



Legislative Assembly of Goa

**The Goa Preservation of Trees
(Amendment) Bill, 2001**

(Bill No. 32 of 2001)


(To be introduced in the Legislative Assembly of Goa)

**GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM
MARCH, 2001.**

The Goa Preservation of Trees
(Amendment) Bill, 2001

(Bill No. 32 of 2001)

A

BILL

*Further to amend the Goa Preservation of Trees
Act, 1984 (Goa Act 6 of 1984)*

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 Goa Preservation of
Trees (Amendment) Act, 2001.

(2) It shall come into force at once.

2. Amendment of section 5.— In section 5 of
the Goa, Daman and Diu, Preservation of
Trees Act, 1984 (Act 6 of 1984 - hereinafter
referred to as the "principal Act"), — for the
expression "a Deputy Conservator of Forests",
the expression "an Assistant Conservator of
Forests" shall be substituted.

3. Amendment of section 9.— In section 9 of
the principal Act, in sub-section (5), after the
expression "subject to such conditions,
including taking of" and before the expression
"security for ensuring regeneration of the area
and replanting of trees or otherwise, as may be

prescribed", the expression "a tree felling fee as prescribed by the Government from time to time" shall be inserted.

4. Amendment of section 15.— In section 15 of the principal Act, in sub-section (2) for the expression "a fee of rupees ten", the expression "a fee as may be prescribed by the Government from time to time" shall be substituted.

Statement of Objects and Reasons

It is proposed to amend section 5 of the Goa, Daman and Diu Preservation of Trees Act, 1984 (Act 6 of 1984) so as to bring more convenience to the public by enabling them to get tree felling licences from sub-divisional offices. Also the said amendment will enable the Government to monitor felling of trees in private areas more effectively. It is also proposed to amend sections 9 and 15 of the said Act, 1984 so as to fetch more revenue to the Government.

Panaji, Goa.
17 March, 2001.

PRAKASH PHADTE,
Minister for Forests.

Financial Memorandum

The proposed amendments do not lead to any loss of revenue, on the contrary amendments to sections 9 and 15 will get more revenue. At the moment, no revenue is being realised while issuing the felling licences but the amendment to section 9 will generate the revenue, which cannot be estimated at this stage. Under section 15 (2), the department is getting only about Rs. 120/-. However, the proposed amendment will increase the revenue many fold.

Memorandum Regarding Delegated Legislation

Proposed amendment to sections 9 and 15 of the Act empowers the Government to frame

rules for prescribing fees for the purposes specified therein. This delegation is of normal character.

Assembly Hall,
Porvorim, Goa.
17 March, 2001.

R. KOTHANDARAMAN
Secretary (Legislature)

ANNEXURE

Extract of the Goa Preservation of Trees
(Amendment) Act, 1984 (Goa Act No. 6 of 1984)

SECTION 5.

Appointment of Tree Officer.— The Conservator of Forests may, appoint one or more Forest Officers of a rank not below that of a Deputy Conservator of Forests, as Tree Officers for the purposes of this Act.

SECTION 6.....

SECTION 7.....

SECTION 8.....

SECTION 9.

Procedure for obtaining permission to fell, cut, remove or dispose of a tree.— (1).....

(2).....

(3).....

(4).....

(5) Every permission granted under this Act shall be in such form and subject to such conditions, including taking of security for ensuring regeneration of the area and replanting of trees or otherwise, as may be prescribed.

SECTION 10.....

SECTION 11.....

SECTION 12.....

SECTION 13.....

SECTION 14.....

SECTION 15.....

Appeal.—(1).....

(2) Every appeal under this section shall be made by a petition in writing and shall be accompanied by a copy of the order or direction appealed against and shall be accompanied by a fee of rupees ten.

(3).....

Assembly Hall,
Porvorim, Goa.
17 March, 2001.

R. KOTHANDARAMAN,
Secretary (Legislature).