

ಕರ್ನಾಟಕ ವಿಧಾನ ಪರಿಷತ್ತು	
ಚುಕ್ಕೆ ಗುರುತಿಲ್ಲದ ಪ್ರಶ್ನೆ ಸಂಖ್ಯೆ	811(871)
ಸದಸ್ಯರ ಹೆಸರು	ಶ್ರೀ ಎನ್ ರವಿಕುಮಾರ್ (ವಿಧಾನಸಭೆಯಿಂದ ಚುನಾಯಿತರಾದವರು)
ಉತ್ತರಿಸಬೇಕಾದ ದಿನಾಂಕ	24.08.2026
ಉತ್ತರಿಸುವವರು	ಮಾನ್ಯ ಅರಣ್ಯ ಜೀವಿ ಪರಿಸ್ಥಿತಿ ಮತ್ತು ಪರಿಸರ ಸಚಿವರು

ಕ್ರ. ಸಂ	ಪ್ರಶ್ನೆ	ಉತ್ತರ
ಅ)	ಅರಣ್ಯ ಇಲಾಖೆಯ ಅರಣ್ಯದ ಉತ್ಪನ್ನ ಮತ್ತು ಪೂರಕ ಉತ್ಪನ್ನಗಳ ಮಾರಾಟ ಹಾಗೂ ಮರು ಮಾರಾಟಗಾರರಿಗೆ ಯಾವ ರೀತಿಯ ಅನುಮತಿಯನ್ನು ನೀಡುತ್ತದೆ; (ನಿಯಮದ ಪ್ರತಿಯೊಂದಿಗೆ ವಿವರ ನೀಡುವುದು)	ಕರಿಮರ/ಬೀಟೆ (Rosewood), ಶ್ರೀಗಂಧ ಮತ್ತು ಕಥಾ/ಕಟೆಚು (Catechu) ಜಾತಿಯ ಮರಗಳನ್ನು ಹೊರತುಪಡಿಸಿ ಇತರ ಜಾತಿಯ ಮರಗಳ ಉತ್ಪನ್ನ ಮತ್ತು ಪೂರಕ ಉತ್ಪನ್ನಗಳ ಮಾರಾಟ ಹಾಗೂ ಮರು ಮಾರಾಟಗಾರರಿಗೆ ಅರಣ್ಯ ಇಲಾಖೆಯಿಂದ ಅನುಮತಿ ಪಡೆಯುವ ಅವಶ್ಯಕತೆ ಇರುವುದಿಲ್ಲ. ಕರಿಮರ/ಬೀಟೆ (Rosewood) ಮರದ ಕತ್ತರಿಸುವಿಕೆ, ಕೊಯ್ಯುವಿಕೆ ಮತ್ತು ಮಾರಾಟ ಮಾಡಲು ಕರ್ನಾಟಕ ಅರಣ್ಯ ಕಾಯ್ದೆ, 1963ರ ಕಲಂ 104-A ಮತ್ತು ಕರ್ನಾಟಕ ಅರಣ್ಯ ನಿಯಮಾವಳಿ, 1969ರ ನಿಯಮ 127ರನ್ವಯ ಕ್ರಮ ವಹಿಸಬೇಕಿರುತ್ತದೆ. [ಪ್ರತಿ ಒದಗಿಸಿದೆ.] ಶ್ರೀಗಂಧ ಮರಗಳ ಸ್ವಾಧೀನ ಹೊಂದುವಿಕೆ, ಮಾರಾಟ ಮತ್ತು ವಿಭಜನೆ ಗಂಧದ ಎಣ್ಣೆ, ಭಟ್ಟಿ ಇಳಿಸುವಿಕೆ ಮತ್ತು ಮಾರಾಟ ಮಾಡಲು ಕರ್ನಾಟಕ ಅರಣ್ಯ ಕಾಯ್ದೆ, 1963ರ ಅಧ್ಯಾಯ-Xರ ಕಲಂಗಳನ್ವಯ ಮತ್ತು ಕರ್ನಾಟಕ ಅರಣ್ಯ ನಿಯಮಾವಳಿ, 1969ರ ಅಧ್ಯಾಯ-XIIIರ ನಿಯಮಗಳನ್ವಯ ಕ್ರಮ ವಹಿಸಬೇಕಿರುತ್ತದೆ. [ಪ್ರತಿ ಒದಗಿಸಿದೆ.] ಕಥಾ/ಕಟೆಚು (Catechu) ಜಾತಿಯ ಮರಗಳಿಂದ ದೊರೆತ ಕಥಾವನ್ನು ಮಾರಾಟ ಮಾಡಲು ಕರ್ನಾಟಕ ಅರಣ್ಯ ಕಾಯ್ದೆ, 1963ರ ಅಧ್ಯಾಯ-XIರ ಕಲಂಗಳನ್ವಯ ಮತ್ತು ಕರ್ನಾಟಕ ಅರಣ್ಯ ನಿಯಮಾವಳಿ, 1969ರ ಅಧ್ಯಾಯ-XIVರ ನಿಯಮಗಳನ್ವಯ ಕ್ರಮ ವಹಿಸಬೇಕಿರುತ್ತದೆ. [ಪ್ರತಿ ಒದಗಿಸಿದೆ.]
ಆ)	ಇತ್ತೀಚಿನ ದಿನಗಳಲ್ಲಿ ಅರಣ್ಯ ಉತ್ಪನ್ನ ಮತ್ತು ಪೂರಕ ಉತ್ಪನ್ನಗಳನ್ನು ಆನ್‌ಲೈನ್, ಆಪ್ ಆಧಾರಿತ ಹಾಗೂ ವೆಬ್ ಸೈಟ್ ಆಧಾರಿತ ವ್ಯವಸ್ಥೆಯ ಮೂಲಕ ಗ್ರಾಹಕರಿಗೆ ನೇರವಾಗಿ ಮಾರಾಟ ಮಾಡುತ್ತಿರುವುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ; ಈ ನಿಟ್ಟಿನಲ್ಲಿ ಸರ್ಕಾರ ಕೈಗೊಂಡಿರುವ ಕ್ರಮಗಳೇನು;	ಅರಣ್ಯ ಇಲಾಖೆಯಲ್ಲಿ ನಾಟಾ ಮತ್ತು ಇತರ ಅರಣ್ಯ ಉತ್ಪನ್ನಗಳ ಮಾರಾಟಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ:ಅಪಜೀ 59 ಎಫ್‌ಡಿಪಿ 2016, ದಿನಾಂಕ:12.01.2017ರಲ್ಲಿ [ಪ್ರತಿ ಒದಗಿಸಿದೆ] ಇ-ಹರಾಜು ಮೂಲಕ ವಿಲೇ ಮಾಡುವ ವ್ಯವಸ್ಥೆಯನ್ನು ದಿನಾಂಕ:01.02.2017ರಿಂದ ಅರಣ್ಯ ಇಲಾಖೆಯಲ್ಲಿನ ಎಲ್ಲಾ ಸರ್ಕಾರಿ ನಾಟಾ ಸಂಗ್ರಹಾಲಯಗಳಲ್ಲಿ ಕಡ್ಡಾಯವಾಗಿ ಜಾರಿಗೊಳಿಸಲು ಆದೇಶಿಸಲಾಗಿದ್ದು ಸದರಿ ವ್ಯವಸ್ಥೆಯು ಪ್ರಸ್ತುತ ಚಾಲ್ತಿಯಲ್ಲಿರುತ್ತದೆ. ಈ ವ್ಯವಸ್ಥೆಯ ಮೂಲಕ ನಾಟಾ ಮತ್ತು ಇತರ ಅರಣ್ಯ ಉತ್ಪನ್ನಗಳ ಖರೀದಿದಾರರು ನಿಗದಿತ ಎಂ.ಎಸ್.ಟಿ.ಸಿ. ಪ್ಲಾಟ್‌ಫಾರ್ಮ್ (MSTC platform)ಯಲ್ಲಿ ಅರಣ್ಯ ಇಲಾಖೆಯಲ್ಲಿ ನಡೆಯುವ ಇ-ಹರಾಜು

