

General Rules for the Management of Reserved and Unreserved Lands (I.E.) Rules

TAMILNADU

India

General Rules for the Management of Reserved and Unreserved Lands (I.E.) Rules

Rule

GENERAL-RULES-FOR-THE-MANAGEMENT-OF-RESERVED-AND-UNRESERVED LANDS (I.E.) RULES OF 1894

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General Rules for the Management of Reserved and Unreserved Lands (I.E.) Rules Under Section 26 of the Tamil Nadu Forest Act, 1882 [G. O. No. 489, Revenue, dated 9th July 1894; Notification No. 419, dated 9th July 1894, pages 981-983, Part-I of the Fort St. George Gazette, dated 21st August 1894; G. O. No. 339, Revenue, dated 8th June 1895; Notification, dated 8th June 1895, page 711, Part-1 of the Fort St. George Gazette, dated 25th June 1895; G. O. Ms. No. 3573, Revenue, dated 3rd September 1895; Erratum, Notification at page 1032, Part-I of the Fort St. George Gazette, dated 10th September 1895; G. O. No. 623, Revenue, dated 15th September 1899; G. O. Ms. No. 1865, Revenue, dated 13th July 1900; Notification No. 334, page 1085, Part-I of the Fort St. George Gazette, dated 17th July 1900; G. O. Ms. No. 2320, Revenue, dated 24th September 1902, Notification No. 368, page 997, Part-I of the Fort St. George Gazette, dated 30th September 1902; G. O. Ms. No. 908, Revenue, dated May 1904; Notification No. 205, page 509, Part-I of the Fort St. George Gazette, dated 17th May 1904; G. O. No. 2144, Revenue, dated 3rd October 1907; Notification No. 505, page 1104, Part-I of the Fort St. George Gazette, dated 5th November 1907; G. O. No. 3609, Revenue, dated 4th December 1911; Notification No. 6 at page 7 of Part-I of the Fort St. George Gazette, dated 2nd January 1912; G. O. No. 1091, Revenue, dated 10th April 1912; Notification No. 183 at page 473, Part-I of the Fort St. George Gazette, dated 30th April 1912; G. O. Ms. No. 3122, Revenue, dated 15th October 1912; Notification No. 459, pages 1081 and 1082, Part-I of the Fort St. George Gazette, dated 5th November 1912; G. O. No. 1510, Revenue, dated 26th May 1914; Notification No. 312, dated 26th May 1914, page 853, Part-I of the Fort St. George Gazette, dated 16th June 1914; G. O. No. 2261, Revenue (Special), dated 22nd December 1920; Notifications Nos. 44 to 67, dated 22nd December 1920 at pages 275 to 299, Part-I of the Fort St. George Gazette, dated 15th March 1921; G. O. No. 514, Development, dated 4th April 1921; Notifications Nos. 63 and 64, dated 4th April 1921, page 412, Part-I of the Fort St. George Gazette, dated 12th April 1921; G. O.

Press No. 1568, Revenue, dated 3rd November 1925; G. O. Press No. 508, Revenue, dated 7th March 1928; Notification No. 64, dated 7th March 1928 on page of Part-I of the Fort St. George Gazette, dated 13th March 1928; G. O. Ms. No. 569, Revenue, dated 26th March 1928; G.O. Ms. No. 1735, Development, dated 11th October 1928; G. O. Press No. 1461, Revenue, dated 30th July 1930; Notification No. 290, dated 30th July 1930, page 1132 of Part-I of the Fort St. George Gazette, dated 5th August 1930; G. O. Ms. No. 1540, Revenue, dated 29th August 1933; Notification No. 230, dated 29th August 1933, pages 1423 and 1424 of Part-I of the Fort St. George Gazette, dated 5th September 1933; G. O. Ms. No. 1183, Development, dated 21st July 1936; Development Notification No. 707, dated 30th October 1937, page 1881 of Part-I of the Fort St. George Gazette, dated 9th November 1937; G. O. Ms. No. 2717, dated 7th December 1937; Notification No. 770, dated 23rd November 1937, page 1981 of Part-I of the Fort St. George Gazette, dated 30th November 1937; G. O. No. 749, Development, dated 27th March 1939; Notification No. 350, dated 24th April 1939, Government Memorandum No. 108060/CIII/47-11, Development, dated 25th September 1948 and Development Department Notification, dated 25th September 1948, and Development Department Notification, dated 25th September 1948, published on page 236 of the Rules Supplement to Part-I of the Fort St. George Gazette, dated 5th October 1948.]In supersession of the rules published in Notification, dated 21st January 1890, No. 74, published at pages 119 to 122 of Part-I of the Fort St. George Gazette, dated 11th February 1890, the Government of Tamil Nadu are hereby pleased to make the following rules under section 26 of the Tamil Nadu Forest Act, 1882 (Tamil Nadu Act V of 1882), for the regulation of the use of the pasturage and of the natural produce of lands at the disposal of the Government and not included in a reserved forest or within the limits of a municipality. Provided, however, that they shall apply to all sholas, plantations and reserves now existing within any such municipal limits. These rules shall apply to the whole of the State of Tamil Nadu and the scheduled districts.

