

***THE KERALA FOREST PRODUCE TRANSIT RULES, 1975**

(Selections 39, 40 and 76)

S.R.O No. 76/76.- In exercise of the powers conferred by Sections 39, 40 and 76 of the Kerala Forest Act, 1961 (4 of 1962) and in supersession of (i) the rules published under G.O. (p) No. 631 Agriculture (Forest B) Department dated 10th June, 1959, in the Kerala Gazette No. 26, Part I dated the 30th June, 1959, and (ii) the rules published by the former Government of Madras under G.O.MS. No. 2762/Agri. dated the 26th November, 1955, as in force in the Malabar District referred to in sub-section (2) of Section 5 of the States Reorganisation Act, 1956 (Central Act 37 of 1956), the Government of Kerala hereby make the following rules, namely:-

1. Short title and commencement.- (1) These rules may be called the Kerala Forest Produce Transit Rules, 1975.

(2) They shall come into force at once.

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

(a) "Act" means the Kerala Forest Act, 1961 (4 of 1962);

(b) "form" means a Form appended to these rules.

1[(c) forest produce in transit includes 'forest produce' as defined in sub-clause (f), 'timber' as defined in sub-clause (k), and 'tree' as defined in sub-clause (l) of Section 2 of the Act, found on or on the margin of any public road, whether loaded in carts or other vehicles or not and forest produce found in any river or stream whether tied into rafts or not];

3. Import, export and transport of timber and other forest produce.-(1) No person shall;

import timber or other forest produce into the State; or

export timber or other forest produce from the state; or

transport timber or other forest produce by land, by rail or by water in any part of the State, unless such timber or other forest produce is accompanied by a pass required by these rules, and unless the timber is stamped by a Government stamp or a stamp registered as laid down in Rule 11.

2[(2) Government may by notification in the Gazette exempt any species of trees or any area within the State from the operation of sub-rule (1) for the purpose of giving incentive to grow trees on private lands.]

3[(a) Any person desiring to export timber or other forest produce outside India shall obtain a clearance order in Form No. 11 from the Divisional Forest Officer, or Assistant conservator of forests having jurisdiction over the area. For this purpose he shall put in an application in Form No. 1 at least 14 days before the proposed date of export to the Divisional Forest Officer or Assistant conservator of Forests as the case may be.

(b) On receipt of an application under clause (a), the Divisional Forest Officers, or Assistant Conservator of Forest, as the case may be, shall issue a clearance order in Form No. 11 to the applicant, after satisfying himself of the genuineness of the produce intended or export].

(c) The Divisional Forest Officer or Assistant Conservator of Forests shall return the original records received along with the application under clause (a) to the party concerned after making necessary endorsement thereon, to the effect that such and such logs or produce have been cleared for export.

Comments and Case Law

Transport of teak poles which are found to be not the property of the government without any valid permit or pass as required under R.3(i)(iii) - An order of confiscation of lorry cannot be passed for violation of the Rules. Bhargavan V. Divisional Forest Officer - 1994 91) KLT 29: ILR 1994 (2) Ker. 422.

4. Form and issue of passes.-(1) (a) All passes issued by the officers of the Forest Department, whether for export to places outside the State or for transport within the State, of timber and other forest produce shall, except as provided in Rules 5,6,7 and 8 be in Form III and shall be printed in triplicate, and shall have all the columns filled up by a duly authorised officer who shall sign and date each part, hand over the original to the applicant, send the duplicate to the officer-in-charge of the Division or Range, as the case may be, and keep the triplicate attached to the book as a counterfoil or record in his office.

Export passes shall be printed on red paper and marked "Export way permit" and shall be issued by the Divisional Forest Officers or other officers auhorised in that behalf by the Chief Conservator of Forest on production of proof that the articles mentined has been properly obtained and subject also to clause (iii) of the sub-rule (1) of Rule 3 wherever necessary.

Passes for timber and other forest produce belonging to the Government and purchased from Government land or from Government depot or elsewhere shall be printed on white paper and issued by the Range Officer or Depot Officer or by any other officer authorised in that behalf by the Chief Conservator off Forests. The validity of the passes issued under this clause, shall be subject to the conditions under which the sale of the produce was effected.

Passes for timber and other forest produce collected from private lands shall be printed on yellow paper and be marked "Private". Such passes shall be issued by the Divisional Forest Officer or Forest Range Officer or by any other officer authorised in that behalf by the Chief Conservator of Forest on application and production of proof that the forest produce was obtained from the place mentioned in the application and subject to such procedure as may from time to time be prescribed by the Chief Conservator of Forests. Every applicant for a pass under this clause shall in the case of land lying contiguous to a Reserved Forest or to lands at the disposal of Government, have the surveyed boundaries cleared and correctly fixed or demarcated on the ground and a declaration by the applicant to that effect shall accompany every such application.

If the forest produce is sold from a sale depot situate within the limits of a town, it shall be enough if the forest produce be covered by a way permit in Form III A in cases where the forest produce is not intended to be conveyed beyond the limits of the town in which the depot is situated and is for use within such limits.

(2) (a) Application for the issue of passes for the removal of teak, rosewood and ebony from private lands, shall be made to the Forest Range Officer having jurisdiction over the area from which such produce is proposed to be removed.

Every application for a pass for teak collected from plantations and rosewood shall be accompanied by a copy of the sanction order issued by the authorised officer under the Kerala Restriction on Cutting and Destruction of Valuable Trees Rules, 1974 and a list showing the quantity of timber proposed to be removed.

Application for the issue of passes for teak collected from areas other than plantations and ebony shall specify the village in which the private land is situated, the survey number, the sub-division number, if any, and the approximate area of the land and shall be accompanied by a list showing the quantity of timber proposed to be removed. If the Forest Range Officer, to whom the application is made considers that further particulars about the land are required, he may call for such information direct from the concerned village officer and the village officer shall furnish the information called for within seven days from the date of receipt of such requisition. Delay on the part of the village officer in supplying such information shall be reported by the Forest Range Officer to the concerned Tahsildar for appropriate action.

