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The Mizoram Gazette

EXTRAORDINARY

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NOTIFICATION

No. LAD. 31(E)/73/10, the 6th July, 1976. In pursuance of Paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act made by the Pawi Autonomous District Council is hereby published for General information:—

1. The Pawi Autonomous District (Forest) Act, 1976.

J. Malsawma,
for Secretary
to the Govt. of Mizoram.
Local Administration Deptt.

AN
ACT

to provide for the management of any Forest not being a reserved Forest in the Pawi Autonomous District Council area.

Preamble:— Whereas it is expedient to provide for the management of Forests within the Pawi Autonomous District Council area which are not State Reserved Forests ;

It is hereby enacted by the Pawi District Council in the twenty seventh year of the Republic of India as follows :—

1. Short title, extent and commencement :—

(1) This Act may be called the Pawi Autonomous District Council (Forest) Act, 1976.

(2) It shall extend to such areas within the Pawi District Council area other than those which may be declared as State Reserved Forests by the order of the Lt. Governor (Administrator) .

(3) It shall come into force on the date of publication in the Mizoram Gazette.

(2) **Definition :—** In this Act, except where it is otherwise expressly provided or the context otherwise requires :—

(1) "Administrator" means the Administrator of Mizoram appointed by the President of India under article 239 of the Constitution of India.

(2) "Council Forest Officer" means any persons appointed by name or as holding an office by or under the orders of the Pawi District Council and shall include Deputy Conservator of Forest, Asstt. Forest Rangers, Deputy Rangers, Foresters, Asstt. Foresters, Forest Guards and any person appointed to discharge the duties and functions of a Council Forest Officer under this Act or any rule thereunder.

(3) "Council Forest" means any Forest in the District other than the Reserved Forest.

(4) "District" means the Pawi Autonomous District.

(5) "Council Reserved Forests" means any forest constituted as such by or under orders of the Pawi District Council.

(6) "District Council" means the Pawi Autonomous District Council.

(7) "Deputy Commissioner" means the Deputy Commissioner of Chhimtuipui District at Saiha.

(8) "Executive Committee" means the Executive Committee of the Pawi District Council and the term "Chief Executive Member," "Member of Executive Committee," shall be construed accordingly.

(9) "Forest Produce" means forest produce of Council Forest and includes :—

(a) the following whether in or brought from, a forest or not, that is to say—
timber, charcoal, cautchou, Gatechu, woodoil, resin, natural varnish, bark, lac and myraoolams and

(b) the following when found in, or brought from, a forest, that is to say :

(i) trees and leaves, and fruits and all other parts or produce not hereinbefore mentioned of trees;

(ii) Plants not being trees (including grass creepers reeds and moss) and all parts or produce of such plants,

(iii) skins and horns, bones, silk, cocoons, honey and wax and all other parts, or produce of animals; and,

(iv) Peat, surface soils, rocks and all other products of quarries;

(10) "Forest Offence" means an offence punishable under this Act or any Rule thereunder;

(11) "Cattle" includes also Sials, buffaloss, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids;

(12) "Tree includes palm, bamboo, stumps, brushwood and can;

(13) "Timber" includes trees when they have fallen or have been felled, and all wood, wether cut up or fashioned out for any purpose or not;

(14) "Land at the disposal of the District Council" means any land at the disposal of the Pawi District 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 lease made or continued by, or on behalf of the Government of the Union Territory of Mizoram;

(15) "President" means the President of a Village Council appointed under the provisions of the Pawi Autonomous District (Village Councils Act, 1974) as amended from time to time;

(16) "Reserved Forest" has the same meaning as assigned to it by sub-paragraph (2) of paragraph 3 of the Sixth Schedule to the Constitution of India;

(17) "River" includes also streams, canals, creeks and other channels natural or artificial;

(18) "Secretary" means the Secretary to the Executive Committee of the Pawi District Council;

(19) "Village Council" means a Village Council constituted under the provision of the Pawi Autonomous District (Village Councils Act, 1974) as amended from time to time.

