

Tamil Nadu Sandalwood Possession Rules, 1970

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Tamil Nadu Sandalwood Possession Rules, 1970

In exercise of the powers conferred by sections 35, 36, 36-A, 36-B and 36-D of the Tamil Nadu Forest Act, 1882 (Tamil Nadu Act V of 1882) the Governor of Tamil Nadu hereby makes the following rules:

1. Short Title And Extent :-

- (i) These rules may be called the Tamil Nadu Sandalwood Possession Rules, 1970.
- (i) They extend to the whole of the State of Tamil Nadu.

2. Definition :-

In these rules unless the context otherwise requires;

- (a) "Act" means the Tamil Nadu Forest Act, 1882; Tamil Nadu Act, 1882 (Tamil Nadu Act V of 1882)
- (b) "Dealer" means any person, who carries on the business in Sandalwood of buying, selling, supplying or distributing Sandalwood directly and includes;
 - (i) a local authority or company which carries on business in sandalwood.
 - (ii) an auctioneer or his accredited agent, by whatever name called who carries on the business in sandalwood of buying, selling, supplying or distributing sandalwood on behalf of any principal and.
 - (iii) every local branch of a firm or company situated outside the state;
- (c) "District Forest Officer" means the District Forest Officer having jurisdiction over the area.

- (d) "Form" means the form set out in the schedule to these rules;
- (e) "Licence" means a licence issued under these rules;
- (f) "Sandalwood" includes sandalwood roots, sandalwood dust, sandal sapwood and sandalwood chips;
- (h) "Stockist", means any person who stocks sandalwood for conversion into sandalwood oil or other products but not for disposal of wood as such.

3. Form And Manner In Which Application For Licence May Be Made :-

(1) No person shall possess on stock sandalwood in excess of five kilograms without a license. Whenever any person intends possessing or stocking sandalwood in excess of five kilograms he shall apply to the District Forest Officer in Form I and obtain a licence after paying the fees prescribed in sub-rule (7) of rule 4. Every application for the grant of a licence shall be accompanied by authenticated document and other relevant particulars in support of the procurement of the sandalwood.

(2) On receipt of the application together with the authenticated documents, the District Forest Officer shall, if he is satisfied about the bonafides of the applicant issue a licence in Form II for the possession of sandalwood.

(3) Whenever the dealer or stockist intends to obtain or procure possession of subsequent consignments of sandalwood, he shall immediately inform the District Forest Officer, in writing of the actual source from which he intends obtaining such additional consignment of sandalwood and supply such information as the District Forest Officer may require, from time to time, to satisfy himself about the bonafide of such additional consignment of sandalwood.

(4) Whenever the dealer or stockist comes into possession of a consignment of sandalwood, he shall within twenty four hours, inform the District Forest Officer of the place of storage of sandalwood about the fact of possession and the same shall be inspected by an officer not below the rank of a Forester without any delay and till such inspection is over the dealer shall not tamper with the identification marks that may have been already placed on such sandalwood.

(5) After such inspection the dealer or stockist shall be given an order in writing by the District Forest Officer to cover such sandalwood if such conversion is sought to be made. Provided that

the District Forest Officer may refuse to grant or renew a licence to any applicant or licensee if he has reason to believe that the information required is not given or that the person has been concerned in any illegal practice with regard to sandalwood or for any other goods.

EXPLANATION: The Arignar Anna Government Hospital of Indian Medicine, Madras and the Government College of Indian System of medicine Palayamkottai are exempted from the operation of Rule.3
SYNOPSIS Explanation to Rule 3 inserted by SRO.A/93/84 Forest and Fisheries

4. Terms, Conditions And Fee For The Grant Of Licence :-

LICENCE:

(i) A stockist storing sandalwood and its by-products (obtained by manufacture or conversion) including sandalwood, oil, smaller billets, sandalwood power and dust toilet articles or scented sticks, should furnish to the District Forest Officer, full particulars of the place of storage with a certified sketch of the premises. The premises should be distinguished by a notice board conspicuously displayed. Any change of place of storage should be notified.

(2) The dealer or stockist should maintain a stock register showing receipt issues and balance of sandalwood and all its by-products including sandalwood at the premises.

(3) A true extract from the stock register for every financial year shall be submitted to the District Forest Officer by the 10th April, of the following year or before renewal of the licence when it has been issued for part of the year.

(4) The stock register and the stock shall be kept open for inspection by any Forest Officer not below the rank of a Forester at any time. Whenever there is contravention of any of the provisions of the licence, any inspection Officer not below the rank of a Forest Ranger may remove such account, or stock of sandalwood or both and the animals, vehicles, vessels or any other conveyance actually used in that connection and thereafter take or authorise the taking of all measures for securing the production of stocks of sandalwood, vehicles and the like seized, in a court and for their safe custody pending such production.

(5) In exercising the power of entry and search under sub-rule (4) due regard shall be paid by the authority making such entry and search to the social and religious customs of the occupant of the premises to be entered upon and searched and the premises may

be entered after sunrise and before sunset.

(6) The licence shall not be transferable.

(7) A licence fee of Rs.100/- for one financial year or part of the year shall be payable along with the application for licence.

(a) A licence fee of Rs.100/- for one financial year or part of the year shall be payable along with the application for licence by non-wholesales and non-distillers.

(b) A licence fee of Rs.200/- for one financial year or part of the year shall be payable along with the application for licence by wholesale dealers and distillers. EXPLANATION: No fee shall be payable however, by religious institutions recognised by the Hindu Religious and Charitable Endowment Board or the Wakf Board, or The Arignar Anna Government Hospital of Indian Medicine, Madras and the Government College of Indian system of Medicine Palayamcottai.

SYNOPSIS

Explanation to Rule 4(7) inserted by G.O.Ms.297, Forests and Fisheries 15.3.1984. (G.O.Ms.No:1501, Forests and Fisheries Department, dated:8th November 1982)

EXPLANATION: No fee shall be payable however by religious institutions recognised by the Hindu Religious and and Charitable Endowment Board or the Wakf Board stocking sandalwood for their own bonafide requirements.

(8) The license shall be for a certain period not exceeding the financial year when initially issued.

(9) Movements of sandalwood from and to the licensed premises shall be covered by the Madras Sandalwood Transit Rules, 1967.

5. Grant Of Duplicate Licenses And The Renewal Of Licences And Fee For The Same :-

(1) When a licence is lost by the licensee a duplicate thereof shall be issued by the District Forest Officer after due verification.

(2) The fee chargeable for the grant of a duplicate licence shall be Rs.50/-

(3) The licence shall be renewed for every financial year. Applications for renewal shall be made thirty days before the expiry of the existing licence. The licensing authority may, at his discretion, entertain an application for renewal preferred up to a period of thirty days from the date of expiry of the existing licence. All applications received after period shall be treated only as applications for the issue of fresh licence.

