

ANDAMAN AND NICOBAR GAZETTE  
EXTRAORDINARY  
Published by Authority

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[As modified upto April, 2004]

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THE ANDAMAN AND NICOBAR ISLANDS FOREST PRODUCE  
TRANSIT RULES, 1966  
[As modified upto April, 2004]

No.7/65/TIM/66/Vol.V. – In exercise of the powers conferred by Section 41 and 42 of the Indian Forest Act, 1927 (16 of 1927), read with the Notification of the Government of India in the Ministry of Home Affairs No.69/49/50-AN dated 7.11.1951 and in supersession of his Notification No.42 of 1953, the Chief Commissioner, Andaman & Nicobar Islands has been pleased to make the following rules, namely.\_

1. These rules may be called the [Andaman and Nicobar Islands] <sup>1</sup> Forest Produce Transit Rules, 1966.
2. In these rules, unless there is anything repugnant in the subject or context:
  - (a) “Forest Produce” means Forest Produce as defined in the Indian Forest Act, 1927 (XVI of 1927).
  - (b) “Islands” means [Andaman and Nicobar Islands] <sup>2</sup>.
  - (c) “Timber” means ‘timber’ as defined in the Indian Forest Act, 1927 (XVI of 1927).
  - (d) [“sawing” with its grammatical variations and cognate expression means operation of sawing, cutting, converting, fashioning or seasoning wood and includes preservation and treatment thereof either by mechanical process with the aid of electrical or mechanical power or by manually operated saws;
  - (e) “wood” includes trees when they have fallen or have been felled, and all wood of any species whether cut, converted, fashioned, sawn or hollowed out for any purpose or not and
  - (f) words and expressions used but not defined in these Rules but defined in the Indian Forest Act (16 of 1927), shall have the meanings respectively assigned to them in that Act.] <sup>3</sup>
3. These rules shall apply to Forest Produce from any source within the [Andaman and Nicobar Islands] <sup>4</sup> which are [imported] <sup>5</sup>, exported or

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<sup>1</sup> Amended vide Notification No.50 dated 27.6.1981

<sup>2</sup> Ibid.

<sup>3</sup> Inserted vide Notification No.76/2004/F.No.F.(T)/21/1 dated 1.4.2004

<sup>4</sup> Amended vide Notification No.50 dated 27.6.1981

<sup>5</sup> Amended vide Notification No.76/2004/F.No.F.(T)/21/1 dated 1.4.2004

moved by any of the routes [into]<sup>6</sup>, from or within the boundaries of the said islands.

4. (1) Within the limits of the areas specified in rule 3, no person shall conceal any timber [or wood or other forest produce]<sup>7</sup>.
- (2) No Forest Produce shall be moved into from or within the islands except under cover of a transit pass in the Form 'A' hereto annexed from an officer of the Forest Department [of and above]<sup>8</sup> the rank of a [Forest Guard]<sup>9</sup> duly authorized by the Divisional Forest Officer to issue the same or otherwise than in accordance with the conditions of such pass.
- [(3) Removal of Padauk timber out of Islands in log or sawn form is strictly prohibited without the prior written permission of the Chief Conservator of Forests, Andaman & Nicobar Islands.
- (4) Issue of transit pass for ornamental timber, Marblewood, Chooi, Satinwood, Padauk burr buttresses etc., is strictly prohibited unless covered by permission of the Chief Conservator of Forests, Andaman & Nicobar Islands.
- (5) any person desirous of transporting timber or forest produce shall apply to the Divisional Forest Officer concerned for issue of transit pass. Application for issue of transit pass to cover shipment of timber or other forest produce out of the islands shall be submitted atleast 15 days before the date on which shipment is desired. The application shall indicate the species, size and quantity of each category of timber or forest produce and also the source of origin of such timber of forest produce and documentary proof in support thereof. He should also specify in the application the purpose of shipment, route and destination thereof.
- (6) The Divisional Forest Officer, on receipt of application for issue of transit pass in the manner prescribed in sub-rule (5) of rule 4 above, shall cause enquiry, as expeditiously as possible, to ascertain the source of origin of the timber or forest produce for which transit pass has been applied for and that there is no local demand for the timber and other forest produce intended for shipment to mainland. On completion of enquiry if the Divisional Forest Officer or his representative is satisfied that there is nothing due to the Government for the timber or forest produce in question and source of origin of the timber of Forest produce is in order, he shall arrange for issue of transit pass for shipment of the same to mainland ports.

