


MANIPUR GAZETTE

**EXTRAORDINARY
PUBLISHED BY AUTHORITY**

No. 340

Imphal, Thursday, December 6, 2018

(Agrahayana 15, 1940)

**GOVERNMENT OF MANIPUR
SECRETARIAT: FOREST & ENVIRONMENT DEPARTMENT**

NOTIFICATION

Imphal, the 22nd November, 2018

No. 57/130/2010-Forest & Envvt/40: In pursuance of the directions contained in para 30 of the Order dated 15th January, 1998 and Category I of the Order dated 5th October 2015 of the Hon'ble Supreme Court of India in Writ Petition (C) No.202 of 1995 and in exercise of the powers conferred by Sections 41 and 76 of the Indian Forest Act, 1927(16 of 1927) and in compliance of the guidelines contained in the Wood-Based Industries (Establishment and Regulation) Guidelines, 2016 issued by the Ministry of Environment, Forest and Climate Change, Government of India, the Governor of Manipur is pleased to make the following rules, namely:-

1. Short title, extent and commencement:-

- (1) These rules may be called the Manipur Wood Based Industries (Establishment & Regulation) Rules, 2018.
- (2) These shall extend to the whole of the State of Manipur.
- (3) These shall come into force from the date of their publication in the Official Gazette.

2. Definitions:-

In these rules, unless the context otherwise requires:-

- (a) "Act" means the Indian Forest Act, 1927 (16 of 1927);
- (b) "Authorised Officer" shall mean Territorial Conservator of Forests and Divisional Forest Officer.
- (c) "Furniture unit" means plants and machinery and the premises including the precincts thereof in which or in any part thereof wood based finished products are manufactured using sawn timber, cane, bamboo, reed, plywood or any other wood based product, except a round log, outsourced from licensed wood based industrial units or other legitimate sources and operating without a band saw or re-saw or circular saw of more than thirty centimetre diameter;
- (d) "Government" means the Government of Manipur;
- (e) "Industrial Estate" means areas notified by the State Government for establishment of wood based industries;
- (f) "License" means a license granted under these rules;
- (g) "Principal Chief Conservator of Forests" means a Forest Officer of the rank of Principal Chief Conservator of Forests/ Head of Forest Force in the State;

- (h) **"Round log"** means a piece of wood in its natural form, having mid girth of thirty centimetre or more under bark and it will include such round log even after its bark has been removed or its surface has been dressed, manually or by using a band saw or any other machine or equipment to make its cross section square or near to square for the purpose of ease in its transportation and or storage;
- (i) **"Saw Mill"** means plants and machinery in a fixed structure or enclosure, for conversion of round logs into sawn timber;
- (j) **"Sawn Timber"** means beams, scantlings, planks, battens and such other product obtained from sawing of a round log;
- (k) **"State Level Committee"** means a Committee Constituted by the State Government under rule 3;
- (l) **"Veneer Mill or Plywood Mill"** means plants and machinery and the premises in which or in any part thereof, conversion into required size, slicing, peeling, fashioning or seasoning of timber/wood, including preservation and treatment thereof either by mechanical or chemical process with the aid of electrical or mechanical power or manually is carried out;
- (m) **"Wood Based Industry"** means any industry which processes wood as its raw material (Saw mills/veneer/plywood /pulp/bamboo/cane or any other form such as sandal, katha wood etc.).

3. Constitution of the State Level Committee.-

(1) The State Government shall constitute a State Level Committee on Wood Based Industry consisting of the following members to perform functions stipulated in these rules. The State Level Committee shall consist of the following:-

a)	Principal Chief Conservator of Forests/Head of Forest Department	Chairperson
b)	Additional Principal Chief Conservator of Forests, North Eastern Regional Office, Ministry of Environment, Forest & Climate Change	Member
c)	Additional Principal Chief Conservator of Forests (Working Plan)	Member
d)	Chief Conservator of Forests, Territorial-I and Territorial-II	Member
e)	Director/ Additional Director of Trade, Commerce & Industries	Member
f)	Director/ Additional Director of Settlement & Land Records	Member
g)	Director/ Additional Director of Agriculture Department	Member
h)	Chief Conservator of Forests (Administration & Planning)	Member Secretary

(2) The State Level Committee shall meet at least once in three months.

