

THE KARNATAKA FOREST MANUAL

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CHAPTER I

Constitution of Reserved Forests

Procedure in respect of the constitution of a Reserved Forest

1. The procedure in respect of constitution of a Reserved Forest comprises of three stages:-

Firstly, selection and preliminary demarcation of the proposed area by suitable cairns and the preparation of a Plan and draft notification of boundaries by the Divisional Forest Officer;

Secondly, inspection, perambulation, correction of map and settlement by the Forest Settlement Officer; and

Thirdly, the preparation of the register of claims by the Forest Settlement Officer, the issue of the corrected map and final notification duly verified and signed by the Forest Settlement Officer and the Divisional Forest Officer and the final demarcation by the Divisional Forest Officer.

Selection and extent of Blocks

2. Blocks selected for constitution as Reserved Forests should not ordinarily be less than 100 acres (40 hectares) in extent unless such blocks adjoin any already constituted Reserved Forest, to which they can be conveniently added. In selecting blocks, care should be taken to make reasonable provision for the requirements of the villagers concerned.

Blocks selected could be less than 40 hectares also if such blocks are in isolated patches distributed in a scattered manner within the already constituted reserved forests and notifying such isolated blocks could help in forming one homogeneous block of reserved forests.

Area to be included in the Forest

3. Where the forest is too valuable to be set apart for village use and where occupied lands are scattered about in the midst of valuable forests, as frequently happens in the **Malnad**, it would be preferable to include all the available area in the proposed Reserved Forest, leaving it to the Forest Settlement Officer to allow such rights and privileges in or over such forest as the villagers may be entitled to in accordance with Sections 13 and 14 of the Forest Act.

Areas to be excluded from Reservation

4. The following areas should be excluded from reservation when possible:-
- (a) Occupied lands, when the exclusion can be made without disfiguring the shape of the forest;
 - (b) cultivable lands under tanks and irrigation channels.

Boundaries of Blocks

5. In the selection of boundaries, attention should be given to making them as practicable and easily and cheaply maintainable as possible for clearing, fire protection and inspection purposes. The boundaries of proposed Reserved Forests should follow the surveyed boundaries of fields, provided such boundaries do not lie very close to cultivated fields and inhabited villages. Where it is not possible to take the boundary of the Reserved Forest along boundaries of fields and inhabited villages without excluding too large an area

of valuable forest or without taking the line too near such cultivated fields and villages, the boundary should run in a straight line from one field boundary mark to another maintaining the field book with bearings, etc., as a permanent record. The advantage of this course is obvious as a survey of the boundary line is obviated thereby. In tracts which have not been brought under re-survey, the above Rule may be departed when the circumstances render a departure necessary, but the boundary should run in a straight line from one point to another, such points being fixed with reference to prominent land marks or existing field or village marks by cairns. When it is found absolutely necessary to take the boundary line along cultivated fields, a margin of 100 metres should be left and this should on no account be given out for cultivation.

Whole survey number to be taken

6. In the formation of forests, whole survey numbers should be taken up as far as possible.

Collection of information in the Selection of Blocks

7. It is necessary before a tract is notified under Section 4, that some information should be collected as to the extent of forest lands already under reservation in the same locality, the extent of occupied lands, the waste lands at the disposal of the villagers, the number of inhabitants and the live stock owned by them, the extent of gomal land already assigned, the nature of lands proposed to be reserved, the ordinary requirements of the people in regard to forest produce and how they are met any general rights and privileges which may be affected and all other facts and features which will enable Government to understand that there is a **prima facie** case for reservation.

8. If the Officer making the selection is unable to furnish the necessary information on these points himself, he may get it from the Tahsildar, Assistant Commissioner or the Deputy Commissioner concerned.

9. The collection of information preliminary to notification of a tract under Section 4 of the Forest Act need not be detailed or elaborate and therefore ought not to entail much labour and should certainly not be protracted in as much as it would be the duty of the Settlement Officer in due Course to enter into such inquiries, perambulating the tract, hearing the persons affected by the reservation and examining the evidence that may be adduced by them.

Preparation of maps

10. After the boundary line has been determined, a map of the proposed area should be prepared on tracing cloth on a scale of 8 inches to a mile or its equivalent in metric system from village maps as also a tracing from the topo-sheet showing the area to be reserved for ready identification of the block on the map. Where maps on the scale 8 inches to a mile are not available, forest maps of normal scale, i.e., 4 inches to a mile may be utilised or such other ordinary topographical maps as are available for the area.

The map should show the following details:

- (a) All recognised roads and paths.
- (b) Occupied fields.

- (c) Temples, Mosques, Churches, etc.
- d) Tanks, irrigation channels and projects.
- (e) Mining areas.
- (f) Power lines.
- g) Pipe lines.
- h) All survey numbers inside and the survey members abutting on the boundary.

Preliminary demarcation

11. The boundary line as shown in the map should be laid down on the ground and cleared to a width of 2 metres in such a manner that it can be easily identified by the Forest Settlement Officer and raiyats concerned. It should be further defined by small cairns set up at all angles and at other salient points in such a manner that one may be visible from the other.

Draft Notification

12. The Divisional Forest Officer will submit the draft notification to the Chief Conservator of Forests through the Divisional Commissioner and the Conservator of Forests, together with all the connected papers, maps and descriptive account of the block. The latter will forward it to the Chief Conservator of Forests recording his own opinion thereon. If the Chief Conservator of Forests agrees to the proposals made, he will forward them to the Government. If the Chief Conservator of Forests disagrees with the Divisional Forest Officer, the former's opinion will prevail, and the Divisional Forest Officer will either drop the question or carry out such modifications as he may order. If there is a divergence of opinion between the Chief Conservator of Forests and the Divisional Commissioner, the papers will be submitted for the orders of the Government by the Chief Conservator of Forests.

Form of Notification

13. The Notification under Section 4 shall be in Form No. 1. The notification shall be accompanied by a statement of lands taken up for the proposed reserve forest, and shall be in form No. 1A.

Forest Officer appointed to assist the Forest Settlement Officer

14. When no Forest Officer has been specially appointed by Government to assist the Forest Settlement Officer under sub-section 2 of Section 4 of the Act, the concerned Divisional Forest Officer having jurisdiction over the area shall be deemed to represent the Government in the enquiry by the Forest Settlement Officer.

Form of proclamation

15. The proclamation to be issued by the Forest Settlement Officer under Section 5 of the Act shall be in the Form No. 2.

Inquiry by Forest Settlement Officer

The Forest Settlement Officer is appointed to inquiry into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within the specified limits of the proposed forest, and to deal with the same as provided in Chapter II of the Act. He has two principal duties to attend to: first, to make a

proper inquiry and second, to dispose of the claims in accordance with the provisions of the said Chapter. His inquiry, is to be made not only into all claims duly preferred, but he is to search for the existence of any rights which are not claimed, by examination of Government records, taking the evidence of persons likely to be acquainted with any such rights, and by surveying and mapping out the proposed forest. The rights so contemplated are classed as follows:

- (1) Right of pasture,
- (2) Right to forest produce,
- (3) Right of way,
- (4) Right to water courses,
- (5) Right to buildings,
- (6) All other rights in or over any land.

Section 11 of the Act prescribes how the Forest Settlement Officer shall deal with the last class of rights. Section 12 prescribes how the Forest Settlement Officer shall deal with the other rights. It is obvious that when once after due inquiry a claim to any such right is admitted, or when once the existence of any such right is discovered, the fact of the right is sufficiently established. Where no claims are preferred in respect of these rights, it is undoubtedly the duty of the Forest Settlement Officer not to over look their existence and not to neglect to make every possible inquiry to ascertain whether any such rights do exist. The Forest Settlement Officer should prevent any hardship occurring to villagers living near proposed forests in respect of the use of public path ways or water courses in the Forests; and it is not likely that any such rights, where they are clearly defined and ascertainable, will become extinct through the operation of Section 9. Any right of this description which is so obscure as not to be claimed at the proper time, or to come to knowledge after careful search has been made cannot be of much worth. The object of the appointment of the Forest Settlement Officer is that after a fixed date, all rights not asserted before him or otherwise brought to his knowledge may be extinguished.

Diary of Forest Settlement Officer

17. (1) The Forest Settlement Officer shall keep, from day to day, a diary of his proceedings which should be clearly written up and should be initialled by himself every evening, as magisterial diaries are kept.

(2) The Forest Settlement Officer should submit his diaries to the Conservator of Forests in charge of the Circle in which he is working.

Privileges of Forest Officer attending the enquiry

18. The Forest Officer attending the inquiry shall have powers similar to those of a defendant in a Civil suit. He may, either himself or through a legal adviser, cross examine witnesses who support claims, may produce evidence to rebut claims and may comment on any documents produced.

19. If the Forest Officer specially appointed by the Government or the jurisdictional Divisional Forest Officer unable to attend to inquiry before the Forest Settlement Officer, he may forward to the Forest Settlement Officer, and statement he may wish to make in writing with any documents he may desire to put in. The Forest Officer may in such cases, if he wishes, depute a subordinate to explain, if necessary, the statement transmitted by

him. In such cases the Officer so deputed should not be below the rank of a Range Forest Officer.

Allowing time to Forest Officer to consult his higher authorities

20. The Forest Settlement Officer shall, at all times, afford the Forest Officer attending the inquiry all reasonable information regarding the posting of claims for hearing, and shall, as far as is convenient, meet the wishes of the Forest Officer in adjourning inquiries to give time for him to consult his higher authorities.

Explaining the views of the Chief Conservator and the Conservator to the claimants and filling them for record

21. The views of the Forest Department on any question which may arise, should be placed before the Forest Settlement Officer by the Forest Officer by a written note. Such written note shall be read aloud and shall form part of the record and shall be explained to the claimants in their regional language if they do not understand English.

Procedure after admission of claims

22. When the Forest Settlement Officer has admitted a claim, the Forest Officer attending the inquiry will state which course under Section 11 or under Section 14 or 15 it is desirable to follow, and may apply for an adjournment to enable him to consult his higher authorities. The Forest Settlement Officer will hear the claimants whose claim has been admitted, before deciding what action he will take in the matter.

Recording the rights of Forest tribes and important public rights of way

23. It shall be the duty of the Deputy Commissioner and of the Forest Officer attending an inquiry before a Forest Settlement Officer to take special care as far as possible that all customary rights known or believed to be enjoyed by any forest tribes and important public rights of way in any of the forest or lands in respect of which the inquiry is being held are brought to the notice of the Forest Settlement Officer with a view to their being admitted and recorded by him.

Form of notification

24. The notification to be issued under Section 17 shall be in Form No. 3.

Permanent demarcation

25. When a notification under Section 17 has been issued and a block becomes finally a Reserved Forest, the Divisional Forest Officer should lose no time in replacing the temporary boundary marks by permanent demarcation. The permanent marks should such that the final demarcation accords exactly with the boundary as settled and notified.

Proclamation of the notification under Section 18 in the regional language by the Deputy Commissioner

26. (1) The Deputy Commissioner shall before the date fixed by such notification shall issue a proclamation in Kannada or any other regional language of the area regarding the notification under Section 17, after publication of the said notification in the official gazette. The proclamation shall be in Form No. 4 of the Karnataka Forest Manual.

(2) The Deputy Commissioner should simultaneously send copies of the notification to the Assistant Commissioner and Tahsildars concerned with a direction to correct the revenue records. Confirmation of the records having been corrected should be communicated by the Tahsildar to the Divisional Forest Officer under intimation to the Deputy Commissioner.

Final demarcation of boundaries

27. The finally settled and notified boundary should be cleared to a width of 4 metres except for evergreen forests where it may be 6 metres, the whole of which should be within the Reserved Forest. The stumps of trees should be uprooted. The Forest Officer not lower in rank from that of a Gazetted Officer who is assigned the demarcation work shall be responsible for the correctness of the demarcated boundary and shall furnish a certificate in the following form after the clearing including the uprooting of trees in the demarcation line has been completed.

“I hereby certify that the boundaries of the.....Reserved Forest which are set forth in Notification No.....dated.....have been laid down on the ground, and that I have satisfied myself by personal perambulation that they agree with the, description given in the boundary statement.”

Defining of demarcated boundary by stone slabs, cairns, etc.,

28. (1) The demarcated boundary should be defined by stone slabs or cairns with a wooden pillar in the Centre erected in such manner that one may be visible from the other. They should be fixed at the outer edge of the cleared line, the clearing being done within the limits of the Reserved Forest. The width of the line to be cleared should be 4 metres, except in evergreen ghat forests where it may be six metres. In case of Maidan (dry) areas where it is barren without any type of growth, only cairns need be built.

(2) When stone slabs are used, they should be 100 cms. above and 45 cms. below ground with a width of 35 cms. and a thickness of 15 cms.

(3) When cairns are used, they will be constructed in the following manner :—

(i) The pillar will consist of a straight wooden post of some durable species not less than 60 cms. in girth and 2 metres in length of which 30 cms. will be sunk on the ground of which 30 cms. exposed above the cairns.

(ii) The cairns will consist of rough stones or earth heaped around the pillar to a height of 1-4 metres in the form of a truncated cone and will have a diameter of 2 metres at the base and 60 cms. at the top.

(4) On the side facing outwards, the letters R.F. and the consecutive serial number will be engraved on each slab or pillar. The serial number will commence from the North-West corner and run consecutively along the Northern, Eastern, Southern and Western sides back to the North-West corner.

Demarcation of enclosures.

(5) The demarcation of enclosures will be effected as described above, but the width of the cleared line will be cms. and a thickness of 10 cms.

2.5 metres and the dimension of the stone slabs and cairns will be as indicated below:

(i) When stone slabs are used, they should be 60 cms. above and 40 cms. below ground with a width of 30

(ii) When cairns are used, the pillar will consist of a straight wooden post of some durable species of not less than 45 cms. in girth and 1.4 metres in length or which 30 cms. will be sunk in the ground and 30 cms. exposed above the cairns. The cairn will consist of rough stones or earth heaped to a height of 80 cms. in the form of a truncated cone and will have a diameter of 1.5 metres at the base and 40 cms. at the top.

(6) In areas where such clearing is to be done for the first time, both construction of cairns and clearing of boundary lines may be got done simultaneously. After the initial demarcation, the maintenance of the stone slabs or the cairns will be the responsibility of the protective staff.

Putting up of sign-boards.

29. Sign-boards must be put up at all roads and paths that enter the forest or touch it and they should be made of boards of about 35 cms. in width. The board will be painted with white paint and the name of the forest engraved on it and painted black. The name of the forest will be inscribed in large block letters 15 cms. long and 10 cms. broad and the word Reserved Forest in letters of 9 cms. long and 6 cms. broad; thus:—

KAKANAKOTE RESERVED FOREST

The sign boards should be nailed on to trees or fixed to pillars specially erected for the purpose.

Forest Guards to be provided with Plans of their beats.

30. It is absolutely essential that all Forest Guards who constitute the protective staff should have a Plan of their beats with them, showing therein the demarcation lines, cairns numbers, depots, etc. The Divisional Forest Officers must arrange to have it done either through the Range Forest Officers or Draughtsmen attached to their offices and distribute them to the Guards.

Inspection and maintenance of Forest boundary lines and marks.

31. (1) The Forest Guard of the Beat will be responsible for the maintenance and protection of all the boundary marks in the forests of his beat. He will make an annual report during the month of April of having performed this work and will repair any marks that may become disarranged. Each Forest boundary mark in his 'beat' is to be specially inspected by the Beat Guard at least once in every year, and a record of his inspection is to be entered in his diary.

(2) The Section Officer will be responsible for the maintenance and protection of the boundary marks in the forests of his Round (Section) and he will see that they are maintained in proper repair by the Beat Guards as directed.

(3) The Divisional Forest Officer will divide the boundaries of the forest of each Section (Round) into five specified parts and allot each part to a specified year in regular rotation for detailed inspection by the Section Officer. The Section Officer will specially inspect every forest boundary mark in the allotted part and record every inspection made in his diary. He will also submit an annual report to the Range Forest Officer upon the state and condition of the boundary marks, forest boundaries, etc., as soon as he has completed the inspection of the boundaries of the part allotted to the year.

(4) The Range Forest Officer will during the official year inspect and specially report upon the State and condition of the forest boundaries and forest boundary marks of not less than 4 kilometers of forest boundary in every 'beat' in his Range. A record of inspections made will be entered in his diary when they may occur.

(5) The Divisional Forest Officer should check the boundaries of at least 10 per cent of the Reserve Forest in his Division every year. The same Reserve Forest should not be repeated during the various years till the full cycle is completed.

Powers to re-notify boundaries of reserved forests.

32. Cases arise in which it may be desirable to publish, by means of a fresh notification, amended description of the boundaries of forest reserves already notified under Section 17 of the Act or under other forest enactments. Fresh notification, in such cases, provides for the substitution of the boundaries for that which was originally notified, and which, though purporting to describe the boundaries as they existed at the time is subsequently found to be defective or is not clear in reference to existing facts. The notification under Section 19 of the forest act shall be in form No. 5 of the manual.

Declaration of forests no longer Reserved Forests.

33. (1) No land which has been finally constituted as Reserved forest under Section 17 of the Karnataka Forest Act 1963 should be given any occupancy or otherwise disposed off without the previous sanction of the Government. Provided further that no notification under Section 28 of the Karnataka Forest Act 1963 shall be issued unless a resolution to that effect has been passed by both the Houses of the State Legislature,

(2) The Government have taken a policy decision not to release any Reserved Forest land for purposes of cultivation of food crops and the Revenue Officers shall not submit any proposal for release of Reserved forest land for the purposes of cultivation of food crops,

(3) lease of reserved forest land for purposes of construction of dwelling houses, establishing industries for power and communication lines, formation of roads by the Public Works Department or any other recognised public body like Taluk Boards or Village Panchayats, creation of Tanks or canals for public utility purposes, construction of schools, Colleges and Playgrounds or for other public uses can be considered provided 'Such a proposal is not detrimental to the forest conservancy and development. In such cases of leases, the period of lease and the rent chargeable shall not conflict with the general provisions of the Karnataka Land Reforms Act 1973,

(4) where Reserved forest land is required by a Government Department like Public Works Department, Police Department, Department of Public Instructions, Horticultural Department, Agricultural Department etc., it need not be disreserved if it is to remain in the charge of a Government Department and is to be used solely for the Government purpose,

(5) Revenue Officers such as the Tahsildar, Assistant Commissioner, Deputy Commissioner or Divisional Commissioner shall have no powers whatsoever to release or lease or give any occupancy in a Reserved forest. For this purpose, the above officials shall make sure of the entries in their village index registers clearly showing the details of the area constituted into reserved forests in the registers. Instances of issuing saguvali chits for forest areas come across in the past should not be repeated and if any such cases come to light this will be viewed seriously by the Government.

(6) In case of requirement for extension of townships, house construction and such other cases, release may become inescapable. In such cases such proposals will have to be sent by Government to both the Houses of the Legislature for concurrence. For this purpose, a register shall be opened in the Office of the Chief Conservator of Forests (General) to maintain a list of cases where the Government decides to release reserved forest land and such lists shall be submitted by the Chief Conservator of Forests (General) to Government twice during the year for placing it before the Legislature. The periods are : one during the Budget Sessions **i.e.**, usually during the months of February-March and the other during the winter Session **i.e.**, during the month of November or so.

(7) The notification to declare forests no longer reserved forests after the Concurrence of the Legislature under Section 28 shall be in Form No.6 of the Manual.

(8) The description given in the notification and the boundaries of the area concerned should be sufficiently detailed and precise.

(9) A map illustrating the area etc., should accompany the notification.

Acquisition of land.

(1) No private properties or lands should be purchased on behalf of Government by private negotiations nor private land occupied unauthorisedly by Government Officers without recourse to the provisions of the Mysore Land Acquisition Act 1894.

Forest surveys and maps.

(1) Conservators of Forests and Divisional Forest Officers should maintain in their offices, maps of all forest areas in their jurisdiction and keep them corrected from time to time.

(2) In order that the maps in the Map Office at Dehra Dun showing the areas covered by forests in the several States may be complete in respect to the data available up-to-date, a copy of all notifications and orders constituting Reserved and Protected Forests, or modifying (by exclusion or otherwise) the boundaries of such forests, or altering administrative limits or names of Divisions or Circles or introducing any other change affecting forest maps should be forwarded by Conservators of Forests together with an indicative tracing or sketch map direct to the Officer in charge of Forest map office, who is charged with the duty of making the necessary entries and alterations in the maps in question. A small scale map of areas added to sanctioned Working Plans should also be forwarded to that office.

Standardisation of symbols and colours used for forest maps.

36. Symbols and colours to be used for forest maps have been standardised by the Survey of India Department and standard tables embodying them are obtainable from that Department. These symbols and colours should be adopted, by Working Plans and Divisional Forest Officers for all forest maps.

Normal scale to be adopted for Forest Survey maps.

37. The normal scale for forest map should be one of 4 inches to a mile or its equivalent in Metric system. But, it is open to the Chief Conservator of Forests, before a survey is undertaken, for the enhancement of the scale to 8 inches to a mile or its equivalent in metric system if the forests are very valuable or for the utilisation of the

ordinary topographical maps if the forests are of little value, full reasons being given in each case for the departure from the normal practice.

Sub-Division of survey numbers.

38. When parts of a Forest number are dis-reserved and the remaining forest area of the number is in consequence split into separate sub-divisions unconnected with each other, the newly formed sub-divisions should bear the number of the parent number with the addition of alphabetical letters, eg., 80-A, 80-B, 80-C, and such a notification shall be in Form 7 of the manual.

Subsequent changes to be entered in the Forest register.

39. (1) Every subsequent notification or order which effects changes in the forest survey numbers, areas or rights or constitute new areas as forest or grants further rights should be inserted, immediately after its promulgation, in the Forest register under the village concerned with necessary details.

(2) A Forest register for the entire Circle will also be maintained in the Office of the Conservator of Forests. On the 1st August in each year, the Divisional Forest Officer will furnish the Conservator of Forests with brief particulars concerning all entries made in the Forest register of the Division during the proceeding 12 months.

Encroachments of Forest lands.

40. (1) It shall be the primary duty of the concerned Forest Guard in respect of his beat and the Section Forester in respect of his Section to prevent unauthorised occupation of land in the Reserve Forests.

(2) Any Forest Officer not below the rank of an Assistant Conservator of Forests shall give a notice to the person/persons unauthorisedly occupying any land in the Reserved Forest asking him/them to appear before them with documents of any, within 15 days of the receipt of the notice on particular date at a prescribed place to present his/their case to show cause as to why he/they should not be evicted from the land in the reserved forests unauthorisedly occupied by him/them. After recording the proceedings, the Forest Officer may pass orders evicting the person from the land unauthorisedly occupied in the reserved forest and also ordering the removal of structures or destruction of crop, buildings and other constructions raised by him/them on the land. Such orders will be executed in the following manner:

(i) by serving a notice on the person/persons in unauthorised possession of the land requiring him to vacate within such time as may appear reasonable to the Officer ordering eviction,

(ii) if such notice is not obeyed within the prescribed period by removing or deputing a subordinate Officer to remove, a person who may refuse to vacate,

(iii) if the Officer removing any such person, the Divisional Forest Officer or the Assistant Conservator of Forests as the case may be shall hold a summary enquiry into the facts of the case and if satisfied that the resistance or obstruction was without cause and such resistance and obstructions still continues may take, or cause to be taken such steps and used or caused to be used such forces as may in the opinion of the Officer, be reasonably necessary for securing compliance with the order;

(iv) any property forfeited under Para (ii) above, shall be disposed of in such manner as the Divisional Forest Officer or the Assistant Conservator of Forests may direct and cause the removal of any crop, trees, building or other work and of all works necessary to restore the land to its original condition shall be recoverable from the person/persons affected in the manner provided under Section 109 of the Karnataka Forest Act 1963,

(v) any person aggrieved by the order of the Divisional Forest Officer or the Assistant Conservator of Forests under Para (ii) above, may, within 30 days from the date of order, appeal against such order to the Conservator of Forests having jurisdiction and the orders of the conservator of Forests shall be final and binding.

