GOVERNMENT OF TELANGANA
ABSTRACT

EFS&T Dept. - Telangana Wood Based Industries (Regulations) Rules, 2016, duly repealing the T.S. Saw Mill (Regulation) Rules, 1969 – Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (For.I) DEPARTMENT

G.O.Ms.No.55 Dated:26.09.2016 Read the following:-

1. G.O.Ms.No.22, EFS&T (For.I) Department, dt. 13.05.2015. 2. From PCCF (HoFF), TS, Hyderabad, Rc.No.20876/2003/Prod.2/ TG, Dt.28.01.2015, 11.3.2016 and 04.05.2016.

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ORDER:

NOTIFICATION

In exercise of the powers conferred by section 29 read with section 68 of the Telangana Forest Act, 1967 (Act 1 of 1967), the Governor of Telangana hereby makes the following rules to regulate the location of sawmills and conversion of timber at the sawmills in the State.

1. ***Short title, extent and commencement -*** *(1) These rules may be called the Telangana Wood Based Industries (Regulations) Rules, 2016.*

(2) These rules extend to the whole of the State of Telangana.

(3) They shall come into force on such date as the State Government may publish by notification in the official Gazette.

2. ***Definitions:-***(1) In these rules, unless the context otherwise requires:-

(a) "Licensing authority" means the Divisional Forest Officer having jurisdiction over the place of establishment of the Wood Based Industries (WBI in short).

(b) "Wood based industries" means saw mill, veneer industries, plywood industries, particle board units, Medium Density Fibre Units, block board units, paper, pulp and rayon units, biomass power unit includes any other unit involved in sawing, cutting, peeling, chipping, re- sawing or converting timber with the aid of electrical or mechanical power and includes the premises as approved in the license, but does not include a contrivance operated solely by manual power.

(2) Words and expressions used in these rules, but not defined shall have the meanings assigned to them in the Telangana Forest Act, 1967.

3. ***Restriction on establishment of Wood Based Industries:-*** (1) - "No person shall install, erect or operate a Wood Based Industries without obtaining a license for such installation from the Licensing Authority.

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(2) **No license for setting up fresh Wood Based Industries, within a distance of 5 kms from the boundary of any Forest under the control of the Forest Department, whether notified or not shall be granted, except when it is required for Departmental use. However, such restriction would not apply within the limits of Municipal corporations and district headquarter.**

(3) The distance of 5 kms shall be computed from topo sheets as aerial distance as crow flies.

(4) Government may relax restriction of 5 Kms as prescribed under Rule 3(2) in case of SEZ developed for wood based industries.

Provided that nothing contained in this rule shall apply to ordinary operations of domestic carpentry or secondary units involved in the manufacture of handicrafts, furniture, packaging boxes, electronic items, toys, textile items etc. provided that such units do not use round timber and are involved only in the re-sawing of sawn timber procured from legal sources , using circular saw upto 12 inches in diameter or vertical saw not exceeding 18 inches in length.

4. ***Application for grant of licence***:- (1) Any person desiring to install, erect or operate a Wood Based Industries or *include any additional machinery coming within the definition of Wood Based Industries in the existing licence,* shall make an application in

(2) If the applicant desires to obtain common license for Wood Based Industries and depot, he should indicate in the application

form in Form-I.

(3) Every application shall be accompanied by a fee as detailed in Table-I and as revised by Government from time to time.

(4) The licensee shall pay a security deposit as given in the Table-I and as revised by Government from time to time in the form of National Savings Certificate in favour of the licensing authority towards due observance of Telangana Forest Act, 1967 and the rules made thereunder.

(5) No Wood Based Industries shall be established or operated on the basis of any other permission or certificate or grant under any other law or rules or on the pretext that application under sub-rule (1) has been submitted to the Licensing Authority during its pendency.

5. ***Terms and Conditions for issue of licence under various categories:-***

(1) On receipt of an application, the licensing authority shall make such enquiry as he deems fit, and after satisfying himself, whether or not there would be any objection to grant the license applied for, having regard to safeguarding the timber in any reserved, protected, proposed, *or private forest,* may grant a license in the

"Form II " of these rules subject to the conditions set out therein.

