

The U.P. Transit of Timber and Other Forest Produce Rules, 1978

UTTAR PRADESH

India

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Rule

THE-U-P-TRANSIT-OF-TIMBER-AND-OTHER-FOREST-PRODUCE-RUL of 1978

- Published on 27 September 1978
- Commenced on 27 September 1978
- [This is the version of this document from 27 September 1978.]
- [Note: The original publication document is not available and this content could not be verified.]

The U.P. Transit of Timber and Other Forest Produce Rules, 1978Published vide Notification No. 2108/14-3-95-74, dated September 27, 1978, published in U.P. Gazette (Extraordinary), dated 27th September, 1978, pp. 11-20In exercise of the powers under Sections 41, 42, 51 and 76 of the Indian Forest Act, 1927 (Act No. XVI of 1927), and in supersession of Government notification No. 672/XIV-42, dated 30th September, 1915, and all other orders and notification on the subject, the Governor is pleased to make the following rules to regulate the transit of timber and other forest produce, namely :

1. Short title, extent and commencement.

(1)These Rules may be called the Uttar Pradesh Transit of Timber and Other Forest Produce Rules, 1978.(2)They shall extend to the whole of Uttar Pradesh.(3)They shall come into force with effect from the date of their publication in the Gazette.

2. Definition.

- In these Rules 'Act' means the Indian Forest Act, 1927.Chapt-HEADNOTE- er ITransit of Timber and Other Forest Produce by Land

3. Regulation of transit of forest produce by means of passes.

- No forest produce shall be moved into, or from, or within, the State of Uttar Pradesh except as hereinafter provided, without a transit pass in the form in Schedule A to these Rules, from an officer of the Forest Department or a person duly authorised by or under these Rules to issue such pass or otherwise than in accordance with the conditions of such pass or by any route or to any destination other than the route or destination specified in such pass :Provided that no transit pass shall be required for the removal-(a)of any forest produce which is being removed for bona fide consumption by any person in exercise of a privilege granted in this behalf by the 'State Government' or of a right recognised under this Act, within the limits of a village in which it is produced;(b)of forest produce by contractor's agency from the forests managed by the Forest Department, in which case the movement shall be regulated by the relevant conditions of sale and terms of the corresponding agreement deed executed by the buyer;(c)of such forest produce as may be exempted by the State Government from the operation of these rules by notification in the official Gazette.

4. Officers and persons to issue passes.

(1)The following officers and persons shall have power to issue passes under these Rules-(a)for forest produce belonging to Government or not owned by any other person, the Conservator of Forest, the Divisional Forest Officer, the Sub-Divisional Forest Officer or any other officer authorised in this behalf in writing by the Conservator of Forest or the Divisional Forest Officer;(b)for forest produce owned by any other person within a periphery of 80 kilometers of any reserved forest in respect of the species of trees exempted, from time to time, by Government under Section 21 of the Uttar Pradesh Production of Trees in Rural and Hill Areas Act, 1976 (U. P. Act No. 45 of 1976) and for other species of trees owned by any person anywhere in Uttar Pradesh, such person or his agent if so authorised in writing by the Divisional Forest Officer :(i)provided that any person who desires to obtain a transit pass or authorisation to issue passes under clause (b) of sub-rule (1) above shall apply in the form in Schedule 'B' and the Divisional Forest Officer may, before issuing the transit pass or authorisation to issue such passes, conduct such inquiry and call for such information as he considers necessary;(ii)such transit pass or authorisation shall specify the period during which it shall remain in force, and shall also specify the route to be adopted and Check Chawki or depot to forest nursery through which the produce must pass, and shall be issued after taking prescribed transit fees; and(iii)any transit pass or authorisation may at any time be modified (on request or otherwise) or cancelled by the Divisional Forest Officer or Conservator of Forests.(c)(i)For forest produce owned by any other person outside the periphery of 80 kilometers of a reserved forest in respect of the species of tree exempted, from time to time by Government under Section 21 of the Uttar Pradesh Protection of Trees in Rural and Hill Areas Act, 1976 (U. P. Act No. 45 of 1976) such person or his agent if so authorised by an order in writing by the Divisional Forest Officer or the Block Development Officer having jurisdiction over the area after verifying that the trees are of the exempted species :Provided that any person who desires to obtain a transit pass or authorisation to issue passes under clause (c) of sub-rule (1), shall furnish to the Divisional Forest Officer or the Block Development Officer concerned an affidavit giving the following particulars-(a)the quantity of such forest produce;(b)the name and the address of the owner;(c)the