On receipt of the application under clause (a) and in cases where further particulars have been called for under clause (c), on receipt of such particulars, the Forest Range Officer shall personally inspect the land and the timber and if he is satisfied that the particulars furnished in the application are correct, forward the records to the Divisional Forest Officer with a certificate in the following form:-

"Certified that the land has been inspected by me on
..... that the boundaries thereof have been
checked and verified and that the timber as per the accompanying list has been collected
from the areas specified in the application".

The Divisional Forest Officer shall, on receipt of the records from the Forest Range Officer, check the details and if satisfied that the applicant is entitled to get a pass, issue the same and forward the same to the Forest Range Officer. Every pass issued shall be valid till such date, not being a date beyond three months from the date of issue of the pass, as may be specified therein.

The Forest Range Officer shall, with in one week from the date of receipt by him of the pass from the Divisional Forest Officer, stamp the timber and hand over the pass to the applicant.

(3) (a) Application for the issue of passes for transport of sandalwood from private lands shall be made to the Divisional Forest Officer having jurisdiction over the area from which such produce is proposed to be removed.

Every application for a pass shall be accompanied by a copy of the sanction order of the authorised Officer issued under sub-rule (ii) of Rule 5 of the Kerala Restriction on Cutting and Destruction of Valuable Trees Rules, 1974.

On receipt of a n application under clause (a) the Divisional Forest Officer shall inspect the area and verify the collections by reforming each tree with reference to the dimensions of the corresponding pits an dif he is convinced that the collections are genuine and the measurements and weights recorded are correct, he shall get the pieces stamped with the Division hammer at both ends in his presence and issue a pass for the pieces as well as for other parts of sandalwood such as chips and dusts, if any. Every pass issued shall be valid till such date, not being a date beyond fourteen days from the date of issue of the pass, as may be specified therein.

(4) (a) Application for the issue of passes for removing forest produce other than teak, rosewood, sandalwood and ebony from private lands shall be made to the Village Officer having jurisdiction over the area from which such produce is proposed to be removed:

4[Provided that no pass shall be necessary for the removal of the following species of timber, namely:-

Sl. No.	Common Name	Scientific Name
1.	Acacia	Acacia auriculiformis
2.	Ambazham	Spondias mangifera
3.	Anjily	Artocarpus hirsuta
4.	Aranamaram	Polyalthia longifolia
5.	Arayal	Ficus religiosa
6.	Arecanut	Areca catchu
7.	Asokam	Saraca indica
8.	Athi	Ficus glomerata
9.	Badam	Terminalia catappa
10.	Cashew	Anacardium occidnetale

11.	Casurina	Casuarina equisetifolia
12.	Chembakom	Michelia champaca
13.	Coconut	Cocos nucifera
14.	Elavu	Bombax ceiba
15.	Elenji	Mimusops elenji
16.	Ghnaval	Syzygim cunimi
17.	Gulmohar	Delonix regia
18.	Ithy	Ficus gibbosa
19.	Jacaranda	Jacaranda mimosaefolia
20.	Jack	Artocarpus integrifolia
21.	Jathi	Myristica gragrans
22.	Kadaplavu	Artocarpus gomezianus
23.	Kadukka	Terminalia chebula
24.	Kara	Lanea coromandalica
25.	Karingotta	Quassia indica
26.	Kariveppu	Murraya koenigil
27.	Kodam puli	Garcinia cambogia
28.	Konna	Cassia fistula
29.	Koovalam	Aegle marmelos
30.	Kunnivaha	Albizzia odoratissima
31.	Mahagony	Swietenia macrophyla
32.	Mandaram	Bauhinia species
33.	Mangium	Mangifera indica
34.	Mango	Lagerstroemia
35.	Manimaruthu (Neerventeak)	flosreginae Cassua suanea
36.	Manjakonna	Hydnocarpus pentadra
37.	Marotti	Ailanthus malabarica
38.	Matti	Moringa pterygosperma
39.	Muringa	Erythrina indica
40.	Murukku	Azadirachta indica
41.	Neem	Emblica officinalis
42.	Nelli	Albizia lebbeck
43.	Nenmeni vaha	Alstonia scholaris
44.	Pala	Albezia falcataria
45.	Peeli vaha	Peltophorum
46.	Peltophorum	pterocarpum
47.	Peral	Ficus bengalensis
48.	Perumaram	Ailanthus excelsa
49.	Ponthan vaha	Albizia chinensis
50.	Poovarasu	Thespesia popilnea
51.	Punna	Calo[hyllum inophyllum
52.	Rain tree	Samanea saman
53.	Rubber	Hevea braziliensis
54.	Seemakonna	Glyricedia maculata
55	Silk cotton tree	Ceiba pentandra

56.	Spathodia	Spathodea companulata
57.	Tamarind	Tamarindus indica
58.	Thanni	Terminalia bellerica
59.	Ungu	Pongamiapinnata
60.	Vella vaha	Albezia procera
61.	Vellappine	Vateria indica

5[Provided further that no pass shall be required within the limits of Taliparamba, Cannanore, 6[XXXX] Kozhikode, Tirur, Ponnani, Perinthalmanna and Ottappalam Taluks; 7[Portions of Taluk lying west of koxhikode - Cannanore road;] portions of Badagara and Tellicherry Taluks ;lying west of Badagara - Tellicherry road; Badagara and Tellicherry Municipalities; and in the erstwhile Travancore - Cochine area the portion lying west of Shornur-Trichur Road and NH 47 upto Angamali; M.C. Road upto trivandrum East Fort and Trivandrum Cape-Comarian upto the State boundary at Parassala for the removal of th etimber species namely " Elavu, Kambli, Matti, Pala, Kanakaitha, Ambazham, Thodayam and Podipari.]

Every application for a pass shall specify the survey No., if any, and the approximate area of the land and shall be accompanied by a list showing the details of the produce such as quantity of the produce/measurements of timber proposed to be removed.

On receipt of an application under clause (a) the Village Officer shall personally inspect the land and the produce and if he is satisfied that the particulars furnished in the application are correct, forward the records to the forest Range Officer having jurisdiction over the area with a certificate in the following form:

"Certified that the produce as per the accompanying list has been collected from the areas specified in the application".

