

Kerala Forest (Amendment) Act, 1973

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Kerala Forest (Amendment) Act, 1973

An Act to amend the Kerala Forest Act, 1961. WHEREAS it is expedient to amend the Kerala Forest Act, 1961, for the purpose hereinafter appearing, Be it enacted in the Twenty-fourth Year of the Republic of India as follows:-

1. Short Title And Commencement :-

- (1) This Act may be called the Kerala Forest (Amendment) Act, 1973.
- (2) It shall be deemed to have come into force on the 17th day of September, 1973.

2. Amendment Of Section 43 :-

Section 43 of the Kerala Forest Act, 1961 (4 of 1962) (hereinafter referred to as the principal Act), shall be renumbered as sub-section (1) of that section, and-

(a) in sub-section (1) as so renumbered, the last sentence shall be omitted;

(b) after sub-section (1) as so renumbered, the following sub-sections shall be inserted, namely:-

"(2) Notwithstanding anything contained in sub-section (1), where unmarked timber is collected from any area referred to in section 42, the Divisional Forest Officer shall, instead of publishing a notice in the Gazette as required under sub-section (1), serve a notice-

(a) where the timber is collected from a timber-yard, on the owner or other person in control of that timber-yard and on any other person who, in the opinion of such officer, has claim over such timber;

(b) where the timber is collected from any other place, on the

person in charge of such timber and, if he is not the owner thereof, on the owner of such timber, if such owner is ascertainable and also on any other person who, in the opinion of such officer, has claim, over such timber, requiring them to present to such officer within a period of fourteen days from the date of service of such notice a written statement to prove their claim over the timber.

(3) A notice under sub-section (2) shall contain a description of the timber and the place from which it was collected and the station where it is stored.

(4) Copies of the notice under sub-section (1) or sub-section (2) shall be affixed in the Divisional Forest Office and the concerned Forest Range Office.".

3. Repeal And Saving :-

(1) The Kerala Forest (Amendment) Ordinance, 1973 (11 of 1973), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.