

Principal Chief Conservator
of Forests
(Forest Management)



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Dated : 11/03/2026

Pro(5)-161945/2020

To

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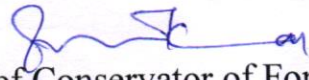
Sir,

Sub: Existing Timber Transit Rule in Kerala State-reg. .

Ref:- That office email dated 6/3/2026

Kind attention is invited to the subject and references cited above. As called vide reference copy of 'Kerala Forest Produce Transit Rule in 1975' with amendment ^{made} ~~rule~~ in 2024 is enclosed here with it for information and further necessary action.

Yours faithfully,


Principal Chief Conservator of Forests
(Forest Management)

THE KERALA FOREST PRODUCE TRANSIT RULES, 1975*

[SECTIONS 39, 40 AND 76]

S.R.O. No. 76/76.— In exercise of the powers conferred by Sections 39, 40 and 76 of the Kerala Forest Act, 1961 (4 of 1962) and in supersession of (i) the rules published under G.O. (P) No. 631 Agriculture (Forest B) Department dated 10th June 1959, in the Kerala Gazette No. 26, Part I dated the 30th June, 1959, and (ii) the rules published by the former Government of Madras under G.O. MS. No. 2762/Agri. dated the 26th November 1955, as in force in the Malabar District referred to in sub-section (2) of Section 5 of the States Reorganisation Act, 1956 (Central Act 37 of 1956), the Government of Kerala hereby make the following rules, namely:

1. Short title and commencement.— (1) These rules may be called the Kerala Forest Produce Transit Rules, 1975.

(2) They shall come into force at once.

2. Definitions.— In these rules, unless the context otherwise requires,

(a) "Act" means The Kerala Forest Act, 1961 (4 of 1962);

(b) "Form" means a Form appended to these rules.

¹[(c) "forest produce in transit" includes 'forest produce' as defined in sub-clause (f), 'timber' as defined in sub-clause (k), and 'tree' as defined in sub-clause (l) of Section 2 of the Act found on or on the margin of any public road, whether loaded in carts or other vehicles or not and forest produce found in any river or stream whether tied into rafts or not.]

3. Import, export and transport of timber and other forest produce.— (1) No. person shall:-

(i) import timber or other forest produce into the State; or

(ii) export timber or other forest produce from the State; or

(iii) transport timber or other forest produce by land, by rail or by water in any part of the State, unless such timber or other forest produce is accompanied by a pass required by these rules, and unless the timber is stamped by a Government stamp or a stamp registered as laid down in Rule 11.

* Rules published under Notification No. G.O. (P) 349/75/AD dt. 22-11-75 in K.G. No. 3 dated 20-1-1976.

1. Inserted by Notification G.O. (P) No. 288/78/AD as S.R.O. No. 947/76.

¹[(2) Government may by notification in the Gazette exempt any species of trees or any area within the State from the operation of sub-rule (1) for the purpose of giving incentive to grow trees on private lands.]

²[(a) Any person desiring to export timber or other forest produce outside India shall obtain a clearance order in Form No. II from the Divisional Forest Officer, or Assistant Conservator of Forests having jurisdiction over the area. For this purpose he shall put in an application in Form No. I, at least 14 days before the proposed date of export to the Divisional Forest Officer or Assistant Conservator of Forests, as the case may be.

(b) On receipt of an application under clause (a), the Divisional Forest Officer, or Assistant Conservator of Forests, as the case may be, shall issue a clearance order in Form No. II to the applicant, after satisfying himself of the genuineness of the produce intended for export].

(c) The Divisional Forest Officer or Assistant Conservator of Forests shall return the original records received along with the application under clause (a) to the party concerned after making necessary endorsement thereon, to the effect that such and such logs or produce have been cleared for export.

EDITOR'S NOTE

Under Rule 3 a person is entitled to transport timber only if he has obtained a pass issued under the Rules. R. 23 deals with the penalty for the contraventions.

CASE NOTES

The levy of transit fee under rule 5 of the U.P. Transit of Timber and other forest produce Rules, 1978 is only regulatory. The question of quid pro quo is necessary when a fee is compensatory. It is well established that for every fee quid pro quo is not necessary. The transit fee being regulatory, it is not necessary to establish the factum of rendering service. Thus there is no question of a levy of transitory fee being invalidated on the ground that quid pro quo has not been established. [*State of U.P. Vs. Sitapur Packing Wood Suppliers (2002) 4 SCC 566*]

In a case of transport of teak poles which are found to be not the property of the Government without any permit it has been held that an order of confiscation of lorry cannot be passed for the violation of the Rules. [*Bhargavan Vs. D.F.O. 1994 (1) KLT 29 : 1993 ICO 2225*]

4. Form and issue and passes.— (1) (a) All passes issued by the officers of the Forest Department, whether for export to places outside the State or for transport within the State, or timber and other forest produce shall, except as provided in Rules 5, 6, 7 and 8 be in Form III and shall be printed in triplicate, and shall have all the columns filled up by a duly authorised officer who shall sign and date each part, hand over the original to applicant, send the duplicate to the officer-in-charge of the Division or Range, as the case may be, and keep the triplicate attached to the book as a counterfoil for record in his office.

