

List of Species exempted from Felling
ಕಡಿತಲೆಗೆ ವಿನಾಯಿ ಹೊಂದಿರುವ ಮರಗಳ ಪಟ್ಟಿ

Sl No.	Name of Species	ಜಾತಿ/ತಳಿಯ ಹೆಸರು
1	Casuarina	ಗಾಳಿ/ಸರ್ವೆ ಮರ
2	Coconut	ತೆಂಗು
3	Erythrina	ಹೊಂಗರಿಗೆ
4	Eucalyptus	ನೀಲಗಿರಿ
5	Glyrencia	ಗೊಬ್ಬರದ ಗಿಡ
6	Hopea Wightina	ಹೈಗೆ
7	Prosipis	ಬಳ್ಳಾರಿ ಜಾಲಿ
8	Rubber	ರಬ್ಬರ್
9	Sesbania	ಅಗಸಿ
10	Silver Oak	ಸಿಲ್ವರ್
11	subabul trees	ಸುಬಾಬುಲ್
12	Areca nut	ಅಡಿಕೆ
13	Coffee	ಕಾಫಿ
14	Guava	ನೀಬೆ
15	Hebbevu (melia dubia)	ಹೆಬ್ಬೇವು
16	Ailanthus excelsa	ದೊಡ್ಡ ಬೇವು
17	Lemon	ನಿಂಬೆ
18	Maesopsis eminii	ಛತ್ರ ಮರ
19	Mango	ಮಾವು
20	Sapota	ಸೆವೋಟ
21	Seemegala (Dendrocalamus stocksii)	
22	Burma Bamboo (Bambusa burmanica)	
23	Yellow Bamboo (Phyllostachys aurea)	
24	Acacia mangium	ಅಕೇಶಿಯ ಮಾಂಜಿಯಂ
25	Acacia Hybrid	ಅಕೇಶಿಯ ಹೈಬ್ರಿಡ್
26	Acrocarpus fraxnifolius (Belanji)	ಬಳಂಜಿ
27	Cashew	ಗೆಣ್ಣೆ

THE KARNATAKA PRESERVATION OF TREES ACT, 1976

CHAPTER V

RESTRICTION ON FELLING OF TREES AND LIABILITY FOR PRESERVATION OF TREES.

8. Restriction on felling of Trees. (1) With effect on and from the appointed day, notwithstanding any custom, usage, contract or law for the time being in force, no person shall fell any tree or cause any tree to be felled in any land whether in his ownership or occupancy or otherwise, except with the previous permission of the Tree Officer.

Provided that no permission shall be granted under this section for felling of trees if it involves felling of all trees in the areas proposed for cultivation or extension of cultivation of rubber or tea.

- (2) Any person desiring to fell a tree, shall apply in writing to the concerned Tree Officer for permission in that behalf. The application shall be accompanied by a site plan or survey sketch specifying clearly the site or survey numbers, the number, kind and girth of the tree sought to be cut and the reasons therefore along with the consent of the owner or occupant.
- (3) On receipt of the application, the Tree Officer may, after inspecting the tree and holding such inquiry as he deems necessary, either grant permission in whole or in part or refuse permission :

Provided that permission shall not be refused, if the tree,

- (i) is dead, diseased or wind-fallen; or
 - (ii) has silviculturally matured; or
 - (iii) constitutes a danger to life or property; or
 - (iv) constitutes obstruction to traffic; or
 - (v) is substantially damaged or destroyed by fire, lightning, rain or other natural causes; or
 - (vi) is required in rural areas to be removed either for extension of the cultivation in areas specified in Schedule **II** (except where such removal does not involve felling of all trees in the areas proposed for cultivation, extension of cultivation or change in crop cultivation)or for the **bona fide** use of the applicant.
- (4) If tree officer shall make all possible endeavour to dispose off the application received under this section within a period of three months from the date of its receipt.

