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Office of the PCCF
Inward No. 5322 Dated 31/7
Date 27/07/17

Government of Goa,
Forest Department
Secretariat, Porvorim – 403 521
Tel Nos: (0832) 2419443/2419792/2419697 E-mail: usforest-sect.goa@nic.in

No.19/1/2016/For 275 **Dated:24/07/2017**

ORDER

In exercise of the powers conferred by Clause 3, read with clause 2(i)(h) of the Wood – Based Industries (Establishment and Regulation) Guidelines, 2016, and in supersession of the Government Order dated 13/01/2016 published in the Official Gazette, Series II No.43,dated 21-01-2016, the Government of Goa hereby constitutes the State Level Committee consisting of the following members, namely:-

(1) The **Principal Chief Conservator of Forests,** Forest Department, Panaji – Goa - Chairperson

(2) **Representative of the Ministry of Environment, Forests & Climate Change**, Regional Office, Bangalore. - Member

(3) The **Additional Principal Chief Conservator** of Forests/Climate Conservator of Forests, Forest Department, Panaji – Goa - Member

(4) **Director** of Department of Industries, Panaji – Goa. - Member

Contd...

(5)	**Representative** of the each Autonomous District Council constituted in accordance with the provisions of the Sixth Schedule to the Constitution, in case any such Council exists in the State.	-	Member
(6)	**Chairman**, Goa Forest Development Corporation, Goa.	-	Member
(7)	**Conservator of Forests** (Conservation)	-	Member Secretary

By Order and in the name of
the Governor of Goa

(Shaila G. Bhosle)
Under Secretary (Forest)

To:

The Director, Publication and Stationery, Government Printing Press, Panaji – Goa for publication in the Official Gazette and supply 02 copies of the same to this office for record.

Copy to:

1. The Principal Chief Conservator of Forests, Panaji – Goa.
2. ~~The Director, Directorate of Industries, Trade & Commerce, Panaji - Goa~~
3. The MoEF & CC, Regional Office (SZ), Kendriya Sadan, 4th floor, E&F wings,17th Main Road, Kora Mangala, II Block, Bengaluru – 560034
4. The Chairman, Goa Forest Development Corporation Ltd., Junta House, Panaji – Goa.
5. The Conservator of Forests (Conservation), Junta House, Panaji – Goa.
6. The President, Saw Mill Association, Goa Mill Owners Association.

(iv) सभी काष्ठ आधारित उद्योग पर्यावरण (संरक्षण) अधिनियम, 1986 तथा अन्य केन्द्रीय एवं राज्य के अधिनियमों के अंतर्गत इन उद्योगों के लिए यथानुप्रयोज्य राज्य प्रदूषण नियंत्रण बोर्ड, केन्द्रीय प्रदूषण नियंत्रण बोर्ड और पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा निर्धारित सभी पर्यावरणीय तथा अन्य विनियमों का अनुसरण करेंगे।

[फा. सं. 8-1/2015-एफपीडी (पार्ट-1)]

दीपक कुमार सिन्हा, वन महानिरीक्षक (एफपीडी).

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

(FOREST PROTECTION DIVISION)

RESOLUTION

New Delhi, the 22nd February, 2019

Subject: Amendment in Wood Based Industries (Establishment and Regulation) Guidelines, 2016.

S.O. 955(E).—The Hon'ble NGT, Principal Bench, New Delhi by its Order dated 13.08.2018 in Original Application No. 489/2014 has directed the Ministry to regulate the wood based charcoal industries also by amending the Wood Based Industries (Establishment and Regulation) Guidelines, 2016. In compliance of the orders of the Hon'ble NGT; the Guidelines are amended as under in order to regulate wood based charcoal industries also:

1. The entry under Para 2(i) (h) of the Guidelines is substituted with the following:

'Wood Based Industry' means any industry which processes wood as its raw material (Saw mills/veneer/plywood or any other form such as sandal, katha wood, charcoal etc.).

2. The following entry is inserted after Para 2(i) (h):

(i) 'Charcoal' means a form of carbon derived from incomplete combustion of wood derived from a tree.

3. The following entry is inserted after Para 8 (iii):-

(iv) All wood based industries will follow all environmental and other regulations prescribed by the State Pollution Control Board, Central Pollution Control Board and Ministry of Environment, Forest and Climate Change as applicable to these industries under the Environment (Protection) Act, 1986 and other Central and State Acts.

[F. No. 8-1/2015-FPD (Pt.-I)]

DEEPAK KUMAR SINHA, Inspector General of Forests (FPD)

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ALOK KUMAR Digitally signed by ALOK KUMAR Date: 2019.02.25 14:10:02 +05'30'

F.No.3-3/2015-SU (Vol. IV)

Government of India

Ministry of Environment, Forest and Climate Change

(SU Division)

Agni Wing, 5th floor,
Indira Paryavaran Bhawan,
Jor Bagh Road, Ali Ganj,
New Delhi - 110003
Dated: 18th September, 2017

To

The Principal Chief Conservator of Forests,
Department of Forests,
All States/UTs Forest Department

Sub: Gazette notification of Amendment in Wood Based Industries (Establishment and Regulation) Guidelines, 2016- regarding.

Sir,

I am directed to say that the Amendment in Wood Based Industries (Establishment and Regulation) Guidelines, 2016 have been published in the Gazette of India on 12th September, 2017 (**copy enclosed**). A copy of the gazette notification is available on the site www.egazette.nic.in.

This is for your kind information and necessary action.

Yours faithfully,

(A.K. Mohanty)
Deputy Inspector General of Forests
Telefax: 24695273

Encl.As Above

रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D. L.-33004/99

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
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PART II—Section 3—Sub-section (ii)
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 2625] नई दिल्ली, मंगलवार, सितम्बर 12, 2017/भाद्र 21, 1939
No. 2625] NEW DELHI, TUESDAY, SEPTEMBER 12, 2017/BHADRA 21, 1939

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय

(सर्वेक्षण और उपयोग प्रभाग)

संकल्प

नई दिल्ली, 11 सितम्बर, 2017

विषय: काष्ठ आधारित उद्योग (स्थापना और विनियमन) दिशानिर्देश, 2016 में संशोधन।

का.आ. 3000(अ).—टी.एन. गोदावर्मन थिरूमलपाद बनाम भारत संघ एवं अन्य के मामले में 1995 की रिट याचिका (सिविल) सं. 202 में भारत के माननीय सर्वोच्च न्यायालय के आदेश दिनांक 5 अक्तूबर, 2015 में अंतर्विष्ट निदेशों के अनुपालन में पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार ने दिनांक 11 नवम्बर, 2016 के संकल्प के द्वारा काष्ठ आधारित उद्योग (स्थापना और विनियमन) दिशानिर्देश, 2016 जारी किये थे। इन दिशानिर्देशों पर राज्य सरकारों/संघ राज्यक्षेत्रों सहित विभिन्न हितधारकों से प्राप्त टिप्पणियों/ विचारों के आधार पर भारत सरकार ने दिशानिर्देशों को निम्न प्रकार से संशोधित करने का विनिश्चय किया है:—

1. दिशानिर्देशों के पैरा —2(i) के अधीन प्रविष्टियों को निम्नलिखित से प्रतिस्थापित किया गया है:

(i) इन दिशानिर्देशों में जब तक कि संदर्भ से अन्यथा अपेक्षित न हो:—

(क) 'औद्योगिक सम्पदा' से राज्य सरकार या संघ राज्यक्षेत्र प्रशासन द्वारा काष्ठ आधारित उद्योगों की स्थापना के लिए अधिसूचित क्षेत्र अभिप्रेत है।

(ख) 'लाइसेंस' से किसी राज्य / संघ राज्यक्षेत्र द्वारा इन दिशानिर्देशों के अनुपालन में अधिसूचित नियमों के अधीन दिया गया लाइसेंस अभिप्रेत है।

(ग) 'प्रधान मुख्य वन संरक्षक' से किसी राज्य / संघ राज्यक्षेत्र में प्रधान मुख्य वन संरक्षक के स्तर का वन अधिकारी अभिप्रेत है और इसमें ऐसे किसी राज्य / संघ राज्यक्षेत्र, जहां प्रधान मुख्य वन संरक्षक के स्तर का पद विद्यमान नहीं है, में वन विभागाध्यक्ष के रूप में पदाभिहित अधिकारी भी शामिल है।

(घ) 'गोल लट्ठा' से अपने प्राकृतिक रूप में काष्ठ का ऐसा लट्ठा अभिप्रेत है जिसका छाल के नीचे का मध्य घेरा तीस सेन्टीमीटर का या उससे अधिक हो और इसमें छाल हटाये जाने के पश्चात ऐसा गोल लट्ठा भी शामिल है जिसकी सतह की इसके परिवहन और/या भंडारण में सुविधा के प्रयोजनार्थ इसके क्रॉस सेक्शन को वर्गाकार या लगभग वर्गाकार बनाने के लिए हाथ से या किसी बैंड सॉ या अन्य किसी मशीन या उपस्कर द्वारा छिलाई की गई है।

(ङ) 'आरा मिल' से गोल लट्ठों को चीरे हुए काष्ठ में परिवर्तित करने के लिए किसी नियत संरचना या परिसर में स्थित संयंत्र और मशीनरी अभिप्रेत है।

(च) 'चीरी हुई इमारती लकड़ी' से किसी गोल लट्ठे से प्राप्त शहतीर, कड़ी, तख्ते, पट्टे और अन्य ऐसे उत्पाद अभिप्रेत हैं।

(छ) 'राज्य स्तरीय समिति' से राज्य सरकार द्वारा इन दिशानिर्देशों के पैरा 3(2) के अधीन गठित समिति अभिप्रेत है।

(ज) 'काष्ठ आधारित उद्योग' से ऐसा कोई उद्योग अभिप्रेत है जो काष्ठ को कच्चे माल के रूप में संसाधित करता है (आरा मिल/वेनियर/प्लाइवुड या चंदन, कत्था की लकड़ी इत्यादि जैसा अन्य प्रकार)

2. इन दिशानिर्देशों के पैरा-3 (ज) के अधीन प्रविष्टियों को निम्नलिखित से प्रतिस्थापित किया गया है:-

राज्य स्तरीय समिति वन विभाग के क्षेत्रीय स्कन्ध से ऐसे किसी अधिकारी को जो वन संरक्षक से नीचे के स्तर का न हो तथा सम्बद्ध राज्य / संघ राज्यक्षेत्र के कृषि विभाग और राजस्व विभाग से अधिकारियों को सहयोजित कर सकती है।

3. इन दिशानिर्देशों के पैरा-4 के अधीन प्रविष्टियों को निम्नलिखित से प्रतिस्थापित किया गया है :—

राज्य स्तरीय समिति (एसएलसी) :—

(i) जैसे और जब यह विनिश्चय करे, मांग और पूर्ति के सम्बन्ध में समुचित अध्ययन के द्वारा राज्य में काष्ठ की उपलब्धता का निर्धारण करेगी। एसएलसी ऐसे तरीके से जो क्षेत्र के वनों को प्रतिकूलतः प्रभावित न करे, काष्ठ के वहनीय उपयोग के लिए समुचित तंत्र की प्रकल्पना करेगी।

(ii) यदि एसएलसी का यह समाधान हो जाता है कि उक्त नए काष्ठ आधारित उद्योगों के लिए विधिक रूप से काष्ठ उपलब्ध है (जैसे वन, वनों इत्यादि के बाहर वृक्ष) तो वह ऐसे काष्ठ आधारित उद्योगों के नामों का अनुमोदन करेगी, जिन पर नया लाइसेंस दिये जाने या विद्यमान लाइसेंस प्राप्त क्षमता को बढ़ाये जाने के लिए विचार किया जा सकता है।

(iii) सुनिश्चित करेगी कि संबंधित राज्य वन विभाग के पास रखी धन राशि (काष्ठ आधारित उद्योगों से वसूल की गई) का उपयोग केवल वनीकरण के प्रयोजनार्थ किया जाए।

(iv) राज्य सरकार द्वारा पर्यावरण वन और जलवायु परिवर्तन मंत्रालय को भेजे गए किसी अन्य मामले की जांच करेगी और समुचित अनुशंसाएं करेगी।

4. इन दिशा निर्देशों के पैरा-5 के अधीन प्रविष्टियों का लोप किया जाता है।

5. इन दिशा निर्देशों के पैरा-7 (ii) के अन्तर्गत प्रविष्टियां निम्नलिखित से प्रतिस्थापित की जाती हैं:

(क) राज्यों/संघ राज्य क्षेत्रों (पूर्वोत्तर राज्यों के अलावा), निकटतम अधिसूचित वनों अथवा संरक्षित क्षेत्रों की सीमा से दूरी के संबंध में, काष्ठ आधारित उद्योगों को माननीय सर्वोच्च न्यायालय/संबंधित राज्य के माननीय उच्च न्यायालय/केन्द्रीय अधिकारप्राप्त समिति के राज्य विशिष्ट आदेश/अनुमोदन के अनुसार प्रचालन की अनुमति दी जाएगी;

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या, सड़क के किनारे/रेलवे के किनारे/नहर के किनारे के वृक्षारोपणों से छोड़कर निकटतम अधिसूचित वनों अथवा संरक्षित क्षेत्रों की सीमा से 10 किलोमीटर की हवाई दूरी से अधिक, जो भी कम हो।

(ख) काष्ठ आधारित उद्योग को निकटतम अधिसूचित वन अथवा संरक्षित क्षेत्र की सीमा से हवाई दूरी के निरपेक्ष, एक औद्योगिक संपदा अथवा एक नगरीय क्षेत्र में स्थापित किया जा सकता है।

6. इन दिशा निर्देशों के पैरा-8 के अन्तर्गत प्रविष्टियां निम्नलिखित से प्रतिस्थापित की जाती हैं:

i. किसी काष्ठ आधारित उद्योग को एसएलसी की पूर्वानुमति की प्राप्ति के बिना कोई लाइसेंस प्रदान नहीं किया जाएगा अथवा नवीकृत नहीं किया जाएगा। तथापि, एसएलसी द्वारा काष्ठ आधारित उद्योग को लाइसेंस के नवीकरण की शक्ति संबंधित वन प्रभागीय वन अधिकारियों को प्रत्यायोजित की जा सकती है।

ii. निम्नलिखित उद्योग/प्रसंस्करण संयंत्र जो घरेलू मूल के गोल लट्ठों का प्रयोग नहीं करते हैं या 30 सेंटीमीटर व्यास से अधिक के बैंड आरा या टी-सॉ या चक्रीय आरा के बिना प्रचालन करते हैं, के लिए लाइसेंस अपेक्षित नहीं होगा।

ऐसे उद्योग/प्रसंस्करण संयंत्र जिनमें निम्नलिखित का प्रयोग होता है :

क. चीरी हुई इमारती लकड़ी, बेंत, बांस, नरकट, प्लाइवुड, वेनियर या जायज स्रोतों से प्राप्त आयातित लकड़ी

ख. ब्लॉक बोर्ड, एमडीएफ या जायज स्रोतों से प्राप्त इसी प्रकार के काष्ठ आधारित उत्पाद

ग. कृषि-वानिकी/कृषिगत फसलों के रूप में घोषित प्रजातियां और/या संबंधित राज्य/संघ राज्य क्षेत्र में कटाई तथा सारगमन व्यवस्था के अधिकार क्षेत्र से छूट प्राप्त और जायज स्रोतों से प्राप्त गोल लट्ठे/इमारती लकड़ी

तथापि, संबंधित राज्य की एसएलसी द्वारा विशिष्ट अपेक्षा वाले ऐसे उद्योगों में 60 सेंटीमीटर तक व्यास के चक्रीय आरा को संस्थापित करने की अनुमति दी जा सकती है।

ऐसे उद्योग संबंधित राज्य/संघ राज्य क्षेत्र के वन विभाग से पंजीकृत और विनियमित होंगे, जिसके ब्यौरे संबंधित राज्य/संघ राज्य क्षेत्र द्वारा विहित किए जाएंगे।

iii विक्रय/उत्तराधिकार इत्यादि की स्थिति में लाइसेंस का हस्तांतरण केवल एसएलसी के अनुमोदन से ही होगा।

7. इन दिशा निर्देशों के पैरा-9 (iii) के अन्तर्गत प्रविष्टियां निम्नलिखित से प्रतिस्थापित की जाती हैं:

यदि किसी कारण से अपील में इस प्रकार पारित आदेश द्वारा कोई व्यक्ति पीड़ित होता है तो वह संबंधित राज्य/संघ राज्य क्षेत्र पर क्षेत्राधिकार वाले उच्च न्यायालय में समुचित याचिका/आवेदन/अपील दायर कर सकता है।

8. इन दिशा निर्देशों के पैरा-10 के अधीन प्रविष्टियों का लोप किया जाता है।

9. इन दिशा निर्देशों के पैरा-11 (I) के अन्तर्गत प्रविष्टियां निम्नलिखित से प्रतिस्थापित की जाती हैं:—

प्रत्येक काष्ठ आधारित उद्योग नियमित आधार पर संबंधित राज्य/संघ राज्य क्षेत्र द्वारा निर्धारित प्रपत्रों के अनुसार अभिलेखों का रखरखाव करेगा और अद्यतन करेगा।

10. दिशा-निर्देशों की अनुसूची का लोप किया जाता है।

[फा. सं. 3-3/2015-एसयू (खंड IV)]

सौमित्र दासगुप्ता, वन महानिरीक्षक

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

(Survey and Utilization Division)

RESOLUTION

New Delhi, the 11th September, 2017

Subject: Amendment in Wood Based Industries (Establishment and Regulation) Guidelines, 2016.

S.O. 3000(E).—In compliance of directions contained in the order dated October 5th, 2015 of the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 202 of 1995 in the matter of T.N. Godavarman Thirumulpad versus Union of India and others, the Ministry of Environment, Forest and Climate Change, Government of India vide Resolution dated 11th November, 2016 had issued Wood Based Industries (Establishment and Regulation) Guidelines,

2016. Based on the comments/observations received from various stakeholders, including State Governments/UTs on these guidelines, the Government of India has decided to amend the guidelines as under—

1. The entries under Para–2 (i) of the Guidelines are substituted with the following

(i) In these guidelines, unless the context otherwise requires:—

(a) 'Industrial Estate' means areas notified by the State Government or Union Territory Administration for establishment of wood based industries.

(b) 'License' means a license granted under the rules notified by a State/UT in pursuance of these guidelines.

(c) 'Principal Chief Conservator of Forests' means a Forest officer of the rank of Principal Chief Conservator of Forests in a State/UT and it also includes an officer designated as Head of Forest Department in a State/UT where no post in the rank of Principal Chief Conservator of Forests exists.

(d) 'Round log' means a piece of wood in its natural form, having mid girth of thirty centimeter or more under bark and it includes such round log even after its bark has been removed or its surface has been dressed, manually or by using a band saw or any other machine or equipment to make its cross section square or near-square for the purpose of ease in its transportation and/or storage.

(e) 'Saw Mill', means plants and machinery in a fixed structure or enclosure, for conversion of round logs into sawn timber.

(f) 'Sawn timber' means beams, scantlings, planks, battens and such other product obtained from sawing of a round log.

(g) 'State Level Committee' means a committee constituted by the State Government under para 3 (2) of these guidelines.

(h) 'Wood Based Industry' means any industry which processes wood as its raw material (Saw mills/veneer/plywood or any other form such as sandal, katha wood etc.). → charcoal (S.O. 955(E) dt. 22.2.19)

2. The entries under Para- 3 (h) of these guidelines are substituted with the following:—

The State Level Committee may co-opt an officer from Territorial wing of the Forest Department not below the rank of CF and officers from Department of Agriculture and Department of Revenue of the concerned State/UT.

3. The entries under Para- 4 of these guidelines are substituted with the following:—

The State Level Committee (SLC) shall: —

i. assess the availability of timber in the state by way of appropriate study on demand and supply as and when it decides. SLC shall devise suitable mechanism for sustainable use of timber in a way that does not affect the forests of the area adversely.

ii. approve the name of wood based industries which may be considered for grant of fresh license or enhancement of the existing licensed capacity in case the SLC is satisfied that timber is available legally for the said new Wood Based Industries (such as Trees outside forest, Forests etc.).

iii. ensure that the amount lying with the respective State Forest Departments (recovered from Wood Based Industries) is utilized for the purpose of afforestation only.

iv. examine and make appropriate recommendations or any other matter referred by the State Government to the Ministry of Environment, Forest and Climate Change.

4. The entries under Para- 5 of these guidelines are omitted.

5. The entries under Para-7 (ii) of these Guidelines are substituted with the following: —

(a) In the States/UTs (other than North Eastern States), in respect of distance from the boundary of nearest notified forests or protected areas, wood based industries shall be allowed to operate as per state-specific order/approval of the Hon'ble Supreme Court/Hon'ble High Court of the concerned state/Central Empowered Committee;

(*) (i) "charcoal" means a form of carbon derived from incomplete combustion of wood derived from a tree. (S.O. dt. 22.2.19.)

Or, beyond ten kilometers of aerial distance from the boundary of nearest notified forests or protected areas, excluding roadside/railway side/canal side plantations, whichever is less.

(b) *A Wood Based Industry can be established in an Industrial Estate or a Municipal area, irrespective of the aerial distance from the boundary of nearest notified forest or protected area.*

6. The entries under **Para- 8** of the Guidelines are substituted with the following:—

i. *No license to a wood based industry shall be granted or renewed without obtaining prior approval of the SLC. However, a SLC may delegate the power of renewal of license to a wood based industry to the Divisional Forest officers of the concerned Forest Divisions.*

ii. *Following industries/processing plants not using round logs of domestic origin or operating without a band saw or re-saw or circular saw of more than thirty centimeter diameter shall not require license.*

Industries/processing plants which use:

a. *sawn timber, cane, bamboo, reed, plywood, veneers or imported wood, procured from legitimate sources*

b. *block board, MDF or similar wood-based products, procured from legitimate sources*

c. *round log/timber from species declared as agro-forestry/agricultural crops and/or exempted from the purview of the felling and transit regime in the concerned state/UT, and procured from legitimate sources*

However, SLC of the concerned State may allow installation of circular saw of diameter upto 60 centimeter in such industries having specialized requirement.

Such industries shall be registered with the Forest Department of the concerned state/UT and shall be regulated, details of which are to be prescribed by the concerned state/UT.

iii. *Transfer of license on sale/succession etc shall be done only with the approval of SLC.* +++

7. The entries under Para-9 (iii) of the Guidelines are substituted with the following:—

If, for any reason, any person is aggrieved by the orders so passed in the appeal, he may prefer an appropriate petition/application/appeal in the High Court having jurisdiction over the concerned State/UT.

8. The entries under **Para-10** of these Guidelines are omitted.

9. The entries under **Para-11 (i)** of the Guidelines are substituted with the following:—

Each wood based industry shall maintain and regularly update records as per the formats, which may be prescribed by the concerned State/UT.