holding with the Khasara/Khatauni numbers from which the produce has been obtained and that the holding is located outside the periphery of 1 Kilometre of a reserved forest;(d)the number and the species of trees; and(e)the place to which the produce is to be taken.(ii)The transit pass or authorisation shall be issued by the Range Officer/Deputy Range Officer on the basis of the order of the Divisional Forest Officer/Block Development Officer after taking prescribed transit fees;(iii)Such transit pass or authorisation shall specify the period during which it shall remain in force and shall also specify the route to be adopted and Check Chowki or depot or forest nursery through which the produce must pass.(2)The Officer competent to pass order for the issue of a transit pass or authorisation may refuse to pass such order for reasons to be recorded in writing.(3)Appeal against the order passed by the Block Development Officer shall lie to the Conservator of Forests and in case of orders passed by any other officer to the next higher authority (Conservator of Forest in case the order has been passed by the Divisional Forest Officer, and Additional Chief Conservator of Forests in case the order has been passed by the Conservator of Forest) and its decision shall be final.

5. Fees payable for different classes of passes.

- At the Check Chowki or depot established under Rule 15 and specified under proviso (ii) to clause (b) of sub-rule (1) of Rule 4, the forest produce alongwith the two copies of the pass (duplicate and triplicate) shall be produced for examination under sub-rule (4) of Rule 6 and for payment of transit fee on the forest produce calculated at the following rates; corresponding receipt shall be granted in the form given in Schedule 'C'-

- | | |
|--|------------------------------------|
| (i) per lorry load of timber or other forest produce | .. Rs. 5.00 per tonne of capacity. |
| (ii) per cart load of timber or other forest produce | .. Rs. 2.50 |
| (iii) per camel load of timber or other forest produce | .. Rs. 1.25 |
| (iv) per pony load of timber or other forest produce | .. Re. 0.50 |
| (v) per head load of timber or other forest produce | .. Re. 0.25 |

Note. - In respect of resin and resin products, the provisions of the Uttar Pradesh Resin and Other Forest Produce (Regulation of Trade) Act, 1976 and the rules framed thereunder, shall apply.

6. Passes what to contain.

(1)Every transit pass shall be in the form given in Schedule 'A'.(2)The colour and size of each pass and the price to be paid in respect of each book or transit passes will be such as may be prescribed by the Chief Conservator of Forests.(3)(i)Such pass shall be in Hindi in Devanagiri Script or Urdu.(ii)Transit passes shall be in triplicate and bound in books which shall be obtainable from the Divisional Forest Officer. Each book shall bear an identifying number and the passes in each book shall be numbered serially.(4)First copy of the triplicate forms of pass shall form the counterfoil and second and third parts shall be given to the person incharge of the produce transit and shall be produced whenever required by any checking officer. The third part shall be collected by the Forest Officer checking the forest produce who will initial the second part and mention thereon that the third part has been received by him.

7. Separate passes for each load.

- No transit pass shall ordinarily cover more than one load, whether such load be carried by a person, an animal or in vehicle. But the Divisional Forest Officer may, whenever he deems fit, order that one pass may cover any number of headloads or animal loads not exceeding 50 and any number of cart loads not exceeding 10, for journeys not exceeding 25 kilometers from and to the same places and undertaken at one and the same time.

8. Passes not to be tampered with.

- No alteration shall be made in anything printed or written on any transit pass, except in the matter of route and period and this may only be done by a Forest Officer not below the rank of a Forester for sufficient reasons to be mentioned in the pass.

