

FORESTATION ON PRIVATE LAND IN KARNATAKA

Analysis of Legal Provisions



Forestation on Private Land in Karnataka: Analysis of Legal Provisions

Debadityo Sinha
Sneha Priya Yanappa
Mridula Vijayaraghavan

August 2021

This research publication is an independent, non-commissioned piece of work by the Vidhi Centre for Legal Policy, an independent think-tank doing legal research to help make better laws and improve governance for public good.



This publication can be shared and redistributed under Creative Commons Attribution-Non-Commercial-India license. To view the full license, visit <https://creativecommons.org/licenses/by-nc/2.5/in/deed.en>

Suggested Citation

Sinha D, Yanappa SP, and Vijayaraghavan M, 'Forestation on Private Land in Karnataka: Analysis of Legal Provisions', Vidhi Centre for Legal Policy, August 2021

About the Authors

Debadityo Sinha is a Senior Resident Fellow, Vidhi Centre for Legal Policy working in the Climate and Ecosystems Team.

Sneha Priya Yanappa is a Research Fellow at the Vidhi Centre for Legal Policy working in the Karnataka Team.

Mridula Vijayaraghavan is a Research Fellow at the Vidhi Centre for Legal Policy working in the Climate and Ecosystems Team.

Peer-Reviewers:

Dr Dhvani Mehta, Co-Founder, Vidhi Centre for Legal Policy

Mr Brij Kishore Singh, Former Principal Chief Conservator of Forests, Karnataka

Acknowledgements

The authors are thankful to **Mr. Brij Kishore Singh** (Former Principal Chief Conservator of Forests, Karnataka), **Mr Brijesh Kumar Dikshit** (Principal Chief Conservator of Forests, Karnataka), **Mr Vijay Dhasmana** (Eco-Restoration Practitioner), **Dr Dhvani Mehta** (Co-Founder, Vidhi), **Mr Alok Prasanna Kumar** (Co-Founder, Vidhi) and **Ms Mridhu Tandon** (Research Fellow, Vidhi) for their help and inputs. The authors would like to thank to all other people who have helped us in various other ways in completing this paper.

The authors are grateful to advisors of Vidhi's Environment and Wildlife Research team namely **Justice Deepak Gupta** (Former Judge, Supreme Court of India), **Ms Prerna Singh Bindra** (Conservationist & Former Member, National Board of Wildlife) and **Mr Ananda Banerjee** (Senior Environment Journalist) for their support and motivation.

Vidhi would like to thank **Rohini Nilekani Philanthropies** for supporting this work.

Table of Contents

| | |
|--|----|
| Executive Summary..... | 1 |
| 1. Introduction..... | 3 |
| 2. Legal Definition of Forests and Inclusion of Plantations | 5 |
| A. Supreme Court on Forests..... | 5 |
| 3. Implications of the <i>Godavarman Case</i> on Karnataka | 8 |
| 4. Implications of Recognition As “Forest Land”..... | 10 |
| A. Applicability Of Section 2 Of FCA for Diversion of Privately Owned Forest Land for Non-Forest Use | 10 |
| B. Impact of State Regulations on Use and Management of Notified Forests in Karnataka 12 | |
| C. Management of Trees on Private Lands Not Recognized as Forests..... | 13 |
| 5. Land Use Based Restrictions on Forests Grown on Private Lands | 15 |
| A. Use of Agricultural Land for Forestation in Karnataka..... | 15 |
| B. Restriction In Cases of Eco-Sensitive Zones and Wildlife Corridors | 16 |
| 6. Proposed Amendments/ Acts/ Rules That May Affect the Regulation of Private Forests in Karnataka | 18 |
| A. Amendment To the Indian Forest Act, 1927..... | 18 |
| B. Draft Karnataka Private Conservancies Rules, 2018..... | 18 |
| 7. Concluding Remarks | 19 |
| 8. Bibliography | 21 |
| Annexures..... | 23 |

Executive Summary

An assessment of the legal provisions governing forestation on private land, prima facie, shows that no prior legal permission is required by the landowner to grow forests. However, there are legal consequences once a forest is grown on non-forest land. This entails an understanding of how forests are defined and protected under various regulations and court orders, especially on non-forest lands where forests are grown by private parties.

Definition of 'Forests'

It is imperative to note that there is no standard legal definition of forests in India. The ambiguity around the legal definition of forests has been a contentious issue that the Supreme Court ("SC") has dealt with extensively. In *T N Godavarman Thirumulpad v. Union of India and Others* ("Godavarman case"), the SC defined 'forest' to include any piece of land that resembles the dictionary meaning of forest for the purpose of the Forest Conservation Act, 1980 ("FCA"). This definition was inclusive of private forests when it was initially passed.

The SC has consistently placed significant weight on State Acts, Rules and Guidelines to identify and regulate the use of forests. In light of the same, it directed all States to form Expert Committees to identify forest lands in the State in the *Godavarman case*. The Court in its later order also directed the Ministry of Environment, Forest & Climate Change ("MoEFCC") to make guidelines on felling of trees in non-forest areas including plantations. The first set of guidelines aimed at creating an environment for massive tree plantation outside the natural forests, in order to increase forest cover and meet the demand for wood. The guidelines were issued to State Governments to make necessary changes to State Acts and Rules.

Classification of Forests in Karnataka

The lack of an absolute definition of forest has been a contentious issue that has been addressed by the High Court of Karnataka in a number of cases. The *Godavarman Case* has had several implications in the State of Karnataka. Pursuant to the case, the government constituted two expert committees for categorisation of forests. The reconstituted expert committee reiterated that the provisions in the FCA would apply clearly to all forests irrespective of their ownership or classification.

The key types of forest land that may be privately owned are-

- Notified forests that include different types of forest land as notified under the Karnataka Forest Act, 1963.
- Deemed forests that constitute various land use types and though not notified as forests, are recorded as 'forests' in the Government Record.
- Privately owned lands that are not notified as forests or recorded as 'forest' in the Government record.

Requirement of Forest Clearance

The FCA mandates the requirement of a forest clearance from the Central Government through the MoEFCC to utilize any forest land for non-forest use. The SC in the *Godavarman Case* made the requirement of forest clearance mandatory for private forests. However, the SC has clarified that while

diversion of notified forests and lands recorded as 'forest' require prior Forest Clearance, privately owned lands that are not recorded as forests do not fall within the purview of Section 2 of the FCA.

Management of Forests in Karnataka

The Karnataka Forest Act, 1963, the Karnataka Forest Rules, 1969 govern the management of forests for Notified Forests. The Government also has the power to assume the management of these forests or lands in certain circumstances. These legislations regulate the felling of trees, transit of sandalwood, timber and other forest produce. The Karnataka Preservation of Trees Act, 1976 governs the management of plantations for private lands not notified as forests. The Act mandates permission from the Karnataka Forest Department to fell trees in some districts and administrative units with exemptions on bonafide use of the owner and felling of certain tree species.

Use Of Agricultural Land for Forestation in Karnataka

The Karnataka Land Reforms Act, 1961 regulates purchase and holding of agricultural land and deals with ownership on tenants, vesting of occupancy rights, ceiling on land holdings etc. with respect to agricultural land in Karnataka. An amendment in 2020 removed the constraint of permitting only agriculturists to purchase agricultural land in Karnataka. The purchase of agricultural land for forestation is complex owing to the discretionary powers that the Tehsildar holds, coupled with the purpose behind the purchase of lands. This discretionary power given to the Tehsildar may aid or challenge forestation efforts on agricultural lands.

In cases where privately-owned forest tracts fall within the notified eco-sensitive zone or wildlife corridors, there may be specific details of activities that may be permissible within the area notified as an ESZ around the Protected Area in question. The proposed Karnataka Private Conservancies Rules, 2018 and the amendments to the Indian Forest Act, 1927 may have a consequence on the regulation of private forests in Karnataka.

1. Introduction

The forest laws in India are a fairly complicated subject. Being in the 'concurrent list' of the Indian constitution, both Centre and State have exclusive powers to legislate on matters related to forests. Therefore, a forest is governed not only by central laws such as the Indian Forest Act, 1927 and Forest (Conservation) Act, 1980; but several state specific legislations as well. For Karnataka, the major laws which affect management of forests and plantations are the Karnataka Forest Act 1963, Karnataka Preservation of Trees Act 1976 and the rules made therein. Over the years, several amendments, Rules and Notifications have been issued under both central and state acts. The Supreme Court of India has also played a critical role in shaping the forest laws in the country by interpreting what constitutes a 'forest', and by issuance of directions to governments on issues such as identification and management of forests.

In this legal backdrop, any individual or organization which is interested to grow forest in their privately owned land would be expected to not only understand the vast legal framework governing forests in their respective State but also other legal obligations which may arise once they become the owner or manager of such forests. Though guidelines and various compendiums are available for each of these laws, a comprehensive analysis across all such laws addressing the specific issue of forestation on private land is not readily available. This paper analyzes all such legislations, case laws and administrative orders related to forests in Karnataka and gives a broader understanding of the existing regulatory framework which might affect undertaking forestation on privately owned land in Karnataka.

For the purpose of this paper, various central laws, state laws along with executive orders and guidelines published were first collated and analyzed thoroughly. Relevant legal cases from the Supreme Court, High Courts and the National Green Tribunal were downloaded using advanced web-based legal research platforms like Manupatra and SCC Online. Secondary information such as news articles and peer-reviewed papers were referred to only understand the important developments related to proposed changes in laws. Individual consultations with relevant stakeholders were undertaken for clarification of State laws and understanding their implementations. The final paper was sent for a peer-reviewing process which consisted of both internal and external review.

An assessment of the legal provisions governing forestation on private land, prima facie, show that no prior legal permission is required by the landowner. However, whether there will be any legal consequences once a forest is grown on non-forest land will require a detailed understanding of how forests are defined and protected under various regulations and court orders, especially on non-forest lands where forests are grown by private parties.

