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**THE  
KARNATAKA  
FOREST RULES, 1969**

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**FORMS 1 to 47**

# <sup>1</sup>THE KARNATAKA FOREST RULES, 1969

(As amended by GSR 436, dated 17-12-1970; GSR 27, dated 15-1-1974; GSR 166, dated 30-04-1974; GSR 206, dated 24-6-1974; GSR 257, dated 4-9-1974; GSR 29 dated 4-9-1974; GSR 35, dated 20-12-1974; GSR 268, dated 18-8-1976; GSR 74, dated 28-2-1977; GSR 225, dated 25-7-1978; GSR 161, dated 30-5-1979; S.O. 1492, dated 4-6-1979; GSR 282, dated 26-9-1979; S.O. 21, dated 5-11-1980; GSR 13, dated 9-1-1981; GSR 50, dated 19-29-1981; GSR 300, dated 27-12-1983; GSR 134, dated 30-4-1984/5-5-1984; GSR 236, dated 2/4-9-1985; GSR 39, dated 11-2-1994; Notification Nos. FEE 9 FAF 96, dated 15-11-1997; FEE 35 FAD99, dated 7-6-2000, FEE 15 FAF 98, dated 3-1-2002; FEE 16 FSW 2001, dated 5-9-2012; FEE 14 FDP 2004, dated 19-5-2004; FEE 14 FDP 2004, dated 25-8-2004; G.O.No. FEE 149 FDP 2003, dated 1-12-2005; O.M. No. B3/Sales/Seigniorage rate-09/2009-10, dated 13-1-2010; FEE 65 FDP 2012, dated 20-5-2013; FEE 73 FAF 2016, dated 28-9-2016 **and FEE 119 FDP 2016, dated 28-6-2017.**)

**GSR 116.-** In exercise of the powers conferred by Sections 30, 33, 38, 50, 59, 97, 101 and 102 of the Karnataka Forest Act, 1963 (Karnataka Act 5 of 1964), the Government of Karnataka hereby makes the following rules the draft of the same having been published in Part IV, Section 2-C(i) of the Karnataka Gazette, Extraordinary, dated 19<sup>th</sup> August, 1967 as GSR 361, dated the 17<sup>th</sup> August, 1967 publish the following rules.-

## CHAPTER I PRELIMINARY

1. Title.- These rules may be called the **Karnataka Forest Rules, 1969.**

### CASE LAW

Object, purpose and intendment with reference to the provisions of the Act and rules explained. – Bhadravathi Division Saw Mills Owners and Timber Merchants Association v State of Karnataka, ILR 1986 Kar. 2298.

2. **Definitions:-** In these rules, unless the context otherwise requires.-

- (1) **“Act”** means the Karnataka Forest Act, 1963;
- (2) **“Forest area”** includes all lands notified as forest under any law or administered as forest, whether State-owned or private, and whether wooded or maintained as potential forest land;

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1. Published in the Karnataka Gazette, dated 3-4-1969 (27.3.1969). Vide Notification No. AFD 2 FAD 69, dated 1-3-1969

- (3) **“Forest block”** means a natural main division of a forest, generally bearing a local proper name of number;
- (4) **“Forest laws”** means the laws pertaining to the Act and these rules and include the ordinary penal laws of the country when they are utilised in the interest of forest conservancy and protection;
- (5) **“Form”** means a form appended to these rules;
- <sup>1</sup>[(5-A) **“Hand sawing contrivance”** means any sawing contrivance which is not operated by electrical or battery or diesel power;
- (5-B) **“Industrial Area”** means an area notified under sub-section (6) of **Section 2 of the Karnataka Industrial Areas Development Act, 1966 (Karnataka Act 18 of 1969)**”
- (5-C) **“Licence”** means licence issued under these rules;
- (5-D) **“Licence Issuing Authority”** means the Territorial Deputy Conservator of Forests’]
- (6) **‘Minor forest produce’** means forest produce other than timber sandalwood, firewood, charcoal bamboos and minerals, and includes forest produce such as myrobalams barks, fibres, flosses, gums, resin, dyes, grass, leaves, roots, fruits, seeds, creepers, reeds, moss, lichens, wood-oil, honey, wax, lac, wild animals, wild birds, Government trophies horns, horns, hides, bones, tusks, etc.;
- <sup>2</sup>[(6-A) **“Municipal Area”** means the area notified under the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964) or the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977);
- (6-B) **“Owner of the sawmill”** means the person in whose name the unit is registered; provided that in case of partnership or a limited company, the ownership of licences shall be in the name of the concern with nominated person or managing partner as person responsible for day-to-day affairs;
- (6-C) **“Sawmill and any other sawing contrivances”** means a machine that is involved in shaping or sawing of round timber and /re re-sawing of sawn timber using mechanical devices and/or for manufacturing of wood products which includes sawmill, Joinery Mill, Veneer Mill/Industry, Chipping Unit and includes other wood based industry like Plywood Mill/Industry, Particle Board Mill/Industry, Medium-Density Fibre board Mill/Industry, and block board mill/Industry using machinery for conversion and/or shaping of timber having horizontal band saw, vertical band saw, circular saw, peeling machine, slicing machine, chipping machine or any other machine for sawing, re-sawing and/or shaping round timber/or sawn timber, but does not include Secondary Wood Based Industry;

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1. Clauses (5-A) to (5-D) inserted by Notification No. FEE 65 FDP 2012, dated 20-5-2013, w.e.f. 20-5-2013

2. Clauses (6-A) to (6-D) inserted by Notification No. FEE 65 FDP 2012, dated 20-5-2013, w.e.f. 20-5-2013

- (6-D) **“Secondary Wood base Industry”** means an industry that undertakes traditional carpentry work production of furniture, handicrafts, wooden toys, small joinery, sport goods and similar products, and/or involved in resawing of sawn timber for conversion into smaller pieces for meetings its own manufacturing requirements of wooden products and includes units having vertical based saw not exceeding 14 inches in length and/or circular saw not exceeding 12 inches in diameter, and powered by motor/engine not more than five horsepower, provided same unit is not involved in sale or round timber and/or sawn timber;]
- (7) **“Section”** means a section of the Act;
- (8) **“Seigniorage value”** means the royalty payable by consumers and purchasers for the collection and removal of forest produce from forests on licences or permits at the rates fixed by Government;
- (9) **“State”** means the State of Karnataka;
- (10) **“Unreserved trees”** mean trees other than reserved trees.

## CHAPTER-II

### CONSTITUTION OF RESERVED FOREST INQUIRY BY FOREST SETTLEMENT OFFICER

**3. Preservation of claims.-** Claims on behalf of a family may be presented by any member of that family, on behalf of a tribe or community by any member of the tribe or community, on behalf of joint claimants or khatedars by any one of the joint claimants or khatedars, and on behalf of a village by the Patel of the village. Otherwise, save as provided by Rule 4, all claimants must appear in person before the Forest Settlement Officer.

**4. Employment of counsel by claimants.-** A claimant may employ a legal practitioner or any person duly authorised by him in writing in this behalf to represent him before the Forest Settlement Officer.

**5. Joining of claims of the same area and enquiry.-** (1) The Forest Settlement Officer may, at his discretion, at any stage of enquiry, join any number of claims relating to the same proposed reserved forest and hold a common inquiry, or may split any claim or claims and hold separate inquiries.

(2) The claimant and the Forest Officer appointed under sub-section (2) of Section 4 may examine themselves and witnesses in support of their contentions, cross-examine the witnesses of other side, produce documents and advance arguments. If request is made by them in writing, copies of evidence recorded at the enquiry, document received in evidence, other papers, if any, relating to the enquiry and orders passed by Forest Settlement Officer shall be granted.

**6. Forest Settlement Officer's jurisdiction to enquire.-** The Forest Settlement Officer shall inquire into and determine the existence, nature and extent of rights in or over the land or forest produce, and shall have no jurisdiction to enquire into a right to the proceeds of a forest produce.

**7. Forest Settlement Officer's work.-** The Forest Settlement Officer accompanied, when possible, by a competent Forest Officer shall perambulate and inspect the proposed reserved forest and shall as settlement proceeds, with the aid of a Surveyor deputed by the <sup>1</sup>[Deputy Conservator of Forests], if such be available, mark on it such changes in the proposed boundary as he may consider, after hearing the parties interested and the <sup>2</sup>[Deputy Conservator of Forests] on the matter, and such other corrections as the map may require.

**8. Forest Settlement Officer's Note Book.-** The Forest Settlement Officer shall record in his own hand, the results of his inspection and perambulation if any. Alterations and exclusions to be made from the proposed reserve forest shall be authenticated by his signature and communicated officially to the <sup>3</sup>[Deputy Conservator of Forests].

**9. Settlement of Forest with numerous rights.-** It is not desirable to form reserved forest subject to numerous petty rights to be regulated by several checks and formalities, the enforcement of which is a constant source of vexation to the public. In such cases, the proposed land could be regulated under Chapter IV of the Act. If the Forest Settlement Officer considers that a proposed reservation is altogether inexpedient, he should make a recommendation to that effect.

**10. Register of claims.-**(1) Claims may be either to land or to rights specified in Section 12.

(2) Forest Settlement Officer shall maintain a Register of Claims in Form 1. Claims relating to right to land and rights specified in Section 12 shall be entered separately in the register.

**11. Right of way:-** While admitting rights of way, the Forest Settlement Officer shall record the following particulars.-

- (i) In whom the right vests, i.e., the general public, or the inhabitants of any particular village or villages, or any private person or persons;
- (ii) The nature of right, i.e., footpath or cart track or road;
- (iii) The width of the right of way ; and
- (iv) Whether the right of way is marked in the village survey map or not; if marked, whether the way lies along the route so marked or any diversions are allowed in which case location of the diversions be indicated as nearly as may be feasible without actual survey.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**12. Separation of Privileges from rights.**-Regarding privileges, a Forest Settlement Officer may make such recommendations as the circumstances justify or necessitate. But the question of privileges must be kept entirely separate from that of rights and no rights should be admitted except those which are satisfactorily established.

**13. Appeals on the orders of the Forest Settlement Officer and the appellate orders.**- In cases in which appeals are preferred against his orders, the Forest Settlement Officer shall obtain copies of the appellate orders and keep them in the concerned file. A brief abstract of each appellate order along with date and number shall also be entered in the appropriate column of Claims Register in Form 1.

**14. Preparation of draft notification of Settlement and Settlement Map.**- The Forest Settlement Officer shall draft the notification under section 17. In framing the description of boundaries for the notification under section 17, the Revenue Survey numbers of the fields through which the boundaries run should, as far as possible, be given.

**15. Verification and signing of Settlement notification and map.**-

- (1) Both the map and the notification should be verified and shall be signed by the Forest Settlement Officer and the <sup>1</sup>[Deputy Conservator of Forests].
- (2) Both the map and the notification shall as far as possible be prepared and signed at the same time and place at which the settlement inquiry has been held.

**16. Submission of enquiry report.**-On completion of the enquiry and appeals, if any, the Forest Settlement Officer shall.-

- (i) forward to Government through the Deputy Commissioner a report about all rights claimed and finally admitted within the reserved forest specifying their nature, incidents and extent along with a statement in Form 2 and a map of the proposed forest land and the boundaries giving the revenue survey numbers of the fields through which the boundaries run;
- (ii) prepare particulars required in Form 3 and forward it to the concerned <sup>2</sup>[Deputy Conservator of Forests] and Deputy Commissioner of the district;
- (iii) forward the entire records and papers relating to the enquiry to the Deputy Commissioner of the district; and
- (iv) forward a copy of the settlement map to the District Survey Officer.

**17. Necessary corrections to be made in the revenue records and village map.**- Immediately after the publication of the notification under section 17 of the Act.-

- (i) the Deputy Commissioner shall get necessary entries made in the revenue records about lands included in the newly formed reserved forest; and
- (ii) the District Survey Officer shall get necessary changes incorporated in the village map.

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2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**18. Custody of records relating to enquiry.-** The Deputy Commissioner of the District shall be the custodian of all papers and records relating to the enquiry by Forest Settlement Officer.

**19. Forest Register:-**The <sup>1</sup>[Deputy Conservator of Forests] shall maintain a Forest Register in Form 3

**20. Particulars to be specified in the notification.-** The <sup>2</sup>[Deputy Conservator of Forests] and the Forest Settlement Officer should refer, in the draft notification (under Sections 4 and 17 of the Act) submitted by them respectively, to the following features chiefly.-

- (i) Surveyed and demarcated village boundaries and their marks;
- (ii) Surveyed and demarcated field boundaries and their marks;
- (iii) Roads, paths, rivers, canals, railways, etc.,
- (iv) Natural features, such as ridges or spurs of well-known hills, banks or rivers or streams, etc.;
- (v) In the absence of other marks or features, forest boundaries and their marks.

**21. Course of boundary.-** The description of boundaries should start from the North-West corner and go round the block along the northern, eastern, southern and western sides in order.

### CHAPTER-III MANAGEMENT OF VILLAGE FORESTS

**22. Management of village forests.-** The management of village forest transferred to or vested in the Village Panchayat under Sections 42 and 46 of Karnataka Village Panchayat and Local Boards Act, 1959 shall be governed by the following rules.-

- (1) The Panchayat shall meet for deliberation at least once in a month and record the proceedings of the meeting in a book maintained for the purpose, which shall be signed by the Chairman of the Panchayat who shall forward copies of the record proceedings to the Range Forest Officer and Tahsildar.
- (2) Any resolution of the Panchayat may be cancelled by the Range Forest Officer, if it is considered to be against the principles of forest conservation and protection or by the Tahsildar if it is considered to be against the interest of the community or illegal for reasons to be stated by them in writing. An appeal shall lie to the <sup>3</sup>[Deputy Conservator of Forests] against the decisions of the Range Forest Officer, and to the Deputy Commissioner against the decisions of the Tahsildar.

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- (3) Every Panchayat shall maintain regularly such accounts and books and in such form as may be prescribed by the Deputy Commissioner and submit such of them to the Tahsildar at such periods as the Deputy Commissioner may direct. The account shall be audited once a year under the orders of the Tahsildar.
- (4) No wood and other forest produce shall be removed from the village forest except under and in accordance with the permit issued by the Panchayat either free or for a fixed fee. The permit shall be in the form prescribed by the <sup>1</sup>[Deputy Conservator of Forests] or supplied by the <sup>2</sup>[Deputy Conservator of Forests] on payment of cost. The Panchayat shall determine what forest produce may be removed free, the purpose for which and the conditions under which it may be taken and may prescribe a scale of fees for the removal of produce which the Panchayat does not permit to be taken free of charge and the purpose for which it may be removed.
- (5) Permits, free or otherwise, may be issued by the Panchayat or any person authorised by it. The Panchayat may prescribe the check-posts at which the produce shall be brought for inspection and where permits shall be checked or recovered. The permit or licence shall be obtained before any felling, conversion, collection or removal is commenced. The permit holder must comply with the rules and conditions entered in the permit. The permit shall be valid only within the limits of the village panchayat.
- (6) The Panchayat may sell by public auction all forest produce in the village forest except Sandalwood, Rosewood and Teak, subject to confirmation by the Chairman of the Panchayat in consultation with the Range Forest Officer.
- (7) The Panchayat shall have control over all the grazing areas such as 'gomal lands', 'forest pasture', 'revenue waste' and such other lands in the village forests within the limits of the village or groups of villages for the benefit of which such village forests have been constituted. Grazing shall be free in all the gomal lands in the village forests, but in respect of the other lands included in the village forests, the Panchayat may allow free grazing or levy such fees as shall from time to time be determined by it, subject to the approval of the Deputy Commissioner.
- (8) The Panchayat may prepare each year a list of all the cattle in the village and fix the limit of cattle per hectare after taking into consideration the area available for grazing in the village forest.
- (9) The Panchayat may regulate grazing in village forest by alternate closing and opening of arrears for such periods as it deems proper having regard to the number of cattle and the area available.
- (10) The Panchayat shall set apart certain portions of the grazing area available in the village forest for the exclusive use of sheep and goats.
- (11) The Panchayat may permit grazing of the cattle of the neighbouring villages, after consideration of surplus grazing area, if any, available at its disposal.
- (12) The Panchayat shall decide whether to permit or refuse grazing of the cattle of the professional graziers and the fee that may be levied on such cattle.
- (13) The Panchayat may impound the cattle allowed to enter the forest contrary to the rules.

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2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

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- (14) The Panchayat may stop the exercise of any of the privileges in the forest by the villagers and exclude the cattle of such persons from the forest, if they fail to pay the dues of the Panchayat or to conform to any of the rules made by the Panchayat.
- (15) The Panchayat may close any portion of the forest for grazing or for the exercise of any other privileges and against any class of cattle for any period considered necessary with the approval of the Tahsildar.
- (16) The Panchayat may divide the forest into blocks and work each of them in rotation in accordance with the Working Plan or Working Scheme drawn up for the purpose by the Range Forest Officer and approved by the <sup>1</sup>[Deputy Conservator of Forests].
- (17) Lands included in a village forest shall not ordinarily be given out for cultivation or for any others purpose without the consent of the Panchayat.
- (18) The Panchayat shall suitably demarcate the boundaries of the village forest and maintain the demarcation in good condition.
- (19) The Panchayat shall improve the condition of the growing stock and plant, fuel, timber, manurial and other economically important trees in the forest and in this respect they will be guided by the advice of officers of the Forest Department.
- (20) The Panchayat shall improve the condition of pasturage by undertaking measures such as rotational grazing, introduction of nutritive varieties of grass, growth of fodder, species of trees and such other measures as may be suggested by Agriculture, Animal Husbandry and Forest Departments.
- (21) Sale proceeds of grass and other forest produce, compensation amounts recovered in the composition of forest offences and all contributions made shall be constituted into a 'Village Forest Fund' which should be deposited in the Government Savings Bank in the name of the Panchayat. The Chairman and any other member of the Panchayat authorised by the Panchayat shall jointly operate upon the account whenever necessary. The funds shall be used solely for the purpose of protection and improvement of the village forest.
- (22) The Sub-Deputy Conservator of Forest Officer or the Range Forest Officer shall inspect the village forest and the accounts pertaining thereto at least once a year and report the result of such inspection to the Deputy Commissioner under intimation to the <sup>2</sup>[Deputy Conservator of Forests].
- (23) The Tahsildar of the Taluk and the local Range Forest Officer shall once in every six months jointly inspect the village forests, check the accounts of the Panchayat and scrutinize the general policy adopted by the Panchayat in working the forests. A joint inspection report should be submitted to the Conservator of Forests and the Deputy Commissioner.
- (24) The <sup>3</sup>[Deputy Conservator of Forests], the Assistant Commissioners, the Forest Sub-Divisional Officers and the Tahsildars may also during their tours inspect the village forests in their jurisdiction and the accounts and registers maintained by the Panchayat.

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**23. Application of certain provisions of Chapter II to village forests.-** The provisions of sections 24(b), (c), (d), (e), (f), (g), (h), (i), (j) and 25 of Chapter II of the Act, shall be applicable to the village forests also.

#### **CHAPTER IV DISTRICT FORESTS**

**24. Privileges in district forests.-** In all district forests, the grazing of cattle, the cutting and removal of grass, the collection and removal of dry firewood other than of the reserved kinds in head-loads, thorns and leaves of trees and shrubs that are not reserved will be allowed, free of charge and without permit, provided that grass, firewood, thorns or leaves are required for the inhabitants of that or neighbouring village for agricultural or domestic use and not for sale or barter. The collection and removal of dry firewood (other than in head loads) and felling and removal of trees other than those included in the list of reserved trees for agricultural and domestic purposes other than house-building will also be allowed free of charge, but with permits to be issued by officers authorised in this behalf.

**25. Acts prohibited in district forests.-** (1) No tree, shrub or bamboo in the district forest shall be cut and no grass or any other forest produce shall be burnt within.-

- (a) forty-five metres of the banks of a hill stream, or any of its feeders,
- (b) a radius of 45 metres from any spring of water, or
- (c) forty-five metres of any public road,

except with the written permission of the <sup>1</sup>[Deputy Conservator of Forests] or any other Officer duly empowered in this behalf.

- (2) No fresh clearing shall be made for cultivation or for any other purpose except with the permission of the <sup>2</sup>[Deputy Conservator of Forests].
- (3) Save as provided in Rule 24, no person shall fell, remove, girdle, mark, lop, tap uproot or burn or strip bark or leaves from or otherwise damage any tree in a district forest or use or injure or remove any forest produce found thereon, except with the written permission of the <sup>3</sup>[Deputy Conservator of Forests] or any other Officer duly authorised in this behalf.
- (4) No person shall boil catechu, distil wood-oil or burn lime or charcoal, in a district forest except with the permission in writing of the <sup>4</sup>[Deputy Conservator of Forests] and in such places as may be specially set apart for the purpose by him.
- (5) No person shall hunt, shoot, beat or drive for game, set traps or snares for game and fish in a district forest except under and in accordance with a licence issued under the Karnataka Wild Animals and Wild Birds Preservation Act, 1963 and rules framed thereunder.
- (6) No person shall put poison or use dynamite or other explosive substance for fishing, hunting or for any other purpose in the district forests.

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**26. Grant of permits for removal of trees or other forest produce on payment of seigniorage fees.-**

- (1) Permits for removal of trees or other forest produce on payment of seigniorage fees shall be granted only if the tree or other forest produce applied for is required for.-
- (a) bona fide agricultural or domestic use of the applicant, or
- (b) works of public utility such as village chowkees, schools, dharmashalas, bridges, temples, etc.:

Provided that in exceptional cases, the Chief Conservator of Forests may grant permission for the purposes of trade, manufacture, sale or barter.

- (2) The Chief Conservator of Forests or the Conservator of Forests may for special reasons prohibit grant of any unreserved tree or produce on seigniorage either for a term or altogether.
- (3) All utilisable material from a tree marked for felling by a permit holder including firewood excepting pieces which are below 9 8 c.m. in thickness and 12 decimetres in length shall be paid for by the permit holder.
- (4) The Conservator of Forests may appoint, by notification in the official Gazette, any person or class of persons by name or by virtue of his office, to issue or recover permits under the foregoing rules, and may also prescribe the check posts at which the timber or other forest produce shall be brought for examination and where permits shall be checked or recovered.

**27. Felling and removal of trees and collection of other forest produce.-** The felling, conversion and removal of trees and the collection or removal of other forest produce may be effected in one or other of the following ways, but in no other way.-

- (i) Departmentally, i.e., by the Officers of the Forest Department having control over the produce, or by persons acting under the immediate superintendence, control or orders of such officers.
- (ii) By persons holding permits (licences) duly issued under these rules.
- (iii) By any person holding a right under a lease, contract or permit granted under these rules.

<sup>1</sup>[**27A. Placing areas at the disposal of Government under special protection.-**(1) Any area set apart for forest reserve under Section 71 of the Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964) or any part of it for special protection in view of its subsequent settlement and constitution of reserve forest or for any other purpose may be notified as protected forest under sub-section (4) of section 33 of the Act. The land so notified as protected forest shall be under full control of the Forest Department and may be organised into beats and sections for the purpose of protection, development and forest administration or for any other purpose.

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1. Rule 27-A inserted by GSR 268, dated 18-8-1976, w.e.f. 26-8-1976  
Inserted by Notification No. AFD 115 FAF 74 Dt. 18.8.1976 GSR 268

- (2) After the area has been notified as protected forest in the Official Gazette working plans or working schemes thereon shall be prepared by the <sup>1</sup>[Deputy Conservator of Forests] and approved by the Chief Conservator of Forests (General) or the Special Chief Conservator of Forests (Development) as the case may be who shall have power to modify them from time to time if necessary.
- (3) The protected forest shall be worked by the forest department according to the working plan or scheme prepared under sub-rule (2).
- (4) The <sup>2</sup>[Deputy Conservator of Forests] shall cause the translation into the regional language of every notification issued under sub-rule (1) to be appended in a conspicuous place in every town and village in the neighbourhood of the forest comprised in the said notification.

**28. Privileges in protected forests.-**

- (1) The privileges granted to raiyats and public in district forest shall be available in protected forests subject to the conditions that all removals shall be effected under permits, free or otherwise, as the case may be, issued by Forest Officers authorised in that behalf by the <sup>3</sup>[Deputy Conservator of Forests].
- (2) Free permits for the removal of forest produce from protected forests by raiyats for their *bona fide* domestic and agricultural use wherever permissible shall be issued by Forest Officers duly authorised under sub-rule (1).

**29. Permission for clearing for cultivation, etc., in protected forests.-** On any land declared as protected Forest, no fresh clearing shall be made for cultivation or any other purpose without the permission of the Government and no land shall be given out for cultivation within 100 metres of the boundaries of such forest.

**30. Regulation of issue of permits for forest produce and grazing.-** Whenever the Government is satisfied that regulation is necessary to prevent the deterioration of any protected forest to such an extent as to render it unfit for any purpose, the Government may close the forest for issue of permits and grazing.

**31. Common rules for district and protected forests.-** Save as provided hereinbefore in this Chapter, rules for the management of district forests shall, *Mutatis mutandis*, be applicable to protected forests.

**32. Devarakadus and Urudves in Coorg District.-**(1) Except in the exercise of rights recorded under the repealed Act, no timber, wood, branches, grass or other forest produce shall be removed from Devarakadu:

Provided that the <sup>4</sup>[Deputy Conservator of Forests] may permit removal of such stone or gravel as may required for the repair of public roads or for other public purposes:

Provided further that no timber shall be felled or removed except under and in accordance with a licence granted by the <sup>5</sup>[Deputy Conservator of Forests].

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- (2) No branch wood of unreserved trees for firewood or other forest produce for *bona fide*, domestic and agricultural purposes in Urudves shall be removed except under and in accordance with permits issued by the officers authorised in this behalf.
- (3) No timber or bamboos for building purposes from Urudves shall be removed except under in accordance with a licence granted by the <sup>1</sup>[Deputy Conservator of Forests] who may make free grants up to the limits of (a) Rs. 50 in value to individual raiyats and (b) Rs. 250/- in value and subject to an aggregate of Rs. 1,000/- per annum where the grant is required for public purposes by the village community or a section thereof.
- (4) The <sup>2</sup>[Deputy Conservator of Forests] shall grant a licence under the proceeding sub-rule, only if he is satisfied that such a grant is really needed and that a period of 5 years has elapsed since the applicant received a similar grant previously.

Provided that no licence in respect of sandal, teak, rosewood, ebony and poon shall be granted.

**33. Amrit Mahal Kavals.**- The rules for the management of district forests shall, *mutatis mutandis* apply to Amrit Mahal Kavals which mean and include the land assigned by the Government for the pasturage of Amrit Mahal Cattle owned by the Government.

#### **Cutting and removal of date leaves and date wood**

**34. Definition.**- 'Date Tree' for the purpose of rules, includes Phoenix sylvestris (date or Ichal), Borassus flabelliformis (Palmyra) and Caryota urens (Bagani), but does not include Kir or Hulichal.

**35. Cutting of date trees and leaves prohibited.**- (1) No person shall cut or remove date wood or leaves except under and in accordance with licence issued under these rules.

- (2) No leaves shall be cut or removed from date groves set apart by the Deputy Commissioner to or meet the requirements of toddy vend farmers.
- (3) No leaves shall be cut from any tree from which toddy is being actually drawn or which is marked for the purpose of toddy revenue.
- (4) No leaves shall be cut from young immature trees the trunks of which are less than 2 metres in height from the ground level to the point at which the leaves spring.
- (5) Only two leaves from each tree shall be removed in any one year.
- (6) The central shoot including the four tender leaves shall on no account be removed.

**36. Free removal of date leaves and date wood.**- (1) In localities where the date groves are in excess of the demand for toddy, or may not be required for the supply of toddy elsewhere or where Kirichal (Phoenix farinifera) is not available, cultivating raiyats who are not professional rope-makers, basket-makers or mat-makers shall be allowed, free of charge, the use of date leaves required for making ropes, mats, baskets, etc., or for other *bona fide* agricultural purposes.

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- (2) In localities which may be specified by the Deputy Commissioner, manufactures of jaggery, as well as potters who pay mohatarfa tax, may be permitted to remove dry date leaves for fuel, free of charge.
- (3) In localities where fuel is scarce, raiyats may be permitted to take, free of charge, dry date leaves and dead wood unserviceable except as firewood, for *bona fide* private use but not for sale.
- (4) In seasons of famine, scarcity or drought, raiyats may be allowed to cut date leaves as fodder for cattle.
- (5) All persons who intend to avail the privilege of obtaining, free of charge, the date leaves and date wood under this rule shall obtain a licence in Form 4 from the concerned Forest Range Officer who shall specify the quantity of leaves or wood in terms of number, head-load or cart-load, the area from which and the period during which such removals are permitted.

**37. Issue of licences for removal of date leaves and wood on payment of seigniorage value.**- (1) Professional rope-makers, basket-makers, mat-makers and others who are not entitled to use date leaves, free of charge, shall obtain licences from the <sup>1</sup>[Deputy Conservator of Forests] or other officer authorised by him for the removal of date leaves on payment of seigniorage value; Provided that no such licences shall be granted in localities where Kirichal is available for making baskets, mats, *etc.*, or where date trees are scarce or insufficient for the purposes of toddy revenue.

- (2) In localities where it is customary to use dead date wood for building purposes, raiyats may obtain, for such purposes, date trees not fit for tapping, under licences granted by the <sup>2</sup>[Deputy Conservator of Forests] or other officer empowered by him in this behalf, on payment of seigniorage value.
- (3) The licence shall be in the form prescribed under Chapter X of these rules.

**38. Obligation of the licence-holders.**- The licences mentioned in Rules 36 and 37 shall not be transferable and no person other than the licence-holder or his *bona fide* servant or a member of his family living with him shall cut date leaves or date wood under the licence. The licence shall be produced for inspection whenever required by any officer of the Forest, Revenue, Excise or Police Department or Village Patels, and they shall be returned to the officer issuing them immediately on the expiration of the period mentioned therein.

**39. Grant of lands for cultivation or other purposes from districts forests.**- (1) No unoccupied land containing valuable trees or forest growth shall be granted to any person for cultivation, without disposing such trees or forest growth except Sandal trees, either.-

- (i) by extraction by the Department, or
- (ii) by sale by inviting tenders or holding public auctions, or
- (iii) by sale at seigniorage rates at the discretion of the <sup>3</sup>[Deputy Conservator of Forests] before possession is given to the grantee:

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Provided that any fruit yielding tree like, Mavu, Halasu, Neralu, Hunse, Nelli, Sithaphala, etc., any manurial tree like Honge, Seemethangadi, Basavanapada, Glericidia, etc., and any young and immature trees growing on the said land may be retained, at the option of the grantee; provided he pays the value of such tree or trees as assessed by the Department.

- (2) The Forest Department shall dispose of the trees in the aforesaid manner within a year or within such time as may be extended by the Government from the date of issue of orders for the disposal of the land. In specific cases, in which the Department is not able to do so, orders of Government in the Forest Department should be obtained for extension of time for the disposal of the trees.

**40. Grant of lands for coffee or cardamom cultivation.-** (1) No land shall be assigned for coffee cultivation or cardamom cultivation, unless the Director of Research, Coffee Board or the Cardamom Development Officer as the case may be, is of opinion that the land is *prima facie* fit for coffee or cardamom cultivation, as the case may be.

- (2) Grant of lands assigned for coffee or cardamom cultivation shall be liable to be cancelled and the land liable to be resumed to Government without payment of compensation for any improvement that the grantee might have effected if coffee or cardamom, as the case may be, is not grown within a period of five years from the date of issue of saguvali chit or if some other crop has been grown.
- (3) Copies of the orders assigning lands for coffee or cardamom cultivation shall be sent to the Director of Research, Coffee Board in case of lands assigned for coffee cultivation and to the Cardamom Development Officer in case of lands assigned for cardamom cultivation with a request to give a report once a year after the land is ready for cultivation regarding the progress of the coffee or cardamom cultivation, as the case may be.

**41. Grant of lands by the Deputy Commissioner-**

- (1) No land containing valuable trees or other forest growth shall be granted by the Deputy Commissioner, unless the concerned <sup>1</sup>[Deputy Conservator of Forests] gives his concurrence.
- <sup>2</sup>[(2) (i) No land from well wooded areas or well wooded areas adjacent to wooded areas in the district or protected forest or well wooded areas within 100 meters of reserved forests shall be granted for occupancy without prior permission of Government of India under the Forest (Conservation) Act, 1980 (Central Act 19 of 1980) and except in cases covered by the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (Central Act 2 of 2007); and
- (ii) No land from well non-wooded areas or adjacent to district or protected forests or within 100 metres of reserved forests shall be granted for occupancy without prior concurrence of the jurisdictional Deputy Conservator of Forests.]
- (3) No land containing 25 or more sandal trees of over 20 cm. in girth at 1.37 metres from ground level per hectare shall be given out for cultivation or other purpose or leased for any purpose, except with the concurrence of the <sup>3</sup>[Deputy Conservator of Forests] or of the Conservator of Forests.

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

2. Sub-rule (2) substituted by Notification No. FEE 73 FAF 2016, dated 28-9-2016, w.e.f. 1-10-2016

3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(4) Lands containing smaller number of such developed sandal trees or sandal trees of lesser girth may be given out for occupancy by the Deputy Commissioner in consultation with the <sup>1</sup>[Deputy Conservator of Forests], unless in the opinion of the latter they are valuable sandal-bearing areas. The Deputy Commissioner, before granting, such land, shall get a complete and correct list of all sandal trees and saplings in the land and record the list in the register maintained for the purpose and obtain an agreement from the grantee for preserving all such trees.

**42. Encroached lands.**- No land encroached upon shall be regularised by grant of such land to the encroacher except on payment of the value of trees on the land and the value of the trees estimated to have been on the land at the time of the encroachment. When an encroacher is evicted, he shall pay the value of the trees estimated to have been on the land at the time of the encroachment and to have been subsequently appropriated or destroyed by him.

**43. Penalties.**- (1) Any person contravening provisions of rule 24, sub-rules (1) to (6) of Rule 25, Rules 27, 28, 29, 31, 32 and 33 shall on conviction be punishable with imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees or with both.

(2) Any person contravening provisions of Rule 35 sub-rule (5) of Rule 36, sub-rules (1) and (2) of Rule 37, and Rule 38 shall on conviction be punishable with fine which may extend to one hundred rupees and forfeiture of any licence granted under the said rules.

#### **CHAPTER V MANAGEMENT OF PRIVATE FORESTS**

**44. Cutting and girdling of trees in private forests.**- (1) Extraction of trees in flat areas and moderate slopes shall be governed by silvicultural principles and in steep and precipitous slopes on the principles of protection where only dead, dying and mature trees may be removed.