8[(d) The Forest Range Officer or any other officer specially authorised by the Government in this behalf shall on receipt of the records from the Village Officer, issue the pass in Form III. Every pass issued, shall be valid till such date, not being a date beyond three months from the date of issue of the pass, as may be specified therein. The timber shall be stamped with a Government hammer by the Forest Range Officer or any other officer authorised in that behalf by the Forest Range Officer or any other officer specially authorised by Government to issue pass and that officer shall hand over the original of the pass to the applicant:

Provided that in the case of areas falling within the limits of villages in which Reserve Forests are situated or in villages adjoining Reserve Forests, the Forest Range Officer or any other officer specially authorised by Government to issue pass shall inspect the area and the produce and satisfy himself about the genuineness of the collection before the issuance of the pass. Provided further that no Government stamp need be affixed on the timber of one metre and below in length and the Forest Range Officer or any other officer specially authorised to issue pass shall hand over the original of the pass to the applicant for removal of the such timber without such stamp.]

(e) The passes issued under this sub-rule are intended only for transport of forest produce within the State and when the produce has to be exported, export passes should be obtained from the concerned Divisional Forest Officer on the strength of the passes issued under this sub-rule.

Every application for extension of the period of validity of a pass shall be treated as an application for a new pass and shall be dealt with accordingly.

(5) If the satisfactory conduct of the inspection under clause (d) of sub-rule (2) or under clause (c) of sub-rule (4) or under clause (d) of sub-rule (4) involves the clearance of the surveyed boundaries of the private lands concerned, the applicant or his agent shall on being called upon by the inspecting officer in writing, clear such boundaries and if he fails to do so within a reasonable time, the application shall be rejected.

(6) The entire procedure in each case shall be completed within one month from the date of receipt of the application for a pass, but if the applicant or his agent fails to fulfil any of the conditions obligatory on him within a reasonable time, the application shall be rejected and the applicant shall be given an immediate intimation rejecting the application with reasons therefore. If the intimation cannot be delivered personally to the applicant or his agent, it shall be sent to the applicant by registered post and a notice thereof made in the concerned office records.

(7) (a) The validity of a pass issued under sub-rule (2) or sub-rule (3) may be extended by the Divisional Forest Officer on application from the pass holder and on production of the original pass with the actual removal noted on the reverse of the pass and certified by the Foresters or forest Guards who checked the removals at the place of loading or at the watch stations or checking stations through which they were removed.

Every application for extension of the period of validity of a pass issued under sub-rule (2) or sub-rule (3) shall be made to the Forest Range Officer concerned, who shall, after verifying the balance of the Forest produce left unremoved at site, submit the same with his remarks within a fortnight to the Divisional Forest Officer, who shall grant such extension within a fortnight from the date of receipt of the remarks of the Forest Range Officer.

Nothing contained in this sub-rule shall be deemed to authorise the Divisional Forest Officer to extend the period of validity of a pass issued under sub-rule (2) or sub-rule (3) beyond six months from the date on which it was first issued.

Every application for extension of the period of validity of a pass issued under sub-rule (2) or sub-rule (3) beyond six months from the date on which it was first issued shall be treated as an application for a new pass and shall be dealt with accordingly.

(8) If any application be made for the issue of a copy of pass already issued on the plea that the original was lost by mischance or otherwise, a copy of the pass may be issued on

production of the required copying stamp papers and after inspection and verification of the forest produce, if necessary.

(9) Any person desiring to export the exempted timber which are not exempted in other States, shall submit his application to the Village Officer having jurisdiction over the area from which such timber is proposed to be removed. Export passes in such cases shall be granted on the strength of the passes issued by the Forest Range Officer under sub-rule (4) by the Divisional Forest Officer having jurisdiction over the area from which such timber is proposed to be removed.

Explanation.- The Forest Department shall not be held responsible for any dispute regarding the ownership of the produce for which passes are issued and the issue of a pass does not ipso facto confer any right on any person regarding the ownership of that produce.

5. **Passes for import or transport.-** In the case of forest produce imported from other States the pass shall be in Form IV printed on red paper. In the case of timber transported from place to place within the State by merchants or others who have registered their property marks, the pass shall be in Form IV printed on white paper, the forms being obtained from the Forest Department. The language used in this case must be English, Malayalam, Tamil or Canarese.

(2) Passes in Form IV (white) shall be in triplicate and shall have all the columns filled up by the owner of the depot or his authorised agent, the original shall be handed over to the person authorised to move the timber and the triplicate shall be kept as a counterfoil for at least one year from the date of issue, and shall be produced for inspection at any time within that period on demand by any Forest Officer not below the rank of a Forester. The duplicate shall be sent to the Divisional Forest Officer in whose jurisdiction the depot is situated.

(3) Passes issued by Officers and Merchants of the other States shall be honoured till the consignments covered by such passes reach the first Forest Watch Station/Checking Station on the route of transport. On reaching the station, the passes shall be surrendered to the Officer in charge of the station who shall then issue a pass in Form IV in red paper in lieu of the pass surrendered and stamp the timber with his mark before the consignment leaves his station. The pass in Form IV (red) shall be in duplicate, the original to be handed over to the person transporting the produce and the duplicate to be kept as counterfoil at the watch station.

6. **Passes for transport of Government timber and other Forest produce.-**

Passes for transport of Government timber and other forest produce from a forest to a sale depot or from one sale depot to another or from one place to another within the State shall be in Form V in quadruplicate, and issued by the Range Officer, Depot Officer or other Officer authorised by the Divisional Forest Officer whether such timber is worked

down by Forest subordinates or by contractors employed by the Forest Department for the purpose.

7. Issue of subsidiary pass book.- (1) Where any difficulty is experienced by forest subordinates or contractors in moving in one consignment all the timber and other forest produce covered by a single Form No. V pass, the Divisional Forest Officer may issue to the subordinate on duty a numbered pass book, known as subsidiary pass book in Form VI and shall at the same time authorise the Forest subordinate to issue one of these as a subsidiary pass for each load or raft. Form VI passes shall be in quadruplicate and shall be printed on white paper. The original and the duplicate should accompany each consignment of forest produce transported, the triplicate shall be sent to the Forest officer, who issued the main pass and quadruplicate kept as counter foil. When the produce is received in the depot, the Depot Officer shall acknowledge the receipt of forest produce in the duplicate copy indicating difference if any and return the same to the Forest Officer who issued the main pass. these passes will take the place of the main pass. The main pass shall however, be surrendered to the Depot Officer, along with subsidiary pass for the last consignment.

