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EXTRA ORDINARY

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NOTIFICATION

NO. LJD 14/90/7, the 17th August, 1990. The following Act of the Mizoram Legislative Assembly which received the assent of the Governor is hereby published for general information.

The Mizoram Act No 8. of 1990.

The Mizoram Forest (Amendment) Act, 1990.

(Received the assent of the Governor of Mizoram on the 13th August, 1990.)

AN

ACT

Further to amend the Mizo District (Forest Act, 1955.)

Be it enacted by the Legislative Assembly of Mizoram in the Forty-First Year of the Republic of India as follows :-

- | | |
|--|--|
| Short title,
extent and
commence-
ment. | 1. (1) This Act may be called the Mizoram Forest (Amendment) Act, 1990.
(2) It shall have the like extent as the Principal Act.
(3) It shall come into force at once. |
| Amendment
of | 2. In the Mizo District (Forest) Act, 1955. (hereinafter referred to as the principal Act) in Section 1 :-
(a) for the short title "the Mizo District (Forest) Act, 1955, the words "the Mizoram (Forest) Act, 1955", shall be substituted. |

(b) in sub-section (2) :-

(1) for the words "the Mizo District", the words "the State of Mizoram", shall be substituted.

(11) for the words "Pawi-Lakher Regional Council", the words "Chakma, Lai and Mara District Councils" shall be substituted.

Amendment of

3. In the Principal Act, in section 2, for clause (13), the following clause shall be substituted, namely :-
 "(13) "Reserved Forest" means any area which is constituted as reserved forest under the Assam Forest Regulation, of 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 provision of this Act".

Insertion of new section

4. In the Principal Act, after section 5, the following new section shall be inserted, namely :-

5 A.

"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".

Ameddment of Appendix-II and Appendix-II A.

5. In the principal Act, for the Appendix—II and Appendix—II.A, the following Appendix—II and Appendix—II A shall be substituted, namely :-

"APPENDIX—II"

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

Permit No.Dated theday of.....

(month)(year). Shri/Shrimati

(name & address) is hereby permitted to collected 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	Remarks.
1	2	3	4	5	6

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 persons whenever called upon to do so by a forest officer.

2. Only trees 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, and unless the sale is converted at timber rates.

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 Government with the lapsing of the permit unless application for extension has been made to the issuing officer who exercising its direction 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 thereunder 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 condition,
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 or 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 Pass holder whenever called upon to do so by a Forest Officer.

- Repeal & saving
6. (1) The Mizoram Forest (Amendment) Ordinance, 1989 is hereby repealed.
 - (2) Notwithstanding such repeal, any action taken under the ordinance so repealed shall be taken as action taken under this Act.

K.N. Srivastava,
Secretary to the Govt. of Mizoram,
Law, Judicial & Parliamentary Affairs Deptt.