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<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

- (7) Transit pass will be issued on working days during working hours only after the timber, in round or sawn form, is impressed with the registered property mark of the shipper and the government hammer mark as provided under rule 9(3).
- (8) All timber in respect of which a transit pass has been issued by the Officers of the Forest Department shall bear a Government Hammer mark. While issuing the transit pass detailed description of the produce, the property hammer marks and Government hammer mark borne on the timber, both in case of logs and sawn timber, shall be recorded in the transit pass itself.
- (9) In the case of shipment to mainland ports, four copies of the transit pass shall be issued in the following manner:-
- i) First copy to be retained as office copy which shall be kept in the office of issue.
  - ii) Second copy to be given to the owner of the timber/ forest produce
  - iii) Third copy to be given to the Govt. Depot Officer on the mainland.
  - iv) Forth copy to be given to the carrier (no shipment shall be allowed without any valid transit pass by the transporting agency).
- (10) The transit pass holders shall abide by the transit rules of the states concerned through or to which the timber or forest produce is transported.
- (11) The timber or forest produce in transit may be checked by any forest officer of the Andaman and Nicobar Forest Department when required to do so]<sup>10</sup>.
- [(12) Fees for transit passes in respect of different items of forest produce moved [into or]<sup>11</sup> from or within the islands may be levied in accordance with rates as may be prescribed by the Conservator of Forests from time to time. It shall be within the competence of the Conservator of Forests subject to the approval of Govt. to regulate the movement of certain kinds of forest produce in short supply from the islands]<sup>12</sup>.
5. The [import and]<sup>13</sup> export of all forest produce [into and]<sup>14</sup> from the Islands is subject to the control of the Chief Conservator of Forests, Andaman & Nicobar Islands.

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<sup>10</sup> Sub-rule (3) of Rule 4 deleted and sub-rules (3) to (11) inserted vide Notification No.50 dated 27.6.1981

<sup>11</sup> Inserted vide Notification No. 76/2004/F.No.F.(T)/21/1 dated 1.4.2004

<sup>12</sup> Sub-rule (4) of Rule 4 renumbered as sub-rule (12) vide Notification No.50 dated 27.6.1981

<sup>13</sup> Inserted vide Notification No. 76/2004/F.No.F.(T)/21/1 dated 1.4.2004

<sup>14</sup> Ibid.

6. Any person importing, exporting or moving forest produce into, from or within the islands or any person in possession or charge of forest produce in transit, shall produce the pass (referred to in Rule 4) on demand by any Forest Officer or Police Officer.
- 7.(1) All forest produce to which these rules apply, and any cattle cart, vehicle, boat or other vessel suspected to carrying the same, shall be liable to stoppage by any Forest Officer within the Islands for the purpose of examination and check.
  - (2) Any sum due and payable to the Forest Department, Andaman & Nicobar Islands, on such forest produce shall be realized at the nearest Forest Office.
  - (3) Any forest produce not covered by a transit pass referred to in sub-rule (2) of rule 4 together with boats, carts, vehicles or cattle carrying the same or any timber which is concealed in contravention of sub-rule (1) of rule 4, shall be liable to seizure and dealt with further under the provisions contained in Chapter IX of the Indian Forest Act, 1927 (XVI of 1927) and any seized in this connection shall be liable to be impounded.
  - [(4) For movement of sawn timber within the municipal limits of Port Blair challan issued by a dealer/ saw mill owner which has been approved for use by the Divisional Forest Officer concerned may be treated as transit pass for the purposes of these rules.]<sup>15</sup>
- 8.(1) Any Forest Officer, who has seized any forest produce under Rule 7 shall:-
  - (a) Immediately issue a written notice to the owner of such forest produce, or if the owner is unknown, to the person in-charge or possession of such forest produce at the time of seizure, calling upon him to produce proof of the origin of the forest produce and his title thereto within thirty days from the date of issue of such written notice a copy of which shall be pasted on a Notice Board at the nearest Forest Office; and
  - (b) Submit a seizure report in Form 'B' hereto annexed without delay to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.
- 9.(1) Any person dealing in timber fashioned or unfashioned shall register with the Divisional Forest Officer concerned a property mark which, after approval by the Divisional Forest Officer and on payment of fees prescribed by the Conservator of Forests concerned, shall be registered in the Divisional Forest Office. [The property mark so registered shall

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<sup>15</sup> Inserted vide Notification No.50 dated 27.6.1981

remain valid for 3 calendar years ending on the 31<sup>st</sup> December of the year subject to renewal as required under sub-rule (4) hereunder]<sup>16</sup>

Provided that the Divisional Forest Officer, may at his discretion and at any time require the return of such registered property mark and replacement of the same by a fresh property mark duly approved by him.

