

Article 22. Deleted.

Article 23. a) The following shall constitute the income of the Club:

i) Membership fees, income from feasts, recitals and other activities.

ii) Grants, donations and legacies and any other source of income.

iii) The Club can accept or purchase land for its activities.

b) The following shall constitute the expense of the Club:

i) Salaries;

ii) Stationery and other expenses;

iii) Purchase of papers, news magazines, books and any other articles for sports;

iv) Water, light, cleaning and repairs of the building, etc.;

v) Travelling expenses of sportsmen or of the representative of the Club when they have to represent the Club outside the headquarters and all other expenses made for the benefit of the Club.

Article 24. a) The income referred to in the previous articles shall be deposited in a Bank/Banks and its accounts be operated either by Secretary or Treasurer and the President of the Club.

b) The fund referred in article 21 shall be earmarked as follows:

The amount obtained by entrance fees, contribution of benefactor and auxiliary members donations or by legacies, subsidies and also amounts collected by promoting sporting festivals, concerts and other diversions shall be capitalized using only to acquire articles of permanent nature, for permanent use of the club. The fund acquired by monthly or annual quotas and also the income accrued from fees relating expensive games shall be destined for the ordinary expense of the Club.

Article 25. a) The flag of the Club shall be of two colours, red and tarnished yellow having at the centre a picture or emblem with the monogram of the M. C. C. i. e. «Margao Cricket Club» placed artistically in attractive colours.

b) The uniform of the Club excepting the Cricket and Tennis «teams» whose uniforms are fully white, the Foot-ball, Hockey and Basket Ball or Volley Ball Teams shall have the uniform of the same colours of the flag, the shirt being yellow with Club badge and shorts of tarnished red colour.

c) The flag shall be hoisted on Sundays and feast days of the Club and always when and where the Club participates. The flag shall also be flown at half mast to mark the death of any member of the Club.

Article 26. The total number of members of the Club shall be decided by the Executive Committee from time to time and their respective fees.

Article 27. The duration of the managing board shall be of 2 years and starts from the 1st day of July and terminated on the 30th June of the following year.

Article 28. No expenses shall be incurred without production of the voucher duly countersigned by the President of the Club.

#### Dissolution

Article 29. The Club may be dissolved only by a Resolution of which at least thirty days notice shall have been given and which shall have been passed by three-fourths of the Members present and voting at General Meeting.

Article 30. The funds, property and assets of the club, after payment of all debts and liabilities shall be distributed as may be directed by the Resolution dissolving the Club.

Article 31. In the case of liquidation, the medals, cups and any other trophies shall be given to any institution of a similar kind which has shown more sympathy towards the Club.

Article 32. Deleted.

#### Affiliation

Article 33. The Club may be affiliated with any other similar club of Association established in India on such terms and conditions as the Executive Committee may decide from time to time.

#### Bye-Laws

Article 34. The Executive Committee may make, amend or repeal such bye-laws not inconsistent with the constitution as they may think necessary from time to time.

#### Alteration of Constitution

Article 35. The constitution of the Club shall be altered only by a resolution of which at least thirty days notice shall have been given and which shall have been passed by three-fourths of the members present and voting at a General Meeting.

#### Indemnity

Article 36. The Members of the Executive Committee and sub-committee, if any shall be indemnified by the Club from all losses and expense incurred by them in or about the discharge of their respective duties except such as happen from their own respective wilful default and no member of the Executive Committee and sub-committee shall be liable for the action of any other member of the Executive Committee or sub-committee or for joining in act or receipt or for any act conformity or for any loss happening to the Club unless the same shall be due to his own wilful default.

Directorate of Civil Administration Services, Panjim, 9th February, 1965. — The Director, *Sripad Anant Nadkarni*.

#### Law Department

#### Notice

L. D. 12/65

1. The following rules are proposed to be made by the Government of Goa, Daman and Diu under sections 26, 32, 41, 42, 51 and 76 of the Indian Forest Act, 1927.

2. It is proposed to bring the rules into force on 15th of March, 1965.

3. Any suggestions will be received by the Government for consideration before 20th of March, 1965.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

*A. F. Couto*, Development Commissioner.

#### The Goa, Daman and Diu Forest Rules, 1964

In exercise of the powers conferred by sections 26, 32, 41, 42, 51 and 76 of the Indian Forest Act, 1927

(XVI of 1927), and of all other powers enabling it in this behalf and in supersession of all previous rules made in this behalf, the Government of Goa, Daman and Diu is pleased to make the following rules:—

## CHAPTER I

## Preliminary

1. **Short title and extent.**—These rules shall be called the Goa, Daman and Diu Forest Rules, 1964, and shall apply to the Territory of Goa, Daman and Diu.

2. **Interpretation.**—In these rules, unless there is anything repugnant in the subject or context.

(a) «Act» means the Indian Forest Act, 1927;

(b) The expression «Protected animal» means an animal killing of which has been prohibited under these rules;

(c) «Section» means a section of the Act; and

(d) all words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

## CHAPTER II

## Protection of reserved forests from fire

«Section 26 1) (b)»

3. **Kindling, etc., of fire on roads or paths adjoining or passing through reserved forests prohibited.**—Except at such places as from time to time be notified locally by the Divisional Forest Officer, no person shall kindle any fire or leave any fire burning upon any public or private road or path which adjoins or passes through a reserved forest but does not form part of such forest.

