

REVENUE DEPARTMENT.

(Rules for the management and control of the Kado timber revenue-station(1896))

NOTIFICATIONS.

No. 431 (FORESTS)

Dated Rangoon, the 21st September 1896.

[Amendment : 18.06.1989]

No. 431 (FORESTS).-In exercise of the power conferred by section 43, clauses (g) and (h), of the (Lower) Myanmar Forest Act, 1881, the Chief Commissioner makes the following rules for the management and control of the Kado timber revenue-station and for regulating the appointment and duties of persons employed thereat. The undermentioned notifications or parts of notifications are hereby superseded:-

Revenue Department No.4, dated 10th January 1883. Directions 12 to 35 and Forms I to VII.

Revenue Department No. 66, dated 27th November 1884, clause II.

Revenue Department No.21, dated 24th January 1889.

Revenue Department No.171, dated 12th August 1891.

Revenue Department No.345, dated 11th September 1893.

Revenue Department No.498, dated 14th December 1893.

Revenue Department No.145, dated 10th April 1896.

1. These rules may be cited as **the Kado Timber Station Rules, 1896.**

2. In these rules-

“Divisional Officer” means the officer for the time being in charge of the Kado Forest division.

“Subdivisional Officer” means the officer for the time being in charge of the Kado Forest subdivision.

“Form” means a form attached to these rules.

Rules for the management of the Kado Timber Station.

3. A plan of the demarcated land forming the Kado timber-station shall be kept at the office of the Subdivisional Officer.

4. Within the station no rights of occupancy shall be granted, except by the Divisional Officer in manner hereinafter mentioned.

5. The portion of the station bordering the river and creeks therein shall be divided into as many wharves as to the Divisional Officer seems advisable. Such wharves shall be shown on the station plan separately numbered, and on each wharf so formed and numbered a post and board shall be erected showing in English and Myanmar numerals the number of the wharf.
<Amendment 18.06.1989>
6. The wharves shall be either public or private, and each occupied wharf shall be in charge of a registered watchman. Such registered watchman shall keep in Form I a book in which shall be entered daily particulars of all timber arriving at, and despatched from, the wharf under his charge.
7. At the public wharves wharfage shall be charged at such rate and in such manner as the Divisional Officer prescribes; and at such wharves importers of timber shall drag and place their timber in such positions as the Subdivisional Officer directs.
8. Private persons may be allowed by the Divisional Forest Officer to occupy particular wharves. The permission shall be given in Form II and shall be subject to the conditions therein contained, and shall cease on the 31st March following the grant thereof, but the Divisional Officer may grant a fresh license for another year.
9. At the upper and lower limits of the station there shall be placed guards, and it shall be the duty of the entrance guard to count every log or piece of timber that enters the station and of the exit guard to examine every log or piece of timber that leaves the station to ascertain whether it has been marked with the duty paid hammer. At either guard a book shall be kept in which the number of logs or pieces so coming in and going out is entered daily.
10. The entrance guard shall demand the production of the collecting license issued under Rule 36 of the General Rules and section 46 of the Act.
11. All timber brought down the Salween river shall be placed on arrival at the station under the charge of the Subdivisional Officer and shall be at once taken to a wharf and delivered to the registered watchman in charge of the wharf.
12. The watchman in charge of a wharf shall, on receiving the timber, make a receipt in Form III in triplicate for the same, one portion being kept by himself, a second being sent to the subdivisional office; and the third being given to the person in charge of the timber, and shall enter the particulars of each raft in his arrival and despatch book (Form I).

