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Forest Act, 1963

Section 2 - Definitions

In this Act, unless the context otherwise requires,--

(1) "cattle" includes cows, bulls, bullocks, elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids;

(2) "district forest" includes all land at the disposal of Government not included within the limits of any reserved or village forest nor assigned at the survey settlement as free grazing ground or for any other public or communal purposes:

Provided that it shall be competent for the State Government to modify or set aside such assignment and constitute any such land as reserved, village or district forest, or devote the same to any other purpose it may deem fit;

(3) [1] ["Deputy Conservatore of Forest"] means the Chief Forest Officer of a Forest Division;

(4) "Forest Division" means any area declared as such by a notification by the State Government or by such authority as may be prescribed;

(5) "forest offence" means an offence punishable under this Act or under any rule made thereunder;

(6) "Forest Officer" means any person appointed by or under the orders of the State Government to be the [2] [Principal Chief Conservator, [3] [Additional Principal Chief Conservator] Chief Conservator, Additional Chief Conservator], Conservator, Deputy Conservator, Assistant Conservator, Forest Ranger, Forester, Forest Guard or Forest Watcher, or to discharge any function of a Forest Officer under this Act or any rule or order made thereunder to be done by a Forest Officer;

(7) "forest produce" includes,--

(a) the following whether found in or brought from a forest or not, that is to say,--

timber, charcoal, caoutchouc, catechu, [4] [sandalwood], lootikai (Capparis Mooni), wood oil, sandalwood oil, resin, [5] [rubber latex, [6] [x x x]] natural varnish, bark, lac, mahua or ippe (Bassia latifolia) flowers and seeds, seed of Prosopis juliflora, kuth, and temburni or tupra (Diospyros Melanoxylon) leaves, rosha (Cymbopogon Martini) grass and oil and myrabolams (Terminalia Chebula, Terminalia Belerica and [7] [Phyllanthus Emblica, ramapatre and shigakai)]; and

(b) the following when found in, or brought from, a forest, that is to say:-

(i) trees and leaves, flowers and fruits, and all other parts or produce not hereinbefore mentioned, of trees;

(ii) plants not being trees, (including grass, creepers, reeds and moss), and all parts or produce of such plants;

(iii) wild animals and pea fowls and skins, tusks, horns, bones, silk cocoons, honey, and wax and all other parts or produce of wild animals, pea fowls and insects; and

(iv) peat, surface soil, rock, and minerals (including limestone), laterite, mineral oils, and all products of mines or quarries; and

[6] [(iva) "cocoa beans or pods, garcinia fruits, thornless bamboos, Halmaddi, Raldhupa and Kaidhupa";]

(v) such other products of forests as the State Government may, by notification, declare to be forest produce;

(8) "land at the disposal of the State Government" means land in respect of which no person has acquired,--

(a) a permanent, heritable and transferable right of use and occupancy under any law for the time being in force; or

(b) any right created by grant or lease made or continued by or on behalf of Government;

(9) "magistrate" means a magistrate of the first or second class;

(10) "notification" means a notification published in the official Gazette;

(11) "owner" includes a Court of Wards in respect of property under the superintendence or charge of such court;

(12) "prescribed" means prescribed by rules made by the State Government under this Act;

(13) "protected forest" means any area at the disposal of Government which has been placed under special protection under clause (ii) of sub-section (2) of section 33 or is declared to be a protected forest under section 35;

(14) "reserved forest" means any land settled and notified as such in accordance with the provisions of Chapter II of this Act;

(15) "reserved trees" means teak or sagavani (Tectona grandis), black wood or bite (Dalbergia latifolia), kino or honne (Pterocarpus marsupium), myrobolam or gall nut or alale (Terminalia chebula), white cedar or devagarge (Dysoxylum malabaricum), jalari (Shorea laccifera), benteak or nandi (Lagerstroemia lanceolata), satin wood or huragalu

(Chloroxylon swietenia), soapnut or antawala (Sapindus emarginatus), karachi kamara (Hardwickia binata), oil tree or yenne mara (Hardwickia pinnata), hebhalasu (Artocarpus hirsuta), ebony or karimara or bale (Diospyrose benum), iron wood or jambee (Xylia xylocarpa), poonspar or sura honne (Calophyllum elatum), chittagong wood (Chickrassia tabularis), kiralbogi (Hopea parviflora), kachu or kaggali (Acacia catechu), bore (Zizyphus jujuba), sagade (Schleichera trijuga), yethega (Vanteak) (Adina cordifolia), tamarindus (indica), karimatti (Terminalia tomentosa), mavu (Mangifera indica), kasarka (Strychnos nuxvomica), halasu (Artocarpus integrifolia), bili matti (Terminalia arjuna), dhup (Ailanthus malabarica), and such other trees as the State Government may by notification, declare to be reserved trees for purposes of this Act;

(16) "river" includes any stream, canal, creek, or other channel, natural or artificial;

(17) "rule" means a rule made by the State Government under this Act;

[8] [(18) "sandalwood" means any portion of a sandal (santalumalbum) tree and includes bark, leaves and roots thereof, whether containing heartwood or not and whether in the form of roots, billets, pieces (sawn or otherwise) chips (whether coloured or not and whether mixed with other ingredients or not), sawdust, spentwood, flakes or pulp [9] [and sandalwood oil] [5] [but does not include sandalwood manufactured in the form of sandalwood handicraft articles];

(19) "Tahsildar" means the Tahsildar of a taluk;

(20) "timber" includes trees when they have fallen or have been felled, and all wood whether cut up or sawn or fashioned or hollowed out for any purpose or not;

(21) "tree" includes palms, bamboos, stumps, brushwood and canes;

(22) "village forest" means any land notified as such in accordance with the provisions of Chapter III of this Act.

[9] [(23) "Village Forest Committee" means a Village Forest Committee constituted under section 31A.]

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1. Substituted by Act 20 of 2001 w.e.f. 5.9.2002.

2. Substituted by Act 10 of 1989 w.e.f. 16.3.1989.

3. Inserted by Act 20 of 2001 w.e.f. 5.9.2002.

4. Inserted by Act 1 of 1981 w.e.f. 23.2.1981.

5. Inserted by Act 10 of 1989 w.e.f. 16.3.1989.

6. Omitted by Act 12 of 1998 w.e.f. 11.5.1998.

7. Substituted by Act 23 of 1974 w.e.f. 16.9.1974 by notification. Text of the notification is at the end of the Act.

8. Substituted by Act 1 of 1981 w.e.f. 23.2.1981.

9. Inserted by Act 12 of 1998 w.e.f. 11.5.1998.