(2) The licensing Authority shall grant or reject to grant license within sixty (60) days of receipt of application in full shape. If no order of granting or rejecting license is received from the Licensing Authority within sixty (60) days of submitting application in full shape, applicant may file an appeal to the Conservator of Forests within thirty (30) days and Conservator of Forests shall pass an order within thirty (30) days of receipt of an appeal and the order passed by Conservator of Forests shall be final.

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(3) License for Wood Based Industries shall be issued under four categories as stated below:

(1) Primary Wood Based Industries - General Category.

(2) Primary Wood Based Industries - Exempted wood Category

(3)Primary Wood Based Industries - Imported wood Category.

(4) Secondary Wood Based Industries ***units***

(4) Primary Wood Based Industries - General category:

i) Units having licence under this category would be free to use raw material procured from any source, e.g. local timber, timber sold by FD through auction, timber brought from other States, timber imported through Open General Licence.

ii) Such units would be free to convert round/sawn timber of any species including species exempted under Telangana Forest Produce Transit Rules 1970 and imported timber.

iii) New licence under this category will be issued only if it is found by the competent authority that there is surplus timber available from all sources after taking into consideration demand (capacity) from existing licensed units.

(5) Primary Wood Based Industries - Exempted timber Category:

(i) Such units will exclusively use only round timber species exempted under Telangana Forest Produce Transit Rules, 1970.

(ii) Conversion of licence from this category to any other category of wood based units will not be Permissible.

(iii) If at any point of time, during inspection/surprise check or by other means, the unit is found to have utilized any timber other than the species exempted under Telangana Forest Produce Transit Rules, 1970 even on valid transit permit, the licence of such unit shall be cancelled in addition to other applicable penalties/action.

(iv) Government by notification may restrict establishment of such units in certain areas and types of machinery in such notified area keeping protection of forests into consideration.

(6) Primary Wood Based Industries - imported timber category:

(i) The unit will exclusively use only imported round timber and under no circumstances it will use any other timber in its unit.

(ii) If at any point of time, during inspection/surprise check or by other means, the unit is found to have utilized any timber other than the imported timber brought under cover of a valid transit permit, the licence of such unit shall be cancelled in addition to other applicable penalties/action.

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(iii) The units will maintain complete and authenticated documents regarding the details of the imported timber. In addition, copies of agreement with importer, timber utilized, balance timber, import- export license, transit permits and other relevant documents will be kept at the factory premises by the licensee and make them available during inspection /surprise checks by the authority.

(iv) Timber will be brought to the factory only under the cover of a valid transit permit. Record of all such TPs should be maintained and made available during inspection/surprise checks by authorities.

(v) Such units will be permitted to be installed only within limits of municipal corporations, district headquarters and SEZ developed for wood based industries.

(7) Secondary Wood Based Industries Units :

(i) These units will only convert sawn timber into smaller pieces or convert into other products. No machinery for sawing/ peeling/ slicing of round logs would be permitted.

(ii) Such units would not be eligible to carry out sawing of round logs. If the unit is found to have used round timber, whether from legal sources or otherwise, its licence will be liable to be cancelled in addition to other penalties as applicable.

(iii) Units having licence under this category would have to procure sawn timber from those converted by the primary licensed Wood Based Industries units or sawn timber imported from other States/country through legal means.

(iv) Conversion of licence from this category to any other category of wood based units will not be permissible.

(8) Every license granted under rule 4 shall, subject to the provisions of rule 11, be effective for three years from the date of issue to the *31st March of the year in which validity of licence expires,* both days inclusive.

6. Lease, change of ownership and shifting:- (1) - The Wood Based Industries and premises shall not be leased out to any person without intimating the licensing authority. For any acts of omission of lessee, license holder shall be held responsible.

(2) No transfer of licence of Wood Based Industries from one Person / Firm to another by way of sale, inheritance, division of property, family arrangement, dissolution of partnership shall be done without prior permission from the Licensing Authority.