CHAPTER II CONSTITUTION OF VILLAGE FORESTS

Minimum extent of a Village Forest

41. A Village Forest will consist of such gomal lands, portions of District, Protected and Reserved Forests, Plantations, Amrit Mahal Kavals, date reserves etc., as may be assigned by Government and will ordinarily be a compact block of not less than 100 acres (40 hectares) in extent.

Proposals for the constitution of Village Forests.

42. (1) In any village in which the Deputy Commissioner is satisfied that suitable lands of sufficient extent are available for special arrangements being made for their management, he will take steps to get such lands assigned to village community and constituting them a Village Forest. The Deputy Commissioner shall draw up proposals for the formation of Village Forests in such selected localities in consultation with the Divisional Forest Officer and the representative leaders of the people with agricultural interests. He shall also consult, as far as possible, the Villagers concerned in selecting such localities as the usefulness and success of the scheme entirely depends upon the extent to which it commands the co-operation of the people. After obtaining the opinion of the Divisional Forest Officer, he shall submit the proposal to the Divisional Commissioner through the Conservator of Forests having jurisdiction. The Divisional Commissioner after his remarks, shall forward the proposals to the Chief Conservator of Forests (General), who will in turn submit the proposals to the Government with his remarks if any.

(2) The proposal for the formation of a Village Forest shall be accompanied by a statement showing the particulars of the lands to be constituted as Village Forest and the boundaries thereof as well as a map of the area.

Notification for the constitution of Village Forests.

43. The constitution of each Village Forest will be notified in the Official Gazette. The Notification shall be in Form No. 8 of the Manual revert to its original status.

Powers to cancel the lands assigned for the constitution of Village Forests.

44. The State Government may at any time cancel the assignment of land made for the constitution of a Village Forest, if it is satisfied that the objects with which such assignments were made are defeated due to indifference or lack of interest of the villages concerned. Such land will revert to its original status.

CHAPTER III MANAGEMENT OF DISTRICT FORESTS

Assignment of District Forest to Villages.

45. In cases of disputes, the Divisional Forest Officer shall after considering the area and its productive capacity, decide which are 'neighbouring Villages' within the meaning of Rule 24 of the Karnataka Forest Rules, 1969. In Villages in whose limits there are no Village or District Forests, the Divisional Forest Officer may assign the specific district, exercise the rights.

Removal of stones, earth, gravel, sand, etc.,

46. (1) In all District Forest lands, the public may be allowed on permits to quarry stones, earth and gravel, free for bona fide domestic or agricultural purposes, quarrying the other than **bona fide** domestic or agricultural purposes shall be allowed on payment of seigniorage fees, provided that such quarrying shall not prejudice the interests of forest conservancy and development.

Responsibilities of the Heads of Villages.

47. For the purpose of Rule 24 of the Karnataka Forest Rules, 1969, the collection and removal of dry firewood (other than in head loads) and felling and removal of trees other than those included in the list of reserved trees for agricultural and domestic purposes other than house building will also be allowed free of charge with permits to be issued by the concerned Divisional Forest Officer or his Gazetted Assistant.

Closure of District Forests for issue of permits (Licences).

48. If, at any time, it is seen that any of the area in the District Forest is over worked, the same will be closed by a local proclamation of the Divisional Forest Officer against the issue of permits to enable the forest to recoupe.

49. Placing areas of District Forests and other areas at the disposal of the Government under Special Protection.—

(1) Subject to the general orders of the State Government, Survey Officers, while survey operations are proceeding and at any other time the Deputy Commissioner may set apart lands which are the property of the State Government and not in the lawful occupation of any person or aggregate of persons in any village or portions of a village for forest reserves, under Section 71 of the Karnataka Land Revenue Act 1964 (Karnataka Act 12 of 1964) indicating the extent of the area, revenue Survey number and the boundaries of the area, so set apart.

(2) As soon as may be after the receipt of the Deputy Commissioner's Notification, the area will be got surveyed jointly by the Revenue Department and the Forest Department and a surveyed sketch will be prepared and the Chief Conservator of Forests (General) of the State of Karnataka will place the said assigned land by the Deputy, Commissioner under special Protection. The said assigned land shall be called as 'Protected Forests' and shall be duly notified as such in the official Gazette by the Chief Conservator of Forests (General) of the State or Karnataka under Section 33 of the Karnataka Forest Act 1963.

(3) The notification shall be in Form No. 9. As soon as may be after the notification is published in the official Gazette, the protected forests will be organised into beats and Sections for the purposes of forest administration.

(4) The lands once notified as Protected Forests shall be under the full control of the Forest Department and worked by the Forest Department according to Working Plans or Working Schemes which shall contain adequate provisions for meeting the **bona fide** requirements of the ryots.

(5) The Divisional Forest Officer shall cause the translation of the above said notification into the regional language to be affixed in a conspicuous place in every town and village within the neighbourhood of the forest comprised in the Notification.

50. Method of disposal of tree growth in lands granted for cultivation or other purpose from the District Forests.—

(1) The value of all trees standing shall be got assessed by the Divisional Forest Officer in the manner laid down in the Departmental procedure for extraction of trees by the Department.

(2) Where the value of trees so assessed is Rs. 2,000 or less in the case of Chickmagalur, Hassan, Coorg, Shimoga, South Kanara Districts and Rs. 1,000 or less in the case of other Districts, the tree growth may be sold to grantee of the land at the upset price sanctioned by the competent authority as per the Manual of Financial powers if the grantee is willing to purchase the same. In case the grantee is not willing, the tree growth should be disposed off by the Divisional Forest Officer, by tender **cum** auction sales.

(3) Where the value of such tree growth is more than this limit, the tree growth shall be removed by the Divisional Forest Officer within one year from the date of grant of land :

Provided that the Divisional Commissioner may, on the recommendation of the Divisional Forest Officer having jurisdiction over the area in which such land is situated, extend the period by one more year, and, in exceptional circumstances, by such further period as to coincide within, the end of one more working season.

(4) If within the aforesaid period, such trees are not so removed, the trees may be sold to the grantee of the land on payment of the value of such trees at the departmental upset fixed which will be with reference to the prevailing market rate.

(5) Subject to the provision of the above sub-paras, in cases where trees standing on the land are required by these rules to be removed by the Divisional Forest Officer, the possession of the land shall not be given until such trees are got removed by the Divisional Forest Officer.

(6) Where lands are granted for Coffee, Pepper, Cardamom, Areca and other such crop cultivation, young and immature trees standing on the land may be sold to the applicant to whom the land is granted at the departmental upset by the Divisional Forest Officer. The other trees standing shall be disposed off as per provisions under sub-paras (2) and (3) above.

(7) In any case in which a grantee prefers that any fruit yielding trees and manurial trees growing on the land proposed to be granted for cultivation be retained such trees should not be extracted or disposed of by the provided the grantee pays the value of such tree or trees as assessed by the Department.

(8) For the purposes of the time limit of one year for the removal of tree growth the period will be reckoned from the date of receipt of the copy of the order making the land grant from the Revenue Department to the Forest Department.

CHAPTER IV
CONTROL AND MANAGEMENT OF PRIVATE FORESTS

51. Applicability of the Rules for the control and management of private Forests.

— The form of notification under Sections 36 shall be in Form No. 10 and under Section 39 it shall be in Form No. 11.

52. Exemption of certain acts from operation of Section 37 of the Karnataka Forests Act, 1963.—For the purpose of operation of proviso to be 37(1), the following acts are exempted from the operation of Section 37(1).

- (i) The cutting of bamboos or palm trees;
- (ii) The thinning of plantations, without reference to the prescribed girth limits; provided that such thinning is manifestly done for the silvicultural improvements of the crop;
- (iii) The cutting and removal of fuel, small timber and green manure leaves for **bona fide** agricultural domestic purposes but not for sale;
- (iv) The cutting and removal of fuel, small timber granted free of charge by the owner to poor people affected by floods or fires or for charitable purposes.

53. Cultivation allowed in forest land even after issue, of notification under Sections 36 and 39 of the Karnataka Forest Act, 1963.—If the owner of a forest land desires to bring it under cultivation after issue of notification under Section 39 of the Act, he will be allowed to do so on flat areas only without cancelling the notification, unless cultivation would lead to serious denudation of trees or soil erosion.

Form of notice under Section 43 of the Karnataka. Forest Act, 1963.

54. The notice to be issued under sub-section (1) of Section 43 shall be in Form No. 12.

55. Form of Notification under Section 43 of the Karnataka Forest Act, 1963 shall be in Form No. 13.

Government management of Forests at the request of owners.

56. (1) The owners of Forests who are desirous of entrusting the management of their forests to the Forest Department under Section 47 of the Act shall send their application to the Chief Conservator of Forests furnishing full particulars in respect of the following with a sketch:

- (i) Name of the village and taluk in which the forest is situated and the survey numbers comprising the forest.
- (ii) The area of the land.
- (iii) Terms on which the land shall be managed by the Forest Department.
- (iv) Reasons for entrusting the management.

(2) Every such application shall be accompanied by the authenticated extract from the village records establishing the owner's title to the land.

(3) On receipt of an application made by any owner of Forest land under Section 47 of the Act, the Chief Conservator of Forests (General) shall verify whether the person or persons making the representations have lawful title to such land, and on being satisfied, he shall submit the representations to the Government for issue of notifications specifying the terms of management as agreed upon by him and the owner. In every case, such terms should state, **inter alia**, the period of management, the source from which the cost of

management shall be met and the method of sharing the profits or loss accruing from the management and they should be attested by the owner.

(4) The Forest Department shall manage such lands strictly in accordance with the terms mutually agreed upon and the provisions of the Act applied in that behalf by the Government under sub-section (2) to (4) of Section 47 of the Act.

(5) The Notification assuming the management of such land shall be in form 14.

CHAPTER V
PASTURING OF CATTLE AND CUTTING OF GRASS FOR FODDER IN FORESTS.

Issue of Grazing permits.

57. Permits for grazing shall be issued by a Forest Officer not below the rank of a Forester and will be in Form No.5 of the Karnataka Forest Rules, 1969.

Regulation of cattle grazing in open areas of Forests.

58. (1) Where the number of cattle exceeds the grazing capacity of the area, the Divisional Forest Officer will take steps to limit the number of cattle to be admitted to the maximum, which the area will support, by providing grazing grounds from elsewhere for the cattle excluded as being the excess of the maximum number so fixed or by such other means as he may consider suited to the circumstances.

(2) The Divisional Forest Officer may divide any particular open area of a forest into grazing blocks, permitting grazing in each block by rotation and closing each block for a definite period to promote the growth of grass at the same time to achieve better protection of the forest land.

(3) Professional graziers and cattle breeders may be permitted to share with the agriculturists and others rearing cattle, in such grazing as is permitted in the areas of 'Open' forests, unless particular areas are reserved exclusively for such cattle.

(4) Even in cases where the Government have permitted introduce improved grazing without payment of the prescribed grazing fee, no cattle shall be allowed to graze without a free grazing permit, and even the free graziers shall abide with all other conditions of the Karnataka Forest Act 1963, Karnataka Forest Rules 1969 and the Karnataka Forest Manual.

Disposal of Grass crop in closed areas of Forests.

59. (1) The Divisional Forest Officer will decide each year, in which of the closed forest areas cutting of grass should be permitted. The grass crop of 'Closed' forest areas and of established fodder reserves may be sold by the Divisional Forest Officer annually. If there is good local demand for fodder, the Village Panchayats or Co-operative bodies of the vicinity may be shown preference, by selling such areas to them at an upset price to be fixed, based on the average of the three previous sales. Grass crops that are not purchased by the above named bodies may be sold to others.

(2) If the sales prove abortive, the cutting and removal of grass shall be permitted on recovery of seigniorage rates as shall be fixed by the Chief Conservator of Forest (General) from time to time, unless such removal of grass by the neighbouring villagers is allowed free by the Divisional Forest Officer to keep down fire hazards in valuable plantations and to prevent seedlings and saplings from being suppressed by the rank growth of grass. Such forest areas, where free removal of grass is thus permitted, will be proclaimed by the Divisional Forest Officer locally.

(3) Leasing of grass crop to Military authorities and other shall be lawful for the Divisional Forest Officer concerned to close the surplus grazing areas in Reserved and Protected forest from grazing, for developing them into fodder reserves. Steps shall be taken to fence such areas and to introduce improved varieties of grasses in them.

(5) If grass is needed to export outside the Divisions within the State or outside the State, the Forest Department will meet such demand to the extent possible, depending upon

its resources and the local needs. The grass will be charged at such rates as Chief Conservator of Forests may fix.

Penalty for contravention of Grazing rules.

60. (1) Compounding fees shall be recovered in respect of such cattle which have trespassed, from the owner or herdsman, if he is willing to compound. Only in cases of deliberate trespass, absence of herdsman or damage to young plantations, compounding fees shall be recovered in addition to the fine payable on impounding and shall be assessed in each case by the Range Forest Officer.

(2) Repeated breaches of the Rules will render the owner or the herdsman, liable to prosecution. A levy of fine for the cattle impounded under Section 61 of the Karnataka Forest Act 1963 in respect of an offence of cattle trespass into a Reserved, Protected or District Forest does not bar prosecution. It is open to the Divisional Forest Officer to prosecute all cases of goat browsing if he thinks that compounding of such offences will not meet the needs of the situation.

Impounding of cattle

61. For feeding and watering the impounded cattle, while in custody, the following charges shall be levied.

For each Elephant per day	Rs, 50-00
For each Camel “	Rs. 25-00
For each Buffalo “	Rs. 10-00
For every other head of cattle per day,	Rs. 5-00

Establishment of Forest pounds

62. (1) The Divisional Forest Officer may, establish forest pounds in forest areas wherever considered necessary and he shall be the authority to appoint pound keepers for such pounds,

(2) The pound-keepers shall take charge of, feed and water to the cattle impounded until they are disposed of,

(3) Every pound-keeper appointed under these rules shall keep a register and enter therein, when cattle are brought to the pound:

- (i) the number and description of the animals,
- (ii) the day and hour on and at which they were so brought,
- (iii) the name, residence and occupation of the seizer, and
- (iv) the name and residence of the owner, if known.

(4) The maximum rate list of the fines and of the rates of charges for feeding and watering cattle shall be pasted in a conspicuous place on every pound.

(5) If the owner of the impounded cattle or his agent appear and claim the cattle, the Pound Keeper shall deliver them to him on payment of the fines and charges incurred in respect of such cattle. The owner or his agent, on taking back the cattle, shall sign a receipt for them in the register kept by the Pound keeper,

(6) If cattle impounded is not claimed within seven days from the date of their being impounded, the Pound keeper shall report the fact to the Range Forest Officer, who will take immediate steps to issue a notice to the owner if known or by a local proclamation informing that if the cattle are not claimed within a date to be prescribed by the Range Forest Officer, the same shall be disposed off by public auction. If the cattle is not claimed

within seven days from the date of such notice or local proclamation, they shall be sold in public auction by the Range Forest Officer at a place and time to be notified by a local sale notification. However if the owner of the cattle comes to claim the cattle impounded, at the time of, but before the commencement of the actual sales, may release the cattle to the owner on payment of all the feeding and watering charges, impounding fee and fines from the date of impounding till the time of its release to the owner. If the sales prove abortive, the Range Forest Officer with the permission of the Divisional Forest Officer may dispose off such animals to the best advantage of the Government in any manner as the Divisional Forest Officer thinks fit.

7) The fines leviable and the charges of feeding and watering, together with the expenses of sale, if any shall be deducted from the proceeds of the sale.

(8) The remaining cattle and the balance of sale proceeds, if any, shall be delivered to the owner or his agent together with a statement of account in the following form:

(i) The number of cattle seized.

(ii) The period during which they were kept in the pound.

(iii) The amount of fines and charges incurred.

(iv) The number of cattle sold.

(v) The manner in which the sale proceeds have been disposed of.

(9) The owner or his agent shall give a receipt for the cattle delivered to him and for the balance of the sale proceeds, if any, paid to him, according to such statement of accounts. If the balance of the sale proceeds be not claimed within three months from the date of the sale, the same shall be credited to the Forest Department.

CHAPTER VI FOREST OFFENCES

General

63. Depending on the nature of the offence, Forest offences can be classified under the following broad categories, viz ;

- (i) Offence against the Forest itself.
- (ii) Offences in relation to the Forest Produce in transit.
- (iii) Special offences.

(1) Offences against the Forest itself

The various protection measures to be taken against offences under this category can be dealt with under two heads:

- (a) Direct protection.
- (b) Indirect protection.

(a) Forest offence dealt with under direct protection.—

They are:

- (i) Trespass in a Reserved Forest and Village forest,
- (ii) Cutting, collection and removal of Forest produce in a reserve Forest or a protected forest or a village forest,
- (iii) Clearing or braking up any land for cultivation in a reserve forest or in a protected Forest or a Village forest,
- (iv) Protection of wild life,
- (v) Cattle trespass,
- (vi) Protection against fire.

(b) Indirect Protection.—The important measures are:

(i) for regulating the rights of the user i.e., laying down the procedure for determining, regulating ad settling such rights as they go a long way to secure the forest against the possible menace due to abuses by right holders. This is important because the forests are State-owed and burdened with rights,

(ii) Demarcation and maintenance of boundaries of various classes of the forests such as Reserve Forest, Village Forest and Protected Forest. Forest being a special kind of landed property the first requisite for its effective protection is to demarcate its boundary in such a manner that nobody is left in any doubt as to its limit. Any alternative removal, destruction of defacing any boundary of any forest to which the provisions of the Karnataka Forest Act 1963 apply are punishable.

(iii) Rendering of service as per Section 105 of Karnataka Forest Act 1963 by right to privilege holders is also an indirect protection.

(2) Offences relating to forest produce in Transit

In view of the vastness of the Forest area, it is difficult for the Forest Officers to detect all the offences that may be arise with regard to a Forest within the limits of the Forest itself. Hence the Karnataka Forest Act 1963 and the Karnataka Forest Rules 1969 afford scope for detecting such offences, while the forest produce is in transit irrespective of the source of its collection whether it be Government or private forest.

(3) Special offences

The special type of offences are the ones which are not compoundable and can also be dealt with under Indian Penal Code.

(i) **Punishment for wrongful seizure.**—Any Forest Officer or other Officer mis-using the power given to him under Section 62 of the Karnataka Forest Act 1963 vexatiously seizes property which is really not involved in the commission of any Forest offence under the pretext of seizing it as though it were so involved, himself commits an offence which is not compoundable.

(ii) Punishment for counterfeiting or defacing marks on trees or timber and for altering boundary marks.

64. **Detection of offences.**—(1) Protection is better than following it up with detection after the offence is committed. But in practice we will not be able to achieve this ideal, as it would not be possible to protect the forests all over, through out and at all times. So, when Forest offences do occur, it becomes the duty of the Forest Officer, be it a Forest Guard, Forester, Range Forest Officer to detect the offences and deal with them.

The Forest Officer taking cognizance of any Forest offence case should be aware as to what in law would constitute a forest offence, as it would be a criminal offence to set the Law in Motion against any person by reason of a **Mistake of law**. Every criminal charge involves two things, firstly that an offence has been committed; and secondly that the accused is the author or one of the Authors. If this criminal fact is ascertained, then he may take presumptive proof to show who did it.

(2) The important points to be remembered in an offence case are:

(i) The circumstances leading to the discovery of the offence.

(ii) The mahazar including details on seizure.

(iii) The surroundings and the actual place where the offence took place.

(iv) Other details, such as statements of witnesses, accused if arrested, property seized, estimate of loss or damage etc.

(3) Offences are either detected by the Forest Officers while doing their routine patrolling i.e., a Forest Guard while doing rounds, in his beats a section Forester while doing rounds in his section and Range Forest Officer While perambulating his range or when brought to the notice of the Forest Officers by some other Agency such as direct oral complaints, anonymous, pseudonymous or acknowledged written petitions or by a variety of circumstantial references like one offence leading to the detection of another offence.

(4) The detection of an offence will involve the following elements:—

(i) Direct and physical notice of the offences by detecting agency.

(ii) Arresting the accused, if found.

(iii) Seizing the vehicles, tools and implements involved in the offence if any.

(iv) Seizing the forest produce or other material involved in the offence.

(v) Drawing up of a mahazar or Panchanama.

(vi) Issue of a Search warrant, in case the detection of an offence itself warrants it.

(5) **Search warrants.**—(A) If the information at the time of initial detection of an offence or in the course of investigation of an already detected offence leads to credible evidence that stolen Forest Produce is concealed in a dwelling house or elsewhere any Forest Officer of the rank of a Range Forest Officer and above may issue Search Warrant authorising any Forest Officer above the rank of a Forest Guard:

(a) to enter, with such assistance as may be required, such place,

(b) To search the same in the manner specified in the warrant,

(c) To take possession of any property or article therein found, which he reasonably suspects to be stolen property or objectionable article under the Karnataka Forests Act,

(d) To convey such property or article before a Magistrate or Officer issuing search warrant, or to guard the same on the spot until the Offender is taken before a Magistrate or the Officer issuing the Search Warrant or otherwise to dispose of it in some place of safety,

(e) To take into custody and carry before the Magistrate or Officer issuing Search warrant every person found in such place who appears to have been privy to the deposit, sale or production of any such property or article knowing or having reasonable cause to suspect it to be stolen property or, as the case may be, objectionable article under the Karnataka Forest Act, 1963.

(B) (a) Before making a search, the Officer shall call upon two or more independent respectable inhabitants of the locality in which the place to be searched is situate or of any other locality, if no such inhabitant of the said locality is available or is willing to be a witness to the search, to attend and witness the search and may issue an order in writing to them or any of them to do.

(b) Whenever any place liable to search or inspection is closed, any person residing in, or being incharge of such place, shall, on demand of the Officer or other person executing the Warrant, and on production of the Warrant, allow him free ingress thereto and afford all reasonable facilities for a search therein.

(c) If ingress into such place cannot be obtained, it shall be lawful in any case for a person acting under a Warrant and in any case in which a warrant may issue, but cannot be obtained without affording the person to be arrested an opportunity of escape, for a forest Officer to enter such place and search therein, and in order to effect an entrance into such place, to break open any outer or inner door or window of any house or place, whether that of the person to be arrested or of any other person, if after notification of his authority and purpose, and demand of admittance duly made, he cannot otherwise obtain admittance; provided that, if any such place is an apartment in the actual occupancy of a female (not being the person to be arrested) who, according to the custom, does not appear in public, such person or forest Officer shall, before entering such apartment, give notice to such female that she is at liberty to withdraw and shall afford her every reasonable facility for withdrawing and may then break open the apartment and enter it.