4. **Precautions to be taken in making ash-manure near a reserved forest.**—No person shall ignite materials for making ash manure in any field within two hundred yards from the boundary of a reserved forest, unless:—

(i) There is between such boundary and the spot on which such materials are ignited a space at least 25 feet in width which is clear of vegetation capable of carrying fire from such spot to the forest; and

(ii) such other precautions, such as employing watchers, are taken as are reasonably necessary to prevent fire from spreading to the forest.

5. **Kindling of fire within 200 yards from a reserved forest prohibited.**—Except for the purposes of making ash-manure, no fire shall be kindled elsewhere than in a place used as a human dwelling or in premises appertaining to such dwelling, within a distance of two hundred yards from the boundary of a reserved forest, without the previous written permission of a Forest-officer not lower in rank than a Range Forest Officer.

6. **Precautions to be taken in kindling fire beyond 200 yards from reserved forest.**—No person shall kindle any fire or leave any fire burning, at any place which is at a distance greater than two hundred yards from the boundary of a reserved forest but from which the fire may by natural means spread to the forest, unless he takes precautions, by clearing a fire-path not less than twenty-five feet in width

between such place and such boundary, or by employing watchers or otherwise, to prevent the fire from so spreading.

7. **Partial operation of rules in the rainy season.**—Nothing in the rules in this Chapter shall operate during the period commencing on the 15th June and ending on the 31st October.

## CHAPTER III

## Hunting and shooting, etc., in reserved and protected forests

«Sections 26 (1) (i), 32 (j) and 76 (d)»

## A. General Rules

8. **Acts prohibited in reserved and protected forests.**—The following acts are prohibited in all reserved and protected forests—

(a) the poisoning of rivers or other waters, the explosion of dynamite or other explosive therein, and the setting of cruives or basket traps for the purpose of killing or catching fish;

(b) the setting of spring guns, snares or traps;

(c) the catching, wounding or killing of—

(i) game, other than carnivora, bear or pig, over water salt-licks, or paths leading directly to water or salt-licks;

(ii) any bird or animal for which a close-time has been prescribed by the Conservator of Forests Goa, Daman and Diu;

(iii) such animals as may from time to time be notified in this behalf by the Conservator of Forests;

(d) shooting from a motor car except in the case of small game, and wild dogs and pigs; and

(e) shooting after sunset and before sunrise, except in the case of—

(i) small game and wild pigs, and

(ii) tigers and panthers, from machans over live or killed ties:

Provided that any of the above acts may be done with the written permission of the Conservator of Forests, or, in the case of snares or traps, of the Divisional Forest Officer.

*Note:* (1) — For the purpose of this rule the word «carnivora» includes tiger, panther, wolf, hyena and wild dog; the words «small game» include all game birds and hare; and «reserved and protected forests» include all roads and tracks within such forests.

9. **Hunting and shooting prohibited in certain areas except under a license.**—No person, shall, except under license granted in this behalf by the Conservator of Forests, hunt or shoot in any reserved or protected forest.

*Explanation.*—The term «hunting» used in this Chapter includes tracking for the purpose of discovering the lie of wild animals.

10. **Power to refuse or cancel a license.**—(1) The Conservator of Forests shall have discretion to grant or refuse a license for hunting and shooting.

(2) The Conservator of Forests may, at any time, cancel any license for a breach of any provision of the Act or these rules, whether committed by the licensee or by any of his retainers or followers; or for any interference with the work of the forest of—

ficers on the part of the licensee or of any of his retainers or followers, which in the opinion of the Conservator is unwarranted; or in the event of fire breaking out in any forest in respect of which the license has been granted.

(3) Forest official may accompany the camp of any licensee—In any case where the Conservator of Forests or the Divisional Forest Officer thinks it advisable, he may direct that a forest guard or other person or himself shall accompany the camp of any licensee hunting and shooting in a forest, with the object of seeing that these rules are not infringed.

11. **License not transferable.**—A license granted under rule 9 shall not be transferable.

12. **License to be produced on demand for inspection.**—Every licensee hunting or shooting in any forest shall, on demand by any Forest or Police Officer, produce his license for inspection.

13. **Limitation on putting out ties.**—No licensee shall put out ties at a distance of more than 20 miles from his camp or residence.

*Note:* For the purposes of this rule «camp» implies a half of not less than one night.

14. **Intimation to be given when animals are wounded but not killed.**—When any licensee wounds but fails to kill any animal of the following species, viz. elephant, tiger, panther, bear or bison, he shall forthwith give intimation of such fact in writing to the nearest round forest officer and shall also send within 24 hours from the time the animal is wounded a report in writing to the Divisional Forest Officer. He shall also notify the fact to the inhabitants of the nearest village.

15. **License to be returned on expiry of period.**—On the expiry of the period of the license, the licensee shall return it to the Conservator of Forests, with an endorsement thereon showing the number and kind, and the horn dimensions in the case of protected animals, or length in the case of carnivora and bear, of all game killed by him.

