THE DEPARTMENT OF FORESTS & ENVIRONMENT MEGHALAYA



Paphiopedilum insigne

COMPENDIUM OF ACTS & RULES OF AUTONOMOUS DISTRICT COUNCILS

VOLUME - V

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Government of Meghalaya
Forests and Environment Department

COMPENDIUM OF ACTS & RULES OF AUTONOMOUS DISTRICT COUNCILS

VOLUME - V

Published By :

The Principal Chief Conservator of Forests & HOFF
Meghalaya

PREFACE

The Forests and Environment Department since its inception, has undertaken the onerous task of managing and protecting the flora and fauna of the State and the Country. For this purpose, several Acts & Rules have been passed both by the Central and the State Legislatures to empower the Department and the District Councils in fulfilling its mandate. These Acts & Rules have enabled the Department to manage and control the natural resources.

With the publication of the 5 (five) volumes of the State and the Central Forests Acts & Rules being implemented in the State of Meghalaya, the long felt need to provide a compilation of these Acts, Rules, Regulations and Executive instructions relating to Forests, Wildlife, Bio-Diversity and Environment etc has been realised. The painstaking work undertaken by a team of Officers viz Shri B. K. Lyngwa, IFS, Principal Chief Conservator of Forests (Admn), Shri J. M. Pohsngap, IFS, Conservator of Forests (CC, R & T) and Dr Manjunatha C, IFS, Planning Officer O/O Principal Chief Conservator of Forests & Head of Forests Force spread over a period of 10 (ten) Months has finally borne fruit. I commend the good work done by this team of dedicated Officers and assisting Staff.

I take great pleasure to dedicate this compilation of 5 (five) volumes in a set to the Officers and Staff of the Forests & Environment Department with a hope that it will help in effective functioning of the Department in general and the Executive frontline staff in particular who are, day in and day out, executing works to preserve and protect the rich natural resources of the State. This compilation will act as a useful guide to the forest staff to effectively carry out their duties to preserve our precious natural heritage for now and for the future generations.

Dated: Shillong
The 31st March, 2019

(C P Marak, IFS)
Principal Chief Conservator of Forests & HoFF
Shillong, Meghalaya.

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Garo Hills (Jhum) Regulation, 1954

THE GARO HILLS REGULATION NO. II OF 1954.

THE GARO HILLS DISTRICT (Jhum) REGULATION, 1954.

(Passed by the Garo Hills District Council)

(Received the assent of the Governor of Assam on the 6th December, 1954).

[Published in the Assam Gazette, dated 15th December, 1954]

A

Regulation

To provide for the regulation and control of the practice of jhum or other forms of shifting cultivation.

Preamble. Whereas it is expedient to provide for the regulation and control of the practice of jhum or other forms of shifting cultivation within the Garo Hills Autonomous District:

It is hereby enacted as follows -

Short title, extent and commencement.

1. (1) This Regulation may be called the Garo Hills (Jhum) Regulation, 1954.

(2) It extends to the whole of the Garo Hills Autonomous District.

(3) It shall come into force at once.

Definition

2. In this Regulation, unless there is anything repugnant In the subject or context —

(1) "Aking" means -

(a) any land held by a clan or 'machong' under the custody of the head of the clan or 'machong' called 'Nokma' recognized as such by the District Council;

(b) any land held collectively by a particular community of a particular village or group of villages which is under the custody of the head of the said community or group of villages called 'Nokma' recognized as such by the District Council;

(2) "District" means the Garo Hills Autonomous District;

(3) "District Council" means the District Council of the Garo Hills Autonomous District constituted under the Assam Autonomous Districts (Constitution of District Councils Rules, 1951;

(4) "Executive Committee" means the Executive Committee of the Garo Hills District Council;

(5) "Jhum" means any form of shifting cultivation;

(6) "Village" means an area where a number of families live together, having a distinct place, name and notified as such by the District Council in the Assam Gazette;

(7) "Jhumer" means any person who practices any form of shifting cultivation;

(8) "Laskar" means a Laskar recognized as such by the District Council.

[1][3. **Selection and allotment of land for Jhum** — (1) Subject to the provision of section 4, selection and allotment of land for jhum or any other form of shifting cultivation to each person or family within the Aking shall be made by the Nokma of that particular Aking in consulation with the residents thereof:

Provided that the area so selected and allotted shall, as far as practicable, be compact:

Provided further that in the event of any dispute or dissatisfaction with regard to the land so allotted by the Nokma to any particular person or family the matter shall be referred to the Village Council in whose jurisdiction the area falls.

(2) Any person aggrieved by an order of the Village Council passed under subsection (1) may appeal to the Chief Executive Member within the prescribed time. The order passed by the Village Council when no appeal is preferred and the order of the Chief Executive Member passed in the appeal, if any, shall be final and binding.

[2][4. **Prohibition of jhum in certain areas and by certain persons —** (1) No area shall be selected or allotted for jhum nor any person shall be allowed to practice jhum or cut any forest within -

(a) the radius of 400 meters of any water source or catchment area declared as such by an order of the Executive Committee ;

(b) a distance of 50 meters on either side of State Public Works Department and District Council roads;

(c) any area which is covered by sal and other valuable trees; and

(d) any Village or Community Forest constituted as such under section 17 of the Garo Hills (Forest) Act, 1958].

5. Fixation of cycle of jhuming - The Executive Committee shall be competent to fix the cycle of jhuming in different areas of the district.

6. Precaution against fire - It shall be the duty of the Nokma to take precautions and enforce necessary measures against the spread of fire at the time of burning the jhum within his Aking.

7. Recuperation of soil in the jhum area -

(1) The Executive Committee shall for the purpose of recuperation of soil fertility in jhumed areas, be competent to direct the jhumers to undertake the cultivation of any quick growing tree in the jhumed areas which would ordinarily have been left fallow and it shall be the duty of the Nokmas of the Akings to enforce the compliance with such orders as are issued by the Executive Committee for the benefit of the jhumers

1 & 2 Sec. 3 and 4 have been amended as such vide No. TAD/R/49/65 dated the 29th March, 1966 pubished in the Assam Gazettee on 6th April, 1966.

Provided that an individual jhumer who may in compliance with the directions issued under this sub-section or otherwise, undertake the cultivation of any quick growing tree in any jhumed area left fallow, shall acquire exclusive right to utilize the trees so planted by him and also the right to rejhum the land the fertility of which has been recuperated ;

Provided further that the Executive Committee shall be competent to issue directions that any jhumed area in which any quick growing tree has been planted shall not be rejhumed for such number of years as may be specified in the order issued by the Executive Committee under this proviso.

(2) The Executive Committee may pay such subsides as may be approved by the District Council to the individual jhumers for planning the trees in his jumped land under sub-section (1) of this section. The subsidy paid to any jhumer shall be repayable without any interest within such time as may be specified in this behalf by the Executive Committee.

8. Introduction of wet and other form of permanent cultivation in the Aking — The Executive Committee shall be competent to settle the cultural plain waste land in any Aking amongst the permanent residents thereof on the merits of each case and taking

the recommendations of the Nokma concerned into consideration;

Provided that should no one of the same Aking be interested in bringing under permanent cultivation any cultural plain and available for settlement, the Executive Committee shall give one month's notice through the Nokma of the Aking of the intention of the Council to settle such cultural waste land with any other suitable person permanently resident in the District who undertakes to accept settlement of any particular portion of such land to bring it under permanent cultivation;

Provided further that all lands settled with individual applicants under this sub-section shall be properly surveyed and assessed to land revenue in accordance with the law for the time being in force in the District.

9. Introduction of terraced form of cultivation and horticulture — (1) If any particular plot or plots of land in any Aking is found to be suitable for wet or other form of cultivation, the Executive Committee shall, notwithstanding any objection of the Nokma of the Aking concerned, be competent to initiate and encourage the residents thereof to start such cultivation;

Provided that in case the residents of the Aking are not interested or willing to start such terraced cultivation, the Executive Committee shall be competent to allow any other permanent resident of the District to occupy such land for purposes of starting terraced cultivation and such person shall on application to the Executive Committee and on settlement being granted acquire rights over the land to the extent specified in the order of the settlement.

(2) If any particular plot or plots of land in any Aking is found to be suitable for horticulture, the Executive Committee shall, not withstanding any objection of the Nokma concerned, be competent to initiate and encourage the residents thereof to start horticulture. Anyone interested in starting horticulture in such land, shall apply for settlement of the land to the Executive Committee and on settlement being granted shall acquire rights over the land to the extent specified in the order of settlement.

(3) Any land brought under terraced form of cultivation or horticulture shall be liable to assessment to land revenue in accordance with the law for the time being in force in the District.

10. Nokma to acquire right over land free of land revenue — The Nokma of the Aking shall be entitled to acquire right over land within his Aking up to the maximum of 10 bighas free of land revenue.

11. Restriction on shifting of village — No village in District shall be shifted from its existing site without the prior approval of the Executive Committee.

Provided that notwithstanding anything contained in this section the Executive Committee shall be competent, if it deems fit and with prior approval of the District Council to cause the shifting of any village or villages to a site of another village in order to establish one bigger and permanent village or for any other economic and sanitary reason ;

Provided also that in case the shifting of a particular village or villages is caused by the Executive Committee under the proceeding proviso such compensation as may be approved by the District Council may be paid to the families of the village or villages so caused to be shifted.

12. Penalty — Any person contravening any of the provisions of this Regulation or any rule made hereunder or any direction issued by the Executive Committee under the provisions of this Regulation shall be liable to a fine which may extend to rupees two hundred or in default to imprisonment of either description for a period not exceeding three months.

13. Saving — No appeal shall lie in any Court against any order of the Executive Committee under this Regulation.

14. Power of the Executive Committee — The Executive Committee shall, with the previous approval of the Governor, have the power to make such rules as may be deemed necessary for carrying out the provisions of this Regulations.

The Garo Hills District (Revenue Assessment) Regulation, 1953

REGULATION No. II OF 1953

Preamble Whereas it is expedient to provide for the levy and collection of certain taxes and tolls;

And whereas under sub-paragraph (4) of paragraph 8 of the Sixth Schedule to the Constitution of India, (hereafter referred to as “the Constitution”) the District council for an Autonomous District is empowered to make regulations for the levy and collection of taxes on lands and buildings, tolls on persons, taxes on professions, trades, calling and employments, taxes on animals, vehicles and boats, taxes on entry of goods into a market for sale therein, and tolls on passengers and goods carried in ferries and taxes for the maintenance of Schools, Dispensaries or roads;

2

THE UNITED KHASI-JAINTIA HILLS AUTONOMOUS DISTRICT (MANAGEMENT AND CONTROL OF FORESTS) ACT, 1958

KHASI HILLS AUTONOMOUS DISTRICT COUNCIL

SHILLONG THE 24th JANUARY, 1959

No. TAD/R/25/53- In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India the following Act of the District Council of the United Khasi-Jaintia Hills Autonomous. District which received the assent of the Governor of Assam is published below for general information: -

THE UNITED KHASI - JAINTIA HILLS AUTONOMOUS DISTRICT

(MANAGEMENT AND CONTROL- OF FOREST) ACT, I958

(Received, the assent of the Governor on 22nd January 1959)

(UNITED. KHASI - JAINTIA HILLS ACT, No. I, OF 1959)

(Published in the Assam: Gazette on 22nd January, 1959)

AN

ACT

To provide for the management and control of forests in the United Khasi - Jaintia Hills Autonomous District

Preamble:- Whereas it is expedient to make laws relating to the Management and Control of Forests in the areas of the United Khasi Jaintia-Hills Autonomous District within the jurisdiction of the District Council as specified in the Sixth Schedule to the Constitution of India.

It is hereby enacted by the District Council in the Ninth Year of the Republic of India as follows:-

1. **Short title, extent and commencement:-** (1) This Act shall be called the United Khasi - Jaintia Hills Autonomous District (Management and Control of Forests) Act, 1958.

   (2) It extends, to the whole of the: United: Khasi - Jaintia Hills Autonomous District as define in sub-paragraph 20 of. the Sixth Schedule to the Constitution of India.

   (3) It shall come into force at once.

2. **Definition and interpretation:-** In this Act, unless there is any thing repugnant in the subject matter or context otherwise requires:-

   [1][(a) "District Council" means the District Council of' the "Khasi Hills Autonomous District"]

   (b) "District Fund" means the District Fund of the United Khasi - Jaintia Hills Autonomous District constituted under paragraph 7 of the Sixth Schedule to the Constitution of India and "District" means the Autonomous District of the United Khasi - Jaintia Hills;

1. Substituted by the Fourth Amendment Act, 1987

(c) "Dolloiships" means those areas in the Jowai Subdivision known as "British Dolloiships" prior to the commencement of the Constitution of India. They are nineteen in number as shown in Appendix I;

(d) "Durbar" means the customary Durbar of the Syiem, Lyngdoh, Sirdar, Dolloi, Wahadadar, or head as the case may be;

(e) "Executive Committee" means the Executive Committee of the District Council of the United Khasi-Jaintia Hills Autonomous District, and the terms "Chief Executive Member" and "Member of the Executive Committee" shall be construed accordingly;

[2][(f) "Forest" means and shall be deemed to be a forest, if in the area, there are reasonable number of trees, say, not less than twenty five trees per acre, reserved or un-reserved or any other forest produce growing on such area, which have been or are capable of being exploited for purposes of business or trade.]

[3][(g) "Forest Officer" means any person appointed by name or is holding office by or under the Executive Committee and includes the Chief Forest Officer, an Assistant Forest Officer, Forest Ranger, Deputy Forest Ranger, Forester, Assistant Forester, Forest Guard or. any person or agent discharging the function of a Forest Officer under this Act or any rule thereunder;

[4][(h)] "Forest produce" includes:-

(1) Those which are found in or brought from a forest namely:- Timber, charcoal, caoutchouc, rosin, bark, myrabolam.

(2) Trees, plants not being trees including grass, creepers, reeds, canes, orchids; and

(3) Skin, tusks, horns, bones lacs and silk cocoons found in or brought from a forest.

[5][(i)| "Forest offence" means on offence punishable under this Act or any rule thereunder;

[6][j)] "Government" means the Government of Assam;

[7][(k)] "He" - The pronoun "He" and its derivatives are used so as to include any person whether male or female.

