

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 4, PORT BLAIR, MONDAY, JANUARY 17, 1966.

ANDAMAN AND NICOBAR ADMINISTRATION
Chief Commissioner's Secretariat

NOTIFICATION

Port Blair, the 17th January, 1966. ✓

No. 7/65/TIP/66/Vol.V.- In exercise of the powers conferred by Sections 41 and 42 of the Indian Forest Act 1927 (16 of 1927) read with the Notification of the Govt. of India in the Min. of Home Affairs No. 59/49/50-AN dated 7-11-1951 and in pursuance of his Notification No. 42 of 1953, the Chief Commissioner, Andaman and Nicobar Islands has been pleased to make the following rules, namely:-

These rules may be called the Andaman Forest Produce Transit Rules, 1966.

In these rules, unless there is anything repugnant in the subject or context:

(a) 'Forest Produce' means Forest Produce as defined in the Indian Forest Act, 1927 (XVI of 1927).

(b) 'Islands' means Andaman Islands.

(c) "Timber" means 'timber' as defined in the Indian Forest Act 1927, (XVI of 1927).

3. These rules shall apply to Forest Produce from any source within the Andaman Islands which are exported or moved on any of the routes from or within the boundaries of the said Islands.

4(1) Within the limits of the areas specified in rule 3, no person shall conceal any timber.

(2) No Forest Produce shall be moved into, from or within the Islands except under cover of a transit pass in the Form 'A' hereto annexed from an officer of the Forest Department not below the rank of a Forester duly authorized by the Divisional Forest Officer to issue the same or otherwise than in accordance with the conditions of such pass.

(3) All timber in respect of which a transit pass has been issued by the officers of the Forest Department shall bear a Government Hammer mark the facsimile of which shall be imprinted on the concerned pass.

(4) Fees for transit passes in respect of different items of forest produce moved from or within the Islands may be levied in accordance with rates as may be prescribed by the Chief Conservator of Forests from time to time. It shall be within the competence of the Conservator of Forests subject to the approval of Govt. to regulate the movement of certain kinds of forest produce in short supply from the Islands.

5. The export of all forest produce from the Islands, subject to the control of the Chief Conservator of Forests, Andaman and Nicobar Islands.

6. Any person importing, exporting or moving forest produce from or within the Islands or any person in possession or charge of forest produce in transit, shall produce the pass (referred to in Rule 4) on demand by any Forest Officer or Police Officer.

7. (1) All forest produce to which these rules apply, and any cattle cart, vehicle, boat or other vessel suspected to carrying the same shall be liable to stoppage by any Forest Officer within the Islands for the purpose of examination and check.

(2) Any sum due and payable to the Forest Department, Andaman & Nicobar Islands, on such forest produce shall be realised at the nearest Forest Office.

(3) Any forest produce not covered by a transit pass referred to in sub-rule (2) of rule 4 together with boats, carts, vehicles or cattle carrying the same or any timber which is concealed in contravention of sub-rule (1) of rule 4 shall be liable to seizure and dealt with further under the provisions contained in Chapter IX of the Indian Forest Act, 1927 (XVI of 1927) and any cattle seized in this connection shall be liable to be impounded.

8. (1) Any Forest Officer who has seized any forest produce under rule 7 shall:-

(a) Immediately issue a written notice to the owner of such forest produce, or if the owner is unknown, to the person in charge or possession of such forest produce at the time of seizure, calling upon him to produce proof of the origin of the forest produce and his title thereto within thirty days from the date of issue of such written notice, a copy of which shall be pasted on a Notice Board at the nearest Forest Officer, and

(b) Submit a seizure report in Form 'B' hereto annexed without delay to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.

9. (1) Any person dealing in timber fashioned or unfashioned shall register with the Divisional Forest Officer concerned a property mark which, after approval by the Divisional Forest Officer and on payment of fees prescribed by the Forest Conservator of Forests concerned, shall be registered in the Divisional Forest Office.

