

THE NAGALAND FOREST (AMENDMENT) ACT 1969
(THE NAGALAND ACT NO. 9 OF 1969)

*(Received the assent of the President on the 29th April, 1969 and
published in the Nagaland Gazette Extra-Ordinary dated 7th May, 1969)*

An Act to amend the Nagaland Forest Act, 1968.

Preamble.

Whereas it is expedient to amend the Nagaland Forest Act 1968, in the manner hereinafter appearing.

It is hereby enacted in the Nineteenth Year of the Republic of India as follows :-

1. Short title, extent and commencement.

- (1) This Act may be called the Nagaland Forest (Amendment) Act, 1969.
- (2) It shall have the like extent of the Principal Act.
- (3) It shall have the same force as the Principal Act.

2. Definition.

In this Act, 'Principal Act' shall mean the Nagaland Forest Act, 1968.

3. Amendment of Section 2 of the Principal Act. In Section 2 of the Principal Act.

- (1) in clause (1) after the word "sheep" the words "rams, ewes" shall be *inserted*.
 - (ii) in sub-clause (1) of clause (4) after the words 'leaves' the word 'flowers' shall be *inserted*.
 - (iii) in sub-clause b (iii) of clause (4) the words "and horns, Bones other than rhinoceros bones, silk, cocoons" shall be *substituted* by the words and brackets "horns (other than rhinoceros horns), bones, silk cocoons".
 - (iv) after clause (7) the following shall be *inserted*
- (7A) "prescribed" means prescribed by any rule made under this Act".

4. Amendment of Section 5 of the Principal Act.

In Section 5 of the Principal Act the words "the language of the country" shall be substituted by the words "any prescribed language or languages".

5. Amendment of Section 13 of the Principal Act.

In Section 13 of the Principal Act, the words "by the grant of the claimant" shall be *deleted*.

6. Amendment of Section 16 of the Principal Act.

In clause (c) of sub-section (1) of Section 16 of the Principal Act, the words "has become vested in the Government under any, those acts of shall be *substituted* by the words "have become vested in the Government under any of those Acts".

7. Amendment of Section 18 of the Principal Act.

In Section 18 of the Principal Act, the words "language of the country" shall be *substituted* by the words "any prescribed language or languages".

8. Amendment of Section 19 of the Principal Act.

In Section 19 of the Principal Act, the words “be taken in lieu of the other such proceedings” shall be *substituted* by the words “be taken in lieu of any other such proceedings”.

9. Amendment of Section 39 of the Principal Act.

In Section 39 of the Principal Act, after the words “in either” the word “case” shall be *inserted*.

10. Amendment of Section 52 of the Principal Act.

in the marginal note to Section 52 of the Principal Act, for the word “settle” the word “liable” shall be *substituted*.

11. Amendment of Section 67 of the Principal Act.

In Section 67 of the Principal Act for the words “in lieu of the lines fixed by Section 11 of the Act, lest aforesaid” the words “in lieu of the tines fixed under Section 12 of the Cattle Trespass Act, 187 I” shall be *substituted*.

12. Amendment of Section 68 of the Principal Act.

In clause (b) of sub-section (1) of Section 68 of the Principal Act, after the word “documents” the words “and material objects” shall be *inserted*.

13. Amendment of Section 74 of the Principal Act.

The existing Section 74 of the Principal Act shall be renumbered as Section 74.

(1) and the following sub-section shall be *inserted* in Section 74 :—

(2) Any person who, being bound so to do, without lawful excuse (the burden of proving which shall lie upon such person) fails—

(a) to furnish without unnecessary delay to the nearest Forest Officer or Police Officer any information required by sub-section (1);

(b) to take steps as required by sub section (1) to extinguish any forest fire in a reserved or protected forest;

(c) to prevent, as required by sub-section (1) any fire in the vicinity of such forest from spreading to such forest; or

(d) to assist any Forest Officer or Police Officer demanding his aid in preventing the commission in such forest of any forest offence or, when there is reason to believe that any such offence has been committed in such forest in discovering and arresting the offender;

shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees, or with both.

14. Insertion of new Section after Section 74 of the Principal Act.

After Section 74 of the Principal Act, the following Section shall be *inserted* :— “74-A. If any person be entitled to a share in the produce of any forest which is the property of Government or over which the Government has proprietary rights or to any part of the forest produce of which the Government is entitled, upon the condition of fully performing any

service connected with such forest, such share shall be liable to confiscation in the even of the fact being established to the satisfaction of the State Government that such service is no longer so performed: Provided that no such shall be confiscated until the person entitled thereto, and the evidence, if any, which he may produce in proof of the due performance of such service, have been heard by any officer duly appointed in that behalf by the State Government”.