1. Inserted by SRO 246/98 - K.G. 17-2-1998.

2. Substituted by Notification G.O. (P) No. 288/76/AD dt. 24-8-76 as SRO No. 947/76.

(b) Export passes shall be printed on red paper and marked "Export way permit" and shall be issued by the Divisional Forest Officers or other officers authorised in that behalf by the Chief Conservator of Forests on production of proof that the article mentioned has been properly obtained and subject also to clause (iii) of the sub-rule (1) of Rule 3 wherever necessary.

(c) Passes for timber and other forest produce belonging to the Government and purchased from Government land or from Government depot or else where shall be printed on white paper and issued by the Range Officer or Depot officer or by any other officer authorised in that behalf by the Chief Conservator of Forests. The validity of the passes issued under this clause shall be subject to the conditions under which the sale of the produce was effected.

(d) Passes for timber and other forest produce collected from private lands shall be printed on yellow paper and be marked "Private". Such passes shall be issued by the Divisional Forest Officer or Forest Range Officer or by any other officer authorised in that behalf by the Chief Conservator of Forests on application and production of proof that the forest produce was obtained from the place mentioned in the application and subject to such procedure as may from time to time be prescribed by the Chief Conservator of Forests. Every applicant for a pass under this clause shall, in the case of land lying contiguous to a Reserved Forest or to lands at the disposal of Government, have the surveyed boundaries cleared and correctly fixed or demarcated on the ground and a declaration by the applicant to that effect shall accompany every such application.

(e) If the forest produce is sold from a sale depot situated within the limits of a town, it shall be enough if the forest produce be covered by a way permit in Form III-A in cases where the forest produce is not intended to be conveyed beyond the limits of the town in which the depot is situated and is for use within such limits.

(2) (a) Application for the issue of passes for the removal of teak, rosewood and ebony from private lands, shall be made to the Forest Range Officer having jurisdiction over the area from which such produce is proposed to be removed.

(b) Every application for a pass for teak collected from plantations and rosewood shall be accompanied by a copy of the sanction order issued by the authorised officer under the Kerala Restriction on Cutting and Destruction of Valuable Trees Rules, 1974 and a list showing the quantity of timber proposed to be removed.

(c) Application for the issue of passes for teak collected from areas other than plantations and ebony shall specify the village in which the private land is situated, the survey number, the sub-division number, if any, and the approximate area of the land and shall be accompanied by a list showing the quantity of timber proposed to be removed. If the Forest Range Officer, to whom the application is made considers that further particulars about the land are required, he may call for such information direct from the

concerned village officer and the village officer shall furnish the information called for within seven days from the date of receipt of such requisition. Delay on the part of the village officer in supplying such information shall be reported by the Forest Range Officer to the concerned Tahsildar for appropriate action.

(d) On receipt of the application under clause (a) and in cases where further particulars have been called for under clause (c), on receipt of such particulars, the Forest Range Officer shall personally inspect the land and the timber and if he is satisfied that the particulars furnished in the application are correct, forward the records to the Divisional Forest Officer with a certificate in the following form:

“Certified that the land has been inspected by me on, that the boundaries thereof have been checked and verified and that the timber as per the accompanying list has been collected from the area specified in the application”.

(e) the Divisional Forest Officer shall, on receipt of the records from the Forest Range Officer, check the details and if satisfied that the applicant is entitled to get a pass, issue the same and forward the same to the Forest Range Officer. Every pass issued shall be valid till such date, not being a date beyond three months from the date of issue of the pass, as may be specified therein.

(f) The Forest Range Officer shall, within one week from the date of receipt by him of the pass from the Divisional Forest Officer, stamp the timber and hand over the pass to the applicant.

(3) (a) Application for the issue of passes for transport of sandal-wood from private lands shall be made to the Divisional Forest Officer having jurisdiction over the area from which such produce is proposed to be removed.

(b) Every application for a pass shall be accompanied by a copy of the sanction order of the authorised officer issued under sub-rule (ii) of Rule 5 of the Kerala Restriction on Cutting and Destruction of Valuable Trees Rules 1974.

(c) On receipt of an application under clause (a) the Divisional Forest Officer shall inspect the area and verify the collections by referring each tree with reference to the dimensions of the corresponding pits and if he is convinced that the collections are genuine and the measurements and weights recorded are correct, he shall get the pieces stamped with the division hammer at both ends in his presence and issue a pass for the pieces as well as for other parts of sandalwood such as chips and dusts, if any. Every pass issued shall be valid till such date, not being a date beyond fourteen days from the date of issue of the pass, as may be specified therein.

