ACTS, RULES AND REGULATIONS PERTAINING TO FOREST MANAGEMENT AND ADMINISTRATION

Compiled in the Office of the Chief Conservator of Forests, East Pakistan under the order of the Government of East Pakistan.

FOREWORD

The activities and functions of the Forest Directorate are varied. Apart from technical aspects, its administration is governed by certain special Central and Provincial Acts and Rules framed thereunder. These are essential for forest protection and conservation and are required to be consulted at all levels frequently. At present they are not always readily available in one place and as such the necessity for the compilation of these Acts and Rules was felt for a long time. This book is the compilation of all the Acts and the Rules in force for the administration of the forest in the Province.

I have great pleasure in placing on record my appreciation of the services of officers of the Forest Directorate particularly the Chief Conservator of Forests, who have taken pains to collect all the materials to compile this book. I am sure the book will serve as a ready reference to officers responsible for management and administration of forest and this will increase efficiency at all levels.

This is the first attempt to compile all the Acts and the Rules thereunder pertaining to forest administration in one place. It is not unlikely that omissions will be noticed in course of frequent consultations. It will be appreciated if such mistakes or omissions, whenever noticed, are pointed out for incorporating in future editions.

M. A. KAREEM IQBAL,

Secretary to the Government of East Pakistan,

Forest Department.

Dated, the 19th May, 1969.

Any person so camping shall extinguish all such fires before leaving the camping ground.

6. No person shall carry burning wood, fire brands, smouldering material or naked flame in any form through or along the reserved forests.

(XV) RULES UNDER THE EAST BENGAL PROTECTION AND CONSERVATION OF FISH ACT, 1950.

Notification No. 6581-Fish—3rd July, 1950.—In exercise of the power conferred by sub-section (1) of section 6 of the East Bengal Protection and Conservation of Fish Act, 1950 (East Bengal Act XVIII of 1950), the Governor is pleased to empower the persons mentioned below, to arrest without warrant in accordance with the provisions of the said section, any person committing a breach of any rule under section 3 or any prohibition notified under section 4 of the said Act, namely—

(1) All Magistrates.

(2) All Police Officers not below the rank of Sub-Inspector of Police or Officer-in-charge of a police-station.

(3) All Forest Officers not below the rank of Deputy Ranger employed in the Sundarbans Forest Division.

(4) All officers of the Directorate of Fisheries not below the rank of Fishery Overseer.

Notification No. 6580-Fish—3rd July, 1950.—In exercise of the power conferred by section 4 of the East Bengal Protection and Conservation of Fish Act, 1950 (East Bengal Act XVIII of 1950), the Governor is pleased to prohibit throughout the Province of East Bengal the offering or exposing or possession for sale or barter of fishes of the species and sizes mentioned in column 2 of the Schedule below at any time during the period specified in column 3 of the Schedule—

Serial No.	Species of fish and size.	Period.
1	2	3
1.	Carps (*i.e.*, Catle, Rohu, Mrigal, Kalbaus and the Province) below nine inches in length.	Between July and December in any year.
2.	Hilsa (popularly known as Jatka in some parts of the Province) below nine inches in length.	Between November and April in any year.
3. Pungas 4. Silond 5. Bhoal 6. Air	Below twelve inches in length	Between February and June in any year.

(V) Rules for the control of Transit of timbers and other forest produce and rules for the measurement and registration of boats used for transit in the Sundarbans Forest Division.

Notification No. 2412-For.—dated the 26th December, 1959.—In exercise of the powers conferred by sections 32, 41 and 76 of the Forest Act, 1927 (XVI of 1927) and in supersession of all other rules notified in this behalf, the Governor is pleased to make the following rules for the control of the transit of timber and other forest produce in the Sundarbans Forest Division.

1. **Prohibition against cutting, collection or conversion of timber or other forest produce**—No person shall cut, collect, or convert any timber or other forest produce in any Reserved or Protected Forests in the Sundarbans Division without a pass or otherwise than in accordance with the conditions entered on such pass obtained as provided in rule 4.

