of the family, etc. Such register shall also be maintained in the office of the Range Forest Officer for records.
- 4.2 The Executive Committee shall maintain a 'Minute Book' wherein proceedings of the meetings of the EC shall be recorded by the Member Secretary and signed by the Chairperson/Vice-Chairperson a copy of which shall be forwarded to the Member Secretary, JFMC and R.F.O. for records.
- 4.3 The EC shall regulate grazing/collection of forest produce from the areas under JFM strictly in accordance with the approved Micro-plan.
- 4.4 The Member Secretary of EC shall maintain all records together with the cashbook and other accounts of the Committee which shall be placed before EC in its meeting and before JFMC in its quarterly meetings.
- 4.5 The annual account shall be prepared by the EC and placed in the Annual General Body Meeting of JFMC for approval.
- 4.6 The Executive Committee shall regulate grazing & collection and distribution of forest produce from the areas under JFM strictly in accordance with the approved Micro-plan.
- 4.7 All issues of conflict in implementation of JFM programmes shall be addressed by EC and resolved in its meeting. In case EC fails to resolve the issue, the Chairperson/Vice-Chairperson shall refer the matter to JFMC for its final decision.

5. ANNUAL ACCOUNTS

The annual accounts of the JFMC shall be got audited and placed in the Annual General Body Meeting within six months of the closure of the financial year. The approved audited accounts should be displayed on a notice board of local Panchayat office. The remuneration of the auditors shall be fixed and approved by JFMC in its Annual General Body Meeting.

6. ROLE OF GOVERNMENT DEPARTMENTS AND NON GOVERNMENTAL ORGANISATIONS (NGOs)

GOVERNMENT DEPARTMENTS

In order to contain the problems arising on account of progressively increasing socio pressures on forests, it is necessary to address the problem of ever increasing population, illiteracy and lack of awareness about the importance of forests and environment. Therefore, a multi-disciplinary approach is required involving all Development Departments of Andaman & Nicobar Administration and NGOs.

- 6.2 To meet the aforesaid ends, the Government Departments namely the Departments of Environment & Forests, Agriculture, Horticulture, Rural Development, Fisheries, Animal Husbandry, Health and Family Welfare etc. shall contribute their bit besides making available their technical expertise in formulation and implementation of the Micro-plan and its implementation.
- 6.3 The Officers of the Development Departments of the Administration including the Department of Environment & Forests may attend the meetings of the EC to provide guidance for effective implementation of JFM Programmes.
- 6.4 The Range Forest Officer concerned of the Department of Environment and Forests shall scrutinize the accounts of the Committee at least once in every three months and if any irregularity is noticed, the same shall be reported to the DFO for appropriate action.

NGOs

- 6.5 The NGOs may assist the Committees in disseminating information among villagers to enlist their active participation in the JFM Programmes.
- 6.6 The NGOs working in the field of Environment and Forests should use the platform of JFM Programmes to educate villagers and make them aware of the benefits that should accrue to them by protecting forests and wildlife.

7. IDENTIFICATION OF JFM AREAS

- 7.1 The DFO shall identify the areas suitable for implementation of JFM in consultation with Panchayats and officials of the Revenue Department. The RFO shall hold meetings of the villagers in the areas identified by the DFO to explain the objectives of JFM programme and motivate them for their active participation.

The extent of forest area to be covered under the programme should be in proportion to the size of population of village(s) but in no case the area so selected should exceed 100 Ha.

- 7.2 The identified areas shall be demarcated and mapped by the RFO and the same shall be notified by the Conservator of Forests (Territorial) concerned under intimation to the Principal Chief Conservator of Forests, Andaman and Nicobar Islands.

8. MICRO-PLAN

The Executive Committee, after careful assessment of the requirements of the beneficiaries on a household basis, shall prepare a Micro-plan with an overall work of approval Working Plan and in accordance with the relevant orders of the Administration issued from time to time.

- 8.2 The Micro-plan shall aim at production of fuel wood, fodder, bamboos, canes, NTFP and small timber for meeting the basic domestic needs of the beneficiaries on a sustainable basis.
- 8.3 The Micro-plan shall also prescribe the quantities and modalities for removal and distribution of forest produce amongst the beneficiaries on a household basis.

