13. Telangana Red- sanders Wood Possession Rules, 1989

The Andhra Pradesh Red- sanders Wood PossessionRules, 1989, issued in Vide G.O. Ms. No. 413, EFEST (For-III) Dept., dt.3-11-1989 and pub.in of Telangana vide Notification issued in G.O. Ms.No.22, EFS&T (For.I) Department, dated 13.05.2015.

In exercise of the powers conferred by Section 29 read with sub-section (1) of Section 68 of Andhra Pradesh Forest Act, 1967 (Andhra Pradesh Act I of 1967), and in supersession of all existing rules on the subject made under any of the Acts repealed under Section 72 of the Act aforesaid, the Governor of Andhra Pradesh hereby makes the following rules regarding the possession of Red-Sanders wood.

RULES

1.These rules may be called the Telangana Red- Sanders Wood Possession Rules, 1989.

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

(a)‘Owner’ means a person who has the red-sanders wood trees in his patta land.

(b)‘Divisional Forest Officer’ means the Divisional Forest Officer having jurisdiction over the area concerned.

(c)‘form’ means a form appended in the schedule appended to these rules.

(d)‘licence’ means licence prescribed in these rules.

(e)‘stockist’ means a person who stocks red-sanders wood.

3.No person shall possess red-sanders heartwood or a piece of woodcontaining both sapwood and heartwood at which the heartwood does not exceed 10 cm. in diameter at thickest end, in excess of 20 Kgs. In any shape, or indulge in manufacture or trade except under a licence issued in this behalf in

Form-II by a Divisional Forest Officer and except the circumstances mentioned hereunder.

4.Every application for grant of licence shall be in Form-I and accompanied by authenticated documents and other material in support of origin of procurement of red-sanders wood and a fee of Rs. 1000. The Divisional Forest Officer may grant or reject the licence depending on the circumstances, without assigning any reasons.

5.Any person aggrieved by an order of the Divisional Forest Officer under Rule 4 may appeal to the Conservator of Forests, within a period of fifteen days from the date of receipt of cancellation order, whose decision shall be final.

6.On the licence so granted under Rule 4 the owner or the stockiest shall not at any one time possess over and above one metric tonne of red-sanders wood in any form or shape obtained from patta lands or otherwise except with the written permission of the Divisional Forest Officer concerned. Licence once granted under Rule 4 shall not be transferable and no person shall hold Power of Attorney on behalf of licensee.

7.Every licence issued or renewed at any time during the financial year shall be valid till the end of the Calendar year.

8.The Divisional Forest Officer may on an application made by the licensee, renew his licence, or reject his licence without assigning any reasons therefor.

9.The fees chargeable for renewal of licence shall be Rs. 500.

10.(1) A duplicate licence, in the event of loss of original licence shall be granted only after due enquiry by Divisional Forest Officer.

(2) The fee chargeable for grant of duplicate licence shall be Rs. 500

11.(1) If at any time, it appears to the Divisional Forest Officerthat the licensee has contravened any of the provisions of these rules or failed to comply with any of the conditions laid down on the grant of licence, he may cancel or suspend the licence after giving the said licensee fifteen days' notice in writing for making his representation against such cancellation or suspension.

(2) Any person aggrieved by the orders of Divisional Forest Officer passed under sub-rule (1) may within 15 days from the date of receipt of such order prefer an appeal to the Conservator of Forest who may pass such orders as he deems fit after recording the reasons therefor.

(3) Any person aggrieved by the orders of Conservator of Forests passed under sub-rule (2) may within 30 days from the date of receipt of such order, prefer a second appeal to Chief Conservator of Forests, who may pass such orders as he deems fit, after recording the reasons therefore, and whose orders shall be final.

12.(1) Every owner, or stockiest who intends to possess anyconsignmentof red sanders wood, shall immediately inform the Divisional Forest Officer, in writing of the actual source from which heintends to obtain such red-sanders wood and supply such information as the Divisional Forest Officer may requireto satisfy himself about *bona fides* of such red-sanders wood.

(2)The owner or stockiest who comes into possession of a consignment of red-sanders wood shall within 24 hours of such possession, intimate the Divisional Forest Officer about the fact of actual possession and the same shall be inspected by an officer not below the rank of Forest Range Officer without any delay; and till such inspection is over the owner or stockiest shall not tamper with the identification marks that may have been already placed on such red sanders wood.

