

# Forest Rules

PUNJAB

India

## Forest Rules

### Rule FOREST-RULES of 1923

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Forest RulesPublished vide Punjab Government Notification No. 22890, dated 26 September 1923.A. Rules prescribing Powers of Forest Officers

**1. General Powers. - The Chief Conservator of Forests and all Conservators, Deputy Conservators, Assistant Conservators, Extra Assistant Conservators, Forest Rangers, Deputy Rangers, Foresters and Forest Guards are appointed to do all acts and exercise all powers that are prescribed by the Act, or by rules made under it, to be done by a Forest Officer or by any Forest Officer.**

**2. The Forest Officers mentioned in the first column of the following Schedule shall exercise the powers under the sections of the Act mentioned in the second column of the same opposite each class of officers, respectively :-**

Class of officers empowered	Section of the Act under which powers are given	Brief discription of nature of powers conferred
I. All Deputy Conservators, Assistant Conservators and ExtraAssistant Conservators, when in charge of Forest Divisions	20	To publish translation of notifications of reserved forests.
	25	To notify seasons during which the kindling, etc., of fireis not prohibited.
	45	To notify depots for drift timber, etc.
	60	

		To direct release of property seized.
	82	To take possession of and sell forest produce for Government use.
II. All Deputy Conservators, Assistant Conservators and Extra Assistant Conservators	46	To issue notice to claimants of drift timber, etc.
	47	To decide claims to drift timber, etc.
	50	To receive payments on account of drift timber, etc.
III. All Deputy Conservators, Assistant Conservators and Extra Assistant Conservators, Forest Rangers, Deputy Rangers and Foresters when specially authorised in that behalf by the Chief Conservator of Forests or Conservators of Forests.	25	To permit acts otherwise prohibited in reserved forests
33	To permit acts otherwise prohibited in protected forests.	

**3. The Chief Conservators of Forests and Conservators of Forests are empowered to exercise all or any of the powers conferred in the following schedule.**

**4. The Chief Conservator of Forests and Conservators of Forests are empowered under section 24 of the Act, with the previous sanction of the Commissioner of the Division, to stop ways and water courses in reserved forests, subject to the provisions of that section.**

**5. Powers to compound offences. - [All officers of the Forest Department of a rank not inferior to that of Probationary Extra Assistant Conservator are invested with the powers described in section 67 of Act VII of 1878.]**

**6. Powers to compel attendance of witnesses, to issue search warrant and to record evidence. - [Forest Officers serving in the Punjab are invested with powers under section 71(b), (c) and (d) of Act VII of 1878 as described in the following schedule] :-**

Class of officers empowered	Section of the Act under which powers are given	Brief description of nature of powers conferred
I. Conservators of Forests and all Divisional Forest Officers, provided that such officers hold substantive rank not lower than that of Assistant Conservator of Forests or Extra Assistant Conservator of Forests, and that they have passed the prescribed tests in Forests Law and in Urdu by the Higher Standard	71(b)	Powers of a Civil Court to compel the attendance of witnesses and the production of documents
II. Conservators of Forests	71(c)	Power to issue a search warrant under the Code of Criminal Procedure *[-]
III. Conservators of Forests and all officers of and above the rank of Assistant Conservator of Forests or Extra Assistant Conservator of Forests : provided that they have passed the prescribed tests in Forests Law and in Urdu by the Higher Standard.	71(d)	Power to hold an enquiry in Forest offences and in the course of such enquiry to receive and record evidence

\*Omitted by Punjab Government Notification No. 2479-Ft- 55/1603, dated 17.6.1955.

**7. These powers shall be exercised within the circle or division, as the case may be, to which an officer is posted from time to time.**

Powers under section 71(c) of the Indian Forest Act, 1878, can be given to Forest Officers not below the rank of Assistant Conservator of Forests or Extra Assistant Conservator of Forests by name with the sanction of the Punjab Government, provided that such officers are in charge of a Forest Division. [vide Conservator's No. 1265, dated 2nd June, 1913, and Punjab Government No. 333 (Forests), dated 5th August, 1913].

**8. Powers of Forests Officers to be Public Prosecutors under section 492 of the Criminal Procedure Code, Act V of 1898. - [All Forest Officers of and above the rank of Forester are appointed to be public prosecutors within the limits of the Forest Division in which they are serving in respect of cases in which the Forest Department is the complainant.]**

**9. Powers of Forest Officers to be Public Officers under section 29-A of the Courts Fees Act, 1870, as amended by the Courts Fees (Punjab Amendment) Act, 1939. - [All Forests Officers not below the rank of Range Officers shall, when preferring any complaint of an offence under section 9 of the Punjab Wild Birds and Wild Animals Protection Act, 1833, be deemed to be public officers for the purpose of sub-section (1) of section 29-A of the Court Fees**

**Act, 1870, as amended by the Court Fees (Punjab Amendment) Act, 1939.]**

**10. Forest Officers of a rank not inferior to that of Extra Assistant Conservator, serving in the Punjab, shall, from the date of this notification, exercise the powers mentioned in sub-section (1) of section 68 of the Indian Forest Act, in respect of offences under the Punjab Land Preservation (Chos) Act, 1900.**

**B. - (a) Appointment of Rakhas and others in the Kangra District to be Forest Officers**

**1. [All Rakhas or village forest watchmen in the Kangra District are appointed to do all acts and exercise all powers that are prescribed by Act VII of 1878 or by the Rules made under it to be done or exercised by a Forest Officer or by any Forest Officer.]**

**2. [All kotwals, Negis, village headman, village watchmen and all lambardars of Phatis in Kangra District are appointed to be Forest Officers within the meaning and for the purpose of sections 64 and 78 of Act VII of 1878.] [Notification No. 589, dated 4.12.1900.]**

**3. [All forest Rakhas in the Kangra District are appointed to be Forest Officers within the meaning and for the purpose of] [Notification No. 425, dated 6.10.1908.] [sections 64 and 78 of Act VII of 1878.] [Notification No. 2743-Ft., dated 26.9.1941.]**

**4. [All Forest Officers employed by Co-operative Forest Societies in Kangra District are appointed to be Forest Officers within the meaning and for the purpose of sections 52, 56, 65, 66 and 79 of the Indian Forest Act, 1927.] [Notification No. 2754-Ft., dated 26.9.1941.]**

**5. [All Rakhas employed by Co-operative Societies in the Kangra District are appointed to be Officers within the meaning of and for the purposes of sections 64, 66 and 77 of the Indian Forest Act, 1927.] [Notification No. 2754-Ft., dated 26.9.1941.]**

**(b) Appointment of lambardars and others of the Hoshiarpur District to be Forest Officers**

**6. [All lambardars and village watchmen of the Punjab, Lohara and Dhruvi Tappas, in the Hoshiarpur District, are appointed to be Forest Officers within the meaning and for the purpose of sections 64 and 78 of Act VII of 1878.] [Notification No. 165, dated 27.3.1901.]**

**7. [All Rakhas in the service of Village Forest of Reclamation Co-operative Societies registered under the Co-operative Societies Act, II of 1912, in the Hoshiarpur District shall be appointed to do all acts and exercise all powers that may be done and exercised by a Forest Officer under the Indian Forest Act, 1927, or under any rule made thereunder.] [Notification No. 3859-Ft., dated 14.9.1940.]**

**8. All Rakhas in the employment of Court of Wards estates in Hoshiarpur District shall be appointed to do all acts and exercise all powers that may be done or exercised by a Forest Officer under the Indian Forest Act, 1927, or under any rule made thereunder.**

Appointment of Rakhas in Revenue District as Forest Officers [Notification No. 4092-Ft., dated 31.12.1941.]

**9. In exercise of the powers conferred by sub-section (2) of section 2 of the Indian Forest Act, XVI of 1927, the Governor of the Punjab is pleased to appoint the Rakhas employed by landlords for the protection of their private lands notified under section 38 of the Indian Forest Act in the revenue districts specified in the schedule hereto annexed to do anything required by this Act or any rule made thereunder to be done by a Forest Officer :-**

## **Schedule**

Serial No Revenue district Executive Forest and Soil Conservation charges

1	Gurdaspur	
2	Kangra	Kangra Forest Society Division
3	Hoshiarpur	Hoshiarpur Forest Division
4	Ambala	Ambala/Gurgaon Soil Conservation Division
5	Gurgaon	Ditto

