

Order for closure of unlicensed plywood, veneer industries and sawmills in the country new licenses to be issued only after obtaining concurrence of the Court.

Hon'ble Supreme Court of India had passed orders in reference to Writ Petition No. 202/95 on 29.10.2002. The extract of these orders is reproduced below:

No State or Union Territory shall permit any unlicensed saw-mills, veneer, plywood industry to operate and they are directed to close all such unlicensed unit forthwith. No State Government or Union Territory will permit the opening of any saw-mills, veneer or plywood industry without prior permission of the Central Empowered Committee. The Chief Secretary of each State will ensure strict compliance of this direction. There shall also be no relaxation of rules with regard to the grant of licence without previous concurrence of the Central Empowered Committee.

It shall be open to apply to this Court for relaxation and or appropriate modification or orders qua plantations or grant of licences.

CENTRAL EMPOWERED COMMITTEE

The Central Empowered Committee (CEC) was constituted by the Hon'ble Supreme Court of India by its order dated May 9, 2002 in Writ Petition (Civil) Nos. 202/95 and 171/96 through a Gazette Notification issued by the Ministry of Environment and Forests. The CEC was constituted as an authority under the provision of Sub Section (3) of section 3 of the Environment (Protection) Act, 1986.

The CEC's broad task is to monitor and ensure the compliance of the order of the Hon'ble Supreme Court concerning the subject matter of Forests and Wildlife and other issues arising out of the said order.

ADDRESS: -

**Central Empowered Committee, II FLOOR, Chanakya Bhawan, Chanakyapuri,
New Delhi – 110021.**

Telephone No.: +91-11- 26884921, 26884923, 26884926. Fax No.: +91-11-24101925.

**GOVERNMENT OF PUNJAB
DEPARTMENT OF AGRICULTURE AND FORESTS**

NOTIFICATION

The 7th July, 2006

No. G.S.R.34/C.A.16/1927/Ss.41,42,51 and 76/2006:-----In exercise of the powers conferred by sections 41, 42, 51 and 76 of the Indian Forest Act, 1927 (Central Act No. 16 of 1927), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules for regulating the operation of Saw Mills, Veneer and Plywood Industries in the State of Punjab, namely:-

RULES

1. **Short title and commencement.**- (1) These rules may be called the Punjab Regulation of Saw Mills, Veneer and Plywood Industries Rules, 2006.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.
2. **Definitions.**- (1) In these rules, unless the context otherwise requires;-
 - (a) "Act" means the Indian Forest Act, 1927 (Central Act No. 16 of 1927);

- (b) “Divisional Forest Officer” means the Divisional Forest Officer (Territorial) in the district;
- (c) “Form” means the Form appended to these rules;
- (d) “licence” means the licence issued under these rules;
- (e) “Principal Chief Conservator” means the Principal Chief Conservator of Forests, Punjab;
- (f) “Saw Mills, Veneer and Plywood Industries” shall include timber depots, sawmills, veneer, plywood including units without any facility for veneer production, particle board, MDF, block board, paper pulp, rayon and any other unit of cutting or converting timber for manufacturing wood based products;
- (g) “section” means section of the Act;
- (h) “State Government” means the Government of the State of Punjab in the Department of Forests; and

- (2) The words and expressions used in these rules, but not defined, shall have the same meanings as assigned to them in the Act.

Sections
41 & 76

3. Restriction on establishment of Saw Mills, Veneer and Plywood

Industries.- No person shall establish, expand installed capacity or operate any Saw Mills, Veneer, Plywood Industries including the existing unit, unless a licence is obtained by him in accordance with these rules.

Section
41

4. Application for grant of licence.- Any person, seeking a licence under these rules, shall make an application to the Divisional Forest Officer in Form-I.

