The Uttar Pradesh Protection of Trees in Rural and Hill Areas Act, 1976

Act 45 of 1976

Keyword(s):
Blank Area, Bhoomi Sanrakshan Adhikari, Divisional Forest Officer, Fell a Tree, Government Garden, Hill Area, Holding and Tenure Holder, Public Premises, Tree, Urban Area

THE UTTAR PRADESH PROTECTION OF TREES IN RURAL AND HILL AREAS ACT, 1976
(U. P. Act No. 45 of 1976)

[Authoritative English Text of the Uttar Pradesh Gramin Aur Parwatiya Kshettra Men Vriksha Sanrakshan Adhiniyam, 1967]

AN

ACT

to provide for regulation of felling of trees and replanting of trees in rural and hill areas of Uttar Pradesh

IT IS HEREBY enacted in the Twenty-seventh Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Protection of Trees in Rural and Hill Areas Act, 1976.

(2) It extends to the whole of Uttar Pradesh.

(3) It shall come into force at once.

2. This Act shall not apply to—
   (a) trees situate in reserved and protected forests;
   (b) trees situate in a forest or forest land in respect of which any notification under the Indian Forest Act, 1927 as amended in its application to Uttar Pradesh is in force;
   (c) trees situate in urban areas;
   (d) trees situate in a Government garden or on land held by the Government.

3. In this Act, unless there is anything repugnant in the context:
   (i) “blank area” means any piece of land (not being under cultivation) measuring one-half of a hectare or more, which has five or less trees growing on it;
   (ii) “Bhoomi Sanrakshan Adhikari” shall have the meaning assigned to it under the Uttar Pradesh Bhoomi Evam Jal Sanrakshan Adhiniyam, 1963;
   (iii) “competent authority” means an authority appointed by the State Government by notification to perform the duties and exercise the powers imposed or conferred upon a competent authority by this Act; and different competent authorities may be appointed in respect of different classes of timber, fruit, and other trees, and for different purposes;
   (iv) “Divisional Forest Officer” means an officer incharge of a forest division and exercising jurisdiction over the area;
   (v) “fell a tree”, with its cognate expressions, means cutting, girdling, lopping, pollarding or damaging a tree in any other manner;
   (vi) “Government garden” means a piece of land belonging to the Central or State Government used for growing flowers, fruit or vegetables or for planting or raising trees, and includes a grove land belonging to the Central or State Government;
   (vii) “hill area” means the districts of Almora, Pithoragarh, Garhwal, Chamoli, Tehri-Garhwal and Uttarkashi and the hill patti of district Naini Tal and areas of Chakrata Tahsil and Mussoorie Municipal Board of Dehra Dun district but does not include any Cantonment area;

[For Statement of Objects and Reasons, please see Uttar Pradesh Gazette (Extraordinary), dated March 31, 1976].

(Passed in Hindi by the Uttar Pradesh Legislative Assembly on November 8, 1976 and by the Uttar Pradesh Legislative Council on November 10, 1976).

(Received the Assent of the Governor on November 19, 1976 under article 200, of the Constitution of India and was published in Part I (a) of the Legislative Supplement of the Uttar Pradesh Gazette (Extraordinary), dated November 22, 1976).
(viii) "holding" and "tenure holder" shall have the meaning assigned to them in the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950;

(ix) "public premises" shall have the meaning assigned to it in the Uttar Pradesh Public Premises (Eviction of Unauthorised Occupants) Act, 1972;

(x) "revising authority" means an authority appointed by the State Government as revising authority under this Act;

(xi) "tree" means any woody plant whose branches spring from and are supported upon a trunk or body and whose trunk or body is not less than five centimetre in diameter at a height of thirty centimetres from the ground level and is not less than one metre in height from the ground level, and the expressions "timber trees" and "fruit trees" means respectively the trees of the species specified in Schedule I and Schedule II respectively:

Provided that the State Government may by notification add to or modify the Schedules:

(xii) "urban area" means an area (not being a hill area), which is included within the limits of a Nagar Mahapalika, Municipal Board, Notified Area Committee, Town Area Committee, Cantonment Board or of a Development Authority;

(xiii) "words and expressions" used in this Act and defined in the Indian Forest Act, 1927, as amended in its application to Uttar Pradesh, but not defined in this Act shall have the meaning respectively assigned to them in that Act.