1.

Subject to all rights now legally vested in individuals and communities, the use of the pasturage and of the natural produce of land at the disposal of the Government and not included in a reserved forest shall be regulated by the following rules.

2.

Land at the disposal of Government may, for the purpose of these rules, be classed as follows:-(a) Land of which the Government has acquired the ownership or possession by purchase, lease or otherwise, (b) Assessed, but unoccupied land, (c) Unassessed and unoccupied land.

3.

"Reserved Land" includes all land notified under section 4 of the Tamil Nadu Forest Act, 1882 (Tamil Nadu Act V of 1882) and any area specially declared by the Collector to be Reserved land in the manner prescribed in rule 5. "Unreserved land" for the purpose of these rules means, land at the disposal of the Government which land is not "reserved land" nor is under the control of local bodies or any department of Government other than the Revenue and Public Works Department.

4.

Trees of the various species shown in the subjoined table are "Reserved trees" wherever found, whether reserved or unreserved lands. Such of the remaining trees as it is considered desirable to conserve will be divided into classes in accordance with the local requirements of the several districts and lists of such trees and the seigniorage to be charged thereon will be published, from time to time, under the sanction of the Government in the Tamil Nadu Government Gazette and District Gazettes. Those trees will be called "classified trees" and any trees not included in the lists published, as prescribed above, or in the schedule of reserved trees, will be called "unclassified trees". The Collector may, with the concurrence of the Conservator of Forests, transfer any "reserved trees" to the list of "classified trees" prescribed for his district, if he considers that the local requirements do not for that particular species necessitate the strict conservation consequent upon its inclusion in the list of reserved trees:-List of Reserved Trees

Serial No.	Botanical name	English name	Tamil name	Telugu name	Kanarese name
1	2	3	4	5	6
1	Tectona grandis	Teak	Teku	Teka	Saguvani
2	Santalum album	Sandal	Santhanam	Chanthanam	Gandha
3	Dalbergia latifolia	Black wood	Itti	Ittigi	Biti
4	Pterocarpus santalinus	Red Sanders	Segapu Santhanam	Chanthanam	-
5	Pterocarpus marsupium	Kino	Vengai	Yegi	Bengha
6	Hardwickia binata		Acha or karacha	Yepi	-
7	Terminalia chebula	Myrobolam or gallnut	Kadukkai	Karaki	Anile or Harde
8	Tamarindus indica	Tamarind	Puli	Chinta	Hunase
9	Shorea talura	-	Talura	Jallari	Jal
10	Shorea robusta	Sal	Sal (Hind)	Saluva	-
11	Shoera tumbuggaia		Tumbuggai	Thamba	-
12	Bassia longifolia and latifoila		Illuppai	Ippa	Ippe
13	Mangifera indica	Mango	Ma	Mamidi	Mavu
14	Artocarpus integrifolia and hirsuta	Jack	Pala	Panasa	Halasu and Hebb
15	Diospyros cbenum and melanoxylon	Ebony	Tumballi	Taki	Karimara
16	Chloroxylon swietenia	Satinwood	Porasu	Billu	-
17	Xylia dolabriformis	Ironwood	Irul	Konda	Tirawa or

				tangedu	Jembe
18	Sapindus emarginatus	Soapnut	Punangam	Kunkudu	Riate kayi mara
19	Pongamia glabra		Pungam	Kanuga	Honge
20	Acacia catechu and sundra	Catechu	Karungali	Sundra	Kachu
21	Myristica malbarica	Wild nut-meg	Kattu Jathikoy	Adavi Jathikoy	Rampatri
22	Calophyllum elatum	Poonspar	Pongf	Srihonne	
23	Cinnamomum Zeykancium	Cinnamon	Karruva	Sanalinga	Dalchini
24	Hopea parviflora		Irumbogam	-	Kiralbliogi
25	Strycluios nuxvomica	Nux-vomica	Etti	Yettimushti	Hemmushti

5.

