

United Khasi-Jaintia Hills Autonomous District (Management and Control of Forests) Rules, 1960

ASSAM

India

United Khasi-Jaintia Hills Autonomous District (Management and Control of Forests) Rules, 1960

Rule

UNITED-KHASI-JAINTIA-HILLS-AUTONOMOUS-DISTRICT-MANAGEMENT of 1960

- Published on 22 August 1960
- Commenced on 22 August 1960
- [This is the version of this document from 22 August 1960.]
- [Note: The original publication document is not available and this content could not be verified.]

United Khasi-Jaintia Hills Autonomous District (Management and Control of Forests) Rules, 1960Published vide Notification No. D.C. 14 A/1/60, dated 22nd August, 1960Last Updated 12th February, 2020Notification No. D.C. XIV A/1/60, dated 22nd August, 1960. - In exercise of the powers conferred by Section 34 of the United Khasi-Jaintia Hills Autonomous District (Management and Control of Forests) Act, 1958 (Act No. 1 of 1959), hereinafter called the "Principal Act" the Executive Committee with the approval of the Governor having been duly received, is pleased to make the following rules for the purpose of management and control over those forests as envisaged in the aforesaid Act, namely ;

1. Short title, extent and commencement.

(a)These rules shall be called the United Khasi-Jaintia Hills Autonomous District (Management and Control of Forests) Rules, 1960.(b)They shall have the like extent as the Principal Act.(c)They shall come into force with effect from the date the Principal Act came into force.

2. Definitions.

- In these rules, unless there is anything repugnant in the subject and unless the context otherwise requires, words and expressions used in the Principal Act and not defined in these rules have the meaning as assigned to them in the Principal Act, and further the following words and expressions as respectively assigned hereunder:(i)"Act" means the United Khasi-Jaintia Hills Autonomous District (Management and Control of Forests) Act, 1958;(ii)"Forests" an area shall be deemed to be a

forest within the meaning of the Principal Act if there are a reasonable number of trees, say, not less than 25 trees per acre reserved or unreserved or any other forest produce growing on such area, which have been or are capable of being exploited for purposes of business or trade ;(iii)"Section" means a section of the Act.

Chapter I

Rules for Registration of Forests

Registration of Private Forest and Law-Ri-Sumar[Section 4 (a)]

3.

With the commencement of the Act, the Chief Forest Officer or any other officer especially empowered by the District Council, in this behalf, shall call upon the Syiems, Sirdars, Dolois, or any other local administrative heads to submit by a prescribed date at of all Private Forests and Law-Ri-Sumar within their jurisdiction, stating the names and addresses of persons owning such forests together with the boundaries and such other particulars of the forests as may be required to be furnished.

4.

On receipt of such lists, the Chief Forest Officer shall notify the owners of Private Forests and Law-Ri-Sumar to submit, by a date to be fixed the particulars in respect of forests owned by them together with a map of the areas, as prescribed in Appendix I and any other particulars as the Chief Forest Officer deems necessary.

5.

On receipt of the necessary particulars furnished by each owner, the Chief Forest Officer shall publish the lists of all Private Forests and Law-Ri-Sumar at the offices of the District Council as well as at the offices of Syiems, Dollois, Sirdars or any other local administrative head within whose jurisdiction such forests are situated and at such other places as he may consider necessary, calling for objections or claims with regard to the ownership, area, boundaries and other particulars of such forests.

6.

The Chief Forest Officer, as soon as possible, on receipt of any claim or objection shall either himself, or depute an officer not below the rank of Ranger, to enquire into such objections and claims and other particulars of the forest after due notice to the parties and pass such orders as he may think fit:Provided that if the claims or objections involve any question or right or title with regard to the area, boundary or ownership of such forests, the parties shall be referred to the

appropriate court of law, and if no action is taken by the parties within a period of three months, the Chief Forest Officer shall proceed with the enquiry in accordance with the procedure hereinafter provided.

7.

An appeal against the order of the Chief Forest Officer shall lie to the Executive Committee whose order shall be final.

8.

On completion of the enquiry under Rule 6 or disposal of any appeal, or civil proceeding if any, as the case may be, the Chief Forest Officer shall enter into a Register to be maintained for the purpose all the Private Forests and Law-Ri-Sumar with the particulars as set forth in Rule 4 of these rules and also make a final publication of such forests in the manner as prescribed in Rule 5.

9.

The order of the Chief Forest Officer on the final registration of Private Forests and Law-Ri-Sumar shall not be called in question except in competent court of law, and the entry in respect of any such forest shall be modified only according to the order or decree passed by such court.

10.

