

Forest Act, 1963

Chapter 4 - District Forests

The State Government may, in any district forest, grant such privileges as it thinks fit in regard to the removal by cultivating raiyats or other classes of persons of forest produce required for prescribed purposes and may without assigning reason therefor, cancel such grant:

Provided that the exercise of any privilege under this section shall be for the use of the person entitled thereto, and not for the purpose of export or merchandise.

Section 33 - Power to make rules for district forests

(1) Subject to all rights now legally vested in individuals and communities, the State Government may, for any district or portion of a district, make rules to regulate the use of the forest produce or of the pasturage of any land at the disposal of Government and not included in a reserved or village forest.

(2) Without prejudice to the generality of the foregoing power such rules may,--

(i) declare that certain trees not classed as reserved trees shall be granted to cultivating raiyats on favourable rates of seigniorage;

(ii) provide for placing any area at the disposal of Government under special protection in view of its subsequent settlement and constitution as a reserved forest or for any other purpose, and prescribe the conditions and penalties attendant on such special protection;

(iii) regulate or prohibit the grant of land and its clearing and breaking up for cultivation or other purposes;

1 [(iiia) prohibit unauthorised occupation of land for any purpose;]

(iv) regulate or prohibit the kindling of fires and prescribe the precautions to be taken to prevent the spreading of fires;

(v) regulate or prohibit the felling, cutting, girdling, marking, lopping, tapping or injuring by fire or otherwise of any trees, the sawing, conversion, and removal of trees and timber and the collection and removal of other forest produce;

(vi) regulate or prohibit the quarrying of stone or gravel, the burning of lime or charcoal, the smelting of ore, or the boiling of catechu;

(vii) regulate or prohibit the cutting of grass and pasturing of cattle, and prescribe the payments (if any) to be made for such cutting or pasturing;

(viii) regulate or prohibit hunting, shooting, beating or driving for game, fishing, poisoning or driving for game, fishing, poisoning or dynamiting water, and setting traps or snares;

(ix) regulate the disposal of timber and other forest produce whether by sale or by free grant;

(x) prescribe the fees, royalties or other payments for such timber and other forest produce and the manner in which they shall be levied.

(3) In making a rule under this section, the State Government may provide that a person guilty of contravention thereof shall, on conviction, be punishable with imprisonment which may extend to one

month, or with fine which may extend to two hundred rupees, or with both.

(4) The land placed under special protection under a rule made in pursuance of clause (ii) of sub-section (2), shall be called "protected forest" and shall be duly notified as such in the official Gazette.

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

Section 34 - Suspension of rights in cases of fires caused wilfully or by gross negligence

Whenever fire is caused wilfully or by gross negligence in any land notified as protected forest under sub-section (4) of section 33; by any person having rights of pasture or to forest produce or by any person in his employment, the State Government may, without prejudice to any punishment under this Act direct that in such land, or any specified portion thereof, the exercise of all or any rights of pasture or to forest produce of any such person shall, for such period as it thinks fit, be suspended.

Section 35 - Minor forests constituted previous to the commencement of this Act

(1) Any forest in the State which has been notified as minor forest under the Mysore Forest Act, 1900, or as protected forest under the Indian Forest Act, 1927, or the Hyderabad Forest Act, 1355-F., prior to the date on which this Act comes into force, shall be a protected forest under this Act and the provisions applicable to a protected forest shall be applicable to such forests.

(2) All questions decided, orders issued and records prepared in connection with the constitution of such forests shall be deemed to have been decided, issued and prepared under this Act.