

# **The Orissa Saw Mills and Saw Pits (Control) Rules, 1993**

ODISHA

India

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### **Rule**

### **THE-ORISSA-SAW-MILLS-AND-SAW-PITS-CONTROL-RULES-1993 of 1993**

- Published on 18 November 1993
- Commenced on 18 November 1993
- [This is the version of this document from 18 November 1993.]
- [Note: The original publication document is not available and this content could not be verified.]

The Orissa Saw Mills and Saw Pits (Control) Rules, 1993Published vide Notification Orissa Gazette Extraordinary No. 1515 dated 18.11.1993, Notification No. S.R.O 1066/93-dated 17.11.1993

### **1. Short Title and Commencement.**

(1)These rules may be called the Orissa Saw Mills and Saw Pits (Control) Rules, 1993.(2)They shall come into force on the date of their publication in the Official Gazette.

### **2. Definition.**

(1)In these rules, unless the context otherwise requires-(a)Act means the Orissa Saw Mills and Saw Pits (Control) Act, 1991;(b)Conservator of Forests means the Conservator of Forests, incharge of a Territorial Circle;(c)Divisional Forest Officer means the Forest Officer in charge of a Territorial Forest Division;(d)Form means a form specified under these rules(e)Section means a section of the Act;(f)Government means the State Government of Orissa.(2)All other words and expressions used but not defined herein, unless the context otherwise requires shall have the same meaning as respectively assigned to them in the Act.

### **3. Application for Licence.**

(1)Application to obtain a licence to establish a saw mill or a saw pit or to operate a saw mill or a saw pit in existence on the appointed day shall be made to the Licensing Officer.(2)The application for establishing a saw mill or a saw pit shall be in Form 'A' and the application for operating a saw mill

or saw pit in existence on the appointed day shall be in Form 'B'.(3)An unrefundable fee of rupees five hundred or one hundred rupees shall be paid for each application for grant of licence for saw mill or saw pit, respectively.(4)The amount shall be payable to the Government Treasury under appropriate Head of Account.(5)Every such application shall be accompanied by a deposit of rupees one thousand as security deposit in shape of Bank guarantee in any Nationalised Bank.(6)The Licensing Officer while considering the application to grant the licence shall, apart from any other consideration which in his opinion justifies his action, consider the following-(i)Whether the site of the saw mill or saw pit is within such limits from the boundaries of any Reserve Forest, Protected Forest or other forest block in area :(ii)Whether establishment, renewal or continuance of saw mill or saw pit in the area is justified on the basis of the quantum of the timber output available for sawing in the area ?(iii)Whether the number of saw mills or saw pit both existing and proposed can be viably run in the area with reference to the quantum of wood that may be available for sowing;(iv)Whether establishment of saw mill or saw pit has already led to, or will lead to illicit felling of trees and be against the protection and conservation of forest and environment;(v)Whether the report has been found guilty of any forest offence of grave nature;(7)The Licensing Officer may after consideration, grant or refuse to grant the licence after recording reasons therefor.

#### **4. Grant of Licence.**

(1)The Licensing Officer shall grant the licence in Form 'C'.(2)The licence shall be subject to the following conditions-(a)Sawing operations in the saw mill and saw pit shall not be carried before 6 a. m. and after 6. p. m. unless it has been permitted by the Licensing Officer in writing.(b)The certified copies of the licence and the, permission granted under Clause (a) above, shall be displayed at a permanent place in the saw mill or saw pit.(c)The date-wise and log-wise account of stock of round wood and of sawn timber shall be maintained in the Forms D and E, respectively.(d)The registers of accounts shall, if so required, be produced for inspection before any Forest Officer not below the rank of a Forester having jurisdiction over the area, or any officer specially authorised by the Licensing Officer in writing in this behalf.(e)If the licensee or the person in charge of the operation of saw mill or saw pit has reason to believe that the wood brought to the saw mill or saw pit is illegal/authorised, he shall inform the nearest Range Officer as early as possible about the arrival of illicit wood and in no case the wood so brought shall be sawn.(f)The expansion of the saw mill or saw pit or change in its location shall not be carried out without the written permission of the Licensing Officer.(3)The licence shall be valid for two years from the date it was issued.(4)Before granting the licence to the applicant, the Licensing Officer shall show the copy of the conditions under which the licence is being granted and the form of accounts in which account of arrival, sawing and disposal of wood shall be maintained. The Licensing Officer shall get those conditions read before and contents of the forms explained to the applicant if he is not able to read. The Licensing Officer shall obtain the signatures or thumb impression, as the case may be, of the applicant as a token of his acceptance of these conditions. A copy of the conditions and forms in which accounts shall be maintained shall be supplied to the applicant.If the licence is defaced/damaged/lost, a certified copy of the same can be obtained from the Licensing Officer on payment of rupees fifty for each licence.

