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GOVERNMENT OF MIZORAM
LAW, JUDICIAL & DISTRICT COUNCIL AFFAIRS DEPARTMENT

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NOTIFICATION

No. LAD/R-13/74/154 Dated 30th September 1981 : In pursuance of paragraph II of the Sixth Schedule to the Constitution of India, the following Act made by Lakher District Council under Paragraph 3 of the said Schedule and assented to by the Administrator of Mizoram is hereby published for general information.

J. WILSON SUNDARA RAJ
Secretary to the Govt. of Mizoram

Lakher District Council Act No. 1 of 1981.
The Lakher District Council (Forest) Act, 1981.

THE LAKHER AUTONOMOUS DISTRICT FORESTS BILL, 1981

A BILL

to provide for the management of forests in the Lakher Autonomous District.

PREAMBLE : Whereas it is expedient to provide for the management of forests in the Lakher Autonomous District :

It is hereby enacted by the Lakher District Council in the Thirty-second Year of the Republic of India as follows :-

- Short title extent and commencement**
1. (1) This Act may be called the Lakher Autonomous District Forests Act, 1981.
- (2) It extends to the whole of the Lakher Autonomous District except:—
- (a) any area which is a State reserved forest, or which may be declared from time to time, as a State reserved forests; and
- (b) any area which may be declared from time to time as a sanctuary National Park, game reserve or closed area under (Protection) Act, 19-72 (Central Act 53 of 1972)
- (3) It shall come into force on the date of its publication in the Mizoram Gazette.
- Definition**
2. In this Act, unless the context otherwise requires :—
- (1) "Administrator" mean the Administrator of the Union territory of Mizoram appointed by the President of India under Article 239 of the Constitution of India.
- (2) "Authorised Officer" in relation to any provision of this Act or the rules made there-under means the, Secretary if he is authorised by the Executive Committee by notification in the Mizoram Gazette to exercise the power of the Authorised Officer under such provision;
- (3) "Cattle" includes also sials, buffaloes, horses, mares, gelding ponies, colts, fillies, mules, asses pigs, rams, ewes, sheep, lambs, goats and kids.
- (4) "Council forest" means any forest in the District other than in any of the a areas referred in clauses, (a) and (b) of sub-Section 1
- (5) "Council Forest Officer" means any person appointed as such by name or as holding an office by or under the orders of the District Council and shall include Deputy Conservator of Forests, Assistant Conservator of Forest, Rangers, Deputy Rangers, Foresters, Assistant Foresters, Forest Guards and any other person appointed to discharge the duties and functions of a Council Forest Officer under this Act or any rule thereunder.
- (6) "Council reserved forest" means any forest constituted as such by or under the orders of the District Council;

- (7) "Deputy Commissioner" means the Deputy Commissioner Chhimtuipui District, Saiha;
- (8) "District" means the Lakher, Autonomous District;
- (9) "District Council" means the Lakher Autonomous District Council;
- (10) "Executive Committee" means the Executive Committee of the District Council and the terms "Chief Executive Member," and "Member of Executive Committee" shall be construed accordingly;
- (11) "forest offence" means an offence punishable under this Act, or any rule made thereunder;
- (12) "forest produce" means forest produce of council forest and includes :-
- (a) the following whether found in, or brought from, a forest or not that is to say:- timber, charcoal, catechu, woodoil, resin, natural varnish, bark, lac, myrabolams, and rhinoceros horns; and
- (b) the following when found in, or brought from, a Council forest, that is to say :-
- (i) trees and leaves, and fruits and all other parts or produce, not herein - before mentioned, of trees,
- (ii) plants not being trees (including grass, creepers, reeds and moss) and all parts or produce of such plants,
- (iii) wild animals, skins and horns, bones, silk cocoons, honey and wax and all other parts or produce of wild animals, and

- (iv) peats, surface soil, rocks and all other products of quarries.
- (13) "forest village" means a village established within a Council reserved forest for a specific period to provide suitable source of labour for the purpose of plantation and taungyas.
- (14) "land at the disposal of the District Council" means any land at the disposal of the Dist. Council in respect of which no person has acquired a permanent, heritable and transferable right of use and occupancy under any law for the time being in force or any right created by grant or on behalf of the Government of the Union Territory of Mizoram.
- (15) "President" means the President of a Village Council elected under the provisions of the Lakher Autonomous District (Village Councils) Act, 1974.
- (16) "river" includes also streams, canals, creeks and other channels natural or artificial.
- (17) "Secretary" means the Secretary to the Executive Committee of the District Council.
- (18) "State reserved forest" means the reserved forest as defined in sub-paragraph (2) of paragraph 3 of the Sixth Schedule to the Constitution of India.
- (19) "timber" includes trees when they have fallen or have been felled, and all wood, whether cut up or fashioned out for any purpose or not.
- (20) "tree" includes palms, bamboos, strumps, brushwood and canes.
- (21) "Village Council" means a Village Council constituted under the provision of the Lakher Autonomous District (Village Councils) Act, 1974.

Jurisdiction of
the Dist Council

3. The Administration of Council forests in the District is vested in the District Council.

Reserved trees

4. The trees specified in Appendix I to this Act, shall be treated as reserved trees. Such trees in Council forests shall not be cut, felled, tapped or injured in any manner without permission of any kind issued in writing by the Executive Committee or the Authorised Officer.

Disposal of
forest produce.

5. (1) The cutting, sawing, conversion and removal of trees and timbers and the collection, manufacture and removal of forest produce from a Council forest except for purposes of personal use under such condition as the District Council may, by rules made in this behalf allow, are prohibited, except under a permit granted by the Executive Committee or the Authorised officer.

