

Tamil Nadu Sandalwood Transit Rules, 1967

TAMILNADU

India

Tamil Nadu Sandalwood Transit Rules, 1967

Act 363 of 1967

- Published on 18 March 1967
- Commenced on 18 March 1967
- [This is the version of this document from 18 March 1967.]
- [Note: The original publication document is not available and this content could not be verified.]

Tamil Nadu Sandalwood Transit Rules, 1967Published vide Notification No. G.O. Ms. No. 1048, Agriculture, dated 18th March 1967 - S.R.O. No. A-363 of 1967Published at pages 335-345 of Part V of the Fort St. George Gazette, dated the 26th April 1967.G.O. Ms. No. 1048, Agriculture, dated 18th March 1967. - In exercise of the powers conferred by sections 35 and 36 of the Tamil Nadu Forest Act, 1882 (Tamil Nadu Act V of 1882) and in supersession of all previous notifications on the subject, the Governor of Tamil Nadu hereby makes the following rules:-

1. Short title and extent.

(1)These rules may be called the Tamil Nadu Sandalwood Transit Rules, 1967.(2)They extend to the whole of the State of Tamil Nadu including the Kanya-kumari district, the Shencottah taluk of Tirunelveli district and the territories specified in the Second Schedule to the Andhra Pradesh and Tamil Nadu (Alteration of Boundaries) Act, 1959 (Central Act 56 of 1959).

2. Definitions.

- In these rules, unless the context other wise requires,-(i)"Checking station" means any station which may be notified, from time to time, by the Collector in the District Gazette as the checking station;(ii)"Form" means a form set forth in Schedule A;(iii)"Sandalwood" includes sandalwood roots, sandalwood billets, sandal-wood dust and sandalwood chips;(iv)"Schedule" means a Schedule to these rules;(v)"State" means the State of Tamil Nadu including the Kanyakumari district, the Shencottah taluk of the Tirunelveli district and the territories specified in the Second Schedule to the Andhra Pradesh and Tamil Nadu (Alteration of Boundaries) Act, 1959 (Central Act 56 of 1959).

3. Condition for import, export and movement.

- No person shall import sandalwood into, or export sandal wood from, or move sandalwood within, any place in the State unless such sandalwood is accompanied either by a permit referred to in Rule

4 or by a way permit referred to in Rule 6 and unless such sandalwood bears the mark of the Government of origin, as provided in Rule 7 of the property mark in respect of such sandalwood which has been duly registered in accordance with Rule 7. Such sandalwood shall also be produced for examination at its destination at the appropriate checking station specified in Schedule A.

4. Form of Permit.

(1) In the case of sandalwood purchased from Government, the permit shall be in Form I and shall be printed. (2) In the case of sandalwood purchased at the Government sales depot in the [State of Andhra Pradesh, Mysore] [Now, renamed as Karnataka.] or Kerala and imported into the State, the permit shall be that issued by the Government of the State of Andhra Pradesh, Mysore or Kerala or any authority in that State responsible for the sale of sandalwood in that State and such permit shall be valid only for transport of sandalwood to the destination specified therein. (3) In the case of imported sandalwood other than that referred to in sub-rule (2), the permit shall be in Form II and shall be printed. The forms of the permit shall, on application be supplied by the District Forest Officer having jurisdiction on payment of price which will be fixed by the Chief Conservator of Forest, from time to time. No form of permit other than that supplied by the District Forest Officer shall be used. (4) In the case of subsequent movement of imported sandalwood and of the transport of all local sandalwood other than that for which Form I is prescribed, a printed permit in Form II shall be used. The forms of the permit shall, on application, be supplied by the District Forest Officer having jurisdiction on payment of the price referred to in sub-rule (3) No form of permit other than that supplied by the District Forest Officer shall be used.

5. Issue of permits.

(1) Permits in Form I shall be in triplicate and shall have all parts filled up by the District Forest Officer or a subordinate duly authorised by him. The District Forest Officer or the subordinate so authorised, as the case may be, shall hand over the original and retain the triplicate as counter-foil for record in office. (2) Permits in Form II shall be in triplicate and shall have all parts filled up by the person disposing of the sandalwood or his authorised agent. The original shall be handed over to the person authorised to remove the sandalwood. The duplicate shall be forwarded by post or by messenger to the District Forest Officer having jurisdiction by the person issuing the permit who shall retain custody of the sandalwood in his store or on his land for purposes of check for a period not exceeding fifteen days from the date of despatch of the duplicate to the District Forest Officer or delivery to him by messenger, as the case may be. The triplicate of the permit shall be retained by the person issuing the permit for not less than six months from the date of issue of the original of the permit and shall be produced for inspection at any time within that period on demand by any Forest Officer not below the rank of Forest Guard. (G. O. Ms. No. 250, Forest and Fisheries, dated the 4th March 1983)