Section
41

5. Grant of licence.- On receipt of an application under rule 4, the Divisional Forest Officer, shall make such inquiry, as he deems fit and after satisfying himself that such application is in accordance with the guidelines, issued by the State Government from time to time, may grant licence in the Form- II, for a period of ten years or may refuse to

grant the licence for the reasons, to be recorded in writing and inform the applicant, accordingly.

Section
41

6. Fee for grant of licence.- The person seeking licence, shall pay such fee, as may be specified by the State Government from time to time, by notification in the official gazette.

Section
41

7. Renewal of licence.- (1) Any person who has been granted licence under rules, may apply for renewal of the licence in Form I within a period of six months before the expiry of the period for which licence was granted to him alongwith such fee, as may be specified by the State Government from time to time, by notification in the official gazette.

(2) On receipt of an application under sub-rule (1), the Divisional Forest Officer, after satisfying himself that such application is in accordance with the guidelines issued by the State Government from time to time, shall renew the licence within a period of thirty days for the period, for which it was originally granted.

(3) In case, the renewal of licence is refused, the Divisional Forest Officer shall provide an opportunity of being heard to the person concerned and record the reasons for refusing such renewal.

Section
41

8. Maintenance of record.- (1) Every licensee shall maintain proper record of the receipt and disposal of timber in Form-III.

(2) The licensee shall produce the record for scrutiny and checking of the timber, whenever it is required by the Divisional Forest Officer or any other officer authorised by him.

Section
41

9. Power to search the premises.- The Divisional Forest Officer or any other officer authorised by him, may at any time, enter the premises of licensed saw mills, veneer, plywood industrial unit with a view to ascertain the genuineness of the licence or to check the timber.

Section
41

10. Revocation of licence.- Notwithstanding anything contained in these rules, the Divisional Forest Officer, where he has reasons to believe that a licensee is operating the Saw Mills, Veneer, Plywood

Industry in contravention of the provisions of these rules or conditions of the licence or the licensee is indulging in activities prejudicial to the interest of forest conservancy, may after giving the licensee an opportunity of being heard, cancel, suspend or revoke the licence granted under these rules.

Section
41

11. Appeal against the refusal or renewal to grant licence or

revocation of licence.- (1) Any person, who has been refused to grant licence under rule 5 or renew licence under rule 7 or whose licence has been revoked under rule 10, may within a period of thirty days from the date of the receipt of information of such refusal or revocation, as the case may be, may apply to the Principal Chief Conservator.

(2) On receipt of the appeal filed under sub- rule (1), the Principal Chief Conservator shall decide the same after giving the person concerned an opportunity of being heard.

(3) The decision of the Principal Chief Conservator of Forests on such appeal shall be final.

Sections
42 & 51

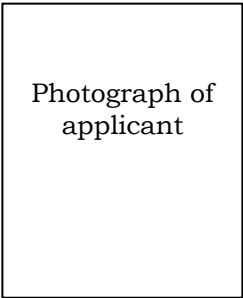
12 Penalty.- Whoever contravenes any of the provisions of these rules, shall be punishable with imprisonment for a term, which may extend to six months or with fine, which may extend to five hundred rupees or with both.

Section
41

13 Saving.- Nothing contained in these rules shall apply to the ordinary operations of domestic carpentry, furniture making units, wooden toy and handicraft making units, charcoal making units and firewood depots, which do not use or have the facility for sawing, converting, cutting and processing round timber.

FORM - I

(See Rule 4)



To

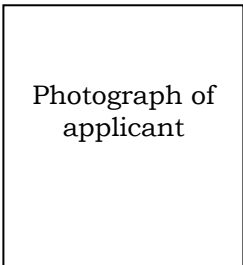
The Divisional Forest Officer,
.....
.....

Sub: Application to establish / renew expand / operate the installed capacity of Saw Mills, Veneer and Plywood industries.