4. Except as provided in this Act or the rules made thereunder, no person shall—

(a) fell any tree standing on any land, whether included in a holding or not;

(b) cut, remove or otherwise dispose of any tree other than a tree which is completely dead and has fallen without the aid of human agency on any such land.

5. The competent authority may, on the application of any person entitled to fell a standing tree or to cut, remove or otherwise dispose of a fallen tree after making such inquiry, as it thinks fit, grant permission to him to do so:

Provided that such permission shall not be refused if the tree constitutes danger to person or property:

Provided further that except in such area as may be notified by the State Government in this behalf such permission shall not be required for the felling of any tree with a view to appropriating the wood or leaves thereof for bona fide use for purposes of fuel, fodder, agricultural implements or other domestic use:

Provided also that such immediate steps as are necessary to remove any obstruction or nuisance or to prevent any danger may be taken without such permission.

6. (1) Every application under section 5 shall be in writing and shall be made in such manner and contain such particulars as may be prescribed.

(2) The competent authority shall give his decision in the case of an application in respect of any tree other than a tree growing in forest, grove, or public premises, within ninety days from the date of receipt of such application, and in the case of an application in respect of a fallen tree within seven days from the date of receipt of such application.

(3) If the competent authority fails to give his decision within the time allowed by sub-section (2), the permission referred to in section 5 shall be deemed to have been granted.

(4) Any person aggrieved from the decision of the competent authority under sub-section (2) may make a representation within thirty days from the date of such decision, to the Revising Authority and his decision on such representation shall be final.
(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.

7. Every person, to whom permission has been granted under this Act to fell, cut, remove or dispute of any tree, shall be bound to plant and tend two trees in place of every tree in the area, from where such tree has been felled, cut, removed or disposed of by him under such permission:

Provided that the competent authority may for reason to be recorded in writing, permit lesser number of trees to be planted, or trees to be planted in any different area, or exempt any person from the obligation to plant or tend any tree.

8. (1) Where the Divisional Forest Officer is of opinion, on the basis of the report of a revenue officer, not below the rank of a Sub-Divisional Officer, or a Horticulture Officer, not below the rank of a District Horticulture Officer, or a Soil Conservation Officer not below the rank of Bhoomi Sanrakshan Adhikari or any forest officer not below the rank of Assistant Conservator of Forest, or otherwise that trees should be planted in a blank area, he may issue a notice to the owner, occupier or tenure-holder (hereinafter referred to as claimant) of such area to show cause why trees should not be planted in such area as may be specified in such notice.

(2) The notice referred to in sub-section (1) shall be given in such form and shall contain such particulars and shall be served in such manner as may be prescribed.

(3) The Divisional Forest Officer may, after considering the cause, if any, shown by the claimant, direct him to plant such number and class of trees as may be specified in the direction.

(4) Any person aggrieved from any direction given under sub-section (3) may within 30 days from the date of such direction, prefer an appeal to the Conservator of Forests concerned, whose decision shall be final.

9. (1) Every person who is under an obligation to plant trees under section 7 or to whom any direction has been given under section 8 shall start preparatory work within ninety days, from the date of the permission or the date of receipt of direction, as the case may be, and shall plant the trees in accordance with such direction in the next following rainy season or within such extended time as the Divisional Forest Officer concerned may allow.

(2) In case of default by such person the Divisional Forest Officer may cause trees to be planted and may recover the cost of plantation from such person in the prescribed manner.

