

TRIPURA FOREST TRANSIT (FIRST AMENDMENT) RULES, 1990

4/ 65, IT (Kam, Published by Auth&idify EXTRAORDINARY ISSUE Agartala. Friday, May A. D. 21, 1912 S. E. Part • r —Orders and Notifications by the C ;overnment of Tripura, the iligh Court, Government Tte,tsury etc. GOVERNMENT OF TRIPURA FOREST DEPARTMENT No. '22795 Dated, Kunjaban. the 7th May, NOTIFICATION. exet cise of powers conferred by Section 41 & 42 of the Indian Forest 1927, a: .deall other .Sc2tions enabling in this bcha!f, -he State Govern- ion N. 12 dated 29-4-1952 ment Inakes t te followinr.! Rules to araend Notiti(e issue&in the Forest De»a. tment,) nely shall be substituted, -i. For Clauue (2) of Paragraph l. the following Gamely permit for qtection of forest p' •duce other than tilliber and ctewood 9"11 considered ulhcien in regard to 'i : tnovent the oroduce h ;lhin the J', risdiction e. Forest Beat of ie origin. r here shali be no inove[ncent tiruber and to any other place within rewood from its ori: or beyond jurisdictie:: \eing coverd by valid transal 'f the Beat 'Mlhuut ' '2. ,pdr the following shall substituted, namely Ids of forest produces will 2 (1) The transit pass for movement of all pplicatio:l from the owner be issued:freQ any chu:gf on receipt of written of such forsc produce or produces attter such intptry as the 2 Trip May 19 6 authorised to issuc the transit pass deerns lit and considers necessary and on realisation of such (lees, if any, payable to the Govern;nent for such produce or produces. No transit ass will be issued before the houn of s rise and < ter e hours o sun-set. p The transit pass s al be vali or t cstation for which it is granted Within the Territory Of Tripura State. the producc is torbe transported beyond the territorial jurisdiction of the State, it shall be surrendered to the Forest Officer in-charge of the Rangc of tais State having the jurisdiction over the inter-State boundary through which -the Toute .or export pasqes and a fresh transit pass shall have to be obtained from such Forest Officer in-charge or such Range. If any torest nroducv• to be impOrted to this Stale, the transit pass tsor forest produce shRl} have to be surrendered to the Forest in ot' the arca nearest to lhe place o! entry of the through It trampotctd and ha 11 0b! Alti a frosh transat pass (2) For jnovement of timber within the State. the originating station may issue the transit pass ror movement of forcm,t produce under the signature of the conjpetent Officer in this regard allowing transport or such forest 'produces from 01 iginating station to the final destination mthin the State. An exceptional circumstance, when it becomes necessary Issue re-trdlblt pass, the owner of the forest produces shall have to apply In writing lor of re-translt pass indicating the reasons therefor to the Forest (jiicer the territorial jurisdiction over the area where the forest produces are, who will thereafter send it to the Divisional Forest Officer concerned througll proper channel with his detailed renurks and Certificate regarding the legality d" of the forest produces proposed to be transported with re-lransit pass. The re-transit pass shall be issued only if written permission in this regard i; obtained fronl the DIV :isional Ollicer . in each individual cAse on their ind&iduai tranhil passes are to be signed by the Issuing Otlicer Inerlts. Willi his naxne capo.al letters ill the bracket under his signature witi cl car official seal. (3) -l he order frown the-competent authority for issue of transit pass shali hase to be recolded o: the application praying for iss uc of transit pass and on the loasis of such rder only, the transit pass can be Issued. The delivery of the titnsit pays is to be YI ven only (othe 09. ner of the forest produce and lo anyone eLe unles authorit)' lctler rro:n tile owner of Che forest produce is there to deliver It to his authotasetJ agent whCbe Signature qrall have to be duly attested by lhe ow nec of the toreht 1)10duce 111 lhe authority letter, (4) fill the transit passes are to be surrendered to the ncaresl Office having the tea 71 torial over the arca of destination soon after arrival of the destination. All such transit Pa»es on receipt are to entered in a register and all such produces are to be verified and verificatron re.su!th recorded in the regthter. The surrendered transit passes ace to bc presec .ed careully and to bc destroyed without haying orders frenu the appropriate authority their dOtructi011, s I 3 Tripura Gazette, Extraordinaw Issue. Slay I l. A. Lb •4) i NO transit pass can be .isvued on the streetgth transit f issued B,winill, or on the basis of any chit of paper issed by any *awmill, jp-Sach Sawmill'dö not have tho or have the licence but do not submit\ the returns as required under Tripura Forest (Establishmznt and Regulations of Sawmills and other woodbased Industries) Rule, 1985 or has I neither the 'licence nor submit the returns afere»aid. The Sm,vmill transit pass and the chit.s or papereshowing the timbers going out of the Sawmill or any ' thcr unit with due seal of the Sawnutl or Unit and signiture of the owner ill Manager thereon •may, aioweycr. _be aocepted for the purp ot'. • issuing transit pass provided that such Sawmills have the and submit the statutory retarns as aforesaid regularly v,ithout any defau t and such returns have been duly checked and the stocks (6) No transit pass shall be

