

Guideline for Extraction of Agar Trees, 2019.

TRIPURA GAZETTE

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PART--I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

Forest Department
Government of Tripura

No. F. 7 (140)/For/FP-2015/41480-555

Dated, 4th January, 2019

NOTIFICATION

Sub: Guidelines for Sustainable extraction/utilization of Agar trees available in Private lands in Tripura.

Agar(*Aquilaria malaccensis*) is a large evergreen tree which occurs in Bangladesh, Bhutan, northeast India, Sumatra and Kalimantan of Indonesia, Iran, Malaysia, Myanmar, Luzon Philippines, Singapore and southern Thailand. In India, it is found in North Eastern States viz Assam, Arunachal Pradesh, Meghalaya, Manipur, Tripura, Mizoram, Nagaland and also in west Bengal and Sikkim. Agar is a precious floral wealth of North East India and has been identified as a potential aromatic plant of this region. In Tripura, it found in most of the Districts, both in private land and natural forest areas. In North Tripura District, it cultivated in very large scale by private planters due to high agar oil output due to favorable environment condition mainly in Kalachera, Kadamthala, Dharmanagar, Jubrajnagar, Panisagar and Damcherra.

2. The species is targeted extensively for the valuable resin known as agarwood. The essential oil from agarwood is valued in high class as fixative and is much priced by European perfumer of mixing their best grade scents. It has many other uses in pharmaceutical and cosmetic products. As a result of agarwood exploitation it is estimated that the density for the last three generations has declined by over 80%. The Agar tree is rare in wild due to illegal and indiscriminate felling from North Eastern States owing to its high prices, thereby threatening its natural stands in the forests. The population of *A. malaccensis*, a critically endangered tree species in India, has markedly decreases in Natural forests of North East India due to unsustainable harvesting of mature trees for agar wood trade.

Therefore there is need to formulate policy for sustainable utilization of agarwood including harvesting, processing, transit and trade.

3. . Status of Agar as recognized by Forest Department in Tripura

Agar is listed as one of the 24 Reserved Tree species in protected forests as per Tripura forest department memo No. F.17(105)/For-Dev/86/52578-928 date 28.12.1986 of PCCF(T):

4. By considering all the rules and policies in place for sustainable harvesting utilization, and marketing of agarwood, the following SOP is formulated:

a. Inventory of Availability of Agar trees in Tripura both in forest and private land

To have a baseline data on the total stock available in the State and maintain a dynamic resource inventory, the following survey plan is to be implemented in next 3 months.

- i. The District wise inventory of Agar tree resources availability should be estimated by the District Forest Officer in each district.
- ii. In Forest land with the help of Working plan and Forest territorial staff, Natural/ wild agar areas need to be identified, mapped and conserved.
- iii. In private land agar plantation should be surveyed with the help of Territorial Forest and Revenue staff and this is essential for planning sustainable harvesting of agar trees.

b. Registration of Private Agar plantations

- a) The Private planter/jotedar shall apply for the Registration of his agar plantation along with the land documents etc to the Sub-Divisional Forest Officer.
- b) The SDM will order for time bound joint verification with Forest territorial staff(RO)
- c) In Joint verification, Revenue and Forest staff will verify the land and complete enumeration of Agar trees in field based on age class and harvestable trees of age more than 7 years.

- d) The SDM will submit the joint verification report to SDFO.
- e) SDFO will verify, if necessary and issue the Plantation Registration Pass Book with complete list enumerated of agar trees (more than one year age trees) present in private land within 10 days of receipt of joint verification report from SDM.
- f) The Plantation Registration Pass Book will be issued in Triplicate, one to Owner of the plantation, one to concern Range and one will be in the DFO office.
- g) The Plantation Registration Pass Book will be revised once in 5/7 years mainly to account for new trees planted / new recruits during previous years.
- h) Online tree registration can also be done which shall be completed within 60 days from the date of application.
- i) Revision/Revalidation of Plantation Registration Pass Book shall be done as under
 - a. Planter will apply for revalidation of Plantation Registration Pass Book after 5/7 years of registration to SDFO by submitting the original Pass book
 - b. SDFO will order for revalidation by complete enumeration by the concerned range officers.
 - c. SDFO will issue revalidation Pass Book to planter after receiving report from RO.

c. Registration of New plantations in Jotelands

- i. The jotedar will disclose the source of seedlings either collection from Village/Forests or purchase of seedling from Forest Department/ notified nurseries.
- ii. After one year of planting, jotedar will apply for registration as similar to older plantation.
- iii. Plantation registration certificate will issued against land for total seedling planted by SDFO.
- iv. After 7 years, Jotedar will apply for Plantation Registration Pass Book to the SDFO and the procedure mentioned above in 4 (b)

shall be followed for issuing the Plantation Registration Pass Book .

d. Extraction of Matured Agar trees from registered private plantation.