2. **Prohibition of transit without pass**—The transit of forest produce in any forest described in rule 1 or in any water way intersecting or skirting such forest or through any part of the said forests without a pass or otherwise obtained as prescribed in Rule 4, is prohibited.

3. **Production of passes**—Every person who cuts, collects or converts any timber or other forest produce described in Rule 1 or transports any forest produce in any river or water ways or in any forest described in Rule 2 shall immediately produce pass when called upon by any Forest or Police Officer, and permit the said officer to examine the produce by measurement, if necessary.

4. **Form and issue of Passes**—Every pass referred to in Rules 1 and 2 shall be in the form either of a permit or of a certificate in accordance with the forms hereto appended and shall be obtained from an officer-in-charge of a Revenue Check Station authorised by the Conservator of Forests to issue such passes. The names and situation of the Revenue Check Stations, the officer-in-charge of which so authorised to issue permits or certificates shall be placed in a prominent position in each Revenue Check Station, Divisional Forest Officer, District Office, District Boards Office and Municipal Office.

[illegible]ghts under permit—The pass issued shall be in the form of a permit [illegible] applicant wishes to cut or remove forest produce in or from the said [illegible] Protected Forests. A permit shall only authorise the locality described [illegible] its transit to the depot specified on the pass for its examination, [illegible] permit shall be surrendered on or before the date of expiry [illegible] herein.

[illegible]ente

[illegible]ansit of forest produce through the Sundarbans forest belonging to the publi[illegible] Any person who wants to transport any forest produce through the Sundarbans Forests Division or through any water way skirting around the said forests shall make a petition in writing to the nearest Revenue Check Station Officer, who on receipt of the same shall make a physical examination of the said produce by himself and must satisfy himself that such produce has not been collected from the Government Forests, or that if it has been collected from the Government Forests, it contains such hammer marks or evidence to ensure that the royalty due on it has been fully paid to Government. The Officer-in-charge of the Revenue Check Station after being satisfied shall record an order in writing on the said petition according permission for the movement and transit

prayed for and shall also record the quantities of forest produce involved and the definite tracts which shall be followed in the said transit. The petitioner shall then be issued a certificate free of any charge or fees.

Such forest produce shall be subject to all the restrictions applicable in the case of Forest produce collected from Government forests on permit.

In case of doubts officer-in-charge of the Check Station may refer the case to the Divisional Forest Officer for orders.

7. **Certificates on surrender of Permit**—A pass in the appended form a certificate shall be issued in exchange for a permit when the latter has surrendered and the forest produce collected under it has been examine the appointed depot.

8. **Conditions precedent to issue of permit and certificates**—No permit shall be issued till the estimated value of the forest produce which the permit-holder is authorised to cut, collect and transport, calculated at the rate in force for the time being, has been paid in full.

Provided that no certificate shall be issued till any balance of the price or fee due for the produce in respect of which the certificate is required has been paid in full.

9. **Registration of Boats**—No forest produce shall be brought to, or removed from any depot in the Sundarbans Forest Division except in a boat which has been registered by an officer-in-charge of a Forest Revenue and Check Station described in Rule 4, or under any other Rules or Act for the time being in force and which bears its registered number and marks on a conspicuous place on its bows.

10. **Depots**—For the purposes of Rules 5, 6, 7 and 9 all Forest Revenue and Check Stations in the Sundarbans Division shall be deemed to be depots.

11. **Examination of Produce transhipped or landed**—Any person who moves forest produce from one boat to another or lands forest produce from any boat in, or on the bank of any river or water way in the districts of Khulna, Jessore and Bakerganj shall permit any Forest or Police Officer to examine such produce, and, if so ordered by any Forest or Police Officer, shall desist from such removing or landing between sunset and sunrise.

Note:—The following shall be Revenue Check stations in the Sundarbans Forest Division.

12. **Transport of Timber**—No person shall transport any piece of passur, kankra, keora and bain timber which does not bear the Forest Department transit or sale mark by river or by land in any part of the Khulna, Jessore and Bakerganj districts without the previous permission in writing of a Forest Officer employed in the Sundarbans Division not below the rank of Deputy Conservator of Forest.