(2) Where any difficulty is experienced by contractors in moving in one consignment all the timber and other forest produce purchased from Government land and covered by Form III pass, the Divisional Forest Officer may issue to his subordinate on duty a numbered pass book, known as subsidiary pass book in form VI after realising the value of the pass book from the contractor concerned, and shall at the same time authorise the forest subordinate to issue one of these as a subsidiary pass for each load or raft. The Form VI passes for this purposes shall be in triplicate and shall be printed on yellow paper. The original should accompany each consignment of forest produce transported, the duplicate shall be sent to the Forest Officer who issued the Form III pass and the triplicate kept as counterfoil.

(3) Passes in Form VI shall have all the columns filled up by the forest subordinate and the passes shall be signed and dated by him, Every such pass shall bear the number and date of the main pas under which it is granted.

8. Passes for removal of fuel, charcoal etc.- (1) Passes for the removal of 9[fuel wood], charcoal, bamboos, reeds, incha and other forest produce, purchased from reserved forests or unreserved Government lands on payment of the prescribed seigniorage fees, shall be in Form VII printed in triplicate, and shall be issued by the Range Officer of the range or any other Officer specially authorised in this behalf by the Conservator of Forests.

(2) In Divisions where transport of reeds is effected by land in head-load, head-load passes shall be issued in Form VIII whenever necessary. Passes for head-loads of reeds shall be in the form of tickets printed on card board or otherwise and shall have the description of produce and value entered on them, in print, besides the passes being consecutively numbered, on both their right and left hand edges in print and perforated in the middle. Watch pass shall be printed in the same denomination, namely for one

headload of thirty reeds, valued at Rupee one only and shall be current or valid only for any one day of 24 hours.

(3) Fees paid as seigniorage for articles of minor forest produce including reeds and bamboos shall not be refunded on any account.

9. Passes not to be valid if not duly filled up etc..- Passes issued under these rules shall not be valid unless all the columns have been filled up and unless they have been duly signed and dated, and in the case of passes issued by Forest Officers unless also stamped with the official seal of the Forest Officer concerned and in the case of those issued by merchants and others unless they are also stamped with their registered property mark.

10. Passes to accompany the timber or forest produce, etc..- 91) Passes issued under these rules shall invariably accompany the timber and other forest produce which is in transit and any vehicle carrying such timber or other produce shall be stopped for inspection at all established Forest Watch Station/Forest Checking Stations on the routes and also when demanded by any Forest Officer in uniform so as to make it possible for him to check the produce in transit.

(2) It shall not be lawful to take any timber or other forest produce by any route other than that mentioned in the pass or to take any timber or other forest produce off any road or over on the prescribed routes on which a watch station or checking station has been placed, with the intention to evade the production of the article at the watch station or checking station. The quantity of timber or forest produce must not be greater than or different from that entered in the pass and, if it is less, the quantity actually passed every time shall be entered on the back of the pass and the entry signed and dated by the checking officer and the pass returned to the person producing it to cover the Forest produce during further transit till it reaches its destination provided that the total quantity removed does not exceed that entered in the pass and that the last removal is effected within the time noted in the pass.

11. Passes in general and checking.- (1) A pass issued under these rules shall not be for more than one unit of transport, for example, one raft, one cart-load, one boat-load, one lorry-load, one waggon-load, etc.

(2) All passes shall be written in ink or copying pencil using carbon paper.

(3) Copies of passes prescribed by these rules to be sent to the Depot Officer, Ranger Officer and Divisional Forest Officer shall be despatched by post or messenger within 24 hours of issue.

(4) Supply of forms of subsidiary passes will be on realisation of value that may be fixed by the Government from time to time from the party at whose instance such passes are issued.

(5) All timber in transit must, for purposes of identification be stamped at both ends. All timber covered by passes issued by Forest Officers shall be stamped with a Government stamp, and all timber covered by passes issued by timber merchants shall be stamped with the property mark registered by him with the Divisional Forest Officer.

12. **Property marks.**- (1) Merchants or other persons trading in timber may register their property marks and it shall not be lawful to use any property mark which has not been registered. The application for registration of property mark shall be submitted to the Divisional Forest Officer and shall contain the name of the Dept, trading licence No. if any and the approximate quantity of timber which the applicant intends to deal with during the financial year and shall be accompanied by 25 impressions of the property mark. The Divisional Forest Officer shall cause necessary enquiries being made about the antecedents of the applicant and if he is satisfied that there is no objection in granting the property mark any issue a certificate of registration in Form No. IX. A property mark registered shall be valid only for the particular depot mentioned in the certificate of registration. If a timber trader runs Timber Depots in more than one place, he shall register his property mark separately for each Depot at the Offices of the respective Divisional Forest Officers. 10[the registration shall be in force for a period of five years counting from the 1st day of April of the year of registration. A property mark registered or renewal under this rule shall be different for each Depot]. The Divisional Forest Officer may, for good and sufficient reasons to be recorded in writing, cancel or suspend a registration certificate already issued.

11[(2) The fees for registration or renewal of property mark for a period of five years or part thereof shall be rupees two thousand five hundred.]

(3) The property mark registered in one Division shall be honoured in all other Divisions. Impressions of a property mark registered by a Divisional Forest Officer shall be furnished by him to all other Divisional Forest Officers for information. A register of property marks shall be maintained in each Division containing full particulars of all the registered property marks in the State. In cases of renewal, cancellation or suspension, the Divisional Forest Officer doing so shall intimate the fact to all other Divisional Forest Officers for their information. It shall be open to any Forest Officer not below the rank of a Forester to inspect the timber yard or trading place of a timber trader, check the timber or the accounts before or at any time after registration or renewal of his property mark. Form No. IV pass books printed on white paper shall be issued to those who have registered their property marks on realisation of prescribed fees by the Divisional Forest Officer. The issue of pass books shall be regulated in such a way that the dealer shall not be in possession of more than one book with him at a time. He shall issue passes strictly in the serial order. A fresh book shall not be opened before the book in use has been completely exhausted.