10. Whoever falls or causes to be felled any standing tree, or cuts, removes or otherwise disposes of any fallen tree, in contravention of the provisions of section 4, or contravenes any condition of any permission granted under this Act, shall be punished with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

11. (1) If the person committing an offence under this Act is a company, the company as well as every person incharge of and responsible to the Company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where an offence under this Act has been committed by a company and it is proved that the offence was committed with the consent or connivance of, or is attributable to any neglect on the part of any managing agent, Secretary, treasurer, director, manager or other officer of the Company shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
Explanation—For the purposes of this section—

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director" in relation to a firm means a partner in the firm.

12. (1) Where any person is convicted of an offence under this Act any timber or the tree in respect of which an offence is committed and the implements used for felling such trees may be ordered by the court to be forfeited to Government.

(2) Any timber forfeited under this section shall be disposed of by the competent authority in such manner as may be prescribed.

13. (1) Any forest officer not below the rank of a Forest Ranger or police officer, not below the rank of a Sub-Inspector, may without a warrant, arrest any person against whom there is reason to believe that he has been concerned in any offence under this Act:

Provided that in relation to the hill area the reference to Sub-Inspector in this sub-section shall be construed as a reference to Naib Tehsildar.

(2) Every officer making an arrest under this section shall, without unnecessary delay and subject to the provisions of this Act as to release on bond, take or send the person arrested before the Magistrate having jurisdiction in the case, or to the officer-in-charge of the nearest police station.

(3) Any person arrested under this section shall be released on his executing a bond to appear, if and when so required, before the Magistrate having jurisdiction in the case.

14. (1) When there is reason to believe that any tree has been felled or cut or removed in contravention of the provisions of this Act, the wood of such tree together with boat, vehicle, carrier or cattle, if any, used in such contravention may be seized by any Forest Officer not below the rank of a Forest Ranger or any police officer not below the rank of a Sub-Inspector or any other person empowered in this behalf by the State Government.

(2) Every seizure under this section shall be reported to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made, and such timber, boat, vehicle, carrier or cattle shall, subject to the order of such Magistrate, be disposed of in the prescribed manner.

(3) Any forest officer or police officer who vexatiously and unnecessarily arrests or seizes any property on pretexts of such property being liable to forfeiture under this Act shall be 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.

15. (1) The State Government may by notification authorise any officers to accept from any person against whom there is reason to believe that he has committed offence under this Act in respect of any tree other than a tree situate in a forest, grove or public premises, such sum of money not exceeding Rs.5,000 by way of composition for the offence which such person is suspected to have committed.

(2) On the payment of such sum of money to any such Officer, the suspected person if in custody, shall be released and no further proceedings under this Act shall be taken against such person and notwithstanding anything contained in section 14, such officer may on payment of such amount, not exceeding five thousand rupees as he may in the circumstances of the case think fit, release the property seized under this Act.

16. It shall be the duty of every Forest Officer, Lekhpal, Panchayat Secretary, Police Constable, Assistant Horticulture Inspector or Assistant Soil Conservation Inspector or any officer superior to them—

(a) to give immediate information coming to his knowledge, of any contravention of section 4 and of preparation to commit such contravention to the competent authority, and

(b) to take all reasonable measures in his power to prevent such contravention which he may know or have reason to believe that it is about or likely to be committed.
17. The award of penalty or confiscation of any property under this Act shall not prevent the inflicting of any punishment to which the person affected thereby is liable under any other law.

18. The officers exercising powers or discharging any duties or functions under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

19. Any sum, including any amount for composition of an offence, the payment of which has been directed to be made by any person under this Act shall, without prejudice to any other mode of recovery under any law for the time being in force, be recoverable from him as an arrear of land revenue.

20. No suit or proceedings shall lie against the State Government or against any person empowered to exercise power or to perform duties or discharge functions under this Act, for anything in good faith done or purporting to be done under this Act.

21. Subject to such conditions, if any, as may be imposed, the State Government may, if it is considered necessary so to do in the public interest by notification in the Official Gazette, exempt any area or any species of trees from all or any of the provisions of this Act.

22. The provisions of the Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force prohibiting or regulating the felling of trees.

