




RESOURCES

Act - 1927

[Forest \(Conservation\) Rules, 1981](#)

[The Forest \(Conservation\) Act, 1980](#)









[The Indian Forest Act, 1927 \(16 of 1927\)](#)

[CRZ notification](#)

OTHER ACTS



The two prime legislations on forests are the Indian Forest Act, 1927 and the Forest Conservation Act, 1980. However, some states have their own Forest Acts. Since the basis of all State Forest Acts is the same as that of the Indian Forest Act of 1878 taken with certain exceptions in the Indian Forest Act, 1927, we shall be discussing here only the Indian Forest Act, 1927.

-  The preamble to the Indian Forest Act, 1927 (16 of 1927) states that the Act seeks to consolidate the law relating to forests, the transit of forest produce and the duty that can be levied on timber and other forest produce.
-  The Indian Forest Act, 1927 (16 of 1927) has 86 Sections and it has been divided into thirteen chapters relating to i) Preliminary, ii) Reserved Forests, iii) Village Forests, iv) Protected Forests, v) the Control Over Forests and Lands not Being the Property of Government, vi) the Duty on Timber and Other Forest Produce, vii) the Control of Timber and Other Forest Produce in Transit, viii) the Collection of the Drift and Stranded Timber, ix) Penalties and Procedure, x) Cattle-Trespass, xi) Forest Officers, xii) Subsidiary Rules, and xiii) Miscellaneous.
-  In the Indian Forest Act, 1927, a striking feature is the absence of any definition of forest or forest land. The attempt of the Supreme Court to assign a meaning to the term 'forest' as per the dictionary meaning has seen a spate of interventions in the Court due to its wide ambit. Forest as per the above definition, may include private, common pasture, or cultivable land.
-  Section 2(4) of this Act provides definitions for the forest-produce and includes:
 -  the following whether found in, or brought from a forest, that is to say- timber, charcoal, caoutchouc, catechu, wood-oil, resin, natural varnish, bark, lac, mahua flowers, mahua seeds, kuth and myrabolams, and
 -  the following when found in, or brought from, a forest or not, that is to say-
 - trees and leaves, flowers and fruits, and all other parts or produce not hereinbefore mentioned, of trees,
 - plants not being trees (including grass, creepers, reeds and moss), and all parts or produce of such plants,
 - wild animals and skins, tusks, horns, bones, silk, cocoons, honey and wax, and all other parts or produce of animals, and
 - peat, surface soil, rock and minerals (including lime-stone, laterite, mineral oils, and all products of mines or quarries).
-  Offences under the Forest Act, 1927, on account of their peculiarity, differ from those under the Indian Penal Code in the sense that as a result of the former, no one is personally aggrieved or affected by the injury inflicted upon the forests, and the vast expanse of it makes the detection of offences difficult. Forest Offence has been defined under Section 2(3) of the Indian Forest Act, 1927, to mean 'an offence punishable under the Indian Forest Act, 1927 or rules made there under. Forest offences have been classified into two broad categories. Firstly, there are trivial offences covered under Section 68, where offences may be disposed of by compounding (compromising with money). Secondly, there are offences which do not fall under the above category and they entail higher punishment, which includes imprisonment, confiscation of private forest produce, tools, vehicle and cattle, etc., and in addition, the recovery of an amount equal to the damage done to the forest as compensation in case of offences relating to reserve forest (Section 26). A third category of forest offences relates to cattle trespass. Such offences are disposed of under the Cattle Trespass Act, 1871.
-  This Act establishes three categories of forests:

Reserve forest:
The most restricted category is 'Reserved Forest'. These forests may be constituted by the State

The urban laws relating to trees, wherever enacted, are not on a different footing. The Tree Preservation Acts such as the Delhi Tree Preservation Act, 1994, mandates that any (tree) felling within the city limits, including on private lands, has to be authorised by the Tree Officer who is an officer of a rank not less than a DFO. Examples of such legislation regulating the preservation and use of trees in urban centres, rural and hill areas, from various other States, can be multiplied.

12) This Act provides for punishment for the contravention of any rule under this Act, and the person found guilty of contravention is punishable with imprisonment for a term which may extend to one month or a fine of up to five hundred rupees, or both.

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