(4) The Divisional Forest Officer may refuse registration or renewal and cancel or suspend registration or renewal of any property mark if he considers that the registration or renewal of such property mark is detrimental to forest protection on account of the position of the Depot or of the antecedents of the applicant or that such property mark

cannot be easily distinguished from a Government mark or from a property mark already registered, or for other good and sufficient reason which shall in every case, be placed on record by him. Against such refusal, cancellation or suspension, an appeal shall lie, within 45 days from the date of receipt of the order of the Divisional Forest Officer, to the Conservator of Forests whose decision thereon shall be final.

13. **Checking stations.**-The chief Conservator of Forests may, by notification in the Gazette, open new checking stations or close those in existence at any time and they shall be considered as opened or closed, as the case may be, from the date of publication of such notification in the Gazette.

14. **Removal of obstruction of waterways.**- (i) if any tree falls or if any timber sinks or lies floating in the water of any river, stream, canal, creek, or other channel, natural or artificial, in such a manner as to obstruct the passage of boats or timber rafts the person in occupation of the ground where the tree was growing or the person in charge the timber which has sunk or lies floating shall within 24 hours cause the removal thereof.

(ii) Any person whose boat or timber raft is obstructed in its passage, or any officer of the Revenue, Police, Public Works or Forest Departments any forthwith cause the removal of any such obstruction and may report the fact to the nearest Magistrate having jurisdiction, whose order as to the recovery of expenses thus incurred shall be final.

15. **Obstruction of waterways.**- It shall not be lawful to close or obstruct a stream or river or channel or other waterway natural or artificial, by throwing timber, brushwood, stones or earth or any other material, or in any other manner so as to prevent or obstruct the floating or rafting of timber or passage of boats. Such obstruction may be removed by any Officer of the Forest, Revenue or police Department and the cost of such removal shall be recovered from the person causing such obstruction in addition to any punishment to which he will be liable under Rule 23.

16. **Protection of timber on river banks etc..**- All timber stored on the banks of rivers, streams, canals, creeks and other channels natural or artificial or in places which are liable to be flooded, shall be securely fastened by rope or chains to posts driven securely into the ground or to trees or other naturally secure holds, to prevent the timber being floated away by the water.

17. **Regulation of floating of timber.**- Unless otherwise provided in any other law relating to public canals and public ferries for the time being in force, the floating of timber in rivers, streams, canals, creeks and other channels where it has to pass bridges, locks, or other public works shall be regulated as follows:-

(a) Timber rafts shall not exceed 45 metres in length;

(b) Timber rafts shall not exceed in width one half of the narrowest span of any bridge, or one half of the narrowest portion of any lock or other public works past which the timber has to be floated;

(c) A timber raft is being passed through a bridge, lock or other public works shall have the following number of able-bodied persons in charge of it:-

	Person
for a raft under 15 meters in length	2
for a raft above 15 metres, but below 30 metres	3
for a raft above 30 metres, but below 45 metres	4

(d) The persons in charge of such raft shall be supplied with suitable poles of sufficient length or other suitable appliances or guiding the rafts;

(e) No two rafts shall be anchored abreast of each other;

(f) A light shall be supplied to every raft at night.

(g) Every timber raft, whether anchored or moving elsewhere than through any bridge, lock or other public works shall always have at least one able bodied person in charge thereon.

18. **Powers of Officers.**- All Revenue Officers not below the rank of Village Officer, all Police Officers not below the rank of Head Constable, all Forest Officers and all Officers in charge of bridge, locks or other public works shall have power to seize or detain:

(a) all timber stored in contravention of Rule 16;

all timber rafts until reduced to proper dimensions prescribed in these rules;

all timber rafts which are being floated in contravention of Rule 17 until the required conditions are fulfilled and

all timber which has caused damage to bridges, locks, or other public works.

19. **Report of officers.**- The person making the seizure or detention under Rules 18 shall, without delay, report the fact to the nearest Station House Officer of Police.

20. **Disposal of Reports.**- The Station House Officer of Police shall thereupon report the fact to the nearest Magistrate who may pass such orders on it as he may deem fit.

21. **Damages.**- The amount of damage caused shall be assessed by the Public Works Division officer in whose charge the bridge or other public work is, but the Chief Judicial Magistrate of the district may revise the assessment so made and his order thereon shall be final.

22. **Storing on and transport across private lands.-** (1) Any Officer of the Forest Department may store timber or other forest produce which is the property of the Government on private lands or transport such timber or other forest produce across such land if such a step is necessary, and if any damage or loss is caused by such storage or transport, fair compensation shall be paid for the same.

23. **Penalties.-** (1) Whoever commits any contravention of any of the provisions of these rules shall on conviction by a magistrate be punished with imprisonment for a term which may extend to six months or with a fine which may extend to rupees five hundred or both.

(2) In cases where any offence was committed after making preparation for resistance to the execution of any law or any legal process or where the offender has been previously convicted of a like offence, the convicting Magistrate may impose double the penalty specified in sub-rule (1).

KERALA FOREST DEPARTMENT

FORM No.I

[See Rule 3(2)]

Application for clearance order for the export of Forest Produce

Name and address of the person/company exporting forest produce.

Name of produce

Description of logs - Log No. length x girth - Cubical contents.
(As it is originally stored at the time of transport).
In the case of other forest produce, please give the quantity.

Marks for identification.

Whence obtained - Place, depot or range, division and State.

How obtained - Sale from Government Department/Private Department/from private land
(Name and also Survey No. in the case of private lands to be specified).

(a) If the log has been reshaped or otherwise converted, details of conversion and reference to item No. of conversion register.

(b) Number and date of sale confirmation order/property mark registration.

Form III pass Yellow/salw deed (enclosed in original with a copy).

Details of transport pass under which the produce was transported to its present place of storage (original enclosed).

Checking stations passed, with date and time of checking.

Checking if any, done by other forest officials.

Depot where it is stored now.

Description of timber (as it stands now) Log No. length, girth (breadth x depth) cubical contents.

Marks of identification.

The Port/Railway Station from where export is desired.

Place:

Date:
applicant.

Signature of the

(Exporter).

