

No. 65.

TRANSIT RULE

Registered No. N. E. - 930

816

TRIPURA



GAZETTE

Published by Authority  
EXTRAORDINARY ISSUE

Agartala, Friday, May 11, 1990 A. D.

Vaisakha 21, 1912 S. E.

Part I - Orders and Notifications by the Government of Tripura,  
the High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA  
FOREST DEPARTMENT

No. F.7(44)/For/FP-90/Vol-II/22795 Dated, Agartala, Kunjaban, the 7th May,  
1990.

NOTIFICATION.

In exercise of powers conferred by Section 41 & 42 of the Indian Forest Act, 1927, and all other Sections enabling in this behalf, the State Government makes the following Rules to amend Notification No. 12 dated 29-4-1952 issued in the Forest Department, namely :—

1. For Clause (2) of Paragraph 1, the following shall be substituted, namely :

"(2) The permit for collection of forest produce other than timber and firewood will be considered sufficient in regard to the movement of the produce within the jurisdiction of the Forest Beat of its origin. There shall be no movement of timber and firewood from its origin to any other place within or beyond the jurisdiction of the Beat without being covered by valid transit pass."

2. For Paragraph—2, the following shall be substituted, namely :—

2 (1) The transit pass for movement of all kinds of forest produces will be issued free of any charge on receipt of written application from the owner of such forest produce or produces after making such inquiry as the Officer

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 authorised to issue the transit pass deems fit and considers necessary and on realisation of such dues, if any, payable to the Government for such forest produce or produces. No transit pass will be issued before the hours of sun-rise and after the hours of sun-set. The transit pass shall be valid for the destination for which it is granted within the Territory of Tripura State. If the produce is to be transported beyond the territorial jurisdiction of the State, it shall be surrendered to the Forest Officer in-charge of the Range of this State having the jurisdiction over the inter-State boundary through which the route of export passes and a fresh transit pass shall have to be obtained from such Forest Officer in-charge of such Range. If any forest produce is to be imported to this State, the transit pass for such forest produce shall have to be surrendered to the Forest Officer in-charge of the area nearest to the place of entry of the same through which it is transported and shall obtain a fresh transit pass.

(2) For movement of timber within the State, the originating station may issue the transit pass for movement of forest produce under the signature of the competent Officer in this regard allowing transport of such forest produces from originating station to the final destination within the State. In exceptional circumstance, when it becomes necessary to issue re-transit pass, the owner of the forest produces shall have to apply in writing for issue of re-transit pass indicating the reasons therefor to the Forest Officer having the territorial jurisdiction over the area where the forest produces are, who will thereafter send it to the Divisional Forest Officer concerned through proper channel with his detailed remarks and certificate regarding the legality of the forest produces proposed to be transported with re-transit pass. The re-transit pass shall be issued only if written permission in this regard is obtained from the Divisional Forest Officer in each individual case on their individual merits. The transit passes are to be signed by the Issuing Officer with his name in capital letters in the bracket under his signature with clear official seal.

(3) The order from the competent authority for issue of transit pass shall have to be recorded on the application praying for issue of transit pass and on the basis of such order only, the transit pass can be issued. The delivery of the transit pass is to be given only to the owner of the forest produce and not to anyone else unless authority letter from the owner of the forest produce is there to deliver it to his authorised agent whose signature shall have to be duly attested by the owner of the forest produce in the authority letter.

(4) All the transit passes are to be surrendered to the nearest Forest Office having the territorial jurisdiction over the area of destination soon after arrival of the forest produces at its destination. All such transit Passes on receipt are to be entered in a register and all such produces are to be verified and verification results recorded in the register. The surrendered transit passes are to be preserved carefully and not to be destroyed without having orders from the appropriate authority for their destruction.

(5) No transit pass can be issued on the strength of sawmill transit pass issued by any sawmill, or on the basis of any chit of paper issued by any Sawmill, if such Sawmills do not have the licence or have the licence but do not submit the returns as required under Tripura Forest (Establishment and Regulations of Sawmills and other woodbased Industries) Rule, 1985 or has neither the licence nor submit the returns as aforesaid. The Sawmill transit pass and the chits of paper showing the timbers going out of the Sawmill or any other unit with due seal of the Sawmill or Unit and signature of the owner/Mill Manager thereon may, however, be accepted for the purpose of issuing transit pass provided that such Sawmills have the valid licences and submit the statutory returns as aforesaid regularly without any default and such returns have been duly checked and the stocks verified.

(6) No transit pass shall be issued without or before physical verification of the forest produce and without being sure that all the dues payable to the Government for such forest produce have been paid.

(7) No transit or re-transit pass can be issued by a Forest Officer, even though such Forest Officer may otherwise be competent to issue such pass, unless the Officer issuing such transit or re-transit pass is fully satisfied that the forest produces are within his jurisdiction, he has verified the forest produces physically and is sure that there is no illegality and there is no dues payable to the Government for such forest produces."

3. The existing Paragraph—3, shall be numbered as 3 (1) and the following shall be added thereafter.

"(2) No person shall remove or cause to be removed from the State for the purpose of trade or otherwise any timber and firewood to any other place outside the State and no trading depot shall be set up or established in the State at any place without licence for such purpose from the Divisional Forest Officer having the jurisdiction over the area subject to approval of Conservator of Forests of the Circle.

(3) Every application for grant of licence under the aforesaid Rule shall be made to the Divisional Forest Officer having the jurisdiction over the area in the Form appended to this Rules and on payment of non-refundable application fee amounting to Rs. 1,000/-.

(4) Every order granting or refusing a licence under these Rules shall be in writing and in case of refusal, shall contain the reason there for. The licence fee of Rs. 2000/- shall be paid and deposited in Government Treasury/Sub-Treasury by challan and the received copy of the challan must accompany the licence.