Any change in the ownership, area, boundaries or the particulars of Private Forests and Law-Ri-Sumar taking place by reason of transfer, inheritance, gift or otherwise shall be reported by the registered owners, thereof or persons claiming right or interest on such forests by virtue of any valid transaction, to the Chief Forest Officer, within 3 months from the date of such changes taking place, and the Chief Forest Officer shall thereupon make necessary changes in respect of such forests in the Register after such enquiry as he deems necessary :Provided that an appeal against the order of the Chief Forest Officer shall lie to the Executive Committee its and order on such appeal shall be final.Registration of Law Lyngdoh, Law Kxjntang, Law Niam, Law Adong and Law Shnong[Section 4 (b) and (c)]

11.

The above rules shall apply mutatis mutandis for registration of Law Lyngdoh, Law Kyntang, Law Niam, Law Adong and Law Shnong and, in each case, the person incharge of management of such forests shall be called upon to furnish the necessary information in respect thereof.Registration of Protected Forests and Green Blocks[Section 4 (d) and (e)]

12.

When in the opinion of the District Council, it is necessary to constitute any forest or area not forming part of any of the forests defined in Section 3 (i), (a), (b), (ii) and (iii) of the Act, into a Protected Forest or Green Block, in the general interest of forestry of the district or any purposes ancillary thereto, it shall cause a survey and demarcation of such area and collection of such other details as to the nature and occurrence of any forest produce standing thereon, as may be considered necessary.

13.

On completion of such survey and demarcation, the District Council shall issue a notice calling for objections and claims against the constitution of the area into a Protected Forest or a Green Block, as the case may be, within a period of not less than 60 days. The notice shall be issued in such form as the District Council may from time to time prescribe.

14.

On receipt of objections and claims, if any, the District Council shall depute the Chief Forest Officer or any other officer not below the rank of a Sub-Deputy Collector or an Assistant Revenue Officer, to enquire into such objections and claims and submit a report embodying his findings. (a) The Executive Committee of the District Council after examining the report of the officer making the enquiry and after such further enquiry as it may think fit to make, shall by an order determine the area to be constituted into a Protected Forest or Green Block and declare the same by publication in the official Gazette, setting forth the boundary, location and other necessary particulars of the area, as a Protected Forest or a Green Block, as the case may be. (b) Upon such publication the owners of those forests, without prejudice to the rights, titles interests in respect of such areas shall not fell, remove, dispose or sell, destroy or exploit the trees therein without the permission of the District Council, which permission may be given in accordance with these rules in the interest of the protection and re-generation of these forests. Registration of Raid Forests [Section 4 (f)]

15.

With the commencement of the Act, and before or after enforcement of the rules made thereunder, the Chief Forest Officer shall call upon all syiems, Wahadadar, lyngdohs, Sirdars, Dolois or any other local administrative heads to submit by a prescribed date a list of all Raid Forests situated within their respective jurisdiction with the particulars as given the Appendix II.

16.

On receipt of the lists of Raid Forests together with the details as required to be furnished under Rule 15, the Chief Forest Officer shall publish such list at such places and in such manner as will ensure wide publicity, calling for claims and objections within a period of not less than 60 days

:Provided that if no such list is furnished by any of the agencies called upon to do so within the prescribed period, the Chief Fores Officer cause a list of Raid Forests in any particular area to be prepared after such enquiries as he may consider necessary.

17.

On the expiry of the period of 60 days or as soon as possible thereafter, the Chief Forest Officer shall himself, or depute an officer not below the rank of a Ranger, to enquire into such claims and objections, if any, received as well as to verify the information furnished in respect of each Raid Forest, after due notice to the parties interested and other local administrative heads concerned.

18.

(a)On completion of the enquiries, the Chief Forest Officer, shall submit a report embodying his finding on the claims and objections, if any, filed and also on the accuracy or otherwise of the particulars of the Raid Forest furnished by Syiems, Sirdars, Dolois and other local administrative heads to the Executive Committee, for orders.(b)The Executive Committee shall after examination of the report and such further enquiry as it may consider necessary, pass final orders in respect of each Raid Forest affirming or revising the particulars recorded, and cause final publication of the lists of Raid Forests in the official Gazette or in such other manner as the Executive Committee may, prescribe.

19.

All Raid Forests shall be entered in a Register to be maintained for the purpose with the necessary particulars.

20. Entries in the Register in respect of any Raid Forests shall not be called in question except in a competent court of law.

Chapter II

Rules for the Management of Forests

Management of Private Forests and Law-Ri-Sumar[Section 4 (a)]

21.

No owner of, or any person having any valid interest or right over, any private forest or Law-Ri Sumar shall dispose of by sale, mortgage, lease, gift, barter or otherwise any reserved or unreserved trees or any other forest produce except with the previous approval of the Chief Forest Officer who may be authorised in this behalf:Provided that any lease executed by owners of Private Forests with contractors shall be subject to review or revision by the Executive Committee which shall have

power to alter, amend or modify the terms or conditions of the lease.

22.