(3) In case the Wood Based Industries premises is to be changed, –or when the machinery is to be shifted from one place to another within same forest division, such changes shall not be done without prior approval of licensing authority. Shifting of Wood Based Industries shall not be allowed within 5 Kms from forest boundary except the areas falling within limits of Municipal corporations and district headquarter.

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(4) On account of transfer of ownership or shifting of WBI, total number of Machines shall not be increased, the machine type shall not be changed from one type to another and multiple licenses shall not be given from a single license by splitting the license.

(5) On receipt of an application for such shifting of Wood Based Industries, the licensing authority shall make such enquiry as he deems fit, and after satisfying himself, whether or not there would be any objection to grant permission for transfer of Wood Based Industries applied for, having regard to safeguarding the timber in any reserved, protected, proposed, or private forest, number of wood based industries existing in the area, may grant permission for transfer of Wood Based Industries license in the "

Form II" of these rules subject to the conditions set out therein. Licensing Authority shall pass speaking orders giving detailed reasons for accepting or rejecting such application.

(7) No transfer of Wood Based Industries shall be permitted by any authority outside the territorial jurisdiction of the existing Licensing Authority.

Form –I,along with renewal license fee, two months prior to expiry of existing license.

(2) The license may be renewed for a period upto three years on the option of licensee on payment of renewal license fee for Wood Based Industries / Wood Based Industries-cum-depot as given in the Table-I and as revised by Government from time to time.

(3) The licensing Authority shall renew the license within sixty (60) days of receipt of renewal application in full shape.

(4) If Licensing Authority fails to renew the license within sixty (60) days of receipt of renewal application in full shape, an appeal shall lie with the Conservator of Forests within a further period of thirty (30) days and Conservator of Forests shall dispose off such appeal within thirty (30) days of receipt of the appeal. If license is not renewed by 30th June, the license shall stand suspended and Wood Based Industries shall not operate till renewal of the License.

(5) If renewal application alongwith renewal fee is not deposited to the licensing authority upto end of January, the license shall be deemed to have been suspended from 1st April and Wood Based Industries shall not operate till license is renewed. However, the Wood Based Industries can apply for revocation of suspension and renewal of license by paying a late fee of as prescribed in Table – I and as revised by Government from time to time upto 31st December of the said year. If renewal fee along with late fee is not paid upto 31st December, it will be deemed that the license stand cancelled and no request for renewal shall be entertained by any authority. If Licensing Authority fails to renew the license within thirty (30) days of receipt of renewal application in full shape along with late fee, an appeal shall lie with the Conservator of Forests within a further period of thirty (30) days and Conservator of Forests shall dispose off such appeal within thirty (30) days of receipt of the appeal.

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(6) When renewal application is submitted in full shape within the prescribed time and till renewed license is received from the Licensing Authority or till appeal filed before Conservator of Forests is disposed off, the copy of the original challan showing the proof of deposit shall be treated as license by inspecting officers, but not beyond 30th June of the said year in any case and beyond 30th June license shall deemed to be suspended and Wood Based Industries shall not operate till renewal of the License.

8. Maintenance of records :- (1) Registers as given in Form-III (A) for the exempted species, and imported species and in Form-III (B) and (C) for other species shall be maintained by every license holder for accounting fully and properly the timber Wood Based Industries for conversion and its disposal. The registers should be made available at any time to all inspecting officers along with permits / invoices in original, within the Wood Based Industries premises.

(2)The license holder shall furnish half yearly abstract of receipts and disposal of timber with the balance of unconverted stock on hand as on 30th September and 31st March in case of "Primary *Wood Based Industries* - General category" and yearly abstract as on 31st March in case of other Categories of WBI along with the photo copies of the register of the timber accounts maintained in III(B) and III(C) as prescribed in Rule 7(1) of these rules before the **31st October, and 30th April** in case of Primary Wood Based Industries - General category and by 30th April for other categories of Wood Based Industries. Variation of 5% in round timber in volume between the register and ground stock in measurements is permissible and variation in excess of the above should be explained and in case of exempted species variation upto 15% shall be permitted.

