

Rules to Regulate the Management of the Forest and Waste Lands in the Kadavur Estate In Tiruchirappalli District

TAMILNADU

India

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Rule

RULES-TO-REGULATE-THE-MANAGEMENT-OF-THE-FOREST-AND-W **of 1982**

- Published on 24 September 1982
- Commenced on 24 September 1982
- [This is the version of this document from 24 September 1982.]
- [Note: The original publication document is not available and this content could not be verified.]

Rules to Regulate the Management of the Forest and Waste Lands in the Kadavur Estate In Tiruchirappalli District Published vide Notification No. G. O. Ms. No. 1308, Forests and Fisheries, dated 24th September 1982 (R. Dis. No. 85131/82)(G. O. Ms. No. 1523, Development, dated 19th July 1943 and Notifications Nos. 397, 398 and 399 at pages 693-694 of Part-I of the Fort St. George Gazette, dated 13th July 1943 and C.C. P. Ms. No. 248/43, dated 11th August 1943.)Whereas the Manager of Kadavur Estate in the Tiruchirappalli district and the guardian to the Minor Zamindar of Kadavur has under clause (c) of section 32 of the Tamil Nadu Forest Act, 1882 (Tamil Nadu Act V of 1882) represented in writing to the Collector of the Tiruchirappalli his desire that the provisions of sections 2, 26, 35, 55 and 59(d) of the said Act be applied to the forest and waste lands in the said estate. His Excellency the Governor of Tamil Nadu is hereby pleased, in exercise of the powers conferred by the said section 32, to apply to the said lands the provisions of the said sections 2,26,53,55 and 59(d).IIIn exercise of the powers conferred by section 26 of the Tamil Nadu Forest Act, 1882 (Tamil Nadu Act V of 1882), His Excellency the Governor of Tamil Nadu is hereby pleased to make the following rules to regulate the management of the forest and waste lands in the Kadavur Estate in the Tinichirappalli district.

1.

(1)In these rules,-(a)"Collector" means the Collector of the Tiruchirappalli district;(b)"Estate" means the Kadavur Estate in the Tiruchirappalli district;(c)"Forest Officer" means the Manager of Kadavur Estate, and including an Estate Revenue Inspector and Head-forester;(d)"Landholder" means the

owner for the time being, of the Kadavur Estate.(2)These rules shall be subject to all rights legally vested in any individual or community on the date of their publication.

2.

Forest waste lands in the estate and at the disposal of the land holder shall, for the purpose of these rules, be classified as follows, namely:-(a)Cultivable lands, (b) reserved lands, and (c) unreserved lands. "Cultivable lands" include all lands fit for cultivation and durably demarcated by the landholder. "Reserved lands" include all lands notified under rule 3. "Unreserved land" means all lands which are not demarcated as cultivable lands or notified as reserved land under rule 3.Explanation. - Lands in the lawful occupation of a tenant or ryot shall not be deemed to be land at the disposal of the landholder within the meaning of this rule.

3.

(1)With the previous sanction of the Chief Conservator of Forests, the Collector may, by notification in the District Gazette, constitute any forest and waste lands in the estate and at the disposal of the landholder as "reserved land".(2)Within the boundaries of any notified area under sub-rule (1), no person shall-(a)kindle a fire; or(b)without the previous permission of the Forest Officer or some one duly authorized by him-(i)fell, remove, girdle, mark, laptap, uproot, bum or strip off the bark or leaves from or otherwise damage any tree, or(ii)graze any cattle, or(iii)use, injure or remove any forest produce; or(c)without obtaining a patta or lease from the Forest Officer, clear for cultivation or for any other purpose.

4.

(1)On all unreserved lands in any village in the estate, every ryot who is an inhabitant of such village or of any adjoining village of the estate shall be permitted free of charge -(i)to graze his cattle;(ii)to cut grass;(iii)to collect minor forest-produce, such as dry-wood, as torned leaves of such trees as are not included in the list of reserved trees in sub-rule (1) of rule 5; and(iv)to fell trees not included in such list:Provided that the grass, wood thorns, leaves and trees are required by them for bona fide agricultural or domestic purposes.(2)Heads of villages shall be responsible for seeing that only the inhabitants of the villages referred to in sub-rule (1), enjoy the privileges conferred by that sub-rule and that such enjoyment is restricted to their reasonable requirements.(3)If any dispute arises as to whether any village is or is not an adjoining village for the purpose of this rule, the dispute shall be referred to the Collector, and his decision shall be final.

5.