(d) Where any person in or about such place is reasonably suspected of concealing about his person any article for which Search should be made, such person may be searched and if such person is a woman, the search shall be made by another woman with strict regard to decency.

(e) The Search shall be made in the presence of the witnesses and a list of all things seized in the course of such search and of the places in which they are respectively found, shall be prepared by such Officer, or other person and signed by such witnesses; but no person witnessing a Search shall be required to attend the Court as a witness of the Search unless specially summoned by it.

(f) The occupant of the place searched or some person in his behalf, shall in every instances, be permitted to attend during the search, and a copy of the list prepared, signed by the said witnesses, shall be delivered to such occupant or person.

(g) Any person who without reasonable cause, refuse or neglects to attend and witness a search, when called upon to do so by an order in writing delivered or tendered to him

shall be deemed to have committed an offence under Section 187 of the Indian Penal Code (45 of 1860).

(h) When any person is searched under (d) above, a list of all things taken possession of shall be prepared, and a copy thereof shall be delivered to such person.

Forest Officers empowered to issue Search warrant shall issue them in form No. 15 and a list of such Search and the place in which they were respectively found should be prepared in Form No. 16.

65. First information report.—(1) The Forest Officer detecting an offence should send forthwith the First Information Report in Form No. 17 to the Divisional Forest Officer, the Range Forest Officer and to the Magistrate having jurisdiction. The form shall be in quadruplicate, the quadruplicate being sent to the Magistrate having jurisdiction, the triplicate to the Divisional Forest Officer, the duplicate to the Range Forest Officer and the original being retained by the officer detecting the offence.

(2) Every Forest Guard, Forester and Range Forest Officer, shall carry First Information Report books with them in person whenever on duty. Report books having machine numbered pages are supplied to the Foresters and Forest Guards and they are required to make use of these report books for making their reports chronologically and strictly in the order of detection: This procedure is laid down especially for Forest Guards who ordinarily first discovers the offence. The First Information Report shall on no account be enclosed in a packet with other papers and the envelop containing it shall be distinctly marked '**First Information Report**'.

(3) As far as possible all available information and data should be given along with the First Information Report, even though it is a first and preliminary report concerning the offence. If any animals have been impounded the pound receipt should be sent along with that report. If any property has been seized and the offender is known, a report of the seizure should, at the same time, be made and the First information report should also be accompanied by the original receipt obtained for the seizures and a special mention of perishable seizures and necessity for immediate sale.

(4) If the offence is detected by two or more Officers, the senior most amongst them should submit the First Information Report. It shall be the responsibility of the Range Forest Officer to see that no delay occur on the part of his subordinates in making the First Offence Report.

(5) On receipt of the First Information Report, the Divisional Forest Officer and the Range Forest Officer shall enter the date of receipt and other particulars, mentioned in the report in the offence Register in Form No. 18(a) and 18(b) maintained respectively in their offices.

66. Arrest of persons.—(1) Any Forest Officer may without an order from his higher Officer or a Magistrate and without a warrant, arrest any person—

(a) who has been concerned in any cognizable offence or against whom a reasonable complaint has been made, or credible information has been received, or a reasonable suspicion exists of his having been so concerned; or

(b) who has in his possession without lawful excuse the burden of proving which excuse shall lie on such person, and implement of forest offence; or

(c) in whose possession anything is found which may reasonably be suspected to be stolen property and who may reasonably be suspected of having committed an offence with reference to such thing; or

(d) who obstructs a Forest Officer, while in the execution of his duty, or who has escaped or admits to escape from lawful custody;

(e) for whose arrest any requisition whether written or oral, has been received from another forest Officer, provide that the requisition specifies the person to be arrested and the offence or other cause for which the arrest is to be made and it appears therefrom that the person might lawfully be arrested without a warrant by the Officer who issued the requisition.

(2) When any person who in the presence of a Forest Officer, has committed or has been accused of committing non-cognisable offence refuses, on demand of such Officer to give his name and residence, or gives his name and residence which such Officer has reason to believe to be false, he may be arrested by such Officer in order that his name or residence, may be ascertained.

When the true name and residence of such person have been ascertained he shall be released on his executing a bond with or without sureties, to appear before a Magistrate if so required; provided that if such person is not resident in India, the bond shall be secured by a surety or sureties, resident in India.

(3) In making an arrest, the Forest Officer, or other person making the same, shall actually touch or confine the body of the person to be arrested unless there be a submission to the custody by word or action. If such person forcibly resists the endeavour to arrest him, or attempts to evade the arrest, such Forest Officer or other person may use all means necessary, to effect the arrest. Nothing in this Section gives a right to cause the death of a person who is not accused of an offence punishable with death or imprisonment for life.

(4) If any person acting under a warrant of arrest or any Forest Officer having authority to arrest, has reason to believe that the person to be arrested has entered into or is within any place any person residing in, or being in charge of, such place, shall on demand of such person acting as aforesaid or such forest Officer, allow him free ingress thereto and afford all reasonable facilities for a search therein. If ingress to such place cannot be obtained as above, it shall be lawful in any case for a person acting under a warrant, and in any case for which a warrant may issue, but cannot be obtained without affording the person to be arrested an opportunity of escape, for a Forest Officer to enter such place and search therein, and in order to effect an entrance into such place, to break open any outer or inner door or window of any house or place, whether that of the person to be arrested or of any other person, if after notification, of his authority and purpose, and demand of admittance duly made, he cannot, otherwise obtain admittance; provided that if any such place is an apartment in the actual occupancy of a female (not being the person to be arrested) who according to custom does not appear in public, such person or Forest Officer, shall, before entering such apartment, give notice, to such female that she is at liberty to withdraw and shall afford her every reasonable facility for withdrawing, and may then break open the apartment and enter it.

Any Forest Officer or other person authorised to make an arrest may break open any outer or inner door or window of any house or place in order to liberate himself or any other person who having lawfully entered for the purpose of making an arrest, is detained therein.

(5) Any Forest Officer may, for the purpose of arresting without warrant, any person, whom he has been authorised to arrest, pursue such person, into any place in India.

(6) The person arrested, shall not be subjected to more restraint than is necessary to prevent his escape.

(7) Every Forest Officer, or other person arresting any person without warrant shall forthwith communicate to him full particulars of the offence for which he is arrested or other grounds for such arrest.

Where a Forest Officer arrests without warrant, any person other than a person accused of a non-bailable offence, he shall inform the person arrested that he is entitled to be released on bail and that he may arrange for sureties in his behalf.

(8) Whenever a person is arrested by a Forest Officer, under a warrant, which does not provide for the taking of bail, or under a warrant, which provides for the taking of bail, but the person arrested, cannot furnish bail, and whenever a person is arrested without warrant, and cannot legally be admitted to bail, or is unable to furnish bail, the Officer making the arrest may search such person, and place in safe custody all articles, other than necessary wearing apparel found upon him and where any article is seized from the arrested person, a receipt showing the articles taken in possession by the Forest Officer shall be given to such person.

Whenever it is necessary to cause a female to be searched, the search shall be made by another female with strict regard to decency.

(9) The officer or other person making any arrest may take from the person arrested any offensive weapons which he has found with this person, and shall deliver all weapons so taken to the Court or Officer before which or whom the Officer or person making the arrest is required to produce the person arrested.

(10) When any Forest Officer, making an investigation requires any Officer subordinate to him to arrest without a warrant, (otherwise than in his presence) any person whom may lawfully be arrested without a warrant, he shall deliver to the Officer required to make the arrest on order in writing, specifying the person to be arrested and the offence or other case for which the arrest is to be made and the Officer so required shall before making the arrest notify to the person to be arrested the substance of the order and, if so required by such person, shall show him the order.

(11) A Forest Officer, making an arrest without warrant, shall, without unnecessary delay and subject to the provisions contained as to bail, take or send the person arrested, before a Magistrate having jurisdiction in the case or before the Officer, before whom the person making the arrest is required, to produce, the person arrested.

(12) No Forest Officer, shall detain in custody a person arrested without warrant, for a longer period than under all the circumstances of the case is reasonable, and such period, shall not in the absence of a special order of a Magistrate exceed 24 hours exclusive of the time necessary for the journey from the place of arrest to the Magistrate's Court.

(13) All Forest Officers shall report to the District Magistrate, or, if he so directs, to the Sub-Divisional Magistrate, the cases of all persons arrested without warranty within the limits of their respective jurisdiction whether such persons have been admitted to bail or otherwise.

(14) No person, who has been arrested by a Forest Officer shall be discharged except on his own bond or on bail, or under the special order of a Magistrate.

(15) If a person in lawful custody escapes or is rescued the person from whose custody he escaped or so rescued may immediately pursue and arrest him in any place in India.

(16) If, upon an investigation, it appears, that there is not sufficient evidence or reasonable ground of suspicion, to justify the forwarding of the accused to a Magistrate, such Officer shall, if such person is in custody, release him, on his executing a bond, with or without sureties, as such Officer may direct, to appear, if and when so required, before a

Magistrate empowered to take cognisance of the offence on a report of the Forest Officer and to try the accused or commit him for trial. The bond and bail bond will be in Form No.19.

(17) (i) When any person other than a person accused of a non-bailable offence is arrested or detained without warrant, or appears or is brought before a Court, and is prepared at any time while in the custody of such Officer, or at any stage after proceeding before such Court to give bail, such person shall be released on bail; provided, that such Officer or Court, if he or it thinks fit, may instead of taking bail, from such person, discharge him on his executing bond without surety, for his appearance.

(ii) The amount of every bond executed shall be fixed with due regard to the circumstances of the case and shall not be excessive.

(iii) Before any person is released on-bail or released on his own bond, a bond for such sum of money as the Forest Officer or Court, as the case may be, thinks sufficient, shall be executed by such person, and when he is released on bail, by one or more sufficient sureties, conditioned that such person shall attend at the time and place mentioned in the bond and shall continue so to attend until otherwise directed by the Forest Officer or Court, as the case may be.

(iv) As soon as the bond has been executed, the person for whose appearance it has been executed shall be released; when he is in jail, the Court admitting him to bail shall issue an order of release to the Officer incharge of the Jail, and such Officer, on receipt of the orders shall release him.

(v) When the person required by any Court of Forest Officer, to execute a bond is a minor, such Court or Officer may accept in lieu thereof, a bond executed by a surety or sureties only.

67. Seizure of property.—(1) The forest produce involved in the offence and the vehicles, tools and implements, etc., used by the offender in the commission of the offence which form the most important material objects, in proof of the offence should at once be seized and given such mark of identification, as the Forest Officer detecting the case deems fit Full particulars of forest produce and materials seized, such as their description, quantity, value, dimensions, mark of identification, etc., should be noted. If any livestock is seized it should be either released to the party on bond or impounded in the cattle pound or produce forthwith before the Magistrate. In cases of violation of the provisions of the Wild Life (Preservation) Act, 1972 and the rules made there under, such as carcasses of animals etc., if any, seized should be sent to the nearest Veterinary Inspector for expert opinion.

(2) Steps should be at once taken to secure the seized property from being made away with. The seized property other than Ivory, Sandalwood and Rosewood may be entrusted to the Village Officers, or in their absence to independent and respectable inhabitants of the village and the receipt obtained for the same. .

(3) Within 24 hours of the detection of the offence, if any property has been seized, the Officer making the seizure should submit a report of the seizure, in Form No. 20 to the Magistrate, having jurisdiction in the case as laid down, in Section 62 of the Act, even in cases, where the property involved is not of much value, or where the offences cannot be compounded under Section 79 of the Act.

(4) If the person entitled to the possession of the seized property is not known or absent, and the property is subject to speedy and natural decay, or if the Magistrate to whom its seizure is reported, is of the opinion that its sale would be far the benefit of the

owner or that the value of such property is less than Rs. 10 the Magistrate may at any time direct it to be sold.

Bond to be executed for the release of the seized property under Section 63 of the Act shall be in Form No. 21.

68. Drawing up of a Mahazar.—(1) Immediately the Commission of Forest offence is detected by any Forest or Police Officer, he shall cause a Panchanama or Mahazar to be drawn in the presence of such persons, as are available at or near the scene of the offence. If no such person other than Forest Officers are available, at or near the scene of the offence, the Panchanama or Mahazar can be drawn in their presence itself. If the knowledge of an offence is obtained from the report of an Informer, any Forest Officer so informed, shall either himself proceed at once to the place or depute any of his subordinates to take similar action.

(2) The name, parentage, age, profession, address and other particulars relating to the offender and the date time, locality and nature of the offence shall be noted in the Panchanama or Mahazar. Full particulars of forest produce and tools and implements seized, etc., should also be noted in the Panchanama or Mahazar.

(3) In the event if the forest offence relates to any illicit fellings of trees in the forest, the Forest Officer detecting the offence should, thereafter inspect the forest and trace out the stumps of trees if any that would have been felled by the accused, compare the dimensions, etc., with those of the timber and other materials seized and cause a Panchanama or Mahazar drawn similarly to show that the timber or other material seized has actually been felled in the forest. The stumps so traced out, should at the same time, be marked with such identification marks, as the Forest Officer, detecting the offence deem fit. A record made of their exact situation and the entire stump or a section thereof be taken out to prove the source of the material seized.

(4) While drawing up of the Panchanama or Mahazar, the day and time of the commencement of the drawing up of mahazar as well as the time of closure of the drawing up of mahazar shall be given.

(5) Signature of the accused shall not be taken on the Mahazar.

69. Investigation and Enquiry into the offences.—(1) On receipt of the first information report, the Range Forest Officer should enter the same in the offence register, maintained in his office and take steps to satisfy himself as to the truth of the matter reported, either by a personal investigation of the case, or any such other manner as may appear to him to be expedient according to the gravity of the offences and circumstances of each case. The Range Forest Officer is expected to enquire personally into as many cases as he can and also check in the field atleast about 25 per cent of the cases reported by each subordinate.

(2) The Forest Officer, should get a Village Officer or any independent respectable witness whoever is available to record the statement from the accused. Particulars regarding the name, parentage, age, residence, etc., of the accused should always be taken from him. This should be done before effecting his transfer of custody or release if the accused has been arrested. The accused should also be made to bear witness to the seizure of property if any involved in the commission of the offence. A voluntary statement may be got recorded from the accused, in the local language before an independent and respectable witness of the locality furnishing particulars regarding the nature of the Act which constitutes the offence and the other situation of the case. In such a statement, the accused should be asked to say clearly whether he admits the offence or not and whether he is

willing to have the case compounded or not. The statement should be attested by the accused and the person who records it, should certify under it over the signature that it was voluntarily made by the accused before him. If the accused is illiterate, his left thumb impression may be taken in attestation of the statement, after it is read over and acknowledged by him to be correct, and the statement should be further attested by one or more independent and respectable witnesses. In respect of special cases when the accused admits the offence, the Forest Officer may even take the accused to the Magistrate having jurisdiction over the case, so that he may examine him on oath and record his confession, because it is admissible as evidence, in the subsequent trial and confession of accused and conviction can be based solely on such confession.

(3) During the process of investigation and enquiry, any damage which might have been caused to the Forest, shall also be investigated and assessed. As a matter of fact, a proper assessment of the damage caused to the forest due to the commission of the offence should form an important part of the investigation work. If the Court has to be requested to order payment by the accused, of a certain amount as compensation, for the damage caused to the forest, under various Sections of the Forest Act, sufficient evidence as to the extent of damage has to be adduced before the Court. Such data is also necessary to decide about the quantum of compensation to be collected, when offences are compounded by the departmental officers. While assessing the damage, it would be a mistake to equate the amount of damage caused merely with the value of the forest produce seized; e.g., a person would have removed only a head load of green fuel; but for this purpose, he would have felled a whole tree, but removed only whatever he could carry. In this case, the damage has to be calculated based on the value of the tree felled, and not merely on that of the head-load of fuel removed. Hence, whenever the offences are the results of fellings, stumps site have to be invariably inspected. If cattle illicitly grazing in a young regeneration area have trampled upon and killed the seedlings over a certain area, it will be ridiculous to assess the damage as equivalent to the value of the dead twigs obtained from trampled down seedlings. It should at least cover the cost of raising the seedlings. If the offence consisted of felling of big trees, felling damage caused to the plant growth in the vicinity, damage to any structures, etc., should also be taken into account. Hence, each case has to be decided on its merits and incontrovertible evidence let in to prove the damage. The amount of damage should invariably be recorded in the evidence report.

(4) Any member of the protective staff who does his daily patrol duty properly should undoubtedly know the state of protection to his beat, the locality where forest offences have been committed and the probable date when they were committed. He should also be able where any clue is traceable to work upon it to find out the offender. Even so, it may not be possible for him to detect every offender in the Act in the Forest. Special detective skill is required on the part of the protective staff in tracing the actual offender when he cannot be detected in the Act. In all such cases, prompt, steps are necessary as time is of considerable value in following such natural clues as may be had on the spot. Thus, for example, the evidence of fresh wheel tracks in a forest may afford a valuable clue if they could be traced their destination, or where timber or other produce is found stored under suspicious circumstances, and such produce corresponds in its description and quantity with what has been found, cut stealthily and removed from the forest, there is **prima-facie** evidence against the fan in possession of it. Skilful enquiry of the people working in the neighbourhood of the locality of the offence, such as right or privilege holders in the forest, or of people in the village may often afford valuable clues towards tracing offender. Even if

the offender cannot be traced, it will at least show who the villagers are who are likely to have committed the offence. If any investigation by the beat staff follows every offence that is detected in the forest in which the offender has not been captured in the forest, it will at least impress the mischievously inclined people of the village, who may thereby learn to control themselves and desist from further acts of mischief.

(5) Where inquiry is held it must in all respects be conducted in the manner of a judicial enquiry, though the statement recorded at the time may not be admissible as legal evidence before a Court of Law, if the party making the statement or tracts it after words in courts. The statement must not be recoded with every witness hearing what all other say. Subject to this very necessary precaution one witness after another for the prosecution should be heard and their statement recorded in the local language. All statements recorded by the Forest Officer during the investigation should be properly attested, after the statements are read over to the persons making them in the presence of the accused and acknowledged by them to be correct.

(6) (i) Witnesses can be summoned by appointing a time and place for the purpose which must be as near the alleged scene of offence as possible.

(ii) The summons shall be in Form No. 22.

(iii) The summons shall, if practicable, be served personally on the person summoned, by delivering or therefore on the back of the other duplicate.

(iv) Every person on whom a summons is so served shall, if so required by the Serving Officer, sign a receipt therefore on the back of the other duplicate.

(v) Services of a summons on a corporation may be affected by serving it on the Secretary, local Manager or other principle Officer of the corporation, or by a letter sent by registered post, addressed to the Chief Officer of the Corporation of India, in which case the service shall be deemed to have been effected when the letter would have arrived in the ordinary course of post.

(vi) Where the persons summoned cannot, by the exercise of due diligence, be found, the summons may be served by leaving one of the duplicate for him with some other male members of his family residing with him, and the person with whom the summons is so left, shall, if so required by the serving officer, sign a receipt therefore on the back of the other duplicate. A servant is not a member of the family for this purpose.

(vii) If this also cannot be done, the serving Officer shall affix one of the duplicate of the summons to some conspicuous part of the house or homestead, in which the person summoned ordinary resides; and there upon the authority issuing summons, after making such enquiry as it thinks fit, may either declare that the summons has been duly served or order fresh services in such manner as it considers proper.

(viii) Where the persons summoned is in the active service of the Government, the authority issuing summons shall ordinarily send it in duplicate to the head of the office in which such person is employed and such head shall thereupon cause the summons to be served and shall return it to the authority issuing summons under his signature.

(ix) The authority issuing summons to a witness may, in addition to and simultaneously with the issues of such summons, direct a copy of the summons to be served by registered post addressed to the witness at the place where he ordinarily resides or carries business or personally works for gain. When an acknowledgement purporting to be signed by the witness or an endorsement purporting to be made by a postal employee that the witness

refused to take delivery of the summons has been received, the authority issuing the summons may declare that the summons has been duly served.

(x) Traveling allowances, in the prescribed scales as fixed by the Government from time to time, will be payable to witnesses summoned by the Forest Officers duly empowered under the Karnataka Forest Act 1963.

70. The offence cases detected by the Forest Officers concerning sandalwood will be normally handled by the Forest Department itself for the purpose of investigation, enquiry and prosecution. However if in the opinion of the Divisional Forest Officer concerned the case is required to be referred to the Police Department for further action, he may do so. However, the first information report for such offences shall be sent as usual.

Enquiry Report

71. (1) If as a result of the enquiry and investigation, the Forest Officer has reasons to believe that an offence has been committed, he will prepare a report in Form No. 23 and submit it, with the original reference of the First Information Report and any other records relating to the case, to the Divisional Forest Officer in case where the value of the produce involved is above Rs. 50.00. Except in very rare cases it should not be necessary for the Officer conducting the investigation to delay the report for more than 15 days after receipt of the First Information Report. Where a longer time is found necessary to complete the investigation, the Officer should submit a preliminary report to the Divisional Forest Officer, explaining the circumstances of the case and indicating when the enquiry report will be made finally.

(2) The enquiry report should contain all the particulars connected with the offence for which evidence should be adduced. The locality should be described so as to admit of its easy verification ; if known by local name, that name should be stated. If it is a reserved forest the name of the Reserve forest should, in addition be stated and it is the duty of the prosecution to prove that the area have been duly constituted as a Reserve Forest.

(3) The history of the case should refer briefly to the circumstances of the case, with a statement of the nature of the enquiry held and the date when it was held; it should, in fact, supplement the particulars connected with the case which are entered elsewhere against the appropriate column in the report; and no statement should be made for which definite evidence is not forthcoming. On the other hand all matters should be reported which will help the authority having power to dispose off the case, in coming to the correct finding as to the magnitude of the guilt and the punishment to be awarded to the accused. In otherwards all aggravating or extenuating circumstances should be stated. It need hardly be repeated that, wherever possible the value of damage done to the forest for which compensation should be claimed should be stated.

(4) The enquiry report is to be sent to the Divisional Forest Officer in cases where the value of the produce involved is over Rs. 50 and shall be accompanied by all the records and data such as :

1. Mahazar drawn up.
2. Statement of the accused.
3. Statement of the witnesses.
4. List of Forest produce or other material seized.
5. List of Tools, vehicle and impliments seized.
6. Seizure report.
7. Value for the damage caused to the forest.

8. Acknowledgement for the summons issued.
9. Details of search out if any, along with the search list.
10. Receipts concerning:
impounding of cattle and handing over of seized property to temporary custody pending final disposal of the case,
11. Details about the disposal of the perishable property.
12. Remarks of the Officer, conducting investigation and such other relevant information as is required.

Orders of the Range Forest Officer, Assistant Conservator of Forests or the Divisional Forest Officer

72. (1) Only simple and clear cases however, should ordinarily be compounded. Complicated and those which involve large sums of money or indicate a clear intention to do damage should be prosecuted. Offence cases pertaining to Section 72 and 73 of the Karnataka Forest Act 1963 shall have to be prosecuted and not compounded. On receipt of the enquiry report nothing prevents the Divisional Forest Officer or the Assistant Conservator of Forests to make further enquiry by themselves if necessary before deciding as to the final orders they should pass in the case. If the evidence of the Investigation report finds to be convincing, unless the case is a serious one; it may be better to withdraw the case or warn the Offenders and to proceed separately to the departmental punishment of the subordinates responsible for the various lapses rather than to permit the undue lengthening of the case which would result from further enquiry.