(2) Trade permit as prescribed in Appendix II shall be granted for timber reserved or unreserved or other forest produce cut, collected or removed from the Council forest for purpose of trade.

Royalties

6. (1) The rates of royalties to be charged on all forest produce removed from the Council forest for trade under a trade permit are given in Appendix-III to this Act. The power to increase or decrease any of the rates is vested in the Executive Committee to a limit of twenty five percent of increase or decrease according to distance and difficulties of extraction.

(2) All other forest produce not included in Appendix-III shall be charged at such rates as may be fixed by the Executive Committee.

(3) The Executive Committee is empowered to revise, whenever necessary such revision whenever made shall be notified in the Mizoram Gazette.

(4) The rate of royalties given in Appendix III shall remain in force till replaced by such revised rates of royalties as may be ordered by the Administrator for the sake of uniformity for the entire Union territory of Mizoram.

(5) No forest produce shall be extracted for any purpose from any of the Council reserved forest except on payment of royalty and with the written permission of the Executive Committee or the Authorised offices.

Payment of fees and royalties

7. (1) All fees and royalties payable on account of any forest produce collected or removed under the provisions of this Act or Rules made thereunder shall be paid for at the time of marking, previous to removal or at the first forest revenue station reached by such forest produce.

(2) No forest produce shall be removed from the Council forest unless provided with a pass in the form given in Appendix IV to this Act, such passes shall be obtained from the officer - in - charge of the first revenue station reached by such forest produce.

Registration of property marks.

8. All persons trading in or conveying timber not belonging to a State Reserved forest shall annually register their property marks at the revenue stations, and shall pay a fee of Rs. 20/- for a certificate of registration for the first time and Rs. 5/- for each registration thereafter.

Honey and wax

9. No person shall remove honey and wax for purposes of trade from the Council forest, save under, and subject to, the condition of purchasing licences granted by the Executive Committee, or the Authorised Officer. Such licences shall be in the form contained in Appendix V to this Act and the amount of the fee for the same, which may, from time to time, be prescribed by the District Council shall be printed on such licence.

Application of Section 188 of Indian Penal Code to breach of the Provisions of some sections of this Act

10. All breaches of the provisions of sections 4,5,6,7 and 9 of this Act shall be punishable under section 188 of the Indian Penal Code (Central Act 45 of 1860).

Town station reserve.

11. (1) The District Council may, by notification in the Mizoram Gazette or by publication in any other manner it deems suitable, constitute any Council forest into Town Station Reserve and may, in like manner, vary or cancel any such notification.

(2) Every such notification shall specify the limits of such Town Station Reserve or Reserves.

(3) No forest produce within a Town Station Reserve shall be removed, collected, cuts felled, tapped, or injured in any manner, without permission in writing, which will be subject to such conditions as may be imposed, by the Executive Committee or the Authorised Officer.

(4) Any one contravening the provisions of this section shall be punished with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

Power to
constitute
Village Forest
Reserve.

12. (1) The District Council shall, by order, constitute in every village, not less than twenty five percent of the land at the disposal of the District Council into a Village Forest Reserve for the collective benefit of any village community nor group of Village communities and may, in like manner, vary any such order.

(2) Every such order shall specify the limits of such Village Forest Reserve.

Village forest
Reserve.

13. The Village Forest Reserves, constituted under section 12 may be of two classes namely:-

(a) A Village safety reserve, that is a reserve for the protection against fire from without or reserve constituted in the interest of health and water supply, No one shall utilise for any purpose any portion of land inside this reserve and no trees shall be cut in this reserve except with the permission of the Executive Committee.

The President of the Village Council, in consultation with the other Members of the Village Council, may dispose of any dead tree in the manner he considers most beneficial for the Village.

(b) Village Supply Reserve, that is reserve for the supply of the needs of the Village or Villagers. Any person belonging to any Village communities for whose benefits such reserve is constituted may cut trees and bamboos from this reserve for his household needs.

14. The Village Council shall have the power to distribute land for jhums within the Council forests other than the following reserves.

- (a) The Village Safety Reserve,
- (b) The Village Supply Reserve,
- (c) Town Station Reserve,
- (d) The Council Reserve Forest, and
- (e) The State Reserve Forest

(2) No Village Council shall have power to distribute dense forest within the Council forests for jhum except with the Executive Committee.

15. The District Council may constitute any land at the disposal of the District Council as a Protected Forest Reserve for protection of valuable forest from destruction for the interest of the Village communities. No one shall utilise for any purpose any portion of land inside the Protected Forest Reserve and no trees there of shall be cut except with the permission of the Executive Committee of the Authorised Officer.

16 (a) Any person doing anything in contravention of the provisions of sections 13, 14, and 15, shall be punishable with a fine not exceeding rupees two hundred.

(b) Subject to clause (a) above, any person doing anything in contravention of any provision of this Act shall be punishable with a fine according to the amount of damage caused.

17. The District Council may constitute any land at the disposal of the Council as a Council reserved forest in the manner hereinafter Provided.

18. Whenever it is proposed to constitute any land as a Council reserved forest, the Executive Committee shall publish a notification-

- (I) declaring that it is proposal to constitute such a land as a Council reserve forest and
- (II) specifying, as nearly as possible, the situation and limits of such land, and,
- (III) inviting claim of rights and objections.

Power to distribute land for jhums

Power to constitute protected Forest Reserve

Certain punishment with fine

Power to constitute Council Reserved forest.

Notification proposal to constitute a Council reserved forest.

**Survey of the
Proposed Council
reserved
forest.**

19. The Executive Committee, as soon as a notification is issued under section 18, shall cause the area to be surveyed and demarcated by one or more of the Council Forest Officers not below the rank of Forester or any other officer authorised in this behalf, who shall also enquire into any right of any person in the area and shall also submit reports to the Executive Committee and such report shall deal with all points including compensation involved or alteration of the recommended

**Disposal of
claims and
objection.**

20. All claims of rights on the land and all objections against the proposed Council reserved forest shall be submitted in writing to the Executive Committee within 60 days from the date of publication of the notification under section 18.

