

Forest Act, 1963

Section 112 - Recovery of Penalties Due Under Bond

(1) When any person, in accordance with any provision of this Act, or in compliance with any rule made thereunder binds himself by any bond or instrument to perform any duty or act, or covenants by any bond or instrument that he, or that he and his servants and agents will abstain from any act, the whole sum mentioned in such bond or instrument as the amount to be paid in case of a contravention of the conditions thereof may, notwithstanding anything in section 74 of the Indian Contract Act, 1872, be recovered from him in case of such contravention as if it were an arrear of land revenue.

(2) If any question arises,-

- (a) whether there has been a contravention of any of the conditions of such bond or instrument;
- (b) as to the sum to be paid for such contravention;
- (c) as to the person or persons liable to pay such sum;

the question shall be referred to and (after giving notice to the person concerned and after considering his objections, if any) be decided by an officer not below the rank of a¹[Deputy Conservator of Forest] authorised by the State Government in this behalf. The person aggrieved by the decision of such officer may, within a period of sixty days from the date of such decision, appeal to the State Government or such other appellate authority as the State Government may by notification, appoint in this behalf. The decision of such officer, subject to an appeal to the appellate authority, and the decision of the appellate authority on such appeal, shall be final.

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