

CHITTAGONG HILL TRACTS FOREST TRANSIT RULES, 1973

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

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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 unclassed 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.

(h) It shall not be lawful for any person to whom a license in Form B has not been issued to issue any certificate of origin or any other form of permit or pass purporting to authorise the extraction or export of any timber or other forest produce from his land.

Application for obtaining forms of certificate of origin shall be made in writing to the Divisional Forest Officer by whom the license in Form B was issued, giving the following information, namely:-

- (i) number and date of this license in form B;
- (ii) the number and the particular of the form (whether Form C or Form D) of certificate of origin required ; and
- (iii) six copies of the specimen signature of the person authorized to issue such certificates.

(i) The counterfoils of all certificates of origin issued by the license or his authorized agent shall be duly filled in at the time of issue and all books or certificates shall be liable to inspection, from time to time, by an officer of the Forest Department not below the rank of a Range Officer.

(j) All books of certificate of origin whether used, partially used or unused shall be returned to the Forest Officer from which they were obtained, within ten days from the date of expiry of the license in Form B which shall also be returned therewith and no fresh license shall be issued unless the provisions of the rule have been complied with.

(k) All timber and dugouts to be extracted from lands adjacent to reserved or protected forests shall be marked by a forest officer not below the rank of a Deputy Ranger before such timber or dugouts is removed from the place of felling.

(l) Any person importing, exporting or removing forest produce into, from, or within, the area specified in sub-rule (2) of rule 1 or any person in-charge of such forest produce shall produce the transit pass, permit or certificate of origin on demand by a Forest Officer or Police Officer.

(6) All timber or other forest produce in transit covered by a permit, certificate of origin or transit pass, issued in a district other than the Chittagong Hill Tracts shall be taken to the nearest revenue check station as specified in rule 6 on the route of extraction for examination, measurement counting and, if necessary, marking. The officer who checks the produce shall endorse the permit, certificate of origin or transit pass, as the case may be, as proof of his check or will issue a transit pass as provided in rule 5.

5. Movement of timber and other forest produce by road, rail and sea:-

(1) (a). The booking or moving of timber or other forest produce listed below by rail, vehicle, steamer, motor vessel, boat or other craft beyond the limits of the district of Chittagong Hill Tracts except under a Forest Department transit pass in Form 1674 is prohibited:-

- (i) timber in the log or rough hewn timber, fire-wood and charcoal, poles and house posts, boats and dugouts;
- (ii) bamboos and canes, mats, baskets and stick of bamboo or cane;
- (iii) forest leaves for thatching purposes, bark of all kinds, agar, catchu, lac, wild honey and wax;
- (iv) horns, skins and other parts or produce of wild animals and birds; and
- (v) any other produce defined as forest produce in clause (b) of sub-section (4) of section 2 of the Act.

(b) Where it is intended to export timber or other forest produce referred to in sub-rule (a) beyond the limits of the district of Chittagong Hill Tracts the permit issued under sub-rule (1) of rule 3 or sub-rule (2) of that rule, or the certificate of origin in Form D issued under clause (g) of sub-rule (5) of rule 4 shall be exchanged for a free transit pass in Form 1674 obtainable at the officer of the Divisional Forest Officer, Forest Utilisation Division, Chittagong.

(2) In the case of timber or other forest produce booked to a destination within the limit of the district of Chittagong Hill Tracts, Forest Directorate permit and certificate of origin shall be deemed to be transit passes for the purpose of these rules.

6. Stoppage of timber or other forest produce... (1) All timber or other forest produce to which these rules apply or any craft suspected to contain such produce shall be liable to stoppage by any Forest Officer on any route or at any Forest office in order that it may be produced examined or checked and that if any amounts are found due and payable on such produce, such amounts may be realized at the following revenue check stations namely.

