

Kerala Preservation Of Private Forests (Amendment) Act, 1973

10 of 1973

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Kerala Preservation Of Private Forests (Amendment) Act, 1973

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An Act to amend the Kerala Preservation of Private Forests Act, 1972. WHEREAS it is expedient to amend the Kerala Preservation of Private Forests Act, 1972, for the purposes 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 Preservation of Private Forests (Amendment) Act, 1973.
- (2) It shall be deemed to have come into force on the 10th day of February, 1973.

2. Amendment Of Section 2 :-

In section 2 of the Kerala Preservation of Private Forests Act, 1972 (16 of 1972) (herein after referred to as the principal Act}, after clause (a), the following clause shall be inserted, namely:-

"(aa) forest tree means a tree of any species other than the following, namely: -

Erthrina Indica and Erithrina Lythosperma (Murukku), Rubber (Havea Braziliensis), Jack (Artocarpus Integrifolia), Cashew

(Anacardium Occidentale), Tamarind, Mango and Macaranga Pettata;".

3. Insertion Of New Section 3A :-

After section 3 of the principal Act, the following section shall be inserted, namely:-

"3A. Restriction in respect of exempted lands.-No owner of any land which is not a private forest as defined in this Act, but to which the provisions of the Madras Preservation of Private Forests Act, 1949, applied immediately before the 10th day of May, 1971 and no person claiming under him, or any other person shall, without the previous permission of the District Collector, cut any forest tree from such land."

4. Amendment Of Section 4 :-

In section 4 of the principal Act,-

(a) after the words "of that section", the words, figure and letter "or under section 3A" shall be inserted ;

(b) for the words In that sub-section", the word therein" shall be substituted.

5. Amendment Of Section 7 :-

Section 7 of the principal Act shall be renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:-

"(2) Whoever contravenes the provisions of section 3A or any of the terms and conditions subject to which a permission has been granted under that section shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to five thousand rupees, or with both."

6. Amendment Of Section 14 :-

In sub-section (2) of section 14 of the principal Act,-

(i) in clause (a), after the words permitted to be cut", the words, brackets and figures "under sub-section (3) of section 3" shall be inserted;

(ii) in clause (d), the words, figure and letter "or section 3A" shall be inserted at the end.

7. Repeal And Saving :-

(1) The Kerala Preservation of Private Forests (Amendment) Ordinance, 1973 (3 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.