1. Name of the Applicant :
2. Father's Name :
3. Address :
4. Location and address of place where the industry is to be established / expanded / renewal operate.
.....
.....
5. Title and kind of industry :
(Sawmill / Plywood / Veneer/ other)
6. Whether Machinery and power etc. required for the industry to establish / renew/ expand / operate is available (yes or No).
7. If yes, Power Connection Number:
8. Sales tax Number :
9. Proposed installed capacity of the industry:
10. (i) Species to be used :
- (ii) Quantity of timber to be used (tones):
- (iii) Source of timer :
11. No objection certificate of the District Magistrate: (Number and date)
12. Other details, if any

Place:
Date:

(Signature of the Applicant)



FORM – II

(See Rule 5)

Licence to establish / renew / expand or operate Saw Mills/ Veneer/ Plywood industry.

Licence is hereby granted/ renewed to Shri / M/s
S/o resident of
..... (hereinafter called “licensee”) to establish /
renew / expand / operate Saw Mills/ Veneer/ Plywood industry located at (full address)
.....

.....
subject to the provisions contained in the Indian Forest Act, 1927 (16 or 1927), as amended
from time to time and the rules made thereunder and on the following conditions, namely: -

1. The licensee shall / renew / expand / operate the Saw Mills/ Veneer/ Plywood industry at (full address).....
.....
.....
2. The licensee shall not alter the location of the Saw Mills, Veneer, Plywood industry without obtaining prior permission in writing of the Divisional Forest Officer concerned.
3. The licensee shall ensure that –
 - (a) the site of the sawmill including the depot / yard for storage of round timber, sawn timber and waste wood is properly fenced / boundary wall erected with proper gates;
 - (b) all the round timber, sawn timber and wood waste is properly stacked according to the instructions that may be issued from time to time by the Divisional Forest Officer;

Dated: _____

Signature of the Divisional
Forest Officer
(Seal)

FORM – III

(See rule 8)

Record of receipt and disposal of timber

- (i) **Record of receipt of timber.**
 - (a) Date of receipt.
 - (b) The place from which received.
 - (c) Name and full address of the person from whom received.
 - (d) Species of timber.
 - (e) Number of logs or pieces, size and volume (in cu.m.) or weight (in tonnes).
 - (f) Remarks.

- (ii) **Record of disposal of timber/manufactured goods.**
 - (a) Date of sale
 - (b) Date of removal of timber/manufactured goods from depot.
 - (c) Name and full address of person to whom sold or handed over.
 - (d) Species of timber.
 - (e) Product(s).
 - (f) Number/ size and volume (in cu.m.) or weight (in tonnes), as the case may be.
 - (g) Remarks.

D.S. JASPAL,
Financial Commissioner) and
Secretary to Government of Punjab,
Department of Forests.

GOVERNMENT OF PUNJAB

DEPARTMENT OF FOREST AND WILDLIFE PRESERVATION

(FOREST BRANCH)

Notification

The 28th December, 2007

No. 26/251/96-Ft-3/12779. – In pursuance of the provisions contained in Rule 6 of the Punjab Regulation of Saw Mills, Veneer and Plywood Industries Rules, 2006, the Government of Punjab hereby notifies the following license fee for the grant of license to Wood Based Industries in the State of Punjab, namely : -

Sr. No.	Class of Industries	License Fee
1	2	3
1.	One Depot	Rs. 1,000
2.	One Vertical Band Saw	Rs. 1,000
3.	One Horizontal Band Saw	Rs. 5,000
4.	One Peeler	Rs. 10,000
5.	One Press	Rs. 25,000
6.	Other Wood based Industries not covered under Sr. No. 1 to 5	Rs. 10,000
7.	Larger Scale Wood based Industries like M.D.F., Paper etc.	½ % of the cost of plant and machinery subject to a minimum of Rs. 1,00,000

This issues with the approval of Finance Department conveyed, ---- vide I.D. No. 7/177/07-5FE-3/1773, dated 19th December, 2007

Chandigarh:
The 20th December, 2007.

R. C. NAYYAR,
Financial Commissioner and
Principal Secretary to Government of Punjab,
Department of Forests and Wildlife Preservation.