

**AZAD GOVT. OF THE STATE OF JAMMU AND KASHMIR,
LAW & PARLIAMENTARY AFFAIRS SECRETARIAT,
MUZAFFARABAD.**

Dated the August 7, 1977.

No. 2319/SL/77. The following Act of the Assembly received the assent of the President on the 18th of July, 1977, and is hereby published for general information:-

(Act II of 1977)

An Act to provide for plantation and maintenance of trees in the Azad Jammu and Kashmir.

WHEREAS it is expedient in the public interest to provide for plantation of more trees and maintenance thereof in the Azad Jammu and Kashmir:

It is hereby enacted as follows:-

1. **Short title, extent and commencement:-** (1) This Act may be called the Azad Jammu and Kashmir Plantation and Maintenance of Trees Act, 1977.
 - (2) It extends to the whole of Azad Jammu and Kashmir.
 - (3) It shall come into force at once.
2. **Definitions.-** In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say:-
 - (a) 'Department' means the Department of Forest and wildlife Department, Azad Government of the State of Jammu and Kashmir;
 - (b) 'Government' means the Azad Government of the State of Jammu and Kashmir;
 - (c) 'Land' means land which is not occupied as the site of any building in a town or village and is occupied or has been let for agricultural purposes or for purposes subservient to agricultural or for pasture, and include the site of buildings and other structures on such land;
 - (d) 'Occupier' means a person in actual physical possession of the land and shall also include an owner; and
 - (e) 'Prescribed' means prescribed by rules.
3. **Plantation of trees.-** (1) There shall be planted and maintained

three trees per acre by the occupier thereof in such manner as may be prescribed.

(2) in case the occupier fails to comply with the requirements of sub-section (1) the required number of trees shall be caused to be planted in his land by the Department without any let or hindrance by him. The occupier shall be responsible for the maintenance of the trees so planted.

Explanation.- For the purpose of this Section.-

- (i) trees already planted and maintained in orchards or otherwise or trees that may be planted and maintained in orchards shall be taken into account; and
 - (ii) trees required to be planted and maintained may be planted and maintained in compact block or otherwise in his holding.
4. (1) Any person who contravenes the provisions of Section 3 shall be liable to pay the penalty, not exceeding rupee one per tree, after giving an opportunity to the person concerned of being heard, by an office authorised in this behalf by the Government.
- (2) The fine imposed under this Section shall be recoverable as arrears of land revenue.
5. **Rules.-** (1) Government may make rules to carry out purposes of this Act.
- (2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters:-
- (a) the manner in which trees may be planted and maintained;
 - (b) kind of trees to be planted in different areas and the period within which the trees are to be planted;
 - (c) the procedure for maintaining the record of trees.
6. **Saving.-** Government may, by notification in the official Gazette, exempt any land or classes of land, occupier or class of occupiers from the operation of this Act.

Sd/-
(Syed Mohammad Akram Shah)
Deputy Secretary Law,
Azad Government of the State of J&K,
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