Chapters 2 and 3 of this paper deals with various interpretations of the term 'forest' and discuss whether private plantations qualify the legal definition of 'forest'. This also includes a brief discussion on the

process of identification and classification of forests by the Karnataka Government as a response to Supreme Court's intervention.

A detailed discussion on legal restrictions on management of a private land being classified or not classified as forests is provided in Chapter 4. Different provisions regulating diversion of forests and felling of trees on private land under various central and state laws are described. Special provisions under Karnataka Forest Act, 1963 and Karnataka Preservation of Trees Act, 1976 along with relevant government notifications delineating their applicability in various administrative units of the State are also outlined in this chapter.

Chapter 5 summarizes management restrictions which may apply to privately owned lands once they coincide with the Ecosensitive Zones and wildlife corridors around protected natural reserves. A brief discussion on the effect of Karnataka Land Reforms Act, 1961 on forestation in agricultural lands is also provided.

Chapter 6 discusses some proposed laws which might affect forestation on private lands in Karnataka. This includes brief highlights from the Draft Karnataka Private Conservancies Rules, 2018 and proposed amendments to Indian Forest Act, 1927 which might affect forestation activities on private land in future.

A summary of the applicable laws discussed in the paper along with a concluding remark is provided in a tabular form in Chapter 7.

The purpose of this paper is not to critique but to provide an interpretation of the existing laws and the judicial interventions. This would help understand the current legal framework concerning forestation on private lands in Karnataka.

2. Legal Definition of Forests and Inclusion of Plantations

There is no standard legal definition of forests in India. This paper therefore seeks to analyze the legal consequences of plantations or forestation on privately owned land which is not recorded or notified as forest.

The Karnataka Forest Act, 1963 interprets 'forest' for the purpose of Chapter V of the Act and it includes any land containing trees and shrubs, pasture lands and any land whatsoever which the State Government may, by notification under this section, declare to be a forest. The Karnataka Forest Rules, 1969 under Rule 2(2) includes all lands notified as forest under any law or administered as forest whether State owned or private and whether wooded or maintained as potential forest land under "Forest Areas".

The Forest Advisory Committee of the Ministry of Environment, Forest & Climate Change ("MoEFCC") stated that States do not have to take the Centre's approval to define what constitutes a forest.¹ The FAC observed that there cannot be any uniform criteria to define forest which can be applicable to all forest types in all State/Union Territories. The ambiguity around the legal definition of forests has been one of the contentious issues which has been dealt extensively by the Supreme Court of India ("SC"). In the following section, various interpretations of SC have been discussed to understand what constitutes forests and whether plantation activities undertaken on a private land will be legally treated as forest.

A. Supreme Court on Forests

The SC in the *T N Godavarman Thirumulpad v. Union of India and Others*² ("Godavarman case") defined 'forest' to include any piece of land that resembles the dictionary meaning of forest for the purpose of the Forest Conservation Act, 1980 ("FCA"). The SC's order in the same matter vide order dated 12.12.1996 directed various State Governments to –

1. Identify areas which are forests irrespective of whether they are so notified, recognized or classified under any law irrespective of the ownership of the land of such forests.
2. Identify areas which were earlier forests but stand degraded, denuded or cleared; and
3. Identify areas covered by plantation trees belonging to the Government and those belonging to private persons.

To this end, several states have appointed committees that have identified and classified different types of forests across states.

The definition of 'forest' in the order dated 12.12.1996³ of *Godavarman case* was inclusive of private forests when it was initially passed. The order put in place strict measures for felling of trees or diversion of forest land. However, the Court also gave certain exemptions for privately owned plantations in some states.⁴

Over the years, the SC has offered clarifications on exemptions granted to plantations on privately owned land in subsequent orders in the *Godavarman case*. The SC's view in its order dated 12.12.1996 that privately owned plantations did not fall within the definition of 'forest' was further cemented in *Ram Saha v. State of West Bengal and Ors*⁵. In this case, the appellant was aggrieved by an order of the Calcutta High Court ("CHC") that ordered him to obtain permits under provisions of the West Bengal Land Reforms Act, 1955 ("WBLRA"). The appellant was stopped by the police and Block Land Reform Officer from cutting trees from his garden from doing so, citing the *Godavarman case*. The appellant challenged the action by State officers in CHC. The Court while disposing the matter observed that felling of a number of trees at a time might lead to land use change and thereby attract provisions of Sections 4-B and 4C of WBLR. The CHC also observed that felling of trees on non-forest private plantation would attract Section 4-B and therefore permission of the Collector under Section 4C is required for felling trees. Further, the land in question did not fall within the ambit of the Section 4A of WBLRA, which imposes restriction on felling of trees in three sub-divisions of district Darjeeling. While setting aside the judgment of the CHC, the SC clarified that in absence of State laws, restriction cannot be imposed on felling of trees. The question of whether privately owned plantation land can be treated as 'forests' under the *Godavarman case* was also discussed and addressed by SC in the judgment. Following is the relevant excerpt from the judgment:

"25. The High Court, being clear in its mind that the ban imposed in T.N. Godavarman Thirumulkpad (supra) in the matter of felling of trees did not extend to non-forest private plantation and there being no State enactment dealing with the felling of trees in non-forest private plantation, in our view, was not right and justified in reading in the provisions of Sections 4-B and 4-C that permission of the authorities is required for felling of trees even in non-forest private plantation/orchard."

The SC has consistently placed significant weight on State Acts, Rules and Guidelines to identify and regulate the use of forests. For instance, the SC order in the *Godavarman Case* directed all States to form Expert Committees to identify forest lands in the State⁶. Subsequently, the Court also directed State Governments to prepare and submit Working Plans for all Forest Divisions in the State vide order dated 13.01.1998 in the *Godavarman Case* itself.⁷

Further, in its order dated 12.5.2001, the Court directed the MoEFCC to make guidelines on felling of trees in non-forest areas including plantations. The first set of guidelines were issued on 15.12.2004, and were expanded upon in 2014⁸, where the purpose of the guideline was to "*create an enabling environment for massive tree plantation outside the natural forests.*" The guidelines also elucidate that plantation efforts on non-forest land would aid in increasing India's forest cover and help meet the growing demand for

wood. The guidelines were issued to State Governments to make necessary changes to State Acts and Rules. The key aspects of the guidelines were:

- **Exemption from tree felling and transit permits regulations** for preferred tree species such as Teak (*Tectona grandis*), Shisham (*Dalbergia sissoo*), Padauk (*Pterocarpus dalbergioides*) and bamboo in states where these species do not grow in natural forests. Revenue and State Acts that inhibit tree felling and free movement of timber within and across the States also need to be suitably amended and liberalized by the concerned States.
- **Decentralization of power to regulate tree felling and transit** - The concerned Gram Sabha or equivalent institution at the village level, may be authorized to regulate felling and transit of trees/timber grown under agro-farm forestry on private lands in respect of preferred tree species and bamboo. The Guidelines recommend a Special Standing Committee of Gram Sabha or the Joint Forest Management Committee or other Committee constituted for the purpose, which may authorize at least two office bearers to certify the origin of timber from trees felled in private non-forest lands for utilization of timber/such produce within the district. This may accordingly be recognized under the existing transit rules of the State.
- **Expediting the process of grant of transit and felling permits** - The guidelines emphasize the need for States to expedite grant of these permits to private landowners.
- **Facilitation of Interstate movement and setting up of regional coordination mechanism** - The guidelines recommend the setting up of a regional coordination committee to expedite the movement of timber derived from privately owned lands to get the best market price.

3. Implications of the *Godavarman Case* on Karnataka

The *Godavarman Case* has had several implications in the State of Karnataka. The lack of an absolute definition of forest has been a contentious issue that has been addressed by the High Court of Karnataka in a number of cases. In *Sri. B. R. Ganapathi Singh v The State of Karnataka*⁹, the High Court of Karnataka observed:

"We find that the expression "forest" is neither defined under the F.C. Act, 1980 nor under the State enactment. Having regard to the object of the Central Act, and the fact that it has an overriding effect on all State laws, the Hon'ble Supreme Court has enunciated what the expression "forest" under that Act would mean, in T.N. Godavarman Thirumulpad v. Union of India & others"

A similar observation has been made by the High Court in *Dhananjay & Ors. v. State of Karnataka & Ors*¹⁰, where the Court held:

"The question of application of the law arises only if the land subject matter falls under the ambit of "forest" or "forest lands" within the meaning of the Godavarman order."

The State Government of Karnataka constituted two expert committees in pursuance of the SC order in *Godavarman case*.¹¹ The first expert committee was constituted on 10.01.1997 which submitted its final report on 02.04.1997. The committee categorized the forests of Karnataka into 17 categories. However, there were some concerns with the report prepared by the first committee, such as the underreporting of categories of forest, discrepancies between Government records, the records given by the expert committee and duplication in notifications for protected and reserved forests. The committee was reconstituted in 2002 to reassess the status of forest land in Karnataka.¹²

At the outset, the reconstituted expert committee clarified that the term 'forest' must be understood according to its dictionary meaning. This description covers all statutorily recognized forests, whether designated as reserved, protected or otherwise for the purpose of Section 2(1) of the FCA. The term "forest land" occurring in Section 2 will not only include "forest" as understood in the dictionary sense, but also any areas recorded as forest in the Government record irrespective of the ownership. The provisions enacted in the FCA for the conservation of forest and matters connected therefore apply clearly to all forests irrespective of their ownership or classification.

The reconstituted committee broadly categorized the forests of Karnataka into two categories - “notified forests” and “deemed forests”.

- **Notified forests** are those areas that have been notified as per the Karnataka Forest Act and Rules. They are inclusive of Reserved Forest, Village Forest, Protected Forest, Minor Forests and Private Forests.
- **Deemed forests** are those areas, that have not been notified, but recorded as forests in the Government records. The deemed forests are those lands which have the characteristics of forests, irrespective of the ownership. They fall within the dictionary meaning of ‘forest’, and are subject to Section 2 of the FCA. There are the thickly wooded areas with the Revenue Department but not handed over to the Forest Department. ‘Deemed forests’ are inclusive of 23 types of land. Some of them include land classified as forest/ jungle in revenue records, thickly wooded lands distributed but not cultivated, trees and plantations on Government land outside reserve forest areas.