		(e-auction) ಪ್ರಕ್ರಿಯೆಯಲ್ಲಿ ಭಾಗವಹಿಸಿ ನೇರವಾಗಿ ಖರೀದಿ ಮಾಡಬಹುದಾಗಿರುತ್ತದೆ. ಇತ್ತೀಚಿನ ದಿನಗಳಲ್ಲಿ ಕೆಲವು ಖಾಸಗಿ ಸಂಸ್ಥೆಗಳು ತಮ್ಮ ಮಾಲೀಕತ್ವದ ವಿವಿಧ ಪ್ರಕಾರದ ಮರ ಆಧಾರಿತ ಪೂರಕ ಉತ್ಪನ್ನ (wood based products)ಗಳನ್ನು ಆನ್‌ಲೈನ್, ಆಪ್ ಆಧಾರಿತ ಹಾಗೂ ವೆಬ್ ಸೈಟ್ ಆಧಾರಿತ ವ್ಯವಸ್ಥೆಯ ಮೂಲಕ ಗ್ರಾಹಕರಿಗೆ ನೇರವಾಗಿ ಮಾರಾಟ ಮಾಡುತ್ತಿರುವ ವಿಷಯವು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿರುತ್ತದೆ. ಸದರಿ ವ್ಯವಸ್ಥೆಯ ಮೂಲಕ ಮರ ಆಧಾರಿತ ಪೂರಕ ಉತ್ಪನ್ನ (wood based products)ಗಳನ್ನು ಗ್ರಾಹಕರಿಗೆ ನೇರವಾಗಿ ಮಾರಾಟ ಮಾಡಲು ಅರಣ್ಯ ಇಲಾಖೆಯಿಂದ ಅನುಮತಿಯ ಅವಶ್ಯಕತೆ ಇರುವುದಿಲ್ಲ. ಈ ವ್ಯವಸ್ಥೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಅರಣ್ಯ ಕಾಯ್ದೆ/ನಿಯಮಗಳ ಉಲ್ಲಂಘನೆ ಆದ ಪಕ್ಷದಲ್ಲಿ ಮಾತ್ರ ಅಂತಹ ಘಟಕಗಳು ಅರಣ್ಯ ಕಾಯ್ದೆ/ನಿಯಮಗಳಡಿ ನಿಯಮಾನುಸಾರ ಕ್ರಮಕ್ಕೆ ಒಳಪಟ್ಟಿರುತ್ತಾರೆ.
ಇ)	ಇತ್ತೀಚಿನ ದಿನಗಳಲ್ಲಿ ಆನ್‌ಲೈನ್, ಆಪ್ ಆಧಾರಿತ ಹಾಗೂ ವೆಬ್‌ಸೈಟ್ ಆಧಾರಿತ ಇಂಟೀರಿಯರ್ಸ್ ಡೆಕೋರೇಟಿವ್ ಸಂಸ್ಥೆಗಳು ದೊಡ್ಡ ಪ್ರಮಾಣದಲ್ಲಿ ಅರಣ್ಯದ ಮರಗಳಿಂದ/ಇತರೆ ಅರಣ್ಯದ ವಸ್ತುಗಳಿಂದ ತಯಾರಿಸಲಾಗುವ ಪ್ಲೇವುಡ್ ಬಳಸಿ ವ್ಯವಹಾರ ನಡೆಸುತ್ತಿರುವುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ; ಈ ರೀತಿಯ ಅರಣ್ಯದ ಉಪ ಉತ್ಪನ್ನಗಳನ್ನು ಮಾರಾಟ ಮಾಡಲು ಅರಣ್ಯ ಇಲಾಖೆಯ ಅನುಮತಿ ಅಥವಾ ನಿರಾಪೇಕ್ಷಣಾ ಪತ್ರದ ಅವಶ್ಯಕತೆ ಹಾಗೂ ಸರ್ಕಾರಕ್ಕೆ ಸೂಕ್ತ ಶುಲ್ಕ ಪಾವತಿಯ ಕುರಿತು ಸರ್ಕಾರ ಕೈಗೊಂಡಿರುವ ಕ್ರಮಗಳೇನು;	ಆನ್‌ಲೈನ್, ಆಪ್ ಆಧಾರಿತ ಹಾಗೂ ವೆಬ್‌ಸೈಟ್ ಆಧಾರಿತ ಇಂಟೀರಿಯರ್ಸ್ ಡೆಕೋರೇಟಿವ್ ಸಂಸ್ಥೆಗಳು ಅರಣ್ಯದ ಮರಗಳಿಂದ/ಇತರೆ ಅರಣ್ಯದ ವಸ್ತುಗಳಿಂದ ತಯಾರಿಸಲಾಗುವ ಪ್ಲೇವುಡ್ ಬಳಸಿ ವ್ಯವಹಾರ ಮಾಡುವ ವಿಷಯವು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿರುತ್ತದೆ. ಈ ಕುರಿತು ಅರಣ್ಯ ಇಲಾಖೆಯಿಂದ ಅನುಮತಿ ಅಥವಾ ನಿರಾಪೇಕ್ಷಣಾ ಪತ್ರದ ಅವಶ್ಯಕತೆ ಇಲ್ಲದೇ ಇರುವುದರಿಂದ ಸದರಿ ಮಾರಾಟಗಾರರಿಂದ ಅರಣ್ಯ ಇಲಾಖೆಯಿಂದ ಶುಲ್ಕ ವಸೂಲು ಮಾಡುವ ಪ್ರಶ್ನೆ ಉದ್ಭವಿಸುವುದಿಲ್ಲ. ಪ್ಲೇವುಡ್/ವಿನೀರ್ ತಯಾರಿಸುವ ಘಟಕಗಳಿಗೆ ಈಗಾಗಲೇ ಕರ್ನಾಟಕ ಅರಣ್ಯ ನಿಯಮಾವಳಿ, 1969ರ ನಿಯಮ 163(4-A) ರನ್ವಯ ವಾರ್ಷಿಕ ಪರವಾನಗಿ ಶುಲ್ಕ ರೂ.20,000/-ನ್ನು ನಿಗದಿಪಡಿಸಲಾಗಿರುತ್ತದೆ.
ಈ)	Homelane, HSR Sector2, #1147, 3rd floor, Sri Ranga Complex, 22nd cross road, Parangi Palya Bengaluru-5600102 ಎಂಬ ಇಂಟೀರಿಯರ್ಸ್ ಕಂಪನಿಯು ಅರಣ್ಯ ಇಲಾಖೆಯಿಂದ ಯಾವ ರೀತಿಯ ಅನುಮತಿ ಪಡೆದಿದೆ? (ವಿವರ ಒದಗಿಸುವುದು)	ಉದ್ಭವಿಸುವುದಿಲ್ಲ.

ಕಡತ ಸಂಖ್ಯೆ:ಅಪಜೀ 105 ಎಫ್‌ಎಸ್‌ಡಬ್ಲ್ಯು. 2026


 ಅರಣ್ಯ, ಜೀವಿಪರಿಸ್ಥಿತಿ ಮತ್ತು ಪರಿಸರ ಸಚಿವರು

that no person shall have any right to establish a saw mill or any other sawing contrivances for cutting or converting timber anywhere in the State without obtaining a licence from the concerned Divisional Forest Officer. It is not the case of the petitioner that he has installed machinery in question for the purpose other than cutting of wood. Therefore, this Court is of the opinion that petitioner has to obtain licence under the Karnataka Forest Rules, 1969 in order to install Cast Iron Bend Saw Machine 24Ø. — *Rudrachari v The Principal Chief Conservator of Forest and Others*, 2005(3) Kar. L.J. 555.

Section 102(2)(c) — Rule 137 is not violative of Act, but comes within Section 102(2)(c) of the Act. — *M.M. Thammiah and Another v State of Mysore and Another*, 1971(1) Mys. L.J. 544.

103. Rules to be laid before State Legislature.— Every rule made under this Act, shall be laid, as soon as may be after it is made, before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

104. Penalties for contravention of Act or rules.— Any person contravening any provision of this Act or any rule made under this Act, for the contravention of which no special penalty is provided, shall, on conviction be punishable with imprisonment for a term which may extend to ¹[six months] or with fine which may extend to ²[one thousand rupees], or with both.