- 8.4 The Micro-plan shall be prepared for a period of five years which may be revised earlier, if felt necessary.
- 8.5 The Member Secretary of the Executive Committee shall place the draft Micro-plan before the JFMC for consideration and suggestions, if any.
- 8.6 The JFMC shall forward the draft Micro-plan with its comments/ observations to the DFO who in turn shall forward it to the Conservator of Forests in-charge of Working Plans with his recommendations for its approval.

9. MEMORANDUM OF UNDERSTANDING (MoU)

A Memorandum of Understanding (MoU) shall be signed by the Members of the Executive Committee for implementation of the JFM programme in the manner prescribed at Appendix-II.

10. FINANCIAL ARRANGEMENT

The Union Territory Administration will bear the expenditure to be incurred for implementation of Joint Forest Management plan through Department of Environment & Forests, A&N Administration.

11. DISTRIBUTION OF FOREST PRODUCE

11.1 The beneficiaries shall be entitled to the following benefits:

- a) **Items free of royalty:** Forest produce such as – grasses, leaves, fruits, firewood (twigs, lops and tops) shall be allowed to be collected by the beneficiaries free of royalty for domestic consumption. No tree will be felled or lopped for collection of firewood.
- b) **Items at concessional rate of royalty:** Forest produce such as bamboos, canes, ballies, posts shall be allowed to be collected from the area under JFM by the beneficiaries as per the prescriptions of micro-plan on payment of 25% of the prevailing royalty after obtaining permit from the RFO to meet their bonafide domestic requirements only and not for trade or barter. For this, each household will constitute one unit beneficiary. Any member of household (who is member or JFMC) may approach in avail of this concession on behalf of the household.

11.2 The beneficiaries shall submit their applications individually for forest produce which they require to the Member Secretary of EC who in turn shall forward the same to RFO duly recommended by the Chairperson/Vice-Chairperson of the EC.

11.3 The permit for the grant of forest produce on payment of concessional royalty shall be issued by the RFO in accordance with the terms of distribution and provisions of the Micro-plan subject to silvicultural availability.

12. TERMINATION OF MEMBERSHIP

12.1 If any member of the Executive Committee remains absent in three consecutive meetings of the Committee without prior intimation to the Chairperson/Vice-Chairperson, he/she shall cease to be the member of the Committee. This fact shall be recorded in the proceedings of the next meeting of the EC.

12.2 If the conduct of any member of JFMC is found to be prejudicial to the interest of the JFM programme such as commission of forest offence and willful negligence in pursuing the objectives of JFM programmes, the EC in its meeting shall take note of such acts of the member and make suitable recommendations to the Chairperson of JFMC for termination of his/her membership permanently or for a specified period. The JFMC, on receipt of such recommendation and after giving the member an opportunity of being heard, shall decide the matter on merit. In the event of failure on the part of the member concerned to avail of the opportunity of being heard, the JFMC shall decide the matter ex-parte.

12.3 The aggrieved member may appeal to the DFO against the decision of the JFMC within a period of 30 days of the receipt of the termination order of his/her membership. The DFO, after careful consideration and hearing such person who he may deem proper, shall pass necessary orders which shall be binding on the JFMC.

12.4 The appeal against the order of the DFO shall lie with the CF(Territorial) whose decision will be final and binding.

13. SUPERSESSION OF EXECUTIVE COMMITTEE

13.1 If the Committee fails to discharge its functions properly and if it leads to degradation of forests either on account of over-exploitation or its failure to provide effective protection, the DFO shall take note of the fact *suo- motto* and recommend to CF (Territorial) for supersession of the EC.

13.2 If there are instances of financial irregularities, misappropriation or violation of any rules and regulation related to the protection of forests by the EC, the DFO shall conduct an in-depth enquiry into such irregularities/illegalities and forward his recommendation to the CF (Territorial) for supersession of the Committee or otherwise.

13.3 In case the recommendation of DFO for supersession of the EC is accepted by the CF(Territorial), the latter shall pass appropriate orders to that effect and appoint a Special Officer not below the rank of the Range Officer to take over the functions of the Committee till such time a new Committee is put in place.

