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NOTIFICATION

No. B. 11011/36/95-FST, the 18th September, 1998. Whereas the Government of Mizoram is concerned about the continued degradation of the Forest area in the State because of excessive biotic pressure like illicit fellings, jhuming, fire, encroachment on Government Forests, etc. and whereas the Forest Department has taken up a massive programme for resuscitation of the degraded forests of the State as a whole for converting the areas into productive forests.

And whereas active participation and involvement of local people are vital for regeneration, maintenance and protection of aforesaid forests/plantations and for successful implementation of afforestation.
National Forest Policy, 1988.

And whereas the guidelines suggested by the Government of India, Ministry of Environment & Forests, in their letter No. 6-12/89, dated 1.6.1990 envisaged a Joint Participatory Forest Management through the involvement of village communities and voluntary Agencies towards the planning, protection, regeneration, development and management of forest areas and other Government lands degraded due to various biotic pressures.

Now, therefore, the State Government of Mizoram hereby decided to introduce the scheme of "Joint Forest Management" to be implemented jointly by the State Government, Forest Department and the Village Forest Development Committee to be constituted by the Government in accordance with the terms and condition laid down in the Annexure I.

L. Kawlhmingthanga,
Joint Secretary to the Govt. of Mizoram,
Environment & Forests Department.

ANNEXURE I

The procedure for constitution of the Village Forest Development Committee, duties and functions, the mechanism of sharing of produce and other modalities of the committee shall be as follow :-

1. CONSTITUTION OF VILLAGE FOREST DEVELOPMENT COMMITTEE

The Range Officer will contact the local villagers and convene a public meeting in consultation with the President of the Village Council and non-Government organisations like YMA and MHIP. The meeting shall be presided over by the Range Officer and shall elect a minute secretary from amongst themselves for the purpose of recording minute of the meeting. Name of all the persons who attended the meeting shall be recorded in the minute book.

The RO shall explain various aspects of Joint Forest Management to the villages who attended the meeting. In case, a minimum of 50% of the households in the village agree to the proposal, a Village Forest Development Committee will be constituted in the meeting. All persons who are willing to become a member of the Village Forest Development Committee to be known as General Body, shall be registered in the Minute book as Member of the VFDC or General Body. A resolution for the constitution of the VFDC or General Body shall be adopted in the meeting and recorded in the minute book under the signature of the Chairman and the minute Secretary. The minute Secretary shall cease to function as such after the meeting is over.

The Resolution so adopted by the meeting shall be forwarded to the DFO concerned with list of members of the VFDC or General Body for his Office record, as per Appendix I.

Every household living in the village will have the option of becoming member of the Committee and each family (household) will be considered as one unit of beneficiary.

2. IDENTIFICATION OF AREAS FOR JOINT FOREST MANAGEMENT

Though in principle, the scheme is applicable to all the forest areas of the State, initially, it will operate in selected degraded forest lands with potential for regeneration through protection measures combined with necessary silvicultural activity. Only such forest areas will be selected where the villagers (local people) show interest in trying Joint Forest Management concept. Forest area less than 50 hectares per village will not be allowed to be managed under JFM scheme.

Initially, the D.F.O. of the selected territorial Division, through his Range Officers, will select the areas suitable for implementing Joint Forest Management. The number of areas to be selected will be intimated by the P.C.C.F.

3. CONSTITUTION OF MANAGING COMMITTEE.

Managing Committee (MC) will be constituted by the members of Village Forest Development Committee (VFDC) whose meeting for the purpose shall be

presided over by the Village Council President (VCP). A member for each 'Veng' (Locality) will be included in the Managing Committee whose composition will be as follows:—

- | | | |
|---|---|--|
| (i) Representative to be elected by V. F. D. C. members | — | one from each 'Veng' of the Village (Member) |
| (ii) President of the Village Council | — | Ex-Officio member |
| (iii) Representatives of School/College Teachers | — | Ex-Officio 2 members |
| (iv) Representatives of NGOs (YMA & MHIP) | — | Ex-Officio 2 members (1 each) |
| (v) Beat Officer (Forester/Forest Guard) | — | Ex-Officio member Secretary |

The term of the Managing Committee will be one year.