- (2) Cutting and girdling of trees may be either by clear felling method or by selection method. No clear felling method shall be permitted on steep and precipitous slopes.
- (3) Cutting and girdling of reserved trees shall be governed by Chapter XV, as if they are 'Government trees' as defined in rule 128.
- (4)(a) Permission to cut trees by clear-felling method in a forest shall be granted by division of the forest or a block of the forest into annual coupes equal to the number of years in the felling cycle. The trees shall be permitted to be cut in one coupe in an year for each block of forest.
- (b) If it is found impossible to divide a forest or a block of a forest into annual coupes due to any valid reasons, permission to cut the trees in the whole forest or block may be granted, provided the <sup>2</sup>[Deputy Conservator of Forests] is satisfied that the trees therein have attained the age of exploitation.
- (5)(a) Permission to cut trees by selection method shall be granted according to girth limits and the forest shall be divided into as may annual coupes as the <sup>3</sup>[Deputy Conservator of Forests] may direct.

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- (b) In the case of forests situated in areas where the annual rainfall is 200 cm. or more, no permission to cut the trees specified in column (2) of the table below shall be granted unless girth at 1.37 metres from ground level is not less than the limits specified in column (3) thereof.-

| SI. No. | TABLE<br>Trees                                 | Girth       |
|---------|--|-------------|
| 1       | Deptehocarpus indicus (Dhumn)                  | 1.5 metres  |
| 2       | Hopea parviflora (Kiraalbogi)                  | 1.5 metres  |
| 3       | Calophyllum tomentosum (Ssuraahonne poon)      | 1.5 metres  |
| 4       | Palaquim ellipticum (Pall:Hadasale)            | 1.5 metres  |
| 5       | Mesua ferrea (Nagasampige)                     | 1.5 metres  |
| 6       | Poeciloneuron indicum (Baligi)                 | 1.5 metres  |
| 7       | Lophopetlum weightianum (Bilihebbalasu)        | 1.5 metres  |
| 8       | Mangifera indica (Mango:Mavu)                  | 1.5 metres  |
| 9       | Machilus macarantha (Gulmavu)                  | 1.5 metres  |
| 10      | Artocarpus hirsuta (Hebbalasu)                 | 1.5 metres  |
| 11      | Cullenia excelsa                               | 1.5 metres  |
| 12      | Tetramelles nudiflora                          | 1.5 metres  |
| 13      | Tectona grandis (Teak: Saguvani)               | 1.25 metres |
| 14      | Dalbergia latifolia (Rose-Wood: Bite)          | 1.25 metres |
| 15      | Ptercarpus marsupium (Honne)                   | 1.25 metres |
| 16      | Terminalia Tomentosa (Matti)                   | 1.25 metres |
| 17      | Terminalia paniculata (Hunal)                  | 1.25 metres |
| 18      | Adina cardifolia (Yethyaga)                    | 1.25 metres |
| 19      | Lagerstroemia lanceolata (Nandi)               | 1.25 metres |
| 20      | Artocarpus integrifolia(Jack:Halasu)           | 1.25 metres |
| 21      | Dysoxylum malabaricum (While cedar)            | 1.25 metres |
| 22      | Cedrela toona (Red cedar)                      | 1.25 metres |
| 23      | Xylia xylocarpa (Jambe)                        | 1.25 metres |
| 24      | Lagerstroemia flosreginae (Haaaaaoleadasavala) | 1.25 metres |
| 25      | Vateria indica (Saldupa)                       | 1.25 metres |
| 26      | Hardwickia pinnaa (Ennermara)                  | 1.25 metres |
| 27.     | Bombax malabaricum orinsigne(Buruga)           | 1.25 metres |
| 28      | Alstoni scholaris (Maddale)                    | 1.25 metres |
| 29      | All species other than specified above.        | 1.00 metres |

Provided that the Conservator of Forests, for reasons to be recorded in writing, may permit cutting of trees below the girth limit specified above if such felling shall not reduce the number of standing trees of girth not less than 90 cms. At 1.37 metres above ground level evenly distributed in the area below 100 trees per hectare.

- (c) In the case of forests situated in areas where the annual rainfall is less than 200 cm. no permission to cut the trees shall be granted unless girth at 1.37 metres from ground level is not less than 100 cm.
  - (d) In the case of forests not capable of producing timber, no tree shall be cut unless its girth at 1.37 metres from ground level is not less than 80 cm.
- (6) The girth limits specified in sub-rule (5) shall not apply to dead, dying and unsound trees.

**45. Application for permission to cut or girdle trees in private forest.**- Application for permission to cut trees from private forest shall be made to the <sup>1</sup>[Deputy Conservator of Forests] and shall contain the following particulars and be accompanied by the following documents.-

- (a) Location, name, survey number and approximate area of the whole forest in which the area containing the trees proposed to be felled is included;
- (b) Location, name, survey number and the area containing the trees proposed to be felled, preferably in the form of survey sketches;
- (c) A certificate to the effect that the boundaries of the area containing the trees proposed to be felled have been demarcated clearly on the ground by a clear cut line of 2 metres width or are defined already by the natural boundaries, such as streams, river beds, ridges, roads, *etc.*;
- (d) Proof of ownership of the forest or of the trees proposed to be felled;
- (e) The route by which and the place to which the felled trees will be removed;
- (f) The manner in which the applicant proposes to ensure the regeneration of trees in the places of the trees proposed to be felled;
- (g) The year of planting or sowing in case of even aged crop, or the approximate age of trees in the case of uneven-aged mixed crop;
- (h) The period, which shall not exceed one year, within which the felling will be completed.

If the application is for the felling of trees by the selection method, the following information shall be furnished in addition to that specified in items (1) to (h) above-

- (i) A statement in duplicate containing a list enumerating the trees proposed to be felled numbered serially, indicating the species and girth at 1.37 metres from the ground level.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

- (ii) A certificate to the effect that the trees included in the list have been serially numbered in tar in a conspicuous manner at the base of the tree and at 1.37 metres from the ground level.

**46. Condition attached to the permission:-** (1) Every permission granted for the cutting of trees under the clearfelling method shall be subject to the following conditions:-

- (a) Felling and removal of any tree growth within 20 metres of either bank of any stream, spring or water reservoir is prohibited;
- (b) All live and sound trees shall be felled at a height not exceeding 15 cm, from the ground and the stools trimmed. In the case of dead trees and casuarina trees, the removal of the stump and root shall also be permitted;
- (c) Every coupe in which trees have been felled in any year shall be demarcated at prominent corners with coupe stones showing the year of felling and the area felled;
- (d) The coupe in which the trees have been felled in any year shall be planted up by the owner within that year or the next planting season and unless this is done, the owner or any person authorised by him shall not be granted permission for any more fellings in his forest, and if any permission granted to him for any area is current, it shall be cancelled forthwith;
- (e) The felled area shall be closed to grazing for a period of five years after felling;
- (f) The permission for cutting the trees shall be valid only for the period specified therein which shall not exceed one year;

Provided that none of the conditions mentioned above shall apply to permission granted for the cutting of trees for purposes of *bona fide* cultivation of food crops or plantation crops.

- (2) No clear-felling of forest for *bona fide* cultivation of food crops or plantation crops shall be permitted unless the <sup>1</sup>[Deputy Conservator of Forests] is satisfied that.-
- (i) there will be no denudation of forest if the permission is granted;
- (ii) there will be no clearance of any tree growth on steep and precipitous hill slopes; and
- (iii) the area sought to be cleared has been inspected by the Range Forest Officer having jurisdiction over the area in which the forest is situated and he has certified that the area is not on steep slopes and carries only a very sparse growth (number of trees with species contained in the area to be mentioned) and that there will be no denudation of the area if the permission is granted.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(3) Every permission granted for the cutting of trees by the selection method shall be subject to the following conditions.-

- (a) The boundaries of the area containing the marked trees permitted to be felled shall be defined and demarcated clearly on the ground.
- (b) The serial number of the tree felled shall be marked on the stump conspicuously.
- (c) The person to whom permission is granted shall maintain a register showing the particulars of the trees felled, viz., serial number, species, girth at 1.37 metres from ground level, date of felling, details of timber extracted from each tree, date of transport of the felled produce, transit pass number, and remarks, if any. The register shall be liable for inspection by any Forest Officer at any time and a copy of it shall be furnished to the <sup>1</sup>[Deputy Conservator of Forests] after completion of the operation in the forest for verification.
- (d) The timber or logs extracted shall bear at one of the end surfaces, the serial number of the tree from which it was obtained and the sequence of the log in the tree denoted by letters A, B, C, D, etc.,....
- (e) If during the course of fellings any unmarked tree is damaged, such tree shall not be removed from the area in which fellings take place without the previous permission of the <sup>2</sup>[Deputy Conservator of Forests] who shall, before according permission, satisfy himself that the damage was inevitable and see whether a suitable marked tree can be reserved in lieu thereof by cancellation of the marking, and if so, take steps to do so.

(4) Every permission granted for the cutting of trees for Punam or Kumari cultivation, in the district of South Kanara shall be subject to the following conditions.-

- (i) No lands within 10 40 metres of either bank of any stream, spring, river or water reservoir or within 100 metres of reserved or protected forest shall be cleared or brought under cultivation;
- (ii) No reserved tree shall be cut, scorched or burnt;
- (iii) Only lands containing no tree growth or sparse tree growth shall be cleared and cultivated;
- (iv) No land no on steep slopes shall be cleared and cultivated;
- (v) Only land which had been under Punam or Kumari cultivation within ten years prior to the year in which they are sought to be cultivated shall be cleared.

(5) All Forest Officers not below the rank of a Forester shall have power to enter any private forest for the purpose of inspection or securing compliance with these rules.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**47. Power to cancel or modify the permission.-** If the <sup>1</sup>[Deputy Conservator of Forests] has reason to believe that any person, to whom permission for felling of trees has been granted, has in his application furnished particulars which are materially incorrect or has contravened any provisions of these rules or the conditions under which the permission was granted, he may, after giving that person an opportunity of being heard, cancel such permission or modify the same subject to such penalty as he may deem fit to impose. Such cancellation or modification of the permission granted shall not entitle the owner or the permission holder to any compensation whatsoever.

(2) Provisions of Section 40 shall apply to orders passed under sub-rule(1) as if it is an order under Section 37.

**48. Procedure in appeals under section 40.-** On receipt of the appeal and after calling for and perusing the record of the proceedings before the <sup>2</sup>[Deputy Conservator of Forests], the Deputy Commissioner shall appoint a time and place for hearing of the appeal, shall give notice thereof to the <sup>3</sup>[Deputy Conservator of Forests] against whose order an appeal is preferred and to the appellants and pass orders after hearing both sides.

**49. Payment of Compensation during management of forest by Government.-**

(1) During the period of management of a private forest by Government compensation shall be payable to the owner of the forest once in a year.

(2) For the purpose of clause (b) of sub-section (4) of section 43 interest shall be calculated at six per cent per annum.

## CHAPTER VI PROTECTION OF FORESTS FROM FIRE

**50. Prohibition of kindling of fire, carrying of torches and smoking in forest, etc.-**

(1) Except at such places as may from time to time be notified locally by the <sup>4</sup>[Deputy Conservator of Forests], no person shall kindle any fire or leave any fire burning upon any public or private road or path which adjoins or passes through a reserved forest or protected forest or district forest but does not form part of such forest.

(2) No fire shall be lighted within or along the boundary of a reserved forest, protected forest or district forest except in camping grounds notified as such by the <sup>5</sup>[Deputy Conservator of Forests]. Persons using such grounds shall light fire in such a way as not to endanger the forest or any building or shed and shall extinguish all fire before they leave the place.

(3) No burning wood, or fire-brands for torches shall be carried along the boundaries of any reserved forest, protected forest or district forest between 1st November and 30<sup>th</sup> June.

(4) No smoking shall be permitted within a reserved forest, protected forest or district forest between 1<sup>st</sup> November and 30<sup>th</sup> June except at authorised camping grounds.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  5. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**51. Precautions to be taken while collecting inflammable materials.**- No person shall collect inflammable forest produce such as grass, bamboos, *etc.*, on lands adjoining a reserved forest, protected forest or district forest except by stacking in isolation in an open space at such reasonable distance from the forest as the <sup>1</sup>[Deputy Conservator of Forests] may be general or special order prescribe.

**52. Precautions to be taken in kindling fire within 1.5 kilometres from forest boundary.**- Any person desirous of kindling fire within 1.5 kilometres of a reserved forest or a protected forest or a district forest, to burn any wood, grass, weeds, or other inflammable material, shall collect such material into heaps and burn it heap by heap in such manner that the resulting fire shall not extend to the surrounding area or endanger the forest.

**53. Kindling of fire within 180 metres from forest boundary.**-No person shall kindle any fire within a distance of 180 metres from the boundary of a reserved forest, protected forest or district forest except with previous permission of a Forest Officer not below the rank of a Range Forest Officer:

Provided that materials may be ignited for making ash manure within such distance from the boundary if-

- (a) there is between such boundary and the spot on which such materials are ignited a space of at least 10 metres in width which is clear of vegetation, and
- (b) such other precautions, as are reasonably necessary to prevent fire from spreading to the forest are taken.

**54. Period of Exemption.**-Nothing contained in this chapter shall operate during the period between 1<sup>st</sup> July and 31<sup>st</sup> October of every year.

## CHAPTER VII DRIFT AND STRANDED TIMBER

**55. Collection of drift and stranded timber.**- (1)Any person may collect timber of any of the description specified in sub-section(1) of Section 53 and keep the same in safe custody until it is taken over custody of by the concerned Forest authorities, but he shall report his having done so within 24 hours to the nearest Forest Officer and the Village Patel.

- (2) The Range Forest Officer of the Range in which the timber has been found shall, pending completion of the proceedings under Sections 54 and 56, take possession of the timber under a panchanama, mark the same with a hammer mark of such description as may be prescribed in this behalf by the Chief Conservator of Forests and transport it to a depot notified under sub-section (2) of section 53 provided the cost of transport to such depot is not likely to exceed its probable sale proceeds, in which case he may make any other arrangement for its safe custody till its final disposal.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**56. Payment of recompense.**- Every person who collects such timber shall be entitled to receive a recompense equal to 10 percent of the estimated value thereof if it is Sandalwood, Teak or Rosewood and 20 percent of the estimated value thereof if it is timber other than Sandalwood, Teak or Rosewood. Such estimate shall be made by a Forest Officer not lower in rank than that of a <sup>1</sup>[Deputy Conservator of Forests] and the recompense shall be paid at once:

Provided that no recompense shall be paid to Forest Officers who collect such timber.

**57. Payments to be made by claimants.**- If any person establishes his ownership of any drift or stranded timber salvaged, in response to the public notice issued under Section 54, the timber shall be made over to him on payment of the following costs incurred by the Forest Department.-

- (a) The actual amount of recompense paid to the person collecting the timber.
- (b) The actual cost incurred for transporting the timber to the depot or any other place for storage.
- (c) The fees paid or payable for storing of timber at the depots or any other place of storage.

**58. Penalty.**- Any person contravening the provisions of Rule 55 shall, on conviction, be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

## CHAPTER VIII PASTURING OF CATTLE IN FORESTS

**59. Definitions.**- In this chapter unless the context otherwise requires.-

- (a) '**Closed area**' means the forest area notified as closed for grazing of cattle under sub-rule(1) of Rule 60.
- (b) '**Open area**' means the forest area other than closed area.
- (c) '**Permit-holder**' includes the owner of the cattle, his agent and the herdsman.

**60. Closure of Forest for grazing.**- (1) Grazing shall be free and without permit permitted in district forest except in closed areas.

- (2) The areas of forests closed for grazing in each year shall be notified by the <sup>2</sup>[Deputy Conservator of Forests] in the official Gazette, specifying the period of closure and the kind of animals to which closed.
- (3) 'Closed areas' shall be demarcated on the ground either by providing cairns of stone at suitable intervals or by putting red bands on trees growing on the boundary line of such areas or by means of sign boards.
- (4) A list of closed areas in each Range or Division shall be displayed at village chavdies and Panchayat Offices for the information of the public and also be proclaimed by beat of drum in each village and in the nearest market place.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**61. Grazing in reserved and protected forests.**- (1) No person shall pasture cattle in a reserved forest protected forest.-

(a) except in the open areas, and

(b) except under and in accordance with a permit issued by the <sup>1</sup>[Deputy Conservator of Forests] or a Forest Officer duly authorised by him in this behalf.

(2) Except in the case of right and privilege holders, grazing fees may be levied on all cattle that are permitted to graze in any reserved or protected forests of the State.

(3) Permit-holder shall not be entitled to any compensation in the event of closure on account of fire or early burning or for any other valid reasons.

**62. Goat browsing.**- Notwithstanding anything contained in Rule 61, no goat browsing shall be permitted in reserved forests or protected forests or portions of district forests which have been lawfully closed to grazing under rule 6. (60.)

**63. Permits for grazing:** (1) Permits for grazing shall be for each official year commencing from 1<sup>st</sup> of April and shall be in Form 5.

(2) Fees for issue of permits shall be as shown below.-

| Cattle  | Rate<br>Rs. P | Local              | Rate  | Foreign            |
|---|---------------|--------------------|-------|--------------------|
|   |               | Per                | Rs. P | Per                |
| 1. Elephant   | 3.00          | Per head per day.  | 5.00  | Per head per day.  |
| 2. Camel  | 1.00          | -do-               | 1.50  | -do-               |
| 3. Buffalo  | 2.00          | Per head per annum | 5.00  | Per head per annum |
| Horse, Mare, Gelding, Pony, Colt, Filly, Mule, Ass, Bull, Bullock, Cow, | 1.00          | -do-               | 3.00  | -do-               |
| 4. Calf or Heifer.  |               |                    |       |                    |
| 5. Pig, Ram, Ewe, Sheep or Lamb   | 0.75          | -do-               | 2.00  | -do-               |

(3) Any breach of rules in this chapter or conditions of permit shall render the permit liable for cancellation.

**64. Permit conditions.**-(1) The cattle covered by a permit shall invariably be accompanied by and be in charge of the owner or some responsible servant of the owner, who shall observe the grazing rules in respect of the cattle in his charge. The maximum number of cattle to be taken by one person shall not exceed 200.

(2) The owner or servant accompanying and in charge of the cattle shall have with him the permit in respect of the cattle in his charge and shall produce it for inspection on demand by any Forest, Revenue, Police or Village Officer.

(3) No pollarding of trees, lopping of branches and stripping of leaves or causing any other damage to the growing stocks shall be done by persons in charge of cattle.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(4) Every permit-holder shall assist in the protection of forest and any Government property therein against fire or other damage, and in the discovery and arrest of offenders in forest offences.

(5) No cattle shall be penned within the forest except on penning permits in Form 6, issued by or under the orders of the <sup>1</sup>[Deputy Conservator of Forests] on payment of a fee of 25 paise per head of cattle, per year or a fraction thereof and under such conditions as may be prescribed by him.

**65. Duplicate permit.**- When the original permit is lost, a nominal fee of 10 paise shall be charged for issue of a duplicate permit.

**66. Maintenance of a register of grazing permits.**- A register in Form 7 of permits issued shall be maintained by the officers issuing grazing permits.

**67. Cattle manure.**- Manure of cattle camps in reserved, protected or district forest shall be the property of Government.

**68. Relaxation of rules in seasons of drought.**- In seasons of drought, the Government may relax these rules to such extent and for such period as may be necessary by notification in the official Gazette.

#### CHAPTER IX POWERS OF FOREST OFFICERS UNDER THE FOREST ACT

**69. Powers of Forest Officers.**- The category of officers mentioned in column (1) of the table below shall, in addition to powers given by the Act, exercise the powers under the sections specified in the corresponding entries in column (2) thereof. A brief description of the powers conferred is also given in column 3 of the table.-

**TABLE**

| Category of officers<br>(1)  | Section of the Act under which<br>powers are conferred<br>(2) | Brief description of powers<br>conferred<br>(3)  |
|--|---|--|
| Chief Conservator of Forests,<br>Conservators of Forests.  | 22  | To stop ways and water courses in reserved forests, acting with the consent of the Executive Engineer concerned and subject to the provisions thereof. |
|  | 82  | To order forfeiture of leases or contracts.  |
| Chief Conservator of Forests,<br>Conservators of Forests and<br>Deputy Conservators of<br>Forests. | 16  | To prefer appeals from the orders of a Forest Settlement Officer.  |
|  | 55  | To decide claims to drift timber, etc.,  |
|  | 110(2)  | To sell forest produce for Government dues.  |

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

| Category of officers<br>(1)   | Section of the Act under which<br>powers are conferred<br>(2) | Brief description of powers<br>conferred<br>(3)  |
|---|---|--|
| Chief Conservator of Forests,<br>Conservator of Forests,<br>Deputy Conservators of<br>Forests, Assistant<br>Conservator of Forests.                         | 112   | To decide recovery of<br>penalties due under a bond.   |
|   | 53(2)   | To notify stations for the<br>reception of drift timber.   |
|   | 54  | To issue notices to claimant of<br>drift timber  |
| Chief Conservator of Forests,<br>Conservators of Forests,<br>Deputy Conservators of<br>Forests, Assistant<br>Conservators of Forests and<br>Forest Rangers. | <sup>1</sup> [xxx]  | xx]  |
|   | 99(e)   | To notify the seasons and<br>manner in which fire may be<br>kindled, kept or carried in a<br>reserved forest.  |
|   | 58  | To receive payments on<br>account of drift timber.   |
|   | 63  | To release property seized<br>under Section 62.  |
|   | 66  | To take charge of Government<br>or confiscated property.   |
|   | 67  | To accept charge of property<br>when offender is unknown.  |
|   | 71  | To direct the release of<br>property seized under Section<br>62 which is not the property of<br>Government and to withdraw<br>charges made in respect of<br>such property. |
| 75  | To release on bond a person<br>accused in forest offence.     |  |
| 82  | To order forfeiture of licences.                              |  |
| 99(a)   | To enter upon, survey, etc.,<br>any land.                     |  |

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1. The entries in columns (2) and (3) omitted by GSR 166, dated 30-4-1974, w.e.f. 30-5-1974.

| Category of officers<br>(1)  | Section of the Act under which<br>powers are conferred<br>(2) | Brief description of powers<br>conferred<br>(3)   |
|--|---|---|
|  | 99(b)   | Powers of a Civil Court to compel attendance of witnesses and the production of documents.                |
|  | 79  | To compound forest offences.  |
|  | 99(c)   | To issue search warrants under the Code of Criminal Procedure.  |
|  | <sup>1</sup> [99(d)]  | To hold enquiries into forest offences and in the course of such enquiry to receive and record evidence.] |
| Chief Conservator of Forests,<br>Conservator of Forests,<br>Deputy Conservators of<br>Forests, Assistant<br>Conservators of Forests,<br>Forest Rangers, Foresters,<br>Forest Guards and Forest<br>Watches. | 25(c)   | To permit acts otherwise prohibited in a reserved forest.   |
|  | 53(2)   | To collect drift timber   |
|  | 60  | To seize and impound trespassing cattle.  |
|  | 62  | To seize property liable to confiscation.   |
|  | 74  | To arrest without warrant in certain forest offence cases.  |
|  | 76  | To prevent commission of forest offences  |
|  | 99(k)   | To stop and check any vehicle suspected to carry forest produce.  |
|  | 110(1)  | To take possession of forest produce for Government dues:   |

Provided that Forest Rangers and Assistant Conservators of Forests shall exercise the powers under Section 79, only in cases where the value of forest produce does not exceed rupees fifty and five hundred respectively.

1. The entries in columns (2) and (3) inserted by GSR 166, dated 30-4-1974, w.e.f. 30-5-1974.

## CASE LAW

Rule 69- Property seized under Section 62 - Release of. –Jaswant Singh v Divisional Forest Officer, 1980(1) Kar. L.J.176.

<sup>1</sup>[69-A. Appeal under sub-section (3) of Section 64-A.-(1) Every appeal under sub-section (3) of Section 64-A shall.-

- (a) be in the form of a memorandum containing a brief statement of facts of the case;
- (b) specify the correct address of the appellant and of the respondent;
- (c) state the provisions of law under which it is presented;
- (d) clearly the state the grounds of appeal and the relief claimed; and
- (e) be accompanied by a certified copy of the order appealed against.

(2) Every appeal shall be presented to the jurisdictional conservator of forest within thirty days from the date on which the order appealed against is served on the appellant.]

**70. Rewards to officers and informants.-** (1) In any case in which any person or persons have been convicted of an offence against the forest laws and penalty or confiscation has been imposed and realised, the Chief Conservator of Forests or the Conservator of Forests of the Circle or the <sup>2</sup>[Deputy Conservator of Forests] of the Division in which the offence was committed may grant to any person or persons, officers or otherwise who may have contributed to the conviction of the offender or offenders, or to the seizure of the property confiscated, a reward not exceeding 10 per cent of the estimated value of the forest produce involved or confiscated in that case; provided the aggregate amount of rewards thus granted in any case shall not be less than fifty rupees and shall not exceed.-

- (i) rupees five hundred if made by the <sup>3</sup>[Deputy Conservator of Forests] of the Division;
- (ii) rupees one thousand if made by the Conservator of Forests of the Circle, and

(2) In any case in which any person or persons have been convicted of an offence against the forest laws, but no penalty or confiscation has been imposed or if imposed, has not been realised, or in any case in which any person or persons have performed any service of special merit for prevention or detection of any such offence, rewards may be granted to person or persons, officers or otherwise who may have contributed to the conviction.-

- (i) by the Chief Conservator of Forests an amount not exceeding Rs. 100;
- (ii) by the Conservator of Forests of the Circle an amount not exceeding Rs. 50, and
- (iii) by the <sup>4</sup>[Deputy Conservator of Forests] of the Division an amount not exceeding Rs. 25.

1. Rule 69-A inserted by Notification No. FEE 35 FAD 99, dated 7-6-2000

2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f.5-9-2002

3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f.5-9-2002

4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f.5-9-2002

(3) The Chief Conservator of Forests and the Conservator of Forests are empowered to grant special rewards upto Rs. 50 and Rs. 25 respectively for good service in regard to prevention or detection of offence against forest laws not covered by the foregoing sub-rules; provided that no such reward shall normally be given for service in connection with forest fires.

(4) The Chief Conservator of Forests and the Conservator of Forests may sanction rewards not exceeding Rs. 50 and Rs. 25 respectively in cases relating to forest fires to Village Officers and other persons (not being Government servants of the Forest Department) and communities who keep forests altogether free from fire or who render exceptionally good services in suppressing fires or who give information leading to the conviction of a forest incendiary.

(5) In forest offence cases, except cases relating to forest fires, which have been compounded under Section 79 of the Act, the Chief Conservator of Forests or the Conservator of Forests of the Circle may grant, in such proportion as they deem fit, to any person or persons who may have contributed to the detection of the offence and the seizure of the forest produce of value of Rs. 1,000 and above involved in the case, a reward not exceeding 5 per cent of the estimated value of the forest produce belonging to Government and involved in the case:

Provided that the aggregate amount of rewards thus granted in any one case shall not exceed.-

- (i) rupees five hundred if made by the Chief Conservator of Forests, and
- (ii) rupees two hundred and fifty if made by the Conservator of Forests of the Circle.

(6) The rewards granted under the above sub-rules shall be met from the forest funds specially provided for the purpose in the budget of the year.

## CHAPTER X LICENCES FOR FOREST PRODUCE ON PAYMENT OF SEIGNIORAGE VALUE

**71. Licences for forest produce sold on payment of seigniorage value.**- (1) For all timber or other forest produce sold on payment of seigniorage value, a prepaid licence in the form and colour specified below must be obtained from Forest Officers authorised by Chief Conservator of Forests to grant it, before any of the aforesaid produce can be cut, collected or removed.

| Description   | Colour | Standard form number |
|---|--------|----------------------|
| Licence for timber  | White  | Form No. 7           |
| Licence for firewood and charcoal                                     | Buff   | Form No. 8           |
| Licence for bamboos   | Blue   | Form No. 8           |
| Licence for minor Forest products and other<br>Miscellaneous products | Pink   | Form No. 8           |

**72. Issue of licences.**- (1) The officer issuing licence shall issue the required licence on receipt of the seigniorage value either in cash or remitted challan from the applicant.

(2) The maximum period allowed for each licence except timber licence shall not exceed two days if the forest is within 8 kilometres and four days if the forest is beyond that distance from the residence of the licence-holder; in case of timber licences, the maximum period allowed shall not exceed fifteen days if the forest is within 8 kilometres and thirty days if the forest is beyond that distance from the residence of the licence-holder.

(3) Every officer issuing licences shall make known or read to each applicant the licence rules and conditions and obtain his signature on the back of the counterfoil of the licence in token of having understood the rules and conditions and declared to abide by them.

(4) Range Forest Officers may, for valid reasons to be recorded in writing, refuse to issue licences or direct his subordinates not to issue licences to any person.

**73. Accounts maintained by the Licence Issuing Officers.-** The Officers issuing licences shall maintain a daily transaction register in Form 10. On the day fixed for the closing of the accounts, the entries of this register shall be totalled and the abstract thereof, giving the monthly total under each head, entered in a statement in the same form, and submitted to the Range Forest Officer along with treasury receipt for the amounts remitted into the treasury and used licence books.

**74. Range Forest Officer to issue timber licences.-** Licences for timber shall be issued only by the Range Forest Officers under instructions from the <sup>1</sup>[Deputy Conservator of Forests].

**75. Extension of period in certain cases.-** In case of licences issued for timber, if before the expiry of the period mentioned in the licence, the timber has not been cut, collected or removed in pursuance of the licence, the licence shall be deemed to be cancelled; but the licensee shall be entitled to an extension of period, once only upon his proving to the satisfaction of the Range Forest Officer that the non-removal was due to unavoidable causes beyond his control, on his paying a renewal fee, equivalent to one-fourth of the seigniorage value already paid, provided he surrenders the licence originally issued within 7 days from the date of expiry of the licence. A renewal endorsement shall be noted by the Range Forest Officer on the triplicate of the licence and the fact intimated to the Officer who had issued the original licence, for note, in the counterfoil. Such renewals should also be intimated to the Forester in-charge of the Forest for compliance.

**76. Issue of duplicate licence for timber when original licence is lost.-** If it is proved to the satisfaction of the <sup>2</sup>[Deputy Conservator of forests], that the original licence has been lost and it was beyond the control of the licensee and it was not acted upon wholly or partly, he may issue or order the issue of a duplicate on recovery of one-fourth of the seigniorage value already paid.

**77. Forfeiture of the produce collected, if not removed within the specified period.-** If the licensee fails to remove the produce cut or collected by him in the forest within the period mentioned in the licence, such produce shall be forfeited to Government and the licensee shall have no claim over it and nor is he entitled to any refund of the fees paid by him.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f.5-9-2002  
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f.5-9-2002

**78. Checking of the produce removed on licences.-**

(1) It shall be the duty of every licensee to call at all check posts, if any, on the route specified in the licence, get the produce under transit checked and the licence endorsed by checking officer with the words 'checked and passed'. The officer in charge of the check-post shall do so if he finds the produce agreeing with the licence. Should the produce not agree in kind or quantity and the terms of the licence violated in any other way, it shall be detained and action taken in accordance with the provisions of the Act and these rules.

(2) Village Officers may check every licence taken out in their villages, comparing the produce covered by them when such produce is removed into their villages and make an endorsement on them, if they find the produce agreeing with the licence. Should the produce not agree in kind or quantity and the terms of the licence violated in any other way, they shall detain the produce and report the matter to the nearest Forest Officer.

**79. Remittance of revenue realised by issue of licences into Government treasury.-**

(1) Every officer issuing licences shall remit to the nearest Government treasury, their collections accompanied by a challan, as often as possible, but not less than once in a month.

(2) Every officer issuing licences shall, while remitting the revenue collected by him, obtain acknowledgement of the Treasury Officer both on the challans and on the register in Form 10 when the cash is remitted in person.

(3) Officers issuing licences who reside beyond a distance of 20 kilometres from Taluk Headquarters or Range Forest Offices may remit by postal money order the forest revenue collected by them. Such amounts shall be received at the treasuries and credited to 'Forest Remittances' without challans. The Post Office receipt and money order acknowledgement shall be sufficient vouchers for the Forest Accounts in support of the remittance of revenue and payment of postal charges. The money order acknowledgement should be pasted on to the register in Form 10. The amount spent on money order commission may be charged to 'Contingencies' of the Forest Budget.

**80. Inspection of licence books, accounts and cash balance.-** Licence books, accounts and revenue realised by sale of licences shall be open to inspection by any Forest Officer of and above the rank of a Ranger.

**81. Conditions under which the licences are granted.-** The licence shall be subject to the following conditions.-

- (i) The licence is not transferable.
- (ii) The licence must be shown on demand to any Forest Revenue or Police Officer.
- (iii) The licensee shall present it to the Forester (in case of timber licences) or, the Guard in-charge of the locality (in case of licences other than timber) as the case may be, and with his knowledge enter the forest and remove the material within the time specified in the licence. He shall, while removing the material from the forest, produce the same before the Guard and obtain his endorsement on the licence. In case of timber licence, the licensee shall cut only the trees marked for the purpose by the Range Forest Officer or Forester and remove the material only after it is measured, stamped and a transit pass issued. For this purpose, he shall intimate the Range Forest Officer as soon as the trees are cut and the timber prepared in site. The marked trees shall be cut flush first to the ground and the stools trimmed to an even surface.

- (iv) The licensee shall not cause any undue wastage in conversion or waste any utilisable part of the tree cut and all such utilisable material shall be assessed by the Range Forest Officer for the purpose of recovering the value.
- (v) The licensee shall observe all the conditions stated in the licence as to the kind and quantity of produce, the locality from which the route by which and the period within which the produce is to be removed.
- (vi) Any breach of the above conditions shall render the licence-holder liable to immediate cancellation of the licence and to the punishment provided by law.