13. **Saving—The above rules shall not be held to** apply to any trees or the produce of any trees or plants which do not grow in the Sundarbans Forest Division.

14. **Penalty for breach of rules**—Any person who infringes any of these rules shall be punished with imprisonment for a term which may extend to six months, or with fine not exceeding Rs. 500, or with both.

15. **Procedure for the measurement of boats**—(i) *Calculation of maundage of boat capacity*—In this rule "maunds goat capacity" means maundage capacities calculatet in accordance with the following formula:

(a) *Method of calculation of carrying capacity*—The carrying capacity of every boat shall be calculated according to the following formula :

Capacity $=0'356\times L\times B\times D$.

Where L=the length along the water line when under full load.

B=the breadth.

D=the vertical distance between the water line when under full load and the inner surface of the bottom of the boat.

(6) *How measurements are to be taken*—(i) The length shall be taken along the water line under full load as indicated by the boatman between the bow and stern posts (dara). The points at which the measurement were taken being marked by hammer impressions. Factions of a foot being neglected.

(ii) The breadth and depth to be taken at the broadest and deepest parts respectively, and will be recorded in feet and quarters of a foot, fractions less than quarter of a foot being neglected.

(c) *Allowance of fractions in capacity.*—Fractions as below will be ignored—

Capacity of boats.	Allowance.
1,000 maunds and over	To the nearest lower complete 100 maunds.
Over 500 maunds but under 1,000 maunds.	To the nearest lower complete 50 maunds.
Over 100 maunds but under 500 maunds	To the nearest lower complete 25 maunds.
100 maunds and under	To the nearest complete 25 maunds.

(2) *Fees for registration*—The boat registration fee will be prescribed from time to time under the schedule of rates.

(3) *Certificate or registration*—On payment of such fee the applicant shall be entitled to receive a certificate of registration in the form appended and to have the registration number and marks of his boat painted thereon.

(4) *Duration of registration*—Each registration shall hold good for the period of one year from the date of registration.

Note.—The following shall be revenue Check Stations in the Sunderbans Forest Division.

Name.	Situation.
Kaikhali	On the forest boundary, at the junction of the Kalindi (Kalindri) River and the Madar Gang or Jamuna River.
Burigoalini	On the forest boundary, at the junction of the Chaur Gang (Chunar River) and the Arpangasia or Kholpettua River.

Kadamtala	..	On the forest boundary, at the junction of the Kadamtala, Esamati (Ichhamati) and Dumkoli Khals.
Kabadak	..	On the boundary and on the Arpangasia or Kholpetua River, near its junctions with the Kabadak or Kapotakshi River.
Kasiabad	..	On the forest boundary where the Shaikhberia Khal (Sakbaria River) meets the boundary of the Reserved Forest.
Baniakhali	..	On the forest boundary, at the junction of the Koria (Kora) or Maisadoli Khal and the Harda (Hardi) Khal.
Nalianala	..	On the forest boundary, at the junction of the Nalian River and Sibsa (Sipash) River.
Kalabori (Kalabagi)	..	On the forest boundary, at the junction of the Mara Bhadra Gang (Mara Bhadra River) and the (Sutar khali) Khal.
Sutrakhali	..	On the forest boundary, at the junction of the Sutar (Sutrakhali) Khal and the Bhadra Gang.
Dhangmari	..	On the forest boundary, at the junction of the Dhangar Khal (Dhangmari Khal) and the Pusud (Pasur) River.
Chandpai	..	On the forest boundary, at the junction of the Mirgamari Gang and the Chachan or Chilli Chandpi Gang.
Jiudhara	..	On the forest boundary, at the junction of the Bhola Gang or River and the Kharmakhali or Kharma Khal.
Dhansagar	..	On the forest boundary, at the junction of the Dhansagar Khal and the Bhola Gang or River.
Sarankhola	..	On the Bhola Gang or River, at the boundary between mauza Sarankhola, Jurisdiction List No. 11, police-station Sarankhola, and the Reserved Forest.
Bogi (Bagi)	..	On the forest boundary, at the junction of the Bogi (Bagi) Khal and the Baleswar or Haringhata River.
Supoti (Supati)	..	On the Supoti (Supati) Khal at its junction with the Bhola Gang or River and the Baleswar or Harinaghala River.
*Khulna	..	On the east bank of the Rupsa River opposite Khulna town.
Nangli	..	At the junction of the Nagli Khal and the Bhola River.
Mohipur	..	On the junction of Shibbaria Khal and Kuakata Khal near Mohipur Khas Mohal Office.