10. The **Schedule** to the Guidelines is deleted.

[F. No. 3-3/2015-SU (Vol. IV)]

SOUMITRA DASGUPTA, Inspector General of Forests

+++ (iv) All WBI will follow all environmental and other Regulations Prescribed by State PCB CPCB and MoEF&CC as applicable to these Industries under Env. (Protection) Act 1986, and other central and State Acts. (S.O. dt. 22.2.19)

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MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

(Survey and Utilization Division)

RESOLUTION

New Delhi, the 11th November, 2016

S.O. 3456(E).—In compliance of directions contained in the Order dated October 5th, 2015 of the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 202 of 1995 in the matter of T.N. Godavarman Thirumulpad versus Union of India and others, the Ministry of Environment, Forest and Climate Change, Government of India is pleased to make the following guidelines, namely-

1. Short Title and commencement.

(i) These guidelines shall be called the Wood-Based Industries (Establishment and Regulation) Guidelines, 2016

(*ii*) These shall extend to whole of India.

(iii) These shall come into force from the date of their publication in the official gazette.

States/UTs shall conform their rules according to these guidelines.

2. Definition.

(i) In these guidelines, unless the context otherwise requires –

(a) **'Furniture unit'** mean plants and machinery and the premises including the precincts thereof in which or in any part thereof wood based finished products are manufactured using sawn timber, cane, bamboo, reed, plywood or any other wood based product, except a round log, outsourced from licensed wood based industrial units or other legitimate sources and operating without a band saw or re-saw or circular saw of more than thirty centimeter diameter.

(b) **'Industrial Estate'** means areas notified by the State Government or Union territory Administration for establishment of wood based industrial units.

(c) **'License'** means a license granted under these guidelines.

(d) **'Principal Chief Conservator of Forests'** means the Principal Chief Conservator of Forests (Head of Forest Force) in the State and it will also include an officer designated as Head of Department in State/UT where no post in the rank of Principal Chief Conservator of Forests exists.

(e) **'Round log'** means a piece of wood in its natural form, having mid girth of thirty centimeter or more under bark and it and will include such round log even after its bark has been removed or its surface has been dressed, manually or by using a band saw or any other machine or equipment to make its cross section square or near to square for the purpose of ease in its transportation and or storage.

(f) **'Saw Mill'**, means plants and machinery in a fixed structure or enclosure, for conversion of round logs into sawn sizes;

(g) **'Sawn Timber'** means beams, scantlings, planks, battens and such other product obtained from sawing of a round log.

(h) **'State Level Committee'** means a Committee Constituted by the State Government under para 3 (2) of these guidelines.

(i) **'Net Inter-State Import of a timber for Wood Based Industries'** means three years moving average of the net quantity of such timber actually imported in the State during the latest three calendar years.

(j) **'Veneer Mill or Plywood Mill'** means plants and machinery and the premises in which or in any part thereof, conversion into required size, slicing, peeling, fashioning or seasoning of timber/ wood, including preservation and treatment thereof either by mechanical or chemical process with the aid of electrical or mechanical power or manually is carried out.

(k) **'Wood Based Industry'** means any industry which processes wood as its raw material (Saw mills/veneer/plywood/pulp or any other form such as sandal, katha wood etc.). It includes a mill but does not include a furniture unit.

(l) **'Year'** means a financial year from 1st day of April to 31st day of March of the following year.

(ii) Words and expressions used but not defined under these guidelines and defined in the Indian Forest Act, 1927 or the relevant local Forest Act as applicable in a State, and the rules framed thereunder shall have the meaning assigned to them in such Act or Rules.

(iii) In case of any dispute regarding interpretation of any word or expression, the decision of the Ministry of Environment, Forest and Climate Change shall be final.

3. **Constitution of the State Level Committee:**

(i) Each State shall constitute a State Level Committee to perform the functions stipulated in these guidelines.

(ii) The State Level Committee shall consist of the following:

a)	Principal Chief Conservator of Forests/Head of Forest Department	Chairperson
b)	A representative of the Regional Office of the Ministry of Environment, Forest and Climate Change	Member
c)	A representative of the State Forest Department not below the rank of a Conservator of Forests dealing with preparation of Working Plans/Working Schemes	Member
d)	Director/Additional Director of Department of Industries	Member
e)	Representative of the each Autonomous District Council constituted in accordance with the provisions of the Sixth Schedule to the Constitution, in case any such Council exists in the State	Member
f)	Representative of the Forest Development Corporation, in case any such Corporation exists in the State.	Member
g)	An officer not below the rank of Conservator of Forests working in the Forest Head Quarters	Member Secretary

(h) The State Level Committee may nominate any other officer working in territorial wing of the Forest Department not below the rank of CF.

(iii) Such State where the composition of State Level Committee already constituted is different from as stipulated in these guideline, shall, within one year from the date of publication of these guidelines, re-constitute the State Level Committee. The reconstitution of the State Level Committee will be without any prejudice to the recommendations made or the decisions taken by the existing State Level Committee till its re-constitution.

(iv) The State Level Committee shall meet at least once in three months.

(v) The quorum of the State Level Committee meeting shall be at least fifty percent of permanent members.

(vi) SLC will invite one representative of the industry nominated by the saw-mill association as a special invitee to each and every meeting of the State Level Committee.

4. **Powers and functions of the State Level Committee.** * Substituted S.O. 3000(E) dt. 11.9.2017.

The State Level Committee shall:-

(i) Assess the availability of timber for wood based industrial units in the State/UT every five years.

(ii) Assess quantity of different raw material requirement for wood based industrial units which may be sustainably harvested from trees outside forest areas in the State/UT.

(iii) Assess annual requirement of timber and other forest produce in the domestic markets in the State.

(iv) Maintain a database of timber and other raw materials utilized by each wood based industrial unit permitted to establish and operate in the State/UT during each financial year.

(v) Approve appropriate locations for setting up of wood based industrial units.

(vi) Approve the name of wood based industrial units which may be considered for grant of fresh license or enhancement of the existing licensed capacity in case the committee is satisfied that timber is available legally for the said new Wood Based Industries (such as Trees outside forest, Forests etc.).

(vii) The State Level Committee will ensure that the amount lying with the respective State Forest Departments (recovered from Wood Based Industries) will be utilized for the purpose of afforestation only.

(viii) Examine and make appropriate recommendations on any other matter referred by the State Government or the Ministry of Environment, Forest and Climate Change.

X 5. **Assessment of the availability of timber for Wood Based Industrial Units:** Omitted S.O. dt. 11.9.2017.

(i) The quantity of timber likely to be available for utilization of Wood Based Industries of different types in a State/UT shall be assessed as by commissioning study, preferably in collaboration with institutes/ universities of repute, once in five years. The study will take into account the following:- :-

(a) The quantity of such raw material that may be sustainably harvested from the forest areas as per the working plans/working schemes/ management plans duly approved by the competent authorities.

(b) The quantity of such raw material that is available from the trees outside forest areas, including the private plantations, agro-forestry plantations and plantations raised on non-forest government lands *etc.*

(c) Net inter-state import of such timber; and

(d) Net international import of such timber.

6. **Estimated annual consumption of timber by wood based industries.** (i) For the purpose of assessing the timber requirement of the Saw mills, they may be divided into (a) Saw mills upto 10 HP (b) Saw mills between 10 and 20 HP (c) Saw mills between 20 HP to 40 HP (d) Saw mills between 40 to 60 HP and (e) Saw mills above 60 HP.

The annual requirement of round log for Saw mills of different capacities may be fixed by the committee based on the technical data or as per the formula given below

(a) Saw mills of 10 HP and below: 540 cu.mt. (base value)

(b) Saw mills between 10 to 20 HP: 810 cu.mt. (1.5 time the base value)

(c) Saw mills between 20 to 40 HP 1080 cu.mt. (2 times of the base value)

(d) Saw mills between 40 to 60 HP 1620 cu.mt. (3 times of the base value)

(e) Saw mills above 60 HP 2160 cu.mt. (4 times the base value)

(ii) The Timber requirement for various units as assessed by Indian Plywood Industries Research and Training Institute (IPIRTI), Bangalore is given in **Annexure I.**

7. **Restriction on location of wood based industries.**

(i) In the North Eastern States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Tripura and Sikkim the **wood based industries shall be permitted to be established within the industrial estates.**

(ii) In the States other than the afore-mentioned North Eastern States, wood based industries shall ordinarily be not allowed to be established within ten kilometers aerial distance from the boundary of nearest notified forests and protected areas. The State Level Committee for the reasons to be recorded in writing and after obtaining prior approval of the Central Government in the Ministry of Environment, Forest and Climate Change may permit to establish/operate a wood based industry at an aerial distance less than 10 kilometers from the boundary of a notified forest or a protected area. *

8. **Grant, renewal and revocation of a license to a wood based industry:** (*) Substituted S.O. dt. 11.9.17.

(i) No license to a wood based industrial unit shall be granted or renewed without obtaining prior approval of the State Level Committee.

(ii) No wood based industrial unit shall be established/ operate in a State except under and in accordance with the license granted by an officer authorized by the State Government in this regard (Preferably DCF/DFO or equivalent).

(iii) The State Level Committee may maintain a separate list of wood based industries working solely on the timber imported from international market. The license to such industries shall specifically contain a condition to the effect that such units shall not be allowed to use timber produced in country. If in future, the said units want to use timber produced in the country on account of abundant availability they will seek specific permission from SLC to do so.

The SLC will ensure that the interests of the units using domestic produce are protected. Fresh licenses can be granted by the Committee for units which operate solely on imported raw material irrespective of the result of wood availability assessment in the State/UT.

(iv) The license granted to a wood based industry shall remain valid for five years, from the date of such issue or renewal of License. However, notwithstanding anything contained in these guidelines, the Licensing Authority may, where there are reasons to believe that the Licensee is operating the wood based industry in contravention of the provisions of these guidelines or conditions of License or any Rules framed by the State Government or is in activities prejudicial to the interest of forest conservation or public interest, at any time after giving one month notice, revoke the license granted to such wood based industry.

(v) Application for renewal of license granted to a wood based industrial unit shall be made atleast three (3) months before the expiry of validity period.

(vi) Transfer of license on sale/succession etc shall be done only with the approval of State Level Committee.

9. Appeal against the decision of the State Level Committee.

(i) Any person aggrieved by any decision taken by the State Level Committee may file an appeal before the concerned Regional Office of the Central Government in the Ministry of Environment, Forest and Climate Change seeking appropriate relief within 60 days' time.

(ii) Head of Regional Office shall within 60 days of filing the appeal pass the appropriate Order.

(iii) If, for any reason, any person is aggrieved by the orders so passed in the appeal, he may prefer an appropriate petition/application/appeal to the DGF&SS/MoEF&CC. (*) Substituted S.O. dt. 11.9.17.

10. Conditions governing operation of furniture units.

(i) The Establishment and operation of a furniture unit shall not require a Licence.

(ii) A furniture unit:

(a) shall not use any band saw, or rip saw or a circular saw having more than thirty centimeter diameter

(b) shall not convert round logs

(c) shall use only sawn timber sourced from licensed sawn mills or any other legitimate source.

(d) In case the furniture unit is located within the premises of any wood based industry, approval of the Committee and the license for operation of furniture unit is required.

(e) may use bamboos, reeds and canes;

(f) shall maintain such records as may be stipulated by the State Forest Department.

11. Records to be maintained by wood based industries.

(i) Each wood based industry shall maintain and regularly update records as ~~given in schedule to these guidelines~~. Pe formats which may be Prescribed by the concerned State/UT (S.O. dt. 11.9.17)

[No.3-3/2015-SU (Vol.II)]

Dr. REKHA PAI, Inspector General of Forests

Annexure I

Assessment of Timber Requirement

The Indian Plywood Industry Research and Training Institute (IPIRTI), Bangalore an autonomous body under the Ministry of Environment, Forest and Climate Change has assessed the timber requirement per unit for peeling length of 4 feet and 8 feet size in the plywood/veneer units as 5 cu.mt. and 11 cu.mt. resp ectively per day on an average of 8 working hours per day. By assuming that the peeling units work for 8 hours per day on an average for 300 days in a year the normal timber requirement of the peeling length of 4 feet size in veneer units is 1500 cu.mt. The total timber requirement for the stand alone veneer units may be assessed by calculating the equivalent number of 4 feet length machines and by taking its normal installed capacity as 1500 cu.mt. per annum.

The timber requirement of a plywood unit may be taken as 'nil' on the ground that the round timber is used as timber in the veneer units only and that the plywood units are the secondary users which use the veneer as the raw material produced by the veneer units. The plywood units use presses of various sizes such as 8x4x6, 8x4x12, 8x4x15, 4x4x7, 4x4x10. A 8x4x10 capacity press can produce upto 10 plywood pieces of 8'x4' size per hour whereas a 8x4x15 capacity press can produce upto 15 plywood pieces of 8'x4' size per hour and so on. The normative installed capacity of the plywood units will accordingly depend upon the number and the type of presses. This number and type of presses installed in each of the plywood unit may be assessed and thereafter equivalent number or presses of 8x4x10 capacity may be calculated. The normative annual timber requirement for a integrated plywood unit having a 8 x 4 x 10 capacity press may be taken as 2000 cu.mt. per annum, and accordingly the total requirement of timber for the plywood units should be calculated.

SCHEDULE (*) deleted O.M. dt. 11.9.17.

PROFORMA –I (RECEIPT REGISTER)

(Prescribed under guidelines issued by Ministry of Environment & Forests in compliance of Supreme Court order dated 05.10.2015 in W.P. © No. 202/95)

Name of the Wood –Based Unit Forest Division Register Opened on

I(a)- RECEIPT REGISTER- TIMBER LOGS

Date	Name & Address of the seller from whom bought	Transit Pass			Serial No. of the log in the consignment (if given)	Species	Measurement (of each piece (s))			Remarks
		Issuing Authority	No.	Date			Length	Girth	Volume (in cum)	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.

I(b)- RECEIPT REGISTER – SAWN TIMBER

Date	Name & Address of the seller from whom bought	Transit Pass			Species	Measurement [of each piece (s)]					Remarks
		Issuing Authority	No.	Date		No. of Pieces (if more than one piece is of same dimension)	Length	Width	Depth	Volume (in cum)	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.

I(c)- RECEIPT REGISTER – VENEER

Date	Name & Address of the seller from whom bought	Transit Pass			Brought from outside NE/ within NE	Whether Excise paid or otherwise (by the seller)	Species	Whether Face/Core	Measurement				Remarks
		Issuing Authority	No.	Date					Thickness (in mm)	Quantity in Sq. m.	National area (with thick as 4 mm) in sq. m	Volume (in cum)	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.

I(d) - RECEIPT REGISTER – PLYWOOD, MDF, PARTICLE, BOARD etc

Date	Name & Address of the seller from whom bought	Transit Pass (if applicable) or carting Challan			Brought from outside NE/ within NE	Whether Excise paid or otherwise (by the seller)	Type of plywood. MDF, Particle Board	Measurement				Remarks
		Issuing Authority	No.	Date				Thickness (in mm)	Quantity in Sq. m.	National area (with thick as 4 mm) in sq. m	Volume (in cum)	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.

PROFORMA –II (CONVERSION REGISTER)

(Prescribed under guidelines issued by Ministry of Environment & Forests in compliance of Supreme Court order dated 05.10.2015 in W.P. © No. 202/95)

Name of the Wood –Based Unit Forest Division Register Opened on

II (a) - CONVERSION REGISTER-SAWN TIMBER

Date	Species	Round timber used		Sawn timber produced		Remarks
		No. of logs	Volume cum	No. of Pcs.	Volume (in cum)	
1.	2.	3.	4.	5.	6.	7.

II (b) - CONVERSION REGISTER- VENEER

Date	Species	Round Timber used		Sawn timber used (if any)		Whether Face/Core	Veneer Produced				Remarks
		No. of logs	Volume cum	No. of Pcs	Volume (in cum)		Thickness in mm	Face area in sq. m	Notional area (with thickness as 4 mm) in sq. m.	Volume (in cum)	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.

II (c)
CONVERSION REGISTER- PLYWOOD/Blockboard

Date	Species	Round Timber used		Sawn timber used (if any)		Core Veneer used			Face veneer used			Production of plywood					Remarks
		No. of logs	Volume cum	No. of Pcs	Volume (in cum)	Thick in mm	Face area in sq. m	Volume (in cum)	Thick in mm	Face area in sq. m	Volume (in cum)	Category	Thick	Face area in sq. m	National area (with thick as 4 mm) in sq. m	Volume (in cum)	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.

Note 1: In Proforma II (a) monthly species wise abstract of round timber used and total sawn timber produced is to be mentioned. In Proforma II (b) monthly species wise abstract of timber used, species wise and thickness wise core and face veneer produced is to be mentioned. In Proforma II (c) monthly species wise abstract of timber/sawn timber used species wise and thickness wise core and face veneer used and category wise plywood produced is to be mentioned.

Note 2: Six major commercial species for timber sawn timber and veneer are to be mentioned individually. The others may be clubbed under miscellaneous category. Exact categorization is to be decided by the Principal Chief Conservator of Forests.

Note 3: In column 8 of Proforma II (b) actual thickness of the veneer produced is to be given. In column No. 10 the national area is to be mentioned after calculating it with thickness as 4 mm.

Note 4: For partly used timber logs/sawn timber actual quantity of round timber/sawn timber used is to be mentioned in column 4 or 6 (as the case may be) and suitable entry to this effect is to be made in the Remarks column. While using the part used timber later on actual quantity now used is to be included in column 4/column 6. No corresponding entry towards no. of logs/sawn timber pcs. is to be made in column3/column 5 and suitable explanatory entry in remark column is to be made.

Note 5: Only the proforma applicable for the particular unit is to be filled in For example. Saw Mill units are required to fill in only II (a) are not required to be filled in.

PROFORMA –III (DISPATCH REGISTER)

(Prescribed under guidelines issued by Ministry of Environment & Forests in compliance of Supreme Court order dated 05.10.2015 in W.P. © No. 202/95)

III (a): DISPATCH REGISTER- ROUND TIMBER

Date	Name & Address of the purchaser	Species	No. of Pcs.	Length	Girth	Volume in cum	Carting Challan		Transit Pass			Remarks
							No.	Date	Issuing Authority	No.	Date	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.

III(b): DISPATCH REGISTER- SAWN TIMBER

Date	Name & Address of the purchaser	Species	No. of Pcs.	Length	Width	Depth	Volume in cum	Carting Challan		Transit Pass			Remarks
								No.	Date	Issuing Authority	No.	Date	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.

III(c): DISPATCH REGISTER- VENEER

Date	Name & Address of the purchaser	Species	Excise Payable/ not payable Yes/ No	Whether Face/ Core	Thickness	Face Area in sq. m	National area (with thick as 4 mm) sq. m	Volume in cum	Carting Challan		Transit Pass			Remarks
									No.	Date	Issuing Authority	No.	Date	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.

III (d): DISPATCH REGISTER- PLYWOOD

Date	Name & Address of the purchaser	Type of Plywood	Excise Payable/ not payable Yes/ No	Whether Face/ Core	Thickness	Face Area in sq. m	National area (with thick as 4 mm) sq. m	Volume in cum	Carting Challan		Transit Pass			Remarks
									No.	Date	Issuing Authority	No.	Date	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.

Note 1: Six major commercial species for timber, sawn timber and veneer are to be mentioned individually. The others may be clubbed under miscellaneous category. Exact categorization is to be decided by the Principal Chief Conservator of Forests.

Note 2: Only the proforma applicable for the particular unit is to be filed in. For example, Saw Mill units are required to fill in only III (a) & (b), III (c) & III (d) are not required to be filled in.

Note 3: In Column 6 of III (c) & III (d) actual thickness of Veneer/ plywood is to be mentioned.

PROFORMA –IV (CONVERSION REGISTER)

(Prescribed under guidelines issued by Ministry of Environment & Forests in compliance of Supreme Court order dated 05.10.2015 in W.P. © No. 202/95)

Name of the Wood –Based Unit Forest Division Register Opened on

IV (a) STOCK REGISTER- ROUND TIMBER

Date	Species	Opening Stock		Received during the day		Used for sawing		Used for veneer/ Plywood making		Sold/ Returned in round form (dispatched outside the unit)		Closing stock		Remarks
		No. of logs	Volume cum	No. of Pcs	Volume (in cum)	No. of Pcs	Volume (in cum)	No. of Pcs.	Volume (in cum)	No. of Pcs	Volume (in cum)	No. of Pcs	Volume (in cum)	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.

IV (b) STOCK REGISTER- ROUND TIMBER

Date	Species	Opening Stock		Received during the day (from outside the unit)		Converted from Round timber		Sold/ Returned in sawn		Used for veneer/ Plywood making (if any)		Closing stock		Remarks
		No. of Pcs	Volume cum	No. of Pcs	Volume (in cum)	No. of Pcs	Volume (in cum)	No. of Pcs	Volume (in cum)	No. of Pcs.	Volume (in cum)	No. of Pcs	Volume (in cum)	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.

IV (c) STOCK REGISTER- VENEER

Date	Species	Opening Stock			Received during the day (from outside the unit)			Converted from Round/ Sawn timber			Veneer Sold/ Returned (dispatched outside the unit)			Used for Plywood making			Closing stock			Remarks
		Thick (in mm)	Face area (in sq. m)	Volume (in cum)	Thick (in mm)	Face area (in sq. m)	Volume (in cum)	Thick (in mm)	Face area (in sq. m)	Volume (in cum)	Thick (in mm)	Face area (in sq.m)	Volume (in cum)	Thick (in mm)	Face area (in sq. m)	Volume (in cum)	Thick (in mm)	Face area (in sq. m)	Volume (in cum)	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.

IV (d)

STOCK REGISTER- PLYWOOD

Date	Type of Ply-wood	Opening Stock			Received during the day (from outside the unit)			Converted from Veneer Round/ Sawn timber			Plywood Sold/ Returned/ dispatched outside the unit			Closing stock			Remarks
		Thickness (in mm)	Face area (in sq. m)	Volume (in cum)	Thickness (in mm)	Face area (in sq. m)	Volume (in cum)	Thickness (in mm)	Face area (in sq. m)	Volume (in cum)	Thickness (in mm)	Face area (in sq. m)	Volume (in cum)	Thickness (in mm)	Face area (in sq. m)	Volume (in cum)	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

Note 1: Daily, weekly & monthly species wise abstract of opening stock, receipts, timber used for sawing, veneer/ plywood making, dispatched outside the unit and closing stock of sawn timber, veneer is to be recorded.

Note2: Six major commercial species for timber, sawn timber and veneer are to be mentioned individually. The others may be clubbed under miscellaneous category. Exact categorization is to be decided by the Principal Chief Conservator of Forests.

Note 3: Only the proforma application for the particular units to be filled in for example. Saw Mills unit are required to fill in only IV (a) and IV (b), IV (c) and IV (d) are not required to be filled in.

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REGD. GOA - 5

Panaji, 3rd January, 1984 (Pausa 13, 1905)

SERIES I No. 39

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

EXTRAORDINARY

GOVERNMENT OF GOA, DAMAN AND DIU

Forest and Agriculture Department

Notification

7-1-83-FOR-Part-II

In exercise of the powers conferred by section 36 of the Goa, Daman and Diu Preservation of Trees Second Ordinance, 1983 (Ordinance No. 2 of 1983), the Government of Goa, Daman and Diu hereby makes the following rules, namely: —

1. *Short title and commencement.* — (1) These rules may be called the Goa, Daman and Diu Preservation of Trees Rules, 1983.

(2) They shall come into force at once.