[8][(l)] "Magistrate" means a magistrate of the first class or second class and includes a magistrate of the third class when he is specially empowered by the Executive Committee to try forest offences [9][ ]

[10][(m)] "Prescribed" means prescribed by rules under this Act;

[11][(n)] "Rangbah kur" means the representatives of a family clan or (group of) joint clans;

(2 Inserted by the Amendment Act, I960.) (3, 4, 5, 6, 7, Renumbered by the Amendment Act, 1960 and the third Amendment Act, 1980.)
(8, 10 & 11 Renumbered by the Amendment Act, 1960 and the Third Amendment Act, 1980.)
(9 Omitted by the Second Amendment Act, 1979.)

[12][(o) "Reserved Forest" means any area which is a reserved forest [13][as define In sub-paragraph (2) of paragraph 3 of the Sixth Schedule to the Constitution of India;]

[14][(P)] "Reserved trees" are such trees as fnay be reserved by the order of the District Council;

[ls][(q)] "River" includes also streams, canals and other channels natural or artificial;

[16][(r)] "Raid" means a distinct unit within the Syiemship, Dolloiship, Lyngdohship, Sirdarship, or Wahadadarship composed of one or more villages;

[17][(s)] "Syiemship" means those areas known as "Khasi State" prior to the commencement of the Constitution of India. They are twenty five in number as shown in Appendix II,

[18][(t)] "Sirdarships" means those areas in the Shillong Subdivision known as 'British Sirdarship' prior to the commencement of the Constitution of India. They are thirty-one in number as shown, in Appendix III;

[19]I(u)] "Tree" includes palms, bamboos, slums, brushwood and canes;

[20][(v)] "Timber" Includes trees where they have fallen or have been felled, and all woods, whether cut of or fashioned or hollowed cut for any purpose.

[31][(w)] "This Act" means the United Khasi - Jaintia Hills Autonomous District {Management and Control of Forests) Act No 1 of 1959, as amended.)

3. Classification of Forest:- The forests to which this Act applies are classified under the following categories :-

(i) (a) Private Forest:- These are forests belonging to an individual or clan or joint clan which are grown or inherited by him or them In recognized private lands {Rikynti};

(b) Law-Ri-Sumar:- These are forests belonging to an individual clan or joint clans (which are grown or inherited] him or them in a village or common raj land.

(ii) Law Lyngdoh, Law Kyntang, Law Niam:- These are forests set apart on religious purpose and hitherto managed or controlled by the Lyngdoh on other person or person to whom the religious ceremonies for the particular locality or village or villagers are entrusted.

Explanation:- Lyngdoh in this particular respect is a religious head and not the administrative head mentioned in section 2 (s).

(13 Substituted by the Amendment Act, 1960).
(12, 14, 15, 16, 17, 18, 19, 20, 21 Renumbered by the Amendment Act, 1960 and the Third Amendment Act, 1980).

(iii) **Law--adong and Law--shnong:-** These are village forests hitherto reserved by the villagers them selves for conserving water, etc; for the use of the villagers and managed by the Sirdar or headmen with the help of the Village Durbar.

(iv) **Protected Forests:-** These are areas already declared protected for the growth of trees for the benefit of the local inhabitants and also forests that may be so declared by rules under this Act.

(v) **Green Block:-** These are forests belonging to an individual family or clan or joint clans and raj lands already declared as Green Block Government for aesthetic beauty and water supply of the town of Shillong and its suburbs and also forests that may be so declared by rules under this Act.

(vi) **Raid Forests:-** These are forests [22][looked after] by the heads of the Raid under the [23][management] of the local administrative head. [24][.....]

[25][(vii)] **District Council Reserved Forests:-** These are forests that may be so declared by the Executive Committee under this Act or the rules made -thereunder.

(viii) **Unclassed Forest:-** These are forests hitherto known as Unclassed State Forests before the commencement of the Constitution of India directly managed and controlled by the Government including any other forest(s) not falling within any of the above classification].

4. Management and Control:- (a) Private Forest and Law-Ri-Sumar shall be managed by the owners thereof subject to the rules that may be framed by the [26][Executive Committee] from time to time in the general interest of the forestry of the district.

(b) Law Lyngdoh, Law Kyntang, Law Niam, shall be managed by the Lyngdoh or person or persons mentioned in Section 3 (ii) above in accordance with the customary practice in vogue subject to the rules that may be framed by the [27][Executive Committee] from, time to time.

(c) Law Adong and Law Shnong shall be managed by the Sirdar or headmen mentioned in Section 3 (iii) above in accordance with the customary practice in vogue subject to the rules that may be framed by the [28][Executive Committee] from time to time.

(d) Protected Forests shall be [29][looked after] by the local administrative heads in accordance with the rules framed by the [30][Executive Committee].

(e) Green Blocks shall be [31][looked after] by the owners in accordance with the rules framed by the [32][Executive Committee].

(f) Raid Forest shall be managed by the heads of the Raid under the [33][management] of the local administrative heads subject to the rules to be prescribed by the [34][Executive Committee].

(22, 23, 24 substituted and deleted by the Amendment Act, 1960).
(25, 26, 27, 28, 29, 30, 31, 32, 33, 34, Substituted' and added by the Amendment Act, 1960).

[35][(g)] District Council Reserved Forests shall be owned, managed and controlled by the Executive Committee).

[36][(h)] Unclassed Forests shall be directly managed and controlled by the Executive Committee.

4-A. Whenever there is no unanimity among the joint owners or a dispute arises as to the right of ownership over any Private Forest, Law-Ri-Sumar or over any portion of forest included within a Green Block, or whenever a territorial dispute arises between the different local administrative units over any Raid Forest, or any other forest, the Executive Committee may, in order to avoid waste, damage and complications thereof which in its opinion are detrimental or likely to be detrimental to the interest of the forest in general and the parties concerned in particular, take over the management of such forests until the matter has been finally settled and shall managed them during such period in accordance with the provisions of this Act and the rules made thereunder as far as practicable.

5. Removal of forest produce:- No timber or forests produce shall be removed for the purpose of sale, trade or business from Protected Forest, Green Blocks, Raid Forests, [37][Unclassed Forests and District Council reserved Forests] without the order in writing of the Forest Officer of the District Council [3S][ ]

6. Reserved Trees:- The Executive Committee may [39][by notification in the Assam Gazette] declare certain trees to be reserved trees in addition to the following: -

1.	Diengblei.	5.	Diengngai.
2.	Diengnganblei.	6.	Dieng-agar.
3.	Niar-iong.	[40] [7.	Dienglaram.]
4.	Niar-lieh.	[41] [8.	Diengbai.]

7. Restriction on the felling of trees - Subject to Section 6 above [42][.....] no tree shall be felled in any forests mentioned in sub-sections [43][(i) (a) (b), (ii), (iii), (iv), (v), (vi), (vii) and (viii)] of Section 3 without the previous sanction of the Chief Forest Officer of the District Council or any officer duly authorised by him in writing.

[44][Provided that no tree below 1.37 metre in girth at breast height shall be felled]

[45][Provided however that the Executive Committee may by expressed order in writing, relax conditionally or unconditionally the operation of the foregoing proviso, in the case of special circumstances such as in the case of thinning in congested parches of young trees or in consideration of a planned re-afforestation and/or regeneration or in consideration of any other ground which could not be avoided provided that such ground shall be expressed in writing.]

(35 Substituted and added by the Amendment Act, 1960).
(36, 37, 38, 39, 40, 41 Substituted, inserted and deleted by the Amendment Act, I960).
(42 Deleted by the Amendment Act, 1960),
(43, 44 Inserted by the Second Amendment Act, 1979).
(45 Inserted by the Third Amendment Act, 1980).

8. Rates of Royalty:- The Executive Committee may make rules fixing the rates [46][and realisation] of royalty for each class of trees, timber or forest produce which shall be published in the Assam Gazette;

[47][Provided-

(i) That all royalty realized shall be credited to the District Fund.

(ii) That the royalty on timbers of the Reserved trees from Raid Forest, Unclassed Forests, Protected Forests shall be half the full rates in respect of persons living in the neighbouring area of the forests concerned where the timber is/are needed for, their own domestic use, that is for building purpose only. The Executive Committee may, however, relax this provision in case of timbers needed for public utility.

(iii) That no royalty shall be charged for the removal of timbers from Raid Forest. Unclassed Forest except reserved trees by the members of the Raid for their own domestic use or public purpose.

(iv) That the District Council shall annually give to the Syiemships a share of royalty at a percentage to be prescribe by it].

9. No tree shall be felled or removed from Law Lyngdoh, Law Kyntang, Law Niam except for purposes connected with religious functions or ceremonies recognized and sanctioned by the Lyngdoh or other persons in accordance with Section 4(b).

10. No tree shall be felled or removed from Law Adong except for genuine purposes of the village as may be sanctioned by the Sirdar or headmen in accordance with Section 4 (c).

11. All timbers or forest produce removed from Private Forests and Law-Ri-Sumar shall be liable to payment of [48][.....] royalty prescribed for such timber or forest produce under Section 8 above, [49][at a percentage as may, by notification, be fixed by the executive Committee] when exported beyond the District or when brought to Shillong in vehicles for purposes of trade.

[50][..,,.....]

12. Control over ferrying and transit of Forest produce:- (1) The control of all rivers and their banks as regards the floating of timber as well as the control of all forest produce in transit by land or water is vested in the Executive Committee which may make rules, e.g, to regulate the transit of any forest produce.

(2) Such rules, may. among other matters-

(a) Provided for the stoppage, reporting, examination and marking of forest produce in transit, in respect of which there is reason to believe that any money is payable to the District Council or to which it is* desirable for the purpose of this Act to affix a mark;

(46, 47 Inserted by the Amendment Act, I960).
(48. Deleted by the Second Amendment Act, 1979).
(49. Inserted by the Second Amendment Act, 1970).
(50. Deleted by the Amendment Act, 1960).

(b) Establish revenue stations to which forest produce is to be taken by the person in charge of it for examination or for realisation of such money or in order that such mark may be affixed to it and prescribe or authorise a Forest Officer, subject to such control as aforesaid to prescribe the conditions under which forest produce is to be brought to, stored at and removed from such revenue station;

(c) Provide for the management and control of such revenue stations and for regulating the appointment and duties of persons employed there at.

[51][(d) Regulate the establishment of saw mills or saw pits or workshops using or consuming timbers and prohibit, absolutely, or subject to conditions as may be specified in a permit which may be issued by the Executive committee for a particular or local area or for the whole Autonomous District in general, the establishment of saw mills or saw pits or workshop using or consuming timbers and including the coverting cutting, burning, concealing, marking or super marking of timber, the altering or effacing of any mark on the same and possessions or carrying of marking hammers or other implements used for marking timber].

(e) Regulate the use of property marks for timber and the registration of such marks, authorise the refusal or cancellation of the registration on any property marks, prescribe the time for which the registration of property marks is to hold good, limit the number of such marks which may be registered by any one person and provide for the levy of fees for such registration.

(3) The Executive Committee may direct that any rules made under this Section shall not apply to any specified class of timber or other forest produce or to any specified local area.

13. Powers to regulate felling of trees etc:- The Executive Committee shall have power to:-

(a) regulate or prohibit the kindling of fires, and prescribe the precautions to be taken to prevent the spread of fires;

(b) regulate or prohibiting the felling, cutting, girdling, marking, lopping, tapping or injuring by fire or otherwise of any trees, the sawing, conversion and removal, and the collection and removal of other forest produce;

(d) regulate or prohibit the boiling of catechu or the burning of lime or charcoal; regulate or prohibit the cutting of grass and pasturing of cattle and regulate the payment, if any, to be made for such cutting or pasturing;

(e) regulate the sale of free grant of forest produce; and

(f) prescribe or authorise any forest officer to prescribe subject to the control of the Executive Committee, the fees, royalties, or other payments for forest produce, and the manner in which such fees, royalties, or other payments are to be levied, in transit or partly in transit or otherwise.

(51 Substituted by the Third Amendment Act. 1980).

14. Penalty for Infringement of restrictions:- If any person infringes the provisions of Sections 5 and 11 he shall be punished with a fine which may extend to two [52][thousand] rupees, and in default of payment of fine, he may be liable to imprisonment which may extend to two months.

[53][Provided that the Chief Forest Officer may compound an offence under this section where the value of the timber involved does not exceed rupees one thousand],

15. Penalty for infringement of restriction:- If any person infringes the provisions of Section 7 he shall be punished with imprisonment tor a term which may extend to 3 months or with fine which may extend to Rs. [54][3000] or with both:

[55][Provided that the Chief Forest Officer may compound an offence under this section when the value of trees felled does not exceed rupees one thousand]

16. Penalty for infringement of restrictions:- If any person infringes the rules or directions made and issued by the Executive Committee under Section 13 he shall be punished with imprisonment for a term which may extend to three months or with fine which may extend to Rs. [56][3000] or with both;

[57][Provided that the offence may be compounded by the Executive Committee on realisation of a compound fee which may extend to Rs. [58][3000].

[59][16-A. On receipt of an offence report, it shall be the duty of the Chief Forest Officer to forward without delay such offence report, over which he has no power to compound, to a magistrate.as may be empowered the Executive Committee by a notification in the official Gazette, to try such offences and pass such orders or do such acts in accordance with the provisions of this Act and the rules made thereunder.]

17. Seizure of property Liable to confiscation:- (1) When there is reason to believe that a forest offence has been committed in respect of any forest produce, such produce together with all tools, boats and vehicles used in the commission; of such alleged offence may be seized by any forest officer.

(2) Every officer seizing any property under this section, shall place on such property a mark indicating that the same has been so seized and shall, as soon as may be, make a report of such seizure to the magistrate, having jurisdiction to try the person accused of the offence on account of which the seizure has been made, through his official superior.

Provided that when the forest produce with respect to which such offence is believed to have been committed is the property of the District Council and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report.of the circumstances to his, official superior.