C. Payment of Rewards Rules Regulating the payment of rewards to certain Revenue, Police and Forest Officers

- 1. All Revenue Officers below the Rank of Tehsildars and all Police Officers up to and including Inspectors, all Forest Officers below the rank of Extra Assistant Conservators and Forest Officer Clerk and messengers, as well as persons who are not public servants are eligible for rewards under these rules.**
- 2. On conviction of an offender, or on directing the confiscation of property under section 56, the Magistrate by whom the case has been decided is authorised to grant such reward and in such proportions as he may think fit, to any person or persons who have contributed to the seizure of the property confiscated, or the conviction of the offender; provided that the total amount of the reward shall not exceed the estimated value of the property confiscated plus the amount of any fine imposed.**
- 3. If in any case the fine and the proceeds of the property confiscated cannot be immediately realized, the Magistrate deciding the case shall at once pay the reward (provided that it does not exceed Rs. 100). If in any case the Magistrate considers that more than Rs. 100 should be distributed as rewards, he shall distribute Rs. 100 at once, and shall submit his recommendation for a larger reward, through the Conservator of Forests concerned, for the orders of the Punjab Government, giving seasons for the same.**
- 4. In case the Magistrate has not at his disposal a fund out of which the reward can be paid, or in the case of an order of confiscation where by law the Forest Officer takes charge of the property, the Forest Officer of the Division shall on requisition furnish the Magistrate with the necessary funds.**
- 5. In any case the rewards shall be paid within the limit and under the sanction provided in rule 6, even though the fine may not have been realized. In cases in which the Forest Officer has furnished the funds under the rule, the fine on recovery be paid over to him.**
- 6. If after payment of the reward the conviction is reversed in appeal, the amount paid away in reward shall not be recovered from the persons to whom it has been paid unless it shall appear that they have acted fraudulently in the case.**

**7. In cases where, under section 67 of the Indian Forest Act, a Forest Officer has accepted a sum of money as compensation for any damage which may have been committed, the Conservator of Forests concerned may authorise the payment of a portion of the amount realized (not exceeding three-fourths) as a reward to any person or persons who may have contributed to the discovery of the offender.**

D. - Shooting, Hunting and Fishing Rules General rules regarding shooting, hunting and fishing in Reserved and Protected Forests under section 25(i) and section 31(i) of Act, VII 1878.

**1. The setting of snares and traps, the use of small-mesh nets to catch, or of dynamite to destroy fish, and the poisoning of water, are prohibited.**

**2. Hunting or shooting with elephants and with large parties of beaters is prohibited.**

**3. The Conservator of Forests may declare and publicly notify any Reserved or Protected Forests or portion of such forest to be altogether closed against hunting, shooting and fishing for such periods as may be necessary when it is desirable in his judgment so to close such forest or portion of forest.**

[Rules to regulate shooting and hunting in all Reserved and Protected Forests of every class in the Kangra District under Clause (j) of Section 32, Clause (d) of Section 76 and Clause I (i) of Section 2 of the Indian Forest Act, 1927.] [Vice Punjab Government Notification No. 530-Ft., dated 27.5.1939.]

**1. Short title. - These rules shall be called "Rules for the regulation of shooting and hunting in the forests of the Kangra District."**

Extent. - These rules shall apply to all reserved and protected forests of every class in the Kangra District.

Definition. - In these rules the term "big game" denotes the following species of mammalia :-

Sl. No	English name	Scientific name	Kangra name	Kulu name
1	2	3	4	5
1	Himalayan Ibex	Capra sibirica	Tangrol	Katorol Tangrol (Spiti), Skin (Lahaul)
2	Tahr	Hemitragus	Kart	Kart Korth (M).

		Jemlaicus	Meshi (F)	Bakri (F)
3	The great Tibetan sheep or Nyan or Argali, misnamed Ovisammon by sportsmen	Ovis, hodgsoni (Ovis ammon hodgsoni)		Nian.
4	The Blue Wild Sheep or Bharal	Ovis Nahura (Pseudois nahoor)		Miatu.
5	The Himalayan Goat Antelope or Serow	Nemorhaedus bubalinus (Capricornis sumatrenis)	Goa	Yamu., Emu.
6	Goral	Cemes goral (Nemorahedus goral)	Pij Ban Bakri Ghorrur	Ban Bakri Gurrar, Ghoral, Ghurral, Gudh.
7	*	*	*	*
8	Hog Deer	Cervus porcinus(Hyelaphus porcinus)	Para	
9	Barking Deer or Muntjac	Cervulus muntjac (Muntiacus muntjak)	Kakar	Kakar
10	Musk Deer	Moschus moschiterus	Kastura Taunsa Bina	Bina, Kastura Raonwi (F.) Ranwhin (F.)
11	Blue Bull and Nilgai	Boselphus Tragocamelus	Nilgai, Bangai, Raj	
12	Brown Bear or Snow Bear	Ursus arcots isabellinus	Brahbo Lagru	Rotta Bhalu., Rata Balu., Bbird., Brabhu.

Note - Names given in brackets in column 3 are latest classification taken from Lydekker's Fauna.

**2. Prohibition of snares traps and nets. - The setting of the Jul or Jhal net or any other traps, nets or snares is absolutely prohibited. Provided that this rule does not apply to the trapping of musk deer, or the snaring of goshawks and sparrow hawks, which are governed by rule 7, or to the trapping and snaring or otters against which there is no restriction.**

**3. Prohibition of driving in snow. - The driving and killing of big game in snow is absolutely prohibited.**

**4. Big game licences. - The shooting of big game is absolutely prohibited, except under a licence to be granted by the Divisional Forest Officers. Provided that no officers, British or Gurkha, serving with any Gorkha Regiment station for the time being in Dharamsala, shall be required to take out a licence under this rule, except for the purpose of shooting big game in**



the Kulu Sub-Division or Bara or Chota Banghal. Such officers will, however, be subject to the prohibitions and restrictions contained in the provision to Rule 6 below, and will not be entitled to shoot big game in areas closed to sport by the Conservator of Forests.

**5. Free Licences.** - The Conservator of Forests may, at his discretion, grant a fixed number of free licences every year to enable serving riflemen and non-commissioned officers of any Gurkha Regiment stationed in Dharmsala to shoot big game in the Kangra District, excluding Aara and Chota Banghal and the Kulu Sub-Division . These licences will be issued in the name of the Commanding Officer of the battalion concerned and will be subject to the conditions mentioned in rule 6.

**6. Big game licences.** - The following licence fee will be charged :-

	Rs.
Kulu	.. (a) 30 (for animals other than brown bear). ... (b) 40 (for the brown bear in addition to other animals)
Lahaul	.. 30
Spiti	.. 30
Bara Banghal	.. 30
Chota Bhangal	.. 30
Rest of Kangra	.. 5

Except for the Kangra District, these fees includes a deposit of Rs. 10 which will be refunded when the licensee returns his licence, duly completed, to the Divisional Forest Officer. The holder of any of these licences will be permitted to shoot big game in any forest not closed to sport by the Conservator of Forests subject to the persons mentioned in Schedule III of the Punjab Wild Birds and Wild Animals Protection Act, 1933, provided that the licensee does not kill (a) more than the numbers of animals specified below or (B) immature specimens, or (c) females other than she-bears, or (d) she-bears with cub or cubs.

(1) Ibex or Tangrol ( <i>Capra sibirica</i> )	1 (Kulu and Chota Banghal. No head to measure less than 30".) 2 (Lahaul and Bara Banghal. No head to measure less than 30"). 3 (Spiti. No head to measure less than 30").
(2) Nyan Ovis Hodgson ( <i>Ovis ammon hodgsoni</i> )	1 (Minimum head 38").
(3) Bharal ( <i>Ovis nahura</i> ) Pseudois nahoor	2 (Kulu and Lahaul. Minimum head 20"). 4 (Spiti, Minimum head 20").
(4) Goral ( <i>Cemes goral</i> ) <i>Nemorhaedus goral</i>	*3

- |  |    |  |
|--|----|--|
|  |    | (with minimum length of horn 4 inches, 1313-Ft., dated 11th July, 1944.    |
| (5) Tahr and Kart ( <i>Hemitragus jemlaicus</i> )  | 2  | (Minimum head 10").  |
| (6) Serow or Yamu ( <i>Nemorhaedus bubalinus</i> )<br>( <i>Capricornis sumatrensis</i> ) | 1  | (No limits).   |
| (7) Barking deer ( <i>Cervulus muntjac</i> ) ( <i>Muntiacus muntjak</i> )                | *2 | (With minimum length of horn 4 inches, including pediceli)                 |
| (8) Brown bear ( <i>Ursus arctos isabellinus</i> )                                       | 1  | (except in Bara Banghal where 2 may be shot only when without cub or cubs) |
| (9) *Hog deer ( <i>cervus pornicus</i> ) ( <i>Axix axis</i> )                            | 1  | (With minimum length of 12 inches).  |
- \*Substituted by Punjab Government Notification No. 1314-Ft., dated 11.7.1914.