9. Books of blank passes to be supplied to persons authorised to issue them.

(1)When the Divisional Forest Officer authorises any person or the agent of any person under clause (b) of sub-rule (1) of Rule 4 to issue transit passes, he shall furnish such person from time to time, with authenticated books of blank passes.(2)The said person to whom such book is supplied shall pay the price, if any, fixed under sub-rule (2) of Rule 6. In addition to the price, a security of Rs. 50 will also be deposited to ensure proper utilisation of the pass.(3)No person who has been authorised to issue passes shall issue transit passes otherwise than in accordance with the conditions of his authorisation.(4)No such person shall charge any fee for any transit passes issued.

10. Counterfoils of used transit passes to be returned.

- The counterfoils of all used transit passes shall be returned to the officer from whom the book of passes was received. Failure to do this may result in forfeiture of security deposited under sub-rule (2) of Rule 9. No fresh pass and no pass-book shall be supplied until the counterfoils of all passes previously used have been so returned or fresh security deposited in the event of failure to return the counterfoil.

11. Counterfoils to be produced for inspection on demand.

- Any person or the agent of such person who has been authorised to issue transit passes under clause (b) of sub-rule (1) of Rule 4 shall be bound, if called upon by any forest officer not below the rank of a Forester, to produce for the inspection or to return the counterfoils of all passes which have been issued by such person or agent.

12. Procedure on cancellation or expiry of authority to issue passes.

- In the event of any authority given under clause (b) of sub-rule (1) of Rule 4 being at any time cancelled under the said clauses or on the expiry of the period specified in such authority, the

person whose authority is so cancelled or the person the period of whose authority has so expired, as the case may be, shall forthwith return to the officer, who granted the authority, every unused book of transit passes and the unused portion of any such book in his possession, together with the counterfoils of used passes, if any, which he has not already returned; and thereupon the said person shall be entitled to receive a refund of the amount paid by him in respect of every such unused book of transit passes, but no refund shall be allowed in respect of any partly used book.

13. Transit passes issued by private persons when invalid.

- No transit pass issued by any person or by the agent of any person authorised under clause (b) of sub-rule (1) of Rule 4 of issue transit passes shall be valid-(a)if such pass is not prepared in the form supplied for this purpose under sub-rule (1) of Rule 9; or(b)if the pass is issued after receipt by such person of an order cancelling the authority to issue such passes; or(c)if the pass is issued by such person after the expiry of the period specified in the authority given for the issue of such passes.

14. Property and transit marks to be affixed to timber.

- Except when it is the property of Government, all timber brought at the specified Check Chowki or depot shall be examined and imprinted with a Government hammer mark (the facsimile of which shall be imprinted on the connected pass) the design of such a hammer mark shall, from time to time, be prescribed by the Conservator of Forests or the Divisional Forest Officer. In addition, if the Conservator of Forests or the Divisional Forest Officer so directs, a distinguishable private property mark of the owner of such timber of the description which has been registered in the Office of the Conservator of Forests of the circle or the Divisional Forest Officer, shall also be affixed.

15. Depots and their purposes.

- The Conservator of Forests may establish at such places as he shall deem fit, depots to which forest produce shall be taken-(a)for initial examination or subsequent checking regarding bona fide removal of forest produce; or(b)for determining the amount of money payable on account thereof to the State Government, and for the payment of any money so found to be due; or(c)in order that any mark required by law or by these Rules to be affixed thereto may be so affixed.

16. Situation of Depots to be published.

- The Conservator of Forests shall make known from time to time by notification in the Official Gazette, and locally in such manner as he deems fit, the name and situation of such depots in his circle.

17. Depots to be in charge of an officer.

- Each depot shall be in charge of an officer appointed by or under the orders of Conservator of Forests, or the Divisional Forest Officer. No forest produce shall be stored at or removed from the

depot without permission of the officer-in-charge of the depot.

