

CHAPTER 23

Forest Produce in Transit

- (1) Rajasthan Forest (Produce transit) Rules, 1957, made under section 41 of the Rajasthan Forest Act, 1953 govern the regulation of transit of Forest Produce.
- (2) As per these Rules, no forest produce can be moved into or from or within any area in the State of Rajasthan without a pass issued by a forest officer or person duly authorized by or under these rules or otherwise than in accordance with the conditions of such pass or by any route or to any destination other than the route and destination specified in such pass. No pass is, however, required for the removal of any forest produce which has been extracted from the forest for consumption by any person in exercise of any right or concession granted by the State Government or of any other forest produce, as may be exempted by the State Government from the operation of these Rules.
- (1) The state Govt. has authorized¹ (1) Concerned territorial Divisional Forest Officer - Up to one truck load(per month per contractor)²,
- (2) Concerned territorial Conservator of Forests - More than one truck load for issue of transit Passes for transit of Minor Forest Produce to destinations outside the State.
- (3) The State Govt. has exempted³ the following category of Forest Produce from the operation of transit rules subject to the conditions imposed herein.-

S.N.	CATEGORY	Condition
1.	Category- I	All forest produce in the State of Rajasthan from outside; Provided that all such forest produce shall be deemed to have its point of origin within the State of Rajasthan unless the contrary is proved by production of proper/G/H and other valid documents proving its origin from out side the State of Rajasthan to the satisfaction of the officer checking such forest produce in transit.

1 G.O. No F2(1)(2)Rev.Rev.Gr.8/73/Part I dated 21 June 1983.

2 Ibid. dated 8/6/1989

3 Ibid. dated 15 July, 1986.

2.	Category- II	All forest produce, being moved within the municipal limits of the cities and towns in the State; Provided that all such produce will be deemed to have moved into the Municipal limits from outside unless the contrary is proved, by production of valid documents proving its acquisition from within the limits of the city/ town itself, to the satisfaction of the officer checking such produce in transit.
3.	Category- III	All finished or converted products excluding semi processed items as may be declared by the State Government from time to time, which use Timber or bamboos in the form of raw material, being moved within the State of Rajasthan; Provided that, if the person or persons moving any forest produce fail to show conclusively that the forest produce in transit falls in any of the above categories to the satisfaction of the Forest Officer or any other officer empowered in this behalf, such officer may make or cause to be made such enquiry and take such action or cause to be taken such auction as he may think it necessary in the case and such officer will be deemed to be acting under the provisions of Rajasthan Forest Act, 1953.

- (4) The State Govt. has also exempted⁴ from the operation of these Rules, the movement of timber of species as specified in column number 2 of the table given below by any mode of transport (merchanized or non mechanized) with in the area specified in column No. 3 against them.

S. N.	Name of Timber Species	Area
1	Vilayati Babul (<i>Prosopis juliflora</i>), Israeli Babul (<i>Acacia tortalis</i>), Subabul (<i>Leucaenale ucocephala</i>), Ardu (<i>Ailanthus spp</i>)	Throughout State of Rajasthan.
2	Deshi Babul (<i>Acacia nilotica</i>), Eucalyptus (<i>Eucalyptus spp</i>), Shisham (<i>Dalbergiaspp</i>)	Throughout State of Rajasthan except :- (a) Bikaner district,, (b) jaisalmer district, (c) SriKaranpur, Raisinghnagar, Vijaynagar, Anupgarh, Suratgarh and Gharsana Tehsils of SriGanganagar district. (d) Hanumangarh, Tibi, Pilibanga, Rawatsar, Nohar and Bhadra Tehsils of Hanumangarh district. (e) Phalodi and Osian Tehsils of Jodhpur district
3	Poplar (<i>Populus spp</i>)	Throughout State of Rajasthan except Sriganganagar and Hanumangarh districts.

4 Notification No. S.O.335 dt Jan 25, 2010.

- (5) The State Govt. has also exempted from the operation of these rules the movement of Bamboo within the State of Rajasthan by any mode of transport except in Udaipur, Banswara, Pratapgarh, Chittorgarh, Dungarpur and Sirohi districts.
- (6) The State Govt. has authorized⁵ the following officers to issue transit passes under these rules subject to conditions noted against each.

