

Indian Forest (Haryana Amendment) Act, 1973

HARYANA

India

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Act 12 of 1973

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Indian Forest (Haryana Amendment) Act, 1973 Haryana Act No. 12 of 1973 Statement of Objects and Reasons. - In Forest Department, forest produce including timber are sold to the purchasers in open auctions held from time to time. On completion of bid, the sale is sanctioned by the competent authority in exercise of the powers delegated to him which takes some time for completion of sale papers. Though in view of auction notice issued and conditions of sale announced and got signed on the spot it is explicitly clear that the bids are offered with full thoughts yet in the meanwhile purchaser who estimates loss in the sale conveys his refusal and backs out to accept the bid and to sign or act upon the agreement relating to the sale for which he has offered the highest bid in the open auction which results in re-sale of forest produce and sometimes the Government is put to heavy loss in re-selling the same. To recover this loss several cases of this type have been defended in the various courts and the courts in their judgment have held that in the absence of any written agreement or provisions made in the Indian Forest Act, such losses cannot be termed as arrear of land revenue and hence recovery of loss of Government money due to re-sale cannot be made. To overcome this difficulty and to save Government from such heavy losses, provision has been made under Section 82 of this Act that bids offered under the condition of sale relating to the sale of timber or other forest produce by auction or by invitation of tenders issued by or under the authority of a Forest Officer should be termed as arrear of land revenue. Published Vide Haryana Government. Gazetted Extraordinary dated 22.3.1973 Page 402. Received the assent of the Governor of Haryana on the 20th April, 1973, and was published in the Haryana Gazette, (Extra), Legislative Supplement, Part I, dated April 27, 1973/Vaisakha 7, 1895. An Act to amend the Indian Forest Act, 1927, in its application to the State of Haryana. Be it enacted by the Legislature of the State of Haryana in the Twenty-fourth Year of the Republic of India as follows :-

1. Short title.

- This act may be called the Indian Forest (Haryana Amendment) Act, 1973.

2. Substitution of Section 82 of Central Act 16 of 1927.

- For section 82 of the Indian Forest Act, 1927, the following section shall be substituted namely :- "82. Recovery of money due to Government. - All money, other than fines, payable to the State Government under this Act or under any rules made thereunder, or, on account of timber or other forest produce or under any contract relating to timber and other forest produce including any sum recoverable thereunder for the breach thereof, or in consequence of his cancellation, or under the terms of the conditions of sale of timber or other forest produce by auction or by invitation of the tenders and all compensation awarded to the State Government under this Act may, if not paid when due, be recovered under the law for the time being in force as if it were an arrear of land revenue."