18. Registration of property marks.

(1) Any person may apply to the Divisional Forest Officer to have property mark to be attached to timber belonging to him, registered in the Office of the Divisional Forest Officer of the Division from which it is sought to transport his timber under these Rules. (2) Every property mark shall consist of a device to be approved by the Divisional Forest Officer for his Division, provided that no person shall be allowed to register a mark identical with, or liable to be mistaken for one already registered by another person or used by the State Government. In case of dispute as to whether the marks proposed for registration has or has not too close in resemblance with any other previously registered property mark, the decision of the Conservator of Forests shall be final. (3) Registration fee [Section 41(2)(i)]. - A fee of ten rupees shall be chargeable for each registration. A receipt shall be given in respect of the payment of the fee in the form given in Schedule 'C'. (4) A certificate of registration showing the device shall be given by the Divisional Forest Officer to each person registering his mark. The registration shall remain valid up to September 30 next following.

19. Forest produce to be removed by day light.

- Except with the special permission of the Divisional Forest Officer in writing, no forest produce shall be transported between the hours of sunset and sunrise. Fee at double the rates prescribed in Rule 5 shall be charged for the transport so permitted.

20. Foreign pass.

- All forest produce imported into the State of Uttar Pradesh will have to follow the rules made by the Union Government under Section 40-A of the Indian Forest Act, 1927 (Act No. XVI of 1927) in addition to the rules and shall be covered by a foreign pass registered under Rule 2 and in the case of timber, by a foreign property mark registered under Rule 23.

21. Form etc. of foreign passes must be registered in Conservator's Office.

- Every foreign pass must be in a form which has been registered in the Office of the Conservator of Forests of the Circle into which it is sought to import forest produce thereunder and must be signed by an official whose designation is registered in the office of the said Conservator, and every foreign property mark must be of a description which has been registered under Rule 23 in the said office. At the time of applying for Registration of the foreign pass in the office of the Conservator of Forest of the Circle concerned, a declaration will have to be submitted duly verified by the competent authority concerned that there is no objection to the exporting of the desired forest produce to the State of Uttar Pradesh and custom excise duty or other duties, if any, leviable have been paid by the party concerned to the competent authority : Provided that at the request of the neighbouring State Governments passes signed by the contractors or their authorised agents whose signatures have been duly registered in the office of the Divisional Forest Officer in whose division forest produce is

taken, may be allowed :Provided further that the passes used by such contractors or their authorised agents should bear an official stamp of the officer who has been authorised by the State Government to issue books of passes to contractors.

22. Imported forest produce may be transported to first depot without a pass under Rule 4.

- Any forest produce imported into the State of Uttar Pradesh may be transported within the limits of the State of Uttar Pradesh up to the nearest first depot established under Rule 15, without a pass issued under Rule 4, if it is covered by a foreign pass registered under Rule 21 and if stacked or deposited in any place between such limits and such depot, the foreign pass covering the material shall at once be delivered at that depot.

23. Registration of forms of foreign passes or foreign property marks.

- The Conservator of Forests shall upon receipt of an application for registration of any foreign form or mark for the purpose of Rule 21 enquire into the authenticity of the same and, if he has no objection, shall on payment of Rs. 100 by the applicant register such form or mark in his office. Every such registration shall hold good from the date of registration till the 31st December of the year following the year of registration except in the case of forms and marks of foreign Governments, the registration of which shall hold good till they are modified or repealed by new forms or marks.

24. Government marks not to be imitated or effaced.

- No person other than a Forest Officer whose duty it is to use such marks shall use any property marks for timber identical with, or nearly resembling any Government transit mark or any mark with which timber belonging to Government is marked and no person shall, while any timber is in transit under a pass issued by any person or by the agent of any person authorised in this behalf under clause (b) of sub-rule (1) of Rule 4, alter or efface any mark on the same.