More details about lands that were classified as notified and deemed forests by the reconstituted expert committee are appended at **Annexure I**.

Deemed forests is a contentious issue in Karnataka, with allegations that large amounts of agriculture and non-forest land are ‘unscientifically classified as deemed forests.’^{13 14} In 2014, Karnataka relooked at the categorization of forests and said that some of the “statutory forests” had been wrongly classified as deemed forests by the erstwhile expert committee. In 2020, the Karnataka Government stated that it would declassify 6.64 lakh hectares of the 9.94 lakh hectares of deemed forests in the State.¹⁵

4. Implications of Recognition As “Forest”

As seen in the sections above, the key types of forest land that may be privately owned are-

- Notified forests that include different types of forest land as notified under the Karnataka Forest Act, 1963. These also include private forests as notified under Sections 36 and 39 of the Karnataka Forest Act, 1963.
- Deemed forests constitute various land use types and though not notified as forests, are recorded as ‘forests’ in the Government Record.
- Privately owned lands that are not notified as forests or recorded as ‘forest’ in the Government record. These are usually lands that may fit the definition of ‘forest’ as established in the *Godavarman Case*, but are not recorded as such in the Government records.

There are primarily two kinds of implications of ownership of forest land. These are irrespective of the type of forest land owned- whether notified or deemed or private lands not notified as forests. They are:

- a) Applicability of Section 2 of the FCA for diversion of forest land for non-forest use.
- b) Use and management of forests, including felling of trees under State laws.

Each of the above is examined in finer detail below.

A. Applicability Of Section 2 Of FCA for Diversion of Privately Owned Forest Land for Non-Forest Use

The FCA mandates that prior approval needs to be sought from the Central Government through the MoEFCC to utilize any forest land for non-forest use. This prior approval is known as forest clearance. The Act defines non-forest purposes broadly as the breaking up or clearing of any forest land for the cultivation of tea, coffee, spices, rubber, palms, oil-bearing plants, horticultural crops, or medicinal plants and any purpose other than re-forestation.

The order of the SC in the *Godavarman Case*¹⁶ made the requirement of forest clearance mandatory for private forests as well. For instance, the SC in 2019 upheld an order passed by the National Green Tribunal directing action against illegal construction on notified private forest in Uttarakhand.¹⁷ Illegal construction had been undertaken on lands notified as ‘private forest’. The Tribunal therefore directed the MoEFCC and Forest Department to initiate proceedings for violation of the FCA and also to take action against officials responsible for the violation.

The Forest (Conservation) Guidelines, 2019¹⁸ were issued with the intention of providing clarifications and procedure for the process of Forest Clearance in accordance with the orders of the SC. These Guidelines exempt privately owned forests from the requirement of forest clearance unless they have been notified as such. Although it is an established legal principle that guidelines are not enforceable as they are neither legislation, direct, subordinate or ancillary,¹⁹ they are a reflection of the interpretation of orders in the Godavarman case. The Guidelines state that in the context of Section 2 of the FCA, the term 'forest' is not applicable to plantations raised on private lands.

The SC has made it clear on several occasions that while diversion of notified forests and lands recorded as 'forest' require prior Forest Clearance, privately owned lands that are not recorded as forests do not fall within the purview of Section 2 of the FCA. In *In Re: Construction of Park at Noida Near Okhla Bird Sanctuary and Ors*²⁰ (an Intervention Application in the *Godavarman Case*), the Government of Uttar Pradesh wanted to construct an 'urban park' on lands where trees had been planted and grown for 12-14 years. This land had not been classified as 'forest' in the Government records by the expert committee (constituted under the *Godavarman case*) for Uttar Pradesh. While deciding on the applicability of Section 2 of the FCA to this project, the Court held that the land in question was not 'forest'. The SC in this case affirmed the observation of the Central Empowered Committee²¹, which stated that:

"...In the present case, even though as per the Report of the Forest Survey of India, the area was having good forest/tree cover and the project area had more than 6000 trees, it does not fall in the category of "forest" for the purpose of Section 2 of the Forest (Conservation) Act and therefore does not require any approval under the Forest (Conservation) Act. The project area does not have naturally grown trees but planted trees. The area has neither been notified as "forest" nor recorded as "forest" in the Government record. In the exercise carried out by the State of Uttar Pradesh, after detailed guidelines for identification of deemed forest were laid down, the project area was not identified to be deemed forest."

While holding that plantations on privately owned lands did not fall within the definition of 'forest', the Court went on to observe as follows:

"If the criterion fixed by the State Level Expert Committee that in the plains a stretch of land with an area of 2 hectares or above, with the minimum density of 50 trees/hectare would be a deemed forest is applied mechanically and with no regard to the other factors a greater part of Lutyens Delhi would perhaps qualify as forest. This was obviously not the intent of the order dated December 12, 1996."

The National Green Tribunal has also clarified and stated that where lands are neither forest land or can be deemed to be forest land, there is no question of applicability of the FCA.²²

Thus, it becomes apparent that there is no requirement of prior Forest Clearance (under FCA) for diversion of land for any non-forest activity on privately owned forest that have not been notified or recorded as forest.

Use of Private Forest for non-forest use in violation of FCA

Where forests (including notified private forest) have been used for non-forest purposes in violation of the FCA, the MoEFCC has prescribed the method for dealing with such violations. As discussed in the previous section, the requirement for Forest Clearance may not apply to any forest-like areas on privately owned land, having no previous Government record of 'forests'. Therefore, the provisions dealing with violation of the FCA will also apply only to those forests which are either notified or recorded as forests. There are broadly two types of violations that may occur. These include instances of use of forest land for non-forest use without applying for Forest Clearance under the FCA or use of forest land while an application for FC is pending. The details of such violations and the method for dealing with them is provided at **Annexure II**.

B. Impact of State Regulations on Use and Management of Notified Forests in Karnataka

The **Karnataka Forest Act, 1963** ("KFA") has interpreted 'forest' to include any land containing trees and shrubs, pasture lands and any land whatsoever which the State Government may, by notification under this section, declare to be a forest.²³ The Act also empowers the State Government to exempt any class of forests, or class of trees or any forest produce therein from requiring permission to be cut or girdled.²⁴

The Karnataka High Court in *Siddeshwara International v State of Karnataka & Ors.*,²⁵ held,

"On the date of reorganization of States in the year 1956, there were different Forest laws in force, in the five integrating parts of the Mysore State. As it was administratively difficult and inconvenient to enforce different laws in different parts, the Karnataka Legislature passed the Karnataka Forest Act, 1963 to bring uniformity of forest laws throughout the State. Provision has been made for control over forest and lands not being the property of the Government. The object is to prevent private owners from recklessly exploiting the tree growth and forest produce with the sole idea of making immediate and huge profits, without regard to ensuring yield for the benefit of the community in future. "

In *Sannamma & Ors. v State of Karnataka & Ors*²⁶, the High Court of Karnataka followed the principle laid down in the *Godavarman Case* that forest must be protected irrespective of the ownership of the land or classification thereof. In this case which concerned the conversion of 37 acres of teak plantation into an industrial area, the Court observed:

“As regards the factual position in the present case, there is a thick density of teak plantation which satisfies the requirement of forest developed on the private land. It is the duty of the respondent as well the petitioners as a matter of fundamental duty to protect the forest either from alienating or from destroying the same. In the circumstances, such acquisition of 37 acres of land specifically would negate the ratio laid down by the Apex Court. The same should not be converted into industrial area rather, it has to be preserved keeping in view the ecological balance and protection of the environment.”

The Government also has the power to assume the management of these forests or lands in certain circumstances including - a) *in case of neglect or wilful disobedience to any regulation or prohibition by the owners*, b) *when it appears to the State Government that it is necessary for the purpose of preservation and protection of the forest*, c) *in public interest to assume management of such forest*. The State Government may assume the management of private forest by way of a notification.²⁷ The Government may also take over the management of such land on the request of the owner by an application in writing to the State Government.²⁸ However, the Government of Karnataka has hardly assumed the management of private forests under the said provisions.²⁹

The KFA also requires the owners to obtain a felling permit from the Deputy Conservator of Forests to cut, collect or remove trees from a notified private forest.^{30 31} The **Karnataka Forest Rules, 1969 (“KFR”)** regulate the transit of sandalwood, timber and other forest produce and mandates the requirement of a Transit Pass (issued by the Forest Department) for the movement of forest produce into, from, or within Karnataka.³² A notification dated 07.12.2016 passed in exercise of powers conferred by sub rule (1) of Rule 144 of the KFR, excluded 42 species of trees from the operation of Chapter XVI of the KFR Which deals with the transit of forest produce and control of private saw pits, saw mills, etc.³³ A copy of the notification is provided at **Annexure III**.

C. Management of Trees on Private Lands Not Recognized as Forests

In such cases, where trees are planted in non-forest land, the provisions of the **Karnataka Preservation of Trees Act, 1976 (“KPTA”)** are most relevant. The Act mandates permission³⁴ from Karnataka Forest Department to fell trees. A summary of procedure for obtaining permission is available at **Annexure IV**.

The restriction on felling of trees under KPTA is applicable only in the rural areas of 9 districts (*7 districts originally before partition of Mysore and South Kanara*)³⁵, 47 talukas³⁶ and 65 municipal areas³⁷ notified by the State Government. The restrictions do not apply on felling of trees for bonafide use of a family in any calendar year for utilizing timber up to 2.8 cubic meters, 100 poles, 100 bamboo and 5 tons of firewood.³⁸ A detailed list of such notified districts, talukas and municipal areas along with the respective notifications are provided at **Annexure V**.

KPTA also exempts requirement of any permission for felling of trees such as Casuarina, Coconut, Erythrina, Eucalyptus, Glyrecidia, *Hopea wightina*, Prosipis, Rubber, Sesbania, Silver Oak, 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.³⁹

The Act however mandates compulsory plantation and preservation of trees by owners in their respective land⁴⁰ in 12 districts and 128 talukas notified by the State Government⁴¹, although felling permission is not required in such areas.⁴² The list of all such districts and talukas along with the notification is provided at **Annexure VI**.

