

**B.A.LL.B. VI SEMESTER**  
**SUBJECT: ENVIRONMENTAL LAW**  
**CODE: BL-6001**  
**UNIT-3**  
**TOPIC - The Forest Act, 1927**

Total chapter -13

Total section -86

R/w Seventh Schedule - Concurrent list in the constitution Chapter first Preliminary (1-2)

Chapter 2 of reserve forest (3-27)

Chapter 3 of village forest (28).

Chapter 4 of protected forest (29-34)

Chapter 5 of the control over forest and lands not begin the property government (35-38)

Chapter 6 off the duty on timber and other forest produce (49-40) chapter 7 of the control of timber and other forest produce in transit (41-44)

Chapter 8 of the collection of drift and standard Timber (45-51). Chapter 9 penalties and producer (53-69)

Chapter 10 cattle tress pass (70-71)

Chapter 11 of forest officer (72-75)

Chapter 12 subsidiary rule (76-78)

Chapter 13 miscellaneous (79-86)

The Indian forest act of 1927 consolidated all the previous laws regarding forest that work fast before the 1920s. The act gave the government and forest department the power to create reserved forest, and the right to use reserve forest for government use alone. The new policy framework made conversion of forest into other uses much less possible conservation of the forest as a natural Heritage find a palace in the new policy. Which include the preservation of its biological diversity and genetic resources.

**Important definitions**

Under section 2-

2(3) **forest offence**- means an offence punishable under this act or under any rule made there under.

2(5) **Rivers**- includes any stream, canal, creek or other channels natural and artificial.

2(6) **Timber** includes trees, when they have fallen or have been felled, and all wood weather cut up or fashioned or hollowed out for any purpose or not, and

2(7) **Tree**-includes palm, bamboos, skumps, Brush wood and canes

## **Penalties and Procedure**

Under section 52 **seizure property liable to confiscation.**

A forest offence has been committed in respect of any forest produce. Then, every officer seizing any property under this section shall by place on such property a mark indicating that the same has been so seized.

**53 Power to release property seized under section 52** any forest officer of a rank not inferior to that of a ranger has seized any fool, boats or cattle under section 52 may release.

**54 producer there upon-** upon the receipt of any such report the magistrate shall, with all convenient dispatch, take such measures as may be necessary for the rest and trial of the offender and the disposal of the property according to law

**Under section 58.**

**the procedure as to punishable property seized under**

**section 52-** the magistrate may notwithstanding anything herein before contained direct the sale of any property seized under section 52

**property when vest in government** under section 60

**Punishment for wrongful Seizure** under section 62 Any forest officer or police officer who vexatiously and unnecessarily seized any property on pretence of seizing property liable to confiscation under this act shall be punishable with imprisonment for a term which may extend to 6 months or

with 5 which may extend to five hundred rupees or with both.

Under section 64 **Power to arrest without warrant** any forest officer or police officer without orders for a magistrate and without a warrant (just like criminal procedure Code).

Under section 65 power to release on a bond a person arrested any forest officer has arrested any person under the provision of section 64 may release a bond to appear.

Under section 67 **power to try offence summarily** the district magistrate or any magistrate of the first class specially empowered in this behalf by the state government may try summarily find the code of criminal procedure 1973 (under section 260 CRPC )

Under section 68 **power to compound offences** state government may be notification in the official gazette just like 320 section in the criminal procedure Code 1973

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