- i. If the State forest department harvests Agar wood/timber, this should be approved as per that State's working plan/scheme for the forest, according to Orders in T.N Godavarman vs. Union of India and ors (W.P (C) No. 202/1995) passed by Supreme Court of India, the National Working Plan Code issued by Ministry of Environment and Forest, and the State's Forest Manual/Codes. Therefore there is need to conserve Agar trees in natural forest by banning extraction from forest lands and regulating agar tree extraction in private land.
- ii. Registered Private plantation owners will apply for extraction of matured agar trees to the concerned Range officer/Beat Officer.
- iii. Concerned Range officer/Beat Officer will mark trees and submit list to the SDFO after updating the information in the plantation pass book of planter and in Range.(within 10 days)
- iv. SDFO will issue extraction permit along with permission to issue Transit pass to registered Agar processing unit as disclosed by applicant.(within 5 days)
- v. Planter will extract/cut agar trees after getting permission and should sell it to authorised Forest Trade license holders only. The forest trader license holders shall have to furnish details of trees extracted, utilized and traded every year.

e. Establishment of Agar wood oil extraction unit

- i. Any Agar processing unit company i.e saw mill unit must be legally registered according to the Industries (Development and Regulation) Act, 1951, the Factories Act, 1948, the Payment of Gratuity Act, 1972, the Payment of Bonus Act, 1965, the Employees Provident funds and Miscellaneous Provisions Act, 1952, the Air (Prevention and Control of

Pollution) Act, 1981 , the Water (Prevention and Control of Pollution) Act, 1974, the State Land Revenue Act, the State Tenancy Act, and the Town and Country Planning Act. It must also hold a valid license according to Section 41 of the Indian Forest Act and the Saw Mill Establishment Rules.

- ii. It will come under the definition of secondary wood based industry, it can be established outside Wood based industrial Estate (WBIE). All rules notified as Tripura Forest (Establishment & Regulation of saw mills and other wood based industries) Fourth Amendment)-rules-2006 should be followed to establish Agarwood oil extraction unit.
- iii. The agar wood oil extraction unit shall apply to the Authorized officer in Form No.II and submit and undertaking regarding the availability of agar trees from his own private plantations or other registered plantation.(He should certify to possess minimum 5000 Agar tree of Age more than 7 years)
- iv. On receipt of the application for license, the Authorised Officer shall make a detailed enquiry on availability of legitimate source of mature agar trees with applicant and financial capability of applicant, etc
- v. If Authorised Officer thinks fit and within a period of 30 days from date of receipt of such applications may forward the application with his report to the Chief Conservator of Forest (CCF), Territorial having jurisdiction.
- vi. After considering the recommendation of the Authorized officer in each case, the Chief Conservator of Forest may direct concerned Authorized Officer to grant license in Form No I or reject the application for reasons to be recorded in writing. The process of grant of license to industry must be completed within 30 days.
- vii. For the purpose of inquiry, the Authorised Officer may exercise the following:
 - 1.Enter into or upon any land, survey and demarcate the same, make a map thereof or may authorize any other officer to do so.

2. Call for such documents as he deems necessary for ascertaining the merit of the application.

- viii. A license for establishment of Agar wood oil extraction unit" under Tripura Forest (Establishment & Regulation of saw mills and other wood based industries) Fourth Amendment)-rules-2006 shall maintain in Form VII & VIII and submit monthly returns as per guidelines issued by MoEF & CC vide their No. 8-180/NEC/2001 dated 27th September 2001 for North East states and other guidelines issued time to time.
- ix. Establishment of Agar wood oil extraction (Large scale) industries must be registered according to the Industries (Development and Regulation) Act, 1951 and the medium & small enterprises may be registered under MSMED Act, 2006.

f. Export of Agar wood/oil or related products.

Status as per CITES: Agar tree (*Aquillaria agallocha/ A. malaccensis*- Family-Thymeliaceae) - Native to South East Asia and is the state tree of Tripura state of India. IUCN category- Critically endangered ([CR]- Threatened subset of category)) in India. Use of Agar oil in for various industries within India is regulated to avoid unsustainable harvest. Therefore monitoring from cultivation to marketing of agar wood is essential because of its conservation status in India (critically endangered). Further Agar listed under CITES Appendix II, There need to be a greater enforcement of harvesting quotas to ensure compliance with. Therefore following guidelines need to be followed:

- i. Agar wood Business should take place in Notified Agar based Marketing Co-operative Society established in specific locations where more processing units are concentrated. This will help in one side to get good price to producer and other side authenticated product to consumer and finally help effective monitoring by Regulator (Govt).
- ii. Each transaction of agar wood will be monitored and by considering the legitimacy of agar wood, the Authorised Officer will issue

certificate for transfer outside the state after getting approval from authority.

- iii. For Export outside the country as the species is listed in appendix II, if Agar is from cultivated origin, Export is permitted after production of certificate of legal possession in favour of the Exporter, issued by the Authorised Officer having jurisdiction where the exporter is situated. Other rules as EXIM policy rules are to be adhered to by the exporters.
- iv. To issue certificate of legal possession in favour of the Exporter by Authorised Officer, he needs to monitor entire process starting from cultivation to marketing chain and end user.

g. Monitoring & Evaluation

i. Advisory Governing Body

An advisory body for protection, conservation, cultivation, sustainable extraction, processing and export may be constituted by consisting of following members:


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|--|-------------------|
| a. Chief Secretary | -Chairman |
| b. PCCF | - Member |
| c. Pr. Secretary, I&C Department | - Member |
| d. Pr. Secretary, Revenue Department | - Member |
| e. Pr. Secretary, ST&E Department | -Member |
| f. CCF(protection) | -Member Secretary |
| g. Two persons to be nominated from Associated trade-Members | |

The committee may meet once in six months to oversee the implementation and suggest course correction if any.

- ii. The Districts having high potential agar resource in private land, special Range Officers may be deputed for plantation registration, harvesting and monitoring.

h. Research and Development

An initiative for proper flora assessment of Agar and GIS based study about its location, population status and conservation value of Agar trees in Tripura is very much required and Forest Research Division may take up the same.


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