**82. Special rules regarding the issue of licences in North Kanara district.-** Licences for forest produce not obtainable under the privilege rules may be obtained by the inhabitants of North Kanara district from its reserved forests in accordance with the following rules.-

- (1) Licences may be obtained from.-
  - (a) Range Officers (Foresters incharge of Sections), and specially authorised Foresters if the forest produce is other than timber and its value does not exceed Rs. 10 in each individual case, and
  - (b) the Range Forest Officer, if the value of the forest produce does not exceed Rs. 50 in each individual case.
- (2) Applications for licences for forest produce exceeding Rs. 50 in value shall be made to the <sup>1</sup>[Deputy Conservator of Forests] who may authorise the Range Forest Officer to issue licences in such cases.
- (3) No licence shall be issued for timber of the following species.-
  - (1) Teak (*Tectona grandis*).
  - (2) Rosewood or Shisham (*Dalbergia latifolia*)
  - (3) Ebony (*Diospyros assimilis*).
  - (4) Alale or Hirda (*Terminalia chebula*).
  - (5) Khair (*Acacia catechu*).
  - (6) Karimuttal (*Ougenia dalbergioides*).
  - (7) Shivani (*Gmelina arborea*).
  - (8) Kiralbogi (*Hopea parviflora*).
  - (9) Devadar lal or Kalgarige (*Chukrasia taabularis*).
  - (10) Devadar Pandra or Gandagarige (*Cedraia toona*).
  - (11) Wonte or Vatehuli (*Artocarpus lakooicha*).
  - (12) Amte (*Spondias mangifera*).
  - (13) Buruga or savri (*Salmalia malabaricum*).
  - (14) Jermala (*Tetrameles nudiflora*).

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- (4) Licences for cutting and removal of timber of the species other than those mentioned in sub-rule (3) above may be obtained from the Range Forest Officer under the orders of the <sup>1</sup>[Deputy Conservator of Forests].
  - (5) Except for produce for which a special export rate has been prescribed in the schedule of seigniorage rates, licences may be granted only if the forest produce applied for is required *bona fide* for any of the following purposes and not for trade, manufacture, sale or barter.-
    - (a) For the private use of the applicant; or
    - (b) For works of public utility such as village chowkis, school, dharmashalas, bridges, covers to or fencing round wells and repairs to religious edifices.
  - (6) The officer empowered to grant the licences shall have discretion to refuse issue of a licence, if.-
    - (a) the quantity of forest produce applied for is unreasonable; or
    - (b) a reasonable time has not elapsed since the applicant last obtained forest produce of the same description for similar purpose; for
    - (c) the timber applied for could be obtained from trees grown in the applicant's private land or estate; or
    - (d) the produce applied for could conveniently be obtained from a depot, or at an auction or otherwise.
  - (7) All orders refusing to grant licence under the above sub-rule shall be in writing and shall state the reasons for refusal. The applicant shall have the right of an appeal to the next higher officer. The orders of the Conservator of Forests in appeal shall be final.
  - (8) Application for a licence shall specify the kind and quantity of the forest produce required, the purpose for which it is required, when the produce of the same description was last obtained by him and whether the same cannot be obtained from his private land or from a depot or at an auction.
  - (9) All applications for issue of licences shall be sent to the <sup>2</sup>[Deputy Conservator of Forests] between 1<sup>st</sup> June and end of October every year and such applications shall invariably be acknowledged and finally disposed of within six months from the date of application.
  - (10) The concession to obtain timber on licences is confined to the residents of the district who intend to build residential houses in forest villages of the district. This concession shall not apply to the residents of towns where timber depots are run by Government.
  - (11) Issue of licences for removal of firewood to places where firewood depots are run by Government is prohibited.
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- (12) As for the removal of firewood by head-loads on licences, the existing practice in various places in the district shall continue.
- (13) Cases of the misuse of timber or licences, *e.g.*, its sale, misappropriation, *etc.*, shall be severely punishable by imposing suitable conditions on the licence-holder in addition to recovering the full market value of the timber so misused.

83. **Seigniorage rates.**- The seigniorage rates to be charged for each kind of tree or other forest produce granted on licences shall be as noted in the following schedule.

### <sup>1</sup>[SCHEDULE

#### Revision of Seigniorage rates for the period 1-1-2018 to 31-12-2019

| Sl No.    | Name of the Species                          | Local Names  | Unit        | Seigniorage rates fixed w.e.f.1-1-2018 in Rupees per unit described in the left column |
|-----------|--|--|-------------|--|
| Group I   |  |  |             |  |
| 1         | Dalbergia latifolia                          | Beete, Beeti   | Cubic meter | 88,440   |
| 2         | Tectona grandis                              | Saguvani, Thega, Teak  | Cubic meter | 85,500   |
| Group II  |  |  |             |  |
| 3         | Diospyrose ebenum                            | Ebony, Karimara  | Cubic meter | 79,860   |
| Group III |  |  |             |  |
| 4         | Pterocarpus marusupium                       | Honne, bijasal, Venugai, Vengal                              | Cubic meter | 30,360   |
| Group IV  |  |  |             |  |
| 5         | Artocarpus hirsuta                           | Habbalasu, Aini, Angili                                      | Cubic meter | 21,120   |
| 6         | Cordia macleodii                             | Challe, Hadaga, Hadang, Modhasi                              | Cubic meter | 20,064   |
| 7         | Dysoxylon malabaricum                        | White, Cedarm Gilidevadari, Vellangi, Devagarige, Bili Agilu | Cubic meter | 68,640   |
| 8         | Hopea parviflora                             | Kiralbhogi, Boga   | Cubic meter | 18,612   |
| 9         | Lagerstroemia lanceolata                     | Nandi, Benteak, Nana   | Cubic meter | 21,780   |
| 10        | Mesua ferrea                                 | Nagasampige, Atta, Nagakesara, Nangal                        | Cubic meter | 13,860   |
| 11        | Desmodium oojeinense (Ougenia dalbergioides) | Bettahonne, Karimuttal, Sandan                               | Cubic meter | 21,120   |
| 12        | Teminalia tomentosa/elliptica                | Mathi, Nalamaddi, Laurel                                     | Cubic meter | 17,160   |

1. Schedule substituted by O.M.No. APCCF (FRM) B3/Sales/SR/RR/CR-40/2015-16, dated 18-12-2017, w.e.f. 1-1-2018.

|    |   |  |             |        |
|----|---|--|-------------|--------|
|    | Group V   |  |             |        |
| 13 | <i>Acrocarpus fraxinifolius</i>                     | Balanji, pink cedar                              | Cubic meter | 8,976  |
| 14 | <i>Haldina cordifolia</i>                           | Haldu, Yettega, Heddi                            | Cubic meter | 17,160 |
| 15 | <i>Albizia lebbeck</i>                              | Bage   | Cubic meter | 19,800 |
| 16 | <i>Albizia odoratissima</i>                         | Bilwara, Kalasiris                               | Cubic meter | 19,800 |
| 17 | <i>Neolamarckia cadamba</i>                         | Ata, Kaduavalatige                               | Cubic meter | 6,600  |
| 18 | <i>Bombax insigne</i>                               | Beng (large flowered and capsulated silk cotton) | Cubic meter | 7,920  |
| 19 | <i>Calophyllum tomentosum</i>                       | Poon, Surohome                                   | Cubic meter | 12,540 |
| 20 | <i>Dipterocarpus Indicus</i>                        | Gurjan, dhuma, Kakkapaine                        | Cubic meter | 9,900  |
| 21 | <i>Flacocarpus oblongus</i> (Syn.E.Serratus)        | Bakki, Guddarong, Dundate                        | Cubic meter | 7,920  |
| 22 | <i>Melicope lunu-ankenda</i> (Evodiarioxburghiana)  | Makali, Mankali, Chattuva, Aspin                 | Cubic meter | 7,920  |
| 23 | <i>Neolitsea cassia</i> ( <i>Lotsea zeylanica</i> ) | Massi  | Cubic meter | 24,948 |
| 24 | <i>Shorea talura</i>                                | Jalari, Nilibeve                                 | Cubic meter | 10,956 |
| 25 | <i>Mitragyna parvifolia</i>                         | Kalam, Kadaval, Phaldu, Naikadamba               | Cubic meter | 9,900  |
| 26 | <i>Symplocos cochinchinensis</i>                    | Changa   | Cubic meter | 7,260  |
| 27 | <i>Toona ciliata</i>                                | Red cedar, Laldevadari, Noga                     | Cubic meter | 11,220 |
| 28 | <i>Vateria Indica</i>                               | Saldhupa   | Cubic meter | 9      |
|    | Group VI  |  |             |        |
| 29 | <i>Artocarpus integrifolia</i>                      | Halasu, Jack fruit, Fanas                        | Cubic meter | 28,380 |
| 30 | <i>Calophyllum wightianum</i>                       | Holehonne, Bobbi                                 | Cubic meter | 8,580  |
| 31 | <i>Chukrassia tabularis</i>                         | Kalgarige, Devala, Chukrassia, Indian Mahagony   | Cubic meter | 9,900  |
| 32 | <i>Syzygium cumini</i>                              | Jamun, Neralu                                    | Cubic meter | 10,560 |
| 33 | <i>Gmelina arborea</i>                              | Shivanem Gumanadi, Ghamertak                     | Cubic meter | 19,800 |
| 34 | <i>Grewia tilifolia</i>                             | Dhaman, Toda, Thadsal, Thadachi                  | Cubic meter | 12,540 |
| 35 | <i>Hardwickia binata</i>                            | Kamara, Yeppi, Anjan, Karachi                    | Cubic meter | 8,448  |
| 36 | <i>Lophopetalum wightianum</i>                      | Banata, Balapale                                 | Cubic meter | 8,580  |
| 37 | <i>Madhuca longifolia</i>                           | Mahuva, mohwam, dodda ippe                       | Cubic meter | 8,184  |
| 38 | <i>Mimusops elengi</i>                              | Bakul, Nanje, Ranja                              | Cubic meter | 13,860 |
| 39 | <i>Tamarindus indica</i>                            | Hunase, Imli, Amli                               | Cubic meter | 9,240  |
| 40 | <i>Terminalia paniculata</i>                        | Kindal, Hunal, Hulive                            | Cubic meter | 15,180 |
| 41 | <i>Vitex altissima</i>                              | Bharanagi, Naviladi                              | Cubic meter | 23,364 |
| 42 | <i>Xylocarpus xylocarpa</i>                         | Jambe  | Cubic meter | 15,840 |

| Group VII |  |   |             |        |
|-----------|--|---|-------------|--------|
| 43        | Acacia spp. (excluding A. Nilotica and A. Catechu/chundra) |   | Cubic meter | 13,200 |
| 44        | Ailanthus excelsa  | Dodamara, Doddabevu                             | Cubic meter | 8,184  |
| 45        | Alibizia procera   | Bellata, White siris                            | Cubic meter | 9,240  |
| 46        | Alscodaphne semecarpifolia                                 | Nelthare  | Cubic meter | 8,712  |
| 47        | Alstonia scholaris   | Satwin, Maddale, Sapthaparni                    | Cubic meter | 7,260  |
| 48        | Anogeissus latifolia                                       | Dindal, Dindiga, Vellangi                       | Cubic meter | 10,428 |
| 49        | Artocarpus lakoocha  | Wonte, Watehuli                                 | Cubic meter | 7,920  |
| 50        | Bombax ceiba   | Booruga, simal, Silk cotton tree                | Cubic meter | 7,920  |
| 51        | Boswellia Serrata  | Salai, Anduk, Sambrani                          | Cubic meter | 7,920  |
| 52        | Bridelia retusa  | Asana, Mulluhonne                               | Cubic meter | 7,920  |
| 53        | Canarium strictum  | Kaidhupa, Bandapaini, Dammer                    | Cubic meter | 7,920  |
| 54        | Chloroxylon swietenia                                      | Hurugalu, Satinwood                             | Cubic meter | 10,296 |
| 55        | Palaquium elliptium  | Pali, Hadasalu                                  | Cubic meter | 9,240  |
| 56        | Elacocarpus tuberculatus                                   | Tudraksha, Sattage                              | Cubic meter | 7,260  |
| 57        | Garuga pinnata   | Aranelli, Godda                                 | Cubic meter | 7,260  |
| 58        | Kingiodendron pinnatum                                     | Ennemara  | Cubic meter | 7,260  |
| 59        | Holigama amottiana   | Holegeri  | Cubic meter | 7,260  |
| 60        | Hopea Wightiana  | Halga, Kabri                                    | Cubic meter | 8,184  |
| 61        | Hymenodictyon orixense                                     | Diddimara, Doddimara                            | Cubic meter | 9,240  |
| 62        | Persea macarantha  | Gulmavu, Kulimavu                               | Cubic meter | 7,260  |
| 63        | Mangifera indica   | Mavu, Mangao                                    | Cubic meter | 8,184  |
| 64        | Melia dubia  | Bevu, Neem, Margosa                             | Cubic meter | 9,240  |
| 65        | Magnolia champaca (old name michelia champaca)             | Sampige, Chamapk, Kolasampige                   | Cubic meter | 9,900  |
| 66        | Schleichera trijuga/S. Oleosa                              | Kendala, Sagade, Kusum, Purka                   | Cubic meter | 10,560 |
| 67        | Spondias acuminata   | Doddamete, Ambod, Tadembale                     | Cubic meter | 7,260  |
| 68        | Spondias Pinnata   | Amatemara, Kodlimavu                            | Cubic meter | 6,600  |
| 69        | Radennachera xylocarpum                                    | Udimara   | Cubic meter | 7,524  |
| 70        | Strychnos nux-vomica                                       | Kajari, Kasake, Ittangi                         | Cubic meter | 7,524  |
| 71        | Terminalia arjuna  | Holematti, Thorematti, Bilimathi                | Cubic meter | 7,524  |
| 72        | Terminalia chebula   | Hale, Galnut, Harada, Myrobolan                 | Cubic meter | 7,260  |
| 73        | Tetrameles nudiflora                                       | Jemal, Chenni, Bondale, Maine, Bolur, Kadubende | Cubic meter | 8,184  |

| Group VIII |  |  |             |        |
|------------|--|--|-------------|--------|
| 74         | <i>Acacia nilotica</i>   | Jali, karijali                           | Cubic meter | 10,296 |
| 75         | <i>Adenanthera pavonina</i>  | Manjuti, Ane golaganji                   | Cubic meter | 7,260  |
| 76         | <i>Ailanthus truphysa</i><br>( <i>Ailanthus malabarica</i> )   | Halmaddi                                 | Cubic meter | 7,260  |
| 77         | <i>Aglaia lawii</i>  | Tottile                                  | Cubic meter | 7,260  |
| 78         | <i>Antiaris toxicaria</i>  | Jasund, Chandul                          | Cubic meter | 7,260  |
| 79         | <i>Phanera purpurea</i><br>( <i>Bauhinia purpurea</i> )  | Basavanapada                             | Cubic meter | 6,996  |
| 80         | <i>Bischofia javanica</i>  | Neweli, Gobbara<br>nerale                | Cubic meter | 6,996  |
| 81         | <i>Buchanania latifolia</i>  | Murukali, m Nurkal,<br>Chironjee         | Cubic meter | 7,260  |
| 82         | <i>Carallia brachiata</i>  | Andipunar, Andamuria                     | Cubic meter | 7,392  |
| 83         | <i>Celestrus paniculatus</i>   | Kariganne,<br>Gavanagorge                | Cubic meter | 7,392  |
| 84         | <i>Cinnamomum verum</i>  | Dalchini                                 | Cubic meter | 7,392  |
| 85         | <i>Cleistanthus collinus</i>   | Bededarige,<br>Bodadarga,<br>Kadagargari | Cubic meter | 7,260  |
| 86         | <i>Dillenia pentagyna</i>  | Kanagilu, Kolategu,<br>Malageil          | Cubic meter | 7,128  |
| 87         | <i>Diospyros buxifolia</i>   | Chorkali                                 | Cubic meter | 7,128  |
| 88         | <i>Erythrina indica/variegata</i>  | Hongara, Halivana                        | Cubic meter | 7,260  |
| 89         | <i>Eigenia gardenri</i>  | Chikkani                                 | Cubic meter | 7,392  |
| 90         | <i>Ficus exasperata</i>  | Adavi atthi                              | Cubic meter | 9,260  |
| 91         | <i>Ficus racemosa</i>  | Atthi                                    | Cubic meter | 7,260  |
| 92         | <i>Ficus nervosa</i>   | Neer atthi                               | Cubic meter | 7,260  |
| 93         | <i>Ficus tsiela</i>  | Bilibasari                               | Cubic meter | 7,260  |
| 94         | <i>Flacourtia montana</i>  | Attak, Hennusampige                      | Cubic meter | 7,128  |
| 95         | <i>Garcinia cambogia</i>   | Uppage, Aradaia                          | Cubic meter | 7,128  |
| 96         | <i>Grevillia robusta</i>   | Silver oak, Vellangi                     | Cubic meter | 7,920  |
| 97         | <i>Gyrocarpus americanus</i>   | Kadubende                                | Cubic meter | 7,392  |
| 98         | <i>Holigama beddamei</i>   |  | Cubic meter | 6,864  |
| 99         | <i>Holoptelia integrifolia</i>   | Thapasi, Kaladri,<br>Kanju               | Cubic meter | 7,392  |
| 100        | <i>Kydia calycina</i>  | Belaga, Bende                            | Cubic meter | 7,128  |
| 101        | <i>Lagerstroemia speciosa</i>  | Holedasavala                             | Cubic meter | 7,920  |
| 102        | <i>Lagerstroemia parviflora</i>  | Channangi                                | Cubic meter | 8,712  |
| 103        | <i>Lannea grandis</i>  | Gojjal, Arenelli                         | Cubic meter | 7,128  |
| 104        | <i>Linociera malabarica</i>  | Punisi, punygam                          | Cubic meter | 7,128  |
| 105        | <i>Madhucal latifolia</i>  | Sonnaippe, Ippe                          | Cubic meter | 6,600  |
| 106        | <i>Mastixia arborea</i>  | Gulla                                    | Cubic meter | 7,260  |
| 107        | Miscellaneous species not finding mention anywhere in the list of timbers above and below to be referred to as "Junglewood" as per PCCF (HoFF) Circular number B3/Sales/Billets /CR-18/2015-16, dated 6 <sup>th</sup> January 2017 | Kadujati                                 | Cubic meter | 9,240  |

|            |  |   |              |        |
|------------|--|---|--------------|--------|
| 108        | <i>Myristica magnifica</i>   | Ramapathre  | Cubic meter  | 6,864  |
| 109        | <i>Myristica malabarica</i>  | Doddajajikai, Kanage                                  | Cubic meter  | 7,788  |
| 110        | <i>Saraca asoca</i>  | Asoca   | Cubic meter  | 7,788  |
| 111        | <i>Millettia pinnata</i><br>( <i>Pongamia pinnata</i> )                | Honge   | Cubic meter  | 7,788  |
| 112        | <i>Pteropermum heyneamum</i>   | Ploavu, Thopa   | Cubic meter  | 6,864  |
| 113        | <i>Saccopetalum tomentosum</i><br>( <i>Milusa tomentosa</i> )          | Obalu, Kaladri,<br>Karihessare                        | Cubic meter  | 6,864  |
| 114        | <i>Sapindus emarginatus</i>  | Soapnut, Antawala                                     | Cubic meter  | 6,864  |
| 115        | <i>Schrebera Swieteniodes</i>  | Bula, Gante,<br>Mogalingamara                         | Cubic meter  | 7,260  |
| 116        | <i>Semecarpus anacardium</i>   | Geru, Cashew nut                                      | Cubic meter  | 7,788  |
| 117        | <i>Sopmida febrifuga</i>   | Svami, Some,<br>Kalgarige                             | Cubic meter  | 7,260  |
| 118        | <i>Pterygota alata</i><br>( <i>Sterculia alata</i> )                   | Kaithali, Tattale Mara                                | Cubic meter  | 7,788  |
| 119        | <i>Stereospermum suaveolens</i><br>( <i>Stereospermum chelnoides</i> ) | Adri, Billi padri                                     | Cubic meter  | 7,788  |
| 120        | <i>Sterculia villosa</i>   | Bilidale, Savaya,<br>Anenaru                          | Cubic meter  | 7,788  |
| 121        | <i>Terminalia bellerica</i>  | Tare, Ghoting, Shanthi                                | Cubic meter  | 6,864  |
| 122        | <i>Terminalia catappa</i>  | Kadubadami, Bange,<br>Taree                           | Cubic meter  | 6,864  |
| 123        | <i>Trewia nudiflora</i>  | Katumbala,<br>Kadugumbala                             | Cubic meter  | 6,864  |
| Group IX   |  |   |              |        |
| 124<br>(a) | <i>Eucalyptus</i><br>(including<br><i>Corymbiacitriodora</i> )<br>spp. | Nilgiri   |              |        |
|            |  | (a) For supply to industries as pulpwood with bark    | Metric Tonne | 1,716  |
|            |  | (b) For supply to industries as pulpwood without bark | Metric Tonne | 1,980  |
|            |  | (c) For supply to general public as timber            | Cubic meter  | 7,260  |
| 124<br>(b) | <i>Acacia auticuliformis</i>   |   |              |        |
|            |  | (a) for supply to industries as pulpwood with bark    | Metric Tonne | 1,716  |
|            |  | (b) for supply to industries as pulpwood without bark | Metric Tonne | 1,980  |
|            |  | (c) for supply to general public as timber            | Cubic meter  | 11,220 |

| Group X  |                           |                                    |                                    |        |
|----------|---------------------------|------------------------------------|------------------------------------|--------|
| 125      | Acacia catechu /chundra   | Khair, Kagali, Catechu tree, Kachu | Per tree below 48 cm girth         | 2442   |
|          |                           |                                    | Per tree from 48 cm to 60 cm girth | 3,049  |
|          |                           |                                    | Per tree above 60 cm girth         | 3,564  |
| 126      | Borassus flabellifer      | Palmyra tree, Thatiningu           | Tree                               | 2,442  |
| 127      | Caryota urens             | Bagini, Fish tailed palm           | Tree                               | 2,442  |
| 128      | Phoenix sylvestris        | Eechalu, Sugar date pal,           | Tree                               | 2,442  |
| 129      | Wrughtia tinctoria        | Hale                               | Cubic meter                        | 12,197 |
| Group XI |                           |                                    |                                    |        |
| 130      | Teak poles                |                                    |                                    |        |
|          | Length 6 meter to 9 meter | (a) 40-65 cm girth (butt end)      | Each                               | 1,980  |
|          |                           | (b) 20-40 cm girth (butt end)      | Each                               | 1,287  |
|          | Length 4 meter to 6 meter | (a) 40-65 cm girth (butt end)      | Each                               | 1,168  |
|          |                           | (b) 20-40 cm girth (butt end)      | Each                               | 515    |
|          | Length 2 meter to 4 meter | (a) 40-65 cm girth (butt end)      | Each                               | 488    |
|          |                           | (b) 20-40 cm girth (butt end)      | Each                               | 337    |
| 131      | Nandi poles               |                                    |                                    |        |
|          | Length 6 meter to 9 meter | (a) 40-65 cm girth (butt end)      | Each                               | 950    |
|          |                           | (b) 20-40 cm girth (butt end)      | Each                               | 396    |
|          | Length 4 meter to 6 meter | (a) 40-65 cm girth (butt end)      | Each                               | 554    |
|          |                           | (b) 20-40 cm girth (butt end)      | Each                               | 264    |
|          | Length 2 meter to 4 meter | (a) 40-65 cm girth (butt end)      | Each                               | 416    |
|          |                           | (b) 20-40 cm girth (butt end)      | Each                               | 251    |
| 132      | Kindal poles              |                                    |                                    |        |
|          | Length 6 meter to 9 meter | (a) 40-65 cm girth (butt end)      | Each                               | 713    |
|          |                           | (b) 20-40 cm girth (butt end)      | Each                               | 422    |

|                           |                           |  |      |     |
|---------------------------|---------------------------|--|------|-----|
|                           | Length 4 meter to 6 meter | (a) 40-65 cm girth (butt end)                                    | Each | 554 |
|                           |                           | (b) 20-40 cm girth (butt end)                                    | Each | 264 |
|                           | Length 2 meter to 4 meter | (a) 40-65 cm girth (butt end)                                    | Each | 383 |
|                           |                           | (b) 20-40 cm girth (butt end)                                    | Each | 224 |
| 133                       | Matthi poles              |  |      |     |
|                           | Length 6 meter to 9 meter | (a) 40-65 cm girth (butt end)                                    | Each | 739 |
|                           |                           | (b) 20-40 cm girth (butt end)                                    | Each | 396 |
|                           | Length 4 meter to 6 meter | (a) 40-65 cm girth (butt end)                                    | Each | 515 |
|                           |                           | (b) 20-40 cm girth (butt end)                                    | Each | 251 |
|                           | Length 2 meter to 4 meter | (a) 40-65 cm girth (butt end)                                    | Each | 343 |
|                           |                           | (b) 20-40 cm girth (butt end)                                    | Each | 185 |
|                           | 134                       | Jungle Wood (to be understood as in item number 107 above) Poles |      |     |
| Length 6 meter to 9 meter |                           | (a) 40-65 cm girth (butt end)                                    | Each | 383 |
|                           |                           | (b) 20-40 cm girth (butt end)                                    | Each | 211 |
| Length 4 meter to 6 meter |                           | (a) 40-65 cm girth (butt end)                                    | Each | 238 |
|                           |                           | (b) 20-40 cm girth (butt end)                                    | Each | 185 |
| Length 2 meter to 4 meter |                           | (a) 40-65 cm girth (butt end)                                    | Each | 224 |
|                           |                           | (b) 20-40 cm girth (butt end)                                    | Each | 106 |
| 135                       |                           | Eucalyptus (including Corymbia citriodora) poles                 |      |     |
|                           | Length 6 meter to 9 meter | (a) 40-65 cm girth (butt end)                                    | Each | 356 |
|                           |                           | (b) 20-40 cm girth (butt end)                                    | Each | 224 |
|                           | Length 4 meter to 6 meter | (a) 40-65 cm girth (butt end)                                    | Each | 211 |
|                           |                           | (b) 20-40 cm girth (butt end)                                    | Each | 172 |
|                           | Length 2 meter to 4 meter | (a) 40-65 cm girth (butt end)                                    | Each | 172 |
|                           |                           | (b) 20-40 cm girth (butt end)                                    | Each | 106 |

|                               |   |  |              |     |
|-------------------------------|---|--|--------------|-----|
| 136                           | Acacia auriculiformis poles                     |  |              |     |
|                               | Length 6 meter to 9 meter                       | (a) 40-65 cm girth (butt end)              | Each         | 779 |
|                               |   | (b) 20-40 cm girth (butt end)              | Each         | 396 |
|                               | Length 4 meter to 6 meter                       | (a) 40-65 cm girth (butt end)              | Each         | 396 |
|                               |   | (b) 20-40 cm girth (butt end)              | Each         | 290 |
|                               | Length 2 meter to 4 meter                       | (a) 40-65 cm girth (butt end)              | Each         | 356 |
| (b) 20-40 cm girth (butt end) |   | Each                                       | 224          |     |
| 137                           | Hopea parviflora poles                          |  |              |     |
|                               | Length 6 meter to 9 meter                       | (a) 40-65 cm girth (butt end)              | Each         | 739 |
|                               |   | (b) 20-40 cm girth (butt end)              | Each         | 488 |
|                               | Length 4 meter to 6 meter                       | (a) 40-65 cm girth (butt end)              | Each         | 396 |
|                               |   | (b) 20-40 cm girth (butt end)              | Each         | 264 |
|                               | Length 2 meter to 4 meter                       | (a) 40-65 cm girth (butt end)              | Each         | 337 |
| (b) 20-40 cm girth (butt end) |   | Each                                       | 172          |     |
| 138                           | Dalbergia latifolia poles                       |  |              |     |
|                               | Length 6 meter to 9 meter                       | (a) 40-65 cm girth (butt end)              | Each         | 739 |
|                               |   | (b) 20-40 cm girth (butt end)              | Each         | 488 |
|                               | Length 4 meter to 6 meter                       | (a) 40-65 cm girth (butt end)              | Each         | 396 |
|                               |   | (b) 20-40 cm girth (butt end)              | Each         | 264 |
|                               | Length 2 meter to 4 meter                       | (a) 40-65 cm girth (butt end)              | Each         | 337 |
| (b) 20-40 cm girth (butt end) |   | Each                                       | 172          |     |
| Group XII                     |   |  |              |     |
| 139                           | Firewood (all species except teak and rosewood) | (a) Rural Malnad                           | Metric Tonne | 185 |
|                               |   | (b) Urban Malnad and traditional Zone      | Metric Tonne | 290 |
|                               |   | (c) Maidan areas, Schools and institutions | Metric Tonne | 779 |

|            |  |   |              |       |
|------------|--|---|--------------|-------|
| 140        | Calamus species  | Super Size Canes (12 feet Length and above and 15 cm girth and above) | 100 Nos      | 4,620 |
|            | Calamus species  | Big Canes   | 100 Nos      | 1,320 |
|            | Calamus species  | Small Canes   | 100 Nos      | 660   |
| 141        | Charcoal   |   | Big          | 264   |
| Group XIII |  |   |              |       |
| 142        | Bambusa arundinacea  | Dowga, Big Bamboo   |              |       |
|            |  | (a) For industries (Dead & dry)                                       | Metric Tonne | 858   |
|            |  | (b) For Medars and buruds   | 100 Nos      | 528   |
|            |  | (c) For all others  | 100 Nos      | 739   |
| 143        | Dendrocalamus strictus   | Medar bamboo (small)  |              |       |
|            |  | (a) For industries (Dead & dry)                                       | Metric Tonne | 858   |
|            |  | (b) For Medars and buruds   | 100 Nos      | 449   |
|            |  | (c) For all others  | 100 Nos      | 713   |
| 144        | Dendrocalamus stocksii   | Marihal bamboo  |              |       |
|            |  | (a) For industries (Dead & dry)                                       | Metric Tonne | 858   |
|            |  | (b) For Medars and buruds   | 100 Nos      | 449   |
|            |  | (c) For all others  | 100 Nos      | 713   |
| 145        | Ochlandra species  | Save, Vate, Ventenalige, Reeds  | Metric Tonne | 1544  |
| Group XIV  |  |   |              |       |
| 146        | Bamboo thorns  |   | Head load    | 7     |
|            |  |   | Cart load    | 29    |
| 147        | Bandanik (Dendrophthoe falcata), Bandurbi, Banduggi, Devadari shrubs |   | Head load    | 7     |
|            |  |   | Cart load    | 47    |
| 148        | Hongerike barlu shrubs   |   | Head load    | 7     |
|            |  |   | Cart load    | 47    |
| 149        | Dedesalu twigs   |   | Head load    | 7     |
|            |  |   | Cart load    | 47    |
| 150        | Turukabaralu   |   | Head load    | 7     |
|            |  |   | Cart load    | 29    |
| 151        | Tallisarabu  |   | Head load    | 2     |
|            |  |   | Cart load    | 29    |
| 152        | Throns of all kinds (excluding bamboo thorns)                        |   | Head load    | 4     |
|            |  |   | Cart load    | 29    |

|     |  |            |     |
|-----|--|------------|-----|
| 153 | Karichalu and kulichalu  | Head load  | 4   |
|     |  | Cart load  | 29  |
| 154 | Bhandari scrub   | Head load  | 4   |
|     |  | Cart load  | 29  |
| 155 | Dombakali and kallikanti   | Head load  | 4   |
|     |  | Cart load  | 22  |
| 156 | Parka and soppu (for manure purpose)   | Head load  | 4   |
|     |  | Cart load  | 22  |
| 157 | Palas soppu (Butea monosperma leaves)  | Head load  | 4   |
|     |  | Cart load  | 22  |
| 158 | Kamara, Chujjulu and others fodder leaves  | Head load  | 4   |
|     |  | Cart load  | 22  |
| 159 | Shivadu leaves   | Head load  | 4   |
|     |  | Cart load  | 22  |
| 160 | Palm leaves  | Head load  | 4   |
|     |  | Cart load  | 22  |
| 161 | Kajari   | Head load  | 4   |
|     |  | Cart load  | 22  |
| 162 | Climbers and creepers (Except canes and Lianas)  | Head load  | 4   |
|     |  | Cart load  | 22  |
| 163 | Lantana  | Head load  | 4   |
|     |  | Cart load  | 22  |
| 164 | Grass (Fodder) excluding bamboo, palms and those which appears in this list seperately | Head load  | 9   |
|     |  | Cart load  | 47  |
|     |  | Lorry load | 475 |
| 165 | Broom grass  | Head load  | 9   |
|     |  | Cart load  | 57  |
|     |  | Lorry load | 475 |
| 166 | Fibres   | Head load  | 9   |
|     |  | Cart load  | 47  |
| 167 | Grass (thatching)  | Head load  | 9   |
|     |  | Cart load  | 47  |
| 168 | Barks (except of medicinal use)  | Head load  | 9   |
|     |  | Cart load  | 229 |
| 169 | Ulip sticks and sampige sticks   | Head load  | 47  |
|     |  | Cart load  | 229 |
| 170 | Jungle pegs stakes and batons 25 cm and below girth                                    | Head load  | 39  |
|     |  | Cart load  | 40  |
| 171 | Wild Zingiber officinale   | Head load  | 29  |
| 172 | Cymbopogon marhini grass   | Lorry load | 285 |

|     |  |  |  |      |
|-----|--|--|--|------|
| 173 | Noja grass   |  | Metric Tonne   | 666  |
| 174 | Elephant grass   |  | Metric Tonne   | 143  |
| 175 | Grass of Cymbopogon genus excludin   |  | Metric Tonne   | 190  |
| 176 | Bursera husk   |  | Kilogram   | 66   |
| 177 | Eucalyptus (including Corymbia citriodora) leaves (form pure as well as mixed plantations) |  | Hectare (for mixed plantation with Eucalyptus 1000 stems of Eucalyptus take tp correspond to one hectare of pure plantation) | 666] |

## CHAPTER XI

### PRIVILEGES REGARDING GRANT OF TIMBER AND OTHER FOREST PRODUCE, FREE OR AT CONCESSIONAL RATES

**84. Privileges.-** The Government may grant privileges in reserved, protected and district forests to the following categories of persons in respect of removal or usage of forest produce or purposes specified therein.-

#### (i) Cultivating raiyats.-

- (a) wood for agricultural implements;
- (b) grass for fodder and thatching;
- (c) earth, stones, sand, *etc.*, for *bona fide* requirement;
- (d) climbers, creepers, canes and Karve for agricultural purposes;
- (e) thorns, brushwood and bamboos for fencing;
- (f) fallen leaves and green leaves for manure;
- (g) dead wood for burning as firewood;
- (h) palms for water-courses;
- (i) sinking of manure pits and silo pits in forests adjoining cultivation;
- (j) use of water sources in forest area for cultivation; and
- (k) hunting of certain wild animals in the forests adjoining cultivation for preservation of crop and cattle;

#### (ii) Villagers.-

- (a) wood and bamboos for construction and repairs of houses;
- (b) leaves and grass for thatching;
- (c) grazing of cattle in open forest areas;
- (d) certain minor forest products for their *bona fide* domestic use;

- (e) Kamara leaves during famine; and
  - (f) Privilege of way in forest.
- (iii) **Cultivators and village inhabitants.**- Grant of strips in forests adjoining cultivation and habitation in the interest of public health and protection from wild animals with the attendant privileges;
- (iv) **Gardeners of Arecanut gardens.**- Grant of privileges attached to Betta land;
- (v) **Cultivators of wet-lands.**- Grant of privileges attached to Kumki lands;
- (vi) **Artisans engaged in handicraft.**-
- (a) bamboos at concessional rates;
  - (b) woods of certain kinds useful for their craft free or at concessional rates;
  - (c) leaves and grass for mat-making;
  - (d) barks and fruits of certain trees for tanning purposes;
- (vii) **Poor people whose houses have been destroyed by accidental fire, flood or any other natural calamities.**- Wood, bamboos and other forest produce for reconstruction of houses;
- (viii) **Members of Scheduled Castes, Scheduled tribes, Nomadic and Semi-nomadic tribes, Hill tribes and new settlers who are too poor to purchase wood.**-Wood, bamboos and other forest produce for construction of dwelling houses;
- (ix) **Villages infected with plague.**- Wood and bamboos for prompt evacuation of villages; and
- (x) **General public.**-
- (a) to open roads in forests.
  - (b) to plant fruit trees in forest areas and to obtain sanads in respect of such trees and also to obtain land from forest areas under suitable sanads for cultivation of fruit trees.