9. **Operation of WBI:-**(1) The licensee shall not operate the Wood Based Industries or any machinery within the premises during the period of 2200 hrs to 0600 hrs of next day. This restriction may be relaxed in respect of *Primary Wood Based Industries – exempted timber category*, *Primary Wood Based Industries – imported timber category, secondary Wood Based Industries units and Primary Wood Based Industries - General category relating to* papermills, MDF, and biomass power plants with prior permission of the Licensing Authority. Any such

relaxation order obtained by the license holder shall be displayed in a conspicuous place for verification by inspecting officers.

(2) All the timber, sawn sizes and wood waste shall be properly stocked in the Wood Based Industries premises.

(3) Timber for sawing, *cutting, peeling, chipping, re-sawing or* conversion shall not be accepted unless:

(a) it bears property marks, and

(b) it is covered by a transit permit.

Provided that in case of timber species exempted under Telangana Forest Produce Transit Rules, 1970, property mark and transit permit shall not be required.

(4) When timber is brought for conversion to *Wood Based Industries* premises, the license holder should retain the original permit and issue

Form-II permit or Form-IV under Telangana Forest Produce Transit Rules, 1970 as the case may be to the timber owner along with a photo copy of original permit.

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10. **Power to search the premises**:- All officers and above the rank of a *beat officer* of the Forest Department shall have power to enter into any *Wood Based Industries* for the purpose of inspection and securing compliance with these rules.

11. **Seizure, confiscation of machinery with timber, Penalty and Revocation of License**:-

(1) **Notwithstanding anything in the foregoing rules, the licensing authority may, where he has reason to believe that a licensee is operating a Wood Based Industries in contravention of the provisions of the Telangana Forest Act, 1967 or any rules made thereunder at any time, revoke the license granted under these rules, after giving the licensee an opportunity of representing in writing and an opportunity of being heard in person.**

(2) For any violation of the provisions of the Telangana Forest Act, 1967 or the rules made thereunder by the licensee, the licensing authority or Divisional Forest Officer, Flying Squad Party, shall be competent to seize and confiscate forest produce together with whole or portion of the plant, machinery implements and equipments which have been used in the commission of the offence.

(3)In case of violation, where it is not proposed to either revoke the license or seize or confiscate the plant, machinery etc., the licensing authority shall be competent to impose a penalty of a sum upto the limit of available security deposit.

(4) All penalties levied shall be paid by the licensee within fifteen days from the date of dispatch by Registered post of the order or the notice of demand for payment. In case of failure to pay the penalties in time, the same will be adjusted from the security deposit, which shall be replenished within two weeks so as to keep it always full and complete. The license shall be deemed to be under suspension, until such time the licensee replenishes the shortfall in the security deposit.

(5) In the event of revocation of license under sub-rule(1) or seizure and confiscation of forest produce together with whole or portion of the plant machinery, implements and equipments under sub-rule-(2), the licensing authority shall be competent and shall be at liberty to forfeit security deposit in part or whole.

(6) Where the licensing authority refuses to renew or revokes a license granted under these rules, or seizes and confiscate the plant, machinery, implements and equipments, he shall do so by an order communicated to the applicant or the holder, as the case may be by giving reasons in writing for such refusal or revocation, or seizure and confiscation after giving the licensee an opportunity of representing in writing and an opportunity of being heard in person.

12**. Appeal:-** Any person aggrieved by an order made under rule 11 may, within thirty days of the receipt of the order, prefer an appeal to the Conservator of Forests having jurisdiction, who shall, hold or cause to be held such enquiry as he deems fit and after giving an opportunity of being heard in person to the appellant pass a speaking order which shall be final.

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13. **Disconnection of electric supply:-** Notwithstanding anything contained in any enactment relating to electricity for the time being in force, no energy shall be consumed and no electric connection shall be installed for the purpose of a Wood Based Industries, unless such Wood Based Industries is duly licensed in accordance with the provisions of these rules, and such connection shall be continued so long as the Wood Based Industries operates under a valid license granted under these rules. A communication from the Divisional Forest Officer in this regard shall be the authority for the concerned electricity distribution to comply with the provisions.