Whenever before or after completion of registration of the Private Forests or Law Ri-Sumar as provided for in Chapter I of these rules, any owner or person having any valid right or interest over such forests, who wishes to dispose of by sale, mortgage, lease, gift, barter or otherwise any reserved or unreserved trees or any other forest produce growing on such forest shall apply to the Chief Forest Officer, stating the particulars as given in Appendix III and such other terms and conditions of the transaction as the Chief Forest Officer may ask for.

23.

Such application shall be submitted through the Syiem, Sirdar, Doloi or any other local administrative heads, as the case may be, who shall forward the same to the Chief Forest Officer with his comments thereon together with a certificate about the right, title or interest of the applicant over such forest and names and addresses of other persons, if any, having share or interest therein.

24.

On receipt of the application the Chief Forest Officer may, after such enquiry as he may consider necessary, accord approval to the disposal of trees or other forest produce subject to-(a)a limit in number and girth, class and other restrictions on disposal based on silvicultural principles, in the case of trees ;(b)a quantitative limit in the case of the other forest produce :Provided that where the transaction involves sale of the more than 100 trees at a time or where the duration of the agreement or lease exceeds one year, the order of the Chief Forest Officer shall be subject to the approval of the Executive Committee;(c)the Chief Forest Officer may, for reasons to be recorded in writing, reject any applicant or accord approval subject to such conditions as he may deem fit to impose.

25.

An appeal against the order of the Chief Forest Officer shall lie to the Executive Committee.

26.

The applicant, on receipt of approval under Rule 24, shall submit a draft of the agreement in respect of the transaction, the Chief Forest Officer for approval, and on approval, thereof by the Chief Forest Officer, the parties shall execute the agreement and deposit a copy of the signed agreement in the office of the Executive Committee/District Council.

27.

No tree shall be felled or removed unless a Forest Officer of the District Council has marked such trees in accordance with any direction which the Chief Forest Officer may issue in this behalf after realising costs for marking at such rates as the Executive Committee may fix from time to time.

28.

No timber after conversion shall be removed from tree sites unless it has been piece-marked by a duly registered property hammer of the owner of the forest and accompanied by a certificate of origin granted by him in the form as prescribed hereinafter under these rules. Such timber shall also be marked by the registered property hammer of the purchaser or lessee working the forests.

29.

No timber extracted from a private forest or Law Ri-Sumar shall be taken outside the jurisdiction of the District Council or to the town of Shillong, for purposes of sale, trade or business, unless such timber has been taken to a revenue station established by the District Council and royalty or any other dues payable on such timber under this Act or any other law for the time being in force, has been paid in full and a Transit Pass in the prescribed form (Appendix VIII) granted by the officer in charge of the revenue station authorising movement of such timber.

30.

The above rules shall apply, with effect from the date they come into force, to all transactions involving disposal of reserved or unreserved trees or any other forest produce from any private forest or Law Ri-Sumar concluded before such date, and shall be binding on the parties to such transactions. Management of Law Lyngdoh, Law Kyntang and Law Niam [Section 4 (b)]

31.

(a) No timber or forest produce from Law Lyngdoh, Law Kyntang and Law Niam shall be removed for sale, trade or business but if any timber or forest produce is required for religious purposes, a free permit for the purpose shall be obtained from the Chief Forest Officer or any Forest Officer authorised by the Executive Committee on his behalf on application by the Lyngdoh or other person or persons to whom the religious ceremonies for the particular locality or village or villages are entrusted with the recommendation of the Lyngdoh through the local administrative heads. (b) The Chief Forest Officer or the authorised Forest Officer of the District Council shall grant a free permit in the form as prescribed in Appendix IV specifying therein the quantity of the timber or other forest produce and the particular part of the forest from such timber or forest produce shall be removed : Provided that no trees shall be felled unless they have been marked by an Officer of the District Council. Management of Law Adong and Law Shnong [Section 4 (c)]

32.

No trees in Law Adong and Law Shnong Forest shall be felled or removed except with the previous permission of the Chief Forest Officer, provided that such timber is required for any bona fide public purposes undertaken by the villagers. The Chief Forest Officer in granting such permission shall specify the quantity of timber to be removed and have the required numbers of such trees marked for the purpose. Such permission may be granted in the form as prescribed in Appendix IV.

33.

If an person infringes any of these rules he shall be punished with a fine not exceeding Rs. 300 and in default of payment of fine to imprisonment which may extend to three months :Provided that any Forest Officer who is in receipt of a monthly salary of not less than Rs. 100 may compound the offence and the sum of money to be realised on compound fee shall in no case exceed Rs. 50.

34.

Without prejudice to any action taken or liable to be taken under the preceding rule, the Chief Forest Officer may, in addition, suspend any operation involving cutting, felling, conversion or removal of any timber from any forest until the disposal of the criminal proceedings instituted, or till such time as the person engaged in such operation has complied with any direction of the Chief Forest Officer or the Executive Committee, as the case may be, in pursuance of the rules. Management and control of protected forests and Green Blocks [Section 4 (d) and (e)]

35.