18. Executive of Bond for the release of seized properties:- Any Forest Officer of a rank not inferior to. that of a Forester who or whose subordinate, has seized any tools, boats or vehicles under Section 17 may release the same on the execution by the owner or the person in charge thereof of a bond for the production of the property so released if and when so required before the magistrate having jurisdiction to try the offence on account of which the seizure has been made.

(52, 53, 54, 55, 56, 57 58, 59, Substituted and inserted by: the Second Amendment Act, 1979).

19. **Trial of the accused and disposal of property:-** Upon the receipt of any such report the magistrate shall take such measures as may be necessary for the trial of the accused and the disposal of the property according to law.

20. **Confiscation on conviction:-** (1) When any person is convicted of a forest offence all forest produce which is not the property of the District Council and in respect of which such offence has been committed and all tools, boats and vehicles used in the commission of such offence, shall be liable, by order of the convicting court to confiscation,

    (2) such confiscation may be in addition to any other punishment prescribed for such offence.

21. **Disposal of confiscated property:-** When the trial of any forest offence is concluded, any forest produce in respect of which such offence has committed shall, if it is the property of the district council or has been confiscated, be taken possession of by a Forest Officer specially empowered in this behalf, and, in any other case shall be disposed of in such manner as the court may order.

22. **Custody of seized property when offender is not known or absconds:-** (1) When the offender is not known or cannot be found, the magistrate enquiring into the offence, if he finds that an offence has been committed, may, on application in this behalf, order the property in respect of which the offence has been committed to be confiscated and taken possession of by a Forest Officer specially empowered in this behalf, or to be made over to such Forest Officer or other person as the magistrate may consider fit or entitled to the same.

    Provided that no such order shall be made till the expiry of one month from the date of the seizure of such property, or without hearing the person, if any, claiming any right thereto, and the evidence, if any which he may produce in support of his claim.

    (2) The magistrate shall either cause a notice of any application under sub-section (1) to be served upon any person whom he has reason to be interest in property seized, or publish such notice in any way which he may think fit.

23. **Disposal of perishable property seized:-** The magistrate may not withstanding anything herein before contained, direct the sale of any property seized under Section 17 which is subject to speedy and natural decay, and may deal with the proceeds as he might have, dealt with such property if it has not been sold.

24. **Appeals:-** Any person claiming to be interested in the property seized under Section 17 may, within one month from the date of any order passed by a magistrate under Section 20, Section 21 or Section 22 present an appeal therefrom to the Court to which order made by such a magistrate are ordinarily appellable.

25. **Disposal of seized property after appeal:-** When an order for the confiscation of any property has been passed under Section 20 or 22 and the period limited by Section 24 for presenting an appeal from such order has elapsed, and no such appeal has been presented or when, on such an appeal being presented, the appellate court .confirms such order in respect of the whole or a portion of such property, such property or portion, as the case may be, shall vest in the District Council free from all encumbrances.

26. Power to release seized property and withdrawal of charges:- Nothing herein before contained shall be deemed to prevent any Forest Officer or other Officer empowered in this behalf by the Executive Committee from directing, at any time, the immediate release of any property seized under Section 17 which is not the property of the District Council and the withdrawal of any charge made in respect of such property.

27. Punishment for malicious seizure:- (1) Any Forest Officer who vexatiously and maliciously seized any property on pretence of seizing property liable to confiscation under this Act shall be punished with imprisonment for a term, which may extend to six months or with fine which may extend to five hundred rupees or with both.

(2) Any fine so-imposed, or any portion thereof, shall, if the convicting court so direct, be given as compensation to the person aggrieved by such seizure.

28. Punishment with intent to cause damage or injury:- Whoever with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as define in the Indian Penal Code:-

a) knowingly counterfeits upon any trees or timber or mark used by forest officers to indicate that such tree or timber is the property of the District Council or of some person, or that it may unlawfully be felled or removed by some person, or

b) unlawfully affixes to any tree or timber a mark used by forest officer, or

c) alters, defaces or obliterates any such mark placed on any tree or timber by, or under the authority of, a forest officer, or

d) alters, moves, destroys or defaces any boundary mark, of any forest or waste land to which any provisions of this Act apply, shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 600 or with both.

29. Power to arrest without orders or warrant:- (1) Any forest officer may without order from a magistrate and without warrant, arrest any person reasonably suspected of having been concerned in any forest offence punishable with imprisonment for one month or upwards, if such person refuses to give his name and residence or give a name or residence which there is reason to believe to be false or if there is reason to believe that he will abscond.

(2) Every officer making an arrest under this Section shall without unnecessary delay, take or send the person arrested before a magistrate having jurisdiction in the case within a period of 24 hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate.

30. Duty of Forest Officers to prevent commission of forest offence - It shall be the duty of every forest officer to prevent and any such officer may interfere for the purpose of preventing, the commission of any forest offence.

[60]**[30-A.** All Forest Officers shall be deemed to be public servants within the meaning of Indian Penal Code].

(60 inserted by the Fourth Amendment Act, 1987).

31. (1) The Executive Committee may, by notification in the Gazette, empower a forest officer by name or as holding an office-

(a) to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence, other than an offence specified in Section 27 or Section 28, a sum of money by way of compensation for an offence which such person is suspected to have committed; and

(b) when any property has been seized as liable to confiscation to release the same on payment of the value thereof as estimated by such officer.

(2) On the payment of such sum of money or such value or both as the case may be, to such officer, the suspected person, if in custody, shall be discharged, the property, if any, seized shall be released and no further proceedings shall be taken against such person or property.

(3) No Forest Officer shall be empowered under this Section unless he is a Forest Officer who is in receipt of a monthly salary amounting, to at least Rs. 100 and the sum of money accepted as compensation under clause (a) of sub-section (1) of this Section shall in no case exceed the sum of rupees fifty.

32. Compensation in addition to punishment - (1) When any person is convicted of felling, cutting, girdling, marking, lopping or tapping trees, or of injuring them by fire or otherwise in contravention of this Act or of any rule thereunder, the convicting court may, in addition to any other punishment which it may award, order that person to pay to the District Council such compensation, not exceeding ten rupees for each tree, with the offence was committed, as it may deem just.

(2) If the person convicted of the offence committed is the agent or servant of another person, the convicting Court may, if after hearing that other person is satisfied that the commission of the offence was a consequence of his instigation, or of any neglected or default on his part, order him instead of the person who committed the offence, to pay the compensation, referred to in sub-section (1) of this Section.

(3) An appeal from any order under sub-section (1) or sub-section (2) of this Section shall lie to the court to which orders made by convicting court are ordinarily appeallable.

33. Forfeiture of lease, licence or contract on the commission of a forest offence:- When the holder of any lease, licence or contract whatsoever granted by or on behalf of the District Council or any of the purpose of this Act, commits an offence against this Act or any rule thereunder, or when any such offence is committed by an agent or servant of the holder of any such lease, licence or contract and the Executive Committee is satisfied that the commission of the offence was a consequence of the instigation of such holder or of any neglect or default on his part, the Executive Committee may, by order in writing, declare the lease, licence or contract to be forfeited in whole or in part with effect from a date to be specified in the order not being prior to the date or the commission of the offence.

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[61][34. **Powers to make rules for improvement of forest:-** The Executive Committee may, from time to time, frame rules not inconsistent with the provision of this Act for carrying out the purpose of this Act; more effectively on all or any of the following matters:-

(a) The improvement and management of the forests;

(b) The collection of royalty on timbers and forest produces;

(c) Providing uniforms to such forest officers as the Executive Committee may deem fit;

(d) Any other matter connected with the improvement, management, control and administration of forest.]

[62][35. No suit or legal proceedings shall lie against the Executive Committee or the officers for anything done or purported to have been done in good faith under this Act and in pursuance of any lawful notice or order issued under this Act and the rules made there-under]

(61. Inserted by the Fourth Amendment Act, 1987).

(62 Inserted by the Second Amendment Act, 1979).

APPENDIX - I
(Vide Section 2 (c))

1.	Amwi	Dolloishlp
2.	Darrang	Dolloiship
3.	Jowai	Doiloiship
4.	Lakadong	Dolloiship
5.	Mynso	Dolloiship
6.	Maskut	Dolloiship
7.	Nongbah	Dolloiship
3.	Nongtalang	Dolloiship
9.	Nongkhlieh	Dolloiship
10.	Narpuh	Dolloiship
11.	Nartiang	Dolloiship
12.	Nongjngi	Dolloiship
13.	Raliang	Doiloiship
14.	Rymbai	Dolloiship
15.	Satpator	Dolloiship
16.	Shangpung	Dolloiship
17.	Sutnga	Dolloiship
18.	Shilliangmyntang	Dolloiship
19.	Saipung	Sirdarship

APPENDIX - II
(Vide Section 2 (s)

I.	Bhowal	Syiemship
2.	Khyrim	Syiemship
3.	Cherra	Syiemship
4.	Jirang	Syiemship
5.	Mylliem	Syiemship
6.	Langrin	Syiemship
7.	Maharam	Syiemship
8.	Mawsynram	Syiemship
9.	Myriaw	Syiemship
10.	Mawiang	Syiemship
11.	Malaisohmat	Syiemship
12.	Nongkhlaw	Syiemship
13.	Nongstoin	Syiemship
14.	Nongspung	Syiemship
15.	Nobosohphoh	Syiemship
16.	Rambrai	Syiemship
17.	Lyniong	Lyngdohship
18.	Mawphlang	Lyngdohship
19.	Sohiong	Lyngdohship

20.	Wahadadarship	of Shella Confederacy
21.	Dwara	Nongtyrnem Sirdarship
22.	Mawdon	Sirdarship
23.	Mawlong	Sirdarship
24.	Nonglwai	Sirdarship
25.	Pamsanngut	Sirdarship

APPENDIX - III

(Vide Section 2 (t))

1.	Byrong	Sirdarship
2.	Jyrngam	Sirdarship
3.	Laitlyngkot	Sirdarship
4,	Laitkroh	Sirdarship
5.	Lakading	Sirdarship
6.	Myrdon	Sirdarship
7.	Mawmluh	Sirdarship
8.	Mawbeh Larkhar	Sirdarship
9.	Mawthang Sohkhyllung	Sirdarship
10.	Mawsmai Nongthymmai	Sirdarship
11.	Marbisu	Sirdarship
12.	Mynteng	Sirdarship
13.	Nongbah	Sirdarship
14.	Nongpoh	Sirdarship
15.	Nongkroh	Sirdarship
16.	Nongjri	Sirdarship
17.	Nongriat	Sirdarship
18.	Nongshluid	Sirdarship
19.	Nongriangsi	Sirdarship
20.	Nonglang	Sirdarship
21.	Monglyngkien	Sirdarship
22.	Monglait	Sirdarship
23.	Ramdait	Sirdarship
24.	Saitsohpen	Sirdarship
25.	Synnei	Sirdarship
26.	Sinai Mawshynrut	Sirdarship
27.	Sohbar	Sirdarship
28.	Tyrna	Sirdarship
29.	Tynrong	Sirdarship
30.	Tynriang	Sirdarship
31.	Uraniuh Tmar	Sirdarship

B. DOWERAH.
Dy. Secy, To the Govt of Assam Tribal Areas.

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THE UNITED KHASI-JAINTIA HILLS AUTONOMOUS DISTRICT (MANAGEMENT AND CONTROL OF FORESTS) RULES, 1960

THE 22nd AUGUST, 1960

No. DC. XIV-A/1/60.— In exercise of the powers conferred by Section 34 of the United Khasi-Jaintia Hills Autonomous District (Management and Control of Forest) Act, 1958. (Act No. 1 of 1959), hereinafter called the "Principal Act" the Executive Committee with the approval of the Governor having been duly received, is pleased to make the following rules for the purpose of management and control over those forests as envisaged in the aforesaid Act, namely,-

THE UNITED KHASI-JAINTIA HILLS AUTONOMOUS DISTRICT (MANAGEMENT AND CONTROL OF FORESTS) RULES 1960.

1. Short title, extent and Commencement

(a) These Rules shall be called the United Khasi-Jaintia Hills Autonomous District (Management and Control of Forests) Rules, 1960

(b) They shall have the like extent as the Principal Act.

(c) They shall come into force with effect from the date the Principal Act came into force.

2. Definition- In these Rules, unless there is anything repugnant in the subject and unless the context otherwise requires, words and expressions used in the Principal Act and not defined in these Rules have the meaning as assigned to them in the Principal Act, and further the following words and expressions as respectively assigned here under:

(i) "Act means the United Khasi-Jaintia Hills Autonomous District (Management and Control of Forests) Act, 1958.

(ii) "Forest"- An area shall be deemed to be a forest within the meaning of the Principal Act if there are a reasonable number of trees, say, not less than 25 trees per acre reserved or unreserved or any other forest produce growing on such area, which have been or are capable of being exploited for purposes of business or trade;

(iii) "Section" means a section of the Act.

CHAPTER 1

RULES FOR REGISTRATION OF FORESTS

Registration of Private Forests and Law-ri-sumar

[Section 4 (a)]

3. With the commencement of the Act, the Chief Forest Officer or any other Officer especially empowered by the District Council, in this behalf, shall call upon the Syiems, Sirdars, Dollois, or any other local administrative heads to submit by a prescribed date a list of all Private Forests and Law-Ri-Sumar within their respective jurisdictions stating the names and addresses of persons owning such forests together with the boundaries and such other particulars of the Forests as may be required to be furnished.

4. On receipt of such lists, the Chief Forest Officer shall notify the owners of Private Forests and Law-Ri-Sumar to submit, by a date to be fixed the particulars in respect of Forests owned by them together with a map of the areas, as prescribed in Appendix I and any other particulars as the Chief Forest Officer deems necessary.

5. On receipt of the necessary particulars furnished by each owner, the Chief Forest Officer shall publish the lists of all Private Forests and Law-Ri-Sumar at the Offices of the District Council as well as at the offices of Syiems, Dollois, Sirdars or any other local administrative head within whose jurisdiction such forests are situated and at such other places as he may consider necessary calling for objections or claims with regard to the ownership, area boundaries and other particulars of such Forests.