Name of stations.	Situation	River, khal or stream.
1. Mainimukh	Junction of Mainimukh and Kassalong river	Maini and Kassalong
2. Barkal	Barkal	Karnafuly
3. Fringkyong	Near Chitmaram village	Karnafuly
4. Chandraghona	Chandraghona	Karnafuly
5. Alikadam	Alikadam	Matamohari
6. Raingkheong	Near Karnafuli Hydro - electric Project.	Karnafuly lake
7. Pablakhali	Junction of Kassalong and Pablakhali.	Kassalong and Pablakhali
8. Gattachara	Junction of Kassalong and Gattachara	Kassalong and Gattachara
9. Gulsakhali	Junction of Kassalong and Gulsakhali.	Kassalong and Gulsakhali.
10. Mohallya	Junction of Chota Mohallya and Kassalong.	Kassalong and Chota Mohallya
11. Pakuakhali	Junction of Bara Mohallya and Kassalong	Kassalong, Pakuakhali and BaraMohallya.
12. Marissa	Junction of Marissa and Kassalong.	Kassalong and Marissa Chara.
13. Kachuchari	Junction of Kachuchari and Shishak.	Kachuchari and Shishak.
14. Bagaichari	Bagaichari	Bagaichari
15. Kadamatali	Kadamatali Chara	Kadamatali Chara
16. Tintilla	Junction of Ranabanchara Kasslong	Kasslong and Ranabanchara
17. Banuichara	Banuichara	Banuichara
18. Pakurjachara	Pakurjachara	Pakurjachara
19. Gangaram	Junction of Gangaram and Kassalong	Kassalong and Gangaram.
20. Naraichari	Maini river.	Maini river.
21. Kassalongmukh	Junction of Kassalong river and Karnafuli river.	Kassalong and Karnafuli
22. Manikchari	On Rangamti-Chittagong Road near Manikchari bridge	Manikchari Khal
23. Silchari	On Chittagong-Kaptai Road	Karnafuli
24. Fringkheong	Area Kaptai.	

(2) Produce not covered by a pass shall be liable to detention for enquiry at the cost and risk of the owner claiming title to such produce.

7. Prevention and removal of obstructions in rivers: - (a) the closing up or obstructing of any river, stream or channel or the bank of any river stream or channel used or likely to be used for the transit of timber or other forest produce or the stoppage of a navigation of the same is prohibited.

(b) The Divisional Forest Officer may order any person who, by his act of negligence, has caused such closure, obstruction or stoppage to remove the same within a time as may be in the order specified or may cause such obstruction to be cleared and recover the cost of such clearance from the person by whose act or negligence it was so caused, if necessary as an arrear of land revenue.

8. Registration of property mark: - (a) All traders dealing in timber and dugouts shall mark such produce with a property mark which shall be registered with the Divisional Forest Officer and every such registration to continue in force shall be renewed each year before the 1st of July.

Each such Mark shall consist of a device or letter or numerals or a combination of them and shall be subject to the approval of the Divisional Forest Officer before registration;

Provided that any timber not removed from land for which a license has been issued under sub-rule (5) of rule 4 shall not be marked.

(b) the use of an unregistered property mark on timber and dugouts in transit is prohibited.

(c) A fee of one taka is liable for the registration of each property mark and of 25 (twenty-five) paisha for a each subsequent annual renewal of such registration, provided the certificate of registration is renewed before expiry.

(d) A certificate of registration in Form E showing the property mark registered shall be given to each person registering his mark.

(e) In the event of the registration of a property mark not being renewed the marking hammer, however, shall be produced to the registering authority within fifteen days of the date of expire of the certificate of registration for defacement and the expired certificate shall be surrendered for destruction.

(f) the loss of a certificate of registration or of a registered property mark hammer shall be reported immediately to the registering authority. A duplicate certificate of registration shall be issued on payment of 25 (twenty-five) paisha. A lost hammer shall not be duplicated but shall be replaced by a different property mark to be registered a new.

9. Penalties: - Any person infringing any provision of these rules shall be punished with rigorous imprisonment for a term which may extend to six months or with fine which may extend to taka five hundred or, with both.

APPENDIX FORM "A"

[See rule 4(5) (a)]

Application form for a license to extract timber or other forest produce free of royalty

1. Name of applicant.....
2. Father's name.....
3. Village, residence and thana.....
4. Jurisdiction list of the plots with
thana from which the timber or other
forest produce is to be removed. :
5. Survey number of the plots with

- Khatian number, or touzi number
if the Khatian cannot be filed.
6. Name of the Divisional Forest Officer under whose Jurisdiction the estate is situated.
 7. Name of the Khas Mahal office to which rent is paid.
 8. Route by which produce is to be removed.
 9. (a) Is the applicant undisputed 16 annas owner of the plots in question?
(b) Is he in khas possession of them?
- NOTE – Separate application is to be filed for each estate.

.....
Signature of the applicant

Report by civil authorities:

No., dated

Forwarded to the Divisional Forest Officer, Division.
According to records in my office the applicant is entitled to have the license if the produce as noted in column 5 on the reverse is available.

.....
Signature and Designation

Details of timber or other forest produce for which license is required and Forest Range Officer's report after enquiry.

N.B.-Column 1 to 5 shall be completed by applicant column 6 by Range Officer.

Item	Kind of timber or other forest produce	Number and date of license quantity allowed.	Quantity actually removed under last license.	Quantity for which license now asked for.	Quantity allowed by Range Officer after inspection.
1	2	3	4	5	6

.....
Signature of applicant

.....
Signature of Forest Range Officer

No....., dated.....

Returned to Divisional Forest Officer,Division, for information.

