

ARUNACHAL PRADESH ANCHAL 3AND VILLAGEFOREST RESERVE (CONSTITUTION AND MAINTENANCE) ACT, 1975 (ACT NO. 1 OF 1976) AS AMENDED

THE ARUNACHAL PRADESH ANCHAL VILLAGE]FOREST RESERVE (CONSTITUTION AND MAINTENANCE) ACT, 1975 (ACT NO, 1 of 1976) (Assent by the Administrator on 12/01/1976) published in AP EOG No 12 Dtd 10/02/1976) (10/02/1976) I.As amended by Arunachal Pradesh Anchal Forest Reserve (Constitution and Maintenance) Act, 1981 (Act no. 3 of 1981) Assented by the Administratoron 20/11/1981) and published in AP EOG vol 11 no 168 Dtd 23/11/1981 (wef 23/11/1981) 2.As amended by Arunachal Pradesh Anchal and Village Forest Reserve (Constitution and Maintenance) Act, 1984 (Act no. 4 of 1984) (Assent by the Administrator on 07/06/1984) and published in AP EOG No 334 Vol 11 Dtd 16/6/1984 [wef 16/6/1984] Note- 3 [Inserted by 1984 Amendment Act (no 4 of 1984) s2 wefl 4 1985] ACT to provide for constitution and maintenance of Anchal Reserve Forests in Arunachal Pradesh and other matters connected therewith. Whereas it is expedient to constitute for the benefit of the people of Arunachal Pradesh, Anchal Forest Reserves in Arunachal Pradesh, It is hereby enacted in the Twenty-sixth Year of the Republic of India as Village] (2) (3) follows :- This Act may be called the Arunachal Pradesh Anchal 3 [and Forest Reserve (Constitution and Maintenance) Act, 1975. It extends to the whole of Arunachal Pradesh. It shall come into force at once. Short title, extent and commencement. 2. 3. (1) In this Act, unless there is anything repugnant in the subject or context :- (a) "Anchal Forest" means an Anchal Forest Reserve constituted under this Act ; (b) Anchal Samity" means an Anchal Samity constituted under the NEFA Panchayat Raj Regulation, 1967 (Regulation 3 of 1967) ; O "Official Gazette" means the Arunachal Pradesh Gazette ; 1 [(cc) Prescribed:means prescribed by rules under section 6.] (d) "State Government" means the Government of Arunachal Pradesh ; 1 [(dd) Village- means a village as defined under clause (xii) of section 2 of the NEFA Panchayat Regulation, 1967.] [(ddd) "Village Forest Reserve" means the Village Forest Reserve constituted under this Act,] (e) "Year" means the Financial year from 1st April of any year to 31stMarch of the following year ; [(f) [deleted/ (2)Words and expression used but not defined in this Act and defined in Assam Forest Regulation VII of 1891 shall have the meanings respectively assigned to them in that Regulation. (1) The State Government may, by notification in the Official Gazette, constitute any land (other than Reserved Forest) at the disposal of the Government as an Anchal Forest Reserve in the manner provided in Chapter 11 of the Assam Forest Regulation 1891 for the constitution of Reserved Forests. 1B All lands, where forest plantations can be raised, shall be constituted into Anchal Forest Reserves] 3B[3A. The State Government may, by notification in the Official Gazette, constitute any land (other than Reserve Forests) at the disposal of the Government as a Village Forest Reserve in the manner provided in Chapter 11 of the Assam Forest Regulation, 1891 for the constitution of Reserve Forests.] Definitions. Power to constitute Anchal Forest Reserve. 4