[(A) In addition to provisions of sub-rule (1) above, the saw mill owners, shall abide by the following procedure for obtaining transit pass.

- (a) The property hammer for a saw mill shall be registered and certificate of registration issued only on the condition that the saw mill owner maintains a register in prescribed form (appendix I) for running of the saw mill and complies with the Instructions issued in this regard by the Chief Conservator of Forests from time to time. A monthly abstract of total quantity accepted for saw milling and the total quantity and variety of end products with balance of unconverted stock in hand shall be submitted to the concerned Divisional Forest Officer.
- (b) The saw mill owner shall see that (i) at the round timber, sawn timber and wood waste is properly stacked according to the instructions that may be issued from time to time by the Divisional Forest Officer so as to facilitate stock taking (ii) logs for sawing should not be accepted in the mill unless it bears property marks and is covered by a forest transit pass. For the purpose of this condition all the logs lying in the saw mill or its premises will be considered as the timber in custody of the saw mill owner for sawing or conversion, (iii) timber which does not conform to the requirements of condition (ii) shall not be accepted for conversion and intimation in respect of such timber shall forthwith be given to the nearest Forest Officer and (iv) the saw mill, as well as the timber stored within the premises of the saw mill shall be open to inspection at any time by a Forest Officer of the Forest Department.
- (c) In the event of change in the ownership of the saw mill, the above procedure has to be observed afresh for registration of property marks and until fresh certificate of registration is issued by the Divisional Forest Officer concerned, the transfer shall not be recognized.
- (d) The owner of the saw mill, when not interested to run the saw mill, shall inform the Divisional Forest Officer concerned accordingly

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<sup>16</sup> Ibid.

and deposit his property mark duly sealed with the Divisional Forest Officer for safe custody.]<sup>17</sup>

- [(B) In addition to provisions of sub-rule (1) above, the persons importing timber or any forest produce into the Islands and dealing in the same shall abide by the following procedure.
- (a) Any person desirous of importing timber/ forest produce shall apply in the form prescribed in Form 'C' to the Chief Conservator of Forests, Andaman & Nicobar Islands for granting the permission at least 15 (Fifteen) days before the date on which shipment of timber is expected to reach the Islands. The applicant shall indicate the species, size and quantity of each category of timber or forest produce and the source of origin of such timber or forest produce with documentary proof in support thereof. He should also specify in the application the purpose of import, route and destination thereof.
  - (b) The Chief Conservator of Forests on receipt of application seeking permission for import of timber or other forest produce, if satisfied that there is nothing objectionable to the import of the said timber or forest produce shall grant the permission.
  - (c) The applicant importing the timber or other forest produce to Andaman & Nicobar Islands shall abide by the transit rules of the states/country through or from which the timber is being imported.
  - (d) Persons engaged in import of timber and its retail sale or use locally shall be required to maintain a record of receipt of timber and its disposal in the form prescribed in Annexure-II and will be required to submit a monthly return of the stock of timber to the Divisional Forest Officer concerned.
  - (e) Persons engaged in import of timber and its retail sale should have a permanent depot properly walled or fenced and duly approved by the Divisional Forest officer. Disposal of timber shall be permitted only from such approved depots.
  - (f) The timber or other forest produce stored within the premises of the trader and the records thereof shall be open to inspection at any time by any officer of the Department of Environment & Forests.
  - (g) For sale of timber or other forest produce imported by the traders Cash memo/ bill book duly approved and authenticated by the Divisional Forest Officer concerned shall be used.

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<sup>17</sup> Rule 9 (1) (A) added vide Notification No.50 dated 27.6.1981

