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India List of Applicable Legislation

Timber



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COUNTRY SPECIFIC
TOOLS



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Scope of the legislation

The study covers timber legality risk assessment at the national level. India has 28 states with independent Forest management and control but due to limited resources this Risk Assessment does not cover all sub-national State legislation in greater depth. Applicable legislation analyzed for each indicator may be regulated at the National or State level, or both. For an overview of governance level at each indicator please refer to the table below. State legislation is listed at the end of this document.

Legal Category	Sub-Category	Governance level
Legal rights to harvest	1.1 Land tenure and management rights	National
	1.2 Concession licenses	National
	1.3 Management and harvesting planning	National and State
	1.4 Harvesting permits	State
Taxes and fees	1.5 Payment of royalties and harvesting fees	State
	1.6 Value added taxes and other sales taxes	National and State
	1.7 Income and profit taxes	State
Timber harvesting activities	1.8 Timber harvesting regulations	National and State
	1.9 Protected sites and species	National and State
	1.10 Environmental requirements	National
	1.11 Health and safety	National
	1.12 Legal employment	National
Third parties' rights	1.13 Customary rights	National

	1.14 Free prior and informed consent	National
	1.15 Indigenous/traditional people's rights	National
Trade and transport	1.16 Classification of species, quantities, qualities	State
	1.17 Trade and transport	National and State
	1.18 Offshore trading and transfer pricing	National
	1.19 Custom regulations	National
	1.20 CITES	National
	1.21 Legislation requiring due diligence/due care procedures	N/A

Applicable legislation and regulation



Legal Rights to Harvest

5-7



Taxes and Fees

7



Timber Harvesting Activities

8-10



Third Parties' Rights

10-11



Trade and Transport

12-13



Legal Rights to Harvest

1.1. Land tenure and management rights

Legal Authority

Indian Forest (Amendment) Act, 2019

[LINK](#)

Land Revenue Department (for land registration and classification)

Indian Forest (The Uttar Pradesh Amendment) Act, 1973 (No. 11 of 1973)

[LINK](#)

State forest Departments (for management of government forests, natural forest)

Indian Forest Act, 1927 (No. XVI of 1927)

[LINK](#)

Village Panchayat (local elected representative body)

National Working Plan Code, 2014

[LINK](#)

National Forest Policy, 1988 (related to Joint Forest Management)

[LINK](#)

Circular Concerning Joint Forest Management (No. 6-21/89-P.P).

[LINK](#)

Forest Conservation Act, 1980

[LINK](#)

Wildlife (Protection) Act, 1972 (No. 53 of 1972).	LINK	
Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (Act No. 2 of 2007)	LINK	
Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2007	LINK	
The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	LINK	
Land Registration Act, 1908	LINK	
The Constitution of India	LINK	
1.2. Concession Licenses		Legal Authority
Forest Conservation Act (FCA), 1980	LINK	N/A
1.3. Management and Harvesting Planning		Legal Authority
National Working Plan Code, 2014	LINK	Forest Department Ministry of Environment and Forests Supreme Court Monitoring Committee
1.4. Harvesting Permits		Legal Authority

Please see state-level legislation at the end of this document

State Forest Departments



Taxes and Fees

1.5. Payment of royalties and harvesting fees

Legal Authority

Indian Forest Act, 1927 (Chapter VII). Royalties are collected from specified species as per State harvesting and forest transit rules

[LINK](#)

State Forest Department (regarding collection of royalties and transit fees as specified in the regulations)

Mandi Samitis (Agriculture Produce Market Committees) collect fees from farmers for species of agroforestry origins

1.6. Value-Added Taxes and Other Sales Taxes

Legal Authority

Goods and Service Tax Act, 2017

[LINK](#)

State Commercial Tax Department
Registrar of Companies

1.7. Income and Profit Taxes

Legal Authority

Income Tax Act 1961, Section 1 to 10

[LINK](#)