## CHAPTER XII SALE OF FOREST PRODUCE:

**85. Methods of selling forest produce.**- (1) No forest produce shall be sold by any method other than the following.-

- (i) Sale by auction or tender or tender-cum-auction;
- (ii) Sale at the sanctioned schedule of rates in depots;
- (iii) Sale by issue of licences at the sanctioned seigniorage rates:

Provided that any other method may be resorted to with the previous sanction of Government whenever the Chief Conservator of Forests considers it desirable to do so in the interest of the Department.

- (2) The rates referred to in clause (ii) of sub rule (1) shall be the schedule of rates sanctioned by the Chief Conservator of Forests from time to time.

- (3) The rates referred to in clause (iii) of sub-rule (1) shall be those specified in Rule 83.
- (4) All important sales of timber and other forest produce shall generally be held by open public auction, tender or tender-cum-auction:

Provided that the Chief Conservator of Forests may accept individual offers at his discretion in the interest of the Department.

**86. Sale to be notified.**-(1) A Notification of sale shall be published in the official Gazette along with conditions of sale for all sales of timber or any other forest produce either by auction or tender or tender-cum-auction, provided that in cases where estimated value is less than rupees five hundred, it would be sufficient if a local notification is issued and wide publicity is given locally.

(2) The date or dates of sales of timber in major depots and other important sales of forest produce shall be fixed by the Conservator of Forests, in consultation with the other Conservator of Forests, well in advance.

**87. Labelling of forest produce.**- All forest produce offered for sales shall be classified and labelled according to the standard classification prescribed by the Department for each kind of forest produce.

**88. Conduct of sale.**- (1) All sales shall ordinarily be conducted by <sup>1</sup>[Deputy Conservator of Forests]; but, they may, if necessary, be conducted by any other officer duly authorised by him for the purpose.

(2) The date of first sale shall be so fixed as to give at least 3 months' time before the commencement of lease period.

**89. Sale notification.**- The sale notification and conditions of sale should refer among other points to.-

- (i) Situation and area to be leased out;
- (ii) Description and quantity of produce that will be exposed for sale; and in case of minor forest produce the several items of minor forest produce included in the lease;
- (iii) The period of lease;
- (iv) Particulars of areas and produce, if any, reserved and hence excluded from the sale;
- (v) The place where and the date and time when the sale is to be held;
- (vi) The necessity or otherwise for the production of solvency certificate or income-tax or Sales-tax clearance certificate by the intending purchasers;

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

- (vii) The amount of earnest money that should be deposited or tendered by each intending bidder or tenderer;
- (viii) The time within which the purchase money should be paid and the produce removed;
- (ix) The amount of security deposit to be paid;
- (x) Agreements, if any, to be executed;
- (xi) The penalty for non-payment for, or non-removal of, the produce within the notified time;
- (xii) The non-liability of the officer holding the sale or confirming the sale to accept the highest or any bid or tender;
- (xiii) The power of the officer holding the sale to stop it at any period if he thinks that there is any combination among bidders;
- (xiv) The continuance of the sale on the following days if it is not closed on the day when it was commenced;
- (xv) The obligation on the part of the buyers to inspect the produce or the area of the coupe before bidding or tendering;
- (xvi) The liability of the bidders in auction sales to sign the notice of the sale implying thereby their acceptance to its terms before they make their offers.
- <sup>1</sup>[(xvii) The forfeiture of the earnest money deposited to Government if the tender/bidder withdraws his tender/offer before the tender/bid is accepted or rejected.]

<sup>2</sup>[**89A. Recovery of loss caused to Government on account of withdrawal of tender/bid before acceptance or rejection.**- No tenderer or bidder shall withdraw his tender or bid before it is accepted or rejected.

If a tenderer or bidder withdraws his tender or bid before it is accepted or rejected.-

- (a) the earnest money deposited by him shall be forfeited to Government; and
- (b) where the tender or bid withdrawn is the highest bid or highest tender, and the amount realised by resale of the forest produce is less than the amount specified in the highest tender or bid which was withdrawn, then the difference between the said amounts together with the costs of the resale shall be recovered from such tenderer or bidder as an arrear of land revenue.]

**90. Disqualifications to bid.**- Persons who are blacklisted or insolvent or who have failed to pay Government dues, or are minors, shall not be eligible to bid in auction nor their tenders accepted.

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1. Clause (xvii) inserted by GSR 236, dated 2/4-9-1985, w.e.f. 24-10-1985  
 2. Rule 89-A inserted by GSR 236, dated 2/4-9-1985, w.e.f. 24-10-1985

**91. Earnest money.-** (1) No cheques shall be accepted as earnest money deposits.

- (2) No earnest money deposits offered jointly shall be accepted unless such persons are members of registered company, corporation or firm and the deposit made is on behalf of such company, corporation or firm.
- (3) Persons intending to deposit and bid as agents of another shall deposit with the Sale Conducting Officer a legal power of attorney.
- (4) Persons intending to deposit and bid as agents of other Government departments shall deposit with the Sale Conducting Officer a letter of authority from the Head of such Government department.

**92. Authority to bid on behalf of company or firm.-** A company, corporation or firm which intends to bid or tender in a sale shall provide the person who is to bid or tender with a power of attorney on behalf of such company, corporation or firm signed by all the directors or partners, as the case may be.

**93. Conduct and confirmation of sale.-**(1) No sale shall be conducted when there is only one purchaser present.

(2) In case of auction sale, prior to the commencement of the sale, the sale conditions shall be read out and the signatures of all intending purchasers shall be obtained on the sale notice in the presence of the Sale Conducting Officer in token of their having been appraised of and having accepted the sale conditions. The sale notice containing the signatures of the intending purchasers shall form a part of the sale record.

(3) Should the bid of any person participating in the sale be disputed, the decision of the Sale Conducting Officer on the spot shall be final and binding.

(4) The bidder in whose favour the lot has been knocked down shall affix his signature in the appropriate column of the sale-slip in Form 11 against the amount offered by him, in token of his having accepted the correctness of the transaction entered in the sale slip.

(5) When a sale is effected by public auction, tender or tender-cum-auction, generally, the highest bid or tender, if regular in all respects, shall be accepted by the Sale Conducting Officer competent to conduct the sale under these rules, provided such offer is equal to or exceeds the sanctioned upset price. Where for any valid reason the highest bid or tender cannot be accepted, the Sale Conducting Officer may reject any bid or tender without assigning any reason. He shall, however, make a record of such rejection giving full reasons thereof. In cases where he is not competent to confirm the sale, he shall submit it along with the other sale records to the authority competent to confirm the sale.

(6) The Sale Conducting Officer shall sanction bids or accept tenders that are within his powers of sanction and issue confirmation or acceptance orders thereon. Bids and tenders not falling within his powers of sanction shall be submitted to the competent authority for confirmation or acceptance, furnishing his opinion on the general results of

the sale, with special reference to the competitions among the bidders, the demand for specific kinds of timber or other produce and the prospect of market for timber or other forest produce and any other useful information gathered from the sale.

(7) While deciding the offer, either for acceptance or rejection, the works pending with the contractor, his capacity to execute the present contract and his performance in respect of the previous contracts shall also be taken in to consideration.

#### CASE LAW

Rule 93- Auction sale of forest trees-Acceptance of bid.

*Gopivallabha Iyengar and Sadanandaswamy, JJ.*- Where the highest bid at an auction sale of forest trees is submitted to the Conservator of forests for confirmation, there is no confirmation until the order is communicated to the bidder. AIR 1963 SC 395 relied on.

That there were several post auction higher bids is a relevant factor and a ground for not accepting the highest bid. AIR 1954 SC 592 relied on. – *Y. Ramakrishna Shenoy v The Conservator of Forests*, 1970(1) Mys. L.J.274.

**94. Form of agreement.**- Agreements shall be in the forms prescribed for the purpose.

**95. Additional rules regarding the sale of Minor forest produce.**- (1) Subject to the recognised rights and privileges of private parties, the <sup>1</sup>[Deputy Conservator of Forests] shall consider and decide each year before the collection season begins.-

- (i) What articles of minor forest produce shall be exploited and in what localities, having regard to local conditions and past results; and
- (ii) What arrangements shall be made for their exploitation.

(2) The period of minor forest produce leases, ordinarily, shall not exceed three years commencing from 1st July and the Chief Conservator of Forests shall fix the period of lease for each produce or group of produce, taking into consideration the kind of produce, its susceptibility to fluctuations in annual yields, the administrative convenience and the convenience of the lessees.

(3) The Conservator of Forests may authorise <sup>2</sup>[Deputy Conservator of Forests] to sell minor forest products of local importance and demand as separate items.

(4) The produce may be disposed of in any convenient units as may be found convenient at the discretion of the Sale Conducting Officer.

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- 1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  - 2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**96. Certain forest produce to be excluded.-** The kinds of produce specified below found in the assessed waste, gomal, kharab lands, gavatana and other lands set apart for communal purposes, which are sold separately by the Tahsildars, shall be excluded from the sale except in areas where such sales are conducted by the Forest Department.-

1. Hunse
2. Hippe
3. Seege
4. Coconut
5. Mavu
6. Neralu
7. Halasu
8. Jali
9. Byala
10. Honge leaves and seeds:

Provided that the species mentioned above and the localities where found may be modified with the prior approval of the Conservator of Forests.

<sup>1</sup>[97. Supply of sandalwood to Government Sandal Oil Factories.-X X X X X]

**98. Supply of sandalwood to temples and Muzrai Institutions.-**

- (1) All supply of sandalwood to temples and Muzrai Institutions shall be at the sanctioned retail sale rates which are subject to revision by Government from time to time.
- (2) Supply shall be made by the Department from its depots, provided that.-
  - (i) The value is paid for before removal;
  - (ii) The *bona fide* requirement of the temple or the institution, as to the class and quantity required, is certified by the Commissioner for Charitable Endowments in the State; and
  - (iii) The indent for the supply of sandalwood is placed with the <sup>2</sup>[Deputy Conservator of Forests] concerned at least one month before the actual removal

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1. Rule 97 omitted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

- (3) The temples and Muzrai Institutions obtaining sandalwood in excess of <sup>1</sup>[4 kilograms] shall obtain licences for possession and storage of sandalwood and comply with the provisions of the Act and rules.
- (4) The sandalwood obtained for the use of temples and Muzrai Institutions shall not be sold.
- (5) Such institutions shall maintain accounts to show the receipt and disposals of sandalwood supplied to them. The accounts so maintained as well as the stock shall be subject to inspection by the officers of the Revenue and Forest Departments of and above the rank of Revenue Inspector and Range Forest Officer respectively.

**99. Rules for retail sale of sandalwood from Government Sandalwood Depots.-**

<sup>2</sup>[(1-a) All sale of sandal wood to permit holders shall be at the sanctioned retail sale rates which are subject to revision by the Government annually. No permit shall be necessary for purchase of sandalwood not exceeding 4 kgs for bona fide domestic use.

(1-b) Retail sale rate shall be fixed annually by the Government based on the proposal of the Principal Chief Conservator of Forests, which shall be fixed on the average rates obtained in the last two auction sales held in the State of Karnataka or in the neighboring State of Tamilnadu.]

(2) Application for permit to purchase sandalwood in retail sale from depots shall be made to the Chief Conservator of Forests, Conservator of Forests, <sup>3</sup>[Deputy Conservator of Forests] or Officer-in-charge of Sandalwood Depot as the case may be.

(3) The applicant should furnish the following particulars, viz.-

- (i) The name of the depot from which he intends to purchase;
- (ii) The kind and quantity of sandalwood;
- (iii) Purpose for which wood sought for is required by him namely.-

- (1) *Bona fide* domestic and religious purposes.
- (2) Carving or similar purposes.
- (3) Distilling oil, manufacturing agarbattis, etc.
- (4) Trade.

(iv) The date of previous purchase and the quantity purchased (In respect of applicants obtaining wood for trade).

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1. Substituted for the figures and words "3.17 kilograms" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Sub-rule (1) substituted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

- (v) The number and date of the licence, the authority that has issued him the licence and the currency of the licence held by him, if any, for possession, storage, sale or disintegration of sandalwood or for the manufacture, distilling or sale of sandalwood oil (only in case of applicants seeking to purchase sandalwood in excess of 3.17 kg.).
- (vi) The place to which the wood sought for is intended to be taken and the mode of transport.
- (vii) Whether he has rendered the accounts of his stock to the <sup>1</sup>[Deputy Conservator of Forests]? And if so, up to what period? (Only in cases of tradesmen)
- (viii) The stock of sandalwood held by him on the date of application.
- (4) On receipt of the application, the officer concerned shall, on such enquiry as he deems necessary is satisfied that the facts stated in the application are correct and there is no objection to permit the sale of the sandalwood to the applicant, sanction the sale of sandalwood to the applicant within as specified date from any of the Government sandalwood Depots within his jurisdiction. The said Officer, after giving the applicant an opportunity of being heard in the matter, may refuse or defer the grant of permit for reasons to be recorded in writing if the information required is not given or the information given is suspected to be not correct or if he has reason to believe that the applicant is or has been concerned in any illegal practice with regard to any sandalwood or for any sufficient valid reasons.
- (5) No purchaser shall remove the sandalwood from the depot except under and in accordance with a transit pass issued by a Forest Officer empowered to issue such pass and a licence from the <sup>2</sup>[Deputy Conservator of Forests] for possession, storage, *etc.*, of sandalwood obtained in excess of <sup>3</sup>[4 kg].
- (6) Persons intending to purchase sandalwood exceeding 5 quintals shall give at least 7 days notice of their intention to take delivery of the sandalwood to the <sup>4</sup>[Deputy Conservator of Forests] or Officer-in-charge of the depot.
- (7) No sandalwood shall be delivered except to the permit-holder or holder of his power of attorney.
- (8) No further cleaning, classification or choice of sandalwood shall be allowed previous to weighment and no complaint with regard to the classification and cleaning shall be entertained.
- (9) No purchaser shall remove the sandalwood from the depot till every piece that can be stamped is marked by the Departmental sale hammer mark.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. Substituted for the figures "3.17" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(10) Weighment of sandalwood exceeding 50 kg for the purpose of delivery to the purchasers, shall be made by the <sup>1</sup>[Deputy Conservator of Forests] or any other Gazetted Officer, in the presence of the purchaser or his authorised agent. In all other cases, weighment may be made by the Officer in charge of the depot under similar terms.

(11) The purchaser shall always comply with the provisions of the Act and all rules in force thereunder, from time to time, regarding possession, storage, transit, disintegration, *etc.*, of Sandalwood and manufacture, distillation and sale of sandalwood-oil obtained therefrom.

(12) Title of the sandalwood sold shall vest in the Government if the purchaser fails to remove it from the depot within a period of seven days from the date of sale.

**100. Sale and supply of elephants and other wild animals.**- (1) Elephants and other wild animals captured by the Department may be disposed of by any of the following methods.-

- (i) By supply of Zoological gardens and other institutions devoted to the study and research in Biological and other allied sciences;
- (ii) By retail sale;
- (iii) By auction sale;

(2) The rate at which the supply or sale of any wild animal has to be done under clauses (i) and (ii) of the above rule shall be fixed by the Chief Conservator of Forests subject to approval by Government. While fixing the rate for the sale of any animal, the abundance or rarity of the animal, the difficulty or ease of its capture, the cost involved in the capture, feeding and transport of the animal, the age, sex and condition of the animal, its utility and market value and the extent of domestication and training the animal has received shall be taken into consideration.

(3) Notwithstanding anything contained in these rules, the Government reserves its right to give as a gift or to sell at a concessional rate any wild animal captured by the department to any person, mutt, temple or institution or to any country whatsoever, at its discretion.

**101. Sale and supply of ivory.** (1) The ivory collected by the Department may be sold in one of the following three methods.-

1. By auction sale
2. By retail sale to the public
3. By supply to the Industries and Commerce Department.

(2) The rate at which the supply or sale of ivory has to be done under clauses (ii) and (iii) of sub-rule (1) shall be fixed by the Chief Conservator of Forests subject to approval by the government.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**102. Powers of Forest Officers in respect of sale of forest produce.**- The category of officers specified in column (2) of the table below may exercise the powers specified in corresponding entries in column (3) thereof in respect of sale of forest produce:

TABLE

| Sl. No | Category of Officer          | Powers  |
|--------|------------------------------|---|
| (1)    | (2)                          | (3)   |
| 1      | Chief Conservator of Forests | <p>(i) To accept tenders in respect of forest sales up to Rs. 10,00,000, provided the tenders are in order and no concessions are to be shown.</p> <p>(ii) To sanction all sales of timber and other forest produce up to Rs. 10,00,000 which are in order and no concessions are involved.</p> <p>(iii) To sanction retail sales of Teak from depots at sanctioned rates up to 10 cubic metres in each case.</p> <p>(iv) To sanction retail sales from depots, at sanctioned rates, of timber other than Teak and of other produce in any quantity.</p> <p>Note.- Shipment-quality Rosewood logs or any other kind of timber to be notified by the Chief Conservator of forests, from time to time, shall in no case be sanctioned in retail sale.</p> <p>(v) To sanction retail sale of sandalwood from depots up to one tonne at sanctioned rates.</p> <p>(vi) To authorise release of timber, without reference to Government, to various Government Departments, Semi-Government Departments, Government of India, Railways and private institutions, provided the rates for each type of material are fixed on the basis of market rates, taking into consideration the cost of production.</p> <p>(vii) To sanction supply of timber up to a limit of one cubic metre for experimental purpose and as sample to intending recognised firms or businessmen to advertise Karnataka Forest produce and also sandalwood up to Rs. 50 in value at the sanctioned retail rates for the same purpose.</p> <p>(viii) To extend time for payment of khist amounts of Kake, Thangadi and other items of minor forest produce leases not exceeding three months in each case, subject to such conditions, as regards payment of interest furnishing security as may be laid down by Government from time to time.</p> |

|   |                        |   |
|---|------------------------|---|
|   |                        | <p>(ix) To grant an extension of time in the case of auction sales of timber in depots for payment of value of timber purchased or for removal of paid for timber, subject to the payment of interest on the belated amounts and ground rent on the timber remaining unremoved, respectively, at the rates sanctioned by Government from time to time.</p> <p>(x) To waive recovery of interest in cases of hardship, Rs. 50 and below.</p> <p>(xi) To waive recovery of ground rent in cases of hardship, Rs. 50 and below.</p>  |
| 2 | Conservator of Forests | <p>(i) To accept tenders in respect of forest sales up to Rs. 5,00,000 in each case, provided the tenders are in order and no concessions are to be shown.</p> <p>(ii) To sanction all sales of timber and other forest produce up to Rs. 5,00,000 which are in order and no concessions are involved.</p> <p>(iii) To sanction retail sales from depots at sanctioned rates, of Teak upto 5 cubic metres and timber other than Teak and other forest produce in any quantity.</p> <p>Note.- Shipment-quality Rosewood, logs or any other kind of timber to be notified by the Chief Conservator of Forests, from time to time, shall in no case be sanctioned in retail sale.</p> <p>(iv) To sanction retail sale of sandalwood from depots up to one tonne at sanctioned rates.</p> <p>(v) To authorise Range Forest Officers to conduct petty auction sales of timber and other forest produce up to Rs. 500 in value in each case, subject to the sanction of upset price of material in advance by the competent authority and confirmation of the sale by the <sup>1</sup>[Deputy Conservator of Forests].</p> <p>(vi) To authorise release of timber, other than teak, without reference to Government, various Government Departments, Semi-Government Departments, Government of India, Railways and private institutions, provide the rates for each type of material are fixed by the Chief Conservator of Forests on the basis of market rates, taking into consideration the cost of production.</p> |

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

|   |  |  |
|---|--|--|
|   |  | <p>(vii) To fix the minimum prices (upset prices) for each kind of timber or other forest produce in auction sales in the Circle.</p> <p>(viii) To sanction the transfer of or subletting of all sales of forest produce in the Circle on recovery of prescribed fees.</p> <p>(ix) To waive recovery of interest in cases of hardship if the interest to be waived does not exceed Rs. 25.</p> <p>(x) To waive recovery of ground rent in cases of hardship if the amount to be recovered does not exceed Rs. 25.</p> <p>(xi) To grant an extension of time in the case of auction sales of timber in depots for payment of value of timber purchased or for removal of paid for timber, subject to the payment of interest on the belated payments and ground rent on the timber remaining unremoved, respectively, at the rates sanctioned by Government from time to time.</p>  |
| 3 | <sup>1</sup> [Deputy Conservator of Forest] and Sub-Divisional Forest Officers in independent charges. | <p>(i) To accept tenders up to Rs. 10,000 in respect of forest sales, provided the acceptable tender is the highest and the drop, if any, is not more than 10 per cent of the upset price sanctioned by the Conservator of Forests, in advance in respect of sales above the value of Rs. 1,000.</p> <p>(ii) To sanction forest sales up to Rs. 10,000, provided the acceptable bid is the highest and the drop, if any, is not more than 10 per cent of the upset price sanctioned by the Conservator of Forests, in advance, in respect of sales above the value of Rs. 1,000. Upset prices sanctioned by the <sup>2</sup>[Deputy Conservator of Forests] for sales up to Rs. 1,000 shall be communicated to the Conservator of Forests in advance.</p> <p>(iii) To waive recovery of interest in cases of hardship if the amount to be waived does not exceed Rs.15 in each case.</p> <p>(iv) To waive recovery of ground rent in cases of hardship if the amount to be waived does not exceed Rs. 15 in each case.</p> |

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

|   |   |  |
|---|---|--|
|   |   | (v) To sanction retail sale of sandalwood from depots up to five quintals at sanctioned rates.<br><br>(vi) To sanction retail sales from depots, at sanctioned rates, of timber and other forest produce except Teak up to Rs. 5,000 in value.<br><br>Note.-Shipment-quality Rosewood logs or any other king of timber to be notified by the Chief Conservator of Forests, from time to time, shall in no case be sold in retail sale. |
| 4 | Assistant conservator of Forests        | To sanction petty sales of timber and other forest produce up to Rs. 1,000 provide the bid is highest and the upset prices are got sanctioned by the competent authority and the bid accepted is up to or more than such upset price.  |
| 5 | Range Forest Officer                    | To sanction sales when the value of the materials to be sold does not exceed Rs. 50, provided the bid is highest and is equal to or exceeds the upset-price fixed by the <sup>1</sup> [Deputy Conservator of Forests].   |
| 6 | Foresters and Sanction (Round) Officers | To sanction sales when the value of the materials to be sold does not exceed Rs. 25, provided the bid is highest and is equal to or exceeds the upset price fixed by the <sup>2</sup> [Deputy conservator of Forests]  |

### CHAPTER XIII SANDAL WOOD

#### A. Declaration of Sandal trees grown on private lands.

**103. Definitions.**- In this chapter unless the context otherwise requires.-

- (a) "**Licensee**" includes his servants or agents engaged in carrying out the purposes of the licences granted under the rules;
- (b) "**Mature sandal tree**" for purposes of the rules is one which is showing signs of decay as indicated by the following external symptoms.-
- (i) Dead main branches and leading shoot;
  - (ii) Decay of bark;
  - (iii) Pale colour and diminutive size of leaves. A further and infallible test is that the heartwood must not be at a lower depth than 2 ½ cm. from the surface.
- <sup>3</sup>[(c) "**Owner**" means any occupant or holder of land or any other person referred to in Section 83 who is entitled to the sandal trees situated in his land].
- (d) "**Sandal tree**" includes saplings and seedlings.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. Clause (c) substituted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002.

<sup>1</sup>[104 to 107.- X X X X X.

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### Earlier provisions

104. Declarations to be filed.- (1) All owners of provide land shall file with the <sup>2</sup>[Deputy Conservator of Forests] or any other officer duly authorised by him a declaration in Form 12 along with a certificate from Tahsildar regarding the ownership of the land <sup>3</sup>[and of right over the sandal trees existing on such land on the date of commencement of these rules within such date or extended dare as may be notified] in the official Gazette by the <sup>4</sup>[Deputy Conservator of Forests].

(2) Every owner of land <sup>5</sup>[shall thereafter report at intervals] of not less than five years and when such information is called for by notification in the official Gazette by the <sup>6</sup>[Deputy Conservator of Forests] about all sandal trees that were declared as below 10 centimetres in girth at 1.37 metres from ground level at the time of the first declaration and all sandal trees further recruited in the land when they attain a girth of 10 centimetres at 1.37 metres from ground level to the Range Forest Officer or any other Officer authorised in this behalf.

105. Acceptance of the declaration.- (1) The <sup>7</sup>[Deputy Conservator of Forests] or Range Forest Officer or the officer authorised to receive such declaration shall, after a notice issued to the owner of the land, hold a spot inspection of the land and the sandal trees growing thereon in the presence of the owner of such land if he desires to be present and after satisfying himself about the correctness of the particulars furnished by the declarant, if necessary, in consultation with the concerned Revenue authorities, pass the declartion as accepted and give numbers to the trees the girth of which are 10 cm. or more at 1.37 metres from ground level.

(2) The original of the declaration shall be preserved in the concerned Range Forest Office, the duplicate shall be sent to the Tahsildar and the triplicate returned to the owner of the land.

(3) A register shall be maintained in the office of the <sup>8</sup>[Deputy Conservator of Forests] and the Range Forest Officer in Form 13 and every declaration of sandal trees recorded in it with full particulars after verification and acceptance as aforesaid. The Tahsildar shall enter the particulars of the sandal trees in the concerned Revenue records from the list furnished to him.

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1. Rules 104 to 107 omitted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. Substituted for the words "and or right over the sandal trees within such date as may be notified" by GSR 166, dated 30-4-1974, w.e.f. 35-5-1974
  4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-202
  5. Substituted for the words "shall report at intervals" by GSR 166, dated 30-4-1974, w.e.f. 30-5-1974
  6. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  7. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  8. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(4) Every declarant of sandal trees shall renew the numbers marked on the trees periodically and always keep them legible.

106. Forest Officer may remove sandal trees.- Any Forest Officer authorised by an Officer not below the rank of a Ranger in this behalf may, after due notice to the owners, enter any private land and uproot or remove any sandal tree growing on such land subject to such provisions as are laid down under these rules. The land owner shall afford such Forest Officer necessary facilities in the discharge of such duties and shall not obstruct him in such work.

107. Failure to file declaration.- (1) No owner of land shall be entitled to receive the value of sandal trees in his land unless he makes the declaration of sandal trees existing on his land under Rule 104.

(2) Any owner of land who fails to make the declaration in respect of sandal trees the right of ownership of which rests with the Government shall forfeit his claim to the bonus, provided that in special cases the Conservator of Forests may sanction the payment of bonus notwithstanding anything contained in this rule.

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<sup>1</sup>[108. **Extraction and disposal of Sandal trees from any land, owners of which possess a right thereto.**-(1) Any owner who intends to extract his sandalwood trees shall apply to the concerned Range Forest Officer furnishing particulars regarding the village, survey number, other particulars of the land, and the list of trees to be extracted in Form 12. The owner shall also indicate whether he intends the extracted sandalwood to be transported to the Government Sandal depot to sell it to the State Government or to any State Government undertaking notified by the State Government from time to time. The applicant shall enclose the relevant documents duly obtained from the authorities concerned.

(2) The Range Forest Officer shall visit the spot and after due enquiry and verification of the documents, if satisfied about the ownership or interest of the applicant to the trees and if the tree intended to be extracted is a matured sandal tree, report the matter to the Deputy Conservator of Forests within thirty days from the date of receipt of the application. The Deputy Conservator of Forests may after due enquiry and verification of the documents, if satisfied about the ownership and the title, permit extraction of the tree within fifteen days of receipt of the report from the Range Forest Officer. Ordinarily such permission shall not be refused if the tree.-

- (a) is wind fallen;
- (b) constitutes a danger to life of property;
- (c) is required to be removed or extension or cultivation;

Before the extraction and removal of tree, the applicant shall sign a declaration in Form 13, agreeing to abide by such of the conditions specified therein and to indemnify the State Government or any other person against any loss that may be caused to the State Government: or such other person due to any misrepresentation on his part about his title to the tree or about the ownership of the land.

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1. Rules 108 substituted by Notification No.FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(3) The tree permitted to be extracted shall be serially numbered and girth measurement taken at a height of 1.37 meters above ground level. The place where the girth measurement was taken shall be marked with a red band in paint. A Forest Guard shall supervise these operations and he shall record the measurements. The details shall be forwarded by the Forest Guard to the concerned Range Forest Officer who shall record the details in the register in Form 14 and maintain the register."

(4) Thereafter, the tree permitted to be extracted shall be uprooted, cut into proper pieces, each piece serially numbered and its mid-girth and length measured and recorded as specified in Karnataka Forest Code and the material shall be stocked until transportation. The cost of extraction and stacking will be borne by the owner. A Forest Guard shall supervise these operations.-

- (a) In case, owner desire to send the extracted sandalwood to the Government depot, the material shall be transported by the department as provided in Rule 155, under a transit pass in Form No. 38 to be issued by the concerned Range Forest Officer or by a subordinate not below the rank of a Forest duly authorised by the Range Forest Officer, after giving a receipt to the owner in Form 15. The material shall be accompanied by a Forest Guard during transit. The owner is also at liberty to arrange for transport at his cost;
- (b) When the owner desires to dispose the extracted sandalwood to any State Government undertaking notified by the State Government from time to time, the extracted material shall be transported as provided in Rule 155, to the required destination under a transit pass in Form No. 38-A to be issued by the concerned Range Forest Officer or by a subordinate not below the rank of a Forester duly authorised by the Range Forest Officer. On receipt of the Sandalwood, the State Government undertaking concerned shall issue a receipt in Form 15-A to the owner and a copy of the same shall be sent to the Range Forest Officer concerned and another copy shall be retained by the State Government undertaking.
- (5) When the sandalwood is brought to the Government depot, the officer in charge of the depot shall check, measure and acknowledge the material and pass on a receipt to the Forest Guard accompanying the material. Thereafter, the sandalwood shall be cleaned roughly dressed assorted, classified and weighed in the same manner as the Government sandalwood as specified in the Karnataka Forest Code. The owner or his authorised agent is at liberty to be present at the time of cleaning, dressing, assortment, classification and weighing. The Depot Officer shall submit to the Deputy Conservator of Forests in whose jurisdiction the Government depot lies, the details of sandalwood received in the depot and the final outturn of sandalwood obtained in Form No 16, forwarding a copy of it to the concerned Range Forest Officer from whom he had received the sandalwood and to the owner. Thereafter, the Depot Officer shall prepare a bill for payment, indicating the outturn of sandalwood and value to be paid to the owner and submit the same to the Deputy Conservator of Forests having jurisdiction over the depot for making payment. The Deputy Conservator of Forests shall get the bill scrutinised, pass the bill and make payment to the owner through cheque.
- (6) The rates at which the value the sandalwood has to be paid to the owner shall be fixed by the Principal Chief Conservator of Forests for each financial year based on average prices obtained for sandalwood in the auction sales held in the State. In case no auction sales were conducted in Karnataka State recently, the average price obtained in the auction sale held in Tamilnadu shall be applied. The average rates obtained in the last two auction

sales shall be the basis. After deducting the cost of transportation (if transported departmentally), preparation, supervision and other incidental charges as fixed by the Principal Chief Conservator of Forests, the value of sandalwood shall be paid to the owner, as soon as possible but not later than three months from the date of receipt of the material in the depot].

**109. Felling of sandal trees which are the exclusive property of the State Government**<sup>1</sup>[under sub-section (2) of section 83].- (1) The selection of sandal trees for extraction<sup>2</sup>[which are the exclusive property of the State Government under sub-section (2) of Section 83] shall entirely rests with the Forest Department and<sup>3</sup>[no occupant or holders shall have right to insist that such sandal trees] standing on his land be removed on any ground than that of obstruction to cultivation or to object to the removal of any trees by the Forest Department in the course of it ordinary operations.

(2) Every sandal tree<sup>4</sup>[referred to in sub-rule (1)] intended for felling shall be marked by the Range Forest Officer with a 'F' hammer mark just above the root stock after removing the outer bark and white wood and given a serial number marked on it<sup>5</sup>[x x x x].

<sup>6</sup>[(3) The trees thus marked shall be uprooted, cut into proper pieces, numbered as provided in the Karnataka Forest Code and sent to the depot as provided under Rule 155, under a transit pass in Form No. 38, in the remarks column of which the name of the owner and his address shall be noted.

(4) Any occupant or holder may get any Sandal tree growing in his land and belonging to the State Government removed if it interferes with the legitimate use of his land by making an application in that behalf to the Range Forest Officer giving the Survey number in which the sandal tree is situated and furnishing the approximate height and girth of such tree. The Range Forest Officer shall, after due enquiry, if satisfied about the bona fides of the applicant's request, forward the application with his recommendations to the Deputy Conservator of Forests, who after such verification and enquiry, if satisfied about the bona fides, may order the removal of the tree. The opinion of the Deputy Conservator of Forests shall be final.]