The Committee will elect its own Chairman and Vice-Chairman amongst themselves.

Constitution of the Village Forest Development Committee and the Managing Committee will be sent to the DFO for approval of the competent authority as per model form prescribed at Appendix I.

If any inclusion or change in the Committee/Managing Committee is necessitated, after initial constitution, the Managing Committee shall make suitable recommendation to the DFO duly endorsed by the VCP for approval.

The Beat Officer, as Member Secretary shall convene the meetings of the Managing Committee as well as Village Forest Development Committee as per scheduled procedure.

4. DUTIES AND FUNCTIONS OF THE MEMBERS OF THE VILLAGE FOREST DEVELOPMENT COMMITTEE AND THE MANAGING COMMITTEE

A. The members of the VFDC as well as that of Managing Committee individually and collectively will ensure protection of the forests against grazing, fire, illicit felling, theft of forest produce and encroachment of forest lands in accordance with the approved Joint Forest Management Plan.

(ii) It shall be the duty of all members to prevent forest offence and pass on relevant informations and intelligence in this regard to the Managing Committee as well as to the Forest officials.

(iii) The members shall actively help the forest officials in apprehending any person committing offence in the forest lands and in giving proper evidence against any such person in the courts of law.

(iv) The members shall assist the forest officials in carrying out silviculture and other forest improvement works in accordance with the Joint Forest Management Plan.

(v) The members will strive for creation of awareness about the importance of forests among non members of the village and other villagers.

(vi) The members may give advice & suggestions for the successful implementation of the scheme to the concerned Forest Officer.

(vii) The Village Forest Development Committee will hold an annual general meeting where activities of the Committee as well as details of distribution of usufructary benefits are to be discussed, besides electing representatives of the beneficiaries for the Managing Committee. Such meetings will be presided over by the Chairman of the Managing Committee.

Besides the duties and functions listed above, the Managing Committee also has to ensure discharging the following duties and responsibilities:—

B. (i) Active participation in the preparation of Joint Forest Management Plan.

(ii) Assigning the duties and responsibilities to the members of the Village Forest Development Committee connected with protection, regeneration and extraction of Forest products.

(iii) Recommending to the R.O/D.F.O against members indulging in acts against forest laws or sound principles of forest conservation or village interest debarring them from the committee.

(iv) Assigning share of usufruct among its members either equitably or lesser to a member, if he has not discharged his duties and responsibilities assigned to him.

(v) Regulating grazing or collection of forest produce from a specified portion of the area.

(vi) Priorities requests and advice examining the urgency of the needs of individual members, and setting apart the products for self consumption in case of shortage of supplied against demand.

(vii) Resolving of doubts and issues in respect of usufruct rights between individual members.

(viii) The members of the Managing Committee shall have the powers to check and apprehend those indulging in activities which are in contravention of the Mizoram (Forest) Act, 1955/Wildlife (Protection) Act, 1972/Forest Conservation Act, 1980 of the Government of India and hand them over to the Forest Officers alongwith the forest produce, tools and vehicles, if any, used in commission of the offence for taking further action.

(ix) The Managing Committee shall have powers to seize wood illegally cut inside the forest area and the Committee will levy fine for unauthorised felling and grazing as per instructions issued by the Govt. from time to time. The fine so collected shall be credited to the 'Village Forest Development Fund'.

(x) The Managing Committee shall maintain a register showing necessary particulars of beneficiaries/members e.g. name, father's name, age, address, number of family members, name of representative of a family, etc. Such Registers are also to be maintained to the office of the concerned R.O. for record.

(xi) The Managing Committee shall maintain a 'minute book' wherein proceedings of the meetings of the Managing Committee as well as that of the annual meeting of general body will be recorded under the signature of the chairman of the Managing Committee and such minutes duly attested shall be sent to the R.O. for record.