Income Tax Department



Timber Harvesting Activities

1.8. Timber harvesting regulations		Legal Authority
Wildlife Protection Act, 1972 (Chapter IV and Schedules)	LINK	State Forest Departments, in some cases local panchayats (elected village representative bodies)
National Working Plan Code, 2014	LINK	
Indian Forest Act, 1927 (Chapter IV)	LINK	
Forest Conservation Act, 1980 (Section 2)	LINK	
1.10 Environmental requirements		Legal Authority
National Wildlife Action Plan, 2017	LINK	Government Forest Departments monitored by Supreme Court appointed Monitoring Committee
National Biodiversity Action Plan (NBAP) – Addendum 2014 to NBAP 2008	LINK	
Environmental (Protection) Act, 1986	LINK	
National Working Plan Code, 2014	LINK	
National Water Policy, 2012	LINK	
Compensatory Afforestation Fund Act, 2016 (Act No. 38 of 2016)	LINK	

Forest (Conservation) Rules, 2003	LINK	
Forest (Removal and Storage of Forest Produce) Regulation Act, 2000 (Assam Act No. XII of 2000)	LINK	
Biological Diversity Act, 2002	LINK	
Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016	LINK	
Water (Prevention and Control of Pollution) Act 1974	LINK	
Forest (Conservation) Amendment Rules, 2014	LINK	
Environmental Impact Assessment Notification, 2006	LINK	
Wetlands (Conservation and Management) Rules, 2017	LINK	
1.11. Health and Safety		Legal Authority
Plantation Labour Act, 1951	LINK	Government forest Department for forest operations
Occupational Safety, Health and Working Conditions Code, 2020	LINK	
1.12. Legal Employment		Legal Authority
C138 - Minimum Age Convention, 1973 (No. 138)	LINK	

Child Labor Act, 1986 (for prohibition of employing child labor below 14 years of age and identification of hazardous industries)	LINK	Government Forest Departments monitored by Supreme Court appointed Monitoring Committee
Bonded Labor System (Abolition) Act, 1976 (to ensure people are not employed under duress)	LINK	
National Rural Employment Guarantee Act, 2005	LINK	
Industrial Relations Code, 2020	LINK	
Code on Social Security, 2020	LINK	
Code on Wages (Central Advisory Board) Rules, 2021	LINK	
Child Labour Act, 1986	LINK	
Payment of Gratuity Act, 1972	LINK	
Payment Of Bonus Act, 1965	LINK	
C182 - Worst Forms of Child Labour Convention, 1999 (No. 182)	LINK	



Third Parties' Rights

1.13. Customary rights		Legal Authority
Indian Forest Act, 1927 (Chapter II and Chapter III)	LINK	Forest Department Local panchayat (elected village level representatives)
Wildlife Protection Act, 1972 (Chapter IIIA and IV)	LINK	
Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (commonly called Forest Rights Act) (Chapter II and III)	LINK	
National Forest Policy, 1988 (related to Joint Forest Management)	LINK	
Right to Information Act 2005	LINK	
1.14. Free prior and informed consent		Legal Authority
Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	LINK	Forest Department, Local panchayat (elected village level representatives) Rehabilitation and Resettlement Authority
Land Acquisition Act, 1894	LINK	
Indian Forest Act, 1927 (Chapter II, III)	LINK	

Wildlife Protection Act, 1972 (Chapter IV)	LINK	
Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (commonly called Forest Rights Act) (Chapter IV)	LINK	
1.15. Indigenous peoples' rights		Legal Authority
Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (commonly called Forest Rights Act) (Chapter II)	LINK	Ministry of Environment and Forests (MoEF), Local panchayats (elected village level representatives)
Indian Forest Act, 1927 (Chapters II, III and IV)	LINK	



Trade and Transport

1.16. Classification of species, quantities, qualities		Legal Authority
Please see state specific legislation at the end of the document		State Forest Departments
1.17. Trade and transport		Legal Authority
Central Motor Vehicles Act, 1988 (Chapters II, IV and V)	LINK	State Transport Department for implementation of Motor Vehicles Act provisions