25. Forest produce in transit may be stopped and examined by certain officers.

(1)Any forest produce in transit to which these Rules apply and any person, animal, vehicle, vessel or craft carrying such forest produce, may be stopped, detained, examined and checked at any place by any forest, police or revenue officer of the State Government not below the rank of Forest Guard, Sub-Inspector of Police or Kanoongo, as the case may be, if such officer shall have reasonable grounds for suspecting that any money which is due to Government in respect thereof has not been paid or that any forest offence has been or is being committed in respect thereof :Provided that no such officer shall vexatiously or unnecessarily detain any forest produce which is lawfully in transit, not vexatiously or unnecessarily unload any such forest produce or cause the same to be unloaded, for the purpose of examination.(2)The person-in-charge of such forest produce shall furnish to any

such officer all the informations required by him in connection with the forest produce and he is transporting the same under a transit pass, shall produce such pass on demand for the inspection of such officer and shall not in any way prevent or resist the stoppage or examination of the said forest produce by such officer.

26. Prohibiting conversion of timber.

- Within the limits of any reserved, protected or unclassed forest under the charge of the Forest Department, and-(i)within sixteen kilometres of such limits, no person shall establish a saw-pit for the cutting, converting or fashioning of timber or manufacture of charcoal, without the previous sanction in writing of a Forest Officer not lower in rank than a Range Forest Officer; and.(ii)within eighty kilometres of such limits no person shall erect any machinery or other plant for the cutting, converting and fashioning of timber without the pervious sanction in writing of a Forest Officer not lower in rank than a Divisional Forest Officer, who may, while granting such permission impose suitable conditions for safeguarding Government interest;(iii)in case of machinery or other plants already established within the description and limits prescribed under clause (ii) the owners shall have to obtain sanction in writing of a Forest Officer not lower in rank than a Divisional Forest Officer, who may, while granting permission, impose suitable conditions safeguarding Government interest.Explanation. - This Rule does not apply to the ordinary operations of domestic carpentry or to other similar work on small scale.

27. Local areas to which the rules are not applicable to be published.

- The State Government may, by notification in the Official Gazette, exempt, from the operation of these Rules any local area specified in such notification.

28. Penalties for breach of rules.

(1)Whosoever contravenes any of the provisions of these Rules shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees or with both.(2)In cases where the offence is committed after sunset and before sunrise, or after making preparation for resistance to lawful authority or where the offender has been previously convicted of a like offence, the penalty to be imposed shall be double of those mentioned in sub-rule (1).

Chapter II

Transit of Timber and other Forest Produce by Water

29. Restriction on rafting and conveying timber without pass [Section 41 (2) (b), 41 (2) (c)].

(1)No person shall raft or otherwise convey any timber on any river without first obtaining a transit

pass from the Forest Officer Incharge of the Forest Division in which the river is situated, or from such subordinate officer as the office-in-charge of the Forest Division may authorise in that behalf. No person shall be entitled to raft or convey timber by virtue of a pass which he does not himself hold but which is or is stated to be in the name of some other person.(2)The transit pass referred to in sub-rule (1) shall be in Hindi in Devanagri Script or Urdu and shall be in the form in Schedule 'A' to these rules, and legibly signed and stamped by the Forest Officer.

30. Prohibition on issuing passes [Section 41 (2) (b)].

- No pass shall be issued for any unmarked timber or for such timber, as bears a mark not registered as hereinafter provided.

31. Levy of fees [Section 41 (2) (c)].

(1)A fee at the following rates for each log or piece of timber may be levied for issue of the pass, on such rivers and at such places as a Conservator of Forests may from time to time direct to raft or convey timber :

Length of timber or log in metre	Fee per log or per piece
Up to 1 metre	50 Paise
Over 1 metre and up to 2 metres	Re. 1.00
Over 2 metres and up to 3 metres	Rs. 1.50
Over 3 metres	Rs. 2.00

(2)A receipt in the form in Schedule 'C' to these Rules, shall be given in respect of the payment of the fee.