The restrictions on felling of trees and compulsory plantation of trees in the notified districts and talukas are exempted for Reserved Forests; lands managed by Horticulture Department or the University of Agricultural Sciences; and lands cultivated with coffee, tea and rubber wherein the number of plants is not less than 750 per hectare in the case of coffee and tea; and 225 in the case of rubber.⁴³



Save Animals Initiative Sanctuary (SAI Sanctuary) in Kodagu, Karnataka is a privately owned land in the Eco-Sensitive Zone of the Brahmagiri Wildlife Sanctuary, forested with the intention of rewilding⁴⁴. Started with 55 acres of land in 1992 by Pamela Gale and Anil Malhotra, currently their private forest spans over 300 acres in the Western Ghats. The lands purchased were primarily degraded lands that consisted mainly of cardamom plantations. Upon acquiring this land, they reared cattle briefly and now continue to grow fruits and vegetables in a small portion of the land. However, they have left much of it to grow into a forest with minimum human intervention. As a consequence of their forestation efforts, gaurs, tigers, otters, elephants and king cobras have been inhabiting their private lands. The Forest Department of Karnataka has been supportive of this endeavour and are trying to encourage more individuals to undertake similar activities on privately owned land. However, they also cautioned about the misuse of such private lands for tourism purposes which can have significant negative impacts on forests and wildlife.

(Photo courtesy: SAI Sanctuary)

5. Land Use Based Restrictions on Forests Grown on Private Lands

A. Use of Agricultural Land for Forestation in Karnataka

The Karnataka Land Reforms Act, 1961 (“KLRA”) was enacted with the objective to regulate purchase and holding of agricultural land and to deal with issues such as ownership on tenants, vesting of occupancy rights, ceiling on land holdings etc. with respect to agricultural land in Karnataka. Prior to the amendment to this Act in 2020, only agriculturalists were permitted to purchase agricultural land. However, this constraint has been lifted by way of the amendment in 2020.⁴⁵ Therefore, it is important to understand the implication of this law on any afforestation work on agricultural land.

The KLRA places a mandatory requirement to cultivate lands on occupants of such agricultural lands. Section 60 of the Act states that if the occupant of the land fails to cultivate it consecutively for three years, the land may be disposed of by the State under Section 77 of the Act. However, Section 60 grants the Tehsildar powers to condone the failure to cultivate for ‘sufficient reasons’.

Purchase of agricultural land for forestation can be complex given the existing legal framework which grants discretionary powers to the Tehsildar, and because it is not clear on whether lands may be purchased expressly for the purpose of forestation. This is primarily owing to the mandatory requirement to cultivate land that is owned by an individual. There are several approaches to grow a forest that include planting trees, forestry or simply leaving land to rewild on its own. The mandatory requirement to cultivate land may pose a challenge to rewild land by simply leaving it to nature to develop into a natural forest instead of undertaking plantation activities. The Tehsildar may exercise their discretionary powers in deciding whether rewilding may be treated as ‘sufficient cause’ for the failure to cultivate agricultural land.

The definition of “land” is critical to lend clarity as to whether rewilding may be permitted on agricultural land. Section 2(18) of the Act defines ‘land’ as:

“land” means agricultural land, that is to say, land which is used or capable of being used for agricultural purposes or purposes subservient thereto and includes horticultural land, forest land, garden land, pasture land, plantation and tope but does not include house-site or land used exclusively for non-agricultural purposes”

It is also pertinent to note that although ‘agricultural purpose’ has not been defined under this Act, it has been elucidated in an explanation to Section 80 of the Act. It explains “agricultural purposes” as follows -

“agricultural purposes’ include making land fit for cultivation, cultivation of land, improvement of land, development of sources of irrigation, raising and harvesting of crops, horticulture, forestry, planting and farming, cattle breeding, animal husbandry, dairy farming, seed farming, pisciculture, apiculture, sericulture, piggery, poultry farming and such other activities as are generally carried on by agriculturists, dairy farmers, cattle breeders, poultry farmers and other categories of persons engaged in similar activities including marketing of agricultural products, their storage and transport and the acquisition of implements and machinery, in connection with any such activity”

Further, Section 2(15) of the Act includes ‘the planting of trees or plantation crops’ within the definition of ‘improvement’. “Plantation crops” within the meaning of the Act means cardamom, coffee, pepper, rubber and tea. Neither the Land Reforms Act nor any other legislation in force, or their interpretation define “forestry”. The SC has clarified that revenue from forestry is taxable as it is comprised within ‘agriculture’, but yet does not provide a definition⁴⁶. The term has been defined by Webster’s Dictionary as ‘the art of farming or cultivating forests; the management of growing timber’.

The definitions of certain words in the Act give us an understanding that forestation may be an acceptable use of agricultural land. The definition of ‘land’ acknowledges ‘forest land’ as a purpose subservient to agriculture, indicating that forestation may be considered an intended use of agricultural land. This, when read with the explanation for ‘agricultural purpose’ which is inclusive of ‘forestry’, further cements this interpretation. Additionally, the definition of ‘agricultural purpose’ includes ‘improvement of land’, which is given to include planting trees. This further allows for interpretation that agricultural land may be forested.

However, the discretionary power given to the Tehsildar for condoning failure to cultivate land may also significantly aid or challenge forestation efforts on agricultural lands.

B. In Cases of Eco-Sensitive Zones and Wildlife Corridors

In the case where the privately-owned forest tracts are in proximity to a Protected Area (“PA”) or a Tiger Reserve as notified under Wild Life (Protection) Act, 1972, they may fall within the notified eco-sensitive zone (“ESZ”) or wildlife corridors identified by Government agencies. ESZs are notified around Protected

Areas under the Environment (Protection) Act 1986⁴⁷ by the Central Government on the recommendation of State Governments.⁴⁸ The purpose of an ESZ is to create an effective 'shock absorber' for the PAs by regulating certain developmental activity⁴⁹. While there is no prohibition on forestation within the ESZ, individual ESZ notifications lay down the specific details of activities that may be permissible within the area notified as an ESZ around the Protected Area in question. For instance, all development activities such as mining, industrial activities, etc. may be disallowed if the privately owned land is located within an ESZ. The construction of houses within privately owned lands may also be restricted by the activities permitted in the ESZ Notification for the PA in question. The restrictions imposed in such ESZ notifications may vary. For instance, the ESZ Notification for the Sultanpur National Park in Haryana only allows construction of two storeyed buildings within 300-500 metres from the boundary of the park.⁵⁰ However, the ESZ notifications for some Protected Areas in Karnataka place less stringent regulations on construction within the Eco Sensitive Zone that are permitted '*with the prior permission of the competent authority and as per applicable rules and regulations.*'^{51 52}

Apart from being declared as ESZ, any private land which overlaps with wildlife corridors may undergo similar restrictions in future. For instance, in Tamil Nadu 50 hectares of private land which was part of an identified elephant corridor was notified as private forest by the concerned District Collector under the Tamil Nadu Preservation of Private Forests Act, 1949.⁵³ In another example, the SC in the *Godavarman case* on 12 April 2019 ordered a ban on all new construction on private lands connecting Kaziranga National Park with Karbi Anglong Hills in Assam which form part of the nine identified animal corridors.⁵⁴

6. Proposed Amendments/ Acts/ Rules That May Affect the Regulation of Private Forests in Karnataka

A. Amendment To the Indian Forest Act, 1927

Amendments to the Indian Forest Act, 1927 were proposed in March, 2019.⁵⁵ The proposed amendment prescribed procedure for notification and promotion of private forest by granting powers to State Governments to recognize and notify private forest. However, the amendment also permitted use of such private forests for tourism involving local communities, and provided for their management in accordance with a 'Working Scheme' prepared by recognized forestry institutions. Sections of the amendment pertaining to private forests were met with criticism for opening them up for tourism, and the amendment was subsequently withdrawn by the Ministry of Environment, Forest and Climate Change in November, 2019⁵⁶.

B. Draft Karnataka Private Conservancies Rules, 2018

The Karnataka Government proposed a set of draft rules, called the Karnataka Private Conservancies Rules, 2018 to allow private conservation lands adjoining the protected areas. The draft proposed individuals or consortium of people owning land (minimum 100 acres) around or along protected areas to form a 'Wildlife Private Conservancy'. However, 5 percent of this area was proposed to be utilised for construction of buildings (resorts, hotels, homestays) for the purpose of eco-tourism and related activities while the rest of the area to be reserved for conservation of flora and fauna. While the stated purpose of the draft was to enable the linking of wildlife corridors in the State, many wildlife conservationists and enthusiasts claimed that these Rules would have devastating effects on the forest ecosystem, particularly wildlife.^{57 58 59} These draft rules were not made public and did not see the light of day.

7. Concluding Remarks

While there are no specific permissions required to grow a plantation or a forest on privately owned land, the regulation of such land depends on whether the land in question is notified private forest, deemed forest or privately owned land not recorded as 'forest' in the Government records in the State of Karnataka. Accordingly, the provisions of the Central and State Acts will apply.

There may be some restrictions on using agricultural land for forestation. However, the Tehsildar's discretion in exempting failure to cultivate land for three consecutive years will be critical to the enjoyment of agricultural lands for the purpose of forestation. Further, there may be restrictions on land use change in case the land in question falls within the Eco-Sensitive Zones of Wildlife Sanctuaries/ National Parks or recognized wildlife corridors. The private land may even be susceptible to acquisition by the State Government in special circumstances. The state laws also require a transit or felling permit for trees on private forests and privately owned lands unless the tree species has been exempted by way of the notification exempting trees from the requirement of tree felling and transit permits.