(1)Trees of the species included in the following list are reserved trees, whether they stand on reserved or unreserved lands:-

SI. No.	Botanical name	English name	Tamil name
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1	2	3	4
1	Tectona grandis	Teak	Teku
2	Pterocarpus marsupium	Kino	Vengai
3	Terminalia chebula	Myrobolam or gallnuts	Kadukkai
4	Tamarindus indica	Tamarind	Puliyani
5	Bassia latifolia		Illuppai
6	Mangifera indica	Mango	Ma
7	Chloroxylon swietenia	Satinwood	Porasu
8	Melia indica	Neem	Veppam
9	Albizia lebbek		Vagai
10	Sapindus emarginatus	Soapnut	Punanga
11	Acacia sundra	Catechu	Karungali
12	Eugenia jambolana		Nagai
13	Pongamia glabra		Pungam
14	Artocarpus integrifolia	Jack	Pala
15	Strychnos potatorum		Thethankottai
16	Strychnos nuxvomica		Yetti
17	Santalum album	Sandal	Santhanam
18	Albizia amara		Usil
19	Wrightia tinctoria		Porasu (leaves)

(2) With the previous sanction of the Chief Conservator of Forests, the Collector may, by notification in the District Gazette, add to, or modify, the list of reserved trees specified in sub-rule

(1). (3) Reserved trees shall not be felled or otherwise interfered with, except on a permit granted by the Forest Officer, or any person appointed by the Collector under clause (a) of sub-rule (1) of rule 8 or otherwise than in accordance with such conditions as may be notified by the Collector in the District Gazette.

6.

(1) The Collector may, by order in writing to be duly notified in the District Gazette, constitute any area situated in a reserved land as a fuel or fodder reserve or as a grazing ground or may direct such area to be placed under special fire protection. (2) Within the area notified under sub-rule (1), no person shall, except at such places and subject to such conditions as may be specified in the notification, wilfully or negligently - (a) set fire to any tree, timber, grass, or other forest-produce; or (b) kindle or keep burning any fire; or (c) graze cattle or permit cattle to trespass.

7.

On reserved lands and, save as provided in sub-rule (1) of rule 4, on unreserved lands also, the felling, conversion and removal of trees and timber, the collection and removal of other

forest-produce, and the use of the pasturage shall be effected in one or other of the following ways and in no other -(a)Departmentally, that is by the officers of the Estate Forest Department;(b)by persons holding permits duly issued by the Forest Officers or any person appointed by the Collector under sub-rule (1) of rule 8 on payment of fees fixed and notified by the Collector, such fees not exceeding the maximum prescribed for Government lands in the district; and(c)by persons holding leases or contracts granted by the Forest Officer.Note. - For the purpose of this rule, the expression "forest-produce" shall not include limestone, laterite or other minerals gravel, stone or earth.

8.

(1)The Collector may, by notification in the District Gazette,-(a)appoint any person or class of persons by name or of his or their offices to issue or recover permits under these rules; and(b)prescribe tanahs or places at which timber or other forest-produce shall be brought for examination and permits shall be checked or recovered.(2)Permit holders shall comply with the conditions entered therein and the regulations of the Estate Forest Department.

9.

The Collector may, by notification in the District Gazette, direct that no person shall boil catechu, distil wood oil or burn lime or charcoal in any reserved or in any reserved land except at such places as may be specifically set apart for the purpose by the Forest Officer.

10.

The Collector shall, by notification in the District Gazette, from time to time, (a) fix the fees on payment of which permits may be issued for the removal of each kind of forest-produce and for the grazing of cattle, and (b) specify the areas within which such fees shall be in force.

11.

Whoever infringes any of these rules shall be punished with imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees or with both.

12.

Any power conferred by these rules to issue any notification or order may be exercised from, time to time, as occasion requires and any notification or order so issued may be cancelled or modified by the authority issuing the same.IIIWhereas by Development Department Notification No. 397, dated the 13th July 1943, the Government of Tamil Nadu have applied the provisions of sections 2,26,35,55 and 59(d) of the Tamil Nadu Forest Act, 1882 (Tamil Nadu Act V of 1882), to the Forest and waste lands in the Kadavur Estate in the Tiruch-irappalli district and whereas by Development Department Notification No. 398, dated the 13th July 1943, the Government of Tamil Nadu have, in exercise of the powers conferred by section 26 of the said Act as so applied made certain rules to

regulate the management of the said lands and whereas under rule 1(1)(c) of the said rules, the Manager of the said estate is a Forest Officer for the purpose of the said rules and whereas the said Manager has applied in writing to be empowered under clause (d) of section 59 of the said Act to accept compensation under section 59. His Excellency the Governor of Tamil Nadu is hereby pleased to empower the said Manager to accept under the said section 55 compensation for offences punishable under the said rules.