(4) (a) Application for the issue of passes for removing forest produce other than teak, rosewood, sandalwood and ebony from private land shall be made to the Village Officer having jurisdiction over the area from which such produce is proposed to be removed:

¹[Provided that no pass shall be necessary for the removal of the following species of timber, namely:

<i>Sl. No.</i>	<i>Common Name</i>	<i>Scientific Name</i>
1.	Acacia	Acacia auriculiformis
2.	Ambazham	Spondias mangifora
3.	Anjily	Artocarpus hirsuta
4.	Aranamaram	Polyalthia longifolia
5.	Arayal	Ficus religiosa
6.	Arecanut	Areca cathu
7.	Asokam	Saraca indica
8.	Athi	Ficus glomerata
9.	Badam	Terminalia catappa
² [9A.	Cardamom	Elettaria Cardamom]
10.	Cashew	Anacarina occidental
11.	Casurina	Casuarina equisetifolia
12.	Chembakom	Michelia champaca
13.	Coconut	Cocos nucifera
14.	Elavu	Bombax ceiba
15.	Elenji	Mimusops elenji
16.	Ghnaval	Syzygin cumini
17.	Gulmohar	Delonix regia
18.	Ithy	Ficus gibbosa
19.	Jacaranua	Jacaranda mimosaefflia
20.	Jack	Artocarpus integrifolia
21.	Jathi	Myristic fragrans
22.	Kadaplavu	Artocarpus gomezianus
23.	Kadukka	Terminalia chebula
24.	Kara	Lannea coromandalica
25.	Karingotta	Quassia indica
26.	Kariveppu	Murraya koenigil
27.	Kodam puli	Garcinia cambogia
28.	Konna	Cassia fistula
29.	Koovalam	Aegle marmelos
30.	Kunnivaha	Albizzia odoratissima
31.	Mahagony	Swietenia macrophyla
32.	Mandaram	Bauhinia species

1. Substituted by SRO. No. 246/98 dtd. 17-2-1998 K.G. No. 425 dtd. 16-3-98.

2. Inserted by SRO No. 693/2004 dtd. 30-06-2004 pub. in K.G. No. 33 dt. 17-8-2004.

33.	Mangium	Acacia mangium
34.	Mango	Mangifera indica
35.	Manimaruthu (Neerventek)	Lagerstroemia folsreginae
36.	Manjakonna	Cassia siamea
37.	Marotti	Hydnocarpus pentandra
38.	Matti	Ailanthus malabarica
39.	Muringa	Moringa pterygosperma
40.	Murukku	Erythina indica
41.	Neem	Azadirachta indica
42.	Nelli	Emblica officinalis
43.	Nenmeni vaha	Albizia lebbek
44.	Pala	Alstonia scholaris
45.	Peeli vaha	Albezia falcataria
46.	Peltophorum	Peltophorum Pterocarpum
47.	Peral	Ficus bengalensis
48.	Perumaram	Ailanthus excelsa
49.	Ponthan vaha	Albizia chinensis
50.	Poovarasu	Thespesia populnea
51.	Punna	Calophyllum inophyllum
52.	Rain tree	Samanea saman
53.	Rubber	Hevea braziliensis
54.	Seemakonna	Glyricedia maculata
55.	Silk cotton tree	Ceiba pentandra
56.	Spathodia	Spathodea companulata
57.	Tamarind	Tamarindus indica
58.	Thanni	Terminalia bellerica
59.	Ungu	Pongamia pinnata]
¹ [60.	Vatta/Upputhi	Macaranga Peltata
61.	Vella vaha	Albizzia procera
62.	Vellappine	Vateria indica]

²[Provided further that no pass shall be required within the limits of Taliparamba, Cannanore, Kozhikode, Tirur, Ponnani, Perinthalmanna and Ottappalam Taluks; portions of Taluk lying west of Kozhikode - Cannanore road; portions of Badagara and

1. Substituted by SRO No. 135/2001 dtd. 27-01-2001 pub. in K.G. No. 7 dtd. 13-2-2001.

2. Added by Kerala Forest Produce Transit (Amendment) Rules 1978 published in K.G. No. 41 dated 10-10-1978. S.R.O. 947/78.

Tellicherry Taluks lying west of Badagara - Tellicherry road; Badagara and Tellicherry Municipalities; and in the erstwhile Travancore-Cochin area the portion lying west of Shornur-Trichur Road and NH 47 upto Angamali; M.C. Road upto Trivandrum East Fort and Trivandrum Cape-Comarin Road upto the State boundary at Parassala for the removal of the timber species namely "Elavu, Kambli, Matti, Pala, Kanakaitha, Ambazham, Thodayam and Podipari.

(b) Every application for a pass shall specify the Survey No., the subdivision No., if any, and the approximate area of the land and shall be accompanied by a list showing the details of the produce such as quantity of the produce, and measurements of timber proposed to be removed.

(c) On receipt of an application under clause (a) the Village Officer shall personally inspect the land and the produce and if he is satisfied that the particulars furnished in the application are correct, forward the record to the Forest Range Officer having jurisdiction over the area with a certificate in the following form:

"Certified that the produce as per the accompanying list has been collected from the areas specified in the application".

[(d) The Forest Range Officer or any other officer specially authorised by the Government in this behalf shall on receipt of the records from the Village Officer, issue the pass in Form III. Every pass issued, shall be valid till such date, not being a date beyond three months from the date of issue of the pass, as may be specified therein. The timber shall be stamped with a Government hammer by the Forest Range Officer or by any other officer authorised in that behalf by the Forest Range Officer or any other officer specially authorised by Government to issue pass and that officer shall hand over the original of the pass to the applicant:

Provided that in the case of areas falling within the limits of villages in which Reserve Forests are situated or in villages adjoining Reserve Forests, the Forest Range Officer or any other officer specially authorised by Government to issue pass shall inspect the area and the produce and satisfy himself about the genuineness of the collection before the issuance of the pass. Provided further that no Government stamp need be affixed on the timber of one metre and below in length and the Forest Range Officer or ny other officer specially authorised to issue pass shall hand over the original of the pass to the applicant for removal of such timber without such stamp.]