Whenever in the opinion of the Executive Committee, it becomes necessary to dispose of any reserved or unreserved or any other forest produce in any Protected Forest or Green comprising Raid land only the Executive Committee shall authorised the Chief Forest Officer to arrange for disposal thereof by auction, tender or negotiation and on such terms and conditions as may be prescribed.

36.

The Chief Forest Officer on receipt of the order of the Executive Committee, shall issue a notice setting forth therein the description, number or quantity of any tree for forest produce, the amount of earnest money and security to be deposited and such other terms and conditions of the sale as he may consider necessary and fixing a date on which auction shall be held or tender submitted :Provided that in the event of any settlement by negotiation, the Chief Forest Officer shall submit his recommendations with regard to the party, rate and other terms and conditions of settlement to the Executive Committee for orders, and the Executive Committee may pass such orders as it may think fit.

37.

All sales by auction or tender shall be subject to the approval of the Executive Committee except where the District Council by a special order empowers the Chief Forest Officer to approve sales up to a specified limit of the bid value :Provided that any appeal against the order of the Chief Forest Officer shall lie to the Executive Committee whose order on such appeal shall be final.

38.

The District Council may, by a resolution passed in a session, fix the proportion according to which the revenue derived from a. Green Block comprising Raid land only shall be divided between the District Council and the Syiem or any local Administrative Head, as the case may be. Management of Raid Forests [Section 4 (f)]

39.

The Chief Forest Officer either on his own motion or on the recommendation of the Syiem, Wahadar, Lyngdohs, Dolois or any other local administrative head within whose jurisdiction any Raid Forest is situated may, from time to time, determine up to the limit of the royalty value of trees amounting to Rs. 500, the number and class of any tree or quantity of any forest produce, standing on such Raid Forest, for disposal in the interest of the revenue of the District Council in general and of the Syiemship, Wahadarship, Lyngdohship or Sirdarship and Dolloiship in Particular :Provided that the Chief Forest Officer, with the previous approval of the Executive Committee, shall be competent to reject any recommendation for disposal, from any Syiem, Sirdar, Dolois or any other local administrative head concerned when in his (Chief Forest Officer's) opinion such disposal is premature or detrimental to the general interest of the forestry of the District.

40.

Sale of trees or other forest produce from a Raid Forest shall be by auction, tender or negotiation or in such other manner as the Executive Committee, may from time to time, determine in each case.

41.

(a) In case of any sale by auction or tender, the Chief Forest Officer shall issue a notice setting forth the particulars as given in Appendix V and other terms and conditions as the Chief Forest Officer may think fit to add. (b) The notice shall be served in such manner as will ensure the widest publicity. (c) In case of any settlement by negotiation, the Chief Forest Officer shall put up his recommendation as to the party, rates of royalty, duration of the agreement and other terms and conditions of settlement, to the Executive Committee for orders along with the recommendation or comments of the local administrative heads concerned on such proposal for settlement.

42.

The Executive Committee may pass final order in such proposal for settlement.

43.

The Chief Forest Officer shall be competent to approve all sales by auction or tender subject to such financial limit in the bid value as may be prescribed by the Executive Committee from time to time : Provided that an appeal against the order of the Chief Forest Officer in respect of sale or settlement approved by him shall lie to the Executive Committee whose order in such appeal shall be final.

44.

The financial limits to be fixed by the Executive Committee under Rule 43 shall generally be with reference to the outright value of any sale but when any sale or settlement is based on royalty-cum-monopoly or tree rate basis, the outright value shall be computed on the basis of the approximate outturn of timber or forest produce, as the case may be, in respect of the particular transaction, for the purpose of determining the jurisdiction of the agencies authorised to approve the sale or settlement.

45.

On approval of any sale or settlement, an agreement in a form to be prescribed for the purpose embodying all the terms and conditions of sale or settlement shall be executed by an officer of the District Council specially authorised in this behalf as vendor on one hand as first party and the vendee on the other hand as second party.

46.

(a) All contracts validly executed prior to the enforcement to these rules and subsisting on the date of such enforcement and relating to disposal of any forest produce in a Raid Forest, whether by way of sale, lease, mortgage, gift, exchange or otherwise, shall be subject to these rules and notwithstanding anything contained in such contracts, the Chief Forest Officer shall determine the number and class of trees or the quantity of any forest produce that may be extracted thereunder. (b) No forest produce extracted under any such contract shall be removed from the forest except on payment of such royalties as may for the time being in force forest for such produce and except in compliance with the rules in Chapters III and IV.

Chapter III

Rules for the Removal of Forest Produces from Raid Forest, Green Block, Protected Forest and Restrictions In Felling, ETC.

[Section 5, 7 and 11]

47.