³[Provided that any person contravening any such provision relating to sandalwood, shall, on conviction, be punishable with imprisonment for a term which may extend to five years and with fine which may extend to five thousand rupees.]

⁴[104-A. Restrictions on trade and transport of blackwood or Bite trees and timber thereof.— (1) No person other than. —

- (a) the State Government; or
- (b) the officers of the State Government not below the rank of a ⁵[Deputy Conservator of Forest], authorised in writing in this behalf,

1. Substituted for the words "one month" by Act No. 23 of 1974
2. Substituted for the words "five hundred rupees" by Act No. 23 of 1974
3. Proviso inserted by Act No. 1 of 1981, w.e.f. 3-2-1981
4. Sections 104-A and 104-B inserted by Act No. 23 of 1974
5. Substituted for the expression "Divisional Forest Officer" by Act No. 20 of 2001

shall purchase or transport any blackwood or bite tree (*Dalbergia Latifolia*) or timber thereof:

Provided that the purchase of any such tree or timber from the State Government or the aforesaid officers shall not be deemed to be a purchase in contravention of the provisions of this sub-section:

Provided further that the State Government may by order exempt any such tree or timber below such measurements as may be specified by it from time to time from the provisions of sub-section (1).

(2) No person shall sell or otherwise dispose of any such tree or timber to any person other than the State Government or the aforesaid officers.

(3) Notwithstanding anything contained in sub-section (1) any such tree or timber purchased from the State Government or the aforesaid officers by any person for *bona fide* personal use may be transported by such person in accordance with the terms and conditions of a permit issued by such authority and in such manner as may be prescribed.

(4) The price of any such tree or timber shall be such as the State Government may by order specify from time to time, having regard to. —

- (a) prevalent market price;
- (b) quality of the timber in the locality;
- (c) transport facilities available in the locality;
- (d) the cost of transport;
- (e) general level of wages for labour prevalent in the locality; and
- (f) such other matters as may be prescribed.

(5) The State Government or the aforesaid officers may establish such number of depots as may be necessary where any such tree or timber may be sold to the State Government or the aforesaid officers.

(6) The State Government or the aforesaid officers subject to the general supervision and control of the State Government shall be bound to purchase at the price fixed under sub-section (4) any such tree or timber offered for sale during the hours of business.

(7) Any tree or timber purchased under sub-section (1) shall be sold or otherwise disposed of in such manner as the State Government may from time to time direct.

(8) Any person contravening the provisions of this section or any rule made thereunder shall, on conviction, be punishable with imprisonment for a term which may extend to ¹[five years] and with fine which may extend to ²[ten thousand rupees].

1. Substituted for the words "two years" by Act No. 1 of 1981, w.e.f. 3-2-1981

2. Substituted for the words "five thousand rupees" by Act No. 1 of 1981, w.e.f. 3-2-1981

Seizure of, in course of transportation of — Want of mahazar witness cannot be ground to discard prosecution evidence, where accused was apprehended while transporting sandalwood.

K. Ramanna, J., Held: It is an undisputed fact that this revision petitioner was the inmate of the autorickshaw which was involved in transporting sandalwood billets, chips and stumps and another inmate of the said vehicle fled away and the Forest Authorities though made an attempt to apprehend him, they could not succeed. But, however they succeeded in apprehending this revision petitioner. The records indicate that when he was apprehended, he has not produced any licence or permit to transport the sandalwood billets, chips and stumps. Therefore, the forest officials rightly seized the vehicle as well as sandalwood billets, chips under the mahazar. — *Abdul Razak v State of Karnataka, 2004(5) Kar. L.J. 456B.*

Sections 87 and 104-F — Neither the High Court nor the subordinate Courts can go below the minimum sentence prescribed in the statute. — *Manmad Ali v State of Karnataka, ILR 1986 Kar. 249.*

CHAPTER XI SPECIAL PROVISIONS RELATING TO CATECHU

88. Definitions.—In this Chapter, unless the context otherwise requires.—

- (a) “Land” means land belonging to the State Government or private lands;
- (b) “Prescribed” means prescribed by rules made under this Chapter.

89. Felling, etc., of catechu trees without permission prohibited.—No person shall fell, remove, girdle, mark, lop, tap, uproot or burn or strip, bark or leaves from or otherwise damage, any catechu tree growing, existing or found on any land or manufacture cutch unless such person is duly authorised in this behalf under this Chapter.

90. Felling, conversion or removal of catechu trees by the Forest or Revenue Department or by a person.—The felling, conversion or removal of catechu trees and timber or manufacture of cutch shall not be effected by any person, other than the following, namely.—

- (1) by the officers of the Forest and Revenue Departments of the State Government authorised in this behalf by the State Government either by a general or special order; or

- (2) by a person holding a permit granted by the ¹[Deputy Conservator of Forest] ²[x x x]

91. Application for permit for felling catechu trees.—(1) Every person who, whether as holder, occupant, tenant, sub-tenant or lessee or in any other capacity, having right over catechu trees growing or existing or found on any land and who is desirous of felling such trees for manufacture of cutch, sale or other purposes, shall apply to the ³[Deputy Conservator of Forest] in the prescribed form and obtain a permit:

Provided that no such permit shall be necessary for felling of catechu trees sold by the Forest Department and manufacture of cutch from such trees.

(2) Every permit referred to in sub-section (1) shall be in the prescribed form.

92. Transport, etc., of catechu trees or timber without permit prohibited.—No person shall transport or move any catechu trees or timber unless such trees or timber is accompanied by a permit.

93. Purchase or transport of cutch without permit prohibited.—No person shall sell or otherwise dispose of any stock of cutch or transport the same to any place except under a permit granted by the ⁴[Deputy Conservator of Forest] or purchase any stock of cutch from any person other than the person permitted by the ⁵[Deputy Conservator of Forest] to dispose of his stock:

Provided that such permission shall not be necessary for purchase and transport of cutch up to seven pounds for *bona fide* domestic use.

94. Manufacture of cutch to be carried on in specified places.—The boiling of catechu logs, manufacture of cutch and other process for the manufacture of cutch shall be carried on only in such places and within such time as may be specified by the ⁶[Deputy Conservator of Forest].

95. Maintenance of accounts.—Every person who is permitted to manufacture cutch or who comes into possession of any stock of cutch exceeding seven pounds shall maintain regular, true and correct accounts in prescribed forms and send a return in the prescribed form to the ⁷[Deputy Conservator of Forest] on the first day of every month and shall continue to send such returns until the entire stock with him is exhausted.

1. Substituted for the expression "Divisional Forest Officer" by Act No. 20 of 2001
2. The words "or the Deputy Commissioner" omitted by Act No. 1 of 1981, w.e.f. 3-2-1981
3. Substituted for the expression "Divisional Forest Officer" by Act No. 20 of 2001
4. Substituted for the expression "Divisional Forest Officer" by Act No. 20 of 2001
5. Substituted for the expression "Divisional Forest Officer" by Act No. 20 of 2001
6. Substituted for the expression "Divisional Forest Officer" by Act No. 20 of 2001
7. Substituted for the expression "Divisional Forest Officer" by Act No. 20 of 2001

Provided that no person other than the actual offender shall be punishable with imprisonment except in default of payment of fine.

82-B. Offence by companies, etc.—(1) If the person committing an offence under this Act is a company, the company as well as every person incharge of and responsible to the company for the conduct of its business at the time of the commission of the offence shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where an offence under this section has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of any Director, Manager, Secretary or other officer of the Company, such Director, Manager, Secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section.—

- (a) "Company" means any body corporate and includes a firm or other association of individuals; and
- (b) "Director" in relation to a firm, means a partner in the firm.]

CHAPTER X PROVISIONS RELATING TO SANDALWOOD

1[83. Rights of certain persons entitled to sandal trees.—(1) All persons who by the terms of their sannads, grants, or by judicial decision or otherwise are, prior to the commencement of this Act, legally entitled to the sandal trees in their lands shall not fell or sell such sandal tree or convert or dress sandalwood obtained from such tree or possess, store, transport or sell the sandalwood so obtained except in accordance with the provisions of the rules made under this Act.