In summary, various Central and State Acts, Rules and delegated legislation from the MoEFCC and the State Forest Department affect forestation on privately owned lands in Karnataka. The table below summarises various provisions under the same:

| S.No. | Name of Act/Rule/Order | Implications on Management | Particulars of Authority Granting Permissions |
|---|---------------------------------|--|---|
| <i>Notified Private Forest and Deemed Forest</i> | | | |
| 1. | Karnataka Forest Act, 1963 | Management of Private Forests- Application for permission to cut or girdle trees in private forest. Transit of felled materials. | State Government |
| 2. | Forest (Conservation) Act, 1980 | Prior Forest Clearance needed for diversion of forest land. | MoEFCC |

| | | | |
|---|--|---|---|
| 3. | Eco-Sensitive Zone Guidelines, MoEF dated 9th February, 2011 | Construction may be regulated. Prohibitions or regulations will apply if land falls within notified ESZ. | Eco-Sensitive Zone Monitoring Committee |
| <i>Privately Owned Plantation/ Forest Not Recorded as Forest in Government Records</i> | | | |
| 1 | Karnataka Preservation of Trees Act, 1976 | Felling permit from competent authority, restriction on felling of trees and liability for preservation of trees. | State Government |
| 2 | Karnataka Forest Act, 1963 | Transit of felled materials. | State Government |
| 3 | Eco-Sensitive Zone Guidelines, MoEF dated 9th February, 2011 | Prohibitions or regulations will apply if land falls within notified ESZ. | Eco-Sensitive Zone Monitoring Committee |

8. Bibliography

1. Ministry of Environment, Forest & Climate Change (MoEFCC), 'Defining Dictionary meaning of Forest, F. No. 11-98/2019-FC, ' (14 November 2019) <http://forestclearance.nic.in/writereaddata/public_display/schemes/439586804%2411-98-2019-FC%20letter1.PDF> accessed 15 July 2021
2. [1997] SCC 267
3. ibid
4. Para II (1), III (1), IV (1) ibid
5. [2004] 11 SCC 497
6. n2
7. [2000] 10 SCC 579
8. MoEFCC, 'Guidelines for Felling and Transit Regulations for Tree Species Grown on Non-Forest/Private land, Ministry of Environment, Forest and Climate Change, F. No. 8-14/2004-FP (Vol.2)' (18 November 2014) <https://nbm.nic.in/Documents/pdf/Guidelines_for_Felling_and_Transit_of_trees_species.pdf> accessed 15 July 2021
9. [2018] MANU/KA/5120
10. [2019] MANU/KA/4185/
11. Karnataka Forest Department, 'Report by Reconstituted Expert Committee-I, 25/09/2002, G.O. No.FEE.270.FGL.2002, <<https://aranya.gov.in/downloads/expert-committee-report.pdf>> accessed 15 July 2021
12. n11
13. Johnson TA, 'What are deemed forests and why does Karnataka want to declassify some?' (The Indian Express, 20 Nov 2020) <<https://indianexpress.com/article/explained/what-are-deemed-forests-and-why-karnataka-wants-to-declassify-some-7056577/>> accessed 3 June 2021
14. Kumar KR, 'Forests, law departments against transferring ownership of kumki land' (The Hindu, 4 Feb 2013) <<https://www.thehindu.com/news/national/karnataka/forest-law-departments-against-transferring-ownership-of-kumki-land/article4369311.ece>> accessed 4 June 2021
15. Johnson TA, 'Deemed forest: SC nod awaited, BSY Government considers releasing 67% of it' (The Indian Express, 19 Nov 2020) <<https://indianexpress.com/article/india/deemed-forest-sc-nod-awaited-bsy-govt-considers-releasing-67-of-it-7052768/>> accessed 4 June 2021
16. n2
17. [2019] 10 SCC 154
18. MoEFCC, 'Handbook of Forest (Conservation) Act, 1980 and Forest (Conservation) Rules, 2003 (2019) <https://aranya.gov.in/aranyacms/downloads/circulars/HANDBOOK_GUIDELINES18_03_2019-FC.pdf> accessed 15 July 2021
19. [1989] AIR 2138
20. [2011] 1 SCC 744
21. The Central Empowered Committee has been constituted by the Hon'ble Supreme Court by its order dated 9.5.2002 in Writ Petitions (Civil) Nos. 202/95 & 171/96 for the purpose of monitoring the implementation of the apex court's orders and to place the non-compliance cases before it, including in respect of encroachment removal, implementation of working plans, compensatory afforestation, plantations and other conservation issues.
22. [2016] MANU/GT/0162/2016
23. Karnataka Forest Act 1963 (KFA 1963), s 36(1)
24. KFA 1963, s 37(2)
25. Siddeshwara International v State of Karnataka & Ors. Writ Petition No. 7635/2007
26. Sannamma & Ors. v State of Karnataka & Ors. Writ Petitions 20195 and 22246/2005 and 1937/2007
27. KFA 1963, s 43
28. KFA 1963, s 47
29. Singh BK, Former Principal Chief Conservator of Forests-Karnataka, 'Personal Communication to Vidhi' (03 July 2021)
30. KFA 1963, s 37
31. Karnataka Forest Rules 1969 (KFR 1969), s 45
32. KFR 1969, Chap XVI
33. Nolan Pinto, 'Karnataka Forest department says no to trees, puts 40 species under 'no permission to chop' list', (India Today, 19 Dec 2016) <<https://www.indiatoday.in/india/story/karnataka-forest-department-no-permission-to-chop-garden-city-358220-2016-12-18>> accessed 15 June 2021
34. Karnataka Preservation of Trees Act 1976 (KPTA 1976), s 8
35. Karnataka Gazette (Extraordinary) Part IV-2C (ii) dated 21.7.1976 as No. 3502, S.O. 1874
36. Karnataka Gazette (Extraordinary) Part IV-2C (ii) dated 21.7.1976, S.O. No. 1976
37. Karnataka Gazette (Extraordinary) Part IV-2C (ii) dated 21.7.1976 as No. 3501, S.O. 1873
38. KPTA 1976, s 8 (7)
39. n36
40. KPTA 1976, s 9, s.13, s22
41. S.O. 2494, dated 31.10.1981 [No. FFD 107 FTS 81]
42. Dikshit BK, Principal Chief Conservator of Forest (Forest Management)- Karnataka, 'Personal Communication' (17 July 2021)
43. Refer Annex. V and VI
44. Malhotra PG, Anil Malhotra, 'Owner of SAI Sanctuary' (09 June 2021)
45. The amendment repeals Sections 79A and 79B. Specifically, it removes the bar of only individuals with an annual income of less than Rs 25 lakh being allowed to purchase agricultural land. It also repeals the provision that enabled only individuals that earn a living through agriculture to purchase agricultural lands. The amendment has been met with stiff resistance from farmers in the state.
46. [1957] AIR 768

47. Environment (Protection) Rules 1986, s 5 (1) (viii, s 3(2)(v))
48. MoEFCC, 'Guidelines for Declaration of Eco-Sensitive Zones Around National Parks and Wildlife Sanctuaries, F. No. 1-9/2007 WL-I (pt)' (09 February 2011) <<http://moef.gov.in/wp-content/uploads/2017/06/1%20Guidelines%20for%20Eco-Sensitive%20Zones%20around%20Protected%20Areas.pdf>> accessed 15 July 2021
49. ibid
50. n48, p 22
51. MoEFCC, 'Notification on Brahmagiri Wildlife Sanctuary, S.O. 1701(E)' (26 May 2017) <<https://aranya.gov.in/downloads/Brahmagiri%20Wildlife%20Sanctuary%20ESZ.pdf>> accessed 15 July 2021
52. MoEFCC, 'Notification on Bandipur National Park, S.O 2364(E)' (04 October 2012) <<https://www.aranya.gov.in/downloads/Bandipur%20National%20Park%20ESZ.pdf>> accessed 15 July 2021
53. Wilson, Thomas, '50 hectares in the critical Kallar elephant corridor declared as private forest', (The Hindu, 10 June 2021) <<https://www.thehindu.com/news/cities/Coimbatore/50-hectares-in-the-critical-kallar-elephant-corridor-declared-as-private-forest/article34776060.ece> > accessed 21 June 2021
54. [2019] WPC 202/1995
55. MoEFCC, 'Proposed Amendment to Indian Forest Act, 2019' (07 March 2019) <<https://forest.mizoram.gov.in/uploads/attachments/4bdb5e07743b1d97755783ec4d88459b/pages-226-proposed-amendments-to-ifa-dated-7032019.pdf> > accessed 15 July 2021
56. Ishan Kukreti, 'Government withdraws proposed changes Indian Forest Act' (Down to Earth, 15 Nov 2019) <<https://www.downtoearth.org.in/news/forests/government-withdraws-proposed-changes-to-indian-forest-act-67774>>, accessed 9 June 2021
57. Pavan KH, 'For whose benefit?' (Deccan Herald, 7 July 2018) <<https://www.deccanherald.com/science-and-environment/whose-benefit-679554.html>> accessed 25 June 2021
58. Nolan Pinto, 'Private wildlife reserve controversy in Karnataka heats up, activists say resort mafia at play', (India Today, 28 June 2019) <<https://www.indiatoday.in/india/story/karnataka-private-wildlife-reserves-resort-mafia-1272646-2018-06-28>> accessed 23 June 2021
59. Soumya Chatterjee, 'Will the Karnataka govt's idea to have 'private forest land' threaten wildlife?' (The News Minute, 23 June 2018), <https://www.thenewsminute.com/article/will-karnataka-govts-idea-have-private-forest-land-threaten-wildlife-83559>

Annexure I

The following categorization has been obtained from the Report by Reconstituted Expert Committee I, 25/09/2002, G.O. No.FEE.270.FGL.2002 (Karnataka) in response to the order of SC in Godavarman case.