6. The Chief Forest Officer, as soon as possible, on receipt of any claim or objection either himself, or depute an Officer not below the rank of Rangers, to enquire into such objections and claims and other particulars of the Forest after due notice to the parties and pass such orders as he may think fit:

Provided that if the claims or objections involve any question or right or title with regard to the area, boundary or ownership of such Forests, the parties shall be referred to the appropriate Court of law, and if no action is taken by the parties within a period of three months the Chief Forest Officer shall proceed with the enquiry in accordance with the procedure hereinafter provided.

7. An appeal against the order of the Chief Forest Officer shall lie to the Executive Committee whose order shall be final.

8. On completion of the enquiry under Rule 6 or disposal of any appeal, or civil proceedings if any as the case may be, the Chief Forest Officer shall enter into a Register to be maintained for the purpose all the Private Forests and Law-Ri-Sumar with the particulars as set forth in Rule 4 of these rules, and also make a final publication of such forests in the manner as prescribed in Rule 5.

9. The order of the Chief Forest Officer on the final registration of Private forests and Law-Ri-Sumar shall not be called in question except in a competent Court of Law, and the entry in respect of any such Forest shall be modified only according to the order or decree passed by such Court.

10. Any change in the ownership, area, boundaries or the particulars of private Forests and Law-Ri-Sumar taking place by reason of transfer, inheritance, gift or other-wise shall be reported by the registered owners thereof or persons claiming right or interest on such forests by virtue of any valid transaction, to the Chief Forest Officer, within 3 months from the date of such changes taking place, and the Chief Forest Officer shall thereupon make necessary changes in respect of such forests in the Register after such enquiry as he deems necessary.

Provided that an appeal against the order of the Chief Forest Officer shall be to the Executive Committee and its order on such appeal shall be final.

Registration of Law Lyngdoh, Law Kyntang, Law Niam, Law Adong and Law Shnong.
[(Section 4 (b) & (c)]

11. The above rules shall apply *mutatis mutandis* for registration of Law Lvngdoh, Law Kyntang, Law Niam, Law Adong and Law Shnong and, in each case, the persons incharge of management of such forests shall be called upon to furnish the necessary information in respect thereof.

Registration of Protected Forests and Green Block

[(Section 4 (d) & (e)]

12. When in the opinion of the District Council, it is necessary to constitute any forest or area not forming part of any of the forest defined in Section 3(i) (a), (b), (ii) and (iii) of the Act, into a Protected Forest or Green Block, in the general interest of the forestry of the district or any purposes ancilliary thereto, it shall cause a survey and demarcation of such area and collection of such other details as to the nature and occurrence of any forests produce standing thereon, as may be considered necessary.

13. On completion of such survey and demarcation, the District Council shall issue a notice calling for objections and claims against the constitution of the area into a Protected Forest or a Green Block, as the case may be, within a period of not less than 60 days. The notice shall be issued in such form as the District Council may from time to time prescribe.

14. On receipt of objections and claims, if any, the District Council shall depute the Chief Forest Officer or any other Officer not below the rank of a Sub-Deputy Collector or an Assistant Revenue Officer, to enquire into such objections and claims and submit a report embodying his findings.

(a) The Executive Committee of the District Council after examining the report of the Officer making the enquiry and after such further enquiry as it may think fit to make, shall by an order determine the area to be constitute into a Pro-tected Forest or Green Block and declare the same, by publication, in the Official Gazette, setting forth the boundary, location and other necessary particulars of the area, as a Protected Forest or a Green Block, as the case may be,

(b) Upon such publication the owners of those forests, without prejudice to the rights, titles; interests in respect of such area shall not fell, remove, dispose of, sell, destroy or exploit the trees therein without the permission of the District Council, which permission may be given in accordance with these rules in the interests of the protection and re-generation of these forests.

Registration of Raid Forests ;

(Section 4 (f))

15. With the commencement of the Act and before or after enforcement of the rules made thereunder, the Chief Forest Officer shall call upon all Syiems, Wahadar, Lyngdohs, Sardars, Dollois or any other local administrative heads to submit by a prescribed, date a list of all Raid Forests situated within their respective jurisdictions with the particulars as given in Appendix II.

16. On receipt of the lists of Raid Forests together with the details are required to be furnished under Rule 15, the Chief Forest Officer shall publish such lists at such places and in such manner as will ensure wide publicity, calling for claims and objections within a period of not less than 60 days.

Provided that if no such list is furnished by any of the agencies called upon to do so within the prescribed period, the Chief Forest Officer shall cause a list of Raid Forests in any particular area to be prepared after such enquiries as he may consider necessary.

17. On the expiry of the period of 60 days or as soon as possible thereafter, the Chief Forest Officer shall himself, or depute an Officer not below the rank of a Ranger, to enquire into such claims and objections, if any, received as well as to verify the informa tion furnished in respect of each Raid Forest, after due notice to the parties interested and other local administrative heads concerned.

18. (a) On completion of the enquiries, the Chief Forest Officer, shall submit a report embodying his findings on the claims and objections, if any, filed and also on the accuracy or otherwise of the particulars of the Raid Forest furnished by Syiems, Sirdars, Dollois and other local administrative heads to the Executive Committee, for orders.

(b) The Executive Committee shall, after examination of the report and such further enquiry as it may consider necessary, pass final orders in respect of each Raid Forest affirming or revising the particulars recorded, and cause final publication of the lists of Raid Forests in the official Gazette or in such other manner as the Executive Committee may prescribe.

19. All Raids Forests shall be entered in a Register to be maintained for the purpose with the necessary particulars.

20. Entries in the Register in respect of any Raid Forest shall not be called in question except in a competent Court of Law.

CHAPTER II

RULES FOR THE MANAGEMENT OF FORESTS

Management of Private Forests and Law-Ri-Sumar

[(Section 4 (a)]

21. No owner of, or any person having any valid interest or right over any private forest or Law-Ri-Sumar shall dispose of by sale, mortgage, lease, gift, barter or otherwise any reserved or unreserved trees or any other forest produce except with the previous approval of the Chief Forest Officer or any other officer whom the Executive Committee may authorise in this behalf.

Provided that any lease executed by owners of Private Forests with Contractors shall be subject to review or revision by the Executive Committee which shall have power to alter, amend, modify the terms or conditions of the lease.

22. Whenever before or after completion of registration of the Private Forests or Law-Ri-Sumar as provided for in Chapter I of these rules, any owner or person having any valid right or interest over such forests, who wishes to dispose of by sale, mortgage lease, gift, barter or otherwise any reserved or unreserved trees or any other forest produce growing on such forest, shall apply to the Chief Forest Officer, stating the particulars as given in Appendix III and such other terms and conditions of the transaction as the Chief Forest Officer may ask for

23. Such application shall be submitted through the Syiem, Sirdar, Dolloi or any other local administrative heads, as the case may be, who shall forward the same to the Chief Forest Officer with his comment thereon together with a certificate about the right, title or interest of the applicant over such forest and the names and address of other persons, if any, having share or interest therein.

24. On receipt of the application the Chief Forest Officer may, after such enquiry as he may consider necessary, accord approval to the disposal of trees or other forest produce subject to :-

(a) a limit in number and girth class and other restriction on disposal based on silvicultural principles, in the case of trees ;

(b) a quantitative limit in the case of the other forest produce ;

Provided that where the transaction involves sale of more than 100 trees at a time or where the duration of the agreement or lease exceeds one year, the order of the Chief Forest Officer shall be subject to the approval of the Executive Committee.

(c) The Chief Forest Officer, may, for reasons to be recorded in writing, reject any application or accord approval subject to such conditions as he may deem fit to impose.

25. An appeal against the order of the Chief Forest Officer shall lie to the Executive Committee.

26. The applicant, on receipt of approval under Rule 24, shall submit a draft of the agreement in respect of the transaction, to the Chief Forest Officer for approval, and on approval thereof by the Chief Forest Officer, the parties shall execute the agreement and deposit a copy of the signed agreement in the office of the. Executive Committee District Council.

27. 'No tree shall be felled or removed unless a Forest Officer of the District Council has marked such trees in accordance with any direction which the Chief Forest Officer may issued in this behalf after realising costs for marking at such rates as the Execurive Committee may fix from time to time.

28. No timber after conversion shall be removed from tree sites unless it has been piece marked by a duly registered property hammer of the owner of the Forest and accompanied by a certificate of origin granted by him in the form as prescribed herein-after under these Rules. Such timber shall also be marked by the registered property hammer of the purchaser or lessee working the forests.

29. No timber extracted from a private forest or Law-Ri-Sumar shall be taken outside the jurisdiction of the District Council or to the town of Shillong, for purposes of sale, trade or business, unless such timber has been taken to a revenue station established by the District Council and royalty or any other dues payable on such timber under this Act or any other law for the time being in force, has been paid in full, and a Transit Pass in the prescribed form (Appendix VIII) granted by the officer in charge of the Revenue Station authorising movement of such timber.

30. The above rules shall apply, with effect from the date they come into force, to all trantactions involving disposal of reserved or unreserved trees or any other forest produce from any private forest or Law-Ri-Sumar concluded before such date, and shall be binding on the parties to such transactions.

Management of Law Lyngdoh, Law Kyntang and Law Niam

[(Section 4 (b)]

31. (a) No timber or forest produce from Law Lyngdoh, Law Kyntang and Law Niam shall be removed for sale, trade or business but if any timber of forest produce is required for religious purposes, a free permit for the purpose shall be obtained from the Chief Forest Officer or any forest officer authorised by the Executive Committee on his behalf, on application by the Lyngdoh or other person or persons to whom the religious ceremonies for the particular locality or villages are entrusted with the recommen-dation of the Lyngdoh through the local administrative heads.

(b) The Chief Forest Officer or the authorised Forest Officer of the District Council shall grant a free permit in the form as prescribed in Appendix IV specifying therein the quantity of the timber or other forest produce and the particulars part of the forest from which such timber or forest produce shall be removed ;

Provided that no trees shall be felled unless they have been marked by an officer of the District Council.

Management of Law Adong and Law Shnong

[Section 4 (c)]

32. No trees in Law-adong and Law Shnong Forest shall be felled removed except with the previous permission of the Chief Forest Officer provided that such timber is required for any bonafide public purpose undertaken by the villagers.

The Chief Forest Officer in granting such permission shall specify the quantity of timber to be removed and have the required number of such trees marked for the purpose. Such permission may be granted in the form as prescribed in Appendix IV.

33. If any person infringes any of these rules he shall be punished with a fine not exceeding Rs. 300 and in default of payment of fine to imprisonment which may extend to three months.

Provided that any Forest Officer who is in receipt of a monthly salary of not less than Rs. 100 may compound the offence and the sum of money to be realised as cornpound fee shall in no case exceed Rs. 50.

34. Without prejudice to any action taken or liable to be taken under the preceding rule, the Chief Forest Officer may, in addition, suspend any operation involving cutting, felling, conversion or removal of any timber from any forest until the disposal of the criminal proceedings instituted, or till such time as the person engaged in such operation has complied, with any direction of the Chief Forest Officer or the Executive Committee, as the case may be, in pursuance of the rules.

Management and Control of Protected Forests and Green Blocks

[(Section 4 (d) and (c)]

35. Whenever in the opinion of the Executive Committee, it becomes necessary to dispose of any reserved or unreserved trees or any other forest produce in any Protected Forest or Green Block comprising Raid land only the Executive Committee shall authorise the Chief Forest Officer to arrange for disposal thereof by auction, tender or negotiation and on such terms and conditions as may be prescribed.

36. The Chief Forest Officer, on receipt of the order of the Executive Committee, shall issue a notice setting forth therein the description number or quantity of any trees or forest produce, the amount of earnest money and security to be deposited and such other term and conditions of the sale as he may consider necessary and fixing a date on which auction shall be held or tender submitted.

Provided that in the event of any settlement by negotiation, the Chief Forest Officer shall submit his recommendations with regard to the party, rate and other terms and conditions of settlement to the Executive Committee for orders, and the Executive Committee may pass such orders as it may think fit.

37. All sale by auction or tender shall be subject to the approval of the Executive Committee except where the District Council by a special order empowers the Chief Forest Officer to approve sales upto a specified limit of the bid value.

Provided that any appeal against the order of the Chief Forest Officer shall lie to the Executive Committee whose order on such appeal shall be final.

38. The District Council may, by a resolution passed in a session, fix the proportion according to which the revenues derived from a Green Block comprising Raid land only shall be divided between the District Council and the Syiem or any local Administrative Head, as the case may be.

Management of Raid Forests

[(Section 4 (b)]

39. The Chief Forest Officer either on his own motion or on the recommendation of the Syiem, Wahadadar, Lyngdohs, Dollois or any other local administrative head within whose jurisdiction any Raid Forest is situated, may from time to time determine upto the limit of the royalty value of trees amounting to Rs. 500, the number and class of any trees or quantity of any forest produce, standing on such Raid Forest, for disposal in the interest of the revenue of the District Council in general and of the Syiemship, Wahadadarship, Lyngdohship or Sirdarship and Dolloiship in particular.

Provided that the Chief Forest Officer, with the previous approval of the Executive Committee, shall be competent to reject any recommendation for disposal, from any Syiem, Sirdar, Dolloi or any other local administrative head concerned when in his (Chief Forest Officer) opinion such disposal is premature or detrimental to the general interest of the forestry of the District.

40. Sale of trees or other forest produce from a Raid Forest shall be by auction tender or negotiation or in such other manner as the Executive Committee, may from time to time determine in each case.

41. (a) In case of any sale by auction or tender, the Chief Forest Officer shall issue a notice setting forth the particulars as given in Appendix V and other terms and conditions as the Chief Forest Officer may think fit to add.

(b) The notice shall be served in such manner as will ensure the widest publicity.

(c) In case of any settlement by negotiation, the Chief Forest Officer shall put up his recommendation as to the party, rates of royalty, duration of the agreement and other terms and conditions of settlement, to the Executive Committee for orders, along with the recommendations or comments of the local administrative heads concerned on such proposal for settlement.

The Executive Committee may pass final order in such proposal for settlement.

42. The Executive Committee may pass final order in such proposal for settlement.

43. The Chief Forest Officer shall be competent to approve all sales by auction or tender subject to such financial limit in the bid value as may be prescribed by the Executive Committee from time to time: Provided that an appeal against the order of the Chief Forest Officer in respect of sale or settlement approved by him shall lie to the Executive Committee whose order such appeal shall be final.