Save as provided in these rules or under the Act, no trees, reserved or unreserved, shall be felled, cut, girdled, tapped, or injured by fire or otherwise, no timber shall be sawn, converted or removed and no other forest produce collected and removed except under and subject to the conditions of a Trade Permit as prescribed in Appendix VI or of a Home Consumption Permit as prescribed in Appendix IV, as the case may be, or under the terms and conditions of a sale by auction, tender or lease, as may be sanctioned by the Chief Forest Officer or any other the competent authority under the District Council, from any Green Block comprising Raid land and Protected Forest or Raid Forest: Provided that in case of Green Blocks comprising of or within private forests, viz., Green Block Nos. II, III, IV and V around the town of Shillong, the right and title of the owners of such lands shall not be disturbed except that owners of such forests requiring to cut trees therefrom for their own domestic use shall seek for permission to do so through their respective 'Rangbah Ku' to the Chief Forest Officer who on receipt of such application duly recommended and approved by the recognised 'Rangbah Kur', and on being satisfied of the genuineness of the requirements, will issue a 'Home Consumption Permit' free of charge and will then depute a Forest Officer to mark the trees for felling and removal in accordance with the 'Home Consumption Permit'.

48.

Trade Permits are non-transferable and shall ordinarily be issued for any period not exceeding twelve months but the period of any such permit may be extended up to a further maximum period of twelve months at the discretion of the Chief Forest Officer and on payment of a fee which shall not exceed 25 per cent of the royalty on the forest produce to be removed under the permit. The Chief Forest Officer may, however, remit the fee altogether in cases in which he considers this justified.

49.

Forest produce removed under a trade permit shall be charged royalty at such rates and realised in such manner as may be prescribed by the Executive Committee from time to time. Any alterations in the Schedule of rates of royalty shall be notified in the official Gazette of the State Government from time to time and copies of such notification shall be posted on the notice boards of the District Council Office, all Forest Range officers and revenue and check stations under the control of the District Council.

50.

A Home Consumption Permit for timber from reserved trees from any Raid Forest (in the Form as prescribed in Appendix IV) may be granted to any person living in the neighbourhood of Raid Forest for domestic use i.e., building purposes only by a Forest Officer in charge of a Range, for any

quantity subject to any limit as may be fixed by the Executive Committee, at half the full rates of royalty in force for the time being, to be realised in such a manner as may be prescribed in the Permit.

51.

Home Consumption Permits are not transferable and shall be issued for a period not exceeding six months but the Chief Forest Officer may extend the period for a further period of six months on payment of such fee as he may think fit to impose: Provided that the Chief Forest Officer may in his discretion remit the fee altogether in any particular case.

52.

Royalty at half the full rate as prescribed under Section 8 or in such proportion in cases where trees are sold on tree rate or outright basis, as the Executive Committee may determine in each case, shall be payable on timber or forest produce only removed from Private Forests, or Law Ri-Sumar in vehicles going outside the district of United Khasi-Jaintia Hills or to the town of Shillong, for the purposes of trade or business.

53.

If any person infringes any of these rules he shall be liable to be punished with a fine which may extend to two hundred rupees and in default of payment of fine to imprisonment which may extend to two months : Provided that any Forest Officer in receipt of a monthly salary of not less than Rs. 100 may compound the offence and the sum of money imposed as compound fee shall in by the owner of such land or his duly authorities agent and must no case exceed Rs. 50, in addition to any royalty or other dues payable on any timer forming the subject of the offence.

Chapter IV

Transit Rules

[Section 12]

54.

All forest produce brought by land or water shall, for purposes of check, halt at their respective revenue stations established by the District Council from time to time in accordance with these rules.

55.

No forest produce shall be removed unless covered by a pass which shall be in the form of-(i)a permit issued by a duly authorised Forest Officer under the rules relating to the Protected Forest, Green Block and Raid Forest allowing the holder to remove forest produce from a specified locality; or(ii)a certificate of origin in the form prescribed in Appendix VII in the case of forest produce from private forest or Law Ri-Sumar. Such certificate must be issued by the owner of such land or his duly authorised agent and must bear such signature or stamp of the owner or his agent as has been previously registered in the Chief Forest Officer's office, and such certificate shall be produced by the holder at the revenue station specified therein to be dealt with as noted hereafter ;Note. - The certificate of origin shall be issued in all cases whether the owner himself or any other person removes the produce ; Or(iii)a transit pass in the form prescribed in Appendix VIII issued by a Forest Officer, authorised by the Chief Forest Officer, in token of full payment of all amounts due to the District Council on account of the forest produce covered by it. In special cases, the Chief Forest Officer may permit the issue of transit passes by any person duly authorised by him.

56.

The places mentioned in Appendix IX to these rules, and such others as may from time to time be prescribed by the District Council, shall be the revenue stations for the purposes of these rules.