**7. Musk deer, hawks. - The shooting of musk deer both male and female, is prohibited, and no such animal may be taken except as provided by the terms of the Forest Settlement, or under licence of the Assistant Commissioner, Kulu Sub-Division. The taking or sharing of goshawks and sparrow-hawks is prohibited except under terms of the Kulu and Kangra Forest Settlements and in the case of the Kulu Forest Settlement under licence of the Assistant Commissioner, Kulu. All such licences issued for the trapping and snaring of musk-deer or of goshawks and sparrow-hawks shall specify the kind of trap or snare to be employed other than the jul, which is prohibited by rule 2, and the manner in which it is to be set.**

**8. Special permission as to licences. - Licences to shoot big game will remain in force for twelve months from 1st January of the year of issue and are not transferable. Every licence must be returned to the office of issue within a fortnight of the date of its expiry or earlier and the licence- holder must endorse upon it the number and kind of big game killed. The Conservator of Forest may (a) in the case of residents of Kulu other than officials, issue a family licence to cover shooting by all members of the family of the holder residing in his house, and (b) in the case of officers travelling on duty issue a temporary permit for a period not exceeding 30 days on payment of Rs. 5. The, number of animals which may be killed under a family licence is restricted to the number fixed in rule 6.**

**9. Application for licences. - Applications for licences should be sent by registered post to the Divisional Forest Officer, Kulu, or to the Divisional Forest Officer, Kangra Forest Division [or to the Divisional Forest Officer,**

**Kangra Forest Societies Division] [Inserted by Punjab Government Notification No. 660-F., dated 13.3.1944.], according to the locality in which it is proposed to shoot. Applicants for a shooting licence in Kulu should state whether they require either an (a) licence or a (b) licence mentioned in rule 6.**

The Conservator of Forests may at his discretion limit the number of licences to be in force at any one time. Note - Bare Banghal and Chota Banghal are in Kangra [Forest Societies] [Inserted by *ibid.*] Division ; Lahaul and Spiti are in Kulu Division. All forests lying west of Banghal are in Kangra Division.

**10. Employment of shikaris. - All holders of licences to shoot big game in Kulu and Lahaul must employ a Shikari registered on the list of shikaris maintained in the Divisional Forest Office at Kulu. A copy of this list will be sent to each person with this licence. The Divisional Forest Officer Kulu, may at his discretion refuse to enter any name on this register, and may strike off any name therefrom. No man not so registered may be employed as a shikari. The yearly registration fee is Re. 1, in exchange for which a badge and certificate will be issued.**

**11. Penalties. - Breaches of these rules are punishable under sections 26(i) and 33 of Act XVI of 1927.**

**12. Rights of the Rai and Rupri. - Nothing in these rules shall be deemed to interfere with the recorded "sporting rights" of the Rai and Rupri within the limits of his own jagir.**

**13. Sheep killers. - Nothing in these rules shall prevent the destruction of any brown bear known to be a sheep killer, either in defence of property or life or with the written permission of the Divisional Forest Officer.**

**14. A list of forests closed to all sport by the Conservator of Forests shall be published in the official gazette, and a copy attached to all licences issued. Copies shall also be hung up in the offices of the Deputy Commissioner and the Divisional Forest Officer.**

**15. A licence may be cancelled at any time by the officer granting it, or by the Conservator of Forests. Any breach of the Forest Act, or of any rule made under the Act, if committed by the holder of the licence or any of his retainers or followers, shall render the licence liable to cancellation. Licences**

**are liable to be declared invalid in regard to any particular forest or in case of interference with forest work.**

**16. The holder of a licence is not exempted from liability under the Forest Act or any other law for anything done in contravention of such Act or law, or for any damage caused by him, his retainers or followers.**

Note. - Sections 26(1)(i) and 33(1)(h) of the Forest Act prescribe penalties for breach of these rules and section 68 of that Act empowers the Divisional Forest Officer to compound any such breach on payment of a sum of money. Big Game Licence Forest Department, Punjab

No. of

Licence issued under rules made by Government notification No.  
(Forests) dated

In consideration of payment of Rs. \_\_\_\_\_ permission is hereby granted to \_\_\_\_\_

to shoot big game within the Government forests of | Kulu Kangra | for the period of twelve months from the \_\_\_\_\_

subject to the conditions noted on the reverse.

(Signature)

Dated the \_\_\_\_\_ 19 . Divisional Forest Officer, \_\_\_\_\_ Division  
Note. - In the case of a family permit enter names of all members of the family. (To be filled in by licence-holder) I certify that the number of big game shot by myself between the \_\_\_\_\_ and the \_\_\_\_\_ had been \_\_\_\_\_ and the I have strictly carried out the conditions attaching to this licence. Dated \_\_\_\_\_ the \_\_\_\_\_ 19 . (Signature)

Reverse (Conditions under which this licence is issued) (1) This licence can only be used by the persons named therein. (2) This licence must be produced on the demand of any Forest Officer or Police Officer or Magistrate. (3) It is valid only for the forest area entered therein. (4) The holder shall not shoot more than the specified number of animal viz :- (5) He will not shoot the female of any species except red bear. (6) He will not shoot in any area closed to sport by the Conservator of Forests. (7) No refund of fees will be granted except in special circumstances (including "recall from leave") to be determined by the Conservator of Forests. (8) The holder of this licence is personally responsible for any infringement of its conditions or of the Indian Forest Act or rules made under this Act, and in the event of any such infringement in addition to forfeiting the licence renders himself liable to penalties under the Forest Act that may be in force. Note. - If any forest or shooting rule has been infringed, this is to be stated on the margin. [Rules to regulate the hunting and shooting in the Kalesar Reserved Forest in the Ambala District under Clause (i) of Section 26 and Clause (d) of Section 76 of the Indian Forest Act, 1927.] [Vide Punjab Government Notification No. 537-Ft., dated 27.5.1939.] These rules may be called

"Rules to regulate hunting and shooting in the Kalesar reserved forest in the Ambala District". Definition. (1) In these rules the term "big game" denotes the following species of animals :-

1 Tiger	..... Felis tigris.
2 Leopard	..... Felis pardus
3 Sambhar (cervus unicolor)	..... Rusa unicolor
4 Chital (cervus axis)	..... Axis axis
5 Barking Deer or Kakar (cervulus muntjac)	..... Muntiacus muntjak
6 Goral (Cemus goral)	..... Memorhaeus goral
7 Pig	.....

(2) In these rules the term "small game" denotes the species mentioned in the schedule of rule 2 of "Punjab Forest Small Game Rules".

## **2. The shooting and hunting of big game and game birds in the Kalesar reserved forest is prohibited except under licence to be granted by the Divisional Forest Officer, Simla Forest Division, subject to the following provisions :-**

(i) The total number of animals shot within each calendar year by all licensees shall not exceed :-

Tigers	2
Sambhar (Male only)	5
Chital (Male only)	5
Barking Deer (Male only)	5
Goral (Male only)	5

(ii) Licences shall be of three kinds, viz. :- (a) A licence granted on payment of a fee of Rs. 30 (thirty only) for shooting one tiger and the game noted below :-

*[Sambar (Male)	one minimum length of horn 30 inches)	No stag with horn in velvet may be shot
Chital (Male)	one minimum length of horn 30 inches)	
Barking Deer (Male)	one minimum length of horn 4 inches including pedicel)	
Goral (Male)	one	
Pigs	Without limit.	
Leopards	Without limit.	
Small Game	Without limit.	

\*Substituted by Punjab Government Notification No. 1314-Ft., dated 11.7.1944. subject to the period mentioned in column 5 of Schedule III of the Punjab Wild Birds and Wild Animals Protection Act. (b) A licence granted on payment of a fee of Rs. 15 (fifteen only) for shooting the above game with the exception of tiger. (c) A licence granted on payment of a fee of Rs. 5 (five only), for shooting

small game onlyNote. - For the purpose of this rule an animal wounded counts as an animal shot.

**3. Licence in forms (a) and (b) shall not be issued for a period longer than one week, and not more than one licence of each kind shall be granted to any person during one calender year. Licences in form (c) shall be valid for one year from the date of issue subject to the above-mentioned periods.**

**4. No application for a licence shall be considered more than one month before the period for which the licence is required.**

**5. The driving of game is absolutely prohibited, except tigers and leopards.**

**6. A report of all big game wounded or killed shall be made by the licence-holder to the Forest Ranger in charge of the Kalesar Reserved Forest before leaving the forest and the licence duly endorsed thereon with the game shot, shall also be returned by the licence-holder by post to the Division Forest Officer, Simla Forest Division, Simla, as soon as possible after he has left the forest.**

**7. No game may be shot during the period from half an hour after sunset to half an hour before sunrise, neither game may be shot from any wheeled vehicle.**

Note. - Names given in brackets in paragraph 1 are latest classification taken from Lydekker's Fauna.[Rules to regulate the hunting and shooting of and the setting of traps and snares for the capture of Small Games in the Punjab under Clause (j) of Section 32 and Clause (d) of Section 76 of the Indian Forest Act, 1927.] [Vide Punjab Government Notification No. 534-Ft., dated 27.5.1939.]