<sup>7</sup>[(5) & (6) x x x x x ]

| Class | Girth at breast-height, i.e., 1.37 metres above ground level | Amount of compensation payable to Government by the occupant |
|-------|--|--|
|       |  | Rs.  |
| I     | Less than 30 cm.   | ...  |
| II    | 30 cm. to 60 cm.   | 4  |
| III   | Above 60 cm. up to 75 cm.                                    | 8  |
| IV    | Above 75 cm.   | 12   |

1. Substituted for the words "from private lands" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Inserted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f.5-9-2002
3. Substituted for the words "and no land owner shall have the right to insist that a sandal tree" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
4. Inserted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
5. The words "corresponding with that contained in a register in Form 14 maintained by the Range Forest Officer showing all the trees marked by him for removal from private lands.
6. Sub-rules (3) and (4) substituted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
7. Sub-rules (5) and (6) omitted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

<sup>1</sup>[110. Waiving the compensation payable.- x x x x x

**111. Dead sandal trees.- x x x x x**

**112. Receipt to be given to the owner if he is entitled fro bonus.- x x x x x**

**113. Trees to be cleaned and classified in the depot.- x x x x x**

**114. Bonus.- x x x x x**

**115. Removed trees to be deleted from the register.- x x x x x]**

**B. Damage, destruction and theft of sandal trees belonging to Government in private lands.**

**116. Damage or theft of sandal tree:** - Every Forest, Police, Revenue or Village Officer shall report to the concerned <sup>2</sup>[Deputy Conservator of Forests] every case of damage or theft of sandal tree belonging to Government in occupied land as soon as it comes to his knowledge.

<sup>3</sup>[**117. Damage or theft of sandal trees in private lands over which the land owners possess a right of wonership.-x x x x x .]**

**C. Possession, storage, sale and disintegration of sandalwood; distillation and sale of sandalwood oil.**

**118. Application for licence.**- (1) All applications for grant or renewal of licences under Section 87 shall be made to the <sup>4</sup>[Deputy Conservator of Forests] concerned, with the fees specified in sub-rule (2) furnishing the following and such other particulars as the <sup>5</sup>[Deputy Conservator of Forests] may require: -

- (i) The kind and quantity of sandalwood for which the licence is sought for;
- (ii) Licence for what purpose?
- (iii) Sandalwood wherefrom obtained and when? (necessary documents and passes to be enclosed);
- (iv) Period for which the licence is sought;
- (v) Particulars of the locality and place where the sandalwood is sought to be stored, sold, disintegrated or the oil distilled;
- (vi) Nature of the mill, plant or other contrivances for disintegrating sandalwood or distilling oil from sandalwood.

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1. Rules 110 to 115 omitted by Notification No. FE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. Rule 117 omitted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  5. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(vii) **Whether he holds a licence, if so.-**

- (a) The previous licence number and date and the date of its expiry and return;
- (b) Whether the applicant has maintained the stock accounts in the prescribed form and rendered them to the <sup>1</sup>[Deputy Conservator of Forests]? If so, upto what period?
- (c) The stock of sandalwood with the applicant on the date of application.

(2) The fees specified in column (3) of the table below shall be charged for the grant or renewal of a licence specified in column (2) thereof: -

<sup>2</sup>[TABLE

| Sl No. | Nature of licence   | Fees  |
|--------|---|---|
| (1)    | (2)   | (3)   |
| 1.     | For possessing and storing of sandalwood and not exceeding one quintal  | Rs. 500.00 per financial year or part thereof   |
| 2.     | For possessing and storing of sandalwood exceeding one quintal  | Rs. 2,500.00 per financial year or part thereof |
| 3.     | For possessing, storing and selling of sandalwood, or oil distilled from sandalwood   | Rs. 5,000.00 per financial year of part thereof |
| 4.     | For running a disintegrator or any other contrivance of disintegrating sandalwood   | Rs. 2,500.00 per financial year or part thereof |
| 5.     | For running a distillery or plant for distilling oil from sandalwood  | Rs. 2,500.00 per financial year of part thereof |
| 6.     | Fee for issuance a duplicate licence given, <i>in lieu</i> of that damaged for rendered useless, under sub-rule (2) of Rule 118 | Rs. 500.00 per licence each time.]              |

Provided that no fee shall be charged for the possession and storage of sandalwood by temples and Muzrai Institutions and for disintegration of wood and distillation of oil by Government Departments.

(3) On receipt of the application and the fee, the <sup>3</sup>[Deputy Conservator of Forests] shall, after such enquiry as he deems necessary, if satisfied that there is no objection to grant or renew the licence in Form 17 having regard to the safeguarding of the Government sandalwood and the antecedents of the applicant, grant or renew license subject to such conditions as may be prescribed therein.

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Table substituted by Notification No. FEE 119 FDP 2016, dated 28-6-2017 and shall come into force from the date when Government Order No. FEE 119 FDP 2016, dated 14-9-2016 came into force. This notification will only protect revenue already collected as per above Government Order and no fresh demand can be raised from retrospective effect.
3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

- (4) The <sup>1</sup>[Deputy Conservator of Forests] may, after giving the applicant an opportunity of being heard in the matter and for reasons to be recorded in writing, reject any application for grant of a licence or its renewal, whereupon the applicant, unless he appeals against the orders of rejection under rule 122, shall be entitled to the refund of the fee remitted by him under sub-rule (2).

<sup>2</sup>[119. **Duplicate copy of licence.**- The Deputy Conservator of Forests may, on receipt of payment of a fee of Rs. 30, issue a duplicate of the licence if he is satisfied that the original licence issued to a licensee is lost, destroyed or otherwise rendered useless.]

**120. Cancellation or suspension of licence.**- The Officer issuing the licence may, at any time, for reasons to be recorded in writing, cancel or suspend any licence after giving the licensee an opportunity of being heard in the matter.

**121. Copies of the order.**- A copy of every order rejecting the application for the grant or renewal of a licence under sub-rule (4) of rule 118 or cancelling or suspending of a license under Rule 120 shall be granted to the applicant or the licensee, as the case may be, by the <sup>3</sup>[Deputy Conservator of Forests] making such order.

**122. Appeal.**- Any person aggrieved by an order of the <sup>4</sup>[Deputy Conservator of Forests] under sub-rule (4) of rule 118 or Rule 120 may, within 30 days of the receipt of the order under Rule 121, present an appeal thereupon in writing to the Conservator of Forests, whose decision thereupon shall be final. Appeals received after the specified period shall be summarily rejected.

**123. Maintenance of accounts by the licensee.**- The licensee shall maintain accounts of transactions in a stock register in Form 18 and produce them for inspection and check when demand by any Forest or Police Officer not below the rank of a Ranger or Sub-Inspector of Police. Any refusal to produce the register of accounts or the non-maintenance of the accounts or the maintenance of incorrect accounts shall entail cancellation of the license, in addition to any other penalty that may be imposed under the provisions of these rules.

#### CHAPTER XIV CATECHU TREES

**124. Definition.**- In this chapter, unless the context otherwise requires, permit-holder includes his servants and agents engaged in carrying out the purpose of the permit granted under the rules.

**125. Application for permit for felling Catechu trees.**- (1) Applications for grant or removal of permits under Section 91 shall be in Form 19. Forms of application may be obtained free of cost from the Deputy Commissioner.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Rule 119 substituted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

- (2) The permits under Section 91 shall be in Form 20 either in English or Kannada.
- (3) A fee of rupees 10 shall be charged for each permit issued for the felling of catechu trees and manufacturing of cutch from them.
- (4) On receipt of the application and the fee, the Deputy Commissioner shall, after such enquiry as he deems necessary and after consulting the <sup>1</sup>[Deputy Conservator of Forests], if satisfied that there is no objection to grant the permit, having regard to the safeguarding of the Government catechu trees and the antecedents of the applicant, grant a permit subject to such conditions as may be specified therein.
- (5) The Deputy Commissioner may, after giving the applicant an opportunity of being heard in the matter, for reasons to be recorded in writing, reject an application whereupon the applicant shall be entitled to the refund of the fee paid by him under sub-rule (3) of Rule 125.
- (6) The officer issuing the permit may, at any time, for reasons to be recorded in writing, cancel or suspend any permit after giving the permit-holder an opportunity of being heard in the matter.

**126. Permit for purchase, sale or transport.**-(1) Applications for grant or renewal of permits under Section 93 shall be in Form 21 and be accompanied with a Treasury receipt for rupees ten for having remitted the amount in any Government Treasury towards the fee for the issue of permit or its renewal. Forms of application may be obtained from the <sup>2</sup>[Deputy Conservator of Forests], free of cost. Permit for the sale of catch shall be in Form 22 and permit for transport shall be in accordance with the rules framed under Section 50 of the Act.

- (2) The <sup>3</sup>[Deputy Conservator of Forests] may, after giving the applicant an opportunity of being heard in the matter, for reasons to be recorded in writing, reject any application for grant of a permit or its renewal or issue of a transit pass, whereupon the applicant shall be entitled to the refund of the fee, if any, paid by him unless he appeals against the orders of refusal under sub-rule (5).
- (3) The <sup>4</sup>[Deputy Conservator of Forests] issuing the permit may, at any time, for reasons to be recorded in writing, cancel or suspend any permit giving the permit-holder an opportunity of being heard in the matter.
- (4) A copy of every order rejecting an application for the grant or renewal of a permit under Rule 141 or cancelling or suspending of a permit under Rule 142 shall be granted to the applicant or the permit-holder, as the case may be, by the <sup>5</sup>[Deputy Conservator of Forests].

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(5) Any person aggrieved by an order of the <sup>1</sup>[Deputy Conservator of Forests] under sub-rules 2 or 3 may, within 30 days of the receipt of the order under sub-rule (4) present an appeal thereupon in writing to the Conservator of Forests, whose decision thereon shall be final. Appeals received after the specified period shall be rejected.

**127. Maintenance of account, etc., by permit-holder.-** Every person who is permitted to manufacture cutch or who is permitted to sell or dispose of Cutch or who comes into possession of any stocks of Cutch exceeding 3.17 kg. shall maintain accounts of transactions, out-turn, disposal etc., in a stock register in Form No. 23 and send a copy of it to the <sup>2</sup>[Deputy Conservator of Forests].

### <sup>3</sup>[CHAPTER XIV-A BLACKWOOD OR BITE TREES

**127A. Cutting, felling and sale or disposal of blackwood or bite trees.-** (1) No person shall cut, fell, sell or transport any blackwood or bite tree or timber thereof standing on any land except in accordance with the provisions of this rule.

(2) Every person intending to cut or fell such trees standing on any land shall apply in Form 45 to the <sup>4</sup>[Deputy Conservator of Forests] having jurisdiction along with the relevant documents indicating the tenure of the land, nature of his rights to the trees, consent of the owner or occupant of the land if the applicant is not the owner or occupant thereof, and such other particulars as are specified in the application and may be required by the <sup>5</sup>[Deputy Conservator of Forests].

(3) On receipt of the application, the <sup>5</sup>[Deputy Conservator of Forests] shall, after such enquiry as he deems necessary, if satisfied about the title of the applicant to the trees and that the trees are fit for cutting and felling on silvicultural principles, enumerate such of the trees as may be extracted on silvicultural principles and accord permission to fell, convert and transport them to the approved depot or undertake to extract and deliver them to the depot through departmental agency, as the case may be. In the event of the Forest Department undertaking extraction and removal, the applicant shall sign a declaration in Form 46, agreeing (i) to abide by such of the conditions specified therein as may be imposed by the <sup>6</sup>[Deputy Conservator of Forests], and (ii) to indemnify the Government or any other person against any loss that may be caused to the Government or such other person due to any misrepresentation on his part about his title to the trees or about the ownership of the land or due to his interference or obstruction during the course of cutting, felling, conversion, and removal by the Department. The <sup>7</sup>[Deputy Conservator of Forests] may refuse permission for felling or cutting if he is of the opinion that the trees are not fit for felling on silvicultural principles or for any other reason to be recorded in writing. The

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. Chapter XIV-A and Rule 127-A inserted by GSR 257, dated 4-9-1974, w.e.f. 16-9-1974
  4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  5. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  6. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  7. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

owner or occupant or the applicant aggrieved by an order of the <sup>1</sup>[Deputy Conservator of Forests] may appeal to the concerned Conservator of Forests within thirty days from the date of such order and the decision of the Conservator of Forests on such appeal shall be final.

(4) Cutting, felling, conversion and transport of such trees shall be done under the supervision and guidance of the officers of the department and if the applicant is cutting, felling or transporting the trees, he shall maintain such registers, forms and accounts as may be specified by the <sup>2</sup>[Deputy Conservator of Forests] or the Government.

(5) The Officer-in-charge of a Government depot shall accept the bite trees or timber thereof brought to the depot by the applicant or the departmental agency during business hours and record the measurements and the classifications of timber and pass a receipt in Form 47 for having received the timber in the depot. The measurements recorded in the receipt by the Officer-in-charge of the depot shall be final for the purpose of payment of purchase price fixed under sub-section (4) of section 104-A.

(6) Nothing in this rule shall apply.-

(a) for the cutting or felling of bite trees required for *bona fide* personal use of the owner thereof upto a limit of 350 Cft. or 10 Cmtr.

(b) to trees exempted under the second proviso to sub-section (1) of section 104-A.

(7) Provisions of Chapter XVI of these rules shall apply for transport of trees or timber referred to in sub-section (3) of section 104-A].

#### **CHAPTER XV PRESERVATION, REPRODUCTION AND DISPOSAL OF TREES BELONGING TO GOVERNMENT, BUT GROWN ON PRIVATE LANDS.**

**128. Dsefinition.**-In this chapter, unless the context otherwise requires, "Government trees" include all trees and their aftergrowths, on lands belonging to or in the occupation of private persons the right of Government to which has been reserved under the provisions of the Karnataka Land Revenue Act, 1964, or Rules framed thereunder or any other Act or Rules in force as applying to any area within the State of Karnataka.

**Exemption.**- When all such trees in a survey number or holding are cut and removed, trees which may afterwards grow in such survey number or holding either from the stumps or roots of trees so cut and removed or otherwise shall not be Government trees.

#### **CASE LAW**

**Rule 128-** Alienated bane land – Trees on- Right to.

Swami, J.- where bane lands had become alienated and assessed to land revenue and thus ceased to be bale lands, the title to such of the trees that stood on the lands on the date of the said lands ceasing to be bane lands (in 1882-83) continue to vest in the State Government.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

But the Government cannot claim title to the trees that have been grown on the lands after the lands became alienated and the malki of such trees including the trees grown from the stumps or roots of the trees cut and removed vest in the owners and they will be entitled to cut and remove the same without paying the value of the timber or obtaining transport passes in accordance with the Karnataka Forest Act.- *E.G. White and Others v State of Karnataka and others*, 1979(2) Kar. L.J. 233.

**129. Exemption.**-(1) Nothing contained in this Chapter except sub-rule (2) and Rules 134, 135 and 136 shall apply to.-

- (i) Betta lands in the district of North Canara; and
- (ii) lands held under Coffee Acreage Assessment and under Gross Assessment in Mysore Area.

(2) In the Betta lands and in the lands held under Coffee Acreage Assessment mentioned in clauses (1) and (2) <sup>1</sup>[of sub-rule(1)] above, the trees on which the rights of Government are reserved shall be made available for cutting from time to time by the gardeners or estate holders, as the case may be, by or under the orders of the Forest Department according to the prescribed rules. Such cutting of trees or removal of timber thereof will confer no right on the occupant to the aftergrowth of the trees so cut. The reservation of the right of the Government over the trees will extend to all such aftergrowth.

**130. Government trees from private lands can be cut only on permits.**- (1) No person shall cut, lop or in any way injure, appropriate or remove any Government tree, or any loppings thereof, on lands belonging to or in the occupation of any person, or knowingly or wilfully permit or abet the cutting, lopping, injuring, appropriating or removing of the same by any other person without paying the seigniorage prescribed, if any, or value thereof and without the permission granted in accordance with the rules in this Chapter, subject to such conditions as the Government may from time to time prescribe:-

Provided that the occupant or holder of the land may without permission lop branches of such trees for regulating shade in cultivated Coffee areas without in any way causing permanent injury to such trees:

Provided further that nothing contained in this Rule shall be deemed in any way to modify or cancel any other order regarding reservation of trees made under the provisions of the Karnataka Land Revenue Act, 1964, or rules framed thereunder or any provisions of law in force regarding reservation of trees.

(2) No person shall obstruct any purchaser, lessee or other transferee of the trees mentioned in sub-rule (1) in cutting, lopping, appropriating or removing when the cutting, lopping, appropriating or removing of such trees is done by the purchaser, lessee or transferee or any person acting on his behalf with the previous permission of a Forest Officer not below the rank of a <sup>2</sup>[Deputy Conservator of Forests] and the occupant or holder of the land.

1. Added by GSR 225, dated 25-7-1978, w.e.f. 27-7-1978

2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(3) If the occupant or holder of the land refuses to give permission under sub-rule (2) in respect of any tree or trees, the value of such tree or trees as estimated by the <sup>1</sup>[Deputy Conservator of Forests] shall be paid to Government by such occupant or holder.

(4) No permit-holder shall cut the trees covered by the permit unless they are marked with such mark as may be prescribed, by the Officer specified in the permit, who shall also prepare a list of trees so marked and their estimated yield.

(5) No timber or other material obtained from the trees cut shall be removed from the spot unless it is duly stamped and a transit pass issued by the Range Forest Officer.

**131. Occupant or holder of land to preserve Government trees.-** Every occupant or holder of land or Inam shall be responsible for the preservation of all Government trees growing on such land or Inam and shall, in the event of cutting, lopping, injuring, appropriating or removal of any such tree by whomsoever or from whatever cause, as soon as possible, report such fact to the nearest Revenue or Forest Officer.

**132. Application for permission.-** (1) Application for permission under sub-rule (2) of Rule 130 shall be made in writing to the <sup>2</sup>[Deputy Conservator of Forests], specifying clearly the survey numbers, the name of the village, taluk, the number, kind and measurements of trees sought to be cut and the kind and estimated quantity of timber or other produce obtainable from such trees along with the consent of the owner or owners, occupant or occupants.

(2) On receipt of an application under sub-rule (1), the <sup>3</sup>[Deputy Conservator of Forests], shall, on such enquiry with Revenue Officers or otherwise as he deems necessary, if satisfied about the title of the applicant to the land and to the trees thereon and the *bona fide* of the applicant, give the permission in Form 24, subject to one or more limitations or conditions prescribed under sub-rule (2) of Rule 130.

**133.** Records of Government trees in private lands, where the rights of the Government any number or kind of trees in occupied lands are reserved, such number or kinds of trees shall be at the disposal of the Forest Department. A register of records of all such occupied survey numbers in which the Government has any right or lien over the trees shall be maintained by the Revenue Department. The clearing of these survey numbers or the trees reserved shall be done by the Forest Department in concert with the Deputy Commissioner. If all such trees in a survey number either cut and removed or disposed of to the occupant it shall be recorded in the register and the right of Government over any tree except sandal in that survey number shall cease thereafter.

**134. Lands held under the Coffee Acreage Assessment in Mysore Area.-** (1) The kinds of trees specified below in lands to which the 'Coffee Lands Settlement of 1885' has been extended and which are charged with the full acreage assessment, whether fixed perpetuity or for thirty years, shall vest with the Government. <sup>4</sup>[x x x x]

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  4. The words "[provided that the holder of the aforesaid lands may be allowed to use, fee of charge, the timber of the said species, except sandal, for their own *bona fide* private purpose provided necessary permission is obtained from the Divisional Forest Officer under Rule 132" omitted by GSR 225, dated 25-7-1978, w.e.f. 27-7-1978

1. Teak
2. Sandalwood
3. Rosewood (Blackwood)
4. Poon
5. Nandi
6. Honne
7. Jalari (Lac tree)

<sup>1</sup>[Provided that the holder of the aforesaid lands may be allowed to use, free of charge, the timber of the said species, except sandal, for their own *bona fide* private purpose provided necessary permission is obtained from the <sup>2</sup>[Deputy Conservator of Forests] under Rule 132.]

(2) The holders of such lands may be permitted to redeem the right of the Government to such trees except sandal upon a valuation of their present value based on ruling market rates.

(3) Save as provided in proviso to sub-rule (1) if the Government right to the aforesaid trees is not redeemed by the holder as provided in sub-rule (2) the seigniorage rates in force shall be levied by Government upon all such trees except sandal.

**135. Lands held under Gross assessment in Mysore Area.-** The felling of the following kinds of Government trees shall be prohibited in lands held on gross assessment until the holder of the land acquires right of felling the trees except sandal by paying the value of such trees.-

1. Teak
2. Rosewood (Blackwood)
3. Sandalwood
4. Poon
5. Honne
6. Nandi
7. Jalari (Lac tree)
8. Halasu (Wild Jack)
9. Kamara (Karchi)

**136. Cutting of trees referred to in Rules 134 and 135.-** The Government trees except sandal mentioned in sub-rule (1) of Rule 134 and Rule 135 shall be cut and sold either departmentally or by public auction.

<sup>3</sup>[**137. Redemption of trees in Bane lands in Coorge District.-** x x x x x .]

1. Proviso added by GSR 225, dated 25-7-1978, w.e.f. 27-7-1978
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
3. Rule 137 omitted by GSR 27, dated 15-1-1974, w.e.f. 14-2-1974

**138. Trees on land granted for house-buildings, hitlu, etc., in Coorg District.-** Conditions detailed out in Rule 137 regarding removal of trees shall, *mutatis mutandis*, apply for removal of trees from house-building sites and hitlus if trees therein have not been given to the owner of the sites or hitlu, as the case may be.

**139. Trees on leased lands in Coorg District.-** (1) The lessee of the land for the cultivation of Rubber, Agave, Tea or Cinchona should notify the Forest Department, not later than 31<sup>st</sup> October each year, the land which he intends to clear during the next dry season and shall pay the seigniorage value of trees to the <sup>1</sup>[Deputy Conservator of Forests] before beginning operations.

(2) No lessee of lands leased out for cardamom cultivation shall fell or destroy any trees of the following species or their natural regrowth thereof and any other species of trees which may be notified by the Government from time to time without the previous permission of the <sup>2</sup>[Deputy Conservator of Forests].-

- (1) Sandal (*Santalum album*)
- (2) Teak (*Tectona gradis*)
- (3) Rosewood or Bite (*Dalbergia latifolia*)
- (4) Agil or white-cedar (*Dysoxylum malabaricum*)
- (5) Aini or Hebbalasu (*Artocarpus hirsuta*)
- (6) Nagasampige or Atha (*Mesuaferrea*)
- (7) Noga or Red-cedar (*Cedrela toona*)
- (8) Halasu or Jack (*Artocarpus integrifolia*)
- (9) Chonapaini or Ennemara (*Hardwickia pinnata*)
- (10) Honne (*Pterocarpus marsupium*)
- (11) Matti (*Terminalia tomentosa*)
- (12) Nandi (*Lagerstroemia lanceolata*)
- (13) Buruga (*Salmalia malabaricum*)
- (14) Ebony (*Diospyros ebum*)
- (15) Chatuva or Makali(*Evodiaroxburghiana*)
- (16) Irupu or Kiralbogi (*Hopea parviflora*)
- (17) Kalpaini or Dhuma (*Dipterocarpus indicus*)
- (18) Mango or Mavu (*Mangifera indica*)
- (19) Pali or Hadasale (*Palaquim elliptium*)
- (20) Pandapaini or Kaidhupa (*Canarium strictum*)
- (21) Poon or Surahonne (*Calophyllum tomentosum*)
- (22) Velthapaini or Saldhupa (*Veteria indica*)

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

Provided that he may appropriate dead and fallen trees of the said species except sandal without such permission.

**Note.-** This rule is applicable only to the existing leases.

**140. Trees in Jamma Malais in Coorg District.-** No Jamma malai holder shall remove any timber therein to any place outside the area or dispose off the same except as is *bona fide* necessary for the purpose connected with cardamom cultivation. The Maliegars and other persons actually engaged in the cultivation and collection of cardamom in the Malai have a right to tap Bagani palam growing thereon for today for their own reasonable consumption within the limits of the Malais subject to the Excise Rules in force, but they are prohibited from selling either toddy or the right of tapping the toddy trees growing on the land.

**141. Trees on lands assigned for cultivation before 1865 in Coorg District.-** Teak, Rosewood, Ebony and Poon trees, which have not been paid for and which stand on land assigned before 1865, shall not be cut, removed or sold by the holders without the written permission of the <sup>1</sup>[Deputy Conservator of Forests] and without payment of the value of the trees. The conditions mentioned under Rule 137 shall apply to the removal of trees on these lands.

**142. Miscellaneous Government lands in Coorg District.-** Nothing contained in these rules under this chapter shall apply to Devarakadus, Urudves, Mandus and Ambalas in which the timber rights are governed by rules framed under Chapter-IV.

**CHAPTER - XVI.**  
**TRANSIT OF FOREST PRODUCE AND CONTROL OF PRIVATE SAW**  
**PITS, SAW MILLS, ETC.**

**143. Definition.-** In this Chapter, unless the context otherwise requires, "Forest produce in transit" includes forest produce found in or on the margin of any public road, whether loaded in any conveyance or not, forest produce found or being conveyed in any river, tank, lake, pond, reservoir or sea and forest produce lying in railway yards, ports or airports whether loaded or otherwise.

**144. Transport or movement of forest produce.-** Save as provided in Rules 154 and 155 no person shall transport or move or attempt or abet the transport or movement of any forest produce <sup>2</sup>[into, within or outside the State of Karnataka] except under and in accordance with a pass issued by a Forest Officer duly authorised in this behalf by or under these rules to issue such pass:

Provided that no pass shall be required for the removal of.-

- (a) except to a port, landing place or railway station.-
  - (i) any forest produce which is being removed for *bona fide* domestic consumption by any person in exercise of privileges granted in this behalf or of a right recognised under the Act, within the limits of the village in which it is produced;

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002  
2. Substituted for the words "into or from or within the State of Karnataka" by GSR 161, dated 30-5-1979, w.e.f. 7-6-1979

- (ii) twigs, leaves, brushwood and grass intended solely for conversion into ash manure;
- (iii) thorns, whether removed from any forest under a permit, or from any place other than a forest;
- (b) Firewood not exceeding 10 centimetres in diameter at the thickest part, grass or leaves, the property of one person or the joint property of 2 or more persons, which is conveyed in quantities not exceeding one head load once in 24 hours unless it be brought to a port, landing place, or railway station or to any area to which the Government may from time to time declare by notification in the official Gazette that this exemption shall not extend;
- (c) Forest produce in transit within a village, municipal or corporation limits removed for *bona fide* purposes;
- (d) Forest produce other than timber in transit removed on prepaid licences under the provisions in Chapter X;
- (e) Forest produce in transit covered by a way permit issued by persons authorised under sub-rule (i) of Rule 149;
- <sup>1</sup>(f) Such forest produce as may be exempted by the Government from the operation of the rules in this Chapter by notification in the Official Gazette; or
- (g) Forest produce in any specified areas to be notified by the Government.

<sup>2</sup>[Provided further that no pass for removal or transport of <sup>3</sup>[firewood] outside the State of Karnataka shall be issued without the previous sanction of.-

- (a) the Government, where the quantity of <sup>4</sup>[firewood] proposed to be removed or transported is more than one thousand tonnes;
- (b) the Chief Conservator of Forests, in other cases].

**145. Pass for transport or removal of forest produce.**<sup>5</sup>[(A)] (1) Pass for transport or removal of forest produce, (1) belonging to Government shall be white in colour and issued by Range Forest Officer or a subordinate officer duly authorised by him.-

- (i) in Form 25 if in respect of timber; and
- (ii) in Form 26 if in respect of other forest produce.

(2) purchased from Government forest or depots shall be blue in colour and issued by a Forest Officer duly authorised in this behalf by the <sup>6</sup>[Deputy Conservator of Forests] in Form 27.

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1. For Notifications issued under clause (f) of Rule 144 please see page No. 437-439  
 2. Second Proviso inserted by GSR 161, dated 30-5-1979, w.e.f. 7-6-1979  
 3. Substituted for the word "timber" by S.O. 1492, dated 4-6-1979, w.e.f. 28-6-1979  
 4. Substituted for the word "timber" by S.O. 1492, dated 4-6-1979, w.e.f. 28-6-1979  
 5. Rule 145 renumbered as sub-rule (A) by GSR 300, dated 27-12-1983, w.e.f. 28-12-1983  
 6. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(3) from inam lands or private lands including coffee lands shall be yellow in colour in Form 28 and issued by.-

- (i) Range Forest Officer or such Foresters as may be authorised by him if the forest produce to be moved is not more than 5 cubic metres of timber or 30 cart-loads of firewood, or 100 bags of charcoal or 1,000 bamboos;
- (ii) <sup>1</sup>[Deputy Conservator of Forests] if the quantity exceeds the limit prescribed in (i) above.

(4) from private market or from outside the State shall be green in colour in Form 29 issued by a Forest Officer not below the rank of Forester.

<sup>2</sup>[(B) Application for a pass referred to in sub-rule (A) shall be accompanied by a fee of <sup>3</sup>[rupees one hundred].

(C) No goods vehicle as defined in clause (8) of Section 2 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) shall enter a reserved forest without a pass given by a Forest Officer duly authorised in this behalf and an application for such a pass shall be accompanied by a fee of rupees twenty-five].

<sup>4</sup>[(D) Application for issue of pass shall be accompanied by transportation fee on forest produce at the rate of Rs. 50/- per Cum. for Timber, Rs. 10/- per Cum. for Firewood/Pulpwood, Re. 1/- per pole, 0.20 paise per Bamboo/Cane in Forms 28 and 29.

The rates mentioned in the Notification No. FEE 14 FDP 2004, dated 19-5-2004 in respect of sandalwood in Forms 39 and 40 shall continue.]

**146. Applications for pass.-** (1)(a) The application for pass in Form 28 shall be made in writing to the Range Forest Officer or <sup>5</sup>[Deputy Conservator of Forests], as the case may be, and shall contain the following particulars.-

- (i) The name of the village, survey number or other description of the Inam land, private land or coffee land from which the forest produce is to be removed;
- (ii) The right supported by documents under which the applicant is authorised so to remove;
- (iii) The approximate quantity of and description of the materials to be removed and the route by which and the place to which they are to be taken;
- (iv) The time within which the applicant desires to remove.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Sub-rule (B) and (C) inserted by GSR 300, dated 27-12-1983, w.e.f. 28-12-1983
  3. Substituted for the words "rupees fifteen" by Notification No. FEE 119 FDP 2016, dated 28-6-2017 and shall come into force w.e.f. 14-9-2016
  4. Clause (D) substituted by Notification No. FEE 14 FDP 2004, dated 25-8-2004
  5. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

- (b) Where the private holding or the Inam land or coffee land abuts a reserved forest or a protected forest or a district forest, the applicant shall cut a demarcation line of one metre in width inside the private holding before applying for a pass and shall mention the fact in his application for the pass.
- (2) On receipt of the application, the Range Forest Officer or <sup>1</sup>[Deputy Conservator of Forests], as the case may be, after such enquiry as he deems fit, if satisfied that the information furnished in the application is correct and the applicant is entitled for a pass, shall grant a pass. No order refusing the application shall be made unless the applicant is given an opportunity of being heard in the matter and reasons for the refusal are stated in writing in the Order.
- (3) If no orders are passed refusing or granting the pass asked for within six weeks of the receipt of the application and in all cases in which the <sup>2</sup>[Deputy Conservator of Forests] or the Range Forest Officer refuses to grant the pass, the applicant shall have the right of an appeal within 90 days from the date of refusal to the Conservator of Forests whose orders shall be final.

#### CASE LAW

##### Rule 146(2)-Opportunity under

*Puttaswamy, J.*- Sub-rule (2) of Rule 146 of the Rules in express terms requires the Competent Authority to give an opportunity of hearing and furnish reasons for refusing an application for a transport pass. In this case, neither of these conditions are satisfied and the order is clearly violative of sub-rule (2) of Rule 146 of the rules and is therefore liable to be quashed.- *Basegowda G.S. v State of Karnataka*, 1979(1) Kar. L.J. Sh. N.79.

**147. Special provision for transport of timber.**- No timber other than teak and rosewood, exceeding 25 cm. in girth at the thickest part and 10 decimetres in length or teak and rosewood timber exceeding 15 cm. in girth at the thickest part and 5 decimetres in length shall be transported or moved.-

- (i) unless it is P.T. stamped by the Range Forest Officer on payment in advance of such fee as may be prescribed by the State Government from time to time;

3[i-a] unless charger for affixing of Private Timber (P.T.) mark on logs under clause (i) is rupees ten per log is paid;]

- (ii) unless it is covered by a transit pass in Form 28 issued by a Forest Officer or a way-permit in Form 31 issued by the owner of the timber authorised in this behalf.

In cases of timber covered by way-permit in Form 31 every log of timber or every piece of sawn material shall be affixed or impressed at both the end faces property mark of the owner of the timber who issued the way permit, provided no such property mark shall be required in case of sown timber cross section of which is less than fifteen square centimetres.

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
3. Clause (i-a) inserted by Notification No. FEE 119 FDP 2016, dated 28-6-2017 and shall come into force w.e.f. 14-9-2016

**148. Transport pass.**- (1) No forest pass shall cover more than one load, irrespective of the mode of conveyance, provided that the <sup>1</sup>[Deputy Conservator of Forests] may permit one pass to cover head loads or animal loads not exceeding twenty, and cart loads not exceeding five, if the destination is not more than 25 kilometres from the starting point and all loads are taken at one and the same time.

(2) The pass shall be in the possession of the person in charge of the produce in transit.

(3) Every pass issued under the rules in this chapter shall be valid only during the period mentioned therein and shall bear the seal of the officer issuing the pass.

(4) If due to unavoidable circumstances, such as breakdown of the vehicle, obstruction enroute and such other causes as may hamper the conveyance of the produce within the prescribed time limit, the pass-holder shall not, after the expiry of the period mentioned in the pass proceed with the produce without getting it renewed from the nearest Forester, in case of produce other than sandalwood and from the nearest Ranger in case of Sandalwood. In case of refusal to renew the pass by the Forester or the Ranger, as the case may be, an appeal shall lie to the next higher authorities within a week from the date of such refusal and their decision thereon shall be final.

**149. Authorisation to issue way-permit.** (1) The owner of any forest produce or his agent may be authorised for a specified period not exceeding a year, in writing in Form 30 by any Forest Officer not below the rank of a <sup>2</sup>[Deputy Conservator of Forests], to issue way-permits in Form 31 on his registering his property mark under Rule 153. Any authorisation so granted may be renewed or at any time be cancelled by the Officer granting it.

