

Uttar Pradesh Shasan
Paryavaran Van Avam Jalavaayu Parivartan Anubhag-2

In pursuance of provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of notification no.176/81-2-2023 dated June, 15, 2023

NOTIFICATION

No-176/81-2-2023/81-2-2023-126G/2013

Dated Lucknow, June, 15, 2023

In exercise of the powers under sections 41, 42, 51 and 76 of the Indian Forest Act, 1927 (Act no-XVI of 1927), read with section 21 of the General Clause Act, 1897 (Act no. X of 1897), the Governor is pleased to make the following rules with a view to amending the Uttar Pradesh Transit of Timber and other Forest Produce Rules, 1978.

**THE UTTAR PRADESH TRANSIT OF TIMBER AND OTHER FOREST
PRODUCE (SIXTH AMENDMENT) RULES, 2023**

**Short title and
commencement**

1(1) These rules may be called the Uttar Pradesh Transit of Timber and other Forest Produce (Sixth Amendment) Rules, 2023.

(2) They shall come into force with effect from the date of their publication in the Gazette.

**Amendment
of rule 2**

2. In the Uttar Pradesh Transit of Timber and other Forest Produce Rules, 1978 (hereinafter referred to as the "said rules"), for the existing rule 2 set out in Column-1 below, the rule as set out in Column-2 shall be substituted, namely:-

Column-1 (Existing rule)	Column-2 (Rule as hereby substituted)
<p>Definition 2. In these Rules 'Act' means the Indian Forest Act, 1927.</p>	<p>Definitions 2. In these rules, unless the context otherwise requires,— (a) 'Act' means the Indian Forest Act, 1927 (Act no. 16 of 1927); (b) 'NTPS' means the National Transit</p>

	<p>Pass System developed by the Ministry of Environment, Forest and Climate Change, Government of India;</p> <p>(c) 'Transit Pass' (TP) means printed/electronic Transit Pass and/or No Objection Certificate (NOC) issued through NTPS or the State Government;</p> <p>(d) 'State Government' means the Government of Uttar Pradesh.</p>
--	---

**Amendment
of rule 3**

3. In the said rules for the existing rule 3 set out in Column-1 below, the rule as set out in Column-2 shall be substituted, namely:-

Column-1 (Existing rule)	Column-2 (Rule as hereby substituted)
<p>3. Regulation of Transit of forest-produce by means of passes.- No Forest-produce shall be moved into, or from, or within the State of Uttar Pradesh except as hereinafter provided, without a transit pass in the form in Schedule A to these rules, from an officer of the Forest Department or a person duly authorized by or under these rules to issue such pass or otherwise than in accordance with the conditions of such pass or by any route or to any destination other than the route or destination specified in such pass:</p> <p>Provided that no transit pass shall be required for the removal -</p> <p>(a) of any forest-produce which is being removed for bona fide consumption by any person in exercise of a privilege granted in this behalf by the State Government or of a right recognized under this Act,</p>	<p>Regulation of Transit of forest produce by means of passes</p> <p>3 (1) No forest produce shall be moved within the State of Uttar Pradesh or into the State of Uttar Pradesh from outside the State of Uttar Pradesh, or from the State of Uttar Pradesh to outside the State of Uttar Pradesh, except as hereinafter provided, without a transit pass as given in the Form appended to Schedule A of these rules, from an officer of the Forest Department or a person duly authorized by or under these rules to issue such pass or otherwise than in accordance with the conditions of such pass or by any route or to any destination other than the route or destination specified in such pass:</p> <p style="text-align: right;">Provided that no transit</p>

