

GOVERNMENT OF KERALA

Abstract

Forest & Wild Life Department-Judgments of Hon: High Court, Kerala in CCC 318/98 and CCC 337/98 -Guide line for accessing diseased trees- Prescribed - Orders issued

FOREST WILE LIFE (B) DEPARTMENT

G.O.(MS) No.85/99/F & WLD.

Dated, Thiruvananthapuram,28-9-1999

- Read:-* 1. Judgment dated 29-9-98 in CCC 318/98 and CCC 337/98 in the Hon: High Court.
2. Lr.No C2.7185/95 dt.25.5.97 and 21.6.99 from the Prl.Chief Conservator of forests (General)

ORDER

While considering the contempt of court cases, CCC 318/98 and 337/98, a Division Bench of the High Court found that though sections 4 and 5 of the Kerala Preservation of Trees Act,1986 contained reference to the term 'diseased trees' , there was no foolproof method to asses the 'diseased trees' . The High Court, therefore directed Government ot issue a set of guild lines which would satisfy scientific requirements for assessing 'dead and diseased' trees under Sections 4 and 5 of the Kerala Preservation of Trees Act, 1986.

Government, therefore, after consulting the scientific community ion the Kerala Forest Research Institute, Peechi, issue the following guidelines for granting permissions by Authorized Officers for cutting ' Dead Trees " and Diseased Trees under Section 4 and 5 of Kerala Preservation of Trees Ac t, 1986.

1. Dead Tree:

- 1) Definition:- A tree which has no sign of life.
- 2) Critiria for determination of a dead tree:-

A tree may be classified as dead if there is

- a) Natural absence of bark or
- b) Absence of all the following conditions.
 - 1) Green (live) leaves,
 - 2) Buds
 - 3) Live tissues

Note:- The presence of live tissues can be examined at the base of the tree blazing with knife

3) Diseased Tree:-

1. Definition :- A tree which is disturbed or abnormal in structure or physiological action in the living organisms as a whole or in any of its parts and no chance to recover or survive in the ordinary course of nature
- ii) Criteria for determination of a diseased tree for the purpose of cutting.

A tree having any of the following conditions:-

- a) Top drying of main trunk at least , down the half the height of the tree.
- b) Multiple borer holes throughout the tree.
- c) Severe decay of bole and roots indicated by extensive cavities, abnormally
- d) Swollen bole and presence of bracket fungi.

The Principal Chief Conservator of Forests (General) will give necessary instructions to the concerned to see that the above guidelines are strictly followed while granting permission for cutting " Dead Trees " and 'diseased trees'.

By order of the Governor,
T.C. PAPPACHAN,
JOINT SECRETARY TO GOVT.

To

The Advocate General, Kerala, Ernakulam (with C,)
The Principal Chief Conservator of Forests (General) Tvp

Forwarded/ By Order

Section Officer