57.

(a)All forest produce in transit covered by a permit or a certificate of origin shall be taken to the nearest revenue station by the District Council on the route of extraction ; except in cases provided for in Rule 58 by the person or persons in charge of such forest produce and detained there for examination, measurement, or counting and marking, if necessary, by the officer in charge of the revenue station.(b)No forest produce in transit taken to a revenue station shall be moved within such station between sunset and sunrise the without the permission of the officer in charge of the revenue station nor shall such forest produce be moved away from the revenue station until a transit pass as prescribed in these rules has been issued by him.(c)In the case of forest produce in transit covered by a permit or a certificate of origin and intended to be exported beyond the district within which it has been collected, a transit pass as prescribed hereinbefore shall be obtained by the person in charge of such forest produce from the duly authorised Forest Officer in charge of a revenue station in exchange for the permit or the certificate of origin, and such forest produce shall not be booked or removed by road or a boat unless covered by such transit pass. When the destination of such forest produce is within the district, the permit or certificate of origin shall be endorsed by the duly authorised officer in charge of the revenue station in token of full payment of full amounts due to the District Council and such endorsed permit or certificate of origin shall be deemed to be the transit pass required under these rules :Provided that it shall be within the power of the officer in charge of a revenue station to refuse to grant a transit pass or endorse a permit or a certificate of origin if he has reason to believe the permit or certificate of origin covering the forest produce to be false or if full payment of all amounts due to the District Council in respect of the forest produce has not been made.

58.

Should the person or persons in charge of any forest produce in transit desire to stop, land, cut up, convert or utilize any such produce before taking the same to a revenue station, he or they shall obtain the permission in writing of the officer in charge of the nearest revenue station. Such officer shall, if he deems fit to grant the permission, proceed in respect of the forest produce as if it had been taken to a revenue station.

59.

All amounts due to the District Council whether as royalty, or on any other account, in respect of any forest produce in transit shall be paid in the such manner as ordered by the Chief Forest Officer.

60.

All forest produce in transit may be stopped and inspected at any place by any Forest Officer and all persons in charge of such forest produce shall be bound to produce the permit, the certificate of origin or the transit pass covering such forest produce when called upon to do so by the Forest Officer.

61.

Except with the previous sanction in writing of the officer in charge of the nearest revenue station, and under conditions imposed by the Chief Forest Officer with the approval of the Executive Committee, no person shall establish or convert timber at a saw-mill or saw pit within one mile of the cold season bed of any river used for the transport of timber. Such sanction or conditions may, with the approval of the Chief Forest Officer, be rescinded or modified by the officer in charge of the revenue station by giving six months' notice in writing. This, rule applies only to the establishment of regular saw mills or saw-pits and does not apply to the casual sawing of timber grown on private land or inside forest coupes sold under the order of any competent authority under the District Council.

62.

All traders wishing to transport timber (except bamboo and cane) from the forests, shall have their property marks registered in the office of the Chief Forest Officer in the manner hereinafter prescribed and all their timber in transit shall bear their registered property marks. No transit pass shall be issued for such timber in transit unless it bears a registered property mark.

63.

(a) For the registration of a property mark a written application should be submitted to the Chief Forest Officer and a sketch of the proposed mark together with a written description, and a fee of Rs.

20 shall be sent with the application.(b)No fee shall be charged for the registration of a property mark which has already been registered by the Divisional Forest Officer, United Khasi-Jaintia Hills and is still in force.(c)The registration of a property mark shall hold good for three years from 1st April preceding the date of its first registration whether it has been registered in the office of the Divisional Forest Officer, United Khasi-Jaintia Hills or the office of the Chief Forest Officer.(d)A certificate in the form prescribed in Appendix X shall be granted for the registration of property mark.

64.

The Chief Forest Officer may refuse to register any property mark or cancel one already registered for any of the following reasons :(i)If he considers that the mark resembles too closely any Government mark or marks used by the District Council or any property mark previously registered in favour of another person ;(ii)If the applicant or holder does not possess or, in the opinion of the Chief Forest Officer, is not likely to possess timber requiring to be marked with a property mark;(iii)If on account of the conviction of any forest offence, or for any other reason which seems to the Chief Forest Officer to be sufficient, the holder or the applicant is not considered to be a fit person to be entrusted with such mark.

65.

No timber which is in transit or intended for transit shall be marked except with a registered property mark, and no one shall supermark, alter or efface any mark on such timber, and the possession or carrying of hammers or other implements used for the impression of marks which have not been registered in the manner hereinbefore prescribed is strictly prohibited.

66.

The booking or moving of timber in logs or rough hewn, sawn timber or any other forest produce by road, railway, aeroplane or boat is prohibited unless such forest produce is accompanied by a transit pass issued under these rules.

67.