(2) On or after the commencement of the Karnataka Forest (Amendment) Act, 2001, every occupant or holder of land shall be legally entitled to the sandal tree in his land except where such sandal tree is declared to be the property of the State Government in any grant, lease, contract or other instrument, but such occupant or holder shall not fell or sell such sandal tree or convert or dress sandalwood obtained from such tree or possess, store, transport or sell the sandalwood so obtained except in accordance with the provisions of the rules made under this Act.

1. Sections 83, 84 and 85 substituted by Act No. 20 of 2001

84. Presumption in case of sandalwood.—Wherein any proceedings taken under this Act or in consequence of anything done under this Act or under any law for the time being in force, a question arises as to whether any sandalwood is the property of the State Government, it shall until the contrary is proved be presumed to be the property of the State Government and in case of any prosecution, the burden of proving the contrary shall lie on the accused.

85. Responsibility of occupants and holders of land for the preservation of sandal trees etc.—Every occupant or holder of land or any other person referred to in Section 83 shall preserve all sandal trees growing in his land, and shall in the event of its theft, at once, report such fact to the nearest Forest Officer or Police Officer.]

86. Penalty for offence in regard to sandalwood.—In any case of a forest offence having reference to the cutting, uprooting, or removal or damage to, a sandal tree or any part of a sandal tree belonging to Government, ¹[or to an occupant or holder of land or other person referred to in Section 83], the offender shall, on conviction, be punishable with imprisonment for a term which may extend to ²[ten years] ³[and with fine] which may extend to ⁴[one lakh rupees].

⁵[Provided that.—

- (i) in the case of first offence the term of imprisonment shall not be less than ⁶[five years] and the amount of fine shall not be less than ⁷[fifty thousand rupees]; and
- (ii) in the case of a second or subsequent offence the term of imprisonment shall not be less than ⁸[seven years] and the amount of fine shall not be less than ⁹[seventy-five thousand rupees].]

CASE LAW

Section 86 — For conviction under Section 86 of the Act. The prosecution must prove that accused were engaged in cutting, uprooting and removing sandal trees. — 1974(2) Kar. L.J. Jr. 21 Sh. N. 62.

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1. Inserted by Act No. 20 of 2001
 2. Substituted for the words "seven years" by Act No. 20 of 2001
 3. Substituted for the words "or with fine" by Act No. 23 of 1974
 4. Substituted for the words "twenty-five thousand rupees" by Act No. 20 of 2001
 5. Proviso inserted by Act No. 1 of 1981, w.e.f. 3-2-1981
 6. Substituted for the words "three years" by Act No. 20 of 2001
 7. Substituted for the words "five thousand rupees" by Act No. 20 of 2001
 8. Substituted for the words "five years" by Act No. 20 of 2001
 9. Substituted for the words "twenty thousand rupees" by Act No. 20 of 2001

Sl. No.	Category of Officer	Powers
(1)	(2)	(3)
		(iv) To waive recovery of ground rent in cases of hardship if the amount to be waived does not exceed Rs. 15 in each case.
		(v) To sanction retail sale of sandalwood from depots up to five quintals at sanctioned rates.
		(vi) To sanction retail sales from depots, at sanctioned rates, of timber and other forest produce except Teak up to Rs. 5,000 in value.
		Note. —Shipment-quality Rosewood logs or any other kind of timber to be notified by the Chief Conservator of Forests, from time to time, shall in no case be sold in retail sale.
4.	Assistant Conservator of Forests	To sanction petty sales of timber and other forest produce up to Rs. 1,000, provided the bid is highest and the upset prices are got sanctioned by the competent authority and the bid accepted is up to or more than such upset price.
5.	Range Forest Officers	To sanction sales when the value of the materials to be sold does not exceed Rs. 50, provided the bid is highest and is equal to or exceeds the upset-price fixed by the ¹ [Deputy Conservator of Forests].
6.	Foresters and Section Officers (Round)	To sanction sales when the value of the materials to be sold does not exceed Rs. 25, provided the bid is highest and is equal to or exceeds the upset price fixed by the ² [Deputy Conservator of Forests]

CHAPTER XIII SANDALWOOD

A. Declaration of Sandal trees grown on private lands

103. Definitions. — In this chapter unless the context otherwise requires. —

- (a) "Licensee" includes his servants or agents engaged in carrying out the purposes of the licences granted under the rules;
- (b) "Mature sandal tree" for purposes of the rules is one which is showing signs of decay as indicated by the following external symptoms. —

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

- (i) Dead main branches and leading shoot;
- (ii) Decay of bark;
- (iii) Pale colour and diminutive size of leaves. A further and infallible test is that the heartwood must not be at a lower depth than 2½ cm. from the surface.

[(c) "Owner" means any occupant or holder of land or any other person referred to in Section 83 who is entitled to the sandal trees situated in his land;]

(d) "Sandal tree" includes saplings and seedlings.

[104 to 107. — x x x x x].

Earlier Provisions

104. Declarations to be filed.—(1) All owners of private land shall file with the ³[Deputy Conservator of Forests] or any other officer duly authorised by him a declaration in Form 12 along with a certificate from Tahsildar regarding the ownership of the land ⁴[and of right over the sandal trees existing on such land on the date of commencement of these rules within such date or extended date as may be notified] in the official Gazette by the ⁵[Deputy Conservator of Forests].

(2) Every owner of land ⁶[shall thereafter report at intervals] of not less than five years and when such information is called for by notification in the official Gazette by the ⁷[Deputy Conservator of Forests] about all sandal trees that were declared as below 10 centimetres in girth at 1.37 metres from ground level at the time of the first declaration and all sandal trees further recruited in the land when they attain a girth of 10 centimetres at 1.37 metres from ground level to the Range Forest Officer or any other Officer authorised in this behalf.

105. Acceptance of the declaration.—(1) The ⁸[Deputy Conservator of Forests] or Range Forest Officer or the officer authorised to receive such declaration shall, after a notice issued to the owner of the land, hold a spot inspection of the land and the sandal trees growing thereon in the presence of the owner of such land if he desires to be present and after satisfying himself about the correctness of the particulars furnished by the declarant, if necessary, in consultation with the concerned Revenue

1. Clause (c) substituted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Rules 104 to 107 omitted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
4. Substituted for the words "and or right over the sandal trees within such date as may be notified" by GSR 166, dated 30-4-1974, w.e.f. 30-5-1974
5. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
6. Substituted for the words "shall report at intervals" by GSR 166, dated 30-4-1974, w.e.f. 30-5-1974
7. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
8. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

authorities, pass the declaration as accepted and give numbers to the trees the girth of which are 10 cm. or more at 1.37 metres from ground level.

(2) The original of the declaration shall be preserved in the concerned Range Forest Office, the duplicate shall be sent to the Tahsildar and the triplicate returned to the owner of the land.

(3) A register shall be maintained in the office of the [Deputy Conservator of Forests] and the Range Forest Officer in Form 13 and every declaration of sandal trees recorded in it with full particulars after verification and acceptance as aforesaid. The Tahsildar shall enter the particulars of the sandal trees in the concerned Revenue records from the list furnished to him.

(4) Every declarant of sandal trees shall renew the numbers marked on the trees periodically and always keep them legible.

106. Forest Officer may remove sandal trees.— Any Forest Officer authorised by an Officer not below the rank of a Ranger in this behalf may, after due notice to the owners, enter any private land and uproot or remove any sandal tree growing on such land subject to such provisions as are laid down under these rules. The land owner shall afford such Forest Officer necessary facilities in the discharge of such duties and shall not obstruct him in such work.

107. Failure to file declaration.— (1) No owner of land shall be entitled to receive the value of sandal trees in his land unless he makes the declaration of sandal trees existing on his land under Rule 104.

(2) Any owner of land who fails to make the declaration in respect of sandal trees the right of ownership of which rests with the Government shall forfeit his claim to the bonus, provided that in special cases the Conservator of Forests may sanction the payment of bonus notwithstanding anything contained in this rule.

²[108. Extraction and disposal of Sandal trees from any land, owners of which possess a right thereto.— (1) Any owner who intends to extract his Sandalwood trees shall apply to the concerned Range Forest Officer furnishing particulars regarding the village, Sy. No., other particulars of the land and the list of trees to be extracted in Form 12. The owner shall also indicate whether he intends the extracted Sandalwood to be transported to the Government Sandal Depot to sell it to the State Government or to any State Government undertaking notified by the State Government from time to time or to any other entity. The applicant shall enclose the relevant documents duly obtained from the authorities concerned.