44. The financial limits to be fixed by the Executive Committee under Rule 43 shall generally be with reference to the outright value of any sale but when any sale or settlement is based on royalty, royalty-*cum*-monopoly or tree rate basis, the outright value shall be computed on the basis of the approximate outturn of timber or forest produce, as the case may be in respect of the particular transaction, for the purpose of determining the jurisdiction of the agencies authorised to approve the sale or settlement.

45. On approval of any sale or settlement, an agreement in a form to be prescribed for the purpose embodying all the terms and conditions of sale or settlement shall be executed by an Officer of the District Council specially authorised in this behalf as vendor on one hand as first party and the vendee on the other hand as second party,

46. (a) All contracts validly executed prior to the enforcement to these Rules and subsisting on the date of such enforcement and relating to disposal of any forest produce in a Raid Forest-whether by way of sale, lease, mortgage, gift, exchange or otherwise, shall be subject to these Rules and notwithstanding anything contained in such contracts, the Chief Forest Officer shall determine the number and class of trees or the quantity of any forest produce that may be extracted thereunder.

(b) No forest produce extracted under any such contract shall be removed from the Forest except on payment of such royalties as may for the time being in force for such forest produce and except in compliance with the Rules in Chapter III and IV.

CHAPTER III

RULES FOR THE REMOVAL OF FOREST PRODUCES FROM RAID FOREST, GREEN BLOCK, PROTECTED FOREST AND RESTRICTIONS IN FELLING, ETC.

[(Section 5, 7 and 11)]

47. Save as provided in these rules or under the Act, no trees, reserved or unreserved, shall be felled, cut, girdled, tapped or injured by fire or otherwise, no timber shall be sawn, converted or removed and no other forest produce collected and removed except under and subject to the conditions of a Trade Permit as prescribed in Appendix VI or of a Home Consumption Permit as prescribed in Appendix IV, as the case may be, or under the terms or conditions of a sale by auction, tender or lease, as may be sanctioned by the Chief Forest Officer or any other competent authority under the District Council from any Green Block comprising Raid land and, Protected Forest or Raid Forest:

Provided that in the case of Green Blocks comprising of or within private forests, *viz* Green Block Nos. II, III, IV and V around the town of Shillong, the rights and title of the owners of such lands shall not be distrurbed except that owners of such forests requiring to cut trees there from for their own domestic use shall seek for permission to do so through their respective 'Rangbah Kurs' to the Chief Forest Officer who on receipt of such application duly recommended and approved by the recognised 'Rangbah Kur' and on being satisfied of the genuineness of the requirements, will issue a 'Home Consumption Permit" free of charge and will then depute a Forest Officer to mark the trees for felling and removal in accordance with the 'Home Consumption Permit'.

48. Trade Permits are not transferable and shall ordinarily be issue for any period not exceeding twelve months but the period of any such permit may be extended upto a further maximum period of twelve months at the discretion of the Chief Forest Officer and on payment of a fee which shall not exceed 25 per cent of the royalty on the forest produce to be removed under the permit. The Chief Forest Officer may, however, remit the fee altogether in cases in which he considers this justified.

49. Forest produce removed under a trade permit shall be charged royalty at such rates and realised in such manner as my be prescribed by the Executive Committee from time to time.

Any alterations in the Schedule of rates of royalty shall be notified in the official gazette of the State Government from time to time and copies of such notification shall be posted on the notice boards of the District Council Office, all Forest Range offices, and revenue and check stations under the control of the District Council.

50. A Home Consumption permit for timber from reserved trees from any Raid Forest (in the Form as prescribed in Appendix IV) may be granted to any person living in the neighbourhood of Raid Forest for domestic use, *i.e*., building purpose only, by a Forest Officer in charge of a Range for any quantity subject to any limit as may be fixed by the

Executive Committee, at half the full rates of royalty in force for the time being, to be realised in such manner as may be prescribed in the Permit.

51. Home Consumption permits are not transferable and shall be issued for a period not exceeding six months but the Chief Forest Officer may extend the period for a further period of six months on payment of such fee as he may think fit to impose.

Provided that the Chief Forest Officer may in his discretion remit the fee altogether in any particular case.

52. Royalty at half the full rate as prescribed under Section 8, or in such propor-tion in cases where trees are sold and trees rate or outright basis, as the Executive Committee may determine in each case, shall be payable on timber or Forest Produce only removed from Private Forest or Law-Ri-Sumar in vehicles going outside the district of United Khasi-Jaintia Hills or to the town of Shillong for the purposes of trade or business.

53. If any person infringes any of these rules he shall be liable to be punished with a fine which may extend to two hundred/ rupees and in default of payment of fine to impris onment which may extend to two months,

Provided that any Forest Officer in receipt of a monthly salary of not less than Rs. 100 may compound the offence and the sum of money imposed as compound fee shall in no case exceed Rs. 50 in addition to any royalty or other dues payable on any timber forming the subject of the offence.

CHAPTER IV

TRANSIT RULES

(Section 12)

54. All Forest produces brought by land or water shall, for purposes of check halt at their respective revenue stations established by the District Council from time to time in accordance with these rules.

55. No forest produce shall be removed unless covered by a pass which shall be in the form of: —

(i) A permit issued by a duly authorised Forest Officer under the rules relating to the Protected Forest, Green Block and Raid Forest allowing the holder to remove forest produce from a specified locality;

or

(ii) a certificate of origin in the form prescribed in Appendix VII in the case of Forest produce from private forest or Law-Ri-Sumar. Such certificate must be issued by the owner of such land or his duly authorised agent and must bear such signature or stamp of the owner or his agent as has been previously re-gistered in the Chief Forest Officer's Office, and such certificate shall be produced by the holder at the revenue station specified therein to be dealt with as noted hereafter;

Note : The Certificate of origin shall be issued in all cases whether the owner himself or any other person removes the produce.

(iii) a transit pass in the form prescribed in Appendix VIII issued by a Forest Officer, authorised by the Chief Forest Officer, in token of full payment of all amounts due to the District Council on account of the forest produce covered by it. In special cases, the Chief Forest officer may permit the issue of transit passes by any person duly authorised by him.

56. The places mentioned in Appendix IX to these rules, and such others as may from time to time be prescribed by the District Council, shall be the revenue stations for the purposes of these rules.

57. (a) All forest produces in transit covered by a permit or a certificate of origin shall be taken to the nearest revenue station staffed by the District Council on the route of extraction, except in case provided for in Rule 58 by the person or persons in charge of such forest produce and detained there for examination, measurement, or counting and marking, if necessary, by the officer in charge of the revenue station.

(b) No forest produce in transit taken to a revenue station shall be moved within such station between sunset and sunrise without the permission of the officer in charge of the revenue station nor shall such forest produce be moved away from the revenue station until a transit pass as prescribed in these rules has been issued by him.

(c) in the case of forest produce in transit covered by a permit or a certificate of origin and intended to be exported beyond the district within which it has been collected, a transit pass as prescribed hereinbefore shall be obtained by the person in. charge of such forest produce from the duly authorised Forest Officer in charge of a revenue station in exchange for the permit or the certificate of origin, and such forest produce shall not be booked or removed by road, or a boat unless covered by such transit pass. When the destination of such forest produce is within the district, the permit or certi-ficate of origin shall be endorsed by the duly authorised officer in charge of the revenue station in token of full payment of all amounts due to the District Council and such endorsed permit or certificate of origin shall be deemed to be the transit pass required under these rules:

Provided that it shall be within the power of the officer in charge of a revenue station to refuse to grant a transit pass or endorse a permit or a certificate of origin if he has reason to believe the permit or certificate of origin covering the forest produce to be false or if full payment of all amount due to the District Council in respect of the forest produce has not been made.

58. Should the person or persons in charge of any forest produce in transit desire to stop, land, cut up, convert or utilize any such produce before taking the same to a revenue station, he or they shall obtain the permission in writing of the officer in charge of the nearest revenue station. Such Officer shall, if he deems fit to grant the permission, proceed in respect of the forest produce as if it had been taken to a revenue station.

59. All amounts due to the District Council whether as royalty, or on any other account, in respect of any forest produce in transit shall be paid in such manner as ordered by the Chief Forest Officer.

60. All Forest produce in transit may be stopped and inspected at any place by any Forest Officer and all persons in charge of such forest produce shall be bound to produce

the permit, the certificate of origin, or the transit pass covering such forest pro-duce when called upon to do so by the Forest Officer.

61. Except with the previous sanction in writing of the officer in charge of the nearest revenue station, and under conditions imposed by the Chief Forest Officer with the approval of the Executive Committee, no person shall establish or convert timber at a sawmill or sawpit within one mile of the cold season bed of any river used for the transport of timber. Such sanction or conditions may, with the approval of the Chief Forest Officer be rescinded or modified by the Officer in charge of the revenue station by giving six months' notice in writing. This rule applies only to the establishment of regular sawmills or sawpits and does not apply to the casual sawing of timber grown on private land or inside forest coupes sold under the order of any competent authority under the District Council.

62. All traders wishing to transport timber (except bamboo and cane) from the forests, shall have their property marks registered in the office of the Chief Forest Officer in the manner hereinafter prescribed and all their timber in transit shall bear their registered property marks. No transit pass shall be issued for such timber in transit unless it bears a registered property mark."

63. (a) For the registration of a property mark a written application should be submitted to the Chief Forest Officer and a sketch of the proposed mark together with a written description, and a fee of Rs. 20 shall be sent with the application.

(b) No fee shall be charged for the registration of a property mark which has already been registered by the Divisional Forest Officer, United Khasi-Jaintia Hills and is still in force.

(c) The registration of a property mark shall hold good for three years from 1st April preceding the date of its first registration whether it has been registered in the office of the Divisional Forest Officer, United Khasi-Jaintia Hills or the office of the Chief Forest Officer.

(d) A certificate in the form prescribed in Appendix X shall be granted for the registration of property mark.

64. The Chief Forest Officer may refuse to register any property mark or cancel one already registered for any of the following reasons :

(i) If he considers that the mark resembles too closely any Government mark or marks used by the District Council or any property mark previously registered in favour of another person;

(ii) If the applicant or holder does not possess or, in the opinion of the Chief Forest Officer, is likely to possess timber requiring to be marked with a property mark;

(iii) If on account of the conviction for any forest offence, or for any other reason which seems to the Chief Forest Officer to be sufficient, the holder or the applicant is not considered to be a fit person to be entrusted with such mark.

65. No timber which is in transit or intended for transit shall be marked except with a registered property mark, and no one shall supermark, alter or efface any mark on such timber, and the possession or carrying of hammers or other implements used for the impression of marks which have not been registered in the manner hereinbefore prescribed is strictly prohibited.

66. The booking or moving of timber in logs or rough hewn, sawn timber or any other forest produce by road, railway, aeroplane or boat is prohibited unless such forest produce is accompanied by a transit pass issued under these rules.

67. Any person infringing any of the above rules may be punished with imprisonment which may extend to three months, or with fine which may extend to three hun-dred rupees, or with both.

(Executive Orders relating to the Transit Rules)

68. The Chief Forest Officer should satisfy himself before registering the signature or stamp of a owner of private land or his agent at under Rule 55 (ii) that the applicant is on behalf of himself or a clan own's private Forest or Law-Ri-Sumar, as the case may be. A facsimile of the registered signature or stamp should be supplied to all revenue stations.

69. A stock of form of certificate of origin must be kept all revenue station and should be issued freely to all applicants whose signature or stamps have been, registered charging 12 p. for 2 copies, unless the officer in charge has reason to believe that the applicant has no legitimate use for such forms.

70. If the Officer in charge of a revenue station, has not sufficient reason to refuse to grant a transit pass in exchange for a certificate of origin or to endorse such certificate under the proviso of Rule 57, but is not satisfied that the certificate is true, he should grant the transit pass or endorse the certificate of origin and then institute enquiries,

71. It should be made widely known that person who want to extract forest produce from private lands must take out a certificate of origin in the prescribed form and that copies of the form, if required, can be obtained from the nearest revenue station.

72. A register should be maintained at each revenue station showing the date of arrival of all consignment of forest produce and the date of release and all other necessary particulars. A trader may submit a copy of the arrival report or the consignment of forest produce giving the necessary details direct to the office of the Chief Forest Officer. The Officer in charge of the revenue station will countersign this copy. The Chief Forest should make use of these reports to check the accuracy of the entries in the register.

All timber or other Forest Produce transported by Road or water shall be brought to the nearest of the revenue stations, staffed by the District Council, United Khasi-Jaintia Hills on the route of extraction, for examination and for payment of the amounts, if any, due to the District Council United Khasi-Jaintia Hills thereon or on any other account.

CHAPTER V

MISCELLANEOUS - PROVISIONS

73. Notwithstanding anything provided herein before the Executive Committee may specify certain categories of Forest produces as ("Minor Forest produces") and exempt the same from the operation of these rules and prescribe separate instruction governing exploitation and removal thereof.

74. Notwithstanding anything contained in any contract entered into by a local or adrninistrative head of any forest with any party prior to the enforcement of these Rules and subsisting on the date of such enforcement, any term thereunder which is found to be inconsistent with these Rules shall be void to the extent of such inconsistency.

GENERAL

75. Any party aggrieved with any order of the Chief Forest Officer under these rules shall appeal to the Executive Committee within 30 days from the receipt of such orders, and the order of the Executive Committee shall be final.

APPENDIX I

(Rule 4)

(i) Approximate area (in acres) ;

(ii) Boundaries and location;

(iii) Nature of the Forest standing on the land the approximate number of each category of reserve trees and other forest produce ;

(iv) Area under cultivation, if any;

(v) The names and addresses of persons to whom the Forests or any part thereof sold, the terras of sale or lease including the price of rates of royalty and the nature of such lease or sale as the case may be.