16. **Period and scope of license.**—(1) Every licence issued under rule 9 shall permit the holder only to hunt and shoot, and shall be valid for a period of one year from the date of its grant, in any reserved or protected forests of this Union Territory by the Conservator of Forests and to which rules 9 to 20 have been made applicable under rule 8, subject to the condition that before it has effect in any forest division in which the licensee does not reside or exercise any jurisdiction, it must be countersigned by the Divisional Forest Officer.

(2) No licensee shall hunt or shoot more than two males of each species of animals specified in the license. A list of species of such animals shall be prepared for each forest division by the Conservator of Forests.

(3) Wounded game may be pursued into the forests of the division adjoining that for which the license is valid or into a forest closed under rule 18.

17. **Fees for licenses.**—(1) The fee for a license shall be Rs. 50/- for small game and Rs. 300/- for big game per annum.

(2) Gazetted forest officers travelling on duty are exempted from the payment of fees for licenses.

#### 18. Closing of forests to hunting and shooting.—

(1) The Conservator of Forests may, on the recommendation of the Divisional Forest Officer declare that any particular forest or part of the forest is wholly closed for a term of years or annually for specified period.

(2) The Conservator of Forests may also prohibit the taking, wounding or killing of any particular species of animals in any specified tract of forests, with a view to the preservation of such species.

(3) A license granted under these rules shall not be valid—

(a) in any forest or part of the forest which has been closed under sub-rule (1) during the period it is closed, and

(b) in the tract of forest specified in an order made under sub-rule (2) in respect of the species of animals specified in such order:

Provided that gazetted officers whose jurisdiction extends to such forests, or persons holding licenses on which the Divisional Forest Officer has endorsed special permission to that effect, may kill pig, tigers and other dangerous or destructive animals in such forests. Such special permission shall not be given for a longer period than one month in any case.

19. **Employment of Shikaris.**—A licensee may employ any number of trackers. The Divisional Forest Officer shall have full discretion to prohibit the employment for tracking, stalking, tying up for carnivora, or conducting drives or beats, of any persons other than those to whom permits to act as «shikaris» have been given by him.

20. **Shikar cards to be filled in.**—The licensee shall fill in the shikar card in the printed form which a forest guard may present to him, while he is found hunting or shooting in any forest.

#### CHAPTER IV

##### Pasturing of cattle in reserved and protected forests

«Sections 26 (1) (d), 26 (2) (a), 32 (i) and 76 (d)»

21. **Pasturing of cattle in forest prohibited in areas specially notified for the purpose.**—No person shall pasture or allow pasturing of cattle in the Government forests specially notified in the Government Gazette as prohibited areas.

#### CHAPTER V

##### Transit of forest produce

«Section 41»

##### A. Forest Passes

22. **Regulation of transit of forest-produce by means of passes.**—No forest produce shall be moved into, or from, or within the Territory of Goa, Daman and Diu, except as hereinafter provided, without a pass from some officer or person duly authorised by or under these rules to issue such pass, or otherwise than in accordance with the conditions of such pass

or by any route or to any destination other than the route or destination specified in such pass:

Provided that no pass shall be required for the removal —

(a) except to a bunder, landing place or railway station —

(i) of any forest-produce which is being removed for private consumption by any person, in exercise of a privilege granted in this behalf by the Government, or of a right recognized under the Act, within the limits of a village;

(ii) of twigs, leaves, brushwood and grass intended solely for conversion into ash-mannure,

(b) of firewood not exceeding three inches in diameter at the thickest part, grass or leaves, the property of one person or the joint property of two or more persons, which is conveyed in quantities not exceeding one headload once in 24 hours unless it be brought to a bunder, landing place or railway station or to any areas to which the Government may from time to time declare by notification in Government Gazette that this exemption shall not extend, or

(c) of such forest-produce as may be exempted by the Government from the operation of the rules in this Chapter by notification in the Government Gazette.

**23. Officers and persons to issue passes.** — (1) The following officers and persons shall have power to issue passes under these rules (namely): —

#### Officers

(a) for forest-produce from land which is not included in a reserved or protected forest and is more than ten miles distant from a reserved or protected forest, the revenue patel, or the police patel of the village if the revenue patel is illiterate, or village accountant, and

(b) for forest-produce from land other than that described in clause (a), the Conservator of Forests, the Divisional Forest Officer, the sub-Divisional Forest Officer or any other officer including a revenue patel or a police patel or village accountant, authorised in this behalf in writing by the Conservator of Forests, Divisional Forest Officer or Sub-Divisional Forest Officer;

#### Other Persons

(c) for forest-produce owned by any person, such person or his agent, if so authorised in writing by the Conservator of Forests, or by any Divisional Forest Officer or Sub-Divisional Forest Officer specially empowered in this behalf in writing by the Conservator of Forests; provided that such authorization shall specify the period during which it shall remain in force.

(2) Any authorization may at any time be cancelled by the officer granting it.

