

(The Arakan Forest Rules)

No.554

THE MYANMAR GAZETTE, DECEMBER 12TH, 1896.

[Amendment : 18.06.1989]

No.554.- In exercise of the power conferred by sections 36, 37, 43, 44 and 74 of the Lower Myanmar Forest Act, 1881, and in super-session of the notifications in this department marginally cited, the Chief Commissioner makes the following rules for the Akyab, Kyaukpyu, Sandoway, and Northern Arakan districts:-

1. (1) These rules may be cited as the Arakan Forest Rules, 1896.

(2) In these rules-

“**Public forest land**” means land at the disposal of Government and not included in a reserved or village forest.

“**Unreserved tree**” means any tree other than a teak tree and a tree reserved by notification under section 35 of the Act.

“**Form**” means a form appended to these rules.

“**Commissioner**” means the Commissioner of the Arakan Division.

Section 36.

2. (1) No person shall cut, mark, lop, girdle, tap, or injure, by fire or otherwise, any reserved tree save under and in accordance with the conditions of a license in **Form I or Form II**.

(2) Licenses in Form II may be granted by the Deputy Commissioner or by an officer empowered by the Deputy Commissioner in that behalf. The royalty charged shall be at the rate of Rs. 3 per ton if prepaid and Rs. 5 per ton paid in arrear.

3. A license for the cutting, sawing, conversion, and removal of reserved trees may be granted by the Deputy Commissioner, free of royalty, in the form and subject to the conditions of Form I, if the timber is to be used for the construction of buildings for the common benefit of the public, such as churches, chapels, schools, kyaungs, zayats, bridges, &c., near the forest whence it is obtained and at a distance from principal rivers, railways, and other lines of communication where such timber can be procured in the open market.

4. Within the Akyab, Kyaukpyu, and Sandoway districts no person shall cut trees within 2 chains of the banks of any stream, or of the outer edge of the berm of any public road to which the Deputy Commissioner of the district in which the stream or road is situated may, by public notice naming the stream or road, declare this rule to apply. The notices published under this rule shall specify the points on the stream or road referred to between which the cutting of trees is prohibited and shall be served on the headmen of all villages near and shall be posted up at conspicuous places in such villages and along the banks of the stream or sides of the road. The Deputy Commissioner may cancel or vary by publication in similar manner any notices issued under this rule.
5. Except as provided in Rule 4 any person may cut or saw any unreserved tree or the timber of such tree for conversion into fire-wood. Such timber shall only be liable to royalty if it comes under Rule 6 or Rule 7.
6. (1) The following are the royalties to be paid in respect of firewood, the produce of public forest land, entering the town of Akyab:-

	Rs.	A.	P.
On firewood not exceeding 6 feet in length and 2 feet in girth, per 1,000 billets ...	10	0	0
On firewood not exceeding 4 feet 6 inches in length and 2 feet in girth, per 1,000 billets	8	0	0
On firewood not exceeding 4 feet 6 inches in length and 1 foot in girth, per 1,000 billets	2	8	0
On firewood not exceeding 3 feet in length and 1 foot in girth, per 1,000 billets ...	1	0	0
On firewood, small, in bundles of 10, not exceeding 1 foot in length, per 1,000 bundles ...	1	0	0

Or, at the option of the person paying the fees in the case of firewood brought in split and stacked, the following fees:-

	Rs.	A.	P.
For a stack 6 feet by 6 feet by 6 feet ...	1	4	0
For a stack 6 feet by 5 feet by 3 feet ...	0	8	0

Or, at the option of the person paying the fees, at the rate of Rs. 6 per stack of 1,000 cubic feet.

Or at the following rates:-

	Rs.	A.	P.
On firewood consisting of pieces of different sizes, per cart-load	0	4	0
On firewood carried by men or children, per load	0	2	0

(2) No royalties shall be levied on head-loads of firewood brought into Akyab by women.

(3) The prescribed royalties shall be paid-

(a) on firewood brought by boat at one or other of the landing-places mentioned in Rule 10 ; and

(b) on firewood brought by road at any place on the routes mentioned in Rule 10.

7. (1) There shall be paid, before firewood, being the produce of public forest land, is utilized in steamers or launches (other than Government steamers or launches) or brickfields, a royalty at the rate of Rs. 6 per 1,000 cubic feet.

(2) The consumer may, subject to the sanction of the Commissioner, take out a prepaid license in Form III for the total quantity to be consumed during a fixed period not exceeding one year. The royalty under prepaid licenses shall be calculated at the rate of Rs. 5 per 1,000 cubic feet of firewood. Licenses in Form III may be granted by the Collector of Customs.