**Council
Forest
Tribunal.**

21. The Executive Committee shall appoint a Council Forest Tribunal who shall decide all claims of right on land and all objection against the proposed Council reserved forest. The orders of the Council Forest Tribunal shall be published forthwith in the Mizoram Gazette.

Appeal

22. All appeals against the decision of the Council Forest Tribunal shall be submitted to the Executive Committee within 30 days of the order issued by the Council Forest Tribunal. The Executive Committee shall review the case as it deems necessary and pass order which shall be final.

**Jurisdiction
of Civil Court
not affected.**

23. Nothing in sections 21 and 22 of this Act shall bar the jurisdiction of a competent Civil Court.

**Final notification
Constitution
Council
reserved forest.**

24. The Executive Committee shall, after disposal of all appeals, publish in the Mizoram Gazette or in any other manner it deems suitable, the final notification specifying the limit of the Council reserved forest incorporating therein any change and modifications made from the preliminary notification under section 18 of this Act, and declaring the same to be a Council reserved forest from the date fixed by such notification.

Right in or
over the
Council reser-
ved forest.

25. No person shall have right of any nature in or over the land within the area of the Council reserved forests, except those that may have been conceded in the final notification referred to in section 24. The Executive Committee or the Authorised Officer may permit or grant rights of any nature to an individual or a community for the benefit of a community or communities.

Penalties for
trespass or
damage

26. Any person, who, in a Council reserved forest :—

- (1) trespasses or pastures cattle or permits cattle to trespass, or
- (2) causes any damage by negligence in felling any tree or cutting or dragging timbers,

Shall be punished with fine which may extend to fifty rupees, or when the damage resulting from his offence amounts to more than twenty five rupees to double the amount of such damage.

Acts prohib-
ted.

27. Any persons, who, in the Council reserved forest

(1) set fire, or in contravention of any rules made by the Executive Committee kindles any fire or leaves any fire burning in such a manner as to endanger such a forest, or

(2) Kindles, keeps or carries any fire except in such seasons and in such manner as the Executive Committee may from time to time notify, or

(3) falls, cuts, girdles, marks, lops, or injures, injures by fire or otherwise any tree, or

(4) quarries stones, burns lime or charcoal, or collects subject to any manufacturing process or removes any forest produce, or

(5) clears or breaks up any land for cultivation or any other purpose, or

(6) poisons water, or in contravention of any rule made by the Executive Committee, hunts, shoots, fishes or sets traps or snares,

shall be punished with imprisonment for a term which may extend to six months, or with fine may extend to five hundred rupees, or with both.

**Jhuming in
Council
forests.**

28. The right to jhuming or any shifting cultivation in the unclassified Council forests is conceded subject to any regulation, rules and orders made or prescribed by the District Council, Village Council or any other body granted power similar to a Village Council by the District Council.

**Collection
of timber free
of royalties
or permit
for
private use.**

29. Any inhabitant of the District is permitted to collect free of royalty or permit such timber and other forest produce other than reserved trees as he may require for his own use within the unclassified Council forest, including the Village Supply Reserved, but not for sale, trade, mortgage or gift for which purposes either permit or royalty or both may be imposed by the Executive Committee as it deems fit.

**Forest
offence**

30. (1) When there is reason to believe that a forest offence has been committed in respect of any forest produce of a Council forest, such produce, together with all tools and other articles used in the commission of such alleged offence, may be seized by any Council Forest Officer and the officer seizing such property shall keep the seized property in safe custody and report the matter to the appropriate Court under the District Council or the Deputy Commissioner, as the case may be. Such Court, after trial of the case, shall dispose of the confiscated article according to the merit of the case in addition to any punishment as may be awarded to the offender or offenders.

(2) When the offender is not known or traceable, such seized article shall be confiscated and taken possession of by the District Council.

Provided that any claim for such confiscated articles within a period of one month from the date of confiscation shall be heard and disposed of in such manner as the Court may order.

Presumption
that the
forest pro-
duce belongs
to the Dis-
trict Council

31. When in any proceeding taken under this Act or in consequence of anything done under this Act, the question arises whether any forest produce is the property of the District Council, such produce shall be presumed to be the property of the District Council until the contrary is proved.

Power to
compound

32. (1) (a) The Executive Committee may accept from any person against whom reasonable suspicion exist that he has committed any forest offence specified in sections 26 and 27 of this Act, a sum of money by way of compensation for the offence which such person is suspected to have committed.

(b) When any property has been seized as liable to confiscation the same may be released on payment of the value thereof estimated by the Executive Committee.

(2) On the payment of such sum of money or such value or both, as the case may be, the suspected person if in custody, shall be discharged and no further proceeding shall be taken against such person or property,

procedure
for disposal
of perishable
property

33. Notwithstanding anything herein before contained, the court concerned may direct the sale of any property seized under section 30. if it is subject to speedy and natural decay, and may deal with the proceeds as the Court might have dealt with such property as if it had not been sold.

Power to
arrest
without
warrant.

34. (1) Any Council Forest Officer not below the rank of Assistant Forester or a Police Officer may, without order from a magistrate and without a warrant, arrest any person reasonably suspected of having been connected with or concerned in any Forest offence punishable with imprisonment for one month or upwards, if such person refuses to give his name and residence or gives a name or residence of which there is reason to believe to be false or if there is reason to believe that he will abscond.

(2) Every officer making an arrest under this section, shall, without delay, take or send the arrested person before a magistrate having jurisdiction in the case.