**24. Passes what to contain.** — (1) Every forest pass issued under rule 23 shall specify: —

(a) the name of the person to whom such pass is granted;

- (b) the quantity and description of forest-produce covered by it;
- (c) in the case of forest-produce referred to in clause (a) of sub-rule (1) of rule 23, the name of the village and survey number in which it was produced;
- (d) the places from and to which such forest-produce is to be conveyed;
- (e) the route by which such forest-produce is to be conveyed; and
- (f) the period of time for which the pass is to be in force, which shall be calculated as follows: —

The day of issue *plus*, in the case of transport by a motor vehicle, a day for transit to any point up to 80 miles from the village of origin *plus* an additional day for every additional 80 miles or fraction thereof, and, in the case of any other form of transport, a day for transit to any point up to 15 miles from the village of origin *plus* an additional day for every additional 15 miles or fraction thereof.

(2) The colour and form of each pass and the sum to be paid in respect of each book of forest passes will be such as may be prescribed by the Conservator of Forests, with the previous sanction of the Government.

(3) It will be obligatory on the part of the person receiving such passes for the forest produce transported by them, to retain such passes at least for a period of one year from the date of issue of such passes to prove subsequently the bonafides of the forest produce carried by such person.

**25. Separate pass for each load.** — No forest pass shall ordinarily cover more than one load, whether such load be carried by a person, any animal or in a vehicle. But the Divisional Forest Officer, subject to the control of the Conservator of Forests, may, whenever he deems fit, order that one pass may cover any number of headloads or animal loads not exceeding 50 and any number of cart loads not exceeding 10 for journeys not exceeding 15 miles from and to the same places and undertaken at one and the same time.

**26. Pass not to be tampered with.** — No alteration shall be made in anything printed or written on any forest pass, except in the matter of route and period and this may only be done by an authorised officer for sufficient reason to be mentioned in the pass.

#### B. Passes Issued by Private Persons

**27. Books of blank passes to be supplied to persons authorized to issue them.** — (1) When the Conservator of Forests or any duly empowered Divisional Forest Officer authorises any person or the agent of any person under clause (c) of sub-rule (1) of rule 23 to issue forest Passes, he shall furnish such person from time to time with authenticated books of blank passes.

(2) The said person to whom such book is supplied shall pay the sum, if any, fixed under rule 24(2).

(3) No person who has been authorised to issue passes shall issue passes otherwise than in accordance with the conditions of his authorisation.

(4) No such person shall charge any fee for any pass issued.

(5) *Counterfoils of used pass books to be returned*—The counterfoils of all used passes shall be returned to the officer from whom the book of passes was received and no fresh pass-book shall be supplied until the counterfoils of all passes previously used have been so returned.

(6) *Counterfoils to be produced for inspection on demand*—Any person or the agent of any person who has been authorised to issue forest passes under clause (c) of sub-rule (1) of rule 23 shall be bound if called upon by any forest officer to produce for inspection or to give up the counterfoils of all passes which have been issued by such person or agent.

(7) *Procedure on cancellation or expiry of authority to issue passes*:—In the event of any authority given under clause (c) of sub-rule (1) of the rule 23 being at any time cancelled under sub-rule (2) of the said rule or on the expiry of the period specified in such authority, the person whose authority is so cancelled or the person, the period whose authority has so expired, as the case may be shall forthwith return to the officer who gave the authority every unused book of forest passes and the unused portion of any such book in his possession, together with the counterfoils of used passes, if any, which he has not already returned, and the said person shall be entitled when he has returned all such unused books or portions thereof and the counterfoils of used passes as aforesaid, to receive a refund of the amount paid by him in respect of every such unused book but no refund shall be allowed in respect of any portion of such book.

(8) *Forest passes issued by private persons when invalid*:—No forest pass issued by any person or by the agent of any person authorised under clause (c) of sub-rule (1) of the rule 23 to issue forest passes shall have any validity,

- (a) if such pass is not prepared on a blank form supplied for this purpose under sub-rule (1) of rule 27 or
- (b) if the same is issued after receipt by such person of an order cancelling the authority to issue such passes, or
- (c) if the same is issued by, such person after the expiry of the period specified in the authority given for the issue of such passes.

#### C. Forest-produce imported otherwise than by sea

28. **Foreign pass.**—All forest produce imported into the Territory of Goa, Daman and Diu otherwise than by sea shall be covered by a foreign pass registered under rule 29 and, in the case of timber exceeding the dimensions mentioned in rule 38 and of scented sandalwood, near a foreign property mark registered under rule 29.

29. **Form, etc. of foreign passes must be registered in Conservator's office.**—Every foreign pass must be in a form which, and must be signed by an official whose designation, have been registered in the office of the Conservator of Forests of Goa, Daman and Diu into which it is sought to import forest-produce thereunder, and every foreign property mark must be of a description which has been registered in the said office.

Provided that, at the request of any State, the forest-produce from such state may be allowed to be imported in the Union Territory of Goa, Daman and Diu.

- (i) if the import of such forest-produce is covered by a foreign pass signed by a contractor or his agent whose specimen signature shall have been registered in the Office of the Divisional Forest Officer in charge of the Division in which the forest-produce is sought to be imported, and
- (ii) if the office stamp of the official of the State, who shall have been authorised by the State to issue books of foreign passes to contractors for the export of forest produce, shall have been affixed to or imprinted on the pass under which the forest-produce is sought to be imported.