<p>within the limits of a village in which it is produced;</p> <p>(b) of forest-produce by contractor's agency from the forests managed by the Forest Department, in which case the movement shall be regulated by the relevant conditions of sale and terms of the corresponding agreement deed executed by the buyer;</p> <p>(c) of such forest produce as may be exempted by the State Government from the, operation of these rules by notification in the official Gazette.</p>	<p>pass shall be required for the removal:</p> <p>(a) of any forest produce which is being removed for bonafide consumption by any person in exercise of a privilege granted in this behalf by the State Government or under a right recognized under this Act, within the limits of a village in which it is produced;</p> <p>(b) of forest produce by contractor's agency from the forests managed by the Forest Department, in which case the movement shall be regulated by the relevant conditions of sale and terms of the corresponding agreement deed executed by the buyer;</p> <p>(c) of such forest produce as may be exempted by the State Government from the operation of these rules by way of notification in the official Gazette.</p> <p>(2) Notwithstanding anything provided in sub-rule (1) any Transit Pass generated through NTPS shall be valid within the geographical boundary of the State of Uttar Pradesh.</p>
--	---

**Amendment
of rule 4**

4. In the said rules, for the existing rule 4 set out in Column-1 below, the rule as set out in Column-2 shall be substituted, namely:-

Column-1 (Existing rule)	Column-2 (Rule as hereby substituted)
<p>4. Officers and person to issue passes.- (1) The following officers and persons shall have power to issue passes under these rules-</p>	<p>Officers and person to issue passes 4(1) The following officers and persons shall have power to issue</p>

(a) for forest produce belonging to Government or not owned by any other person, the Conservator of Forest, the Divisional Forest Officer, the Sub-Divisional Forest Officer or any other officer authorized in this behalf in writing by the Conservator of Forest or the Divisional Forest Officer;

(b) For Forest produce owned by any person, such person or his agent if so authorized in writing by the Divisional Forest Officer-

(i) provided that any person who desires to obtain a transit pass or authorization to issue passes, under C1. (b) of sub-rule (1) above shall apply in the form in Sch. "B" and the Divisional Forest Officer may, before issuing the Transit pass or authorization to issue such passes, conduct such inquiry and call for such information as considered necessary;

(ii) such authorization shall specify the period during which it shall remain in force, and shall also specify the route to be adopted and check Chawki or depot through which the produce must pass; and

(iii) any authorization may at any time be changed (on request or otherwise) or cancelled by the Divisional Forest Officer or Conservator of Forests.

(2) The officer competent to issue transit pass or to authorize any person to issue transit pass may refuse to issue or authorize to issue transit pass.

(3) Appeal against the orders under rules 4(1) (b) and 4(2) shall lie with

passes under these rules :

(a) for forest produce belonging to Government or not owned by any other person — the Conservator of Forest, the Divisional Forest Officer, the Sub-Divisional Forest Officer or any other officer authorized in this behalf in writing by the Conservator of Forest or the Divisional Forest Officer;

(b) for forest produce owned by any person — such person or his agent so authorized in writing by the Divisional Forest Officer:

(i) Provided that any person who desires to obtain a transit pass or authorization to issue passes shall apply in the manner as given in the Form appended to Schedule B of the rules or through NTPS and the Divisional Forest Officer may, before issuing the Transit pass or authorization to issue such passes, conduct such inquiry and call for such information as he may deem necessary.

(ii) The authorization to issue transit pass shall specify the period during which it shall remain in force and shall also specify the route to be adopted and check Chawki or depot through which the produce must pass.

(iii) Any authorization may at any time be changed (on request or otherwise) or cancelled by the Divisional Forest Officer or Conservator of Forests.