(e) The passes issued under this sub-rule are intended only for transport of forest produce within the State and when the produce has to be exported, export passes should be obtained from the concerned Divisional Forest Officer on the strength of the passes issued under this sub-rule.

(f) Every application for extension of the period of validity of a pass shall be treated as an application for a new pass and shall be dealt with accordingly.

1. Substituted by SRO No. 246/98 dt. 17/2/98 KG No. 425 dt. 16-3-98.

(5) If the satisfactory conduct of the inspection under clause (d) of sub-rule (2) or under clause (c) of sub-rule (4) or under clause (d) of sub-Rule (4) involves the clearance of the surveyed boundaries of the private lands concerned, the applicant or his agent shall on being called upon by the inspecting officer in writing, clear such boundaries and if he fails to do so within a reasonable time, the application shall be rejected.

(6) The entire procedure in each case shall be completed within one month from the date of receipt of the application for a pass, but if the applicant or his agent fails to fulfill any of the conditions obligatory on him within a reasonable time, the application shall be rejected and the applicant shall be given an immediate intimation rejecting the application with reasons therefor. If the intimation cannot be delivered personally to the applicant or his agent, it shall be sent to the applicant by registered post and a notice thereof made in the concerned office records.

(7) (a) The validity of a pass issued under sub-rule (2) or sub-rule (3) may be extended by the Divisional Forest Officer on application from the pass holder and on production of the original pass with the actual removal noted on the reverse of the pass and certified by the Foresters or Forest Guards who checked the removals at the place of loading or at watch stations or checking stations through which they were removed.

(b) Every application for extension of the period of validity of a pass issued under sub-rule (2) or sub-rule (3) shall be made to the Forest Range Officer concerned, who shall, after verifying the balance of the Forest produce left unremoved at site, submit the same with his remarks within a fortnight to the Divisional Forest Officer, who shall grant such extension within a fortnight from the date of receipt of the remarks of the Range Officer.

(c) Nothing contained in this sub-rule shall be deemed to authorise the Divisional Forest Officer to extend the period of validity of a pass issued under sub-rule (2) or sub-rule (3) beyond six months from the date on which it was first issued.

(d) Every application for extension of the period of validity of a pass issued under sub-rule (2) or sub-rule (3) beyond six months from the date on which it was first issued shall be treated as an application for a new pass and shall be dealt with accordingly.

(8) If any application be made for the issue of a copy of a pass already issued on the plea that the original was lost by mischance or otherwise, a copy of the pass may be issued on production of the required copying stamp papers and after inspection and verification of the forest produce, if necessary.

(9) Any person desiring to export the excepted timber which are not excepted in other States, shall submit his application to the Village Officer having jurisdiction over the area from which such timber is proposed to be removed. Export passes in such cases shall be granted, on the strength of the passes issued by the Forest Range Officer

under sub-rule (4), by the Divisional Forest Officer having jurisdiction over the area from which such timber is proposed to be removed.

Explanation:- The Forest Department shall not be held responsible for any dispute regarding the ownership of the produce for which passes are issued and the issue of a pass does not *ipso facto* confer any right on any person regarding the ownership of that produce.

1]5. Passes for import, export or transport.- (1) In the case of forest produce imported from other states, the pass shall be in Form IV printed on red paper. Passes issued by Officers and merchants of other States shall be honored till the consignments covered by such passes reach the first Forest watch Station/Checking station on the route of transport. On reaching the station, the passes shall be surrendered to the Officer in Charge of such station, who shall then issue a pass in Form IV in red paper in lieu of the pass surrendered and stamp the timber with his mark before the consignment leaves his station. The pass in Form IV (red) shall be in duplicate, the original to be handed over to the person transporting the produce and the duplicate to be kept as counter-foil at the watch station.

(2) In the case of timber transported to other States or from one place to another within the State by merchants of others who have registered their property marks, the pass shall be in Form IV printed on white paper, the forms being obtained from the Forest Department. Passes in Form IV (White) shall be triplicate and shall have all the columns filled up by the owner of the depot or his authorized agent. The original shall be handed over to the person authorized to move the timber and the duplicate shall be sent to the Divisional Forest Officer in whose jurisdiction the depot is situate. The triplicate shall be kept as counterfoil at least for one year from the date of issue, and shall be produced for inspection at any time within that period on demand by any Forest Officer not below the rank of a Forester.]

1. Substituted vide Notification G.O. (P) No. 100/77/Agri. dt. 23/3/1977. Earlier it was : "5. **Passes for import or transport:-** In the case of forest produce imported from other States the pass shall be in Form IV printed on red paper. In the case of timber transported from place to place within the State by merchants or others who have registered their property marks, the pass shall be in Form IV printed on white paper, the forms being obtained from the Forest Department. The language used in this case must be English, Malayalam, Tamil or Canarese.

(2) Passes in Form IV (white) shall be in triplicate and shall have all the columns filled up by the owner of the depot or his authorised agent, the original shall be handed over to the person authorised to move the timber and the triplicate shall be kept as a counterfoil for at least one year from the date of issue, and shall be produced for inspection at any time within that period on demand by any Forest Officer not below the rank of a Forester. The duplicate shall be sent to the Divisional Forest Officer in whose jurisdiction the depot is situate.