issued without or before physical verification Of the forest produce and without being sure that all' the dues payable to the Government for such forest produce have been paid. (7) No transit or re-transit pass can be issued by a Forest Officer though' such Forest Officer may otherwise be competent to such pass. unless the Officer issuing such transit or re-transit pass is fully satisfied that the forest produces are within his jurisdiction, he has verified the forest produces physically and is sure that there is no illegality and there is no dues payable to the Government for such forest produces." 3. The existing Paragraph—23, shall be numbered as 3 (1) and the following shall be added thereafter. "(2)1 No person shall remove or cause to be removed from the State for the purpose of trade or otherwise any timber and firewood to any place outside the State and no trading depot shall be set up or established in the State at any place without licence for such purpose from the Divisional jurisdiction over the area. •Subject to approval Forest Officer having or Conservator of Forests of the Circle. •Every application for grant of licence under the aforesaid Rule shall be made to the Divisional Forest Officer having the jurisdiction over the area in the Form appended to this Rules and on payment of non-refundable application fee amounting to Rs, 1000/-. (4) Every order granting or refusing a licence under the Rules shall be in writing and in case refusal, shall contain the reason therefor. fee of Rs. shall be paid and deposited in (Government Treasury/Sub. Treasury by challan and the receipted copy of the challan must accompany the licence. (5) A licensee shall be required to pay the export duty for export of timber and firewood from this State to other States which shall not exceed 100% of the market value of such timber/firewood as will be assessed by the Divisional Forest Officer. Circular Extraordinary Issue, May 1990 The conditions of the licence, the route or routes are to be ascertained to a place outside the State shall be such as may notified period validity Government (insert in the Official Gazette. Provided that the conditions of the licence and the period may vary for different categories or timber. Provided further that such period of validity shall not exceed State, 12 months. •Non application- (7) Every licence granted under this Rules may be renewed. Application for renewal licence shall be made in Form—E within before the expiry of the The Divisional Forest Office jurisdiction over area shall on receipt of application for renewal make inquiry as he may think fit and within a period of from the date of receipt such application. either grant or renewal of the licence Provided that no renewal of licence shall be granted unless Forest Officer is satisfied about the location, availability of the financial capacity, past records in business and relevant person. Whether the Divisional Forest Officer refuse to grant of licence, he shall record the reasons there for and such reasons shall be communicated to the person in writing. For the purpose of inquiry and the Divisional Forest Officer may enter into or upon any land, leaving the licence. day to grant Divisional instructions, acts of such renewal be given- Rules, Y and to do so demarcate the same, make a map thereof or authorise any Officer and also call for such documents as he deems necessary for assessment of the application. shall be Provided further that no application -licence rejected unless the holder of such licence has been given an opportunity of presenting his case and unless the Divisional Forest Officer is satisfied that the application for such renewal has been made at the end of the period specified there for or any statement made by the person making such application in respect of grant of renewal of the licence was incorrect or materially false or such person has contravened any of the term., and conditions of the licence or any of the Indian Forest Act or the Rules made thereunder or such person does not fulfil the terms and conditions for such licence. (8) The quantity of timber and firewood which will be permitted for export by a export' licensee shall be determined on the basis of 'State and forest produce after catering to the needs of the local people of India and those of the Forest trade licence holder for trading in forest products within the State meeting the requirement of the State

4. In addition—5 after the existing is added, namely .1 Tripura Gazette Extraordinary Issue, May 11, 1990 A. D. 3 E "And all vehicles, carts, boats, animals, boats, rafts persons carrying forest produce must stop at the Check-post and Gates and shall be made to offer forest produce along with the supporting documents for necessary checking and examination by Forest Officer or Police Officer on duty at such Check-post and Drop Gate. Non-stoppage or products at carts, crafts, rafts and persons carrying forest produce at boats, such Check-Posts and Drop Gate shall constitute a breach of Rule 5.0 In Paragraph—7 after the provision shall be added, namely "And the forest produce not covered by transit pass shall also be liable to seizure and confiscation by appropriate Court or by such Officer competent in this behalf under Tripura Forest (Establishment and Regulations of Sawmills and other, Wood based Industries) Rules, 1985. By order and in the name Of Governor. S. Sharma, Principal Secretary, to the Government of Tripura. 6 Tripura Gazette, Extraordinary Issue, May 11, FORM— 'D' 1990 A. D. Form of application for licence for the purpose of transport of

Timber and Firewood to any other place outside the State and for establishing of trading Depot. The Divisional Forest Officer, Sir, Division. inhabitant (s) of Tripura. in (in Block the Police/ Station by Profession for the year: District (address to be given in details) having forest trade licence No apply for a licence for the purpose of transport in Timber Fire outside the State and for establishing trading Depot. The detailed particulars of the unit are given below • 1). 2). 4). 5). 6). 7). 8). 9). Name of the Unit Location of the Unit Company, Partnership or a Proprietorship Whether a business and the relationship of the applicant(s) with such Company or Partnership or proprietorship business (documents to be attached). : Capital value • Timber firewood together with kind, form and quantity in terms number & volume of Timber/firewood proposed to be transported outside the State : Details of Sources of Timber/Firewood, Labour (a) Strength of Regular employees, (b) Strength of daily rated worker Source of capital Whether convicted or punished in any criminal offence 10). 11). 12). Tripura Gazette, Extraordinary Issue, May 11, 1990 A. D. Whether possessing more than one such unit in the same the licence fee is attached and if so, No. and date of callan. The names of the places where the Timber/fire woods are to be exported. I have gone through the Indian Forest Act and all the rules there. I promise to abide by all the & rules in force, if my application for licence is granted. Place Date Yours faithfully, Signature of the FOM—• E' Form of Application for Renewal of Licence. O The Divisional Forest Division, (in Block letters) 1/We the Police Station Inhabitant(s) or (address in details) District Profession having applied for renewal of licence/validity which expired on last trade licence for the Licence No. year dtd. The renewal fee of Rs 2. per hectare No. only is enclosed dated I enclose herewith my earlier Licence for I have gone through the Indian Forest Act the year and all the rules (hereunder. promise to abide by the Laws & rules in force, if my/our prayer for renewal of licence is granted. Place Date Yours faithfully, Signature of the Applicant (s). Printed at the Tripura Government Press, Agartala.