**1. Short title and extent. - These rules shall be called the "Punjab Forest Small Game Rules, 1959". They apply to all reserved and protected forests of every class in Punjab (other than those in which special sporting rights have been recorded under the Forest (Settlements).**

**2. Definitions. - In these rules the term "small games" denotes the following species:-**

Serial No.	Scientific name	English name	Vernacular name	Period during which the shooting of game under licence ispermitted
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Forest Rules

1	2	3	4	5
1	Crocopus Phoenicopeterus	The Green Pigeon	Kandeil, harrial kokla, latta, nilsar guggu, guya	
2	Sphenocercus sphenrus	The Wedge tailed Green Pigeon		
3	Columba livia	The Blue Rock Pigeon	Kabutar	15th September to 15th March
4	Columba rupestris	The Blue Hill Pigeon		
5	Columba penas	The Eastern Stock Pigeon or Dove	Salara kabutar Kamarkular	
6	Columba leuconota	The while bellied or Snow Pigeon	Bhusli, bujul, Ahujriapia, charan, luku	
7	Dendrotreren hodgsonnii	The Speckled Wood Pigeon	Kamlowa, Chittal	
8	Streptopetia	Refous Turtle Dove	Kamlowa, Chittal Kabutar Kabutar, Laber	
9	Colum ba palumbus	The Eastern Wood Pigeon or Ring dove	Dhond, Kabutor	15th September to 15th March
10	Streptopelia Chineusis	The Indian Spotted dove	Ghugi, fakhta tottru, chhota fakhta	
11	Streptopelia decaocto	The Indian Ring dove	Ghuggu, fakhta, ghaggil, panduk, geyrra	
12	Pavo oristasus	The Common Peafowl	Mor, manjha bodar	15th September to 1st March
13	Gullus bankiva	The Common Red Jungle fowl	Jangli murghi ban kukar kukar	
14	Catreus wallichit	The Chir Pheasant	Chir chrihi cheman chair	
15	Cereornis macrolophus	The Pukras or Koklas Pheasant	Koklas, khwakta, phokrn plachh Khwakah	
16	Gennaesus hamiltonli	The white-crested Kali	Khosle, hali, kalesha	1st October to 15th March
17	Lophophoros impejanus	The Impeyan Pheasant or Monal	Monal, karrari, nil, bod, narel, neroala,	

			nilwal	
18	Tragopan melanocephalus	The Western Horned Pheasant	Phulgar, jaji, jijurana, jowar	
19	Perdica asiatica	The bush quail	Lowal, lawa, batol, batoli, choonuk	15th September to 15th March
20	Arborophila torqueola	The Hill Partridge	Piora, pimera, pahari titar ban titar	
21	Alectoris graeca	The Chukar or Chikor	Chukor, chukra onakur, khonk, kanuk kakh chahru	
22	Ammoperdix griseogularis	The See see Partridge	Sisi, sasi, sussi, kakki, chaukla	15th September to 1st March
23	Francolinus francolinus	The Black Partridge	Kala titar, koddi titar	1st November to 1st March vide Government Notification No.430-C, dated 2nd February, 1937
24	Francolinus pondicerianus	The Grey Partridge	Titar, titur, bagga titar patila	
25	Tetraogallus himalayensis	The Himalayan Snow Cock	Golind, goland, lip lipya	
26	Tetraogallus tibetanus	The Tibetan Snow Cock	Golind, golaund gourkagu	1st October to 15th March
27	Lerwa lerwa	The Snow	Ram chakru, Ram chukor, tillu, doedu, chakru	
28	Turnix macmuri	The little Button Quail	Lawa, chhota, Lawa	15th September to 1st March
29	Turnix	The Indian Button Quail		
30	Scolopax rusticola	The Wood Cock	Simkukri, jalakri jul kukri, smukukri	15th September to 15th March
31	Capella nemoricola	The Wood Snipe	Burru chaha, Sun kukri, chah Jalakri	
32	Capella solitaria	The Eastern Solitary Snipe		
33	Capella gallinago	The Common or Fantail Snipe		
34	Capella stenura	The Pin-tail Snipe	Chah, jalakri	15th September to 1st April
35	Capella media	The Great Snipe		
36	Limnophanes	The Jack Snipe	Chota chaha	



	minima			
37	Rostratulo bengalensis	The Painted Snipe	Rangila chaha, chabarcha	
38	Lepus ruficaudatus	The Common Indian Hare	Khargosh, seru, charru susya sasu, seha, saiyah sahu	15th September to 31st March
39	Lepus hypsibius	The Upland Hare	Ditto	

**3. The snaring, trapping and netting of small game is prohibited.**

**4. The shooting of small game is prohibited except as provided for in rule 6 and in column 5 of the schedule to rule 2.**

**5. No person shall destroy or take the eggs or nests of any small game without the permission of the Divisional Forest Officer concerned.**

**6. A licence, for which the sum of Rs. 5 will be charged will permit the holder to shoot small game in any forest not closed to sport by the Conservator of Forests subject to the seasons mentioned in column 5 of rule 2. This licence shall be valid for the period 15th September to 15th March. Such licence may be granted by the Divisional Forest Officer of the division in which the licensee intends to shoot.**

**7. Any person, who holds a licence to shoot big game in the Kangra District, shall be entitled to a shoot small game, in the forests within this area, without a small game licence subject to the seasons mentioned in column 5 of rule 2.**

**8. The Conservator may, from time to time, limit the number of small game licences to be issued and the maximum number of each kind of game to be shot by the holder of a licence in one day, and may from time to time prohibit shooting in any particular forests or the shooting of any particular kind of small game for a period not exceeding three years with the concurrence of the Deputy Commissioner.**

**9. Shooting of roosting birds is strictly prohibited.**

**10. The holder of a licence under these rules may use dogs for the purpose of flushing and retrieving birds and hares.**

**11. Nothing in these rules shall be deemed to interfere with the recorded sporting rights of jagirdars within the limits of their own jagirs.**

**12. A licence may be cancelled at any time by the officer granting it, or by the Conservator of Forests. Any breach of the Indian Forest Act, 1927, or of any rule made thereunder if committed, by the holder of a licence or any of his retainers or followers, shall render a licence liable to cancellation. Licences are liable to be declared invalid in respect of any particular forest in the case of fire breaking out in any part thereof or in the case of interference with forest work.**

**13. The holder of a licence is not exempted from liability under Forest Act or any other law for anything done in contravention of such Act or law, or for any damage caused by him, his retainers or followers.**

E. - River Rules Rules regulating launching, collection and rafting of timber and the registration of timber property marks, under section 41 of the Act XVI of 1927.

**1. Unless there is anything repugnant in the subject or context the word 'timber' used in these rules shall be deemed to refer to the timber of deodar, kail, chil, spruce and sliver fir and not to timber of other trees. Other words used in these rules and defined in the Indian Forest Act, 1927, shall be deemed to have the meaning respectively assigned to them by the said Act.**

**2. No person having launched his timber, or set it afloat on any river, shall collect the same, except :-**

(a) at the permission, in writing, of the Forest Officer in charge of the Forest Division; (b) at the places which such officer may publicly notify as places at which such collection shall ordinarily be made.

**3. No person shall raft, or otherwise convey, any timber which has been collected on any river without first obtaining a pass from such the Forest Officer in charge of the Forest Division in which such river is situate, or from such subordinate Forest Officer as the officer-in-charge of the Forest Division may authorize in that behalf.**

Such pass shall show the number of logs or pieces, the kind of timber, the marks indicative of the owner's property therein, the place of its destination, and the time for which it shall remain in force. It may specify that the timber may be stopped for examination at certain places to be named in the

pass, and the Forest Officer may require the measurements of the timber (when such is practicable) and its estimated value to be entered. No pass shall be issued for any unmarked timber, or for such timber as bears a mark not registered as hereinafter provided : Provided, that when any reason having timber in transit on a river, at the date of the publication of these Rules, applies for a pass for such timber within six months from such date, such pass may be granted, though the marks on such timber have not been registered. Any Forest Officer may require any person rafting or conveying timber as aforesaid, to produce the pass for the same at any time. No person shall be entitled to raft or convey timber by virtue of a pass which he does not himself hold, but which is, or is stated to be, in the hands of some other person. In the event of the pass not being produced, the Forest Officer may detain the timber. In the event of the time mentioned on the pass as that for which it shall remain in force having expired before arrival at its destination of the property covered by the pass, the Forest Officer in charge of the division may extend the period during which the pass shall be further valid for such time as he may think proper at a charge not exceeding 25 per cent of the fees chargeable under Rule 5. Any right-holder in Kangra District, who has obtained timber for the construction of his house or farm buildings in accordance with his rights thereto under the Kangra and Kulu Forest Settlements or cut in his own land may convey such timber by a direct route across the Beas river and its tributaries without a pass.