License No....., datedhas been issued for the quantities shown in column 6.

Range OfficerRange.

N.B.- If the quantities asked for above have been reduced, a report giving reasons for reduction shall be attached.

FORM B

[See rule 2(3) (e)]

Free License No ...

for...

19

To..... son of
of village....., police station.....

This license issued in accordance with the Chittagong Hill Tracts Forest Transit Rules, 1942. Framed by the Governor under sections 41, 42 and 76 of the Forest Act, 1927 (XVI of 1927), permit you to remove from -Lot No./Lot/Taluk No....., mauza....., police station..... by the route, timber or other forest produce of the kinds specified therein.

This license is issued subject to the conditions endorsed on the reverse hereof.

Schedule

Serial No.	Kind of timber or other forest produce.	Number/Quantity permitted.	Remarks
1	2	3	4

Date of issue

Range Officer,

Date of expiry

.....Range.

CONDITIONS

(1) No timber or other forest produce different in kind from or exceeding in amount, that specified in this license shall be exported.

(2) Every despatch of produce shall be covered accompanied by a Certificate of origin issued by the licensee or his authorised agent.

Note- The Certificate of Origin shall be in the approved forms **obtainable** from the Forest Range Office at cost price. Form "C" is to be used when the timber or other forest produce is exported, by any other means.

3. The amount of each despatch of produce shall be recorded at the time on a sheet of paper to be kept attached to this license noting the date and the serial number of the Certificate of Origin covering it.

4. This license is liable to be cancelled for a breach of any of these conditions or of any rule in force for the control of timber or other forest produce in transit. The licensee shall also be liable to any further penalty prescribed in rule 8 of the Forest Transit Rules.

5. This license, with the record of dispatches of produce attached, together with all books of Certificate of Origin, whether used, partly used or unused, shall be returned to the Forest Officer from whom they were obtained within ten days from the date of its expiry. Failure to observe this condition may **preclude** the licensee from obtaining any further such license and shall also render him liable to further penalty prescribed in rule 8 of the Forest Transit Rule.

FORM C
[See rule 2(3) (8)]
FOREST DIRECTORATE, BANGLADESH

.....Division

Book No..... Permit No

Certificate of Origin for removal of shoulder-borne timber or other forest produces from private lands.

.....,son of.....Village

police station,is permitted to remove one shoulder load of the following timber or other forest produce daily from the private lands of in accordance with license (Form B) No....., dated.....on the.....Range.

Serial No.	Description of timber or other forest produces	Route

This certificate will remain in force from theto the.....
Date of issue.....

FORM D
[See rule 2(3) (8).]

Counterfoil	Original

Book No....., Serial No.....

CERTIFICATE OF ORIGIN

Forest Directorate, Bangladesh

1. Locality of origin-
 - (a) Name or situation of forest
 - (b) Name of forest-owner
2. Name and address of owner of timber or other forest produce.....
3. Description of produce and quantity ..
-
4. Property-marks and other hammer marks (see reverse).
5. Destination
6. Routes
7. Date of expiry of certificate
-
8. Signature of Issuing Officer
9. Date

Book No, Serial No.....

CERTEICATE OF ORIGIN

Forest Directorate, Bangladesh

1. Locality of origin-
 - (a) Name or situation of forest
 - (b) Name of forest-owner
2. Name and address of owner of timber or other forest produce
3. Description of produce and quantity
-
4. Property-marks and other hammer marks (see reverse).
5. Destination
6. Routes
7. Date of expiry of certificate
-
8. Signature of Issuing Officer
9. Date

(No transit fees are payable)

FORM E
(See rule 7)
GOVERNMENT OF BANGLADESH
FOREST DIRECTORATE

Certificate of Registration of Property-mark

(Issued under rule 7 of the Chittagong Hill Tracts Forest Transit Rule, 1973)

1. The mark shown above is the registered property-mark of –

Name

Father's name

Village

Post Office

Thana

District

2. Date of expiry of registration – 30th June. 19.

Dated the19..

..... Division

(Signature)
Divisional Forest Officer

Form of Renewal of Registration

Date of renewal	Date of expiry	Signature and designation of renewing officer
30 th June. 19		
30 th June. 19		
30 th June. 19		
30 th June. 19		
30 th June. 19		

Forest Directorate
FORM OF CERTIFICATE OF REGISTRATION

Book No Certificate No

Certified that, son of caste inhabitant of in the thana of district, has this day registered a boat No of which the length is feet, of which the breadth is feet inches, of which the depth is feet inches. Maund capacity is maunds.

Station from which is issued

Date of issue

Date up to which registration will hold good.....19

Registration number and marks

Registration depot letter

Registration number

Year mark.....

Officer-in-Charge
.....station.