6. Check of permits.

(1) All sandalwood in transit shall be produced for examination at the first checking station in the district between the hours of 6 a.m. and 6 p.m. and if such sandalwood arrives at the first checking

station after 6 p.m., the officer-in-charge of such checking station may detain it till the next day for examination.(2)The officer-in-charge of the checking station shall, after satisfying himself that the sandalwood actually comes from the place and is of the kind stated in the permit of the Government of Andhra Pradesh, Mysore or Kerala or the permit is in Form I or II, as the case may be and is not in excess of the quantity specified therein, retain such permit and give in exchange therefor a way-permit in Form III as hereinafter provided duly noting the vehicle number carrying the sandalwood. If the officer-in-charge of the checking station is not satisfied and refuses to grant the way permit he shall detain the sandalwood and the permit of the [Government of Andhra Pradesh, Mysore] [Now, renamed as Karnataka.] or Kerala or the permit in Form I or II as the case may be and report the case for the orders of the concerned District Forest Officer having jurisdiction, stating clearly the reasons for the action taken.[(2-A) A Vehicle driver with a vehicle carrying sandalwood when he passes through a check post with permit in Form I or Form II shall sign the Register maintained in the check post and similarly furnishing the vehicle number in the said Register.] [Inserted by G.O. Ms. No. 184, Forest and Fisheries dated the 28th February 1986.](3)The quantity of sandalwood under transit shall not be greater than that entered in the permit and, if it is less, the same permit shall not be used again to cover the deficiencies.(4)The way permit in Form III shall be in duplicate, the original shall be given in exchange for the permit of the Government of Andhra Pradesh, Mysore¹ or Kerala or the permit in Form I or II, as the case may be, and the duplicate shall be retained by the Officer-in-charge of the checking station.(5)The way permit shall protect such sandalwood to its destination and shall be produced and endorsed at all subsequent checking stations.(6)The permits referred to in the preceding rules shall, in the case of imported sandalwood and sandalwood for export, be produced with the sandalwood for examination at every checking station mentioned in Schedule A and past which the sandalwood may be taken.(7)Any Revenue Officer not below the rank of Revenue Inspector-in-charge of firka or any Police Officer in uniform not below the rank of Head Constable or any Forest Officer not below the rank of Forest Guard or Tanahdar-in-charge of a checking station mentioned in Schedule A, may stop any vehicle reasonably suspected of carrying sandalwood for checking its contents and the permits referred to in these rules shall be produced when demanded and such vehicle shall not proceed therefrom until permitted to do so by the said officer of the Revenue, Police or Forest Department or the said Tanahdar.Explanation. - In this clause "vehicle" includes lorries, stage carriages, contract carriages, tractors, cars, hand carts, bullock carts, horse drawn carriages such as jutkas, cycle rickshaws and hand-pulled rickshaws.(8)No person shall take any sandalwood off or pass it from any road on which a checking station has been placed with intent to evade the production of the sandalwood at a checking station.(G. O. Ms. No. 250, Forest, dated the 4th March 1983)

7. Use and registration of property marks.

(1)All sandalwood imported from the [State of Andhra Pradesh, Mysore] [Now, renamed as Karnataka.] or Kerala and all Government sandalwood disposed of locally shall bear the mark of the Government of origin in the following manner:-Every piece of sandalwood shall bear its own Government mark and in the case of chips and saw dust carried in bags, the latter shall be closed and the fastening sealed with the above mark.(2)(a)The ownership of all sandalwood grown and moved within any area in the State shall be indicated by a property mark affixed in the manner provided in sub-rule (1).(b)All such property marks shall be registered at a District Forest Office