Any person infringing any of the above rules may be punished with imprisonment which may extend to three months, or with fine which may extend to three hundred rupees, or with both.Executive Orders relating to the Transit Rules

68.

The Chief Forest Officer should satisfy himself before registering the signature or stamp of an owner of private land or his agent under Rule 55 (ii) that the applicant is on behalf of himself or a clan own's Private Forest or Law-Ri-Sumar, as the case may be. A facsimile of the registered signature or

stamp should be supplied to all revenue stations.

69.

A stock of forms of certificate of origin must be kept at all revenue stations and should be issued freely to all applicants whose signatures or stamps have been registered charging 12 nP for 2 copies, unless the officer in charge has reason to believe that the applicant has no legitimate use for such forms.

70.

If the officer in charge of a revenue station has not sufficient reason to refuse to grant a transit pass in exchange for a certificate of origin or to endorse such certificate under the proviso to Rule 57, but is not satisfied that the certificate is true, he should grant the transit pass or endorse the certificate of origin and then institute enquiries.

71.

It should be made widely known that persons who want to extract forest produce from private lands must take out a certificate of origin in the prescribed form and that copies of the form, if required, can be obtained from the nearest revenue station.

72.

A register should be maintained at each revenue station showing the date of arrival of all consignments of forest produce and the date of release and all Other necessary particulars. A trader may submit a copy of the arrival report of the consignment of forest produce giving the necessary details to the office of the Chief Forest Officer. The officer in charge of the revenue station will countersign this copy. The Chief Forest Officer should make use of these reports to check the accuracy of the entries in the register.

73.

All timber or other forest produce transported by road or water shall be brought, to the nearest of the revenue stations, staffed by the District Council, United Khasi-Jaintia Hills on the route of extraction, for examination and for payment of the amounts, if any, due to the District Council, United Khasi- Jaintia Hills thereon or on any other account.

Chapter V

Miscellaneous Provisions

74.

Notwithstanding anything provided hereinbefore, the Executive Committee may specify certain categories of forest produce as "minor forest produces" and exempt the same from the operation of these rules and prescribe separate instructions governing exploitation and removal thereof.

75.

Notwithstanding anything contained in any contract entered into by a local or administrative head of any forest with any party prior to the enforcement of these rules and subsisting on the date of such enforcement, any term thereunder which is found to be inconsistent with these rules shall be void to the extent of such inconsistency. General

76.

Any party aggrieved with any order of the Chief Forest Officer under these rules shall appeal to the Executive Committee within 30 days from the receipt of such orders, and the order of the Executive Committee shall be final.

Appendix I[Rule 4](i) Approximate area (in acres).....(ii) Boundaries and location.....(iii) Nature of forest standing on the land the approximate number of each category of reserved trees and other forest produce.....(iv) Area under cultivation, if any(v) The names and addresses of persons to whom the forests or any part thereof sold, the terms of sale or lease including the price of rates of royalty and the nature of such lease or sale, as the case may be.....

Appendix II[Rule 15](i) Location of forest stating the name of the village..(ii) Approximate area in acres.....(iii) Boundaries together with a map of the area....(iv) Nature of the forest specifying the approximate number of each category of reserved and unreserved trees and other forest produce.....(v) Area currently under cultivation or jhuming....(vi) Whether forest produce growing within the area has been disposed of by lease, sale, barter, gift or otherwise to any person or any other encumbrance or right has been created on such forest in favour of any person or clan ?.....(vii) In the event of any transactions having taken place as indicated in item (vi), the following further details shall be furnished : (a) The name and address of the party or parties to whom the forest produce has been disposed of or in whose favour any right or encumbrance has been created ; (b) Duration of the lease or agreement with the date of commencement of such lease or agreement; (c) Rates of royalty or other consideration charged on the forest produce; (d) Total number of trees or quantity or other forest produce worked out and removed and the balance of the trees and other forest produce still to be worked out under the terms of the lease or agreement ; (e) A true copy of the lease or agreement.

Appendix III[Rule 22](i) Name of the private forest or Law-Ri-Sumar.....(ii) Name of Syiem, Doloi or any other local administrative head within whose jurisdiction such forest is situated.....(iii) Boundaries of the forest.....(iv) Class and number of trees proposed to be disposed of.....(v) Price or rates or royalty...(vi) Name and address of purchaser.....(vii) Period of agreement or lease by which the trees or forest produce are sought to be disposed of.....(viii) Whether the timber or any other produce from trees or forest produce sought to be disposed of will be consumed locally or taken outside the jurisdiction of the District Council, United Khasi-Jaintia Hills or brought to Shillong for purposes of sale, trade or business.....

Appendix IV[Rules 31 (b) and 32] Home Consumption Permit

Book No..... Permit No.....

Name.....

Residence.....