F.No.8—14/2004—FP (Vol.3) Pan India Card/ Transit Permit for inter-state movement of commonly grown agro-forestry species	LINK	Income Tax Department (for issuance of TIN) Sale Tax Department State Forest Department (for issuance of forest transit pass) Mandi Samitis (i.e. Agriculture Produce Market Committee) for collection of tax on agroforestry produce
F.No.9-1/2016-FP (Vol.2) Pan India Card/ Transit Permit for inter-state movement of bamboo – reg.	LINK	
1.18. Offshore trading and transfer pricing		Legal Authority
Income Tax Act, 1961	LINK	Income Tax Department (Transfer Pricing Officer)
Income Tax Rules, 1962 (Rules 10A to 10TG)	LINK	
1.19. Custom regulations		Legal Authority
International Standards for Phyto Sanitary Measures (IPSM), (Solid wood imports and other such imports are governed), 2005	LINK	Central Board of Excise and Customs Director General Foreign Trade Directorate of Plant Protection, Quarantine & Storage (DPPQ&S) under the Department of Agriculture and Cooperation (DAC) Directorate of Excise and Customs. (N.B. ITC: Indian Trade Clarifications; HS: Harmonized System of coding)
SOP for Export/Import clearance of Wildlife and its Products (3-10/WCCB/2016/VOL-III/527)	LINK	
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), 1973	LINK	
Foreign Trade (Development and Regulation) Act, 1992	LINK	

1.20. CITES

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), 1973

[LINK](#)

Legal Authority

Director General Foreign Trade

CITES Management Authority of India (under Ministry of Environment and Forests)

Wildlife Crime Control Bureau

State level legislation

Andhra Pradesh

Andhra Pradesh Forest (Amendment) Act, 2016 (Act No. 15 of 2016)

[LINK](#)

Andhra Pradesh Forest Act, 1967

[LINK](#)

Arunachal Pradesh

Arunachal Pradesh Anchal and Village Forest Reserve (Constitution and Maintenance) Amendment Act, 1984 (Act No. 4 of 1984)

[LINK](#)

Arunachal Pradesh Forest (Removal of Timber) Regulation Act, 1983 (Act No. 5 of 1983)

[LINK](#)

Arunachal Pradesh Anchal Forest Reserve (Constitution and Maintenance) Act, 1975 (Act No. 1 of 1976).

[LINK](#)

Assam

Assam Forest Protection Force Act, 1986 (Act No. XXII of 1987)

[LINK](#)

Assam Forest Regulation, 1891 (No. 7 of 1891)

[LINK](#)

Bihar

Bihar Saw Mills (Regulation) Act, 1990

[LINK](#)

Bihar Saw Mills (Regulation) Rules, 1993

[LINK](#)

Goa

Goa, Daman and Diu Preservation of Trees Act, 1984 (Act No. 6 of 1984)

[LINK](#)

Gujarat

Gujarat Minor Forest Produce Trade Nationalisation Act, 1979 (No. 7 of 1979)

[LINK](#)

Gujarat Private forests (Acquisition) Act, 1972 (Act No. 14 of 1973)

[LINK](#)

Himachal Pradesh

Himachal Pradesh Kulehar Forest (Acquisition of Management) Act, 1992 (Act No. 19 of 1992)

[LINK](#)

Himachal Pradesh Forest Produce (Regulation of Trade) Act, 1982 (Act No. 5 of 1982)

[LINK](#)

Himachal Pradesh Participatory Forest Management Rules, 2000

[LINK](#)

Himachal Pradesh Forest (Sale of Timber) Rules, 1969

[LINK](#)

Jammu and Kashmir

Jammu and Kashmir Forest (Protection) Force Act, 2001 (Act No. IV of 2001)

[LINK](#)

Jammu and Kashmir Willow (Prohibition on Export and Movement) Act, 2000 (Act No. XV of 2000)	LINK
Jammu and Kashmir Forest (Conservation) Act, 1997 (Act No. XXX of 1997)	LINK
Jammu and Kashmir Forest Act, 1987 (Act No. II of 1987)	LINK
Jammu and Kashmir State Forest Corporation Act, 1978 (Act No. XII of 1978)	LINK
Jammu and Kashmir Preservation of Specified Trees Act, 1969 (Act No. V of 1969)	LINK
Jammu and Kashmir Compensatory Afforestation Fund Management Planning Authority Rules, 2009	LINK
Jammu and Kashmir Willow (Prohibition on Export and Movement) Rules, 2002	LINK
Jammu and Kashmir Forest (Conservation and Afforestation) Rules, 2000	LINK

Karnataka

Karnataka Preservation of Trees Act, 1976 (No. 76 of 1976)	LINK
Karnataka Forest Act, 1963 (No. 5 of 1964)	LINK
Karnataka Forest Rules, 1969	LINK
Karnataka Preservation of Trees Rules, 1977	LINK