KERALA FOREST DEPARTMENT
FORM No. II
[See Rule 3(2)]

Clearance order for the Export of Timber and other Forest Produce from Port, Railway Station

No.

Ref.:- Application No. and date:

1. Name and address of the exporter.
2. Description of timber or other forest produce for which clearance is granted
 - (a) Species.
 - (b) Whether round log or square.
 - (c) Log No. length x girth (breadth x depth) cubical contents or weight
 - (d) Marks for identification
3. Where exported

The timber or other forest produce described above have been found genuine and there is no objection in exporting them.

Office of the Divisional Forest Officer/
Officer/

Divisional Forest

Assistant Conservator of Forests.
Forests.

Assistant Conservator of

Station:
Date:

Copy to the Customs Collector

Divisional Forest Officer/
Assistant Conservator of Forests.

KERALA FOREST DEPARTMENT
FORM No. III
[See Rule 4(1)]
EXPORT WAY PERMIT
(Counterfoil to be retained by the issuing Officer)

..... Sales/ Forest Division
Pass No.

Pass for the export of timber or other Forest Produce

Name and residence of the person to whom pass is granted

Description of produce

Quantity

Fees paid, if any

Marks, if any

Whence obtained

Destination

Route (Specify the Forest Watch Station/ Checking Station)

Time allowed

Remarks

Date:
Station:
pass

Signature of the person granting the

Name
Designation

(Office Seal)

(Red)

KERALA FOREST DEPARTMENT
FORM No. III
[See Rule 4(1)]
EXPORT WAY PERMIT
(Duplicate to be sent to the Officer in charge of the Range or Range or Depot or Division
or the case may be)

..... Sales/Forest Division
Pass No.

Pass for the export of timber or other Forest Produce

Name and residence of the person to whom pass is granted.

Description of produce

Quantity

Fees paid, if any

Marks, if any

Whence obtained

Destination

Route (Specify the Forest Watch Station/ Checking Station on the route)

Time allowed

Remarks

Date:

Station:

granting the pass

Signature of the person

Name

Designation

(Office Seal)

(Red)

KERALA FOREST DEPARTMENT

FORM No. III

[See Rule 4(1)]

EXPORT WAY PERMIT

Pass No.

Pass for the export of timber or other Forest Produce

Name and residence of the person to whom pass is granted.

Description of produce

Quantity

Fees paid, if any

Marks, if any

Whence obtained

Destination

Route (Specify the Forest Watch Station/ Checking Station on the route)

Time allowed

Remarks

Date:

Station:

Signature of the person

granting the pass

Name

Designation

(Office Seal)

(Red)

KERALA FOREST DEPARTMENT

FORM No. III

[See Rule 4(1)]

(Counterfoil to be retained by the issuing Officer)

..... Sales/Forest Division

Pass No.

Pass for the export of timber or other Forest Produce from Government Forests or depots or elsewhere

Name and residence of the person to whom pass is granted.

Description of produce

Quantity

Fees paid, if any

Marks, if any

Whence obtained

Destination

Route (Specify the Forest Watch Station/ Checking Station on the route)

Time allowed

Remarks

Date:

Station:

granting the pass

Signature of the person

Name

Designation

(Office Seal)

NB: - Enter No., species and measurement of each log or description of produce covered by this pass on the back.

KERALA FOREST DEPARTMENT

FORM No. III

[See Rule 4(1)]

EXPORT WAY PERMIT

(Duplicate to be sent to the Officer in charge of the Range or Depot or Division as the case may be)

..... Sales/Forest Division
Pass No.

Pass for the export of timber or other Forest Produce from Government Forest or Depots or elsewhere

Name and residence of the person to whom pass is granted.

Description of produce

Quantity

Fees paid

Marks,

Whence obtained

Destination

Route (Specify the name of Watch Station/ Checking Station on the route)

Time allowed

Remarks

Date:

Station:

granting the pass

Signature of the person

Name

Designation

(Office Seal)

N.B.- Enter No., species and measurement of each log or description of produce covered by this pass on the back.

(White)

KERALA FOREST DEPARTMENT
FORM No. III
[See Rule 4(1)]
EXPORT WAY PERMIT

..... Sales/Forest Division
Pass No.

Pass for the transport of timber or other Forest Produce from Government Forests or depots or elsewhere

Name and residence of the person to whom pass is granted.

Description of produce

Quantity

Fees paid,

Marks,

Whence obtained

Destination

Route (Specify the name of Watch Station/ Checking Station on the route)

Time allowed

Remarks

Date:

Station:

granting the pass

Signature of the person

Name

Designation

(Office Seal)

N.B.- Enter No., species and measurement of each log or description of produce covered by this pass on the back

KERALA FOREST DEPARTMENT

FORM No. III

[See Rule 4(1)]

(Counterfoil to be retained by the issuing Officer)

..... Forest Division

Pass No.

Pass for the export of timber or other Forest Produce from Private Lands

Name and residence of the person to whom pass is granted.

Description of produce

Quantity

Marks,

Whence obtained

Destination

Route (Specify the name of Forest Watch Station/ Checking Station on the route)

Time allowed

Remarks

Date:

Station:

granting the pass

Signature of the person

Name

Designation

(Office Seal)

N.B.- Enter No., species and measurement of each log or description of produce covered by this pass on the back.

(Yellow)

KERALA FOREST DEPARTMENT

FORM No. III

[See Rule 4(1)]

(Duplicate to be sent to the Officer in charge of the Range or Depot or Division or the case may be)

..... Forest Division

Pass No.

Pass for the Transport of timber or other Forest Produce from Private Lands

Name and residence of the person to whom pass is granted.

Description of produce

Quantity

Marks

Whence obtained

Destination

Route (Specify the name of Forest Watch Station/ Checking Station on the route)

Time allowed

Remarks

Date:

Station:

granting the pass

Signature of the person

Name

Designation

(Office Seal)

N.B.- Enter No., species and measurement of each log or description of produce covered by this pass on the back

KERALA FOREST DEPARTMENT

FORM No. III

[See Rule 4(1)]

..... Forest Division
Pass No.

Pass for the Transport of timber or other Forest Produce from Private Lands

Name and residence of the person to whom pass is granted.