13. The importer of the timber or his agent shall, within seven days after the timber has been delivered to the said watchman, report its arrival in Form IV at the subdivisional office, and to such report he shall attach the receipt of the watchman.
14. If at any time after the report of arrival of any timber at Kado, the depot peons or other Government official have cause to suspect that any raft contains stolen, defaced, or supermarked timber, or timber otherwise unlawfully obtained, a report of the fact shall be made at once to the Subdivisional Officer, or in his absence to his head clerk, who shall further examine into the matter, and, if in his opinion the grounds for suspecting the logs be sufficient, he shall cause such raft or portion of raft suspected to be broken up and the logs dragged on shore for further examination. The expense of this examination shall be borne by the importer if the raft is proved to have consisted in whole or in part of stolen, defaced, or supermarked logs; otherwise it shall be borne by the Government.
15. A register of arrival-reports shall be kept at the Kado office, in Form V, and in such register a separate serial number shall be given to each log or piece of timber entered in each arrival-report. The arrival report must be entered in the register as soon as possible after receipt.
16. Each log or piece of timber shall be marked under the directions of the Subdivisional Officer with the number and year by which it is distinguished in the register of arrival-reports.
17. The arrival-reports shall be open to the inspection of the public at the Kado office for at least seven days after their entry in the register, and copies of the arrival-reports shall be daily forwarded to the divisional office in Moulmein and shall there also be open to the inspection of the public for at least seven days. The Divisional Officer may, on application and after inquiry, extend the period during which any particular arrival-report shall remain open to inspection.
18. After the expiry of the period during which the arrival-report has been ordered to remain open to inspection, a warrant or tainza in Form VI for the timber covered by the arrival-report shall be granted on application to the importer of the timber. It shall be signed by the Divisional or Subdivisional Officer and shall be sealed with the seal of the Kado Forest office.

Provided that no such warrant or tainza shall be granted to the importer if an order of a competent Court has been received at the Kado office prohibiting the delivery to the importer of the goods covered by the arrival-report.

19. After the issue of the warrant or tainza the register of arrival-reports shall be signed by the Divisional or Subdivisional Officer in the column left for the purpose opposite to the entries of the timber for which the warrant or tainza is granted.
20. An extract from the register of arrival-reports may be granted on application to the Forest office at Kado and on such payment as the Divisional Officer guided by custom may fix for copying and the affixing of an 8-anna Court-fee stamp.
21. After all money payable to Government for duty, wharfage, and incidental expenses in respect of any timber lying at the Kado station has been paid, a removal pass in Form VII shall be granted to the person paying the duty. The warrant or tainza together with the pass shall be presented to the Subdivisional Officer or, in his absence, to the head clerk at Kado. The timber shall then be marked with the duty paid hammer under the orders of the Subdivisional Officer, and after this has been done the warrant or tainza shall be cancelled and retained.
22. No person shall remove, or attempt to remove, any timber from the Kado timber-station unless it is covered by a pass.
23. The timber covered by the pass shall be taken to the lower (-----) be presented to the head peon of such guard. After the timber has been examined as prescribed in Rule 9 a receipt for the timber shall be signed by the person in charge of the timber on the reverse of the pass which covers the timber, and the exit guard shall allow the timber to pass out of the station and shall return the pass to the Subdivisional Officer or head clerk at Kado.
24. Persons who wish to transact their business at the Kado station through agents should have their powers-of-attorney attested and registered by the Divisional Forest Officer.

----- Footnote -----

[ပင်ရင်း- ၂၆.၉.၁၈၉၆ ရက်နေ့ထုတ် ပြန်တမ်းမှ ကူးယူတင်ပြသည်။]

----- Attachment -----

[ATTACH LIST 1] 01 FORM I.-KADO TIMBER-STATION. Watchman's Daily Arrival and Despatch Book, Wharf No.

[ATTACH LIST 2] 02 FORM NO. II.-KADO TIMBER-STATION. License for occupation of wharf.

[ATTACH LIST 3] 03 FORM III.-KADO TIMBER-STATION.

[ATTACH LIST 4] 04 FORM IV.-KADO TIMBER-STATION. Report of the Arrival of Timber.-No.

[ATTACH LIST 5] 05 FORM V.-KADO TIMBER-STATION. Register of Timber Arrival-reports and Exit Passes.

[ATTACH LIST 6] 06 FORM VI.-KADO TIMBER-STATION.

[ATTACH LIST 7] 07 [OBVERSE.] FORM VII.-KADO TIMBER-STATION. Pass to remove Duty-paid Timber. PASS
NO.

Myanmar Law Information System (MLIS)