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

(a) "Form" means a Form appended to these rules;

(b) "Ordinance" means the Goa, Daman and Diu Preservation of Trees Second Ordinance, 1983 (Ordinance No. 2 of 1983);

(c) "Section" means a section of the Ordinance;

(d) Words and expressions which are used in these rules or in the Ordinance shall have the meaning respectively assigned to them in the Indian Forest Act, 1927 (Central Act 16 of 1927).

3. *Form of Report.* — Every report under section 8 shall be made in Form 'A'.

4. *Form of Application under section 9.* — (1) Every application for permission for felling a tree shall be made in Form 'B'.

(2) Every application for removal or disposal of a tree or forest produce shall be made in Form 'C'.

(3) Court fee stamps of the value of Re. 1.50 paise (Rupee one and paise fifty only) shall be affixed on every application made under this rule.

5. *Form of Register.* — A register of applications made under section 9 shall be in Form 'D'.

6. *Form of Permission.* — The permission which may be granted under section 9 shall be in one of the following Form and shall be subject to the terms and conditions specified therein: —

(i) in respect of felling of a tree ... Form E.

(ii) in respect of removal or disposal of a tree or forest produce ... Form F.

7. *Obligation to plant trees.* — The Tree Officer, while granting permission to fell or dispose of a tree or forest produce under section 9, shall, after giving the applicant a reasonable opportunity of being heard and having due regard to his wish for planting any particular kind of tree, his capacity to plant the required kind and number of trees and also the nature of land, make an order directing the applicant to plant such number and kind of trees as deemed proper by him.

8. *Form of Notice.* — The notice to be given under sub-section (3) of section 11 shall be in Form 'G'.

9. *Preservation of Trees.* — (1) Where a Tree Officer has reason to believe that the owner or occupier of any property has failed to carry out any direction given by him under the Ordinance or these rules with regard to the taking of measures for the protection of any tree in such property, he shall issue a notice in Form 'H' to such owner or occupier of the property, as the case may be.

(2) The Tree Officer shall, after giving the owner or occupier of the property a reasonable opportunity of being heard and having due regard to his wishes in capacity and nature of law, make an order, specifying the measures which he proposes to take for protection of the tree and the cost thereof, which such owner or the occupier shall be liable to reimburse to the Tree Officer within such reasonable period as the Tree Officer may specify in the order.

10. *Implementation of orders made under sections, 9, 10 or 11.* — (1) Where the Tree Officer has reason to believe that any person has failed to carry out the obligations regarding planting of trees pursuant to an order made under section 9 or a direction given under section 10 or 11, he shall issue a notice in Form 'I' to such person.

(2) The Tree Officer shall, after giving the owner or occupier of the property a reasonable opportunity of being heard, as regards the cost of which the trees shall be planted or the measures for the protection of the trees shall be taken by him, pass

an order, as regards the cost, which such person shall be liable to reimburse to the Tree Officer within such reasonable period as the Tree Officer may specify in the order.

11. *Procedure of Appellate Authority.* —

(1) Every petition of appeal shall be presented to the Appellate Authority in person or through a legal practitioner or a duly authorised agent.

(2) Every petition shall state succinctly the grounds of appeal and the relief prayed for.

(3) The Appellate Authority shall, on receipt of a petition of appeal, cause it to be registered in Form 'J' and give notice of such appeal to all persons concerned who, in his opinion, may be interested in the same.

(4) The Appellate Authority may, after holding such enquiry as it deems fit and after giving the persons concerned a reasonable opportunity of being heard, confirm, modify or set aside the order appealed against or pass such order as it may deem fit.

12. *Record of forfeited property.* — The Tree Officer shall maintain a register of the property forfeited to the Government under section 10 in Form 'K'.

13. *Preparation of valuation report of forfeited property.* — (1) On receipt of the property forfeited to the Government, the Tree Officer shall prepare a valuation report of such property.

(2) In preparing the valuation report, the Tree Officer shall give due regard to the condition of such property and shall follow the instructions issued by the Government from time to time in the matter of preparing such report.

(3) The Tree Officer shall make a report alongwith a copy of the valuation report to the Conservator of Forests and dispose of the forfeited property in accordance with the instructions issued by the Conservator of Forests from time to time in that behalf.

14. *Release of seized property.* — The bond to be executed by the owner or occupant for release of the property seized under section 16 shall be in Form 'L'.

15. *Management of certain classes of trees.* — (1) Every owner or occupant of the land on which trees notified under section 32 exist shall, within 60 days of the date of the date of the Notification, number such trees and furnish the following particulars of such trees to the Tree Officer, with a copy thereof to the Conservator of Forests: —

(1) Specieswise number of the trees.

(2) Age of the trees.

(2) Where such owner or occupant is not in a position to number such trees and make a report within the specified period in sub-rule (1), he may seek extension of time for making such report and the Tree Officer, if satisfied with the reasons given, may extend the time limit by another 30 days.

(3) The Tree Officer shall cause all such trees to be marked by suitable identification marks, within 60 days of the date of receipt of the report under sub-rule (1) or sub-rule (2) and report compliance to the Conservator of Forests.

(4) The Tree Officer shall also keep a record of such trees in a Register in Form 'N'.

16. *Service of Notice.* — (1) Every notice under the Ordinance or these rules may be served in any of the following manners namely: —

(a) by delivery or tender of a copy of the notice to the addressee or his agent or other person duly authorised to receive notice on his behalf;

(b) by registered post acknowledgement due; provided that if the Tree Officer is satisfied that the addressee is deliberately avoiding service or if, for any reason, the notice cannot be served by any of the above methods, he shall order the service of the notice by affixing, in the presence of two witnesses, who are residents of that locality, on some conspicious part of the place of business or the place of ordinary residence of the addressee and such service shall be effective as if it had been made on the addressee personally.

(2) When the serving Officer delivers or tenders the notice to the addressee personally or to his agent or other person on his behalf, he shall obtain the signature or thumb impression of the person to whom the notice is so delivered or tendered, on the copy of the notice and make a report thereon of such delivery or tender and return the same to the Tree Officer.

(3) When the notice is served by affixing the same in accordance with sub-rule (1), the serving officer shall return the copy thereof to the Tree Officer who issued the notice with a report endorsed thereon stating that he has so affixed the notice, the circumstances under which he did so and the names and address of persons, who, identified the place of business or ordinary residence of the addressee and in whose presence the notice was so affixed.

(4) When service by post is effected by correctly addressing, pre-paying and posting the notice by registered post with acknowledgement due, then unless contrary is proved, the said service shall be deemed to have been effected at the time at which the notice would have been delivered in the ordinary course of transmission.

(5) If the person to whom the notice was issued does not appear at the appointed time, the Tree Officer may, if he is satisfied from the report of the serving officer or the postal acknowledgement, or after taking such evidence as he deems proper, that the notice has been served in accordance with this rule, pass an order to that effect and proceed to dispose of the matter. If he is satisfied that the notice has not been properly served, he may direct the issuance of a fresh notice.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. M. Naik, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 23rd December, 1983.

FORM A

(See rule 3)

The Tree Officer,

...

...

Sir,

I have to report that I have felled on ... (date) at ... (time) ... (number)/tree/trees from the property owned by me/ /under my occupation in the village ... Taluka ... and District ... I declare that if the said tree/s had not been immediately felled, it/they would have posed grave danger to life/property/traffic (delete inapplicable words).

2. The following details are furnished: —

(i) Name and full address of the signatory (In Block letters)

(ii) Title in respect of land in which tree(s) was/were situated

(iii) Location of the site from which tree/s felled (give name and survey number of plot and indicate as clearly as possible the actual situation of the tree)

(iv) (a) Species of the tree felled

(b) Its approximate age

(c) Its girth measured at a height of 1.35 metres from ground level.

(v) Justification for felling the tree/trees (Here describe the way in which the tree posed danger and the reasons why you could not wait to seek permission for cutting it).

Place: —

Date: —

SIGNATURE

FORM B

(See-rule 4.1)

The Tree Officer,

...

...

Sir,

I apply for grant of permission for felling tree/s located in the property situated in the village ... Taluka ... and District ... I furnish below the following details in support of my application: —

i) Applicant's name and address (In block letters)

ii) Name and address of the owner of the property (if different from applicant)

iii) Title of the applicant i. e. whether owner/occupant of the property, etc.

iv) Name and serial number of property

v) Total area of the property with description of the boundaries

vi) Total number of trees (species-wise) whose trunk or body is not less than 5 cm. in diameter at a height of 30 cms. from the ground and whose height is not less than one metre from the ground

vii) The exact area (in sq. metres) from which felling of trees for which permit is sought (description of the boundaries)

viii) Total number of trees to be felled

ix) Trees to be felled are numerically numbered in paint, their girth measured at a height of 1.35 metres from ground level and their details specieswise are

Species	Number	Girth

x) Purpose for which the felling of trees are intended

xi) Intended use of felled trees (e. g. for sale, for domestic use, etc.)

xii) Intended use of land after felling of trees

xiii) Number and species of trees intended to be planted after felling (give details of arrangements for raising, planting and protecting trees)

xiv) Name/s and address/es of the owners/occupants adjoining property/ies

2. I am enclosing an affidavit and below mentioned papers in support of my application.

Declaration

I hereby declare that I shall fully satisfy and abide by such terms and conditions of the permit as may be specified therein.

Place: —

Date: —

APPLICANT'S SIGNATURE

Attested copies of: —

i) Property/occupancy documents.

ii) Plan of the property showing the survey number.

iii) Enumeration list (duly signed by the applicant).

iv) Boundary list (duly signed by the applicant).

v) Latest index of land record issued by the Mamlatdar.

vi) "No Objection Certificate" from Administrator of Comunidade.

vii) "No Objection Certificate" from adjoining property owners.

Affidavit

(To be signed on a stamped paper in the presence of Magistrate or authority approved for the purpose)

I, ... aged ... years, resident of ... (locality) ... village ... Taluka, Goa District, wife/son/daughter of ... do hereby solemnly affirm and declare as under:

1. That I am the legal owner/occupant of the private property known as "..." situated at ... village ... Taluka bearing cadastral survey number ... of ..., boundaries of which are as follows: —

East:

West:

North:

South:

2. That I have applied to the Tree Officer, ... for permission to fell ... (number) trees from the aforesaid property. All the trees have been numbered with paint.

3. That there is no other owner/occupant of this property or of the forest produce of this property and I hereby solemnly affirm and declare that I shall be solely responsible and answerable for any claim and litigation, if any, that may arise at any time in future regarding the ownership/ /occupancy of the said property or the forest produce from the said property.

4. I hereby solemnly declare and affirm that to the best of my knowledge and belief the information is correct and true and nothing material has been concealed and is false.

Place: —

Date: —

DEPONENT

FORM C

[See rule 4 (2)]

To

The Tree Officer and
Dy. Conservator of Forests,
...
...

Sir,

I apply for grant of permission for removal and disposal of tree/s located in the property situated in the village ... Taluka ... and District ... I furnish below the details in support of my application: —

i) Applicant's name and address (In Block letters).

ii) Name and address of the owner of the property (if different from applicant) from which trees were felled.

iii) Title of the applicant i.e. whether owner/occupant of the property, etc. from which trees were felled.

iv) Name and serial number of the property from which trees were felled.

v) Total area of the property with description of the boundaries.

vi) Total number of felled trees (species-wise) whose trunk or body is not less than 5 cm. in diameter at a height 30 cm. from the ground and whose height was not less than one metre from the ground.

vii) Describe the circumstances under which the tree/s was/were felled i.e. whether the tree/(s) was/were felled after obtaining the permit (a copy of the permit is to be enclosed) or under the proviso to section 8 of the Ordinance or had fallen due to natural causes, etc.

viii) Details of material obtained from the felled tree.

First class timber	... cu.m.
Second class matti	... cu.m.
Second class (others)	... cu.m.
Third class timber	... cu.m.
Firewood	... cu.m.
First Class Poles	... Nos.
Second Class Poles	... Nos.
Third Class Poles	... Nos.

ix) The manner in which the material would be removed i.e. by road, rail, waterways and the mode of transport.

x) Transit route

xi) Removal of the material will be completed by (date).

xii) The material is intended to be disposed in the manner indicated below: —

	Quantity	Purpose
a) For self use	First class timber	... cu.m.
	Second class matti	... cu.m.
	Second class (others)	... cu.m.
	Third class timber	... cu.m.
	Firewood	... cu.m.
	First class Poles	... Nos.
	Second class Poles	... Nos.
	Third class Poles	... Nos.
b) By sale	First class timber	... cu.m.
	Second class matti	... cu.m.
	Second class (others)	... cu.m.
	Third class timber	... cu.m.
	Firewood	... cu.m.
	First class Poles	... Nos.
	Second class Poles	... Nos.
	Third class Poles	... Nos.

c) Name(s) and full address(es) of the persons/parties to whom the material would be disposed by sale.

d) Licence number of the purchaser (if purchaser is holder of a licence issued by Forest Department).

I am enclosing below mentioned papers in support of my application.

Declaration

I hereby declare that I shall fully satisfy and abide by such terms and conditions of the permit as may be specified therein.

Place: —

Date: —

APPLICANT'S SIGNATURE

Attested copies of: —

(i) Property/occupancy documents.

(ii) Plan of the property showing the survey number.

(iii) Boundary list (duly signed by the applicant).

(iv) Latest Index of Land record issued by the Mamlatdar.

(v) Report, if any, made pursuant to proviso to section 8 of the Ordinance.

(vi) Permit, if any, granted by the Tree Officer.

FORM D

(See Rule 5)

Register of Applications

Sl. No.	Name and address of the applicant	Details of the application			
		Date	Date of receipt	For felling or removal/ /disposal	Last date for disposal
1	2			3	

Name of the village in which trees to be felled or removed/ /disposed is/are situated	Details of decision taken			
	Nature	Date on which taken	Date of communication to the applicant	Remarks
4		5		6

FORM E

(See rule 6)

Tree Officer and
Dy. Conservator of Forests,
Government of Goa, Daman and Diu
Forest Department,

...

...

Dated: / /198

Sub: — Permission to fell trees.

With reference to his/her application dated ... for grant of permission to fell trees, Shri/Smt .., is hereby informed that he/she is granted permission to fell the tree/s (as per details indicated below) from the private property known as ... survey No. situated at ... subject to the satisfaction of the terms and conditions hereinto specified: —

Details of Trees

Sl. No.	Species of trees	No. of trees

( )
Tree Officer and
Dy. Conservator of Forests

Shri/Smt. ...

...

...

Terms and Conditions

1. The Range Forest Officer shall mark the trees before cutting them.

2. Permission to fell the trees is granted at his/her own risk and without prejudice to the claim (s) of any other person/s who may be having any right (s) over the land or the trees.

3. Felling of trees shall be completed within ... days.

4. Material produced from felled trees shall not be removed or disposed without permission of the Tree Officer.

5. He/she shall replant trees, as per details given below during the ensuing/next planting season i.e. commencing from June ... to August, ... in the property from which the trees will be felled.

Sl. No.	Species	No.

6. He/she shall deposit a sum of ... (Rupees ...) as security in the office of ... before starting felling of the tree/s for ensuring the replanting of the trees indicated at serial No. 5 above.

7. In the event of failure on the part of the permit holder to replant the trees as indicated at serial number 5 above, then the Tree Officer shall himself arrange to replant the trees and recover the cost thereof from the permit holder by way of adjustment against the security deposit made by the Permit holder or failing that, by recovery as arrears of land revenue.

Copy submitted to: —

(i) The Conservator of Forests for information.

(ii) The Range Forest Officer, Mobile Squad, Ponda for information.

FORM F

(See rule 6)

Tree Officer and
Dy. Conservator of Forests,
Government of Goa, Daman and Diu
Forest Department,

...

...

Dated: / 198

Sub: — Permission to remove/dispose off trees.

With reference to his/her application dated ... for grant of permission to remove or dispose of felled tree/s or forest produce, Shri/Smt ... is hereby informed that he/she is granted permission to remove or dispose off the material (as per details indicated below) from the private property known as .., survey number ... situated at ... subject to the terms and conditions hereunder specified: —

Sl. No.	Description of the material	No.	Volume	No. of trips by which removal will be completed	Period of validity of the permit

(i) From ... to ...

(ii) Mode of transport ...
(i. e. by rail, sea or road)

(iii) Route ...

(iv) Vehicle/vessel No. ...

(vi) Name of the driver/tindel ...

(vi) Manner of disposal (if it is by sale, name, address and licence No. of purchaser be indicated) ...

( )
Tree Officer and
Dy. Conservator of Forests

FORM G

(See rule 7)

Notice

Whereas Shri/Smt ... is the owner/occupant of the property known as ... bearing survey number ... and situated in the village ... Taluka ... and District ...

And whereas I, Shri (name) ... (designation) / had inspected his/her property on ... /have received a report from ... regarding the number of trees in aforesaid property (copy of the inspection report/report enclosed);

And whereas I am of the opinion that the number of trees in the aforesaid property is not adequate as per standard laid down by the Tree Authority pursuant to the provisions of sub clause (c) of section 7 of the Ordinance;

Now, therefore, I call upon Shri/Smt. ... to show cause within 10 days of the date of receipt of this notice as to why a direction should not be given to him/her for planting of trees in his/her aforesaid property in such number, of such species and in such manner as indicated in the annexure.

( )
Tree Officer

Shri/Smt ...

...

...

Copy to: —

(i) The Range Forest Officer,
... This has reference to his letter No. ...

(ii) The Conservator of Forests, Panaji.

Annexure to show cause notice number ... Dated...

Sl. No.	Species of trees	No. of trees	Manner in which planting is to be done	Period within which planting is to be completed	Remarks

FORM H

[See rule 9(1)]

Notice

Whereas Shri/Smt. ... is the owner/occupant of the property known as ... bearing survey number ... and situated in the village ... Taluka ... and District ...,

And whereas I, Shri ... Tree Officer and Dy. Conservator of Forests had found that adequate measures were not taken by him/her for protection of the tree/s existing on the aforesaid property and had, therefore, given him/her directions in letter number ... dated ... which was received by him/her on or about ... specifying the measures, he/she has to take for protection of the tree/s;

And whereas I have inspected the property on ... have received a report from ... (copy of the inspection report/report enclosed which is self explanatory);

And whereas I am of the opinion that he/she has failed to take the measures as specified in letter number ... dated ... within the stipulated period/measures taken are not adequate for protection of the tree/s (strike off whichever is not applicable).

Now, therefore, I hereby call upon Shri/Smt. ... to show cause within 10 days of the date of receipt of this notice as to why the undersigned should not arrange measures as specified in letter number ... dated ... for protection of trees in the aforesaid property at the cost of Rs. ... (Rupees ...) approximately on his/her behalf and recover the expenses incurred from him/her.

( )
Tree Officer and
Dy. Conservator of Forests

Shri/Smt. ...

Copy to: —

(i) The Range Forest Officer.

... This has reference to his letter No. ...

(ii) The Conservator of Forests, Panaji.

FORM I

(See rule 10)

Notice

Whereas Shri/Smt. ... was ordered/directed to plant trees in the property known as ... bearing survey No. ... and situated in the village ... Taluka ... and District ... vide reference bearing No. ... dated ... in such number, of such species and in such species and in such manner as specified therein;

And whereas I ... (name), ... (designation) have inspected his property on ... /have received a report from ... regarding the number of trees planted etc. in the aforesaid property (copy of the inspection report/report enclosed which is self explanatory);

And whereas I am of the opinion that Shri/Smt. ... has failed to carry out his/her obligation regarding planting of trees as specified under reference bearing No. ... dated ...

Now, therefore, I hereby call upon Shri/Smt. ... to show cause within 10 days of the date of receipt of this notice as to why I should not arrange planting of trees in the aforesaid property in such number, of such species and in such manner as specified under reference No. ... dated ... at the cost of ... (Rupees ...) approximately on his/her behalf and recover expenses incurred thereunder from him/her.

( )
Tree Officer and
Dy. Conservator of Forests

Shri/Smt. ...

...

FORM J

[See rule 12(1)]

Register of Appeals

Sl. No.	Name and address of the applicant	Particulars of Appeal		
		Date	Date of receipt	Designation of the authority whose order is challenged in appeal

No. and date of the order challenged in appeal	Date of decision	Nature of decision	Date of communication of the decision	Remarks

FORM K

(See rule 13)

Stock Register

Sr. No.	Authority which ordered forfeiture	No. and date of the order	Details of material/ animals/tools and plants/vehicles ordered to be forfeited	Approx. value of the forfeited material	The manner in which forfeited material disposed with date of disposal	Remarks
1	2	3	4	5	6	7

FORM L

(Rule 14)

Bond

I/we ... wife/son/ daughter of ..., resident of ... and owner/s of the below mentioned property which was seized under Panchanama dated ... (here state the description of property) ...

...

...

...

do hereby state that on an application moved by me/us in that regard, it has been ordered by the Tree Officer and Dy. Conservator of Forests, ... (indicate the office) vide his order No. ... dated ... that the said property be released to me/us on bond of Rs. ... (Rupees ...

I/we do hereby state that I/we have receivel this ... day of ... (month) ... (year) the above mentioned property valued at Rs. ... (Rupees ...) approximately. I/we hereby undertake to keep the said property with me/us for safe custody. I/we further undertake to produce the said property ...

...

... (description of the property) in tact and in the same condition as they are now (reasonable wear and tear expected) whenever called upon to do so by the Tree Officer and Dy.

Conservator of Forests, ... (indicate the address of the officer) and not to deliver the same to any person or otherwise dispose or deal with the same without an order in writing from the aforesaid Tree Officer and Dy. Conservator of Forests and the shown undertaking is done voluntarily by me/us.

Witnesses: —

(i) ... ...
(Signature, name and address) Signature

(ii) ... ...
(Signature, name and address) Signature

FORM — M

[See Rule 17(2)]

Form of Register of Notified Trees

Sl. No.	Name and address of the owner/ occupant of the land	Date of report	Number of trees (specieswise to be given)	Date on which trees are marked with identification marks	Date on which report submitted to the Conservator of Forests	Remarks

Local Administration and Welfare Department

ORDER

11-47-80/LAWD

Whereas the Government of Goa, Daman and Diu is of opinion that it is necessary and expedient so to do for maintaining supplies of tea, an essential commodity, and for securing its equitable distribution:

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the Government of India, Ministry of Agriculture (Department of Food), Order No. GSR 316(E) dated the 20th June, 1972 and with the prior concurrence of the Central Government, the Government of Goa, Daman and Diu hereby makes the following Order, namely: —

1. *Short title and commencement.* — (1) This Order may be called the Goa, Daman and Diu Tea (Registration of Dealers and Declaration of Stocks) Order, 1983.

2. *Definitions.* — In this Order, unless the context otherwise requires, —

(a) "commission agent" means a commission agent having in the customary course of business as such agent authority either to sell tea, or to consign tea for the purpose of sale or to buy tea;

(b) "dealer" means a dealer in tea, and includes a broker, commission agent, manufacturer and a warehouse keeper;

(c) "tea" means the plant Camelia Sinesis (L) O. Kuntze as well as all varieties of the product known commercially as tea made from the leaves of the said plant, including green tea;

(d) "warehouse keeper" means a person who owns or maintains a warehouse wherein tea is stored for the purpose of sale either by auction or otherwise;

(e) words and expressions used but not defined herein shall have the meanings respectively assigned to them in the Tea Act, 1953 (Central Act 29 of 1953).