(2) An application for such authorisation shall be in Form 32, and shall be accompanied by 4 specimen signatures of the person to be authorised to issue way-permits and a Treasury receipt (challan) for <sup>3</sup>[rupees five hundred per financial year or part thereof], being the fee for the issue of authorisation or its renewal. In the case of firms and companies, specimen signatures of the person to be authorised to issue way-permits shall be furnished along with the necessary powers of attorney issued by such concerns.

(3) The Forest Officer receiving the applications may refuse to issue or renew the authorisation to any person after giving the applicant an opportunity of being heard in the matter and he shall record his reasons for such refusal. In case of refusal, the fee paid shall be refunded.

(4) When any person or his agent is authorised to issue way-permits, the officer so authorising shall supply such person, from time to time, with authenticated books of blank way-permit forms not exceeding one hundred at a time.

(5) No person, so authorised, shall issue way-permits otherwise than in accordance with the conditions of the authorisation.

(6) The counterfoils of all used way-permits together with unused forms of way-permits, not required for use, shall be returned to the officer issuing the forms and no fresh forms shall be supplied until the counterfoils of all way-permits issued are returned.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. Substituted for the words "rupees five" by Notification No. FEE 119 FDP 2016, dated 28-6-2017 and shall come into force w.e.f. 14-9-2016

(7) Any person or his agent who has been authorised to issue way-permits shall be bounds, if called upon by any Forest Officer, to produce for inspection, or to surrender the counterfoils of all way-permits and way-permit forms unused.

(8) In the event of any authority given under sub-rule (1) being cancelled or the period specified therein having expired the person whose authority is so cancelled, or the person, the period of whose authority has so expired, shall forthwith return to the officer who gave the authority, every unused book of way-permits or portions of any such book in his possession, together with the counterfoils of used forms, if any, which he has not already returned. Such person shall not however be entitled for any refund of value of the unused books, or part of books, so returned. All the unused forms shall be collected in the Divisional Forest Office immediately and cancelled in the presence of the <sup>1</sup>[Deputy Conservator of Forests], a note being made in the register maintained for the issue of way-permits.

(9) No way-permit issued by any person authorised under sub-rule (1) shall be valid.-

(a) if such way-permit is not prepared on a blank form supplied for this purpose under sub-rule(4); or

(b) if the same is issued after receipt by such person of an order cancelling the authority to issue such way-permit; or

(c) if the same is issued by such person after the expiry of the period specified in the authority given or otherwise than in accordance with the conditions of the authorisation.

(10) The officer granting authorisation to issue way-permits shall maintain a register in Form 33 of all authorisations issued by him.

(11) The Forest Officer supplying the way-permit forms shall maintain a register in Form 34 of all way-permits supplied by him and the unused way-permits returned.

(12) Persons authorised to issue way-permits shall maintain an account of way-permit forms received by them, way-permit forms issued by them, and the unused forms surrendered, together with the daily transactions of timber and other forest produce in a register in Form 35 and render the accounts to the <sup>2</sup>[Deputy Conservator of Forests] every month.

### CASE LAW

**Rule 149-** Circulars and Notices dated 9-10-1984, 17-10-1984, 2-11-1984, 12-11-1984 and 20-11-1984 – Validity – Except dated 9-10-1984 which directed maintenance of proper accounts and rendering of all assistance to inspection staff remaining Circulars directing return of unused forms of way-permits and issue of Form 29 in its place and further direction that sawing job to be undertaken with prior permission, quashed-Proper Course explained.- *Bhadravathi Division Saw Mills Owners and Timber Merchants Association V State of Karnataka*, **ILR 1986 Kar. 2298**.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

150. **Import of forest produce.**-(1) Save as provided in Rule 156, no forest produce shall be brought into the State otherwise than by sea except under and in accordance with a pass or permit issued by the State from which it is brought (hereinafter referred to as "Import pass" in this chapter ) and <sup>1</sup>[in the case of timber] exceeding the dimensions mentioned in Rule 147 without a property mark approved by such State (hereinafter referred to as "Import property mark" in this chapter ) and registered under Rule 153.

(2) No forest produce shall be brought into the State by road or water except through routes notified for the purpose.

151. **Import pass and import property marks.**-<sup>2</sup>[(1) Every import pass shall be in the form prescribed by the State from which it is sought to bring forest produce thereunder and every import property mark shall be of the description registered in the Office of the District Forest Officer of the Division into which it is sought to bring the said forest produce.]

(2) Every import pass shall bear the office stamp of the officer issuing the same.

(3) The <sup>3</sup>[Deputy Conservator of Forests] registering such <sup>4</sup>[x x x] import property mark shall intimate the <sup>5</sup>[Deputy Conservator of Forests] through whose Divisions the produce is transported before it reaches the destination along with a copy of the certificate in <sup>6</sup>[Form No. 36].

152. **Transport of imported forest produce after entry into the State.**- (1) No forest produce brought into the State by road or water shall be conveyed within the limits of the State beyond the first check post after its entry into the State without a pass in Form 29 issued under Rule 145 after the surrender of the import pass and on production of the certificate of <sup>7</sup>[registration of] import property mark issued under Rule 153.

(2) No timber exceeding the dimensions mentioned in Rule 147, imported as aforesaid, shall be moved beyond such first check post, without first having it stamped by a Government transit mark of such descriptions may be prescribed by the Chief Conservator of Forests.

(3) No forest produce brought into the State by sea or rail shall be moved or transported from the place to which it is booked without a pass in Form 29 issued under Rule 145 after surrendering the import pass. If it be timber exceeding the dimension mentioned in Rule 147, it shall not be removed from such place without having it stamped by a Government transit mark by the Range Forest Officer or any other officer authorised by him.

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1. Substituted for the words and figures "registered under Rule 153 and in the case of timber" by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974.
  2. Sub-rule (1) substituted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  4. The words "import pass and" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  5. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  6. Substituted for the word, letters and figures "Form No. 34" by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  7. Substituted for the words "registration of import pass and" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974

<sup>1</sup>[Provided that nothing in this rule shall apply to the following species of wood, namely.-

- (i) Eucalyptus species;
- (ii) Casuarina;
- (iii) Subabul;
- (iv) Rubber;
- (v) Coconut tree;
- (vi) Arecacanut tree;
- (vii) Orange tree;
- (viii) Erythrina Indica;
- (ix) coffee stumps.]

**153. Registration of property marks** <sup>2</sup>[x x x].-(1) Application for registration or renewal of property mark including import property mark <sup>3</sup>[x x x] in respect of timber or other forest produce except sandalwood shall be made to the <sup>4</sup>[Deputy Conservator of Forests] furnishing full information regarding the locality where the produce is stocked, kind and quantity of produce in respect of which the registration of property mark <sup>5</sup>[x x x] is sought and as to how it was obtained and such other details as may be required by <sup>6</sup>[Deputy Conservator of Forests], accompanied by <sup>7</sup>[eight] facsimiles of the property mark and a fee of <sup>8</sup>[rupees ten thousand per financial year or part thereof]. The <sup>9</sup>[Deputy Conservator of Forests] may, after such enquiry as he deems necessary, if satisfied about the *bona fides* of the produce, register such mark <sup>10</sup>[x x x] in his office and issue a certificate in Form 36. He shall also maintain a register in Form 37 of all property marks <sup>11</sup>[x x x] registered. Every such registration shall hold good for the property specified therein and for the period specified or up to the end of 31<sup>st</sup> March following such registration, whichever is earlier:

Provided, that no such fee shall be charged for the registration of property mark <sup>12</sup>[x x x] of other State Governments and such registrations shall hold good till they are modified, cancelled or replaced by new marks <sup>13</sup>[x x x].

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1. Inserted by Notification No. FEE 15 FAF 98, dated 3-1-2002, w.e.f. 28-2-2002
  2. The words "and Passes" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  3. The words "and import pass" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  5. The Words "or pass" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  6. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  7. Substituted for the figure "4" by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  8. Substituted for the words "rupees one hundred" by Notification No. FEE 119 FDP 2016, dated 28-6-2017 and shall come into force w.e.f. 14-9-2016
  9. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  10. The words "or pass" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  11. The words "and passes" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  12. The words "or pass" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  13. The words "and passes" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974

(2) The <sup>1</sup>[Deputy Conservator of Forests] may, for reasons to be recorded in writing, refuse or defer the registration of property mark <sup>2</sup>[x x x] and may cancel or suspend any property mark <sup>3</sup>[x x x] already registered after giving an opportunity of being heard in the matter to the person affected.

(3) The <sup>4</sup>[Deputy Conservator of Forests] may, if the circumstances warrant, register more than one property mark to be used by the same person; provided the property marks are in respect of the produce of different forests or places.

(4) Every person, who has registered his or her property mark <sup>5</sup>[x x x], shall maintain proper and clear accounts of the transactions of the forest produce, showing particulars as to how and wherefrom the produce was obtained, the kind and quantity of the produce removed and the passes under which such removals were effected. Such accounts shall be open for inspection by any Forest Officer and any refusal to produce the accounts, the maintenance of incorrect accounts, or the non-maintenance of the accounts shall entail cancellation of the property mark <sup>6</sup>[x x x] so registered.

**154. Transport of sandalwood.**-(1) No person shall transport sandalwood into, within or outside the State of Karnataka except under and in accordance with a pass issued under Rule 155:

Provided that no such pass shall be required for the movement of sandalwood not Exceeding <sup>7</sup>[4]kg. in weight carried by persons for their *bona fide* personal use.

(2) Every pass issued under these rules shall be valid only during the period mentioned therein and shall bear the seal of the officer issuing the same.

**155. Passes for transport of sandalwood.**-<sup>8</sup>(1) Pass for removal of sandalwood either belonging to the State Government or to the owner to the Government Sandalwood Depots shall be in Form 38 and pass for transport of sandalwood belonging to the owner shall be in Form 38-A issued by the Range Forest Officer or a subordinate Officer not lower in rank than that of a Forester duly authorised by him. The original shall be handed over to the Forest Guard escorting the Sandalwood to the depot, after obtaining his acknowledgement on the back of the duplicate. When the sandalwood reaches the depot, the original shall be handed over to the officer in-charge of the depot.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. The words "or pass" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  3. The words "or pass" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  5. The words "or pass" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974
  6. The words "or pass" omitted by GSR 206, dated 24-6-1974, w.e.f. 18-7-1974.
  7. Substituted for the figures "3.17" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  8. Sub-rules (1) to (3) substituted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(2) The cut ends of each piece of sandalwood belonging to the State Government shall be marked with the State Government property mark and the number of the tree as well as the number of the root, stem or branch with its distinguishing letter, if any, shall be written on each and every piece of sandalwood in transit to the depot. Every piece of sandalwood shall in addition to Government transit mark at both end surfaces, bear distinguishing letters and numbers to indicate the name of the village and the survey number of the land from which it is extracted and the number of pieces obtained from those trees, classified under root tree, stem, branches and root obtained during felling and rough conversion, shall be shown in the pass together with their dimensions. The chips and sawdust if any, obtained during felling and conversion shall be sent in sealed gunny bags bearing Government transit mark. In case of sandalwood belonging to the owner, similar procedure as above shall be adopted except that instead of Government property mark, a 'P' with a chisel hammer indicating that the sandalwood belongs to the owner may be affixed by the official issuing the transit pass.

(3) Pass for removal of sandalwood by consumers and purchasers from the Government Sandalwood Depots shall be in Form 39 and issued by the Officer in-charge of the depot. The original shall be given to the person transporting the material and the duplicate forwarded to the concerned Deputy Conservator of Forests. The triplicate shall serve as counterfoil in the issuing office. The sandalwood so transported shall bear a Government hammer mark, as may be provided by the Chief Conservator of Forests, at both ends:

Provided that no such marking shall be required for the removal of sandalwood chips and dust.]

(4) Pass for removal of sandalwood from private market or depots shall be in Form 40, <sup>1</sup>[x x x x] issued by a Forest Officer not below the rank of a Range Forest Officer, the original being handed over to the person transporting sandalwood, the duplicate forwarded to the concerned <sup>2</sup>[Deputy Conservator of Forests] and the triplicate retained as counterfoil by the officer issuing the pass. Such sandalwood shall bear the registered property mark of the licenced dealer in addition to the prescribed Government hammer mark.

(5) Pass for transport of sandalwood into or outside the State <sup>3</sup>[x x x x], in Form 41 and issued by the Conservator of Forests of the Circle into which or from which the sandalwood is sought to be imported or exported, or by the Chief Conservator of Forests. The original shall be handed over to the person transporting the sandalwood, the duplicate forwarded to the <sup>4</sup>[Deputy Conservator of Forests] of the Division into which or from which the sandalwood is sought to be transported and the triplicate retained as counterfoil in the issuing office. The Sandalwood shall bear the registered property mark of the person transporting, in addition to the prescribed to Government hammer mark, if any.

(6) No pass shall authorise transport of more than one load, whatever be the mode of conveyance, provided the Chief Conservator of Forests or the Conservator of Forests or the <sup>5</sup>[Deputy Conservator of Forests], as the case may be, may, whenever it is found necessary, order that one pass may cover more than one load.

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1. The words "pink in colour and" omitted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. The words "shall be pink in colour" omitted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  5. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(7) The pass shall be in the possession of the person in charge of the sandalwood in transit.

(8) Every pass shall be produce for examination when demanded by any Revenue, Police or Forest Officer.

<sup>1</sup>[(9) Application for issue of pass shall be accompanied by transportation fee at the rate of <sup>2</sup>[rupees ten thousand] per MT for sandalwood in Form 39 and <sup>3</sup>[rupees twenty thousand] per MT for sandalwood in Form 40.

The proceeds realised shall be credited to the state consolidated fund and thereafter shall be transferred to the "Mukhya Mantri Grameena Rasthe Abhivrudhi Nidihi.]

**156. Transport of sandalwood into or outside the State.-** (1) Application for issue of pass for the transport of sandalwood into or outside the State shall be made either to the concerned Conservator of Forests or to the Chief Conservator of Forests furnishing particulars regarding the locality, kind and quantity of sandalwood meant to be imported or exported, destination, routes and such other details as the above named Officer may require. The certificate of registration of property mark obtained in this behalf shall also be enclosed with the application.

(2) After giving an opportunity of being heard in the matter to the applicant, it will be open to the Chief Conservator of Forests or the Conservator of Forests, as the case may be, to refuse the issue of such pass for reasons to be recorded in writing, a copy of which shall be furnished to the applicant. An appeal against the order of the Conservator of Forests shall lie to the Chief Conservator of Forests whose orders shall be final.

(3) The Chief Conservator of Forests or the Conservator of Forests who issues a pass for transport of sandalwood into or outside the State shall intimate the other Conservator of Forests and the <sup>4</sup>[Divisional Forests Officers] through whose jurisdiction, within the State, the sandalwood is to be transported before it has to reach its destination, along with a copy of the certificate in Form 36.

(4) No sandalwood shall be transported into the State by road or water beyond the first check post after its entry into the State without first having it stamped by a Government transit mark of such description as may be prescribed by the Chief Conservator of Forests.

(5) No sandalwood imported from outside the State, by rail, shall be moved from the railway station at which it has reached by rail, without first having it subjected to check by the local Range Forest Officer or any other Officer authorised for the purpose and without having it stamped by a Government transit mark of such description as may be prescribed by the Chief Conservator of Forests.

**157. Registration of property mark relating to sandalwood.-**(1) Application for the registration or renewal of property mark shall be made to the concerned Conservator of Forests furnishing full particulars of the quantity of sandalwood in respect of which registration of property mark is sought, the place where it is stacked and as to how it was obtained and such other details as may be required by the Conservator, accompanied with 4

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1. Sub-rule (9) inserted by Notification No. FEE 14 FDP 2004, dated 19-5-2004, w.e.f. 3-6-2004
  2. Substituted for the letters, figures and symbol "Rs. 5,000/-" by Notification No. FEE 119 FDP 2016, dated 28-6-2017 and shall come into force w,e,f, 14-9-2016
  3. Substituted for the letters, figures and symbol "Rs. 10,000/-" by Notification No. FEE 119 FDP 2016, dated 28-6-2017 and shall come into force w.e.f. 14-9-2016
  4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

facsimiles of the property mark and a fee of <sup>1</sup>[rupees one thousand]. If the Conservator of Forests, after such enquiry as he deems necessary, is satisfied about the *bona fides* of the sandalwood, he may register such property mark and issue a certificate in Form 36. He shall also maintain a register in Form 37 of all property marks so registered. Every such registration shall hold good up to end of the 31st March following, unless otherwise stated in respect of the description and quantity of sandalwood mentioned in the certificate issued:

Provided, that no such fee shall be charged for the registration of property marks of other State Governments which registration shall hold good till they are modified, cancelled or replaced by new marks.

(2) The Conservator of Forests may, for reasons to be recorded in writing, refuse or defer the registration of any property mark and may cancel or suspend any property marks already registered, after giving an opportunity of being heard in the matter to the person affected by it.

(3) Every person who has registered his or her property marks shall maintain a proper and clear account of the transactions of the sandalwood, showing details regarding the place from which it was obtained, the kinds and quantities of sandalwood removed and the corresponding passed under which such removals were effected. Such accounts shall be open for inspection by any Forest Officer and any refusal to produce the accounts or the non-maintenance of the accounts or the maintenance of incorrect accounts shall entail cancellation of the property mark so registered.

**158. Establishment of check-posts.-**The State Government may by notification direct the establishment of check-post or erection of barriers or both at such place or places as it thinks fit with a view to prevent or check the commission of forest offence in respect of forest produce, and.-

- (a) for examination of forest produce, prior to issuing of a pass in respect thereof under these rules; or
- (b) for production or examination of passes and way-permits issued under these rules; or
- (c) for stoppage, reporting and examination of any person, animal, vehicle or vessel; or
- (d) in order that any mark required under these rules to be affixed to forest produce, may be so affixed; or
- (e) for determining the amount of money, if any, payable on account thereof to the Government and for the payment of any money, so found to be due.

**159. Checking of the forest produce.-** (1) The owner or the person in charge of the forest produce in transit shall always accompany the produce when it moves on land or water, and it shall be his responsibility to stop and subject such produce for check at all notified check-posts or barriers on the prescribed route and get the pass or way-permit endorsed by the officer-in-charge of the check-posts or barriers.

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1. Substituted for the letters and figures "Rs. 100" by Notification No. FEE 119 FDP 2016, dated 28-6-2017 and shall come into force w.e.f. 14-9-2016

(2) The Forest Officer-in-charge of the check-posts or barrier shall, after satisfying himself that the forest produce is of the kind stated in the pass or way-permit and is not in excess of the quantity specified therein and is being transported within the period and along the route mentioned in the pass or way-permit and about the *bona fides* of the produce, return such pass or way-permit duly endorsed with the words 'Checked' and 'Passed', with necessary entry as to the kind and quantity so checked under his signature, date and time. If the officer-in-charge of the check-post or barrier is not satisfied about the particulars stated above, he shall detain the forest produce and the pass or way-permit and report the case to the concerned Range Forest Officer or to the nearest Police Station for taking further action, stating clearly his reasons for the action taken. The person in charge of the forest produce shall not proceed with it without the permission of the officer-in-charge of the check-post or barrier.

(3) No timber exceeding the dimensions mentioned in Rule 170 and no sandalwood shall be moved past a check post without having it stamped thereat by a Government transit mark of such description as may be prescribed by the Chief Conservator of Forests.

**160. Stoppage in transit.**-(1) Any forest produce in transit may be stopped and examined at any place by any Forest, Police or Revenue Officer if such officer has sufficient reasons to believe.-

- (i) that any money due to the Government in respect thereof has not been paid; or
- (ii) that any forest offence has been or is being committed in respect thereof; or
- (iii) it is desirable to affix a mark on it for the purposes of the Act or rules.

(2) Such officer may required the person in charge of the forest produce in transit to stop the conveyance and detain it as long as necessary, to examine the produce and to inspect all records relating to it:

Provided always, that no such officer shall vexatiously or unnecessarily delay the transit of any forest produce which is lawfully in transit, or unload, or cause the same to be unloaded, for the purpose of examination.

(3) The person in charge of such forest produce shall not move the forest produce and keep it stationary as long as it is required by the officer checking the produce mentioned in sub-rule (1) *supra* and furnish to any such officer all the information which he is able to give regarding the same and allow examination of the goods and inspection of all the records connected with the goods and shall not in any way prevent or resist the stoppage or examination of the said forest produce or records by such officer.

**161. Obstruction of rivers.**-(1) No person shall close or in any manner obstruct any river or channel used for the transport of forest produce.

(2) Any Forest Officer not below the rank of a Range Forest Officer may take such measures, as he deems necessary, for the prevention or removal of any such closure or obstruction and cost of such prevention or removal shall be recovered from the person responsible for the closure or obstruction.

**162. Transport of forest produce by sea or rail.**-No forest produce shall be booked for transport by rail or sea unless the same is covered by a valid pass or way-permit. The booking authority shall affix his seal and note the number and date of the railway receipt or

shipping bill, as the case may be, on the pass or way-permit and cancel it. The booking authority shall also note the number and date of the pass or way-permit in the railway receipt or shipping bill, as the case may be and shall report to the nearest Police or Forest authorities about forest produce not covered by a valid pass or way-permit and brought for booking.

**163. Control of private saw pits, saw mills or any other sawing contrivances.-**

<sup>1</sup>[(1) No saw pit or any other hand-sawing contrivance for cutting or converting timber shall be established within the limits of any reserved forest, protected forest or district forest or within 2 kilometres of such limits or within the area specified below, without obtaining a licence from the concerned <sup>2</sup>[Deputy Conservator of Forests].-

1. Shimoga District.
2. Chickmagalur District.
3. Coorg District.
4. South-Kanara District.
5. North Kanara District.
6. Hassan District excluding Channarayapatna and Holenarasipura Taluks.
7. Khanapura Taluk of Belgaum District.
8. Kalghatige, <sup>3</sup>[x x x x] and Dharwar Taluks of Dharwar District.
9. Sandur and Kudlige Taluks of Bellary District.
10. Chincholi Taluk of Gulbarga District.
- <sup>4</sup>[11. Udupi District.
12. Chamarajnagar District
13. Hanagal, Hirekerur and Shiggon Taluks of Haveri District.
14. Hunsur, Piriapatna and Heggadedevanakote Taluks of Mysore District.
15. Channagiri Taluk of Davanagere District,]

<sup>5</sup>[(2-A) No person shall establish a sawmill or any other sawing contrivance, other than those specified in Rule 2(b), (6-C) and 163(1) for cutting or converting timber, anywhere in the state, without obtaining a licence from the concerned licence issuing authority:

Provided that no new sawmills or any other sawing contrivances shall be established within an aerial distance (crow-fly distance) of ten kilometres from the limits of any reserved forest, protected forest or district forest:

Provided further that the above restriction of the first proviso (aerial distance of ten kilometres) shall not be applicable for establishing and running of a new sawmill within notified limits of municipal area and industrial areas:

Provided also that no new sawmill shall be installed or operated within 250 meters from an educational institution or a hospital.]

1. Sub-rules (1) and (2) substituted as sub rules (1) and (2-A) by GSR 257, dated 4-9-1974, w.e.f. 16-9-1974
2. Substituted for the words "Range Forest Officers" by Notification No. FEE 65 FDP 2012, dated 20-5-2013, w.e.f. 20-5-2013
3. The words "Hangal, Shiggaum" omitted by Notification No. FEE 65 FDP 2012, dated 20-5-2013, w.e.f. 20-5-2013
4. Clauses 11 to 15 inserted by Notification No. FEE 65 FDP 2012, dated 20-5-2013, w.e.f. 20-5-2013
5. Sub-rule (2-A) substituted by Notification No. FEE 65 FDP 2012, dated 20-5-2013, w.e.f. 20-5-2013

(3) Application for grant or renewal of licence shall be made to the concerned <sup>1</sup>[Territorial Deputy Conservator of Forests] in such form as the Chief Conservator of Forests <sup>2</sup>[Principal Chief Conservator of Forests (Head of Forest Force)] in Karnataka may, by notification in the official Gazette, prescribe.

<sup>3</sup>[(4) Fees for the grant or renewals of a licence under sub-rules (1), (2) or (2-A) for each financial year or part thereof shall be as follows, namely.-

- (a) Rupees five hundred for each saw pit or hand sawing contrivance;
- (b) for one horizontal saw rupees two thousand; and
- (c) for one cross cut saw rupees one thousand five hundred;
- (d) for additional one or more vertical saw rupees three thousand;
- (e) for additional one or more horizontal saws rupees five thousand;
- (f) for additional one or more cross cut saws rupees six thousand.

(4-A) Establishment of Plywood or Veneer Industry.- Fees for the grant or renewal of licence for each financial year or part thereof for establishment of Plywood or Veneer Industry shall be as follows:

- (a) For fresh licence - Ten thousand rupees per year
- (b) For renewal of licence - Ten thousand rupees per year.]

(5) The Forest Officer receiving the application may, if he is satisfied after making such inquiry as he deems necessary, that there is no objection to grant the licence, having regard to the safeguarding of the timber in any reserved forests, protected forest or district forest, grant a licence in Form 42 subject to the provisions of the Act and these rules and to any other reasonable restrictions or conditions which he may specify in the licence. Separate licences shall be issued for works to be carried out in different places.

(6) Such Forest Officer may, after giving the applicant an opportunity of being heard, for reasons to be recorded in writing, reject any application for grant or renewal of a licence, whereupon the applicant, unless he appeals against the orders of rejection under sub-rule (10), shall be entitled to a refund of the fee remitted by him under sub-rule (4).

(7) If the officer issuing the licence is satisfied that the original licence issued to a licensee is lost, destroyed or otherwise rendered useless, he may, on payment of a fee of <sup>4</sup>[rupees five hundred per licence each time], issue a duplicate of the licence originally issued.

(8) The officer issuing the licence may, at any time, for reasons to be recorded in writing, cancel or suspend any licence; Provided, no such rejection shall be made before giving the applicant an opportunity or <sup>5</sup>[making representation] in the matter.

1. Substituted for the words "Forest Officers" by Notification No. FEE 65 FDP 2012, dated 20-5-2013, w.e.f. 20-5-2013

2. Inserted by Notification No. FEE 65 FDP 2012, dated 20-5-2013, w.e.f. 20-5-2013

3. Sub-rule (4) substituted as sub-rule (4) and (4-A) by Notification No. FEE 119 FDP 2016, dated 28-6-2017 and shall come into force w.e.f. 14-9-2016

4. Substituted for the word and figure "Rs. 200" by Notification No. FEE 119 FDP 2016, dated 28-6-2017 and shall come into force w.e.f. 14-9-2016

5. Substituted for the words "being heard" by GSR 134, dated 30-4-1984/5-5-1984, w.e.f. 31-5-1984

(9) Copy of every order under sub-rule (6) or under sub-rule (8) shall be granted to the applicant or licensee, as the case may be, by the Forest Officer passing such order.

<sup>1</sup>[(10) Any person aggrieved by an order under sub-rule (6) or (8) may, within three months of the receipt of the copy of the order under sub-rule (9), present an appeal thereupon in writing to the Chief Conservator of Forests of the concerned circle and his decision shall be final. Appeal application received after the specified period shall be summarily rejected.]

(11) Power of the Principal Chief Conservator of Forest (Head of Forest Force) to give directions.- The Principal Chief Conservator of Forests (Head of Forest Force) with prior approval of the State Government may from time to time issue directions or guidelines to licence issuing authority regarding the discharge of their functions and to carry out the same effectively and for the purpose of these rules, such licensing authority shall comply with the directions issued from time to time.]

### CASE LAW

Rule 163- Applicability to existing saw mills.

*Chandrashekhar and Range Gowda, JJ.*- The obligation to take out a licence under Rule 163(1) or (2) of the Forest Rules is not applicable to a saw mill, saw pit or other sawing contrivance existing on the date when the rules came into force (27-3-1969).

The expression 'establish a saw mill' in Rule 163 does not include continuing to operate it after it has been set up on a sound, stable or permanent basis. 88 L.J.Ch. 86 and AIR 1960 SC 12 ref to.

There is no compelling reason to depart from the literal or grammatical construction of the sub-rules of Rule 163.-*C. Rangappa and Others v State of Mysore and Another*, AIR 1972 Mys. 76 : 1971(2) Mys. L.J. 511.

Rule 163-Petitioner-applicant seeking saw mill licence-While granting licence, the clearance of the State Empowered Committee to be placed before the Central Empowered Committee would have to be made since ultimate decision would have to be taken based on clearance given by Central Empowered Committee – On facts - In petitioners case the Central Empowered Committee has granted its concurrence subject to conditions imposed therein- Petitioner to produce material to show that the unit was established or NOC was issued prior to 30.10.2002 – Thereafter a consideration would be made.

*A.S. Bopanna, J., Held:* Ultimately, while granting licence, the clearance of the State Empowered Committee to be placed before the Central Empowered Committee would have to be made since ultimate decision would have to be taken based on the clearance given by the Central Empowered Committee. While considering the case of the petitioner along with several other applicants, an order dated 27-4-2005 was made to forward the papers to the Central Empowered Committee for consideration. The State Empowered Committee through its proceedings had prepared a list which includes the name of the petitioner's Industry that is Sl.No. 65. Considering the fact that it is away from the required distance of 10.2 kms. from the Reserve Forest a recommendation was made. The Central Empowered Committee by its communication dated 24-7-2013 has granted its concurrence for issue of licence to 65 wood based industries established on the basis of the No Objection Certificate issued by the

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1. Sub-rules (10) and (11) substituted for sub-rule (10) by Notification No. FEE 65 FDP 2012, dated 20-5-2013, w.e.f. 20-5-2013

Forest Department subject to the conditions imposed therein namely, the Karnataka Forest Department will verify that none of the units were established after 30th October, 2002/granted No Objection Certificate after 30th October, 2002 and the next condition is that the units are not located in area where establishment of new unit is not permissible..... The issue on which the instant petition presently revolves is with regard to the compliance that is required to be made relating to the condition indicated in the letter dated 24-7-2013 of the Central Empowered Committee. Though the learned Counsel for the petitioner contends that no further requirement is there on the part of the respondents to examine the matter, before a decision is taken either to issue a licence or to reject the application certainly the Competent Authority-relevant respondent would have to pass an appropriate order by taking into consideration, the material in respect of the applicant to establish that the unit was established or NOC was issued prior to 30-10-2002. In the instant case also, such consideration is required. In that regard, the respondents have already taken steps by issue of notice dated 24-10-2013. Though as contended by the learned Counsel for the petitioner, the respondents themselves would have to satisfy themselves with regard to the establishment/issue of NOC prior to 30-10-2002, any material relied upon by the petitioner certainly would have to be produced by the petitioner and thereafter a consideration would be made. The petitioner is no doubt contending that the relevant date on which NOC should have been issued in a normal course was on 2-8-2001. This aspect of the matter arising from the records is also to be examined by the respondents. *Prima facie*, the contention as put forth by the petitioner that in several other cases, such consideration is made as pointed in the order dated 27-4-2005 would indicate that in fact the petitioner was entitled for an issue of NOC on 2-8-2001, the date on which the decision was taken. Therefore, this aspect of the matter is also to be kept in view by the respondents and in that light, a consideration has to be made pursuant to the direction issued by the Central Empowered Committee. The said decision in any event shall be taken in an expeditious manner but not later than eight weeks from the date on which a copy of this order is furnished to the respondents. – *Mrs. Srilantha M.Hegde v State of Karnataka and others*, 2015 (4) Kar. L.J. 404.

**164. Duties of the licensee.-** No licensee shall undertake sawing of timber belonging to other persons on job-work, unless he is satisfied about the *bona fides* of such timber by examining the connected pass or way-permit and the marks on the timber. If he suspects the *bona fides* of the timber, he shall detain the timber and immediately report the fact to the nearest Forest or Police Officer for taking further action.

(2) The licensee shall stack the timber of other persons received by him for sawing on job-work separately, both before and after it is sawn.

(3) Every licensee shall maintain registers in Forms 43 and 44 and produce the same for check when demanded by any Forest Officer not below the rank of a Forester.

<sup>1</sup>**[164-A. Appeal under Section 64-A.-**An appeal under sub-section (3) of Section 64-A shall be filed within one month from the date of order under sub-section (1) thereof.]

<sup>2</sup>**[164-B. Establishment of Wood Distillation Plant or Charcoal Kilns, etc.-** (1) No person.-

- (a) Shall establish a wood distillation plant or charcoal kiln for manufacture of wood oil or activated carbon, and other bye-products of charcoal anywhere in the State without obtaining a licence from the <sup>3</sup>[Deputy Conservator of Forests];

1. Rule 164-A inserted by GSR 74, dated 28-2-1977, w.e.f. 3-3-1977

2. Existing Rule 164-A as inserted by GSR 257, dated 4-9-1974, renumbered as Rule 164-B by GSR 74, dated 28-2-1977, w.e.f. 3-3-1977

3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

- (b) who has already established a wood distillation plant or charcoal kiln shall continue to run or use such distillation plant or kiln for the purpose of the manufacture of the said products after the expiry of three months from the date of commencement of these rules without obtaining a licence from the <sup>1</sup>[Deputy Conservator of Forests].

(2) Application for the grant or renewal of licence shall be made to the concerned <sup>2</sup>[Deputy Conservator of Forests] in such form as the Chief Conservator of Forests in Karnataka may, by notification in the Official Gazette prescribe.

<sup>3</sup>[(3) Fees for the grant or renewal of licence for each financial year or part thereof shall be as follows.-

(a) rupees twenty thousand for each wood distillation plant; and

(b) rupees five thousand for each charcoal kiln.

(3-A) The proceeds realised shall be credited to the State consolidated fund and thereafter shall be transferred to the "Mukya Mantri Grameena Abhivrudi Nidhi.]

(4) A person who has obtained a licence under this rule shall maintain proper accounts of wood or charcoal received for processing and the quantity of charcoal and other byproducts produced by him and such accounts shall be produced for inspection on demand by a Forest Officer not below the rank of a Range Forest Officer.]

**165. Penalty.-** Whoever contravenes the provisions of Rule 144, clause (b) of sub-rule (1) and sub-rule (4) of Rule 146, Rules 147 and 148, sub-rules (5), (7), (8), (9) and (12) of Rule 149, Rule 150, sub-rules (1) and (2) of Rule 151, Rule 152, sub-rule (4) of Rule 153, Rule 154, sub-rules (3), (4), (5), (6), (7) and (8) of Rule 155, sub-rules (4) and (5) of Rule 156, sub-rule (3) of Rule 157, sub-rule (1), (2) and (3) of Rule 159, Rules 160, 161, and 162, sub-rules (1), (2), (4), and (5) <sup>4</sup>[of Rule 163, Rules 164 and 164-A] shall, on conviction, be punishable with imprisonment for a term which may extend to six months or to a fine which may extend to five hundred rupees or to both; and where the contravention is committed after sunset or before sunrise, or after preparation for resistance to lawful authority, or where the offender has been previously convicted for a like offence, to imprisonment which may extend to one year or to a fine which may extend to one thousand rupees or to both.

