

# **Rajasthan State Forest (Form of Appeal), Rules, 2013**

RAJASTHAN

India

## **Rajasthan State Forest (Form of Appeal), Rules, 2013**

### **Rule**

### **RAJASTHAN-STATE-FOREST-FORM-OF-APPEAL-RULES-2013 of 2013**

- Published on 27 September 2013
- Commenced on 27 September 2013
- [This is the version of this document from 27 September 2013.]
- [Note: The original publication document is not available and this content could not be verified.]

Rajasthan State Forest (Form of Appeal), Rules, 2013 Published vide Notification No. G.S.R. 66, dated 27.9.2013 G.S.R. 66. - In exercise of the powers conferred by Section 76 read with Section 52 and 52A of the Rajasthan Forest Act, 1953 (Act No.13 of 1953), the State Government hereby makes the following rules, namely:-

#### **1. Short title and commencement.**

(1) These rules may be called the Rajasthan State Forest (Form of Appeal), Rules, 2013. (2) They shall come into force from the date of their publication in the Official Gazette.

#### **2. Definition.**

- In these rules unless the context otherwise requires, - (a) "Act" means the Rajasthan Forest Act, 1953 Act No 13 of 1953; (b) "Appellate Authority" means the Chief Conservator of Forests of the area; (c) "Authorised Officer" means an officer authorized by the State Government under sub-Section (2) of Section 52 of the Act; and (d) "Form" means a form appended to these rules.

#### **3. Appeal against the order of confiscation.**

(1) Every memorandum of appeal against the order of confiscation under sub-Section (1) of Section 52-A of the Act, shall - (a) be in writing; (b) specify the name and address of the appellant; (c) specify the date of the order against which it is preferred; (d) specify the date on which the order was communicated to the appellant; (e) contain a clear statement of facts; (f) specify the ground on which the appeal is preferred without any argument or narrative and numbered consecutively; (g) state precisely the relief prayed for; and (h) be signed and verified by the appellant or an agent duly

authorized by him in writing in this behalf, in the following form, namely:- "I.....the appellant named above do hereby declare that the facts stated above is true to the best of my knowledge and belief. (Signature of the appellant)" (2) The memorandum of appeal shall either be presented to the appellate authority by the appellant or his duly authorized agent personally. (3) The memorandum of appeal shall bear a court fee stamp worth Rupees fifty.

#### **4. Intimation for initiation of proceeding for Confiscation of property.**

- The authorized officer shall send an intimation under clause (a) of sub-section (4) of Section 52 of the Act in Form "A", to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made. Form "A" [See Rule 4] Intimation to the Magistrate about initiation of proceeding for confiscation of the seized property From: Dated: Name of the officer and his designation To The Judicial Magistrate

- 1 Description of the property proposed to be confiscated with a brief account of the circumstances under which the same was seized
- 2 Full particulars of the owner of the property proposed to be confiscated
- 3 Name of the person from whose possession the property to be confiscated is seized
- 4 Date, time and place of its seizure
- 5 Name of the officer, who has seized the property in question
- 6 Estimated value of the property in question
- 7 Particulars of offence/offences on account of which seizure was made
- 8 Date of initiation of the proceedings for confiscation of the property in question