-(i)in accordance with the provisions of sub-rule (3) if the marks relates to the sandalwood extracted from private lands within the State; and(ii)in accordance with the provisions of sub-rule (4) if the marks relate to sandalwood other than that extracted from private lands within the State.(c)A fee of Rs. 100 shall be charged in respect of registration and Rs. 50 for renewal of registration of property mark of non-wholesales and non-distillers and Rs. 200 for renewal of registration of property mark for wholesale dealers and distillers.(3)(i)Every application for the registration of a property mark in respect of sandalwood to be extracted from private lands within the State shall be accompanied by a Statement in Form IV in which all the particulars therein prescribed shall be furnished to the District Forest Officer concerned and also by six facsimiles of the mark proposed. Form IV may be manuscript and shall be prepared by the applicant.(ii)After the application together with the facsimiles and the statement in Form IV as specified above are received, the District Forest Officer or the subordinate authority authorised by him shall if he is satisfied that the Government have no interest in the trees inspect the trees as soon as possible and with the consent of the owner of the land affix the departmental hammer mark on each tree after blazing it at breast height from ground level and issue written permission for the extraction of the trees and grant a certificate of registration of the property mark in Form V for the transport of the trees to the central place in the nearest village for final cleaning if so desired by the applicant. In cases where the trees are inspected by a subordinate authority the District Forest Officer shall inspect not less than 10 per cent of the trees so inspected:Provided that the District Forest Officer may, by written order, refuse to give permission for the extraction of the trees and to grant the certificate of registration of the property mark, if he has reason to believe that the trees belong to Government or that the applicant has committed fraud in respect of such trees. Against any order passed by the District Forest Officer under this proviso, an appeal shall lie to the Conservator of Forests having jurisdiction. [xxx] [The words 'whose decision shall be final' were omitted by Notification No. SRO A/95, E&F, dated 28th July 1995.] [A revision petition against the order of the Conservator of Forest on the appeal so preferred shall lie to the Government, if preferred within 30 days (thirty)] [Added by Notification No. SRO A/95, E&F, dated 28th July 1995.](iii)Each uprooted tree bearing heart wood shall be cleaned up to its heartwood limit. In so cleaning, the uprooted tree, the departmental hammer mark at breast height shall be left intact and a ring of bark and sapwood 6 centimetres wide surrounding the departmental hammer mark shall be left uncut.(iv)Every tree so uprooted and cleaned shall bear its distinctive serial number which shall be written legibly in tar any where on it if not cut up into pieces, or when the tree has been cut up into billets and roots all parts of such tree so cut up shall each bear, at their cut ends the original serial number assigned to the tree so as to admit of identification and check subsequently by the District Forest Officer or his subordinates.(v)The exact situation of the land when each of the trees containing heart-wood was extracted shall be indicated on the ground by a stout numbered peg which shall be well driven in the pit formed in the process of uprooting the number on the peg being the same as that written on the wood concerned, such pegs shall be retained until such trees as the District Forest Officer or his subordinate checks the sandalwood and verifies the locality of the felling:Provided that in cases where a subordinate authority has checked the pits, at least 25 per cent of the pits so checked shall be checked by the District Forest Officer or a Gazetted Officer authorised by him in his behalf.(vi)The heartwood obtained from each of the trees shall, thereafter, be weighed and the results recorded in the Statement in Form VI indicating in it at the same time the number of root and stem wood pieces obtained from each of such trees with an abstract in the remarks column showing the total number

of trees extracted and cleaned, their total outturn expressed in number of pieces (roots and billets separately) and the aggregate of all pieces in respect of which the registration of property mark is desired. Form VI shall, on application, be supplied by the concerned District Forest Officer having jurisdiction on payment of a fee as fixed by the Government, from time to time. No form other than that supplied by the District Forest Officer shall be used.(vii)After the application for the removal of the sandalwood with the statement in Form VI containing all the particulars therein prescribed is received, the District Forest Officer, or a Gazetted Officer authorized by him in his behalf shall, as soon as possible, inspect and identify the sandalwood by verifying the girth and the departmental hammer mark put on the standing trees and by assembling all the parts of each tree and satisfy himself that the wood is of the same tree that was standing hammer marked and that the details furnished by the applicant in Form VI are correct and without error, and thereafter, mark all the sandalwood with the District pass hammer. Thereafter, the District Forest Officer, shall subject to the provisions of clause (viii) of this sub-rule grant a certificate of registration in Form V with as little delay as possible.(viii)The District Forest Officer or: any subordinate authority authorised by him may require from any person either when presenting a property mark of registration or at any subsequent time information to the source or origin and the quantity of sandalwood period of selling agency routes, depots, destination and such other details regarding his method of felling, trading or working as the District Officer may think necessary. The District Forest Officer may refuse registration and may cancel the registration of the property mark if the information required is not given or if he considers that such property mark cannot easily be distinguished from a Government mark or from a property mark used by other person or if he has reason to believe that the person using the property mark is or has been concerned in any illegal practice with regard to sandalwood or for any other good and sufficient reason in every case be recorded at the time by the District Forest Officer. Any appeal against the District Forest Officer's refusal lies to the Conservator of Forest concerned whose decision shall be final.(4)(a)Every application for the registration of property made in respect of sandalwood other than that extracted from private lands shall be accompanied by fascimiles of the mark proposed.(b)After the receipt of the application, the District Forest Officer or the subordinate authority authorised by him shall check such sandalwood and if the result of checking is satisfactory, the District Forest Officer shall, subject to the provisions of clause (viii) of sub-rule (3), grant a certificate of registration in Form V with as little delay as possible.(c)All sandalwood in respect of which a property mark is registered under this sub-rule shall be marked with the district pass hammer by the District Forest Officer or by the subordinate authority authorised by him to do so.