(3) Passes issued by Officers and Merchants of the other States shall be honoured till the consignments covered by such passes reach the first Forest Watch Station/Checking Station on the route of transport. On reaching the station the passes shall be surrendered to the Officer in charge of the Station who shall then issue a pass in Form IV in red paper in lieu of the pass surrendered and stamp the timber with his mark before the consignment leaves his station. The pass in Form IV (red) shall be in duplicate, the original to be handed over to the person transporting the produce and the duplicate to be kept as counterfoil at the watch station."

6. Passes for transport of Government timber and other Forest produce.—

Passes for transport of Government timber and other forest produce, from a forest to a sale depot or from one sale depot to another or from one place to another within the State shall be in Form V in quadruplicate, and issued by the Range Officer, Depot Officer or other Officer authorised by the Divisional Forest Officer whether such timber is worked down by Forest subordinates or by contractors employed by the Forest Department for the purpose.

7. Issue of subsidiary pass book.— (1) Where any difficulty is experienced by forest subordinates or contractors in moving in one consignment all the timber and other forest produce covered by a single Form No. V pass, the Divisional Forest Officer may issue to the subordinate on duty a numbered pass book, known as subsidiary pass book in Form VI and shall at the same time authorise the Forest subordinate to issue one of these as a subsidiary pass for each load or raft. Form VI passes shall be in quadruplicate and shall be printed on white paper. The original and the duplicate should accompany each consignment of forest produce transported, the triplicate shall be sent to the Forest Officer, who issued the main pass and quadruplicate kept as counterfoil. When the produce is received in the depot, the Depot Officer shall acknowledge the receipt of forest produce in the duplicate copy indicating difference, if any, and return the same to the Forest Officer who issued the main pass. These passes will take the place of the main pass. The main pass shall however, be surrendered to the Depot Officer, along with the subsidiary pass for the last consignment.

(2) Where any difficulty is experienced by contractors in moving in one consignment all the timber and other forest produce purchased from Government land and covered by a Form III pass, the Divisional Forest Officer may issue to his subordinate on duty a numbered pass book, known as subsidiary pass book in Form IV after realising the value of the pass book from the contractor concerned, and shall at the same time authorise the forest subordinate to issue one of these as a subsidiary pass for each load or raft. The Form VI passes for this purpose shall be in triplicate and shall be printed on yellow paper. The original should accompany each consignment of forest produce transported, the duplicate shall be sent to the Forest Officer who issued the Form III pass and the triplicate kept as counterfoil.

(3) Passes in Form VI shall have all the columns filled up by the forest subordinate and the passes shall be signed and dated by him. Every such pass shall bear the number and date of the main pass under which it is granted.

8. Passes for removal of fuel, charcoal etc.— (1) Passes for the removal of [fuel wood] charcoal, bamboos, reeds, incha and other forest produce, purchased from reserved forests or unreserved Government land on payment of the prescribed seignior

1. Substituted vide Notification G.O. (P) No. 288/76/AD dated 24-8-1976 as S.R.O. No. 947/76.

age fees, shall be in Form VII printed in triplicate, and shall be issued by the Range Officer of the range or any other Officer specially authorised in this behalf by the Conservator of Forests.

(2) In Divisions where transport of reeds is effected by land in head loads, head load passes shall be issued in form VIII whenever necessary. Passes for head loads of reeds shall be in the form of tickets printed on card board or otherwise and shall have the description of produce and value entered on them, in print, besides the passes being consecutively numbered, on both their right and left hand edges in print and perforated in the middle. Each pass shall be printed in the same denomination, namely for one head load of thirty reeds valued at Rupee one only and shall be current or valid only for any one day of 24 hours.

(3) Fees paid as seigniorage for articles of minor forest produce including reeds and bamboos shall not be refunded on any account.

9. Passes not to be valid if not duly filled up etc.— Passes issued under these rules shall not be valid unless all the columns have been filled up and unless they have been duly signed and dated, and in the case of passes issued by Forest Officers unless also stamped with the official seal of the Forest Officer concerned and in the case of those issued by merchants and others unless they are also stamped with their registered property mark.

10. Passes to accompany the timber of forest produce etc.— (1) Passes issued under these rules shall invariably accompany the timber and other forest produce which is in transit and any vehicle carrying such timber or other produce shall be stopped for inspection at all established Forest Watch Stations/Forest Checking Stations on the routes and also when demanded by any Forest Officer in uniform so as to make it possible for him to check the produce in transit.

(2) It shall not be lawful to take any timber or other forest produce by any route other than that mentioned in the pass or to take any timber or other forest produce off any road or river on the prescribed routes on which a watch station or checking station has been placed, with the intention to evade the production of the article at the watch station or checking station. The quantity of timber or forest produce must not be greater than or different from that entered in the pass and if it is less, the quantity actually passed every time shall be entered on the back of the pass and the entry signed and dated by the checking officer and the pass returned to the person producing it to cover the forest produce during further transit till it reaches its destination, provided that the total quantity removed does not exceed that entered in the pass and that the last removal is effected within the time noted in the pass.

11. Passes in general and checking.— (1) A pass issued under these rules shall not be for more than one unit of transport, for example, one raft, one cartload, one boatload, one lorry-load, one wagon-load, etc.