(2) If the compounding fees are paid by the accused within the date prescribed in the notice, the Range Forest Officer in case where the value of the produce is above Rs. 50 will return the triplicate in Form No. 24 to the Divisional Forest Officer with his endorsement on the back of it by sending the concerned file along with the final report. On receipt of his final report, the Divisional Forest Officer will complete his register and file the papers.

(3) The Forest Officer duly empowered under Section 79 is authorised to accept money as a condition precedent to the composition. If no money is paid and accepted by terms under Section 79, the only alternative for the Forest Officer would be to prosecute the party concerned. The settlement to be effected under composition is essentially an amicable settlement and it entirely depends on the free will and choice of the offender on the one hand and the Forest Officer on the other. The composition fees levied in settlement of Forest offence case cannot, therefore be recovered as arrears of land revenue. To force, such a recovery as arrears of land revenue, is directly opposed both to the letter and spirit of the provisions of the Section 79. It is clear from the wording of Section 79 that the Forest Officer is not to complete the settlement of the case before the receipt of the money agreed on and that any settlement made by him on the mere terms of an offender is null and void.

(4) If the accused fails to pay within the time fixed, there is no bar to the payment of such compounding fee along with other values prescribed at any time before the judgement is delivered by the Magistrate. If the accused pays before the conclusion of the trial, the amount must be accepted and no further steps need be taken against him. For this purpose, the Forest Officer concerned shall, without loss of time move the Court for withdrawing the complaint.

(5) Where any property seized has been ordered by the Forest Officer duly empowered under Section 79 to be released under that Section, the Forest Officer shall send a notice to

the person entitled to the property requiring him to remove the same within a reasonable time specified in the notice and intimating that in case of default, the property will become the absolute property of the Government. If such person fails to remove the property within the time specified in the notice, such Forest Officer may sell the same under the directions of the Divisional Forest Officer and treat the proceeds as part of revenue. If the offenders fails to pay the compounding fees, he shall be prosecuted.

73. Procedure regarding orders to withdraw and file.—If the orders are to withdraw, a copy of the withdrawal order may be sent to the Magistrate quoting the references of the First Information Report sent to the Magistrate. On receipt of such orders, the Range Forest Officer will execute such order and send the final report to the authority who pass the orders of the case. The **pro forma** for the final report is given in the back of Form No. 24. All the records connected with the case should also be sent along with the final report for lodging in the office.

74. Procedure regarding the cases where the orders are to compound.—(1) If the orders are to compound, the Range Forest Officer shall issue a notice in the local language to the accused in Form No. 25 stating the amount of composition fees, value to be recovered for the produce involved and value to be recovered for the damages and the date before which it is to be paid, which will be normally 30 days. The accused persons are to be told in the notices that they are at liberty either to pay and get the case against them withdrawn or not to pay in which case they would stand their trial before the Court of Law.

(2) It is most undesirable that the ignorant villagers should be prosecuted for taking from Government forests a few twigs or small branches or a little brushwood of inappreciable value. In other words, prosecution of petty offences should be discouraged. Exercise of greatest care and forbearance is absolutely necessary while ordering prosecution. For very sundry offences, a warning is sufficient in the first instance and if such warnings have been disregarded and if there are willful and repeated violation of law, it would form a suitable ground for prosecution.

(3) It is of greatest importance. that the Forest Officers deal with the villagers in the vicinity of forests with firmness and sympathy mixed together.

(4) Petty cases like illicit grazing, illicit removal of fuel, small timber, bamboos etc., of casual nature may most suitably be dealt with by composition under Section 79 of the Karnataka Forest Act, 1963. The accused person should not be threatened with prosecution or forced to compound. The offer to compound and the acceptance of the offer by the accused party must be voluntary. The power of compounding should be utilised only when the offence is clearly been committed by an individual in question, but prosecution is found in advisable and under special circumstances such as the petty nature of the offence, ignorance or failure to appreciate the law in force on the part of the offender if he is an illiterate villager. Reasonable suspicion of the commission of a forest offence, is essential in every case compounded.

(5) It is open to the Officer compounding the Forest offence to regulate the composition fee according to the gravity of the offence, the previous conduct of the offender, the frequency of similar offences in the forest and other, circumstances of the case.

(6) The report of the Compounding Officer is not subject to appeal or revision by his superior Officer or cannot even be revoked by the compounding Officer unless it be specifically due to a mistake of fact.

(7) The composition fee levied shall be for the actual criminality of the Act and shall be exclusive of the value of forest produce involved or the amount of damage caused in the

case. The value of the forest produce involved will be recovered at the current market rates and the value for the damage caused as estimated by the Departmental Officials will also be recovered in addition to the compounding fee.

(8) The orders of the Forest Officer i.e., Range Forest Officer in case the value of the forest produce is Rs. 50 and less, the Assistant Conservator of Forests where the value of the forest produce is Rs. 500 and less and the Divisional Forest Officer in all other cases will communicate their decision in Form No. 24 in the triplicate copy and the duplicate copy will be sent to the Magistrate.

In case where the Range Forest Officer himself is the compounding authority, he will intimate the orders passed by him in the triplicate copy of the Form No. 24 to the Divisional Forest Officer.

75. Procedure in cases where the orders are to prosecute.—

(1) If the orders are to prosecute, the Range Forest Officer shall at once submit the chargesheet in Form No. 26 along with the duplicate copy of the final report and duplicate copy of the enquiry report to the Magistrate under his jurisdiction.

The Magistrate will take cognizance as soon as he receives the charge-sheet in Form No. 26 along with the duplicate copy of the enquiry report and the final report he will give a calendar number and the date, fix a date for the trial, issue process and proceed with the trial. The Magistrate will be requested to post, as far as possible, several forest cases to the same date so as not to necessitate the frequent absence of the Forest Officers from their duties. For the conduct of the cases in Court, the services of the local public Prosecutor should be availed of wherever and whenever necessary. If the case is of sufficient importance, the opinion of the Law Department of the Government shall be obtained and the Government moved to authorise the Government Advocate to argue the case. The Range Forest Officer should cause the summons received from the Magistrate to be served on the parties concerned and arrange to conduct the case.

(2) (i) Every charge shall state the offence with which the accused is charged.

(ii) If the law which creates the offence gives it any specific name, the offence may be described in the charge by that name only.

(iii) The law and section of the law against which the offences which is said to have been committed shall be mentioned in the charge.

(iv) If the accused, having been previously committed of any offence, is liable, by reason of such previous conviction to enhanced punishment, or to punishment of different kind for subsequent offence, and it is intended to prove such previous conviction for the purpose of affecting the punishment, the fact, date and place of the previous conviction shall be stated in the charge.

(3) The charge shall contain such particulars as to the time and place of the alleged offences, and the persons (if any) against whom, of the thing (if any) in respect of which it was committed, as are reasonably sufficient to give the accused notice of the matter with which he is charged.

(4) For every distinct offence of which any person is accused there shall be a separate charge and every such charge shall be tried separately; provided that where the accused person, by an application in writing, so desires and the Magistrate is of opinion that such person is not likely to be prejudice thereby, the Magistrate may try together all or any number of charges framed against such person.

(5) When a person is accused of more offences than one of the same kind committed within the space of 12 months from the first to the last of the such offences, whether in

respect of the same person or not, he may be charged with and tried at one trial, for number of them exceeding three.

(6) If, in one series of acts so connected together as to form the same transaction, more offence than one are committed by the same person, he may be charged with, and tried at one trial for, every such offence. If the acts alleged constitute an offence falling within two or more separate definition of any law in force for the time being by which offences are defined or punished, the person accused of them may be charged with, and tried at one trial for, each of such offences if several acts, of which one or more than one would by itself or themselves constitute an offence constitute when combined a different offence, the person accused of them may be charge with, and tried that one trial for the offence constituted by such acts when combined and for any offence constituted by any one, or more, of such Acts.

(7) If a single act or a series of acts is of such a nature that it is doubtful which of several offences the facts which can be proved will constitute, the accused may be charged with having committed all or any of such offences, and any number of such charges may be tried at once; or he may be charged in the alternative with having committed some one of the said offences. If in such a case the accused is charged with one offence, and it appears in evidence that he committed a different offence for which he might nave been charged under the provisions stated in the above Para, he may be convicted of the offence which he is shown to be committed although he was not charged with it. The following persons may be charged and tried together namely:—

(a) Persons accused of the same offence committed in the course of the same transaction;

(b) Persons accused of an offence and persons accused of abatement of, or attempt to commit, such offence;

(c) Persons accused of more than one offence of the same kind committed by them jointly within the period of 12 months;.

(d) Persons accused of different offences committed in the course of the same transaction, provided that where a number of persons are charged with separate offences and such persons do not fall within any of the categories specified in the section, the Magistrate may, if such persons by an application in writing, so desire and if he is satisfied that such persons would not be prejudiciary affected thereby, and it is expedient so to do, try all such persons together.

(8) When a charge containing more heads than one is framed against the same person, and when a conviction has been had on one or more of them, the Complainant or the Officer conducting a prosecution, may, with the consent of the court withdraw the remaining charge or charges, or the Court of its own accord may stay the inquiry into, or trial of, such charge or charges and such withdrawal shall have the effect of an acquittal on such charge or charges unless the conviction be set aside, in which case the said court may proceed with the inquiry into, or trial of the charges or charges so withdrawn.

(9) The above procedure governing the conduct of the trials before the Court of law and a non-observance of them by Forest Officers white submitting their enquiry reports cannot in any way, weaken the case, as it is the duty of the trying Magistrate to avoid mis-joinder of charges, when complaints are lying before him. But as it is also the duty of the Forest Officer to help the Magistrate, he must know the circumstances under which he may prepare one charge-sheet for a number of offences committed by one and the same person, and one chargesheet for a number of persons committing the same offence at the same

time. A word of caution is however necessary. If a person is found to have illicitly cut 30 trees in a Reserved Forest in the course of a day or two it cannot, under the spirit of the criminal procedure code, be held that there should be separate trials.

(10) Very frequently, however, forest cases are prosecuted in which a number of accused illicitly collecting fuel or other forest produce in one place and on one particular occasion, each collecting the produce for his or her own purpose, and not for any joint purpose, are charged with and tried at one trial. This procedure is obviously illegal. In such cases separate chargesheets are necessary. Also in cases where several graziers are found together in charge of cattle illicitly grazing in a reserved forest, a separate case will be made against each grazier who is in charge of a definite number of cattle. In other words, if two or all the graziers are in joint charge, only one charge will be framed against such as are in joint charge; but separate cases should be made where the responsibility of each individual for definite and different cattle can be fixed.

(11) It is very necessary for the Range Forest Officers who have themselves to conduct the prosecution in cases where prosecutors are not available to know in some detail the procedure to be observed in the trial of cases. The object of an independent judicial enquiry is to establish beyond doubt the guilt or innocence of the person who is charged with the commission of a certain definite offence. This conclusion is reached by the Judge by a proper appreciation of the evidence before him. The fundamental principle upon which the law regulates evidence is, that the best which the case admits of shall in every instance be produced. It is the duty of the prosecution to lead the evidence for the case in a manner that will throw the fullest possible light upon the subject under investigation. The Prosecutor must make out affirmatively from the evidence for the prosecution, the charge he makes. He cannot make a charge and say that the burden is completely on the accused. It is only when an offence is **prima facie** brought home, that the accused must clear himself or be convicted. The term evidence may be defined as that which the parties produce to the Judge in order to enable him to form his opinion upon the truth of the facts as called upon to try; "arguments" show how such evidence bears upon the various points to be established.

(12) With a view of rendering judicial enquiry as solemn as possible, the law has instituted two conditions. Firstly, the evidence shall be delivered under the sanction of an oath, without one witness being in hearing distance of what the other says. Secondly, the evidence should be recovered in the presence of the accused who must have thus an opportunity of cross-examining the witnesses deposing against him.

(13) When the accused appears or is brought before the Magistrate, the particulars of the offence of which he is accused shall be stated to him, and he shall be asked if he has any cause to show why he should not be convicted. If the accused admits that he has committed the offence of which he is accused, his admission shall be recorded, and if he fails to show sufficient cause why he should not be convicted, the Magistrate may convict him accordingly. If the accused does not make such admission, the Magistrate shall proceed to hear the complaint and take all such evidence as may be produced in support of the prosecution and also to hear the accused and take all such evidence as he produces in defence. The Magistrate may, if he thinks fit, on the application of the complainant or the accused, issue summons to any witness directing him to attend or to produce any document or other thing.

(14) The witnesses for the prosecution are first heard one after the other and if a prima facie case is established, the defence is thereafter entered into by the accused who produces his own witnesses who are similarly heard one after another.

(15) The order of examination of the witness both for the prosecution and for the defence, is as follows:

When a witness is placed in the witness box, he must take an oath or make a solemn affirmation that he will tell the truth, the whole truth and nothing but the truth. As soon as the witness has taken the oath or affirmed, he is examined by the party who called him as a witness. This is called his examination-in-chief. Next, the adverse party searches the credit and veracity of the witness by his cross-examination. Lastly, the party who called him has the privilege of allowing the witness an opportunity of explaining any thing which may have been elicited from him on cross examination. This is called Re-examination.

(16) **Examination-in-chief.**— The object of this examination is to lay before the Court, the whole of the information which the witness can tender that is relevant and material. But, ‘Leading-questions’ are not to be asked. The ordinary criterion of a ‘leading question’ is whether the question indicates the answer desired by the questioner. How to elicit evidence must depend upon the circumstances of each individual case. It is proper to lead a witness for establishing the identity of the accused at the bar and the time and place of the scene of action. For this purpose, the witness may be asked if he knows the accused at the bar, and if so, when and what the accused did, and where it happened. Then, the easiest course would be to ask the witness to give his own account of the matter, making him omit, as he goes along, what is not relevant or material to the case. Every witness is examinable, firstly, as to all relevant facts within his own knowledge and secondly, as to all inferences drawn by him from facts within his own knowledge. When a witness is asked as to facts of which he has a faint recollection only, except through the medium of some written memorandum made at or about the time of the event to which it relates, he may look at such memorandum, or hear the contents of the document read, for the purpose of refreshing his memory. The object of examination being to elicit the truth, to get at the facts bearing upon the issue in favour of the party calling the witness, the examiner must keep the issue in view and ask questions only on material and relevant facts and not on matters which are collateral or impertinent.

(17) **The cross-examination.**— The object and scope of cross-examination is to weaken quality or destroy the case of the opponent; and to establish the party’s own case by means of his opponent’s witnesses. With this view, the witness may be asked not only as to facts in issue or directly relevant thereto, but all questions (a) tending to test his means of knowledge, opportunities of observation, reasons for recollection and belief, and powers of memory, perception and judgment, or (b) tending to expose the errors, omissions, contradictions and improbabilities in his testimony; or (c) tending to impeach his credit by attacking his character, antecedents, associations and mode of life; and in particular by eliciting (i) that he has made previous statements inconsistent with his present testimony; or (ii) that he is biased or partial in relation to the parties in the case; or (iii) that he has been convicted of any criminal offence. It should determine the veracity of a witness in regard to his ‘ability’ and ‘willingness’ to speak the truth. A witness may be perfectly willing to tell the truth and yet unable without any moral blame attaching to him. He may have inaccurately observed; or been deceived by his senses; or he may be the dupe of a fallacious memory or may be confused by the novelty of the circumstances under which he finds himself called upon to give his evidence. On the other hand, though perfectly able, he

may be unwilling to tell the truth. This may be testified by his determined silence, his refusal to speak; his telling the truth, but not the whole truth; or his colouring of facts and intending falsehoods. As to all these points, cross-examination will be found to be the most powerful detective.

(18) **Re-examination.**—When the Cross-examination of the witness is concluded, the party who called the witness has the right to re-examine him on all matters arising out of the cross-examination for the purpose of reconciling any discrepancies that may exist between the examination-in-chief and that which has been given in the cross-examination. Where upon re-examination, it is desired to introduce new matter, the question should either be put by the Court or by the counsel with the mission of the Court. The opposite side will, of course, be entitled in this case to cross-examine as to this new matter.

The Court can always recall a witness who has already been examined, and may permit a counsel to do the same if it is deemed necessary to supply some evident slip or to elicit truth on a new point.

(19) The evidence recorded of each witness by the Judge is read over to the witness in the hearing or the accused and acknowledged to be correct by the former. The signature of the witness is thereafter taken to his deposition and the judge certifies under it that the deposition was read over by him to the deponent and acknowledged by the latter to be correct.

(20) **Argument and judgment.**—After the inquiry is completed, each party has an opportunity to offer its arguments to show how the evidence for and against the case bears upon the various points to be established. The judge weighs the evidence and comes to a proper finding. The judgment is then pronounced in open court finding the accused guilty or not guilty.

Disposal of property

76. Regarding disposal of property in cases where ordered for either warning, withdrawal or compounding will be done in the manner prescribed by the Officer passing such order.

The order of confiscation under Section 65 is by the terms of that Section declared to be a punishment, for it is in addition to any other punishments prescribed for the offence. That being a punishment, an order directing confiscating of forest produce not belonging to Government in respect of which a Forest offence is committed should be passed simultaneously with the other punishments for the offence for which the offender is committed.

No order confiscating forest produce which is the property of the Government in respect of which a Forest offence has been committed is necessary or can be made. The only order that can be made under Section 66 of the Forest Act is that it should be taken charge of by a Forest Officer.

Regarding disposal of property wherein a case is prosecuted, it shall be as per the orders communicated in the judgment by the Magistrate.

On conclusion of trial, the Range Forest Officer should obtain a judgment certificate and submit the same to the Divisional Forest Officer along with his final report or where the value is Rs. 50 and less, it may be lodged in the range office itself.

Undetected offences

77. Any member of the protective staff who does his daily patrol duty properly should undoubtedly know the state of protection of his beat, the locality where forest offences

have been committed and the probable date when they were committed. He should also be able where any clue is traceable to work upon it to find out the offender, Even so, it may not be possible for him to detect every offender in the act in the forest. In fact, for everyone case where an offender is caught in the act, there may be nine cases in which the offenders escape detection. Consequently special detective skill is required on the part of the protective staff in tracing the actual offender when he cannot be detected in the act. In all such cases, prompt steps are necessary as time is of considerable value in following such natural clues as may be had on the spot. Thus, for example, the evidence of fresh wheel-tracks in a forest may afford a valuable clue if they can be traced to their destination, or fresh wheel-tracks in a forest may afford a valuable clue if they can be traced to their destination, or where timber or other produce is found stored under suspicious circumstances, and such produce corresponds in its description and quantity with what has been found cut stealthily and removed from the forest, there is prima facie evidence against the man in possession of it. Skilful enquiry of the people working in the neighbourhood of the locality of the offence, such as right or privilege holders in the forest, or of people in the village, may often afford valuable clues towards tracing the offender. Even if the offender cannot be traced, it will at least show who the villagers are who are likely to have committed the offence. If an investigation by the beat staff follows every offence that is detected in the forest in which the offender has not been captured in the forest, it will at least impress the mischievously inclined people of the village, who may thereby learn to control themselves and desist from further acts of mischief.

In all cases where even after an investigation, the subordinate in protective charge of the forest fails to trace the offender he must make a report of the occurrence to the Range Officer immediately after he concludes his enquiry, furnishing details of the nature and magnitude of the offence committed in the forest in the manner already explained and the steps taken by him to detect the offenders.

The report should also refer to the class of people who are believed to be the likely offenders and their residence. On receipt of such a report the Range Forest Officer should register it in his office 'Offence Register' and if he is satisfied that proper steps have been taken to trace the culprits, he should submit a report to the Divisional Forest Officer explaining the details connected with the case and the steps taken to trace the offender. If, on the other hand, he finds that further investigation is necessary, he must lose no time in carrying it out. On completing his further investigation, he should submit his 'undetected offence' report to the Divisional Forest Officer.

The same procedure should be followed in cases where the stolen produce is found but not the offender. In such cases, the produce, if found in the forest and believed to be the property of Government, should be taken possession of by the subordinate and disposed of in such manner as the Divisional Forest Officer may order. In other cases where the forest produce is believed to be the property of Government but has not been found in the forest, the disposal of the produce after seizure can only be effected under the provisions of the Karnataka Forest Act. In both these instances, the seizures which form the subject of the forest offence should promptly be entrusted to the nearest village officer in whose jurisdiction they were made, the property Seized being marked, by the Officer seizing it, in such a manner as will admit of its easy identification later. At the same time as this is done, a report should be submitted by the Officer who makes the seizure to his official superior explaining the circumstances of the case and enclosing the receipt granted for the seizures

entrusted to him which should state the description of the mark made on them. The seizure must also be reported at once to the Magistrate having jurisdiction over the area.

78. The Chief Conservators of Forests, the Conservators of Forests, the Director of Forest Research and Utilisation, the Director of Wild Life Preservation, the Field Director, Project Tiger, the Deputy Conservators of Forests, the Assistant Conservators of Forests and the Range Forest Officers can hold enquiry into forest offence cases and in the course of such enquiries can receive and record evidence in the manner laid down in Sub-paras 1, 2, 3, 4, and 8 of Para 69.

Rewards to Officers and informants

The details are given in Rule 70 of the Karnataka Forest Rule 1969.

Secret Service fund

80. (1) The system of Secret service expenditure has been introduced in the Forest Department in connection with the prevention of smuggling of forest produce by giving rewards to the informants who give correct information in respect of smuggling of forest produce. The Secret service expenditure is not regulated by any statutory rules but only by executive instructions and orders of the Government. For this purpose, the Chief Conservator of Forests (General) has been empowered to issue circulars covering the regulation. The scale for grant of rewards from the Secret service funds are as under:

Value of the forest produce or goods	Reward to be given Rs.
1. Forest produce or goods ranging from Rs. 1,000 to Rs. 10,000.	50
2. Forest produce or goods ranging from Rs. 10,000 to Rs. 20,000.	100
3. Forest Produce or goods ranging from Rs. 20,000 to Rs. 50,000.	200
4. Forest produce or goods ranging from Rs. 50,000 to Rs. 1,	500
5. Forest produce or goods ranging from Rs. 1,00,000 to Rs. 50,000.	1,000
6. Forest Produce or goods worth above Rs. 5,00,000.	2,000

(2) The rewards up to Rs. 500.00 will be granted by the Chief Conservator of Forests (General) in Karnataka, Bangalore. In case of rewards above Rs. 500.00, the matter will have to be referred to Government for approval.

(3) The incurring of expenditure and the procedure to be followed in connection with the Secret Service fund framed vide Standing Order No. SSF 1/74-75, dated 24th July 1974 are as under:

1. All the Conservators of Forests incharge of the territorial Circles will be the Unit Officers for administration and accounting of Secret Service expenditure.

2. Each Unit Officer will be provided with a separate allotment to meet the expenditure on this account. The expenditure is debitable to the budget had "313 Forest-a-General Direction-A. Office of the Chief Conservator of Forests, Bangalore-1-Secret Service Expenditure."