(3) No officer shall detain in custody a person arrested under this section for a period exceeding twenty four hours exclusive of the time necessary for the journey from the place of arrest to the court of the Magistrate concerned.

Power of the Executive Committee to evict unauthorised occupant from reserved forest.

35. (1) The Executive Committee or the Authorised Officer may evict any person from any land in a Council reserved forest unless such person has been allowed to settle.

(2) Such person may be evicted or ordered to vacate for with and the Executive Committee or Authorised officer may, sell, confiscate or destroy any crops raised or any building or other construction erected without authorized.

Penalty for counterfeiting or defacing marks on trees and timbers etc.

36. Any person, who with the intention to cause damage or injury to the public or to any person or to cause wrongful gain as defined in the Indian Penal Code,

(a) Knowingly counterfeits upon any tree or timber a mark used by Council forest Officers to indicate that such tree or timber is the property of the District Council or some person, or that it may lawfully be felled or removed by some person, or

(b) unlawfully affixes to any tree or timber a mark used by Council forest officers, or

(c) alters, defaces or obliterates any such mark placed on any tree or timber by or under the authority of a Council Forest Officer, or

(d) alters, moves, destroys or defaces any boundary mark of any forest to which this Act applies, shall be punished with imprisonment for a term which may extend to two years, or with fine or with both

Compensation
for damage
caused by
commission
of offence

37. (1) When any person is convicted of felling, cutting, girdling marking, lopping or tapping trees, or of injuring them by fire or otherwise in contravention of this Act, or of any rule made thereunder the convicting Court may, in addition to any other punishment which it may award, order that person to pay to the District Council such compensation according to the amount of damage caused.

(2) If the person convicted of the offence committed it as the agent or servant of another person, the convicting Court may, unless after hearing that other person, it is satisfied that the commission of the offence was not a consequence of his instigation or of or default on his part, order him, instead of the person who committed the offence, to pay the compensation referred to in sub-section

(3) Any appeal from any order under subsection (1) or (2) shall lie to the Court to which orders made by the convicting Court are ordinarily appealable and the order passed on that appeal shall be final.

Forfeiture
of lease.

38. When the holder of any lease, licence or contract whatsoever granted or continued by, or on behalf of the District Council for any of the purposes, of this Act, any rule made thereunder or when any such offence is committed by any agent or servant of the holder of any such lease, licence, or contract, and the District Council is satisfied that the commission of the offence was a consequence of the instigation of such holder or of any neglect or default on his part, the District Council may, by order, in writing, declare the lease, licence or contract to be forfeited in whole or in part with effect from a date to be specified in the order not being prior to the date of the commission of the offence.

Council for
est Officer
not to trade.

39. No Council Forest shall, as Principal or agent, trade in forest produce, or be, or become, in forest, or in any contract for working any forest.

Persons bound to assist Council Forest Officer,

40. Every person who exercise any right in any class of Council forest, or who is permitted to remove any forest produce from or pasture cattle or practice jhum cultivation in such forest, and every person who is employed by such person in such forest and every person in any village contiguous to such forest shall be bound to furnish, without unnecessary delay, to the nearest Council Forest officer any Information which he may possess respecting the occurrence of a fire in or near such forest, or the commission of, or intention to, commit any forest offence, and shall assist any Council Forest Officer demanding his aid

(a) in extinguishing any fire occurring in such forest.

(b) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest.

(c) in preventing the commission in such forest of any forest offence, and

(d) When there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offenders.

Recovery of money due to District Council.

41. All money, other than fines, payable to the District Council under this Act, or under any rule made thereunder or on account of the price of any forest produce, or of expenses incurred in the execution of this Act or rule made thereunder in respect of any forest produce, may, if not paid when due, be recovered by the same process as by which arrears of land revenue are recovered where the Assam Land and Revenue Regulation, 1886, as adapted is in force.

Lien of forest produce for such money.

42. (1) When any such money is payable for or in respect of any forest produce, the amount thereof shall be deemed to be a first charge on such produce, and such produce may be taken possession of by a Council Forest Officer specially empowered in this behalf by the Executive Committee and may be retained by him until such amount has been paid.

(2) If such amount is not paid when due, such Council Forest Officer may sell such produce by public auction and the proceeds of the sale shall be applied first in discharging such amount.

(3) The surplus, if any, if not claimed within two months from the date of the sale by the person entitled there to, shall be forfeited to the District Council.

District Council audits officers not liable for loss or damage in respect of certain forest produce.

43. The District Council shall not be responsible for any loss or damage which may occur in respect of any forest produce while at the revenue stations established under this Act or rules made thereunder or while collected or detained elsewhere for the purpose of this Act, and no Council Forest Officer shall be responsible for such loss or damage unless he shall have caused the same negligently, maliciously or fraudulently.

Recovery of penalties due as land revenue.

44. When any person, in compliance with any rule under this Act, binds himself by any instrument to perform any duty or act or covenants by any instrument that he, or that he and his servants and agents will abstain from any act the whole sum mentioned in such instruments as the amount to be paid in case of a breach of any condition thereof may be recovered by the same process as by which arrears of land revenue is recovered where the Assam Land and Revenue Regulation, 1886 as adapted is in force.

Distribution of jhum

45. (1) The extent of area to be allocated for distribution for jhums under section 14 shall be notified by the Village Council in the manner it deems fit and submitted to the District Council, and the District Council may issue any direction in this regard.

(2) Except for any special privilege granted under this Act to any person, distribution of jhums to a village shall rest with the Village Council.

(3) No jhum shall be permitted within one hundred feet on either side of all Government roads except with the written permission of the Deputy Commissioner in consultation with the Chief Executive Member or the Executive member concerned.