(2) All passes shall be written in ink or copying pencil using carbon paper.

(3) Copies of passes prescribed by these rules to be sent to the Depot Officer, Range Officer and Divisional Forest Officer shall be despatched by post or messenger within 24 hours of issue.

(4) Supply of forms of subsidiary passes will be on realisation of value that may be fixed by the Government from time to time from the party at whose instance such passes are issued.

(5) All timber in transit must, for purposes of identification, be stamped at both ends. All timber covered by passes issued by Forest Officer shall be stamped with a Government stamp, and all timber covered by passes issued by timber merchants shall be stamped with the property mark registered by him with the Divisional Forest Officer.

12. Property marks.— ¹[(1) The Principal Chief Conservator of Forests may, for the purposes of registration of property marks and the purposes incidental there to under this rule, authorise any officer not below the rank of an Assistant Conservator of Forests working in a given area to be an authorised officer (hereinafter referred to as the “Competent Officer”) for a given forest division. In the absence of Specific authorisation by the Principal Chief Conservator of Forests under this sub-rule, the Divisional Forest Officer concerned shall be the Competent Officer for the said purposes.]

¹[(1A)] Merchants or other persons trading in timber may register their property marks and it shall not be lawful to use any property mark which has not been registered. The application for registration of property mark shall be submitted to the ²[Competent Officer] and shall contain the name of the Depot, trading licence No., if any, and the approximate quantity of timber which the applicant intends to deal with during the financial year and shall be accompanied by 25 impressions of the property mark. The ²[Competent Officer] shall cause necessary inquiries being made about the antecedents of the applicant and if he is satisfied that there is no objection in granting the property mark, may issue a certificate of registration in Form No. IX. A property mark registered shall be valid only for the particular depot mentioned in the certificate of registration. If a timber trader runs Timber Depots in more than one place, he shall register his property mark separately for each Depot at the Offices of the respective ²[Competent Officers]. ³[The registration shall be in force for a period of five years counting from the 1st day of April of the year of registration. A property mark registered or renewed under this rule shall be different for each Depot].

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1. Sub-rule (1) renumbered as sub-rule (1A) and new sub-rule (1) inserted by SRO No. 348/2016 dt. 27-04-2016. (w.e.f. 30-04-2016).
 2. The words “Divisional Forest Officer” and “Divisional Forest Officers” respectively be substituted by SRO No. 348/2016 dt. 27-04-2016. (w.e.f. 30-04-2016).
 3. Substituted by G.O. (MS) 33/96/F and WLD dated. 28-3-1996.

The ¹[Competent Officer] may, for good and sufficient reasons to be recorded in writing, cancel or suspend a registration certificate already issued.

²[(2) The fees for registration or renewal of property mark for a period of five years or part thereof shall be rupees two thousand five hundred.]

(3) The property mark registered in one Division shall be honoured in all other Divisions. Impressions of a property mark registered by a ¹[Competent Officer] shall be furnished by him to all other ¹[Competent Officers] for information. A register of property marks shall be maintained in each Division containing full particulars of all the registered property marks in the State. In cases of renewal, cancellation or suspension, the Divisional Forest Officer doing so shall intimate the fact to all other ¹[Competent Officers] for their information. It shall be open to any Forest Officer not below the rank of a Forester to inspect the timber yard or trading place of a timber trader, check the timber or the accounts before or at any time after registration or renewal of his property mark. Form No. IV Pass Books printed on white paper shall be issued to those who have registered their property marks on realisation of prescribed fees by the ¹[Competent Officer]. The issue of pass books shall be regulated in such a way that the dealer shall not be in possession of more than one book with him at a time. He shall issue passes strictly in the serial order. A fresh book shall not be opened before the book in use has been completely exhausted.

(4) The ³[Competent Officer] may refuse registration or renewal and cancel or suspend registration or renewal of any property mark if he considers that the registration or renewal of such property mark is detrimental to forest protection on account of the position of the Depot or of the antecedents of the applicant or that such property mark cannot be easily distinguished from a Government mark or from a property mark already registered, or for other good and sufficient reason which shall in every case, be placed on record by him. Against such refusal, cancellation or suspension, an appeal shall lie, within 45 days from the date of receipt of the order of the ³[Competent Officer], to the Conservator of Forests ⁴[having jurisdiction over the area] whose decision thereon shall be final.

13. Checking stations.—The Chief Conservator of Forests may, by notification in the Gazette, open new checking stations or close those in existence at any time and they shall be considered as opened or closed, as the case may be, from the date of publication of such notification in the Gazette.

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1. The words "Divisional Forest Officer" and "Divisional Forest Officers" respectively be substituted by SRO No. 348/2016 dt. 27-04-2016. (w.e.f. 30-04-2016).
 2. Substituted by G.O. (MS) 33/96/F and WLD dated. 28-3-1996.
 4. The words "Divisional Forest Officer" substituted by SRO No. 348/2016 dt. 27-04-2016. (w.e.f. 30-04-2016).
 5. Inserted by SRO No. 348/2016 dt. 27-04-2016. (w.e.f. 30-04-2016).