14. Licensing Authority:- The Department of Industries, Department of factories or any other Department / Local Authority including Gram Panchayat/ Municipality shall not issue any

Permission / license / registrations to operate the wood based unit, unless a license is issued by the Licensing Authority, under these Rules.

15. Utilisation of fee:- All receipt towards licence fee, renewal fee, late fee and penalty shall be used for conservation and development of the forests in a manner prescribed by the Government.

16. (i) The Andhra Pradesh Saw Mills (Regulations) Rules, 1969 is hereby repealed.

(2) Upon such repeal, the provisions of Telangana General Clauses Act, 1891 shall apply.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

B.R. MEENA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationery and Stores Purchase (Printing Wing) Dept., Government Printing Press, Chanchalguda, Hyderabad (with a request to publish the same in an extraordinary issue of Telangana State Gazette and send 20 copies to Govt. and 100 copies to Prl. Chief Conservator of Forests, TS, Hyderabad).

The Prl. Chief Conservator of Forests (HoFF), Telangana State, Hyderabad.

Copy to :-

The Secretary to Government of India, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, Aliganj, New Delhi.

All Departments in Telangana Secretariat.

All Heads of Departments.

All the District Collectors.

The Law (D) Department.

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//FORWARDED :: BY ORDER//

SECTION OFFICER

[Contd....for Annexures]

TABLE -I

Details of license fees / Renewals /Security

(Telangana sawmill and Wood Based Industries (Regulations) Rules, 2016)

	Type of Fee``	**Approved Annual Capacity of sawmill /WBI (cum)**		
		upto 500	**501-1000**	**> 1000**
	License Fee	1000	5000	10000
	Security Deposti	2000	10000	20000
	Renewal (per annum)	1000	5000	10000
	Late fee per month	500	2000	3000

NOTE: If quantity of timber converted is more than quantity applied and permitted by the Licensing Authority, saw mill/WBI has to pay the difference amount as per appropriate capacity class in the Table -I while renewing the license.

GOVERNMENT OF TELANGANA
FOREST DEPARTMENT

FORM – II

LICENCE FOR ESTABLISHMENT /RENEWAL OF

(Regulations) Rules, 2016))

pass port size photo of the licencee

WBI/ WBI CUM DEPOT

(SEE RULE 4 / 7 of Telangana *Wood Based Industries*

Forest Division

…….. District.

Licence No & Date of Original Sanction …….

File No……..

WBI under Primary / Secondary Unit category

Details of Location of WBI

Latitude

Longitude

Address with House No./Sy.No

Distance from nearest RF

PAN /TAN No.

Electricity Service No

1. This Licence is granted / renewed to Sri /Smt……, owner / Managing Director of M/s…… falling under subject to the provisions of Andhra Pradesh Forest Act.1967 and rules made there under.
2. The Licence is valid up to _____ _____ _____ _____
3. The licencee is permitted to run the following machinery and equipment:

Sl. No Name of the machinery Capacity (H.P)

4 The WBI licencee is permitted to cut/convert/store the type and quantity of material annually from all sources as mentioned below:

Details of stock	Indian Teak	Non teak	Exempted Species	Imported	TOTAL
a) Round					
b) Sizes					

5.The Licencee shall be produced for inspection on demand by any authority specified in Andhra Pradesh Wood Based Industries (Regulations) Rules 2013.

6.All officers of the Forest Department of and above the rank of a *beat officer* shall have power to enter into any WBI for the purpose of inspection and securing compliance with these rules.

7.Licence is liable for revocation alongwith seizure, forfeiture of machinery and penalty for violation of any provision of the Andhra Pradesh Forest Act, 1967 or the rules made

there-under as provided under Rule 11 of Telangana Wood Based Industries (Regulation) Rules 2014.

