

Annexure IIB (6), (Vide Article - 2.07 (ii))

Grant of a saw Mill Licence
Procedure regarding---

Government of Maharashtra,
Revenue and Forests Department,
Circular No. SWM 1/33/a-61/CR-4-F6
Mantralaya, Bombay-400032
Dated the 7th July 1983.

- RELR 1) Government Notification, Revenue and Forests Department
No. SWM-1081/106835-F6, dated the 16th July 1981. *u/m*
- 11) Government Notification, Revenue & Forests Department No.
SWM-1081/106835(a)-F6 dated the 19th August 1981.

C I R C U L A R

According to the directives issued by Government under the notifications referred to above, the competent authority (at present the Chief Conservator of Forests) is required to pass an order, where the grant of a new saw mill licence is approved by that authority. It is however noticed, that according to the prevalent practice, even where the competent authority ^{grants} ~~denies~~ permission to grant a saw mill licence on being moved by the licensing authority (i.e. the District Forest Officer) the former passes an order, rejecting of the licence and communicates the same direct, to the applicant. This practice is not correct.

2. In point of fact, the application for a saw mill licence is addressed to the licensing authority, and the order of rejection, should, therefore in the fitness of things be made out by the licensing authority ^{itself} ~~that~~ ~~the~~ ~~applicant~~ ~~has~~ ~~the~~ ~~right~~ ~~of~~ ~~appeal~~ such order of rejection, the applicant has ^{the} ~~the~~ right of appeal to the competent authority. It would therefore, be sufficient, if the competent authority conveys its decision (together with reasons) to the licensing authority, wherever it refuses to grant permission, and thereafter, the licensing authority passes its own speaking order rejecting the application.

3. It is only where the competent authority grants permission, that it is required by the directives to do so,

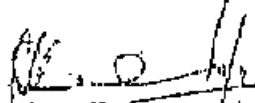
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by a general or special order. It should be noted that the licensing authority need not necessarily make a reference to the competent authority, if on consideration of merits of the application, it considers that the application deserves to be rejected. It is only when there is a case prima facie, for grant of the saw mill licence, that the licensing authority has to recommend the case for consideration of the competent authority and even in that event, the licensing authority is required to pass a final order on its own, if the competent authority desires to grant permission.

4. The above ^{correct} ~~current~~ procedure should be followed ^{carefully} by all concerned ~~concerned~~ hereafter.

By order and in the name of the Governor of Maharashtra.


(L.N.J. Kopp)

Deputy Secretary to Government.

To

The Chief Conservator of Forests, Maharashtra State.

The Chief Conservator of Forests (Special) Maharashtra

The Additional Chief Conservator of Forests Maharashtra State,
Pune.

All Conservators of Forests.

All Divisional Forest Officers,

All Sub-Divisional Forest Officers, in charge of Independent
Forest Sub-Divisions;

Select File 'F-6' Desk, Revenue and Forests Department.