(3) The quorum of the State Level Committee meeting shall be at least 50% of the members.

4. Powers and functions of the State Level Committee.-

The State Level Committee shall exercise the following powers and functions: –

- (i) assess the availability of timber in the State by way of appropriate study on demand and supply as and when it decides. State Level Committee shall devise suitable mechanism for sustainable use of timber in a way that does not affect the forests of the area adversely.
- (ii) approve the name of wood based industries which may be considered for grant of fresh license or enhancement of the existing licensed capacity in case the State Level Committee is satisfied that timber is available legally for the said new Wood Based Industry (such as Trees outside forest, Forest etc.).
- (iii) ensure that the amount lying with the State Forest Department (recovered from Wood Based Industries) is utilized for the purpose of afforestation only.
- (iv) examine and make appropriate recommendations or any other matter referred by the State Government, to the Ministry of Environment, Forest and Climate Change.

5. Restriction on establishment of Wood Based Industries:-

- (1) The Wood Based Industries shall be permitted to be established within the notified Industrial Estates only.
- (2) The number of Wood Based Industries in the State shall be limited within the sustainable capacity of the forest in the State and the quantity of harvestable yield prescribed by the Working Plan.
- (3) No wood based industries shall be established or run without a valid licence granted under these rules:

Provided that, the licence of Wood-Based Industries renewed by Directorate of Trade, Commerce & Industries, with the approval of State Level Committee prior to these rules shall be treated as licences renewed under these rules.

6. Procedure for notifying Industrial Estate.-

- (1) The Wood Based Industries desirous of establishing Industrial Estate shall apply to the concerned territorial Conservator of Forests.
- (2) The Conservator of Forests through Divisional Forest Officer/other concerned District Level Officers shall cause enquiry to ascertain the following points:-
 - a. Land ownership and extent to be certified by Revenue Department. The land should be in the name of the Wood Based Industries or owner.
 - b. Road connectivity- to be certified by the State Public Works Department.
 - c. Feasibility of Power Supply- to be certified by the Manipur State Power Distribution Ltd.
 - d. Water Supply- to be certified by the Public Health Engineering Department.
 - e. No objection certificate from the surrounding pattadars, Gram Sabha/ Village Authority.
 - f. Location map with geo-coordinate and proximity to the Reserved Forests, to be prepared and certified by the concerned Divisional Forest Officer.
 - g. No objection certificate from Manipur Pollution Control Board.
 - h. Number of Wood Based Industries which can be accommodated in the proposed Industrial Estate.

- (3) For the purpose of enquiry under rule 6, the authorized officer may exercise the following powers:-
- enter into or upon a land, survey and demarcate the same, make a map thereof or authorize any other officer to do so.
 - call for such documents including document under the schedules under these rules as he deems necessary for ascertaining the merit of the application.
- (4) Conservator of Forests after satisfying the above conditions shall submit proposal along with his recommendation to the Member Secretary, State Level Committee for consideration in the next meeting.
- (5) With due approval from State Level Committee, the Government may notify Industrial Estate for locating the Wood Based Industries.

7. Procedure for obtaining of new Wood Based Industry (WBI) licence.-

- (1) Any person desirous to establish or run a Wood-Based Industry in a specified area shall make an application for licence to the authorized officer in Form - I given in Schedule - I to these rules.
- (2) Each application shall be accompanied by a non-refundable application fee as prescribed below in the form of a Demand Draft/ Treasury Challan/RTGS No.:

Sl	Classification of Wood based Industries	Application Fee (Rs.)	Licence Fee(Rs.)	Renewal fee(Rs.)
(a)	Saw mill, Match Splint /Katha /Agarwood Oil manufacturing/extracting unit/Bamboo/Cane	1000	10,000	5000
(b)	Vaneer /Plywood Mill, Hardboard/Particle Board/Match Manufacturing Unit and any other wood based industry	2000	20,000	10,000