## **5. Renewal of Licence.**

(1)Every licensee shall apply to the Licensing Officer for renewal of the licence at least one month before which the licence is due to expire.(2)The application fee for renewal of the licence for saw mill shall be rupees one hundred and for saw pit shall be rupees ten.(3)The Licensing Officer after making such enquiry as he deems fit, may renew or may by order in writing for reasons to be stated therein, refuse to renew the licence :Provided that no order refusing to renew the licence shall be passed unless the applicant has been given a reasonable opportunity of being heard.(4)The licence shall be renewed for two years only.(5)If application for a renewal of a licence made within the time referred to in Sub-rule (11) is not disposed of by the Licensing Officer before the date of expiry of the licence, the licence shall be deemed to have been renewed under the Act.(6)The licence shall be renewed on the same conditions on which it was granted.(7)Unless there are reasons to the contrary, the licence shall ordinarily be renewed.

## **6. Submission of Returns.**

(1)The licensee shall maintain a register of the date-wise and log-wise receipt of round wood and disposal of the same in Form D.(2)The licensee shall maintain a register of date-wise and log-wise sawing of wood and disposal of sawn wood in Form E.(3)The licensee shall maintain a register of the month-wise abstract of the receipt of logs disposal in round, sawing, sawn outturn and disposal of sawn wood in Form F.(4)A copy of these registers shall be submitted as monthly return to the Licensing Officers through the concerned Range Officer by the 10th day of the succeeding month.

## **7. Installation of Electric Connection.**

(1)Licensing Officer shall give a list of persons along with the name of saw mills who have obtained licence for operating saw mills or for establishing and operating a saw mill, to the concerned Superintending Engineer of the Orissa State Electricity Board.(2)The Licensing Officer shall give a list of persons along with name of saw mill who are operating the saw mill without a valid licence or whose licence has either been revoked or suspended.(3)The Licensing Officer shall inform the name of persons, with name and location of the saw mill as soon as it comes to his knowledge that the person is operating the saw mill without a valid licence to the concerned Superintending Engineer of the Orissa State Electricity Board.(4)The Orissa State Electricity Board shall ensure that only these saw mills which are operating under a valid licence obtained from the concerned Licensing Officer, are supplied with the electric energy.(5)The concerned Superintending Engineer of the Orissa State Electricity Board shall, either on a reference made to him in this behalf or otherwise, that a saw mill is being operated without a valid licence take immediate measures to disconnect the supply of electric energy to such unlicensed saw mills.(6)Where the saw mill operating without a valid licence is using electric energy for purpose other than sawing, the supply of electric energy shall remain disconnected till a valid licence is obtained by the owner of the saw mill or the plants and machinery, implements and equipments which are used in operation of the saw mill are disposed of.  
Form-A[See Rule 3 (2)]Application for Grant of Licence for Establishing and Operating a Saw Mill/Saw Pit

**1. Applicant's name and his father's name in full (in case of company give names of partners and of persons holding power of attorney to act on behalf of the company).**

**2. Profession**

**3. Full address**

**4. Details of proposed location of Saw Mill Saw Pit (location map will also be attached).**

**5. Is applicant already owning and operating any other Saw Mill/Saw Pit ?**

**6. If answer to (5) is 'Yes' give details of the saw mill/saw pit.**

(a) Make and year of sawing machine (b) No of sawing machine (c) Type of motive force and its horse-power (d) Monthly capacity (e) Any other information

**7. Monthly capacity of the Saw Mill Saw Pit to be established**

**8. Species of wood that would be generally sawn**

**9. Source from where the wood is obtained**

**10. The period in which Saw Mill Saw Pit will be established**

**11. Details of Saw Mill to be established**

(a) No. of sawing machine (b) Type of motive force and its horse-power (c) Any other information

**12. Any other activity which is proposed to be carried out in the Saw Mill/Saw Pit.**

**13. Evidence of payment of application fee.**

**14. Evidence of payment of security deposit.**

**15. (a) Whether the applicant was found guilty of any forest offences earlier?**

(b) If yes, particulars of such offences

**16. Whether trial of any forest offence is pending against the applicant, and if yes, the particulars may be mentioned**

Declaration I/We..... hereby declare that I/We have read and understood all the provisions of the Orissa Saw Mills and Saw Pits (Control) Act, 1991 and the rules made thereunder and I/We agree to abide by the same along with the conditions of licence. Dated..... Signature of the applicant  
Form-B[See Rule 3 (2)] Application for Grant of Licence for Operating Existing Saw Mill/Saw Pit

**1. Applicant's name and his father's name in full (in case of company, give name of partners and of persons holding powers of attorney to act on behalf of the company)**

**2. Profession**

**3. Full address**

**4. Details of location of the Saw Mill/Saw Pit (location map and sketch map of Saw Mill/ Saw Pit will also be attached)**

**5. Details of the Saw Mill**

(a) Make and year of sawing machine (b) Horse power of the electrical or Mechanical motor (c) No. of sawing machine (d) Type of motive power (e) Any other information

**6. Monthly capacity of the saw mill/saw pit**

**7. Species of wood that are generally sawn**

**8. Source from where the wood is obtained**

**9. Besides, sawing any other activity which is carried out in the saw mill/saw pit**

**10. Details of any other saw mill/saw pit for which licence has already been obtained or applied for**

**11. Evidence of payment of application fee**

## **12. Evidence of payment of security deposit**

### **13. (a) Whether the applicant was found guilty of any forest offence earlier?**

(b) If yes, the particulars of such offences

### **14. Whether trial of any forest offence is pending against the applicant and if yes, the particulars may be mentioned**

