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Forest Act, 1963

Section 71B - Issue of Show Cause Notice Before Confiscation Under Section 71a

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(1) No order confiscating any timber, sandalwood, charcoal, firewood,2[gulmavu (machilus marantha) bark, dalchini bark, halmaddi (exudation of ailantus malabricum), canes], ivory, tools, ropes, chains, boats, vehicles or cattle shall be made under section 71A except after notice in writing to the person from whom it is seized and considering his objections, if any:

1[Provided that no order confiscating a motor vehicle shall be made except, after giving notice in writing to the registered owner thereof, if in the opinion of the authorised officer it is practicable to do so, and considering his objections, if any.]

(2) Without prejudice to the provisions of sub-section (1), no order confiscating any tool, rope, chain, boat, vehicle or cattle shall be made under section 71A if the owner of the tool, rope, chain, boat, vehicle or cattle proves to the satisfaction of the authorised officer that it was used in carrying the timber, sandalwood, charcoal, firewood2[gulmavu (Machilus marantha) bark, dalchini bark, Halmaddi (exudation of Ailantus malabricum), canes] or ivory without the knowledge or connivance of the owner himself, his agent, if any, and the person in charge of the tool, rope, chain, boat, vehicle or cattle and that each of them had taken all reasonable and necessary precautions against such use.

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

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

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