23. (1) The State Government may in the interest of general public, declare by notification that any class of trees shall not be felled for such period as is specified in that notification.

(2) The management of such trees shall be regulated in the prescribed manner.

24. The State Government may by notification make rules to carry out the purposes of this Act.

25. (1) The Uttar Pradesh Protection of Trees in Rural Areas Ordinance, 1976 is hereby repealed.

(2) Notwithstanding such repeal any thing done or any action taken under the aforesaid Ordinance shall be deemed to have been done or taken under this Act as if this Act were in force at all material times.

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**SCHEDULE I (TIMBER TREES)**

[See section 3 (xi)]

<table>
<thead>
<tr>
<th>Sl. no.</th>
<th>Common Name</th>
<th>Botanical Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Akhrot</td>
<td>Juglans regia</td>
</tr>
<tr>
<td>2</td>
<td>Arjum</td>
<td>Terminalia arjuna</td>
</tr>
<tr>
<td>3</td>
<td>Am</td>
<td>Mangifera indica</td>
</tr>
<tr>
<td>4</td>
<td>Imli</td>
<td>Tamarindus indica</td>
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<tr>
<td>5</td>
<td>Kardhai</td>
<td>Anogeissus pendula</td>
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<tr>
<td>6</td>
<td>Kanju</td>
<td>Holoptelea integrifolia</td>
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<tr>
<td>7</td>
<td>Kusum</td>
<td>Schleichera Trijuga</td>
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<td>8</td>
<td>Kail</td>
<td>Pinus excelsa</td>
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<tr>
<td>9</td>
<td>Kharshu</td>
<td>Quercus Semecarpoida</td>
</tr>
<tr>
<td>10</td>
<td>Khair</td>
<td>Acacia catechu</td>
</tr>
<tr>
<td>11</td>
<td>Gutel</td>
<td>Trewia nudiflora</td>
</tr>
<tr>
<td>Sl. no.</td>
<td>Common Name</td>
<td>Botanical Name</td>
</tr>
<tr>
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<td>--------------------------------</td>
</tr>
<tr>
<td>12</td>
<td>Dhau/Bakli</td>
<td>Anogeissus latifolia</td>
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<td>13</td>
<td>Chandan</td>
<td>Santalum album</td>
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<td>14</td>
<td>Chamkharik</td>
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<tr>
<td>15</td>
<td>Chironji</td>
<td>Buchanania latifolia</td>
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<tr>
<td>16</td>
<td>Cail</td>
<td>Pinus roxburgii</td>
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<td>17</td>
<td>Jamun</td>
<td>Syzygium cumini</td>
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<tr>
<td>18</td>
<td>Dhak-Palas</td>
<td>Butea Monosperma*</td>
</tr>
</tbody>
</table>

* (For Mirzapur, Varanasi, Banda and Jhansi districts only)