32. Restriction on collecting of timber, etc. [Section 41 (2) (b) and 41 (2) (d)].

- No person having launched his timber or set it afloat on any river shall collect the same except-(a)with the permission, in writing, of a Forest Officer Incharge of the Forest Division to which the control of the river pertains;(b)at places which such officer shall notify as collecting depots.

33. Powers of inspection [Section 41 (2) (c)].

(1)Any Forest Officer/ Official, not below the rank of a forest guard or any police officer, not below the rank of Sub-Inspector, may require any person rafting or conveying/timber, as aforesaid, to produce the transit pass for inspection at any time(2)In the event of the pass being not produced or

the pass being not in respect of the timber being rafted or conveyed, the said Forest Officer/Official or the said Police Officer shall detain the timber and report the case to the Divisional Forest Officer.

34. Depositing timber on river's edge prohibited.

- No person shall be permitted to deposit any timber, without a pass, so close to the water's edge as to endanger its being carried away, by a rise in the river before the pass is issued.

35. Registration of marks [Section 41 (2) (i)].

(1)All persons, wishing to float or otherwise convey timber by any river shall register, at the Office of the Forest Division to which the control of the river pertains, the mark or marks which indicate their proprietary right in regard to such timber.(2)No person shall be allowed to register a mark already registered in favour of another person or any mark used by the Government.(3)The Forest Officer may refuse the registration of any mark which, in his opinion, so closely resembles a mark used by the Government or a Mark already registered in favour of any other person that there is an apprehension of its being easily altered into such Government or a registered mark.

36. Fees for registration of marks [Section 41 (2) (i)].

(1)A registration fee of rupees fifty shall be payable for the registration of each mark.(2)A receipt in the form in Schedule 'C' to these Rules shall be granted in respect of the payment of the fee.

37. Period of validity of registration marks [Section 41 (2) (i)].

- Every registration of marks under Rule 6 shall be valid for a period of three years following the first day of January next after the date of registration.

38. Registration Certificate.

- A certificate, with regard to the registration of mark, specifying the mark registered, the date of registration and the period for which it shall remain valid, shall be issued by the registering officer.

39. Prohibition of certain acts in declared areas [Section 41 (2) (h)].

(1)Except with the permission, in writing, of the Forest Officer, the moving, converting, cutting, burning, concealing or marking of timber, the altering, or effecting of any marks on the same, and the possessing or carrying of marking hammers or other implements used for the marking of timber within the limits of any area so declared under Section 45, shall be prohibited.(2)The permission referred to in sub-rule (1), if granted, shall specify the place at which it is to take effect, and may contain other conditions regarding the previous inspection of timber or otherwise, as the case may be.

40. Penalties [Section 42].

(1) Any person, who contravenes the provisions of the rules contained in this Chapter, shall be liable to imprisonment for either description for a term which may extend to one year or to a fine which may extend to one thousand rupees or both. (2) In the case of a second, or subsequent offence or in a case where the offence is committed after sunset and before sunrise, or after making preparation for resistance to lawful authority, the penalties which are double of these mentioned in sub-rule (1) may be inflicted.

Chapter III

Collection of Drift and Stranded Timber

41. Declaration of areas [Section 45].

- The areas for the purpose of Section 45 of the Indian Forest Act, 1927 shall be as follows : (1) The whole of Jaunsar-Bawar Pargana. (2) The Yamuna and its tributaries in Indian territory within the limits of the Meerut Civil Division including an area within a direct distance of 8 kilometres from either bank of the main stream of the Yamuna taking that stream at its cold season level. (3) The Ganga and its tributaries in Indian territory above Garhmuketshwar in the Meerut District, including an area within a direct distance of 8 kilometres from either bank of the main stream of the Ganga River, taking that stream at its cold season level. (4) The Ramganga and its tributaries in Indian territory above the road from Nagina to Afzalgarh, including an area within a direct distance of 8 kilometres from either bank of the main stream of the Ramganga River, taking that stream at its cold season level. (5) The Sarda (Kali) and its tributaries in Indian territory above the Railway bridge at Bahramghat including an area within a direct distance of 8 kilometres from either bank of the main stream of the Sarda (Kali) River, taking the stream at its cold season level. (6) The Gandak and its tributaries in Indian territories within the limits of the Gorakhpur District including an area within a direct distance of 5 kilometres from either bank of the main stream of the Gandak River, taking this stream at its cold season level.