The EC may appeal to CCF (Controlling the Circle) against the order of supersession passed by the CF (Territorial). The CCF shall dispose of the appeal within 30 days of its receipt in his office.

In case the appeal is decided in favour of EC and the order of supersession is set aside, the EC shall resume its functions.

Any dispute in the performance of the MoU, the PCCF, A&N Islands shall appoint an Arbitrator in consultation with the aggrieved parties and the decision of the Arbitrator shall be final and binding on both the parties.

Nothing in the provisions contained hereinafter shall be deemed to authorise the Administration of A&N Islands to modify/alter any of the provisions of the MoU as and when felt necessary.

Sd/-
(R.S.C.JAYARAJ)
Deputy Secretary
(Environment and Forests)

APPENDIX – IA

APPLICATION FORM FOR CONSTITUTION OF JOINT FOREST
MANAGEMENT COMMITTEE

To
The Divisional Forest Officer
_____ Forest Division

(Through the Range Forest Officer)

Sub: Application for seeking approval for the constitution of Joint Forest Management Committee – reg.

Sir,

In terms of Notification No..... dated..... issued by the Department of Environment and Forests, A & N Administration and resolution passed thereunder by the villagers (copy of the resolution enclosed) we the villagers of of district have resolved to constitute a Joint Forest Management Committee (list of members enclosed) on..... to assist the Department in providing effective protection and meeting out basic requirement of forest produce. The details/particulars of the JFMC and the area of operation are as follows:

- | | | | |
|----|--|---|---|
| 1. | Name of the Committee | : | Joint Forest Management Committee, A & N Islands. |
| 2. | Village | : | |
| 3. | Forest Beat | : | |
| | Range | : | |
| 5. | Total No. of households | : | |
| 6. | Total No. of JFMC members | : | |
| 7. | Area proposed to be protected and Managed (Map to be enclosed) | : | |
| 8. | Location of the proposed area | : | |

9. *Boundaries* : *North*
 : *East*
 : *South*
 : *West*

We also do hereby undertake to abide by the Rules and Regulations as prescribed under the aforesaid Notification and the rules made thereunder or likely to be made in future. We also undertake not to contravene the Indian Forest Act, 1927 and rules made under, The Forest (Conservation) Act, 1980 and the Wildlife (Protection) Act, 1972 and the rules made thereunder.

It is, therefore, requested to approve the constitution of the JFMC.

Yours faithfully,

()
Chairperson,
Joint Forest Management Committee.

APPENDIX - IB**DETAILS OF THE MEMBERS OFJ.F.M.C.**

Sl.No.	House No.	Name of the head of household	Name of members in the family	Father/Mother/Husband's name	Age	Sex	Signature/thumb impression of the member
1	2	3	4	5	6	7	8
1.							
2.							
3.							
4.							
5.							

Member Secretary- cum- Convener of
Executive Committee

(.....JFMC)

(.....JFMC)

APPENDIX – II**MEMORANDUM OF UNDERSTANDING**

We, the members of the Joint Forest Management Committee of Village do hereby undertake individually to perform the duties and shoulder the responsibilities as detailed in the Government Notification No..... datedof the Department of Environment & Forests, Administration of Union Territory of Andaman & Nicobar Islands for proper protection and regeneration of the Forest (s) / Plantation (s) assigned to this committee as per the schedule given hereunder:

1. Name of the Committee :
2. Village :
3. District :
4. Police Station :
5. Location of the land :
- Beat :
- Range :
- Area (in hectare) :
- (Map to be attached) :
- Status of the land :
- Boundary :
- North
- East
- South
- West

We understand that the usufruct benefits as detailed in the aforesaid Government Notification shall be allowed only upon satisfactory observance of the duties, responsibilities and functions by the Executive Committee and by the members of the Joint Forest Management Committee.

A copy of the aforesaid Notification is annexed herewith duly signed by us on every page in proof/evidence of our having read/understood the same in letter and spirit. It is hereby agreed that this MoU will come into effect from.....

Members of the Executive Committee**Witness**

Name & address	Signature with date	Name & address	Signature with date
1.	1.		
2.	2.		
3.			
4.			