<table>
<thead>
<tr>
<th>Sl. no.</th>
<th>Common Name</th>
<th>Botanical Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td>Tuni</td>
<td>Cedrela Serrata</td>
</tr>
<tr>
<td>20</td>
<td>Tun</td>
<td>Cedrela toona</td>
</tr>
<tr>
<td>21</td>
<td>Tendu</td>
<td>Diospiros tomentosa</td>
</tr>
<tr>
<td>22</td>
<td>Deodar</td>
<td>Cedrus Deodara</td>
</tr>
<tr>
<td>23</td>
<td>Neem</td>
<td>Azadirachta indica</td>
</tr>
<tr>
<td>24</td>
<td>Papri/Sansadu/Chikri</td>
<td>Buxus Sempervirens</td>
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<tr>
<td>25</td>
<td>Phaliyant</td>
<td>Quercus glauca</td>
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<tr>
<td>26</td>
<td>Bakain</td>
<td>Melia azadarach</td>
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<tr>
<td>27</td>
<td>Bahera</td>
<td>Terminalia bellerica</td>
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<td>28</td>
<td>Banj</td>
<td>Quercus incona</td>
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<tr>
<td>29</td>
<td>Mahua</td>
<td>Terminalia bellerica</td>
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<tr>
<td>30</td>
<td>Morinda</td>
<td>Abies pindrow</td>
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<td>31</td>
<td>Moru</td>
<td>Quercus dilatata</td>
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<tr>
<td>32</td>
<td>Rai</td>
<td>Picea morinda</td>
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<tr>
<td>33</td>
<td>Rianj</td>
<td>Quercus Lanuginosa</td>
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<tr>
<td>34</td>
<td>Shisham</td>
<td>Dalbergia sisso</td>
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<tr>
<td>35</td>
<td>Salai</td>
<td>Boswellia serrata</td>
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<tr>
<td>36</td>
<td>Sagaon</td>
<td>Tactona grandis</td>
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<tr>
<td>37</td>
<td>Sal</td>
<td>Shorea robusta</td>
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<tr>
<td>38</td>
<td>Siris</td>
<td>Albizia species</td>
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<td>39</td>
<td>Sain/Asna</td>
<td>Terminalia tomentosa</td>
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<tr>
<td>40</td>
<td>Semal</td>
<td>Salmalia ‘melabara’</td>
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<tr>
<td>41</td>
<td>Harr</td>
<td>Terminalia chebula</td>
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<tr>
<td>42</td>
<td>Haldhu</td>
<td>Adina cordifolio</td>
</tr>
</tbody>
</table>

SCHEDULE II (FRUIT TREES)

[See section 3 (xi)]

<table>
<thead>
<tr>
<th>Sl. no.</th>
<th>Common Name</th>
<th>Botanical Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Anar</td>
<td>Punica Granatum</td>
</tr>
<tr>
<td>2</td>
<td>Amrood</td>
<td>Psidium Guyava</td>
</tr>
<tr>
<td>3</td>
<td>Aroo</td>
<td>Prunus perrico</td>
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<tr>
<td>4</td>
<td>Aloobukhara</td>
<td>Prunus communis</td>
</tr>
<tr>
<td>5</td>
<td>Am</td>
<td>Mangifera indica</td>
</tr>
<tr>
<td>6</td>
<td>Aonla</td>
<td>Emblica officinalis</td>
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<tr>
<td>7</td>
<td>Kathal</td>
<td>Artocarpus integrifolia</td>
</tr>
<tr>
<td>8</td>
<td>Khubani</td>
<td>Prunus armeniaca</td>
</tr>
<tr>
<td>9</td>
<td>Naspati</td>
<td>Pyrus communis</td>
</tr>
</tbody>
</table>

PSUP—A, P.464 Sa (Vidhayaka)—31-1-77—439—1975—1833 (M)
No. 1425 (2)/XVII-V-1-1 (KA)-21-1998

Dated Lucknow, July 29, 1998

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Gramin aur Parvatiya Kshetra Men Vriksha Sannakshan (Sanskadhan) Adhiniyam, 1998 (Uttar Pradesh Adhiniyam Samitiya 28 of 1998) as passed by the Uttar Pradesh Legislature and assented to by the Governor on July 28, 1998.

THE UTTAR PRADESH PROTECTION OF TREES IN RURAL AND HILL AREAS (AMENDMENT) ACT, 1998

[U.P. Act No. 28 of 1998]

(As passed by the Uttar Pradesh Legislature)

AN

ACT

to amend the Uttar Pradesh Protection of Trees in Rural and Hill Areas Act, 1976.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Protection of Trees in Rural and Hill Areas (Amendment) Act, 1998.

(2) It shall come into force on such date, as the State Government may, by notification, appoint in this behalf.
2. In the long title of the Uttar Pradesh Protection of Trees in Rural and Hill Areas Act, 1976, hereinafter referred to as the principal Act, the words "rural and hill areas of" shall be omitted.

3. In section 1 of the principal Act, for sub-section (1) the following sub-section shall be substituted, namely:

"(1) This Act may be called the Uttar Pradesh Protection of Trees Act, 1976."

