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GOVERNMENT OF TAMIL NADU [Regd. No.
TN/CCN/467/2009-11.
2009 [Price: Rs. 2.40 Paise.

TAMIL NADU

No. 18] CHENNAI, THURSDAY, JANUARY 22, 2009
Thai 9, Thiruvalluvar Aandu– 2040

Part III—Section 1(a)

General Statutory Rules, Notifications, Orders, Regulations, etc., issued by Secretariat Departments.

NOTIFICATIONS BY GOVERNMENT

ENVIRONMENT AND FORESTS DEPARTMENT

THE TAMIL NADU SANDALWOOD TREES ON PATTA LAND RULES, 2008.

[G.O. Ms. No. 140, Environment and Forests (FR4), 27th November 2008.]

No. SRO A-(b)/2009.

In exercise of the powers conferred by sub-section (3) of Section 36-F of the Tamil Nadu Forest Act, 1882 (Tamil Nadu Act V of 1882), the Governor of Tamil Nadu hereby makes the following rules:—

2. The rules hereby made shall come into force on the 27th day of November 2008.

RULES

1. *Short title.*—These rules may be called the Tamil Nadu Sandal Wood Trees Patta Land Rules, 2008.

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

(*a*) "Act" means the Tamil Nadu Forest Act,1882 (Tamil Nadu Act V of 1882);

(*b*) "Conservator of Forests" means the Conservator of Forests, having jurisdiction over the land wherein the sandalwood tree is grown;

(*c*) "District Committee" means any Committee constituted by the Government under the Tamil Nadu Preservation of Private Forest Act,1949 (Tamil Nadu Act XXVII of 1949), and the Tamil Nadu Hill Areas (Preservation of Trees) Act,1955 (Tamil Nadu Act XVIII of 1955);

(*d*) "Final Cleaning Depot" means the depot authorized by the concerned District Forest Officer for processing and final cleaning of Sandalwood;

(*e*) "Sandalwood" includes sandalwood roots, billets, sandalwood dust, sandalwood chips, sandal sapwood and sandalwood oil;

(*f*) "Sandalwood tree" means a sandalwood tree grown on any patta land;

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(*g*) "Tahsildar" means the Tahsildar having jurisdiction over the land wherein the sandalwood tree is grown;

(*h*) Words and expressions used but not defined in these rules shall have the meaning assigned to them in the Act.

3. Form and manner of making an application to sell the sandalwood tree to the Government (1) The owner of a sandalwood tree who desires to sell the sandalwood tree to the Government shall make an application to the District Forest Officer in

Form-I appended to these Rules. (2) The application for sale of sandalwood tree shall be accompanied with the following documents namely:—

(*i*) A certificate of ownership of the land in which the sandalwood trees are grown, as issued by the Tahsildar;

(*ii*) Extract of Chitta / Adangal;

(*iii*) Sketch of the patta land;

(*iv*) A copy of the deed of tenancy, lease, mortgage with possession or otherwise executed in favour of the owner of the sandalwood tree;

(*v*) List of sandalwood trees proposed to be sold.

Form-I and other documents furnished by the applicant and satisfy himself as to the ownership of the sandalwood trees that are proposed to be sold to the Government.

5. *Extraction and processing of sandalwood tree—(1) Enumeration*.—The District Forest Officer shall, before granting permission under sub-rule (2) of this rule, require the Forest Ranger having jurisdiction over the area in which the sandalwood trees are grown to inspect all the sandalwood trees which are proposed to be sold and to mark such trees for extraction and make a report in writing to the District Forest Officer in

Form-II. The District Forest Officer (or) the Assistant Conservator of Forests shall check at least 10% of the sandalwood trees (i.e., one in every ten trees) and record their report in writing.

(2) *Extraction.*—(a) The District Forest Officer shall verify the condition of the sandalwood trees proposed to be sold and the documents furnished by the owner of the sandalwood tree along with the report of the Forest Ranger and shall grant permission to sell those sandalwood trees to the Government and to extract the same subject to such conditions as he may think fit and in accordance with the provisions of the rules and communicate a copy of such order to the owner of sandalwood tree and the concerned Forest Ranger. The District Forest Officer may also refuse to grant such permission, after recording the reason therefore.

(*b*) The District Forest Officer shall before granting permission for extraction obtain necessary permission from the concerned District Committee, if the area in which the sandalwood trees are grown is notified either under the Tamil Nadu Preservation of Private Forests Act,1949 (Tamil Nadu Act of 1949) or the Tamil Nadu Hill Areas (Preservation of Trees) Act,1955 (Tamil Nadu Act of 1955).

(3) *Hammer Marking.*—The District Forest Officer shall direct the Forest Ranger to extract the sandalwood trees, hammer mark them and transport the extracted trees to the nearest "Final Cleaning Depot" under proper permit. The extraction of trees and recording their measurement in the column 1,2 and 3 in

Form-III shall be done in the presence of the owner of sandalwood tree or his authorized agent and the signature of the person referred to above shall be obtained. The other details in Form-III shall be maintained by the concerned Depot Ranger.

(4) *Final Cleaning and Assessment of work.*—After processing the final cleaning of the extracted sandalwood trees in the **"Final Cleaning Depot",** the final cleaning records will be made available to the owner of the sandalwood tree or his authorized agent on demand. The particulars regarding the weight of the "Final cleaned wood" shall be recorded in

Form-IV. The quantity of final cleaned wood including sapwood and their value calculated based on the average sale price of previous sale of the concerned "Final Cleaning Depot" shall be intimated by the District Forest Officer of that"Final Cleaning Depot", to the District Forest Officer of the concerned division from whose jurisdiction the sandalwood trees were extracted.

