

The U.P. Forest Produce Control Order, 1971

UTTAR PRADESH

India

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Rule THE-U-P-FOREST-PRODUCE-CONTROL-ORDER-1971 of 1971

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The U.P. Forest Produce Control Order, 1971Published vide Notification U.P Gazette, (Extraordinary), dated 15.12.1971Whereas the State Government is of opinion that it is necessary and expedient so to do for securing the defence of India and civil defence, the efficient conduct of military operations and the maintenance of supplies and services essential to the community;Now, therefore, in exercise of the powers under sub-rule (2) of Rule 114 of the Defence and Internal Security of India Rules, 1971, the Governor is pleased to make the following Order:

1. Short title, extent and commencement.

(1)This Order may be called the Uttar Pradesh Forest Produce Control Order, 1971.(2)It shall extend to the whole of Uttar Pradesh.(3)It shall come into force at once.

2. Definitions.

- In this Order, unless the context otherwise requires-(a)"Chief Conservator of Forests" includes an Additional Chief Conservator of Forests, and also includes any other officer of the Forest Department authorised by the State Government to perform his functions under clause 4;(b)"Competent authority" means any officer of the Forest Department, not below the rank of Deputy Conservator of Forests, within the limits of his territorial jurisdiction;(c)"Forest produce" means timber (including sawn timber, but not including its products), fire-wood, charcoal, bamboo or grass.

3. Requirement to sell forest produce.

- Any person holding stock of forest produce otherwise than for his own use shall sell the whole or a specified part of such stock of forest produce at the price fixed under clause 4 to such officer of the State Government or the Central Government acting on behalf of the Government as may be

specified in a permit issued in that behalf by the competent authority and addressed to the person holding such stock.

4. Price at which forest produce shall be sold under clause 3.

- Subject to any directions of the State Government, the Chief Conservator of Forests, Uttar Pradesh may, by general or special order, fix the maximum price at which different kinds of forest produce may be sold by any person in pursuance of the provisions of clause 3 and such price shall be based on the estimated cost plus a reasonable margin of profit thereon: Provided that different price may be fixed in respect of different classes of forest produce for different localities in Uttar Pradesh having regard to different circumstances pertaining thereto.

5. Account, information and powers of search and seizure.

- The competent authority may, with a view to carrying out the provisions of this Order-(i) by a general or special order require the proprietor of any forest produce or any other person carrying on the business of sale of forest produce-(a) to maintain such record and furnish such information as may be specified in such order; (b) to produce to such authority as may be specified in such order any books, accounts or other documents relating to the collection, production, sale or disposal of forest produce; (ii) inspect or cause to be inspected any books, accounts or other documents relating to such forest produce of its cost; (iii) enter or search or inspect or authorise any person to enter or search or inspect any premises or place where forest produce is collected or produced, or is in transit and is stored; (iv) seize or authorise any person to seize any forest produce in respect of which he has reason to believe that a contravention of this order has been committed or is likely to be committed or any books, accounts or other documents relating thereto.