30. **Divisional Forest Officer may refuse to register signature.**—In cases under the proviso to rule 29 the Divisional Forest Officer may, for reasons to be recorded in writing, refuse to register the specimen signature of any contractor of his agent.

31. **Imported forest-produce may be conveyed to first depot without a pass under rule 23.**—Any forest produce which is imported otherwise than by sea may be conveyed within the limits of the Union Territory of Goa, Daman and Diu as far as the first depot established under rule 34 without a pass issued under rule 23 if it is covered by a foreign pass registered under rule 29 and if stacked or deposited in any place between such limits and such depot the foreign pass covering the material shall at once be delivered at that depot.

32. **Conservator may direct use of a transit mark for imported timber.**—If the Conservator of Forests shall so direct, no timber exceeding the dimensions mentioned in rule 38 and no scented sandalwood which has been imported as aforesaid shall be moved beyond such first depot, without first having stamped upon it a Government transit mark of such description as the Conservator shall prescribe.

#### D. Saving of recognised privileges

33. **Saving of recognised privileges.**—Nothing in rules 22 to 32 inclusive shall be deemed to require or to have required the possession of a pass in cases where exemptions from such possession for enjoyment of certain privileges recognised by the Government of Goa, Daman and Diu have been granted before the passing of the rules.

#### E. Forest depots

34. **Depots and their purposes.**—The Conservator of Forests may establish at such places as he shall think fit, depots to which forest-produce shall be taken—

- (a) for examination previous to the grant of a pass in respect thereof under these rules; or
- (b) for determining the amount of money if any, payable on account thereof to Government; and for the payment of any money so found to be due; or
- (c) in order that any mark required by law or by these rules to be affixed thereto, may be so affixed.

35. **Situation of depots to be published.**—The Conservator of Forests shall make known from time

to time by notification in the Government Gazette, and locally in such manner as he deems fit, the name and situation of each depot.

36. Depot to be in charge of an officer. — Each depot shall be in charge of an officer appointed by or under the orders of the Conservator of Forests without whose permission no forest produce shall be brought into, stored at, or removed from the depot.

37. Vessels conveying forest produce by river to call at depot on banks. — The person in charge of any vessel which carries forest produce on a river, on the banks of which one or more depots established under these rules are situated, shall call and stop his vessel at every such depot which he has to pass, in order that the forest produce may be examined, if necessary, under the provisions of rule 41 and the person in charge of such vessel shall not proceed with such vessel past any such depot without the permission of the forest officer in charge of such depot.

#### F. Property and transit marks

38. Property and transit marks to be affixed to timber exceeding a certain size. — Except when it is the property of the Government timber exceeding 12 inches in girth at the thickest part and 6 feet in length and scented sandalwood of any dimensions shall not be moved from or within any parts of the Territory of Goa, Daman and Diu unless it bears a distinguishable private property mark of the owner of such timber of a description which has been registered in the office of the Conservator of Forests or of the Divisional Forest Officer, and also if the Conservator so directs unless it bears a Government transit mark of such description as shall from time to time be prescribed in this behalf by the said Conservator.

39. Registration of forms of passes or marks. — The Conservator of Forests or the Divisional Forest Officer shall upon receipt of an application for registration of any form or mark for the purpose of rule 290 or rule 38 enquire into the authenticity of the same, and if he sees no objection, shall on payment by the applicant of such fee as shall from time to time be prescribed by the Government in this behalf, register such form or mark in his office. Every such registration shall hold good for a period of one year only, except in the case of forms and marks of other state Governments, the registration of which shall hold good till they are modified or replaced by new forms or marks.

40. Government marks not to be imitated or effaced. — No person or other than a forest officer whose duty it is to use such marks shall use any property mark for timber identical with, or nearly resembling, any Government transit mark, or any mark with which timber belonging to the Government is marked; and, no person shall, while any timber is in transit under a pass issued by any person or by the agent of any person authorised in this behalf under clause (c) of sub-rule (1) of rule 23 alter or efface any mark on the same.

#### G. Stoppage in transit

41. Forest-produce in transit may be stopped and examined by certain officers. — (1) Forest-produce in transit may be stopped and examined at any place by any forest or police officer if such officer shall

have reasonable grounds for suspecting that any money which is due to the Government in respect thereof has not been paid, or that any forest offence has been or is being committed in respect thereof.

Provided always that no such officer shall vexatiously or unnecessarily delay the transit of any forest produce which is lawfully in transit, nor vexatiously or unnecessarily unload any such forest-produce, or cause the same to be unloaded, for the purpose of examination.

(2) The person in charge of such forest-produce shall furnish to any such officer all the information which he is able to give regarding the same, and if he is removing the same under a pass shall produce such pass, on demand, for the inspection of such officer, and shall not in any way prevent or resist the stoppage or examination of the said forest-produce by such officer.

#### H. Obstruction of channels

42. Prohibition of the obstruction of channels or banks of rivers. — No person shall close up or obstruct the channel or any portion of the bank of any river lawfully used for the transit of forest-produce, or throw grass, brushwood, branches or leaves into any such river, or do any other act which may cause such river to be closed or obstructed.