3. Jurisdiction of the District Council :— The Administration of Forests other than the State Reserved Forest in the Pawi District is vested in the District Council of the Pawi Autonomous District.

4. Reserved Trees : The trees specified in Appendix I to the Act shall be treated as reserved trees and 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 a competent Council Forest Officer appointed in this behalf by the Executive Committee in writing.

5. Disposal of Forest produce : (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 any other officer empowered in this behalf in writing.

(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 the purpose of trade.

6. Royalties : (1) The rates to be charged on all forest produce removed from the Council Forest to outside District for trade under a trade permit are

gived 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 25 percent of increase or decrease according to distance and difficulties of extraction.

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

(3) The Executive Committee is empowered to revise whenever necessary the classification of trees mentioned in Appendix III and such revision whenever made shall be notified in the Mizoram Gazette.

(4) No forest produce shall be extracted for any purpose from any of the Council Reserved Forests except on payment of royalty and with the written permission of the Executive Committee or, any other officer empowered in this behalf.

7. Payment of fees and royalties : (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 at the first Forest Revenue station reached by such forest produce.

(2) No forest produce shall be removed in transit pass or any revenue station, 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.

8. Registration of property marks : All persons trading in or conveying timber not belonging to 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.

9. Honey and Wax : No person shall remove Honey and Wax for purposes of trade from the Council Forests, Save under, and subject to the condition of purchasing licences granted by the Executive Committee, or any other officer empowered in this behalf. 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 each license.

10. Application of Section 188 of I.P.C. to breach of the provisions of some sections of this Act. All breaches of the provision of section 4, 5, 7 and 9 of this Act shall be punishable with the application in spirit of section 188 of Indian Penal Code.

11. Town Station Reserve : (1) The District Council may, by notification

in the Mizoram Gazette or by publication in any other manner it deems suitable constitute any forest which is not a Government Reserved 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, cut, felled, tapped or injured in any manner, without permission in writing, which will be subject to such condition as may be imposed by the Executive Committee or any other officer empowered in this behalf.

(4) Anyone contravening the provision 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.

12. District Council may appoint officer and staff for management of Council Forest Reserve : To District Council may, at any time, appoint officer and staff for the management of the Council Forest Reserves constituted under section 25 of this Act.

13. Power to constitute Village Forest Reserve :

(1) The District Council may, by order, constitute any land at the disposal of the District Council into a Village Forest Reserve for the collection benefit of any Village community or group of Village communities and may, in like manner, vary or cancel any such order.

(2) Every such order shall specify the limits of such Village forest reserve.

14. Village Forest Reserve. The Village Forest Reserves constituted under section 13 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 other Village Council Members, may dispose of any dead tree in the manner it 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 benefit such reserve is constituted may cut trees and bamboos from this reserve for his household needs.

15 Power of District Council to distribute land for jhums : The Village Council shall have the power to distribute land for jhums within the council forests other than the following reserves :—

- (1) The Village Safety reserve
- (2) The Village Supply reserve
- (3) Town Station reserve
- (4) The Council Reserve Forest and
- (5) The Reserve Forest.

No Village Council shall be allowed to distribute dense forest within the Council forests for jhum except within the permission of the Executive Committee ;

16. Certain punishment with fines (a) Any person doing anything in contravention of the provision of section 14 and 15 shall be punishable with a fine not exceeding Rs. 50/-

(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. Power to constitute protected Forest Reserve :

(1) The District Council may constitute any land at the disposal of the District Council as protected Forest Reserve for protection of valuable forest from destruction for the interest of the village communities. No one shall utilise for an purpose any portion of land inside this protected Forest Reserve and no trees thereof shall be cut in the Protected Forest Reserve except with the permission of the Executive Committee or any Forest Officer empowered in this behalf.

(2) Any person doing anything in contravention of this section shall be punishable with a fine not exceeding Rs. 50 /—

18. Power to constitute Council Reserve Forest : The District Council may constitute any land at the disposal of the Council as a Council Reserve Forest in the manner here in after provided.