Description of produce

Quantity

Marks

Whence obtained

Destination

Route (Specify the name of Forest Watch Station/ Checking Station on the route)

Time allowed

Remarks

Date:

Station:

granting the pass

Signature of the person

Name

Designation

(Office Seal)

N.B- Enter No., species and measurement of each log or description of produce covered by this pass on the back.

KERALA FOREST DEPARTMENT

FORM No. IIIA

[See Rule 4(1)]

Way Permit No.

(Counterfoil to be retained by Depot Officer)

Name and residence of purchaser

Description of produce

Value paid

Destination

Time allowed

Date:

Station:

Signature of Depot

Officer

(Office Seal)

N.B.- Enter No., species and measurements of each log or description of produce covered by this pass on the back

KERALA FOREST DEPARTMENT

FORM No. IIIA

[See Rule 4(1)]

Way Permit No.

(Duplicate to be sent to the Divisional Forest Officer)

Name and residence of the purchaser

Description of produce

Value paid

Destination

Time allowed

Date:

Station:

Signature of Depot

Officer

(Office Seal)

N.B.- Enter No., species and measurement of each log or description of produce covered by this pass on the back.

KERALA FOREST DEPARTMENT

FORM No. IIIA

[See Rule 4(1)]

Way Permit No.
(Triplication to be handed over to the Purchaser)

Name and residence of Purchaser

Description of produce

Value paid

Destination

Time allowed

Date:

Station:

Signature of Depot

Officer

(Office Seal)

N.B.- Enter No., species and measurement of each log or description of produce covered by this pass on the back.

KERALA FOREST DEPARTMENT

FORM No. IV

[See Rule 5]

(Duplicate to be retained by the issuing Officer)

.....Forest Watch Station/
Checking Station..... .. Forest Division
Pass No.

Pass for the Transport/Import of timber or other Forest Produce
from.....

Name and residence of the person to whom pass is granted.

Description of timber or other Forest produce and quantity

Marks

Whence obtained

Destination

Route (Specify the Forest Watch Station/ Checking Station on the route)

Time allowed

No. and date of original pass under which the produce transported to the Forest Watch Station/Checking Station

Date:

Station:

Signature of the person

granting the pass

Name

Designation

KERALA FOREST DEPARTMENT

FORM No. IV

[See Rule 5]

(Original to be given to the party)

.....Forest Watch Station/
Checking Station..... Forest Division
Pass No.

Pass for the Transport/Import of timber or other Forest Produce
from.....

Name and residence of the person to whom pass is granted.

Description of timber or other Forest produce and quantity

Marks

Whence obtained

Destination

Route (Specify the Forest Watch Station/ Checking Station on the route)

Time allowed

No. and date of original pass under which the produce transported to the Forest Watch Station/Checking Station

Station:

Date:

granting the pass

Signature of the person

Name

Designation

KERALA FOREST DEPARTMENT

FORM No. IV

[See Rule 5]

EXPORT WAY PERMIT

(Triplicate to be retained by the person granting the pass)

Pass No.

Name and residence of the person to whom pass is granted.

Description of Timber or Forest produce and quantity (Species, No. and cubical contents or weight)

No. of Certificate Registration

Marks

To what place removed

Route

Time allowed

Remarks (Here enter No. and date of original pass, if any)

Station:

Date:

Signature of the person

granting the pass

Address of

Timber Depot/Timber Merchants

KERALA FOREST DEPARTMENT

FORM No. IV

[See Rule 5]

(Duplicate to be sent to the District Forest Officer in whose jurisdiction the Depot is situated)

Pass No.

Name and residence of the person to whom pass is granted.

Description of Timber of Forest produce and quantity (Species, No. and cubical contents or weight)

No. of Certificate of Registration

Marks

To what place removed

Route

Time allowed

Remarks (Here enter No. and date of original pass, if any)

Station:

Date:

granting the pass

Signature of the person

Address of

Timber Depot/Timber Merchants

KERALA FOREST DEPARTMENT

FORM No. IV

[See Rule 5]

(Original)

Pass No.

Name and residence of the person to whom pass is granted.

Description of timber or Forest produce and quantity (Species, No. and cubical contents or Weight)

No. of Certificate or Registration

Marks

To what place removed

Route

Time allowed

Remarks (Here enter No. and date of original pass, if any)

Station:

Date:

granting the pass

Signature of the person

Address of

Timber Depot/Timber Merchants.

KERALA FOREST DEPARTMENT

FORM No. V

[See Rule 6]

(Quadruplicate to be retained by the issuing Officer)

..... Forest Division

Pass No.

Name and residence of the Contractor or Forest Subordinate to whom pass is granted.

Description of produce

Quantity

Marks, if any

From what Forest or Depot or place

To what Depot or place

Route

Time allowed

Remarks

Station:

Date:

Signature of R.O. or

D.O. granting the pass

Designation:

(Office Seal)

N.B.- Enter No., species and measurement of each log or description of produce covered by this pass on the back.

KERALA FOREST DEPARTMENT

FORM No. V

[See Rule 6]

(Triplicate to be sent to the Officer in charge of the Depot or place to which the timber is conveyed)

..... Forest Division

Pass No.

Name and residence of the Contractor or Forest Subordinate to whom the pass is granted.

Description of produce

Quantity

Marks, if any

From what Forest or Depot or place

To what Depot or place

Route

Time allowed

Remarks

Date:

Station:

Signature of R.O. or

D.O. granting the pass

Designation:

(Office Seal)

N.B- Enter No., species and measurement of each log or description of produce covered by this pass on the back.

KERALA FOREST DEPARTMENT

FORM No. V

[See Rule 6]

(Duplicate to be sent to the Officer in charge of the Division or Range as the case may be)

..... Forest Division

Pass No.

Name and residence of Contractor or Forest Subordinate to whom pass is granted.

Description of produce

Quantity

Marks, if any

From what Forest or Depot or Place

To what Depot or place

Route

Time allowed

Remarks

Station:

Date:

Signature of R.O or D.O

granting the pass

Designation:

(Office Seal)

N.B.- Enter No., species and measurement of each log or description or produce covered by this pass on the back

KERALA FOREST DEPARTMENT

FORM No. V

[See Rule 6]
(Original)

..... Forest Division
Pass No.