APPENDIX II

(Rule 15)

(i) Location of the Forest stating the name of the villages;

(ii) Approximate area in acres;

(iii) Boundaries together with a map of the area

(iv) Nature of the Forest specifying the approximate number of each category of reserved and unreserved trees and other forest produce ;

(v) Area currently under cultivation or jhumming;

(vi) Whether forest produce growing within the area has been disposed of by lease, sale barter, gift or otherwise to any person or any other encumbrance or right has been created on such forest in favour of any person or clan;

(vii) In the event of any transactions having taken place as indicated in item (vi), the following further details shall be furnished;

(a) The name and address of the party or parties to whom the forest produce has been disposed or in whose favour any right or encumbrances has been created;

(b) Duration of the lease or agreement with the date of commencement of such lease or agreement;

(c) Rates of royalty or other consideration charged on the forest produce ;

(d) Total number of trees or quantity or other forest produce worked out and removed and the balance of the trees and other forest produce still to be worked out under the terms of the lease or agreement;

(e) A true copy of the lease or agreement.

APPENDIX III

[(Rule 22)]

(i) Name of the Private Forest or Law-Ri-Sumar.

(ii) Name of the Syiem, Sirdar, Doloi or any other local Administrative head within whose jurisdiction such forest is situated ;

(iii) Boundaries of the Forest;

(iv) Class and number of trees proposed to be disposed of;

(v) Price or rates or royalty ;

(vi) Name and address of purchaser;

(vii) Period of agreement or lease by which the trees or Forest produce are sought to be disposed of;

(viii) Whether the timber or any other product from trees or forest produce sought to be disposed of will be consumed locally or taken outside the jurisdiction, of the District Council, United Khasi-Jaintia Hills or brought to Shillong for purposes of sale, trade or business.

APPENDIX IV

(Rule 3 1(b) and 32)

FOREST DEPARTMENT

UNITED KHASI-JAINTIA HILLS DISTRICT COUNCIL

Home, consumption Permit.

Book No. ..... Permit No. .....

Name .....

Residence .....

.....

Forest from which extracted	Date of expiry of the permit	Description of forest produce	Maximum number of quantity that can be removed.	Remarks
1	2	3	4	5

Dated ..... Officer issuing the permit.

NOTICE

1. The Forest produce extracted under this permit shall not be sold, mortgaged, bartered or transferred by gift.

2. This permit is non-transferable except to a member of the same house, and shall not allow of more than one person at a time collecting the produce in the forest except with the permission of the Officer issuing the permit.

3. The holder of this permit shall make his own arrangement with the Syiem for extracting forest produce from his territory.

APPENDIX V

[Rale 41 (a)]

(i) Number and description of trees showing girth class, etc.

(ii) Amount of earnest money to be deposited ;

(iii) Amount of Security and methods of payments of the bid value;

(iv) Duration of the working period;

(v) Nature of rates to be quoted in case of tender;

(vi) Eligibility of bidders including concessions if any, admissible to tribal bidders.

APPENDIX VI

(Rule 74)

FOREST DEPARTMENT

UNITED KHASI-JAINTIA HILLS DISTRICT COUNCIL

Trade Permit for Timber and other Forest Produce

Book ..... Permit No. .....

Name .....

Residence .....

Forest	Date of expiry of grant	Description of timber or other forest produce	Number of Quantity	Rate	Amount	Remark

Rs. P.

The 19

Signature and
designation of the
issuing officer

APPENDIX VII

[Rule 85 (ii)]

Certificate or origin for private timber or other forest produce	Name caste, residence and father's name of the owner of the land whence the forest produce covered by this certificate was derived.	Name of viilage or caste where the timber of other forest produce was cut	Description of timber of other forest produce.	Amount of timber or other forest produce.	Name, caste, father's name and residence of person in-charge of timber or other forest produce	Destination to which the forest produce is to be conveyed.
1	2	3	4	5	6	7

Date

The: Owner or Agent.

APPENDIX -VIII

[55 (iii)]

TRANSIT PASS

UMTED KHASI-JAINTIA HILLS DISTRICT

Forest Department, United Khasi-Jaintia Hills District Council.

Book No. ..... Pass No. .....

Permission is hereby granted to ..... of .....

for the removal of the following forest produce from .....

to ..... by .....

(1) Locality where collected .....

(1) Number and date of permit of certificate of origin on which the pass is granted.

Kind of produce	Number of pieces, packages or bundles	Measurements, cubic contents or weight	Hammer of other marks	Rate	Amount paid
				Rs. P.	

STATION

Date of issue ..... Issuing Officer,

Date of expiry ..... Designation .....

Note: Any person removing timber of other forest produce without transit pass in this form in contravention of any rules made under Section 5, United Khasi-Jaintia Hills Forest Act. I of 1959 is liable to a fine of Rs. 200.00 and in default of payment of fine to imprisonment upto two months.

APPENDIX – IX

(Rule 5c)

LIST OF REVENUE AND CHECK STATIONS

1. Shillong, 2. Nongpoh, 3. Umpling, 4. Byrnihat, 5. Garbhanga, 6. It-Shyrwat, 7. Mawlai Gate, 8. Jorabat-Gate, 9. Demsang (Mylliem Syiemship), 10. Umtyngngar Laitkroh Sirdarship), 11. Mawngap (Mawphlang Lyngdohship), 12. Amjong, 13. Lyngkhat, 14. Hat Shimaw (Khyrim Syiemship), 15. Dawki, 16. Muktapur, 17. Jaliakhola, 18. Kuliang, 19. Umkiang, 20. Jowai (Jaintia Sub-Division), 21. Rani (Jirang Syiemship), 22. Ranjbari (Nongspung Syiemship), 23. Kyrshai (Rambrai Syiemship), 24. Bangli, 25. Moheskhola (Nongstoin Syiemship), 26. Madan-rting, 27. Cheragaon, 28. Mawpyllun (Langrin Syiemship), 29. Balat (Maharam Syiemship), 30. Chirakatta (Bhowal Syiemship), 31. Rangku (Maedon Sirdarship) 32. Jatap (Sheila Wahadar Confederacy), 33. Bholaganj (Cherra Syiemship).

APPENDIX – X

Rule 63 (d)

Certificate of Registration of Property Mark

..... Division

It is hereby certified that .....

son of ..... caste .....

resident of ..... thana .....

district ..... has this day duly registered his property mark

of the sketch shown below for the transport of forest produce within the district of .....

.....

This certificate is to hold good upto .....

Chief Forest Officer,
United Khasi-Jaintia **Hills** District Council, Shillong

T. CAJEE,
Chief Executive Member,
United Khasi-Jaintia Hills District Council, Shillong

Reserve

Conditions under which this permit is issued :

1. This permit must be in the possession of the person removing forest produce and it must be produced by such person whenever called upon to do so by a Forest Officer.

2. Only trees marked with a District Council, United Khasi-Jaintia Hills hammer may be felled and converted. Timber must not be removed from the place where the tree is felled nor sold or otherwise disposed of till it has been marked with the hammer of the District Council, United Khasi-Jaintia Hills.

3. All timber and other forest produce must be removed from the forest within the time granted in this permit.

4. This permit must be returned to the nearest Forest Officer within one month of the date of its expiry.

5. Breach of any of the above conditions will render this permit liable to be cancelled and the timber and other forest produce confiscated notwithstanding any other penalties incurred by the permit holder under the United Khasi - Jaintia Hills Forest Act I of 1959 or rules issued thereunder.

Understand and accept the above conditions.

Signature of the permit holder.

THE 23rd JANUARY, 1960

No. DC. XIV(E -19/59/5. - In exercise of the powers conferred by Section 8 of the United Khasi-Jaintia Hill Autonomous District (Management and Control of Forests) Act, 1958. (Act No. 1 of 1959), the Executive Committee, United Khasi-Jaintia Hills District Council with the prior approval of the Governor is pleased to make the following Rules fixing the Schedule of Rates of royalty leviable on all classes of forest produces.

1. **Short title, application and commencement -** (a) These Rules may be called the United Khasi-Jaintia Hills Autonomous District (Management and control of Forest. Rates of Royalty) Rules, 1959.

   (b) They shall apply to all forests in United Khasi-Jaintia Hills District with the exception of "Reserved Forest" as defined in sub-paragraph (2) of paragraph 3 of the Sixth Schedule to the Constitution of India,

   (c) They shall come into force at once.

2. The rates of royalty leviable on all classes of forest produces shall be as per Schedule of Rates of Royalty below:

SCHEDULE OF RATES OF ROYALTY

(1) **Rates for timber.**—Timber trees are classified into eight classes as follows ;-

Class I

Botanical Name	Vernacular name
Shorea Robusta	Sal, Diengblei

Class II

Michellia Champaca	Champ, Titasopa, Diengrali.
Phoebe goalparansis	Bonsum, Diengnganblei.
Moruts Laevigata	Bola, Diengbyllait.
Cassia Fistula	Sonaru, Diengsnaru.

Class III

Bridelia Petusa	Kuhir, Reit shan.
Gmelina orborea	Gomari, Gumhar, Gomabhi Langphiang.
Bombax malabaricum	Simul, Kya.
Ginemomum ceciricodaphane and	Gondroj, or Gonseroi
Cinna momum glanduliferum	Pingwait
Pinus Khasiana	Red pine, seh sew.
Albizzia odoratissima	Hiharu, Koroi, Kreitja.
Artocarpus Chaplasha	Sam, Ka Larain.

CLASS IV

Legerstroemia flosreginae	Jarul, Ajhar
Mangnolia species (except Magnolia griffithii, magnolia prterocarpa)	
Manglietiansignis Maglietha	Champa, Sopa, Morichasunil,
species Pychyllamax Plieocarpa	Kathal Sopa, Khthalpatia sopa.
Amoora Wallichii	Amari, Rata, Ranggirata.
Nophelium Species	Sihmanir Khlaw
Artocarpus integrifolia.	Kathal Diengsohphan
Mesua ferrea	Nahor, Nagersar, Dienghgai.
Schima Khasiana	Gorgra, Nagabha } Diengngan
Schima Wallichii	Mokria, Sal, Bonafc, } Diengngan
Pinus Insularis	White pine, Kseh lieh Shoral
CedrelaToona	Poma, Kuma, Jatipoma, Diengbti.

CLASS V

Anina cordifolia	Haldum Tarakchopa Bonglon, Diengstingpota
Adina Otigocephala	Halud chapa
Albizzda lebbek	Koroi, Siris, Kreitiong
Bischofila Javannica	Uriam, Jhok, Diengtung.
Cinnamomum obstusifolium	Mekaridima, Paderi, Nagalalchini, Tezia, Patihunda, Diengsisia,
Duabanga Sannera-tioides	Khokan, Ramdala, Diengbai
Bodocarpus nerifolia	Jinari, Kseblei Kynthei.
Stat	Hilikha, Hartaki, Sohkyrknah
Albizzia Procera	Siris, Kreit lieh.
Coniferous species	Fir, Saral, Haral, Juniper.
Cynometra Polyandra	Ping.
Alnus Nitida	Birch, Dienglieng.

CLASS VI

Amoora species(except Amoora Wallichii).	Rata, Bandordima.
Artocarpus Lakoocha	Dowachali, Dewasgu, Bohot, Ka Byntiit.
Bombax insigne	Dumboil
Castanopsis species	Hinggori, Khemta, Sahot, stap
Eugenia grandis	Sniang
Eugenia Jambolana }	Jam, Jaum, Bogijamule, Sehuro
Eugenia Praecox }	Jam, Jaum, Bogijamule, Sehuro

Guruga Pinnata	Thutmola, Kayengla.
Lagerstermia parviflora	Sida, Lyngshiang.
Lephopetatum firmbriatum	Sutrong,
Mangifera indica	Am, Diengsohpieng.
Premna Bengalenses	Gahora, Pengta, Guzenga, Pakinhar.
Pterospermumacirifilium	Haripoilla, Moragoch, Madhubura
Pterospermum lanceafolium	Mota-nahor
Vitex peduncularis altissina	Alhoi, Bhakor, Manawal Shratoh.
Zanthoxy l umbudrunga	Bajrang, Bajorani.
Tetraneless nudiflora	Bhelu,Tula.

CLASS VII

Albizzia lucida	Moj, Sundi.
Albizzia stipiilata	Saw, Harish, Phullut
Alstonia scholar is	Satiana, Santi, Dieng kyrteng.
Anthocephelus cadamba	Ranghum Kadam, Sohkong Rting
Celtis austrialis	Mauhha
Kydiacaiycirva	Pitchola, Dieng Jainnep.
Melia azaderach	Bekain, Ghoranim, Dieng Sohbrilong.
Spondias mangifera	Amora, Amra, Sohkhyllaw.
Sterculia alata	Pahari, Sar, chamia, Nagchul Tlui,
StercuHa Viloso	Udal.
Trewia nubiflora	Bclkor, Bhari Boara, Pitoli.
Ulmus lanceforlia	Laban, Tibin Diengthapbalieh.

CLASS VII

All other species not included in any other classes.

(2) Rates for logs are :-

Classes	3 feet to less than 4 feet 6”	4 feet 6” and over
	Rs. P.	Rs. P.
I	1.00	1.75
II	0.50	1.00
III	0.50	0.75
IV	0.30	0.50
V	0.25	0.35
VI	0.20	0.25
VII	0.10	0.15
VIII	0.05	0.05

In classes I and II, the classification of logs for royalty assessment will be made on measurement at $4^{1}/_{2}$ from the largest end but in all other classes the classification will be based on midgirth measurement. The cubic centent of logs calculated by multiplying the square of the quarter girth taken in the middle of the log by the length of the log.

(3) The above rates are for girth measurements taken over bark, for measurement taken under bark add Rs. 0.90 per cft to each rate for all dressed polls and logs will be 20 percent more than the above rates.

(4) Rates for sawn timber will be double the above rates irrespective of the girth of logs from which the sawn timber has been converted.

(5) Payment at log rates will enable the purchaser to remove slabs obtained on conver sion without further payment, Payment on sawn timber rates in the forests will not enable the purchaser to remove slabs obtained on conversion and these will be sold at rates which are fixed below under clause 10.

(6) Rates for Poles :-

(10) Rates for slabs :-

Class I, II and 6' and below Re, 0.25, 6' to under 12' Re. 0.50 12' and over Rs.0.57

Class IV	6' to under 12' Re. 0.25	12' and over Re. 0.40
" V	6' to under 12' Re. 0.20	12' and over Re. 0.35
" VI	6' to under 12' Re. 0.15	12' and over Re. 0.25
" VII	6' to under 12' Re. 0.10	12' and over Re. 0.15
" VIII	6' to under 12' Re. 0.05	12' and over Re. 0.10

These rates are for each slab.