14. Removal of obstruction of waterways.— (i) If any tree falls or if any timber sinks or lies floating in the water of any river, stream, canal, creek, or other channel, natural or artificial, in such a manner as to obstruct the passage of boats or timber rafts, the person in occupation of the ground where the tree was growing or the person in charge of the timber which has sunk or lies floating shall within 24 hours cause the removal thereof.

(ii) Any person whose boat or timber raft is obstructed in its passage or any officer of the Revenue, Police, Public Works or Forest Departments may forthwith cause the removal of any such obstruction and may report the fact to the nearest Magistrate having jurisdiction, whose order as to the recovery of expenses thus incurred shall be final.

15. Obstruction of waterways.— It shall not be lawful to close or obstruct a stream or river or channel or other waterway, natural or artificial, by throwing timber, brushwood, stones or earth or any other material, or in any other manner so as to prevent or obstruct the floating or rafting of timber or passage of boats. Such obstruction may be removed by any Officer of the Forest, Revenue or Police Departments and the cost of such removal shall be recovered from the person causing such obstruction in addition to any punishment to which he will be liable under rule 23.

16. Protection of timber on river banks etc.— All timber stored on the banks of rivers, streams, canals, creeks and other channel, natural or artificial, or in places which are liable to be flooded, shall be securely fastened by rope or chains to posts driven securely into the ground or to trees or other naturally secure holds, to prevent the timber being floated away by the water.

17. Regulation of floating of timber.— Unless otherwise provided in any other law relating to public canals and public ferries for the time being in force, the floating of timber in rivers, streams, canals, creeks and other channels where it has to pass bridges, locks, or other public works shall be regulated as follows:

(a) Timber rafts shall not exceed 45 metres in length;

(b) Timber rafts shall not exceed in width one half of the narrowest span of any bridge or one half of the narrowest portion of any lock or other public works past which the timber has to be floated;

(c) A timber raft which is being passed through a bridge, lock or other public works shall have the following number of able-bodied persons in charge of it:

	Persons
for a raft under 15 metres in length	2
for a raft above 15 metres, but below 30 metres	3
for a raft above 30 metres, but below 45 metres	4

(d) The persons in charge of such raft shall be supplied with suitable poles of sufficient or other suitable appliances for guiding the rafts;

(e) No two rafts shall be anchored abreast of each other;

(f) A light shall be supplied to every raft at night.

(g) Every timber raft, whether anchored or moving elsewhere than through any bridge, lock or other public works shall always have at least one able bodied person in charge thereon.

18. Powers of Officers.— All Revenue Officers not below the rank of Village Officer, all Police Officers not below the rank of a Head Constable, all Forest Officers and all Officers in charge of bridges, locks or other public works shall have power to seize or detain :

(a) all timber stored in contravention of rule 16;

(b) all timber rafts until reduced to proper dimensions prescribed in these rules;

(c) all timber rafts which are being floated in contravention of rule 17 until the required conditions are fulfilled and

(d) all timber which has caused damage to bridges, locks, or other public works.

19. Report of officers.— The person making the seizure or detention under rule 18 shall, without delay, report the fact to the nearest Station House Officer of Police.

20. Disposal of Reports.— The Station House Officer of Police shall thereupon report the fact to the nearest Magistrate who may pass such orders on it as he may deem fit.

21. Damages.— The amount of damage caused shall be assessed by the Public Works Division Officer in whose charge the bridge or other public work is, but the Chief Judicial Magistrate of the district may revise the assessment so made and his order thereon shall be final.

22. Storing on and transport across private land.— (1) Any Officer of the Forest Department may store timber or other forest produce which is the property of the Government on private lands or transport such timber or other forest produce across such land if such a step is necessary, and if any damage or loss is caused by such storage or transport, fair compensation shall be paid for the same.

(2) The compensation to be paid under sub-rule (1) shall be assessed by the Divisional Forest Officer.

23. Penalties.— (1) Whoever commits any contravention of any of the provisions of these rules shall on conviction by a Magistrate be punished with imprisonment for a term which may extend to six months or with a fine which may extend to rupees five hundred or both.

(2) In cases where any offence was committed after making preparation for resistance to the execution of any law or any legal process or where the offender has been previously convicted of a like offence, the convicting Magistrate may impose double the penalty specified in sub-rule (1).

CASE NOTE

An order of confiscation of lorry cannot be passed for violation of Forest Produce Transit Rules, 1975 (Kerala) - For transporting the teak poles, which are found to be not the property of the Government, without any valid permit or pass as required under Rule 3(i)(iii) of the Rules, the maximum penalty that can be imposed on the person who has violated the rule is imprisonment for a period of six months or with fine which may extend to Rupees Five hundred or both, by a magistrate on conviction of the accused therein. And there is no question of passing an order of confiscation of the lorry for violation of the above rules. Therefore, the order of confiscation of the lorry passed by the Authorised Officer and the judgement passed by the Appellate Authority, confirming the order of confiscation are clearly illegal and passed without jurisdiction. The order and the judgement of the Appellate Authority are therefore quashed as illegal and passed without jurisdiction. [*Bhargavan Vs. Divisional Forest Officer, 1993 ICO 2225 : 1994 (1) KLT 29*]

KERALA FOREST DEPARTMENT

FORM No. I

[See Rule 3 (2)]