(2) The Range Forest Officer shall visit the spot and after due enquiry and verification of the documents, obtain revenue opinion regarding tenure and ownership of land and sandal trees from the concerned jurisdictional Assistant Commissioner, in cases where trees are of reserved kind and value of the tree/s is more than Rs. 10 lakhs and from the concerned jurisdictional Tahsildar in case of trees, where value is up to Rs. 10 lakhs:

Provided that Revenue Opinion shall not be necessary if. —

(a) the land in question is a Hiduvali land; and

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Rule 108 substituted by Notification No. FEE 46 FDP 2022, dated 31-12-2022, w.e.f. 25-1-2023

- (b) the land in question is fully surrounded by other Hiduvali lands; and
- (c) details of sandalwood trees are recorded in RTC.

The Range Forest Officer after making such enquiry and verification, if satisfied about the ownership or interest of the applicant to the trees, report the matter to the Deputy Conservator of Forests through Assistant Conservator of Forests, within thirty days from the date of receipt of the application. The Deputy Conservator of Forests may after due enquiry and verification of the documents, if satisfied about the ownership and the title, permit extraction of the tree within fifteen days of receipt of the report.

Ordinarily such permission shall not be refused if the tree. —

- (a) Wind fallen.
- (b) Constitute a danger to life or property.
- (c) As is required to be removed for extension of cultivation or for any other reason irrespective of age of the tree.

Before the extraction and removal of tree, the applicant shall sign a declaration in Form 13, agreeing to abide by such of the conditions specified therein and to indemnify the State Government or such other person due to any misrepresentation on his part about his title to the tree or about the ownership of the land.

(3) The tree permitted to be extracted shall be serially numbered and girth measurement taken at a height of 1.37 metres above ground level. The place where the girth measurement was taken shall be marked with a red band in paint. A Forest Guard shall supervise these operations and he shall record the measurements. The details shall be forwarded by the Forest Guard to the concerned Range Forest Officer who shall record the details in the register in Form 14 and maintain the register;

Provided that the sub-rule (3) of Rule 108 shall be applicable, only if sandal trees belong to the Government or sold to forest department.

(4) Thereafter, the tree permitted to be extracted shall be uprooted, cut into proper pieces, each piece serially numbered and its mid-girth and length measured and recorded as specified in the Karnataka Forest Code and the material shall be stocked until transportation. The cost of extraction and stacking will be borne by the owner. A Forest Guard shall supervise these operations:

- (a) In case, owner desires to send the extracted sandalwood to the Government depot, the material shall be transported by the department as provided in Rule 155, under a transit pass in Form 38 to be issued by the concerned Range Forest Officer or by a subordinate not below the rank of a Deputy Range Forest Officer duly authorised by the Range Forest Officer, after giving a receipt to the owner in Form 15. The material shall be accompanied by a Forest Guard during transit. The owner is also at liberty to arrange for transport at his cost;
- (b) When the owner desires to dispose the extracted sandalwood to any State Government Undertaking notified by the State Government from time to time, the extracted material shall be

transported as provided in Rule 155, to the required destination under a transit pass in Form 38-A to be issued by the concerned Range Forest Officer or by a subordinate not below the rank of a Deputy Range Forest officer duly authorised by the Range Forest Officer. On receipt of the Sandalwood, the State Government Undertaking concerned shall issue a receipt in Form 15-A to the owner and a copy of the same shall be sent to the Range Forest Officer concerned and another copy shall be retained by the State Government Undertaking.

- (c) In case, owner desires to dispose the extracted sandalwood to any other entity other than State Government or to any State Government undertaking notified by the State Government, the owner shall submit an application either through online or manual mode in Form 31. On receipt of such application, the Deputy Conservator of Forest shall forward the application to the concerned Range Forest Officer for field verification and after receipt of the report, shall issue transit permission.

(5) When the Sandalwood is brought to the Government depot, the officer in charge of the depot shall check, measure and acknowledge the material and pass on a receipt to the Forest Guard accompanying the material. Thereafter, the sandalwood shall be cleaned, roughly dressed, assorted, classified and weighed in the same manner as the Government sandalwood as specified in the Karnataka Forest Code. The owner or his authorised agent is at liberty to be present at the time of cleaning, dressing, assortment, classification and weighment. The Depot Officer shall submit to the Deputy Conservator of Forests in whose jurisdiction the Government depot lies, the details of sandalwood received in the depot and the final out turn of sandalwood obtained in Form 16, forwarding a copy of it to the concerned Range Forest Officer from whom he had received the sandalwood and to the owner. Thereafter, the Depot Officer shall prepare a bill for payment, indicating the out turn of sandalwood and value to be paid to the owner and submit the same to the Deputy Conservator of Forests having jurisdiction over the depot for making payment. The Deputy Conservator of forests shall get the bill scrutinised, pass the bill and make payment to the owner.

(6) The rates at which the value the sandalwood has to be paid to the owner shall be fixed by the Principal Chief Conservator of Forests for each financial year based on average prices obtained for sandalwood in the auction sales held in the State. In case no auction sales were conducted in Karnataka State recently, the average price obtained in the auction sale held in Tamil Nadu shall be applied. The average rates obtained in the last two auction sales shall be the basis. After deducting the cost of transportation (if transported departmentally), preparation, supervision and other incidental charges as fixed by the Principal Chief Conservator of Forests, the value of sandalwood shall be paid to the owner, as soon as possible but not later than three months from the date of receipt of the material in the depot.]

109. Felling of sandal trees which are the exclusive property of the State Government ¹[under sub-section (2) of Section 83].—(1) The selection of sandal trees for extraction ²[which are the exclusive property of the State Government under sub-section (2) of Section 83] shall entirely rests with the Forest Department and ³[no occupant or holders shall have right to insist that such sandal trees] standing on his land be removed on any ground than that of obstruction to cultivation or to object to the removal of any trees by the Forest Department in the course of its ordinary operations.

(2) Every sandal tree ⁴[referred to in sub-rule (1)] intended for felling shall be marked by the Range Forest Officer with a 'F' hammer mark just above the root stock after removing the outer bark and white wood and given a serial number marked on it ⁵[x x x x x].

⁶[(3) The tress thus marked shall be uprooted, cut into proper pieces, numbered as provided in the Karnataka Forest Code and sent to the depot as provided under Rule 155, under a transit pass in Form No. 38, in the remarks column of which the name of the owner and his address shall be noted.

(4) Any occupant or holder may get any Sandal tree growing in his land and belonging to the State Government removed if it interferes with the legitimate use of his land by making an application in that behalf to the Range Forest Officer giving the Survey number in which the sandal tree is situated and furnishing the approximate height and girth of such tree. The Range Forest Officer shall, after due enquiry, if satisfied about the bona fides of the applicant's request, forward the application with his recommendation to the Deputy Conservator of Forests, who after such verification and enquiry, if satisfied about the bona fides, may order the removal of the tree. The opinion of the Deputy Conservator of Forest shall be final.]

⁷[(5) & (6) x x x x x]

Class	Girth at breast-height, i.e., 1.37 metres above ground level	Amount of compensation payable to Government by the occupant
		Rs.
I.	Less than 30 cm.	...
II.	30 cm. to 60 cm.	4

1. Substituted for the words "from private lands" by Notification No. FEE 16 FSW 2001 dated 5-9-2002, w.e.f. 5-9-2002
2. Inserted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
3. Substituted for the words "and no land owner shall have the right to insist that a sandal tree" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
4. Inserted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
5. The words "corresponding with that contained in a register in Form 14 maintained by the Range Forest Officer showing all the trees marked by him for removal from private lands Monthly extract therefrom shall be sent to the Divisional Forest Officer" omitted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
6. Sub-rules (3) and (4) substituted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
7. Sub-rules (5) and (6) omitted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

III. Above 60 cm. up to 75 cm.

IV. Above 75 cm.

8

12

¹[110. Waiving the compensation payable. — x x x x x]

111. Dead sandal trees. — x x x x x

112. Receipt to be given to the owner if he is entitled for bonus. — x x x x x

113. Trees to be cleaned and classified in the depot. — x x x x x

114. Bonus. — x x x x x

115. Removed trees to be deleted from the register. — x x x x x]

**B. Damage, destruction and theft of sandal trees
belonging to Government in private lands**

116. Damage or theft of sandal tree. — Every Forest, Police, Revenue or Village Officer shall report to the concerned ²[Deputy Conservator of Forests] every case of damage or theft of sandal tree belonging to Government in occupied land as soon as it comes to his knowledge.