**Opening wet
cultivation**

46. No new wet cultivation shall be opened in the Council forest except under a pass granted by the Executive Committee on such conditions as it may deem fit to impose. In granting such pass, the Executive Committee shall take into consideration the recommendation of the Village Council.

Establishment and control of forest Villages.

47. (1) For the purpose of providing a source of suitable local labour for forming and maintaining plantations and tauggas, the District Council may, establish forest villages within the limits of any Council reserved forest on such sites as may be selected, for such period (not exceeding three yrs) as may be fixed, and subject to such conditions may be laid down, by the Executive Committee, with an allotment of 1.5 acres of land for homestead or 'bari' for each resident household.

(2) The boundaries of all forest villages shall be demarcated by boundary pillars and shown in maps together with all interior details such as fields, homesteads, and the like and a register shall be maintained of the houses in each Village.

(3) Jhum in the Council reserved forest shall not be allowed to the forest villagers except on the following conditions, namely:—

(i) the site of the village will be selected by the Council Forest Officer with the approval of the Executive Committee and full information as in sub-section (2) shall be supplied by such Officer to the Deputy Commissioner;

(ii) an allotment of maximum (3) three acres of jhum land shall be allowed annually for each resident household by the Council Forest Officer for cultivation and cultivation in particular jhum land shall be at intervals of not less than five years;

(iii) the villagers themselves will sow or plant with their own the seeds of plants of such forest trees in such manner as the Council Forest Officer may direct.

(4) Building materials and fuels will be given to the villagers free of charge but they will be liable to render ten days free labour, in the first instance and another ten day labour, if called upon, in the next instance at a rate of wages to be fixed by the Council Forest Officer.

(5) The sub-letting of land by a forest villager is not permissible.

(6) The Forest villagers admitted into the reserved forest shall execute an agreement in such form, as may be prescribed from time to time by the Executive Committee.

(7) The Executive Committee may appoint a person among the forest villagers as a Headman and prescribe his duties.

(8) The Executive Committee may evict summarily from a forest village without payment of compensation; any one who does not comply with the provisions of the Act, or who refuses to carry out the orders of the Council Forest Officer so far as they are consistent with the provisions of this Act, or whose conduct in the opinion of the said officer, impairs the harmonious working of the village,

Penalties.

48. If any person infringes any of the provisions of sections 45, 46 and 47 he shall be punishable with a fine not exceeding two hundred rupees.

Appeal from decision of Authorised officer.

49. All appeals against the decision of the Authorised Officer shall be submitted to the Executive Committee within 30 days of the order issued by the Authorised Officer. The Executive Committee shall review the case as it deems necessary and pass order which shall be final.

Power to make Rules.

50. Subject to the approval of the Administrator, the District Council may frame rules for carrying out the provisions of this Act.

**Power of
Administra-
tor to give
directions,**

51. The Administrator may, if he is of opinion that it is expedient in the public interest so to do, give such directions as he may deem necessary to the District Council, regarding the carrying into Execution of the provisions of this Act, and in particular regarding the distribution of land for jhum, re-afforestation of jhum land and prohibition of jhuming in specified areas, and the District Council shall comply with such directions.

**Repeal and
saving.**

52. (1) The following Acts are hereby repealed, namely:-
 (a) The Pawi-Lakher Autonomous Region (Forest) Act, 1954.
 (b) The Pawi-Lakher Autonomous Region (Forest) (Amendment) Act, 1957.
 (c) The Pawi-Lakher Autonomous Region (Forest) (Amendment) Act, 1960.

(2) Notwithstanding such repeal, all actions taken, orders made or directions given under the provisions of the Acts repealed by subsection (1) shall be deemed to be taken, made or given under the corresponding provisions of this Act and subsequent actions, if any, with regard to any action, order or direction, shall be in accordance with the provisions of this Act.

**Receipt for
Forest
revenue.**

53. All forest revenue shall be received in the form as prescribed in Appendix 'VI'.

APPENDIX — I

(See section 4)

Reserved Trees

All trees of the undermentioned kinds standing on any land at the disposal of the District Council shall be reserved trees:-

Vernacular name	Botanical name	Mizo name
1. Tita sopa/champ	Michelia champaca	Ngiau chi
2. Nahor, Nage Swar	Mesua ferrea	Herhse
3. Chaulmugra	Taraktogenos/Kurzii	Saithei

4.	Makria Sal, Nagabhe	Schima Wallichii	Klriang
5.	Hollong	Dipterocarpus, Macrocarpus	Lawngthing
6.	Sal	Shorea Robusta	
7.	Mekai	Shorea Assamica	
8.	Simul	Samalia Malabarica	Phunchawng
9.	Amari	Amoora Wallichii	Sahatab, Zunglian ban
10.	Bigipaoms	Chikrasia Tabularis	Zawngtei
11.	Sissoo	Dalbergia Sissoo	
12.	Sonaru	Cassia fistula	Luahmur chi
13.	Khair	Acacia catechu	
14.	Koroi	Albizzia procera	Kangtek
15.	Jusuli	Altingia Excelsa	Hriang
16.	Hollock	Terminalia Myriocarpa	Char
17.	Jamuk	Eugenia Jambolana	Lenhmui
18.	Sida	Lagerstroemia Parvi Flora	
19.	Ajhar	Lagerstroemia flos-reginae	Thlado
20.	Kokhan	Duabanga Sonneratioides	Zuang
21.	Kadam	Anthocephalus Cadamo	Banphar
22.	Haldu	Adina Cordifolia	
23.	Mohidal	Cardia fragrantissima	Muk
24.	Ahoi	Vitex perdancularis	Thingkhuaile
25.	Gomari	Gmelina arborea	Thlanvawng
26.	Bonsum	Phoebe Goalparensis	Bulchi
27.	Agar (Sasi)	Agularia Agallocha	Thingrai
28.	Kuhir	Bridelia Retusa	Phaktel
29.	Uriam	Bischofia Javanica	Khuangthli
30.	Indian Rubber	Ficus elastica	Thelret
31.	Sam	Artocarpus chaplasha	Tatkawng
32.	Bola	Morus laevigata including all medicinal plants.	Lungli

APPENDIX—II
(See section 5(2))

Permit for timber and other forest produces to be collected from
Lakher Autonomous District.

