

TIMBER RULES AND REGULATIONS

NOTIFICATION

In exercise of the powers conferred by section 76 (d) of the Indian Forest Act, 1927 (Central Act 16 of 1927), the Lieutenant Governor of Puducherry hereby makes the following Rules to regulate the saw mills / wood based industries in the Union Territory of Puducherry namely:-

1. Short title, extent and commencement

(1) These rules may be called the Puducherry Establishment and Regulation of Saw Mills and Wood Based Industries Rules 2005.

(a) They shall extend to whole of the Union Territory of Puducherry.

(b) They shall come into force with effect from the date of their publication in the Official Gazette.

2. Definitions – In these rules unless the context otherwise requires –

(a) “Saw Pit” means a place where wood is sawn by manually operated saws.

(b) “Saw mills” means and includes any mechanical devices whether operating with electric power, fuel- power or man power for the purpose of cutting, sawing or converting timber and wood into pieces or the like acts.

(c) “One unit of saw-mill” shall be taken as equivalent to 25 H.P. engine or any part thereof. (Thus a saw-mill / wood based industry using 65 H.P. engines will be deemed as equivalent to 3 units).

(d) “Wood Based Industries” means all industries which are using wood as a raw material in either round form or as chips etc., and includes wood oil industries / plywood and veneer

REGULATION AND ESTABLISHMENT OF SAW MILLS, WOOD BASED INDUSTRY, SAW PIT OR OTHER SAWING CONTRIVANCE

3. Licence for restriction of Establishment of Saw Mills – No person shall establish, erect or operate any saw mill / wood based industry or machinery for converting as cutting timber and wood without obtaining a licence from the Conservator of Forests, concerned

4. Applicability for obtaining licence – Any person desiring to establish, erect or operate any existing saw-mill / wood based industry shall make an application in that behalf to the Conservator of Forests concerned for obtaining a licence in the Form-I appended to these rules.

5. Grant of licence – On receipt of an application under rule 4 the Conservator of Forests shall acknowledge the same and thereafter shall make such enquiries as he may deem fit and after satisfying himself with regard to following factors, grant the licence in the Form - II appended to these rules : -

(i) that the required quantity of timber through legitimate means would be available at the proposed venue of the saw-mill / wood based industry without causing any damage to the tree-growth in the forests under the control of the Government and the adjacent rural areas ;

(ii) that the applicant has acquired necessary area for erecting and running a saw-mill / wood based industry in accordance with the conditions specified in the licence ;

(iii) that the necessary machinery, power etc., is available to the applicant ;

(iv) that the applicant has obtained a “No Objection Certificate” from the District Collector concerned for erecting and running the saw-mill / wood based industry ;

6. Period of licence – Every licence granted under Rule 5 or renewed under Rule 7 shall remain valid for such period not exceeding one year from the date of issue or renewal as may be specified in the licence.

7. Renewal of licence. – (1) On an application made to the Conservator of Forests concerned for renewal of the licence granted under Rule 5 in Form III appended for these rules he may renew the same indicating thereon the period for which it has been renewed and renewal shall be for a period not exceeding 1 year.

(2) Failure to get the licence renewed before the expiry of date, will make the licensee liable to punishment in accordance with section 77 of the Indian Forest Act, 1927 for operating the saw mill / wood based industry without licence

8.Revocation of licence:- Notwithstanding anything contained in the foregoing rules, the Conservator of Forests concerned may, where he has reason to believe that a licensee is operating the saw-mill / wood based industry in contravention of the provisions of these rules or conditions of licence or the licensee is indulging in activities prejudicial to the interests of forest conservation; at any time, after giving notice revoke the licence granted under Rule 5 or its renewal under Rule 7.

9. Procedure on refusal or non renewal of licence: – Where the concerned Conservator of Forests, refuses to issue or renew the licence, he shall send intimation thereof to the applicant or the holder of the licence, as the case may be, giving reasons therefor.

10. Appeal against refusal to issue or renew licence: – Any person aggrieved by an order of the Conservator of Forests under Rule 9 may, within 30 days of the service of the order on him, appeal to the concerned Secretary of the Department of Forests. The Secretary thereupon shall decide the appeal after giving the Conservator of Forests and / or appellant an opportunity of being heard. The decision of the Secretary of Forests on such appeal shall be final.

11. Fees for grant and renewal of licence – An annual fee of rupees two thousand per unit of saw mill / wood based industry and rupees five hundred per Saw Pit/ Unit of sawmill, wood based industry / Sawing contrivance; shall be payable by the applicants licensee which will be credited to the revenue of the Forests Department through a treasury challan under the receipt head.

12. Duties of licensee:- (1) No licensee shall undertake sawing of timber belonging to other persons on job-work, unless he is satisfied about the bonafides of such timber by examining the connected pass or way- permit and the marks on the timber. If he suspects the bonafides of the timber, he shall detain the timber and immediately report the fact to the nearest Forest Officer for taking further action.

(2) The licensee shall stock the timber of other persons received by him for sawing on job-work separately, both before and after it is sawn.