43. Measures to be taken for removal of obstructions. — (1) Any forest officer not lower in rank than an Assistant Conservator of Forests, may take such measures as he shall at any time deem to be emergently necessary for the prevention or removal of any obstruction of the channel, or of any part of a bank of a river lawfully used for the transit of forest-produce; but any such case which is not emergent shall be reported to the Collector, who may by written notice require the person whose act or negligence has caused or is likely to cause the obstruction, to remove or take steps for preventing the same within a period to be named in such notice, and, if such person fails to comply with such notice, may himself cause such measures to be taken as he shall deem necessary.

(2) The cost reasonably incurred by a forest officer or by the Collector under this rule shall be payable to the Government by the person whose act or negligence has necessitated the same.

#### I. Conversion of timber within ten miles of forests

44. Prohibiting conversion of timber within 10 miles of forest. — (i) Within the limits of any reserved or protected forest in charge of the forest department and within ten miles of such limits, no person shall establish a saw-pit, erect any machinery or other plant for the cutting, converting or fashioning of timber, or manufacture charcoal without the previous sanction in writing of a forest officer not lower in rank than a range forest officer.

When an applicant does not receive within a month a definite reply to his written request for permission to saw private timber under this rule, he may start the work forthwith, provided that this will not absolve him from liability to proceedings if it is found that any timber is the property of the Government.

**Explanation.** — This rule does not apply to the ordinary operations of domestic carpentry or to the other similar work on a small scale.

(ii) No person shall establish a saw-mill or put up any machinery for conversion of any forest produce within a distance of 25 miles of any forest without the written permission from the Divisional Forest Officer.

**J. Exclusion of local areas from applicability of rules**

**45. Local areas to which the rules are not applicable to be published.**—The Government may by notification in the Government Gazette exempt from the operation of the rules contained in this Chapter any local area specified in such notification.

**CHAPTER VI**

**Trees in occupied lands**

«Sections 41 and 76»

**A. Preservation, protection and exploitation of reserved and other trees in occupied lands**

**46. Mode of application for permission to cut and remove trees or timber.**—Every person seeking to obtain permission for cutting or uprooting any trees or removing any timber shall apply in writing to the Divisional Forest Officer. Every such application shall clearly specify the survey numbers, the names of the villages, the name of the taluka and the number and kinds of trees sought to be cut or uprooted or the kind and quantity of the timber sought to be removed from each survey number. In case the survey numbers containing the trees or timber are held by a number of persons, a joint application shall be made by all the occupants; if however one of the occupants applies for permission, the written consent of the remaining occupants to allow the applicant to cut or uproot the trees or remove the timber shall be appended to the application.

**47. Enquiries to be made by the Divisional Forest Officer and grant of permission.**—On receipt of an application under rule 46 the Divisional Forest Officer shall make enquiry as he deems necessary regarding the title of the applicant to the trees or timber, and on the conclusion of such enquiry he shall, unless there is any reason to the contrary give the permission in writing applied for:

**48. Conditions of the permission to be observed by the applicant:**—Every applicant shall be bound by the conditions contained in the permission granted under rule 47. Such permission shall specify inter alia the name of the officer to whom the permit is to be shown by the applicant prior to the cutting or uprooting of the trees or removal of the timber and the period within which the trees are to be cut or uprooted or the timber is to be removed.

**49. Cutting, etc., to be done after marking:**—On receipt of the permission the applicant shall take it to the officer named therein and shall cut or uproot the trees or remove the timber after they have been marked by that officer with such mark as may be prescribed for the purpose by the Conservator of Forests.

**50. Transit rules in Chapter V to apply in the matter of removal and conversion.**—The rules in Chapter V shall apply in the matter of removal and conversion of the timber referred to in this Chapter.

**B. Conversion of trees other than sandalwood**

**51. Mode of application for conversion of timber other than sandalwood.**—If the timber obtained from trees other than sandalwood is sought to be converted at a place to which the provisions of rule 44 are applicable, the applicant shall apply in writing for permission to the Range Forest Officer giving him the particulars as to the place, time and quantity of timber sought to be converted and such other particulars as may be required by that officer.

**52. Enquiries to be made by the Range Forest Officer and issue of sawing permit.**—On receipt of an application under rule 51, the Range Forest Officer shall make such enquiry regarding the timber to be converted and the place where the saw-pit is to be erected and on satisfying himself as to the source and ownership of the timber to be converted and on seeing that it not stolen from the forests he shall issue a sawing permit to the applicant.

**53. Conditions to be observed by the applicant.**—The applicant on receipt of the sawing permit shall be bound by the conditions contained therein. Such permit shall specify, inter alia, the name of the applicant to whom the permit is given, the place where the saw-pit is to be erected and the period within which the timber is to be converted.

**54. Return of sawing permit.**—On Expiry of the period entered in the sawing permit issued under rule 52 the applicant shall return the same to the Range Forest Officer.

**CHAPTER VII**

**Drift and stranded timber**

«Section 51»

**55. Collection of drift and stranded timber and disposal thereafter.**—(1) Any person may collect timber of any of the description set forth in section 45, and, pending the bringing of the same to the proper depot for the reception of drift-timber, may keep the same in his own custody, but he shall report his having done so within twenty-four hours to the nearest Forest Officer.

