

The DPTA, 1994

Section 9 - Procedure for obtaining permission to fell, cut, remove or dispose of, a tree

1) Any person desiring to fell or remove or otherwise dispose of, by any means, a tree, shall make an application to the concerned Tree Officer for permission and such application shall be accompanied by attested copies of such documents as may be prescribed in support of ownership over the land, (the number and kind of trees to be cut, their girth measure at a height of 1.85 metres from ground level and the reasons therefor, copy of *sajra* showing clearly the site and *khasra* numbers of the property.) (2) On receipt of the application, the Tree Officer may, after inspecting the tree and holding such enquiry as he may deem necessary, either grant permission in whole or in part or for reasons to be recorded in writing, refuse permission: Provided that such permission may not be refused if the tree- (i) is dead, diseased or wind fallen; or (ii) is silviculturally mature, provided it does not occur on a steep slope; or (iii) constitutes a danger to life or property; or (iv) constitutes obstruction to traffic; or (v) is substantially damaged or destroyed by fire, lightning, rain or other natural causes; or (vi) is required in rural areas to be cut with a view to appropriating the wood or leaves thereof, or any part thereof for bona fide use for fuel, fodder, agricultural implements or other domestic use. (3) The Tree Officer shall give his decision within sixty days from the date of receipt of the application: Provided that no permission shall be granted to any person from the same area on more than two occasions during the same year subject to a maximum area of one hectare at a time. (4) If the Tree Officer fails to communicate his permission on request within the period specified under sub-section (3), the permission referred to in section 8, shall be deemed to have been granted. (5) Every permission granted under this Act shall be in such form and subject to such conditions, including taking of security for ensuring regeneration of the area and replanting of trees or otherwise, as may be prescribed.