- (3) Divisional Forest Officer shall cause an enquiry covering the district wise requirement, availability of timber from forests/ trees outside forests, financial capacity and past records in business of such person. The concerned Divisional Forest Officer shall ascertain the Industrial Estate (notified or proposed) where the Saw Mill under consideration for issue of new licence is to be located. The Divisional Forest Officer shall submit his report to the concerned the Conservator of Forests. The Conservator of Forests shall refer the matter to Member Secretary, State Level Committee for placing in the State Level Committee Meeting.
- (4) The State Level Committee shall after examining the location, availability of raw materials, financial capacity and availability of IE (notified or proposed) either approve or refuse to grant the licence. Where the Committee refuses to grant a licence, it will record the reasons thereof and such reasons shall be communicated to the person in writing. Grant of licence shall be in Form - II given in Schedule-I to these rules.
- (5) After approval by the Government, Conservator of Forests may direct the applicant to start construction and installation of Wood Based Industries and shall ensure installation of Wood Based Industries at the Industrial Estate. After inspection and satisfaction on the progress of the work by the concerned Divisional Forest Officer, the Conservator of Forests shall issue Licence in Form- II of Schedule - I to these rules which shall be renewed in March of every year.
- (6) The Licence shall not be transferable.
- (7) The Licence shall be subjected to compliance of the terms and conditions specified therein the licence.
- (8) Grant of a licence shall be made subject to payment of licence fee as specified above in the form of Demand Draft/ Treasury Challan/RTGS No.

8. Grant, renewal and revocation of a license to wood based industry.-

- (1) No license to a wood based industry shall be granted or renewed without obtaining prior approval of the State Level Committee. However, the State Level Committee may delegate the power of renewal of license to a wood based industry to the concerned Conservator of Forests.
- (2) Transfer of license on sale/succession etc. shall be done only with the approval of the State Level Committee.
- (3) Licenses of the Wood Based Industries shall be renewed annually only in those cases where no irregularity is detected.
- (4) Application for renewal of licence granted shall be made to the authorized officer in Form - III given in Schedule - I to these rules 3 (three) months before expiry of the licence by enclosing the following:-
- GST /Income Tax Clearance Certificate
 - Certificate from Divisional Forest Officer about non violation of terms and conditions prescribed in the licence and submission of Quarterly/Annual report in the Forms prescribed in Schedule - II to these rules.

- (5) The authorized officer, Conservator of Forests shall provisionally renew the licence for a period of six months or till the next meeting of the State Level Committee, whichever is earlier. Licence renewal fee is payable in full.
- (6) No application for renewal of a licence shall be rejected unless the holder of such licence has been given an opportunity for presenting his case and unless the Licensing Authority is satisfied that –
 - a. The application for such renewal has been made after the expiry of the period specified thereof;
 - b. Any statement made by the person making application for renewal of the licence was incorrect or materially false; or
 - c. Such person has contravened any of the terms or conditions of the licence or any provision of the Act or these rules.
- (7) The Conservator of Forests concerned may for reasons to be recorded in writing suspend any licence granted or renewed under these rules till such time as the licence rectifies the shortfalls pointed out by him:
Provided that no such suspension shall be made except after giving the holder of the licence an opportunity of being heard.
- (8) In case the Conservator of Forests concerned deems the case fit for cancellation of the licence, he shall recommend the same to the Principal Chief Conservator of Forests and Head of Forest Force, Chairman of State Level Committee for a final decision.

9. Conditions governing the operation of furniture units.-

(i) The establishment and operation of a furniture unit shall not require a Licence.

(ii) A furniture unit :

- a) shall not use any band saw, or rip saw or a circular saw having more than thirty centimetre diameter.
- b) shall not convert logs.
- c) shall use only sawn timber sourced from licensed saw mills or any other legitimate source.
- d) may use bamboos, reeds and canes.
- e) shall be registered to the concerned Divisional Forest Office as regulated by the State Forest Department.
- f) shall maintain such records as may be stipulated by the State Forest Department.