Notified Forests are those areas which have been notified as per Karnataka Forest Act and Rules. They include:

- **Reserved Forest** -These are defined in Section 2 (14) of the Karnataka Forest Act. They include land notified in accordance with the provisions of Chapter 2 of the Karnataka Forest Act 1963, Section 17 of Karnataka Forest Act, Section 17 of Mysore Forest Act 1900, reserved forest under Section 20 Indian Forest Act 1917, Section 16 of Madras Forest Act 1882, Section 19 of Hyderabad Forest Act 1935, prior to the date on which the Karnataka Forest Act came into force.
- **Village Forests**- As per Section 2 of the Karnataka Forest Act 1963 Village Forest means any land notified as such in accordance with the provisions of Chapter 3 Section 29 of the Karnataka Forest Act.
- **Protected Forests**- As per Section 2 (13) in the Karnataka Forest Act 1963 protected forests means any area at the disposal of the Government that has been placed under special protection under Section 33(2)(ii). Such forests are declared to be protected forest under Section 35. The rules for management of district forest shall mutatis-mutandis be applicable to protected forests per Rule 31 of the Karnataka Forest Rules, 1969. Under Section 28 of Indian Forest Act which prescribes for the formation of village forests, such forests are called Devara Kadus, Uruduves, others like Sandal Reserves, Teak Reserves, also declared under Section 4 of Karnataka Forest Act 1963.
- **Minor Forests**- As per Section 38 of the Karnataka Forest Act are those forests in the State which were notified as minor forest under Mysore Forest Act 1900, or as protected forests under Indian Forest Act 1927 or Hyderabad Forest Act 1935. Also as per the Rule 27 (a) in Karnataka Forest Rules any areas set apart for forest reserve under Section 71 of Karnataka Land Revenue Act is a protected forest. Besides this, any area transferred to the Forest Department under the provisions of Sub Section 3 of Section 77 of the Karnataka Land Revenue Act 1961 is also protected forest.

- **Private Forests** - As per Section 36 and 39 of Karnataka Forest Act 1963 any land notified by the State Government under this Section for the Protection of Forests for special purposes is a Private Forest.

Deemed forests are those areas, which have not been notified, but recorded as forests in the Government records. The deemed forests are those lands which have the characteristic of the forests, irrespective of the ownership. They fall within the dictionary meaning of 'forest', and are subject to Section 2 of the FCA. 'Deemed forests' are inclusive of the following:

- **District Forests:** - As per Section 2 of Karnataka Forest Act, 'district forest' includes the lands at the disposal of the Government not included within the limits of any reserved or village forest nor assigned in the survey settlement as free grazing ground or for any public or communal purpose. These lands have characteristics of forests and fall within the meaning of forest as defined in Section 2 of Forest Conservation Act and in the Order of Hon"ble Supreme Court dated: 12/12/96 in the W.P.No.202/95. These district forests are notified by the Revenue Department, and managed by the Revenue Department.
- **The C & D class lands** which are handed over to the Forest Department can be treated as deemed forests including the plantations raised in the above said areas.
- As per the Karnataka Land Revenue Act 1964, Chapter 7 Land & Land Revenue, Section 67 Public roads, etc., and all lands which are not the property of others belong to the Government:
- Section-79 of Karnataka Land Revenue Act 1964 - Regulation of supply of firewood and timber for domestic or other purposes: -

In any village or land in which the rights of the State Government to the trees have been reserved under Section 75 subject to certain privileges of the villagers or of certain classes of persons to cut firewood or timber for domestic or other purposes and in any land which has been set apart under Section 71 for forest reserve subject to such privileges, and in all other cases in which such privileges exist in respect of any alienated land, the exercise of the said privileges shall be regulated by such rules as may be prescribed, or by orders to be made either generally or in any particular instance by the Deputy Commissioner or by such other officer as

the State Government may direct. In any case of dispute as to the mode or time of exercising such privileges, the decision of the Deputy Commissioner or of such officer, shall be final.

- Deemed forest also includes the following:
 - a) Land proposed for notification under Section 4 of Karnataka Forest Act
 - b) Betta Lands
 - c) Bane Lands
 - d) Jamma Malai
 - e) Forest Peramboke
 - f) Paisari Lands
 - g) Kans
 - h) Kumki
 - i) Amrith Mahal Kaval
 - j) Assessed waste lands
 - k) Kharab lands
 - l) Submerged lands including mangroves and wetlands
 - m) River catchment and sea erosion areas
 - n) Land classified as Forest/ Jungle in Revenue records
 - o) Inam lands
 - p) Gomal Lands where the plantations have been raised
 - q) Thickly Wooded Areas of Revenue Department have not handed over to the Forest Department
 - r) C & D Land without any plantations but with KFD
 - s) Thickly Wooded Areas noted as Forest in revenue records and recommended to be taken over by the KFD
 - t) Thickly Wooded lands distributed but not cultivated, not felled any tree
 - u) Water bodies including lakes and tanks handed over to government
 - v) Plantations on government land outside reserve forest areas
 - w) Other lands

Annexure II

As per a letter sent by MoEF&CC to all States in 2018¹, the following may be the way to deal with violations in the case of private forests in Karnataka:

1. The Indian Forest Act 1927, or the Karnataka State Forest Act, 1963 deal with cases where a proposal under FCA has not been submitted and private forest land is diverted illegally. The land in question is not considered as diverted under the FCA, and the status of land use will continue to remain as private forest. A report with full detail of violation is to be submitted by the State Government, on the recommendation of the State Forest Department to the MoEF&CC and a formal inquiry is to be conducted by the regional office of the MoEF&CC.
2. Cases where a proposal under FCA is still under consideration, and private forest land is diverted before grant of forest clearance -

The penalty for violation shall be equal to Net Present Value (NPV) of forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting officer with maximum up to five (5) times the NPV plus 12 percent simple interest till the deposit is made.

- a. In case of public utility projects of the Government the penalty shall be 20% of the penalty proposed in para (a) above.
- b. State Government will initiate disciplinary action against the officials concerned for not being able to prevent use of forest land for non-forest purposes without prior approval of the Government of India.
- c. User agencies responsible for violation shall be prosecuted under State Act for unauthorized use of forest land without the permission of State authority under Sections 64A and/or 104 depending on the circumstances of the case. Section 64A grants powers to evict those who may illegally constructed buildings or plant trees or crops on land to the Forest Department, and places the onus of bearing costs of restoring the land to its original condition on the person evicted. Section 104 prescribes upto six months imprisonment and fine upto Rs 1000 for contravention of the State Act or any rules under it. Offences under the Indian Forest Act, 1927 are punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

¹ MoEF&CC letter dated 29.01.2018 available at [https://aranya.gov.in/aranyacms/downloads/circulars/1271637544\\$-FC%20violations-28-11-2017.pdf](https://aranya.gov.in/aranyacms/downloads/circulars/1271637544$-FC%20violations-28-11-2017.pdf)

Annexure III

GOVERNMENT OF KARNATAKA

NO: FEE 32 FDP 2015

Karnataka Government Secretariate,
M.S.Building,
Bengaluru, dated: 07.12.2016.

NOTIFICATION

In supersession of Notification No.FEE 32 FDP 2015 dated: 09.03.2015 and in exercise of powers conferred by sub rule (f) of rule 144 of the Karnataka Forest Rules, 1969, the Government of Karnataka hereby exempt the following species from the operation of Chapter XVI of the said rules in the State of Karnataka with immediate effect, namely,-

| Sl. No. | BOTANICAL NAME | COMMON ENGLISH NAME | COMMON KANNADA NAME |
|---------|--|--|---|
| 1 | Acacia hybrid | Acacia hybrid | ನಿರ್ದಿಷ್ಟ ಹೆಸರಿಲ್ಲ |
| 2 | Acacia mangium | Acacia mangium | ಅಕೇಶಿಯಾ |
| 3 | Ailanthus excels | Tree of heaven | ಬೋಧೈವೋವು |
| 4 | Albizia saman (Samanea saman) | Rain tree | ರೈನ್ ಮರ |
| 5 | All bamboos except Bambusa arundinacea, Dendrocalmus strictus and those of genus Ochlandra | All bamboos except Bambusa arundinacea, Dendrocalmus strictus and those of genus Ochlandra | ಬೋಧೈ ಬದಿರು, ಕರು ಬದಿರು ಮತ್ತು genus ochlandra ಹೊರತುಪಡಿಸಿ ಉಳಿದ ಎಲ್ಲಾ ಬಂಬೂ ಮರಗಳು. |
| 6 | All Cassia species except Cassia fistula | All Cassias except Golden Rain Tree | ಕಳ್ಳೆ ಹೊರತುಪಡಿಸಿ ಉಳಿದ ಎಲ್ಲಾ ಕಾಸಿಯ ಜಾತಿಯ ಮರಗಳು |
| 7 | All exotic ornamental/ oil palms | | |
| 8 | Anacardium occidentale | Cashew | ಗೋಡಂಬಿ |
| 9 | Araucaria heterophylla (Araucaria excelsa) | Christmas tree | ಕ್ರಿಸ್ಮಸ್ ಮರ |
| 10 | Areca catechu | Arecanut | ಅಡಿಕೆ |
| 11 | Casuarina species | Casuarina, Indian Beef wood | ಗಾಳಿಮರ |
| 12 | Citrus x limon | Lemon | ನಿಂಬೆ |
| 13 | Citrus species generally sinensis | Orange | ಕತ್ತಳೆ |
| 14 | Cocos nucifera | Coconut | ತೆಂಗು |
| 15 | Coffea Species | Coffee | ಕಾಫಿ |
| 16 | Delonix regia | Mayflower | ಗುಲ್‌ಮೋಹಲ್ |
| 17 | Erythrina indica | Indian coral tree | ದಡಪ |
| 18 | Erythrina variegata | Indian coral tree | ದಡಪ |

2.....

