

CHITTAGONG HILL TRACTS FOREST TRANSIT RULES, 1973

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH
MINISTRY OF FORESTS, FISHERIES AND LIVESTOCK
17 January 1974

Table of Contents

Serial No.	Subject matter
1.	Short title, application and commencement
2.	Definitions
3.	Permits and fees
(1)	Removal of timber or other forest produce from reserved and protected forests
(2)	Removal of timber or other forest produce from other Government land which are not reserved or protected forests
4.	Control of timber depots
5.	Movement of timber and other forest produce by road, rail and sea
6.	Stoppage of timber or other forests produce
7.	Prevention and removal of obstructions in rivers
8.	Registration of property marks
9.	Penalties
10.	APPENDIX
(A)	Form – A: Application form for a license to extract timber or other forest produce free of royalty
(B)	Form – B: Application for Free License
(C)	Form – C: Certificate of Origin for removal of shoulder-borne timber or other forest produce from private lands
(D)	Form – D: Certificate of. Origin for removal of timber or other forest produce is to be removed by any other means
(E)	Form – E: Certificate of Registration of Property-mark
(F)	Form of Certificate of Registration

MINISTRY OF FORESTS, FISHERIES AND LIVESTOCK
Section – I

Dacca the 17th January 1974.

No-I/For.68/73/13-In exercise of the powers conferred by sections 41, 42 and 76 of the Act- 1927 (XVI of 1927) and in supersession of the Chittagong Hill Tracts Forest Transit Rules, 1942, Published under the late Government of Bengal Notification No. 166/S dated the 14th September 1942, the Government is pleased to make the following rules to regulate the transit by land or water of all timber or other forest produce within, into, or from and control of saw-pit and timber depots within, the district of Chittagong Hill Tracts, namely.

CHITTAGONG HILL TRACTS FOREST TRANSIT RULES, 1973

1. Short title, application and commencement: - (1) These rules may be called the Chittagong Hill Tracts Forest Transit Rules, 1973.

(2) They shall apply in the district of Chittagong Hill Tracts in respect of all timber or other forest produce from: -

- (i) reserved and protected forest;
- (ii) land being property of Government which has not been notified as reserved or protected forest ; and
- (iii) private land, which is exported, imported or removed from into or within the said district by any route.

(3) They shall come into force at once.

2. Definitions:- In these rules, unless there is anything repugnant in the subject or context,

(a) "Act" means the Forest Act, 1927 (XVI of 1927);

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

3. Permits and fees: - (1) *Removal of timber or other forest produce from reserved and protected forests* – No timber or other forest produce may be removed except under cover of a Forest Directorate permit and subject to the conditions and rates laid down in the schedule of rates for the time being in force. The holder of such permit shall be entitled on the production thereof to take the timber or other forest produces described therein past any revenue check station specified in rule 5 without further payment, provided the quantities have been correctly entered and the dues thereon have been correctly charged.

(2) *Removal of timber or other forest produce from other Government land which are not reserved or protected forests:-* Permit shall be obtained from the Divisional Forest Officer concerned or any other person authorised in this behalf by the Conservator of Forest within whose jurisdiction the Chittagong Hill Tracts district is situated. Issuance of permits shall be subject to the conditions and rates laid down in the schedule of rates for the time being in force; and the permit shall be valid only for the period mentioned therein. No permit shall be issued from mouzas adjoining the reserved and protected forests and mouzas proposed for reservation.

Sale-marking of the produce shall be done at stump site as far as practicable; but the Divisional Forest Officer may relax this condition in a case as he deems fit.

Exception:- Members of hill tribes residents in the Chittagong Hill Tracts may cut and remove firewood or other minor forest produce (with the exception of such items as may be declared as prohibited) free of royalty from the unclassified state forests for *bona fide* home consumption only.

4. Control of timber depots: - (1) Any person who owns a saw-pit or timber depot or intends to establish saw-pit or timber depot shall fulfill the following condition, namely: -

(a) every person who has a saw-pit or timber depot or intends to establish a saw-pit or timber depot shall take a license from the Divisional Forest Officer within whose jurisdiction such an establishment exists or is intended to be established.

(b) shall pay a fee of Taka twenty-five for issue of initial license;

(c) pay renewal fee of Taka five only for each subsequent year or part thereof ;

(d) the licensee shall be required to maintain register of his transaction of timber in Form F;

(e) the licensee shall be required to submit monthly return of his transaction of timber and other forest produce or timber or forest produce to the Divisional Forest Officer concerned.

(f) every licensee shall produce his account of timber and other forest produce to any Forest Officer on demand.

(2) The license shall remain valid for one year or up to the 30th June of the year, whichever expires earlier.

(3) Operations of saw-pit or timber depots between sun-set and sun-rise shall be prohibited except under special permission from the Divisional Forest Officer within whose jurisdiction the said establishment is situated.

(4) Failure to maintain accounts of timber transaction as referred shall render the owner liable to blacklisting and forfeiture of timber, stores, tools, plants and cancellation of license together with such punishment as may be imposed under the Act.

(5) Timber or other forest produce of private lands, the owners of which have the right to remove the same without payment of royalty.

(a) Application for permission to extract timber or other forest produce free of royalty from private lands shall be made to the Divisional Forest Officer through the Deputy Commissioner, in Form A.

(b) There shall be only one application in respect of any state, or lot in any one year commencing on the 1st day of July.

(c) A court-fee of only 25 paise is leviable on the application in Form A.

(d) The Deputy Commissioner shall cause the title to the land and the right to extract timber or other forest produce free of royalty to be verified and shall, after verification, forward the application in Form A to the Divisional Forest Officer concerned.

(e) The Divisional Forest Officer shall cause an inspection of the estate or lot and if he is satisfied that there exists thereon, timber or other produce in accordance with that stated in column 5 of the statement on the reverse of Form A, he shall fill in column 6 of the statement and issue a permit in form B for such Quantity as he deems appropriate.

(f) A person to whom a license in Form B has been issued shall be entitled to extract free of royalty, from his estate or lot the quantities laid down in the license in accordance with the conditions specified therein during the period stated in the license.

(g) Every despatch of timber or other forest produce under the authority of the license in Form B shall be covered and accompanied by a certificate of origin issued by the licensee. Certificates of origin shall be in two forms, annexed to these rules, namely, Form C to be used when the timber or other forest produce is to be removed by shoulder loads and Form D when the timber or other forest produce is to be removed by any other means.