³[117. Damage or theft of sandal trees in private lands over which the land owners possess a right of ownership. — x x x x x.]

**C. Possession, storage, sale and disintegration of sandalwood;
distillation and sale of sandalwood oil**

118. Application for license. — (1) All applications for grant or renewal of licenses under Section 87 shall be made to the ⁴[Deputy Conservator of Forests] concerned, with the fees specified in sub-rule (2) furnishing the following and such other particulars as the ⁵[Deputy Conservator of Forests] may require. —

- (i) The kind and quantity of sandalwood for which the license is sought for;
- (ii) License for what purpose?
- (iii) Sandalwood wherefrom obtained and when? (necessary documents and passes to be enclosed);
- (iv) Period for which the license is sought;
- (v) Particulars of the locality and place where the sandalwood is sought to be stored, sold, disintegrated or the oil distilled;
- (vi) Nature of the mill, plant or other contrivance for disintegrating sandalwood or distilling oil from sandalwood;

1. Rules 110 to 115 omitted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
3. Rule 117 omitted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
5. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(vii) Whether he holds a license, if so. —

- (a) The previous license number and date and the date of its expiry and return;
- (b) Whether the applicant has maintained the stock accounts in the prescribed form and rendered them to the ¹[Deputy Conservator of Forests]? If so, up to what period?
- (c) The stock of sandalwood with the applicant on the date of application.

(2) The fees specified in column (3) of the table below shall be charged for the grant or renewal of a license specified in column (2) thereof. —

²TABLE

Sl. No.	Nature of licence	Fees
(1)	(2)	(3)
1.	For possessing and storing of sandalwood and not exceeding one quintal.	Rs. 1,000/- per financial year or part thereof.
2.	For possessing and storing of sandalwood exceeding one quintal.	Rs. 5,000/- per financial year or part thereof.
3.	For possessing, storing and selling of sandalwood or oil distilled from sandalwood.	Rs. 10,000/- per financial year or part thereof.
4.	For running a disintegrator or any other contrivance of disintegrating sandalwood.	Rs. 5,000/- per financial year or part thereof.
5.	For running a distillery or plant for distilling oil from sandalwood.	Rs. 50,000/- per financial year or part thereof.
6.	Fee for issuance a duplicate license given, in lieu of that damaged for rendered useless, under sub-rule (2) of Rule 118.	Rs. 1,000/- per licence each time.]

Provided that no fee shall be charged for the possession and storage of sandalwood by temples and Muzrai institutions and for disintegration of wood and distillation of oil by Government Departments.

(3) On receipt of the application and the fee, the ³[Deputy Conservator of Forests] shall, after such enquiry as he deems necessary, if satisfied that there is no objection to grant or renew the license in Form 17 having regard to the safeguarding of the Government sandalwood and the antecedents of the applicant, grant or renew license subject to such conditions as may be prescribed therein.

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Table substituted by Notification No. FEE 119 FDP 2016, dated 17-11-2023, w.e.f. 1-2-2024 vide Corrigendum No. FEE 119 FDP 2016, dated 31-1-2024, published in the Karnataka Gazette, dated 3-2-2024.
3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(4) The ¹[Deputy Conservator of Forests] may, after giving the applicant an opportunity of being heard in the matter and for reasons to be recorded in writing, reject any application for grant of a license or its renewal, whereupon the applicant, unless he appeals against the orders of rejection under Rule 122, shall be entitled to the refund of the fee remitted by him under sub-rule (2).

²[119. Duplicate copy of license.—The Deputy Conservator of Forests may, on receipt of payment of a fee of Rs. 30, issue a duplicate of the licence if he is satisfied that the original licence issued to a licensee is lost, destroyed or otherwise rendered useless.]

120. Cancellation or suspension of license.—The officer issuing the license may, at any time, for reasons to be recorded in writing, cancel or suspend any license after giving the licensee an opportunity of being heard in the matter.

121. Copies of the order.—A copy of every order rejecting the application for the grant or renewal of a license under sub-rule (4) of Rule 118 or cancelling or suspending of a license under Rule 120 shall be granted to the applicant or the licensee, as the case may be, by the ³[Deputy Conservator of Forests] making such order.

⁴[122. Appeal.—Any person aggrieved by an order of the Deputy Conservator of Forests under sub-rule (4) of Rule 118 or Rule 120 may, within 30 days of the receipt of the order under Rule 121, present an appeal thereupon in writing to the officer in charge of the Circle, whose decision thereon shall be final. Appeals received after the specified period shall be summarily rejected.]

⁵[123. Maintenance of accounts by the licensee.—The licensee shall maintain accounts of transactions in a stock register in Form 18 and produce them for inspection and check when demanded by any Forest or Police Officer not below the rank of Range Forest Officer or Sub-Inspector of Police. Any refusal to produce the register of accounts or the non-maintenance of the accounts or the maintenance of incorrect accounts shall entail cancellation of the licence, in addition to any other penalty that may be imposed under the provisions of these rules.]

CHAPTER XIV CATECHU TREES

124. Definition.—In this chapter, unless the context otherwise requires, permit-holder includes his servants and agents engaged in carrying out the purpose of the permit granted under the rules.

Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

Rule 119 substituted by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

Rule 122 substituted by Notification No. FEE 46 FDP 2022, dated 31-12-2022, w.e.f. 25-1-2023

Rule 123 substituted by Notification No. FEE 46 FDP 2022, dated 31-12-2022, w.e.f. 25-1-2023

125. Application for permit for felling Catechu trees.—(1) Applications for grant or removal of permits under Section 91 shall be in Form 19. Forms of application may be obtained free of cost from the Deputy Commissioner.

(2) The permits under Section 91 shall be in Form 20 either in English or Kannada.

(3) A fee of rupees 10 shall be charged for each permit issued for the felling of catechu trees and manufacturing of cutch from them.

(4) On receipt of the application and the fee, the Deputy Commissioner shall, after such enquiry as he deems necessary and after consulting the ¹[Deputy Conservator of Forests], if satisfied that there is no objection to grant the permit, having regard to the safeguarding of the Government catechu trees and the antecedents of the applicant, grant a permit subject to such conditions as may be specified therein.

(5) The Deputy Commissioner may, after giving the applicant an opportunity of being heard in the matter, for reasons to be recorded in writing, reject an application whereupon the applicant shall be entitled to the refund of the fee paid by him under sub-rule (3) of Rule 125.

(6) The officer issuing the permit may, at any time, for reasons to be recorded in writing, cancel or suspend any permit after giving the permit-holder an opportunity of being heard in the matter.

126. Permit for purchase, sale or transport.—(1) Applications for grant or renewal of permits under Section 93 shall be in Form 21 and be accompanied with a Treasury receipt for rupees ten for having remitted the amount in any Government Treasury towards the fee for the issue of permit or its renewal. Forms of application may be obtained from the ²[Deputy Conservator of Forests], free of cost. Permit for the sale of cutch shall be in Form 22 and permit for transport shall be in accordance with the rules framed under Section 50 of the Act.

(2) The ³[Deputy Conservator of Forests] may, after giving the applicant an opportunity of being heard in the matter, for reasons to be recorded in writing, reject any application for grant of a permit or its renewal or issue of a transit pass, whereupon the applicant shall be entitled to the refund of the fee, if any, paid by him unless he appeals against the orders of refusal under sub-rule (5).

(3) The ⁴[Deputy Conservator of Forests] issuing the permit may, at any time, for reasons to be recorded in writing, cancel or suspend any permit giving the permit-holder an opportunity of being heard in the matter.

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE to FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE to FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE to FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE to FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

(4) A copy of every order rejecting an application for the grant or renewal of a permit under Rule 141 or cancelling or suspending of a permit under Rule 142 shall be granted to the applicant or the permit-holder, as the case may be, by the ¹[Deputy Conservator of Forests].

