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PART-I – Orders and Notifications by the Government of Tripura,
the High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA
FOREST DEPARTMENT

No.F.6-11/Amendment/For-84/35806.

Dated. Agartala,
the 23rd July, 1985.

NOTIFICATION

In exercise of the power conferred by section 51 A of the Indian Forest Act, 1927 [As amended by Indian Forest (Tripura Amendment) Act, 1984.] the Governor is pleased to make the following rules, namely :-

SHORT TITLE EXTENT AND COMMENCEMENT :-

1. (1) These rules may be called the Tripura Forest (Establishment and Regulation of Saw-mills and other Wood Based Industries) Rule, 1885.
- (2) They shall extend to the whole of Tripura.
- (3) They shall come into force on the date of their notification in the Official Gazette.

DEFINITIONS:-

2. (1) In these rules, unless there is any thing repugnant in the subject or Context.-

- (a) "Act" means the Indian Forest Act, 1927 [as amended by Indian Forest (Tripura Amendment) Act, 1984].
- (b) "Authorised Officer" means
 - (i) a forest Officer not below the rank of a Divisional Forest Officer, or
 - (ii) any Officer who may be authorized by the State Government by notification in the Official Gazette, for all or any of the purposes of those rules within such local limits as may be specified in the notification.
- (c) "document" includes a valid record in the form of the pass or permit or receipt indicating the transaction of forest produce;
- (d) "Factory" means a factory as defined in the Factories Act, 1984 and also includes any premises declared by the State Government as a "Factory" under section 85 of the said Act.
- (e) "form" means a Form appended to these rules;
- (f) "licence" means a licence granted under these rules;
- (g) "permit" means a written permission for carrying out any of the acts or operations covered by these rules;
- (h) "person" includes a body, company or a society duly registered for the purpose of carrying on a business;
- (i) "saw-mill" means a mill for sawing timber or logs into logs or beams or scantlings or planks or battens and includes hand saws whether in a fixed structure or enclosure or not;
- (j) "section" means a section of the Act.
- (k) "unit" means any shop or establishment or premises used wholly or in part for manufacturing or processing or preparing for sale of commodities or article based on forest produce as envisaged in the Indian Forest (Tripura Amendment) Act, 1984.
- (l) "High Power Committee" means the Committee constituted by the Hon'ble Supreme Court.
- (m) "Industrial Estate" means the areas notified by the Government from time to time as per order of the Supreme Court.
- (n) "Government" means the Government of Tripura.
- (o) "State Level Expert Committee" means the Committee constituted by the Government of Tripura in pursuance of order of the Supreme Court.

(2) Any other expression used in these rules but not defined, and defined in the Act, shall have the same meaning as assigned to them in the Act.

(3) On any dispute, regarding interpretation of any word/ expression/ the decision of the Government shall be final."

CIRCUMSTANCES PROHIBITING ESTABLISHMENT OF SAW MILLS, ETC. AND GRANT OF LICENCE :

3. (1) No person shall establish a saw -mill and other units including factories of categories mentioned in section 51 A -
 - (a) outside an industrial estate : and
 - (b) without obtaining a licence in Form -1 issued by an Authorised

161
Officer.

- (2) The saw mills, plywood mills and other wood based industries/ units
- (a) Which have been cleared by High power Committee with out penalty :
and
- (b) Which are penalised but High power Committee found that it will not be against public interest if licence is granted to such industries / units shall be eligible for grant of licence and allotment of land in the industrial estate if such estate is on Government land.

APPLICATION FOR LICENCE:

4. (1) For obtaining a licence under rule 3 a person shall apply to the Authorised Office in Form II.

- (2) (i) On receipt of an application for licence the Authorised Officer shall after making such enquiry as he may think fit and within a period of 30 days from the date of receipt of such application, forward the application with his report to the Principal Chief Conservator of Forests, Tripura. The Authorised Officer shall mention in his report if the required quantity of timber as determined by the approved Working Plan is available on annual basis.
- (ii) The Principal Chief Conservator of Forests then forward the application together with the report of Authorised officer and his recommendation to the State Level Expert Committee for their consideration and recommendation.
- (iii) After considering the recommendation of the State Level Expert Committee in each case, the Principal Chief Conservator of Forests may direct the concerned Authorised Officer to grant licence in Form No 1 or reject the application for reasons to be recorded in writing.
- (iv) While directing the Authorised Officer to grant licence, the Principal Chief Conservator of Forests shall decide against which notified Industrial Estate or additional industrial estates as are notified by the Government for such purposes licence shall be issued.

(3) For the purpose of inquiry under clause(i) of sub rule (2), the Authorised Officer may exercise the following power

- (a) enter into or upon any land, survey and demarcate the same, make a map thereof or authorize any other Officer to do so;
- (b) call for such documents as he deems necessary for ascertaining the merit of the application.

