

Jammu and Kashmir Nationalisation of Forest Working Rules, 1992

JAMMU & KASHMIR

India

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Rule

JAMMU-AND-KASHMIR-NATIONALISATION-OF-FOREST-WORKING-R of 1992

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Jammu and Kashmir Nationalisation of Forest Working Rules, 1992Published vide Notification No. SRO. 271, dated 17.11.1992Last Updated 6th December, 2019SRO. 271. - In exercise of the powers conferred by section 10 of the Jammu and Kashmir Nationalization of Forest Working Act, 1987, the Government hereby make the following rule, namely:-

1. Short title and commencement.

(1)These rules may be called the Jammu and Kashmir Nationalisation of Forest Working Rules, 1992.(2)These rules shall come into forest at once.

2. Definitions.

- In these, rules, unless the context otherwise requires(a)'Act' means the Jammu and Kashmir Nationalisation of Forest Working Act, 1987;(b)'Authority' means the authority appointed under section 6 of the Act.

3. Procedure to be followed by the authority.

(1)The authority shall be a general notice call upon any person affected by the Jammu and Kashmir Nationalisation of Forest Working Act, 1987, to submit his claim in respect of the timber vested in the state within sixty days from the date of issue of the noticeprovided that the authority may entertain any claim after the expiry of the period of sixty days if it is satisfied that the applicant was

prevented by sufficient cause to prefer the claim within the stipulated time.(2)An applicant of claim shall be made in duplicate containing full details relating to the claim and shall be accompanied by an agreement, instrument, order of any authority or any other document on which the applicant relies upon in support of his claim.(3)on receiving an application the authority shall send a copy of the same to the forest Department and call for the objections/ counter claims, if any, of the Department. The Forest Department shall within a reasonable time file a written statement dealing with the claim raised in the application.(4)The authority may for purposes of adjudicating upon a claim seek the technical or special assistance of any Forest and Revenue officer after giving prior intimation to the Head of the Department of such officer for requiring his services(5)The authority may call for any other information or record from the application or Forest Department, as it may deem fit for adjudicating upon any claim

4. Service of notice etc.

- Any notice for communication from the authority to the applicant or Forest Department or vice-versa shall be served through registered post or delivered personally against a proper receipt.

5. Appearance before the authority.

- The applicant or the forest Department may appear before the authority either personally or through a legal Practitioner.

6. Determination of amount.

- The authority shall after examining all the documents, oral evidence, if any, and the other relevant material, proceed to determine the amount payable to an applicant in accordance with the principles laid down in the Act and make an Award which shall be communicated to the applicant and the Forest Department.

7. Sitting.

- The ordinary place of sitting of the authority shall be at Srinagar for the cases pertaining to Kashmir Division and at Jammu for the cases pertaining to Jammu Division unless the authority decide otherwise.

8. Appeals from award in respect of amount.

- Any person aggrieved by an award of the authority made under rule, 6 may within thirty days from the date of such award prefer an appeal to the High Court