10. Appeal.-

- (1) Any person aggrieved by any decision taken by the authorised officer under these rules may file an appeal before the Principal Chief Conservator of Forests and Head of Forest Force seeking appropriate relief within thirty days of such decision.
- (2) Any person aggrieved by any decision taken by the Principal Chief Conservator of Forests and Head of Forest Force under these rules may file an appeal before the State Level Committee seeking appropriate relief within thirty days of such decision.
- (3) Any person aggrieved by any decision taken by the State Level Committee under these rules may file an appeal before the Additional Principal Chief Conservator of Forests, North Eastern Regional Office, Ministry of Environment, Forest and Climate Change seeking appropriate relief within sixty days' time.
- (4) If for any reason, any person is aggrieved by the order so passed in the appeal under (b), he may prefer an appropriate petition/appeal in the High Court having jurisdiction of the State.

11. Records to be maintained by wood based industries:-

Each wood based industry shall maintain and regularly update records as per formats prescribed as Forms -I, II, III and IV given in Schedule-II to these Rules.

12. Inspection Wood Based Industries:-

- (1) The following officers are authorised for inspection and verification of records of the Wood Based Industries and exercise the power under section 8 of the Factory Act, 1948:-
- (a) Range Officer : Inspector of Factories
 - (b) Assistant Conservator of Forests/Divisional Forest Officer : Deputy Chief Inspector of Factories
 - (c) Conservator of Forest : Chief Inspector of Factories
- (2) The Inspectors may inspect and verify at any time without notice the following within the premises of the wood based industry –
- a. Records maintained under rule 10.
 - b. Stock of raw material, sawn timber or manufactured products or processed products.
 - c. Health, safety, welfare & grievances, working hours etc of the workers.
- (3) During such inspection and verification, the licensee or his authorized agent, employees and workers, shall be lawfully required to extend all possible assistance and produce all documents and records as may be required during such inspection and verification.

13. Transit Pass for Forest Produce.-

Any kind of forest produce, be it raw material, processed or manufactured item, entering or leaving a wood based industry or its premises shall be covered by a transit pass or a transit chaitan duly issued under the provisions of the Indian Forest Act, 1927 and Manipur Forest Rules, 1971.

14. The Rules have been vetted by Law Department, Government of Manipur.

15. The Rules have also been agreed to by the Finance Department, Govt. of Manipur in FD's File No.4/79/2018 FX(19).

A. HEERA SINGH,
Under Secretary (For. & Env't),
Government of Manipur.

SCHEDULE

Form - I
FORM OF APPLICATION FOR GRANT OF LICENCE FOR SETTING UP OF WOOD BASED INDUSTRY
 [See Rule 7(1) of Manipur Wood - Based Industries (Establishment and Regulation) Rules, 2018]

To, The Conservator of Forests,
 Circle,
 (Through the Divisional Forest Officer,.....Division)

Sir, I/we Shri.....(in block letters) inhabitant(s) of
(address to be given in details)
 under..... Police Station, District by
 profession do hereby apply for grant of licence for setting up of a wood - based industry as mentioned
 below using as raw materials. The particulars of the wood based industry are given herein below:

1. Name of the Wood-based Industry : _____
2. Location & Name of the Industrial Estate where the wood based industry is proposed to be established : _____
3. Whether a Limited company, Partnership or a Proprietorship Business and the relationship of the applicant(s) with such company or Partnership or Proprietorship business (Documents to be attached) Aadhaar No in case of individual. : _____
4. Capital value : _____
5. Installed capacity (volume of timber etc) per year in cum. : _____
6. Expected source/sources of raw materials. : _____
7. Employment : _____
 - a) Strength of regular employees : _____
 - b) Strength of daily workers : _____
8. Source of capital investment : _____
9. Source of power : _____
10. Whether convicted or penalized in any Criminal /Forest Offence case : _____
11. Whether possessing any other wood based industry in the State, if yes, details thereof : _____

Certified that the information furnished herewith are correct and true to the best of my knowledge. I also undertake to pay prescribed Licence fee as and when directed by the Licensing authority.