42. Restriction on salving, etc. [Sections 45 (2) and 51].

- No person shall, unless specially authorised in writing by the Forest Officer to whom the control of the river pertains, save or collect wood or timber of any description, other than unmarked, unfashioned piece not exceeding 180 centimetres in length, and 60 centimetres in girth within the areas above declared under Rule 41 of these Rules.

43. Permission to save and collect timber marked with registered marks [Sections 45 (2) and 51].

(1) The Forest Officer may grant permission in writing, to the owner or owners of all timber bearing marks registered under Section 41 of the Indian Forest Act, 1927 and in accordance with these

Rules, which, owing to floods or other causes, is a drift or stranded, to salve or collect such timber or the Forest Officer himself collects it or he may enter into contract with a third party to salve and collect the same at certain place or places at rates to be agreed upon between him and that party.(2)The timber so collected, by the Forest Officer or by a person authorised by him under these Rules shall be handed over to the owner or owners on payment of such dues as may be fixed from time to time by the Forest Officer.

44. Permission to salve and collect timber marked with unregistered mark [Sections 45 (2) and 51].

- Timber, bearing marks, which have not been registered under these Rules or on which the marks have been obliterated, altered or defaced by fire or otherwise and fashioned timber bearing no marks, may be salved and collected by the Forest Officer or by a person authorised by him in writing in this behalf.

45. Condition of delivery of timber to the owner [Sections 45 (2) and 51].

(1)No such timber shall be delivered to any claimant, recognised as owner under Section 47 of the Indian Forest Act, 1927 until he has paid to the Forest Officer, a sum not exceeding 25 per cent of its value as may be adjudged by that officer, together with such other expenses as may have been incurred in salving the said timber.(2)If the recognised owner fails to make these payments within 10 days of his receiving intimation from the Forest Officer, the property salved shall be dealt with as unclaimed timber.(3)All timber salved under these Rules, which may become vested in the Government, may be, disposed of to the best advantage of the Government after two months from the expiry of the period fixed for the disposal of claims under Section 46 of the said Act.

46. Power to sell unfashioned wood or timber [Section 51 (1) (a)].

- All unfashioned wood or timber, bearing no marks may be sold at any time by the Forest Officer at the place where it lies stranded or right to collect or dispose such timber may be leased by him, when in his opinion, it is not sufficiently valuable, to be brought to a depot.

47. Marking of sold timber [Section 52 (1) (a)].

(1)All wood or timber, when sold by the Forest Department under Rule 46, shall be marked with the departmental sale mark.(2)All wood or timber when relinquished under Rule 45 (1), shall be marked with suitable distinguishing mark. For removal of any wood or timber from the areas declared under Rule 41, a printed and numbered pass specifying the number of pieces and kinds of wood and timber and the amount realised from the purchaser or claimant, must be obtained from the official appointed by the Divisional Forest Officer in this behalf.

48. Penalties under this Chapter [Section 51 (2)].

- Any person who contravenes any of the provisions contained in this Chapter shall be liable to be punished with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

49. Repeal and savings.

- On coming into force of these Rules, all rules, corresponding to them in force in any region of the State of Uttar Pradesh immediately before the commencement of these Rules shall stand repealed :Provided that anything done or any action taken under any of the rule so repealed shall, unless such thing or action is inconsistent with any of the provisions of these Rules, be deemed to have been done or taken under the corresponding provisions of these Rules.