(5) A licensee shall be required to pay the export duty for export of timber and firewood from this State to other States which shall not exceed 100% of the market value of such timber/firewood as will be assessed by the Divisional Forest Officer.

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(6) The conditions of the licence, the route or routes through which the timber/sfirewoods are to be transported to a place outside the State and the period of validity of the licence shall be such as may be notified by the Government in the Official Gazette.

Provided that the conditions of the licence and the period of validity may vary for different categories of timber.

Provided further that such period of validity shall not exceed six months.

(7) Every licence granted under these Rules may be renewed. An application for renewal of licence shall be made in Form—E within 30 (thirty) days before the expiry of the licence. The Divisional Forest Officer having the jurisdiction over the area shall on receipt of application for renewal of licence, make such inquiry as he may think fit and within a period of 60 (sixty) days from the date of receipt of such application, either grant or refuse to grant renewal of the licence :

Provided that no renewal of licence shall be granted unless the Divisional Forest Officer is satisfied about the location, availability of the required materials, financial capacity, past records in business and relevant antecedents of such person. Whether the Divisional Forest Officer refuses to grant a renewal of licence, he shall record the reasons therefor and such reasons shall be communicated to the person in writing. For the purpose of inquiry under these Rules, the Divisional Forest Officer may enter into or upon any land, survey and demarcate the same, make a map thereof or authorises any Officer to do so and also call for such documents as he deems necessary for ascertaining the merit of the application.

Provided further that no application for renewal of licence shall be rejected unless the holder of such licence has been given an opportunity of presenting his case and unless the Divisional Forest Officer is satisfied that the application for such renewal has been made after the period specified therefor or any statement made by the person making such application for grant of renewal of the licence was incorrect or materially false or such person has contravened any of the terms and conditions of the licence or any provision of the Indian Forest Act or the Rules made thereunder or such person does not fulfil the terms and conditions for such licence.

(8) The quantity of timber and firewood which will be permissible for export by a licensee shall be determined on the basis of availability of forest produce after catering to the needs of the local people of the State and those of the Forest trade licensee holder for trading in forest produce within the State meeting the requirement of the people of the State.

4. In Paragraph—5 after the existing provisions the following shall be added, namely :

“And all vehicles, carts, crafts, animals, boats, rafts and all persons carrying forest produces must stop at the Check-post and Drop Gates and shall also offer such forest produces along with the supporting documents for necessary checking and examination by Forest Officer or Police Officer on duty at such Check-post and Drop Gate. Non-stoppage of such vehicles, carts, crafts, animals, boats, rafts and persons carrying forest produces at such Check-Post and Drop Gate shall constitute a breach of this Rule.”

5. In Paragraph—7 after the existing provision the following shall be added, namely :—

“And the forest produce not covered by transit pass shall also be liable to seizure and confiscation by appropriate Court or by such Officer competent in this behalf under Tripura Forest (Establishment and Regulations a of Sawmills and other Wood based Industries) Rules, 1985.

By order and in the name of Governor,

S. S. Sharma,  
Principal Secretary,  
to the Government of Tripura.

### FORM—‘D’

**FORM— B**

Form of application for licence for the purpose of transport of Timber and Firewood to any other place outside the State and for establishing of trading Depot.

To The Divisional Forest Officer.

by profession ... having forest trade licence No ...  
for the year ... apply for a licence for the purpose of  
transport in Timber/Fire wood outside the State and for establishing tra-  
ding Depot.

The detailed particulars of the unit are given below :—

- 1). Name of the Unit :—
  - 2). Location :—
  - 3). Whether a limited Company/Partnership or a Proprietorship business and the relationship of the applicant(s) with such Company or Partnership or proprietorship business (documents to be attached). :—
  - 4). Capital value :—
  - 5). Details of Timber/firewood together with kind, form and quantity in terms of number & volume of Timber/firewood proposed to be transported outside the State :—
  - 6). Details of Origin/Source/Sources of Timber/Firewood. :—
  - 7). Labour
    - (a) Strength of Regular employee, :—
    - (b) Strength of daily rated worker :—
  - 8). Source of capital investment :—
  - 9). Whether convicted or penalised in any criminal/Forest offence case :—

- 10). Whether possessing more than one such unit in the same Division:—
- 11). Whether the licence fee is attached and if so, No. and date of challan:—
- 12). The names of the places where the Timbers/sire woods are to be exported:—

I have gone through the Indian Forest Act and all the rules thereunder. I promise to abide by all the Laws & rules in force, if my prayer for licence is granted.

Yours faithfully,

Place :—

Signature of the Applicant(s).

Date :—

FOM—E'

Form of Application for Renewal of Licence.

The Divisional Forest Officer,

... ... ... ... ... Division, ... ... ... ... ... Tripura,  
Sir, ... ... ... ... ... (in Block letters)

I/We ... ... ... ... ... inhabitant(s) of ...  
... ... ... ... ... ... (address in details) ...  
in the Police Station ... ... ... ... ... District ... ... ... by  
profession ... ... ... ... having first trade licence for the year  
... ... ... ... apply for renewal of my/our Licence No. ... ... ... dtd.  
... ... ... the validity of which expired on ... ... ...

The renewal fee of Rs. ... ... ... ... only is enclosed  
as per challan No. ... ... ... dated, ... ... ...

I enclose herewith my earlier Licence for the year ... ... ...

I have gone through the Indian Forest Act and all the rules thereunder. I promise to abide by all the Laws & rules in force, if my/our prayer for renewal of licence is granted.

Yours faithfully,

Place :—

Signature of the Applicant(s).

Date :—

Printed at the Tripura Government Press, Agartala.