Kerala

Kerala Preservation of Trees Act, 1986

[LINK](#)

Kerala Forest (Amendment) Act, 2010 (Act No. 8 of 2010)

[LINK](#)

Kerala Promotion of Tree Growth in Non-Forest Areas (Amendment) Act, 2007 (Act No. 19 of 2007)

[LINK](#)

Kerala Promotion of Tree Growth in Non-Forest Areas Act, 2005 (Act No. 46 of 2005)

[LINK](#)

Kerala Preservation of Trees (Amendment) Act, 2003 (Act No. 28 of 2003)

[LINK](#)

Kerala Private Forests (Vesting and Assignment) Act, 1971 (Act No. 26 of 1971)

[LINK](#)

Madhya Pradesh

Madhya Pradesh Van Upaj Adhyadesh 1969

[LINK](#)

Maharashtra

Maharashtra Felling of trees (Regulation) Act 1964

[LINK](#)

Maharashtra - Bombay (Mumbai) Forest Rules, 1942

[LINK](#)

Maharashtra Private Forest (Acquisition) Act 1975

[LINK](#)

Maharashtra Minor Forest Produce (Regulation of Trade) Act, 1969 (Act No. 57 of 1969)

[LINK](#)

Maharashtra Forest Rule 2014

[LINK](#)

Manipur

Manipur Forest Rules, 1971

[LINK](#)

Meghalaya

Meghalaya Forest Authority Act, 1991 (No. 3 of 1991)

[LINK](#)

Meghalaya Forest (Removal of Timber) (Regulation) Act, 1981 (Act No. 12 of 1981)

[LINK](#)

Meghalaya Tree (Preservation) Act, 1976 (Act No. 13 of 1976)

[LINK](#)

Meghalaya Trees (Preservation) Rules, 1976

[LINK](#)

Meghalaya Forest Regulation (Application And Amendment) Act, 1973. (Meghalaya Act 9 Of 1973)

[LINK](#)

Nagaland

Nagaland Forests Act, 1968 (No. 3 of 1968)

[LINK](#)

Orissa

Orissa Saw Mills and Saw Pits (Control) Act, 1990 (Orissa Act No. 27 of 1991)

[LINK](#)

Orissa Protection of Scheduled Castes and Scheduled Tribes (Interest in Trees) Act, 1981 (No. 18 of 1983)

[LINK](#)

Orissa Forest Produce (Control of Trade) Act, 1981 (Act No. 22 of 1981)

[LINK](#)

Orissa Forest Act, 1972 (Act No. 14 of 1972)

[LINK](#)

Orissa Village Forests Rules, 1985

[LINK](#)

Orissa Forest (Grazing of Cattle) Rules, 1980

[LINK](#)

Orissa Forest (Detection, Enquiry and Disposal of Forest Offence) Rules, 1980

[LINK](#)

Punjab

Punjab Land Preservation (CHOS) Act, 1900 Punjab Act II of 1900

[LINK](#)

Punjab Forest (Sale of Timber) Act, 1913 (Act No. 3 of 1913)

[LINK](#)

Rajasthan

Rajasthan Forest Act 1953 (No. 13 of 1953)

[LINK](#)

Tamil Nadu

Tamil Nadu Forest Act, 1882

[LINK](#)

Tamil Nadu Rosewood Trees (Conservation) Act, 1994 (No. 1 of 1995)

[LINK](#)

Tamil Nadu Preservation of Private Forests Act, 1949 (Act No. 27 of 1949)

[LINK](#)

Tripura

Tripura Biological Diversity Rules, 2006

[LINK](#)

Uttar Pradesh

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

[LINK](#)

Uttar Pradesh Forest Corporation Act, 1974 (No. 4 of 1975)

[LINK](#)

West Bengal

West Bengal Private Forests Act, 1948 (No. 14 of 1948)

[LINK](#)

About LIFE Legal Wood

[LIFE Legal Wood](#) is an initiative that aims at supporting timber-related companies in Europe with knowledge, tools and training in the requirements of the EU Timber Regulation. Knowing your timber's origin is not only good for the forests, but good for business. The initiative is funded by the LIFE Programme of the European Union.



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