3. Proposals for granting rewards to the informants from the Secret Service Fund will be submitted by the Unit Officers to the Chief Conservator of Forests taking into consideration the basis for determining the amount of rewards as detailed in G.O. No. AFD 118 FSW 72, dated 18th January 1974. For the sake of assessing the value of forest produce or goods seized or prevented from smuggling, current seigniorage rates may be adopted wherever possible. In other cases, the value may be assessed on the basis of market price for the produce prevalent in the area at the time of seizure or prevention from smuggling.

4. Officers and officials of the Forest Department are not entitled to any reward from this fund.

5. On receipt of sanction to the amount of reward from the Chief Conservator of Forests, the Unit Officer will prepare a detailed contingent bill payable at Treasury for the amount required and send it to the Chief Conservator of Forests for countersignature. The bill so prepared will not be supported by vouchers nor contain any details. It will be sufficient if the bill contains the following information:

"Amount required for expenditure on Secret Service during the month of.....".

6. After getting the bill back from the Chief Conservator of Forests, duly countersigned, it will be encashed by the Unit Officer and the amount drawn, brought on the cash book opened exclusively for this purpose as well as entered in the contingent register specially opened for this purpose in the forms prescribed and annexed to this order.

7. The Unit Officer will be responsible for proper maintenance of accounts and for making proper payment for the purpose for which the appropriation has been made.

8. As the accounts of this expenditure will not be subject to scrutiny by the audit authority, all records on this subject should be treated as confidential and kept out of the General records and produced for inspection by the Administrative authority when required.

9. The Unit Officer will furnish a certificate to the Chief Conservator of Forests every year in the month of May in the following form, to enable the Chief Conservator of Forests to send a certificate to the Accountant General, Karnataka in lieu of vouchers.

“I hereby certify that the amount actually expended by me for Secret Service in the year ending 31st March..... was Rs.....and that the balance in hand and the said 31st March was Rs. and that the expenditure has been incurred under proper authority”.

CHAPTER VII Sale of Forest Produce

81. The details regarding the sale of forest produce has been dealt with in the Karnataka Forest Rules 1969 in Chapter XII, therefore, the Forest Rules under the Chapter have not been repeated in the Manual.

82. For publication in the Official Gazette as per the Rule 86 of the Karnataka Forest Rules 1969, the Divisional Forest Officer shall send the brief Notification at least 30 days in advance of the date of sale or tender or auction.

83. The brief Notification of sale shall also be published in leading Indian News Papers in case where the expected revenue is Rs. 1.00 lakh and above. In cases where the expected revenue is more than Rs. 50,000 the brief Notification shall be published in the leading local News Papers. Publication in News papers should be done through the Director of Information and Publicity and should be as brief as possible with a view to economic the space.

84. Printed or Cyclostyled copy of the Notification of sale may be sent as far as possible well in advance of the date of sale to all the usual customers as well as those who request for it. However, complaint regarding non-receipt or non-sending of the copies of the notification shall not be entertained.

All the sale conducting Officers should submit the upset price in respect of the produce intended to be sold to the Conservator of Forests or the Divisional Forest Officer as the case may be, and obtain the sanction prior to the date of sale.

(1) The upset price is merely an estimate of the price which the sale conducting officer expects to get, it being understood that, he will do his best to get much more than what is possible. The upset price is meant only for the use of the Department especially as a guide to the sale conducting Officer, it shall be worked on the basis of the current market value for similar commodity consistent with the quality, quantity and specifications. The average sale price realised in the three proceeding sales can be taken as a guide by the Officer in fixing as well as sanctioning the upset price. If the original sale proves abortive the highest bid obtained, in such a sale shall form the basis for revising the upset price for purposes of sale. This procedure shall be obtained for successive sales under which the material is disposed off. In the case of auction sale of timber in the Depots, as the sale of each progresses, the record of sale should be prepared in a sale slip as prescribed in Form No.11 under Rule No. 93 of the Karnataka Forest Rules 1969 separately for each lot.

After the lot is knocked down to the highest bidder, the bid accepted should be entered in the original copy of the lot roll also in addition to the entries in the sale slip, as this would facilitate cross checking. Thumb impressions of illiterate purchaser should be attested by the sale conducting Officer in the sale of slips.

(2) In the case of sales of other products, as the sale progresses, record of sale shall be prepared indicating the kind and quantity of forest produce and the area, location and other particulars of the coupe or other units of sale. This shall also be in a sales slip and the bids offered individually, the finally accepted bid and the name of the successful bidder shall be clearly written.

87. Retail sales of timber or other forest produce already exposed for sale shall not be done.

88. (1) In case of auction sale of timber at Depots abstract of lot registers shall be prepared at least a week before the commencement of the sale in triplicate; the original for

the use of the Depot office, the duplicate for the use of the Depot Officer and the triplicate for the use of the sale conducting Officer.

(2) There shall not be any appreciable difference between the forest and sale Depot measurement of timber.

(3) The calendar of sales for the Forest major depots in the State shall be fixed by the Chief Conservator of Forests (General) every year.

(4) The place, date and time of sale fixed in the Gazette notification shall be strictly adhered to. Earnest money deposit as required in vide Rule No. 93 of the Karnataka Forest Rules 1969 shall be recovered at the scales prescribed by the Government from time to time.

(5) When sale units are left over unsold, a remark to that effect should be remorded by the sale Conducting Officer in the appropriate registers and sales slips.

89. The sale will be knocked down when the competition steps to the highest bidder after calling 'Thrice' if the Bid is equalled to or higher than the sanctioned upset price or after calling 'Twice' if the bid is less than the sanctioned upset price. All offers in a sale which are equal to or exceed sanctioned upset price may generally be accepted, provided such offers are regular in all respects and fulfill the conditions under which the sales are held. Post sale offers shall not be entertained.

90. The Earnest Money Deposit of the successful tenderers or bidders shall be retained, receipts given to them, transactions entered in the Cash book and money remitted to the Treasury as prescribed in the accounts code immediately. The Earnest Money Deposit of the un-successful bidder or Tenderers shall be returned in due course on the conclusion of the sale and their acquittances obtained.

91. In case of sale of timber from Depots, immediately lifter the conclusion of the sale, the sale conducting Officer shall send the sale reports to the Chief Conservator of Forests, Conservator of Forests and other neighbouring Divisional Forest Officers where major timber Depots are situated and to the Forest Utilisation Officer for information indicating therein the kinds and quantities of timber exposed for sale the prices obtained, the number of bidders present, the rise or fall in prices, special demand, if any, for any particular kind or class of timber and such other observations made by him during the sale.

92. On receipt of orders confirming the sale, the Divisional Forest Officer shall immediately communicate the confirmation orders to all the successful bidders or tenderers as the case may be, copying such confirmation order sent to the Range Forest Officer or Depot Officer as the case may be for taking further action.

Where the value of the produce to be sold is Rs. 500 and less, a local notification as prescribed in Rule No. 86 of the Karnataka Forest Rules 1969 shall be issued provided the sales are conducted by the Assistant Conservator of Forests, where the value of the produce is to be sold for more than Rs. 50 and less than Rs.500. For this purpose the Range Forest Officer shall send a copy of the local sale Notification along with the upset price to the Divisional Forest Officer well in advance. In cases where the value of the Forest Produce to be sold is less than Rs. 50 the Range Forest Officer can himself conduct the sale provided the price has been got sanctioned previously by the competent authority. The right of collecting minor forest produce unless otherwise stipulated, should generally extend to all Reserved forests, protected forests and Plantation under the control of the Forest Department. Also according to rule 98 of the Karnataka Land Revenue Rule 1966 the produce of trees belonged to Government shall also be sold by auction annually by the Forest Department, which means even the minor forest produce in District Forest and all

other unoccupied land under the control of the Revenue Department shall also be sold by the Forest Department. However, Rule No. 96 of the Karnataka Forest Rules 1969 shall be consulted when disposing the Minor Forest Produce in lands set apart for communal purpose.

Retail sale of Sandalwood from Government Sandalwood Depots

The following supplementary rules are made to regulate the retail sale of Sandalwood from Government Depots.

(1) The Officer competent to sanction the retail sale of Sandalwood will specify the date before which the sale is to be effected. If the permit holder fails to draw the wood within that date, the permit becomes invalid.

(2) The Officer in charge of the Sandalwood Depot should display a list showing the sanctioned schedule of rates for the different classes of Sandalwood in a prominent place at the Depot.

(3) For the convenience of travellers, tourists and others the Officers in-charge of Sandalwood Depots shall always keep an adequate number of Ghotla billets of different sizes and weights with the weight and price marked thereon. Similarly sandalwood dust in sealed packets of 500 gms., 1 kg. and 2 kgs., should always be kept ready for sale at every Depot.

(4) Each intending purchaser should make payment in cash or by a Treasury receipted challan for the amount credited to any Government Treasury in Karnataka State or by way of Bank draft, at par value, on the Reserve Bank of India or State Bank of India or State Bank of Mysore or any local Schedule Bank, drawn in favour of the Divisional Forest Officer or Officer-in-charge of the Sandal Koti concerned.

Note.—Payments, in case of sales, exceeding Rs. 100 shall ordinarily be either by receipted challans or by Bank drafts.

(5) In addition to the purchase money, the purchaser shall pay the Sales tax at rates in force.

(6) No Sandalwood shall be removed from the Depot outside the Depot working hours.

(7) The purchasers or their holders of power of attorney shall be present at the time of weighing and delivery of the Sandalwood.

(8) If the purchaser fails to remove the wood purchased by him on the date of sale, he will be charged ground rent at Rs. 2 per tonne per day from the date of sale. The sold material shall in no case remain unremoved from the Depot by the purchaser for more than 7 days from the date of sale.

Classifications of Sandalwood

95. Sandalwood is sorted under the following classes before being passed for sale:

- | | |
|--|--|
| I. First class billets
(or vilayet budh). | Consists of thoroughly sound billets, Weighing not less than 9 kgs. and not exceeding 112 pieces to the ton. |
| II. Second class billets
(or China budh). | Consists of slightly inferior billets, weighing not less than 4-50 kgs and not exceeding 224 pieces to the ton. |
| III. Third class billets
(or Panjam). | Consists of billets having small knots, crack and hollows, weighing not less than 2-2 Kg. and not exceeding 448 pieces to the ton. |
| IV. Ghotla
(Or billets of short number.
length). | Consists of short sound pieces, no limit as to weight or length). |

- V. Ghat badala Consists of billets with knots, cracks and small hollow at either end, Weighing not less than 4.5 Ks. Lbs. and not exceeding 240 pieces to the ton.
- VI. Bagardad Consists of solid pieces without limit as regards dimensions, weight or number.
- N.B.—Billets of Classes V and VI are planed nor are their edges rounded off.
- VII. Roots (First class) Consists of pieces weighing not less than 6-75 Kgs. and not exceeding 150 pieces to the top.
- VIII. Roots (Second class) Consists of pieces weighing not less than 2-25 kgs. And not exceeding 448 pieces to the ton.
- IX. Roots (Third class) Consists of small and side roots below 2-25 kgs. in weight.
Ghat.
- X. Jajpokal (First class) Consists of a hollow pieces weighing not less than 3-10 kgs.
Or badala. And not exceeding 320 pieces to the ton.
- XI. Jajpokal (Second class). Consists of hollow pieces weighing not less than 1-3 kgs.
- XII. Ain bagar Consists of solid, cracked and hollow pieces weighing not less than 450 grams.
Psuedoghat.
- XIII. Cheria (or large Consists of pieces and chips of hearts wood weighing not less than 2-25 grams.
chilts) Sali.
- XIV. Aid chilta Consists of pieces and small chips of heartwood.
- XV. Hatri chilta Consists of heartwood, chips and having obtained by planing billets with Hatri or Randha (Plans).
- XVI. Milva chilta Consists of pieces and chips having in fair proportions heartwood and sap-wood.
- XVII. Basola Bukni (Gamti Consists of small heartwood and sap-wood chips.
tacha short chips).
- XVIII. Saw dust or powder Obtained in sawing the Sandalwood

Supply of Sandalwood to Government Sandal Oil Factories

96. The following procedure and instructions shall be followed regarding the supply of Sandalwood to the Government Sandalwood Oil Factories in the State.

(1) Officers in-charge of Sandalwood Depots should intimate the General Manager of the Sandalwood Oil Factory, from time to time, the stock of Sandalwood available with them for supply.

(2) The General Manager of Sandalwood Oil Factory should give at least a week's notice to the Divisional Forest Officer and the Depot Officer of his intention to take delivery of the Sandalwood.

(3) The Sandalwood will be weighed and delivered at the Depot by the Sandal Koti Officer, if he is a Gazetted Officer otherwise by any other Gazetted Officer deputed by the Divisional Forest Officer in the presence of the General Manager of the Sandalwood Oil Factory or any other Officer deputed by him.

(4) (a) Weighment recorded during delivery of the Sandalwood at the Depot shall be final.

(b) The Officers in-charge of Sandalwood Depots shall always keep their scales and weights corrected.

(5) The Sandalwood, so weighed, will be delivered after stamping with the Depot hammer at each end of the billets in the case Class I to Class III.

(6) Necessary transit pass for the transport of the Sandalwood supplied will be issued by the Officer in-charge of the Depot. No Sandalwood shall be allowed to be removed from the Depot without a transit pass.

(7) The General Manager of the Sandal Oil Factory or the Officer deputed by him for taking delivery of the Sandal-wood should acknowledge the quantity of Sandalwood taken delivery of by him before its removal.

(8) Immediately after weighment, stamping and delivery of wood with the transit pass, the Officer of the, Sandal Oil Factory taking delivery of the Sandalwood should arrange for its immediate removal from the Depot premises. The Sandalwood, so delivered, if not removed immediately, shall remain in the Depot at the risk of the Factory.

(9) The Factory authorities shall make their own arrangements for the removal of the Sandalwood from the Depot and the Forest Department will not normally undertake the responsibility of its transport. However, the Forest Department may arrange to hire its departmental lorries whenever possible.

Supply of Sandalwood to Temples and Muzrai Institutions

97. (1) The under mentioned institutions are entitled to Sandalwood by title-deeds.

Sl. No.	Name of the Institution	Quantity	Glass of wood
1.	Magadi Ranganatha Swamy Temple	Two maunds (25 Kg. appx.)	IV Class
2.	Karagadakuppe Anjaneya	Two maunds (25 Kg. appx.)	V Class
3.	Raghavendraswamy Mutt at Nanjangud.	Two maunds (25 Kg. appx.) Two maunds (25 Kg. appx.)	IV Class V Class
4.	Vyagarayaswamy Mutt at Sosale.	Two maunds and 15 seers. (30 Kg. appx.)	V Class
5.	Chaturyuga Rameswara, Arakalgud.	One maund (12½ Kg. appx.)	V Class
6.	Subramanyeswara, Arakalgud	Half maund (6½ Kg. appx.)	V Class
7.	Agastheswaraswamy, Arakalgud.	Fifteen seers (4 Kg. apps.)	
8.	Rameswara at Ramanathapura.	Five seers (1 Kg. and 400 gms. appx.)	V Class
9.	Channakeswaswamy at Belur.	Four maunds (50 Kg. appx.)	V Class
10.	Lakshmi Narasimha at Holenarasipura.	Three maund (37½ Kg. appx.) Three maund (37½ Kg. appx.)	VI Class V Class
11.	Uttaradi Mutt at Holenarasipur (Headquarter Bangalore).	Fifteen maund (1 quintal and 89 Kg. appx.).	V Class
12.	Sringeri Mutt at Kudli	Ten maund (1 quintal and 89 Kg. appx.)	IV Class
13.	Hutcharayaswamy at Shikaripur.	One and halfmaund (19 Kg. appx.)	V Class
14.	Bhimeswara at Bhimanakatte	Rs. 3.00 value	V Class
15.	Nagar Nilakantaswamy		
16.	Humchad Padmavathi	One and quarter maund (15¾ Kg. appx.)	V Class

Sl. No.	Name of the Institution	Quantity	Glass of wood
		4 Khandis, 5 maunds, 28 seers	
17.	Udipi Krishna Devaru	16 tolas. (One tonne, 87 Kg. and 185 gms. appx.).	V Class
18.	Badami Banashankari	Two maunds (25 Kg. appx.)	V Class
19.	Sompura, Someswara Tarikere.	One maund (12½ Kg. appx.)	XVIII Class
20.	Singapura Yoga Narasimha, Tarikere.	One maund (12½ Kg. appx.)	XVIII Class
21.	Hebbi Bharanishankara, Koppa.	One maund (12½ Kg. appx.)	XVIII Class
22.	Harihareswara	Two maunds (25 Kg. appx.)	V Class
23.	Chikka Harihareswara	Two maunds (25 Kg. appx.)	V Class
24.	Lakshmidevi	Two maunds (25 Kgs. appx.)	V Class
25.	Sirkar Choultry, Harihar	Two maunds (25 Kg. appx.)	V Class
26.	Sirkar Choultry, Komaranahalli.	2 maunds (25 Kg. appx.)	V Class
27.	Ranganathaswamy, Komaranahalli	Two maunds (25 Kgs, appx.)	V Class
28.	Sri Sathya Dharmaswami's Brindavan at Holehoonur, Shimoga Taluk.	Fifteen maunds (One quintal and 89 Kg. appx.).	IV Class/ V Class

(2) One maund (12½ Kg. approximate) of good Sandal-wood dust, suitable for burning as incense, may be supplied to the Golden Temple at Amritsar every year, the cost of the Sandalwood dust and transport charges being paid by the Commissioner for Charitable Endowments.

(3) Ghotla Sandalwood (IV Class) not exceeding a quarter of a tonne (2½ quintals) per year will be sold, as a special case, at half the rate prescribed for that class of wood to the Sajjada of Sri Guru Dattathreya, Bababudanswami peetha from Sandalwood Depot, Chikmagalur.

(4) The Sandalwood will be delivered only to the person producing a letter of authority from a competent authority of the temple or institution along with the certificates obtained from the Commissioner for Charitable Endowments.

(5) The wood will be weighed and delivered to the authorised person after stamping with the Depot hammer at each end of the billet in the case of Class I to XV.

(6) Necessary transit pass for the transport of the Sandalwood purchased will be issued by the Officer in-charge of the Depot. No wood shall be removed from the Depot without obtaining a transit pass.

(7) The billets, if required for grinding purposes should be in lengths of 30 cms. to 50 cms.

CHAPTER VIII

Licenses for Forest Produce on Payment of Seigniorage Value

General

98. The system of granting licenses for the removal of forest produce on recovery of seigniorage value shall be applicable only to meet small local demands for forest produce, for their **bonafide** domestic use, by the local inhabitants, who normally enjoy certain privileges in those forests.

99. To prevent over-exploitation, it is very essential that the forests, where the system of disposal of forest produce on prepaid licenses is in vogue, should be worked according to the prescriptions of a sanctioned working Plan or a Working scheme duly sanctioned by a competent authority. These considerations should be borne in mind, while drawing a new working Plan for a forest or while revising an existing working Plan for a forest.

100. As the system of cutting and removal of firewood on license obtained on payment of seigniorage value is causing great havoc to forests where the system is practised, it should be gradually replaced by other methods of meeting the local demand for firewood.

Supply of License Books

101. (1) Licenses shall be in pads of 50 forms each and bear the book number and the license serial number. All license books shall be supplied by the Director of Printing, Stationery and Publications, Bangalore, to the Conservators of Forests on indent. The Conservator of Forests shall supply the books to the Divisional Forest Officer on indents which should be accompanied by an abstract statement of receipts, issues and balances of license books on hand in Form No. 27.

(2) The Divisional Forest Officer shall supply the license books to Range Forest Officers on indent which should be accompanied by a statement in Form No. 27. The Range Forest Officer shall supply the license books, similarly, to the License Issuing Officers.

Account of License Books

102. Divisional Forest Officers, Sub-Divisional Forest Officers and Range Forest Officers shall maintain an account of all license books received and issued in Form No. 28 under each kind.

Personal custody of license books by the Range Forest Officer

103. The license books of all description should be kept under lock and key and the Range Forest Officer should, as a rule, have them in his personal custody.

Issue of licenses

104. (1) The license Issuing Officers shall, on receipt from the applicants of the prescribed seigniorage value either in cash or remitted challan, write up all the three parts of the license form in accordance with instructions regarding locality, quantity, rate, route, period of validity, etc., which will be issued from time to time by the Divisional Forest Officer and the Range Forest Officer.

(2) The License Issuing Officer shall hand over the triplicate copy of the license to the licensee and send the duplicate copy, on the very same day, to the Forester in charge of the forest (in case of timber license) or to the Guard in charge of the Forest (in case of licenses other than timber) as the case may be. Double side carbon paper shall be used while writing the licenses.

105. Safe custody and remittance of revenue.—License Issuing Officers shall be solely responsible for the safe custody and transmission of revenue, into the Treasury and its remittance.

106. Consolidation of accounts of licenses by the Range Forest Officer.—(1) The Range Forest Officers, before consolidation of return in Form No. 10 (Karnataka Forest Rules, 1969) received from their subordinate Officers, shall check them with the duplicates of licenses received from Foresters and Guards after execution and shall at once take steps to rectify any differences noticed.

(2) The Range Forest Officers should check the counterfoils of licenses returned by the License Issuing Officers carefully with the concerned returns in Form No. 10 (Karnataka Forest Rules, 1969) and submit the former to the Divisional Forest Officer for recovery. Any differences noticed shall immediately be brought to the notice of the Divisional Forest Officer, for taking such action as is necessary.

(3) The Divisional Forest Officer, on receipt of used up license books in his office, shall check the counterfoils with the duplicates and with the accounts in Form No. 10 (Karnataka Forest Rules, 1969) and copy of cash book received from the Range Forest Officer and obtain explanations for any discrepancy observed.

107. Particulars to be entered in the Range cash book.—All revenue realised by issue of licenses and credited into Treasury should be shown with full particulars in the Debtor and Creditor sides of the cash book by the Range Forest Officer. The major and minor budget heads for this purpose are indicated in the Forest Accounts Code.

108. Inspection of license books, accounts and Cash balance.—(1) License books and accounts of each license Issuing Officer should be checked once a month at least and the cash balance with them verified by the Range Forest Officer and the fact of having done so noted in their weekly diaries.

(2) The Divisional Forest Officer or the Sub-Divisional Forest Officer shall check the license books and accounts of each license Issuing Officer and verify the cash balance with him at least twice a year and note the result in their weekly diaries. They should also check the registers in Form No. 28 and the stock of license books at the Range Forest Offices and record their results in their inspection reports.

109. (1) Refusal or in-attention on the part of the Forester or Guard, in making the entry of the date required by Sub-Rule (1) supra, should immediately be brought to the notice of the Range Forest Officer by the license-holder.

(2) The Forester (in case of timber license) and Forest Guard shall enter the triplicate or duplicate of the license which ever he receives first, in the prescribed register and enter the date of presentation and the date of checking on the duplicate and on the triplicate in the columns provided therein.

(3) If the licensee presents the triplicate before the receipt of the duplicate by the Forester or Guard, as the case may be, the latter shall permit the licensee to enter the forest and remove the produce, unless for good reasons he believes the triplicate to be spurious and not in order. The Forester or Guard shall, however, obtain the duplicate by reporting the matter to the license issuing authority.

(4) The value of excess produce cut or otherwise damaged, shall be recovered at thrice the seigniorage rate, whether the licensee is willing to take the produce or not.