So much of the three classes of land, specified in rule 2, as the Collector of the district and the Conservator may consider likely to be ultimately required as reserved forest, whether for the supply of timber or fuel, or of fodder, may be set apart for reservation. For such land, a notification under section 4 of the Act shall, in the usual course, be submitted for the approval of the Government, provided that no land of classes (a) and (b) shall, ordinarily, be so recommended for reservation, unless it has been unoccupied for at least eighteen months.

5A.

The Collector of the district, with the previous approval of the [Board of Revenue] [The Board of Revenue was abolished by Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980). Now Commissioner of Land Administration, vide G. O. Ms. No. 2675, Revenue, dated 1st December 1980.], may declare in respect of any village by a notification in the District Gazette, that so much of the three classes of land specified in rule 2 as he may consider likely to be useful for grazing and not to be wanted for any other purpose is "reserved land" under these rules with a view to its assignment to a forest panchayat for management and may, with such previous approval, cancel or modify any such declaration by a notification as aforesaid.

6.

The clearing of land notified for reservation under section 4 of the Forest Act and the issue of patta for such land are regulated by section 7 idem. On land otherwise reserved under these rules, no fresh clearing shall be made for cultivation or for any other purpose, unless a patta or lease has first been obtained; the grant of patta for the latter class of reserved land and for unreserved land generally is provided for in Board's Standing Order No. 15. The Collector is also authorised to lease out any reserved land for such periods and subject to such conditions as he may consider necessary.

7.

On all unreserved land in any village except unreserved lands under the control of Public Works Department, the grazing of cattle, the cutting of grass, the collection of dry wood, thorns, leaves of trees and shrubs that are not reserved except avaram, and the felling of trees other than those included in the lists of reserved or classified trees, will be permitted free of charge, provided that the grass, wood, thorns, leaves of trees are required by the inhabitants of that or of neighbouring villages for agricultural or domestic purposes. Heads of villages will be held responsible for seeing that the above privileges are not abused, and in the case of disputes, the Collector will decide which are neighbouring villages within the meaning of this rule.

8.

No person shall fell, remove, girdle, mark, lap top, uproot or bum, or strip bark or leaves from or otherwise damage any tree growing on any land, or use, injure or remove any forest produce found thereon, unless such person be duly authorised in this respect.

9.

The felling, conversion or removal of trees and timber, the collection or removal of other natural produce and the use of the pasturage on reserved land and, except as provided for in rule 7 on unreserved land also may be effected in one or other of the following ways, but in no other way:-(a)Departmentally, that is, by the officers of the Forest Department having control over the produce or by persons acting under the immediate superintendence control or orders of such officer;(b)by persons holding permits duly issued by a Forest Officer or other authorised person;(c)by or under the authority of a duly appointed panchayat or by any person holding the right under a lease, contract or permit granted by the Collector, or by any officer duly authorised by him.

10.

The Collector may appoint, by notification in the District Gazette, any person or class of persons by name or by virtue of his office, to issue or recover permits under the foregoing rules, and may also prescribe tanahs or places at which the timber or other forest-produce shall be brought for examination and where permits shall be chocked or recovered. Permits must be obtained before any felling, conversion collection or removal is commenced. Permit-holders must comply with the regulations of the Forest Department and the conditions entered in the permit.

11.

The Collector may select any areas that are reserved lands to be placed under special protection for any purpose. After the limits of these areas have been clearly indicated and duly notified in the District Gazette, no person within such areas shall set fire to the trees, timber, grass, or other

forest-produce or shall kindle or keep burning any fire, except at such places and subject to such precaution as may be prescribed by the Collector by notification in the District Gazette.

12.

No person shall boil catechu, distill wood-oil or bum lime or charcoal in any reserved or unreserved land except in such places as may be specially set apart for the purpose by the Collector.

13.