19. Notification of Proposal to Constitute a Council Reserve Forest : Whenever it is proposed to constitute any land as a Council Reserve Forest, the Executive Committee shall publish a notification—(1) Declaring that is proposed to constitute such a land as a Council Reserved forests, and

(2) Specifying, as nearly as possible, the situation and limits of such land, and

(3) Inviting claim of rights and objections.

20 Survey of the Proposed Council Reserve Forest :

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

21 Claims and Objections. All claims of rights on the land 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 19.

22. Council Forest Tribunal—The Executive Committee shall appoint a Council Forest Tribunal who shall decide all claims of rights on land and all objections against the proposed Council Reserve Forest. The orders of the Council Forest Tribunal shall be published forthwith in the Mizoram Gazette.

23. Appeal—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.

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

25. Final Notification constituting Council Reserved Forests—The Executive Committee shall, after disposal of all appeals, publish in the Mizoram Gazette or by publication in any other manner it deems suitable, the final notification specifying the limit of the Council Reserved Forest incorporating there in 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.

26. Right in or over the Council Reserved Forests-

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 25. The Executive Committee or any other officer empowered in this behalf may permit or grant rights of any nature other than jhuming individual or a community for the benefit of a community or communities

27. Penalties for trespass or damage- 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 falling 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.

28. Acts prohibited- Any person, who, in the Council Reserved Forest-

(1) Sets 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) fells, cuts, girdles, marks, lops, taps, or injures by fire or other wise 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 which may extend to five hundred rupees, or with both.

29. Jhuming in Councils' Forest — The right to jhuming or any shifting cultivation in the unclassed Council Forests other than Council reserved forest is conceded subject to any regulation, rules and orders or any other body granted powers similar to a village Council by the District Council.

30. Collection of timber free of royalties or permit for private use - 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 unclassed Council Forest, including the village Supply Reserve, but not for sale, trade, mortgage or gift for which purpose either permit or royalty or both may be imposed by the Executive Committee as it deems fit,

31. Forest offences : (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 articles 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 articles 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.

32. Presumption that the Forest produce belongs to the District Council
When in any proceeding taken under this Act or in consequence of anything done under this Act, 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.

33. Power to compound. The Executive Committee may-

(1) (a) accept from any person against whom reasonable suspicion exist that he has committed any forest offence specified in section 27 and 28 of this Act, sum of money by way of compensation for the offence which such person is suspected to have committed, and

(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.

34. Procedure for disposal of perishable property— Notwithstanding anything here in before contained, the Court concerned may direct the sale of any property seized under section 31 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.

35. Power to arrest without warrant— (1) Any Council Forest Officer not below the rank of Assistant Forester or Police Officer may, without order

from 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 longer period exceeding twenty four hours exclusive of the time necessary for journey from the place of arrest to the Court of Magistrate concerned.

36. Power of the Executive Committee to evict unauthorised occupant from Reserve Forest — (1) The Executive Committee or any officer authorised by Executive Committee may eject any person from any land in a Council Reserved Forest unless such person has been allowed to settle,

(2) Such person may be ejected or ordered to vacate forthwith, and the Executive Committee or any officer authorised by the Executive Committee may sell, confiscate or destroy any crop raised or any building or other construction erected without authority.

37. Penalty for counterfeiting or defacing marks on trees and timbers, etc.— 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 India Penal Code

(a) Knowingly counterfeit upon any tree or timber a mark used by 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 forest officers, or

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

(d) alters, moves, detroys 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.

38. Compensation for damage caused by commission of offence — (1) When any person is convicted of felling, cutting, girdling, marking, lopping or topping trees, or of injuring them by fire or otherwise in contravention of this Act, or of any rule 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, not exceeding twenty rupees for each tree with respect to which the offence was committed as it may deem fit.

(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 any neglect or default on his part, order him, instead of the person who committed the offence, pay the compensation referred to in sub-section (1)

(3) Any appeal from any order under sub-section (1) or sub-section (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.