Application for clearance order for the export of Forest Produce

1. Name and address of the person/company exporting forest produce :
2. Name of produce.
3. Description of logs - Log No. length x girth Cubical contents, (As it is originally stored at the time of transport). In the case of other forest produce, please give the quantity :
4. Marks for identification :
5. Whence obtained - Place, depot or range, division and State:
6. How obtained - Sale from Government Department/Private Depot/from private land (Name and also Survey No. in the case of private lands to be specified) :
7. (a) If the log has been reshaped or otherwise converted details of conversion and reference to item No. of conversion register :
- (b) Number and date of sale confirmation order/property mark registration :
- Form III pass Yellow/sale deed (enclosed in original with a copy) :



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Forest and Wildlife (B) Department

NOTIFICATION

G.O.(P)No.16/2024/F&WLD

Dated, Thiruvananthapuram, 30th September, 2024
14th Kanni, 1200
8th Aswina, 1946

S. R. O. No. 877/2024

In exercise of the powers conferred by sections 39, 40 and 76 of the Kerala Forest Act, 1961 (4 of 1962), the Government of Kerala hereby make the following rules further to amend the Kerala Forest Produce Transit Rules, 1975 issued under G.O.(P) No.349/75/AD dated 22nd November, 1975 and published as S.R.O.No.76/76 in the Kerala Gazette No.3 dated 20th January, 1976, namely:-



Rules

1. *Short title and commencement.*- (1) These rules may be called the Kerala Forest Produce Transit (Amendment) Rules, 2024.

(2) They shall come into force at once.

2. *Amendment of the Rules.*- In the Kerala Forest Produce Transit Rules, 1975,-

(1) in rule 2, in clause (b), after the words “these rules” the words “or a Form as per National Transit Pass System” shall be inserted.

(2) in rule 3, in clause (iii) of sub-rule (1), the following words shall be added at the end, namely:-

“or Transit Pass or No Objection Certificate issued through online National Transit Pass System. The Transit Pass or No Objection Certificate shall be issued by a person duly authorized under these rules or as per the online National Transit Pass System. The Transit Pass or No Objection Certificate issued as per the National Transit Pass System shall also be valid within the State of Kerala.”.

(3) in rule 5, in sub-rule (1),-

(i) after the words “printed on red paper” the words “or as per National Transit Pass System” shall be inserted;

(ii) after the words “merchants of other states” the words and symbols “or as per National Transit Pass System, as the case may be,” shall be inserted.

(4) in rule 11, in sub-rule (2), after the words “All passes shall be” the words “as per National Transit Pass System or” shall be inserted.

(5) in rule 12, in sub- rule (1A), the following proviso shall be inserted, namely:-

“Provided that in the case of timber traders of Kallai region in Kozhikode district, the application for registration of property mark submitted to the competent officer shall contain the information relating



to the depot or the land obtained from private party or Government by paying user fee.”.

By order of the Governor,

K R JYOTHILAL
ADDITIONAL CHIEF SECRETARY

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Ministry of Environment, Forest and Climate Change, Government of India has developed National Transit Pass System which provides seamless issuance of transit pass and helps in monitoring and keeping records of transit permits for inter- state and intra-state transportation of timber, bamboo and other forest produce. The online National Transit Pass System envisages a hassle free movement, especially inter-state movement, of timber, bamboo and other forest produce. The National Transit Pass System which adheres to “One Nation One Pass” principle, put an end to the requirement of ‘in lieu passes’ at intermediate State borders. The Kerala Forest Produce Transit Rules, 1975 mandates the issuance of passes under the said rules for import, export and transport of timber and other forest produce. For effective functioning of the National Transit Pass System, it is necessary to amend the said rules by incorporating provisions for validating the transit pass or No Objection Certificate generated through the National Transit Pass System within the State of Kerala.

As per G.O.(Ms) No.2762/Agri. dated 26.11.1955 which was followed in Malabar region, 'information relating to the locality' alone was required to be mentioned while applying for property mark. Sub-rule (1A) of rule 12 of the Kerala Forest Produce Transit Rules, 1975 makes it mandatory that application for registration of property mark shall contain the name of the depot also.

As per G.O.(Ms) No.47/2014/F&WLD. dated 28.05.2014, Government have accorded sanction to Additional Principal Chief Conservator of Forests (Protection) for granting/renewing the property mark registration to the timber traders of Kallai in Kozhikode subject to the conditions that a maximum of two applications for Property Mark Registration (renewing/fresh) shall be entertained in one sawmill compound and that the registration shall be liable to be cancelled as and when the consent given by the sawmill owner is revoked. Permissions were granted as per this order, to those timber traders who have no depot of their own to stock timber. However timber merchants in Kallai still face difficulty to get property mark since village certificate cannot be obtained for more than two traders for sawmill compound.

The timber traders of Kallai traditionally keep timber logs in the river banks. They keep their logs near to the river banks without obstructing the water course by giving code and serial number under the



guidance of Moopans (timber supervisors). Hence they remained ineligible for property mark in spite of the above Government Order, because of the limited number of sawmills in the vicinity.

The representations from the timber traders of Kallai were considered by Government and to resolve the issues faced by them, Government have decided to bring the required amendment to protect this traditional industry.

The Government have decided to amend the Kerala Forest Produce Transit Rules, 1975 for the above said purposes.

The notification is intended to achieve the above object.