**4. No person is permitted to deposit any timber for which a pass has been applied, but not yet issued, so close to the water's edge so as to endanger its being carried away by a rise in the river before the pass is issued.**

**5. For the issue of the pass a fee not exceeding four annas for each log or piece of round timber and two annas for each sawn or axe cut scantling may be levied on such rivers and at such places as the Chief Conservator of Forests may from time to time direct. [Punjab Government Notification No. 31, dated 6.1.1942.]**

**6.**

(1) No person without the written permission of the Forest Officer in charge of the division, -(a) cut, move, conceal, mark or alter or efface any mark on any timber while in transit or adrift on any river, or while stranded on any bank or island of any river, or (b) saw or cut up timber or burn timber for the manufacture of charcoal, bricks, lime or surki on any river used for floating purposes, or on any island of such river, or at any place on either bank of the main stream of such river which is within a distance of three miles from such bank at its cold season level, provided that the permission required shall be assumed to have been given if a man applies by a registered letter (Acknowledgement due) addressed to the Divisional Forest Officer concerned and receives no orders within one calendar month from the date of the receipt of the acknowledgement certificate of the registered letter. This Rule 6(1)(b) shall not apply to any areas which are within the limits of any Municipality or Cantonment, nor to any pieces of unmarked, unsawn timber which are less than two feet in girth and four feet in length, provided that no person shall cut up timber in order to reduce

it below this size. And it shall not apply to any areas on the downstream side of the following places :-Jagadhri on the Jumna River.Harike at the Junction of the Sutlej and Beas Rivers.[-] [Places now in Pakistan - omitted.](2)Every written permission granted under clause (1) shall specify the place at which alone it may be acted upon, and may contain such conditions as to the previous inspections of the timber and as to other matters as the Forest Officer may consider necessary.(3)Once a building has been constructed, or is so far constructed that the wood cannot be examined without dismantling, then no inspection of the wood shall be made except by order of a Magistrate duly empowered, nor shall any house be searched except on the authority of search warrant duly signed by a Magistrate.

**7. All persons wishing to float or otherwise convey timber by any river shall register, at the Forest Office of the Division to which the control of the river pertains, the mark or marks which indicate their proprietary right in such timber. A registration fee of five rupees shall be payable for every separate mark so referred; and if the number of marks exceed three, the said fee shall be ten rupees for each mark.**

**8. In the case of persons having at the date of the publication of these Rules timber in transit on any river, a period of six months from such date shall be allowed within which the timber marks existing at such date on such timber in transit may be registered.**

Subject only to the provisions of Rule 10, the Forest Officer shall, during such period, be bound to register all such marks as owners of timber can show to his satisfaction to have been already made use of and put on their timber previously to the publication of these Rules; but no such owner shall be entitled to register any new or additional marks without the special permission of the Forest Officer.

**9. In the case of persons not having, at the date of the publication of these Rules, timber or other forest produce in transit on any river marked with several different marks the registration of one mark only shall be permitted, unless permission be given for any special reason to register more than one.**

**10. No person shall be allowed to register a mark already registered in favour of another person nor any mark used by Government; and the Forest Officer may refuse registration of any mark which in his judgment so closely resembles a mark used by Government or registered in favour of any person, as to be easily producible by altering such marks.**

**11. Every registration under these Rules shall hold good for three years following the 1st of January next after the date of registration.**

A certificate, showing the marks registered, the date of registration, the period for which it holds good, and acknowledging the payment of the fees, shall be given to every person registering his mark or marks.

**11.**

-A. (1) Notwithstanding anything contained in the foregoing rules -(a)temporary property marks, for special consignments of timber to be transported by water, may be registered by the Forest Officer-in-charge of the Division to which the control of the river pertains, or, with the written permission of such Forest Officer, by the River Range Officer;(b)such registration shall be made under such conditions as the Conservator of Forests may from time to time direct;(c)a fee of eight annas shall be payable for every separate mark so registered;(d)every such registration shall hold good for three months only from the date of the registration; and(e)no temporary property mark is required for any timber of a right-holder in the Kangra District which is used in such circumstances or conveyed in such a manner as shall exempt such right-holder from the necessity of obtaining a pass under rule 3.(2)Rule 10, and the second paragraph of Rule 11, of the foregoing rules shall have effect in the case of every registration made under this rule.

**12. Any person infringing any provision of these Rules shall be punished with imprisonment of either description, which may extend to six months, or with fine which may extend to five hundred rupees, or with both.**

Rules under section 41(f) and (g) of Act VII of 1878 for the prevention and removal of any obstruction in the rivers.Published vide Punjab Government Notification No. 14548, dated 9th May 1921

**1. Prohibition of obstructions in rivers and licences for booms or weirs. - No person other than an authorised officer of Government, shall close or obstruct the channel of any river used for the transit of timber, except under and in accordance with the conditions of a special licence permitting the erection of a boom, weir or irrigation band. Such licence may be issued by the Deputy Commissioner or the Divisional Forest Officer permitting the erecting of a boom, weir or irrigation band.**

**2. Prevention and removal of obstructions on banks and in the channel of a river and recovery of cost thereof. - (1) Any Forest Officer may prevent any acts likely to cause obstruction on the banks or in the channel of any river used for the transit of timber or other forest produce and the Divisional**

**Forest Officer may cause to be removed any obstruction which has not been erected or caused by or with the permission of an authorised officer of Government under the authority of a special licence.**

(2)The cost of such prevention or removal may be recovered by the Divisional Forest Officer from the person causing the obstruction by proceedings under section 81 of the Act as if the amount were an arrear of land revenue.

**3. Regulations regarding interference with irrigation bands - Where the whole or partial removal of any irrigation or water mill band has been ordered by the Divisional Forest Officer under the provisions of these rules, that officer shall safeguard the interests of the right-holders as far as possible. No irrigation or water mill band may be opened for a period exceeding twelve hours during any one day.**

**4. The owner or the contractor in charge of the timber in transit shall before the expiry of the period of twelve hours mentioned in the next preceding rule,**

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(i)ensure a flow of water into any irrigation or water mill channel breached under these rules by closing the breach in a manner sufficient for this purpose.(ii)at his own expense make all necessary repairs to irrigation or water mill channels to which damage due to his timber operation has been caused.

**5. Compensation to be paid to right holders for damage done to bands or for loss due to shortage of water. - The amount of compensation due on account of any loss incurred by the interference with the customary rights or irrigation or of water mills shall be assessed by the Deputy Commissioner and shall be paid by the owner of the timber or the floating contractor to the person concerned.**

FOREST DEPARTMENT PUNJAB\_\_\_\_\_ FOREST DIVISION NO.\_\_\_\_\_RAFTING  
FEES\_\_\_\_\_Depot Date of  
issue\_\_\_\_\_19\_\_\_\_\_. Date of  
expiry\_\_\_\_\_19\_\_\_\_\_.Property Mark :- Fees payable  
Rs\_\_\_\_\_as\_\_\_\_\_pies\_\_\_\_\_Date of  
payment\_\_\_\_\_19\_\_\_\_\_.(Rupees\_\_\_\_\_)

Signature of Officer receiving Officer (Name)\_\_\_\_\_  
(Rank)\_\_\_\_\_

1	2	3	4	5
Name and description of timber	Estimated value	Rafting fees payable	Depots at which fees payable and timber to be examined	Remarks
Name of owner		Cub. contents Rs.nts	Amount	Name of Depositer
. Kind	No.	Dimensions	A.P. Rate Unit Rs. A.P.	Signature of Examining Officer
				Depots where pass will be given up and timber passed out

Signature of Issuing Officer (Name) \_\_\_\_\_  
(Rank) \_\_\_\_\_ Depot \_\_\_\_\_

Period of Renewal Renewing Officer

From To Name Rank Charge Remarks

Rules regulating the collection of drift timber and payment of salvage fees under section 51 of the Act VII of 1878 Published vide Punjab Government Notification No. 411 dated 19.8.1879, No. 84 dated 26.1.1912, 372 dated 7.12.1916 and 19805 dated 3.7.1926.

**1. Whenever on any river, owing to flood or otherwise, timber has passed the place or all the places where it would ordinarily be caught and brought under control, or has after being brought under control, broken loose, and is consequently adrift or stranded below, the Forest Officer in charge of the Forest Division in which such river is situate may, instead of collecting such timber himself, under section 45 of Act VII of 1878, grant permission in writing to the owner or owners to collect such timber.**

**2. The permission shall specify the kind of timber, the marks it should bear, the destination or manner of the disposal when collected and the time for such permission shall hold good.**

**3. No person shall, without such permission, cut up, remove, conceal, burn, mark, or efface or alter any mark of marks on or sell or otherwise dispose of any such timber.**

**4. The Forest Officer in charge of the Division may authorize zaildars, lambardars, or other respectable persons to salve timber which is adrift at any point on the river below the last catching place, and may cancel such authority.**

For every log salvaged and taken to any drift timber depot notified by the Forest Officer under section 45 of the Act, the following salvage rates shall be payable, either to the authorized salver or to the Forest Officer, as the case may be :-

	Rs.	A. P.
[For every log of deodar of 8 feet in girth and over [Substituted by Punjab Government Notification No. 1799, dated 7.11.1944.]	1	8 0
For every log of deodar of 5 feet in girth and over	0	12 0
For every log of deodar under 5 feet in girth	0	6 0
Sleepers and scantlings	0	6 0
		each]

Salvage rates authorized for deodar shall be the authorized rates for all species of timber. For salvage of scraps or firewood, one-fourth of the pieces collected in kind. The Forest Officer in charge may fix any higher rate, not exceeding [three times] [Substituted by ibid for 'twice'.] above the rates, for salving on any portion of the river where such salving is unusually difficult or dangerous. Nothing in this rule shall be held to prevent the Forest Officer contracting with such salvers to raft the timber at certain places at rates agreed on by the parties, and no salvage rate shall be claimable in addition to any rate paid under such contract. F. - Forest Rules of General Application Rules for the unclassified forest or waste lands belonging to Government, under sections 52 and 50-B of the Punjab Lands Act, IV of 1872.