Quarrying on reserved and unreserved lands shall be regulated in accordance with the following provisions, namely:-(i)The Government possess the full right to mines and minerals in all reserved and unreserved lands as defined in rule 3.(ii)In reserved lands, the public may be allowed to quarry subject to the following conditions, namely:-(a)that such quarrying shall not injure any trees growth;(b)that it may be prohibited in any area for any special reason; and(c)that in the case of rough stone, chiselled stones, metal and gravel, earth and turf, sand fit for mortar and filling trenches, they shall be subject to the seigniorage fees.

Districts	Rough stone	Chiselled stone	Metal and Graval	Earth and turf	Samdfit for mortar per 100 cft or 2.8 cubicmetres	Sandfit for trenches per 100 cft. or 2.8 cubicmetres			
					Per 100 cft or 2.8 cubic metres	Per cort load of 12.5 cft. or 350 cubic-metres	Per 100 cft. or 2.8 cubic metres	Per cort load of 20 cft. or 500 cubicdecimetres	
1	2	3	4	5	6	7	8	9	10
1. Chingleput	-	-	-	-	-	-	-	-	-
2. North Arcot	-	-	-	-	-	-	-	-	-
3. Salem	2.5	5	5	0.5	1.2	0.15	0.75	0.15	2.5
3-A. Dharmapuri	-	-	-	-	-	-	-	-	-
4. Coimbatore	-	-	-	-	-	-	-	-	-
5. Nilgiris	-	-	-	-	-	-	-	-	-
6. Thanjavur	-	-	-	-	-	-	-	-	-
7. Madurai	-	-	-	-	-	-	-	-	-
8. Ramanathapu	-	-	-	-	-	-	-	-	-

9. Tirunelveli
(including
Shencottah
taluk)

- - - - - - - - - -

9-A.
Kanyakumari

- - - - - - - - - -

10. South Arcot 5 0.5 7.5 0.75 2 0.25 1.25 0.25 2.5

11.
Tiruchirappalli 5 0.5 10 1 2 0.25 1.25 0.25 2.5

Note. - Provided that for limestone used for lime burning and earth used for brick, making in all the districts, double the rates of seigniorage fee for rough stone and earth respectively shall be charged.(iii)In unreserved waste lands, the public may be allowed to quarry free for bona fide domestic or agricultural purposes, without obtaining permits for quarrying. Quarrying for other than bona fide domestic or agricultural purposes shall only be allowed with the previous permission of the Tahsildar and subject to the payment of seigniorage fees at the rates specified in the proceeding clause. The permits shall be checked and recovered by the Revenue Inspectors and Village Officers. Breaches of the rules shall be dealt with by prosecutions under rule 15; but in cases in which prosecution does not seem called for; seigniorage fees shall be charged at double the rates specified in the proceeding clause. Quarrying and the removal of sand from river beds may be allowed free of charge in the case of departments of Governments, local boards and municipalities or contractors employed by them provided that the products removed are required and used solely for bona fide public purposes and not for sale or commercial profit, and provided also that the quarrying or removal shall only be allowed with the previous permission of the Revenue Divisional Officer and subject to the general conditions prescribed by the Collector. If the Revenue Divisional Officer considers that in any case special conditions should be imposed, he shall report the case for the orders of the Collector. The privilege of free removal may be extended to other public bodies subject to the same restrictions and subject to the further restriction that the operations shall be conducted under the direct supervision of the establishments of those bodies and not by contractors employed by them. In all other cases seigniorage fees at the rates specified in the preceding clause shall be charged. The Collector is empowered to close any quarry, or to reserve it for any particular department or local body, or to prohibit or regulate quarrying in such manner as he thinks fit and he may require as a condition of permitting quarrying that the land shall after the conclusion of the operations, be restored to a state fit for cultivation. Where a local body desires that the exclusive right of quarrying in any land should be reserved for it, the land will, as a rule, be leased to the local body, subject to the payment of the ordinary assessment.

14.

In reserved land no person shall hunt, shoot of fish, or shall set traps or snares for game or fish, except in accordance, with such rules as may from time to time be issued under section 26 (f) of the Forest Act. No person shall (a) Put any poison in any water on reserved or unreserved lands, or (b) use dynamite or other explosive substance for or in connection with fishing in any such water. Game shall be held to include all insectivorous birds, of which a list will be duly published in the Fort St.

George Gazette and District Gazettes.

15.

Any breach or infringement of rules 6, 8, 9, 10,11,12,13 or 14 will render the offender liable to imprisonment of either description as defined in the Indian Penal Code, which may extend to one month or of fine which may extend to Rs. 200 or to both.