

Forest Act, 1963

Section 104A - Restrictions on Trade and Transport of Blackwood or Bite Trees and Timber Thereof

¹ [104A.Restrictions on trade and transport of blackwood or Bite trees and timberthereof

(1) No person other than,-

(a)the State Government; or

(b)the officers of the State Government not below the rank of a ² [DeputyConservator of Forest], authorised in writing in this behalf,

shall purchase ortransport any blackwood or bite tree (Dalbergia Latifolia) or timber thereof:

Providedthat the purchase of any such tree or timber from the State Government or theaforesaid officers shall not be deemed to be a purchase in contravention of theprovisions of this sub-section:

Providedfurther that the State Government may by order exempt any such tree or timberbelow such measurements as may be specified by it from time to time from theprovisions of sub-section (1).

(2)No person shall sell or otherwise dispose of any such tree or timber to anyperson other than the State Government or the aforesaid officers.

(3)Notwithstanding anything contained in sub-section (1) any such tree or timberpurchased from the State Government or the aforesaid officers by any person forbonafide personal use may be transported by such person in accordance with theterms and conditions of a permit issued by such authority and in such manner asmay be prescribed.

(4) The price of any such tree or timber shall be such as the State Government mayby order specify from time to time, having regard to,-

(a)prevalent market price;

(b)quality of the timber in the locality;

(c)transport facilities available in the locality;

(d)the cost of transport;

(e)general level of wages for labour prevalent in the locality; and

(f)such other matters as may be prescribed.

(5)The State Government or the aforesaid officers may establish such number ofdepots as may be necessary where any such tree or timber may be sold to theState Government or the aforesaid officers.

(6)The State Government or the aforesaid officers subject to the generalsupervision and control of the State Government shall be bound to purchase atthe price fixed under sub-section (4) any such tree or timber offered for saleduring the hours of business.

(7)Any tree or timber purchased under sub-section (1) shall be sold or otherwisedisposed of in such manner as the State Government may from time to timedirect.

(8)Any person contravening the provisions of this section or any rule madethereunder shall, on conviction, be punishable with imprisonment for a termwhich may extend to ³ [five years] and with fine which may extend to ³ [tenthousand rupees.]

1. Section104A inserted by Act 23 of 1974 w.e.f. 16.9.1974.

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

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