- (C) In addition to provision of sub-rule (1) above, the persons engaged in use of sawn timber or wood or other forest produce for manufacture of furniture or other items shall abide by the following procedure:
- (a) Any person engaged in manufacture of furniture or items of timber or other forest produce as raw material shall get himself or his unit registered with the Divisional Forest Officer having jurisdiction over the area concerned.
  - (b) A property hammer mark and a property mark for the furniture mart or any other unit using sawn timber as a raw material shall be registered with the Divisional Forest officer concerned. The property hammer mark shall be affixed on the forest produce used as raw material and property mark shall be affixed on all the furniture and items manufactured therefrom, by the said mart/unit.
  - (c) Persons engaged in manufacture of furniture or items of timber or other forest produce shall be required to maintain a record of receipt of timber or other forest produce and its consumption in the form prescribed in Annexure III and a monthly return showing the abstract of total quantity of sawn timber or other forest produce received and total quantity of furniture or other items produced, sold and balance in stock shall be submitted to the concerned Divisional Forest Officer.
  - (d) The number and type of saws used in the furniture mart or unit shall be declared to the Divisional Forest Officer and approval obtained for their use.
  - (e) The saws used in the furniture mart should be exclusively for the purpose of manufacture of furniture or other items and shall not be used for sawing/re-sawing of any log or sawn timber not belonging to the furniture mart or not meant for manufacture of any item, in the said furniture mart or unit.
  - (f) The raw materials (timber or other forest produce) stored and the furniture or items manufactured and the machinery or implements in the premises or workshop or godown or showroom of the furniture mart/ unit and the records shall be open to inspection at any time by any officer of the Department of Environment & Forests.
  - (g) Only registered furniture marts will be authorized to sell furniture and other items manufactured by the said units by using timber or

other forest produce under the cover of the bills duly approved and authenticated by the Divisional Forest officer concerned.]<sup>18</sup>

- (2) All timber, imported, exported or moved into, from or within the limit of the islands shall be marked with a registered property mark in addition to a Government Hammer mark as required under [Rule 4(8)].<sup>19</sup> Timber found without a registered property mark and a Government Hammer mark shall be liable to detention and seizure for enquiry under the provision of Rule 8.
- (3) The Divisional Forest Officer may at his discretion permit any one person to register more than one property mark, provided that no two such marks shall have identical design.
- (4) A certificate of registration showing the design approved by the Divisional Forest Officer and duly registered shall be furnished to the owner of property mark. Certificate must be returned annually to the Divisional Forest Officer for the purpose of renewal.
- (5) It shall be within the competence of the Divisional Forest Officer to waive the registration of a property mark in cases where small quantities of timber are to be moved within, from or into the islands. Application shall in all such cases be made to the nearest Forest Officer for the issue of a transit pass and the marking of such timber with a Government hammer.

[NOTE: For the purpose of this provision, small quantity means log timber not exceeding 2 cubic metre and sawn timber not exceeding 1 cubic metre]<sup>20</sup>

- (6) The Divisional Forest Officer, may, in consultation with [the Deputy Commissioner of the District]<sup>21</sup> provide for the establishment and regulation of check posts or depots at which forest produce shall be stopped for examination or for the payment of dues therefore or in order that Government Hammer marks may be affixed to the same.
10. (1) There shall be no closing or obstructing of any river or stream or channel or the bank of any river, stream or channel used or capable of being used for the transit of forest produce nor shall there be any stoppage of navigation on such rivers, streams and channels for such transit.
- (2) [The Deputy Commissioner of the District]<sup>22</sup> may order any person who by any act of negligence, has caused such closure or obstruction or stoppage to remove the same within a time to be specified in

<sup>18</sup> Rules 9 (1) (B) and (C) added vide Notification No. 76/2004/F.No.F.(T)/21/1 dated 1.4.2004

<sup>19</sup> Amended vide Notification No.50 dated 27.6.1981

<sup>20</sup> Added vide Notification No.50 dated 27.6.1981

<sup>21</sup> Substituted vide Notification No.50 dated 27.6.1981

<sup>22</sup> Ibid.



writing and on the expiry of such period, may cause the obstruction to be removed at the cost of the person to whom such notice has been issued.

- 11.(1) Any person contravening any of the provisions of these rules shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend Rs.500/- or with both.
- (2) Penalties which are double of those mentioned in sub-rule (i) may be inflicted in cases where the offence is committed after sunset and before sunrise or after preparation for resistance to lawful authority, or where the offender has been previously convicted of a like offence.

**FORM 'A'**  
[See Rule 4(2)]  
**FOREST TRANSIT PASS**  
**ANDAMAN FOREST DEPARTMENT**

Book No.....

Serial No.....

1. Name and address of Holder :
2. Description of the Produce :
3. Quantity :
4. Source and place of collection :
5. Destination:
6. Route (Road and Sea):
7. Date of Issuing the pass:
8. Date of expiry of the pass:
9. Number and date of permit  
issued for collection of produce:
10. Facsimile of the Hammer Mark:

Signature and Designation  
of the Issuing Officer

**FORM 'B'**  
 [See Rule 8(1)(b)]  
**FOREST DEPARTMENT, ANDAMANS**

..... **DIVISION**

*Offence Report No*..... *Dated*.....