39. Forfeiture of lease : When the holder of any lease, license or contract whatsoever granted or continued by or on behalf of the District Council for any of the purposes of this Act commits an offence against this Act, or any rule thereunder or when any such offence is committed by any agent or servant of the holder of any such lease, License 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, license or contract to be specified in the order not being prior to the date of the commission of the offence.

40. Forest Officers not to trade— No Council Forest Officer shall, as principal or agent, trade in forest produce, or be, or become interested in any lease or mortgage of any forest, or in any contract for working any forest.

41. Persons bound to assist Forest Officer— Every person who exercise any right in any class of Council Forest, or who is permitted to remove any forest produce from, or to pasture cattle or practise 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 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 forest officer

(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 offender.

42. Recovery of Money due to District Council—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, 1866 is in force.

43. Lien on forest produce for money—(1) When any such money is payable for or 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 forest officer specially empowered in this behalf and may be retained by him until such amount has been paid.

(2) If such amount is not paid when due, such 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 supply, if any, if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to the District Council.

44. District Council and its officers not liable for loss or damage in respect of certain Forest produce—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 and under this Act or rules thereunder or while collected or detained elsewhere for the purpose of this Act, and no forest officer shall be responsible for any such loss or damage unless he shall have caused the same negligently, maliciously or fraudulently.

45. Recovery of penalties due under land—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 instrument 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, 1866 is in force.

46. Distribution of Jhum— (1) The extent of area to be allocated for distribution for jhum under section 15 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 jhum to a village shall rest with the Village Council.

(3) No jhumming shall be permitted within one hundred yards 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 Committee.

47. Opening wet Cultivation: No new wet cultivation shall be opened in the Council Forests 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.

48. Establishment and control of Forest Villages: (1) For the purpose of providing a source of suitable local labour for forming and maintaining plantation and taungyas, the District Council may with the previous approval of the Administrator, establish forest villages within the limits of any Council Reserved Forests on such sites as may be selected by the Executive Committee.

(2) The boundary of all Forest Villages shall be demarcated by boundary pillars and shown in maps together with all interior details such as fields, homesteads, etc, and a register shall be maintained of the houses in each village.

(3) Jhum in the Reserve shall be allowed to the Forest Villagers on the following conditions:—

(i) the area will be selected by the Council Forest Officer with the approval of the Executive Committee.

(ii) an allotment of Maximum 3 (three) acres or Jhum land will be annually made for each resident household,

(iii) the villagers themselves will sow or plant with their crops the seeds or plants of such forest trees in such manner as the forest officer may direct,

(4) Building materials and fuel 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 days labour, if called upon, in the next instance at a rate of wages to be fixed by the forest officer.

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

(6) The forest villagers admitted into the reserve forest shall execute an agreement in the 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 the Act, or whose conduct in the opinion of the said officer, impairs the harmonious working of the Village.

49. Penalties - If any person infringes any of the provisions of Section 46 and 47 he shall be punishable with a fine not exceeding Rs. 50/-

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

51. Repeal - (1) The following Acts are hereby repealed with effect from the date of publication of this Act in the Mizoram Gazette:

(a) The Pawi - Lakher Autonomous Region (Forest) Act, 1954

(b) The Pawi - Lakher Autonomous Region (Forest) (Amendment) Act, 1957 and

(c) The Pawi - Lakher Autonomous Region (Forest) (Amendment) Act, 1960

(2) Notwithstanding such repeal, all actions taken, orders, made or directions given under the following provisions of the Pawi-Lakher Autonomous Region (Forest) Act, 1954, the Pawi-Lakher Autonomous Region (Forest) (Amendment) Act, 1957 and the Pawi-Lakher Autonomous Region (Forest) (Amendment) Act, 1960, shall be deemed to be taken, made or given under the respective provisions of this Act and subsequent actions, if any, with regard to any action, order or direction shall be in accordance with the provision of this Act.