(2) The officer competent to issue transit pass or authorize any person to issue transit pass may

<p>the next higher authority (Conservator of Forest in case the order has been passed by the Divisional Forest Officer, and Chief Conservator of Forest in case the order has been passed by the Divisional Forest Officer, and Chief Conservator of Forest or Additional Chief Conservator of Forest in case the order has been passed by the Conservator of Forest) and his decision on shall be final.</p>	<p>refuse to issue or authorize to issue transit pass. (3) Appeal against the orders under clause (b) of sub-rule (1) and sub-rule (2) shall lie with the next higher authority (Conservator of Forest in case the order has been passed by the Divisional Forest Officer, and Chief Conservator of Forest in case the order has been passed by the Divisional Forest Officer, and Chief Conservator of Forest or Additional Chief Conservator of Forest in case the order has been passed by the Conservator of Forest) and his decision thereon shall be final.</p>
---	---

**Amendment
of rule 5**

5. In the said rules, for the existing rule 5 set out in Column-1 below, the rule as set out in Column-2 shall be substituted, namely:-

Column-1 (Existing rule)	Column-2 (Rule as hereby substituted)						
<p>6. Fees payable for different classes of passes.- At the check chowki or depot established under Rule 15 and specified under proviso (ii) to clause (b), sub-rule (1) of Rule 4, the forest produce along with the two copies of the pass (duplicate and triplicate) shall be produced for examination under sub-rule (4) of Rule 6 and for payment of transit fee on the forest produce calculated at the following rates; corresponding receipt shall be granted in the form given in Schedule C.</p>	<p>Fees payable for different classes of passes</p> <p>6 (1) At the check chowki or depot established under rule 15 and specified under sub-clause (ii) to clause (b) of sub-rule (1) of rule 4, the forest produce along with two copies of the pass (duplicate and triplicate) shall be produced for examination under sub-rule (4) of rule 6 and for payment of transit fee on the forest produce calculated at the following rates; corresponding receipt shall be granted in the Form as given in Schedule C.</p>						
<table border="1" style="width: 100%;"> <tr> <td style="width: 5%;">1</td> <td style="width: 70%;">Per larry load of</td> <td style="width: 25%;">Rs. 38.00</td> </tr> </table>	1	Per larry load of	Rs. 38.00	<table border="1" style="width: 100%;"> <tr> <td style="width: 5%; text-align: center;">1</td> <td style="width: 70%;">Per larry load of</td> <td style="width: 25%;">Rs. 38.00 per</td> </tr> </table>	1	Per larry load of	Rs. 38.00 per
1	Per larry load of	Rs. 38.00					
1	Per larry load of	Rs. 38.00 per					

	timber and other forest produce	per Ton of Capacity		timber and other forest produce	Ton of Capacity
2	Per cart load of timber and other forest produce	Rs. 19.00	2	Per cart load of timber and other forest produce	Rs. 19.00
3	Per camel load of timber or other forest produce	Rs. 9.00	3	Per camel load of timber or other forest produce	Rs. 9.00
4	Per pony load of timber or other forest produce	Rs. 4.00	4	Per pony load of timber or other forest produce	Rs. 4.00
5	Per head load of timber or other forest produce	Rs. 2.00	5	Per head load of timber or other forest produce	Rs. 2.00
<p>Note- In respect of resin and resin products, the provisions of the Uttar Pradesh Resin and Other Forest Produce (Regulation of Trade) Act, 1976 and the rules framed there under, shall apply."</p>			<p>Note- In respect of resin and resin products, the provisions of the Uttar Pradesh Resin and Other Forest Produce (Regulation of Trade) Act, 1976 (U.P. Act no. 13 of 1976) and the rules framed thereunder shall apply.</p> <p>(2) (a) For the transit passes applied through NTPS, payment of transit fee shall be done through NTPS only as per the rate provided in sub rule (1); (b) other provisions of sub rule (1) of rule 5 shall not apply to the transit passes issued through NTPS.</p>		

Amendment of rule 6

6. In the said rule, for the existing rule 6 set out in Column-1 below, the rule as set out in Column-2 shall be substituted, namely:-

Column-1 <i>(Existing rule)</i>	Column-2 <i>(Rule as hereby substituted)</i>
<p>6. Passes what to contain- (1) Every transit case shall be in the form given in Schedule 'A'</p> <p>(2) The color and size of each</p>	<p>Passes what to contain</p> <p>6 (1) Every transit case shall be in the Form as given in Schedule A.</p> <p>(2) The color and size of each pass</p>

pass and price to be paid in respect of each book of transit passes will be such as may be prescribed by the Chief Conservator of Forests.

