

## **GUJARAT MINOR FOREST PRODUCE TRADE NATIONALISATION RULES, 1979**

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## **GUJARAT MINOR FOREST PRODUCE TRADE NATIONALISATION RULES, 1979**

In exercise of the powers conferred by section 20 of the Gujarat Minor Forest Produce Trade Nationalisation Act, 1979 (Gujarat 7 of 1979), the Government of Gujarat hereby makes the following rules, namely:-

### **1. Short title. :-**

These rules may be called the Gujarat Minor Forest Produce Trade Nationalisation Rules, 1979 .

### **2. Definitions. :-**

In these rules unless the context otherwise requires,-

- (1) "Form" means a form appended to these rules;
- (2) "Project Manager" means the officer of the Corporation, so appointed, by the Corporation, holding the charge of the area in which the unit is located;
- (3) "Purchaser" means a person or a party to whom any of the classes of forest produce has been sold by the State Government or by any authorised officer of the Corporation;
- (4) "Standard bag" means a bag containing 1000 standard pudas

of timru leaves and where the standard pudas are not bagged, reference to "standard bag" shall be construed as a reference to 1000 standard pudas;

(5) "Standard puada" means a bundle containing 50 Timru leaves.

### **3. Permits. :-**

The permit for the purposes of clauses (c) and (d) of sub-section (2) of section 3 of the Gujarat Minor Forest Produce Trade Nationalisation Act, 1979 shall be in Form 'A' and shall be issued by the Deputy Conservator of Forests or an Officer authorised by Deputy Conservator of Forests <sup>1</sup> [or Project Manager or an Officer authorised by the Project Manager,] in writing in this behalf. An application for issue of the permit shall be made in Form 'B' and shall be submitted to the Deputy Conservator of Forest or the Officer authorised by Deputy Conservator of Forests [or Project Manager or an Officer authorised by the Project Manager,] who may after due enquiry grant permit and arrange for its issue.

1. Inserted by G.G. Gaz. Pt. IV-B, Ext. dt. 1-5-1982 P. 98.

### **4. Other manner of publication of the price fixed by the Advisory Committee. :-**

The price fixed under sub-section (1) of section 4 shall be published at least in two Gujarati daily news papers having wide spread publicity in the local areas.

### **5. Other factors to be considered by the Committee while fixing the price. :-**

For the purpose of fixation of price, the Committee shall also consider the price indices, the availability of the produce and profitability the trade in the minor forest produce.

### **6. Procedure for appointment of an agent. :-**

(1) The State Government may appoint an agent after issuing at least 15 days' notice in the local daily newspaper and inviting applications for the same.

(2) At least 15 days' notice calling applications for appointment of agents shall be issued in a Gujarati local daily newspaper. The applications shall be addressed to the concerned Deputy Conservator of Forest, in whose jurisdiction the minor forests produce for which the agent is to be appointed is located. The Deputy Conservator of Forests after scrutiny of the applications shall submit a list of persons who in his opinion are fit for selection

to the State Government and the State Government may approve such candidates for appointment as it deems fit having regard to the following factors:

- (i) that the applicant has at least passed the 7th standard examination,
- (ii) that the applicant has atleast 3 years' experience in collection, processing, bagging and storing of timru leaves and other minor forest produce,
- (iii) the person appointed to work as an agent for one or more forest produce shall abide by the terms and conditions as may be laid down from time to time.

**7. Manner of performing functions of the Committee. :-**

(1) One member of the Advisory Committee constituted under the provisions of section 7 shall be appointed as Chairman, who shall also act as the Convener. The notification constituting the Advisory Committee shall, in addition specify the date, time and place where the committee shall hold its first meeting and where the records of the deliberations of the meeting shall be preserved.

(2) Every meeting shall be presided over the Chairman and in his absence members present shall elect one of the members present as the Chairman shall hold the meeting.

(3) The Chairman of the Committee shall fix the date, time and place of the subsequent meetings and communicate the same in writing to all the members of the committee. The acknowledgement of all the members of having received the information shall be kept on record.

(4) Three members of the Committee shall constitute the quorum. If any meeting can not be held for want of quorum, the same shall be reconvened at the same place after one hours after dispersal of the first meeting.

(5) The proceedings of the meeting shall be clearly written so as to bring out the recommendations of the Committee regarding fair and reasonable price at which the minor forest produce can be purchased from the growers other than the State Government and also its advice and such other matter as may be referred to it by the Government and the recommendations and advice of the Committee in that behalf.

(6) The proceeding shall be approved by the Chairman and his approval shall be taken as final proof of the authenticity of the proceedings and the recommendations of the Committee.

(7) The Committee's advice shall be conveyed to the State Government along with the proceedings of the meetings of the Committee, which shall be sent so as to reach the Secretary to the Government, Agriculture, Forests and Co-operation Department by the 30th November or such other date as the State Government may fix for a particular year. The State Government, however, in a special case may allow a Committee a further period of 15 days. The request for further time on behalf of the Committee shall, be made to the State Government well in advance of the expiry of the date so prescribed.

(8)

(i) The non-official members of the Committee shall be entitled to draw travelling and daily allowances as Class I officer.

(ii) The travelling allowance bills shall be countersigned by the Chairman and shall be submitted to the Secretary to Government, Agriculture, Forests and Co-operation Department, who shall after scrutiny make arrangements for the payment.

**8. Appropriation of minor forest produce. :-**

The charges payable to the persons from whom any minor forest produce has been appropriated under sub-section 9 of the Gujarat Minor Forest Produce Trade Nationalisation Act, 1979 shall not exceed the amount determinable on the basis of the purchase price fixed for it under section 4, nor shall it be less than half of the said amount: Provided that it shall be competent for the authorised officer or agent to award such amount at his discretion within the aforesaid limits and his decision shall be final: Provided further that the persons from whom the minor forest produce is appropriated, as above, shall not be entitled to any compensation by way of expenses, charges, interest etc. whatsoever in addition to the amount fixed by the authorised officer or the Agent.

**9. Registration of grower of Timru leaves. :-**

(i) Every grower of timru leaves, not being the State Government, shall, if the quantity of leaves grown by him during a year is likely to exceed five standard bags, get himself registered under section 11.

**1** [(ii) An application for registration as grower shall be made by 31st December every year and shall be in Form 'C' and be filed before the Deputy Conservator of Forests/Project Manager within whose jurisdiction the grower's land on which trees grow is situate. The application for registration shall be made within registration fees of Rs. 2/- payable either 'in cash or by money order or by Postal Order. The Deputy Conservator of Forests/Project Manager who, after making such enquiry as he may deem fit register the applicant as a grower keeping a register and grant a certificate in Form 'D' or reject the application after recording reasons thereof.]

1. Substituted by G.O.Gaz.... Pt. V-B. cit. 23-5-1982, P. 1204.

**10. Penalties for breach of rules. :-**

Any person who contravenes any rule shall be punished with fine upto rupees one thousand and when the offence is continuing one, with a daily fine not exceeding one hundred rupees during continuance of the offence.