

ANNEXURE – 13
(See Proceedings of the Committee : Para 15 (vi))

Report of the National Forest Commission – 2006 - Extracts

Chapter 4

- [8] Transit rules/regulations are preventive tools for forest protection and should continue on such highly restricted and endangered tree species only and there should be no restriction and regulation on the felling and removal of other trees planted on private holdings.
- [9] Under the Land Ceiling Act, no land ceiling shall be imposed on land under plantation of forest tree species. This will motivate the corporate sector and big farmers to invest in plantations.
- [11] In respect of the Biological Diversity Act, 2002, no agency has been identified for the implementation of this Act. The implementing agency may be the Forest Department (FD), in coordination with other agencies, in areas under the control of the FD.
- [12] With respect to the Environment Protection Act, 1986, no agency has been identified for the implementation of this Act at the field level. The Forest department may be considered as an implementing agency for this. Act in areas under its control. it may coordinate its efforts with those of other agencies.

Chapter 5

- [24] The main objective of forest management should be ecological security. For assessing the effectiveness of forests in contributing to ecological security on the basis of a number of parameters and paradigms such as volume of growing stock, biodiversity, health of forest soil, soil moisture, hydrology, carbon sequestration and crown density, the scope of work of the Forest Survey of India (FSI), Dehradun should be expanded and

adequate infrastructure be provided for this purpose. Monitoring of ecological security should be done at five year's interval and a national level report should be published by the FSI. In addition, the FSI should undertake research required to conduct necessary forest surveys and assessments.

Chapter 6

[36] The objectives of management for Joint Forest Management (JFM) / Gram Van need to be revised and clearly stated to broadly include restoration and development of degraded forest areas in order to meet demands for fuel wood, fodder and small timber and also to contribute towards poverty alleviation. It must also be clearly understood by all parties that JFM is a social contract and that benefits and rights would only accrue if the people fulfill their obligations and duties.

[49] There should be some code for management of areas under forest /tree cover not under the control of the State Forest Department and incentives should be provided for retaining tree growth for ecological security. The Government has an obligation and must play an important role in extending technical advice to them for increasing both tree-cover and productivity.

Chapter 8

[77] Mangroves should be officially classified as forests and mangroves found anywhere should be placed under the control of State Forest Department. The important mangrove areas need to be made Protected Areas if they are not so covered already.

[100] The forest service should have well defined visions and goals. It is, therefore, strongly recommended that a statement 'Forestry Sector Vision 2020' should be prepared on priority. The National Forestry Action Programme cannot serve this purpose.

[101] Forest that lie outside the protected area network should be sustainably managed through clear working plan prescriptions rather than only having a complete moratorium on felling.

[102] A Forest Conservation Fund should be created to ensure adequate financial resources for forest and wildlife management through levy of a cess on sale of forest produce. Revenue generated from lease of mines in forest areas should be credited to the Forest Conservation Fund. Contributions to be made to the Forest Conservation Fund by corporate companies or individuals should be exempt from income tax.

Chapter 9

[116] Protected area managers do not have a clear mandate, vision and priorities vis-a-vis the protected area they are in charge of. Most protected areas do not still have management plans. This combined with the protected area manager's lack of knowledge and commitment leads them to undertake "development" of their protected area through construction activities like road building, constructions, watch towers, etc, which are often uncalled for and even detrimental to conservation.

[131] Funds generated by tourism should not go to the public exchequer. Rather they should go for eco-development of the local communities, especially the tribals. A special fund should be created for this purpose, as has been attempted in some states. Donations made by visitors should also go into this fund, which could also cater to the welfare needs of the protected area staff. As funds given by Government of India are often kept back by the State Governments, such funds for individual protected areas could also provide an alternative source or routing financial assistance.

[138] An ecologist must be available on the staff or as an advisor to the managers of important protected areas.

[149] All forest protection staff must have group insurance against the death, disease and disability by the state to increase their morale and as a staff welfare measure.

[150] The broad recommendations of the Subramanian Committee report of 1994, especially the formation of the wildlife crime unit and the provision of legal training and support to wildlife law enforcement agencies, be implemented.

Chapter 12

[221] There needs to be a much greater coordination and close cooperation between State Forest Departments, State agriculture, irrigation, animal husbandry and fisheries departments. If the State agriculture departments are to take a lead in agroforestry, they must take on board forest officers and staff for technical help to the extent required. At the national level, there should be a close collaboration between Ministry of Environment and Forests and the Ministry of Agriculture for the advancement of agroforestry.

[222] Import of timber and import duty thereupon should be regulated to keep agroforestry remunerative to the farmer.

Chapter 15

[286] On most of the international forestry issues wherein India has a larger stake as a developing nation, generally wider consultations are not held among the forest officials within the Ministry as well as with the State Forest Departments. As a result, in international consultations the country does not get the benefit of collective work experience of a wider section of foresters. Even the officers do not get to know the latest happening in the sector at the global level, which have a bearing on the development of forestry and wildlife at the national and regional levels. Appropriate mechanisms should be evolved for wider consultations and dissemination of information to forests at the national and State levels.