3. *Registration of dealers.* — (1) No person shall after the expiration of a period of 30 days from the coming into force of this Order, if the stocks of tea in his possession exceed 1,000 kilograms, carry on business as a dealer unless he is registered as such in accordance with the provisions of this Order.

(2) A person desirous of being registered as a dealer shall make an application in Form 'A' to the Director of Civil Supplies and Price Control, Panaji in the Goa District, the Collector of Daman in Daman District and the Civil Administrator of Diu in Diu District;

(3) On receipt of an application, the authority referred in sub-clause (2) shall cause the particulars of the said application entered in a register of dealers maintained by him in Form 'B'.

(4) A certificate of registration shall be issued to the applicant in Form 'C' which he shall display in his premises.

4. *Returns.* — Every dealer shall furnish monthly return in Form 'D' to the authority as referred to in sub-clause (2) of clause 3 in respect of such stocks of tea held by him as are in excess of 1,000 kilograms.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary (LAWD).

Panaji, 2nd January, 1984.

FORM A

[See Clause 3 of the Goa, Daman and Diu Tea (Registration of Dealers and Declaration of Stocks) Order, 1983]

To

...

...

Sir,

I am dealing in tea and stocking it in excess of 1000 (one thousand) kilograms in my establishments mentioned below.

I may therefore kindly be registered as a dealer under clause 3 of the Goa, Daman and Diu Tea (Registration of Dealers and Declaration of Stocks) Order, 1983.

	Place	Premises
1.		
2.		
3.		

Place:

Date:

Yours faithfully,

(Signature of dealer)

FORM B

[See Clause 3 of the Goa, Daman and Diu Tea (Registration of Dealers and Declaration of Stocks) Order, 1983]

Registration No.	Name of dealer	Address of the establishment	Place/places of godowns, if any, where tea is stored	Remarks
1	2	3	4	5

FORM C

[See Clause 3 of the Goa, Daman and Diu Tea (Registration of Dealers and Declaration of Stocks) Order, 1983]

CERTIFICATE OF REGISTRATION

This is to certify that ... with his establishment situated at ... House No.... in ... Taluka is registered under No.... as dealer under Clause 3 ... of the Goa, Daman and Diu Tea (Registration of Dealers and Declaration of Stocks) Order, 1983.

Place:

Date:

(Name and designation of the registering authority).

FORM D

Returns of stocks held for the month of ...

[See clause 4 of the Goa, Daman and Diu Tea (Registration of Dealers and Declaration of Stocks) Order, 1983]

Name of the Dealer ... Place ...

Sr. No.	Quality of Tea	Opening balance	Receipts during the fortnight	Disposal during the fortnight	Closing balance at the end of fortnight	Source from which the stocks at col. 4 are received	Remarks
1	2	3	4	5	6	7	8

Date: ... Signature of the dealer

GOVT. PRINTING PRESS — GOA
(Imprensa Nacional — Goa)
PRICE — 0-85 Ps.

By Speed Post/E-r

संख्या No. 9-7/2012-आर ओ एच क्यू
भारत सरकार/ Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय/ Ministry of Environment, Forest & Climate Change
आर ओ एच क्यू/ ROHQ

01/03/2018

309
5/3/18

CF(SD)
CF(RO)
1/3/18

Agni Wing, 3rd Flo
Indira Paryavaran Bhawa
Aliganj, Jor Bagh Roa
New Delhi- 1100(
Dated: 23th February, 20

ORDER

With the approval of the competent authority, it has been decided to revoke the Order No 13-16/200-SU dated 05.01.2001 vide which a Core Group was constituted in this Ministry t approve proposals for felling of trees in forest areas received from the State Governments/ UT Administrations as per the directions of Hon'ble Supreme Court Order dated 22.09.2000 in Writ Petition No. 202/95.

2. The matter has been reconsidered in the Ministry and it has been decided that the felling proposals as per the Working Plan/Working Scheme received from the State Governments/ UT Administrations shall be placed before the Regional Empowered Committee (REC) of the concerned Regional Offices of this Ministry for examination and advise to the Regional Office on the issue. The Addl. Principal Chief Conservators of Forest (Central) of the Regional Office of this Ministry will be competent authority to approve the proposals on the recommendations of the REC as per the existing Rules/ Acts keeping into account the directions of Hon'ble Supreme Court dated 22.09.2000 in Writ Petition No. 202/95. The Addl. Principal Chief Conservators of Forest (Central) of the Regional Office will ensure strict monitoring of felling and regeneration as per approved Working Plan/Working Scheme.

3. This issues with the approval of the Hon'ble Minister of Environment, Forest and Climate Change.

(Rajeev Lochan)
Under Secretary to the Govt. of India

Copy to:

1. The Chief Secretaries of all States/UTs.
2. The PCCFs of all States/UTs.
3. The APCCF (Central), all Regional Offices, MoEF&CC.
4. IGF(FC)/IG(WL).
5. Director (ROHQ)/DIG (FC)/DIG(FPD)/DIG(SU)/DIG(WL)/DIG(FP).
6. Sr. AIGF(NS)/DS (IFS)/AIGF(SS).

Copy for information to:

1. PS to MEF&CC.
2. PPS to Secretary, MoEF&CC.
3. PPS to DGF&SS, MoEF&CC.
4. PS to ADGF (FC)/ADGF (WL), MOEF&CC.

REGD. MH 1776

Panaji, 8th November, 1973 (Kartika 17, 1895)

SERIES I No. 32

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Local Self Government Department

—

Notification

2-48-72-LSG

In exercise of the powers conferred by Section 76(d) of the Indian Forest Act 1927 (Act No. XVI of 1927) the Lieutenant Governor of Goa, Daman and Diu is hereby pleased to make the following rules, namely: —

PART I

Preliminary

1. **Short title and commencement.** — (1) These rules may be called, the Goa, Daman and Diu Forest (Settlement) Rules, 1973.

(2) They shall come into force with immediate effect.

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

(1) 'Act' means the Indian Forest Act, 1927 (Act No. XVI of 1927);

(2) 'Section' means a section of the Act;

(3) 'Form' means a form appended to these rules;

(4) 'Government' means the Government of Goa, Daman and Diu;

(5) 'Notification' means notification published in the Official Gazette;

(6) 'Official Gazette' means Goa, Daman and Diu Government Gazette;

(7) 'Prescribed' means prescribed by rules made under the Act;

(8) 'Forest Settlement Officer' means an officer appointed as such under these rules;

(9) 'Proclamation' means a proclamation issued under Section 6 of the Act;

(10) 'Deputy Collector' means the Deputy Collector in charge of the area concerned in the Union Territory;

(11) 'Mamlatdar' means the Mamlatdar in charge of the area concerned in the Union territory;

(12) 'Collector' means the Collector in charge of the area concerned in the Union territory;

(13) 'Revenue Officer' means any civil officer of the Collectorate concerned in the Union territory not below the rank of a Mamlatdar;

(14) 'Conservator of Forests' means the Conservator of Forests, Goa, Daman and Diu;

(15) 'Divisional Forest Officer' means the Deputy Conservator of Forests or any other Forest Officer in charge of the territorial Forest Division in the area concerned in the Union territory;

(16) 'Forest Officer' means any Forest Officer other than the Forest Settlement Officer and not below the rank of the Range Forest Officer serving in the Union territory;

(17) 'Forest Demarcation Officer' means officer entrusted with the work of survey and demarcation of the Government forests, forests land, waste land or other lands proposed for constitution into Reserved Forests or Protected Forests;

(18) 'Department of Land Survey' means the Department of land survey in the Union territory;

(19) 'Director of Land Survey' means the Director of Department of Land Survey, Goa, Daman and Diu;

(20) 'Union territory' means the Union territory of Goa, Daman and Diu;

(21) 'Patta' means any document purporting to confer on a person by the Government the right of ownership or possession of a piece of land;

(22) 'Sanad' means an agreement between the Government and the occupant of a piece of land;

(23) 'Title' means a document of assignment of Government land to the private individuals on emphyteusis or permanent lease;

(24) 'Alvara' means a document issued by an authority in favour of some one certifying, authorising or providing certain acts or rights in a piece of land;

(25) 'Rule(s)' means the Forest Settlement rules;

(26) 'Words' and 'Expressions' used, but not defined in these rules, shall have the same meaning assigned to them under the Act;

3. **Control of the Conservator of Forests over the Forest Settlement.** — Forest Settlement is concerned with the constitution of the forest lands, waste lands or any other land which is the property of the Government or over which the Government has the proprietory rights into Reserved or Protected Fo-

rests in accordance with the procedure laid down in Chapters II and IV of the Act. The administrative control over the forest settlement will vest in the Conservator of Forests. The preliminary demarcation of forest land or waste land will be carried out under the direction of the Conservator of Forests.

4. **Posting of Forest Demarcation officers and their duties.** — (1) For the purpose of forest demarcation the Conservator of Forests may appoint as many Forest Demarcation Officers as may be necessary from amongst officers of the Forest Department.

(2) The Forest Demarcation Officer shall demarcate the boundaries of the Government lands both, with forests and without forests or any other lands over which the Government has the proprietory rights and which is proposed for constitution into Reserved Forests or Protected Forests in consultation with the Divisional Forest Officer. Whenever he considers it necessary, he may also consult the Mamlatdar and the Director of Land Survey Department.

(3) The Forest Demarcation Officer shall also prepare and compile the records required for the preparation and issue of Notification under Section 4(1)(c) of the Act in connection with the constitution of the Reserved Forests. Similarly the Forest Demarcation Officer shall also prepare and compile records for the preparation and issue of Draft Notification under Section 29 of the Act in connection with the constitution of Protected Forests.

5. **Appointment of Forest Settlement Officers and their duties.** — (1) For the purpose of Forest settlement, the Government may appoint as many Forest Settlement Officers as it may deem necessary. These officers shall ordinarily be the persons not holding any forest office except that of Forest Settlement Officer and will be drawn from Goa, Daman and Diu Civil Service.

(2) Forest Settlement Officer shall be under the administrative control of the Conservator of Forests. He will submit his tour diaries, to the Conservator of Forests.

(3) The position of Forest Settlement Officer in the proceedings affecting reservation or protection under the Act is solely that of a Judge. In this capacity he has powers to determine the rights of the people in forest or other areas taken up for construction into Protected or Reserved Forests, under the provisions of the Act, to provide for the exercise of adverse rights, to regulate them or to extinguish them.

6. **Duties of the Deputy Collectors, Mamlatdars and other revenue officials.** — The Deputy Collector, Mamlatdar and other revenue officers shall extend all cooperation to the Forest Settlement Officer so as to facilitate the progress of settlement and prevent undesirable delay in completion. For this purpose they shall furnish all the information requested by the Forest Settlement Officer without any delay. They shall also help the Forest Demarcation Officer and the Forest Officers in setting aside forest and other areas over which the Government has the proprietory rights for constituting them into Reserved or Protected Forests as the case may be and in demarcation of the same on the ground. While doing so they will bear in mind the general interests of the local public for agriculture and other needs for land and forest produce.

7. **Duties of the Divisional Forest Officer.** — The Divisional Forest Officer will be responsible for getting the area under his charge constituted into the Reserved and Protected Forests. For this purpose he will request the Forest Settlement Officer to take up particular area for forest settlement and shall furnish any information required by the Forest Settlement Officer without any delay. He shall also extend all possible help to them in this regard. He will be the representative of the Forest Department in the proceedings of the Forest Settlement and will be responsible for proper and speedy forest settlement of the area under his charges by taking timely action whatever and whenever required and representing the case to the Forest Demarcation Officer and the Forest Settlement Officer properly.

PART II

Constitution of Reserved Forests

8. **Preliminary Survey and Demarcation.** — Preliminary survey and demarcation shall be done by the Forest Demarcation Officer before the issue of the notification under Section 4 of the Act.

(1) *Survey:* The Forest Demarcation Officer shall get the area to be declared as Reserved Forests/ Protected Forests surveyed on the ground in consultation with the Divisional Forest Officer and the local Mamlatdar and Director of Land Survey wherever he considers necessary. For this purpose he will use forest map and or the cadastral survey map prepared by the Land Survey Department wherein they are available for guidance. He will then demarcate the area on the ground as provided under rules 9(2)(i) to (iv).

(2) *Demarcation.* — (i) The boundary shall be demarcated by fixing temporary stone pillars or cairns and or wooden posts or such other marks as may be convenient provided that such cairns or posts or pillars or such other marks shall be visible, one from the other.

(ii) Preliminary demarcation should not be of permanent character, but if need be definite and continuous line sufficient to show to the Forest Settlement Officer and the villagers and others concerned with, where and how it runs.

(iii) The forest boundary pillars or post or cairns or any other such marks will mark the actual limits of the area and should be placed exactly on the boundary line.

(iv) Boundary marks will be maintained properly till the preliminary enquiry is completed and are replaced by the suitable boundary pillars. This will be the duty and the responsibility of the Divisional Forest Officer. All posts/pillars or cairns or any other such marks should bear a serial number. Numbering of posts/pillars cairns or any other such mark shall be done clockwise.

9. **Boundary description.** — The boundary description will be given in one of the following forms—

(I) *Description form.* — From pillar No. 1 situated on a spur by straight line from pillar to pillar no. 38 on the bank of a Nala. Thence along the western side

of the Nala to pillar No. 39 on a ridge etc. and back to pillar No. 1.

(IV) *Tabular form.* — Pillar No. 1 to pillar No. 2, 10 meters Forward Bearing 50° and Backward Bearing 230°. Pillar No. 2 to pillar No. 3, 20 meters Forward Bearing 30° and Backward Bearing 210° and so on till one comes back to the point of start.

(III) Description given in the above forms is only an example.

(IV) Length will be given in meters.

10. **Issue of Notification under Section 4 of the Act.** — The Demarcation Officer, after the preliminary survey and demarcation are over, as provided under rule 9 shall prepare a draft notification under Section 4 of the Act and submit it to the Conservator of Forests alongwith a copy of the map of the area in triplicate showing the boundary. The Conservator of Forests will then submit proposals to the Government for issuing notification under Section 4 of the Act. Thereafter the Government will issue the notification in form A(I) or A(II). Form A(I) shall be used where detailed information about forest boundaries are available. Form A(II) shall be used in all other cases.

11. **Power of Government to allow fresh clearing of Forest area.** — After the issue of the notification under Section 4 of the Act the Government may permit fresh clearing of forest area for rehabilitation of refuges, for irrigation projects, other Government works and buildings, factories, plants, etc.

12. **Publication of Proclamation under Section 6 of the Act.** — (1) After issue of the notification under Section 4 of the Act the Forest Settlement Officer shall publish a proclamation under Section 6 of the Act as given in Form B(I) or B(II) in English, Marathi, and Konkani using the Devnagri script.

(2) The proclamation must be posted in every town and village in the vicinity of the proposed forests, in the office of the Municipality, Panchayat Ghar, wherever they are exsting, and in their absence, in any other prominent place, considered suitable for the purpose by the Forest Settlement Officer. Copies of the proclamation shall also be sent to the Divisional Forest Officer, Collector, Deputy Collectors, Mamlatdars and Range Forest Officers concerned, Village Panchayats and Municipalities wherever they are existing, for wide publicity. Copies of the acknowledgement on receipt of such proclamation will be placed in the Village File concerned.

13. **Compilation and maintenance of records.** — (1) Compilation of records (a) The Forest Settlement Officer shall compile and maintain the records as given hereinafter and on the completion of the Forest Settlement he shall deposit them with the Collector.

(b) After publication of the Proclamation under Section 6 of the Act, the Forest Settlement Officer shall collect the following information with the assistance of the Divisional Forest Officer, the Mamlatdar of Record of Rights, Director of Land Survey, Deputy Collector and the Mamlatdar of the area.

(i) A sketch map of the area proposed to be declared as Reserved Forest.

(ii) A description of the preliminary boundary at the time of issue of notification in Form C(i) under Section 4 of the Act and final boundary at the time of issue of the notification under Section 20 of the Act in Form C(ii).

(iii) Villagewise description of the forest as given in Form 'D'.

(iv) A general statement as given in Form 'E'.

(v) A list of roads, ways and paths open to public throughout the year vide Form 'F'.

(vi) A list of temples, churches, mosques or any other religious places open to public for worship vide Form 'G'.

(vii) A list of burial and cremation grounds in Form 'H'.

(viii) A list of water sources in Form 'I'.

(ix) A list of included cultivation or any other private property in Form 'J'.

(x) A list of rights and concessions in Form 'K'(I) and K(II).

(xi) A list of rights of fishing and hunting in Form 'L' in the area to be declared as Reserved Forests.

(c) All these papers shall be signed by the Forest Settlement Officer and shall form the records of forest settlement.

(2) *Maintenance of records.* — (a) There shall be a general file for every forest and separate files for each village/town for which claims are filed by persons in their joint or individual capacity.

(b) The general forest file shall contain the following papers —

(i) Title page.

(ii) Order sheet.

(iii) A copy of the Government notification under Section 4 of the Act.

(iv) The boundary description prepared at the time of issue of notification under Section 4 of the Act.

(v) The description of boundary as finalized after inquiry and exhibited in notification under Section 20 of the Act.

(vi) The letter of proposal from the Divisional Forest Officer for taking up Forest Settlement of the area.

(vii) A copy of the Proclamation under Section 6 of the Act.

(viii) A consolidated sketch map of the forest.

(ix) A consolidated village wise details of the forest areas.

(x) A list of ways and paths open to the public.

(xi) A list of temples, churches, mosques or any other religious place open to public for worship.

(xii) A list of rights and concessions including privilege.

(xiii) A list of rights of fishing and hunting.

(xiv) A list of private cultivation and other properties within the area.

(xv) Acknowledgement from the Divisional Forest Officer, Mamlatdar and Deputy Collector that alteration made in the preliminary boundary have been explained to them.

(xvi) The summary of proceedings giving list of claims prepared and admitted or rejected.

(xvii) Miscellaneous papers.

(xviii) A copy of the draft final notification under Section 20 alongwith boundary description and Schedules of concessions and rights admitted.

(c) The village file shall contain the following papers.

(i) Title page.

(ii) Copy of Proclamation duly served under Section 6 of the Act.

(iii) Plaints or claims preferred in writing or orally.

(iv) Written statement or reply of the Forest Department and Revenue Officials addressed.

(v) Evidence adduced.

(vi) Order sheet and decision.

(vii) A tracing of the Revenue map of the village showing the forest boundary line wherever it is available.

(viii) Miscellaneous papers.

(d) The Forest Settlement Officer shall maintain two separate Registers 'A' and 'B' in the form M and shall enter in latter all claims as they are disposed of. Register 'B' or fair signed copy thereof must upon the completion of the operations, be forwarded to the Government through the Conservator of Forests, with the draft notification under section 20 of the Act together with;

(1) A summary report of the Forest Settlement Officer proceedings in Form 'N' alongwith his recommendations, if any, for sanctioning, as of privileges, concessions and the continuance of practices rights which although not claimable as of rights and concession and consequently not entered in the abstract as admitted rights, are in the opinion of the Forest Settlement Officer advisable in the interest of the welfare of the people (such concessions should be indicated by letter 'C' in the abstract) and

(ii) An abstract statement of admitted claims of rights and concessions (for publication in the Gazette) in the Annexure Form O(I) and O(II) (for such corresponding form (s) as the special conditions of the case will admit),

(iii) The boundary map or tracing of the proposed reserve with a detailed description of the same, showing in a clear and unmistakable manner the boundary of the reserve as ultimately adopted by and specified in his final draft notification under Section 20 of the Act.

(e) In case in which appeals are preferred against his decisions the Forest Settlement Officer will obtain copies of the appellate decisions, which should form part of the settlement record. A brief abstract of each appellate judgement should also be prepared and entered in the appropriate column of register 'B' a reference being made in the 'remarks' column to the number and extent of such judgement.

14. **Presentation of claims.** — (1) A period of at least three months from the date of publication of the Proclamation shall be allowed for the presentation of the claims.

(2) Claims on behalf of a family may be presented by any member of that family, on behalf of a tribe or community by any member of that tribe or community, on behalf of joint claimants by any one of the joint claimants, on behalf of a town by the head of the Municipality, on behalf of a Village by the village Panchayat Sarpanch. In all other cases the claimants must arrange to represent themselves.

15. **Investigation into claims.** — (1) The Forest Settlement Officer should visit the village(s) and town(s) in the neighbourhood of the proposed Reserved Forest, as soon as possible after issue of the Proclamation. He should inspect the area proposed to be reserved forest as much as possible and afford the people likely to be affected by the proposed reservation, full opportunity of putting forwards their claims on the spot and should deal with such claims as if they had been formerly preferred under Section 6. The enquiry should consequently not be confined to merely recording evidence produced by claimants or by the Forest Officer or the Revenue Officer. The Forest Settlement Officer should himself call for and examine any person or officer of the Government whom he may think likely to have knowledge of the facts. He is thus responsible for seeking that every claim which he admits is absolutely clear and definite. In short, it is the business and the duty of the Forest Settlement Officer to ascertain by full and careful enquiry, the actual state of things, the manner in which the reservation, if carried out, will affect the people in the neighbourhood, the rights to which they are already legally entitled, and the concessions which it is desirable for the Government to extend to them in future. It must, however, be clearly understood here that, as Forest Settlement Officer framing a record of legally established rights, he has no power to confer by entry in the record, any rights which have not been satisfactorily established as existent, merely because, he thinks it expedient to grant them. But, on the other hand, he is bound to express fully, in reporting his operations to the Government, his opinion and advice as to any practices which though not satisfactorily proved, are found to be existing and, which he may think it advisable to sanction as of rights or as merely terminable concessions, in the interest of the people.

(II) The records of the Forest Settlement Officer must thus deal with legally established rights only.

(III) The Forest Settlement Officer must leave it to the Government to decide later on, that additional burdens, in the shape of non-established rights or more terminable concessions, it is desirable to impose on the forest in the interest of the people.

(3) The Forest Settlement Officer may, at his discretion, at any such enquiry join any number of claims provided they relate to the same proposed Reserved Forests and hold a common enquiry or may split any claim or claims and hold separate enquiries.

(4) The Forest Settlement Officer will record the evidence and decide all the claims in each case in the manner prescribed by the Code of Civil Procedure to be followed in appealable cases.

(5) It shall not be necessary to take evidence second time when such an evidence has already been recorded in an earlier enquiry relating to another claim. But if, in deciding upon the claim of any person, the Forest Settlement Officer admits a previously recorded evidence or recites a previous decision in disposing of a case, the person whose claim is thus treated shall be entitled to obtain

a copy of such previous evidence, documents or decision, as it had been recorded during the enquiry into his own claim.

(6) The Forest Settlement Officer shall examine the claimants and witnesses on oath or solemn affirmation. Process fees according to the sale laid down for courts of the Collectors under the Goa, Daman and Diu Land Revenue Code 1968 shall be required from claimants (but not from the Forest Officer and the Revenue Officer or any other Government Officer attending the enquiry) if application is made to compel the attendance of witnesses or the production of documents.

(7) The forest Settlement Officer will hear the claimants whose claim has been admitted before deciding what action he will take in the matter.

(8) When claimants appear in person and make verbal statement of their claims, the Forest Settlement Officer shall record the substance of their statements. Written statements must be stamped in accordance with the Court Fees Act.