* Checking station only.

FORM OF PERMIT PRESCRIBED IN RULES 4 AND 5

FOREST DEPARTMENT, EAST PAKISTAN

Sundarbans Division.

Permit No..... Book No.....

Name .....

Son of .....

Residence .....

to cut and collect in .....

the undermentioned timber and other forest produce, viz—

.....

and to transport the same in the boat described below :

Register No.	Length.	Breadth.	Depth.	Maundage,

to the ..... Forest Checking Station, to the Officer-in-charge of which this permit must be surrendered, the above described boat and all timber or other forest produce collected therein being at the same time presented for examination on or before the.....19.....

This permit only authorises the cutting, collection and transit of one cargo, whatever the size of that cargo may be of the abovementioned forest produce in or slung from the above described boat. But only logs may be slung from any boat and logs may not be slung more than one deep in the water. The holder of this permit must not use or employ for the cutting, collection or transport of the said forest produce more than.....workmen, or any boat other than the boat described above.

The permit-holder must proceed to the place where he is authorised to cut the abovedescribed produce by the following route, *viz.*—

.....

and he must proceed from such place to the Checking Station specified for the surrender of this permit by the following route, *viz.*

....

Definition—Logs are pieces of timber 3 feet or over in girth at the thick end; poles are pieces of timber 8 feet or more in length and under 3 feet in girth at the thick end; all other pieces of timber are classed as timber, fuel.

Name of Forest Revenue Station where Permit is issued.....

Rate and price received in advance.....

Date of issue of permit.....

Date of surrender of permit.....

Officer-in-Charge,

.....*Revenue Station*

FORM OF CERTIFICATE PRESCRIBED IN RULE 7 TO BE FILLED UP AND SUPPLIED IN EXCHANGE FOR A PERMIT

FOREST DEPARTMENT, EAST PAKISTAN

Sundarbans Division.

Certificate.

Book No..... Permit No.....

Dated the.....19

Certified that I have examined the undermentioned forest produce collected by .....

Name .....

Son of .....

Resident of.....

under the above permit, and found that he has collected the following amount of forest produce :

	Rs.	a.	p.
Maunds of ... .worth at.....			
Feet of.... .... logs worth at.....			
Total.....			
Prepaid on permit ..			
Balance due			

Rupees . ...annas.....pies..... which has been paid to me.

The above named has now the permission to remove the said forest produce by the following route.....in the boat described below :

Register No.	Length.	Breadth.	Depths as entered in permit.	Actual depth.	Maundage entered in permit.	Actual maundage.
1	2	3	4	5	6	7

No. of logs entered in permit ..... rate charged.....Total....

No. of logs brought out..... total length..... rate ..... total....

Signed.....

Officer-in-charge.

.....Revenue Station.

FORM OF CERTIFICATE OF REGISTRATION

Book No.....Certificate No. .....

Certified that ..... son of ..... caste ...., inhabitant of..... in the ..... thana of .....district, has this day registered a boat No. .....of which the length is .....feet, of which the breadth is.....feet .....inches, of which the depth is.....feet .....inches. Maund capacity is.....maunds.

Station from which is issued .....

Date of issue.....

Date up to which registration will hold good 19

Registration number and marks

- Registration depot letter.....
- Registration number.....
- Year mark.....

Officer-in-Charge

.....*Station.*