8. The date upto which and the description and quantity of sandalwood for which registration of property mark, has effect.

- The registration and each renewal of registration or a property mark shall be valid only in respect of the description and quantity of the wood entered in Form V and be in force only from the date of such registration or renewal until the first day of April following unless otherwise stated.

9. Exemption of small quantities of sandalwood carried by a bona fide traveller by ryots for their own use.

- Nothing contained in these rules shall apply to -(a)sandalwood not exceeding 5 kilograms in weight carried by any bona fide traveller or under his authority for his personal use, or(b)sandalwood cut and carried by a ryot for his own personal use from the growing on the patta lands of the said ryots of or any neighbouring ryot from whom title to such sandalwood is derived and provided that he obtains a certificate of title from village munsif and that the quantity cut and carried on each occasion does not exceed 5 kilograms in weight.

10.

The District Forest Officer shall maintain an approved list of companies or persons engaged in the distillation of sandalwood or in the manufacture of any of its bye-products. He may, at his discretion, include the name of any company or person in the said approved list, after giving reasonable opportunity to such company or person. The District Forest Officer may, by written order, exempt any company or person whose name is included in the approved list from the provisions of sub-rule (2) in so far as it relates to the retention of sandalwood in custody for purpose of check and from provisions of clause (b) and (c) of sub-rule (4) of rule (7) and may cancel any such order.

11.

[Deleted by G. O. Ms. No. 639, Forests and Fishers, dated the 25th May 1983.]

A

(Referred to in rule 3)

1. All Police Stations and Police Out-posts.

2. Offices of the Forest Range Officers.

3. Offices of District Forest Officers.

4. Headquarters of Foresters; and

5. Tanahs or Forest Checking Stations in the State of Tamil Nadu.

Schedule 2

Form I(Referred to in rule 4)

Counterfoil to be retained by the Issuing Officer	Duplicate to be sent to the Officer in-charge of forest	Permit for the export of sandalwood from transport Government lands depots
Form 1 (Referred to in rule 4)	Form 1 (Referred to in rule 4)	Form 1 (Referred to in rule 4)
Permit No.	Permit No.	Permit No.
1. Name and residence of the person to whom the permit is granted.	1. Name and residence of the person to whom the permit is granted.	1. Name and residence of the person to whom the permit is granted.
2. Quantity	2. Quantity	2. Quantity
3. Description of sandalwood	3. Description of sandalwood	3. Description of sandalwood
4. Fees paid, if any	4. Fees paid, if any	4. Fees paid, if any
5. Marks, if any, on the sandalwood	5. Marks, if any, on the sandalwood	5. Marks, if any, on the sandalwood
6. From what forest or depot removed.	6. From what forest or depot removed.	6. From what forest or depot removed.
7. To what place removed	7. To what place removed	7. To what place removed
8. Route	8. Route	8. Route
9. Time allowed	9. Time allowed	9. Time allowed
10. Remarks	10. Remarks	10. Remarks
	Camp:	
	Date:	
Signature of the Issuing Officer.	Signature of the Issuing Officer.	Signature of the Issuing Officer.
Designation.	Designation.	Designation.
(Reverse)(To be filled in by the Tanahdar)Date and number of way-permit		
Date	Number	Quantity
(1)	(2)	(3)

Date: Signature of Tanahdar

Form II (Referred to in rule 4)	Form II (Referred to in rule 4)	Form II (Referred to in rule 4)
(Counterfoil to be retained by the Person Issuing the pass)	(Duplicate to be sent to the District Forest Officer)	(Permit for the import/export/transport of sandalwood from private, lands or foreign territory)
Permit No.	Permit No.	Permit No.