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FORMS

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
3. Sub-rules (3) substituted as sub-rules (3) and (3-A) by Notification No. FEE 119 FDP 2016, dated 28-6-2017 and shall come into force w.e.f. 14-9-2016
4. Substituted for the words and figures "of Rule 163 and Rule 164" by GSR 74, dated 28-2-1977, w.e.f. 3-3-1977



**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)**

**FORM 2  
[See Rule 16]**

Statement of lands taken up for the.....proposed reserved forest in the.....district.

| Taluk | Hobli | Village | Total area of the village |                |        |       |                             |
|-------|-------|---------|---------------------------|----------------|--------|-------|-----------------------------|
|       |       |         | Assessed Occupied         | Assessed waste | Kharab | Gomal | Total of columns (4) to (7) |
| (1)   | (2)   | (3)     | (4)                       | (5)            | (6)    | (7)   | (8)                         |
|       |       |         |                           |                |        |       |                             |

| Details of area taken |      |            |                |      |            | Details of area taken |      |        |      |
|-----------------------|------|------------|----------------|------|------------|-----------------------|------|--------|------|
| Occupied              |      |            | Assessed waste |      |            | Kharab                |      | Gomal  |      |
| Sl. No                | Area | Assessment | Sl. No         | Area | Assessment | Sl. No                | Area | Sl. No | Area |
| (9)                   |      |            | (10)           |      |            | (11)                  |      | (12)   |      |
|                       |      |            |                |      |            |                       |      |        |      |

| Total columns (9) to (12) | Area remaining for village out of Kharab and Gomal lands |                                    |       |               | Compensation awarded for occupied lands acquired (Column (9)) |
|---------------------------|--|------------------------------------|-------|---------------|---|
|                           | Kharab less Assignments for Gomal                        | Gomal plus assignments from Kharab | Total | No. Of cattle |   |
| (13)                      | (14)   | (15)                               | (16)  | (17)          | (18)  |
|                           |  |                                    |       |               |   |



| <b>ORIGINAL</b>   | <b>DUPLICATE</b>  |
|---|---|
| <b>THE KARNATAKA FOREST DEPARTMENT</b><br><br>(Karnataka Forest Rules, 1969)<br><br><b>FORM 4</b><br><br>[See Rule 36(5)]<br><br><b>Free Licence for the removal of Date leaves and Date wood</b> | <b>THE KARNATAKA FOREST DEPARTMENT</b><br><br>(Karnataka Forest Rules, 1969)<br><br><b>FORM 4</b><br><br>[See Rule 36(5)]<br><br><b>Free Licence for the removal of Date leaves and Date wood</b> |
| Licence No..... Date.....   | Licence No..... Date.....   |
| 1. Name and address of the Licensee .....   | 1. Name and address of the Licensee .....   |
| 2. Profession of the Licensee .....   | 2. Profession of the Licensee .....   |
| 3. For what purpose Date leaves or Date wood required .....   | 3. For what purpose Date leaves or Date wood required .....   |
| 4. Quantity .....   | 4. Quantity .....   |
| 5. Locality from which the produce is to be cut and removed .....   | 5. Locality from which the produce is to be cut and removed .....   |
| 6. Time allowed .....   | 6. Time allowed .....   |
| 7. Place of destination .....   | 7. Place of destination .....   |
| 8. Route .....  | 8. Route .....  |

Range Forest Officer..... Range

Range Forest Officer..... Range

**Conditions**

1. The licence is not transferable.
2. The Licence must be shown on demand by any Forest, Police, Revenue, Excise or Village Offices.
3. The Licensee shall not cause any undue wastage in collection of produce.
4. No Date leaves shall be cut from young immature trees, only two leaves from each tree shall be removed in any one year. The central shoot including the 4 tender leaves shall on no account be removed. No leaves should be removed from any tree from which toddy is being drawn, nor from trees set apart for toddy vend farmers.
5. The licensee shall observe all the conditions stated in the licence as to the kind, quantity, the locality from which and the period within which and the route by which the produce is to be removed.
6. Any breach of the above conditions will render the licensee liable to cancellation of this licence and to the punishment provided by law.

[Conditions to be printed on the back of the Duplicate *i.e.*, on the right half only]

**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)**

**FORM 5**  
[See Rules 63(1)]

Permit No.....

Official Year 19.....19....

Free/Paid Grazing permit

To graze cattle in .....Forest.....Range.....Division.

| To whom issued | Place of residence | Number and description of cattle |        | Rate of grazing fees per head of cattle | Amount of grazing fees paid | Remarks |
|----------------|--------------------|----------------------------------|--------|---|-----------------------------|---------|
|                |                    | Description                      | Number |   |                             |         |
| (1)            | (2)                | (3)                              | (4)    | (5)                                     | (6)                         | (7)     |
|                |                    |                                  |        |   |                             |         |

Date of issue.....

Signature.....

Station.....

Designation.....

To be printed in triplicate:

1. Original to be issued to the person permitted to graze cattle.
2. Duplicate to be sent to the Range Forest Officer.
3. Triplicate to be retained as counterfoil in the issuing office.

**Permit Conditions**

1. This permit authorises the holder to graze the cattle mentioned therein, in the forest mentioned therein, subject to such restrictions and conditions imposed by the rules framed for pasturing of cattle in the reserved, protected or district forests.
2. No cattle shall be allowed to graze within the areas notified as 'closed' forest areas.
3. The cattle covered by this permit must be in charge of a responsible herdsman or herdsman, as required by the rules.
4. The herdsman should always have the permit with him, when in forest, with his cattle.

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5. The permit must always be shown on demand to any Forest, lopping of branches and stripping of leaves is entirely prohibited.
  6. No damage to the trees shall be caused. Pollarding of trees, lopping of branches and stripping of leaves is entirely prohibited.
  7. No cattle shall be penned within forest, except on penning permits issued by or under the orders of the <sup>1</sup>[Deputy Conservator of Forests].
  8. The permit-holder must assist in the protection of forest and any Government property therein against fire or other damage, and in the discovery and arrest of offenders in forest offences.
  9. Should any breach of any of the conditions of this permit or any of the provisions of the Karnataka Forest Act, 1963, and Rules thereunder occur on the part of the holder of this permit or his herdsman, the permit will be cancelled and the permit-holder or his herdsman shall be liable to any other penalty under the provisions of the Act and the Rules thereunder.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**THE KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**

**FORM 6**  
[See Rules 64(5)]

**Permit for Penning Cattle**

in.....Forest.....Range.....Division

| Name and address of permit holder | Area of the pen | Period of validity of permit | Number and description of Cattle |        | Rate of penning fees per head of cattle | Amount of penning fees paid | Number and date of order by the D.F.O. | Remarks |
|-----------------------------------|-----------------|------------------------------|----------------------------------|--------|---|-----------------------------|--|---------|
|                                   |                 |                              | Description                      | Number |   |                             |  |         |
| (1)                               | (2)             | (3)                          | (4)                              | (5)    | (6)                                     | (7)                         | (8)                                    | (9)     |

**Conditions.-**

1. ....
2. ....
3. ....

Date of issue:

Station:

Signature and designation  
of Permit Issuing Officer

**To be Printed duplicate.**

1. Original to be issued to the person permitted to pen.
2. Duplicate to be retained as counterfoil in the issuing office.

**THE KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**

**FORM 7**

[See Rules 66]

Register of Grazing Permits issued in.....Range for the Year  
19.....19.....

| Sl. No. | Name of permit-holder | Place of residence | Description and number of cattle covered by the permit |        |
|---------|-----------------------|--------------------|--|--------|
|         |                       |                    | Description  | Number |
| (1)     | (2)                   | (3)                | (4)  | (5)    |
|         |                       |                    |  |        |

| Free or on payment |      | If on payment, rate per head of cattle | Amount of grazing fee collected, if on payment | Permit number and date of issue | Item of credit | Remarks |
|--------------------|------|--|--|---------------------------------|----------------|---------|
| Free               | Paid |  |  |                                 |                |         |
| (6)                | (7)  | (8)                                    | (9)  | (10)                            | (11)           | (12)    |
|                    |      |  |  |                                 |                |         |

**Karnataka Forest Rules, 1969**  
**FORM 8**

| <b>ORIGINAL</b>   | <b>DUPLICATE</b>  | <b>TRIPLICATE</b>   |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
|---|---|---|--------------------|--------|---------|---------|--|--|--|------|------|--|---|------|--------|--------------------|------|--------|---------|--|--|--|------|------|--|---|------|--------|--------------------|------|--------|---------|--|--|--|------|------|--|
| THE KARNATAKA FOREST<br>DEPARTMENT<br><br>(Karnataka Forest Rules, 1969)<br><br><b>FORM 8</b><br>[See Rule 71(1)]<br><b>License for timber</b>  | THE KARNATAKA FOREST<br>DEPARTMENT<br><br>(Karnataka Forest Rules, 1969)<br><br><b>FORM 8</b><br>[See Rule 71(1)]<br><b>License for timber</b>  | THE KARNATAKA FOREST<br>DEPARTMENT<br><br>(Karnataka Forest Rules, 1969)<br><br><b>FORM 8</b><br>[See Rule 71(1)]<br><b>License for timber</b>  |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| Book No..... License No.....  | Book No..... License No.....  | Book No..... License No.....  |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| 1. Name .....   | 1. Name .....   | 1. Name .....   |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| 2. Father's name .....  | 2. Father's name .....  | 2. Father's name .....  |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| 3. Residence .....  | 3. Residence .....  | 3. Residence .....  |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| 4. Particulars<br>of timber .....   | 4. Particulars<br>of timber .....   | 4. Particulars<br>of timber .....   |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
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| Kind  | Number  | Cubical<br>content  | Rate               | Amount | Remarks |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
|   |   |   | Rs.P               | Rs.P   |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| Kind  | Number  | Cubical<br>content  | Rate               | Amount | Remarks |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
|   |   |   | Rs.P               | Rs.P   |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| Kind  | Number  | Cubical<br>content  | Rate               | Amount | Remarks |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
|   |   |   | Rs.P               | Rs.P   |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| 5. From which locality .....  | 5. From which locality .....  | 5. From which locality .....  |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| 6. Place of destination .....   | 6. Place of destination .....   | 6. Place of destination .....   |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| 7. Route .....  | 7. Route .....  | 7. Route .....  |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| 8. Time allowed .....   | 8. Time allowed .....   | 8. Time allowed .....   |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| Date:   | Date:   | Date:   |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |
| Signature and designation of License Issuing Officer  | Signature and designation of License Issuing Officer<br><br>Date and time of presentation.....<br>Signature of the Forester or Guard.....<br>Date and time of checking.....<br>Signature of the Forester or Guard<br>(To be sent to the Forester) | Signature and designation of License Issuing Officer<br><br>Date and time of presentation.....<br>Signature of the Forester or Guard.....<br>Date and time of checking.....<br>Signature of the Forester or Guard<br>(To be sent to Licensee) |                    |        |         |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |   |      |        |                    |      |        |         |  |  |  |      |      |  |

**Conditions**

1. The licence is not transferable.
2. The Licence must be shown on demand to any Forest, Police, Revenue or Village Officer.
3. The licensee shall present this to the Forester in charge of the locality and with his knowledge enter the forest and cut the trees marked by him.
4. The licensee shall not cause any undue wastage in conversion or leave to waste any utilisable part of the tree and all such utilisable material will be assessed for the purpose of recovering the value.
5. The licensee shall intimate the Range Forest Officer as soon as the trees are cut and the timber prepared.

- 
6. The licensee shall remove the timber only after it is measured, stamped and a transit pass issued by the Range Forest Officer.
  7. The licensee shall cut the marked trees flush to the ground and trim the stools to an even surface. The logs shall be in the round with the sapwood intact.
  8. He shall, while removing the material from the forest, produce the same before the Forester or Beat Guard and obtain his endorsement on the licence in the column provided for.
  9. The licensee shall observe all the conditions stated in the license as to the kind and quantity, locality from which, the route by which and the period within which the timber is to be removed.
  10. Any other conditions that may be imposed by the Licensee Issuing Officer.....
  11. Any breach of the above conditions will render the licensee liable to cancellation of this license and to the punishment provided by law.

(These conditions to be printed on the back of the triplicate license in Form 8).

**Karnataka Forest Rules, 1969**  
**FORM 9**

| <b>ORIGINAL</b>   | <b>DUPLICATE</b>  | <b>TRIPLICATE</b>  |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
|---|---|--|-----------------|--------|---------|---------|--|--|--|------|------|--|---|------|--------|-----------------|------|--------|---------|--|--|--|------|------|--|---|------|--------|-----------------|------|--------|---------|--|--|--|------|------|--|
| THE KARNATAKA FOREST<br>DEPARTMENT<br><br>(Karnataka Forest Rules, 1969)<br><br><b>FORM 9</b><br>[See Rule 71(1)]<br><b>License for timber</b>  | THE KARNATAKA FOREST<br>DEPARTMENT<br><br>(Karnataka Forest Rules, 1969)<br><br><b>FORM 9</b><br>[See Rule 71(1)]<br><b>License for timber</b>  | THE KARNATAKA FOREST<br>DEPARTMENT<br><br>(Karnataka Forest Rules, 1969)<br><br><b>FORM 9</b><br>[See Rule 71(1)]<br><b>License for timber</b>   |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| Book No..... License No.....  | Book No..... License No.....  | Book No..... License No.....   |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| 1. Name .....   | 1. Name .....   | 1. Name .....  |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| 2. Father's name .....  | 2. Father's name .....  | 2. Father's name .....   |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| 3. Residence .....  | 3. Residence .....  | 3. Residence .....   |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| 4. Particulars<br>of timber .....   | 4. Particulars<br>of timber .....   | 4. Particulars<br>of timber .....  |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
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| Kind  | Number  | Cubical content  | Rate            | Amount | Remarks |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
|   |   |  | Rs.P            | Rs.P   |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| Kind  | Number  | Cubical content  | Rate            | Amount | Remarks |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
|   |   |  | Rs.P            | Rs.P   |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| Kind  | Number  | Cubical content  | Rate            | Amount | Remarks |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
|   |   |  | Rs.P            | Rs.P   |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| 5. From which locality .....  | 5. From which locality .....  | 5. From which locality .....   |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| 6. Place of destination .....   | 6. Place of destination .....   | 6. Place of destination .....  |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| 7. Route .....  | 7. Route .....  | 7. Route .....   |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| 8. Time allowed .....   | 8. Time allowed .....   | 8. Time allowed .....  |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| Date:   | Date:   | Date:  |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |
| Signature and designation of License Issuing Officer  | Signature and designation of License Issuing Officer<br><br>Date and time of presentation.....<br>Signature of the Forester or Guard.....<br>Date and time of checking.....<br>Signature of the Forester or Guard<br>(To be sent to the Forester) | Signature and designation of License Issuing Officer<br><br>Date and time of presentation.....<br>Signature of the Forester or Guard.....<br>Date and time of checking.....<br>Signature of the Forester or Guard<br>(To be given to the Licensee) |                 |        |         |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |   |      |        |                 |      |        |         |  |  |  |      |      |  |

**Conditions**

1. The licence is not transferable.
2. The licence must be shown on demand to any Forest, Police, Revenue or Village Officer.
3. The licensee shall present this to the Guard in charge of the locality and with his knowledge enter the forest and remove the material.
4. He shall, while removing the material from the forest, produce the same before him and obtain his endorsement on the licence in the column provided.
5. The licensee shall not cause any undue wastage in conversion or leave to waste any utilisable material. All such material will be assessed for the purpose of recovering the value.
6. The licensee shall observe all the conditions stated in the licence as to the kind and quantity, locality from which, the route by which and the period within which the produce is to be removed.
7. Any other conditions that may be imposed by the licence issuing officer.
8. Any breach of the above conditions will render the licensee liable to cancellation of his licence and to the punishment provided by law.

(These conditions to be printed on the back of the Triplicate license in Form No. 9)



**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)  
FORM 11**

[See Rule 93(4)]

Sale-slip (Bid-List) for the auction sale of timber or other forest produce

1. Name of Range .....Name of Division.....
2. Name of the depot or other place of sale.....
3. Date of sale.....
4. Kind of produce sold.....
5. Number and / or quantity.....
6. Lot number.....
7. Particulars of lease or coupe and the area.....

| Sl. No. | Name of bidder | Bid per | Bid amount | Signature of the highest bidder in favour of whom the sale is knocked down and that of the penultimate bidder |
|---------|----------------|---------|------------|---|
| (1)     | (2)            | (3)     | (4)        | (5)   |
|         |                |         |            |   |

1. Knocked down after calling 'Thrice' to the highest bidder Sri.....for RS..... (in words).....which may be accepted.
2. Knocked down after calling 'Twice' to the highest bidder Sri.....for Rs..... (in words).....which may be accepted/rejected.

Signature and designation of the  
Sale Conducting Officer

3. Orders of the competent authority confirming the sale.- confirmed/not confirmed

Signature and designation of the  
Officer competent to confirm the sale

**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)**

**<sup>1</sup>[Form 12**  
*[See Rule 108 (1)]*

**(FORM OF APPLICATION)**

To:

The Range Forest Officer,

.....  
.....  
.....

I/We the owner/s of the Sy.Nos. ....of.....  
Village.....Taluk.....District residing resultant outturn to the State Government the  
depots prescribed by you for the price to be fixed by the Forest Department or to any State  
Government Undertaking. I/we am/are furnishing herewith the following particulars along  
with the certified copies of the extracts of Revenue Records and the Survey Sketch certified  
by the Assistant Superintendent of Land Records in support of the proof that I/We have the  
right to land and the Sandalwood trees in question for your reference and further action.

1. Sy.Nos. and extent in hectares (or in acres).
2. Location of the Sy.Nos. with Survey Sketch.
3. Whether the boundary or Sy. No. is clear and demarcated properly on the ground.
4. The number of sandalwood trees standing on the Sy.No.
5. The number of Sandalwood trees intended to be felled and sold. (a detailed list with their girths at 1.37 metre height from ground level.)
6. (a) Tenure of the land (hiduvali, Darkhast, lease, Coffee/Cardamom Malai, Bane and so on and whether redeemed or unredemmed).  
(b) Right to the land (year of grant or assignment and the period of the continuous occupation by the owner if any).  
(c) Right to Sandalwood trees to be felled (Proof of right if any).  
(d) Any Sandalwood trees if reserved to State Government as per Revenue Records.  
(e) Revenue records along with the certificate of the Deputy Commissioner or the Assistant Commissioner as per Government Circular Order No. RD 10 LGN 73 dated: 4<sup>th</sup> June 1973.
7. Consent of the other owners having share in the right to land and the trees, if any.
8. The reasons for felling the Sandalwood trees.
9. The period within which the felling will be completed.

---

1. Forms 12, 13 and 14 substituted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

I/We, therefore, request you to kindly accord permission for felling and removal of the Sandalwood tree/trees. I propose to sell the resultant outturn to the Forest Department / the following state Government Undertaking: .....

When the Sandalwood is proposed to be transported to Government Sandalwood depot the applicant may exercise any one of the following options.

- (a) To be transported departmentally.
- (b) The applicant himself would arrange transport at his cost.

Necessary permit will have to be obtained for Transportation.

I/We am/are prepared to furnish other particulars, if any, required by the Forest Department, in this regard during the course of enquiry and co-operate with the department during the course of enquiry.

I/We will agree to abide by the conditions that would be stipulated by the Deputy Conservator of Forests while according permission to fell and remove the Sandalwood trees.

Yours faithfully,

Place:

Date:

**KARNATAKA FOREST DEPARTMENT  
(KARNATAKA FOREST RULES, 1969)**

**(TO BE EXECUTED ON STAMPED BOND PAPER WORTH RS. 50/-)**

**Form 13**

*[See Rule 108 (2)]*

(Form of declaration and indemnity to be furnished by the owner of the land of Sandalwood trees in the event of Forest Department undertaking extraction and removal on behalf of the owner)

I/We.....the owner/s of Sandalwood trees standing on the Sy. No..... of .....Village.....Taluk..... District hereby declare that I/We agree to abide by the following conditions for extraction and removal of Sandalwood trees standing on the above said Sy. Nos. to Government Sandal Depot by the Forest Department on my/our behalf as per the order No.....dated..... of the Deputy Conservator of Forests.

- (i) I/We shall not object to or interfere with the felling, conversion, transport and disposal of outturn or object to any staff of the Forest Department or labourers engaged by the Department for the work.
- (ii) In the event of any obstruction or interference on my/our part in any of the above said matter, or withdrawal of my/our application in this regard after permission is accorded by the Deputy Conservator of Forests, the Deputy Conservator of Forests is at liberty to stop the work of extraction and proceed to recover the actual expenditure incurred by the Department from me/us and any loss caused to the Department from me/us in this regard shall be recoverable as arrears of land revenue under Section 109 of the Karnataka Forest Act, 1963, in addition to removal of the felled sandalwood trees to the Government depots for disposal and appropriation of the sale proceeds towards the amounts due from me/us-
- (iii) I/We shall not hold the Forest Department responsible for any damages caused to the natural configuration of the land from which the Sandalwood trees are extracted or to any damage done during the extraction to the other tree growth or any crop in the area or to any structure.
- (iv) I/We shall not hold the forest department responsible for any depreciation in the value or deterioration in quantity of Sandalwood by delay or by any other causes at any stage during the course of felling, conversion, transport and disposal of the material by the department.
- (v) In the event of any dispute arising in respect of this transaction, I/We accept the decision of the Conservator of Forests as final and binding.

Further, I/We undertake to indemnify the State Government or any other party involved in these transactions against any loss that may arise due to any misrepresentation on my/our part about the ownership of the land or trees or due to my/our interference with or obstruction to the department during the course of felling, conversion and transport by the department.

I/We have signed this declaration this ..... (day) of .....(month)  
and ..... (year) before the Deputy Conservator of Forests.

"Before me"

Signature of the applicant.

Deputy Conservator of Forests

Date

(Name and seal)

Date:

Witness.-

1.

2.

**KARNATAKA FOREST DEPARTMENT  
(KARNATAKA FOREST RULES, 1969)**

**FORM 14**

[Rule 108 (3)]

**REGISTER OF SANDAL TREES REMOVED FROM LANDS, OWNERS  
OF WHICH HAVE A RIGHT OVER SUCH SANDAL TREES.**

Range.....

Division.....

| Name of Taluk | Name of Village | Name, parentage and residence of occupant | Survey number and other details of the land | Approximate height of the tree | Girth of the tree at 1.37 metres from the ground level | Mature, immature dead or diseased | Order No./Date of the Deputy Conservator of Forests issued for removal of Sandalwood trees |
|---------------|-----------------|---|---|--------------------------------|--|-----------------------------------|--|
| (1)           | (2)             | (3)                                       | (4)   | (5)                            | (6)  | (7)                               | (8)  |
|               |                 |   |   |                                |  |                                   |  |

| Number and date of receipt issued in Form No. 15 to the owner or occupant of land | Date of dispatch to the depot / State Government Undertaking and pass number | Number and date of depot receipt and quantity of Sandalwood acknowledged | Number and date of receipt of Form No. 16 from the Depot Officer and the kind and quantity of assorted and cleaned wood obtained | Amount of value paid to the owner | Date of payment of the value | Remarks |
|---|--|--|--|-----------------------------------|------------------------------|---------|
| 9   | 10   | 11   | 12   | 13                                | 14                           | 15      |
|   |  |  |  |                                   |                              |         |

Original / Duplicate

**KARNATAKA FOREST DEPARTMENT  
(KARNATAKA FOREST RULES, 1969)**

**<sup>1</sup>[FORM 15-A  
[Rule 108 (4)(a)]**

Book No.....

Receipt No.....

Receipt for Sandalwood removed from any land, owner of which possess a right thereto transported to Government Sandalwood depot.

Name of the Range.....

Name of Division.....

Situation and description of sandal trees.-

1. From (Mention Forest Range/Forest Division) 2. To (Mention name of the Government Depot) 3. Name of the owner, village and survey No. from which the wood is obtained 4. Whether roughly dressed or not 5. Number of trees 6. Number of root trees 7. Number of stems and branches 8. Number of roots and their lateral branches 9. Chips and saw dust 10. Marks, if any, on the wood

Station.....

Range Forest Officer

Date.....

.....Range

The original and duplicate shall be one below the other and the duplicate shall be carbon copy. Original to be retained by the issuing officer and duplicate be issued to the owner.

**Note:** While printing the receipt books, sufficient space may be provided to fill in the details under various columns.

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1. Form 15 substituted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

Original / Duplicate / Triplicate

**KARNATAKA FOREST DEPARTMENT  
(KARNATAKA FOREST RULES, 1969)****FORM 15A***[Rules 108(4)(b)]*

Book No.....

Receipt No.....

Receipt for Sandalwood removed from any land, owner of which possess a right thereto transported to authorised State Government Undertaking.

Name of the Range.....

Name of Division.....

Situation and description of sandal trees.-

1. From (Mention Forest Range/Forest Division) 2. To (Mention name of the Government undertaking) 3. Name of the owner, village and Survey No. from which the wood is obtained 4. Whether roughly dressed or not 5. Number of trees 6. Number of root trees 7. Number of stems and branches 8. Number of roots and their lateral branches 9. Chips and saw dust 10. Marks, if any, on the wood

Station.....

Signature of Officer authorised to sign

Date.....

on behalf of the Government Undertaking

The original, duplicate and triplicate shall be one below the other; the duplicate and triplicate shall be carbon copies. Original to be retained by the issuing authority, duplicate to be given to the owner, triplicate to be sent to the Range Officer concerned.

**Note:** While printing the receipt books, sufficient space may be provided to fill in the details under various columns.]

**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)  
FORM 16**

[<sup>1</sup>[See Rules 108(5)]]

Sandalwood <sup>2</sup>[belonging to the owner] received at the Depot and the out-turn of assorted and cleaned wood obtained from it.

Name of the depot.....

Division.....

| Name of Range from which received | Pass number and date under cover of which the wood was received at the Depot | Date of receipt of wood at the Depot | Date of weighing of roughwood | Quantity of rough wood acknowledged | Depot receipt number and date | Date of issue for preparation and cleaning | Out-turn of cleaned wood |          | Remarks |
|-----------------------------------|--|--------------------------------------|-------------------------------|-------------------------------------|-------------------------------|--|--------------------------|----------|---------|
|                                   |  |                                      |                               |                                     |                               |  | Kind or class            | Quantity |         |
| (1)                               | (2)  | (3)                                  | (4)                           | (5)                                 | (6)                           | (7)  | (8)                      | (9)      | (10)    |
|                                   |  |                                      |                               |                                     |                               |  |                          |          |         |

Date.....

Depot officer

To be printed in triplicate in book form.

1. Original to be submitted to the <sup>3</sup>[Deputy Conservator of Forests].
2. Duplicate to be sent to the Range Forest Officer.
3. Triplicate to be retained as counterfoil at the Depot Office.

- 
1. Substituted for the words, figures and brackets "See Rules 108(6) and 113" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "from private lands" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)  
FORM 17**

*[See Rule 118 (3)]*

**(Section 87(1) of the Karnataka Forest Act, 1963)**

**Licence for possession, storage, sale or disintegration of Sandalwood,  
distillation or sale of Sandalwood Oil.**

Shri.....of.....is hereby authorised to possess and store Sandalwood/possess, store and sell Sandalwood/possess, store and disintegrate Sandalwood/possess and store sandalwood and distil or manufacture oil from it/sell oil manufactured or distilled from Sandalwood, at..... from.....to..... subject to the following conditions.

Class, quantity and description .....  
of Sandalwood or Sandalwood oil .....

Signature and designation  
of the License Issuing Officer.

Date.....

Office Seal

**CONDITIONS**

1. This licence is not transferable.
2. On expiry of the period entered in this license, licensee should return the license to the issuing authority and the disintegrator, plant or still or any other contrivance for disintegrating Sandalwood or distilling oil from Sandalwood should be closed.
3. The possession, storing, sale and disintegration of Sandalwood or the sale or distillation of Sandalwood oil shall not be done at a place other than that mentioned in this licence and such place as well as the stock of Sandalwood or Sandalwood oil shall be open for inspection by any Forest or Police Officer not below the rank of a Ranger or a Sub-Inspector of Police.
4. No disintegrating of Sandalwood or distilling of oil from Sandalwood should be done after sun-set and before sunrise.
5. The licensee shall maintain a register of accounts in the Form prescribed and printed on the back of this license and it should be produced for inspection and check when demanded by the Officers mentioned under condition 3. He shall also render the accounts to the <sup>1</sup>[Deputy Conservator of Forests] if and when such accounts are called for by the latter.

- 
6. For breach of any of the conditions of this licence or any of the rules framed in this connection by the Government under the provisions of the Karnataka Forest Act, 1963, the license is liable to be cancelled and the offender shall, on conviction, be punishable with imprisonment for a term which may extend to two years or with fine which may extend to two thousand rupees or with both.

(Form No. 18 to be printed on the back of this licence)

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002



**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)  
FORM 19**

[See Rule 125 (1)]

Application for permit to fell Catechu trees and manufacture Cutch from them

To

The Deputy Commissioner,  
.....District.

Sir,

I,.....S/o.....resident of..... Village.....  
taluk..... district, intend to fell Catechu trees, particulars of which are furnished  
below, for the purpose of.....and  
request for the grant of a permit for the same.

1. Name of the taluk. ....
2. Name of the village .....
3. Survey number or other particulars of the land  
from which the Catechu trees are intended to be  
felled .....
4. The right of the applicant over the land or trees  
in question .....
5. Number of trees to be felled with their girth,  
height, etc. (a list of trees to be enclosed) .....
6. Purpose of felling .....
7. Place where manufacture of Cutch will be  
conducted, if the felling of trees is for the  
manufacture of cutch .....
8. Time required .....

Place.....

Date.....

Signature of the applicant

**THE KARNATAKA FOREST DEPARTMENT**  
**(Karnataka forest Rules, 1969)**

**FORM 20**

*[See Rule 125(2)]*

**Permit for felling Catechu trees and manufacturing Cutch from them**

1. Name and address of the person who is permitted to fell Catechu trees and manufacture Cutch .....
2. Name of the Village and survey number and other particulars of the land from which the trees are to be felled .....
3. Number of trees with their girth, height, etc .....
4. Name of the village or place and survey number in which manufacture of Cutch is permitted .....
5. Period within which the felling of Catechu trees and manufacture of Cutch should be completed .....

Date.....

Office Seal

Signature and designation of the  
Permit Issuing Officer

**CONDITIONS**

1. The permit is not transferable.
2. On expiry of the period entered in the permit, the permit-holder should return the permit to the issuing authority and any contrivance established for the manufacture of Cutch should be closed.
3. The permit-holder shall not manufacture Cutch at places other than those specified in this permit and such place as well as the stock of Catechu wood or Cutch obtained shall be open for inspection by any Revenue, Forest or Police Officer of and above the rank of a Revenue Inspector or a Forest Guard or a Head Constable respectively.
4. The permit-holder shall not transport any Catechu tree or timber or any material obtained from such tree from stump site without obtaining a transit pass from the <sup>1</sup>[Deputy Conservator of Forests] and without getting it stamped with the prescribed hammer-mark or the Forest Department.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

5. The Cutch manufactured under this permit shall not be sold, or otherwise disposed of without obtaining a permit from the <sup>1</sup>[Deputy Conservator of Forests]; nor it shall be transported from the place of manufacture without obtaining a transit pass from or under the orders of the <sup>2</sup>[Deputy Conservator of Forests].
6. The permit-holder shall maintain a correct account of transactions, out-turn, disposal, etc., in a stock-register in Form 23 printed on the back of this permit and produce the same for inspection and check when demanded by the Officers mentioned under condition 3. He shall also render the accounts to the <sup>3</sup>[Deputy Conservator of Forests], if and when such accounts are called for by the latter, in any form that he may prescribe for the purpose.
7. Any other conditions that may be added.....
8. For breach of any of the conditions of this permit or any of the provisions of the Act in this behalf or rules framed thereunder, the permit is liable to be cancelled at the discretion of the Officer issuing the permit and the offender, in addition, shall be liable to be punished according to law.

**To be printed in triplicate:**

1. The original shall be issued to the person seeking the permit.
2. The duplicate shall be sent to the <sup>4</sup>[Deputy Conservator of Forests] for transmission to the concerned Range Forest Officer.
3. The triplicate shall be retained as office copy.

(Form No. 23 to be printed on the back of the original copy of permit).

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)  
FORM 21  
[See Rule 126]**

**Application for permit to sell Cutch**

To

The <sup>1</sup>[Deputy Conservator of Forests],  
.....Division .....

Sir,

I, .....S/o.....resident of.....  
village.....taluk.....district.....intend to sell Cutch  
at.....and furnish the following particulars for grant of a permit.

1. Quantity of Cutch intended to be sold.
2. How, wherefrom and from whom it was obtained?
3. Manufacture permit and / or transit pass number and date under cover of which the material was obtained.
4. Period during which permission for sale is sought.

Place.....

Date.....

Signature of the applicant

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)**

**FORM 22**  
*[See Rule 126]*

(Section 93 of the Karnataka Forest Act, 1963)

**Permit for sale of Cutch**

Shri..... of..... is hereby authorise to store and sell Cutch (Quantity)..... at..... from..... to..... subject to the following conditions.

Date.....

Signature and designation of the  
Permit-Issuing Officer.

Office Seal

**Conditions**

1. This permit is not transferable.
2. On expiry of the period mentioned in the permit, the permit-holder should return the permit to the issuing authority within 15 days of its expiry.
3. The storage and sale of Cutch shall not be done at places other than those mentioned in this permit and such places as well as the stock of Cutch shall be open for inspection by any Revenue, Forest or Police Officer of and above the rank of a Revenue Inspector or a Forest Guard or a Head Constable respectively.
4. The permit-holder shall not transport Cutch without obtaining a transit pass from the <sup>1</sup>[Deputy Conservator of Forests].
5. The Permit-holder shall not purchase Cutch from persons other than those holding similar permits.
6. The permit-holder shall maintain a correct account of transactions of Cutch in a stock register in Form 23 printed on the back of this permit and produce the same for inspection and check when demanded by the Officers mentioned under condition 3. He shall also render the accounts to the <sup>2</sup>[Deputy Conservator of Forests], if and when such accounts are called for by the latter, in any form that he may prescribe for the purpose.
7. Any other conditions that may be added.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002  
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

- 
8. For breach of any of the conditions of this permit or any of the provisions of the Act in this behalf or rules framed thereunder, the permit is liable to be cancelled at the discretion of the Officer issuing the permit and the offender, in addition, shall be liable to be punished according to law.