(xii) The Members Secretary i.e. Beat Officer (Forester/Forest Guard) shall maintain records together with the cash book and other accounts of the committee. The account shall be approved by the Managing Committee and placed before the meeting of the general body once every year. The Range Officer shall scrutinize the accounts of the Committee and Village Forest Development fund at least once in every three months and if any irregularity is noticed the same shall be reported to the concerned DFO for appropriate necessary action.

(xiii) Complete physical account of all works taken up and all expenditure incurred including the details of forest produce permitted to be collected free, shall be kept by the committee. The details of timber, etc. sold together with the names of beneficiaries shall also be maintained. All such details shall be submitted to the R.O. in prescribed form every month.

(xiv) Other modalities for the functioning of the Managing Committee and Village Forest Development Committee shall be governed by instructions issued by the Government from time to time.

(xv) The Managing Committee shall meet at least once in three months and the meeting shall be convened by the member secretary.

(xvi) The quorum for the meetings of the Managing Committee and the Village Forest Development Committee shall be not less than one-third of the total number of members.

TERMINATION OF MEMBERSHIP, DISSOLUTION OF THE COMMITTEE, ETC.

(i) If any member of the Managing Committee fail to attend three consecutive meetings of the committee, he shall be removed from the membership of the committee by the Range Officer concerned on the recommendation of the member secretary, after giving the member concerned an opportunity of being heard.

(ii) The Range Officer is empowered to disqualify any member of the committee permanently or for a specified period, if it is found necessary to do so in the interest of proper maintenance of the forest or other assigned areas and/or in the interest of the proper functioning of the committee.

(iii) If a member of the committee is found guilty of any forest offence by the Government or other authority concerned, he/she shall automatically cease to be a member of the Village Forest Development Committee for lifetime.

(iv) If the committee fails to function properly, or if there are instances of financial irregularities, mis-appropriation or violation of any rules and regulations stipulated therein, the DFO concerned can supercede and dissolve the committee on the recommendation in writing of the member secretary/RO./ACF without paying any compensation for any work that might have been done prior to such supercession.

(v) Appeal against any penal action by the Range Officer under clause 5(1) & 5(ii) above may be preferred to the concerned DFO through the Chairman of the committee/VCP.

(vi) Appeal against any such penal action by the DFO may be preferred to the concerned C.F whose decision shall be final.

(vii) If there is any confusion or deadlock on any issue, the matter shall be referred to the PCCF (through the CF concerned) whose direction/decision shall be binding on the Village Forest Development Committee.

6. DUTIES AND RESPONSIBILITIES OF GOVERNMENT DEPARTMENTS

(i) There should be conscious attempt to ensure that the benefits from JFM ~~as go~~ to the people as a responsible and honourable partner in forest management and related activities.

(ii) The problems arising from the interaction between the Village Forest Development Committee between members of the same village forest Development Committee and the villagers outside village Forest Development Committee, should be arbitrated by the RO/ACF/DFO as early as possible.

(iii) Leadership of senior officers of the Forest Department to provide clear, coherent and unambiguous guidance and frequent site visits will the success of the scheme.

(iv) An integrated approach and interest shown by different department like Revenue, Agriculture, Horticulture Forests, Animal Husbandry, Sericulture will be useful to make the scheme successful.

(v) Officers of Forest Department will have the freedom to attend the meetings of the committee, to participate in their discussion and render advice.

(vi) The areas other than forest land to be handed over to the VFDC for Joint Forest Management shall be notified as forests under the provision of Mizoram Forest Act, 1955.

(vii) The DFO will be responsible for preparation of the Joint Management Plan for the forest area providing for the local ~~people~~ requirements and wishes in the Plan. It will be his responsibility to see that the approved programme as per the JFM plan are properly executed by associating the Managing Committee at each stage.

7. JOINT FOREST MANAGEMENT PLAN

(i) The DFO will select on priority basis such sensitive degraded area, where the villagers are willing to share their co-operation in protection/planning/regeneration.