| Sl. No. | BOTANICAL NAME | COMMON ENGLISH NAME | COMMON KANNADA NAME |
|---------|--------------------------------------|----------------------------|---------------------|
| 19 | Eulayptus species | Eucalyptus | ನೀಲಗಿರಿ |
| 20 | Gliricidia sepium | Glyceridia, Quick stick | ಗೋಬ್ಬರದ ಗಿಡ |
| 21 | Grevillea robusta | Silver Oak | ಸಿಲ್ವರ್ ಒಕ್ |
| 22 | Hevea brasiliensis | Rubber | ರಬ್ಬರ್ |
| 23 | Jacaranda mimisifolia | Jacaranda | ಜಕರಂಡ |
| 24 | Kigelia africana | Sausage tree | ಅನೆತೋರಮಕಾಯಿ |
| 25 | Leucaena leucocephala | Subabul | ಸುಬಬುಲ್ |
| 26 | Maesopsis eminii | Umbrella tree | ಚಕ್ರಿ ಮರ |
| 27 | Manilkara zapota | Sapota, Chikoo fruit | ಸಪೋಟ |
| 28 | Melia dubia | Melia | ಹೆಬ್ಬೆವು |
| 29 | Millingtonia hortensis | Indian Cork tree | ಅಕಾಶ ಮಲ್ಲಿಗೆ |
| 30 | Moringa oleifera | Drumstick | ಮುಗೈ |
| 31 | Morus alba | Mulberry | ಮಿಠು ನೇರಳೆ |
| 32 | Murraya koenigii | Curry leaf tree | ಕರಿ ಬೀವು |
| 33 | Peltoform pterocarpum | Peltoform | ಪೆಲ್ಟೋಫಾರ್ಮ್ |
| 34 | Phanera purpurea (Bauhinia purpurea) | Purple bauhinia | ಬಸವನಪಾದ |
| 35 | Plumeria species | Pagoda tree | ದೇವರಕಾಣೆಗೆರೆ |
| 36 | Polyalthia longifolia | False Ashoka | ಉಬ್ಬಿನ ಮರ |
| 37 | Psidium guajava | Guava | ಸೀಬೆಹಣ್ಣು |
| 38 | Sesbania grandiflora | Sesbania, Hummingbird tree | ಅಗಸ್ತ್ಯ |
| 39 | Simarouba glauca | Paradise tree | ಸೀಮರೋಟ |
| 40 | Spathodea campanulata | African tulip | ನೀರುಕಾಯಿ ಮರ |
| 41 | Tabebuia species | Tabebuia | ತಾಬೆಬುಯಾ |
| 42 | Tecoma species | Trumpet tree | ಕೊರಣೇಕೆಲಾರ್ |

By order and in the name of
Governor of Karnataka



(H.S. BHAGYALAKSHMI)

Under Secretary to Government,
Forest, Environment & Ecology
Department (Forest-B)

To:-

The Compiler, Karnataka Gazetteer, Bangalore for publication in the next issue of Gazette and for supply of 1000 copies to the Principal Chief Conservator of Forest (Head of Forest Force), Aranya Bhavan, Malleshwaram, Bangalore and 100 copies to the above authority.

3.....

Annexure IV

Procedure for obtaining permit for felling trees in accordance with the Karnataka Preservation of Trees Rules, 1977

FLOW CHART FOR TREE FELLING PERMISSION

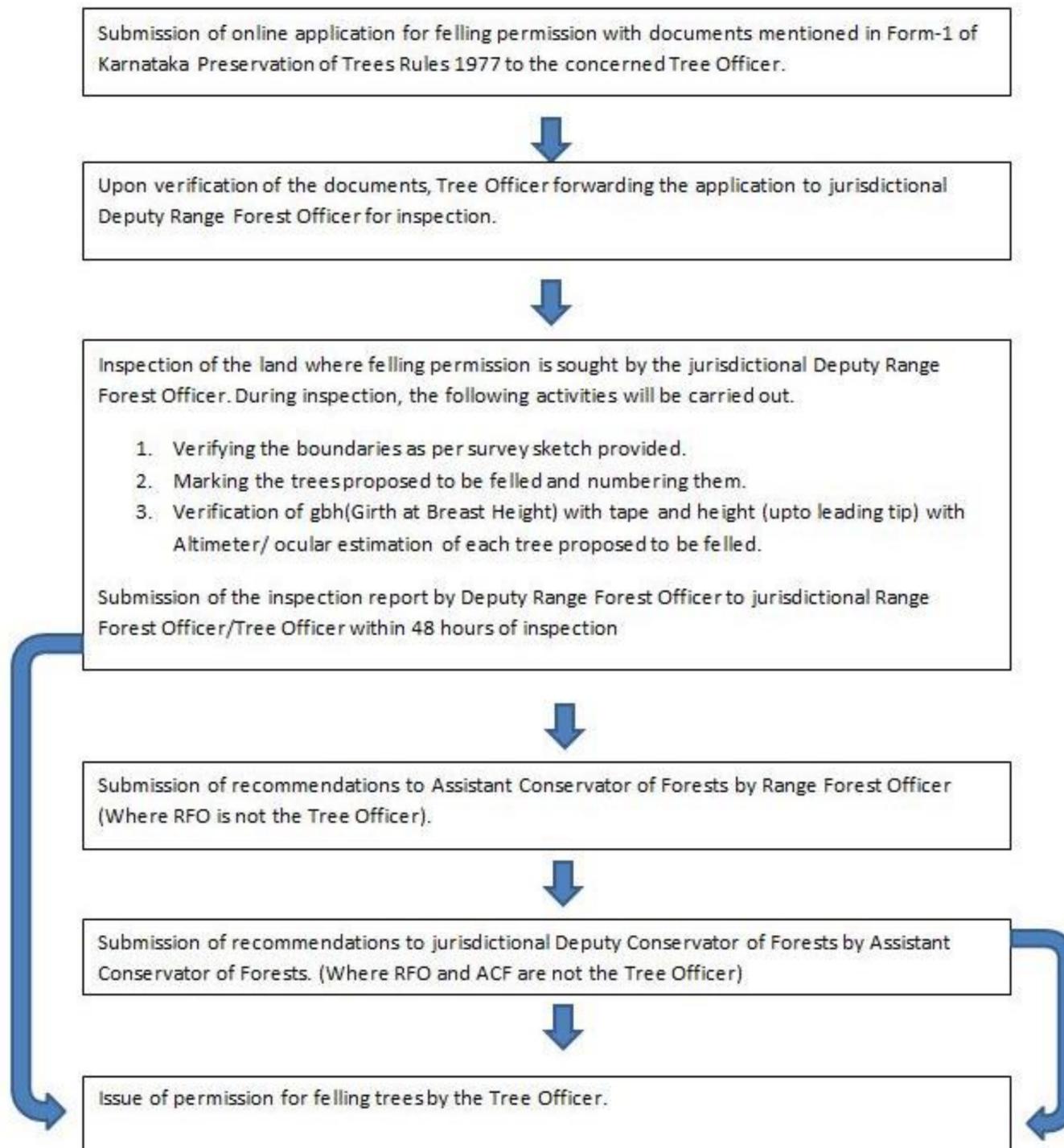


Image Courtesy- Karnataka Forest Department, available at <https://aranya.gov.in/aranyacms/English/IndividualService.aspx?nfu8wQgDVperjJ9S0Uu8yQ==>

Annexure V(a)

Bangalore, dated 20th July, 1976 [No. FFD 100 FDP 76 (II)]

S.O. 1874.- In exercise of the powers conferred by sub-section (3) of section 1 of the Karnataka Preservation of Trees Ordinance, 1976 (Karnataka Ordinance 14 of 1976), the Government of Karnataka hereby appoints the 21st day of July, 1976 as the date on which all the provisions of the said Ordinance shall come into force in the rural areas specified in Schedule I of the said Ordinance, situated in the Districts mentioned in Part A of Table below, excluding the areas mentioned in Part B thereof:-

TABLE PART A

- | | |
|------------------|------------------|
| 1. Chikmanalur. | 5. Mysore. |
| 2. Hassan. | 6. South Kanara. |
| 3. North Kanara. | 7. Coorg. |
| 4. Shimoga. | |

PART B

1. Reserved Forest notified under section 17 of the Karnataka Forest Act, 1963.
2. Lands under the control and management of the Horticulture Department or the University of Agricultural Sciences.
3. Lands cultivated with coffee, tea and rubber wherein the number of plants is not less than 750 per hectare in the case of coffee and tea and 225 in the case of rubber.

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

(Published in the Karnataka Gazette (Extraordinary) Part IV-2C (ii) dated 21.7.1976 as No. 3502.)

Annexure V(b)

Bangalore, dated 20th July, 1976 [No. FFD 100 FDP 76 (IV)]

S.O. 1976.- In exercise of the powers conferred by sub-section (3) of section 1 of the Karnataka Preservation of Trees Ordinance, 1976 (Karnataka Ordinance 14 of 1976), the Government of Karnataka hereby appoints the 21st day of July, 1976 as the date on which all the provisions of the said Ordinance shall come into force in the rural areas specified in Schedule II of the said Ordinance situated in Taluks mentioned in Part A of the Table below, excluding the areas mentioned in Part B thereof:-

| TABLE | | PART A | |
|-------|--------------------------|--------|---------------------|
| 1. | Khanapur Taluk. | 25. | Bhatkal Taluk. |
| 2. | Chickmagalur Taluk. | 26. | Haliyal Taluk. |
| 3. | Koppa Taluk. | 27. | Honnavar Taluk. |
| 4. | Mudigere Taluk. | 28. | Karwar Taluk. |
| 5. | Narasimharajapura Taluk. | 29. | Kumta Taluk. |
| 6. | Sringeri Taluk. | 30. | Mundgod Taluk. |
| 7. | Mercara Taluk. | 31. | Siddapur Taluk. |
| 8. | Somwarpet Taluk. | 32. | Srisi Taluk. |
| 9. | Virajapet Taluk. | 33. | Supa Taluk. |
| 10. | Shiggaon Taluk. | 34. | Yellapur Taluk. |
| 11. | Hangal Taluk. | 35. | Bhadravati Taluk. |
| 12. | Kalghatgi Taluk. | 36. | Hosanagar Taluk. |
| 13. | Dharwar Taluk. | 37. | Sagar Taluk. |
| 14. | Arkalgud Taluk. | 38. | Tarikere Taluk. |
| 15. | Sakaleshpur Taluk. | 39. | Shikaripur Taluk. |
| 16. | Belur Taluk. | 40. | Shimoga Taluk. |
| 17. | Chamarajanagar Taluk. | 41. | Sorab Taluk. |
| 18. | Gundlupet Taluk. | 42. | Thirthahalli Taluk. |
| 19. | Heggadadevanakote Taluk. | 43. | Belthangandi Taluk. |
| 20. | Hunsur Taluk. | 44. | Coondapur Taluk. |
| 21. | Kollegal Taluk. | 45. | Karkala Taluk. |
| 22. | Yelandur Taluk. | 46. | Puttur Taluk. |
| 23. | Periapatna Taluk. | 47. | Sullia Taluk. |
| 24. | Ankola Taluk. | | |

PART B

Reserved forest notified under section 17 of the Karnataka Forest Act, 1963.