----- {REVENUE STATION  
 RANGE

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 Nature of Offence

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Date and hour of detection.....

Place of occurrence .....

By whom detected.....

**REFERENCE TO SECTIONS OF THE FOREST ACT AND INDIAN PENAL CODE**

*(To be filled in by the Divisional Forest Officer)*

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Names of Accused

Name	Father's name	PLACE OF RESIDENCE		
		Village	Thana	District

Name of Witnesses

Name	Father's name	Village	Thana	District

(Full report of facts overleaf)

**FULL REPORT OF ALL THE FACTS IN DETAIL**  
*(To be framed not later than the day after the occurrence)*

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**STATEMENT OF THE ACCUSED**

**(Log Timber Receipt) Register      Annexure I**

Sl.No.	Date	T.P.No. & Date	Log No. species	Log size	Volume in m <sup>3</sup>	Date of conversion	Sawn m <sup>3</sup>	Quantity	Ref. to conversion Register
				Length/Girth (in cm)					
1	2	3	4	5	6	7	8	9	10

**(Log Timber conversion and Disposal Register)**

Sl. No.	Date	Ref. to receipt Register	Log No.	Species	Details of sawn sizes	Total quantity in m <sup>3</sup>	Local sale in quantity	Challan No. and date	Shipment quantity	Shipment No.	Ref. to shipment T.P.No.	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

**FORM 'C'**

[See Rule 9(B)(a)]

**APPLICATION FOR IMPORT OF TIMBER/ FOREST PRODUCE**

To  
The Chief Conservator of Forests  
Andaman & Nicobar Islands,  
Port Blair.

Sir,

I/We....., R/o ....., engaged in the business of....., desire to import timber/ forest produce of the following specifications into the Andaman & Nicobar Islands through the port of .....

Sl. No.	Species	Specifications in cm			Volume in cum
		Length	Width	Thickness	

The import of the above stated timber/ forest produce is being made from ..... Necessary documentary proof showing the origin of the timber/ forest produce is enclosed. The timber/forest produce shall be brought to the Andaman & Nicobar Islands by the following route:

The imported timber/ forest produce is expected to arrive at the Port of ..... by..... on ..... The imported timber/ forest produce on receipt shall be transported to the godown of the undersigned at .....

It is requested that permission may please be granted for import of the above mentioned timber/ forest produce and its transport to the godown of the undersigned.

Place:

Date:

Name & address of the applicant





## ANNEXURE-III

RECEIPT AND UTILIZATION OF SAWN TIMBER IN THE FURNITURE MART (SEPARATE PAGE FOR EVERY CATEGORY OF SAWN TIMBER) FOR THE MONTH....., 2004

<i>Category of sawn timber and species</i>	<i>Size of sawn timber</i>	<i>Opening Balance Pc.R/mt Vol</i>	<i>Bill/Gate Pass No. with date and source of origin</i>	<i>Qty. utilized Pc.R/mt Vol (including wastage)</i>	<i>Furniture/ items manufactured</i>	<i>Closing Balance of sawn timber</i>	<i>Signature of Proprietor and inspecting Forest Officer</i>

**DISPOSAL OF FURNITURE/ ITEM MANUFACTURED DURING THE MONTH OF**

<i>Furniture/ items manufactured</i>	<i>If sawn timber supplied by the purchaser, the details of sawn timber, Bill/ Gate Pass No. with date and source of origin</i>	<i>Details of furniture/ items disposed or sold</i>	<i>Bill No. and date of sale or disposal</i>	<i>Name &amp; address of the customer</i>	<i>Particulars of furniture available in stock</i>	<i>Signature of Proprietor and inspecting Forest Officer</i>

**ORDER BOOK FOR MANUFACTURING FURNITURE/ ITEMS DURING THE MONTH OF**

<i>Name &amp; address of the customer</i>	<i>Particulars of furniture/ items with size, number of pieces etc. ordered for manufacture with date of order</i>	<i>Whether timber supplied by the party, the details of sawn timber, Bill/ Gate Pass no. with date and source of origin (Xerox copies of Bills should be kept)</i>	<i>Details of furniture/ item supplied</i>	<i>Bill No. and date for sale or disposal</i>	<i>Signature of Proprietor and inspecting Forest officer</i>