

Indian Forest (Bihar And Orissa Amendment) Act, 1935

9 of 1935

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PREAMBLE

An Act to amend the Indian Forest Act, 1927.

Whereas it is expedient further to amend the Indian Act, 1927, in its application to Bihar and Orissa, in the manner hereinafter appearing;

It is hereby enacted as follows:-

1. Short title :-

This Act may be Trailed the Indian Forest (Bihar and Orissa Amendment) Act, 1935.

2. Amendment of section 26 of the Indian Forest Act, 1927 :-

For subsection (3) of section 26 of the Indian Forest Act, 1927 hereinafter referred to as the said Act), the following sub-section shall be substituted, namely:-

"(3) Whenever in a reserved forest-

(a) fire is caused willfully or by gross negligence, or

(b) theft of forest produce occurs and such theft is, in the opinion of the 2 State Government on such a scale as to be likely to imperil the future yield of such forest.

the State Government may, notwithstanding, that any penalty has been inflicted under this section or under any other law for any act referred to in clause (a) or clause (b), direct that in such forest or any portion thereof the exercise of all rights of pasture or to forest producer-shall, be suspended,

(i) in the circumstances mentioned in clause (a), for such period as it thinks/fit.

(ii) in the circumstances mentioned in clause-(b), for a period not exceeding four years.

3. Amendment of Section 33 of the Indian Forest Act, 1927

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For subsection (2) of Section 33 of the said Act, the following subsection shall be substituted, namely:-

"(2) Whenever in a protected forest-

(a) fire is caused willfully or by gross negligence, or

(b) theft of forest produce occurs and such theft is, in the opinion of the ¹[State] Government, on such a scale as to be likely to imperil the futures/yield of such forest.

the ¹[State] Government may, notwithstanding that any penalty has been inflicted under this section or under any other law for any act referred to in clause (a) or clause (b), direct that in such forest or any portion thereof the exercise of any right of pasture or to forest produce shall be suspended,

(i) in the circumstances mentioned in clause (a), for such period as it thinks fit,

(ii) in the circumstances mentioned in clause (&), for a period not exceeding four years."

1. Legislative Papers-For Statement of Objects and Reasons, see the, B. & O. Gazette, 1935, Pt. V. p. 8 for Report of the Select Committee, see *ibid*, p."204 and for proceedings" in Council, see the B. & O. Legislative Council Debates, 1935, Vols. XXXII and XXXIII, pp, 590 and 48, 283 and 748.