- [287] Presently, there are no detailed defined duties and responsibilities for various levels in the forestry hierarchy, except the mention of some broad duties in the forest codes/forest manuals of the State Forest Departments. Detailed job description for all levels including that of the ministerial staff should be documented by revising the forest codes and it be given to all the personnel. Need based training for the personnel at different levels should be arranged.
- [288] For efficient administration and better coordination among the various wings of the State Forest Departments, it is necessary to have a single line command. Only the Principal Chief Conservator of Forests should report to government on policy issues.
- [289] Over the last three decades, there has been an immense change in the aims and objectives of managing forests and wildlife resources in keeping with emerging needs of the civil society. However, the structure of the State Forest Departments (SFDs) including the strength of the frontline staff has not undergone adequate changes. The Ministry of Environment and Forestry should undertake a detailed review of the structures of various SFDs and issue appropriate guidelines to States in the next two years, for the restructuring of each State/Union Territory State forest department.
- [290] Accountability of officers at various levels in the forestry services needs to be closely laid down and monitored, to improve their performance.
- [291] For the welfare of the service (housing, educational facilities for children, conveyance, facilities for maintaining physical fitness, grievances handling and counseling etc.), the State Governments should establish Forest Services Beneficiary Funds.
- [294] Grievance redressal cells should be established at circle and headquarters level to address the problems and grievances of the subordinate staff.
- [295] The delegation of administrative and financial powers should be reviewed and for efficient administration and service delivery to the society, there has

to be more devolution of these powers to the middle level management and the field officers, with corresponding increase in accountability.

[296] Professionalism should receive priority within the department. Measures to reduce unnecessary administrative work at different levels are necessary, as these consume a major time and attention of senior staff and hampers technical and professionalism improvement and specialization.

[300] Making frontline staff a satisfied lot is a most important tool for achieving effective conservation and management of forest. For this, it is necessary that their housing problem is addressed. Keeping in view the remoteness of the posting of the frontline staff, they are not in a position to keep their families at their place of posting. It is, therefore, recommended that Forest Housing Corporations be created by every State Government to construct primarily family accommodations for the frontline staff. An adequate corpus fund be allotted to the proposed corporations for their effective functioning.

Chapter 16

[305] The number of beat guards needs to be substantially increased and a revision of beat areas needs to be done state-wise. No change has been done in this regard since before Independence. Each State needs to appoint a committee to go through the exercise of re-delineating beat boundaries.

[306] The field staff is also poorly provided for by way of transport, communication and other facilities required in the better exercise of their duties. A state-wise assessment needs to be carried out and these basic requirements have to be provided to make the field staff more effective for protection work, on a priority basis.

Chapter 19

[331] A national level coordination committee for forest resource accounting (FRA) should be constituted to provide technical support and strengthening networking of concerned institutions/agencies, with a view to promote use

of FRA at all levels (national/state/local). The committee shall comprise institutions and individuals including economists, ecologists, and physical science experts working in the area of forest resource data generation, valuation and accounting, along with the practitioners. The committee would work out a dynamic formula based upon paradigms and parameters which can be revised from time to time as more data becomes available and better norms get evolved.

[335] The new system of forest resource accounting (FRA) proposed through the efforts of the expert group shall comprise tools and techniques of capturing values of tangible and intangible goods and services provided by forests and shall produce a set of accounts for systematically recording such values in the system of national accounts. The proposed system can be implemented at the functional unit level, which may be a division or State level. Since the forest sector is a dynamic sector and any change in it will have a multiplier effect on itself as well on other sectors, it is essential that the exercise of valuation and accounting be taken on a regular basis. For this purpose, it is proposed that the exercise should be made as a component of the existing working plan preparation exercise. As the Working Plan is prepared every 8-10 years, the FRA shall also be automatically done. In fact, if FRA exercises are performed first, important signals can be generated for the new working plan itself.

Chapter 20

[336] While fulfillment of requirements of the community from adjoining forests cannot be denied, the fact remains that the 'forest' are a national wealth and their protection and preservation must be viewed from that angle and not only from regional, sectoral, ethnic or political standpoints.

[340] The National Forest Commission is of the considered opinion that the proposed Scheduled Tribes (Recognition of Forest Rights) Act would be harmful to the interests of forests and to the ecological security of the

country. It would be bad in law and would be in open conflict with the rulings of the Supreme Court. Another legislation, therefore, needs to be framed providing the forest dwelling communities a right to a share from the forest produce on an ecologically sustainable basis and Ministry of Environment and Forests could be asked to do the needful, after taking into account the inputs of the State Governments as recommended by the Sarkaria Commission as a subject under the concurrent list.

[341] Forest encroachments to the extent of 3.60 lakh per annum have already been regularized. If nay State feels that any encroachments done prior to 25.10.1980 still remains unsettled, the concerned State governments could appoint commissions, perhaps headed by judges, to finalize the claims within a time frame. Settlement of such claims and disputes arising therefrom should be done by quasi-judicial bodies and not left to the discretion of Gram Sabhas.