

Indian Forest Act, 1927

Chapter 7 - Of the Control of Timber and Other Forest-produce in Transit

(1) The control of all rivers and their banks as regards the floating of timber, as well as the control of all timber and other forest-produce in transit by land or water, is vested in the¹[State Government] , and it may make rules to regulate the transit of all timber and other forest-produce.

(2) In particular and without prejudice to the generality of the foregoing power such rules may-

(a) prescribe the routes by which alone timber or other forest-produce may be imported, exported or moved into, from or within²[the State];

(b) prohibit the import or export or moving of such timber or other produce without a pass from an officer duly authorised to issue the same, or otherwise than in accordance with the conditions of such pass;

(c) provide for the issue, production and return of such passes and for the payment of fees therefor;

(d) provide for the stoppage, reporting, examination and marking of timber or other forest-produce in transit, in respect of which there is reason to believe that any money is payable to the³[Government] on account of the price thereof, or on account of any duty, fee, royalty or charge due thereon, or, to which it is desirable for the purposes of this Act to affix a mark;] on account of the price thereof, or on account of any duty, fee, royalty or charge due thereon, or, to which it is desirable for the purposes of this Act to affix a mark;

(e) provide for the establishment and regulation of depots to which such timber or other produce shall be taken by those in charge of it for examination, or for the payment of such money, or in order that such marks may be affixed to it, and the conditions under which such timber or other produce shall be brought to, stored at and removed from such depots;

(f) prohibit the closing up or obstructing of the channel or banks of any river used for the transit of timber or other forest-produce, and the throwing of grass, brushwood, branches or leaves into any such river or any act which may cause such river to be closed or obstructed;

(g) provide for the prevention or removal of any obstruction of the channel or banks of any such river, and for recovering the cost of such prevention or removal from the person whose acts or negligence necessitated the same;

(h) prohibit absolutely or subject to conditions, within specified local limits, the establishment of sawpits, the converting, cutting, burning, concealing or making of timber, the altering or effacing of any marks on the same, or the possession or carrying of marking hammers or other implements used for marking timber;

(i) regulate the use of property marks for timber, and the registration of such marks; prescribe the time for which such registration shall hold good; limit the number of such marks that may be registered by any one person, and provide for the levy of fees for such registration.

(3) The¹[State Government] may direct that any rule made under this section shall not apply to any specified class of timber or other forest-produce or to any specified local area.] may direct that any rule made under this section shall not apply to any specified class of timber or other forest-produce or to any specified local area.

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1. Substituted by the A.O. 1950, for "Provincial Government".
 2. Substituted by the A.O. 1937, for "British India".
 3. Substituted by the A.O. 1950, for "Crown".
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Section 41A - Powers of Central Government as to movements of timber across customs frontiers

1[41A. Powers of Central Government as to movements of timber across customs frontiers

Notwithstanding anything in section 41, the Central Government may make rules to prescribe the route by which alone timber or other forest-produce may be imported, exported or moved into or from 2[the territories to which this Act extends] across any customs frontier as defined by the Central Government, and any rules made under section 41 shall have effect subject to the rules made under this section.]

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1. Inserted by the A.O. 1937.
 - 2 . Substituted by the Adaption of Laws (No. 3) Order, 1956, for "Part A States and Part C States". India ".

Section 42 - Penalty for breach of rules made under section 41

(1) The1[State Government] may by such rules prescribe as penalties for the contravention thereof imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.] may by such rules prescribe as penalties for the contravention thereof imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

(2) Such rules may provide that penalties which are double of those mentioned in subsection (1) may be inflicted in cases where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful authority, or where the offender has been previously convicted of a like offence.

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1. Substituted by the A.O. 1950, for " Provincial Government".
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Section 43 - Government and Forest-officers not liable for damage to forest-produce at depot

The1[Government] shall not be responsible for any loss or damage which may occur in respect of any timber or other forest-produce while at a depot established under a rule made under section 41, or while detained elsewhere, for the purposes of this Act; and no Forest-officer shall be responsible for any such loss or damage, unless he causes such loss or damage negligently, maliciously or fraudulently.

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1. Substituted by the A.O. 1950, for "Crown ".
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Section 44 - All persons bound to aid in case of accidents at depot

In case of any accident or emergency involving danger to any property at any such depot, every person employed at such depot, whether by the [1](#)[Government] or by any private person, shall render assistance to any Forest-officer or Police-officer demanding his aid in averting such danger or securing such property from damage or loss.

1. Substituted by the A.O. 1950, for "Crown ".