(5) Any person aggrieved by an order of the ²[Deputy Conservator of Forests] under sub-rules 2 or 3 may, within 30 days of the receipt of the order under sub-rule (4) present an appeal thereupon in writing to the Conservator of Forests, whose decision thereon shall be final. Appeals received after the specified period shall be rejected.

127. Maintenance of account, etc., by permit-holder.—Every person who is permitted to manufacture cutch or who is permitted to sell or dispose of Cutch or who comes into possession of any stocks of Cutch exceeding 3.17 kg. shall maintain accounts of transactions, out-turn, disposal *etc.*, in a stock register in Form No. 23 and send a copy of it to the ³[Deputy Conservator of Forests].

⁴[CHAPTER XIV-A BLACKWOOD OR BITE TREES]

127-A. Cutting, felling and sale or disposal of blackwood or bite trees.—(1) No person shall cut, fell, sell or transport any blackwood or bite tree or timber thereof standing on any land except in accordance with the provisions of this rule.

(2) Every person intending to cut or fell such trees standing on any land shall apply in Form 45 to the ⁵[Deputy Conservator of Forests] having jurisdiction along with the relevant documents indicating the tenure of the land, nature of his rights to the trees, consent of the owner or occupant of the land if the applicant is not the owner or occupant thereof, and such other particulars as are specified in the application and may be required by the ⁶[Deputy Conservator of Forests].

(3) On receipt of the application, the ⁷[Deputy Conservator of Forests] shall, after such enquiry as he deems necessary, if satisfied about the title of the applicant to the trees and that the trees are fit for cutting and felling on silvicultural principles, enumerate such of the trees as may be extracted on silvicultural principles and accord permission to fell, convert and transport

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
4. Chapter XIV-A and Rule 127-A inserted by GSR 257, dated 4-9-1974, w.e.f. 16-9-1974
5. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
6. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002
7. Substituted for the words "Divisional Forest Officer" by Notification No. FEE 16 FSW 2001, dated 5-9-2002, w.e.f. 5-9-2002

them to the approved depot or undertake to extract and deliver them to the depot through departmental agency, as the case may be. In the event of the Forest Department undertaking extraction and removal, the applicant shall sign a declaration in Form 46 agreeing (i) to abide by such of the conditions specified therein as may be imposed by the ¹[Deputy Conservator of Forests], and (ii) to indemnify the Government or any other person against any loss that may be caused to the Government or such other person due to any misrepresentation on his part about his title to the trees or about the ownership of the land or due to his interference or obstruction during the course of cutting, felling, conversion, and removal by the Department. The ²[Deputy Conservator of Forests] may refuse permission for felling or cutting if he is of the opinion that the trees are not fit for felling on silvicultural principles or for any other reason to be recorded in writing. The owner or occupant or the applicant aggrieved by an order of the ³[Deputy Conservator of Forests] may appeal to the concerned Conservator of Forests within thirty days from the date of such order and the decision of the Conservator of Forests on such appeal shall be final.

(4) Cutting, felling, conversion and transport of such trees shall be done under the supervision and guidance of the officers of the department and if the applicant is cutting, felling or transporting the trees, he shall maintain such registers, forms and accounts as may be specified by the ⁴[Deputy Conservator of Forests] or the Government.

(5) The Officer-in-charge of a Government depot shall accept the bite trees or timber thereof brought to the depot by the applicant or the departmental agency during business hours and record the measurements and the classifications of timber and pass a receipt in Form 47 for having received the timber in the depot. The measurements recorded in the receipt by the Officer-in-charge of the depot shall be final for the purpose of payment of purchase price fixed under sub-section (4) of Section 104-A.

(6) Nothing in this rule shall apply. —

- (a) for the cutting or felling of bite trees required for ~~home~~ ^{personal} use of the owner thereof upto a limit of 350 Cft. or 10 Cmtr.
- (b) to trees exempted under the second proviso to sub-section (1) of Section 104-A.

1. Substituted for the words "Divisional Forest Officer" by Notification No. FEE to PWD 2001, dated 5-9-2002, w.e.f. 5-9-2002
2. Substituted for the words "Divisional Forest Officer" by Notification No. FEE to PWD 2001, dated 5-9-2002, w.e.f. 5-9-2002
3. Substituted for the words "Divisional Forest Officer" by Notification No. FEE to PWD 2001, dated 5-9-2002, w.e.f. 5-9-2002
4. Substituted for the words "Divisional Forest Officer" by Notification No. FEE to PWD 2001, dated 5-9-2002, w.e.f. 5-9-2002

ಸರ್ಕಾರಿ ಸರ್ಕಾರದ ನಡವಳಿಕೆಗಳು

(51)

ವಿಷಯ: ಅರಣ್ಯ ಇಲಾಖೆಯಲ್ಲಿ ಅರಣ್ಯ ಉತ್ಪನ್ನಗಳನ್ನು ಇ-ಹರಾಜು/ಇ-ಟೆಂಡರ್ ಮೂಲಕ ವಿಲೇವಾರಿ ಮಾಡುವ ವ್ಯವಸ್ಥೆಯನ್ನು ದಿನಾಂಕ 01.01.2017ರಿಂದ ಅರಣ್ಯ ಇಲಾಖೆಯ ಎಲ್ಲಾ ಟೆಂಡರ್‌ಯಾರ್ಡ್‌ಗಳಲ್ಲಿ ಅನುಷ್ಠಾನಗೊಳಿಸುವ ಬಗ್ಗೆ.

ಓದಲಾಗಿದೆ: (1) ಸರ್ಕಾರಿ ಆದೇಶ ಸಂಖ್ಯೆ ಅಪಜೇ 59 ಎಫ್‌ಡಿಪಿ 2016 ದಿನಾಂಕ 16.07.2016.

(2) ಸರ್ಕಾರಿ ಆದೇಶ ಸಂಖ್ಯೆ ಅಪಜೇ 59 ಎಫ್‌ಡಿಪಿ 2016 ದಿನಾಂಕ 22.09.2016.

ಪ್ರಸ್ತಾವನೆ:

1. ಅರಣ್ಯ ಇಲಾಖೆಯಲ್ಲಿ ಅರಣ್ಯ ಉತ್ಪನ್ನಗಳನ್ನು ಸರ್ಕಾರಿ ಮರಮುಖ್ಯ ಸಂಗ್ರಹಾಲಯಗಳಲ್ಲಿ ಆನ್‌ಲೈನ್ ಮೂಲಕ ವಿಲೇವಾರಿ ಮಾಡುವ ವ್ಯವಸ್ಥೆಯನ್ನು ಹೆಚ್ಚು ಪಾರದರ್ಶಕವಾಗಿಸಲು, ಹರಾಜು ಪ್ರಕ್ರಿಯೆಗೆ ಹೆಚ್ಚಿನ ವಿಶ್ವಾಸಾರ್ಹತೆಯನ್ನು ಒದಗಿಸಲು ಮತ್ತು ಇಲಾಖೆಗೆ ಹೆಚ್ಚಿನ ಆದಾಯ ಕರುವ ದೃಷ್ಟಿಯಿಂದ ಅರಣ್ಯ ಉತ್ಪನ್ನಗಳನ್ನು ಇ-ಹರಾಜು/ಇ-ಟೆಂಡರ್ ಮೂಲಕ ವಿಲೇ ಮಾಡುವ ವ್ಯವಸ್ಥೆಯನ್ನು ಅನುಷ್ಠಾನಗೊಳಿಸಲು ಮೇಲೆ ಓದಲಾಗಿರುವ ದಿನಾಂಕ 16.07.2016ರ ಸರ್ಕಾರಿ ಆದೇಶದಲ್ಲಿ ಮಂಜೂರಾತಿ ನೀಡಲಾಗಿದೆ. ಈ ವ್ಯವಸ್ಥೆಯನ್ನು ಅನುಷ್ಠಾನ ಮಾಡುವ ಮತ್ತು ನಿರ್ವಹಿಸುವ ಕಾರ್ಯವನ್ನು ಕೃಷಿ ಉತ್ಪನ್ನ ಮಾರುಕಟ್ಟೆ ಸಮಿತಿಗಳಲ್ಲಿ ನಿರ್ವಹಿಸುವ ಮಾದರಿಯಲ್ಲಿ ಸೂಕ್ತ ಮಾರ್ಪಾಡುಗಳೊಂದಿಗೆ ನಿರ್ವಹಿಸಲು Rashtriya E-Market Services Pvt. Ltd ಗೆ ವಹಿಸಲಾಗಿದೆ. ಸದರಿ ಆದೇಶದಲ್ಲಿ ಡಾಂಡೇಲಿಯಲ್ಲಿ ಅರಣ್ಯ ಉತ್ಪನ್ನಗಳ ಇ-ಹರಾಜು/ಇ-ಟೆಂಡರ್ ವ್ಯವಸ್ಥೆಯನ್ನು Pilot Basis ಮೇಲೆ ತ್ವರಿತವಾಗಿ ಅನುಷ್ಠಾನಗೊಳಿಸಲು ಮತ್ತು ನಂತರದಲ್ಲಿ ಸೆಪ್ಟೆಂಬರ್ 1, 2016ರಿಂದ ಜಾರಿಗೆ ಬರುವಂತೆ ಈ ವ್ಯವಸ್ಥೆಯನ್ನು ಅರಣ್ಯ ಇಲಾಖೆಯ ಎಲ್ಲಾ ಟೆಂಡರ್‌ಯಾರ್ಡ್‌ಗಳಲ್ಲಿ ಜಾರಿಗೊಳಿಸಲು ಸಹ ಆದೇಶಿಸಲಾಗಿದೆ.
2. ಅರಣ್ಯ ಇಲಾಖೆಯಲ್ಲಿ ಅರಣ್ಯ ಉತ್ಪನ್ನಗಳನ್ನು ಇ-ಹರಾಜು/ಇ-ಟೆಂಡರ್ ಮೂಲಕ ವಿಲೇವಾರಿ ಮಾಡುವ ವ್ಯವಸ್ಥೆಯ ಅನುಷ್ಠಾನ ಮುಂಗೂರು, ಕೊಡಗು, ಬೆಳಗಾವಿ ಹಾಗೂ ಧಾರವಾಡ ಡಿಮೋಗಳಲ್ಲಿ ಉಲ್ಲೇಖ (2)ರ ಆದೇಶದಂತೆ ಆಗಿದೆ. ಆಗಿರುವ ಪ್ರಗತಿಯನ್ನು ಪರಾಮರ್ಶಿಸಿ, ಮುಂದುವರೆದು ಈ ಕೆಳಕಂಡಂತೆ ಆದೇಶಿಸಲಾಗಿದೆ.

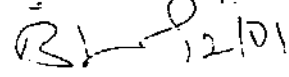
ಸರ್ಕಾರದ ಆದೇಶ ಸಂಖ್ಯೆ: ಅಪಜೇ 59 ಎಫ್‌ಡಿಪಿ 2016
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 12.01.2017

3. ಅರಣ್ಯ ಇಲಾಖೆಯಲ್ಲಿ ಅರಣ್ಯ ಉತ್ಪನ್ನಗಳ ಬಿಡ್ಡಿಂಗ್ (ದರ ನಿಗದಿ ಪ್ರಕ್ರಿಯೆ)ನ್ನು ಇ-ಹರಾಜು/ಇ-ಟೆಂಡರ್ ಮೂಲಕ ವಿಲೇ ಮಾಡುವ ವ್ಯವಸ್ಥೆಯನ್ನು ಫೆಬ್ರವರಿ 1, 2017ರಿಂದ ಎಲ್ಲಾ

ಟೆಂಬರ್‌ಯಾರ್ಡ್‌ಗಳಲ್ಲಿ ಕಡ್ಡಾಯವಾಗಿ ಜಾರಿಗೊಳಿಸಲು ಆದೇಶಿಸಲಾಗಿದೆ. ಈ ಉದ್ದೇಶಕ್ಕಾಗಿ ಅಗತ್ಯವಿರುವ ಎಲ್ಲಾ ಲಾಜಿಸ್ಟಿಕ್ಸ್ ಸೌಲಭ್ಯಗಳನ್ನು ಇಲಾಖೆಯು ತಕ್ಷಣ ಒದಗಿಸಲು ಕ್ರಮ ಜರುಗಿಸತಕ್ಕದ್ದು.

4. ReMS ವ್ಯವಸ್ಥೆಯನ್ನು ಸೂಕ್ತ ಬದಲಾವಣೆಗಳೊಂದಿಗೆ ಬಳಸಲು ಆದೇಶಿಸಿದೆ. ReMS ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು ಮತ್ತು ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ, ಎ.ಸಿ.ಟಿ ವಿಭಾಗ ಇವರು ಈ ವ್ಯವಸ್ಥೆಯನ್ನು ದಿನಾಂಕ 01.02.2017ರಿಂದ ಕಾರ್ಯಗತಗೊಳಿಸಲು ಅಗತ್ಯ ಸಮಾಲೋಚನೆ ಮತ್ತು ಸಮನ್ವಯ ಮಾಡಿ ಎಲ್ಲಾ ಅಗತ್ಯ ಕ್ರಮಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳತಕ್ಕದ್ದು.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ.



(ಹೆಚ್. ಎಸ್. ಭಾಗ್ಯಲಕ್ಷ್ಮಿ)

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ.

ಅರಣ್ಯ ಪರಿಸರ ಮತ್ತು ಜೀವವಿಕಾಸ ಇಲಾಖೆ.

ಗೆ:

ಸಂಕಲನಕಾರರು, ಕರ್ನಾಟಕ ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರ ವಿಕಾಸಸೌಧ, ನೆಲಮಹದಿ, ಬೆಂಗಳೂರು-560 001 ಇವರಿಗೆ ಮುಂದಿನ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಲು ಹಾಗೂ ಸದರಿ ಆದೇಶದ 100 ಪ್ರತಿಗಳನ್ನು ಒದಗಿಸುವಂತೆ ಕೋರಿದೆ.

ಪ್ರತಿಗಳು.

1. ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿಗಳು (ಅರಣ್ಯ ಪಡೆ ಮುಖ್ಯಸ್ಥರು), ಅರಣ್ಯ ಭವನ, 18ನೇ ಅಡ್ಡರಸ್ತೆ, ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು.
2. ಅಪರ ಪ್ರಧಾನ ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ (ಅರಣ್ಯ ಸಂಪನ್ಮೂಲ ನಿರ್ವಹಣೆ), ಅರಣ್ಯ ಭವನ, ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು.
3. ಮುಖ್ಯ ಕಾರ್ಯನಿರ್ವಹಣಾಧಿಕಾರಿ, ಇ-ಆಡಳಿತ, ಸಿಬ್ಬಂದಿ ಮತ್ತು ಆಡಳಿತ ಸುಧಾರಣೆ ಇಲಾಖೆ, ಬಹುಮಹಡಿಗಳ ಕಟ್ಟಡ, ಬೆಂಗಳೂರು.
4. ಮುಖ್ಯ ಅರಣ್ಯ ಸಂರಕ್ಷಣಾಧಿಕಾರಿ, ಎ.ಸಿ.ಟಿ. ವಿಭಾಗ, ಅರಣ್ಯ ಭವನ, ಮಲ್ಲೇಶ್ವರಂ, ಬೆಂಗಳೂರು.
5. ಶ್ರೀ ಆರ್.ಮನೋಜ್, ಸರ್ಕಾರದ ಅಪರ ಕಾರ್ಯದರ್ಶಿ (Market Reforms) ಸಹಕಾರ ಇಲಾಖೆ ಮತ್ತು ವ್ಯವಸ್ಥಾಪಕ ನಿರ್ದೇಶಕರು, Rashtriya E-Market Service Private Limited, ರಾಜಭವನ ರಸ್ತೆ, ಬೆಂಗಳೂರು-1
6. ಸರ್ಕಾರದ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿಗಳು, ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವವಿಕಾಸ ಇಲಾಖೆ ಇವರ ಹಿರಿಯ ಆಪ್ತ ಕಾರ್ಯದರ್ಶಿಗಳು.