Explanation.—"Final Clean Wood" means the wood as sorted and classified in rule-29 of the Rules regarding Selection, Felling, Cleaning, Classification and disposal of sandalwood and method of maintaining depot accounts and other register.

(5) Save as otherwise provided in these Rules, Felling, Cleaning, Classification and disposal of Sandalwood and the method of maintaining depot accounts and other registers shall be carried out as provided in the Rules regarding, Selection, Felling, Cleaning, Classification, Disposal of Sandalwood and method of maintaining depot accounts and other registers.

(6) *Fixation of price*.—The District Forest Officer shall calculate and fix the sale price of the final cleaned wood based on the average sale price of previous sale of Sandalwood conducted in that **"Final Cleaning Depot"** and if there is no sale for that particular class of Sandalwood the fair or base price approved by the Government for the sale may be taken into consideration. 10% of such sale price shall be deducted from the total sale price of the Sandalwood for charges towards extraction, transport and final cleaning and another 10% for administrative charges. The 80% of the sale price shall be the"net sale price" and that will be paid to the owner of the Sandalwood tree. The owner of the Sandalwood trees shall be paid 20% of the "net sale price" within 30 days of the extraction and the balance shall be paid within 90 days.

(7) *Appeal*.—If the owner of the Sandalwood tree is aggrieved by an order of the District Forest Officer in fixing the price of the sandalwood under rule 6, may within 30 days from the date of receipt of such order, prefer an appeal in writing to the Conservator of Forests concerned. The Conservator of Forests shall, after giving the appellant an opportunity of being heard, pass such order thereon as he may think fit. The orders of the Conservator of Forests shall be final.

N. SUNDARADEVAN,
Principal Secretary to Government.

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APPENDIX

FORM-I

APPLICATION

[See Rule 3 (1).]

1. Name and address of the applicant;
2. Survey number of the land or lands on which the sandalwood tree or trees proposed to be sold are grown;
3. Name of the village, taluk and district where the sandalwood trees are grown;
4. Proof of owner ship of the sandalwood tree;
5. Proof of tenancy lease, mortgage, possession or otherwise;
6. Condition of the sandalwood tree (whether it is green/dying or dead);
7. List of sandalwood trees with the details of girth over bark at 1.37 metres from ground level.

Place:

Date:

Signature of the applicant.

I hereby declare that the information furnished above is true to the best of my knowledge and belief. I also undertake to comply with the conditions subject to which, permission may be granted by the District Forest Officer.

Signature of the applicant.

FORM-II

REPORT OF THE RANGER

[*See* Rule 5(1).]

1. Whether the applicant is the owner of the sandalwood tree or trees proposed to be sold;
2. In case of joint ownership, whether all the joint holders have given the consent to the application (statement to be obtained if all of them have not made a joint application);
3. Number of sandalwood trees proposed to be sold;
4. Condition of the sandalwood trees (dead or dying/green);
5. Age of the sandalwood trees;
6. Recommendations (along with) remarks/reasons, if the application is not recommended.

Place:

Date:

Signature of the applicant.

Name of the Applicant.....

FORM-III

[*See* Rule 5(3).]

Measurement and weight of rough cleaned wood and sap wood of the sandal tree (extracted and cleaned).....

Survey field No.....of Village in.....Ran ge in.....

Division to Final Cleaning Depot situated in.....Village.....Range.. .....Division.

Serial No. of trees.	*Girth at breast height under Sandal-bank in Cms.*	*Description*	*Description of pieces for T&B cleaning.*	*Length in Cms.*	*Girth in Cms (mid top and girth Kgs. to the nearest*	*Weight of Rough wood (in Kgs.) Cleaning Nearest to three places).*	*Weight of sap wood consignment*	*Total weight of (weight wood Depots Keeper.*	*Remarks and initials of the Final of or his agent.*	*Signature of the owner*
		Trunk Root Chat badla V Branch Begaraded VI Date of Measurement on Rough three decimal								
(*1*)	(*2*)	(*3*)	(*4*)	(*5*)	(*6*)	(*7*)	(*8*)	(*9*)	(*10*)	(*11*)

FORM-IV

[*See* Rule 5(4)]

Name of the Applicant.....

Weight of the Final Cleaned wood (Extracted and cleaned).....survey field No. ….....of Village in.....Range in.....Division to Final Cleaning Depot situted in .....Village.....Range .....Division.

Initial of Depot Keeper Jajpokal 2nd class XI Jajpokal 2nd class

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(*1*)	(*2*)	(*3*)	(*4*)	(*5*)	(*6*)	(*7*)	(*8*)	(*9*)	(*10*)	(*11*)	(*12*)	(13)	(*14*)	(*15*)	(*16*)	(*17*)	(18)	(*19*)	(*20*)	(*21*)	(*22*)
			No.	No.	No. No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.
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Balance Brought Forward																					

XII Permit No. Cheria XIII officer officer Deficit Total Date

Receipts

Hare give—

1. Invoice
2. Coupe
3. Series
4. Range

Total including

Balance issued

i.e., delivered to the

Purchasers or his

Forests

Authorised agent

Balance carried over.

N. SUNDARADEVAN,
Principal Secretary to Government.

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