APPLICATION FOR RENEWAL OF LICENCE:

5. (1) An application for renewal of a licence shall be made in Form III, within thirty days before the expiry of the licence.

(2) On receipt of an application for renewal of a licence, the Authorised Officer shall, after making such inquiry as he may think fit and period of 30(thirty) days from the date of receipt of such application, either grant or refuse to grant the renewal of the licence."

(3) No application for renewal of a licence shall be rejected unless the holder of such licence has been given an opportunity of presenting his case and unless the Authorised Officer is satisfied that

- (i) the application for such renewal has been made after the expiry of the period specified therefor, or
- (ii) any statement made by the person making application for the grant or renewal of the licence was incorrect or materially false, or
- (iii) such person has contravened any of the terms or conditions of the licence or any provision of the Act or these rules, or
- (iv) such person does not fulfill the terms and conditions for such licence

PROCEDURE FOR MAKING APPLICATION FOR LICENCE OR RENEWAL OF LICENCE:-

6. "(I) The following shall be rate of application fee (non refundable) and the licence fee or as the case may be, the renewal licence fee.

Sl No	Nature of licence	Applicaton fee	Licence fee	Renewal licence fee
1	2	3	4	5
1.	For each of saw mills ,veneer factory, ply wood factory, paper mills, pulp mill, particle board and other wood based/forest based industries including timber treatment plants.	500.00	2500.00	1500.00
2.	Timber trader shops dealing in timber (for each Forest Division).	150.00	750.00	300.00
3.	For each of Furniture/Cabinet/Handicraft shop using forest produce.			
	(a) Self employed without engaging any workers/labourers.	15.00	75.00	45.00
	b) With 2 workers/labourers.	30.00	150.00	75.00
	c). With 3 to 5 workers/labourers.	75.00	300.00	150.00
	d) With 6 or more workers/labourers	150.00	750.00	300.00
4.	(a) For Sand, Stone, firewood and fuljharu (Arjun flower) trade with or without maintaining a shop (For each Forest Division).	100.00	500.00	200.00
	(b) Thatch, bamboo, and any other minor forest produce with or without maintaining a shop (For each Forest Division).	20.00	100.00	50.00

"(2). The application fee referred in sub-rule (I) shall be deposited by challan in the Government Treasury/Bank and the receipt thereof shall accompany the application. The Authorised Officer may reject the application or may grant RENEWAL OF LICENSE AFTER DUE CONSIDERATION OF THE APPLICATION. The licence shall be issued only after the applicant deposits the license fee within such period as the Authorised officer may direct."

162
159

(3). A licence granted under these rule-

- (a) shall be valid for one financial year during which it is granted
- (b) shall not be transferable, and
- (c) shall be renewable for a period not exceeding one financial year at a time on payment of renewal fee of rupees one hundred only and such renewal shall be in Form IV for each unit.

SUSPENSION OR CANCELLATION OF LICENCE:

7. The Conservator of Forests within whose jurisdiction the unit lies may, for reason to be recorded by him in writing, suspend or cancel any licence granted or renewed under these rules:

Provided that no such suspension or cancellation shall be made except after giving the holder of the licence an opportunity of being heard.

APPEAL

8. (1) An appeal from an order refusing to grant or to renew a licence under sub-rule (2) of rule 4 or sub-rule (2) of rule 5, as the case may be, or an order suspending or canceling a licence under rule 7, shall lie-

- (a) if the order is made by the authorized officer, with the Forest of the Circle concerned ; or
- (b) if the order is made by the Conservator of Forest of the Circle concerned , with the Chief Conservator of Forest , Tripura

(2) An appeal under this rule shall be preferred within thirty days from the date of communication of the order appealed against and shall be registered in a book to be called the Register of appeal which shall be maintained by the appellate authority in Form V:

Provided that the appellate authority may admit any appeal preferred after the expiry of the period as aforesaid if it is satisfied that the appellant had sufficient cause for not preferring the appeal in time.

(3) Every order passed in appeal under this rules shall be final.

MAINTENANCE OF REGISTER AND SUBMISSION OF DECLARATION TO THE AUTHORISED OFFICER

9. (1) The para 9 has been deleted.

(2) The maintenance of records by the wood based units and progress reports shall be regulated in accordance with the guidelines for the wood based units in North Eastern States issued by the Ministry of Environment & Forest vide their No. 8-180/NEC/2001, dated 27th September 2001, copy of which is annexed. Each of the wood based unit shall maintain the records in proforma annexed with the guidelines.