(9) Under Section 8 of the Act the Forest Settlement Officer has the powers of a Civil Court in trial of suits to call upon any person/Government Official, representative of the public body or any other organisation to appear before him as a witness and/or produce documents etc., in the procession of enquiry into the claims made by the persons or otherwise.

(10) The Forest Officer attending the enquiry shall have powers similar to those of a defendant in a civil suit. He may cross-examine witnesses, may produce evidence to rebut claims and may comment on any documents of evidence, and no court fees shall be required of him. If he desires to prefer an appeal against any decision, the Forest Settlement Officer shall supply him duly certified copy of such decision and will meet the cost from the contingencies of the Forest Settlement Budget.

(11) The Forest Settlement Officer will record the memorandum of site inspection whenever such inspection is carried out for the purpose of enquiry into the claims.

(12) For the purpose of inquiry under Section 7 of the Act, the Forest Settlement Officer has power under Section 8 of the Act to enter by himself or any officer authorised by him for the purpose, upon any land and to carry out the survey and/or demarcation and/to make a map of the same.

(13) The enquiry may be adjourned to another convenient date to the parties provided a request in writing to that effect is made by any of them on or before the date fixed for the enquiry. Where the parties fail to attend or produce the documents if any or to adopt measures to procure attendance of the witnesses, the Forest Settlement Officer will proceed in the matter *exparte*.

(14) The Forest Settlement Officer shall give reasonable notice to the Divisional Forest Officer and wherever he considers it necessary to the Deputy Collector and Mamlatdar on a date fixed by him for enquiry into the claims. If the Divisional Forest Officer or the Deputy Collector or the Mamlatdar is himself unable to attend on this occasion or to depute a suitable representative in his place, he may forward to the Forest Settlement Officer any statement he may wish to make in writing with any document he wishes to put in. He may, in such cases, if he so desires depute a subordinate to explain the statement submitted by him. The Forest Settlement Officer shall as far as may be convenient, meet the wishes of the officers of the Forest Officers and the Revenue Officers by adjourning enquiries to give them time to consult the Conservator of Forests and Collector respectively.

(15) The claims on which the Forest Settlement Officer will have to adjudicate will usually be of two classes:

(i) Claims to land,

(ii) Claims to rights of the nature of easements specified in Section 11 and 12 of the Act.

When a claim comes partly under Section 11 and partly under Section 12 of the Act, the Forest Settlement Officer will separate those parts of it which fall under Section 11 from those which fall under Section 12 and will enter them in his register as distinct claims.

(16) The views of the Collector in cases regarding land (the claims to which are being investigated under Section 11 of the Act) on any question, which may arise, should be placed before the Forest Settlement Officer by the Deputy Collector or Mamlatdar in the form of written note. Such written note shall be read aloud and shall form part of the record and shall be explained to the claimants in their vernacular language, if they do not understand English. A copy of the views of the Collector will also be made available to the Divisional Forest Officer.

(17) The grant under Section 10(1), 11, 15 and 16 of the Act, by the Forest Settlement Officer of unreserved land or of rights over such land in exchange for land or in commutation of rights admitted in a reserved forest, would require the concurrence of the Collector while the grant from reserved forests or rights over it requires the sanction of the Government. For such purpose Forest Settlement Officer will route all his correspondence through the Conservator of Forests.

(18) When the Forest Settlement Officer acts under Section 16 and commutes a right of pasture or of forest produce by a grant of money or land such commutation shall ordinarily be calculated as follows: —

(a) If in money, at 20 years' purchase of the annual value of the rights as ascertained by the Forest Settlement Officer.

(b) If paid for in land, the assessment of the land should be equal to the annual value of the commuted rights as estimated by the Forest Settlement Officer.

16. **Determination of rights and concessions.** — (1) Rights are those claims which are supported by documentary evidence such as sanad, patta or an entry into the official record. The rest will be treated as concessions. Concessions are terminable as and when found necessary by the Government. All these rights and concessions are meant for the satisfaction of personal bonafide requirements and subject to the condition that forests are to be maintained in perpetuity. The right of user or easement is always a limited one; it can never extend so as to destroy the servient estate. The right exists so long as the (servient) property is safe or continues to exist, because if the (servient) estate ceases to exist, the right

ceases with it. So while dealing with the claims the Forest Settlement Officer should see that the forests are not unduly burdened.

(2) While dealing with the claims made for land it will be found that they will be one or other of the following kinds —

(i) *Claim to whole or major part of land proposed for reservation.* — A claim to whole land itself, or (more likely) to one or more plots of land within the proposed forest. In such a case, the claim likely to be put forward is to the ownership of the land itself or some part of it. If the claim should effect the whole of the proposed forest or greater part of it, it would follow that the proposal to create forest estate under the Act could not be carried out; the proceedings would then be closed, on decision going in favour of the claimant, unless indeed it is some special case in which the forest is on public ground so desirable that Government will be justified in declaring public utility and proceeding to acquire the estate under the Land Acquisition Act. In such a case the Forest Settlement Officer will send his report to the Conservator of Forest informing him that on the ground mentioned in his decision it is not possible to constitute a forest estate of the block.

(ii) *Claim to one or more plots or scattered plot of land within the area proposed for reservation.* — Generally what happens is that one (or many plots) inside the forest block are either claimed under proprietory right or tenancy right or as grazing land earmarked for the village cattle. If the claim is accepted then either:

(a) It will be bought out by consent or acquired under the Land Acquisition Act, if the Divisional Forest Officer makes a move that it would be in the interest of the Forest Conservation to do so, or

(b) will be excluded from the forest boundary if this can conveniently be done or

(c) will be exchanged for some other suitable piece of land, or

(d) will be let alone; in such a case the plot or plots would be shown by interior lines both on the map as well as on the spot.

(iii) *Claim for whole or part of land within the proposed area for reservation, where cultivation or any other use is established without authority.* — Sometimes small plots are cleared and cultivation is established without proper authority. If the case is known to be one of the unauthorised clearing or a case of suatting with no equitable title the claim would be disallowed.

(iv) *A claim to practice of shifting kumeri cultivation.* — In the interest of development of National Forests in the Union territory: —

(1) no kumeri cultivation (shifting cultivation) shall be hereafter allowed under any circumstances.

(2) no more aforamentos (permanent leases) hereafter be given.

(3) the aforamentos which were given indiscriminately by the Government and not developed should be reverted to the Government after due procedure.

(4) the barren hills in charge of the Comunidades will be taken over by the Forest Department after acquisition on due reorganisation of the Comunidades, for raising large scale plantations of eucalyptus and other fast growing species as to provide abundant raw material for wood based industries to be established in this region.

Hence no claim to the practice of shifting cultivation should be entertained by the Forest Settlement Officer.

(3) Claims made for rights other than to land will be as, the right of way including the cattle drive, a right to have a water course (canal, channel, or a drain) across the land, a right to have to or use of source of water such as a well a tank, a pool, a spring for household purpose or watering of cattle or irrigation, etc., to worship at a religious place and to hold fair (s) within the limits of area proposed for reservation. These being ' Necessary Rights' their record and description is all that is possible and necessary. The Forest Settlement Officer will examine them and take necessary action as indicated below against each of them.

(i) *Right of way.* — The Forest Settlement Officer while admitting the right of way shall record the following particulars —

(a) (i) To whom the right vests, i. e. the general public or the inhabitants of any particular village/town or villages/towns or any private person or persons.

(ii) The nature of right i. e. foot path or a cart way or a road or a cattle drive, a railway line, etc.

(iii) The width of the right of way and

(iv) Whether the right of way is marked in the village/town survey map or not. If marked whether the way lies alongwith route so marked or not.

(ii) *Right to have water course.* — In case of right to water courses or drainage, particulars such as access for purpose of clearing or deposit of the silt cleared out or the like, as well as the width of canal, channel, drain, etc. and its necessary margin or bank space should be recorded.

(iii) *Right to water source.* — In case of right to use water where a well spring, pool, tank or any other source of water within or across the area under consideration for reservation is the main place at which the neighbouring cattle can get water, or at which the house-hold water can be obtained or irrigation can be obtained should be recorded as a right of necessity. As far as possible, if such places are near the edge of the forest, they may be excluded from the proposed forest by altering its boundary unless these are the only places where wild animals come to drink water which necessitates the inclusion of such spots in the forest boundary for the purpose of saving the wild life from destruction.

(iv) *Right to worship and holding fair.*—Claims to right of worship and to holding fairs/festivals of a religious nature of otherwise are of necessity and as such should be recognised. In case of right of holding fairs/festivals the date and places should be specified and indicated on the forest maps. The place of worship should be discussed in detail and indicated on the forest maps. Apart from the grant of right of access to such places they will be excluded from the proposed reserve if the circumstances demand so.

(4) *Claims to rights in the nature of easement or otherwise which involve taking some produce or part of the estate.* — These may be to dig clay, lime, stone, other stone, minerals, to cut truf or sods, to burn lime or charcoal, to cut grass, to pasture cattle and to cut grass, to pasture cattle and to cut wood. In short the well known forest rights or easements may be of the following forms: —

(i) *Right to wood.* — (a) For residential buildings and cattle sheds.

(b) For industry and agricultural purpose.

(c) For fuel.

(d) For fencings.

(a) *Wood for residential buildings and cattle sheds.* — For this, reference is always to be made to the usual styls of buildings in the locality and there is never any need to allow the best or costly woods for indoor or other work where an inferior timber will do. The quantity cannot always be prescribed. The intervals at which wood may be demanded will be fixed with reference to the number of years each kind of building will ordinarily last. The quantum of this right will be fixed by the Forest Settlement Officer for well defined tracts keeping in view the various local conditions and usages.

(b) *Wood for industry and agricultural purposes.* — The right to wood for industrial purpose does not exist in this Territory. There is no right for agricultural purpose also. However if it is considered expedient to grant wood for agricultural purpose it should not be more than three ploughs per year for family. A complete plough requires about one cubic feet of timber. For this purpose only such timber will be allowed as are in use at the time of Forest Settlement.

(c) *Wood for fuel.* — Normally the right is confined to the removal of dry fallen wood of trees or bush wood subject to availability. Trunks of fallen trees and useful timber are not allowed to be taken. Only fallen branches can be removed. This right is exercised to meet bonafide domestic purpose as fuel wood and is seldom sold in villages. In rare cases where fuel wood can be taken away for sale, a clear mention of the same and its extent shall be recorded.

(d) *Fencing.* — Some bushwood is taken by cultivators for fencing fields or cattle sheds. It is not practicable to fix any quantity for it. This depends upon the availability of the material and the extent to which fencing is necessary.

(ii) *Right to lopping of trees for fodder and green manure for the paddy fields.* — The definition will consist in describing the nature of right.

(a) As to lopping for fodder, the trees and the places where it can be exercised, should be defined. This should be permitted only, if it has been long standing practice. One head-load of lopped green leaves including twigs for milch may form basis for determining the quantity per day. This will be subject to availability of tree growth in the neighbourhood and to the condition that such a quantity can be met without adversely affecting the tree growth.

(b) At places where green twigs and bushes are collected for green manure for use in paddy and other fields the number of head loads may be ascertained by examining the needs of right holders. Here also, it should be granted only subject to availability in the neighbouring area and to the conditions that such a grant does not adversely affect the tree growth.

(c) The opinion of the Divisional Forest Officer in both the cases will be duly taken into consideration. The Divisional Forest Officer will indicate the quantity of leaves etc. that could be removed without affecting the tree growth. The Divisional Forest Officer will bear in mind that genuine requirements of the people are met with, to the maximum extent possible, without adversely affecting the tree growth.

(iii) Right to collect minor forest produce consists of collection of guns and resins, wax and honey, hides and horns, wood oil, medicinal harbs, flowers and leaves, fruits and seeds, bark, fibre, clay, sand, gravel, lime stone, pebbles, etc. The produce will be allowed for removal only to the extent of personal *bonafide* requirements.

(iv) *Right of grass cutting.* — This right is not recognized for the purpose of stock above the actual domestic requirement which will consist of 3 plough cattle, one milch cattle and one calf. As the grass is cut and brought from the forest in head-loads only for milch cows and buffaloes, calves and oxen, the number of head-loads may be determined at the rate of one head-load for two cows or for one buffalo or for a pair of oxen or for four young claves per day. The reasons may also be specified during which head-loads of grass may be taken as a rough guids. The period closed to grazing or grass cutting should be specifically mentioned.

(v) *Right of pasture or grazing.* — (a) This right may be of two kinds: (1) right of the adjoining villages or local right holders and (2) that of migratory herds. Grazing facilities are allowed mainly for bulls, oxen, cows and buffaloes. Goats being destructive should not be allowed to graze in any forest area. Sheep may be allowed and eight sheep may be treated equalent to one buffalo. Mules, camels, horses and donkeys are not common and they may be treated on the same footing as cows and buffaloes.

(b) The maximum number and kind of cattle admitted to graze must always be specific and estimated at the rate of 2 acres per cow and 4 acres per buffalo. In barren areas or where the stocking of forest is very poor, the unit will be 5 acres per cow. The latest cattle census figures may be taken as the basis of determining the maximum number.

(c) The season open to grazing may also be specified.

(d) While admitting the cattle for grazing, the Forest Settlement Officer will keep in view the scale and note his opinion whether the forest can stand the burden and give his suggestion.

(vi) *Right of hunting and fishing.* — Such rights do not exist in the Union territory. Even if they do so, they should not be recognized especially for hunting as they are destructive and wild life is already very scarce in the Union territory.

17. **Appointment of pleaders or Councillors.** — (a) The claimant(s), may employ legal practitioner(s) or other persons to appear, plead and act in his or her or their behalf before the Forest Settlement Officer or the appellate officer or the Forest Court in the course of any enquiry or appeal under the

Act. In such cases, the Forest Settlement Officer, the appellate officer or the Forest Court as the case may be, will require production of the usual stamped authority.

(b) The Divisional Forest Officer or his representative or the Deputy Collector or his representative or any other officer of the Government especially appointed for such purpose, appear, plead or act on behalf of the Government in the case of inquiry or appeal. They may also seek legal advise and even appoint legal practitioner(s) to appear, plead and act on behalf of the Government in the case of any enquiry or appeal under the Act. When the Divisional Officer or the Dy. Collector or their representatives appear on behalf of the Government production of stamped authority is not necessary. However, when a legal practitioner is appointed, production of the stamped authority will be necessary.

18. **Grant of copies of evidence or documents filed and the decisions.** — Copies of evidence or decisions recorded by the Forest Settlement Officer or appellate authority may be granted to claimant under the rules. Such copies must be stamped under the Court Fees Act. They may also be granted to the Divisional Forest Officer and the Deputy Collector when applied for. In this case such copies may not be stamped.

19. **Final Demarcation of the Boundary.** — (1) Final demarcation will be done, after the claims have been examined, orders have been passed thereon by the Forest Settlement Officer, the period allowed for appeals has elapsed and appeals have been heard from such orders passed before the issue of the notification under Section 20 of the Act.

(2) The boundary line will be delineated on the ground by installing permanent concrets or stone or brick masonry pillars or stone pillars.

(3) The pillars will be placed in such a way that theiy are visible from each other.

(4) The pillars will be serially numbered for each forest area.

(5) The pillars will be numbered clockwise, and prominently in black point. Numbers will also be engraved or chiselled.

(6) Boundary description will be clear and precise giving the pillar number, distance between two pillars and Forward and Backward Bearings at each pillar point in such a way that it would be easily identifiable on the ground so that if some of the pillars get at any time subsequently displaced, they could be located. Pillars will be fixed on the ground by the Divisional staff on the sites indicated on the boundary line by the Forest Settlement Officer.

(7) The map of the area indicating the final boundary and boundary pillars given in the draft notification under section 20 of the Act, will be prepared by the Forest Settlement Officer and it will be duly signed by him. This map will form the part of the Forest Settlement records.

20. **Issuing the notification under Section 20.** — (1) The Forest Settlement Officer shall prepare the final draft notification under Section 20 of the Act in Form 'O' specifying definitely, according to boundary marks erected or otherwise, the limits of the forest which is to be reserved.

(2) Forest Settlement Officer shall then submit the notification prepared as above through the Conservator of Forests, to the Government along with his Summary Report in Form 'N' accompanied by Register or a fair signed copy thereof the rights and concessions as per annexures to Form 'O' abstract lists and copy of the map of the said forest area for approval and publication in the Official Gazette. Thereafter, the Government shall publish a notification in the Official Gazette in the said form 'O' declaring the said forest/area to be reserved from a date fixed in the notification.

(3) From the date so fixed in the notification under Section 20, such forest shall be deemed to be Reserved Forest.

21. **Publication of the translation of notification issued under Section 20 of the Act in the neighbourhood of forest.** — The Forest Officer shall, before the date fixed by the notification under Section 20 of the Act, cause translation thereof into Marathi and Konkani in Devnagri Script and arrange to post it in every town and village in the vicinity of the forest in the office of the Municipality, Panchayat Ghar, wherever, they are existing, and in their absence, in any other prominent places considered suitable for the purpose by him. Copies of the translation shall also be sent to the village Sarpanch and Secretary/President of the Municipality.

PART III

Declaration of Protected Forests

22. **Power to declare protected forests.** — (1) Under the provisions of Section 29 of the Act, the Government may, by notification, at any time, declare all such Government lands or waste lands or other lands which are not include in the Reserved forests and which are burdened with rights and protection of which is necessary or which the Government otherwise desires to declare to be protected forests for administrative and other reasons to be Protected Forests.

23. **Survey and Demarcation.** — Survey and Demarcation of the area proposed for constitution into Protected Forests will be done as per provisions laid down for constitution of Reserved Forests under rule 9.

24. **Description of the boundaries.** — Description of the boundaries will be done as laid down for the Reserved Forests under rule 10.

25. **Issue and publication of initial notification under Sections 29 and 30 of the Act.** — After the survey and demarcation are over, the forest Demarcation Officer shall submit proposal to constitute the particular area into Protected Forests alongwith a draft notification as required under Section 29 and 30 of the Act to the Conservator of Forests, who will then forward the same with his remarks to the Government for publishing the notification under the said Sections of the Act. The notification shall be in form 'P'.

26. **Issue of Proclamation under Sections 29 and 30 of the Act.** — (1) After the notification under Section 29 of the Act has been published in the Official Gazette, the Forest Settlement Officer shall issue and arrange service of a proclamation as given in form 'Q' in English, Marathi and Konkani, in Devnagri script specifying situation and limits of the proposed Protected Forests, as published in the Official Gazette, explaining the consequences, which will ensure on declaring the forest and inviting claims and/or objections of the right holders pertaining to their rights and concessions in the said forests.

(2) The Proclamation shall be posted in every town and/or village in the vicinity of the proposed Protected Forests in the office of the Municipalities and Panchayat Ghars wherever they are existing and in their absence, in any other prominent place considered suitable for the purpose by the Forest Settlement Officer.

Copies of the Proclamation shall also be sent to the Divisional Forest Officer, Collector, Deputy Collector, Mamlatdars and the Range Forest Officers concerned, Village Panchayats and Municipalities wherever they are existing, for wide publicity. Copies of the acknowledgements on receipt of such procedure will be placed in the file concerned.

(3) A period of at least three months from the date of receipt of publication of the proclamation shall be allowed for the presentation of the claims.

27. **Presentation of claims.** — Presentation of claims will be done in the same manner as laid down for constitution of Reserved Forests under rule 15(2).

28. **Investigation into claims.** — Investigation of the claims to rights and concessions shall be done as prescribed for constitution of Reserved Forests under rule 16 and sub-rules thereunder. However, the procedure adopted, shall be summary in nature.

29. **Determination of claims and rights.** — The determination of claims to rights and concession shall be done in the manner as laid down for constitution of Reserved Forests under rule 17 and sub-rules thereunder. However, it shall be only summary in nature.

30. **Issue of final notification.** — (1) When the enquiry is completed, the Forest Settlement Officer, shall forward the following papers to the Conservator of Forests.

(i) Summary report of the proceedings.

(ii) Abstracts of the rights and concessions of the individuals and or Communities.

(iii) Sketch maps and boundary description of the forest.

(iv) Proposals for issue of final notification prepared by the Forest Settlement Officer in form No. R.

(2) On receipt of the above papers, the Conservator of Forests shall submit the same to the Government for issuing final notification under sub-section (1) of Section 29 of the Act in Form R. Thereafter the Government shall issue the notification in the said Form 'R' under the said sub-section (1) of section 29 of the Act.

31. **Publication or translation of such notification in neighbourhood.** — The Collector shall cause a translation into the local vernacular of every notification issued under Section 29 and 30 to be affixed in a conspicuous place in every town and village in the neighbourhood of the forest comprised in the notification. He shall also arrange their display accordingly.

32. The articles of the Legislative Diploma no. 644 dated 30th March, 1933 corresponding to or covered by these rules shall stand repealed.

FORM 'A'(I)

Vide Rule 10

Whereas the forest land or the vaste land or the other land specified in the schedule appended hereto are the properties of the Government or the Government has proprietory rights therein or the Government is entitled to the whole or any part of the forest produce thereof;

And whereas the Government proposes to constitute the aforesaid forest land or waste land or other land as Reserved Forests under Section 3 of the Indian Forest Act, 1927.

Now, in exercise of the powers conferred by sub-section (1) of Section 4 of the said Act, the Lieutenant Governor, Goa, Daman and Diu hereby declares that it has been decided to constitute the said land as Reserved Forest and further appoints, under Section 4(1)(c) of the said Act, Shri ... as the Forest Settlement Officer to enquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within such limits or in or over any forest produce and to deal with the same, as provided in Chapter II of the said Act.

THE SCHEDULE

District ... Taluka ...

Village(s) and Towns ...

Forest Division ... Range ...

Sr. No. of the forest	Name of the forest	Area of the forest	General description	Description of boundary					Remarks
				Dist. between boundary					
				From pilars/post			Direction		
				From pilar no.	To pilar no.	Distance in meters	For ward bearing	Back-ward Bearing	
1	2	3	4a	4b	4c	4d	4e	4f	5

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

Dated ... Signature

FOR 'A' (II)

Vide Rule 10

Whereas the forest land or the waste land or the other land specified in the schedule appended hereto are the properties of the Government or the Government has proprietory rights therein or the Government is entitled to the whole or any part of the forest produce thereof;

And whereas the Government proposes to constitute the aforesaid forest land or waste land or other land as Reserved Forests under Section 3 of the Indian Forest Act, 1927.

Now, in exercise of the powers conferred by sub-section (1) of Section 4 of the said Act, the Lieutenant Governor, Goa, Daman and Diu hereby declares that it has been decided to constitute the said land as Reserved Forest and further appoints, under Section 4(1)(c) of the said Act, Shri ... as the Forest Settlement Officer to enquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within such limits or in or over any forest produce and to deal with the same, as provided in Chapter II of the said Act.

THE SCHEDULE

Note: — Under Section 4(1)(b) of the Act, the description of boundary need be such that it can be located on ground with reasonable accuracy. It shall be sufficient to describe the limits of the forests by roads, rivers and ridges or other well-known or readily intelligible boundaries.

District ... Taluka ...

Village(s) and Towns ...

Forest Division ... Range ...

Sr. No. of the forest	Name of the forest	Approx. area of the forest	General description	Description of boundary	Remarks
1	2	3	4	5	6

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

Dated ...