The Licencee should submit the annual abstract in case of exempted species and half yearly abstract in case of other species of total quantity of timber received, disposed and balance of material in stock as prescribed in Telangana Wood Based Industries (Regulation) Rule, 2014 before 30th April for exempted species and 31st October and 30th April for other species respectively to the under signed.

Date :

Divisional Forest Officer,

……Division.

Form-I

Application form m for Establishment / Renewa al of Wood Based I

(See rule 4 and 7 of T Telangana Wood Based Indus stries (Regulations) I

1	Name of the licencee / /Applicant				
2	Father's/Husband's Na me				
3	Address of the licencee e / Applicant				
4	Name of the WBI				
5	Address of the WBI pre emises				
	a)whether own or rent tal				
	b) if rental period of ag greement				
6	Lic.No. Year of sanctio n & validity (for renewal)				
7	Details of the machine ry used/ to be used in the WBI (Band Saws / Peeler /Chipper etc)				
	Type of the s saw	Quantity	Capacity(in HP)		
8	Details of other machin nery used/to be used in the (oth her than band Saws)				
	Type of the mac chinery	Quantity	Capacity(in HP)		
9	Species of timber and quantity to be converted annuall ly (Approx.)				
	Details of sto ock	Indian Teak	Non teak	Exempted Species	
	a) Round				
	b) Sizes				
10	10 Species of timber and quantity to be stored/trade				
	Details of sto ock	Indian Teak	Non teak	Exempted Species	
	a) Round				
	b) Sizes				
11	11 Details of Establishmen fee paid nt / renewal				
12	12 Details of electricity Se ervice	Name of the consumer	Service No		
13	WBI -whether run / to be run by (owner or lessee)				
14	14 If run by lessee	Name of the lesse ee	period of lease		
15	***15 List of enclosures***				
	i. Commercial Tax cert tifiacte - VAT. CST				
	ii) Electricity Dept perm missions - Service Nos				
	iii) Income Tax - PAN/ /TAN card				
	iv) Industries Dept				

		Provisional certific cate
		Permanent Certificate
	v) Factories Dept	
		Factory Licens e
		vi) Boiler Dept
		vii)Country & Town Dept / Muncipal permission/Gram Panchaay permission
		viii) Pollution Control Board
		ix) Medical & Health certificate
		x) Location sketch of premises
		xi) Address proof - Ration Card/ Aadhar Card / Voter ID etc.
	xii) Title deed/Sale deed/lease deed.	
	xiii) Photo Proof of owner	

Note: 1. Enclose copies of Certificates. 2) Mention N.A. whichever not applicable to applicant industry.

Date:

Place Signature of the WBI owner / Applicant

……

……

Acknowledgement (*for office use only*)

Appl.No……..

Received application for Establishment / renewal of WBI licence bearing No…….of M/s…… on ……. In the office of the Divisional Forest Officer, Divisio

Signature of the receiver with name and designation

		SPECIES		DETAIL	S	OF	LO	G	SA	WN
DATE			LLOG	SAW OR	GGIN	L	P	TH	X	GGIR

Log NO as mentioned in TP.

to be used. If only part log is used bye no is to be given.For expample if log no is 1000 and its made to 3 pieces they should be numbered as 1000/1,1000/2 and

TRANSIT PERMIT DETAILS OF DISPOSAL

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FORM IIIA

DETAILS OF EXEMPTED FOREST PRODUCE RECEIVED AND DISPOSED IN WBI

SL.NO	DATE of RECEIPT	SPECIES RECEIPT	QNT. IN ROUND TIMBER		QNT. IN CMT SAWN SIZES CMT		CO
			No of Logs	QNT. IN CMT	Nos	QNT. IN CMT	

FORM IIIB

DETAILS OF NON EXEMPTED FOREST PRODUCE RECIVED IN WBI

DATE of RECEIPT	**TRANSIT PERMIT DETAILS**			ROUND TIMBER		SAWN SIZES		BAMBOO
	NO	DATE Issued By	Species	No of Logs	Qty in cmt	nos	Qty in cmt kgs	
			class nos			class nos	sps wt in	