INSPECTION AND VERIFICATION OF RECORD:

10. (1) The Conservator of Forests of the Circle concerned or the Authorised Officer or any inspecting officer not below the rank of a Head Forest Guard duly appointed by the Conservator

of Forests may inspect and verify at any time without notice the following within the premises of the saw mills and other units including factories of a Licensee -

- (a) records required to be maintained under sub (1) of rule 9 ;
- (b) stock of raw material present ; and
- (c) stock of sawn timber or manufactured products or processed products.

(2) During such inspection and verification, the licensee or his authorized agent, employees and workers shall be lawfully required to extend all possible assistance and produce all documents and records as may be required during such inspection and verification.

PRODUCTION OF LINCENCE, PERMIT ETC. FOR INSPECTION AND VERIFICATION.

11. For the purpose of rule 10, the licensee shall, when required to do so, produce immediately for inspection And verification-

- (1). any licence, permit or other documents granted to him or required to be kept by him under the provision of these rules;
- (2). any forest produce or raw materials or manufactured or processed product or any product in the process of manufacture. in his control, custody or possession whether located in the premises or not.

TRANSIT PASS FOR FOREST PRODUCE:

12. All forest produce entering or leaving a Saw-mill and other units including factories shall be covered by a transit pass duly issued under the provision of Tripura Forest (Transit) Rule -

APPOINTMENT OF FOREST OFFICER AS INSPECTING OFFICER:

13. As soon as may be after the commencement of these rules, the Conservator of Forest of the Circle concerned, may for the purpose of these rules, appoint one or more Forest Officer not below the rank of Head Forest Guard, as Inspecting Officer or Inspecting Officers for an area to be specifically mentioned in the order.

PENALTIES:-

14. Any person contravening any of the provisions of these rules shall be punishable with imprisonment which may extend to six months or with fine which may extend to ten thousand rupees or with both.

FORM 1

(See rule 3(1)(b))

Form of Licence.

Licence No. Dated the day of
..... (Month) (Year)
(Name/Names). inhabitant(s) of
(address to be given in details) in the Police Station.....
District by profession
is/are hereby permitted to set up/run the following.....
..... Mill: Factory/Unit using
as raw materials for a period of one year commencing on the.....
..... day of
..... and ending with the
day of

1. Name of the Mill/Factory/Unit:
2. Location:
3. Legal Status:
4. Installed capacity:
5. Capital value of the Mill/Factory/Unit:-
6. Employment -
 - (i) No. of regular employees:
 - (ii) No. of daily workers:
7. Licence fee paid:
Place:

Date:

Signature of Issuing Authority
(Seal)

159
156

FORM II

(See rules 3(2)(b) and 4(I))

Form of application for licence for setting up saw mill/factory to manufacture/for existing unit/manufacturing products based on forest produce.

To

The Conservator of Forests(or the Authorised Officer)

..... Circle, Tripura.
Sir, Inhabitant(s) of in
(in block letters)

the police Station..... District
(address to be given in details)

by profession.....apply for a licence for setting
up of Factory/Mill/Unit, to Manufacture/Manufacturing.....
for existing Unit/Factory/Mill/and using
as raw materials. The particulars of the Factory/Mill/Unit are given
herein below :-

1. Name of the Mill/Factory/Unit :
2. Location :
3. Whether a limited Company, Partnership
or a Proprietorship business and the
relationship of the applicant(s) with
such Company or partnership or proprietorship
business (documents to be attached)
4. Capital Value :
5. Rated capacity (Volume of timber, etc.)
consumed per year :
6. Expected source/sources of raw materials :
7. Labour :
 - (a) Strength or regular employees :
 - (b) Strength of daily rated worker :
8. Source of capital investment :
9. Whether convicted or penalised in
any Criminal/Forest Offence case :
10. Whether possessing more than one such
Factory/Mill/Unit in the same circle :
11. Whether the licence fee is attached and
if so No. and date of challan :

I have read Chapter VIII of the Indian Forest (Tripura Amendment)
Act, 1984 and the rule made thereunder and under-take to abide by the
same.

Place :-

Date :-

Yours faithfully,

Signature of the Applicant(S)

158
155

FORM III
(See rule 5(1))

Form of Application for Renewal of Licence.

To
The Conservator of Forests (or the Authorised Officer)

..... Circle, Tripura.
Sir.

(in Block letters)

I/We inhabitation(s) of
..... (address in details)
..... District by
the Police Station
profession apply for renewal of my/our
Licence No. dated the validity of
which expired on
The renewal fee of Rs. only is enclosed as per
Challan No. dated

Yours faithfully,

Place :-

Date :-

Signature of the Applicant(s)

FORM IV
(See rule 6 (3)(c).)

Form of Renewal of Licence

..... Dated

The licence is renewed and shall be valid up
to, The licensee has paid the renewal fee of Rs. 100/-
(Rupees one hundred only)

Place :-

Date :-

Signature of the Issuing Authority
(Seal)