

- (359) - 3 -

URGENT/ IMMEDIATE
TIME BOUND

F. No. 2-1/1997-FP (Vol. 7)
Government of India
Ministry of Environment, Forest & Climate Change
(Forest Policy Division)

Indira Paryavaran Bhawan,
6th Floor, Vayu Wing,
Jorbagh Road, Aliganj
New Delhi-110003
Date: 25th July, 2017

To

The Principal Chief Conservator of Forests and HoFFs'
All State/UT Governments

Sub: Amendment to Section 2 (7) of the Indian Forest Act, 1927-regarding

Sir,

This is to inform that a proposal to amend sub-section (7) of section 2 under Chapter 1 of the Indian Forest Act, 1927 is under consideration in the Ministry. The proposed amendment is regarding removal of "bamboo" and "cane" from the definition of tree under section 2(7) of IFA, 1927. A copy of the draft amendment Bill is also enclosed.

2. The rationale in brief for amending the definition of tree is being considered in view of the fact that the exemption of Bamboo and cane from definition of tree will exempt these species from the requirement of felling and transit permissions. This would encourage farmers and other interested land owners for taking up Bamboo & cane plantations in a big way. At present under Chapter 1, Section 7 of IFA, 1927 bamboo is defined as tree, though scientifically and taxonomically it is a grass, and since bamboo & cane is defined as a tree it attracts the provisions of felling and transit regulations of respective States as per the Section 41 of IFA.

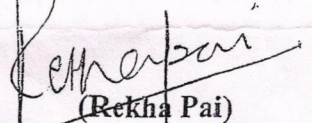
3. Though many States have exempted transit and felling regime for various species of bamboo within the States, however the inter-state movement of bamboo & cane still requires the permit when being in transit through different states. This has been identified as a major impediment for growth of bamboo & cane sector.

4. Further, amendment of definition of bamboo will also bring conformity with the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 as Bamboo is defined as Minor Forest Produce in the later Act.

5. In view of the above, it is requested the views/comments of the State Government may kindly be conveyed to the Ministry by 11.08.2017. This may please be accorded top priority.

Encl: as above.

Yours faithfully,



(Rekha Pai)

Inspector General of Forest (Forest Policy)

Copy to:

The Chief Secretary, All States/UTs Governments

	<p>THE INDIAN FOREST (AMENDMENT) BILL, 2017 A Bill</p> <p>Further to amend the Indian Forest Act, 1927 Be it enacted by Parliament in the Sixty-seven Year of the Republic of India as follows:-</p>	
	<p>1. (1) This Act may be called the Indian Forest (Amendment) Act, 2017. (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.</p>	<p>Short title and commencement</p>
	<p>2. In sub-section (7) of section 2 of the Indian Forest Act, 1927,- (a) the words "bamboo" and "canes" shall be omitted;</p>	<p>Amendment of section 2 of Act 16 of 1927</p>

TOP PRIORITY

**F.No.2-1/1997-FP(Vol.7)
Government of India
Ministry of Environment, Forest & Climate Change
Forest Policy Division**

**Indira Paryavaran Bhawan,
Vayu Wing, 6th Floor,
Jor Bagh Road, Aliganj,
New Delhi -110 003**

Dated 7th September, 2017

Handwritten notes:
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11/9/17

To
The Principal Chief Conservator of Forests and HoFF's,
All States/UTs (Except Bihar, Mizoram, Goa, Nagaland,
Punjab, A&NI and Karnataka).

Sub: Meeting to take final views/ comments of the State Governments/UTs on the
**amendment of Section 2 of the Indian Forest Act, 1927 and Pan India Transit
permit for movement of bamboo -regarding**

Sir,

This is to inform that a meeting will be held under the chairmanship of DGF&SS on
18.09.2017 at 11.30 AM at Krishna Conference Hall, 4th Floor, Jal Wing, Indira Paryavaran
Bhawan, New Delhi on the following two proposals:

- (i) Amendment of Section 2(7) of the Indian Forest Act, 1927
- (ii) Pan India Transit Permit for inter-state movement of bamboo

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11.9.17

2. Agenda:

(i) Agenda No.1: Amendment of Section 2 (7) of the Indian Forest Act, 1927:

A proposal to amend Section 2(7) of the Indian Forest Act, 1927 is under consideration to remove "bamboo" and "cane" from the definition of tree. In this regard, Ministry has already sent letter vide F.No. 2-1/1997-FP(Vol.7) dated 25.07.2017 to the PCCF & HoFFs' of all the States/UTs and subsequent reminder dated 16.08.2017 to seek the views/comments of respective States/UTs Government in the matter as part of the consultation with State Governments. The States were requested to furnish views by 11.08.2017 later on extended up to 28.08.2017. However, the comments have been received only from Bihar, Mizoram, Goa, Nagaland, Punjab, A&NI and Karnataka.

(ii) Agenda No.2: Pan India Transit Permit for inter-state movement of bamboo

Ministry had mooted a proposal to have Pan India Transit Permit for inter-state movement of bamboo. In this regard, the advisories were issued to all the States/UTs vide letter No. 9-1/2016-FP (Vol.2) dated 5.6.2017 and 17.07.2017. The letter dated 17.07.2017 also contains a Draft Pan India Transit Permit Format for inter-state movement of bamboo. Reminders were also issued vide letter dated 02.8.2017 and 1.9.2017. The comments have been received in the matter from six States/UTs viz. Sikkim, Mizoram, Nagaland, Arunachal Pradesh, Goa and A&NI.

3. The Ministry is required to take a view in the matter. Therefore a meeting under the chairmanship of DGF&SS has been fixed on 18.09.2017 to expedite the views /comments of States/UTs on the proposal.

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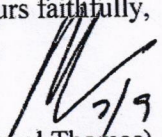
4. You are therefore requested to kindly attend the meeting on **18.09.2017 at 11.30 AM** and convey the views/comments of your State Government during the meeting. A written statement from respective State/UT Governments is also expected. In case you are unable to attend the meeting, a senior PCCF/APCCF level officer who is well conversant with the matter may be deputed to attend the meeting. This will be the last consultative process with the States/UTs on the issues.

5. The States/UTs who have already furnished their views/comments in the matter but desire to attend the meeting are also welcome to attend the meeting.

6. It is once again requested to kindly attend the meeting and send the confirmation at digfpolicy-mef@nic.in/jitesh.kumar@nic.in.

Encl: as above.

Yours faithfully,


(Noyal Thomas)

Dy Inspector General of Forests (Forest Policy)

Tel: 011-24695323