(3) Every licensee shall maintain registers in forms IV & V appended to these Rules and produce the same for inspection when demanded by any Forest Officer not below the rank of a Forester or Agriculture Officer.

APPENDIX
Form – I
(Under rule 4)

To

The Conservator of Forests

Forest Department

Puducherry.

Subject : Application to erect / establish a saw mill / wood based industry.

1. Name and full address of the applicant
2. Name of the place where the saw-mill / Wood Based Industry is to be erected.....
3. Where machinery and power etc., required for the saw-mill / Wood Based Industry is available.....
4. Production capacity of the proposed mill.....
5. No objection certificate of the District Collector
6. Whether fee paid and if so, the details thereof
7. Other details if any.....

Place.....
of the Applicant

Signature

Date.....

Form – II
(under rule 5)

**Form of licence to establish, erect and operate saw-mills / wood based industry
for cutting or converting of timber**

Licence is hereby granted to Sri.....S/o.....resident of
.....(full address) herein after called the licensee to establish, erect/operate
saw-mill / wood based industry for converting / cutting timber at.....(full address of
the place of business) subject to the provisions contained in the Indian Forest Act, 1927 as amended
from time to time in its application to Puducherry and rules made thereunder and on the following
conditions namely :

Conditions

1. This licence is not transferable.
2. No sawing should be done after sunset or before sunrise, except under the special permission of the Conservator of Forests,
3. On expiry of the period entered in the licence, the licensee should return the licence to the issuing authority and the saw-pit/ saw-mill / wood based industry or any other sawing contrivance for cutting or conversion shall be closed.
4. This licence shall remain in force for the period commencing on.....and ending on
5. The licensee shall establish/erect/operate saw-mill / wood based industry required for converting/cutting of timber at.....(mention full address of the place of business.)
6. The licensee shall not alter the location of the saw-mill / wood based industry without obtaining prior permission in writing of the Conservator of Forests, concerned.
7. The licensee shall maintain such registers and records as in forms IV & V and submit such returns as may be directed, in writing by the Conservator of Forests and when required produce them for inspection by any officer or member of staff of Forest Department.

8. The licensee shall ensure that –

(1) The site of the saw-mill / wood based industry including the yard for storage of round timber and waste wood is enclosed within a fence fitted with proper gates;

(2) All the round timber sawn timber and wood waste is properly stocked according to the instruction that may be issued from time to time by the Conservator of Forests or the staff authorised by him in this behalf ;

(3) (i) No licensee shall undertake sawing of timber belonging to other persons on job-work, unless he is satisfied about the bonafide of such timber by examining the connected pass or way-permit and the marks on the timber. If he suspects the bonafide of the timber, he shall detain the timber and immediately report the fact to the nearest Forest Officer for taking further action.

(ii) The licensee shall stock the timber of other persons received by him for sawing on job-work separately, both before and after it is sawn.

(4) Timber which does not confirm to the requirement of conditions 8 (3) above, is not accepted for conversion and so intimation in writing in respect of such timber is forthwith given to any forest officer.

9. The saw-mill / wood based industry as well as the timber stored within the premises of the saw-mill / wood based industry are open to inspection at all times by any officer of the Forest Department or any member of the forest staff appointed for this purpose.

10. The licence and all relevant records shall be produced, for inspection on demand by any of the authorities mentioned above.

Date

of the

Signature
Conservator
of Forests (Seal)

Form-III

(under rule 7)

Form of Application for renewal of licence

To

The Conservator of Forests,

.....

.....

I / we.....son of resident at
.....Taluk District.....
owner of..... hereby(Name of Saw mill / wood based industry) apply for
the grant of renewal of licence for establishing at
.....(description of plant / saw mill / wood based industry) in
..... TalukDistrict.....

The name of other owners / partners are as follows : -

1. son of
2. son of
3. son of
4. son of

The licence fees for renewal [of the following machinery] for the period fromto
.....is enclosed herewith

Sl. No.

Description / type of machinery

- 1.
- 2.
- 3.

There is no increase in number of machinery and no change in names and number of owners and the unit is at the same site as indicated in the licence for the period ending on.....

The licence to be renewed is bearing No.....dated..... which is enclosed herewith.

In case the above declaration is found to be incorrect the Saw Mill / wood based industry licence may be cancelled.

Dated : -
Applicant

Signature of

Place : -

Inspected physically the above said machinery ondated..... and I declare that the contents furnished above by the applicant ./ owner of the Saw Mill / wood based industry are true to the best of my knowledge and belief.

Signature :

.....

Name of Forester or

Demonstration Asst.....
.....

.....
:..... Stamp

Remarks of the Range Forest Officer or
Agriculture officer

..... Signature.....
..... Name
of Range Forest Officer/Agriculture Officer

.....
..... Stamp :
.....

No.....

Dated

Forwarded to Deputy Conservator of Forest

Signature of Range Forest Officer/Agriculture Officer

Stamp

Signature and designation of
Forester/Demonstration Assistant.