(Signature)

FORM B (I)

Vide Rule 12(1)

Office of the Forest Settlement Officer, Panaji

PROCLAMATION

(Under Section 6 of the Indian Forest Act, 1927)

Whereas a notification under Section 4 of the Indian Forest Act 1927 (XVI of 1927) to constitute the land specified below as Reserved Forest has been issued by the Government and published in the Official Gazette no.... dated ....

District ... Taluka ...

Village(s) and towns ...

Forest Division ... Range ...

Sr. No. of the forest	Name of the forest	Area of the forest	General Description	Description of boundary					Remarks
				Distance between boundary Pillar/post			Direction		
				From pillar no.	To pillar no.	Distance in meters	For ward bearing	For Back ward bearing	
1	2	3	4a	4b	4c	4d	4e	4f	5

2. Now, under Section 6 of the said Act, I Shri ... the Forest Settlement Officer, do hereby publish and explain the consequences which will ensue on the reservation of the said forest.

(1) No right shall be acquired in or over the land and in or over the forest produce in the area comprised in the Notification except by succession or under grant of contract.

(2) No fresh clearing or breaking of land for cultivation or any other purposes shall be conducted.

(3) No felling or burning of trees or removing of bark or any other kind of damage shall be caused to the trees except under contracts or otherwise ordered by the Government to do so.

(4) No trespass by any person or cattle will be done.

(5) No quarrying of stone, burning of lime or charcoal or collecting subjecting to any manufacturing process or removing of any forest produce will be performed.

(6) No hunting, shooting or fishing, poisoning of water or setting traps or snares will be done.

It is therefore, notified for the information of all concerned that any person claiming any right in or on over the land or forest produce may within a period of 3 months from the date of this proclamation either present to me a written notice or appear before me and state the nature of such rights and the amount and particulars of the compensation (if any) claimed in respect thereof.

No claim will be entertained after the expiry of the stipulated period.

Signature of the
Forest Settlement Officer.

FORM B (II)

Vide Rule 12(1)

Office of the Forest Settlement Officer, Panaji

PROCLAMATION

(Under Section 6 of the Indian Forest Act, 1927)

Whereas a notification under Section 4 of the Indian Forest Act 1927 (XVI of 1927) to constitute the land specified below as Reserved Forest has been issued by the Government and published in the Official Gazette No. ... dated ...

Note: — Under Section 4(1)(b) of the Act, the description of boundary need be such that it can be located on ground with reasonable accuracy. It shall be sufficient to describe the limits of the forests by roads, rivers and ridges or other well-known or readily intelligible boundaries.

District ... Taluka ...

Village(s) and Towns ...

Forest Division ... Range ...

Sr. No. of the forest	Name of the forest	Approx. area of the forest	General description	Description of boundary	Remarks
1	2	3	4	5	6

2. Now, under Section 6 of the said Act, I, Shri ... the Forest Settlement Officer, do hereby publish and explain

the consequences which will ensue on the reservation of the said forest.

(1) No right shall be acquired in or over the land and in or over the forest produce in the area comprised in the Notification except by succession or under grant of contract.

(2) No fresh clearing or breaking of land for cultivation or any other purposes shall be conducted.

(3) No felling or burning of trees or removing of bark or any other kind of damage shall be caused to the trees except under contracts or otherwise ordered by the Government to do so.

(4) No trespass by any person or cattle will be done.

(5) No quarrying of stone, burning of lime or charcoal or collecting subjecting to any manufacturing process or removing of any forest produce will be performed.

(6) No hunting, shooting or fishing, poisoning of water or setting traps or snares will be done.

It is therefore, notified for the information of all concerned that any person claiming any right in or on over the land or forest produce may within a period of 3 months from the date of this proclamation either present to me a written notice or appear before me and state the nature of such rights and the amount and particulars of the compensation (if any) claimed in respect thereof.

No claim will be entertained after the expiry of the stipulated period.

Signature of the

Forest Settlement Officer.

FORM 'C' (i)

Vide Rule 13(1)(b)(ii)

Description of the preliminary boundary at the time of issue of the notification under section 4 of the Act

District ... Forest Division ...

Taluka ... Range ...

Village(s) Town(s) ...

Sr. No. of the forest	Name of the forest	Area of the forest	Description of the preliminary boundary						Remarks
			General description	Distance between boundary pillars/ /posts/cairns			Direction		
				From pillars posts/ /cairns no.	To pillars posts/ /cairns no.	Distance in meters	Borward bearing	Back ward bearing	
1	2	3	4a	4b	4c	4d	4e	4f	5

'OR'

Sr. No. of the forest	Name of the forest	Approximate area of forest	General description	Description of the preliminary boundary	Remarks
1	2	3	4	5	6

FORM 'C' (ii)

Vide Rule 13(1)(b)(ii)

Description of the final boundary at the time of issue of the notification under Section 20 of the Act

District ... Forest Division ...

Taluka ... Range ...

Village(s) Town(s) ...

Sr. No. of the forest	Name of the forest	Area of the forest	Description the final boundary						Total number of pillars	Remarks
			General description	Distance between boundary pillars			Direction			
				From pillar no.	To pillar no.	Distance in meters	Forward bearing	Back ward bearing		
1	2	3	4a	4b	4c	4d	4e	4f	5	6

FORM 'D'

Vide Rule 13(1)(b)(iii)

Village-wise description of the forest

District ... Forest Division ...

Taluka ... Range ...

Sr. No. of the forest	Name of the forest	Name of the village/town	Survey number wherever available	Area	Soil class wherever available	Name of the owner/ tenant, if any	Remarks
1	2	3	4	5	6	7	8

FORM 'E'

Vide Rule 13(1)(b)(iv)

General statement regarding the Forest to be constituted into Reserved or Protected Forest

District ... Range ...

Taluka ... Division ...

1. Name of the Forest:
2. No. of the Forest:
3. Area of the Forest:
4. Number and date of Official Gazette wherein notification including Section 4 of the Act has been published.
5. Neighbouring villages/towns.
6. Area of the respective village/town included in the forest(s).

Sr. No.	Name of the village/town wise	Area	Remarks
1	2	3	4

7. Total of the village-wise area.
8. What is the general practice for grazing in the surrounding villages/towns.
9. Area outside the forest in particular village left out for free grazing.
10. The number of the cattles of the villages. Name of the village Numbers of cattle, remarks.
11. What is the practice for taking particular types of timber and firewood.
12. Details of religious places inside the forest.
13. Any other point or information of interest.

FORM 'F'

Vide Rule 13(1)(b)(v)

List of Roads, Ways open to public throughout the year

District ... Forest Division ...

Taluka ... Range ...

Sr. No. of the forest	Name of the forest	Name of the village/ /town	Name of the pathway	Description of ways and paths					Survey nos. through which it passes wherever available	Remarks
				From	To	Width	Approx. length	Condition (Metalled or non-metalled)		
1	2	3	4	5	6	7	8	9	10	11

FORM 'G'

Vide Rule 13(1)(b)(vi)

A list of Temples, Churches, mosques or any other religious place open to public for worship

District ... Forest Division ...

Taluka ... Range ...

Sr. No. of the forest	Name of the forest	Name of the village/ /town	The name of the religious place	Description whether temple/ /churches mosques or any other places	Name of the route which leads to religious places	Area of the premises of the religious place	Area of cultivable land attached to it	Area of any other land attached to it	Survey no.(s) wherever available	Dates of worships and fairs if any	Incidence of visits	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13

FORM 'H'

Vide Rule 13(1)(b)(vii)

A list of burial and cremation grounds

District ... Division ...

Taluka ... Range ...

Sr. No. of the Forest	Name of the forest	Name of the burial and the cremation ground	Name of the village/town	Whether burial or cremation	Area of the premises	Whether sufficient for present requirement	Future requirements	Survey no. whenever available	Remarks
1	2	3	4	5	6	7	8	9	10

FORM 'I'

Vide Rule 13(1)(b)(viii)

A list of water sources

District ... Division ...

Taluka ... Range ...

Sr. No. of the Forest	Name of the forest	Name of the water source	Name of the village/town	Discription of water source i. e. whether well, spring tank or pool, canal channel etc., and other details if any	Use i. e. whether for human or cattle use of irrigation etc.	Area of premises	Survey Nos. (wherever available	Remarks
1	2	3	4	5	6	7	8	9

FORM 'J'

Vide Rule 13(1)(b)(ix)

A list of included cultivation or any other Private Properties

District ... Division ...

Taluka ... Range ...

Sr. No. of the Forest	Name of the forest	Name of title of cultivation/ property	Name of the village/town	Area of cultivation/ property	Area cultivated and continued during the last three years	Area cultivated and continued during last two years	Area cultivated during the last one year	Annual returns in terms of grains (in quintals)	Annual returns in terms of money (in Rs.)	Name of the owner	Survey no. wherever	Remarks available
1	2	3	4	5	6	7	8	9	10	11	12	13

FORM 'K'(1)

Vide Rule 13(1)(b)(x)

A list of rights

District .....

Taluka .....

Forest Division .....

Range .....

Serial number of forest	Name of forest in which or any part of which these rights can be exercised	Names of villages/towns having rights	Number of houses	Population	Number of families	Number of ploughs	Number of cattle admitted to free grazing	Timber requirement for buildings in cubic meters in the round per annum		Description of rights																										
								Dwelling Houses	Cattle sheds (Misc. wood)	Wood for agricultural implements (cubic meters in the round per annum)	Wood for fencing	Firewood from fallen wood (in head loads per annum) for domestic use)	Wood for cremation or burial of dead bodies or Arthi/coffin	Firewood for marriages	Firewood for sale	Charcoal for agricultural implements (in head-loads per annum)	Fodder Grass for domestic cattles	Fodder Grass for sale	Grass for thatching	Green leaves for fodder	Green leaves for manures	Dry leaves for manures	Bark of trees and creepers for medicines etc.	Bark of trees and creepers for ropes	Wax and resins	Wild honey	Fruits and roots	Bamboos (in number per annum)	Stones for building	Sand, Clay & lime stone for domestic use	Fishing	Hunting	Roads and ways	Water for drinking for human being and animals	Irrigation channels	Burning ghats/Burial grounds	Religious places	Any other rights	Remarks
1	2	3	4	5	6	7	8	9a	9b	10	11	1	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39

FORM 'K' (ii)

Vide Rule 13(1)(b)(x)

A list of Concessions

District ..... Forest Division .....

Taluka ..... Range .....

Serial number of forest	Name of forest in which or any part of which these concessions can be exercised	Names of villages/towns having rights	Number of houses	Population	Number of families	Number of ploughs	Number of cattle admitted to free grazing	Timber requirement for buildings in cubic meters in the round per annum		Description of concessions																												
								Dwelling Houses	Cattle sheds (Misc. wood)	Wood for agricultural implements (cubic meters in the round per annum)	Wood for fencing	Firewood from fallen wood (in head loads per annum) for domestic use	Wood for cremation or burial of dead bodies or Arthi/coffin	Firewood for marriages	Firewood for sale	Charcoal for agricultural implements (in head-loads per annum)	Fodder Grass for domestic cattles	Fooder Grass for sale	Grass for thatching	Green leaves for fodder	Green leaves for manures	Dry leaves for manures	Bark of trees and creepers for medicines etc.	Bark of trees and creepers for ropes	Wax and resins	Wild honey	Fruits and roots	Bamboos (in number per annum)	Stones for building	Sand, Clay & lime stone for domestic use	Fishing	Hunting	Roads and ways	Water for drinking for human being and animals	Irrigation channels	Burning ghats/Burial grounds	Religious places	Any other rights	Remarks
1	2	3	4	5	6	7	8	9a	9b	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39

FORM 'L'

Vide Rule 13(1)(b)(xi)

A list of rights of fishing and hunting

District ..... Division .....

Taluka ..... Range .....

Sr. No. of the forest	Name of the forest	Name of the village/town	Name of the right holders	Extent of area in which rights held	Details of rights	Fish caught during the last three years			Game hunted during the last three years			Survey No. wherever available	Remarks
						Year	Quantity	Value	Year	Species	No.		
1	2	3	4	5	6	7a	7b	7c	8a	8b	8c	9	10

FORM 'M'

Vide Rule 13(2)(d)

Register A

Register of claims preferred to land, rights to forest produce or easements in the proposed Reserved Forest

Sr. No.	Name to claimants	Description and address of claimants	Date of presentation of claims	Nature and extent of claims preferred	No. in Register B	S. No. of the Forest	Name of the forest	Name of the village/towns	Name of the taluka	Name of the District	Name of forest Division	Name of the forest range	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14

FORM 'M'

Vide Rule 13(2)(d)

Register B

Register of claims to land, rights to forest produce or easements in the proposed Reserved Forest

Sr. No.	Name of the claimants	Date of presentation of claims	No. of claims in Register 'A'	Nature and extent of claims prefered	Brief summary of the evidence adduced in support of claims	Brief summary of the Divisional Forest Officer arguments and evidence produced by him.	Brief abstract of decisions of the Forest Settlement Officer	Brief abstract of decisions if any of Appellate Authority	S. No. of the forest	Name of the forest	Name of the village town	Name of the taluka	Name of the district	Name of the Forest Divn.	Name of the forest Range	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

FORM 'N'

Vide Rule 13(2)(d)(ii)

Summary Report of the Forest Settlement Officer

To

...

...

...

Through the Conservator of Forests, Goa, Daman and Diu, Panaji.

Sub: Final Notification under Section 20 of the Indian Forest Act 1927 pertaining to Forest No. ... known as ... in ... Forest Range of ... Forest Division and in ... Taluka of ... District.

A preliminary notification for declaring the aforesaid Forest as Reserved Forest under Section 4 of the Indian Forest Act, 1927, was issued by the Government of Goa, Daman and Diu vide Gazette Notification no. ... dated ... in the Official Gazette No. ... Series ... dated ... .

Under Section 6 of the said Act, a proclamation in the adjoining village/town of the Forest was issued for inviting objections and claims within a period of three months.

The Forest Settlement Officer heard the objections and the claims and decided the cases. The decisions on each of the files are appended.

Period for filing objections is over and no appeal under Section 17 of the said Act is pending with the Appellate Authority.

The final draft notification under Section 20 of the said Act, alongwith abstract lists of rights and concessions, Register 'B' or a fair signed copy of Register 'B' and a copy of the map of the said area is enclosed herewith, for approval and publication in the Official Gazette.

Date:

Signature of the
Forest Settlement Officer

FORM 'O'

Vide Rule 20(i)

Notification

(Under Section 20 of the Indian Forest Act, 1927)

No. ... whereas it was proposed by notification no. ... dated ... published in the Official Gazette No. ... dated ... to constitute the land specified below as Reserved Forest under the Indian Forest Act (Act XVI of 1927).

And whereas the period fixed by the said Act for the presentation of claims to rights in and over these lands, forests and forest produce, has expired and all claims, if any, made have been disposed of.

And whereas the period for appeal from the orders passed on the said claims has elapsed and all appeals presented within such period have been disposed of and whereas all lands, if any, acquired from inclusion in the proposed forest, have become vested in the Government under the law of compulsory acquisition.

Now, therefore, in exercise of the powers conferred by Section 20 of the said Act, the Lt. Governor (Administrator) of Goa, Daman and Diu does hereby declare the said land and forests to be Reserved Forest with effect from the date of issue of this notification subject to the provision that the villages named hereinafter shall have no rights/continue to have the said rights to the extent appearing in the Abstract List (1) and enjoy no concession/concessions to the extent appearing in the Abstract List (2) at such seasons within such portions of the forests and under such rules as may from time to time be prescribed.

Location of the Forests

Sr. No. of the Forest	Name of the Forest	District	Taluka	Village/town	Forest Divn.	Forest Range	Area	Remarks
1	2	3	4	5	6	7	8	9

Boundary description of the Forest

Sr. No.	Distance			Direction		Nature of boundary line to next pillar	Nature of the pillar	Total no. of pillar	Remarks
	From pillar no.	To pillar no.	Distance in meters	For ward bearing	Back ward bearing				
1	2a	2b	2c	3a	3b	4	5	6	7

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

Dated:

Panaji Signature

ANNEXURE FORM 'O'(I)

Vide Rules 13d(ii) and 20(ii)

The abstract list of rights in ..... Forest of ..... Range in .....

Forest Division and in ..... Taluka of ..... District .....

Serial number of forest	Name of forest in which or any part of which these rights can be exercised	Names of villages/towns having rights	Number of houses	Population	Number of families	Number of ploughs	Number of cattle admitted to free grazing	Timber requirement for buildings in cubic meters in the round per annum		Description of concessions																										
								Dwelling Houses	Cattle sheds (Misc. wood)	Wood for agricultural implements (cubic meters in the round per annum)	Wood for fencing	Firewood from fallen wood (in head loads per annum) for domestic use	Wood for cremation or burial of dead bodies or Arthi/coffin	Firewood for marriages	Firewood for sale	Charcoal for agricultural implements (in head-loads per annum)	Fodder Grass for domestic cattles	Fooder Grass for sale	Grass for thatching	Green leaves for fodder	Green leaves for manures	Dry leaves for manures	Bark of trees and creepers for medicines etc.	Bark of trees and creepers for ropes	Wax and resins	Wild honey	Fruits and roots	Bamboos (in number per annum)	Stones for building	Sand, Clay & lime stone for domestic use	Fishing	Hunting	Roads and ways	Water for drinking for human being and animals	Irrigation channels	Burning ghats/Burial grounds	Religious places	Any other rights	Remarks
1	2	3	4	5	6	7	8	9a	9b	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39

ANNEXURE FORM 'O'(II)

Vide Rules 13d(II) and 20(II)

The abstract list of concessions in ..... Forest of ..... Range in .....

Forest Division and in Taluka of ..... District .....

Serial number of forest	Name of forest in which or any part of which these rights can be exercised	Names of villages/towns having rights	Number of houses	Population	Number of families	Number of ploughs	Number of cattle admitted to free grazing	Dwelling Houses	Cattle sheds (Misc. wood)	Wood for agricultural implements (cubic meters in the round per annum)	Wood for fencing	Firewood from fallen wood (in head loads per annum) for domestic use	Wood for cremation or burial of dead bodies or Arthi/coffin	Firewood for marriages	Firewood for sale	Charcoal for agricultural implements (in head-loads per annum)	Fodder Grass for domestic cattles	Fooder Grass for sale	Grass for thatching	Green leaves for fodder	Green leaves for manures	Dry leaves for manures	Bark of trees and creepers for medicines etc.	Bark of trees and creepers for ropes	Wax and resins	Wild honey	Fruits and roots	Bamboos (in number per annum)	Stones for building	Sand, Clay & lime stone for domestic use	Fishing	Hunting	Roads and ways	Water for drinking for human being and animals	Irrigation channels	Burning ghats/Burial grounds	Religious places	Any other rights	Remarks
1	2	3	4	5	6	7	8	9a	9b	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39

FORM 'P'

Vide Rule 25

Whereas the forest land and waste land or any other land shown in the Schedule I appended hereto are the properties of the Government or the Government has proprietory rights herein or the Government is entitled to the whole or any part of the forest thereof.

And whereas the Government proposes to declare aforesaid forest land and waste land and other land as Protected Forest under sub-section (1) of Section 29 of the Indian Forest Act, 1927.

And whereas the nature and extent of rights of Government and of private persons in or over the aforesaid land have not yet been recorded in any manner;

And whereas the Lt. Governor, Goa, Daman and Diu further thinks that an inquiry into and record of the nature and extent of the rights of the Government and the private persons in and over the aforesaid forest land or waste land are necessary but they will occupy such length of time as in the meantime to endanger the rights of the Government.

Now, therefore, in exercise of the powers conferred by sub-section (3) of Section 29 of the Indian Forest Act, 1927, the Lt. Governor Goa, Daman and Diu does hereby appoint ... the Forest Settlement Officer to inquire into and record the rights of the Government and of private persons in or over the aforesaid forest land or waste land and such inquiry and record shall be made in the manner as far as practical provided in part III of Goa, Daman and Diu (Forest Settlement) Rules 1973 and during such inquiry the Forest Settlement Officer shall exercise any or all the powers under Section 72 of the Act as may be necessary.

And in further pursuance of the powers conferred by provision to sub-section 3 of Section 29 of the said Act the Lt. Governor Goa, Daman and Diu pending aforesaid inquiry and record, does hereby declare the said forest land and waste land to be protected forest but not so as to abridge or effect any existing rights of individuals or communities;

And in pursuance of the powers conferred by Section 30 thereof the Lt. Governor Goa, Daman and Diu further declares that the trees shown in the second schedule appended hereunder, in the said Protected Forest are reserved with effect from the date of publication of this notification in the Official Gazette and prohibits from the aforesaid date the quarrying of stone or burning of lime or charcoal or the collection or subjection to any manufacturing process, or removal of any forest produce and the breaking up or clearing from cultivation for buildings, for hording cattle or for any other purposes of any land in the said forest area.

SCHEDULE I

District ... Taluka ...

Village(s) and Towns ... Range ...

Forest Division ...

Sr. No. of the Forest	Name of the Forest	General description	Description of boundary			Direction		Remarks
			Distance between boundary pillars/posts					
			From pillar no.	To pillar no.	Distance in meters	For ward bearing	Back ward bearing	
1	2	3a	3b	3c	3d	3e	3f	4

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

(Signature)

SCHEDULE II

Description of trees reserved

Local name	Botanical name	Remarks
1	2	3

By order and in the name of Lt. Governor of Goa, Daman & Diu.

(P. S. Bhatnagar)

Secretary (Revenue)

FORM 'Q'

Vide Rule 26

Office of the Forest Settlement Officer

PROCLAMATION

As notification under Section 29 of the Indian Forest Act, 1927 to constitute the land specified as Protected Forest, has been issued by the Government, and published in the Official Gazetted no ... dated ... and further in pursuance of the powers conferred by Section 30 the trees shown in the second schedule have been reserved and quarrying of stone, burning of lime or charcoal removal of any forest produce, breaking up or clearing of cultivation or for buildings, etc. have been prohibited but not so as to abridge or effect any existing rights of individuals or communities, I ..., Forest Settlement Officer hereby notify for the information of all concerned that any person claiming any right in or over the land or forest produce may within a period of three months from the date of this proclamation, either present to me in writing notice or appear before me and state the nature of such rights and claims in respect thereof.

No claim shall be entertained after the expiry of the stipulated period.

Signature of the

Forest Settlement Officer.

FORM 'R'

Vide Rule 30(2)

Whereas the nature and extent of the rights of the Govt. and of private persons in or over the forest land and waste

land comprised in the Schedule I hereto appended have been inquired into and recorded in accordance with the notification No. ... dated ... issued under sub-section (3) of Section 29 of Indian Forest Act, 1927.

Now therefore, in exercise of the powers conferred by sub-Section (1) of Section 29 of the said Act, the Lieutenant Governor, Goa, Daman and Diu does hereby declare that the provisions of Chapter IV of the said Act shall apply to the said forest land and waste land which shall hereafter be called a Protected Forest.

Further in exercise of the powers conferred by Section 30(a) of the said Act, the Lieutenant Governor, Goa, Daman and Diu does hereby declare the trees given in Schedule II appended herewith to be reserved trees in the above said forest land and waste land declared as the Protected Forest.

SCHEDULE I

District ... Taluka ...

Village (s) and Towns ... Range ...

Forest Division ...