(5) The duplicates of licenses should be returned to the Range Forest Officer by the Foresters and Guards after their disposal i.e., within 7 days from the date of removal of produce and they should be pasted against the corresponding counterfoils after verification,

reporting to the Divisional Forest Officer any differences noticed between the original and the duplicate, for taking such action as is necessary.

110. Appointment of license issuing Officers.—(1) Besides specially authorised Forest Officers like Range Forest Officers and Foresters, the Conservator of Forests may appoint Foresters or Forest Guards, as the case may be, in such number for each Range as may be considered necessary from time to time, exclusively for the purpose of issuing licenses.

(2) The order appointing License Issuing Officers must be in writing. The kind of forest produce, the block of forest, the place, the period for which he is appointed and the condition under which they should issue licenses should be stated in the order.

CHAPTER-IX.
TRANSIT OF FOREST PRODUCE.

111. Instructions for issue of passes for forest produce other than Sandalwood.—

(1) The officer issuing pass in Form 25 or 26 under sub-rule (1) of Rule 145 (Karnataka Forest Rules, 1969) should fill in all the columns in all the three parts at the same time using double side carbon paper showing in the case of timber, each log or piece separately. The original shall remain with him and the duplicate and the triplicate shall be handed over to the transporting contractor, his agent, cartman or driver, after taking his or their signature on the original, in token of his or their having received the consignment and that person on arrival at the destination shall deliver them to the Officer who is to receive the consignment, and such Officer shall check the same with the produce received and note any discrepancies he may have noticed in the remarks column. He will then retain the duplicate and paste it on to the corresponding part of the receipt book prescribed for the purpose and despatch the triplicate, to the consigning Officer on the very day on which the consignment is received. On receipt of the triplicate, if the consigning officer finds any difference between the quantity consigned and the quantity actually received by the Depot Officer, he shall at once take steps to explain or trace the difference and such difference shall be recorded in a register maintained for the purpose. The responsibility of accounting for the differences shall be on the consigning Officer and the transporting Contractor.

(2) The passes in Form No. 27, 28 and 29 of Rule 145 of the Karnataka Forest Rules 1969 shall be in triplicate. The passes will be written in copying pencil and double side carbon. The original copy will be given to the party for carrying with the forest produce in transit. The duplicate copy shall be sent to the Range Forest Officer in whose jurisdiction the first check post enroute is situated for immediate verification of the entries with those recorded in the first check post enroute on the basis of the original copy. After any discrepancies either in the species or the quantities are noticed, the Range Forest Officer can immediately proceed to the place of destination where the forest produce has been transported under the cover of the pass, verify the produce and take further action as per the Karnataka Forest Act and Rules. In case the party has willfully avoided the first or the subsequent check posts situated in the, jurisdiction of the Range Forest Officer even though the party had to subject the forest produce to check, he can also be dealt with under Rule 165 of the Karnataka Forest Rules 1969 immediately. The duplicate copy could be retained as counterfoil by the issuing Officer. For this purpose, the passes in respect of Form No. 27, 28 and 29 shall have on them inscription in bold type in red ink on the copy of the passes as 'ORIGINALS, 'DUPLICATE' and 'TRIPLICATE' so as to facilitate attraction and easy attention.

The Officer issuing the pass shall sign and date in each copy of the pass and all timber covered in Form No. 27 must bear the Government mark as prescribed by the Chief Conservator of Forests (General) before it is removed from the Forest or a Government Depot.

Foresters incharge of Sections may exercise the powers of the Range Forest Officers under Clause 1, Sub-Rule 3 of Rule 145 of Karnataka Forest Rules 1969 to issue passes in Form 28 of the Karnataka Forest Rules 1969 provided they are authorised by the Range Forest Officers in each case after satisfying himself about the **bonafides** of the materials concerned.

The procedure regarding issue of transport pass in respect of Beedi leaves, Ramapatre and Shigakai is as indicated below:

1. In the case of transport of Beedi leaves, the Department may accept the transport of **bonafide** material if the delivery note prescribed under the Karnataka Sales Tax Act is in order and in such cases the non-production of Forest Transit passes need not be construed as an offence; and

2. Rampathre and Shigekai transported by the villagers in quantities less than 5 kgs. without forest transit passes need not be considered as an offence. In other cases the Department may insist on the production of the required transit passes only if the concerned Minor Forest Produce Contractor complains of smuggling from the Forest areas or in effect this would amount to availing of the provisions under the rule only in cases where smuggling is suspected while in the rest of the cases the non-compliance of the rules need not be taken cognisance of.

3. In both the cases discretion can be exercised and decision taken only by an Officer not below the rank of an Assistant Conservator of Forests.

112. (1) The Divisional Forest Officers and the Range Forest Officers should maintain proper account of pass Books received by them and issued to the subordinate Officers or the contractors under authorisation detailing the printed serial numbers of the Pass Books and the leaves of passes contained therein. A register in the Form No. 29 should be maintained for this purpose.

(2) No Pass Book should be issued to the subordinate Officers without affixing the official seal on each leaf of the Pass Book and without endorsement of the issuing Officer on the last leaf of the book with the name or designation of the Officer whom the pass book is issued to. The endorsement should be signed by the Range Forest Officer himself with date of issue when the pass books are issued from the Range office.

(3) Generally more than one pass book should not be issued at a time unless it is found absolutely necessary to issue more than one book at a time. In such cases, two books of 100 leaves may be issued at one time with instructions to use the second book only after the first one is completed. This does not apply however to the release of stocks to the Range Forest Officers by the Divisional Forest Officer.

(4) Stock taking of the Pass Books in stock and issued to the subordinates and periodical inspection of the Pass Books in use should be conducted by the Range Forest Officers every quarter and the certificate to that effect submitted to the Divisional Forest Officer for record. The Divisional Forest Officer should like-wise do the stock verification and record such a certificate once in a year in the month of April in the register.

(5) The Pass Books in use should be in the personal custody of the official who is authorised to issue the passes. The counterfoils of the used Pass Books should be returned to the Range Forest Officer immediately after the Pass Book is completed for record and safe custody.

(6) All the counterfoils of the used Pass Books returned to the Range Forest Officer should be post-audited by the Range Forest Officer and then preserved in the records for at least 5 years.

(7) The counterfoils of the Pass Books used by the Range Forest Officers should be sent to the Divisional Forest Officer for post audit by the Divisional Forest Officer and preservation in record for at least 5 years.

(8) Any fraud on passes if noticed by the Range Forest Officer or the Divisional Forest Officer should be brought to the notice of the Divisional Forest Officer or the Conservator of Forests as the case may be for taking suitable steps against the officials concerned.

113. Instructions for issue of passes for removal of Sandalwood from forest to Sandalwood Depot.—The Officer issuing pass in Form No. 38 for the removal of Sandalwood from forest to Depots under Rule 156 (1) (Karnataka Forest Rules, 1969) shall fill in all the columns of the pass using copying pencil and double side carbon. Each consignment of Sandalwood shall always be escorted by a Forest Guard. The Officer issuing the pass and the Guard escorting the Sandalwood should both be present at the time of loading of the Sandalwood into vehicle and should satisfy themselves, that the Sandalwood loaded into the vehicle agrees with that mentioned in the pass. The escort shall, then, be responsible for the wood in transit from the time he takes charge until it is acknowledged by the Officer incharge of the Depot to which the material is consigned.

114. Calculation of permissible period of transit.—(1) The period of time for which the pass is to be in force shall be calculated as follows:

In the case of transport by a motor vehicle, the day of issue for transit to any point up to 80 kilometres from the place of origin, plus, an additional day for every additional 250 kilometres or fraction thereof, and, in the case of any other form of transport other than railway, the day of issue, plus, a day for transit to any point up to 15 kilometres from the place of origin, plus, an additional day for every additional 15 kilometres or fraction thereof.

Note: For this purpose, the day counts from 6.00 a.m. to 6.00 a.m.

(2) The produce shall be conveyed within the time prescribed in the pass. If due to unavoidable circumstances, such as breakdown of the vehicle, obstruction enroute and such other causes as may hamper the conveyance of the produce within the prescribed time limit, the pass-holder shall not, after the expiry of the period mentioned in the pass, proceed with the produce without getting it renewed from the nearest Forester, in case of produce other than sandalwood and from the nearest Ranger in case of Sandalwood.

115. Instructions for the Officers incharge of Sandal Depots for receiving Sandalwood from forest.—When the Sandalwood reaches the Depot, the Forest Guard escorting the consignment shall deliver the pass and the Sandalwood to the officer in charge of the Depot who will verify the number of pieces with the details given in the pass and examine if all the pieces bear transit marks at the ends. He will count the number of pieces, check their dimensions, examine if the rough dressing is properly done and the roots fully extracted. If serious defects are found, the trees or billets concerned shall be kept apart for the inspection of the Divisional Forest Officer. The Sandalwood, then, will be weighed in the presence of the escorting Guard and a receipt in the prescribed form passed on to him after obtaining his acknowledgement. The Forest Guard shall deliver the receipt to the concerned Range Forest Officer issuing the pass. If any discrepancies are noticed by the Officer in-charge of the Depot between the kinds and quantities of Sandalwood mentioned in the pass and the actual kinds and quantities received, they shall be noted in the remarks column of the receipt issued. The consigning Officer shall at once take steps to explain or trace out such differences. It shall be the responsibility of the consigning Officer and the Forest Guard escorting the consignment to account for such differences. The original pass received by the Officer incharge of the Depot shall be pasted to the corresponding counterfoil of the receipt issued by him.

116. Recovery of value of way-permit books supplied to authorised persons

Every authorised person to whom way permit books are supplied under Rule 149(4) (Karnataka Forest Rules, 1969) shall pay to the Department the value of books as prescribed by Government from time to time.

117. If due to unavoidable circumstances such as breakdown of the original vehicle or other compelling circumstances, if it is necessary to change the conveyance carrying the produce under authorised permit, the pass-holder shall apply to the Range Forest Officer having jurisdiction in case of produce other than Sandal and Rosewood, to the Divisional Forest Officer having jurisdiction in case of Sandal-wood for purposes of reassigning the conveyance in the pass. In case of refusal to reassign the pass to a new conveyance by the Range Forest Officer or the Divisional Forest Officer, as the case may be, an appeal shall lie to the next higher authority within a week from the date of such refusal and their decision thereon shall be final.

118. The application for grant or renewal of a Saw pit, Saw Mill or any other sawing contrivance as per Rule 163 of the Karnataka Forest Rules 1969, shall be in Form No. 30.

119. Procedure concerning removal of Forest produce from Inam lands or private lands.—The application for pass in Form No. 28, prescribed in Rule 145 and 146 of the Karnataka Forest Rules 1969, shall be in Form No. 31.

On receipt of application in Form No. 31 the Divisional Forest Officer/Range Forest Officer, will refer such application along with his observations to :

(i) in the case of Coorg District to the Deputy Commissioner, Coorg District,, Mercara, where the value of the tree growth involved is more than Rs. 50,000.00 and in all other cases to the Assistant Commissioner having jurisdiction.

(ii) In respect of the other districts to the Deputy Commissioner, in cases where the value of the tree growth, exceeds Rs. 10,000.00 and to the Assistant Commissioner having jurisdiction in cases where the value is within Rs. 10,000.00.

The Divisional Forest Officer will obtain the following details from the concerned Deputy Commissioner or the Assistant Commissioner;

(a) A sketch prepared by a competent Revenue Surveyor showing the survey number countersigned by the Assistant Superintendent of Land Records, clearly specifying that the concerned tree growth applied for is situated within the survey number specified in the application.

(b) Obtain clear information about the ownership of the tree growth, in the survey number and whether tree growth belongs to the applicant or not.

On receipt of this sketch along with the opinion of the Deputy Commissioner, or the Assistant Commissioner concerned, the Divisional Forest Officer will scrutinise the application and in case the tree growth is situated within the survey number applied for and if certified by the Deputy Commissioner or the Assistant Commissioner concerned, that the tree growth belongs to the applicant and if silviculturally found feasible, he may take further action as per Rule 146(1) of the Karnataka Forest Rules, 1969.

CHAPTER X
(i) FOREST PRIVILEGES

(i) Preliminary

120. (1) In the erstwhile Bombay presidency pertaining to North Kanara, Dharwar, Bijapur and Belgaum Districts, the general policy regarding grant or curtailment of forest privileges was as under :—

In its management of Forests, the ease and contentment of the people was an object of greater solicitude to Government than the realisation of revenue and while no relaxation of precautions necessary for the conservation and reproduction of the timber and firewood supplies could be permitted and the Forest Officers must be vigorously supported in resisting un-authorized encroachments, Government had no desire to increase their forest revenue by the curtailment of concerned privileges or of local supply or by the levy of excessive charges for grass and other minor forest produce. The benefit of any revenue, so obtained would be altogether insufficient to countervail the hard-ship and irritation that would be caused were the rayats unduly pressed in the matter of obtaining rab and firewood, grazing for their cattle or grass for thatching and other house-hold purposes (R. 650 of 26th January 1891). Privileges for each District were sanctioned by Government. The Conservator of Forests were authorised to order a temporary extension of forest privileges. The Divisional Commissioner was authorised to order temporary withdrawals of privileges. The collector of the District could suspend or withdraw such privileges temporarily in special cases where authorised by privileges codes or rules for each District (R. 8885 of 3rd October 1910). Privileges were granted as a matter of favour, not right and were clearly defined in terms as exact and precise as possible and were granted for a definite period with a view to guarding against privileges growing into rights and to secure the distinction between privileges and rights (R. 2232 of 12th April 1888; G.I. 652 F. of 19th July 1888 and **vide** R. 5016 of 27th July 1888 and G.I. 509 F. of 7th June 1889 **vide** R. 4619 of 3rd July 1890). The Government had reserved their proprietary rights by granting privileges including revision, curtailment or discontinuance of privileges. In addition to the general privileges special privileges were also granted to the above Districts as provided in B.F.M. Vol. III.

In the erst-while Mysore State the privileges were granted to the people at the time of settlement of the forest area and issue of Notification under Section 17 of the Mysore Forest Act 1900 from the Reserve forests. Privileges regarding cutting of fodder grass, grazing and removal of dead wood for fuel etc., from the District Forests were also granted. In addition, rules regarding special privileges for Malnad Rayats in the Districts of Shimoga, Chickmagalur, Mysore and Hassan were framed by Government conceding timber and other forest produce to the cultivating rayats. Further, the rules regarding enjoyment of certain privileges in Kans and Soppinabettas were also there. These provisions were embodied in the Mysore Forest Manual 1957.

The privileges enjoyed by the people of Coorg area with regard to timber, firewood and other forest produce as granted by the Ex-Rulers of Coorg in Bane lands, Paisari, Cardamom geni leases, Jamma Malais, Devarkadu and Urudves, etc., were detailed in the Coorg Forest Manual. These privileges are continued subject to certain modification as would be issued by Government of Karnataka from time to time.

The privileges enjoyed by the people of the erst-while Madras Presidency in Kollegal and South Kanara District with regard to Kumki lands, assessed Kans and Government

waste lands within 100 yards of assessed lands included in warg land etc., as embodied in the Madras Forest Manual 1940 are continued subject to certain modifications as would be issued by the Government of Karnataka.

The various privileges that were existing in the integrated areas of the State prior to Re-organisation of State as per the Departmental Manuals referred to above have been pooled and generalised into two categories viz., (1) General Privileges and (2) Special privileges for the purpose of this chapter. The special privileges for North Kanara District and the Malnad Rayats in the Districts of Shimoga, Chickmagalur, Mysore and Hassan existing prior to the re-organisation of the State have been modified and common rules issued under Government Order No. AFD-255-FAD-69, dated 19th November 1971.

120. (2) Village communities in the neighbourhood of a Forest will naturally depend more on the forest for their domestic and agricultural needs. Such uses however should be properly regulated and in no event be permitted at the cost of National interests. The scientific conservation of forest inevitably involves the regulation of rights and restrictions of the privileges of the user, depending upon the value and importance of the forest, however irksome such restraint may be to the neighbouring communities.

121. The privileges sanctioned for the several districts of the State are grouped under:

- (i) Special privileges sanctioned for each district and
- (ii) general privileges common to all districts.

122. Officers of the Forest and Revenue Departments serving in forest areas have to make it a point of satisfying themselves that villagers know and exercise their forest privileges properly. Copies of the various privileges in the local language of the District concerned should be distributed through local Officials and organisations like Block Development and Village Panchayats and also through individuals who can assist villagers to become familiar with their forest privileges.

123. The privileges are intended to be exercised as a matter of favour and not of right and are subject to withdrawal at any time by the State Government. It is also open to the State Government to modify, curtail or discontinue the privileges whenever considered necessary. Ordinarily revision of privileges will be done when it is held to be desirable. At that time the local Revenue and Forest Department Officers shall submit to the Government through the Divisional Commissioner and Chief Conservator of Forests (General), detailing as to why such and what changes are proposed. The privileges can be suspended or withdrawn temporarily by either the Divisional Commissioner or the Chief Conservator of Forests (General) in consultation with the Divisional Commissioner.

124. With a view to guard against privileges developing into rights, it is desirable to permit privileges over a definite period at the end of which the question should be re-examined for continuance of the privileges for further period or otherwise.

125. The sanctioned privileges are to be enjoyed

- (a) free of charge,
- (b) by forest villagers,
- (c) within limits of the forest villages,
- (d) in open forest,
- (e) without permit or special permission from forest officers,

except where exceptions are mentioned under the respective privileges to be mentioned hereafter.

126. Produce removed in exercise of any privilege should not be sold or bartered.

127. Removal of forest produce under the privileges is restricted to the quantity which an individual can carry away himself i.e., by headloads only for which no permits are required except where specifically stated.

Privilege holders are however, permitted to take carts into the forests under free permits issued by the authorised forest officers by the Divisional Forest Officer for removal of material such as earth, stones, fallen leaves and grass in specified areas, for the removal of deadwood specially permitted by the Divisional Forest Officer with a view to reduce the fire hazard and small timber and branch wood if specially authorised by the Conservator of Forests under the privileges.

128. Every person who enjoys forest privileges is bound to furnish information regarding the forest offences when it comes to his notice and also to assist the Forest Officers and Police Officers as envisaged under Section 105 of the Karnataka Forest Act 1963.

129. For the purposes of the Chapter 'Forest Privileges':

(a) 'Forest village' means a village in which there are reserved or protected forests constituted under the Karnataka Forest Act 1963,

(b) A 'Forest Villager' or an 'Inhabitant of a forest village' means a person who is permanently resident in a forest village, or who is the actual cultivator of land situated in such a village,

(c) 'aboriginal or hill tribe' includes persons who are residents of forest tracts and who depend entirely on manual labour for their living and usually eke out their subsistence by labour in the forest and by collection of forest produce such as Soligas, Jenukurubas, Kadukurubas, etc. The actual class of such types will be identified and notified from time to time by the Government.

(d) 'Open forest or unclosed forest' means forest which is open to grazing and to the exercise of other forest privileges,

(e) 'closed forest' means forest closed by order of competent authority against grazing and the exercise of other forest privileges.

(ii) Special privileges.

130. (i) These privileges apply to the removal of the Forest produce by cultivating ryots and villagers for their **bona fide** use and whose total annual income does not exceed Rs.1,200.00 (Rupees One thousand two hundred) and who permanently reside in the areas specified in the districts.

(ii) 'Agricultural implement' includes ploughs, harrows, clod-crushers, hoes, seed-drills, mamtihandles, gudli and pick-axe, and other similar implements used in agriculture.

(iii) 'Agricultural purpose' includes fences, hedges, dams, cattle-pens, farm-sheds, pendals, smallhuts, machans and stock-floors erected in connection with growing or harvesting agricultural crops.

North Kanara District

131. A. (1) These privileges shall apply to the whole district.

(2) These privileges shall not affect the existing general privileges in the districts and protected forests, nor will they affect any existing privileges of owners of gardens in their soppinabettas or privileges in the Kans. But nothing herein contained shall prevent a district forest from being placed under special protection under Provisions of Section 33(2) (ii) of the Act.

(3) Ryots shall not fell, lop or otherwise damage under these privileges any of the trees of the reserved species specified in Schedule 'A' annexed to this book on page 148.

(4) Application for the grant of timber for the purposes of construction, Renovations or extensions or repair of houses shall lie with the Divisional Forest Officer who may sanction the issue of timber upto a maximum of 4 cubic metres (140 Cft.) of species listed in Schedule 'B' annexed hereto on page 151 at the rates detailed therein from the nearest Government Timber Depot to an eligible applicant not more than once in five years depending on the availability.

(5) Application for the grant of bamboos, small timber and junglewood for the purpose of making agricultural implements or for agricultural purposes shall lie with the Range Forest Officer who may sanction the grant of a reasonable quantity not exceeding 5 cart loads of the material applied for from species other than reserved species and other than immature and sound trees which could be used as timber to an eligible applicant from the district Forest nearest to the land occupied by him at the following rates, viz.,

(i) Junglewood and small timber at the rate of Rs. 0.50 per cubic foot or Rs. 10 per cart load ;

(ii) Bamboos at the following rates:

Hebbiduru or Dowgas—Rs. 8.00 per 100.

Medars—Rs. 5.00 per 100.

Sheebs—Rs. 3.00 per cart load.

Dead bamboos—5.00 per cart load.

(6) Application for the grant of dry firewood shall lie with the Range Forest Officer who may issue a permit to an eligible applicant for not more than 5 cart loads per year at the prescribed rate. The amount shall be paid in advance with the application. The firewood shall be collected and removed from the district forest nearest to the land occupied by the applicant. Permit for firewood shall be issued for the species other than the reserved species and other than immature and sound trees which could be used as timber.

(7) Every application shall be in the Form No, 32 and shall be accompanied by a certificate from the Tahsildar about the annual income of the applicant and shall be made through the concerned Forester who will verify the requirements of the applicant and correctness of the application and submit it to the Divisional Forest Officer through the Range Forest Officer for sanction.

(8) A certificate to the effect that the timber granted to an applicant has been made use of for the purpose for which it was applied for shall be furnished by the concerned Forester within a period of six months following the removal of timber from the Depot.

131. B. (1) The inhabitants of forest villages may remove 'Karvi' (*Strobilanthes callosus*) in head-loads or cart-loads for agricultural purposes from all open forests.

(Karvi removed for non-agricultural purposes will be charged at 00.03 Paise per head-loads and 00.25 parse per cart-load under permit or licence rules).

(2) Bona fide cultivators may cut and remove, from any Reserved forest in their villages or in the neighbourhood of their villages, and with the previous permission of the Round (Section) Officer, barren Sago and other palms for water courses and other agricultural purposes.

(3) Bona fide cultivators, may if creepers are not available in the forest set apart for the exercise of their privilege, cut and remove creepers for agricultural purposes in any other unclosed Reserved forest, provided that—

(i) they shall obtain permits from a Forest Officer for the purpose; such permits shall be issued free for creepers and at the seigniorage rates for canes; and

(ii) the concession shall be limited to the period from the 1st November to the 31st May.

(4) Canes and all kinds of grass used for making baskets, chatais, brooms, etc., will be allowed free to all villagers for bona fide domestic use but not for sale or barded.