Yours faithfully,

Place:
 Date:

Signature(s) of the applicant(s)

FORM II

LICENCE FOR OPERATING WOOD BASED INDUSTRIES
 [See Rule 7 of Manipur Wood-Based Industries (Establishment and Regulation) Rules, 2018]

Licence No Dated
(Name, Names), inhabitant(s)
 of.....(address to be given in details) in the
 police Station Districtby professionis/are hereby permitted to set up/run the wood-based
 industry as indicated below:under the terms and condition as laid down in these rules as well as other terms and conditions specified hereunder,
 using as the raw materials upto 31st March.....

1. Name of the Wood-Based Industry : _____
2. Location & Name of the Industrial Estate/Minor Industrial Estate : _____
3. Ownership whether Individual/ Partner/Private Limited Company) : _____
 - (a) Name of Owner/Chief Executive Officer : _____
 - (b) Address of Owner/Chief Executive Officer : _____
4. Installed capacity with description of the machinery : _____
5. Capital Value of the Wood Based Industry : _____
6. Employment : _____
 - a) Strength of regular employees : _____
 - b) Strength of daily workers : _____
7. Licence fee paid (Treasury Challan No./DD no./RTGS No.) : _____

Date:

Signature of the Issuing Authority

(Seal)

TERMS AND CONDITIONS FOR OPERATING WOOD BASED INDUSTRIES

1. Only the registered number allowed to the holder of this licence must be used.
2. A property mark as approved by the concerned territorial Divisional Forest Officer must be used on all timbers received and issued from the wood-based industry.
3. Only Timbers bearing property mark/ should be used. In case home grown, Certificate of Origin issued by the concerned Divisional Forest Officer must be maintained.
4. All timbers received in the wood-based industry must be covered by Transit pass/Certificate of origin / trade permit (imported timber).
5. No illegal timber(logs, beam, sawn, finished products) shall be stocked in the premises of the Wood Based Industries.
6. Breach of any of the above conditions or infringement of any law for the time being in force in the State shall render to cancellation of the licence.
7. In the event of any dispute arising between the holder of the license and the Forest Department as regards interpretation of rule, the decision of the Principal Chief Conservator of Forests and Head of Forest Force shall be final and binding.
8. The wood based industrial unit other than veneer mill, plywood mill, Hardboard/particle board factory shall not work from dusk to dawn.
9. The Wood Based Industries unit will maintain the records as prescribed in Rule 10
10. The Wood Based Industries is subject to the inspection by the Inspectors under Rule 11.

FORM -III

**FORM OF APPLICATION FOR RENEWAL OF LICENCE
of Manipur Wood Based Industries (Establishment and Regulation) Rule 2018]**

i,
..... Circle,
est Officer,..... Division)

.....(in block letters) inhabitant(s) of
.....(address in details)
.....Police Station, District.....by
..... do hereby apply for renewal of my/our Licence
....., the validity of which is expiring on.....an amount of Rs
... (Rupees) only being the Renewal fee has been deposited in the
.....(Treasury Challan No/dd No./RTGS No.)Dated
erewith.

Yours faithfully

Signature of the Applicant(s)

SCHEDULE II

[See Rule 10 and S.O.3456(E) dated 11.11.2016 of Ministry of Environment & Forests in compliance of Supreme Court dated 5.10.2015 in W.P.(C) 202/1995]

FORM - I (RECEIPT REGISTER)

Name of Wood Based Unit

Forest Division:

Register opened on:

(a): RECEIPT REGISTER - TIMBER LOGS

Date	Name & Address of the seller from whom bought	Transit pass Issuing Authority		Serial No of the log in the consignment (if given)	Species	Measurement of each piece(s)			Remarks
		No	Date			Length	Girth	Volume (in cum)	
1	2	3	5	6	7	8	9	10	11

(b): RECEIPT REGISTER - SAWN TIMBER

Date	Name & Address of the seller from whom bought	Transit pass Issuing Authority		Species	Measurement of each of the piece(s)					Remarks
		No	Date		Name of pieces (if more than one piece of the same dimension)	Length	Width	Depth	Volume (in cum)	
1	2	3	5	6	7	8	9	10	11	12