(3) Deputy Commissioners and any officer specially empowered in this behalf by a Deputy Commissioner may grant permits for firewood to be burnt free of royalty in the manufacture of bricks for pagodas and other religious buildings or wells and other work of public utility.

8. For all timber of unreserved trees, and for firewood, shaw, and bamboos not bearing the Government sale-hammer or revenue-paid mark, or covered by a receipt for the revenue payable thereon which may arrive at any revenue station in the Arakan Hills districts, payment shall be made at the following rates:-

					Rate of duty.		
					Rs.	A.	P.
Thinganet	...	...	...	...	3	0	0
Tharazaing	...	...	...	...	3	0	0

Kyandwet	...	...	...	...	2	8	0
Aukkyinza	...	...	...	...	2	8	0
Pane	...	...	...	...	2	8	0
Thitpok	...	...	...	...	2	0	0
Letpan	...	...	...	...	2	0	0
Zaing	...	...	...	...	2	0	0
Other unreserved trees		...	...	...	1	8	0
Petwun	...	...	...	...	5	0	0
Shaw	...	...	...	...	10	0	0
Bamboos	...	...	...	...	0	4	0

Krinka and Krinni canes.

Split cane 18 feet and under		...	...	0	12	0
Split cane above 18 feet...		...	...	1	8	0

Other canes.

Split canes 18 feet and under		...	...	1	12	0
Split canes over 18 feet and under 40 feet			...	3	8	0

9. Except as provided in Rules 4, 6, 7, and 8, any person may, free of royalty or fee, make use of the pasturage or natural produce of public forest land.

10. (1) Timber intended for use as firewood in the town of Akyab shall be moved to Akyab only by boat so as to arrive at one or other of the landing places mentioned in the first column of the subjoined table or by land along one or other of the routes mentioned in the second column of the subjoined table.

Landing-places.	Routes.
(1) Both banks of the Satyogya creek between the Kathiywa stream and the mouth of the Satyogya creek.	(1) Mayu road.
(2) The bank of the Kaladan river from the mouth of the Satyogya creek to the Custom-house pier.	(2) Hopkinson road.

(2) Timber intended for use as firewood in Akyab town shall be brought so as to arrive at Akyab only between sunrise and sunset.

(3) The landing-places above-mentioned are established as stations to which firewood brought by boat to Akyab town shall be taken for realization of royalty.

(4) No firewood shall be brought into Akyab town or removed from the landing-places above-mentioned until the royalties payable in respect thereof under Rule 6 have been paid.

11. The stations to which timber in transit in the Arakan Hill Tracts district shall be taken by those in charge of it for examination and for the realization of any money payable to Government in respect thereof, or in order that any mark may be affixed thereto, shall be the following:-

Pichoung.	Kaladan.
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Lower Lemru.

12. The Chief Commissioner appoints-

- (i) the senior Police Officer, Kaladan outpost;
- (ii) the senior Police Officer, Lower Lemru police station;
- (iii) the senior Police Officer, Pichaung outpost;

to be the officers who shall manage and control the revenue stations referred to in Rule 11.

13. Any person infringing Rule 2, 4, 6, 7, 8, 10 or 11 shall be punishable with imprisonment which may extend to six months, or with fine which may extend to Rs. 500, or with both.

Section 74, clause (a).

14. The powers and duties referred to in the several divisions of the first column of the following table shall ordinarily be exercised or performed by an officer of the grade or grades mentioned in the corresponding

division of the second column, but may also be exercised or performed by an officer of the higher grade, or when authorized by a notification under section 70 of the Act by an officer of an inferior grade:-

Powers and duties.		Officers.
Powers and duties under section 78	...	Deputy Commissioners and Sub-divisional and Township Officers.
Powers and duties under sections 36 and 38	...	Deputy Commissioners and Sub-divisional Officers.
Powers and duties under section 60	...	Deputy Commissioner.

Section 74, clause(c).

15. Rewards may be granted to all officers in the public service, not being gazetted officers, and to informers.
16. In case of a conviction of a forest offence, the convicting Magistrate may award to any such officer or informer any portion of the proceeds of the fine or confiscation not exceeding Rs.100.
17. In the case of the acceptance of a sum of money by way of compensation under the provisions of section 66 of the Act, the Deputy Commissioner may award to any such officer or informer any portion of such sum not exceeding Rs.100.

----- Footnote -----

[ပင်ရင်း- ၁၂.၁၂.၁၈၉၆ ရက်နေ့ထုတ် ပြန်တမ်းမှ ကူးယူတင်ပြသည်။]

----- Attachment -----

[ATTACH LIST 1] 01 APPENDIX. FORMS OF LICENSES.