(5) In order to afford protection from wild animals, the following concessions are allowed to the people of North Kanara District:

Any bona fide resident of North Kanara District who has been granted a gun licence by the District Magistrate for protecting crop and cattle shall be entitled to hunt vermin only in all kinds of forests within a radius of 5 kilometres from his agricultural land during the crop season, i.e., from 15th June to 31st October under general authority and thereafter he should obtain the necessary permission from the Forest Officer concerned if he wishes to shoot vermin within a range of 5 kilometres around his agricultural land.

Strip grants.

131. C. (1) (i) Strips will be granted around inhabited and cultivated areas in the interest of public health and preservation of crops from devastation by wild animals. Strip clearance around cultivation will be permitted in all forest areas. In the case of strip-clearance, 75 trees per hectare will be retained un-felled.

Note.—(a) Ordinarily, no strips should be granted where a road carrying sufficient traffic borders on a habitation or cultivation. Such cases should be decided by the Divisional Forest Officer on the merits of each case. He should take the width of the road and the traffic on it into consideration while deciding such cases.

(b) In order to prevent erosion by flood water strips should not be granted below the high flood levels of nallas and rivers.

(ii) In cases where the cultivated area consists of a number of occupancies only some of which adjoin forest land, the occupants may exercise these privileges jointly or according to such agreements as they may make among themselves, save in any portion of such forest land as may be separately demarcated and assigned to any individual in consideration of the payment of assessment.

(iii) No strips should be granted to lands assigned for 'Betta' or 'Bane'.

(iv) The coastal areas under the revised working Plans for Casuarina plantations should be excluded from strip grants.

(v) For the purpose of strip privilege the following species are considered to be reserved:

1. Sandalwood (*Santalum album*).
2. Teak (*Tectona grandis*).
3. Rosewood (*Dalbergia latifolia*).
4. Khair (*Acacia catechu*).
5. Matti (*Terminalia tomentosa*).
6. Nandi (*Lagerstroemia lanceolata*),*
7. Honne (*Pterocarpus marsupium*),*
8. Karimuttal (*Ougenia dalbergioides*)*

* When they exceed 90 Cms. in girth at breast height.

(2) Classification of forest areas

(i) For the purpose of strip grants, the Forest areas of North Kanara District are classified into the following groups:

1. Kans (i.e., evergreen forest) and coastal taluks; and
2. All other forest areas.

(ii) **Width of strip-clearance in Kans (evergreen forests) and coastal taluks.**

(a) In Kans, strip-clearance will be permitted up to 80 metres around habitations where one, half of the strip will be allowed for clear felling. Strip-clearance around cultivation will be permitted up to 40 metres only.

Note.—As Kans are necessary for preservation of water, in the soil and preventing of denudation, strips in Kans should be granted only in essential cases and their clearance regulated so as to prevent erosion.

(b) In coastal taluks, strip-clearance will be permitted from 80 metres to 160 metres around cultivations provided that—

(i) the grantee shall plant the necessary number of additional trees to make up the maximum number of 15 trees per hectare, if after clearance by the Forest Department the number of trees in the strip is less than 75 per hectare;

(ii) the additional trees planted by the grantee according to (1) above would belong to grantee; and

(iii) the planting of the additional trees should be done by the grantee within one year of clearance by the Forest Department.

(iii) **All other forest areas.**—Strip-clearance shall be permitted from 80 metres to 160 metres around habitations, of which clear felling will be restricted to the first 40 metres to 80 metres and 40 metres around cultivation.

Note.—Strip-clearance shall be permitted in the forest areas of Gund plateau and Nersol and other steep slopes provided that the clearance is regulated to prevent erosion.

(iv) **Initial limit of strip-clearance.**—In all cases where strip-clearance is allowed for more than 80 metres, strips of only 80 metres should be allowed in the first instance. They may be extended upto the maximum limit stated, provided the extra width of the, strip is necessary and the strip already granted duly cleared by the Forest Department has been maintained by the grantee clear of undergrowth for a period of at least 2 years.

(v) **Strips in respect of fallow and cultivable land.**—No strips should be granted in respect of fallow lands and cultivable waste lands unless such lands have been brought under cultivation for at least three consecutive years. However, when such lands are brought under cultivation, permission may be granted for removal of undergrowth until the strip is given.

(vi) **Period of clearance of strips.**—The strips granted shall be initially cleared by the Forest Department as expeditiously as possible, but within a maximum period of two years. The Department will also undertake a second clearance in the second year after the initial clearance. Thereafter it shall be the duty of the grantee to keep the strip clear of undergrowth.

(vii) **Burning and cultivation of strips.**—(a) Burning of the strip for two kilometres around habitations may be allowed in all forest areas, except in Kans, once in every three years. The burning will be arranged by the Forest Department in consultation with the villagers and it shall be carried out by themselves, it being regarded as their responsibility to save all the trees standing within the burning limits from destruction from fire.

(b) (i) Bare areas of Minor forests may be burnt by the villagers every year in April or May, care being taken to see that the fire does not spread to the adjoining forests.

(ii) If there be Teak plantations within the areas to be burnt, care should be taken by the Forest Officers to protect them when the burning is done, as mentioned above.

(c) Planting of trees including fruit trees will be permitted in strips.

(d) It is advisable to grow grass in the strip area; but if a grantee wants to undertake cultivation, it will be allowed, except on slopes, provided that steps are taken to prevent soil erosion and that no additional strip is asked for, only for this purpose.

(viii) **New Plantations.**—No new plantations will be made within such maximum limits for strip-clearance as have been laid down in the respective groups.

(3) Rules relating the grant and maintenance of strips.

(i) The application for strips should be submitted to the Range Forest Officer concerned. Along with the application, the applicant should attach :

(a) record of rights in the prescribed Revenue forms,

(b) a certificate from the Tahsildar concerned that the applicant has been continuously cultivating the land for a period of three years and that the area under cultivation is not less than 2 hectares.

(ii) The Range Forest Officer, on receipt of the application with the necessary documents as mentioned above, should examine the strip applied for. If the strip contains only bamboos and shrubs, he should immediately demarcate the strip on the ground and refer the matter to the Divisional Forest Officer within a period of three months in order to enable the Divisional Forest Officer to permit the applicant to clear it of undergrowth in order to serve the purpose for which the strip is applied for. If on the other hand, the strip contains tree growth he should first demarcate the strip on the ground and thereafter reserve 75 trees per hectare. He should, therefore, make the valuation of the remaining trees to be cut and submit the complete case to the Divisional Forest Officer for his further orders.

(iii) The application, received as above must be submitted to the Divisional Forest Officer with all details within a period of 3 months at the latest.

(iv) The Divisional Forest Officer, on receipt of the cases from the Range Forest Officer, should advertise the sale in the ensuing monsoon and sell these strips standing after imposing suitable conditions whereby the entire tree growth along with the bamboos and shrubs would be cleared within a period of one year and the surface fire-traced without causing damage to the standards reserved.

(v) No extension for the clearance of strips should be given under any circumstances and, if any work is left unfinished by the contractor, it should be done departmentally at his risk and cost.

(vi) The strips so cleared should be made available to the applicants for the exercise of concessions hereafter indicated, but the clearance of undergrowth should be carried out by the Divisional Forest Officer during the second year of its initial clearance departmentally, if necessary by rate auction.

(vii) The Range Forest Officer should send fortnightly progress reports to the Divisional Forest Officer with respect to the applications received for the clearance of the strips. The Divisional Forest Officer should watch the progress and see that the time table laid down for the submission of the complete information by the Range Forest Officer is strictly adhered to by him.

(viii) The Divisional Forest Officer should maintain a strip-register in which he will record all the relevant details about strips cleared in a proforma prescribed by the Conservator of Forests.

(ix) With respect to all old strip cases handed over by the Revenue Department to the Forest Department, a separate register should be maintained by the Divisional Forest Officer in a prescribed form approved by the Conservator of Forests.

(x) The Divisional Forest Officer should submit to the Conservator of Forests, a quarterly report of the number of strips asked for and the progress made in their disposal. They should submit a consolidated list of strips to be sold during the year to the Conservator of Forests along with the list of annual coupes due for sale for his information so as to reach him by the end of April. The strips should be sold in auction sale or by tenders in the same manner as the annual coupe.

(xi) Before the strips are made available for the exercise of privileges, an agreement should be got executed in a prescribed form and a deposit of Rs. 50 should be taken.

(xii) The strip grantee is entitled to enjoy the following concessions in the strip:

(a) He may demarcate the strip with a temporary fence of brushwood, bamboos, etc.

(b) He may remove from the area earth and stone for agricultural purposes and deadwood for firewood provided in doing so, the reserved trees are not damaged in any way.

(c) He may remove unreserved trees other than standards for **bona fide** agricultural purpose with the permission of the Divisional Forest Officer.

(d) He may collect honey from the trees in the strips.

(e) He may, in the strip, cultivate pepper and grow exotic trees such as Eucalyptus. He may also grow fruit trees (edible and economic importance) provided the growth of the standards is not interfered with.

(f) He may enjoy the usufruct of the trees planted by him in the strip.

(g) He may introduce the improved varieties of grass in the strip provided the reserved trees are not damaged. He may graze his own cattle to the exclusion of others in the strip.

(xiii) The strip grantee shall be required to abide by the following conditions:

(a) He shall reserve all the trees reserved as 'Standards' by the Forest Department.

(b) He shall preserve and protect the boundary trees and will maintain the boundary marks of the strip in the manner prescribed by the Divisional Forest Officer.

(c) He shall preserve all demarcation plates showing the forest boundaries and all trees to which the plates have been attached.

(d) He shall keep the strip cleared of undergrowth with effect from the third year successively for a period of five years failing, which the clearance will be done departmentally and the cost incurred would be recovered from him. On his failure to pay the amount, the same will be recovered as an arrear of land revenue.

(e) He shall plant trees to make up 75 trees per hectare within one year of the grant of the scrip.

(f) He shall necessarily cultivate the land around which the strip is granted continuously for a period of at least ten years, unless he is prevented from doing so for reasons beyond his control which will be determined by the Divisional Forest Officer in consultation with the Deputy Commissioner.

(g) It should be clearly understood that the strip area is a Reserved forest in charge of the Forest Department and any offence committed in the area will be dealt with under the Act.

(xiv) The strip grantee shall assist the Forest Department—
(a) in extinguishing fires,
(b) in detection of forest offences, and
(c) generally in rendering assistance to the Forest Department officials when called upon to do so.

(xv) If the strip-grantee commits a breach of any of the conditions mentioned above, the concessions granted in the strip will be withdrawn without giving any notice. The cancellation of the concessions and termination of the agreement for any reason shall not relieve the strip-grantee from any liability incurred before the termination of the agreement. The deposit of Rs. 50 tendered by the grantee shall be forfeited to Government, in the event of any breach of conditions or cancellation of the grant.

(xvi) The Chief Conservator of Forests will watch the working of these concessions and report to Government from time to time and at least once a year, i.e, on or before 1st July every year on the advisability of continuing these concessions or the necessity of withdrawing them in the interest of preserving the natural assets of the Forest Department after holding consultations with the Deputy Commissioner, North Kanara.

D. Permission to dig trenches to prevent rain water from entering fields.

An occupant of paddy or garden land may be allowed to dig a trench in the adjoining forest land at his own expense if this is necessary to prevent the rainwater coming into his field or garden from the slopes above. Permission for digging a trench should be obtained in writing from the Range Forest Officer who will specify the alignment and size of the trench. If any trees are growing on the alignment and the applicant-cultivator wants to purchase them, they may be sold to the applicant at the seigniorage rates provided that if the number of trees is large and composed of valuable species, the Range Forest Officer may arrange for removal by the Department.

E. Grant of land for cultivation of fruit trees

(i) (a) Blank areas with gentle slopes (5° to 10° slopes) in Minor Forests in North Kanara District may be given for raising plantations of fruit trees under Sanads subject to the conditions under which they are being given at present for such purposes. Government however, has directed that changes as indicated below should be effected in this procedure:

(a) The Deputy Commissioner should issue Sanad, as per Government orders for all grants from the areas already notified by the Forest Department for fruit tree planting. No fresh area will be leased.

(b) The maximum area granted under these orders to any one grantee should not exceed 4 hectares.

(c) The Sanad areas must be planted up within 3 years but extension can be given for not more than another 2 years by the Deputy Commissioner. The minimum number of trees to be planted will be 100 per hectare. This may, however, be relaxed by the Deputy Commissioner in suitable cases for reasons to be recorded in writing.

(ii) Reserved trees, if any in these plots should remain charge of the Forest Department.

(iii) No grazing shall be allowed in the land, but the permit holder will be allowed to cut the grass.

(iv) $\frac{2}{3}$ of the area assigned should be utilised for cultivation of fruit and/or fuel trees and $\frac{1}{3}$ kept closed for encouraging grass protection. The area under grass should be seeded if necessary.

(v) **Slopes for Cashew-nut cultivation.**—In North Kanara district, land on steeper (more than 10° slope) slopes which is denuded and open may be leased out for planting Cashew nut, imposing suitable conditions.

F. Privileges open to gardeners in protected forests assigned to them as ‘Bettas’.

(i) **Definitions.**—For the purpose of these Rules, the term ‘Gardener’ means the person in actual possession of the spice garden whether as owner or tenant and ‘Garden’ means the spice garden.

(ii) The gardeners may exercise in the Protected forests assigned as Betta to the garden or group of gardens of which they are the gardeners, the following privileges :

1. They may graze their own cattle.

2. They may cut grass for their own use.

3. They may erect buildings and cattle sheds sink dig water channels, clear paths, erect thrashing-floors or sugarcane mills, store grass, straw, grain, betel-nuts or manure or grow young plants in a nursery or make any other improvements thereon for the better cultivation of the garden to which they are assigned or its more convenient use for the purpose aforesaid, subject to the restriction hereinafter mentioned.

4. They may burn under-growth and Lantana taking due care to prevent the spreading of fire to Reserved forests.

5. They may remove for their own bona fide use, but not for manufacture, sale or barter, clay, earth and stones.

6. They may use the area for cultivating pepper or betelnut subject to the restrictions hereinafter mentioned.

7. They may remove for their own use, but not for manufacture, sale or barter, any kind of forest produce in the said Betta, subject to the following restrictions: They shall not

—
(i) lop or in any way injure any trees or saplings of Teak, Sandalwood, Rosewood, Ebony and Halmaddi except with the permission of the Divisional Forest Officer; and

(ii) fell any living trees of the species mentioned in the annexed schedule without the previous permission of the Divisional Forest Officer.

(iii) Any gardener who requires, for his own use for a bona fide agricultural purpose or for the construction and repair of his house situated in or adjacent to the garden to which the Betta is assigned, any tree of the kinds mentioned in the annexed Schedule must apply in writing to the Divisional Forest Officer, who shall, if satisfied that the demand is reasonable, grant permission to cut and remove the trees required on payment of a royalty as assessed by Government from time to time.

Note.—Such applications for grant of permission to cut trees in Betta will ordinarily be entertained by the Divisional Forest Officer between 1st June and 30th September every year.

(iv) Any gardener of a garden or group of gardens to which Betta is assigned may, with the previous permission in writing of the Divisional Forest Officer, cut within the Betta assigned, trees of the kinds mentioned in the annexed Schedule free of royalty, if such trees

—
(i) come in the way of cultivated crops,

(ii) obstruct any water course,

(iii) overhang any buildings; or

(iv) come in the way of any approach-road passing through the Betta assigned.

(v) **Suspension of privileges when abused.**—Whenever the Deputy Commissioner is of the opinion that the privileges conferred above, have been or are being abused to such an extent as to justify the suspension of such privileges, he may, subject to the general control of the Divisional Commissioner, suspend the exercise of all or any of the said privileges by any or all of the gardeners of a garden or a group of gardens or by their servants; or may permit their exercise on payment of such fees as he may deem reasonable.

(vi) **Gardeners bound to preserve Reserved trees, in Bettas and to report any damage to or loss of such trees.**—

Every such gardener shall preserve all Teak, Sandalwood, Ebony, Rosewood and Halmaddi trees and saplings thereof growing in the Protected forest assigned as Betta to the garden or group of gardens of which he is the gardener and shall forthwith report to the nearest Forest Officer any damage to, or loss of, any such tree or sapling, from any cause whatsoever.

(vii) **Gardeners not to permit or abet cutting etc., of Reserved trees in Bettas.**—No such gardener shall knowingly or willfully permit or abet the cutting, lopping, injuring appropriating or removing any such tree or sapling by any other person.

(viii) **Construction of residential houses in Bettas.**—(a) If any gardener wishes to build residential houses in Betta land or to use the Betta land or any part thereof for purposes unconnected with agriculture, he should obtain previous permission of the Deputy Commissioner. Applications for such permissions shall invariably be acknowledged by the Deputy Commissioner, who may, after due enquiry, either grant or refuse the permission applied for.

(b) The area so permitted to be used for non-agricultural purpose shall not exceed 10 acres in each case.

(c) The gardener shall not be entitled for extra Betta land in lieu of the area so permitted to be used for the above mentioned purpose.

(d) When any land is thus permitted to be used for non-agricultural purposes as above, the Deputy Commissioner shall, subject to the orders of the Government, disafforest the same and grant it on recovery of conversion fine in addition to the new assessment which may be leviable under the provisions of Land Revenue Act and Land Revenue Rules.

(ix) **Cultivation of Betta lands.**—Cultivation of Betta land under Sub-rule F(ii) (6) shall be subject to the following conditions:

(a) No extra Betta lands shall be given in lieu of the area utilised for such cultivation or for maintaining the garden, if any, grown therein.

(b) When the land so cultivated is 5 acres or less, the gardener will be entitled to cultivate it without paying any upset price but, he will pay such assessment to Government for such lands as may be fixed in accordance with the Land Revenue Act and Land Revenue rules. But, where the extent of land so cultivated exceeds 5 acres, an upset price equal to the value of the land before cultivation will be levied. The upset price in such cases shall be fixed by the Revenue Department. The land so cultivated will be granted to the gardener as per land grant rules after disforestation.

(x) **Principles to make up the deficiency of Betta lands.**— (a) In the up-ghat taluks, in cases where Betta lands are below the standards requirement (not due to clause (ix) above) and if suitable lands in Protected forest are available, the deficiency shall be made up to 8 hectares of Betta land per hectare of garden land.

(b) In the below-ghat taluks (not due to Clause (ix) above) it would not be possible to allow additional Betta lands due to paucity of suitable lands in protected forests. However,

wherever suitable forest lands are available, these should be assigned to Bettal-nut gardens as Betta lands.

(xi) **Maintenance of Betta lands.**—(a) Both the Forest agricultural Departments should advise the gardeners on methods of maintaining Betta lands and lopping so that the requisite green manure is obtained from as small area as possible.

(b) The gardeners should be made to realise their increased responsibility on their part in the maintenance of Betta lands in proper condition, in view of the liberal concessions they are permitted to enjoy.

(c) A minimum of 100 trees per hectare of which at least 50 trees should be of the reserved kind of not less than 30 to 45 centimetres diameter at breast height should be maintained, evenly spaced in the Betta area.

(d) In case the number of trees per hectare is below 100, the gardener should plant and rear at his own cost in the Betta area as many trees of suitable species as required to make up the required number of reserved and other trees as prescribed above.

(e) If, after 5 years, the above minimum number of trees are not grown by the gardener, he would be liable to pay a penalty of Rs. 25 per hectare. Failure on the part of the gardener to make up the deficiency will entitle the Forest Department to plant up the required number of trees in his area and the cost of planting being limited to Rs. 125-00 per hectare, shall be borne by the gardener. The gardener shall be entitled to one-third of the trees planted, including reserved trees for his own use, free of cost, or 30 percent of the value of timber if the Government decides to take it.

(f) For such of the gardeners who undertake the planting work referred to in (d) supra, the Forest Department would arrange to supply at cost price the required number of seedlings and saplings.

(xii) **Division of Betta.**—(a) In many cases, the gardeners enjoy common rights over Betta lands assigned to their holdings. This has not only resulted in the utter negligence in the maintenance of Betta lands but has also given room for constant litigation and quarrels between holders. In such cases, the Betta land assigned should be divided on the basis of area of garden belonging to such holders according to fixed ratio as far as possible, taking into consideration the adjacency or proximity of the Betta land assigned to the respective cultivators of garden.

(b) On the day to be notified by the Deputy Commissioner, North Kanara District in this behalf, all rights of gardeners on such betta lands where at present more than one gardener have got common rights shall be deemed to be extinguished, in order to enable the Assistant Commissioner concerned to divide such Bettas, among the gardeners concerned, in the manner hereinafter provided.

(c) The Assistant Commissioner, hereinafter called the Betta Division Officer, shall obtain information regarding (i) the details of area of spice-garden cultivated by each such gardener, (ii) the total area of Betta land survey-number-wise held by them together on the notified day, (iii) if such gardeners agree to divide the Betta by mutual understanding, the particulars of the same i.e., the sketches showing the garden-survey-numbers held by each and the Betta area agreed to be divided between them and (iv) if they have not come to any such settlement, the sketches showing the garden-survey-numbers cultivated by each gardener and the Betta lands enjoyed by them on the notified day.

(d) Thereafter, the Betta Division Officer shall divide the Betta land among the gardeners in the fixed ratio (i.e., 4 hectares of Betta land to every hectare of garden land), as far as possible, taking into consideration the agreement, if any, of the gardeners.

- (e) The decision of the Betta Division Officer regarding such division shall be final.
- (f) The gardener to whom the Betta land is assigned under Clause (d) above shall be entitled to enjoy the privileges conferred on him as per sub-rule F(ii) above in respect of the garden lands to which the Bettas are so assigned.
- (g) The cost involved by the Department in the Division of Betta land should be borne by the concerned gardeners proportionately as determined by the Betta Division Officer and in case of default in the payment of cost by the gardeners, it shall be recoverable as an arrear of Land Revenue.
- (h) A copy of the order passed by the Betta Division Officer, as above, shall be forwarded to the Forest Settlement Officer for effecting necessary changes in the records.
- (i) In future, if the spice-garden lands now held by particular gardener are transferred to others, either in part or whole, by sale or family division, as the case may be, such a transaction should be reported by the gardeners concerned in writing to the Deputy Commissioner who will then take action to tether divide the Bettas between the successor-holders proportionately as laid down in the above rules.

