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**PANCHAYATI RAJ (G. P.) DEPARTMENT**  
NOTIFICATION

The 14th November 2002

S. R. O. No. 934/2002—Whereas the draft of certain rules which the State Government propose to make in exercise of the powers conferred by clause (w) of sub-section (1) of Section 44 read with Section 150 of the Orissa Grama Panchayats Act, 1964 (Orissa Act 1 of 1965) was published as required by sub-section (1) of Section 150 of the said Act in the extraordinary issue No. 1241, dated the 9th August 2002 of the Orissa Gazette under the notification of Government of Orissa in the Panchayati Raj (Grama Panchayat) Department No. 9570/G.P.. dated the 6th July 2002 bearing S.R.O. No. 701/2002 inviting objections and suggestions from all persons likely to be affected thereby till the expiry of a period of thirty days from the date of publication of the same in the Orissa Gazette;

And whereas objections and suggestions received during the period specified above have been duly considered by the State Government.

Now, therefore. In exercise of the powers conferred by clause (w) of sub-section (1) of Section 44 read with Section 150 of the said Act. the State Government do hereby make the following rules, namely :—

1. (1) These rules may be called the Orissa Grama Panchayats (Minor Forest Produce Administration) Rules, 2002.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. (1) In these rules, unless the context otherwise requires—

(i) "Act" means the Orissa Grama Panchayats Act, 1964 ;

(ii) "Form" means a form appended to these rules :

(iii) "Minor Forest Produce" means any or all of the Minor Forest Produces specified In the Schedule appended to these rules :

(iv) "Section" means section of the Act; and

(v) "Trading year" means the seasonal year commencing from the first day of October and completing on the thirtieth day of .September of the following year.

(2) All oilier words and expression used but not defined in these rules shall have the same meaning as have been respectively assigned to them in die Act.

3.- (1)The Grama Panchayat shall have the power to regulate procurement and trading of minor forest produce whether produced in Government lands and forest areas within the limits of the Grama or and trading of collected from Reserve Forests and brought into the Grama.

(2) In case of the forest areas where Vana Sanrakshyana Samiti has been formed .the Grama Panchayats shall give priority to such Samities and its members in the matter of collection and trading of minor forest produce.

4. (1) Any person intending to procure Minor Forest Produce from the primary gatherers or to trade in of trades minor forest produce within the limits of Grama during any trading year shall register himself as a trader in Minor Forest Produce in the Grama Panchayat.

(2) Any person intending to be registered as a trader in minor forest produce shall apply to the Grama Panchayat in Form No.I. All such applications shall be placed before the Grama Panchayat immediately in its next meeting and with the approval of the Grama Panchayat the Sarpanch shall register live applicant as a

trader in minor forest produce for one trading year ending next September and grant a Certificate of Registration in Form No.2 to that effect.

(3) The names of all the traders of minor forest produce registered under sub-rule (2) each year shall be recorded in a Permanent Register to be maintained in Form No.3 in the Grama Panchayat.

(4) At the time of filing of application under sub-rule (2) the applicant shall deposit with the Grama Panchayats the required registration fees for each item of Minor Forest Produce applied for.

(5) No application for registration shall be entertained if the required fees has not been deposited under sub-rule (4)

(6) The fees for registration for every item of Minor Forest Produce shall be such as may be notified by Government from time to time.

5.(i) (a) In the month of September even' year the Panchayat Samiti shall by adopting a resolution to that effect fix-up the minimum price of procurement of different Minor Forest Produces payable to the primary minimum price gatherers during the next trading year, which shall be applicable to all the Grama Panchayats within the block.

Provided the Grama Panchayat shall be competent to modify the minimum price so fixed under this sub-rule or sub-rule (3) by the Panchayat Samiti according to the local need by adopting a resolution to that effect

(b) The representatives of Divisional Forest Officer, Tribal Development Cooperative Corporation, Orissa Forest Development Corporation and Tribal Co-operative Marketing Development Federation of India Ltd., shall be invited to the meetings convened under this sub-rule or under sub-rule(3).

(2) The minimum price fixed under sub-rule (1) or sub-rule (3) shall be notified in the notice board of the Panchayat Samiti and copies thereof shall be communicated to the Collector, Divisional Forest Officer, District Panchayat Officer, Sub-Collector and all the Grama Panchayats within the Block.

(3) If at any time or in any case it appears to the Collector that a Panchayat Samiti has failed to fix up the minimum price for procurement of Minor Forest Produce under sub-rule (1) the Collector shall convene a Special Meeting of the Panchayat Samiti preferably in the month of October to fix-up the minimum price of procurement of Minor Forest Produce.

(4) On receipt of intimation under sub-rule(2) regarding fixation of the minimum procurement price of the Minor Forest Produce fixed under sub-rule(1) or (3) the Grama Panchayat shall place the same before the Grama Sabha in its next meeting for ratification.

6.(1) A trader registered under these rules shall furnish a monthly return of Minor Forest Produce to the Furnishing Grama Panchayat within fifteen days of the following month in Form No.3.

(2) Within one month of the closure of the trading year the dealer shall also file an annual return of the Minor Forest Produce for the trading year in Form No.3.

