GOVERNMENT OF MEGHALAYA
MEGHALAYA FOREST (REMOVAL OF TIMBER) (REGULATION) RULES
FOR THE YEAR 1982

MEGHALAYA FOREST (REMOVAL OF TIMBER) (REGULATION) RULES, 1982

CHAPTER I

PRELIMINARY

1.**Short title, extent and commencement**—(1) These rules may be called the Meghalaya Forest (Removal of Timber) (Regulation) Rules, 1982

(2) They shall extend to the whole of the State of Meghalaya.

(3) They shall come into force at once.

2.**Definitions**—In these rules unless the context otherwise requires—

(a)'Act' means the Meghalaya Forests (Removal of Timber) (Regulation) Rules, 1981

(b)'Competent authority' means that Competent Authority appointed by the Government under Section 2 (a) of the Act;

(c)'Form' means a form appended to these Rules.

*(d)*All other terms and expression used in these rules but not defined shall have the same meaning respectively assigned to them in the Act.

3.**Application for licences**—(1) Application for removal of timbers outside the State shall be submitted in

Form No. I to the competent authority under whose territorial jurisdiction the forests from where the timbers are proposed to be removed are situated.

(2) Application for establishment of a "Trading Depot" shall be submitted in Form No. II in the same manner as provided under sub-rule (1).

(3) Applications under sub-rules (1) and (2) shall be submitted through the District Council of the concerned Autonomous District wherever so required under the Act. (4) All applications under this rule shall be made in duplicate and the original copy of which shall bear a Court Fee Stamp of Rupees three and thirty paise only.

4.**Disposal of applications and grant of licences**—(1) The competent authority on receipt of the application under Rule 3, shall immediately acknowledge receipt of the same and subject to the provisions of the Act, cause an enquiry to be made in a manner he deems proper.

(2) If the competent authority is satisfied that a licence may be granted shall—

*(a)*For removal of timber outside the State for trade or otherwise, issue a licence in

Form No. III and the species, sizes, total quantity of the logs or timbers, the area from where the timbers are to be removed and the route by which the same are to pass in the State shall be stated in the licences. The licence granted under this clause shall be valid for a period not exceeding one year and may for a like period be renewed.

*(b)*For establishment of depot issue a licence in Form No. IV which shall be valid up to the 31st of March next following and may for a like period be renewed.

(3) Where grant of licence under these Rules is refused the competent authority shall record the reasons therefor.

(4) If no final order is passed on an application by the competent authority within six months from that date of its receipt it shall be deemed that licence has been granted.

(5) Application for renewal of the licence shall be made in

Form No. V and submitted at least thirty days before expiry of the licence.

5.**Licences not to be granted**—Notwithstanding anything contained in these Rules the competent authority shall not grant any licence for removal outside the State in respect of timbers of the following sizes, namely:

i) All timbers in round form which are less than 30 cm, in diameter,

ii) All rough square timbers which are less than 20*20 sq.cm, in cross sectional area:

Provided that in case of Carpinus vaminea no licence shall be granted where timbers in the round form are less than 20 cm, in diameter and where in sawn form or less than 15*15 square cm, in the base area.

6.**Appeal against orders of competent authority**—(1) Any applicant being aggrieved by the orders of the competent authority may prefer an appeal to the Chief Conservator of Forests in the first instance. One application by the aggrieved party orders of the Chief Conservator of Forests will be reviewed by the Government.

(2) The appeal shall be preferred within sixty days and review application within thirty days from the date of communication of the order appealed against. The appeal petition shall bear a Court Fee Stamp of Rupees ten only and shall accompany a Bank deposit at call receipt of Rupees fifty only as the appeal fees without which no appeal petition shall be heard.

(3) The appeal fees referred to above shall be forfeited to the Government in the event of the appeal being rejected and shall be credited to Government as Miscellaneous revenue of the Forest Department. In the event of the appeal being granted the fees shall be adjusted towards licence fees payable by the applicant.

7.**Licence fees**—(1) For issue of licences under these Rules fees at the following rates and Court Fee Stamps shall be paid:

Category of licence	Amount
(i) For a licence in Form No. III (Removal of timbers)	Rupees five hundred per 100 cubic meter or part thereof subject to maximum of Rupees one thousand.
(ii) For a licence in Form No. IV (setting trading depot)	Rupees five hundred per 100 squares meters of the area covered by the depot or any part thereof subject to maximum of Rupees one thousand.

Category of licence	Amount
(iii) For renewal of licence referred in item (i)	Rupees three hundred.
(iv) For renewal of licence referred in item (ii)	Rupees three hundred.

