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NOTIFICATION

No.C.18011/5/2016 - FST, the 11th October, 2019. In accordance with the provisions of the Wood Based Industries (Establishment & Regulation) Guidelines, 2016 issued by the Ministry of Environment, Forests & Climate Change, Government of India in compliance of the direction of the Hon'ble Supreme Court of India dated 05.10.2015 in W.P (C) No.202 of 1995, the Government of Mizoram vide Notification No.C.18011/8/2012 - FST dated 19th June, 2017 had issued the Mizoram Wood Based Industries (Establishment & Regulation) Rules, 2017. The Ministry of Environment, Forests & Climate Change, Government of India had further amended and simplified the said guidelines vide Resolution dated 11th September, 2017. Now, in order to conform to the said amended guidelines, the Government of Mizoram is pleased to amend the Mizoram Wood Based Industries (Establishment & Regulation) Rules, 2017, as follows:-

1. Short title, extent and commencement:
 - (i) These rules shall be called the Mizoram Wood Based Industries (Establishment & Regulation) (Amendment) Rules, 2019.
 - (ii) They shall extend to the whole State of Mizoram except the three Autonomous District Councils.
 - (iii) They shall come into force from the date of their publication in the Official Gazette.
2. Amendment of Rule 2 : In the Mizoram Wood Based Industries (Establishment & Regulation) Rules, 2017 (hereinafter referred to as the said rules), the entries under rule 2(i) shall be substituted by the following, namely:-
 - (i) *In these rules, unless the context otherwise requires -*
 - (a) *"authorized officer" means the Divisional Forest Officer having jurisdiction over the place of establishment of wood based industry;*
 - (b) *"charcoal" means a form of carbon derived from incomplete combustion of wood derived from a tree.*
 - (c) *"Industrial Estate" means areas notified by the State Government for establishment of wood based industries;*
 - (d) *"license" means a license granted under these rules;*
 - (e) *"PCCF" means the Principal Chief Conservator of Forests, Government of Mizoram;*
 - (f) *"person" includes an individual, partnership firm, a body, company or a society duly registered for the purpose of carrying on a business;*
 - (g) *"primary Wood Based Industry" means an industry that is involved in sawing/peeling/chipping/conversion of round timber using mechanical devices for manufacturing of wood products, and includes saw mill, joinery mill, veneer mill, plywood mill, particle*

board mill, peeling and chipping unit and any other unit involved in cutting, sawing, re-sawing or converting of round as well as sawn timber.

- (h) "round log" means a piece of wood in its natural form, having mid girth of thirty centimeter or more under bark, and it will include such round log even after its bark has been removed or its surface has been dressed, manually or by using a band saw or any other machine or equipment to make its cross section square or near to square for the purpose of ease in its transportation and/or storage.
- (i) "Saw Mill" means plants and machinery in a fixed structure or enclosure for cutting, sawing and conversion of timber with the aid of electrical or mechanical power.
- (j) "sawn timber" means beams, scantlings, planks, battens and such other product obtained from sawing of a round log.
- (k) "Secondary Wood Based Industry" means an industry that is involved in re-sawing or conversion of sawn timber into smaller pieces or other products, and include units having band saw or re-saw and/or circular saw of more than 30 centimeter diameter, but which is not involved in purchase/sawing of round timber.
- (l) "State Level Committee" means the Committee constituted by the Government of Mizoram under rule 5(i) of these rules.
- (m) "Wood Based Industry" means any industry which processes wood as its raw material (including veneer, plywood or any other form of wood such as sandal wood, katha wood, charcoal, etc).
- (ii) Words and expressions used but not defined in these rules, but defined in the Mizoram (Forest) Act, 1955 shall have the meaning assigned to them in such Act;"

3. Amendment of Rule 3 : Rule 3 of the Principal Rules shall be substituted with the following, namely:-

"3. Restriction on establishment of Wood Based Industries:

- (i) No person shall establish or operate a primary or secondary wood based industry except under a license granted in accordance with these rules and with the prior approval of the State Level Committee.
- (ii) Primary wood based industries shall be permitted to be established only in the Industrial Estate or Municipal area or District Headquarters or any other suitable area as approved by the State Level Committee".

4. Amendment of Rule 4 : Rule 4 of the Principal Rules shall be substituted with the following, namely:-

"4. Categories of wood based industries not requiring license:

- (1) The following industries/processing plants not using round logs of domestic origin or operating without a band saw or re-saw or circular saw of more than thirty centimeter diameter shall not require license.