(3) The Grama Panchayat shall communicate a copy of the annual return received under sub-rule(2) to the Forest Range Officer concerned.

7.(1) If at any time or in respect of any case it appears to the Sarpanch that a trader registered under these rules has failed to-

(i) Pay the minimum price of procurement to the Primary gatherers fixed by the Grama Panchayat in Minor Forest Produce;  
(ii) register himself in the Grama Panchayat; or

(iii) Comply with the conditions of registration; the Sarpanch shall issue a notice to such dealer or person, as the case may be to show cause as to why the registration shall not be cancelled or action shall not be taken against him for such illegal trading.

(2) If such trader or person fails to show cause within seven days of receipt of the notice or show cause which is not satisfactory, the Sarpanch shall conduct an inquiry and after giving the traders or the person an opportunity of being heard, place his inquiry report before the Grama Panchayat in its next meeting together with the explanation, if any, received from such trader or person for its decision.

(3) On consideration of the inquiry report of the Sarpanch and the explanation of the trader if the Grama Panchayat are satisfied that circumstances specified in sub-rule (1) exist in relation to such trader or person, the Grama Panchayat shall resolve to cancel the registration of the dealer for the trading year and may also refuse to register him as trader for the subsequent trading years;

Provided that if the person is engaged in the trading of minor forest produce without registering himself in Grama Panchayat the Sarpanch or Secretary of the Grama Panchayat shall lodge necessary complaint before the Divisional Forest Officer concerned for taking appropriate action against the person concerned for such illegal trade under the appropriate provisions of law.

(4) In pursuance of the decisions of the Gram Panchayat under sub-rule (3), the Sarpanch/Secretary shall cancel the registration of the trader and in case of the person carrying an illegal trade in Minor Forest Produce, the Sarpanch shall forthwith lodge the complaint with the concerned Divisional Forest Officer.

(5) If after cancellation of the registration under sub-rule (4) it appears to the Sarpanch/Secretary that the trader is still continuing his trade in the Minor Forest Produce, the Sarpanch/Secretary shall report the matter to the Divisional Forest Officer for taking action against the person under the appropriate provisions of law.

(6) The item of Minor Forest Produce seized by the Divisional Forest Officer from the dealer or person shall be sold by public auction and the sale proceeds thereof be deposited under the appropriate Head of Account as provided under the Orissa Forest Act.

8. Any person aggrieved by the decision of the Grama Panchayat under these rules may prefer an appeal under Section 133 of the Act. The appeal shall be disposed of within thirty days from the date of admission of the appeal.

9. (1) Public Sector undertakings like the Orissa Forest Development Corporation, Tribal Development Co-operative Corporation and Tribal Co-operative Marketing Development Federation of India Ltd, shall be deemed to have been registered under these rules.

(2) Notwithstanding the relaxation provided under sub-rule (1), the provisions of rules 6, 7, and 8 shall apply to these public sector undertakings.

10. The Government may, from time to time, issue such instructions, as occasion may require for,—

(a) smooth implementation of these rules and

(b) Removal of any doubt or difficulties arising out of implementation of these rules.

## **SCHEDULE**

(See rule 2(i)(iii))

### **LIST-OF MINOR FOREST PRODUCES**

1. Tamarind de-seeded Tamarind, Tamarind. seeds.
2. Mahua Flower
3. Hill Brooms
4. Thorn Broom (Jhadu or Ghoda Lanji)
5. Phula Jhadu
6. Broom Grass
7. Nux Vomica (Kochila Seseds)
8. Hardad
9. Baliada
10. Anla
11. SoaJ Nut (Ritha Phala)
12. Marking Nut (Bhalia)
13. Cleaning Nut (Ninnala)
14. Honey
15. Siali Leaves
16. Sabai Grass
17. Mngo Kernel
18. Thatch Grass
19. Simul Cotton
20. Arrow Root (Palua)
21. Dhatuki Flower
22. Putrani
23. Sikakai
24. Jungal Jada or Gaba
25. Palasa Seed
26. Siali Seed
27. India Jaba (Korai Seed)
28. Gila (Seed and Coat)
29. Benachera
30. BanaHaladi
31. Gaba
32. Basil
33. BanaKalatha
34. Makhena Seed (Kanla Padma)
35. Tala Makhana Seed
36. Baidanka Seeds
37. Baghanakhi Seeds
38. Kamala Gundi Fmit
39. Landa Baguli
40. Bela
41. Chirai (a) (Bhui Neem)
42. Khajuripata
43. Riohini Fruit
44. Bhurusunga Leaves
45. Phenaphena Fmit
46. Rasana Root
47. Sidha Fmit
48. Selhabari
49. KthaLai
50. AundiLai
51. KheluaLai
52. Suatn Lai
53. Eksira Fruit
54. Katha Chhatu (Mushroom)

55. Mat Reed(Sapa Masina Grass)
56. Anania Mula
57. Antia Pata
58. Nageswar Flower
59. MankadKendu
60. Atundi Fruit
61. MaiwlaSeed
62. Kusum Seed 61 Karanja Seed
64. Neem Seed
65. Char Seed
66. Chakunda Seed
67. Bbul Seed
68. Baibirang Seed