Pass for the Transport of timber or Forest Produce from Forest Depot or other place to another Depot or another place

Name and residence of Contractor or Forest Subordinate to whom pass is granted.

Description of produce

Quantity

Marks, if any

From what Forest or Depot or place

To what Depot or place

Route

Time allowed

Remarks

Station:

Date:

D.O. granting the pass

Signature of R.O. or

Designation:

(Office Seal)

N.B.- Enter No., species and measurement of each log or description of produce covered by this pass on the back.

KERALA FOREST DEPARTMENT

FORM No. VI

[See Rule 7(1)]

(Quadruplicate to be retained by the issuing Officer)

..... Sales/Forest Division

Subsidiary Pass No.

Main Pass No.

Name of Contractor or Agent or Forest Subordinates

From Where

Destination

Description and No, of timber or other Forest Produce

Dimensions

Marks

Time allowed

Station:

Date:

Subordinates

Signature of the Forest

Name

Designation

KERALA FOREST DEPARTMENT

FORM No. VI

[See Rule 7(1)]

(Triplicate to be sent to the Officer who issued the main pass)

Subsidiary Pass No.

Main Pass No.

Name of Contractor or Agent or Forest Subordinates

From where

Destination

Description and No. of timber or other Forest Produce

Dimensions

Marks

Time allowed

Station:

Date:

Subordinate

Signature of Forest

Name

Designation

KERALA FOREST DEPARTMENT

FORM No. VI

[See Rule 7(1)]

[Duplicate to be sent along with the original for acknowledgement by the Depot Officer under Rule 7(1)]

Subsidiary Pass No.

Main Pass No.

Name of Contractor or Agent or Forest Subordinates

From where

Destination

Description and No. of timber or other Forest Produce

Dimensions

Marks

Time allowed

Station:

Date:

Subordinates

Signature of Forest

Name

Designation

KERALA FOREST DEPARTMENT
FORM No. VI
[See Rule 7(1)]
(Original)

Subsidiary Pass No.
Main Pass No.

Name Contractor or Agent or Forest Subordinate

From where

Destination

Description and No. of timber or other Forest Produce

Dimensions

Marks

Time allowed

Station:

Date:

Signature of Forest

Subordinates

Name

Designation

KERALA FOREST DEPARTMENT
FORM No. VI
[See Rule 7(2)]
(Triplicate to be retained by the issuing Officer)

..... Forest Division

Subsidiary Pass No.
Main Pass No.

Name Contractor or Agent

From where

Destination

Description and No. of timber or other Forest produce

Dimension

Marks

Time allowed

Station:

Date:

Signature of Forest

Subordinates

Name

Designation

KERALA FOREST DEPARTMENT

FORM No. VI

[See Rule 7(2)]

(Duplicate to be sent to the Officer who issued the main pass)

..... Forest Division

Subsidiary Pass No.

Main Pass No.

Name of Contractor or Agent

From where

Destination

Description and No. of timber or other Forest produce

Dimension

Marks

Time allowed

Station:

Date:

Signature of Forest

Subordinates

Name

Designation

KERALA FOREST DEPARTMENT
FORM No. VI
[See Rule 7(2)]
(Original)

..... Forest Division

Subsidiary Pass No.

Main Pass No.

Name of Contractor or Agent

From where

Destination

Description and No. of timber or other Forest produce

Dimension

Marks

Time allowed

Station:

Date:

Signature of Forest

Subordinates

Name

Designation

KERALA FOREST DEPARTMENT
FORM No. VII
[See Rule 8(1)]
(Counterfoil to be retained by the issuing Officer)

..... Sales/Forest Division

Pass No.

Name and residence of the person to whom pass is granted.

Description of produce

Fees paid

From what place to be collected

To what place to be removed

Route

Time allowed

Remarks

Station:

Date:

officer

Signature of pass issuing

Designation:

(Office Seal)

KERALA FOREST DEPARTMENT

FORM No. VII

[See Rule 8(1)]

(Duplicate to be sent to the Divisional Forest Officer)

..... Sales/Forest Division
Pass No.

Name and residence of the person to whom pass is granted.

Description of produce

Fees paid

From what place to be collected

To what place to be removed

Route

Time allowed

Remarks

Station:

Date:

officer

Signature of pass issuing

Designation:

(Office Seal)

KERALA FOREST DEPARTMENT

FORM No. VII

[See Rule 8(1)]

(Original)

Pass No.

Name and residence of the person to whom pass is granted.

Description of produce

Fees paid

From what place to be collected

To what place to be removed

Route

Time allowed

Remarks

Station:

Date:

officer

Signature of pass issuing

Designation:

(Office Seal)

KERALA FOREST DEPARTMENT
FORM No. VIII
[See Rule 8(2)]

..... Range
No.

Reserve or locality
Station:
Date:

Initials of pass issuing officer

KERALA FOREST DEPARTMENT
FORM No. VIII
[See Rule 8(2)]

..... Range
No.

Name of the person to whom the ticket is granted.

Name of Reserve or locality

One head load of (30) thirty reeds

Fees paid, Rupees one only (here enter the value fixed for 30 reeds)

Destination

Time allowed Twenty-four hours

Station:
Date:

designation of officer issuing the ticket

(Office Seal)

Signature and

KERALA FOREST DEPARTMENT
FORM No. IX
[See Rule 12]

(Duplicate to be retained in the Office)
Registration Certificate No.

Name and residence of applicant

Description of property mark

Forest Division for which mark is registered

Amount of Fee

Date of registration or renewal

Remarks

Certified that..... residing for
the official year ending 31st March 19.....

Forest Officer

Divisional

(Office

Seal)

Divisional Forest Office
.....19.....

KERALA FOREST DEPARTMENT

FORM No. IX

(See Rule 12)

Original)

..... Division

Registration Certificate No.

Name and residence of applicant	Description of property mark	Forest Division for which mark is registered	Amount of fee	Date of registration or renewal	Remarks

Certified that..... residing
at..... registered/ renewed the above property mark for the official
year ending 31st March 19.....
Divisional Forest Officer

Divisional Forest Office
.....19.....
(Officer Seal)