(3) (i) Such pass shall be in Hindi in Devanagri script or Urdu.

(ii) Transit passes shall be in triplicate and bound in books which shall be obtainable from the Divisional Forest Officer. Each book shall bear an identifying number and the passes in each book shall be numbered serially.

(4) First copy of the triplicate forms of pass shall form the counterfoil and the second and third parts shall be given to the person-in-charge of the produce under transit and shall be produced whenever required by any checking officer. The third part shall be collected by the Forest Officer checking the forest-produce who, will initial the second part and mention thereon that the third part has been received by him.

and price to be paid in respect of each book of transit passes shall be such as may be prescribed by the Chief Conservator of Forests.

(3) (i) Such pass shall be in Hindi in Devanagri script or Urdu.

(ii) Transit passes shall be in triplicate and bound in books which shall be obtainable from the Divisional Forest Officer. Each book shall bear an identifying number and the passes in each book shall be numbered serially.

(4) First copy of the triplicate forms of pass shall form the counterfoil and the second and third parts shall be given to the person-in-charge of the produce under transit and shall be produced whenever required by any checking officer. The third part shall be collected by the Forest Officer checking the forest-produce who shall initial the second part and mention thereon that the third part has been received by him.

(5) Sub-rules (1), (2), (3) and (4) of the rule 6 shall not apply to the transit passes obtained through NTPS. The transit pass obtained through NTPS shall be produced whenever required by any checking officer.

Amendment of rule 21

7. In the said rules for the existing rule 21 set out in Column-1 below the rule as set out in Column-2 shall be substituted, namely:-

Column-1 <i>(Existing rule)</i>	Column-2 <i>(Rule as hereby substituted)</i>
21. Form etc. of foreign passes must be registered in Conservator's office- Every foreign pass must be in a form	21. Omitted.

which has been registered in the office of the Conservator of Forests of the circle into which it is sought to import forest produce there under and must be signed by an official whose designation is registered in the office of the said Conservator, and every foreign property mark must be of a description which has been registered under Rule 23 in the said office. At the time of applying for Registration of the foreign pass in the office of the Conservator of Forest of the circle concerned, a declaration will have to be submitted duly verified by the competent authority concerned that there is no objection to the exporting of the desired forest-produce to the State of Uttar Pradesh and custom excise duty or other duties, if any, leviable have been paid by the party concerned to the competent

authority: Provided that at the request of the neighbouring State Governments passes signed by the contractors or their authorized agents whose signatures have been duly registered in the office of the Divisional Forest Officer in whose division forest produce is taken, may be allowed.

Provided further that the passes used by such contractors or their authorised agents should bear an official stamp of the officer who has been authorised by the State Government to issue books of passes to contractors.

**Amendment
of rule 23**

8. In the said rules for the existing rule 23 set out in Column-1 below, the rule as set out in Column-2 shall be substituted, namely:-

<p style="text-align: center;">Column-1 <i>(Existing rule)</i></p>	<p style="text-align: center;">Column-2 <i>(Rule as hereby substituted)</i></p>
<p>23. Registration of forms of foreign passes or foreign property .- The Conservator of Forest shall upon receipt of an application or registration of any foreign form or mark for the purpose of Rule 21, enquire into the authenticity of the same and, if he has no objection shall on payment of Rs 750 by the applicant register such form or mark in his office. Every such registration should hold good from the date of registration till the 31st December of the year following the year of registration except in the case of forms and marks of foreign Government, the registration of which shall hold good till they are modified or repealed by new forms or marks.’’</p>	<p>23. Omitted.</p>

By order,

(Manoj Singh)
Additional Chief Secretary.