## 1.

(1) This Rule, Rules 2 to 9 (both inclusive) and Rule 17 apply in the first instance to all waste lands which are of the Government in the local areas mentioned in the Schedule, except -(a) protected and reserved forest; (b) lands under the control of the Military, Canal or Railway authorities; (c) lands under the control of District Boards and Municipal Committees; (d) encamping-grounds; (e) Government lands to which any special rules having the force of law under any Act for the time being in force in the Punjab, apply; (f) lands included within the area of any cultivating lease, or which have been allotted under the Government Tenants (Punjab) Act, 1893. But the said rules may be extended to lands of classes (c) and (d) by special order of the Punjab Government published in the official Gazette. (2) Rules 10 to 26 may be extended to



any other local area by special order of the Punjab Government in the official Gazette.

## **2. In these rules -**

(a)"Cattle" includes, besides horned cattle, camels, horses, asses, mules, sheep, goats, and the young of such animals.(b)"Collector" means the Collector of the district, and any person on whom the powers of a Collector have been conferred under section 27 of the Punjab Land Revenue Act, XVII of 1887.(c)"Forest Officer" means any officer of the Forest Department in charge of a Forest Range, and includes any person appointed by the Collector or by the Conservator of Forests, Punjab, to discharge all or any of the functions given by these rules to the Forest Officer.(d)"Farmer" means a person to whom the right to collect fees for the pasturing of cattle or to cut wood or grass or to remove fuel or any other natural product of any land to which these rules apply, has been issued by the Collector.(e)"Graze" includes "browse".

## **3. Save as hereinafter provided in Rule 10, no person shall pasture cattle, cut wood or sajji plants or grass, or gather fuel or any other natural product in the abovementioned lands, except -**

(i)under the authority of law in accordance with the conditions of a licence granted by the Collector or Forest Officer; or(ii)with the permission of a farmer and in accordance with the conditions of such farmer's lease.

## **4. Every licence granted under rule 3, clause (i), shall be in writing and signed by the Collector or Forest Officer, and shall state -**

(a)the nature, extent and duration of the rights thereby conferred;(b)the consideration paid or to be paid by the licence holder;(c)the special conditions, if any, on which the licence is granted.

## **5.**

(1)Every lease granted to a farmer shall be in writing signed by the Collector and the farmer, and shall state -(a)the nature, extent and duration, which shall in no case exceed five years, of the rights thereby conferred;(b)the consideration paid or to be paid by the farmer; and(c)the special conditions, if any, on which the lease is granted.(2)Every such lease shall include -(a)in case where the consideration-money is payable by instalments, a statement as to the amount of the said instalments and the dates on which they will fall due;(b)in cases where the lease relates to the right of grazing -(1)a specification of the maximum grazing dues which the farmer may lease; and(2)a clause providing that the farmer shall not, without the written permission of the Collector, transfer the lease or close any portion of the leased area to grazing by any cattle in respect of which grazing dues are tendered under Rule 6; and(c)in all cases a clause providing that, if the leased area or any part thereof is at any time required by the Government for public purposes, the lease shall be terminable on payment to the farmer of reasonable compensation to be assessed by the Collector.

**6.**

(1)The owners of cattle grazing on any lands to which these rules apply shall pay to the Collector or Forest Officer, or to the farmer as the case may be, fees according to a scale fixed from time to time by the Financial Commissioner for each district. Provided that no fee shall be charged for any sheep or goat less than six months old, or for any other animal less than one year old.(2)The fees to be charged for licences to cut wood, sajji plants or to gather fuel or any other natural product in any lands to which these rules apply shall be fixed from time to time by Commissioner of the Division and shall be paid by the licence-holder to the Collector or Forest Officer or such other person as may be authorised by the Collector in this behalf or to the farmer, as the case may be.

**7. The Punjab Government may in respect of any local area exempt from all or any of the provisions of these rules any person or class of persons and any cattle or description of cattle.**

**8. Every licence-holder and every farmer shall be bound by the conditions stated in the licence or lease, as the case may be, granted to him, and every person acting under Rule 3, clause (ii), shall be bound by the conditions of the lease granted to the farmer.**

**9.**

(1)In case of any breach of the provisions of Rule 8, the Collector may, at his discretion cancel the licence or lease, and thereupon the licence-holder or farmer and every person acting under the Rule 3, clause (ii), shall forfeit all claims to any produce or wood which at the time of the cancellation of the licence or lease has not been removed from the land to which the licence or lease applies.(2)On the cancellation of a licence or lease under sub-section (1) the licence-holder or farmer shall not be liable for any fees outstanding on the produce or wood so forfeited; but he shall have no claim to refund of dues already paid, he shall not be thereby discharged from his liability for the payment of other dues in arrears or of instalments overdue under the terms of his licence or lease at the date of the forfeiture.

**10.**

(1)The Collector may with the previous sanction of the Financial Commissioner, make an agreement on behalf of Government with the whole community of cattle-owners residing in any estate to pay such an annual assessment, by way of commutation for grazing dues, as may be agreed upon between the Collector and such community.(2)Such assessment shall not, without the sanction of the Punjab Government, be made for a period exceeding five years and when such an assessment has been concluded and recorded in such manner as the Financial Commissioner shall direct, no person comprised in such community of cattle- owners shall be liable to separate assessment in respect of any cattle belonging to him and grazing during the period mentioned in such agreement

on lands to which these rules apply within the limits of the tract regarding which the agreement is made.(3)Similar agreements may, under the orders of the Financial Commissioner, be entered into between the Collector on behalf of the Government and associations of cattle owners, in respect of the cattle owned jointly or severally by the members of such associations.(4)For the purposes of this rule, the consent of persons owning two-thirds of the cattle belonging to a community or association as aforesaid shall be deemed to be the consent of all the cattle-owners of such community or association.

**11. If the cattle-owners of any community or association, which has accepted an assessment made under rule 10, prove to the satisfaction of the Collector that the owner of any cattle, in respect of which the assessment was made, has with his cattle left that community or with another association in the same district which has accepted a similar assessment, payable by the former community or association and enhance the assessment payable by the latter community or association proportionately to the number and description of cattle removed from the one and added to the other.**

**12. The Collector may require the headman of any community association of cattle-owners with which an agreement is in force under Rule 10 to furnish him with a nominal roll of the cattle-owners belonging to such community or association showing the number and description of the cattle owned by each.**

**13. Disputes arising among the cattle-owners of any community or association which has accepted an assessment made under Rule 10, regarding the incidence as among themselves of the assessment, shall be decided by the Collector, whose order shall be final.**

**14.**

(1)All sums due under an assessment made under rule 10 shall be payable at such times and places and to such persons as the Financial Commissioner shall direct.(2)The amount assessed under Rule 10 shall be collected by lambardars of estates headmen associations of cattle-owners, or by such other persons as the Collector may appoint, and such lambardars headmen, or other persons shall levy grazing dues from the cattle-owners in accordance with rates which shall be fixed by the Collector so as not to exceed in the aggregate the total assessment and to apportion the incidence thereof among the cattle- owners as nearly as may be in proportion to the number and kind of cattle owned by each.(3)If the amount of the grazing dues leviable under this rule from a cattle-owner belonging to any community or association which has accepted an assessment under Rule 10 is not paid by such cattle-owner or by some other person on his account when duly demanded, the Collector may entirely rescind the agreement made under Rule 10, in respect of such community or

association.

**15. The persons authorised under Rule 14 to collect the assessment shall be entitled to a drawback not exceeding 5 per cent on all sums paid by them into the Government Treasury on account of such assessment.**

**16. Three per cent of the net collections, after deducting sums payable under Rule 15, shall be credited to the District Patwari Fund and shall be expended, under the orders of the Financial Commissioner, in remunerating the establishment maintained, and in paying the contingent charges incurred, in connection with the assessment and collection of grazing duties.**

**17. Any person acting in contravention of any of these rules shall be liable, on a first conviction, to simple imprisonment for a term which may extend to one month, or to fine not exceeding Rs. 100, or to both; and on a subsequent conviction under this rule within three years of the first to imprisonment for a term which may extend to six months, or to fine not exceeding Rs. 300, or to both.**

## **Schedule 2**

Local areas to which rules 1 to 9 Rule 17 apply.

Hissar District

Rohtak "

Karnal "

Rules regulating the firing of land near Reserved Forests under section 25(b) of Act VII of 1878Published vide Punjab Government Notification No. 437, dated 3.10.1904.