'A'

Form[See Rule 3]Counterfoil

Book No.	Transit pass	Page No.
1	2	3
1.	Locality of origin :	
	(a) Name and situation of forest	
	(b) Name of forest owner	
2.	Name and address of owner of forest produce	
3.	Description of produce and quantity	
4.	Property marks, etc.	
5.	Name of village/town to which the produce is to be transported	
6.	Route by which produce is to be transported	
7.	Depot/depos at which forest produce will be produced for check	
8.	Date of expiry of pass	
9.	Any other particulars	
10.	Signature and seal of issuing officer and date	
11.	Signature of checking officer	

'B'

Application Form

1. Name

2. Father's name

3. Full address

4. Details of land from which the produce is to be brought, Give acreage. If from a holding, give Khasra Nos. and enclose relevant extracts of Khasra and Khatauni.

5. Details of trees of which the produce is proposed to be brought.

Species	Number of trees' diameter class-wise (diameter at breast height)			
0-10 cms.	10-20 cms.	20-30 cms.	30-40 cms.	40-50 cms.

6. Details of permission to fell and remove the trees including permission, if any, required under the Uttar Pradesh Protection of Trees in Rural and Hill Areas Act, 1976 (U. P. Act No. 45 of 1976)

7. Distinction where the produce is proposed to be taken.

Signature of the applicant. Date

'C'

Receipt Form Forest Department, Circle, Uttar Pradesh, Book No Receipt No Forest Division 19. Received from the sum of Rupees on account of Date 197 Forest Officer. Notification Notification No. 2530IXIV-2-97-377-76, T.C., dated August 14, 1997, published in the U. P. Gazette, Extraordinary, Part 4, Section (Kha), dated 14th August, 1997. - In exercise of the powers under clause (c) of the proviso to Rule 3 of the Uttar Pradesh Transit of Timber and Other Forest Produce Rules, 1978, read with Section 21 of the General Clauses Act, 1897 (Act No. 10 of 1897) and in supersession of the Government Notification No. 4311/XIV-3-377-76-T.C., dated October 25, 1991, the Governor is pleased to exempt all timbers and barks of the species, not situated in any forest, mentioned in Column I below from the operation of the said Rules within the area of all the districts mentioned in Column II.

COLUMN I

Species of Tree

1. August

COLUMN II

Names of the districts

1. Meerut

- | | |
|-----------------------------------|--|
| 2. Aru | 2. Bulandshahr |
| 3. Casuarina | 3. Ghaziabad |
| 4. Jangal Jalebi | 4. Muzaffarnagar |
| 5. Poplar | 5. Moradabad |
| 6. Pharash | 6. Rampur (except Pipli Tehsil) |
| 7. Babool | 7. Agra |
| 8. Vilayati Babool | 8. Ferozabad |
| 9. Rabania | 9. Mathura |
| 10. Siris | 10. Mainpuri |
| 11. Su Babool | 11. Aligarh |
| 12. Kathber | 12. Etah |
| 13. Jamun | 13. Bareilly |
| 14. Eucalyptus | 14. Badaun |
| 15. Dhak Palas | 15. Shahjahanpur (except Puwayan Tehsil) |
| 16. Paper Mulberry | 16. Allahabad (except Meja and Bara Tehsils) |
| 17. Ber | 17. Fatehpur |
| 18. Sainjana | 18. Pratapgarh |
| 19. Shah toot | 19. Hardoi |
| 20. Mango (Desi, Tukhmi or Kalmi) | 20. Faizabad |
| | 21. Deoria |
| | 22. Basti |
| | 23. Sidharth Nagar (except Naugarh Tehsil) |
| | 24. Mau |
| | 25. Azamgarh |
| | 26. Jaunpur |
| | 27. Ghazipur |
| | 28. Ballia |
| | 29. Lucknow |
| | 30. Unnao |
| | 31. Rae Bareli |
| | 32. Sitapur |
| | 33. Bara Banki |
| | 34. Sultanpur |
| | 35. Kanpur Nagar |
| | 36. Kanpur Dehat |
| | 37. Etawah |
| | 38. Farrukhabad |

39. Bhadohi
40. Ambedkarnagar
41. Padrauna (except Khadda Tehsil)
42. Varanasi (except Chakia Tehsil).