To be printed in triplicate

1. The Original shall be issued to the person seeking the permit.
2. The duplicate shall be sent to the concerned Range Forest Officer.
3. The triplicate shall be retained as office copy.

(Form 23 to be printed on the back of the original copy of permit)



**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)**

**FORM 24**  
[See Rule 151(2)]

**Permit for cutting and conversion of Government trees (the trees the right of Government to which have been reserved) from occupied lands**

Permit No.....

Date.....

1. Officer to whom this permit has to be shown prior to cutting the trees
2. Name and address of the owner of the Occupied land
3. The survey number of the occupied land on which the trees are to be cut and the name of the village and taluk
4. Description of the trees to be cut and converted

| Serial Number | Kind | Approximate height | Girth at 1.37 meters from ground level | Approximate yield of timber |
|---------------|------|--------------------|--|-----------------------------|
| -             | -    | -                  | -                                      | -                           |

5. Amount of seigniorage or value prescribed
6. Date of payment
7. Time within which cutting and conversion to be completed
8. Date before which the permit is to be returned
9. To whom returnable?
10. When returned?

Date:

\_\_\_\_\_  
<sup>1</sup>[Deputy Conservator of Forests]

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

Office Seal

Conditions

1. This permit does not convey permission to remove the timber from trees felled and converted, the removal in all cases being governed by the transit rules framed by the Government.
2. No Government trees other than those marked by the Forest Officer be felled, up-rooted or converted, nor the converted material be removed from the respective stump-sites unless it is inspected by Forest Officer duly authorised, the timber duly stamped and the transit pass issued.

To be printed in triplicate.-

1. The original to be issued to the applicant.
2. The duplicate to be sent to the concerned Range Forest Officer.
3. The triplicate to be retained as Office Copy at the Divisional Office.

Office Seal

**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)**

**FORM 25**  
[See Rule 145(1)]

Book No.....

Pass No.....

**Pass for Government timber**

1. From..... Coupe/Block..... Forest..... Range
2. To depot at .....
3. Name of contractor: Sri .....
4. Route .....
5. Mode of conveyance and Vehicle No., if any .....
6. Time allowed to reach the depot .....
7. Marks, if any, on the timber .....

| Kind | Log number | Dimensions |          |           | Volume | Remarks |
|------|------------|------------|----------|-----------|--------|---------|
|      |            | Length     | Girth or |           |        |         |
|      |            |            | Width    | Thickness |        |         |
|      |            |            |          |           |        |         |

Date.....

Signature and designation of the Officer  
Issuing the pass

Station.....

To be printed in triplicate:

1. Original to be retained as counterfoil in the issuing office.
2. Duplicate and triplicate to be granted to the transporting contractor.

**THE KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)**

**FORM 26**  
[See Rule 145 (1)]

Book No.....

Pass No.....

**Pass for forest produce (other than timber) belonging to the  
Government.**

1. From..... Coupe/Block..... Forest..... Range
2. To depot at .....
3. Name of contractor: Sri .....
4. Route .....
5. Mode of conveyance and Vehicle No., if any .....
6. Time allowed to reach the depot .....
7. Marks, if any, on the timber .....

| Description of produce | Number | Quantity | Remarks |
|------------------------|--------|----------|---------|
|                        |        |          |         |

Date.....

Signature and designation of  
the Officer issuing the pass

Station.....

**To be printed in triplicate**

1. Original to be retained as counterfoil in the issuing Office.
2. Duplicate and triplicate to be granted to the transporting contractor.

**THE KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**

**FORM 27**  
[See Rule 145 (2)]

Book No.....

Pass No.....

Pass for the transport of timber and other forest produce by consumers and purchasers from Government forest and Government depots.

1. From what forest or depot removed. ....
2. To what place to be removed .....  
.....
3. Name and address of the persons to whom .....  
the pass is issued Sri
4. Marks, if any, on the timber .....  
.....
5. Route .....  
.....
6. Mode of conveyance and vehicle No., if any .....  
.....
7. Name of check-post, enroute, where the .....  
pass and the material are to be produced .....  
for check
8. Time allowed. ....  
.....

| Kind of timber or description of produce | Number or quantity | Dimensions |       |           | Volume | Remarks |
|--|--------------------|------------|-------|-----------|--------|---------|
|  |                    | Girth or   |       |           |        |         |
|  |                    | Length     | Width | Thickness |        |         |
|  |                    |            |       |           |        |         |

Date.....

Signature and designation  
of the Officer issuing the pass

Station.....

To be printed in duplicate:

1. Original to be accompany the forest produce in transit.
2. Duplicate to be retained as counterfoil in the issuing office.

**THE KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**  
**FORM 28**  
*[See Rule 145 (3)]*

Book No.....

Pass No.....

Pass for the transport of timber and other forest produce from Inam Lands  
or private holdings (including Coffee lands).

1. Survey number, Village, Taluk or other place or origin .....
2. To what place to be removed .....
3. Name and address of the persons to whom the pass is issued Sri.....
4. Marks, if any, on timber or forest produce .....
5. Route .....
6. Mode of conveyance and vehicle No., if any .....
7. Name of check-post, enroute, where the pass and the material are to be produced for check .....
8. Time allowed. ....

| Kind of timber or description of produce | Number or quantity | Serial number of pieces of timber | Dimensions |          |           | Volume | Remarks |
|--|--------------------|-----------------------------------|------------|----------|-----------|--------|---------|
|  |                    |                                   | Length     | Girth or |           |        |         |
|  |                    |                                   |            | Width    | Thickness |        |         |
|  |                    |                                   |            |          |           |        |         |

Date.....

Signature and designation of  
the Officer issuing the pass

Station.....

To be printed in duplicate:

1. Original to accompany the forest produce in transit.
2. Duplicate to be retained as counterfoil in the issuing office.

**THE KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**

**FORM 29**

[See Rule 145 (4)]

Book No.....

Pass No.....

Pass for the removal of timber and other forest produce from private markets or private depots or imported from outside the State

1. The private depot from which or the place from which the forest produce is removed .....
2. To what place to be removed .....
3. Name and address of the persons to whom the pass is issued: Sri .....
4. Whence obtained .....
5. Marks on timber or forest produce .....
6. Route .....
7. Mode of conveyance and vehicle No., if any .....
8. Name of check-post, enroute, where the pass and the material are to be produced for check .....
9. Time allowed
10. Number and date of pass in Form 25, 26 or Import pass disposed of

| Kind of timber or description of forest produce | Number or quantity | Dimensions |          |           | Volume | Remarks |
|---|--------------------|------------|----------|-----------|--------|---------|
|   |                    | Length     | Girth or |           |        |         |
|   |                    |            | Width    | Thickness |        |         |
|   |                    |            |          |           |        |         |

Date.....

Signature and designation of  
the Officer issuing the pass

Station.....

To be printed in duplicate:

1. Original to accompany the forest produce in transit.
2. Duplicate to be retained as counterfoil in the issuing office.

| <b>THE<br/>KARNATAKA FOREST DEPARTMENT<br/>(Karnataka Forest Rules, 1969)</b><br><br><b>FORM 30</b><br><i>[See Rule 149(1)]</i>   | <b>THE<br/>KARNATAKA FOREST DEPARTMENT<br/>(Karnataka Forest Rules, 1969)</b><br><br><b>FORM 30</b><br><i>[See Rule 149(1)]</i>  |
|---|--|
| No.....   | No.....  |
| Authorisation to issue way-permits for<br>timber and other forest produce   | Authorisation to issue way-permits for<br>timber and other forest produce  |
| Authorised Sri.....to issued Way-<br>permits for forest produce,<br><i>viz</i> .....belonging to<br>Sri.....in transit, from.....<br>to..... by route.....To be in<br>force till..... | In exercise of the powers conferred by Rule<br>171(1) of the rules framed for the transit of<br>forest produce under Section 50, of the<br>Karnataka Forest Act, 1963, the <sup>1</sup> [Deputy<br>Conservator of Forests].....Division, is<br>hereby authorises Sri.....subject to<br>the conditions noted on the back of this<br>authorisation, to issue way-permits under the<br>above mentioned rule, to cover forest<br>produce, <i>viz</i> .....belonging to.....<br>....in transit, form..... to.....by<br>(route)..... |
|   | This authorisation shall remain in force<br>until..... unless cancelled earlier under the<br>above said rule.  |
| Dated.....  | Dated.....   |
| Office Seal   | Office Seal  |
| Divisional Forest Officer   | Divisional Forest Officer  |
| (To be retained as counterfoil)   | (To be issued to the authorise persons)  |

### CONDITIONS

1. Way-permits shall be issued under this authorisation only on authenticated forms of way-permit to be obtained from the <sup>2</sup>[Deputy Conservator of Forests] on payment of the prescribed fees.
2. The holder of this authorisation shall not issue way-permits of any produce other than that entered in the authorisation, nor without first seeing at the starting station the material actually loaded on the conveyance.
3. No way-permit shall be issued for the movement of timber other than teak and rosewood exceeding 25 cm. in girth at the thickest part and 15 decimetres in length, teak and rosewood timber exceeding 15 cm. in girth at the thickest part and 5 decimetres in length, unless it bears a distinguishing private property mark of the owner of the timber of description which has been registered in the office of the <sup>3</sup>[Deputy Conservator of Forests].

- 
1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
  3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

4. The period of time for which the way-permit is to be in force shall be calculated thus. In the case of transport by a motor vehicle, the day of issue for transit to any point up to 80 kilometres from the place of origin *plus* an additional day for every additional 250 kilometres or fraction thereof, and, in the case of any other form of transit other than railway, the day of issue, *plus*, a day for transit to any point up to 15 kilometres from the place of origin, *plus* an additional day for every additional 15 kilometres or fraction thereof.

**Note.-** For this purpose, the day counts from 6 a.m. to 6 p.m.

5. Unless permitted by the <sup>1</sup>[Deputy Conservator of Forests] under Rule 167 of the rules for the transit of forest produce under Section 50 of the Karnataka Forest Act, 1963, no way permit issued under this authorisation shall cover more than one load, whatever be the mode of conveyance.
6. The holder of this authorisation shall be bound, if called upon by any Forest Officer, to produce for inspection or to surrender the counterfoils of all way-permits which have been used.
7. He shall, on the expiry of the period entered in the authorisation or in the event of it being cancelled, at once return it to the authority who granted it, together with the counterfoils of all used up way-permits and every unused way-permit book and every unused portion of any such book, then remaining in his possession and he shall not however be entitled for any refund of value of the unused books or part of books so returned.
8. No way-permit issued by the said holder, after the expiry of the period entered in this authorisation or after the cancellation of the authorisation, and no way-permit issued by him which is not in a form supplied to him as aforesaid, shall have any validity.
9. No way-permit shall be issued under this authorisation otherwise than in accordance with the conditions entered herein.
10. A breach of any of the conditions entered in this authorisation or any of the transit rules will render the holder liable to be punished under Section 50 of the Karnataka Forest Act, with imprisonment for a term which may extend to six months or a fine which may extend to five hundred rupees or with both.
11. A breach of any of the conditions entered in this authorisation or any of the transit rules will render the holder liable to be punished under Section 50 of the Karnataka Forest Act, with imprisonment for a term which may extend to six months or a fine which may extend to five hundred rupees or with both.
12. Special additional conditions, if any.....  
 .....  
 .....  
 .....  
 .....

<sup>1</sup>[Deputy Conservator of Forests]

(The conditions to be printed on the back of the right half of the authorisation meant for issue).

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**(Karnataka Forest Rules, 1969)****FORM 31**

[See Rule 149 (1)]

Book No.....

Way-permit No.....

Way-permit for the transport of timber and other forest produce, issued by owners under authorisation.

1. Authorisation number, date and by whom issued .....
2. From which place recovered .....
3. To what place to be removed .....
4. Name and address of the person to whom the way-permit is issued .....
5. Whence obtained .....
6. Marks on the timber or other forest produce .....
7. Route .....
8. Mode of conveyance and vehicle Number, if any .....
9. Name of the check-post, enroute, where the permit and the material are to be produced for check .....
10. Time allowed .....
11. Number and date of pass in Forms 27,28 or import pass disposed of .....

| Kind of timber or description of forest produce | Number or quantity | Dimensions |          |           | Volume | Remarks |
|---|--------------------|------------|----------|-----------|--------|---------|
|   |                    | Length     | Girth or |           |        |         |
|   |                    |            | Width    | Thickness |        |         |
|   |                    |            |          |           |        |         |

Date.....

Station.....

Signature of the authorised person

To be printed in duplicate

1. Original to accompany the forest produce in transit.
2. Duplicate to be retained as counterfoil by the issuing person.

**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)**

**FORM 32**  
[See Rule 149 (2)]

**Application for grant of authorization to issue way-permits**

To,

The <sup>1</sup>[Deputy Conservator of Forests],  
.....Division,

.....

|     |  |                  |
|-----|--|------------------|
| 1.  | Name and address of the applicant                                  | Sri.....         |
| 2.  | Name and address of the owner of the Forest produce                | Sri.....         |
| 3.  | Kind and quantity of forest produce                                | .....            |
| 4.  | Whence obtained  | .....            |
| 5.  | How obtained State the licence or pass number                      | .....            |
| 6.  | Name of the person or agent to be authorised to issued way-permits | Sri.....         |
| 7.  | Place from which the produce is to be removed                      | .....            |
| 8.  | Place to which the produce is to be transported                    | .....            |
| 9.  | Route by which the produce would be transported                    | .....            |
| 10. | Mode of transport of the produce                                   | .....            |
| 11. | Period for which the authorisation is required                     | Form.....to..... |
| 12. | Property mark registered in respect of the produce                 | .....            |
| 13. | Number of way-permits required                                     | .....            |

1. I furnish the above information, for grant of authorisation to issue of way-permits for the removal of the produce stated above, and, in case the same is issued as requested, I agree to abide by the Transit Rules framed under Section 50 of the Karnataka Forest Act, 1963, and the conditions subject to which it is issued, and in case the authorisation is in the name of my agent named above, I may be personally as well as jointly held responsible for the acts of the agent as if they were committed by me.

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

2. I attach herewith document to prove my title and ownership to the forest produce mentioned above.

3. I enclose \_\_\_\_\_ treasury receipt for Rs.....towards the fee for issue of authorisation or its renewal.

4. I am also enclosing the four specimen signatures of the person to be authorised to issue way-permits.

Applicant.

Date.....

Place.....

### Declaration by the Agent

I,.....of.....,agree to act as agent of Sri..... for issue of way-permits for.....to be transported from.....to.....via.....,in case I am authorised for the same, I agree to abide by the conditions imposed in this behalf and the rules for the transit of forest produce framed under Section 50 of the Karnataka Forest Act, 1963, for breach of which I may be personally as well as jointly held responsible.

Agent.





**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)**

**FORM 35**  
[See Rule 149(12)]

Register of accounts of way-permit forms received, issued and returned by authorised persons and timber and other forest produce in respect of which the way-permits are issued.

1. Authorisation number and date and from whom received .....
2. Number and date of certificate of registration of property mark .....
3. Period for which authorisation issued and property mark registered .....

| Description and quantity of timber or other forest produce in respect of which authorisation issued |              |      |        |          |      | Receipt of way-permit forms                 |
|---|--------------|------|--------|----------|------|---|
| Date  | How obtained | Kind | Number | Quantity | Date | Book number and number of way-permits forms |
| (1)   | (2)          | (3)  | (4)    | (5)      | (6)  | (7)   |
|   |              |      |        |          |      |   |

| Issue of way permits |   |  | Counterfoils and unused way-permit forms returned |               |                         | Remarks |
|----------------------|---|--|---|---------------|-------------------------|---------|
| Date                 | Name and address of person to whom issued | Kind and quantity of timber or other forest produce in respect of which issued | Date  | Counter foils | Unused way-permit forms |         |
| (8)                  | (9)                                       | (10)   | (11)  | (12)          | (13)                    | (14)    |
|                      |   |  |   |               |                         |         |

**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)**

**FORM 36**

*[See Rules 153 (1) and 157 (1)]*

No.....

**Certificate of Registration**

- 1. Name and address of the person registering or renewing Sri. ....
- 2. Description and quantity of forest produce in respect of which the property mark is registered. ....
- 3. Lands or place in respect of which the property mark has been registered. ....
- 4. Description of property mark. ....
- 5. Remarks ....

Certified that the above named person has registered/renewed the above property mark up to end of .....

Date.....

Office seal

Conservator of forests.....circle  
<sup>1</sup>[Deputy Conservator of Forests]...Division.

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1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)**

**FORM 37**

*[See Rules 153 (1) and 157(1)]*

Register of Property marks

| Sl.No | Name and address of the person registering or renewing | Whether original registration or renewal | For what period registered or renewed | Date of original registration or renewal | Description and quantity of timber, Sandalwood or other forest produce, in respect of which the property mark is registered | In what capacity registered |
|-------|--|--|---------------------------------------|--|---|-----------------------------|
| (1)   | (2)  | (3)                                      | (4)                                   | (5)                                      | (6)   | (7)                         |
|       |  |  |                                       |  |   |                             |

| Details of land such as name of forest or land, Taluk, Hobli, Village and Survey numbers from which the produce is to be removed | In case of Sandalwood, licence number and date for trading in Sandalwood and the authority issuing it | Description of property mark with translation of inscription and a copy of the mark | In case of Import property marks, a copy of the import pass registered along with to be pasted under this column | Number and date of the certificate of registration issued | Remarks |
|--|---|---|--|---|---------|
| (8)  | (9)   | (10)  | (11)   | (12)  | (13)    |
|  |   |   |  |   |         |

**THE  
KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)**

**FORM 38**

[See Rule 155 (1)]

Book No. \_\_\_\_\_ Pass No. \_\_\_\_\_  
**Pass for the removal of Sandalwood from forest and other lands to Government  
Sandalwood depots.**

- |     |   |                                  |
|-----|---|----------------------------------|
| 1.  | From  | Range.....Division.....<br>Taluk |
| 2.  | To  | Depot.....Division.....          |
| 3.  | Name of the forest block, felling series and coupe or name of the village and the survey number from which the wood was obtained. | .....                            |
| 4.  | Whether roughly dressed or not.   | .....                            |
| 5.  | Number of trees.  | .....                            |
| 6.  | Number of root-trees.   | .....                            |
| 7.  | Number of stems and branches.   | .....                            |
| 8.  | Number of root with trees and lateral branches.   | .....                            |
| 9.  | Chips and saw dust.   | .....                            |
| 10. | Marks, if any, on the wood.   | .....                            |
| 11. | Number of carts or registration number of Motor Vehicles.   | .....                            |
| 12. | Name of the contractor, cartman or driver.  | .....                            |
| 13. | Name of the Forest Guard escorting the wood   | .....                            |
| 14. | Time allowed to reach the depot.  | .....                            |
| 15. | Remarks   | .....                            |

(Measurement list shall accompany this form)

Station.....  
Date.....

Signature and designation  
of the Officer issuing the pass

**To be printed in duplicate:**

- Original to accompany the Sandalwood in transit.
- Duplicate to be retained as counterfoil in the issuing office.



**KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**  
**FORM 38A [Rule 108(4)(b) and 155(1)]**

Book No. \_\_\_\_\_

Pass No. \_\_\_\_\_

Pass for the removal of Sandalwood from the lands belonging to an owner to any of the State Government Undertaking notified by the State Government from time to time.

1. From (Mention Forest Range/Forest division)
2. To
3. (Mention name of the Government undertaking)
4. Name of the forest block, felling series and coupe or name of the village and the survey number from which the wood was obtained.
5. Whether roughly dressed or not.
6. Number of trees.
7. Number of root trees.
8. Number of stems and branches.
9. Number of roots and their lateral branches.
10. Chips and saw dust.
11. Marks, if any, on the wood.
12. Number of carts or registration number of Motor Vehicles.
13. Name of the authorised agent/cartman/driver.
14. Time allowed to reach the destination.

**(Measurement list shall accompany this form)**

Station.....

Date.....

Signature and designation  
of the issuing the pass.

**To be printed in duplicate:**

1. Original to accompany the Sandalwood in transit.
2. Duplicate to be retained as counterfoil in the issuing office.

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1. Inserted by Notification No. FEE 16 FSW 2001 dt. 5-9-2002.

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**KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**  
**FORM 39 [Rule 155 (3)]**

Book No. \_\_\_\_\_

Pass No. \_\_\_\_\_

**Pass for removal of Sandalwood by consumers and purchasers from Government Sandalwood Depots.**

- |     |  |       |
|-----|--|-------|
| 1.  | Name of depot.   | ..... |
| 2.  | Name and address of the person to whom the pass is issued. | ..... |
| 3.  | Description of sandalwood.                                 | ..... |
| 4.  | Number or quantity   | ..... |
| 5.  | Weight of sandalwood                                       | ..... |
| 6.  | Marks, if any, on the Sandalwood.                          | ..... |
| 7.  | Cash or credit bill number and date                        | ..... |
| 8.  | To what place to be removed.                               | ..... |
| 9.  | Mode of conveyance.  | ..... |
| 10. | Limit of time allowed for reaching destination             | ..... |
| 11. | Authorised route of transport                              | ..... |
| 12. | Remarks  | ..... |

**N.B:-** The pass-holder is required under the rules to call at all check-posts of the authorised route, post which the Sandalwood is being transported and get the Sandalwood checked and the pass enclosed.

Date.....

Signature and designation  
of the Depot Officer.

**To be printed in triplicate:**

1. Original to accompany the Sandalwood in transit.
2. Duplicate to be retained as counterfoil in the issuing office.
3. Triplicate to be retained as counterfoil in the issuing office.

**KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**  
**FORM 40 [Rule 155 (1)]**

Book No.....

Pass No.....

**Pass for the removal of Sandalwood from private markets or private depots.**

1. The private depot or place from which the Sandal Wood is removed .....
2. Name and address of the person to whom the pass is issued. ....
3. Description of sandalwood. ....
4. Number or quantity .....
5. Weight of sandalwood .....
6. Marks, if any, on the Sandalwood. ....
7. Cash or credit bill number and date .....
8. To what place to be removed. ....
9. Mode of conveyance. ....
10. Limit of time allowed for reaching destination .....
11. Authorised route of transport .....
12. Licence number and date for trading in Sandal Wood and by whom issued .....
13. When obtained .....
14. Number and date of pass in Form 39, 40 or 41 disposed of .....
15. Remarks .....

**N.B:-** The pass-holder is required under the rules to call at all check-posts of the authorised route, post which the Sandalwood is being transported and get the Sandalwood checked and the pass enclosed.

Date.....

Signature and designation  
of the Forest Officer.

**To be printed in triplicate:**

1. Original to accompany the Sandalwood in transit.
2. Duplicate to be sent to the Deputy Conservator of Forests.
3. Triplicate to be retained as counterfoil in the issuing office.

**KARNATAKA FOREST DEPARTMENT  
(Karnataka Forest Rules, 1969)  
FORM 41 [Rule 155 (5)]**

Book No.....

Pass No.....

**Pass for the transport of Sandalwood into or outside the State.**

1. From what place removed .....
2. To what place to be removed .....
3. Name and address of the person to whom the pass is issued. ....
4. Description of sandalwood. ....
5. Number or quantity .....
6. Weight of sandalwood .....
7. Marks, if any, on the Sandalwood. ....
8. Mode of conveyance .....
9. Limit of time allowed for reaching destination .....
10. Authorised route of transport .....
11. Licence number and date for trading in Sandalwood and by whom issued .....
12. When obtained .....
13. Number and date of pass in Form 39, 40 or import pass disposed of .....
14. Remarks .....

**N.B:-** The pass-holder is required under the rules to call at all check-posts of the authorised route, post which the Sandalwood is being transported and get the Sandalwood checked and the pass endorsed.

Date.....

Conservator of Forests.

**To be printed in triplicate:**

1. Original to accompany the Sandalwood in transit.
2. Duplicate to be sent to the Deputy Conservator of Forests.
3. Triplicate to be retained as counterfoil in the issuing office.

**KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**  
**FORM 42 [Rule 163 (5)]**

**Licence for establishing saw-pit, saw-mill or other sawing contrivance**

Shri \_\_\_\_\_ of \_\_\_\_\_ is hereby authorised to establish and run a saw pit/saw-mill/sawing contrivance, viz., \_\_\_\_\_ at \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ subject to the conditions mentioned below.

Date.....  
 Station.....

Signature and designation of the Forest  
 Officer issuing licence.

**CONDITIONS**

1. This licence is not transferable.
2. No sawing should be done after sunset or before sunrise, except under the special permission of the Deputy Conservator of Forests.
3. On expiry of the period entered in this licence, the licensee should return the licence to the issuing authority and the saw pit/saw mill or any other sawing contrivance for cutting or conversion shall be closed.
4. The licensee shall maintain the registers of accounts in the forms prescribed on the back of this licence and they should be produced for inspection and check when demanded by the Officers mentioned under condition 4. Monthly consolidated accounts shall be rendered to the Deputy Conservator of Forests before the 10<sup>th</sup> of the succeeding month.
5. For breach of sub-rules (1),(2),(4) and (5) of rule 163 and of rule 164 of the Karnataka Forest Rules 1969 or any of the conditions of this licence, the licence is liable to be cancelled and the licensee is liable to be punished under the provisions of the Karnataka Forest Act, 1963.

**KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**  
**FORM 43 [Rule 164 (3)]**

Register showing the receipts, issues for sawing, out-turn and disposal of timber belonging to the owner of the saw-pit/saw mill

| Sl. No. | Date of receipt | Long number | Kind | Length | Girth | Volume | Marks, if any | How and where from obtained | Date of disposal | How disposed off |
|---------|-----------------|-------------|------|--------|-------|--------|---------------|-----------------------------|------------------|------------------|
|---------|-----------------|-------------|------|--------|-------|--------|---------------|-----------------------------|------------------|------------------|

Logs issued for sawing, out-turn of sawn materials and their disposal.

| Sl. No. | Date of issued for sawing | Item No. of stock register | Long number | Kind | Length | Out-turn |        |        |        |       | Date of disposal | How disposed | Remarks |
|---------|---------------------------|----------------------------|-------------|------|--------|----------|--------|--------|--------|-------|------------------|--------------|---------|
|         |                           |                            |             |      |        | Girth    | Volume | Number | Length | Width |                  |              |         |

**KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**  
**FORM 44 [Rule 164 (3)]**

Register showing the intake and out-turn of timber undertaken for sawing on job-work.  
 Intake

| Sl. No. | Name and address of the person entrusting sawing on job work | Whence received | Date of receipt in the saw pit or saw mill | Pass or permit number and date if any | Marks if any | Log number | Kind | Length | Girth | Volume | Signature of the person entrusting sawing on job-work. |
|---------|--|-----------------|--|---------------------------------------|--------------|------------|------|--------|-------|--------|--|
|---------|--|-----------------|--|---------------------------------------|--------------|------------|------|--------|-------|--------|--|

**Out-turn and delivery**

| Date of issue for sawing | Number | Length | Width | Thickness | Volume | Date of delivery of the sawn materials | Signature of the person taking delivery of the saw material | Remarks |
|--------------------------|--------|--------|-------|-----------|--------|--|---|---------|
|--------------------------|--------|--------|-------|-----------|--------|--|---|---------|

**KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**  
**FORM 45 [Rule 127A (2)]**  
**(Form of Application)**

TO

The Deputy Conservator of Forests

\_\_\_\_\_

\_\_\_\_\_

Sir,

I/we the owner/s of the Sy.Nos. \_\_\_\_\_ of \_\_\_\_\_ Village \_\_\_\_\_ Taluk \_\_\_\_\_ District residing in the said Sy.Nos. and sell the resultant timber to the Government at the depots prescribed by you for the price to be fixed by the Forest Department. I/we am/are furnishing herewith the following particulars along with the certified copies of the extracts of Revenue Records and the Survey sketch certified by the Assistant Superintendent of Land Records in support of the proof that I/we have the right to land and the blackwood trees in question for your reference and further action.

1. Sy.Nos. and extent in acres.
2. Location of the Sy.Nos with Survey Sketch.
3. Whether the boundary of Sy.No. is cleared and demarcated properly on the ground.
4. The number of blackwood trees standing on Sy.No.
5. The number of blackwood trees intending to be felled and sold to Government (a detailed list with their girths at 4 feet height from ground level).
6. Survey Sketch of the Sy.Nos. locating the blackwood trees to be felled thereon which should be certified by the Assistant Superintendent of Land Records.
7. (a) Tenure of the land (hiduvali Darkhast, lease, Coffee/ Cardamom Malai, Bane and so on and whether redeemed or unredeemed).  
 (b) Right to the land (year of grant or assignment and the period of the continuous occupation by the Owner).  
 (c) Right to blackwood trees to be felled (Proof of right)  
 (d) Any blackwood trees if reserved to Government as per Revenue Records.  
 (e) Payment of value of blackwood trees if any paid in the past in Darkhast cases or in the cases of redeemed tenure in Coorg District.  
 (f) Revenue records along with the certificate of Deputy Commissioner or the Assistant Commissioner as per Government Circular Order No. RD 10 LGU73, dated 4<sup>th</sup> June 1973.
8. Consent of the other owners having share in the right to land and the trees, if any.
9. The reasons for felling the blackwood trees.
10. The period within which the felling will be completed.

11. The manner in which I/we propose to ensure the regeneration of blackwood trees in the place of trees proposed to be removed.

I/we, therefore, request you kindly to accord permission for/take up departmentally, felling and removal of the blackwood timber to Government Depots prescribed by you, for sale to Government.

I/we, am/are prepared to furnish other particulars if any, required and demanded by the <sup>1</sup>[Deputy Conservator of Forests] in this regard during the course of enquiry and co-operate with the Deputy Conservator of Forests or any other Officer authorised by him in this regard in discharging his duties during the course of enquiry and further operations after permission is accorded.

I/we will agree to abide by the conditions that would be imposed by the Deputy Conservator of Forests while according permission to fell and remove the Rose-wood trees proposed to be felled.

Place:

Date

Yours faithfully,

**KARNATAKA FOREST DEPARTMENT (Karnataka Forest Rules, 1969) (To be executed on Stamped Bond Paper worth Rs. 22.50) FORM 46 [Rule 127A (3)]**

(Form of declaration and indemnity to be furnished by the owner of land of blackwood trees in the event of the Forest Department undertaking extraction and removal of blackwood trees on behalf of the owner).

I/we \_\_\_\_\_ the owner/s of blackwood trees standing on Sy.No. \_\_\_\_\_ of \_\_\_\_\_ Village \_\_\_\_\_ Taluk \_\_\_\_\_ District \_\_\_\_\_ hereby declare that I/we agree to abide by the following conditions for extraction and removal of blackwood trees standing on the above said Sy.Nos to Government Timber Depot by the Forest Department on my/our behalf as per the order No. \_\_\_\_\_ dated \_\_\_\_\_ of the Deputy Conservator of Forests.

- (i) I/we shall not object to or interfere with the felling, conversion and transport and disposal of timber or object to any staff of the Forest Department or labourers engaged by the Department for the work, from putting up sheds for temporary residence or for the collection of thatch grass and other materials for the construction of sheds or keeping of elephants and other live-stock on the land or for the collection of fodder or the grazing of animals on the land or the use of water sources or the roads or cart tracks in the land.
- (ii) I/we shall agree to the Forest Department constructing any road cart-tracks or drag-path necessary for the extraction and transport of timber from the said land/s including keeping the timber and other material obtained from the felled trees in any place where it considers necessary to do so, and acquiring temporarily any land necessary for the purpose at my/our expense and agree to return back the land so acquired to the owner from whom it was acquired on completion of extraction and transport.
- (iii) In the event of any obstruction or interference on my/our part in any of the above said matters; or withdrawal of my/our application in this regard after permission is accorded by the Deputy Conservator of Forests, the Deputy Conservator of Forests is at liberty to stop the work of extraction and proceed to recover the actual expenditure incurred by the Department from me/us and any loss caused to the Department in this regard shall be recoverable as arrears of land Revenue under section 109 of the Karnataka Forest Act, 1963 in addition to removal of timber to Government Depots for disposal and appropriation of the sale proceeds towards the amounts due from me/us.
- (iv) I/we shall not hold responsible, the Forest Department for any damages caused to the natural configuration of the land from which the timber is extracted or to any damage done during the extraction to the other tree growth or any crop in the area or to any other structure.
- (v) I/we shall not hold responsible the Forest Department for any depreciation in the value or deterioration in quantity of timber by delay or any other causes at any stage during the course of felling, conversion, transport and disposal of the timber which the department will arrange to do as expeditiously as possible.
- (vi) In the event of any dispute arising between me/us and the Deputy Conservator of Forests in respect of this transaction, I/we accept the decision of the Conservator of Forests as final and binding.

Further, I/we undertake to indemnify the Government or an other party involved in these transactions against any loss that may arise due to any misrepresentation

on my/our part about the ownership of the land or trees or due to our/interference with or obstruction to the department during the course of felling, conversion and transport by the Department.

I/we have signed this declaration this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_\_ before the Deputy Conservator of Forests.

"Before me "

Applicant

Date

Deputy Conservator of Forests.

Date

Witness

1)

2)

**KARNATAKA FOREST DEPARTMENT**  
**(Karnataka Forest Rules, 1969)**  
**FORM 47 [Rule 127A (5)]**

Quadruplicate  
 date\_\_\_\_\_

Receipt No.&

Form of receipt to be given by the Officer- in-charge Government Depot to the Owner of the blackwood trees offering blackwood timber for sale to Government.

Name of Depot\_\_\_\_\_ Name of Agency Delivering the Timber\_\_\_\_\_

| Sy.No. and villages | Transit pass No. and date in which timber is brought to Depot | Name/Designation of the Officer issuing pass | No. of logs sent as per pass and their volume. |
|---------------------|---|--|--|
| 1                   | 2   | 3  | 4  |

Particulars of blackwood timber receipt as per Depot measurements and classifications.

| Sl.No. of logs in the depot as per receipt register | No. of logs | Class of logs | Volume M3 | Whether trimmed to heartwood or not | Remarks |
|---|-------------|---------------|-----------|-------------------------------------|---------|
| 5   | 6           | 7             | 8         | 9                                   | 10      |

Note.- A detailed list of logs with depot measurements should accompany the receipt sending a copy of the same to the Deputy Conservator of Forests.