Name.....

Residence.....

Forests	Date of expiry	Description of timber and other forest produce	Number quantity	Rate	Amount	Remarks
---------	----------------	--	-----------------	------	--------	---------

Date.....

Signature and designation
of the issuing officer.

Conditions under which this permit is issued:

(1) This permit must be in the possession of the person removing forest produce under it, and must be produced by such person whenever called upon to do so by the Council Forest Officer.

(2) Only trees marked with the District Council hammer may be felled, No log or sawn timber may be removed from felling site unless it has been measured and marked with the prescribed hammer, i.e. passing hammer, if royalty is to be paid at site.

Note:—Logs may not be converted at sites unless they have been measured and unless the sale is at converted timber rate.

(3) All timber and, other forest produces must be removed from the forest within the time granted in the permit.

(4) This permit must be returned to the nearest forest office within one month of the date of its expiry.

(5) Any advance royalty paid at the time of taking out a permit will lapse to the District Council with the lapsing of the permit unless application for extension has been made to the Executive Member-in-charge Forests within one month from the date of expiry and the Executive Member-in-charge Forests, Lakher District Council exercising his discretion, has granted an extension which may not exceed a further period of one year after realisation of an extension fee not exceeding twenty five percent of the royalty on the forest produce to be removed under permit.

(6) Breach of any of the above conditions will render this permit liable to be cancelled and the forest produce confiscated, notwithstanding any other penalties incurred by the permit holder under the Lakher Autonomous District Forest Act, 1981 or Rules made thereunder.

Signature of the Council Forest Officers I understand and accepted the above conditions.

Signature of permit holder.

APPENDIX — III

(See section 6)

Rate for timber:- 1. Timber trees are classified as follows:-

Botanical Name	Hindi Name	Mizo Name
A—I		
<i>Tectona grandis</i>	Teak	Teak

A—II

Michelia Champaca

Shorea robusta

Phoebe gaolparensis

Morus laevigata

Dalbergia sissoo

Pinus insularis

Titasopa/champ

Sal

Bonsom

Bola

Sissu

Pine

Ngiau

Sal

Bul

Lungli

Pine

B—Class

Diptarocarpus macrocarpus

Albizia odoratissima

Artocarpus chaplasha

Chikrassia tabularis

Cinnamomum cacidodaphne

Gmelina arborea

Messua forrea

Talauma pholocarpa

Terminalia myriocarpa

Mekai

Hiharu

Sam/cham

Bogipama

Conserai

Gamaoi

Nabar, Nogeswar

Tita sopa

Hollock

Thingri

Tatkawng.

Zawngtei

Khiangzo

Thlanvawng

Herhse

Thingvandawt

Char

C—Class

Bombax ceiba

Acrocarpus fraxinifolius

Adina cordifolia

Albizia procara

Alseodaphne owdenii

Ammora wallichii

Simul

Mendham

Haldu, Farak sopa

Koroi

Noricha sundi

Amari

Phunchawng

Nganbawm

Lungdup

Kangtek

Zobul

Sabatah

<i>Artocarpus integrifolia</i>	Kathal	Lamkhuang
<i>Castanopsis species</i>	Hingori	Sebawr
<i>Cynometra polyandra</i>	Ping	Kawhreiba
<i>Eugenia jambolana</i>	Jumuk	Hmuipui
<i>Lagerstroemia foelsreginae</i>	Ajhar, jarul	Thlado
<i>Magnolia species</i>	Sopa	Ngiau
<i>Phoebe cooperina</i>	Mekhabi	Buipui
<i>Pterospermum acetofolium</i>	Hatipoila	Siksil
<i>Schima Wallichii</i>	Makria sal	Khiang
<i>Albizzia lebbek</i>	Kako Siris	Thingri
<i>Bischofia Janvanica</i>	Urium	Khuangthli
<i>Cassia nodosa</i>	Sonari	Makpazangkang

D—Class

<i>Galophylum Polyanthum</i>	Kurta	Hnaibung
<i>Cinnamomum obtusifolium</i>	Meduridima, parati	Thakting.
<i>Cordia fragrantissima</i>	Modidal	Mukfang
<i>Duabanga sonneratioides</i>	Kbokan	Zuang
<i>Garuga pinnata</i>	Thaizela, hinala	Tawitawsuak
<i>Sapium baccatum</i>	Selleng	Tbingvawkpui
<i>Podocarpus nerifolia</i>	Jinari	Tufar
<i>Amoora species</i>	Rata, Bandordima	Sabatab chi
<i>Anthocephalus cadamba</i>	Kadam	Banphar
<i>Bursera Serrata</i>	Mirtenga, Neukheru	Bil
<i>Caesarium bengalense</i>	Dhunarata	Beraw
<i>Kydia calycina</i>	Pichola	Thalteh
<i>Nysa sessiliflora</i>	Gaharisopa	Banphar chikhat
<i>Mangifera indica</i>	Am	Theihai

