

KARNATAKA PRESERVATION OF TREES RULES, 1977

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KARNATAKA PRESERVATION OF TREES RULES, 1977

In exercise of the powers conferred by Section 23 of the Karnataka Preservation of Trees Act, 1976 (Karnataka Act 76 of 1976), the Government of Karnataka hereby makes the following rules, namely.

1. Short title and commencement :-

- (1) These rules may be called the Karnataka Preservation of Trees Rules, 1977.
- (2) They shall come into force at once.

2. Definitions :-

- (1) These rules, unless the context otherwise requires.
 - (1) "Act" means the Karnataka Preservation of Trees Act, 1976 (Karnataka Act 76 of 1976);
 - (2) "Chairman" means the Chairman of the Tree Authority;
 - (3) "Form" means form appended to these rules;
 - (4) "Section" means section of the Act.

3. Tree Authority :-

- (1) The Chairman, if for any reason is unable to attend any meeting, any other member chosen by the members present at the meeting shall preside over the meeting.
- (2) All questions which come up before the meeting of the Tree Authority shall be decided by the majority of votes the members

present and voting and in the event of equality of votes, the Chairman or in his absence, the person presiding, shall have a second or casting vote.

(3) A member shall not take part in the discussion of or voting on any matter in which he has directly or indirectly any interest.

(4) Every Tree Authority shall have a Secretary appointed by the Chief Conservator of Forests (General) from among the officers of the Forest Department.

(5) The Secretary shall.

(a) convene meetings of the Tree Authority at such place and time as may be directed by the Chairman and shall draw the proceedings of every such meeting which shall be signed by the Chairman and the members present;

(b) maintain a register of appeals received indicating therein name of the appellant and other relevant particulars;

(c) on receipt of the appeal petitions, filed before the Tree Authority, in consultation with the Chairman, notify and communicate to the parties concerned the date of hearing of such appeal;

(d) communicate to the parties concerned the orders of the Tree Authority, on the appeal petitions;

(e) perform such other duties and functions as may be entrusted to him by the Tree Authority and the Chairman.

4. Felling of Trees :-

(1) Every application under sub-section (2) of Section 8 OF THE Karnataka Preservation of Trees Act, 1976 for permission to fell a tree shall be in Form I.

(2) Every person desiring to fell trees for bona fide domestic use under sub-section (6) of Section 8 OF THE Karnataka Preservation of Trees Act, 1976 shall before felling the trees intimate the Tree Officer in writing the approximate quantity of trees proposed to be felled and the land from which it is proposed to fell the same. After felling the trees he shall again intimate the Tree Officer about the quantity of trees felled.

(3) No tree felled under sub-section (6) of Section 8 OF THE

Karnataka Preservation of Trees Act, 1976 shall be used for any purpose other than the one specified in the said sub-section.

5. Appeal :-

(1) Every appeal under Section 14 OF THE Karnataka Preservation of Trees Act, 1976 shall be in the form of a memorandum signed by the appellant setting forth concisely the grounds of objections to the order appealed against and shall be accompanied by the original or a certified copy of such order, six copies of the memorandum and treasury receipt for having paid the fee specified in sub-section (2) of Section 14 OF THE Karnataka Preservation of Trees Act, 1976 and shall be presented to the Tree Authority or the Secretary thereof by the appellant or his agent duly authorised in writing.

(2) On receipt of the memorandum of appeal, the Tree Authority shall call for the records of the case from the Tree Officer and after receipt of the records the Tree Authority shall notify the date of hearing of the appeal to the appellant.