

Forest Act, 1963

Chapter 11 - Special Provisions Relating to Catechu

In this Chapter, unless the context otherwise requires,

- (a) land means land belonging to the State Government or private lands;
 - (b) prescribed means prescribed by rules made under this Chapter.
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Section 89 - Felling, etc., of catechu trees without permission prohibited

No person shall fell, remove, girdle, mark, lop, tap, uproot or burn or strip, bark or leaves from or otherwise damage, any catechu tree growing, existing or found on any land or manufacture cutch unless such person is duly authorised in this behalf under this Chapter.

Section 90 - Felling, conversion or removal of catechu trees by the Forest or Revenue Department or by a person

The felling, conversion or removal of catechu trees and timber or manufacture of cutch shall not be effected by any person, other than the following, namely:-

- (1) by the officers of the Forest and Revenue Departments of the State Government authorised in this behalf by the State Government either by a general or special order; or
- (2) by a person holding a permit granted by the 1[Deputy Conservator of Forest]

2[x x x]

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

2. Omitted by Act 1 of 1981 w.e.f. 23.2.1989.

Section 91 - Application for permit for felling catechu trees

(1) Every person who, whether as holder, occupant, tenant, sub-tenant or lessee or in any other capacity, having right over catechu trees growing or existing or found on any land and who is desirous of felling such trees for manufacture of cutch, sale or other purposes, shall apply to the 1 [Deputy Conservator of Forest] in the prescribed form and obtain a permit:

Provided that no such permit shall be necessary for felling of catechu trees sold by the Forest Department and manufacture of cutch from such trees.

(2) Every permit referred to in sub-section (1) shall be in the prescribed form.

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

Section 92 - Transport, etc., of catechu trees or timber without permit prohibited

No person shall transport or move any catechu trees or timber unless such trees or timber is accompanied by a permit.

Section 93 - Purchase or transport of catch without permit prohibited

No person shall sell or otherwise dispose of any stock of catch or transport the same to any place except under a permit granted by the 1[Deputy Conservator of Forest] or purchase any stock of catch from any person other than the person permitted by the 1[Deputy Conservator of Forest] to dispose of his stock:

Provided that such permission shall not be necessary for purchase and transport of catch up to seven pounds for bona fide domestic use.

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

Section 94 - Manufacture of catch to be carried on in specified places

The boiling of catechu logs, manufacture of catch and other process for the manufacture of catch shall be carried on only in such places and within such time as may be specified by the 1[Deputy Conservator of Forest]

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

Section 95 - Maintenance of accounts

Every person who is permitted to manufacture catch or who comes into possession of any stock of catch exceeding seven pounds shall maintain regular, true and correct accounts in prescribed forms and send a return in the prescribed form to the 1[Deputy Conservator of Forest] on the first day of every month and shall continue to send such returns until the entire stock with him is exhausted.

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

Section 96 - Power of Revenue, Forest and Police Officers to search and seize property liable to confiscation

Any Revenue Officer not below the rank of a Revenue Inspector or any Forest Officer not below the rank of a Forest Guard or any Police Officer not below the rank of a Head Constable may, within his jurisdiction enter any land and inspect at all reasonable times, stock of catch, catechu trees felled, boiling of catechu, accounts maintained and for that purpose enter any premises or stop any animal, vehicle, vessel or other conveyance and search the same and seize stocks of catechu trees and catch together with the packages, coverings and containers thereof in respect of which he has reason to believe that any of the provisions of this Chapter have been contravened, and the driver and other person or persons, who may, for the time being in charge of such animal, vehicle, vessel or other conveyance, shall stop or secure the stopping of such animal, vehicle or other conveyance on demand

by the said officer and render all assistance within their power in connection with such search or seizure:

Provided that in exercising the power of entry and search due regard shall be paid by such officer to the social and religious customs of the occupants of the premises or vehicle, vessel or other conveyance:

Provided further that if any such premises be found locked up and unoccupied or unattended by or on behalf of the owner or occupiers, the same may, in the presence of two respectable witnesses, be broken open and entered upon for any or all of the above purposes.

Section 97 - Power to make rules

(1) The State Government may make rules for the purpose of carrying into effect the provisions of this Chapter.

(2) Without prejudice to the generality of the foregoing power, rules under this section may be made with respect to all or any of the following matters, namely:-

- (a) the forms of application and permit and their supply;
- (b) the form of permit for the transport of catechu trees or timber;
- (c) the languages in which the forms of application and permit shall be printed;
- (d) the form in which accounts should be maintained.

Section 98 - Penalty

Whoever contravenes the provisions of sections 89, 90, 91, 92, 93, 94, or 95 shall, on conviction, be punishable with imprisonment which may extend to six months or with fine which may extend to five hundred rupees or with both.