Declaration I/We..... hereby declare that I/We have read and understood all the provisions of the Orissa Saw Mill and Saw Pits (Control) Act, 1991 and the rules made thereunder and I/We agree to abide by the same along with the conditions of licence. Date : Signature of the applicant Form-C [See Rule 4 (1)] The licence for operating the established Saw Mill/Saw Pit establishing and operating a Saw Mill or saw Pit (This form shall also be used for renewing the licence)

### **1. Applicant's name and his father's name in full (In case of company give names of partners and of person holding power).**

### **2. Profession**

### **3. Full address**

### **4. Details of location of Saw Mill/Saw Pit**

### **5. Legal status of the land and title of ownership of the land on which Saw Mill/Saw Pit is established or proposed to be established**

### **6. Details of Saw Mill**

(a) Make and year of sawing machine (b) No. of sawing machine (c) Type of motive force and horse power

### **7. Monthly capacity of the saw mill/saw pit (Approx.)**

### **8. Species of wood that would be generally sawn**

### **9. The period in which Saw Mill/Saw Pit will be established**

## 10. Activity other than sawing which will be carried out in the Saw Mill/Saw Pit

## 11. Period for which the licence is being granted/ renewed.

Note - The conditions under which licence is being granted and the forms in which account shall be maintained has been given to the licensee and the same has been fully explained to him and the signature/thumb impression of the licenses has been obtained as a token of this.

Place..... Signature of Licensing Officer

Date..... Name.....

(Seal of the Office)

Form-D Stock Register of Round 700-D Logs

Permit dates on the strength of Date which the logs were brought to the saw mill/saw pit		Running serial No. assigned to the individual logs by the saw mill	Species	Dimension	Volume
(1)	(2)	(3)	(4)	(5)	(6)
Serial No. of the log fed to the saw mill during the day	Serial No. of the undisposed of wood during the day	Permit details of disposal of the log and removal from the saw mill premises	Serial No. of logs lying in round form undisposed at the end of the day		
(7)	(8)	(9)	(10)		

### 1. Licence is not transferable.

2. The licencees shall maintain the registers in Forms D, E, F and post them up to date at the end of each day by 8 p.m. of the day.

3. The registers shall be produced for inspection and check when demanded by any Forest Officer of and above the rank of Forester. Any such Forest Officer shall have the power to enter into the premises of this Saw Mill or Saw Pit for the purpose of inspection and securing compliance with the condition of the licence and any obstruction given in coming out, the said inspection and non-production of registers shall be deemed to be violation on the conditions of the licence.

4. Monthly consolidated account shall be submitted to Divisional Forest Officer before the 10th of the succeeding month.

- 5. The saw mill or saw pit as well as the timber shall be open for inspection by the Officer mentioned in condition (3) whenever required.**
- 6. The saw mill or saw pit shall be closed at the end of the period prescribed in the licence and the licence shall be returned to the Divisional Forest Officer.**
- 7. The licence shall not undertake sawing of timber belonging to other persons or job work, unless he is satisfied about the bona fides of such timber by examining the connected permits and the marks on the timber.**
- 8. If the bona fides of the timber is suspected, he shall detain it and immediately report the fact to the nearest Forest Officer or Police Officer for taking further action.**
- 9. The timber received from other persons for sawing on job work shall be stacked separately both before and after sawing.**
- 10. For breach of any of the above conditions, the licence is liable to be cancelled and the offender is liable to punishment as provided under Section 14 of the Act.**

Signature of Licensing Officer Form-ESawing and Sawn Timber Account

Date of sawing	Serial No. of the log in the D. Register	Species	Dimensions	Volume	Sawn outturn	Total Vol. of sawn wood obtained on the day			
Size and their volume	Firewood	Species	Vol. of sizes	Firewood					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Balance stock of sawn sizes and firewood lying from the previous day	Disposal and removal from the saw mill during	Balance stock at the end of the day							



theday									
Species	Vol. of sawn wood	Firewood volume	T. P. Details	Species	Sawn sizes vol.	Firewood Vol.	Species	Vol. of sawn	Vol. of firewood
(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)

Form-F Monthwise Abstract of the Receipt and Disposal of Logs and Sawn Wood

Month	Round logs received	Sawing									
Spp.	No. of logs (mention Sl. No. of the logs)	Volume	Spp.	No. of logs (mention Sl. No. of the logs)	Vol. in rounded	Sawn vol. detailed	Firewood detailed (volume)				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)			
Disposal in round		Disposal of sawn/firewood		Balance stock at the close of the month							
Spp.	No. of logs (mention Sl. Nos. of the logs)	Volume	Spp.	Sawn sizes Vol.	Firewood	Round logs	Sawn wood	Firewood			
Spp.	No. of logs (mention Sl. Nos. of the logs)	Vol.	Spp.	Vol.	Vol.						
(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)