Provided that in computing the period of three months under this sub-section the time required to obtain:-

- (a) opinion from revenue authorities;
 - (b) report from Assistant Director of Land Records;
 - (c) measurement list of trees intended to be felled or
 - (d) any other relevant information as may be prescribed shall be excluded.
- such permission shall be deemed to have been granted.
- (5) Where permission to fell a tree is granted, the Tree Officer may grant it subject to the condition that the applicant shall plant another tree or trees of the same or any other suitable species on the same site or other suitable place within thirty days from the date the tree is felled or within such extended time as the Tree Officer may allow.
 - (6) Notwithstanding anything contained in sub-sections (1) to (5) but subject to such conditions and restrictions as may be prescribed, for bona fide domestic

use of a family, one or more members of such family may, if they are otherwise entitled to do so, in the aggregate, fell, in a calendar year, such number of trees as would fetch ¹[not more than 2.8 cubic meters of timber, fifty poles and bamboo's and five tonnes of firewood.]

²[(7) Nothing in this section shall apply to felling of ³[Casuarina, Coconut, Erythrina, Eucalyptus, Glyrecidia, Hopea, Wightina, Prosipis, Rubber, Sesbania, Silver Oack and Subabul trees]

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1. Substituted by Act, 21 of 1977, S. 2 (29th July 1977).
 2. Inserted by Act, 21 of 1977, S. 2 (29th July 1977).
 3. Substituted by Act No. 39 of 1987 Dt. 1-12-1987.
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8A. cancellation of suspension of permission granted under section 8:-

The tree officer may cancel or suspend the permission granted under section 8 on any of the grounds specified below, after giving an opportunity of being heard to the grantee and after recording reasons therefore, namely:-

- (a) Furnishing of false or wrong information to obtain permission;
- (b) Discovery of defects in title;
- (c) Misuse of felling permission;
- (d) Non-fulfillment of conditions of felling permission;
- (e) Violation of any provisions of this Act or the rules or orders made there under;
- (f) Felling of unpermitted trees;
- (g) Dispute between grantee and others;

9. Planting of adequate number of trees. (1) Every owner or occupant of a land shall, within a period of five years from the appointed day or within such extended period as the Tree Authority may specify, plant trees so as to conform to the standards prescribed by the said Tree Authority under clause (c) of section 7.

- (2) If in the opinion of the Tree Officer the number of trees in any land is not adequate according to the standards referred to in sub-section (1), the Tree Officer may, by order giving a reasonable opportunity to the owner or occupier of the land of making representation, require him to plant such trees, or additional trees, as the case may be and at such places in the land as may be specified in the order.
- (3) The owner or occupier of the land shall comply with such order within thirty days from the receipt thereof or such extended time as the Tree Officer may allow in this behalf.

10. Planting in place of fallen or destroyed trees.- (1) Where any tree has fallen or is destroyed by wind, fire, lightning, torrential rain or such other natural causes, the Tree Officer may *suo moto* or on information given to him, after holding such enquiry as he deems fit, by order, require such owner or occupier to plant a tree or trees in place of the tree so fallen or destroyed, of the same or other species the order.

- (2) The owner or the occupier of the land shall comply with such order within thirty days from the receipt thereof or such extended time as the Tree Officer may allow.

11. Preservation of Trees. Subject to the provisions of section 12, it shall be the duty of the owner or occupier of the land who is required by an order section 8,9 or 10 to plant a tree or trees to ensure that they grow properly and are well preserved.

KARNATAKA ACT NO 08 OF 2015

(First Published in the Karnataka Gazette Extra-ordinary on the Thirteenth day of January 2015)

**THE KARNATAKA PRESERVATION OF TREES
(AMENDMENT) ACT, 2014**

(Received the assent of the Governor on the Ninth day of January 2015)

An Act further to amend the Karnataka Preservation of Trees Act, 1976.

Whereas it is expedient further to amend the Karnataka Preservation of Trees Act, 1976 (Karnataka Act 76 of 1976), for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Sixty-fifth year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka Preservation of Trees (Amendment) Act, 2014.