(2) Members belonging to Scheduled Tribes recognised as such in the State of Meghalaya shall pay half of the amount specified column two of sub-rule (i); provided, however, that the maximum of Rupees one thousand shall also apply in their case.

8.**Records to be maintained and furnished by the licence holder**—Every licensee shall maintain the registers as in

Form No. VI and No. VII for export of timber and maintain trading depots respectively and abstract from the registers showing monthly transaction of timber shall be submitted within the 7th days of month following to the competent authority.

Form No. VI-A and No. VII-A.

9. **Property hammer**—The licensee shall have a separate property hammer registered with the competent authority for use on timbers dealt by him for the trade depot. The facsimile of the hammer shall be approved by the competent authority and shall contain the Licence No. of the licence holder. Usual fees as prescribed under the relevant Forest Acts and Rules shall be leviable for registration of the hammer referred to under this Rule.

10. **Verification by the competent authority**—The competent authority or an officer not below the rank of a Forester and authorised by him shall have the right to check and verify the registers and the stock of timber at any reasonable time during the working hours and the licences shall be bound to produce such documents, registers, and render all assistance to the officer in checking and verification of the timbers.

11. **Stocking of any other timber**—Any timber or forest produce found in the depot or within 100 meters from the boundaries thereof or in possession of the licences and not covered by Transit Pass, Permit or Challan or any other valid documents shall be liable to be confiscated to the Government besides making the licensee liable to any action under the law.

12. **Export Transit Pass**—Every consignment of timbers meant for export outside the State shall be checked by a forest officer not below the rank of Forester Grade I and an Export Transit Pass issued. No timber shall be allowed to cross the State boundaries unless accompanied by the Export Transit Pass.

13. **Composition fee**—(1) Any offence under the Act may be compounded by an officer authorised by the Government under Section 15 of the Act, on payment of a sum of money equal to double the amount of royalty value of the timber in respect of which the offence has been committed subject to a minimum of Rs. 50 (Rupees fifty) only.

(2) The composition fee payable under sub-rule (1) above shall be in addition to the royalty and other dues payable on the timber.

FORM I

[Rule 3 (1)]

From.....

To.....

The Divisional Forest Officer,

(The Competent Authority under the MFRTR Act, 1981)

.....Division

Subject—Removal of timber outside the State.

Sir,

I intend to transport the timbers particulars of which are furnished below to.....(name of place outside the State) for trade purpose.

Necessary permission for the same may kindly the issued. All necessary particulars are furnished below:

1.Name of applicant and permanent address.....

2.Description of timbers intended to be exported.....

Sp. Size Quantity 3.Origin of the forest produce:

(i) Name of the forest areas from where collected.....

(ii) How acquired—(reference may be given to valid permit, settlement order etc).

4.Period during which the forests produce is proposed to be exported.

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5.The route through which to be exported and name of the established Forest Check Gate through which it will cross the State boundary.

Yours faithfully,

ACKNOWLEDGEMENT

The applicant dated.....(in

Form I) from..... for a licence to export timbers outside the State has been received in this office.

Seal of office.

Divisional Forest Officer,
(The Competent Authority under
the MFRTR ACT, 1981)
Divisional.....

FORM II

[Rule 3 (2)]

From.....

To.....

The Divisional Forest Officer,
(The Competent Authority under
the MFRTR Act, 1981)
.....Division

Subject—Establishment of a Trading Depot for Timber Remission for.

Sir,

I intend to establish a trading depot for timber at a place mentioned below. All necessary particulars are furnished below:

Necessary permission may kindly be accorded.

1.Name and address of applicant.....

2.Description of the proposed timber Depot.....

(i) Location .....
(Village,Town, etc.)

(ii) Bounded by North.....
East.....
South.....
West.....

(iii) Area of the proposed depot (in case of irregularly shaped-land, area may be furnished accordingly; approximate average length and average width)
Length.....M.
Width.....M.
Area.....sq.M.

3.Quantity of timber proposed to be stocked in the depot.

4.If the depot meant for local sale or for export to outside the State

5.Ownership of the proposed Depot land. If the land does not belong to the applicant has permission for its proposed use been taken from the owner?

(Attach copy of documentary proof)

6.Period for which the Depot is proposed to be maintained

Minimum.....Cm.

Maximum.....Cm. Average monthly.....Cm. .....

.....

.....

Yours faithfully,

ACKNOWLEDGEMENT

The application dated..... (in

Form II) from..... for a licence to establish a timber licence depot at..... has been received in this office on.....