5. The provisions of Assam Forest Regulation, 1891 relating to Reserved Forests shall apply to Anchal [and Village]Forests The revenue earned from each Anchal Forest Reserve shall be shared by the State Government and the concerned Anchal Samity and 2 [Village] in the manner hereinafter provided, (i) The State Government shall meet the ordinary non-recurring and recurring expenditure of any year out of the revenue received during the year from the management of the Anchal Forest Reserve.The balance left after meeting such expenditure shall hereinafter to as the net revenue of the year. (ii) The State Government shall retain every year fifty per cent of the net revenue of the year. Provided that if in any year, the ordinary non-recurring and recurring expenditure equals or exceeds the ordinary and non-recurring recurring expenditure over the revenue receipts, such excess expenditure shall be added to capital expenditure for the purpose of clause (iii). (iii) All capital expenditure in a year shall be borne in the first instance by the State Government which shall be entitled to recover such capital expenditure at the rate of ten per cent till such time it is completely recovered. If there is any deficiency in any year in the recovery of capital expenditure as aforesaid, it shall be made out of the net revenue of succeeding year or years so that total recovery of capital expenditure shall be made without default, (iv) The State Government shall transfer to the concerned Anchal Samity and 2 [Village] every year, in equal share, 50% of the net revenue of the year less the amount the State Government is entitle to recover under clause (iii). (v) The State Government shall arrange to disburse to the Anchal Samity and 2

[Village], the amount payable under clause (iv) every year. Applicability of Assam Forest Regulation, 1891. Sharing of revenue. (vi)The Anchal Samity on receipt of the amount referred to in clause (iv) shall credit it to the Anchal Samity fund constituted under section 37 of the NEFA Panchayat Raj Regulation, 1967 (3 of 1967). [Provided that 50 percent of such amount shall be utilized for the development activitiesof the village concerned in such manner and by such authority as may prescribed;] deleted].

[5A The revenue earned from each Village Forest Reserve shall be shared by the State Government and the concerned Village Panchayat in the manner hereinafter provided- The State Government shall meet the ordinary non- recurring and recurring expenditure of any year out of the revenue received during the year from the management of the Village Forest Reserve. The balance left after meeting such expenditure Shal/ hereinafter referred to as the net revenue of the year. ii. The State Government Shal/ retain every year fifty percent of the net revenue of the year : Provided that if in any year, the ordinary non-recurring and recurring expenditure equals or exceeds the ordinary nonrecurring and recurring expenditure over the revenue receipts, such excess expenditure shall be added to capital expenditure for the purpose of clause (iii). iii. Al/ capital expenditure in a year shall be borne in the first instance by the State Government which shall be entitled to recover such capital expenditure at the rate of ten percent til/ such time it is completely recovered // there is any deficiency in any year in the recovery of capital expenditure as aforesaid; it shall be made out of the net revenue of succeeding year or years so that total recovery of capital expenditure shall be made without default. iv. The State Government shall transfer to the Village Panchayat every year fifty percent of the net revenue of the year less the amount the Stat. Government is entitled to recover under clause (iii), This amount shall be utilised for the development activities of the village concerned in such manner and by such authority as may be prescribed. 6. (1) The State Government may make Rules to carry out the to make Rules. purposes of this Act. (2)In particular and without prejudice to the generality of the foregoing power, such rules may provide for :- (a) to prescribe and limit the powers and duties of the Anchal 3 E* [Village Panchayat Samity and land the Forest Department Officers who will manage the 3E[Anchal Forest Reserve or the Village Forest Reserve] (b)for the preservation, reproduction and disposal of trees and timber and other forest produce in the 3E[Anchal Forest Reserve or the Village Forest Reserve] ; O regulating or prohibiting, hunting, shooting, carrying firearms, fishing, poisoning of water or setting traps or snares ; (d) to provide for the ejectment of any person who has encroached upon forest reserves ; and (e) for protection, advancement, treatment and management of local people and to specify their rights. [(f) any other matter which is required to be or may be prescribed] NOTE 1 [Inserted by 1981 Amendment Act s2(a) (b),] 1A[Deleted by 1981 Amendment Act s2(c)] 1B[Inserted by 1981 Amendment Act s3] 2[Substitutedfor the words 'Zila parishad' by 1981 Amendment Act s4(a)] 2A[Inserted by 1981 Amendment Act. s4(b)] 2C[Inserted by 1981 Amendment Act. s40] 2D[Omitted by 1981 Amendment Act. s4(d)] 2E[Inserted by 1981 Amendment Act. s40] 3A [Inserted by 1984 Amendment Act. s4] 3B [Inserted by 1984 Amendment Act. s5] 3C [Inserted by 1984 Amendment Act. s6] 3D [Inserted by 1984 Amendment Act. s5] 3E[substituted for word 'Zila Parishad and Forest'(no 4 of 1984) s.8(i) (ii)] 'Anchal Reserve