Forest from which extracted	Date of expiry of the permit	Description of forest produce	Maximum number of quantity that can be removed	Remarks
1	2	3	4	5

Dated.....Officer Issuing the PermitNotice

1. The forest produce extracted under this permit shall not be sold, mortgaged, bartered or transferred by gift.

2. This permit is non-transferable except to a member of same house, and shall not allow of more than one person at a time collecting the produce in the forest except with the permission of the officer issuing the permit.

3. The holder of permit shall make his own arrangement with the Syiem for extracting forest produce from his territory.

Appendix V[Rule 41 (a)](i)Number and description of trees showing girth, class, etc.....(ii)Amount of earnest money to be deposited.....(iii)Amount of security and methods of payments of the bid value.....(iv)Duration of the working period.....(v)Nature of rate to be quoted in case of tender.....(vi)Eligibility of bidder including concessions, if any, admissible to tribal bidders.....Appendix VI[Rule 47]Trade permit for timber and other forest produce

Book No..... Permit No.....

Name.....

Residence.....

Forest	Date of expiry of grant	Description of timber or other forest produce	Number of quantity	Date	Amount	Remarks
--------	-------------------------	---	--------------------	------	--------	---------

Rs. nP.

The.....20. Signature and designation of the Issuing OfficerReverseConditions under which this permit is issued-(1)This permit must be in the possession of the person removing forest produce under it and must be produced by such person whenever called upon to do so by a forest Officer.(2)Only trees marked with a District Council, Khasi Hills hammer may be felled and converted. Timber must not be removed from the place where the tree is felled nor sold or otherwise disposed of till it has been marked with the hammer of the District Council, United Khasi-Jaintia Hills.(3)All timber and other forest produce must be removed from the forest within the time

granted in this permit.(4)This permit must be returned to the nearest Forest Officer within one month of the date of its expiry.(5)Breach of any of the above conditions will render this permit liable to be cancelled and the timber and other forest produce confiscated notwithstanding any other penalties incurred by the permit holder under the United Khasi-Jaintia Hills Forest Act 1 of 1959 or rules issued thereunder.I understand and accept the above conditions.Signature of the permit holderAppendix VII[Rule 55 (ii)]Certificate of origin for private timber or other forest produce

Name, caste, residence and father's name of the owner of the land where the forest produce covered by this certificate was derived	Name of village or estate where the timber or other forest produce was cut	Description of timber or other forest produce	Amount of timber or other forest produce	Name, caste, father's name and residence of person in charge of timber or other forest produce	Destination to which the forest produce is to be conveyed	
1	2	3	4	5	6	7

Dated.....Owner or AgentAppendix VIII[Rule 55 (iii)]Transit Pass

Book No..... Pass No.....

Permission is hereby granted to.....of for the removal of the forest produce from to by(1)Locality where collected.....(2)Number and date of permit or certificate of origin on which the pass

Kind of produce	Number of pieces, packages or bundles	Measurements, cubic contents or weight	Hammer or other marks	Rate	Amount paidRs. nP.
1	2	3	4	5	6

.....Station.....

Date of Issue..... Issuing Officer.....

Date of expiry..... Designation.....

Note. - Any person removing timber or other forest produce without a transit pass in this form in contravention of any rules made under Section 5, United Khasi-Jaintia Hills Forest Act 1 of 1959, is liable to a fine of Rs. 2,000 and in default of payment of fine to imprisonment up to two months.Appendix IXList of Revenue and Check Stations[Rule 56](1)Shillong, (2) Nongpoh, (3) Umling, (4)Bymihat, (5)Garbhanga, (6) It-Shyrwat, (7) Mawlai Gate, (8) Jorabat Gate, (9) Demsang (Mylliem Syiemship), (10) Umtyngngar (Laitkroh Sirdarship), (11) Mawngap (Mawphlang Lyngdohship), (12) Amjong, (13) Lyngkhat, (14)Hat Shimaw (Khyrim Syiemship), (15) Dawki, (16) Muktapur, (17) Jaliakhola, (18)Kuliang, (19) Umkiang, (20) Jowai (Jaintia Sub-division), (21) Rani (Jirang syiem ship), (22) Ranibari (Nongspung syiemship), (23) Kyrshai (Rambarai Syiemship), (24) Bagli, (25) Moheskhola, (Nongstoin Syiemship), (26)Madan-rting, (27) Cheragaon, (28) Mawpyllu (Langrin Syiemship), (29) Balat (Maharam Syiemship), (30) Chirakatta (Bhowal Syiemship), (31)Rangku (Mawdon Sirdarship), (32) Jatap (Shelia Wahadadar Confederacy), (33) Bholaganj (Cherra Syiemship).Appendix X[Rule 63 (d)]Certificate of Registration of Property MarksDivisionIt is hereby certified that.....son of....., caste.....resident of thana.....,district.....has this day duly registered his properly mark of the sketch shown below

for the transport of forest produce within the district of.....This certificate is to hold good up
to.....Chief Forest Officer