



LEGISLATIVE ASSEMBLY OF GOA

**The Indian Forest  
(Goa Amendment)  
Bill, 2001**

(Bill No ~~22~~<sup>24</sup> of 2001)

*(By Shri Luis Alex Cardozo)*

M. L. A.

~~To be~~<sup>As</sup> introduced in the Legislative Assembly of Goa

GOA LEGISLATURE SECRETARIAT  
ASSEMBLY HALL, PORVORIM,  
MARCH, 2001

# The Indian Forest (Goa Amendment) Bill, 2001

(Bill No 22 of 2001)

A

BILL

further to amend the Indian Forest Act, 1927.

Be it enacted by the Legislative Assembly of Goa in the Fifty-Second Year of the Republic of India as follows:—

1. Short title and commencement.— (1) This Act may be called the Indian Forest (Goa Amendment) Act, 2001.

(2) It shall come into force at once.

2. Amendment of section 11.— In the Indian Forest Act, 1927 (Central Act 16 of 1927) (hereinafter referred to as the "principal Act") in sub-section (1) of section 11, the words "within a period of two years from the date of notification under section 4 (1) of the Act," shall be added at the end.

3. Amendment of Section 12.— In section 12 of the principal Act, the words "within a period of two years from the date of notification under section 4 (1) of the Act," shall be added at the end

4. Amendment of section 15.— In sub-section (1) of section 15 of the principal Act, the words "within a period of two years from the date of notification under section 4 (1) of the Act," shall be added at the end.

5. Amendment of section 16.— In section 16 of the principal Act, the words "within a period of two years from the date of notification under section 4 (1) of the Act," shall be added at the end.

6. Amendment of section 18.— In section 18 of the principal Act.—

(i) in sub-section (1) thereof, for the words, "without delay," the words, "within three months from the date of receipt," shall be substituted.

(ii) in sub-section (3) thereof, after the words "and shall hear such appeal accordingly," the words, "for disposing of the same within a period of six months from the date of filing of the appeal," may be inserted.

## Statement of Objects and Reasons

The Indian Forest Act, 1927 is a Central Act, the Act is a beneficial legislation, which is enacted for the purpose of improving the conditions of public and society. The Act envisages for reservation of forest by the State Government over which the Government has proprietary rights. There is no time limit prescribed for the decision to be finalized by the Government reserving the forests Courts while examining the matter have expressed the need for prescribing such a time limit Clause 2 to 6 of the Bill seek to achieve this objective of fixing a time limit for the decision by the Government reserving forests.

## Financial Memorandum

No financial implication is involved in the Bill and hence, no financial memorandum is appended to the Bill.

Porvorim-Goa  
2nd March, 2001

LUIS ALEX CARDOZO  
M.L.A.

Assembly Hall  
Porvorim-Goa  
9th March, 2001.

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R. KOTHANDARAMAN  
Secretary (Legislature)

Annexure

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**Extract from the Indian Forest Act, 1927**  
**(Central Act No. XVI of 1927)**  
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**Section 11**

*"11. Power to acquire land over which right is claimed: (1)* In the case of a claim to a right in or over any land, other than a right of way, or a right of pasture, or a right to forest produce or a water course, the Forest Settlement officer shall pass an order admitting or rejecting the same in whole or in part.

**Section 12**

*"12 Order on claims to rights of pasture or to forest produce:—* In the case of a claim to rights of pasture or to forest – produce, the Forest Settlement office shall pass an order admitting or rejecting the same in whole or in part."

**Section 15**

*15. Exercise of rights admitted:— (1)* After making such record the Forest Settlement officer shall, to the best of his ability, and having due regard to the maintenance of the reserved forest in respect of which the claim is made, pass such orders as well ensure the continued exercise of the rights so admitted"

**Section 16**

*"16. Commutation of rights:—* In case the Forest Settlement Officer finds it impossible having due regard to the maintenance of the reserved forest, to make such settlement under Sec 15 as shall ensure the continued exercise of the said rights to the extent so admitted, he shall, subject to such rules as the State Government may make in this behalf, commute such rights, by the payment to such persons of a sum of money in lieu thereof, or by the grant of land or in such other manner as he thinks fit".

**Section 18**

*"18. Appeal under Sec.17. (1)* Every appeal under Sec. 17 shall be made petition in writing, and may be delivered to the Forest Settlement officer, who shall forward it without delay to the authority competent to hear the same"

(3) If the appeal be to the Forest Court, the Court shall fix a day and a convenient place in the neighborhood of the proposed forest for hearing the appeal, and shall give notice there to the parties, and shall hear such appeal accordingly.

Assembly Hall,  
Porvorim-Goa  
9th March, 2001.

R. KOTHANDARAMAN  
Secretary (Legislature)