Industries/processing plants which use:

- a. sawn timber, cane, bamboo, reed, plywood, veneers or imported wood procured from legitimate sources.
- b. block board, Medium Density Fiberboard or similar wood based products procured from legitimate sources.
- c. round log/timber from species declared as agro-forestry/agricultural crops and/or exempted from the purview of felling and transit permit in the State of Mizoram, and procured from legitimate sources. However, the State Level Committee may allow installation of circular saw of diameter up to 60 centimeter in such industries having specialized requirement.

- (2) *Such industries shall be registered with the authorized officer concerned by providing particulars/details of the industries in Form – I.”*
5. Amendment of Rule 5 : Clause (g) of rule 5(i) of the Principal Rules shall be substituted by the following, namely:-
“g) *The State Level Committee may co-opt an officer from Territorial wing of the Forest Department not below the rank of Conservator of Forests and officers from Department of Agriculture and Department of Revenue of the State Government.”*
6. Amendment of Rule 6 :- Rule 6 of the Principal Rules shall be substituted by the following, namely:-
“6. *Powers and functions of the State Level Committee : The State Level Committee (SLC) shall:-*
(i) *Assess the availability of timber in the State by way of appropriate study on demand and supply as and when it decides. The SLC shall devise suitable mechanism for sustainable use of timber in a way that does not affect the forests of the area adversely.*
(ii) *Approve appropriate locations for setting up of wood based industrial units.*
(iii) *Approve the name of wood based industries which may be considered for grant of fresh license or enhancement of the existing licensed capacity in case the committee is satisfied that timber is available legally for the said new wood based industries (such as trees outside forest, private forests, etc.).*
(iv) *Ensure that the amount collected or recovered from Wood Based Industries and deposited in the account of State Level Committee is utilized for the purpose of afforestation only.*
(v) *Examine and make appropriate recommendations or any other matter referred by the State Government.”*
7. Omission of Rule 7 : Rule 7 of the Principal Rules of these rules shall be omitted.
8. Amendment of Rule 9 : Rule 9 of the Principal Rules shall be substituted with the following, namely:-
“9. *Procedure for obtaining license or renewal of license for wood based industries:*
(i) *For obtaining a license or renewal of license or for enhancement of the existing licensed capacity, application in Form I shall be submitted to the authorized officer.*
(ii) *Application for renewal of license shall be made to the authorized officer, at least three (3) months before the expiry of the validity period of the existing license.*
(iii) *Application received in clause (i) shall be enquired into by the authorized officer, who, after due verification, shall forward the application along with the verification report and comments to the Conservator of Forests concerned within a period of 30 days from the date of receipt of such application.*
(iv) *The Conservator of Forests will, within five (5) days of receipt of the application and report, forward the same with his comments to the PCCF who shall refer the same to the SLC for its consideration and decision.*
(v) *The SLC, while exercising its power and functions under rule 6, may refuse issuance of the license or renewal of the license for reasons to be recorded in writing, and inform the applicant accordingly.*
(vi) *The SLC shall convey its decision on the applications for setting up of wood based industries or for renewal of license or for enhancement of existing licensed capacity to the PCCF, the Conservator of Forests and the authorized officers concerned for necessary follow up action.*

(vii) *The SLC may, however, delegate the power of renewal of license to the authorized officer concerned."*

9. Amendment of Rule 10 : Rule 10 of the Principal Rules shall be substituted with the following, namely:-

"10. Registration and allotment of land within the Industrial Estate:

On receipt of the approval of the State Level Committee for establishment of wood based industry, the applicant shall obtain allotment of land within the Industrial Estate from the competent authority (in case the approval is for setting up of wood based industry within industrial estate), and the applicant shall register the wood based industry with the competent authority."

10. Amendment of Rule 11: Rule 11 of the principal Rules shall be substituted with the following, namely:-

"11. Grant or Renewal of License:

After obtaining approval of State Level Committee and allotment of land in the industrial estate, as the case may be, and registration as required under rule 10, the applicant shall pay an annual license fee or renewal fee, as required under rule 16 to the authorized officer, and thereafter, the authorized officer shall grant license in Form-II. The license granted shall remain valid for a period upto which the annual fee is paid by the licensee.

The license in Form-II shall be granted subject to following conditions:

- (i) *The wood based industrial unit shall be subject to inspection at any time by any Forest Officer not below the rank of a Forester.*
- (ii) *The wood based industry is registered with Department of Commerce & Industries.*
- (iii) *Every wood based industrial unit shall keep and maintain registers, documents and accounts in the form as required under these rules.*
- (iv) *The location/name/ownership of the wood based industrial unit mentioned in the license shall not be shifted/changed/transferred without the prior approval of the SLC.*
- (v) *The industrial unit licensed for a particular category shall not be converted into any other category nor its capacity enhanced or any new machinery other than those mentioned in the license shall not be installed without obtaining a fresh license with approval of the SLC.*
- (vi) *The industrial unit shall not accept any timber without a valid transit pass and the licensee shall be responsible for any timber stacked or lying within the industry premises.*
- (vii) *No secondary wood based industry shall receive, purchase, sell, stock or process round timber other than those exempted agro-forestry species or procure sawn timber other than those converted by the licensed wood based industry or those imported from other States/country through legal means only.*
- (viii) *All the timber in the industrial unit shall be properly stacked for facilitating stock taking and inspection.*
- (ix) *The licensee shall submit application for renewal of the license with abstract of timber accounts within three months prior to expiry of the existing license.*
- (x) *The wood based industry shall follow all environmental and other regulations prescribed by the Mizoram Pollution Control Board and the Government as applicable to these industries under Environment (Protection) Act, 1986 and other Central/State Acts."*

11. Amendment of Rule 16 : Sub-rule (i) of rule 16 of the Principal Rules shall be substituted with the following:

"(i) The following fees shall be paid by each Scheduled Tribe applicant for the grant or renewal of license:-

Sl. no	Category of Wood Based Industry	Annual License fee/Renewal fee for WBI with approved capacity		
		upto 500 cu.m (Rs)	of 501-1000 cu.m (Rs)	above 1000 cu.m (Rs)
1	Primary Wood Based Industries	5000	10000	20000
2	Secondary Wood Based Industries	1500	2500	3500

Explanation: For non-tribal applicant, the rates will be double the above."

12. Amendment of Rule 17 :Rule 17 of the Principal Rules shall be substituted with the following:

"17. Utilization of fee:

All receipt towards application fee, license fee, renewal fee, late fee and fine/penalty shall be utilised for conservation and development of the forests as per guidelines to be framed by the Government, and expenditure sanction for the same shall be accorded with prior approval of the State Finance Department".

13. Amendment of Rule 18 :Rule 18 of the Principal Rules shall be substituted with the following:

"18. Maintenance of Records:

Each licensed wood based industrial unit shall maintain and regularly update registers/records/ accounts in Form – III(a), III(b), III(c) & IV appended to these rules and/or as may be prescribed by the PCCF".

Ajai Saxena,
Principal Secretary to the Govt. of Mizoram,
Environment, Forest & Climate Change Department.

FORM - I
[See Rule 9(1)]

Application for Setting up/Renewal/Upgrading of
Wood Based Industry

Photo

1. Applicant:-
 - (i) Name :
 - (ii) Father's name :
 - (iii) Address :
2. The Industrial unit (proposed/existing):-
 - (i) Name of the industry :
 - (ii) Location/Address with name :
of Street/Village/Town/City :
 - (iii) Extent of land (Bigha/Ha) :
 - (iv) Land Pass/Allotment/Plot No. :
 - (v) Name/location of Industrial Estate/Municipal
Area/District Hqrs/Other area(For Primary WBI only):
3. Type/category of the unit:
(Pl also indicate whether Primary or Secondary WBI)
4. Raw material to be used with source:
(whether round wood or sawn timber):
5. Details of machinery installed/to be installed:-

Sl. No.	Name/type of machineries (with make/model/brand)	Size* or specification of machineries	Capacity (in HP)	Number of machines
1	Horizontal band saw			
2	Vertical band saw			
3	Circular saw			
4	Peeling machine			
6	Others (specify)			

*Pl indicate wheel diameter in case of band saw and blade diameter in case of circular saw

6. Product (materials to be produced):
8. Whether the unit is functioning or not. If yes, since when it was functioning:
 - a) Registration No.:
 - b) Previous License No. :
 - c) Period of validity : From _____ to _____.
9. Period for which license is required: From _____ to _____.

10. Documents enclosed (Attested copies):-

- a) Aadhar Card / Voter ID.
- b) Registration Certificate of the Firm, Society, etc issued by Registrar, Firms & Societies (for Firm, Societies, etc).
- c) Registration Certificate of the unit issued by the competent authority, if any.
- d) Location map of the unit showing the premises, its approach and surrounding areas.
- e) Land pass/document showing ownership of the land/allotment of land.
- f) Previous license for WBI (For renewal of license).
- g) Statement showing the source of supply of round/sawn timber, species and quantity.

I undertake that I will abide by the terms and conditions stipulated in the Mizoram Wood Based Industries (Establishment & Regulation) Rules, 2017.