E—Class

Cedrela toona	Jatipoma	Thaipui
Albizzia stipulata	Saw, Harish	Vang
Astonia Scholaris	Satianastai	Thuamriat
Bombax insigne	Dumboil	Pang
Tetrameles nudiflora	Bhelu, Tula	Thingdawl
Trewia nudiflora	Bhelkor, Bhura	Phaithing
Vitex penduncularis	Ahoi	Thingkhualu
Zanthoxylum budruaga	Bajrong, Bojoani	Chingitte
Echynocarpus assamicus	Jobahingoria, seta	Zawngte
Ficus nervosa	Khipan, Khariapan	Hmawngchi
Heritiera acuminata	Bharoi/dhamin	Bawrai
Hibiscus macrophylla	Chamia	Vaiza
Sterculia villosa	Udai	Hruikhau

11. Scheduled rates of royalty of Timber :

Class:	Rate for log below 1 metre in girth.	Rates for logs 1.5 metre in girth	Rates for logs for cubic metre	Above 1.5 metre in girth.
A—I	Rs. 85.00	Rs. 175.00		Rs. 350.00
A—II	Rs. 35.00	Rs. 55.00		Rs. 75.00
B	Rs. 17.00	Rs. 30.00		Rs. 42.00
C	Rs. 10.00	Rs. 17.00		Rs. 24.00
D	Rs. 7.00	Rs. 12.00		Rs. 16.00
E	Rs. 5.00	Rs. 7.00		Rs. 10.00

2. The Classification will be based on midgirth measurement. The cubic contents of logs will be calculated by multiplying the square of the quarter girth taken in the middle of the logs by the length of the log.

3. The above rates are for girth measurements taken over bark. For barked and dressed longs rates will be 20 percent more than the above rates.

4. Rate for sawn timber will be double of the rates given under girth 1.5 metre and over irrespective of logs from which thensawn timber has been converted.

5. Payment at log rates will enable the permit holder to remove slabs obtained on conversion without further payment. Payment on sawn timber rates in the forest will enable the purchaser to remove slabs obtained on conversion and these will be sold at rates fixed by the Executive Committee.

6.

Rates for poles:

Class	1 metre to 1.6 metre	1.5 metre to 2 metre	2 metre to 2.5 metre	2.5 metre to 3 metre	3 metre and over
A—I	Rs. 1. 50	Rs. 3. 00	Rs. 4. 50	Rs. 6. 00	Rs. 7. 50
A—II	Rs. 1. 00	Rs. 2. 00	Rs. 3. 00	Rs. 4. 00	Rs. 5. 00
B	Rs. 75	Rs. 1. 50	Rs. 2. 25	Rs. 3. 00	Rs. 3. 75
C	Rs. .50	Rs. 1. 00	Rs. 1. 50	Rs. 2. 00	Rs. 2. 50
D	Rs. .25	Rs. .50	Rs. .75	Rs. .75	Rs. 1. 25
E	Rs. .25	Rs. .50	Rs. 75	Rs. .75	Rs. 1. 25

For the purposes of this paragraph "Pol" means a small wood in round of reasonable length whose mid-girth, over bark is between .030m to .61m. For barked poles 20% of the above rate to be added. Fractions of a metre above .5m to be taken as full one metre and below .5metre to be ignored.

7. Rate for dugout:—

Length	Class	Amount
Under 7.5 metre	A—I	Rs. 100.00
	A—II	Rs. 75.00
	B	Rs. 50.00
	C	Rs. 20.00
	D	Rs. 15.00
	E	Rs. 10.00
7.5 under 11 metre	A—I	Rs. 125.00
	A—II	Rs. 85.00
	B	Rs. 60.00
	C	Rs. 30.00
	D	Rs. 20.00
	E	Rs. 15.00
Over 11 metre	A—I	Rs. 150.00
	A—II	Rs. 100.00
	B	Rs. 70.00
	C	Rs. 35.00
	D	Rs. 25.00
	E	Rs. 20.00

Above rates are for each dugout.

8. Rates for minor forest produce:—

Bamboos :—

Bamboosa vulgaris (Bariala)	Rs. 7.50 percent
Bambusa Tulda (trati mirtega)	Rs. 5.00 "
Bambusa Balcooa (Barua)	Rs. 7.50 "
Bambusa Palliada (jati)	Rs. 3.00 "
Dendro Calamus Hamiltonii (Kako)	Rs. 7.50 "
Dendrocalamus Strictus (Katabans)	Rs. 5.00 "
Melocanna bambusoides (muli)	Rs. 3.00 "
Bajal Bamboo	Rs. 1.00 "
Dalu bamboo	Rs. 1.50 "

Above rates as per hundred in each case.

9. Sun or thatching grass:—
- | | |
|-----------|--------------------------|
| 30m girth | Rs. 3.75 per 1.00 bundle |
| 45m " | Rs. 8.60 -do- |
| 60m " | Rs. 15.00 -do- |
- 10 Cane:
- | | |
|-----------------------------|---------------------|
| Calamus Guruba (Sundi) |) |
| Calamus tenuis, (jati) |) |
| Calamus Flagellum (Raidang) |) Rs.1.00 per 100m. |
| Calamus latifolius (Horna) |) |
| Golla Cane |) |
- All above rates are for whole cane.
11. Ekca and other reeds:—
- | | |
|-----------------------|--------------------------|
| Upto 15m girth | Rs. 1.00 per 100 hundred |
| Over 15m to 30m girth | Rs. 3.00 —do— |
| Over 30m to 45m girth | Rs.6.00 — do — |
12. Sand and Boulder:—
- Rs. 1.00 and 2.00 per cubit metre/5 quintal respectively.
13. Graval broken stone and siggle :
- Rs. 16.00 per cubit metre.
14. Squarel stone and clay:—
- Rs. 2.00 and Rs. 1.00 per cubit metre respectively.
15. Roofing leaves:—
- Take at Rs. 1.00 per 1,000 leaves Jeng and other leaves Rs. 0:75 per 1,000 leaves.
16. Rates for fire wood:—
- | | |
|--|-----------|
| (1) Fire wood removal by head load on monthly permit | Rs. 2.00 |
| (2) Fire wood removal by head loads on yearly permit | Rs. 18.00 |

- (3) For removal by Buffalo cart Rs. 2.00
- (4) -do- by bullock cart/ Rs. 1.50
- (5) -do- 3-ton truck Rs. 9.00
- (6) -do- 5-ton truck Rs. 15.00

17. Increase and decrease of any of the rates is vested in the Executive Committee to a limit of 50% of decrease and 50% of increase according to distance and difficulties of extraction.