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

(2) All timber, imported, exported or moved into, from or within the limits of the islands shall be marked with a registered property mark in addition to a Government Hammer mark ~~and a Government Hammer mark~~ as required under Rule 4(3); timber found without a registered property mark and a Govt. Hammer mark shall be liable to detention and seizure for enquiry under the provision of Rule 8.

(3) The Divisional Forest Officer may at his discretion permit any one person to register more than one property mark, provided that no two such marks shall have identical design.

(4) A certificate or registration showing the design approved by the Divisional Forest Officer and duly registered shall be furnished to the owner of a property mark. Certificate must be returned annually to the Division Forest Officer for the purpose of renewal.

(5) That It shall be within the competence of the Divisional Forest Officer to waive the registration of a property mark in cases where small quantities of timber are to be moved within or into the Islands. Application shall in all such cases be made to the nearest Forest Officer for the issue of a transit pass and the marking of such timber with a Government Hammer.

(6) The Divisional Forest Officer, may, in consultation with the Deputy Commissioner, Andaman and Nicobar Islands provide for the establishment and regulation of check posts or depots at which forest produce shall be stopped for examination or for the payment of dues therefore or in order that Government Hammer marks may be affixed to the same.

(7) There shall be no closing or obstructing of any river or stream or channel or the bank of any river, stream or channel used or capable of being used for the transit of forest produce nor shall there be any stoppage of navigation on such rivers, streams and channels for such transit.

(8) The Deputy Commissioner, Andaman & Nicobar Islands may order any person who by any act of negligence, has caused such closure or obstruction or stoppage to remove the same within a time to be specified in writing and on the expiry of such period, may cause the obstruction to be removed at the cost of the person to whom such notice has been issued.

11. (1) Any person contravening any of the provisions of these rules shall be liable with imprisonment for a term which may extend to six months or with fine which may extend Rs. 500/- or with both.

(2) Penalties which are double of those mentioned in sub-rule (1) may be inflicted in cases where the offence is committed after sunset and before sunrise or after preparation for resistance to lawful authority, or where the offender has been previously convicted of a like offence.

By Order

B.C. ACHARI
Asst. Secretary to the Chief Commissioner.

FORM 'A'
(See Rule 4(2))

FOREST TRANSIT PASS
ANDAMAN FOREST DEPARTMENT

Book No.

Serial No.

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

Signature & Designation
of the Issuing Officer.

Note:- The pass shall be in ~~the~~ triplicate form and shall be serially numbered.

FORM 'B'
(See Rule 6(1)(b))

FOREST DEPARTMENT, ANDAMANS

..... DIVISION

Offence Report No. dated 19

{ Revenue Station
{ Range

Nature of Offence

Date and hour of detection

Place of occurrence

By whom detected

REFERENCE TO SECTIONS OF THE FOREST ACT AND INDIAN PENAL CODE
(To be filled in by the Divisional Forest Officer)

Names of Accused

+++++*****+++++*****+++++*****+++++*****+++++*****+++++			
Name	Father's Name	PLACE OF RESIDENCE	
		VILLAGE	THANA
			DISTRICT

2 NAMES/ADDRESSES OF WITNESSES

FULL REPORT OF FACTS OVER LEAF)

FOREST DEPARTMENT, ANDAMANS
..... DIVISION

Offence Report No.

Dated 19

..... } Revenue Station
..... } Range

Memo No.

Dated 19

FORWARDED to the Conservator of
Forests, with a copy
of the Seizure

Report and an application for issue of process

..... Officer-in-charge
..... Revenue Station
..... Range

Memo No.

Dated 19

FORWARDED TO the Magistrate
Commissioner

of with an application for
issue of process, and the following
documents

..... Conservator of Forests,
In-charge Division

THE ANDAMAN & NICOBAR GAZETTE, EXTRAORDINARY, JAN 17, 1966

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

1966

STATEMENT OF THE ACCUSED.