

# Indian Forest (Chhattisgarh Amendment) Act, 2014

CHHATTISGARH

India

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### Act 22 of 2015

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Indian Forest (Chhattisgarh Amendment) Act, 2014(Act No. 22 of 2015)Last Updated 19th October, 2019[Dated 28.05.2015]An Act further to amend the Indian Forest Act, 1927 in its application to the State of Chhattisgarh.Be it enacted by the Chhattisgarh Legislature in the Sixty-fifth Year of the Republic of India, as follows :-

#### 1. Short title, extent and commencement.

(1)This Act may be called the Indian Forest (Chhattisgarh Amendment) Act, 2014.(2)It shall extend to the whole State of Chhattisgarh.(3)It shall come into force on such date as the State Government may by notification, in the Official Gazette, appoint.

#### 2. Amendment of Central Act, 1927 (No 16 of 1927) in its application to the State of Chhattisgarh.

- The Indian Forest Act, 1927 (16 of 1927) (hereinafter referred to as the Principal Act), in its application to the State of Chhattisgarh, be amended in the manner hereinafter provided.

#### 3. Amendment of Section 26.

- In sub-section (1) of Section 26 of the Principal Act, for the words "one thousand rupees" the words "ten thousand rupees" shall be substituted.

#### 4. Amendment of Section 33.

- In sub-section (1) of Section 33 of the Principal Act, for the words "one thousand rupees" the words "ten thousand rupees" shall be substituted.

## **5. Amendment of Section 51.**

- In sub-section (2) of Section 51 of the Principal Act, for the words "one thousand rupees" the words "ten thousand rupees" shall be substituted.

## **6. Amendment of Section 52.**

(1) For sub-section (1) of Section 52 of the Principal Act, the following shall be substituted, namely, - "(1) When there is reason to believe that a forest offence has been committed in respect of any reserved forest and protected forest or forest produce, the produce and all tools, boats, vehicles, ropes, chains or any other article used in committing such offence may be seized by any forest officer or police officer." (2) After sub-section (5) of Section 52 of the Principal Act, the following shall be added, namely, - "(6) The seized property shall continue to be under custody until confirmation of the order of the authorized officer by the Appellant Authority or until the expiry of the period for initiating 'suo moto' action by him whichever is earlier, as prescribed under Section 52-A. (7) Where the authorized officer having jurisdiction over the case is himself involved in seizure or investigation, the next higher authority may transfer the case to any other officer of the same rank for conducting proceedings under this Section."

## **7. Amendment of Section 52-A.**

- In sub-section (2) and (6) of Section 52-A of the Principal Act, for the words "order of confiscation" the words "order of the authorized officer" shall be substituted, respectively.

## **8. Amendment Section 53.**

- For Section 53 of the Principal Act, the following shall be substituted, namely, - "53. Power to release property seized under Section 52. - Any Forest officer of a rank not inferior to that of a Ranger, who, or whose sub-ordinate, has seized any tools, boats, vehicles or any other article under Section 52, may release the same, on the execution by the owner thereof, of a security, in a form as may be prescribed, of an amount equal to the value of such property, as estimated by such officer, for the production of the property so released, if and when so required, before the authorized officer under Section 52 or the Magistrate having jurisdiction to try the offence on account of which the seizure has been made."

## **9. Amendment of Section 63.**

- In Section 63 of the Principal Act, for the words "shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both", the words "shall be punishable with imprisonment for a term which may extend to two years, or with fine which shall not be less than twenty five thousand rupees, or with both" shall be substituted.

## 10. Insertion of Section 66-A.

- After Section 66 of the Principal Act, the following shall be inserted.-"66-A. Attempt or abetment of an offence. - Any person who attempts to contravene or abets the contravention of any provision of this Act or the rules made there under shall be deemed to have contravened such provisions or rules."

## 11. Amendment of Section 68.

- For Section 68 of the Principal Act, the following shall be substituted, namely.-"68. Power to compound offences. - (1) The State Government may, by notification in the Official Gazette, empower a Forest-Officer,-(a)to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence, other than an offence specified in Section 62 or Section 63, a sum of money by way of compensation for the offence which such person is suspected to have committed, and(b)when any property has been seized as liable to confiscation, to release the same at any time before an order of confiscation is passed by the authorised officer on payment of the value thereof as estimated by such officer.(2)On the payment of such sum of money, or such value, or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged, the property, if any, seized shall be released, and no further proceeding shall be taken against such person or property.(3)A Forest-officer shall not be empowered under this section unless he is a Forest-officer of a rank not inferior to that of a Ranger, and the sum of money accepted as compensation under clause (a) of sub-section (1) shall in no case be less than two times the value of the forest produce ;Provided that in case the forest produce in respect of which an offence has been committed is not the property of the Government or in case the value of the forest produce is less than one thousand rupees, the suspected person may be discharged and the property (other than the forest produce), if any, seized may be released on payment of the sum of ten thousand rupees or the value of the seized property, whichever is less. The seized forest produce may be released only if it is not the property of the Government or on the payment of the value thereof, as the case may be."

## 12. Amendment of Section 71.

- For Section 71 of the Principal Act, the following shall be substituted, namely :-"71. Power to alter fines fixed under that Act. - The State Government may, by notification in the Official Gazette, direct that, in lieu of the fines fixed under Section 12 of the Cattle-trespass Act, 1871 (1 of 1871), there shall be levied for each head to cattle impounded under Section 70 of this Act, such fines as it thinks fit, but not exceeding the following, that is to say.-

For each elephant	One thousand rupees
For each camel	Two hundred and fifty rupees
For each buffalo	One hundred rupees
For each neat cattle, ass, pig, ram, ewe, sheep,lamb, goat, kid or any other cattle.	Fifty rupees

Provided that the cost of maintenance of such cattle during the period of impoundment shall be recoverable at the prevailing rates as fixed by the Divisional Forest Officer, in addition to the fine."

### **13. Amendment of Section 77.**

- In Section 77 of the Principal Act, for the words "one thousand rupees", the words "ten thousand rupees" shall be substituted.