Date :

Place :

Signature of the Applicant
Phone No : _____

GOVERNMENT OF MIZORAM
ENVIRONMENT, FOREST & CLIMATE CHANGE DEPARTMENT

FORM - II

[See Rule 11 of the Mizoram Wood Based Industries (Establishment & Regulation) Rules, 2017]

LICENSE FOR ESTABLISHMENT/RENEWAL OF WOOD BASED INDUSTRY

Photo of
the
Licensee

License No. _____

Date : _____

1. Name of Licensee :
2. Address of Licensee :
3. Name of the WBI :
4. Category of the WBI :
5. Location/postal address of the WBI :
6. Name/location of Industrial Estate/
Municipality/Dist Hqrs/Other area :
8. Registration No.:
9. Details of machinery and power sanctioned:

Sn	Name/type of machineries	Size/Specifications*	Capacity (in HP)	Number

*Pl indicate wheel diameter in case of band saw and blade diameter in case of circular saw

10. SLC approval No. & date:
11. Type of forest produce (raw material and product):
to be stored in the premises
12. Amount of annual fee paid with Receipt No:
13. Validity of License: From _____ to _____.

Date :

Place :

Signature, name and designation of
Issuing Authority with Seal

Conditions:

1. *The wood based industrial unit shall be subject to inspection at any time by any Forest Officer not below the rank of a Forester.*
2. *The wood based industry is registered with Department of Commerce & Industries.*
3. *Every wood based industrial unit shall keep and maintain registers, documents and accounts as required under these rules.*
4. *The location/name/ownership of the wood based industrial unit mentioned in the license shall not be shifted/changed/transferred without the prior approval of the SLC.*
5. *The industrial unit licensed for a particular category shall not be converted into any other category nor its capacity enhanced or any new machinery other than those mentioned in the license shall not be installed without obtaining a fresh license with approval of the SLC.*
6. *The industrial unit shall not accept any timber without a valid transit pass and the licensee shall be responsible for any timber stacked or lying within the industry premises.*
7. *No secondary wood based industry shall receive, purchase, sell, stock or process round timber other than those exempted agro-forestry species or procure sawn timber other than those converted by the licensed wood based industry or those imported from other States/country through legal means only.*
8. *All the timber in the industrial unit shall be properly stacked for facilitating stock taking and inspection.*
9. *The licensee shall submit application for renewal of the license with abstract of timber accounts within three months prior to expiry of the existing license.*
10. *The wood based industry shall follow all environmental and other regulations prescribed by State Pollution Control Board and the Government as applicable to these industries under Environment (Protection) Act, 1986 and other Central/State Acts.*

I understand and undertake to abide by the above terms and conditions.

Date :

Place :

Signature of License holder
Phone No. _____

FORM -III(a)

Form of Register showing Receipt of Forest Produce in Wood Based Industry

Name & location of WBI:

Forest Division:

Register opened on:

Date of receipt	Details of forest produce received				Name & address of person from whom received	TP/Challan No. & date	Issued by	Remarks
	Kind/Type	Species	No of pieces	Volume (Cu.m)	Source/Origin			
1	2	3	4	5	6	7	9	10

FORM -III(b)

Form of Register showing Conversion of Forest Produce in Wood Based Industry

Name & location of WBI:

Forest Division:

Register opened on:

Date of conversion	Details of forest produce used for sawing				Details of converted forest produce/sawn sizes obtained			Remarks
	Kind/Type	Species	No of pieces	Volume (Cu.m)	Name of product (Kind/Type)	Size/Dimension	No of pieces	Volume (Cu.m)
1	2	3	4	5	6	7	8	9
								10

FORM -III(c)

Form of Register showing Disposal of Forest Produce in Wood Based Industry

Name & location of WBI:

Forest Division:

Register opened on:

Date of Disposal	Details of converted forest produce/sawn sizes disposed/dispatched				To whom disposed/dispatched (Destination with address)	Challan/TP No. & date	Remarks
	Name of product (Kind/Type)	Species	Size/Dimension	No of pieces	Volume (Cu.m)		
1	2	3	4	5	6	7	8

FORM - IV

Register showing Abstract of Forest Produce received, converted and disposed during the month of _____

Name of WBI:

Forest Division:

Register opened on:

Sl. no.	Particulars	Name/kind of forest produce	Species	Size/ dimension (if applicable)	No of pieces	Volume (Cu.m)	Remarks
1	Opening stock of unconverted forest produce/ round logs carried over from the previous month						
2	Opening stock of converted forest produce/sawn sizes carried over from the previous month						
3	Forest produce/round logs received during the month						
4	Total quantity of forest produce/round logs in the premises during the month (1 + 3)						
5	Forest produce/round logs used for sawing/ conversion during the month						
6	Converted forest produce/sawn sizes obtained/ produced during the month						
7	Total quantity of converted forest produce/Sawn sizes in the premises during the month (2 + 6)						
8	Converted forest produce/sawn sizes disposed/ dispatched during the month						
9	Balance of unconverted forest produce/round logs lying in the premises at the end of the month						
10	Balance of converted forest produce/sawn sizes lying un-disposed in the premises at the end of the month						