(ii) The DFO/ACF/RO will prepare a JFM plan by carrying out micro-planning exercise. The management plan shall aim at sustainable Development and will include methods for Development of degraded forest areas for sufficient production of fuelwood, timber, fodder, bamboos, etc. for meeting the demand of the local people. Due emphasis will be laid on maintaining the standing biomass in all its diversity. The management plan shall also prescribe the quantities and modalities for removal of forest produce, for procurement and distribution every year. The management plan will be prepared for a period of 10 years.

(iii) The DFO/ACF/RO will submit the management proposals to the Managing Committee of the VFDC. The prescriptions will be discussed along with suggestions of the Committee, if any, if proposals are required to be amended, it shall be done, after obtaining the approval of the VFDC, the DFO will submit the management plan to the C.F. concerned who will give his formal acceptance of the execution of the plan.

(iv) A memorandum of understanding (MOU) will be signed by the DFO and Managing Committee of the VFDC for the due performance of the agreed functions of the approved management plan. The model profoma of MOU is given in Appedix II.

8. FINANCIAL ARRANGEMENT

Government will bear the expenditure to be incurred for implementing the Joint Forest Management plan through Forest Department, Financial assistance in the shape of grants-in-aid, etc. if any may also be availed of.

9. DISPOSAL OF FOREST PRODUCE AND SHARING

(i) The beneficiaries shall be entitled to grasses, leaves, fruits, fallen twigs, lops and tops, prunings and fuelwood free of cost from the JFM areas of forests. The committee may work out its own principles and mechanism for equitable distribution of the above forest produces to all the right holders with a view to meeting the needs of the local population.

(ii) Out of the harvest from Silvicultural thinnings and main fellings, the beneficiaries will be entitled to the produce for their bonafide domestic needs on payment of nominal amount as may be approved by the DFO on a formal proposal from the Managing Committee duly recommended by the concerned R.O.

(iii) The surplus out of the harvest from silvicultural thinnings and main fellings after meeting the bonafide domestic needs of the beneficiaries as indicated shall be disposed of under the supervision of the R.O. through public auction.

(iv) The proceeds arising from the sale of the forest produce, after deducting all the expenditures incurred on harvesting and auction, shall be shared between the Government, beneficiaries and VFDC in the ratios mentioned below :—

50 per cent to the Government to be deposited in 'State Forest Development Fund' to be utilised for development of forests.

30 per cent to the beneficiaries through the VFDC as per rules to be framed for the purpose, and

20 per cent to special fund to be called the 'Village Forest Development Fund'. This fund will be operated by the VFDC as per rules to be framed by the Government.

10. VILLAGE FOREST DEVELOPMENT FUND

This Fund is to be created on account of each VFDC. The initial expenditure required for opening the account shall be met from the fund provided by the Forest Department in this regard. This fund shall be operated by the VFDC as per the management plan at para 7 and also as indicated below. Fines & Penalties collected by the VFDC as stated in this Resolution including fees collected, if any, shall be credited to this fund. Besides, 20 per cent of the proceeds arising from the sale of the forest produces as stated under clause 9 (iv) used only for the development activities of forest as per the approved management plan of the VFDC. In any way, this fund shall not be used for the benefits of the members personally or shared as profit among the members.

The operations of VFDC Fund shall be in Joint account system in the name of the chairman of Managing Committees of VFDC and the Member Secretary. However, the maintenance of records and accounts relating to VFDC shall be the responsibility of the Member-Secretary as stated at clause 4 B (xii)

11. ROLE OF NGOS IN THE JFM

(i) The voluntary agencies/NGOs like YMA and MHIP with proven track record may be involved for motivation and organisation of VFDC for planning, protection, regeneration and development of forest lands and other Government lands covered under JFM. The Forest Department should take full advantage of the expertise and experience of such voluntary agencies. While drawing management plans the NGOs should also be consulted.

(ii) The NGOs shall perform all other functions in the ex-officio capacity of the members of the general body and the Managing Committee of the VFDC. The NGOs are not entitled to any benefits accorded under the scheme.