(2) The Forest Officer in charge of the Range in which the timber has been found shall, pending completion of the proceedings under sections 46 to 48, take possession of the timber and unless in his opinion the probable proceeds of the sale of timber are not likely to exceed the cost incurred on collecting it together with the probable cost of conveying it to a depot appointed for the reception of drift-timber, he shall convey the timber to such depot.

**56. Registration of boats for salving and collecting timber.**—Any person may register in the office of the Conservator of Forests one or more boats for use in salving and collecting timber on payment of a fee of one rupee for each boat.

Such registration shall hold good for the period of one year only, but may be repeated from year to year.

**57. Persons collecting timber entitled to recompense.**—Every person, whether Forest Officer or not, who collects any such timber, shall be entitled to receive a recompense equal to 50 per centum of the estimated value of the timber. Such estimate shall be made by any Forest Officer not lower in

rank than an Assistant Conservator of Forests, whom the Conservator specially authorizes, in this behalf and the recompense shall be paid at once by the Government.

Provided that in special cases the Conservator may increase the amount of the recompense to a sum not exceeding 75 per centum of the value of the timber collected.

58. When collected timber belongs to private person such person to pay all costs. — If the timber collected shall be proved to be the property of any person other than the Government, such person shall be liable to pay to the Government under section 50 of the Act the following amounts, viz: —

(1) on account of salving and collecting, the actual amount of recompense paid to the person who collected it;

(2) on account of moving, the actual cost incurred in moving it to the depot for the reception of drift timber;

(3) on account of storing, such fees as shall from time to time be fixed by the Conservator of Forests, with the previous sanction of the Government for the storing of timber at such depot.

59. No person other than authorised Forest Officer to mark timber. — No person other than a Forest Officer authorized in this behalf by the Conservator of Forest shall mark any timber to which the rules in this Chapter apply.

#### CHAPTER VIII

##### Powers and duties of forest officers and revenue officers «Section 76 (a)»

60. Conservator, his powers and duties. — The Conservator of Forests is the head of the Forest Department and the technical adviser of the Government in forest matters. He is empowered to deal on his own authority with purely technical question, such as the operation of sanctioned working plans, fire protection and silvicultural operations generally, and with matters regarding which powers have been delegated to him. In regard to all purely technical matters he will be the controlling authority over the D. F. Os. and in regard to the other matters he shall be in the position of advised, being consulted by the Government as the case may be.

61. Powers of Divisional Forest Officer regarding local supply, public right, pastures, etc. — In all matters relating to supply of forest produce including grass for the domestic and agricultural requirements of the villagers, grazing and the rights and privileges of the people in or in respect of forest, orders shall be issued by the Divisional Forest Officer.

62. Orders of forest-officers to village officers to be ordinarily sent through Mamlatdar. — Orders by forest officers to village officers shall ordinarily be sent through the Mamlatdar to whom the village officers are subordinate but may, if urgent, be sent direct: provided that in the latter case a copy of the order shall at the same time be sent to such Mamlatdar as aforesaid.

63. Forest guards not to leave beat for report to revenue or police officer. — No revenue or police officer shall call a forest guard of his beat, nor

shall a forest guard leave his beat in order to report himself to such officer.

64. Action to be taken when felling of a compartment is delayed beyond due time. — (1) If it becomes necessary to delay the felling of a compartment beyond the time at which such felling would, according to regular rotation, be due, the Divisional Forest Officer shall, subject to the orders of the Conservator as regards deviations from sanctioned working plans make arrangements for meeting the requirements of villagers in the locality.

(2) For such purpose the villagers may, if necessary, and if no other arrangement is practicable, be permitted to enter the compartment the felling whereof has been so delayed and for themselves, under the supervision of a forest subordinate appointed for purpose by the Divisional Forest Officer, the material to which, but for such delay they would have been entitled.

#### CHAPTER IX

##### Contracts

«Sections 76 (d) and 85»

65. Persons entering into contract with forest officers should execute written instrument to perform contract and to pay expenses in case of breach. — Whoever enters into any contract with any Forest officer acting on behalf of the Lieutenant Governor of Goa, Daman and Diu, shall, if so required by such Forest-officer, bind himself by a written instrument to perform such contract and to pay to such Forest-officer on behalf of the Lieutenant Governor of Goa, Daman and Diu the expenses necessary for or incurred in the execution of any work or thing to be done which he has bound himself but has failed to do.

Explanation. — A person, who makes a written tender for a contract, or who signs the conditions of an auction sale at which he is a bidder, such tender or conditions of sale being on or in a form furnished by a Forest-officer for that purpose, whereby he —

(a) binds himself to perform the contract for which he tenders or bids, in event of his tender or bid being accepted, or

(b) binds himself not to withdraw his tender or bid during the time that may lapse before its acceptance or refusal is communicated to him, shall be deemed to have been required by such Forest-officer to bind himself as aforesaid, and in case (a) on the acceptance of his tender or bid, or in case (b) on the making of his tender or bid, to have bound himself accordingly, within the meaning of this rule; and any such person need not enter into a separate written instrument for the purpose, unless specially so required by the Forest-officer with whom he contracts.