III(c) : DISPATCH REGISTER - VENEER

Date	Name and address of the purchaser	Species	Excise payable/ not payable. Yes/No	Whether Face/Core	Thickness in mm	Face area in sq.m	Notional area (with thick as 4 mm) sq.m	Volume in cum	Carling Chailan		Transit pass		Remarks	
									No	Date	No	Date		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

III(d) : DISPATCH REGISTER - PLYWOOD

Date	Name and address of the purchaser	Type of plywood	Excise payable/ not payable. Yes/No	Whether Face/Core	Thickness in mm	Face area in sq.m	Notional area (with thick as 4 mm) sq.m	Volume in cum	Carling Chailan		Transit pass		Remarks	
									No	Date	No	Date		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Note 1: Six major commercial species for timber, sawn timber and veneer are to be mentioned individually. The others may be clubbed under miscellaneous category. Exact categorization is to be decided by PCCF.
 Note 2: Only the Form applicable for the particular WBI is to be maintained.
 Note 3: In column 6 of Form III(c) and III (d) actual thickness of veneer/ plywood is to be mentioned.

[See Rule 10 and S.O.3455(E) dated 11.11.2016 of Ministry of Environment & Forests in compliance of Supreme Court dated 5.10.2015 in W.P.(C) 202/1995]

Name of Wood Based Unit

Forest Division:

Register opened on:

IV(a): STOCK REGISTER - ROUND TIMBER

Date	Species	Opening stock		Revenue received during the day		Used for sawing		Used for veneer/plywood making		Sold/ returned in round form (dispatched outside the unit)		Closing stock		Remarks
		No of logs	Volume (in cum)	No of piece	Volume (in cum)	No of piece	Volume (in cum)	No of piece	Volume (in cum)	No of piece	Volume (in cum)	No of piece	Volume (in cum)	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

IV(b): STOCK REGISTER - SAWN TIMBER

Date	Species	Opening stock		Revenue received during the day		Converted from round timber		Sold/ returned in sawn form		Used for veneer making/ plywood making (if any)		Closing stock		Remarks
		No of logs	Volume (in cum)	No of piece	Volume (in cum)	No of piece	Volume (in cum)	No of piece	Volume (in cum)	No of piece	Volume (in cum)	No of piece	Volume (in cum)	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

V(c): STOCK REGISTER - VENEER

Date	Species	Opening stock		Received during the day (from outside the unit)		Converted from round/sawn timber		Veneer sold/Returned/dispatched outside the Unit		Used for plywood making		Closing balance		Remarks						
		Thick (in mm)	Volume (in cum)	Thick (in mm)	Volume (in cum)	Thick (in mm)	Volume (in cum)	Thick (in mm)	Volume (in cum)	Thick (in mm)	Volume (in cum)	Thick (in mm)	Volume (in cum)							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21

M(d): STOCK REGISTER - PLYWOOD

Date	Type of plywood	Opening stock			Received during the day (from outside the unit)			Converted from round/sawn timber			Plywood sold/Returned /dispatched outside the Unit			Closing balance			Remarks	
		Thick (in mm)	Face area (sq.m)	Volume in cum	Thick (in mm)	Face area (sq.m)	Volume in cum	Thick (in mm)	Face area (sq.m)	Volume in cum	Thick (in mm)	Face area (sq.m)	Volume in cum	Thick (in mm)	Face area (sq.m)	Volume in cum		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	

Note 1: daily, weekly & monthly species wise abstract of opening stock, receipts, timber used for sawing, veneer/plywood making, dispatched outside the unit and closing stock of sawn timber, veneer is to be recorded.

Note 2: Six major commercial species for timber, sawn timber and veneer are to be mentioned individually. The others may be clubbed under miscellaneous category. Exact categorization is to be decided by PCCF.

Note 3: Only the Form applicable for the particular WBI is to be maintained.

A. HEERA SINGH,
Under Secretary (For. & Env't),
Government of Manipur.