Seal of office

Divisional Forest Officer,
(The Competent Authority under
the MFRTR Act, 1981)
.....Division

FORM III

[Rule 4 (2) (a)]

Licence for export of timber outside the State

Subject to provisions of Meghalaya Forest (Removal of Timber) (Regulation) Act, 1981 and Rules framed there under, this licence is hereby granted to—

Name.....Address.....for export of timber outside the State for the period from.....to 31st March, 20.....as per details mentioned below. The route through which the timbers may be transported shall be—

Species	Length Girth/Size Volume	Remark

Total Volume.....Cm.

Note—(1) Details to be furnished species-wise and where length size cannot be assessed maximum number of each species allowed to be transported outside the State may be mentioned.

(2) Timbers of size below the prescribed limit and species included in the Schedule of the Act are not allowed to be transported outside.

Licence fee of Rs.....realised vide Recpt. No.....dated.....

Facsimile of the Depot hammer approved.....

Dated the.....20.

Divisional Forest Officer,
(The Competent Authority under
the MFRTR Act, 1981)
.....Division

The licence is renewed up to 31st March, 20. On realisation of a licence fee of Rs.....only *vide* Recpt. No.....dated.....20.

Dated the.....20.

Divisional Forest Officer,
(The Competent Authority under
the MFRTR Act, 1981)
.....Division

Note—The licence shall be surrendered within 15 days from the date of expiry to the issuing officer.

FORM IV

[Rule 4 (2) (b)]

Licence for establishment of a Timber Trading Depot

Subject to provisions of Meghalaya Forest (Removal of Timber) (Regulation) Act, 1981. This licence is hereby granted to—

Name.....

Address.....

For the period from.....to 31st March 20.....to establish a trading depot for timber at.....

Location.....at.....

Covering an area of more or less.....sq. metres bounded by on the—

North.....

East.....

South.....

West.....

And is allowed to trade on timber subject to the provisions of Meghalaya Forest (Removal of Timber) (Regulation) Rules, 1982 from the said premises.

Licence fee of Rs.....realised *vide* Recpt. No.....

dated.....

Divisional Forest Officer

Licence is renewed up to 31st March, 20.....on realisation of renewal fees of Rs.....vide Recpt. No.....20.

Dated.....

Divisional Forest Officer

Note—Licence shall be surrendered within 15 days from the date of expiry to the issuing officer.

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FORM V

[Rule 4 (5)]

From

.....

To,

The Divisional Forest Officer,

(The Competent Authority under the MFRTR Act, 1981)

.....Division.

Sub: Renewal of Trading/Depot Licence No.....

Sir,

I hereby apply for renewal of the licence No.....of..... for transporting timber outside the State/for establishing a trading depot for timbers for a further period of one year ending on 31st March, 20.

The following charges may kindly be incorporated in the licence.

The licence is enclosed herewith for necessary action.

Yours faithfully

FORM VI

[Rule 8]

Register of Export of timber to.....outside the State

Date	Receipt			From where received	Ref. to TP/ Challan No.	Particulars of Timber				Disposal		Balance stock of the date
	Particulars of Timber											
	Species	Size	Volume			Date	Species	Size	Volume	Where sent	Ref. to T.P.	
1	2	3	4	5	6	7	8	9	10	11	12	13

FORM VI-A

[Rule 8]

Export of Timber Return for the month ending.....20. Name of Licence holder.....Licence No.....

Name of Timber received during the month					Quantity of Timber exported during the month			Closing balance at the end of month	
Species	Size	Volume opening stock at the beginning of the	Received during the month	Total Col. 3 & 4	Species	Size	Volume	Col. 5-8	Remarks
1	2	3	4	5	6	7	8	9	10

Dated the.....20.

Certified that the information furnished above are correct to the best of my knowledge and belief.

Signature of the Licence holder

Note—(1) Entries should be made species-wise.

(2) To be submitted to the Divisional Forest Officer concerned not later than 7th day of the following month.

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FORM VII

[Rule 8]

Register of Receipt and Disposal of Timber

Dated.....

Receipt						
Particulars					From where received	Ref. to TP/Challan No. and date
Date	Species	Length	Girth/size	Volume		
1	2	3	4	5	6	7

Disposal						How disposed	Ref. to TP No. and date	Balance stock at the end of the day	Remarks
Date	How disposed	Particular of timber disposed							
		Species	Length	Girth/size	Volume				
8	9	10	11	12	13	14	15	16	17

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FORM VII-A

[Rule 8]

Abstract of Stock Register

For the month of.....20.

(To be submitted not later than 7th day of the following month)

Depot Licence No..... Name of Licence holder.....

Species	Opening stock on 1sr of the month	Quantity revised during the month	Total of Cols. 2 and 3	Quantity disposed of during the month	Closing stock of the month (Col. 4-5)	Remarks
1	2	3	4	5	6	7

Certified that the return is correct
to the best of my knowledge Dated

the.....20.

Signature of Licence holder