4. In section 2 of the principal Act, for clauses (c) and (d) the following clause shall be substituted, namely:

"(c) trees situate in cantonment area."

5. After section 24 of the principal Act, the following section shall be inserted, namely:

"24-A On and from the commencement of the Uttar Pradesh Protection of Trees in Rural and Hill Areas (Amendment) Act, 1998, any reference to the Uttar Pradesh Protection of Trees in Rural and Hill Areas Act, 1976 in any law or statutory instrument shall be construed as a reference to the Uttar Pradesh Protection of Trees Act, 1976."

By order,

Y. R. TRIPATHI,

Pranaksh Sachiv.
In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Vriksha Sanrakshan (Sanshodhan) Adhiniyam, 2001, (Uttar Pradesh Adhiniyam Sankhya 12 of 2001) as passed by the Uttar Pradesh Legislature and assented to by the Governor on April 30, 2001 along with the Statement of Objects and Reasons thereto:

THE UTTAR PRADESH PROTECTION OF TREES (AMENDMENT) ACT, 2001

(U. P. Act No. 12 of 2001)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

Further to amend the Uttar Pradesh Protection of Trees Act, 1976.

It is hereby enacted in the Fifty-second Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Protection of Trees (Amendment) Act, 2001.

   (2) It shall be deemed to have come into force on February 24, 2001.
2. For sections 5 and 6 of the Uttar Pradesh Protection of Trees Act, 1976, hereinafter referred to as the Principal Act, the following sections shall be substituted, namely:—

"5(1) Any person entitled to fell a standing tree or to cut, remove or otherwise dispose of a fallen tree, may make an application to such officer in such form as may be notified by the State Government, for permission to fell such standing tree or to cut, remove or otherwise dispose of such fallen tree and the officer to whom such application is made, shall, within twenty days after making such enquiry as he thinks fit, forward the application along with his report to the competent authority.

(2) The competent authority shall, within fifteen days from the date of receipt of the report under sub-section (1), grant or refuse the permission applied for:

Provided that the competent authority may, if he is not satisfied with the report made under sub-section (1), make such further enquiry as he thinks fit:

Provided further that such permission shall not be refused without affording the opportunity of hearing to the applicant:

Provided also that such permission shall not be refused if the tree constitutes danger to person or property:

Provided further that except in such areas as may be notified by the State Government in this behalf, such permission shall not be required for felling of any tree with a view to appropriating the wood or leaves thereof for bona fide use for purposes of fuel, fodder, agricultural implements or other domestic use:

Provided also that such immediate steps as are necessary to remove any obstruction or nuisance or to prevent any danger may be taken without such permission.

(3) Where the competent authority fails to take any decision under sub-section (2) within the time specified therefor, it shall be deemed that the permission applied for, has been granted.

(4) Every permission granted under this Act shall be subject to such conditions, including taking of security for ensuring regeneration of the area and replanting of trees or otherwise, as may be specified from time to time by the State Government by notification.

6. Any person aggrieved from the decision of the competent authority under section 5 may make a representation within thirty days from the date of such decision to the Revising Authority and the decision of the Revising Authority on such representation shall be final."

3. (1) The Uttar Pradesh Protection of Trees (Amendment) Ordinance, 2001 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the Principal Act as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the Principal Act as amended by this Act as if this Act were in force at all material times.

By order,

Y. R. TRIPATHI
Pranukh Sachiv.
STATEMENT OF OBJECTS AND REASONS

Sections 5 and 6 of the Uttar Pradesh Protection of Trees Act, 1976 provided, inter alia, that the competent authority may, on the application of any person entitled to fell a standing tree or to cut, remove otherwise dispose of a fallen tree, after making such inquiry as he thinks fit, grant permission to do so that the competent authority shall give his decision in the case of an application in respect of any tree other than a tree standing in a forest, grove or public premises, within ninety days from the date of the receipt of the application, and, in the case of an application in respect of a fallen tree, within seven days from the date of receipt of the application. The general public was facing difficulty in obtaining such permission and consequently losing interest in plantation. Therefore, with a view to motivate the general public towards plantation it was decided to amend the said Act for simplifying the procedure for obtaining permission to fell or remove trees.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Protection of Trees (Amendment) Ordinance, 2001 (U. P. Ordinance no. 5 of 2001) was promulgated by the Governor on February 24, 2001.