(2) It shall come into force with effect from such date as the State Government may, by notification, appoint.

2. Amendment of section 2.- In the Karnataka Preservation of Trees Act, 1976 (Karnataka Act 76 of 1976), (hereinafter referred as principal Act) in section 2, in sub-section (1),-

(a) after clause (a), the following shall be inserted, namely:-

"(aa) "Head of the Karnataka Forest Department" means the officer holding such designated post as may be notified by the State Government from time to time." ; and

(b) in clause (h), for the words "Principal Chief Conservator of Forests (General)", the words "the Head of the Karnataka Forest Department" shall be substituted.

3. Amendment of section 3.- In section 3 of the Principal Act, in sub-section (2),-

(a) for clause (a), the following shall be substituted, namely:-

"(a) For urban areas,-

- (i) The Forest Officer incharge of a Territorial Forest Circle – chairman;
- (ii) The Joint Director Horticultural, having Jurisdiction;
- (iii) The Superintending Engineer, Communication and Building having jurisdiction;
- (iv) In respect of Bruhat Bangalore Mahanagara Palike a representative of the Commissioner and in respect of other Corporations and Municipalities the Commissioner of City Corporation or Municipality, as the case may be;
- (v) One Botanist or Ecologist nominated by the State Government."

(b) for clause (b), the following shall be substituted, namely:-

"(b) For a rural area specified in Schedule-I,-

- (i) The Forest Officer incharge of a Territorial Forest Circle – Chairman;
- (ii) The Deputy Commissioner of the district or his representative not below the rank of Assistant Commissioner;
- (iii) The Superintending Engineer Communication and Buildings having jurisdiction; and
- (iv) two non-official members with background in Environmental Conservation and Protection nominated by the State Government."

4. Amendment of section 5.- In section 5 of the principal Act, in sub-section (1), for the words "The Principal Chief Conservator of Forests (General)", the words "the Head of the Karnataka Forest Department" shall be substituted.

5. Amendment of section 6.- In section 6 of the principal Act, for the words "The Principal Chief Conservator of Forests (General)", the words "The Head of the Karnataka Forest Department" shall be substituted.

6. Amendment of section 8.- In section 8 of the principal Act,-

(1) in sub-section (3), in the proviso after clause (vi), the following shall be inserted, namely:-

"(vii) felling is more than 50 that are necessitated for any public purpose like road widening, construction of road, canal, tanks, buildings etc., subject to condition that permission is issued after issue of public notice to invite objections from the public and the same is considered by the Tree Officer."

(2) for sub-section (6), the following shall be substituted, namely:-

"(6) Notwithstanding anything contained in sub-sections (1) to (5), but subject to such conditions and restrictions as may be prescribed, for bonafide use of a family, one or more members of such family may, in the aggregate fell, in a calendar year, such number of trees as would fetch not more than 2.8 cubic meters of timber, 100 poles, 100 bamboo and 5 tons of firewood."

(3) in sub-section (7), for the words "and Subabul trees", the following shall be substituted, namely:-

"subabul trees, Areca nut, Coffee, Guava, Hebbevu (melia dubia), Ailanthus excelsa, Lemon, Maeopsis eminii, Mango, Sapota, Seemegala (Dendracalamus stocksii), Burma Bamboo (Bambusa burmanica) , Yellow Bamboo (Phyllostachys aurea), Acacia mangium, Acacia Hybrid, Acrocarpus fraxnifolius (Belanji) and Cashew."

7. Insertion of new section 27B.- After section 27A of the principal Act, the following shall be inserted, namely:-

"27B. Delegation of powers.- The State Government may, by notification, delegate to any officer or authority subordinate to it, any of the powers conferred on the State Government or any Officer subordinate to it under this Act, except power to make rules, to be exercised by such officer or authority, subject to such restrictions and conditions, if any, as may be specified in the said Notification."

By Order and in the name of the Governor of Karnataka,

S.B. GUNJIGAVI
Secretary to Government
Department of Parliamentary Affairs