Sr. No. of the forest	Name of the forest	General description	Description of boundary			Direction		Remarks
			Distance between boundary pillars/posts					
			From pillar no.	to pillar no.	Distance in meters	Forward bearing	Backward bearing	
1	2	3a.	3b.	3c.	3d.	3e.	3f.	4

SCHEDULE II

Description of trees reserved

Local name	Botanical name	Remarks
1	2	3

By order and in the name of the Lieutenant Governor, Goa, Daman and Diu.

P. S. Bhatnagar, Secretary (Revenue).

Panaji, 12th October, 1973.

Notification

5-23-71-LSG

In exercise of the powers conferred by Section 13 of the Goa, Daman and Diu Prevention of Begging Act, 1972 (Act No. 4 of 1973) the Government of Goa, Daman and Diu hereby certifies the following Institutions under Provedoria da Assistencia Publica (Institute of Public Assistance) as Certified Institutions in the areas shown against the corresponding entries of column No. 3 of the Schedule appended hereto.

SCHEDULE

Sr. No.	Institutions	Areas
1.	Asylum of Chimbel, Chimbel-Goa.	Bhas and Mormugao Talukas.
2.	Asylum of Candolim, Bardez-Goa.	Bardez and all other talukas of North Zone.
3.	Asylum of Loutulim, Salcete-Goa.	Salcete and all other talukas of South Zone.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary (Revenue).

Panaji, 1st November, 1973.

GOVT. PRINTING PRESS — GOA
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PRICE — Rs. 1-34 Ps.

Education, Panaji with effect from 12-8-1989 (F.N.) in the scale of Rs. 2200-4000/- plus the usual allowances admissible from time to time with the initial pay of Rs. 2200/- p.m.

The appointment is for a period of one year and subject to the condition specified in the office Memorandum No. 21/Misc/2616/Edn dated 7-8-1989 and the Rules and Regulation laid down by the Government from time to time.

The appointment is purely on ad hoc basis and it will not bestow on the appointee any claim for regular appointment promotion to the higher post and seniority and will be liable to be terminated by one month's salary in lieu of notice.

The appointment is liable for termination in case the character and antecedents of the appointee are adverse so as to disqualify her from the holding of a post under Government.

The appointment is further subject to the approval by Goa University/G.P.S.C. and the appointment is liable to be terminated forthwith in case Goa University does not approve her appointment.

By order and in the name of the Governor of Goa.

D. N. Acanoade, Under Secretary (Education).

Panaji, 7th September, 1989.

Order

No. 21/10/89/EDN

Shri Joao Seigio Afonso, is hereby temporarily appointed on ad hoc basis as Lecturer in Physics in Government College of Arts, Science and Commerce, Sanquelim, under the Directorate of Education, Panaji with effect from 18-7-89 (B.N.) in the scale of Rs. 2200-4000/- plus the usual allowances admissible from time to time with the initial pay of Rs. 2200/- p.m.

The appointment is subject to the condition specified in the Office Memorandum No. 21/Misc/2616/Edn dated 10-7-89 and the Rules and Regulation laid down by the Government from time to time.

The appointment is for a period of one year and purely on ad hoc basis and it will not bestow on the appointee any claim for regular appointment promotion to the higher post and seniority and will be liable to be terminated by one month's salary in lieu of notice.

The appointment is liable for termination in case the character and antecedents of the appointee are adverse so as to disqualify him from the holding of a post under Government.

By order and in the name of the Governor of Goa.

A. P. Panvelkar, Under Secretary (Education).

Panaji, 14th September, 1989.

Corrigendum

No. DE/Acad.I/NEZ-PE/13/SDES/78-IV/4967

Ref: This office Memorandum No. DE/Acad.I/NEZ-PE/ /13/SDES/13/78/IV/4737, dated 10-8-1989.

In the Annexure 'B' of the above cited Memorandum, at Sr. No. 6 the name of the teacher be read as Shri Y. G. Naik instead of Shri Y. G. Gowandi.

V. M. Dessai, Director of Education and Ex. Officio Additional Secretary to Government of Goa.

Panaji, 24th August, 1989.

Forest Department

Notification

No. 6/7/88/FOR/Part

Read: Government Notification No. 2-48-72-LSG dated 13-8-1975.

In exercise of the powers conferred by section 17 of the Indian Forest Act, 1927 (Central Act 16 of 1927) hereinafter referred to as the "said Act"), and in supersession of the Government Notification No. 2-48-72-LSG dated 13-8-1975 the Governor of Goa hereby appoints the Revenue Officers specified in column 2 of the Schedule appended hereto to hear appeals from orders passed by the Forest Settlement Officer under sections 11, 12, 15 and 16 of the said Act within the area of jurisdiction specified in the corresponding entry in column 3 of the said Schedule.

SCHEDULE

Serial No.	Designation of Revenue Officer	Jurisdiction
1	2	3
1.	Collector	North Goa District
2.	Collector	South Goa District

By order and in the name of the Governor of Goa.

A. T. Fernandes, Under Secretary to the Govt. of Goa Forest Department.

Panaji, 29th August, 1989.

Department of Cooperation

Office of the Registrar of Co-operative Societies

Order

No. 62-3-88/TS.

Read: Order No. 62-3-88/TS dated 31-8-1988 appointing a Committee to manage the affairs of the Sanjivani Sahakari Sakhar Karkhana Ltd., Dayanandnagar.

The term of office of the Committee appointed under the abovementioned order to manage the affairs of the Sanjivani Sahakari Sakhar Karkhana Ltd., Dayanandnagar is extended for a further term of two years with the following members:—

1. Shri Pratapsing Raoji Rane, r/o. Sanquelim-Bicholim — Chairman.
2. Shri T. K. Shinde, r/o. Shigao, Collem-Sanguem — Member.
3. Shri Ranu Anand Prabhudessai, r/o. Rivona-Sanguem — Member.
4. Fr. Inacio Almeida, r/o. Collem-Sanguem — Member.
5. Shri Shankerao Dattatrey Patil, r/o. Nanus-Valpoi-Sattari — Member.
6. Shri Bhimrao Atmaram Desai, r/o. Guleli, Sattari — Member.

The Committee is also authorised to coopt a woman member of the Karkhana. The abovenamed Committee shall meet atleast twice in a month to transact the business, of the of the karkhana.

R. I. Jai Prakash, Registrar of Co-op. Societies.

Panaji, 31st August, 1989.

Corrigendum

No. 62-3-88/TS

Read: Order No. 62-3-88/TS dated 31-8-1989.

In the aforesaid order the word "two" appearing in the fourth line thereof shall be read as "three".

R. I. Jai Prakash, Registrar of Co-op. Societies.

Panaji, 7th September, 1989.

Order

No. 48-1-85/TS

Read: 1. This office order No. 48-1-85/TS dated 17-3-88.

2. Letter dated 4-5-89 from the Registrar's Nominee, Adv. S. V. Talaulikar, Vasco-da-Gama.

Article 22. Deleted.

Article 23. *a*) The following shall constitute the income of the Club:

i) Membership fees, income from feasts, recitals and other activities.

ii) Grants, donations and legacies and any other source of income.

iii) The Club can accept or purchase land for its activities.

b) The following shall constitute the expense of the Club:

i) Salaries;

ii) Stationery and other expenses;

iii) Purchase of papers, news magazines, books and any other articles for sports;

iv) Water, light, cleaning and repairs of the building, etc.;

v) Travelling expenses of sportsmen or of the representative of the Club when they have to represent the Club outside the headquarters and all other expenses made for the benefit of the Club.

Article 24. *a*) The income referred to in the previous articles shall be deposited in a Bank/Banks and its accounts be operated either by Secretary or Treasurer and the President of the Club.

b) The fund referred in article 21 shall be earmarked as follows:

The amount obtained by entrance fees, contribution of benefactor and auxiliary members donations or by legacies, subsidies and also amounts collected by promoting sporting festivals, concerts and other diversions shall be capitalized using only to acquire articles of permanent nature, for permanent use of the club. The fund acquired by monthly or annual quotas and also the income accrued from fees relating expensive games shall be destined for the ordinary expense of the Club.

Article 25. *a*) The flag of the Club shall be of two colours, red and tarnished yellow having at the centre a picture or emblem with the monogram of the M. C. C. i. e. «Margao Cricket Club» placed artistically in attractive colours.

b) The uniform of the Club excepting the Cricket and Tennis «teams» whose uniforms are fully white, the Foot-ball, Hockey and Basket Ball or Volley Ball Teams shall have the uniform of the same colours of the flag, the shirt being yellow with Club badge and shorts of tarnished red colour.

c) The flag shall be hoisted on Sundays and feast days of the Club and always when and where the Club participates. The flag shall also be flown at half mast to mark the death of any member of the Club.

Article 26. The total number of members of the Club shall be decided by the Executive Committee from time to time and their respective fees.

Article 27. The duration of the managing board shall be of 2 years and starts from the 1st day of July and terminated on the 30th June of the following year.

Article 28. No expenses shall be incurred without production of the voucher duly countersigned by the President of the Club.

Dissolution

Article 29. The Club may be dissolved only by a Resolution of which at least thirty days notice shall have been given and which shall have been passed by three-fourths of the Members present and voting at General Meeting.

Article 30. The funds, property and assets of the club, after payment of all debts and liabilities shall be distributed as may be directed by the Resolution dissolving the Club.

Article 31. In the case of liquidation, the medals, cups and any other trophies shall be given to any institution of a similar kind which has shown more sympathy towards the Club.

Article 32. Deleted.

Affiliation

Article 33. The Club may be affiliated with any other similar club of Association established in India on such terms and conditions as the Executive Committee may decide from time to time.

Bye-Laws

Article 34. The Executive Committee may make, amend or repeal such bye-laws not inconsistant with the constitution as they may think necessary from time to time.

Alteration of Constitution

Article 35. The constitution of the Club shall be altered only by a resolution of which at least thirty days notice shall have been given and which shall have been passed by three-fourths of the members present and voting at a General Meeting.

Indemnity

Article 36. The Members of the Executive Committee and sub-committee, if any shall be indemnified by the Club from all losses and expense incurred by them in or about the discharge of their respective duties except such as happen from their own respective wilful default and no member of the Executive Committee and sub-committee shall be liable for the action of any other member of the Executive Committee or sub-committee or for joining in act or receipt or for any act conformity or for any loss happening to the Club unless the same shall be due to his own wilful default.

Directorate of Civil Administration Services, Panjim, 9th February, 1965. — The Director, *Sripad Anant Nadkarni.*

Law Department

Notice

L. D. 12/65

1. The following rules are proposed to be made by the Government of Goa, Daman and Diu under sections 26, 32, 41, 42, 51 and 76 of the Indian Forest Act, 1927.

2. It is proposed to bring the rules into force on 15th of March, 1965.

3. Any suggestions will be received by the Government for consideration before 20th of March, 1965.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

A. F. Couto, Development Commissioner.

The Goa, Daman and Diu Forest Rules, 1964

In exercise of the powers conferred by sections 26, 32, 41, 42, 51 and 76 of the Indian Forest Act, 1927

(XVI of 1927), and of all other powers enabling it in this behalf and in supersession of all previous rules made in this behalf, the Government of Goa, Daman and Diu is pleased to make the following rules: —

CHAPTER I

Preliminary

1. **Short title and extent.** — These rules shall be called the Goa, Daman and Diu Forest Rules, 1964, and shall apply to the Territory of Goa, Daman and Diu.

2. **Interpretation.** — In these rules, unless there is anything repugnant in the subject or context.

(*a*) «Act» means the Indian Forest Act, 1927;

(*b*) The expression «Protected animal» means an animal killing of which has been prohibited under these rules;

(*c*) «Section» means a section of the Act; and

(*d*) all words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

CHAPTER II

Protection of reserved forests from fire

«Section 26 1) (b)»

3. **Kindling, etc., of fire on roads or paths adjoining or passing through reserved forests prohibited.** — Except at such places as from time to time be notified locally by the Divisional Forest Officer, no person shall kindle any fire or leave any fire burning upon any public or private road or path which adjoins or passes through a reserved forest but does not form part of such forest.

4. **Precautions to be taken in making ash-manure near a reserved forest.** — No person shall ignite materials for making ash manure in any field within two hundred yards from the boundary of a reserved forest, unless: —

(i) There is between such boundary and the spot on which such materials are ignited a space at least 25 feet in width which is clear of vegetation capable of carrying fire from such spot to the forest; and

(ii) such other precautions, such as employing watchers, are taken as are reasonably necessary to prevent fire from spreading to the forest.

5. **Kindling of fire within 200 yards from a reserved forest prohibited.** — Except for the purposes of making ash-manure, no fire shall be kindled elsewhere than in a place used as a human dwelling or in premises appertaining to such dwelling, within a distance of two hundred yards from the boundary of a reserved forest, without the previous written permission of a Forest-officer not lower in rank than a Range Forest Officer.

6. **Precautions to be taken in kindling fire beyond 200 yards from reserved forest.** — No person shall kindle any fire or leave any fire burning, at any place which is at a distance greater than two hundred yards from the boundary of a reserved forest but from which the fire may by natural means spread to the forest, unless he takes precautions, by clearing a fire-path not less than twenty-five feet in width between such place and such boundary, or by employing watchers or otherwise, to prevent the fire from so spreading.

7. **Partial operation of rules in the rainy season.** — Nothing in the rules in this Chapter shall operate during the period commencing on the 15th June and ending on the 31st October.

CHAPTER III

Hunting and shooting, etc., in reserved and protected forests

«Sections 26 (1) (i), 32 (j) and 76 (d)»

A. General Rules

8. **Acts prohibited in reserved and protected forests.** — The following acts are prohibited in all reserved and protected forests —

(*a*) the poisoning of rivers or other waters, the explosion of dynamite or other explosive therein, and the setting of cruives or basket traps for the purpose of killing or catching fish;

(*b*) the setting of spring guns, snares or traps;

(*c*) the catching, wounding or killing of —

(i) game, other than carnivora, bear or pig, over water salt-licks, or paths leading directly to water or salt-licks;

(ii) any bird or animal for which a close-time has been prescribed by the Conservator of Forests Goa, Daman and Diu;

(iii) such animals as may from time to time be notified in this behalf by the Conservator of Forests;

(*d*) shooting from a motor car except in the case of small game, and wild dogs and pigs; and

(*e*) shooting after sunset and before sunrise, except in the case of —

(*i*) small game and wild pigs, and

(*ii*) tigers and panthers, from machans over live or killed ties:

Provided that any of the above acts may be done with the written permission of the Conservator of Forests, or, in the case of snares or traps, of the Divisional Forest Officer.

Note: (1) — For the purpose of this rule the word «carnivora» includes tiger, panther, wolf, hyena and wild dog; the words «small game» include all game birds and hare; and «reserved and protected forests» include all roads and tracks within such forests.

9. **Hunting and shooting prohibited in certain areas except under a license.** — No person, shall, except under license granted in this behalf by the Conservator of Forests, hunt or shoot in any reserved or protected forest.

Explanation. — The term «hunting» used in this Chapter includes tracking for the purpose of discovering the lie of wild animals.

10. **Power to refuse or cancel a license.** — (1) The Conservator of Forests shall have discretion to grant or refuse a license for hunting and shooting.

(2) The Conservator of Forests may, at any time, cancel any license for a breach of any provision of the Act or these rules, whether committed by the licensee or by any of his retainers or followers; or for any interference with the work of the forest of-

ficers on the part of the licensee or of any of his retainers or followers, which in the opinion of the Conservator is unwarranted; or in the event of fire breaking out in any forest in respect of which the license has been granted.

(3) Forest official may accompany the camp of any licensee — In any case where the Conservator of Forests or the Divisional Forest Officer thinks it advisible, he may direct that a forest guard or other person or himself shall accompany the camp of any licensee hunting and shooting in a forest, with the object of seeing that these rules are not infringed.

11. **License not transferable.** — A license granted under rule 9 shall not be transferable.

12. **License to be produced on demand for inspection.** — Every licensee hunting or shooting in any forest shall, on demand by any Forest or Police Officer, produce his license for inspection.

13. **Limitation on putting out ties.** — No licensee shall put out ties at a distance of more than 20 miles from his camp or residence.

Note: For the purposes of this rule «camp» implies a half of not less than one night.

14. **Intimation to be given when animals are wounded but not killed.** — When any licensee wounds but fails to kill any animal of the following species, viz. elephant, tiger, panther, bear or bison, he shall forthwith give intimation of such fact in writing to the nearest round forest officer and shall also send wihtin 24 hours from the time the animal is wounded a report in writing to the Divisional Forest Officer. He shall also notify the fact to the inhabitants of the nearest village.

15. **License to be returned on expiry of period.** — On the expiry of the period of the license, the licensee shall return it to the Conservator of Forests, with an endorsement thereon showing the number and kind, an the horn dimensions in the case of protected animals, or length in the case of carnivora and bear, of all game killed by him.

16. **Period and scope of license.** — (1) Every licence issued under rule 9 shall permit the holder only to hunt and shoot, and shall be valid for a period of one year from the date of its grant, in any reserved or protected forests of this Union Territory by the Conservator of Forests and to which rules 9 to 20 have been made applicable under rule 8, subject to the condition that before it has effect in any forest division in which the licensee does not reside or exercise any jurisdiction, it must be countersigned by the Divisional Forest Officer.

(2) No licensee shall hunt or shoot more than two males of each species of animals specified in the license. A list of species of such animals shall be prepared for each forest division by the Conservator of Forests.

(3) Wounded game may be pursued into the forests of the division adjoining that for which the license is valid or into a forest closed under rule 18.

17. **Fees for licenses.** — (1) The fee for a license shall be Rs. 50/- for small game and Rs. 300/- for big game per annum.

(2) Gazetted forest officers travelling on duty are exempted from the payment of fees for licenses.

18. **Closing of forests to hunting and shooting.** —

(1) The Conservator of Forests may, on the recommendation of the Divisional Forest Officer declare that any particular forest or part of the forest is wholly closed for a term of years or annualy for specified period.

(2) The Conservator of Forests may also prohibit the taking, wounding or killing of any particular species of animals in any specified tract of forests, with a view to the preservation of such species.

(3) A license granted under these rules shall not be valid —

(a) in any forest or part of the forest which has been closed under sub-rule (1) during the period it is closed, and

(b) in the tract of forest specified in an order made under sub-rule (2) in respect of the species of animals specified in such order:

Provided that gazetted officers whose jurisdiction extends to such forests, or persons holding licenses on which the Divisional Forest Officer has endorsed special permission to that effect, may kill pig, tigers and other dangerous or destructive animals in such forests. Such special permission shall not be given for a longer period than one month in any case.

19. **Employment of Shikaris.** — A licensee may employ any number of trackers. The Divisional Forest Officer shall have full discretion to prohibit the employment for tracking, stalking, tying up for carnivora, or conducting drives or beats, of any persons other than those to whom permits to act as «shikaris» have been given by him.

20. **Shikar cards to be filled in.** — The licensee shall fill in the shikar card in the printed form which a forest guard may present to him, while he is found hunting or shooting in any forest.

CHAPTER IV

Pasturing of cattle in reserved and protected forests

«Sections 26 (1) (d), 26 (2) (a), 32 (i) and 76 (d)»

21. **Pasturing of cattle in forest prohibited in areas specially notified for the purpose.** — No person shall pasture or allow pasturing of cattle in the Government forests specially notified in the Government Gazette as prohibited areas.

CHAPTER V

Transit of forest produce

«Section 41»

A. Forest Passes

22. **Regulation of transit of forest-produce by means of passes.** — No forest produce shall be moved into, or from, or within the Territory of Goa, Daman and Diu, except as hereinafter provided, without a pass from some officer or person duly authorised by or under these rules to issue such pass, or otherwise than in accordance with the conditions of such pass

or by any route or to any destination other than the route or destination specified in such pass:

Provided that no pass shall be required for the removal —

(a) except to a bunder, landing place or railway station —

(i) of any forest-produce which is being removed for private consumption by any person, in exercise of a privilege granted in this behalf by the Government, or of a right recognized under the Act, within the limits of a village;

(ii) of twigs, leaves, brushwood and grass intended solely for conversion into ash-manure,

(b) of firewood not exceeding three inches in diameter at the thickest part, grass or leaves, the property of one person or the joint property of two or more persons, which is conveyed in quantities not exceeding one headload once in 24 hours unless it be brought to a bunder, landing place or railway station or to any areas to which the Government may from time to time declare by notification in Government Gazette that this exemption shall not extend, or

(c) of such forest-produce as may be exempted by the Government from the operation of the rules in this Chapter by notification in the Government Gazette.

23. **Officers and persons to issue passes.** — (1) The following officers and persons shall have power to issue passes under these rules (namely): —

Officers

(a) for forest-produce from land which is not included in a reserved or protected forest and is more than ten miles distant from a reserved or protected forest, the revenue patel, or the police patel of the village if the revenue patel is illiterate, or village accountant, and

(b) for forest-produce from land other than that described in clause *(a)*, the Conservator of Forests, the Divisional Forest Officer, the sub-Divisional Forest Officer or any other officer including a revenue patel or a police patel or village accountant, authorised in this behalf in writing by the Conservator of Forests, Divisional Forest Officer or Sub-Divisional Forest Officer;

Other Persons

(c) for forest-produce owned by any person, such person or his agent, if so authorised in writing by the Conservator of Forests, or by any Divisional Forest Officer or Sub-Divisional Forest Officer specially empowered in this behalf in writing by the Conservator of Forests; provided that such authorization shall specify the period during which it shall remain in force.

(2) Any authorization may at any time be cancelled by the officer granting it.

24. **Passes what to contain.** — (1) Every forest pass issued under rule 23 shall specify: —

(a) the name of the person to whom such pass is granted;

(b) the quantity and description of forest-produce covered by it;

(c) in the case of forest-produce referred to in clause *(a)* of sub-rule (1) of rule 23, the name of the village and survey number in which it was produced;

(d) the places from and to which such forest-produce is to be conveyed;

(e) the route by which such forest-produce is to be conveyed; and

(f) the period of time for which the pass is to be in force, which shall be calculated as follows: —

The day of issue *plus*, in the case of transport by a motor vehicle, a day for transit to any point up to 80 miles from the village of origin *plus* an additional day for every additional 80 miles or fraction thereof, and, in the case of any other form of transport, a day for transit to any point up to 15 miles from the village of origin plus an additional day for every additional 15 miles or fraction thereof.

(2) The colour and form of each pass and the sum to be paid in respect of each book of forest passes will be such as may be prescribed by the Conservator of Forests, with the previous sanction of the Government.

(3) It will be obligatory on the part of the person receiving such passes for the forest produce transported by them, to retain such passes at least for a period of one year from the date of issue of such passes to prove subsequently the bonafides of the forest produce carried by such person.

25. **Separate pass for each load.** — No forest pass shall ordinarily cover more than one load, whether such load be carried by a person, any animal or in a vehicle. But the Divisional Forest Officer, subject to the control of the Conservator of Forests, may, whenever he deems fit, order that one pass may cover any number of headloads or animal loads not exceeding 50 and any number of cart loads not exceeding 10 for journeys not exceeding 15 miles from and to the same places and undertaken at one and the same time.

26. **Pass not to be tampered with.** — No alteration shall be made in anything printed or written on any forest pass, except in the matter of route and period and this may only be done by an authorised officer for sufficient reason to be mentioned in the pass.

