

**Government of West Bengal
Forest department
Forest Branch**

No.2759-For
Dated: 17.08.04

RESOLUTION

In partial modification of this department's resolution No. 5962-For D/IS-16/88, dt. The 27th July, 1990, the Governor has been pleased to decide that Forest Protection Committees shall be constituted for the purpose of development of degraded forests and forests prone to forces of degradation in the following districts of South West Bengal, namely, East Midnapore, West Midnapore, Bankura, Purulia, Burdwan and Birbhum, and direct that the composition, duties and functions, the usufructuary benefits and restrictive measure pertaining to such Forest Protection Committees shall be follows:

1. COMPOSITION

- i. The Divisional Forest Officer in consultation with "Bon-O-Bhumi Sanskar Sthayee Samiti" of concerned Panchayat Samiti shall select beneficiaries for constitution of the Forest Protection Committees(s), within their jurisdiction and within the frameworks of this resolution.
- ii. The beneficiaries ordinarily shall be economically backward people living in the vicinity of the forest concerned. Every, family living in the vicinity of the forests shall, however, have the option of becoming a members of the Forest Protection Committee, if such family including the female members is interested in the work of protection.
 - ii. A) There shall be normally a joint membership for each household (i.e. husband becoming member, wife automatically becomes a member). Either of the two can exercise rights to represent household at any point.
- iii. The concerned Gram Panchayat(s) shall extend necessary support and help to such committees(s) to ensure their smooth and proper functioning.
- iv. Each Forest Protection Committees shall have an Executive Committees to carry out the various activities assigned to the Committee.
- v. The composition of the Executive Committee shall be as follows :
 - a. Sabhapati or any member of the "Bon-O-Bhumi Sanskar Sthayee Samiti" of the Local Panchayat Samiti as may be nominated by the Sabhapati
.....Member.
 - b. Gram Pradhan or any member of local Gram Panchayat(s) as may be nominated by the Pradhan/Chairman of the Municipality or any Councillor of the Local Municipality as nominated by the Chairman of the said Municipality.....
.....Member

- c. Elected representative of the beneficiaries
 Member
 (10% of number of total members of the FPC subject to the maximum of 25
 out of which 33% will be women)
- d. Concerned Beat Officer or his nominee in the rank of Head Forest
 Guard/Forest Guard/Ban Majdoor/Ban Shramik

Member Secretary

The members of the Executive Committee shall elect the President in each meeting.

- vi. Constitution of the Forest Protection Committee including the Executive Committee will be approved by the Divisional Forest Officer concerned on recommendation of the "Bon-O-Bhumi Sanskar Sthayee Samiti" of the concerned Panchayat Samiti.
- vii. The "Bon-O-Bhumi Sanskar Sthayee Samiti" of the respective Zilla Parishad will monitor, supervise and review functions of the Forest Protection Committee.
- viii. The Member Secretary shall convene the meetings of the Executive Committee as well as Forest Protection Committee, as per agreed procedure.
- ix. The representatives of the beneficiaries to the Executive Committee shall be elected in each year in Annual General Meeting of the Committee, where the concerned Range Officer will be the observer.
- x. No member of the Executive Committee shall be elected or nominated for more than three years in succession.
- xi. In order to ensure better coordination among the FPCs and further consolidation of JFM practices, Coordination Committees of the FPCs shall be constituted both at Beat & Range level. The composition and function of such coordination committees shall follow guideline to be prescribed by Principal Chief Conservator of Forests.

2. DUTIES

- i. The Forest Protection Committee shall maintain a register showing the necessary particulars of beneficiaries who are members of the committee, i.e. name, father's name, address, age, number of family members, name of nominee, etc nomination forms duly filled in and approved by the Executive committee should be pasted in the Register. Such Register is also to be maintained in the concerned Range Office of the Forest Department for permanent record.
- ii. The Forest Protection Committee shall maintain a Minute, Book wherein proceedings of the meeting of the Executive Committee held from time to time as well as the proceedings of the Annual General Meeting of the Forest Protection Committee will be recorded under the signature of the President

of the Committee and such Minute duly attested by the Member Secretary shall be sent to concerned Range Officer for record.

- iii. The Forest Protection Committee shall hold a general body meeting once in very year where activities of Committee as well as details of distribution of usufructory benefits are to be discussed, besides electing representatives of the beneficiaries to the Executive Committee.

3. FUNCTION

A

- i. To ensure protection of forest (s)/ plantation(s)/wildlife through members of the committee.
- ii. To protect the said forest(s)/plantation(s) with the member of the Committee.
- iii. To inform forest personnel or any person or persons attempting trespass and willfully or maliciously, damaging the said forest(s) / plantation(s)/Wildlife or committing theft thereon.
- iv. To prevent such trespass, encroachment, grazing, fire, poaching, theft or damage.
- v. To apprehend or assist the forest personnel in apprehension of such person or persons committing any of the offence mentioned above.

B

- i. To ensure smooth and timely execution of all forestry works taken up in the area under protection by the Committee.
- ii. To involve every member of the Committee in the matter of protection of forests(s)/plantations(s)/wildlife as well as other duties assigned to the Committee.
- iii. To assist the concerned Forest Officials in the mater of selection/engaging of labourers required for forestry worked.

