

# **Rules to Regulate the Salvage, Collection and Disposal of Drift and other Timbers, 1969**

NAGALAND

India

## **Rules to Regulate the Salvage, Collection and Disposal of Drift and other Timbers, 1969**

### **Rule**

### **RULES-TO-REGULATE-THE-SALVAGE-COLLECTION-AND-DISPOSAL of 1969**

- Published on 1 March 1969
- Commenced on 1 March 1969
- [This is the version of this document from 1 March 1969.]
- [Note: The original publication document is not available and this content could not be verified.]

Rules to Regulate the Salvage, Collection and Disposal of Drift and other Timbers, 1969Published vide Notification No. For-5 (Misc.) 43/67/(7), dated the 1st March, 1969Last Updated 18th February, 2020Notification No. For-V (Misc.) 43/67/(7), dated the 1st March, 1969. - In exercise of the powers conferred by Section 48 of the Nagaland Forest Act, 1968 (Act 3 of 1968), the Governor of Nagaland is pleased to make the following rules to regulate the salvage, collection and disposal of drift and other timbers within the State of Nagaland. These rules shall come into force with immediate effect. These rules shall apply to all areas to which the Nagaland Forest Act, 1968, applies.

#### **1.**

No person shall salvage or collect timber of any of the descriptions mentioned in Section 43 (1) of the Nagaland Forest Act, 1968 except as permitted by the Act or by these rules.

#### **2.**

Any person holding a lease or licence or permit from a Forest Officer empowered to grant the same, for the salvaging and collection of timber falling under any of descriptions mentioned in Section 43 (1) of the Act, shall, subject to the conditions of the grant, be entitled to salvage and collect such timber for the purposes of Section 43 (2) of the Act.

### 3.

No timber salvaged and collected under Section 43 (2) of the Act except such as may be collected under Rule 6, shall be moved to or landed at any place other than such as may be notified under the said Act, as depots for receptions of such timber.

### 4.

The following shall be the rates of fees for salvaging timber :

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| (1) For every raft containing more than five logs.                     | Rs. 5.00   |
| (2) For every log between 5' and 10' in length and 2' or more in girth | Rs. 20.00  |
| (3) For every log in any raft containing not more than five logs       | Re. 1.00   |
| (4) For every log 10' or over in length between 2' and 4' in girth     | Re. 0.50   |
| (5) For every log 10' or over in length and 4' or more in girth        | Re. 1.00   |
| (6) For every raft of bamboos  | 10 per cent on the valuation made by the Divisional Forest Officer, or any other officer authorised by him in this behalf. |

### 5.

When claim to any timber has been admitted the claimant shall take delivery of the timber within 15 days of the notice being received by him that his claim has been admitted and the fee prescribed in the preceding rule together with such sum collecting and moving as may be specified in the notice shall become due from him upon the expiry of the said period or at the time of delivery, whichever is earlier. If the claimant does not take delivery within that period, an additional fee for storage at ten paise per log or raft of bamboos shall become due from him for each day thereafter. If the claimant does not take delivery of the timber within two months of the notice being received by him, any Forest Officer empowered under Section 76 of the Act may sell the timber by public auction for recovery of the amount of fees and other sums due thereon up to the date of the sale and in that case the proceeds of the same shall be disposed of as provided in the said section.

### 6.

The use of unmarked drift timber belonging to the State, except dug-outs, sawn timber and prepared logs, is free to local villages and their sub-tenants who may collect it for their domestic and agricultural and other private purposes (but for purposes of sale, barter or trade), except in the rivers notified from time to time by the State Government in the official Gazette, where the use is

limited to unmarked drift timber measuring less than 5' in length and 2' in girth.

## **7.**

Drift timber and fuel belonging to the State may be collected for sale or trade:(a)Either a permit obtained from the Forest Department for which payments shall be made at the rate of Rs. 6 per annum, or Re. one per mensem, at the option of the applicant such permits not being transferable, but covering the transport and sale by the agent or servant of the permit holder ; or(b)In such localities as shall be notified by the State Government from time to time, on a free permit obtained from the Forest Department, the forest produce collected under such permit to be taken to such place for the assessment of royalty at the rates in force in the unclassified State forests of the district or at such other rates as the State Government may from time to time prescribe, and not to be moved from such place except with the Forest Officer's permission until the royalty has been paid in full:Provided that collection under permit as in (a) shall be allowed in individual cases in notified localities where, in the opinion of the Divisional Forest Officer, the sale of drift wood mere earns a bare livelihood for the person concerned.

## **8.**

All timber found drift, breached, stranded or sunk in any river measuring less than 5 feet in length and 2 feet in girth is hereby exempted from the provision of Section 43 of the Nagaland Forest Act, 1968.

## **9.**

Any person infringing Rules 1,3 and 7 of these rules shall be punishable with imprisonment for a term which may extend to six months or fine which may extend to five hundred rupees or both.