

INDIAN FOREST (TRIPURA SECOND AMENDMENT) ACT, 1986

GOVERNMENT OF TRIPURA LAW DEPARTMENT THE INDIAN FOREST (Tripura Second Amendment) ACT, 1986. Published i n the EXTRORDINARY ISSUE OF TRIPURA GAZErCE Agartala, Wednesday, May 20, 1987 A. Vaisakha 30, 1909 S. E. GOVERNMENT OF TRIPURA LAW DEPARTMENT D. Dated, Agartala, the 11th April, 1987, The following of Tcipura Legislati ve Assembly received assent of the President on 4-4-1987 and is hereby published ror genera! information. 2 Tripura Ret, No. 8 of 1987. Indian Forest (Tripura ond Amendment) Act, 1986. AN ACT, further 10 mnend lhe Foresi /lct, 1927 in its application to the Sla/e Of Tripura. WHEREAS is expedient further to amend the Indian Forest Act, 1927 (16 of 1927) in its application to the State of Tripura, for the purposes and in the manner hereinafter appearing . It is horoby enacted ia the Thirty Seventh year of the Republic of India, by the legislature of Tripura, as follows Short title & COW mence- ment. Application Insertion or new section (1) This Aet may be called the Indian Forest (Tripura Second Amendment) Act, 1986. (2) It shall come into force at once

2. The Indian Forest Act, 1927 (hereinafter referred to as principal Act) shall in its application to the State of Tripura be amended for the purposes and in the manner hereinafter provided

3. Atter Section 52 of the Principal Act, the following new section shall be inserted, namely

"C011jiscation 52A of saw mill etc.(1) Where a Saw Mill is established, maintained or operated without a licence or without renewal of a licence the authorised officer may order confiscation of the Slock of wood together with whole or portion of the niacin liCJy, tuoiois, and equipments of the Saw Mill. (2) Where the authorised officer seizes under sub-sec- -Lion (1) of Scction 52 ar,y forest produce or where any such property is produced before the authorised officer after seizure by any Forest Officer and he is satisfied that a forest offence has been committed in vespect of such property, such authorised officer may, whether or not a prosecution instituted for the [commission of such forest oilénce, order confiscation of the property so seized togefher with all tools, equipments, ropes, chains, boats, carts, -vehicles alid cattle used in committing such offence. 3 (3) No order confiscating any property shall be made under Sub-Section (1) or Sub-section (2) unless the person from whom the property is seized and in case the owner of such pt eerty is knov,n, such person is given— (a) nonce in writing informing him the grounds on which it is proposed to confiscate such property (b) an opportunity of uaking representation in writicu within such reasonable time as may be specified in the notice against the grounds for confiscation ; and (e) a reasonable opportunity 01' being heard in the matter. (4) Any Forest Oiiiicer not below the rank of Conser- valor 01' Forsts empowered by the Stat: Governlnent in this behalf by notification, may within 30 days from the date Of order of confiscation by the authorised oilieev under sub-section (1) or Sub-section (2) either suo-moto or on application, call for and examine the records of that order and may make such inquiry or cause such inquiry to be made and pass orders as he may think lit. Provided that no order prejudicial to any person shall be passed 'Oithout giving hilli an opportunity of being heard. (5) Any persons aggrieved by an order passed under sub-sections (1), (2) or (4) Inay within thirty days from the date of communication '0 him of such order, appeal 10 [he "District Court having jurisdiction over the area in which the property has been setzed and the Distriel Court shall after giving an opportunity to the parties to be heard pass such order as it may think fit and lhe order of the District so passed shall be final, Where an order of confiscation Of any property passed under sub-section (1) or sub-section (2) or sub-section (4) has become linal in respect of the whole or any portion of such property ; such property or the portion there of ; as thee case may be shall vest in the State Government free from all enculllbrances. Explanaoun. For lhe pucpoE's of this section auklaocised oliiccr means an oiiiicer not below rank oc Assistant Conservator of Forese auto- by the State Government by notifica- Lion." S. R. Sin [K' DepulY Secretary, Law.