S. No	Officer	Extent of Authorization	Conditions
1	Tehsildar	In respect of Forest Produce derived from trees and other Forest growth standing on Revenue lands within their territorial jurisdictions and placed under their control.	a) for destinations which are not within the territorial limits or their Tehsils. b) where the produce has not been proved to have been procured in accordance with the provisions of the Rajasthan Tenancy Act and the Rules framed there-under, or any other law or Government order in force : or c) where the transportation of the produce is undertaken by rail or any mechanized means of road transport.
2	Sub Divisional Officer	In respect of forest produce derived from trees and other forest growth standing on Revenue lands within their territorial jurisdictions, and placed under their control	a) for destinations which are not within the territorial limits or their sub divisions. b) where the produce has not been proved to have been procured in accordance with the provisions of the Rajasthan Tenancy Act and the Rules framed there-under, or any other law or Government order in force : or c) where the transportation of the produce is undertaken by rail or any mechanized means of road transport, except by tractor trolleys.
3	Collectors	In respect of forest produce derived from trees and other forest growth standing on Revenue lands within their territorial jurisdictions and control, for any destination within the State, and by any mean of transportation including trucks and	Provided that the transit passes shall not be issued where the produce has not been proved to have been procured in accordance with the provisions of the Rajasthan Tenancy Act and the Rules framed thereunder, or any other Law or Government order in force.

⁵ GO No F.2(1)(2)Rev.8/73 dt 9/2/1983.

		rail, in consultation with the Divisional Forest Officers concerned.	
4	Rangers	In respect of produce of the forests within their jurisdictions for destinations within the Forest Division in which they are serving.	Provided that the transit passes are issued in conformity with the administrative instruction issued by the Government or the Chief Conservator of Forests in this behalf, and the transportation of the produce is not undertaken by rail or by any mechanized means of transport.
5	Assistant Conservator of Forest	In respect of produce of the forests within their jurisdictions for destinations within the Forest Division in which they are serving.	Provided that the transit passes are issued in conformity with the administrative instruction issued by the Government or the Chief Conservator of Forests in this behalf, and the transportation of the produce is not undertaken by rail or by any mechanized means of transport, up to one track load by mechanized means of transport, to destinations within the Forest Division in which they are serving.
6	Divisional Forest Officer	In all other cases, except to destination outside the State.	Transit Passes are issued in conformity with the administrative instructions issued by the Govt. or the Chief Conservator of Forests in this behalf.
7.	Chief Conservator of Forests, Bikaner	In all cases	In respect of produce of his jurisdiction for transporting it to anywhere outside the State.
8	Government	In all other cases	Full Powers.

- (5) A group of carts, transport, animals, mechanically driven vehicles belonging to or hired by one individual owner may be covered by one single pass provided that the number of such carts, transport, animals or vehicles is clearly recorded in the pass and if such carts, transport, animals or vehicles belong to different owners they shall be accompanied by as many passes as there are owners.

This rule does not apply to persons holding passes under rights and concessions in whose case one pass shall suffice for a family.

- (6) All forest produce moved into or from the limits of the State of Rajasthan has to pass through a check choki (or naka) where the transit pass must be produced for inspection and endorsement by the official in-charge of the Choki.
- (7) All unfashioned timber must be properly marked or branded by a property mark which is registered in the office of a Divisional Forest Officer. The registration fee shall be Rs. 1/- per property mark or property hammer. The

Divisional Forest Officer shall refuse to register a property mark or property hammer which is similar to a property mark or hammer already registered. A registration of a property mark or property hammer shall hold good only for the period of time for which it has been registered.

- (8) Any Forest Officer not below the rank of a Forest Guard or any Police Officer not below the rank of a Head Constable may stop, examine, mark and report on timber and other forest produce in transit.
- (9) (i) The conservator of Forests may establish such places as he thinks fit as depots to which the forest produce should be taken-
- (a) for examination prior to the grant of a pass, or
 - (b) for determining the amount of money, if any, payable 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 these rules is to be fixed there to may be so fixed.
- (ii) The Conservator of Forests shall make known from time to time by notification in the official gazette, and locally in such manner as he deems fit, the names and situation of each depot in his Circle.
- (iii) 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 or removed from the depot.