Lands under the control and management of the Horticulture Department or the University of Agricultural Sciences.

1. Lands cultivated with coffee, tea and rubber wherein the number of plants is not less than 750 per hectare in the case of coffee and tea and 225 per hectare in the case of rubber.

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

(Published in the Karnataka Gazette (Extraordinary) Part IV-2C (ii) dated 21.7.1976.)

Annexure V(c)

Bangalore, dated 20th July, 1976 [No. FFD 100 FDP 76 (I)]

S.O. 1873.- In exercise of the powers conferred by sub-section (3) of section 1 of the Karnataka Preservation of Trees Ordinance, 1976 (Karnataka Ordinance 14 of 1976), the Government of Karnataka hereby appoints the 21st day of July, 1976 as the date on which all the provisions of the said Ordinance shall come into force in the urban areas specified in Part A of Schedule below, other than the area specified in Part B thereof:-

SCHEDULE

PART A

Area comprised within the limits of,-

- | | |
|--|------------------------------------|
| 1. City of Bangalore Municipal Corporation. | 34. Konanur Town Municipality. |
| 2. Mysore City Municipal Council. | 35. Belur Town Municipality. |
| 3. Mangalore City Municipal Council. | 36. Hassan City Municipality. |
| 4. Belgaum City Municipal Council. | 37. Sakleshpur Town Municipality. |
| 5. The Belgaum Cantonment Board. | 38. Chamarajnar Town Municipality |
| 6. Hubli-Dharwar Municipal Corporation. | 39. Gundlupet Town Municipality. |
| 7. Bellary City Municipality. | 40. H.D. Kote Town Municipality. |
| 8. Bijapur City Municipality. | 41. Hunsur Town Municipality. |
| 9. Davanagere City Municipality. | 42. Kollegal Town Municipality. |
| 10. Gulbarga City Municipality. | 43. Periyapatna Town Municipality. |
| 11. K.G.F. consisting of Robertsonpet Municipal Council area. | 44. Yelandur Town Municipality. |
| 12. Bhadravati Town Municipal Council and notified Area, Bhadravati. | 45. Sargur Town Municipality. |
| 13. Shimoga City Municipality. | 46. Ankol Town Municipality. |
| 14. Khanapur Town Municipality. | 47. Honnavar Town Municipality. |
| 15. Chickmagalur Town Municipality. | 48. Haliyal Town Municipality. |
| 16. Mudigere Town Municipality. | 49. Kumta Town Municipality. |
| 17. N.R. Pura Town Municipality. | 50. Karwar Town Municipality. |
| 18. Koppa Town Municipality. | 51. Mundgod Town Municipality. |
| 19. Sringeri Town Municipality. | 52. Siddapur Town Municipality. |
| 20. Mercara Town Municipality. | 53. Sirsi Town Municipality. |
| 21. Hebbal Town Municipality. | 54. Dandeli Town Municipality. |
| 22. Kodlipet Town Municipality. | 55. Hosanagar Town Municipality. |

- | | | | |
|-----|----------------------------------|-----|---------------------------------|
| 23. | Kushalnagar Town Municipality. | 56. | Sagar Town Municipality. |
| 24. | Sanivarasanthe Town Municipality | 57. | Shikaripur Town Municipality. |
| 25. | Somwarpet Town Municipality. | 58. | Tarikere Town Municipality. |
| 26. | Suntikoppa Town Municipality. | 59. | Sorab Town Municipality. |
| 27. | Ponnampet Town Municipality. | 60. | Shiralkoppa Town Municipality. |
| 28. | Gonikoppa Town Municipality. | 61. | Thirthahalli Town Municipality. |
| 29. | Virajpet Town Municipality. | 62. | Udipi Town Municipality. |
| 30. | Shiggaon Town Municipality. | 63. | Karkala Town Municipality. |
| 31. | Hangal Municipality. | 64. | Puttur Town Municipality. |
| 32. | Kalghatgi Town Municipality. | 65. | Coondapur Town Municipality. |
| 33. | Arkalgud Town Municipality. | | |

PART B

Areas excluded from the areas specified in Part A.

Land under the control and management of the Government Horticultural Department and the University of Agricultural Sciences.

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

(Published in the Karnataka Gazette (Extraordinary) Part IV-2C (ii) dated 21.7.1976 as No. 3501.)

Annexure VI

NOTIFICATION Bangalore dated 31-10-1981 [No. FFD 107 FTS 81.]

S.O. 2494.- In exercise of the powers conferred by sub-section (3) of section 1 of the Karnataka Preservation of Trees Act, 1976 (Karnataka Act 76 of 1976) the Government of Karnataka hereby appoints First day of November 1981 as the date on which the provisions of section 7 (c), 9, 10, 11, 13, 14, 22, shall come into force in the areas specified in Schedule I and II to the said Act, situated in Districts mentioned in Part-A and Taluks mentioned in Part-B of the table given below excluding the areas mentioned in Part-C thereof, namely:-

PART A

| | |
|----------------------|-------------------------|
| 1. Belgaum District | 7. Bellary District |
| 2. Dharwad District | 8. Chitradurga District |
| 3. Bijapur District | 9. Tumukar District |
| 4. Bidar District | 10. Bangalore District |
| 5. Gulburga District | 11. Kolar District |
| 6. Raichur District | 12. Mandya District |

PART B

| | |
|----------------|---------------------|
| 1. Athani | 65. Kottur |
| 2. Chikkodi | 66. Molakamuru |
| 3. Hukkeri | 67. Challekere |
| 4. Gokak | 68. Hiriyyur |
| 5. Raibagh | 69. Hosadurga |
| 6. Ramdurga | 70. Holalkere |
| 7. Savadatti | 71. Jagalur |
| 8. Bailhongal | 72. Davangere |
| 9. Belgaum | 73. Chitradurga |
| 10. Bijapur | 74. Harihar |
| 11. Indi | 75. Channagiri |
| 12. Sindagi | 76. Honnali |
| 13. Bagewadi | 77. Kadur |
| 14. Muddebihal | 78. Hassan |
| 15. Hungund | 79. Arasikere |
| 16. Badami | 80. Alur |
| 17. Bagalkot | 81. Channarayapatna |

| | |
|----------------|-------------------------|
| 18. Bilagi | 82. Holenarasipur |
| 19. Mudhol | 83. Tumkur |
| 20. Jamakhandi | 84. Madhugiri |
| 21. Gulburga | 85. Gubbi |
| 22. Chincholi | 86. Sira |
| 23. Yadagir | 87. Pavagada |
| 24. Chitapur | 88. Chikkanayakanahalli |
| 25. Jevargi | 89. Tiptur |
| 26. Afazalpur | 90. Turuvekere |
| 27. Shahapur | 91. Kunigal |
| 28. Shorapur | 92. Koratageri |
| 29. Aland | 93. Bangalore (North) |
| 30. Sedam | 94. Bangalore (South) |
| 31. Bidar | 95. Doddaballapur |
| 32. Humnabad | 96. Devanahalli |
| 33. Ourad | 97. Hosakote |
| 34. Dumker | 98. Anekal |
| 35. Bhalki | 99. Kanakapura |
| 36. Raichur | 100. Channapatna |
| 37. Devadurga | 101. Ramanagaram |
| 38. Manvi | 102. Magadi |
| 39. Lingasugur | 103. Nelamangala |
| 40. Shindanur | 104. Kolar |
| 41. Gangavathi | 105. Bagepalli |
| 42. Koppal | 106. Gouribidanur |
| 43. Kushtagi | 107. Malur |
| 44. Yelburga | 108. Chikkaballapur |
| 45. Gadag | 109. Siddalaghatta |
| 46. Ron | 110. Gudibande |
| 47. Nargund | 111. Bangarpet |
| 48. Navalgund | 112. Mulbagal |
| 49. Mundargi | 113. Chintamani |
| 50. Shirahatti | 114. Srinivasapur |
| 51. Haveri | 115. Mandya |
| 52. Ranebennur | 116. Malavalli |
| 53. Byadgi | 117. Srirangapatna |
| 54. Hirekerur | 118. Maddur |

| | | |
|-------------------|------|--------------------|
| 55. Savanur | 119. | Krishanarajapet |
| 56. Kundgol | 120. | Nagamangala |
| 57. Hubli | 121. | Pandavapura |
| 58. Bellary | 122. | Mysore |
| 60. Hospet | 123. | Nanjangud |
| 61. Sandur | 124. | T. Narasipur |
| 62. Kudligi | 125. | Krishnaraja Nagara |
| 63. Hadagali | 126. | Bantwal |
| 64. Harapanahalli | 127. | Udipi |
| | 128. | Mangalore. |

PART C

1. Reserve Forest notified under section 17 of the Karnataka Forest Act, 1963.
2. Lands under the control and management of the Horticultural Department or the University of Agricultural Sciences.
3. Lands cultivated with coffee, tea and rubber wherein the number of plants is less than 750 per hectare; in case of coffee and tea and 225 in the case of rubber.

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

For any queries and clarification regarding this report,
please contact debadityo.sinha@vidhilegalpolicy.in

www.vidhilegalpolicy.in

Vidhi Centre for Legal Policy

A-232, Defence Colony

New Delhi – 110024

011-43102767/43831699

vcpl@vidhilegalpolicy.in