1. Name and residence of the person to whom the permit is granted.	1. Name and residence of the person to whom the permit is granted.	1. Name and residence of the person to whom the permit is granted.
2. Quantity	2. Quantity	2. Quantity
3. Description of sandalwood	3. Description of sandalwood	3. Description of sandalwood
4. Marks, if any, on the sandalwood	4. Marks, if any, on the sandalwood	4. Marks, if any, on the sandalwood
5. Whence obtained	5. Whence obtained	5. Whence obtained
6. To what place removed	6. To what place removed	6. To what place removed
7. Route	7. Route	7. Route
8. Time allowed	8. Time allowed	8. Time allowed
9. Remarks.	9. Remarks.	9. Remarks.
Date:	Date:	Date:
Station:	Station:	Station:
Signature of the person granting the permit.	Signature of the person granting the permit.	Signature of the person granting the permit.
Note.- The time to be entered in column 8 should not exceed the period calculated at 25 kilometres per day except with the special permission of the District Forest Officer.	Note.- The time to be entered in column 8 should not exceed the period calculated at 25 kilometres per day except with the special permission of the District Forest Officer.	Note.- The time to be entered in column 8 should not exceed the period calculated at 25 kilometres per day except with the special permission of the District Forest Officer.
(Reverse)(To be filled in by the Tanahdar) Date and number of way-permit		
Date	Number	Quantity
(1)	(2)	(3)

Date: Signature of Tanahdar

Counterfoil to be retained by the issuing Officer in duplicate diglot

Form III (Referred to in rule 6) Way Permit

Form III (Referred to in rule 6) Way Permit

Permit for the transport of sandalwood from checking station brought on permit No dated 20.

No.

No.

Permit for the

Quantity

Description Marks Route to be

Time

Remarks

transport of
sandalwood
from checking station
brought on permit No
dated 20

followed within allowed
the
scheduled area

1 2 3 4 5 6

1. Quantity
2. Description
3. Marks
4. Route to be followed
within the
Scheduled area
5. Time allowed

Station

Station

Date: Signature of
Tanahdar

Date: Signature of
Tanahdar

Note.- This way permit
is granted, subject to
the rules under section
35 of the Tamil Nadu
Forest Act, 1882 (Tamil
Nadu Act V of 1882),
and must be produced
on demand by any
Revenue Officer not
below the rank of
Revenue Inspector in
charge of a Firka,
Forest Officer not
below the rank of a
Forester and Tanahdar
wherever there is a
Tanahdar and Police
Officer not below the
rank of Head
Constable.

Note.- This way
permit is
granted subject to
the rules under
section 35 of the
Tamil Nadu
Forest Act, 1882
(Tamil Nadu Act V
of 1882). and must
be produced
on demand by any
Revenue Officer not
below the rank of
Revenue Inspector
in charge of a Firka,
Forest Officer not
below the rank of a
Forester and
Tanahdar wherever
there is a Tanahdar
and Police Officer
no; below the rank
of Head Constable.

Form IV (Referred to in rule 7) List of sandalwood trees proposed to be extracted from private land of village

Remarks

Survey Field number	Date of assignment	Name of owner	Serial number of tree	Girth in inches over bark at breast height aboveground level	Anticipated height in feet of bole containing heartwood
1	2	3	4	5	6
					7

Counterfoil to be retained by the Issuing Officer in duplicate diglot

Form V (Referred to in rule 7)	Form V (Referred to in rule 7)				
Certificate of Registration	Certificate of Registration				
	Name of person registering	Description of device or property mark	Description and quantity of sandalwood registered	Date of registration or renewal	Remarks
	1	2	3	4	5

1. Name of person registering

2. Description of device or property mark

3. Description and quantity of sandalwood registered

4. Date of registration of renewal

5. Remarks

Certified that, residing at has registered/renewed the above device or property mark for the official year/up to 20 ending 31st March 20....

Certified that, residing at has registered/renewed the above device or property mark for the official year/up to 20, ending 31st March 20.

District Forest Officer,

District Forest Officer

Form VI (Referred to in rule 7) List of sandalwood trees, uprooted, cleaned and weighted which are awaiting removal from the limits of survey fields No of village in the taluk,..... district, to

depot situated in village.

Period of felling	Serial number of tree uprooted	Girth of tree over bark at breast height in inches	Description and number of pieces obtained Number of pieces	Outturn of scented wood from reach tree	Remarks
Rootwood	Stem and branch wood	Kg.	grams		
1	2				
1	2	3	4	5	6