



Regd. No NE 907

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EXTRA ORDINARY

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NOTIFICATION

No. LJD 19/88/32. the 30th August 1989. The following Ordinance which has been promulgated by the Governor of Mizoram is hereby published for general information.

Mizoram Ordinance No. 1 of 1989.

Mizoram Forests (Amendment) ordinance of 1989.

(Promulgated by the Governor of Mizoram on 17th August 1989)

AN ORDINANCE

to amend the Mizo District (forest) Act, 1955.

Whereas the State Legislative Assembly is not in session and the Governor is satisfied that circumstance exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Mizoram is pleased to promulgate the following Ordinance as follows :-

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| Short title,
extent and
commence-
ment. | 1. (1) This Ordinance may be called the Mizoram Forest (Amendment) Ordinance, 1989.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once. |
| Amendment
of the
preamble. | 2. In the preamble of the Mizo District (Forest) Act, 1955, (hereinafter referred to as the principal Act), for the words "the Mizo Autonomous District" the words "the State of Mizoram shall be substituted. |

- Amendment of Section 1. 3. In clause (i) of Section 1 of the principal Act :-
- (a) for the words "the Mizo District (Forest Act, 1955", the words ' the Mizoram (Forest) Act, 1955", shall be substituted
 - (b) in clause (ii), for the words "the Mizo District", the words "the State of Mizoram", shall be substituted.

- Amendment of Section 2. 4. In the principal Act, in section 2, for clause (xiii) the following clause shall be substituted namely :-
- “(xiii) Reserved Forest” means any area which is constituted as reserved forest under the Assam Forest Regulation, 1891 as adapted.

Notwithstanding anything contained in the foregoing clause, the forest declared as Reserved Forest under the said Regulation of 1891 shall also be governed and regulated under the provisions of this Ordinance.

- Insertion of new section 5A 5. In the Principal Act, after section 5, the following new section shall be inserted, namely :—

5A GOVERNMENT TO FIX SELLING PRICE OF FOREST PRODUCE

NOTWITHSTANDING ANY PROVISION contained in this Act, the Government may fix the selling price of any forest produce from time to time keeping in view the availability, demand and other factors connected therewith. The selling price so fixed by the Government shall be binding on the permit holder and any other person selling the forest produce”

- Amendment of Appendices. 6. In the principal Act, for the Appendix II and Appendix II A, the following Appendix II and Appendix II A shall be substituted, nemly :—

A P P E N D I X—II

FORM OF PERMIT FOR COLLECTION OF TIMBER AND OTHER FOREST PRODUCE.

Permit No. Dated the day of
 (Month) (Year). (Shri/Shrimati)
 (Name and Address) in hereby permitted to collect forest produce mentioned below upto the period ending on He has paid royalty

to Rs. towards the said forest produce.

Name of Forest	Description of timber and other forest produce.	Number of quantity	Rate	Amount paid	Remarks
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(1)	(2)	(3)	(4)	(5)	(6)
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Signature and Designation
of the Issuing Officer (Seal).

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 to do so by a Forest Officer.

2. Only tree marked with the Government 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 or royalty paid is at converted timber rates.

3. All timber and other forest produce must be removed from the forest within the time granted in the permit.

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

5. Any royalty paid at the time of taking out a permit will lapse to Government the lapsing of the permit unless application for extension has been made to the issuing officer who exercising its discretion, has granted an extension which may not exceed a further period of three months after realisation of an extension fee not exceeding 25 percent of the royalty on the forest produce to be removed under permit.

6. The selling price fixed under the provision of Section 5A of the Act shall be binding on the permit holder selling the forest produce.

7. Without prejudice to any other penalties that may be imposed on the permit holder under the Mizoram Forest Act, 1955 or rules made there under, breach of any of the above conditions will render this permit liable to be cancelled and the forest produce confiscated.

Signature of Forest Officer,

I understand and accept the above conditions.

Signature of the Permit Holder.

APPENDIX – II A
(See Section 7 (2))

TRANSIT PASS

Book No..... Transit Pass No.....
..... Division Range

1. Name and Residence of Pass Holder
2. No. and Date of Permit and Issuing Authority
3. Reference No. of Receipt of Royalty
4. Place from which to be transported
5. Route of Transport and destination
6. Validity period to
7. Mode of Transport

Kind of Forest produce	No. and measurement	Marks—Hammer of other.
(1)	(2)	(3)

Signature and Designation of
issuing Officer (Seal)

Conditions :

1. Any person removing timber or other forest produce without Transit Pass in this Form or in contravention of any provisions of the Act and Rules made there-under shall be punishable under section 188 of the Indian Penal Code.
2. This Transit Pass must be Produced by the Passholder whenever called upon to do so by a Forest Officer.

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to the Govt. of Mizoram
Law, Judicial & Parl. Affairs Deptt.