B. Passes Issued by Private Persons

27. **Books of blank passes to be supplied to persons authorized to issue them.** — (1) When the Conservator of Forests or any duly empowered Divisional Forest Officer authorises any person or the agent of any person under clause *(c)* of sub-rule (i) of rule 23 to issue forest Passes, he shall furnish such person from time to time with authenticated books of blank passes.

(2) The said person to whom such book is supplied shall pay the sum, if any, fixed under rule 24(2).

(3) No person who has been authorised to issue passes shall issue passes otherwise than in accordance with the conditions of his authorisation.

(4) No such person shall charge any fee for any pass issued.

(5) *Counterfoils of used pass books to be returned* —The counterfoils of all used passes shall be returned to the officer from whom the book of passes was received and no fresh pass-book shall be supplied until the counterfoils of all passes previously used have been so returned.

(6) *Counterfoils to be produced for inspection on demand* — Any person or the agent of any person who has been authorised to issue forest passes under clause *(c)* of sub-rule (1) of rule 23 shall be bound if called upon by any forest officer to produce for inspection or to give up the counterfoils of all passes which have been issued by such person or agent.

(7) *Procedure on cancellation or expiry of authority to issue passes:* — In the event of any authority given under clause (c) of sub-rule (1) of the rule 23 being at any time cancelled under sub-rule (2) of the said rule or on the expiry of the period specified in such authority, the person whose authority is so cancelled or the person, the period whose authority has so expired, as the case may be shall forthwith return to the officer who gave the authority every unused book of forest passes and the unused portion of any such book in his possession, together with the counterfoils of used passes, if any, which he has not already returned, and the said person shall be entitled when he has returned all such unused books or portions thereof and the counterfoils of used passes as aforesaid, to receive a refund of the amount paid by him in respect of every such unused book but no refund shall be allowed in respect of any portion of such book.

(8) *Forest passes issued by private persons when invalid:* — No forest pass issued by any person or by the agent of any person authorised under clause (c) of sub-rule (1) of the rule 23 to issue forest passes shall have any validity,

(a) if such pass is not prepared on a blank form supplied for this purpose under sub-rule (1) of rule 27 or

(b) if the same is issued after receipt by such person of an order cancelling the authority to issue such passes, or

(c) if the same is issued by, such person after the expiry of the period specified in the authority given for the issue of such passes.

C. Forest-produce imported otherwise than by sea

28. **Foreign pass.** — All forest produce imported into the Territory of Goa, Daman and Diu otherwise than by sea shall be covered by a foreign pass registered under rule 29 and, in the case of timber exceeding the dimensions mentioned in rule 38 and of scented sandalwood, near a foreign property mark registered under rule 29.

29. **Form, etc. of foreign passes must be registered in Conservator's office.** — Every foreign pass must be in a form which, and must be signed by an official whose designation, have been registered in the office of the Conservator of Forests of Goa, Daman and Diu into which it is sought to import forest-produce thereunder, and every foreign property mark must be of a description which has been registered in the said office.

Provided that, at the request of any State, the forest-produce from such state may be allowed to be imported in the Union Territory of Goa, Daman and Diu.

(i) if the import of such forest-produce is covered by a foreign pass signed by a contractor or his agent whose specimen signature shall have been registered in the Office of the Divisional Forest Officer in charge of the Division in which the forest-produce is sought to be imported, and

(ii) if the office stamp of the official of the State, who shall have been authorised by the State to issue books of foreign passes to contractors for the export of forest produce, shall have been affixed to or imprinted on the pass under which the forest-produce is sought to be imported.

30. **Divisional Forest Officer may refuse to register signature.** — In cases under the proviso to rule 29 the Divisional Forest Officer may, for reasons to be recorded in writing, refuse to register the specimen signature of any contractor of his agent.

31. **Imported forest-produce may be conveyed to first depot without a pass under rule 23.** — Any forest produce which is imported otherwise than by sea may be conveyed within the limits of the Union Territory of Goa, Daman and Diu as far as the first depot established under rule 34 without a pass issued under rule 23 if it is covered by a foreign pass registered under rule 29 and if stacked or deposited in any place between such limits and such depot the foreign pass covering the material shall at once be delivered at that depot.

32. **Conservator may direct use of a transit mark for imported timber.** — If the Conservator of Forests shall so direct, no timber exceeding the dimensions mentioned in rule 38 and no scented sandalwood which has been imported as aforesaid shall be moved beyond such first depot, without first having stamped upon it a Government transit mark of such description as the Conservator shall prescribe.

D. Saving of recognised privileges

33. **Saving of recognised privileges.** — Nothing in rules 22 to 32 inclusive shall be deemed to require or to have required the possession of a pass in cases where exemptions from such possession for enjoyment of certain privileges recognised by the Government of Goa, Daman and Diu have been granted before the passing of the rules.

E. Forest depots

34. **Depots and their purposes.** — The Conservator of Forests may establish at such places as he shall think fit, depots to which forest-produce shall be taken —

(*a*) for examination previous to the grant of a pass in respect thereof under these rules; or

(*b*) for determining the amount of money if any, payable on account thereof to Government; and for the payment of any money so found to be due; or

(*c*) in order that any mark required by law or by these rules to be affixed thereto, may be so affixed.

35. **Situation of depots to be published.** — The Conservator of Forests shall make known from time

to time by notification in the Government Gazette, and locally in such manner as he deems fit, the name and situation of each depot.

36. **Depot to be in charge of an officer.** — Each depot shall be in charge of an officer appointed by or under the orders of the Conservator of Forests without whose permission no forest produce shall be brought into, stored at, or removed from the depot.

37. **Vessels conveying forest produce by river to call at depot on banks.** — The person in charge of any vessel which carries forest produce on a river, on the banks of which one or more depots established under these rules are situated, shall call and stop his vessel at every such depot which he has to pass, in order that the forest produce may be examined, if necessary, under the provisions of rule 41 and the person in charge of such vessel shall not proceed with such vessel past any such depot without the permission of the forest officer in charge of such depot.

F. Property and transit marks

38. **Property and transit marks to be affixed to timber exceeding a certain size.** — Except when it is the property of the Government timber exceeding 12 inches in girth at the thickest part and 6 feet in length and scented sandalwood of any dimensions shall not be moved from or within any parts of the Territory of Goa, Daman and Diu unless it bears a distinguishable private property mark of the owner of such timber of a description which has been registered in the office of the Conservator of Forests or of the Divisional Forest Officer, and also if the Conservator so directs unless it bears a Government transit mark of such description as shall from time to time be prescribed in this behalf by the said Conservator.

39. **Registration of forms of passes or marks.** — The Conservator of Forests or the Divisional Forest Officer shall upon receipt of an application for registration of any form or mark for the purpose of rule 290 or rule 38 enquire into the authenticity of the same, and if he sees no objection, shall on payment by the applicant of such fee as shall from time to time be prescribed by the Government in this behalf, register such form or mark in his office. Every such registration shall hold good for a period of one year only, except in the case of forms and marks of other state Governments, the registration of which shall hold good till they are modified or replaced by new forms or marks.

40. **Government marks not to be imitated or effaced.** — No person or other than a forest officer whose duty it is to use such marks shall use any property mark for timber identical with, or nearly resembling, any Government transit mark, or any mark with which timber belonging to the Government is marked; and, no person shall, while any timber is in transit under a pass issued by any person or by the agent of any person authorised in this behalf under clause (c) of sub-rule (1) of rule 23 alter or efface any mark on the same.

G. Stoppage in transit

41. **Forest-produce in transit may be stopped and examined by certain officers.** — (1) Forest-produce in transit may be stopped and examined at any place by any forest or police officer if such officer shall have reasonable grounds for suspecting that any money which is due to the Government in respect thereof has not been paid, or that any forest offence has been or is being committed in respect thereof.

Provided always that no such officer shall vexatiously or unnecessarily delay the transit of any forest produce which is lawfully in transit, nor vexatiously or unnecessarily unload any such forest-produce, or cause the same to be unloaded, for the purpose of examination.

(2) The person in charge of such forest-produce shall furnish to any such officer all the information which he is able to give regarding the same, and if he is removing the same under a pass shall produce such pass, on demand, for the inspection of such officer, and shall not in any way prevent or resist the stoppage or examination of the said forest-produce by such officer.

H. Obstruction of channels

42. **Prohibition of the obstruction of channels or banks of rivers.** — No person shall close up or obstruct the channel or any portion of the bank of any river lawfully used for the transit of forest-produce, or throw grass, brushwood, branches or leaves into any such river, or do any other act which may cause such river to be closed or obstructed.

43. **Measures to be taken for removal of obstructions.** — (1) Any forest officer not lower in rank than an Assistant Conservator of Forests, may take such measures as he shall at any time deem to emergently necessary for the prevention or removal of any obstruction of the channel, or of any part of a bank of a river lawfully used for the transit of forest-produce; but any such case which is not emergent shall be reported to the Collector, who may by written notice require the person whose act or negligence has caused or is likely to cause the obstruction, to remove or take steps for preventing the same within a period to be named in such notice, and, if such person fails to comply with such notice, may himself cause such measures to be taken as he shall deem necessary.

(2) The cost reasonably incurred by a forest officer or by the Collector under this rule shall be payable to the Government by the person whose act or negligence has necessitated the same.

I. Conversion of timber within ten miles of forests

44. **Prohibiting conversion of timber within 10 miles of forest.** — (i) Within the limits of any reserved or protected forest in charge of the forest department and within ten miles of such limits, no person shall establish a saw-pit, erect any machinery or other plant for the cutting, converting or fashioning of timber, or manufacture charcoal without the previous sanction in writing of a forest officer not lower in rank than a range forest officer.

When an applicant does not receive within a month a definite reply to his written request for permission to saw private timber under this rule, he may start the work forthwith, provided that this will not absolve him from liability to proceedings if it is found that any timber is the property of the Government.

Explanation. — This rule does not apply to the ordinary operations of domestic carpentry or to the other similar work on a small scale.

(ii) No person shall establish a saw-mill or put up any machinery for conversion of any forest produce within a distance of 25 miles of any forest without the written permission from the Divisional Forest Officer.

J. Exclusion of local areas from applicability of rules

45. **Local areas to which the rules are not applicable to be published.** — The Government may by notification in the Government Gazette exempt from the operation of the rules contained in this Chapter any local area specified in such notification.

CHAPTER VI

Trees in occupied lands

«Sections 41 and 76»

A. Preservation, protection and exploitation of reserved and other trees in occupied lands

46. **Mode of application for permission to cut and remove trees or timber.** — Every person seeking to obtain permission for cutting or uprooting any trees or removing any timber shall apply in writing to the Divisional Forest Officer. Every such application shall clearly specify the survey numbers, the names of the villages, the name of the taluka and the number and kinds of trees sought to be cut or uprooted or the kind and quantity of the timber sought to be removed from each survey number. In case the survey numbers containing the trees or timber are held by a number of persons, a joint application shall be made by all the occupants; if however one of the occupants applies for permission, the written consent of the remaining occupants to allow the applicant to cut or uproot the trees or remove the timber shall be appended to the application.

47. **Enquiries to be made by the Divisional Forest Officer and grant of permission.** — On receipt of an application under rule 46 the Divisional Forest Officer shall make enquiry as he deems necessary regarding the title of the applicant to the trees or timber, and on the conclusion of such enquiry he shall, unless there is any reason to the contrary give the permission in writing applied for:

48. **Conditions of the permission to be observed by the applicant:** — Every applicant shall be bound by the conditions contained in the permission granted under rule 47. Such permission shall specify inter alia the name of the officer to whom the permit is to be shown by the applicant prior to the cutting or uprooting of the trees or removal of the timber and the period within which the trees are to be cut or uprooted or the timber is to be removed.

49. **Cutting, etc., to be done after marking:** — On receipt of the permission the applicant shall take it to the officer named therein an shall cut or uproot the trees or remove the timber after they have been marked by that officer with such mark as may be prescribed for the purpose by the Conservator of Forests.

50. **Transit rules in Chapter V to apply in the matter of removal and conversion.** — The rules in Chapter V shall apply in the matter of removal and conversion of the timber referred to in this Chapter.

B. Conversion of trees other than sandalwood

51. **Mode of application for conversion of timber other than sandalwood.** — If the timber obtained from trees other than sandalwood is sought to be converted at a place to which the provisions of rule 44 are applicable, the applicant shall apply in writing for permission to the Range Forest Officer giving him the particulars as to the place, time and quantity of timber sought to be converted and such other particulars as may be required by that officer.

52. **Enquiries to be made by the Range Forest Officer and issue of sawing permit.** — On receipt of an application under rule 51, the Range Forest Officer shall make such enquiry regarding the timber to be converted and the place where the saw-pit is to be erected and on satisfying himself as to the source and ownership of the timber to be converted and on seeing that it not stolen from the forests he shall issue a sawing permit to the applicant.

53. **Conditions to be observed by the applicant.** — The applicant on receipt of the sawing permit shall be bound by the conditions contained therein. Such permit shall specify, inter alia, the name of the applicant to whom the permit is given, the place where the saw-pit is to be erected and the period within which the timber is to be converted.

54. **Return of sawing permit.** — On Expiry of the period entered in the sawing permit issued under rule 52 the applicant shall return the same to the Range Forest Officer.

CHAPTER VII

Drift and stranded timber

«Section 51»

55. **Collection of drift and stranded timber and disposal thereafter.** — (1) Any person may collect timber of any of the description set forth in section 45, and, pending the bringing of the same to the proper depot for the reception of drift-timber, may keep the same in his own custody, but he shall report his having done so within twenty-four hours to the nearest Forest Officer.

(2) The Forest Officer in charge of the Range in which the timber has been found shall, pending completion of the preceedings under sections 46 to 48, take possession of the timber and unless in his opinion the probable proceeds of the sale of timber are not likely to exceed the cost incurred on collecting it together with the probable cost of conveying it to a depot appointed for the reception of drift-timber, he shall convey the timber to such depot.

56. **Registration of boats for salving and collecting timber.** — Any person may register in the office of the Conservator of Forests one or more boats for use in salving and collecting timber on payment of a fee of one rupee for each boat.

Such registration shall hold good for the period of one year only, but may be repeated from year to year.

57. **Persons collecting timber entitled to recompense.** — Every person, whether Forest Officer or not, who collects any such timber, shall be entitled to receive a recompense equal to 50 per centum of the estimated value of the timber. Such estimate shall be made by any Forest Officer not lower in

rank than an Assistant Conservator of Forests, whom the Conservator specially authorizes, in this behalf and the recompense shall be paid at once by the Government.

Provided that in special cases the Conservator may increase the amount of the recompense to a sum not exceeding 75 per centum of the value of the timber collected.

58. **When collected timber belongs to private person such person to pay all costs.** — If the timber collected shall be proved to be the property of any person other than the Government, such person shall be liable to pay to the Government under section 50 of the Act the following amounts, viz: —

(1) on account of salving and collecting, the actual amount of recompense paid to the person who collected it;

(2) on account of moving, the actual cost incurred in moving it to the depot for the reception of drift timber;

(3) on account of storing, such fees as shall from time to time be fixed by the Conservator of Forests, with the previous sanction of the Government for the storing of timber at such depot.

59. **No person other than authorised Forest Officer to mark timber.** — No person other than a Forest Officer authorized in this behalf by the Conservator of Forest shall mark any timber to which the rules in this Chapter apply.

CHAPTER VIII

Powers and duties of forest officers and revenue officers

«Section 76 (a)»

60. **Conservator, his powers and duties.** — The Conservator of Forests is the head of the Forest Department and the technical adviser of the Government in forest matters. He is empowered to deal on his own authority with purely technical question, such as the operation of sanctioned working plans, fire protection and silvicultural operations generally, and with matters regarding which powers have been delegated to him. In regard to all purely technical matters he will be the controlling authority over the D. F. Os. and in regard to the other matters he shall be in the position of advised, being consulted by the Government as the case may be.

61. **Powers of Divisional Forest Officer regarding local supply, public right, pastures, etc.** — In all matters relating to supply of forest produce including grass for the domestic and agricultural requirements of the villagers, grazing and the rights and privileges of the people in or in respect of forest, orders shall be issued by the Divisional Forest Officer.

62. **Orders of forest-officers to village officers to be ordinarily sent through Mamlatdar.** — Orders by forest officers to village officers shall ordinarily be sent through the Mamlatdar to whom the village officers are subordinate but may, if urgent, be sent direct: provided that in the latter case a copy of the order shall at the same time be sent to such Mamlatdar as aforesaid.

63. **Forest guards not to leave beat for report to revenue or police officer.** — No revenue or police officer shall call a forest guard of his beat, nor shall a forest guard leave his beat in order to report himself to such officer.

64. **Action to be taken when felling of a compartment is delayed beyond due time.** — (1) If it becomes necessary to delay the felling of a compartment beyond the time at which such felling would, according to regular rotation, be due, the Divisional Forest Officer shall, subject to the orders of the Conservator as regards deviations from sanctioned working plans make arrangements for meeting the requirements of villagers in the locality.

(2) For such purpose the villagers may, if necessary, and if no other arrangement is practicable, be permitted to enter the compartment the felling whereof has been so delayed and for themselves, under the supervision of a forest subordinate appointed for purpose by the Divisional Forest Officer, the material to which, but for such delay they would have been entitled.

CHAPTER IX

Contracts

«Sections 76 (d) and 85»

65. **Persons entering into contract with forest officers should execute written instrument to perform contract and to pay expenses in case of breach.** — Whoever enters into any contract with any Forest officer acting on behalf of the Lieutenant Governor of Goa, Daman and Diu, shall, if so required by such Forest-officer, bind himself by a written instrument to perform such contract and to pay to such Forest-officer on behalf of the Lieutenant Governor of Goa, Daman and Diu the expenses necessary for or incurred in the execution of any work or thing to be done which he has bound himself but has failed to do.

Explanation. — A person, who makes a written tender for a contract, or who signs the conditions of an auction sale at which he is a bidder, such tender or conditions of sale being on or in a form furnished by a Forest-officer for that purpose, whereby he —

(*a*) binds himself to perform the contract for which he tenders or bids, in event of his tender or bid being accepted, or

(*b*) binds himself not to withdraw his tender or bid during the time that may lapse before its acceptance or refusal is communicated to him, shall be deemed to have been required by such Forest-officer to bind himself as aforesaid, and in case (*a*) on the acceptance of his tender or bid, or in case (*b*) on the making of his tender or bid, to have bound himself accordingly, within the meaning of this rule; and any such person need not enter into a separate written instrument for the purpose, unless specially so required by the Forest-officer with whom he contracts.

CHAPTER X

Penalties and rewards

«Sections 42, 51 and 76 (b)»

66. **Penalties for breach of certain rules.—Whoever contravenes the provisions of rules 22, 26, 27(3) to (7), 28, 31, 32, 36 to 38, 40, 41(2), 42, 44, 51, 53 to 55 or 59 shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

67. As per powers vested in the Government under Section 76((b) the following provisions are made to regulate rewards to be paid to officers and informants out of proceeds of fines and confiscations.

(a) The officer whose efficiency led to the detection of offence and booking of the culprits, the discretion in deciding which vests with the Conservator of Forests, will be entitled as reward to 1/3rd the proceeds which acrued to the Government in the form of fines and confiscations.

(b) The informant, whose information led to the detection of offence and booking of culprits, the discretion in deciding which vests with the Conservator of Forests will be entitled as reward to 1/3rd the proceeds which accrued to Government in the form of fines and confiscations.

(c) The Conservator of Forests is authorised to grant and disburse such rewards.

** Rule 66 prescribed penalties for breach of only those rules for which the Government can prescribe penalties under sections 42 and 51 of the Act. Penalties for breach of other rules are prescribed in the relevant sections of the Act itself, viz. in section 26(1) for breach of rules framed with reference to section 26(1) (b) and (i) for reserved forests, in section 33(1) (h) for breach of rules made under section 32 for protected forest, and in section 77 for breach of other rules for which no special penalty is provided. For voluntary obstruction to the officer acting under rule 92(2) the penalty will be that prescribed in section 186 of the Indian Penal Code.

Notification

L. D. 14/65

The following Notification of Ministry of Home Affairs, New Delhi is hereby published for general information of public.

Kant Desai, Under Secretary.

Panjim, 15th March, 1965.

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

New Delhi-11, the 9th March, 1965

Notification

F.7/10/65-UTL

G. S. R. — In exercise of the powers conferred by Section 6 of the Goa, Daman and Diu (Administration) Act, 1962 (1 of 1962) the Central Government hereby extend to the Union Territory of Goa, Daman and Diu, the Transfer of Prisoners Act, 1950 (29 of 1950).

K. R. PRABHU

Deputy Secretary to the Government of India.

Industries and Labour Department

Notification

I&L/CEE/902/65/2350

Rules for the Levy of Fees for the Services of Electrical Inspector

In exercise of the powers conferred by Sub-Rule (2) of Rules (7) of the Indian Electricity Rules, 1956, and in supersession of the decreto nos. 27.071 and 2052 of the Erstwhile Portuguese Government, the Government of Goa, Daman and Diu hereby orders that with immediate effect fees for testing and inspection and generally for the services of Electrical Inspector under the Indian Electricity Act, 1910 (Act IX of 1910) shall be levied in accordance with the following Rules, namely:

Levy of fees for the Services of Electrical Inspector

1. *Definition:* — In these Rules «Owner» includes an occupier of any building, place, carriage or vessel, electric supply line, electric machine or apparatus in which energy is or is about to be generated, received or used.

2. *Levy of Fees:* — (1) Fees for periodical inspections, examinations or tests made under the provisions of the Indian Electricity Act, 1910, and the Rules made thereunder, shall be levied in accordance with the rates prescribed and from the persons mentioned in scales «A» to «C» in the schedule hereto.

Provided that in the case of a second or subsequent inspection, examination, or test made within a period of twelve months from the date of the first inspection, examination or test: —

(a) One half of the fees prescribed in the said scales «A» to «C» shall be levied if in opinion of the Electrical Inspector, the second or subsequent inspection, examination or test is necessitated by the neglect or failure of the licensee or owner to carry out within a stipulated time any written order of the provisions of the Indian Electricity Act, 1910, or the Rules made thereunder, and

(b) No fees shall be levied if the second or subsequent inspection or test is not so necessitated.

(2) Fees for initial inspections, examinations or tests of an installation made under the provisions of the Indian Electricity Act, 1910, and the Rules made thereunder shall be levied in accordance with and from the persons mentioned in scales (D to F) and as specifically provided in scale «C» in schedule hereto.

Provided that, if in the opinion of the Electrical Inspector, a second or subsequent inspection, examination or test of the installation is necessitated by the neglect or failure of the Supplier or the Owner as the case may be, to carry out within a stipulated time any written order of the Inspector or by a breach of any provisions of the Indian Electricity Act, 1910, or the Rules thereunder the fee for such a second and subsequent inspection, examination or test shall be one half of the fee prescribed in the said scales «D» to «F».

Provided further that if an extension to or an alteration in the installation made since the date of last initial or periodical inspection, examination or test of the installation, is inspected, examined or tested within 12 months of that date, a separate fee shall be levied in respect of such extension or alteration in accordance with the rates prescribed and from the persons mentioned in the said scales «A» to «C».

(3) Fees for the services of an Electrical Inspector requisitioned by a consumer or by a member of the public shall be levied in accordance with and from