52. All Forest Revenue shall be received in the form as prescribed in Appendix VI

STATEMENT OF OBJECTS AND REASONS

With the creation of the Pawi Autonomous District out of the erstwhile Pawi-Lakher Autonomous Region, the existing Acts of the Pawi-Lakher Regional Council have become irrelevant and inapplicable to the Pawi District. Hence the bill.

L. CHINZAH

Chief Executive Member, Pawi District,
Council, Lawngtlai.

APPENDIX I

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. Tital sopa	<i>Michelia Champaca</i>	Ngiau chi (Hnahhlai)
2. Nahor, Naga Swar	<i>Messua ferrea</i>	Herhse
3. Chaulmugra	<i>Taraktogenos kurzii</i>	Saithei
4. Gugra, Nagalkha or Makria	<i>Waltichii</i> and <i>Schima</i> <i>Khasiana</i>	Khiang.
5. Hollong	<i>Depterocarpus Marcocarpos</i>	Lawng thing
6. Sal	<i>Shorea Robusta</i>	Lawng thing tha
7. Mekai	<i>Shorea Assamica</i>	
8. Simul	<i>Salmalia Malabaricum</i>	Phunchawng
9. Amari	<i>Amxora Wallichii</i>	Sahatah, Bung- lianban
10. Bogipoma	<i>Chikassia tabularis</i>	Zawngtei
11. Sissoo	<i>Delbergia Sissoo</i>	
12. Sonaru	<i>Cassia fistula</i>	Luahmurh
13. Khair	<i>Acacia Catechu</i>	
14. Korii	<i>Albizzia procera</i>	Kangtek
15. Jutuli	<i>Altingia excelsa</i>	Hriang
16. Hollock, Jhalna	<i>Terminalia myriocarpa</i>	Char
17. Jamuk	<i>Bugenia Jambolana</i>	Lenhmui
18. Sida	<i>Lengarstrosmia parviflora</i>	
19. Ajhar	<i>Lengarstrosmia flosreginea</i>	Thlado
20. Khokhan	<i>Duabanga Sonerotiodes</i>	Zuang
21. Kadam	<i>Anthocaphalus Cadanba</i>	Banphar

22. Haldu	Adina Cordifolia	
23. Mohidal	Cordia gragantissima	Muk
24. Ahoi	Vitex peduncularis	Thingkhualu
25. Gomari	Craclina arborea	Thlanvawng
26. Bonsum	Phoebe Goalparansis	Bul chi
27. Agar, Sasi	Aquilaria Agollacha	Thingrai
28. Auhir	Bridelia Ketursa	Phaktel
29. Uriam	Bischofia Javanica	Khuangthli
30. Indian Robber	Ficus elastica	Thelet
31. Sam	Artocarpus chaplasam	Tatkawng
32. Bela	Morunlaovigates	Lungli.

including all medicinal plants.

APPENDIX II

Permit for timber and other Forest produces to be collected from Pawi Autonomous District.

Name.....Residence.....

Forest

Date of expiry	Description of timber and other forest produces	Number or quantity	Rate	Amount Remarks
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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 a Forest Officer.

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

Notes:— 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 officer 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 District Council with lapsing of the permit unless application for extension has been made to the Executive Member incharge forests within one month from the date of expiry and the Executive Member incharge Forest, Fawi District Council, exercising discretion, has granted an extension which may not exceed a further period of one year after realisation of an extension fee not exceeding 25 p.c. 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 other forest produce confiscated not withstanding any other penalties incurred by the permit holder under the Fawi Autonomous District Council (Forest) Act, 1974 or rule made thereunder.

Signature of Forest Officer.

I understand and accepted the above conditions.

Signature of the Permit holder.

