

Arunachal Pradesh Anchal Forest Reserve (Constitution and Maintenance) Act, 1975

ARUNACHAL PRADESH

India

Arunachal Pradesh Anchal Forest Reserve (Constitution and Maintenance) Act, 1975

Act 1 of 1976

- Published on 1 January 1976
- Commenced on 1 January 1976
- [This is the version of this document from 1 January 1976.]
- [Note: The original publication document is not available and this content could not be verified.]

Arunachal Pradesh Anchal Forest Reserve (Constitution and Maintenance) Act, 1975 (Act No. 1 of 1976) Last Updated 8th February, 2020 An Act to provide for the constitution and maintenance of Anchal Reserve Forest 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 follows:

1. Short title, extent and commencement.

(1) This Act may be called the Arunachal Pradesh Anchal Forest Reserve (Constitution and Maintenance) Act, 1975. (2) It extends to the whole of Arunachal Pradesh. (3) It shall come into force at once.

2. Definitions.

(1) In this Act unless there is anything repugnant in the subject or context—(a) "Anchal Forest" means an Anchal Forest Reserve constituted under the Act ; (b) "Anchal Samity" means an Anchal Samity constituted under the N.E.F.A. Panchayat Raj Regulation, 1967 (Regulation 3 of 1967); (c) "Official Gazette" means the Arunachal Pradesh Gazette ; (cc) "Prescribed" means prescribed by rules made under Section 6 ; (d) "State Government" means the Government of Arunachal Pradesh ; (dd) "village" means a village as defined under Clause (xii) of Section 2 of the N.E.F.A. Panchayat Raj Regulation, 1967 ; (e) "Year" means the Financial year from 1st April of any to 31st March of the following year. (2) Words and expression used but not defined in this Act and defined in Assam Forest Regulations, 7 of 1891, shall have the meanings respectively assigned to them in that Regulation.

3. Power to constitute Anchal Forest Reserve.

(1)The State Government may, by notification in the official Gazette, constitute any land (other than reserved forests) at the disposal of the Government as an Anchal Forest Reserve in the manner provided in Chapter II of Assam Forest Regulation, 1891 for constitution of reserve forest.(2)All lands where forest plantations can be raised, shall be constituted into Anchal forest Reserves.

4. Applicability of Assam Forest Regulations, 1891.

- The provisions of Assam Forest Regulations, 1891 relating to reserve forests shall apply to Anchal Forest Reserve.

5. Sharing for revenue.

- The revenue earned from each Anchal Forest Reserve shall be shared by the State Government and the concerned Anchal Samity 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 be referred 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 non-recurring and recurring expenditure over the revenue receipts, such excess expenditure shall be added to capital expenditure for the purpose of sub-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, if that total shall be made out of the net revenue of succeeding year or years so recovery of capital expenditure shall be made without default; (iv)The State Government shall transfer to the concerned Anchal Samity and village, every year, in equal share, fifty per cent of the net revenue of the year less the amount the State Government is entitled to recover under sub-Clause (iii); (v)The State Government shall arrange to disburse to the Anchal Samity and village, the amount payable under Clause (iv) every year; (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 51 of the N.E.F.A. Panchayat Raj Regulation, 1967 (3 of 1967): Provided that 50 per cent of such amount shall be utilised for the development activities of the village concerned in such manner and by such authority as may be prescribed.

6. Power to make rules.

(1)The State Government may make rules to carry out the purposes of the Act.(2)In particular and without prejudice to the generality of the foregoing power, such rules may provide-(a)to prescribe and limit the powers and duties of the Anchal Samity and the Forest Department Officers who will manage the Anchal Reserve Forests : (b)for the preservation, reproduction and disposal of the trees and timber and other forest produce in the Anchal Reserve Forests ; (c)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.