C

- i. To ensure smooth harvesting of the forest produce by the Forest Department.
- ii. To assist the concerned Forest Official in proper distribution of the earmarked portion
(i.e. 25% of net sale proceeds) among the members of the committee (as per list maintained by Sthayee samity”).
- iii. To ensure that usufructory rights allowed by the Govt, is not in any way misused by any of the members and forest/plantation sites are kept free from any encroachment whatsoever.

D

- i. To prevent any activities in contravention of the provisions of Indian Forest Act, of 1927 and any Acts and Rules made thereunder and the Wildlife (Protection) Act, 1972 as amended from time to time.
- ii. To report about activities of particular member which are found prejudicial and detrimental to the interest of a particular plantation and or/forest wildlife to the concerned Beat Officer/Range Officer which may result in cancellation of membership of the erring member.
- iii. To assist the Forest Officials to take action or proceed under Indian Forest Act 1972 and the Wildlife (Protection) Act 1972 and any Acts and Rules made thereunder, against the offenders, including may erring members of the Committee found to be violating the Act or damaging the forest/plantation/wildlife.

4. USUFRUCTUARY BENEFITS

- i. The members will have to protect the forest/plantation/wildlife for at least 5 years to be eligible for sharing of usufructs under this programme.
- ii. The Forest official in consultation with executive Committee and with the approval of 'Bon-O-Bhumi Sankar Sthayee samity' of the concerned Panchayat Samity will distribute to such eligible member his proportionate share of usufruct from the final harvesting as may be done as per orders of Govt. in force from time to time, not before the crop attaining the age of rotation, as prescribed in the approved working plan, upon satisfactory performance of functions detailed herein before.
- iii. The members shall be entitled to collect following items free of royalty without causing any damage to forest/plantations.
 - a) Fallen twigs, grass, fruits, flowers, mushroom seed (excluding cashew) etc. and leaves.
 - b) One fourth of the procedure obtained as intermediate yield from RDF copping, multiple shoot cutting, thinning etc. and also 25% of the net sale proceeds of cashew where available to be shared proportionately.

This will not in any manner, extinguish the right and privileges already granted to the members of the Scheduled Tribes by the State Government in their Order No. 2001-For dt.20.4.81 and/or may be granted in future.

- iv. Entire collection of honey and bee-wax from forest plantation shall have to be deposited with the Forest department through the local Range Officer or his Authorised Representative who will pay the members, in approved tariff, against their individual collection.
- v. The concerned Forest Official shall set apart 25% of the net sale proceeds at every final harvesting of the concerned plantation/forests (i.e. Timber, pole etc.) as will be done as per orders of Govt. in force from time to time

and shall pay to all eligible members or his nominee their proportionate share out of the said earmarked funds, as per para 4 (ii) of the resolution.

- vi. A member can be debarred from the share of usufruct for non-performance of the decision in the AGM attended by at least 50% of the FPC members. Such decision will be effective only after completion of full one year from the date of the decision of the AGM.

5. TERMINATION OF MEMBERSHIP, DISSOLUTION OF COMMITTEE APPEALS ETC

- i. Failure to comply with any of the conditions laid down hereinbefore as well as contravention of provisions of the Indian Forest Act of 1972 Wildlife (Protection) Act or Acts and / or Rules made thereunder , may entail cancellation of individual membership and/ or dissolution of the Executive/Forest Protection Committee upon observance of following procedures, as the case may be:
- ii. On the Grounds stated above, the Range level co-ordination Committee will recommend to the DFO for dissolution or suspension of any FPC or its Executive Committee, on the basis of which the DFO will recommend for suspension/dissolution to the Sabhadhipati. On obtaining the recommendation of the Sabhadhipati, the DFO will dissolve/suspend the said FPC or its Executive Committee.
- iii. For grant or termination of individual membership in an FPC the proposal should initially be placed before the AGM for a majority decision by at least 50% of the FPC members. This will then be examined by the Range Level Co-ordination committee and on their recommendation; the DFO may grant or terminate such membership.
- iv. Appeal, against any such penal action by the Division Forest Officer may be preferred to the concerned Circle Conservator of Forests through the concerned Panchayat Samiti and the Zilla Parishad, whose decision shall be final.

No 2759/1 – For
Dated : 17.08.2004

Copy forwarded to the Superintendent, West Bengal Govt. Press.

He is requested to publish it in Calcutta Gazette for greater interest.

By order of the Governor
Sd/- S.NAG
Dy. Secy. To the Govt. of West Bengal

No 2759/2(25) – For
Dated : 17.08.2004

Copy forwarded for information to the :-

1. Principal Chief Conservator of Forests (wildlife), West Bengal.
2. Principal Chief Conservator of Forests, West Bengal.
-All concerned may be informed accordingly.
3. Finance Department of this deptt.
4. Account General, West Bengal.
5. Sabhadhipati
6. P.S to M.I.C

Dy. Secy. to the Govt. of West Bengal

No 2759/3 – For
Dated : 17.08.2004

Copy forwarded for information to the secretary to Govt. of India, Ministry of
Environment & Forests,
National Wasteland Dev. Board, Block-B
Paryavaran Bhawan, C.G.O Complex, Lodhi Road,
New delhi-110 003

Dy. Secy. to the Govt. of West Bengal