A P P E N D I X III

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

A—I C L A S S

Botanical Name	Vernacular Name	Mizo Name
<i>Michelia champaca</i>	Champ Tita Sopa	Ngiau
<i>Pheobe Goalparansis</i>	Bonsum	Bul
<i>Shorea robusta</i>	Sal	Lawngthing tha chu
<i>Dipterocarpas Macrocrapas</i>	Hollong	—
<i>Shorea Assamica</i>	Makai	—

A II C L A S S

<i>Legerstroemia flosreganana</i>	Ajbar	Thlado
<i>Morus Leabingate</i>	Bola	Lungli
<i>Accacia Catechu</i>	Khair	—
<i>Casis fistula</i>	Sonaru	Luahmurh
<i>Terninalia (myivocarpa)</i>	Halloc	Char

A III CLASS

Gmelina Arborea	Comari	Thlanvawng
Schima Wallichii	Kakria Sal	Khiang
Salmalia Malabaricum	Simul	Phunchawng
Artocarpas Chaplasha	Sam	Tatkawng
Amoora Wallichii	Amari	Sahatah

B— CLASS

Mesua ferra	Nahar	Herhse
Acrocarpus fraxinifolius	Nandani	Nganbawm
Duabanga Sennerioticidis	Khokan	Zuang
Galphylum Polynthum	Kurta	Hnaibung
Vitex ponduncularis	Ahui	Thingkhuailu
Gordia fragantissima	Mahidal	Muk
Bischofia Javanica	Uriam	Khuangthli

C — CLASS

Chikrasia tabularis	Bogipoma	Zawngtei
Albizzia odoratissima	Koroi	Thingri
Albizzia oderatissima		Kangtek
Terminalia belrica	Bohera	Thingvandawt
Dysoxy Binicteriferum	Bandordima	Zawngbaw
Eugenia jambolana	Jam	Lenhmui

D — Class

Manigifera indica	Am	Theihai
Legerstroemia perviflora	Sida	—
Ailanthus grandulosa	Borpat	Kaubal
Sapium baccatum	Saleng	Thingvawkpui

E — Class

All other species not included in any other classes will be classified and such royalty as fixed by the Executive Committee from time to time.

2. Schedule rates of Royalties of timber.

Class	Rates for logs below 1 metre in girth.	1 metre to 1.5 metre in girth	above 1.5 metre in girth
A — 1	Rs. 30.50	35.30	40.00

A — 11	Rs. 17.75	24.00	32.50
A — 111	Rs. 15.50	21.25	28.50
B	Rs. 10.60	15.50	21.25
C	Rs. 9.00	12.50	17.75
D	Rs. 7.00	10.50	14.25
E	Rs. 3.50	5.25	8.50

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 measurement taken over bark. For Rs. 0.50 per cub-metre to its rate for all dressed poles and logs 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 and over irrespective of logs from which the sawn 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	per piece of any under 1m	1m and less than 1.5m	1.5 and less than 2m	2m and less than 2.5m	2.5 and less than 3 metres.
A—1	Rs 1.50	Rs. 3.00	Rs. 2.00	Rs 4.00	Rs. 5.00
A—11	Rs 1.00	Rs. 2.00	Rs. 1.00	Rs. 2.00	Rs. 3.00
A—111	Rs 1.00	Rs 2.00	Rs 1.00	Rs 2.00	Rs 3.00
B	Rs 0.75	Rs 1.00	Rs 1.00	Rs 1.00	Rs 1.50
C	Rs 0.50	Rs 1.00	Rs 0.50	Rs 0.75	Rs 0.75
D	Rs 0.25	Rs 0.3	R 00.25	Rs 0.50	Rs 0.75
E	Rs 0.25	Rs 0.50	0.25	Rs 0.25	Rs 0.25

Rates for dugouts

Length	Class	Amount
Under 7.5 metres	A—1	Rs 100.00
	A—11	Rs 75.00

	A--11	Rs 55.00
	B	Rs 30.00
	C	Rs 20.00
	D	Rs 15.00
	E	Rs 10.00
7.5 to under 11 metre	A-1	Rs 125.00
	A-11	Rs 90.00
	A-111	Rs 65.00
	B	Rs 40.00
	C	Rs 25.00
	D	Rs 20.00
	E	Rs 15.00
Over 11 Metres	A-1	Rs 150.00
	A-11	Rs 100.00
	A-111	Rs 75.00
	B	Rs 50.00
	C	Rs 33.00
	D	Rs 25.00
	E	Rs 20.00

Above rates are for each dugout.