**1. No person shall set fire to any forest grass land within one mile of a Reserved Forest without giving notice to the Divisional Forest Officer or such other official of the Forest Department as may be authorised by the Divisional Forest Officer to permit such firing and obtaining the permission, in writing, of such officer and then only subject to such conditions, restrictions and precautions as that officer may impose.**

**2. Any person desirous of burning on land within 100 yards of a Reserved Forest, cut wood, grass, weeds or other cut materials, shall collect such cut material into heaps and fire them in such a way as not to endanger the Reserved Forest.**

The Nautor (Lahaul) Rules, 1956 Published vide Punjab Government Notification No. 4134-Ft., 56/3683, dated 17.8.1956 and No. 416, dated 14.8.1897.

**1. (i) These rules may be called the Nautor (Lahaul) Rules.**

(ii) They shall apply to the undemarcated Government waste land in Lahaul in the Kulu Sub-Division.

**2. In these rules, unless there is anything repugnant in the subject or context,**

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(a) "Kothi" means a sub-division of Wazari of Lahaul as recognised in records. (b) "Kothi rightholder" means a lambardar recorded as the owner of a holding of agricultural land assessed to land revenue recorded in the Revenue Settlement of 1911-12 in the kothi in which it is proposed to tance nautor, or persons who have acquired such a holding by inherigrant from a person so recorded. (c) "Kothi artisan" means a member of a family of artisans which has been settled since 1968 in the kothi, in which it is proposed to grant nautor. (d) "Lahaul rightholder" means a rightholder who is recorded as owner of agricultural land assessed to land revenue in the Revenue Settlement of 1911-12 in any kothi of Lahaul other than that in which it is proposed to tance nautor or persons who have acquired such a holding by inherigrant from a person so recorded. (e) "Lahaul artisan" means member of a family of artisans which has been settled since 1868 in any kothi in Lahaul other than that in which it is proposed to grant nautor. (f) "Nautor" means the grant on payment of nazrana of an interest in undemarcated waste land owned by Government in the patta in the Form hereto annexed.

**3.**

(1) Nautor will be granted to kothi rightholders or kothi artisans or to Lahaul rightholders or Lahaul artisans who do not pay land revenue exceeding Rs. 20 per annum or income tax. (2) Where panchayats exist, small plots of nautor up to half an acre may be granted to such Panchayats by the Assistant Commissioner, Kulu, for the construction of Panchayat Ghars, for play-grounds, parks, demonstration plots and schools, subject to the condition that only so much land as is actually required for the purpose is granted.

**4. Nautor under sub-rule (1) of rule 3 preceding will only be granted for subsistence or for the construction of a house provided it is proved to the satisfaction of the authority sanctioning the grant of nautor that such construction is necessary.**

Explanation. - The grant will not be deemed to be necessary if the applicant for the grant has arable land in his possession lying uncultivated or if in the opinion of the Assistant Commissioner, Kulu, he has not adequately safeguarded such land against erosion.

**5. Notwithstanding anything in the preceding rules, grant of nautor may be made in exchange for applicant's land which may either -**

(i) be surrounded by demarcated Government forests; or (ii) be surrounded by afforested area in undemarcated waste lands; or (iii) be surrounded to effect the consolidation of holdings.

**6. No nautor will be granted in respect of lands which have a slope steeper than one vertical in two horizontal (26 degree ). The grant of nautor in land which has a slope steeper than one vertical in four horizontal (140) but less than (260) will be subject to an additional condition that the grant must be safeguarded against erosion to the full satisfaction of the Assistant Commissioner, Kulu.**

**7. Grants of nautor to kothi rightholders or kothi artisans of an area of ten biswas or less for house sites and water mills may be made by the Assistant Commissioner, Kulu.**

**8. Grant of nautor to kothi rightholders or kothi artisans of half an acre or less for purposes not covered by rule 8 may be made by the Assistant Commissioner, Kulu. Nautor, however, shall not be granted for channels for irrigation, supply of drinking water and any other industrial purposes.**

**9.**

(1)(a) Grant of nautor to kothi rightholders or kothi artisans for purposes covered by rule 7 for an area exceeding 10 biswas upto half an acre and grant of nautor to kothi rightholders or kothi artisans for purpose covered by rule 8 for the areas exceeding half an acre up to one acre may be made by the Deputy Commissioner, Kangra. (b) Nautor to Lahaul rightholders or Lahaul artisans up to half an acre for purposes covered by rule 7 and one acre for the purposes covered by rule 1, may be made by the Deputy Commissioner, Kangra. (2) Grant of nautor over one acre to kothi rightholders or kothi artisans, Lahaul rightholders or Lahaul artisans for purposes other than house sites and water mills will require the previous sanction of the Commissioner and will be given for exceptional reasons to be recorded in writing.

**10. Grant of nautor to kothi rightholders or kothi artisans shall not be made until nazrana at the rate of Rs. 5 per bigha has been paid when the land is to be granted for agricultural purposes, and at the rate of Re. 1 per biswa when the land is granted for other purposes, except that where such land granted for purposes other than agricultural is within 100 feet of a road in the charge of the Punjab Public Works Department, Buildings and Roads Branch, nazrana at the rate of Rs. 2 per biswa shall be paid.**

**11. Grants of nautor to Lahaul rightholders or Lahaul artisans shall not be made until nazrana at the full market value of the land to be granted has been paid.**

**12. Grants of nautor shall not be made of land on which there are reserved trees.**

**13. Nautor shall not ordinarily be granted of land which has been encroached upon but if the authority competent to make a grant of such nautor is satisfied that the grant of nautor of such land encroached upon should be made to the encroacher, then such grants shall not be made until and unless a sum which in the opinion of the Assistant Commissioner, Kulu, is equivalent to full market value of the land has been paid by the encroacher by way of nazrana plus such penalty in addition not exceeding the market value of the land encroached as may be imposed by the sanctioning authority.**

**14.**

(1) Application for the grant of nautor will in the first instance be presented to the Naib-Tehsildar in duplicate. One copy will be forwarded by the Naib-Tehsildar to the Divisional Forest Officer concerned. (2) On receipt of the application a notice to the kothi rightholders showing the area applied for and its situation will be published by putting up in a conspicuous place in the villages of rightholders concerned and on the land applied for. One month from such publication will be allowed for objections from rightholders. The Naib-Tehsildar, Lahaul, will inspect the site, record rightholders' statements on all existing rights in the land, any objections to its being broken up for cultivation, and check the tatimma shajra. He will also note whether there are any reserved trees on the land, the proximity of roads, paths or water channel and the slope of the land. Except when no objections are raised, the spot must be visited by the Naib-Tehsildar. (3) (a) When the above details have been gone through, reference will be made to the Divisional Forest Officer, Kulu, who will direct the Range Officer to visit the spot and report on the following points : (i) sufficiency or insufficiency of grazing (mention here will be made if any interference is likely to be caused to

rightholders by grant of nautor to the grantee).(ii)Slope of land - No nautor being admissible on slops of 26 degree (1 in two horizontal) or more.(iii)whether terracing or other constructions will be necessary or not.(iv)danger of erosion and nature of applicant's safeguards to check the same.(b)After consideration of the Range Officer's report the Divisional Forest Officer will convey his objections or recommendations to the Assistant Commissioner in respect of nautor applied for.(c)If the site adjoins a Public Works Department Road, the Sub-Divisional Officer, Punjab Public Works Department, Buildings and Roads Branch, will be consulted.(d)Such objections as are raised by the Forest Department or the Public Works Department or by the people who have been accustomed to exercise rights in the waste land, shall be disposed of by the authority competent to make a grant of nautor, who may grant nautor or disallow it.

**15. After the nautor has been sanctioned by the appropriate authority, the Assistant Commissioner, Kulu, will issue a patta in the form hereto annexed and the file will be sent through the tehsil to the Patwari for entry or the mutation.**

**16. Grantees on being given possession must at once mark out the land accurately by burjis of low walls according to the demarcation of the Patwari.**

**17. If a kothi rightholder lodges an objection within one month of the date from which possession is taken and the objection is upheld, the lease may be cancelled without the grantee being entitled to any compensation other than the refund of nazrana paid.**

**18. At the end each quarter a statement showing the particulars of the grants of nautor sanctioned in the preceding three months will be forwarded by the Assistant Commissioner, Kulu, to the Divisional Forest Officer concerned, for the information of the Forest Staff.**

**19. A grantee of nautor shall not alienate the land of his grant or any building thereon without the previous sanction of the Collector of Kangra District and any alienation made without such consent shall be voidable at the instance of the Collector. If the sanction is refused and the alienation has otherwise been completed, the land shall revert to Government and it shall be considered that there has been a breach of the conditions of the grant. The Deputy Commissioner should not grant permission for any such alienation unless the alienee would also be entitled to receive a grant of nautor in the first instance. In any other case before such alienation is sanctioned the Deputy Commissioner should refer the matter through the Commissioner to**