18. All other minor forest produce not listed above will be charged royalty at 12.5% ad-valoram.

APPENDIX — IV

(See section 7 (2))

**Forest Department, Lakhur District Council
Transit Pass.**

Station..... Lane Beat..... Revenue.

- 1. Name and residence of permit holder.....
- 2. Number and date of permit or agreement.....

Kind of forest produce	Number of places, package or hundles	Measurement cubic contents or weight	Marks hammer or other	Rate	Amount paid
(3)	(4)	(5)	(6)	(7)	(8)

- (9) Locality from where collected.....
- (10) Place from which to be transported.....
- (11) Destination.....
- (12) Route of transport.....
- (13) Date of expiry.....
- (14) Date of issue.....

Signature and designation of issuing Officer.

Conditions

Any person removing timber or other forest produce without a transit pass in this form in contravention of any rule made under section 50 of the Lakher Autonomous District Forest Act, 1981 is liable for punishment.

2. The transit pass must be produced whenever called upon to do so by the Council Forest Officer.

APPENDIX—V

(See section 9)

LICENCE TO PURCHASE HONEY AND WAX FROM COUNCIL FOREST IN THE AUTONOMOUS LAKHER DISTRICT

Fee Rs. 5 - No . of Licence

No. of Book

Subject to the provisions of section 9 of the Lakher Autonomous District Forest Act 1981 this Licence of purchase honey and wax has been granted for one year from.....to..... (both days inclusive) under the conditions specified on the reverse.

TO.....

of.....

circle.....

District/Region.....

The.....

Signature and designation of the Officer granting the Licence.

(3)	For removal by Buffalo cart	Rs. 2.00
(4)	-do- by bullock cart pony cart.	Rs. 1.50
(5)	-do- 3 ton truck	Rs. 9.00
(6)	-do- 5 ton truck	Rs. 15.00

17. Increase and decrease of any of the rates is vested in the Executive Committee to a limit of 50% of decrease and 50% of increase according to distance and difficulties of extraction.

18. All other minor forest produce not listed above will be charged royalty at 12.5% ad-valorem.

APPENDIX —IV (See section 7 (2))

Forest Department, Lakhur District Council Transit Pass.

Station..... Lane Beat—..... Revenue.

1. Name and residence of permit holder.....
2. Number and date of permit or agreement.....

Kind of forest produce	Number of places, package or hundles	Measurement cubic con- tents or weight	Marks hammer or other	Rate	Amount paid
(3)	(4)	(5)	(6)	(7)	(8)

- (9) Locality from where collected.....
- (10) Place from which to be transported.....
- (11) Destination.....
- (12) Route of transport.....
- (13) Date of expiry.....
- (14) Date of issue.....

Signature and designation of issuing
Officer.

Conditions :—

Any person removing timber or other forest produce without a transit pass in this form in contravention of any rule made under section 50 of the Lakher Autonomous District Forest Act, 1981 is liable for punishment.

2. The transit pass must be produced whenever called upon to do so by the Council Forest Officer.

APPENDIX—V

(See section 9)

LICENCE TO PURCHASE HONEY AND WAX FROM COUNCIL
FOREST IN THE AUTONOMOUS LAKHER DISTRICT

Fee Rs. 5 -

No. of Licence

No. of Book

Subject to the provisions of section 9 of the Lakher Autonomous District Forest, Act 1981 this Licence of purchase honey and wax has been granted for one year from.....to.....
(both days inclusive) under the conditions specified on the reverse.

TO.....

of.....

circle.....

District/Region.....

The.....

Signature and designation of the
Officer granating the Licence.

The conditions under which this Licence is granted are:—

- 1) That the Licence is not transferable.
- 2) That the Licence shall always be in the personal possession of the Licensee when purchasing honey and wax.
- 3) That the Licence shall be returned either to Executive Committee or to the officer by whom it was issued. Within one week of, or before the date on which the period for which it was issued expires.

Breach of any of the conditions under which the licence is granted or any of the provision of the rules under which it was issued, will render the licence liable to forfeiture, and the holder thereof to the punishment provided in the Act.

APPENDIX—VI

(See section 53)

RECEIPT BOOK IN TRIPLICATE

Forest Department receipt..... Lakher District Council
 No.....Date.....
 Receipt from.....the sum of Rupees.....
 in cash on account of.....payment.....
 Rs.....

Designation,

STATEMENT OF OBJECT & REASONS

The existing law for the management of Forest in Lakher District is considered inadequate and it is considered to reframe better law for the effective management of the forests of Lakher District.

Therefore, the Bill.

Executive Member i/c Forest
 Lakher District Council,
 Saiha

I do hereby certify that the above - bill, namely, the Lakher District Council (~~The~~ Lakher Autonomous District Forests Bill, 1981 was passed by the Lakher District Council in its meeting held on the 6th April, 1981.

A - N - D

in authentication thereof, I give my signature this day twentieth of May, 1981

Sd/-
Chairman,
Lakher District Council,
S A I H A.

Dated Saiha,
the 20th May, '81.

I assent to the above Bill.

Administrator,
Mizoram.