(iii) NGOs may assist in disseminating the information regarding guidelines/resolutions for community involvement issued by the Government/Forest Department among Village Communities.

(iv) NGOs can play an effective role of an extension agency between VFDC and Government Department.

APPENDIX-I

APPLICATION FORM FOR CONSTITUTION OF VILLAGE FOREST DEVELOPMENT COMMITTEE FOR JOINT FOREST MANAGEMENT

To

The Divisional Forest Officer,

.....Forest Division,

.....
(Through the Forest Range Officer

.....Forest Range).

Subj :- Constitution of Village Forest Development Committee For Joint Forest Management-registration regarding.

Dear Sir,

As per Government Notification No..... dated we have organised into a Village Forest Development Committee on to join the scheme of Forest Management. Necessary details/particulars of the committee and the area to be taken up are as follows :-

1. Name of the Committee Village Forest Development Committee Mizoram.

2. Village :

3. Forest Beat

4. Range :

5. Total members :

6. Details of office Bearers (Managing Committee)

Sl. No.	Name and Father's name	Designation
1	2	3

7. Area proposed to be protected and developed (Map to be enclosed) _____ Ha.
8. Location of the proposed area _____
9. Boundaries : North :
East :
South :
West :
10. Y.M.A. _____ Branch is pleased to guide and support us in administrative and management aspects.

We hereby undertake to abide by the rules and regulations as prescribed by the said Government Notification and the rules made there under or likely to be made in future. We also undertake not to contravene the Mizoram (Forest) Act, 1955, the Forest (Conservation) Act, 1980 and the Wildlife (Protection) Act, 1972. In case of failure to comply with any of the conditions laid down in the said Government Notification by any of the members of the Committee, the membership of such member may be cancelled and such member may not be allowed any usufructory benefits from the date of termination of his/her membership.

Details of individual members of the VFDC are enclosed herewith.

Yours sincerely,

Member Secretary,
Village Forest Development
Committee.

Chairman,
Village Forest Development
Committee.

DETAILS OF THE MEMBERS OF V.F.D.C.

Sl. No.	Name of the head of the family	Father/Husband's name	House No.	Age	No. of members in the family.	Signature/thumb impression of the member
1	2	3	4	5	6	7

1.
2.
3.
4.
5.

(_____)

Member Secretary,
VFDC

(_____)

Chairman
VFDC

APPENDIX—II

MEMORANDUM OF UNDERSTANDING

We, the members of the Village Forest Development Committee _____ Village do hereby undertake individually to perform the duties and shoulder the responsibilities as detailed in the Government Notification No. _____ Dated _____ of the Forest Department, Government of Mizoram, for proper protection and regeneration of the Forest(s)/Plantation(s) assigned to this Committee as per the schedule given here under.

SCHEDULE

1. Name of the Committee :
2. Village :
3. District :
4. Police Station :
5. Location of the land :
6. Beat :
7. Range :
8. Area(in hectare)
(Map to be attached) :
9. Status of the land :
10. Boundary North :
- East :
- South :
- West :

We understand that the usufructory benefits as detail in the aforesaid Government Notification shall be allowed only upon satisfactory observance of the duties, responsibilities and functions by the Managing Committee and by the members of the VFD Committee as per the aforesaid Notification.

A copy of the aforesaid Notification is annexed herewith, duly signed by us on every page in proof/evidence of our having read understood the same in letter and spirit. It is hereby agreed that this MOU will come into effect from _____

Members of the Managing Committee

Witnesses

Name & address	Signature with date	Name & address	Signature with date
1	2	3	4
1. _____	_____	1. _____	_____
2. _____	_____	2. _____	_____

Local forest officers

Sl. No.	Name	Designation	Signature
1.	_____	DFO	_____
2.	_____	ACF	_____
3.	_____	R.O.	_____
4.	_____	Forester	_____
5.	_____	F/G	_____

FILE NAME : JFM