(3) A owner of stockiest shall not convert such red-sanders wood as he may have come into possession in accordance with sub-rule (2) except in accordance with orders in writing of the Divisional Forest Officer.

13. (1) Every owner or stockiest storing red-sanders wood or its products obtained by manufacture or conversion shall furnish the Divisional Forest Officer full particulars of the place of storing together with a certified sketch of the premises. The premises should be distinguishable by a Notice Board conspicuously displayed. Any change in such place shall be made only after giving prior intimation to Divisional Forest Officer.

(2) Every owner or stockiest shall maintain a stock register showing receipts and issues of red-sanders wood and all its products.

(3) A true extract of stock register in Form-III shall be submitted to Divisional Forest Officer before 10th of every month. In the event of failure to furnish the return he shall be liable for a penaltywhich shall not be less than Rs. 1000/- but shall not exceed Rs. 2500/- and in the event of failure to pay the penalty so levied, the licence shall stand automatically cancelled.

14.(1) The stock register and stock of red-sanders wood shall be kept open for inspection at any time by any Forest Officer not below the rank of Forester having jurisdiction over the area concerned.

(2) The inspecting officer, if he has reason to believe that the terms of licence have been contravened, seize any or all records, stocks, of red-sanders wood, vessels and conveyance used in such contravention. The seizure may be removed by the inspecting officer for safe custody and produce in the Court having jurisdiction over the area within a week.

15.(1) Whenever the inspecting officer considers that the production of any document or other thing is necessary for purposes of compliance with these rules, the inspecting officer, may issue a written requisition or order, to the owner or stockist in whose possession such document or thing is believed to be, requiring him to produce it at the time and place stated in the requisition order.

(2) Where the inspecting officer has reason to believe that the owner or stockist, to whom an order under sub-rule (1) has been or might be addressed, will not or would not produce document or thing as required bysuch requisition or order, or where the inspecting officer considers that the purpose of these rules will be served by a general search by himself or obtain a search warrant and execute in the manner provided in the Code of Criminal Procedure 1973.

16. Nothing in these rules shall apply to red-sanders wood put in actual domestic use. Whether an article made of red-sanders wood is put for domestic use or not would be decided by the Divisional Forest Officer concerned, and his decision shall be final.

SCHEDULES

THE SCHEDULE

FORM-I

Form for the application of Licence

[See *Rule 3*]

1.Name of the applicant

2.Father's /Husband's name.

3.Address of the applicant.

4.Names and addresses of persons from whom the applicant proposes to obtain the red-sanders wood.

5.Place where the applicant proposes to keep the red-sanders wood.

6.Quantity of wood, No. of pieces, length, girth, and weight in kgs. of individual piece.

Date :Signature of Applicant.

FORM-II

Form of Licence

[See *Rule 3*]

Original/Duplicate 1.Licence Number

2.Name of Licensee

3.Address of Licensee

4.Place of storage of red-sanders wood.

5.Quantity description of produce that is permitted for storage.

Licence is hereby granted, to the person mentioned above for the possession of redsanders wood from the date of issue of licence to the 31st December ……. subject to the provisions of the TelanganaForest Act, 1967 and rules thereunder.

The Licensee shall submit abstract of Stock Register, before 10th of every month to the undersigned.

The Licence will be cancelled if any contravention of TelanganaForest Act, 1967, and rules made thereunder is committed.

Station : Signature of the Issuing Officer Date:

Designation

(Strike out whichever is not necessary)

FORM-III

Form of Stock Register

[See *Rule 13(3)*]

Name of the Owner……..…….../Stockist……..……..Month……

Licence Number …….

Place of Storage …….

RECEIPTS

Date Opening Balance of permit and by whom issued	No. and date	Description of red-sanders wood No. of pieces (length girth) description of article in form and shape.	Quantity in Kgs.
1	2	3	4	5

ISSUES

No. & Date of permit to whom issued	Description of red-sanders	Whether converted or not if converted No. of products derived and disposed	
6	7	8	
Quantity in Kgs.	Total balance		Remarks
9	10		11

Note: --- In description of red-sanders wood in columns (4) and (7) if it is in log form, No. of logs is to be indicated. If it is in the shape of musical instrument, idols, vessels or containers parts, chips, or powder or scrap, same shall be entered in the column.

2. In column (8), details of products, namely billets, idols, containers, instruments, parts, chips, powder, scrap etc., may be indicated separately along with their quantity.