(11) Rate for charcoal - Re. 0.25 (Twenty-five p) per maund.

(12) Rates for special agricultural requirements Rs.

(a)	Plough pieces of unreserved species converted from branch wood of.. felled trees	0.15
(b)	Plough pieces of reserved species converted from branch wood of.. felled trees.	0.20
(c)	Old Gonsoroi Stumps (Of felled trees)	0.20
(d)	Undressed posts (Cheaper substituted for bamboo) of all species-.. except jarul, Nageswer, Cham, Gundre Kurta, Rata, Poma, Syndi, Jam and Ping upto 2" girth and 25' in length.	0.15
(e)	Chamia used (used as post plate and for other purposes) of all species except, Jarul Nageswar, Cham, Gundroi, Poma, Sundi, Jam and 'Ping upto 2' girth and 25' in length.	0.15
(f)	Husking pole of all species except hardwood..	0.15
(g)	Husking pile of hardwood	0.20
(h)	Pandle or oar of all species upto 5' in length ..	0.10
(i)	Pandle or oar of over 5' in length.	0.15
(j)	Ishapart of plough) of all species 9' in length...	0.10

(15) Cane-Calamus garuba (Sundi)
Calamus tenuis (Jati-Jali)
Calamus Flagellum (raidang) — Rs. 0.25 per 240 rft.
Calamus latifolia (Houka, harna)
Dacmonorops jenkinsianus (Gella)

Calamus leptespadix (tita) — Rs. 0.20 per 240 rft.
Calamus floribundus (legeri) — Rs. 0.10

All above rates for whole canes

(16) Ekra an 1 other reeds :
Upto 6" Girth — Rs. 1.00 per 100 bundles
Over 6" to 1" Girth — Rs. 3.00
Over 1' to $1^{1}/_{2}$ girth — Rs. 6.00

(17) Roofing leaves :
Toko at Re. 0.65 per 1,000 leaves.
Jeng and other leaves Re. 0.35 per 1,000 leaves.

(18) All other minor forest produce not listed above will be charged royalty at $1^{1}/_{2}$ per cent ad-valorem as fixed by the Executive Committee of the District Council, United Khasi-Jaintia Hills such as bee, wax, honey, ivory, agar, chalruugra, lax, rubber patti, cassia bark, Tejpat, etc.

Note :- Ad-valorem rates will be issued on the 1 st April each year from the Office of the Chief Forest Officer, District Council, United Khasi-Jaintia Hills.

(19) Increase or decrease of any of the rates prescribed under these rules, is vested in the Executive Committee, District Council, United Khasi-Jaintia Hills to a limit of 25 per cent of decrease and 25 per cent increase according to the distance and difficulties of extraction.

H. COTTON,
Executive Member, I/*C,* Forests,
District Council, United Khasi-Jaintia Hills,
Shillong.

4

Garo Hills District (Forest) Act, 1958

ACT, No, II OF I958

THE GARO HILLS DISTRICT (FOREST) ACT, 1958

(Passed by the Garo Hills District Council)

(Received the assent of the Governor of Assam on the 18th December, 1958)

[Published in the *Assam Gazette,* dated the 31st December, 1958]

An

Act

to provide for the management of any forest not being a reserved forest in the Autonomous District of Garo Hills and for the levy and collection of forest revenue

Preamble - Whereas it is expedient to regulate the management of any forest not being a reserved forest in the Autonomous District of Garo Hills and also to provide by law for the levy and collection of forest revenue;

It is hereby enacted in the Ninth Year of the Republic of India as follows :-

CHAPTER I

1. Short title extend and commencement - (1) This Act may be called the Garo Hills District (Forest) Act, 1958.

(2) It extends to the whole of the Garo Hills Autonomous District except the areas constituted into Reserved Forests under the provisions for the Assam Forest Regulation 1891 (Regulation VII of 1891).

(3) It shall come into force at once.

2. Definition - In this Act and in all rules made thereunder, unless there is anything repugnant in the subject or context.

(1) "Chief Executive Member" means the Chief Executive Member of the Executive Committee of the District Council of the Garo Hills District;

(2) "Council Reserved Forest" means any area constituted as such by, or under the order of the Garo Hills District Council;

(3) "Council Forest Officer" means any person appointed as such by name or as holding an office by or under the orders of the District Council and shall include Forest Guards, Assistant Foresters, Foresters, Forrest Rangers, Chief Forest Officer and any other person, appointed to discharge the duties and functions of a Council Forest Officer under this Act or any rules thereunder;

(4) "Council Forest Offence" means any offence punishable under this Act or any rules made thereunder;

(5) "Cattle" includes also elephants other than wild elephants, buffaloes, horses, mares, geldings, ponies, colts, fillies mules, asses, pigs, rams, owes, sheep, lambs, goats and kids;

(6) "Council Forest Board" means forest Board constituted by the District Council;

(7) "District" means Garo Hills Autonomous District;

(8) "District Council" mans Garo Hills District Council;

(9) "District Forest Tribunal" means the District Forest Tribunal appointed by the Executive Committee under the provisions of this Act and for the purpose specified therein;

(10) "Executive Committee" means the Executive Committee of the Garo Hills District Council;

(11) "Forest Land at the disposal of the Garo Hills District Council" means any land at the disposal of the Garo Hills District Council, in respect of which no person has acquired a permanent heritable and transferable right of use and occupancy under any law for the being in force and shall include Council Reserved Forests and forest constituted under this Act;

(12) A "Forest produce" means anything excluding stones, boulders, shingle, gravel, limestone, canker and all other materials which are defined as Minor Minerals under Rule 3 (iii) of the Mineral Concession Rules, 1949, when found in, or brought from, any forest under the jurisdiction of the District Council and shall include :-

(a) Trees, leaves and fruits and all other parts and produce of trees;

(b) Plants not being trees including grass, creepers, seeds, moss, orchids and all parts and produce of such plants;

(c) Skins, tusks, horns, bones, silk-cocoons, honey and wax and all other parts or produce of animals.

(12) -B. "Forest Produce" shall also include the following whether found in or brought from any forest under the jurisdiction of the District Council or not, but excluding those brought from a Government Reserved Forest; timber, charcoal, wood oil, resin, natural varnish, bark, lace, myrabalams.

3. Power of the District Council to manage forest — The management of any forest other than Government Reserved Forest within the Garo Hills Autonomous District is vested in the District Council of the Garo Hills Autonomous District.

COUNCIL RESERVED FOREST

4. Power to constitute reserved forest - The District Council may constitute any forest land at the disposal of the District Council a reserved forest in the manner hereinafter provided.

5. Inspection of the area proposed to be constituted a reserved forest by the Chief Executive Member and notification of such proposal - Whenever it is proposed to constitute any reserved forest, the area shall be first inspected by the Chief Executive Member and when he is satisfied that the constitution of such reserve is justified he shall publish a notification in the *Assam Gazette* and also in the district in such manner as he may deem it appropriate -

(a) specifying as nearly as possible, the situation and limits of such land;

(b) declaring that it is proposed to constitute such land a reserved forest;

(c) inviting claims of rights and objections.

6. Appointment of the Council Forest Officer, survey and demarcation of the area proposed to constitute a reserved forest and enquiry into existing rights.- After the issue of a notification under Section 5, an officer (hereinafter called the Council Forest Settlement Officer) shall be appointed by the Chief Executive Member for survey and demarcation of the areas and also for inquiry into any existing right or rights of any person in the said areas.

(2) The Council Forest Settlement Officer shall ordinarily be a person other than a Council Forest Officer, but a Council Forest Officer may be appointed to assist the Council Forest Settlement Officer in the discharge of his duty specified in this section.

7. Recommendation by the council Forest Settlement Officer - The Council Forest Settlement Officer shall, after survey and demarcation of the area an inquiry into any existing right or rights of any person, recommended to the Council Forest Board for issue of necessary notifications, compensation, of any to be given and also continuance of any rights.

8. Council Forest Board do dispose of claims and objection - (1) All claims of right or rights on the land proposed to be constituted into a reserve and any objection against the proposal for the creation of the reserve shall be preferred to the Council Forest Board within ninety days of the date of publication of the notification under Section 5 of this Act. The said Board shall be competent to dispose of such claims and objections, subject to appeal against the orders of such disposal to the District Forest Tribunal as provided for in Section 10.

(2) For the purpose of sub-section (1) the Council Forest Board shall, subject to the provisions of paragraph 4(1) of the Sixth Schedule to the Constitution, have the powers of a Civil Court in trial of suits, and its decision shall be binding subject to the revision on appeal to the District Forest Tribunal appointed under Section 10.

9. Preliminary notification constituting reserved forest - After the proposal for the constitution of a reserve has been approved by the Council Forest Board on recommendation of the Council Forest Settlement Officer, a preliminary notification shall be published by the Board in the *Assam Gazette* and also in any other manner that it may deem expedient specifying the limit of the forest which it is intended to reserved and detailing the extent and nature of rights proposed to be recognized therein.

10. Appeal by aggrieved person - Any person arrived by an order of the Council Forest Board passed under Section (1) of Section 8, relating to the creation of a reserve, continuance or discontinuance of any right therein may, within a period of thirty days from the date of such notification prefer an appeal to the District Forest Tribunal appointed in that behalf by the Executive Committee. Every order in appeal passed by the District Forest Tribunal under this section shall be final.

11. Final notification constituting forest reserve - (1) After disposal of all appeals by the District Forest Tribunal, the District Forest Board may modify the preliminary notification issued under section 9 incorporating therein necessary changes, if any, ordered by the District Forest Tribunal as a result of such appeals and shall publish a final notification in the *Assam Gazette* specifying the limits of the Forest with the extent and nature of rights recognized therein and declaring the same to be reserved from the date fixed by such notification.

(2) From the date so fixed such forest shall be deemed to be the Council Reserved Forest.

(3) Thereafter no persons other than those, if any, referred to under sub-section (1) shall acquire any right over such forest unless specially permitted by the Executive Committee.

12. Penalties for trespass or damage in reserved forest. - Any person who in a Council Reserved Forest -

(a) trespasses, or pastures cattle, or permits cattle to trespass, or

(b) cause any damage by negligence in felling any tree or cutting or dragging any timber shall be punished with fine which may extend to fifty rupees, or, when the damage resulting from his offence amounts to more than twenty-five rupees to double the amount of such damage.

13. Acts prohibited in such forests - Any person who -

(a) sets fire to a Council Reserved Forest, or in contravention of any rules made by the Executive Committee, kindles any fire, leaves any fire burning, in such a manner as to endanger such a forest, or who in any such forest;

(b) kindles, keeps or carries any fire except at such seasons and in such manner as a Forest Officer specially empowered in this behalf may from time to time notify, or

(c) fells, cuts, girdles, marks lops, taps or injures by fire or otherwise any tree, or

(d) quarries stone, burns lime, or charcoal, or collects subject to any manufacturing process, or removes any forest produce, or

(e) clears or breaks up any land for cultivation or any other purpose, or

(f) poisons water or in contravention of any rule made by the Executive Committee, fishes or sets traps or shares shall be punished with imprisonment for a term which may extend to six months or with fine, which may extend to five hundred rupees or with both.

14. Acts excepted from Section 12 and 13 - Nothing in Section 12 or Section 13 shall be deemed to prohibit -

(a) any practice of jhum cultivation permitted by law, or

(b) any act done with the permission in writing of a Council Forest Officer specially empowered to grant such permission.

15. Penalty for offences committed by persons having rights in reserved forests - Whenever fire is caused willfully or by gross negligence in a Council Reserved Forest by any person having rights in such forest or permission to practice jhum cultivation therein, or by any person, in his employment, the Executive Committee may, notwithstanding the infliction of any punishment under this Act, direct that in such forest, or any specified portion thereof, the exercise of all or any of the rights of pasture or to forest produce shall be extinguished, or for such period as it thinks fit be suspended, and with respect to the practice of jhum cultivation, may take such acting under the law, if any, relating to the practice of jhum as may seem to it to be proper.

16. Dereservation of Forest - Any area constituted as Council Reserved Forest will be dereserved only by or under the order of the Executive Committee.

CHAPTER II

17. Constitution of Village Forests - (1) The Executive Committee may, by notification in the *Assam Gazette* and also in the District in such manner as it may deem appropriate, constitute any land at the disposal of the District Council a Village Forest for the collective benefit of any village community or group of village Communities, and may in like manner vary or cancel any such notification.

(2) Every such notification shall specify the limits of such village Forests.

18. Powers to make rules for village Forests - (1) The Executive Committee may make rules for regulating the management of Village Forests, prescribing the conditions under which the community or group of communities, for collective benefit of which any such forest is constituted, may be provided with forest produce or with pasture, and their duties in respect of the protection and improvement of such forests.

(2) The District Council may, by rules, declare any of the provisions of Chapter I of the Act to be applicable to Village Forests.

19. Inquiry into and settlement of rights - All claims to any rights other than the right of the Village Community or group of Village Communities for the collective benefit of which such Village Forest is constituted shall be enquired into and disposed of in the manner prescribed by Chapter I of this Act.

CHAPTER III

20. Application of Chapters IV, VI, VII, VIII, IX, X and XI of the Assam Forest Regulation, 1981 - (1) The provisions of the following Chapters of the Assam Forest Regulation, 1891 (Regulation No. VII of 1891), namely, Chapters IV, VI, VII, VIII, IX, X and XI and the rules made thereunder as may be amended from time to time shall, ***mutatis mutandis*** apply in respect of the management of Council Forest and levy and collection of forest revenues.

(2) The provisions of all rules made under the Assam Forest Regulation, 1891 (Regulation No. VII of 1891), having the force of law, and the provisions of the Garo Hills Regulation, 1882 (Regulation No. I of 1882), and the rules and orders issued thereunder relating to the forests and forms and registers as were in force immediately before the commencement of this Act shall ***mutatis mutandis*** apply in respect of the management of the Council Forests and such cognate matters.