#### CHAPTER X

##### Penalties and rewards

«Sections 42, 51 and 76 (b)»

\*66. Penalties for breach of certain rules. — Whoever contravenes the provisions of rules 22, 26, 27(3) to (7), 28, 31, 32, 36 to 38, 40, 41(2), 42, 44, 51, 53 to 55 or 59 shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both..



67. As per powers vested in the Government under Section 76(b) the following provisions are made to regulate rewards to be paid to officers and informants out of proceeds of fines and confiscations.

(a) The officer whose efficiency led to the detection of offence and booking of the culprits, the discretion in deciding which vests with the Conservator of Forests, will be entitled as reward to 1/3rd the proceeds which accrued to the Government in the form of fines and confiscations.

(b) The informant, whose information led to the detection of offence and booking of culprits, the discretion in deciding which vests with the Conservator of Forests will be entitled as reward to 1/3rd the proceeds which accrued to Government in the form of fines and confiscations.

(c) The Conservator of Forests is authorised to grant and disburse such rewards.

\*\* Rule 66 prescribed penalties for breach of only those rules for which the Government can prescribe penalties under sections 42 and 51 of the Act. Penalties for breach of other rules are prescribed in the relevant sections of the Act itself, viz. in section 26(1) for breach of rules framed with reference to section 26(1) (b) and (i) for reserved forests, in section 33(1) (h) for breach of rules made under section 32 for protected forest, and in section 77 for breach of other rules for which no special penalty is provided. For voluntary obstruction to the officer acting under rule 92(2) the penalty will be that prescribed in section 186 of the Indian Penal Code.

#### Notification

L. D. 14/65

The following Notification of Ministry of Home Affairs, New Delhi is hereby published for general information of public.

*Kant Desai*, Under Secretary.

Panjim, 15th March, 1965.

### GOVERNMENT OF INDIA

#### MINISTRY OF HOME AFFAIRS

*New Delhi-11, the 9th March, 1965*

#### Notification

F.7/10/65-UTL

G. S. R. — In exercise of the powers conferred by Section 6 of the Goa, Daman and Diu (Administration) Act, 1962 (1 of 1962) the Central Government hereby extend to the Union Territory of Goa, Daman and Diu, the Transfer of Prisoners Act, 1950 (29 of 1950).

K. R. PRABHU

Deputy Secretary to the Government of India.

#### Industries and Labour Department

#### Notification

I&L/CEE/902/65/2350

#### Rules for the Levy of Fees for the Services of Electrical Inspector

In exercise of the powers conferred by Sub-Rule (2) of Rules (7) of the Indian Electricity Rules,

1956, and in supersession of the decreto nos. 27.071 and 2052 of the Erstwhile Portuguese Government, the Government of Goa, Daman and Diu hereby orders that with immediate effect fees for testing and inspection and generally for the services of Electrical Inspector under the Indian Electricity Act, 1910 (Act IX of 1910) shall be levied in accordance with the following Rules, namely:

#### Levy of fees for the Services of Electrical Inspector

1. *Definition*: — In these Rules «Owner» includes an occupier of any building, place, carriage or vessel, electric supply line, electric machine or apparatus in which energy is or is about to be generated, received or used.

2. *Levy of Fees*: — (1) Fees for periodical inspections, examinations or tests made under the provisions of the Indian Electricity Act, 1910, and the Rules made thereunder, shall be levied in accordance with the rates prescribed and from the persons mentioned in scales «A» to «C» in the schedule hereto.

Provided that in the case of a second or subsequent inspection, examination, or test made within a period of twelve months from the date of the first inspection, examination or test: —

- (a) One half of the fees prescribed in the said scales «A» to «C» shall be levied if in opinion of the Electrical Inspector, the second or subsequent inspection, examination or test is necessitated by the neglect or failure of the licensee or owner to carry out within a stipulated time any written order of the provisions of the Indian Electricity Act, 1910, or the Rules made thereunder, and
- (b) No fees shall be levied if the second or subsequent inspection or test is not so necessitated.

(2) Fees for initial inspections, examinations or tests of an installation made under the provisions of the Indian Electricity Act, 1910, and the Rules made thereunder shall be levied in accordance with and from the persons mentioned in scales (D to F) and as specifically provided in scale «C» in schedule hereto.

Provided that, if in the opinion of the Electrical Inspector, a second or subsequent inspection, examination or test of the installation is necessitated by the neglect or failure of the Supplier or the Owner as the case may be, to carry out within a stipulated time any written order of the Inspector or by a breach of any provisions of the Indian Electricity Act, 1910, or the Rules thereunder the fee for such a second and subsequent inspection, examination or test shall be one half of the fee prescribed in the said scales «D» to «F».

Provided further that if an extension to or an alteration in the installation made since the date of last initial or periodical inspection, examination or test of the installation, is inspected, examined or tested within 12 months of that date, a separate fee shall be levied in respect of such extension or alteration in accordance with the rates prescribed and from the persons mentioned in the said scales «A» to «C».

(3) Fees for the services of an Electrical Inspector requisitioned by a consumer or by a member of the public shall be levied in accordance with and from