This Bill is introduced to replace the aforesaid Ordinance.
सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विभागीय परिषिक्त
भाग--1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, सुकृति, 23 सितंबर, 2011
आर्थिक 01, 1933 शक साप्ताहिक

उत्तर प्रदेश सरकार
विधायी अनुभाग--1

संख्या 1057/79-वि-1-11-1(क)-24-11
लखनऊ, 23 सितंबर, 2011

अधिनियम

"भारत का संविधान" के अनुसार अग्रेष 200 के अधीन राज्यसभा मंत्री ने उत्तर प्रदेश वृक्ष संस्थान (संशोधन) अधिनियम, 2011 पर दिसंबर 22 सितंबर, 2011 को अनुमोदन प्रदान की और उस उत्तर प्रदेश अधिनियम संख्या 20 जुलाई 2011 के रूप में संविधान का सूचनार्थ इस अधिनियम द्वारा प्रकाशित किया जाता है:

उत्तर प्रदेश वृक्ष संस्थान (संशोधन) अधिनियम, 2011
(उत्तर प्रदेश अधिनियम संख्या 20 साल 2011)
(जैसा उत्तर प्रदेश विधान मंत्री द्वारा पारित हुआ)
उत्तर प्रदेश वृक्ष संस्थान अधिनियम, 1978 का अंतर संशोधन करने के लिए

अधिनियम

भारत गणराज्य के बासलाइक वर्तमान में निम्नलिखित अधिनियम बनाया जाता है:

1--यह अधिनियम उत्तर प्रदेश, वृक्ष संस्थान (संशोधन) अधिनियम, 2011 का जारी है। 

शब्दांश नाम
IN pursuance of the provisions of clause (3) of article 343 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Vriksha Samraja Adhiniyam, 2011 (Uttar Pradesh Adhiniyani Sankhya 20 of 2011) as passed by the Uttar Pradesh, Legislature and assented to by the Governor on September 22, 2011:

**THE UTTAR PRADESH PROTECTION OF TREES (AMENDMENT) ACT, 2011**

(U.P. ACT NO. 20 OF 2011)

(As passed by the Uttar Pradesh Legislature)

AN ACT

Further to amend the Uttar Pradesh Protection of Trees Act, 1975.

It is hereby enacted in the Sixty-second Year of the Republic of India as follows:

1. This Act may be called the Uttar Pradesh Protection of Trees (Amendment) Act, 2011

2. In section 15 of the Uttar Pradesh Protection of Trees Act, 1976,—

(a) in sub-section (1) for the word and figure “Rs. 5,000” the words “ten thousand rupees” shall be substituted;

(b) in sub section (2) for the words “five thousand rupees” the words “ten thousand rupees” shall be substituted.
STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Protection of Trees Act, 1976 (U.P. Act no. 45 of 1976) has been enacted to provide for regulation of felling of trees and replanting of trees in Uttar Pradesh. Section 15 of the said Act provides for power to compound offences. It has been felt that the price of timber has enhanced manifold since the commencement of the said Act and habitual offenders do not feel deterrence due to sum of money not exceeding Rs. 5000 by way of composition for the offence which such person is suspected to have committed. It has, therefore, been decided to amend the said Act to increase the maximum amount of composition fee from five thousand rupees to ten thousand rupees for compounding of an offence under section 15 of the said Act.

The Uttar Pradesh Protection of Trees (Amendment) Bill, 2011 is introduced accordingly.

By order,
K.K. SHARMA,
Pramukh Sachiv.