8. Rates for minor forest produce :-

Bamboos :-

Bambusa Vulgaris bariala	7.50	per 100
Bambusa mirtenga	5.00	"
Bambusa Jati	3.75	"
Bambusa Balikha, barua	7.50	"
Dendrocalamus hamiltonii	2.00	"
Dendrocalamus strictus	5.00	"
Bijal bamboo	1.00	"
Balu bamboo	1.00	"
Nelocana bambosidas	3.00	"

Above rates as per hundred in each case.

9. Sun or thatching grass :-

.30m girth	3.75	per 1000 bundles
.45m "	8.50	-do-
.60m "	15.00	-do-

10. Cane :-

Calamus garuba-sundel	0
Calamus Jati-Jail	0

Calamus Flagellum-raiding	()	Rs 1.00 per 100Km
Calamus latifolius, horna	()	
Colla Cane	()	

All above rates are for whole cane

II. Extra and other reeds :-

Up to 15m girth	Rs 1.00 per 100 bundles
over 15 to 30m girth	3.00 -do-
over 30 to 45m girth	6.00 -do-

12. Sand and boulder :—

Rs. 1.00 and Rs 2.00 per cubic metre respectively.

13. Gravel, broken stone and single :—

Rs. 16.00 per cubic metre.

14. Square stone and clay :—

Rs. 2.00 and Rs. 1.00 per cubic metre respectively.

15. Roofing leaves :—

Take at Rs. 1.00 per 1000 leaves. Jang and other leaves Rs. 0.75 per 1000 leaves.

16. Rates for firewood :—

1. For removal by head load on monthly permit	— Rs. 2.00
2. — do — on yearly permit	— Rs. 18.00
3. For removal by bullock carts	— Rs. 2.00
4. For removal by bullock carts/pony carts	— Rs. 1.00
5. For removal by 3 ton truck	— Rs. 9.00
6. For removal by 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 25 percent of decrease according to distance and difficulties of extraction.

18. All other minor forest produce not listed above will be charged royalty at 12.5 percent-advalorem.

APPENDIX IV

Forest Department, District Council
Transit Pass.

	Range/Beat		Revenue station
1. Name and residence of permit holder			
2. Number and date of permit or agreement			
Kind of forest produce	Number of pieces packages or bundles.	Measurement cubic content or weight	Marks hammer or other
(3)	(4)	(5)	(6)
Rates amount paid.			
			(7)
(9) Locality from where collected			
(10) Place from which to be transported			
(11) Destination			
(12) Route of transport			
(13) Date of issue			
(14) Date of expiry			

Signature and Designation
of Issuing Officer.

Conditions :-

1. Any person removing timber or, other Forest produce without a transit pass in this form in contravention of any rules made under section 7(2) of the Pawi Autonomous District Council (Forest) Act, 1974 is liable for punishment.
2. The transit pass must be produced whenever called upon to do so by a Forest Officer.

APPENDIX V

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

Fee Rs 5

No. of license

No. of book

Subject to the provisions of section 3 of the Pawi Autonomous District Council (Forest) Act, 1974 this license to purchase Honey and Wax has been granted for one year from..... to both days inclusive, under the condition specified on the reserve.

To.....
of.....
Circle.....
District/Region.....
Date.....
The.....19.....

Signature and designation
of the officer granting the licence.

The conditions under which this license is granted are

- (1) That the license is not transferable,
- (2) That the license shall always be in the personal possession of the license when purchasing Honey and Wax.
- (3) That the license shall be returned either to the 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 license is granted or any of the provisions of the rules under which it was issued, will render the license liable to forfeiture and the holder thereof to the punishment provided in the Act.

APPENDIX VI

RECEIPT BOOK IN triplicate

Forest Department Receipt.....Pawi District Council No..... Date.....

Received from..... THE SUM OF.....in cash, on
account of.....in payment.....Rs.....

Designation.