Provided that all references in the Assam Forest Regulation, 1981 (No. VII of 1891), the Garo Hills Regulation, 1882 (Regulation No, I of 1882), the rules, orders and forms and registers to the State Government shall be deemed to refer to the District Council, those to the Conservator of Forest and Deputy Commissioner to the Chief Executive member, those to the Divisional Forest Officer of Assistant Conservator of Forests to the Chief Forests Officer of the District Council and those to other forest Officers to officers of corresponding or next higher rank of the District Council.

21. Power to make rules-The Executive Committee with the previous approval of the Governor may make rules for carrying out the purposes of the Act.

THE GARO HILLS ACT No. I FO 1959

THE GARO HILLS AUTONOMOUS DISTRICT (SOCIAL CUSTOMS AND USAGES) VALIDATING ACT, 1958

(Received the assent of the Governor on 22nd January 1959)

Whereas some doubts have arisen as to the legal force of the social customs and usages now prevalent in the District of Garo Hills.

It is therefore expedient that an Act should be made to validate these social customs and usages which are not against morality or public policy.

It is hereby enacted in the Ninth Year of the Republic of India as follows :

1. This Act shall be called the Garo Hills Autonomous District (Social Customs and Usages) Validating Act, 1958.

2. It extends to the whole of the Garo Hills Autonomous District.

3. It shall come into force at once.

4. In this Act unless there is anything repugnant to the subject or context:

   (1) "Chief Executive Member" means the Chief Executive Member of the Garo Hills District Council;

   (2) "Revenue Member" means the member of the Executive Committee of the District Council in charge of the Revenue Matters;

   (3) "Constitution" means the Constitution of India;

   (4) "District" means the Garo Hills Autonomous District as specified in Part A of the Table appended to paragraph 20 of the Sixth Schedule to the Constitution of India;

   (5) "District" means the Garo Hills District Council constituted under the provisions of the Sixth Schedule to the Constitution of India and in accordance with the provisions of the rules framed in that behalf for the time being in force in the District;

   (6) "Executive Committee" means the Executive Committee of the Garo Hills District Council;

   (7) "Sixth Schedule" means the Sixth Schedule to the Constitution of India;

   (8) "Nokma" means the head of a clan or machong who holds any land as a custodian on behalf of a clan or machong.

5

The Khasi Hills Autonomous District Council (Management and Control of Forests, Revised Rates of Royalty) Rules, 2005

The Khasi Hills Autonomous District Council (Management and Control of Forests, Revised Rates of Royalty) Rules, 2005

The 31st March, 2005

No. DC. XIV(E)1/2005/6/153 - In exercise of the powers conferred by Section 8 of the United Khasi-Jaintia Autonomous District (Management and Control of Forest) Act, as amended upto date.

The Executive Committee of the Khasi Hills Autonomous District Council does hereby revise the Schedule of Rates of Royalty leviable for all classes of forest produce with effect from 1st April, 2005, as indicated below :

1. Short title, extent and commencement :

(a) These rules may be called the Khasi Hills Autonomous District Council (Management and control of forest Revised Rates of Royalty) Rules, 2005.

(b) They shall apply to all forests within the Khasi Hills Autonomous District except the Reserved Forest as defined in the Sub-paragraph (2) and paragraph (3) of the Sixth Schedule to the Constitution of India.

(c) They shall come into force with effect from 1st April, 2005.

2. The Revised Rates of Royalty leviable on all classes of forest produce shall as per Schedule of Rates of Royalty herein below prescribed:

A. Classification of major forest produce

Scientific name	*Trade name*	*Vernacular name*
	Special Class	
Tectona grandis	Teak	Teak
Carpinus viminea	Horn beam	Dieng Sohrisan
	Class I	
Shorea robusta	Sal	Sal
Michelia champaca	Tita sopa	Diengrai
Phoebe goalparensis	Bonsum	Dieng Ngan Blei
Gmelina arborea	Gamari	Dieng Baphiang
Morus laevigata	Bola	Dieng Bylliat
Mesua ferrea	Nahor	Dieng Ngai
	Class II	
Pinus khasiana	Red pine	Dieng Kseh saw
Terminalia myriocarpa	Hollock	Dieng Tnar
Amoora wallichii	Pat amori	Dieng Bta
Amoora rohituka	Amari	Dieng Bta
Cassia fistula	Naru	Dieng Snaru
Talauma phellocarpa	Kherika sopa	Dieng Langsnam
Cedrella toona	Poma	Dieng Bti

Scientific name	*Trade name*	*Vernacular name*
	Class III	
Pinus insularis	White pine	Dieng Kseh lieh
Calophyllum polyanthum	-	Dieng Lakaru
Betula alnoides	Birch	Dieng Lieng
Castanopsis hystrix	Hingery	Dieng Mangkaliang
Bridelia retusa	Kuhir	Dieng Reit shan
Albizia odoratissima	Kalasiris	Dieng Kreit saw
Albizia procera	Safed siris	Dieng Kreit rilong
Albizia lebbek	Karoi	Dieng Kreitiong
Duabanga sonneratoides	Khokan	Dieng Sai
Lophopetalum fimbriatum	Rumu	Dieng Jahjrem
Cinnamomum cecicedaphine	Gonsoroi	Dieng Ringwait
Dipterocarpus turbinatus	Gurjan	
Artocarpus chaplasa	Chama	Dieng Laram
	Class IV	
Virex penduncularis	Ahoi	Dieng Shyrtoh
Lagerstroemia parviflora	Sida	Dieng Lynshing
Lagerstroemia flosroginae	Jarul	
Schima spp.	Makri sal	Dieng Ngan
Chukrasia tabularis	Rogi poma	Dieng Bti tynneng
Magnifera indica	Am	Dieng Sohlieng
Adina codifolia	Haldu	Dieng Bti tynneng
Apodytes benthamina	-	Dieng Lapied jem
Dyseylum hamiltonii	Gendheli poma	Dieng Kyrbei
Garuga pinnata	Thetmola	Dieng Pjiar shynrang
Garuja gamolai	Pani amera	Dieng Soh khmer
Podocarpus parnifolia		Dieng Kseh blei (Kynthei)
Taxus baccata	Yew	Dieng Kseh blei (rit sla)
Carallia lucida		Dieng Sehumtynneng
Anthocephalus cadamba	Kadam	Dieng Sohklong
Arthocarpus integrifolia	Kathal	Dieng Sohphan
Arthocarpus lakoocha	-	Dieng Sohphan
Magnetic sopa	Dewa sam sopa	
Hymenodictyon excelsum		Dieng Thingphong/Lybong-Sier
Bischofia javanica	Uriam	
Eugenia sp.	Jamun	Dieng Sohum
Bombax ceiba	Simul	Dieng Kynphad
Magnolia sp.	Baramtheri sopa	Dieng Sohbar

Scientific name	*Trade name*	*Vernacular name*
	Special Class	
Manglietia caveana	Bararatheri sopa	Dieng Larsei Kynthei
	Pan sapa	
Polyalthia simiarum	Borkolicri	Dieng Larsei
Cynometra polyandra	Aping	Dieng Rai heh
Coniferous species not include in previous classes terminalia species, other than Myriocarpa		
	Helika	Dieng Sohkyrkhah
Alnus nepalensis	Alder	
Kayon fioribunda	Karal	
Masonia dipikai	Badam	
Palagiam polyanthum	Kurtta	
	Class V	
Tetrameles nudiflora	Bhelu	Dieng Moina
Kydia caclycina	Pichhela	Dieng Jain nep
Spondias magnefera	Ama tenga	Dieng Sohpair
Pterospernum sp.	Hathi poila	Dieng Sla umphi
Grewia sp.	Pichholi	Dieng Thapbalieh
Zanthoxylum budrunga	Bajrang	Dieng Jaiur khlaw
Prunus sp.	-	Dieng Sohiong
Sapium baccatum	Seleng	Dieng Jalong
Trewia nudiflora	Gutel	
Lannea grandis	Jhingan	Dieng Sohlait
Alstonia scholaris	Chiatin	Dieng Law Kyrteng
Rhus succedanea		Dieng Kain
Ailanthus sp.	Berpat	Dieng Kyrteng
Dillenia indica	Outenga	Dieng Sohkyrbam
Melia azedarachta	Chora neem	Dieng Sohdienglieng
Litsea sp.		
Sterculia sp.	Udal	Dieng Tluh
Dillenia pentagyna	Okshi	Dieng Sohbar
Albizia stipulate	Saw, Harish	Dieng Phyllut
Celtis austrialis	Manhita	
Ulmus lanceifolia	Baban, Tibin	Dieng Thapbalieh
Etythrina sp.	Madar	Dieng Song
Moring asp.		Dieng Lakhiat

Class VI

This class will include all other species not included in the foregoing classes.

B. (i) RATES OF ROYALTY ON LOGS PER Cu. M.

CLASSES	MIDGIRTH (0.61m to 1.22m)	MIDGIRTH (above 1.22m)
Special	Rs.	Rs.
Teak	950.00	1185.00
Carpinus (for all sizes)	1185.00	1185.00
I	131.65	263.25
II.	88.65	177.25
III.	66.60	133.35
IV.	43.85	88.65
V	35.45	70.85

B. (ii) RATE FOR EACH POLE IN RUPEES MIDGIRTH OVER BARK

CLASS	Under 30 cm (per piece) Rs.	30 cm to below 45 cm (per piece) Rs.	45 cm to below 61 cm (*per running metre)* Rs.
Teak	5.00	10.00	5.00
I	4.50	11.25	4.50
II	3.50	4.50	3.50
III	3.50	4.50	3.50
IV	3.00	3.50	3.00
V	2.25	3.00	2.25
VI	2.00	2.25	2.00

B. (iii) Rates for immatured under size timber/logs will be 20% above the over sized, rates of respective classes.

B. (iv) RATE FOR EACH CLASS (IN RUPEES)

CLASS	Below 2m Rs.	2m - below 4m Rs.	Above 4m Rs.
Teak	5.00	10.50	15.00
I	3.45	6.75	9.85
II	3.45	6.75	9.85
III	1.80	3.45	5.40
IV	1.80	2.10	4.80
V	0.75	1.35	2.10
VI	0.75	1.35	2.10

Rates are for piece irrespective of cross section and shape.

NOTE: (i) The cubic contents of the log will be calculated by multiplying the square of the quarter girth taken at the middle of the log (under bark). For logs above 3.65 metres in length the girth will be measured at 1.83 metres from the butt end of the log.

(ii) For logs, the girths of which are measured bark add 5% to 10% to the respective rates shown above, for dressed posts and squared beams, add 20% over the above rates.

(iii) Rates for sawn timber shall be double the rate mentioned Under girth 1.22 metres and above irrespective of the girth of the log from which the sawn timber has been converted.

(iv) For barked and dressed poles the rates will be 10% and 33% respectively higher than the rates mentioned above. Length will be measured to the nearest 10 cm.

(v) Payment of royalty at log rates will enable the purchaser to remove slabs obtained on conversion without further payment. Payment at saw a timber rates after conversion in the forest will not enable the purchaser to remove slabs, and the royalty on them, shall leviable separately as prescribed.

B. (V) RATE FOR MINOR FOREST PRODUCE

Royalty in full

		Rs. P.	
1.	Tezpatta	20.00	"
2.	Wild pepper	150.00	"
3.	Broom stick	36.00	"
4.	Pine dhup wood	12.60	"
5	Sisia bark (Cinnamomum zeylanicum)	105.00	"
			"
6	Other C.P.Bark	36.60	"
7	Fire wood	58.00	Per stack of 1mx2m
8	Split fire wood	1.00	Per bundle of 0.45 metre in circumference

Royalty in full

		Rs. P	
9	Agar wood		Per Kg.
	Class I	468.00	"
	Class II	328.00	"
	Class III	178.00	"
	Class IV	3.00	"
10.	Wood lichen	50.00	Per Quintal
11.	Sohpairah (ritha)	75.00	"
12.	Topchini	95.00	"
13.	Wood Charcoal	30.00	"
14.	Charita	5.00	"
15.	Fire wood (bamboo)	1.00	Per bundle of 0.60m in dia
16.	Thatch Grass	15.00	Per 100 bundles of 10cm in dia
17.	Fodder grass	5.00	Per head load

B. (vi) RATE FOR BAMBOOS

	Royalty in full Rs. P.	Per 100 numbers
Dendrocalamus hamiltonii	60.00	"
Bamboosa tulda (jati) 1	48.00	"
Bamboosa palada (makal)	60.00	"
Bamboosa bulgaris (bariala)	100.00	"
Bamboosa balcoon (bhaluka)	100.00	"
Meiocarna bamboosoides (Muli)	24.00	"
Dendrocalamus strictus (male calabau)	40.00	"
Pseudosteichium polymarphum	20.00	"
Theinestachyum dalua (dalu)	20.00	"
(a) Other bamboos of 5cm and above.	20.00	"
(b) Other bamboos of 2.5 to 5cm in diameter.	10.00	"
(c) Other bamboos less than 2.5cm in diameter	8.00	"

The above rates are per 100 nos. of whole bamboo in each case and the diameter mentioned to be taken at the thickness end.

B. (vii) RATE FOR CANES

	Royalty in fall	
Calamus liptospadix	Rs. 10.00	Per 100 metres
Calamus fioribundus (Ligari, Riphin)	Rs. 10.00	"
Other calamus species ekra (Kdait)	Rs. 10.00	Per 1000 metres
(i) Upto 0.15 mt. circumference	Rs. 25.00	Per 100 bundles
(ii) Over 0.30 to 0.45 mts. in circumference	Rs. 50.00	"
(iii) Over 0. 45 in circumference	Rs. 100.00	Per 100 bundles
Roofing leaves (Tynriew)		
(i) Toko	20.00	Per 1000 leaves
(ii) Jeng and others	20.00	

B. (viii) All other minor forest produce not listed above like honey, lac, stone, lichen, selenium berries, bee wax, sakunmatara, Rauwalfia serpentina, chalamghra etc., will be charged at 18% 'ad valorem.'

Chief Executive Member
Khasi Hills District Council,
Shillong

Printed at the Directorate of Printing & Stationery, Megh., Shillong
No. 6/19 Forest (Admn) 500 copies.