

¹Madhya Pradesh Vrikshon Ka Parirakshan (Nagriya Kshetra) Niyam, 2002

Bhopal, the 11th April 2002

No. F-30-4-2001-X-3.— In exercise of the powers conferred by Section 24 of the Madhya Pradesh Vrikshon Ka Parirakshan (Nagariya Kshetra) Adhiniyam, 2001 (No. 20 of 2001), the State Government hereby makes the following rules for the purpose of preservation and replanting of trees in Urban areas of Madhya Pradesh, namely :—

RULES

1. Short title, extent and commencement.— (1) These rules may be called the **Madhya Pradesh Vrikshon Ka Parirakshan (Nagriya Kshetra) Niyam, ²[2002]**.

(2) The shall extend to the whole of the State of Madhya Pradesh.

(3) These rules shall apply in all urban areas of the State from the date of their publication in the Madhya Pradesh Gazette.

2. Definitions.— In these rules unless the context otherwise requires :—

- (a) **“Adhiniyam”** means the Madhya Pradesh Vrikshon Ka Parirakshan (Nagriya Kshetra) Adhiniyam, 2001 (No. 20 of 2001);
- (b) **“Forest Act”** means the Indian Forest Act, 1927 (No. XVI of 1927);
- (c) **“Section”** means a section of the Adhiniyam;
- (d) **“Transit Rules”** means Madhya Pradesh Transit (Forest Produce) Rules, 2000.

3. Procedure for obtaining permission.— (1) Any person desiring to fell, remove, uproot or sever stem from the root system, or dispose of by any means a tree (s) shall apply to the Tree Officer having jurisdiction on concerning urban area in Form-I, along with a processing Fee of Rs. 100/- per application. The application shall be accompanied by the following documents:—

- (a) details of land where the tree is standing (Khasra No., Plot No., Ward No. etc. along with location map);
- (b) proof of ownership of land or lease documents or any other document which can substantiate that the applicant has got ownership rights in the land in question;
- (c) details of tree(s) species, height, girth at basal area, condition of tree (sound, diseased, dying, dead, damaged, wind fallen, girdled or with any other peculiarity).

1. Published in M.P. Rajpatra Part 4 (Ga) dated 19-8-2003.

2. Substituted vide Not. No. 38-F-1-52-3/18-3, dated 19-8-2003.

- (d) undertaking for compensatory plantation.

(2) The permission granted under sub-section (2) of Section 6 of the Adhiniyam shall be subject to the condition that the applicant shall plant another tree or trees of the same or other suitable species on the same site or the premises and where this is not possible shall make a cash contribution of Rs. 500/tree within 30 days from the date the tree is felled or within such extended period as the Tree Officer may allow.

4. Power to release the property seized under Section 10.— If the owner of the land executes a bond in Form-II the Tree Officer may release the seized property for the production of seized material whenever required.

5. Disposal of confiscated property.— The Tree Officer, shall apply to the Magistrate first class, having jurisdiction for the disposal of the confiscated property. The application shall contain the details of the confiscated property and the order of the confiscation.

6. Power to compound offence.— If the Offender agrees in writing for compounding of the offence and the Tree Officer is also satisfied that the case is not fit for challan in the Court, he may compound the offence by imposing the penalty which may not exceed Rs. 5000/- per tree in respect of offence, which the person is suspected to have committed. In addition to above, the value of the produce will also be realised and seized property and person if in custody shall be released.

ⁱ[**7. Mode of deposit of recovered amount.**— Any amount recovered under these Niyam shall be deposited in the treasury of Municipal Corporation or Municipal Council or Nagar Panchayat, as the case may be, established in the Urban Area.]