**Government for order.**

Form for the grant of nautor in the Lahaul area of the Kulu Sub-Division A Grant made by the Governor of Punjab (India) (hereinafter called Government) of the one part to \_\_\_\_\_ son of \_\_\_\_\_ resident of \_\_\_\_\_ tehsil \_\_\_\_\_ in Lahaul area of the Kulu Sub-Division in Punjab (hereinafter called the grantee) of the other \_\_\_\_\_ the conditions contained in Punjab Government notification No part in pursuant of \_\_\_\_\_ order, dated the \_\_\_\_\_ of the \_\_\_\_\_ From \_\_\_\_\_ to \_\_\_\_\_ Whereas the land hereinafter mentioned is held by the Government of Punjab (I) And whereas Government is authorised to grant interest in or to dispose of the said land by virtue of the provisions of Article 298 of the Constitution of India. And whereas the grantee has paid the sum of \_\_\_\_\_ rupees to Government as nazrana and \_\_\_\_\_ rupees on account of the price of the trees. Now this Grant witnesseth as follows :-

**1. Government of Punjab (I) as beneficial owner grants unto the grantee, all that plot of land containing \_\_\_\_\_ acres more or less hereinafter described as nautor and more particularly described in the schedule hereto, to have an interest in and to hold the same to the Grantee subject to the exceptions and reservations and on the terms and conditions hereinafter appearing.**

**2. The grant of nautor is made for ..... purposes only. The Grantee shall not use the land for any other purpose.**

## EXCEPTIONS AND RESERVATIONS ON BEHALF OF GOVERNMENT

**3. Government does not grant but excepts and reserves to itself all mines, minerals and quarries of whatever nature existing on, over or below the surface of the land with liberty to search for, work and remove the same in as full and ample manner as if this grant had not been made.**

**4. Government does not grant but excepts and reserves to itself all rivers and streams, with their beds and banks, all water-courses and drainage channels and all public thoroughfares now existing on the land or shown as proposed for construction in the plan annexed.**

**5. For the full discovery, enjoyment and of use of rights hereby reserved, or for the protection and maintenance of any property hereby excluded, it shall be lawful for Government through its authorised agents or for any officer of**

**Government to enter upon the land and make use thereof, as may be necessary for these purposes, without making any compensation to the grantee for such use and occupation except as may be provided hereunder.**

#### OBLIGATIONS OF THE GRANTEE

### **6. Grantee hereby covenants with Government as follows :-**

(a) Not to do, so suffer to be done any act inconsistent with or injurious to any of the rights excepted and reserved to Government. (b) To permit without let or hindrance all officers or servants of Government and all other persons duly authorised by Government in that behalf to enter the land at all reasonable times and to do all acts and things necessary for or incidental to :-(i) the purpose of enforcing compliance with any of the terms and conditions of this grant, or of ascertaining whether they have been duly performed or reserved, or (ii) any purpose connected with the full enjoyment, discovery and use of the rights hereby reserved to Government. (c) Applicable to grants for cultivation only. - Within one year of the date of this grant to cause it to be fit for cultivation and protect the land against erosion in such manner as may be considered adequate by the Assistant Commissioner Kulu. (d) If the land or any portion thereof is required for any public purpose, to surrender, the whole or so much of the land as may be required on demand by the Collector, without claiming compensation except as provided hereunder. (e) If any rightholder of the kothi in which the nautor is situated, within one month of the date on which the grantee is let into possession of the nautor shall object to the grant and his objection is upheld by the Collector, to the surrender the land without claiming compensation thereof except the refund of nazrana paid without any interest thereon. (f) To remain at all times of loyal behaviour and at any time of trouble to render active support to the Government and its officers. (g) To pay such amount towards the cost of the following works as the Collector, acting under the general or special orders of Government, may determine, without the cost that has already been incurred at the time of the grant or may be incurred thereafter :-(i) the survey and demarcation of the land, (i) To demarcate the land by erecting burjis or a small wall around the land according to the demarcation of the Patwari. (ii) the construction of any roads, paths, culverts or bridges necessary for the general convenience of the estate in which the lands is situated, and (iii) the maintenance and repair of any such roads, paths, culverts or bridges. (iv) To pay promptly the land revenue and all rates, cesses, charges and outgoings to which the land may from time to time be assessed, provided that land revenue will not be charged for the first two years and will be charged at half the rate for the third year from the date on which the grant has been made. (j) If the land is granted for the purpose other than cultivation to use the land for that purpose only and for no other purpose and to complete the adaptation of land for this purpose within one year of the date of this grant. (k) If the land is resumed under the terms of this grant to leave the land as soon as the grant is terminated and surrender it peaceably to the Collector and, if so required by the Collector, to pull down and remove any structures existing thereon. (l) Not to alienate the land of his grant or any building thereon without the previous sanction of the Collector of Kangra District. PROVISOS

**7. If the grantee fails to perform or commits a breach of any of the terms or conditions of this grant or suffers such a breach for non-performance, the Collector may at any time thereafter determine the grant and resume possession of the land, and may pull down any structure existing thereon and may sell the materials thereof and retain the proceeds of the sale :**

Provided that if the conditions contained in sub-clauses (c) and (j) of clause 6 have not been fulfilled to the satisfaction of the Assistant Commissioner, Kulu, the grant may be terminated and the land resumed without payment of any compensation therefore, except for the refund of half the amount of nazrana already paid.

**8. No compensation shall be payable by Government in respect of the exercise of any rights reserved or conferred by the terms of this grant, except as provided hereunder :-**

(a)for actual damage or occupation arising out of the exercise of rights, such compensation as may be determined by the Collector.(b)On resumption of the whole or any portion of the land otherwise than for breach of or non-fulfilment of the terms or conditions of the grant or for the creation of a public right of way, a proportionate refund of nazrana paid and such additional sum, if any, as may be determined by the Collector in accordance with the general principles applicable to the acquisition of land for public purposes.

**9. (i) If any question of difference whatsoever shall at any time hereinafter arise between Government and the grantee in any way touching or concerning this grant, or the construction, meaning, operations or effect thereof or of any clause herein contained or as to the rights, duties or liabilities of either party under or by virtue of this grant, or touching the subject matter of this grant of arising out of or in relation thereto, then, save in so far as the decision of any such matter has been hereinbefore provided for and has been so decided, the matter in difference shall be referred to the arbitration of the Commissioner, acting as such at the time of difference who shall have power to decide any matter so referred, including the following questions :-**

(a)whether any other provision has been made in these presents for the decision of any matter and if such provision has been made, whether it has been finally decided accordingly, and(b)whether grant should be terminated or has been rightly terminated, and what are or will be the rights and obligations of the parties as the result of such termination.(ii)The decision of the arbitrator shall be final and binding, and when any matter so referred to arbitration involves a claim for the award, increase or reduction of a sum of money by way of compensation or any other payment or recovery

of money, only the amount decided by the arbitrator shall be recoverable in respect of the dispute so referred.

**10. The cost of stamp duty on this Instrument shall be borne by Government and the same shall be registered by the grantee at the expense of Government.**

INTERPRETATION

**11. In these conditions, unless there is anything repugnant in the context :-**

(a)"the Collector" and "the Commissioner" mean the Collector and the Commissioner, respectively, for the time being of the district or division in which the land is situated and include any other persons duly authorised by general or special order to exercise the powers of a Collector or Commissioner in respect of conditions governing this grant;(b)"the Government" and "the grantee" include their successors in-title, respectively, all rights hereby conferred and obligations hereby imposed shall be available for and bind their successors - in-title as the case may require, and when the term "the grantee" includes co-sharer, any liability or obligation imposed by this grant shall be the joint and several liability of each co-sharer;(c)"the land" means the land which is the subject of this grant, and includes all rights, easements and appurtenances thereto belonging or pertaining; and(d)"minerals" include all substances of a nature which can be won from the earth, such as coal, earth-oil, gold-washings, stones and forms of soil which can be used for a profitable purpose on removal. In witness whereof the parties have hereto set their hands on the dates hereinafter in each case specified. The Schedule Above Mentioned Description and Boundaries of the land An area of \_\_\_\_\_ Ghumaons \_\_\_\_\_

Kanals \_\_\_\_\_ Marlas \_\_\_\_\_ Situated in  
mauza \_\_\_\_\_ tehsil \_\_\_\_\_  
District \_\_\_\_\_ Shown in the revenue records as No. \_\_\_\_\_ and  
bounded as follows :-

On the north by .....  
On the east by .....  
On the south by .....  
On the west by .....

Signed for and on behalf of the Governor of  
Punjab by \_\_\_\_\_

(Sd) Officer

Signature of executants and  
witnesses

Officer of \_\_\_\_\_ acting under the orders of the Governor of Punjab in the presence  
of \_\_\_\_\_ (Sd) Witness. (address) \_\_\_\_\_, \_\_\_\_\_ (description)  
on the \_\_\_\_\_ day of \_\_\_\_\_, in the year one thousand, nine  
hundred and \_\_\_\_\_ Signed by the

said \_\_\_\_\_ (Sd) Granted in the presence of \_\_\_\_\_  
\_\_\_\_\_(Sd). Witness (address) \_\_\_\_\_ (description) on  
the \_\_\_\_\_ day of \_\_\_\_\_ in the year one thousand, nine-hundred and  
\_\_\_\_\_