

Forest Act, 1963

Section 44 - Consequences of Assumption of Management

On the assumption of management of any forest by the State Government under section 43, the following consequences shall ensue,

(a) all legal proceedings pending, and all processes, executions or attachments in force in respect of debts and liabilities enforceable against the forest or any part thereof shall be suspended, and so long as the management by the State Government continues, no fresh proceedings, processes, executions or attachments shall be instituted, issued, enforced or executed in respect thereof;

(b) so long as the management by the State Government continues, the owner of the forest shall be incompetent,

(i) to enter into any contract with respect to the forest;

(ii) to mortgage, charge, lease or alienate the forest or any part thereof or any product thereof; or

(iii) to grant valid receipts for the rents or profits arising or accruing therefrom;

(c) so long as the management by the State Government continues, subject to the orders of the State Government, no person other than the Forest Officer placed in charge of the forest shall be competent to do the acts referred to in sub-clauses (i), (ii) and (iii) of clause (b);

(d) subject to the orders of the State Government, the Forest Officer placed in charge of the forest, shall during the period of management of the forest, have all the powers which the owner thereof might as such have exercised for the purposes of management and shall receive and recover all rents and profits due in respect of the property under management; and for the said purposes in addition to any powers of the owner, the Forest Officer, shall be competent to exercise any power which he can exercise in respect of a reserved forest.