ANNEXURE

Schedule referred to in sub-rules F (ii) (iii) and (iv)

1. Balge or Naviladi or Eauagi	(<i>Vitex altissima</i>)
2. Karimuttal or Kullu-honne	(<i>Ougenia dalbergiodes</i>)
3. Shivani	(<i>Gmelina arborea</i>)
4. Hirda or Alale	(<i>Terminalia chebula</i>)
5. Honne	(<i>Pterooarpus marsupium</i>)
6. Jhall or Jalari	(<i>Shorea taluura</i>)
7. Matti	(<i>Terminalia tomentosa</i>)
8. Nandi	(<i>Lagerstroemia lanceolata</i>)
9. Phanas or Halasu	(<i>Artocarpus integrifolia</i>)
10. Wonte or Vatehuli	(<i>Artocarpus lakoocha</i>)
11. Bokli or nanja	(<i>Mimustop elengi</i>)
12. Heddi or Yettiga	(<i>Adma cordifolia</i>)
13. Sagdi or Kendala	(<i>Schleichera trijuga</i>)
14. Grodhunishe or Bilwara	(<i>Albizzia odoratissima</i>)
15. Holematti or Torematti	(<i>Terminalia arjuna</i>)
16. Sampe	(<i>Flacourtia montana</i>)
17. Haiga or kabsi	(<i>Hopea wightiana</i>)
18. Manjuti	(<i>Adenantha pavoniana</i>)
19. Surahonne	(<i>Calpphyllum tomentosum</i>)
20. Hebbalasu	(<i>Artocarpus hirsuta</i>)
21. Jamba or Jambe	(<i>Xylia xylocarpa</i>)
22. Mashior phudgus	(<i>Alaeodaphne semicarpifolia</i>)
23. Kavanchi or goje	(<i>Bridelia retusa</i>)
24. Kalamb or Kadvala	(<i>Stephegyne parivfolia</i>)
25. Siris or Bage	(<i>Albizzia lebbek</i>)
26. Bellatte	(<i>Albizzia procera</i>)
27. Genasu or Kharsing	(<i>Stereospermum ylocarpum</i>)
28. Hongal, Kindal, Hunal or Buluve	(<i>Terminalia paniculata</i>)

29 Dadsal or Thadasal	(Grewia tiliefolia)
30 Dindal or Dindiga	(Anogeissus latifolia)
31 Womb or Hessare	(Saccopetalum tomentosum)
32. Devadarlal or Kalgarige	(Chukrassia tabularis)
33. Devadar pendra or Gandagarige	(Cedrela toona)
34. Mhowra or Kaduippe	(Bassia latifolia)
35. Muha or Ippe	(Bassia longifolia)
36. Bobbi or Irai or Hole Honne	(Calophyllum wightianum)

132A. Bijapur **District**—(1) Removal of ‘Karvi’ (*strobilanthes callosus*) on permits for agricultural purposes shall be permitted at the rates fixed by the Chief Conservator of Forests (General) from time to time.

(2) The ‘Medars’ of in Bijapur district who manufacture baskets, etc., from bamboos and who are members of a Co-operative Society will be given bamboo at the rates fixed by the Chief Conservator of Forests (General) from time to time, provided the Assistant Registrar, Co-operative Societies of the District certifies the Societies’ requirements and the Medars do not sell the bamboos so obtained to outsiders.

132B. **Dharwar District**.—(1) (i) Collection of fallen dead-wood except Rosewood, Teak and Sandalwood up to 15 cms, in diameter for the gatherer’s domestic purposes only.

(ii) Extraction by any cultivator whose land adjoins Reserved Forest of wood and bamboos from the forest within 40 meters of his field for construction of ‘Mala’ or for fencing purposes provided Teak, Sandalwood, Rosewood, Honne, Matti and Nandi are not taken.

Note:—(1) In the case of Mavinkop village, the limit of the forest strips for the exercise of the above privilege is extended to a maximum of 90 meters and permission granted to clear the undergrowth on those strips.

(2) **Bona fide** cultivators of Mavinkop village may, free of charge, cut and remove bamboos for fencing purposes from any open forest within 2 kilometers from cultivated fields provided that—

(1) they shall obtain passes from the Forest Officers for the purpose;

(ii) the concession shall be strictly limited to the period from 1st November to 31st May.

(2) (i) Removal by all forest villagers and the villagers of the 56 non-forest villages named below, of thorns in head-loads or cart-loads for agricultural and domestic purposes only.

(ii) Carts will be allowed to go off the recognised tracks within 400 meters of the area of supply in open areas but only along recognised tracks in closed areas.

(iii) Free permits for removal of thorns in cart-loads should be obtained by the villagers who are entitled to them, from the Round (Section) or Depot Officers as and when required from 1st November to 30th June each year.

(iv) For the purposes of this concession, the following species of thorns are allowed to be removed:

1. Chadurang	(Lantana Camara)
2. Churan	(Zizyphus rugosa)
3. Dowga	(Bambusa arundinacea)
4. Gazkai	(Oaespalinia bonducella)
5. Godehi	(Zizyphus xylopura)

6. Hedjali	(Acacia latronum)
7. Khari	(Randia malabarica)
8. Kharigida	(Randia dumetorum)
9. Kavali	(Carissa caraudas)
10. Pargi	(Zizyphus oenoplia)
11. Shambi	(Acacia pennata)

(v) The 56 non-forest villages to which the privilege of free removal of thorns is extended are as follows :

Name of Taluk	Name of Villages
Dharwar	.. 1. Benakanakatti
	.. 2. Veerapur
Kalghatgi	.. 1. Hanmapur
	.. 2. Tavergeri
	.. 3. Yelvadhal
	.. 4. Nilsegar
	.. 5. Hullambi
	.. 6. Arebasavankop
	.. 7. Bendigeri
	.. 8. Machapur
	.. 9. Belwantar
	..10. Begur
	..11. Burwalli
	..12. Hunashkatti
	..13. Arlihood
	..14. Nelliharvi
Hubli	.. 1. Parsapur
	.. 2. Eajnal
	.. 3. Gangihal
Hirekerur	.. 1. Hirekerur
	.. 2. Thipaikop
	.. 3. Masur
	.. 4. Hiremorab
	.. 5. Rattihalli
	.. 6. Totganti
	.. 7. Parwatsidgeri
	.. 8. Tumminakatti
	.. 9. Kirgerri
	..10. Hoskatti
Ranebennur	.. 1. Kurgund
	.. 2. Honnatti
	.. 3. Baradi

- .. 4. Devargudda
- .. 5. Aremallapur
- .. 6. Medleri
- .. 7. Ravtanakatti
- .. 8. Khanderayanahalli
- .. 9. Hirebidri
- ..10. Gringajaltande
- ..11. Siddapurtande
- ..12. Basavikatte tande
- ..13. Ranebennur

Shiggon

- .. 1. Nilwant Somapur
- .. 2. Gotgudi
- .. 3. Mudli
- .. 4. Makkapur
- .. 5. Shabal
- .. 6. Kalkati
- .. 7. Shyadambi
- .. 8. Honnapur
- .. 9. Thimmapur
- ..10. Muttalli
- ..11. Tadas
- ..12. Jiglotre
- ..13. Bujruk Yellapur
- ..14. Honnalli

(3) Removal of 'Karvi' (*Strobilanthes callosus*) and climbers in head-loads, free for domestic purposes, but on permits issued by the Range Forest Officer or Round (Section) Officer and at authorised rate per load when removed in carts.

(4) Removal of wild fruits other than 'Hirda' (*Terminalia chebula*), 'Shigekai' (*Acacia concinna*) and 'Karanj' (*Pongamia glabra*) seeds.

(5) Removal of leaves for thatching, mats, etc., and for cigarettes (beedies) or food plates and canes for domestic purposes only.

(6) The is 'Medars' in Dharwar district who manufacture baskets, etc., from bamboos and who are members of a Co-operative Society will be given bamboos at the rates fixed by the Chief Conservator of Forests (General) from time to time, provided the Assistant Registrar, Co-operative Societies, certifies the Society's requirements and the Medars do not sell the bamboos so obtained to outsiders.

Privileges extended to Non-forest villages.—(7) The following non-forest villages are allowed to enjoy all such forest privileges sanctioned for the district as are admissible to forest villages in the Taluk or Range in which these non-forest villages are situated:

Name of Taluk	Name of Village
Dharwar	.. 1. Benakanahatti
	2. Veerapur
Kalaghatgi	.. 1. Tavargeri
	2. Yelvadhal
	3. Arebasavanakop

-
4. Bendigeri
 5. Machapur
 6. Begur

Ranebennur

1. Khanderayanahalli

133. **Belgaum District.**—Special privileges sanctioned for Khanapur, Nagarggali, Kakti, Gokak, Gujnal, Chikkodi and Raibag Ranges.

(1) Collection by inhabitants of Forest villages (except Nandgad and Gokak) of fallen deadwood except Teak and Sandalwood up to 15 cm. diameter for the gatherer's domestic purposes only.

(2) Extraction by any cultivator whose land adjoins Reserved forest of wood and bamboos from the forest within 40 metres of his field for construction of 'Mala' or for fencing, purposes provided Teak. Sandal, Rosewood, Honne, Nandi and Matti are not taken.

(3) One to four trees of inferior species and bamboos according to the number of places at which festivals are to be held, once a year, for each village for 'Holi' (Non-forest villagers may also be allowed this privilege if it is not abused).

(4) The 'Medars' in Belgaum District who manufacture baskets, etc., from bamboos and who are members of a Co-operative Society will be given bamboos at the rates fixed by the Chief Conservator of Forests (General) from time to time, provided the Assistant Registrar, Co-operative Societies, certifies the Society's requirements and the Medars do not sell the bamboos so obtained to outsiders.

(5) Removal of 'Karvi' (*Strobilanthes callosus*) by head-loads or cart-loads for agricultural purposes by the inhabitants of all forest villages.

Nagargali Range

- | | |
|------------------|-----------------------------|
| 1. Madwal | 19. Angroli |
| 2. Devrai | 20. Gandigwad |
| 3. Ninganmath | 21. Kadtanbagewadi |
| 4. Chunchwad | 22. Kadtanbagewadi Mughihal |
| 5. Bhadewadi | 23. Avrolli |
| 6. Rampur | 24. Bekwad |
| 7. Kakkeri | 25. Kunikikop |
| 8. Bailur | 26. Manjankodal |
| 9. Degnoli | 27. Dedebail |
| 10. Basarkod | 28. Zunjwad |
| 11. Giriyal | 29. Bidi |
| 12. Nichanki | 30. Hindalgo |
| 13. Parasanhatti | 31. Goshenbatti |
| 14. Kulloli | 32. Kasmalgi |
| 15. Kittur | 33. Handur |
| 16. Demati | 34. Huligol |
| 17. Ambadgatti | 35. Itagi |
| 18. Tigdoli | 36. Tolgi |
| | 37. Manoli |

Khanapur Range

- | | |
|-----------------|-----------------|
| 1. Badas | 7. Kusmali |
| 2. Belwatti | 8. Honkol |
| 3. Torali | 9. Rumewadi |
| 4. Habanhatti | 10. Chapgaon |
| 5. Devachihatti | 11. Deminkop |
| 6. Bhadarwadi | 12. Basarikatti |

(6) In respect of Khanapur, Nagargali Ranges, removal of wood excepting Teak, Sandal and Rosewood for houses and agricultural implements as in Para 131(4).

134. Shimoga District.—(1) In respect of the following Taluks, the privileges conceded are as given under Para 131A (4), (5) and (6).

1. Sagar Taluk.
2. Hosanagar Taluk.
3. Thirthahalli Taluk.
4. Kasaba, Chandragutti and Ulvi hoblies of Sorab Taluk.

(2) In respect of the following Hoblis and villages, the privileges mentioned in Para 131 A(5) are admissible.

The following are the. Hoblis and villages.

1. Kasaba, Kumsi, Harnahalli and Nidige Hoblis of Shimoga Taluk;
2. The whole of Shikaripur Taluka;
3. Anavatti Jade and Kuppagadde hoblis of Sorab Taluka;
4. Bhadravathi hobli of Bhadravathi Taluka;
5. The following villages of Belagutti hobli, Honnali Taluk.

- | | |
|----------------------|----------------------|
| 1. Joga | 15. Veerapura |
| 2. Suragondanakoppa | 16. Savalanga |
| 3. Belalkatte | 17. Madapura |
| 4. Arekatte | 18. Sogilu |
| 5. Gundichetnahalli | 19. Ganjigarahalli |
| 6. Chinukatte | 20. Manganakoppa |
| 7. Savagondanahalli | 21. Doddettinahalli |
| 8. Siddapura | 22. Chickettinahalli |
| 9. Bidara halli | 23. Gadikatte |
| 10. Kyathenakoppa | 24. Koogonahalli |
| 11. Machagondanahal. | 25. Kunkuva |
| 12. Kotadalu | 26. Dasarahatti |
| 13. Lakkanakoppa | 27. Palayanahalli |
| 14. Yellapura | 28. Chetnahalli |

AND

The following villages of Ubrani and Basavapatna hobli, Channagiri Taluk:

Ubrani Hobli

- | | |
|---------------------|----------------------|
| 1. Tavarekere | 15. Pennasamudra |
| 2. Durvigere | 16. Attighatta |
| 3. Kaggi | 17. Gangendanahalli |
| 4. Hakkiahalli | 18. Gondihosahalli |
| 5. Mugalihalli | 19. Bedagondanahalli |
| 6. Ubrani | 20. Magyathahalli |
| 7. Medagondanahalli | 21. Chiksandi |

- | | |
|-------------------|--------------------|
| 8. Jammaपुरa | 22. Masanikere |
| 9. Kallakere | 23. Karthikere |
| 10. Kurubarahalli | 24. Mallegere |
| 11. Basavapura | 25. Harenahalli |
| 12. Veerapura | 26. Mavinhalla |
| 13. Mahadevapura | 27. Dandigenahalli |
| 14. Kemaranahalli | 28. Digginahalli |
| | 29. Yerehalli |

Basavapatna Hobli

- | | |
|---------------------------------------|----------------------|
| 1. Sulekere with its hamlet
Hosur. | 8. Chirodoni |
| 2. Hoshalli | 9. Kulinenahalli |
| 3. Hasurahalli | 10. Ramegonganahalli |
| 4. Kengapur | 11. Rampur |
| 5. Dodgatta | 12. Vuduva |
| 6. Kammasagar | 13. Kabballa |
| 7. Kanavebilachi | 14. Hosakere |
| | 15. Sringarabagu |

(3) In respect of Kans the following are the rights of occupants of Kans:

(a) The occupant of Kans in Malnad may :

(i) subject to the existing Excise law and Rules, in force, draw toddy from the toddy-yielding trees in his Kan, only for the use of the members of his family and not for sale, nor for the use of his servants, labourers and other employees, the Government farmers of toddy vend being alone entitled to draw toddy for sale after obtaining the occupant's consent; and

(ii) cultivate pepper, collect gum and honey and also other forest produce without cutting or damaging trees and cut underwood and thin cut the upper branches to the extent absolutely necessary for securing the growth of pepper vine.

(iii) He may collect fallen leaves and lop unreserved trees growing in the Kan for 'soppu' to be used in the Kan itself for manure, provided that the leading shoots of the trees and their main branches are not cut or damaged and no twig of more than 8 cms. in girth at the thickest part is lopped for the purpose.

(iv) When the Kan extends to within 45 metres of the Kan-holder's house, he may lop any unreserved trees for 'soppu' within 45 metres of his house on any side subject to the lopping rules. Within those limits, he is allowed full liberty to plant any trees, to carry on any cultivation whatsoever. The Soppu lopped under this clause must be used within the Kan itself.

(v) He may take for **bona fide** domestic purposes, free of payment, under a permit from the local forest Officers, dead wood of unreserved kinds from the Kan.

(b) Dead Bagani trees may be removed from occupied and unoccupied Kans, free of payment, for agricultural implements.

(c) Except in the cases covered by the foregoing Rules the occupant of the Kan shall not, as regards trees growing in the Kan :—

(1) fell or injure any tree whatever, reserved or unreserved ; or

(ii) lop for 'soppu' or otherwise injure or interfere with any reserved trees.

(d) The occupant of the Kan shall not plant Coffee in the Kan and any infringement of the conditions of the Kan tenure by planting Coffee will render the Kan liable to be resumed.

(e) The Government reserves the right of removal of trees from any occupied Kan.

Note:—Such right shall normally be exercised for promoting the natural growth of different species of plants by removing some trees here and there from the Kans so as to admit of light and sun.

(f) If any of the Kan Rules are violated by the occupant of the Kan, or terms of the Kan broken, the Kan shall be resumed by the Government, the offender being further liable to punishment for violation of the forest rules.

135. Chickmagalur District.—(1) In respect of the following Taluks, the privileges are as mentioned in rule 131A (4), (5) and (6).

The Taluks are (1) Mudigere, (2) Koppa, (3) Sringeri.

(2) In respect of the following Taluks, Hoblis and Villages, the privileges are as conceded in Para 131A (5).

1. Narasimharajapura Taluk.

2. Kasaba, Amruthur, Lingadahalli and Lakkavalli hoblis of Tarikere Taluk and

3. the whole of Chickmagalur Taluk with the exception of Mirle and its hamlets in Amble hobli and the whole of Lakya hobli.

(3) In respect of Kans, the privileges conceded are as in Para 134(3).

136. Hassan District.—(1) In respect of Saklespur Taluk, the privileges are as conceded in Para 131A (4), (5) and (6). In respect of the following Taluks and Hoblies, the privileges are as concerned in Para 131A (5):—

1. Alur Taluk and

2. Madihalli, Bikodu, Arehalli and Kasaba hoblis of Belur Taluk.

(2) In respect of Kans, the privileges concerned are as under Para 134(3).

137. Mysore District.—(1) In respect of the following Taluks and Villages, the privileges are conceded as in Para 131A (5):—

1. Heggadadevanakote Taluk.

2. Periyapatna Taluk except Bettadapur and Ravandur hoblis and

3. Hanagodu and Chilkunda hoblis of Hunsur Taluk.

(2) In respect of Kans, the privileges are as conceded in Para 134(3).

(3) In respect of Kollegal Taluk, the following are the privileges conceded:

(i) **Water concession.**—The raiyats may divert water from running streams or springs inside Reserved forests by channels to adjoining fields for cultivation on payment of an annual fee fixed by the Divisional Forest Officer provided that no damage is done to the trees or plants.

(ii) **Concession for opening roads.**—The public may open road through Reserved Forests for their **bona fide** use on payment of an annual rent as fixed by the Divisional Forest Officer.

(4) In respect of Kans, the privileges conceded are as in Para 134(3).

138. S.K. District.

(1) The privileges conceded in respect of S.K. are as in Para 131 A (5) and (6).

(2) **Privileges in Kumki lands.**

(a) Kumki lands include :

(i) Government waste lands within 100 yards (91.74 metres) of assessed lands included in 'Wargs' formed prior to fasli 1276 and

(ii) Banes in the Amara and Sullia Magnes. Kumkidar is a person who is entitled to enjoy the Kumki privileges. A Kumkidar is necessarily either the registered holder, Walawargdar or Mulgenidar of the land to which the Kumki privilege is attached.

(b) The holder of land to which Kumki privileges are attached may enjoy in the Kumki land, free of charge such privileges as he has hitherto enjoyed in the way of grazing of cattle, or of cutting, converting, collecting and removing trees, timber and other forest produce, subject to the following conditions :

(i) that the trees, timber and other forest produce shall be used for agricultural or domestic purposes in the village in which the Kumki land is situated and that it shall be open to the Deputy Commissioner to decide, either generally or in special cases, what shall be considered agricultural or domestic purposes within the meaning of this sub-rule;

(ii) that the privileges shall not be alienated except with the land to which they are attached;

(iii) that no tree of the kind declared as reserved tree shall be cut without the permission issued by the Deputy Commissioner in consultation with the Divisional Forest Officer and such permission shall, if the Divisional Forest Officer sees no objection, be issued free on application;

(iv) that no holder of land to which a 'Bane' is attached can claim kumki rights of any other kind ; and

(v) that the Deputy Commissioner may, at any time, suspend or withdraw all or any of the privileges of Kumki from individuals or from whole villages for any abuse or violation of the Rules, provided that the Deputy Commissioner before making such an order shall record his reasons in writing;

(vi) if an offence is committed in Kumki lands by reason of any negligence or default on the part of the Kumkidar, his agent or his tenant, the Deputy Commissioner may, by an order in writing, impose a penalty by way of fine not exceeding Rs. 200-00 on the Kumkidar provided that the Deputy Commissioner, before making such an order, records his reasons in writing. This penalty is liable to be imposed whether or not a criminal prosecution is instituted against the Kumkidar or any other persons- in respect of the offence, but that the Deputy Commissioner may remit or refund such penalty wholly or in part if in the original prosecution a fine is imposed by the Court and recovered from the offender. If the fine so imposed is not paid by the Kumkidar within the time allowed, the Deputy Commissioner may withdraw all or any of the privileges of Kumki attached to Kadim lands of Kumkidars.

(3) Privileges in 'Assessed Kans'.

(i) 'Assessed Kans' are forest lands in which the assessee is at liberty to collect and cultivate without restriction pepper and cardamom in consideration of the payment of a fixed annual payment ordinarily known as 'Pepper Shist' or 'Cardamom Shist'. The payment of this sum confers only the right to cultivate and gather pepper or cardamom; but the holders of 'Assessed Kans' may also enjoy privileges over them similar to those enjoyed on Kumki lands under sub-rule (1) *supra*, by the holders of lands to which Kumki lands are attached.

(ii) Every holder of 'Assessed Kans' shall be bound to take care that no abuse or violation of the Kumki privileges specified in sub-rule (1) *supra* takes place within his assessed Kan, or within 90 metres therefrom, and in the event of any such abuse or violation taking place and no adequate compensation being made by the holder of the assessed Kan, it shall be open to the Deputy Commissioner to suspend or withdraw the

operation of these rules in respect of any particular assessed Kan or in respect of the Assessed Kans of the whole village in which the abuse or violation occurs and undertake the management thereof, provided that nothing in these, Rules shall operate to prevent actual offenders being prosecuted under the Act or Indian Penal Code.

(iii) The raiyats may remove monsoon grass from Reserved Forests, free of charge.

(iv) The raiyats may divert water from running streams or springs inside Reserved Forests, by channels to adjoining fields for cultivation on payment of an annual fee fixed by the Divisional Forest Officer provided that no damage is done to the trees or plants.

(v) The public may open roads for their bona fide use on payment of annual rent as fixed by the Divisional Forest Officer.

(vi) The following privileges in Reserved Forests are sanctioned to the Villagers whose villages adjoin Reserved Forests for their **bona fide** domestic and agricultural purposes :

(a) Free removal of leaves and shrubs of unreserved trees and dry leaves of all species for litter and manure on permits.

(b) Free removal of dry firewood on head-loads on permits issued by a Forest Officer authorised in this behalf.

(c) Clearance, of undergrowth (shrubs and bushes of unreserved species) to a distance of 500 metres from the limits of private holdings in all Reserved Forests except Muliyar, Kalanjimale and Veerakhamba Reserved Forests.

(d) Clearance of undergrowth (shrubs and bushes of unreserved species) in Muliyar, Kalanjimale and Veerakhamba Reserved Forests to a distance of 200 metres from the limits of private holdings.

Note.—1. Undergrowth, for the purpose of this sub-rule, means growth not above 2 metres in height.

2. Dry firewood, for the purpose of this sub-rule, means billets or parts of dead and fallen trees not more, than 18 cms. in diameter.

139. Coorg District.

(1) The privileges conceded in respect of Coorg District are as mentioned in Para 131 A (5) and (6).

(2) Regarding Bane lands, the privileges are as notified by the Government from time to time.

(3) Use by the public of certain roads in the Reserved Forests of Coorg District for certain purposes.

(i) The public may use the following roads that run in the Reserved Forests of Coorg District subject to the conditions mentioned thereunder :

Name of 'Range	Name of road
1. Somwarpet Range ..	(1) Banawara-Hirekere road. (2) Hudgur-Norahole road.
2. Fraserpet Range ..	(3) Goddehosur-Hurlikal road. (4) Nanjarapatna-Meenkolly road
3. Thithimathi Range ..	(5) Maldare-Tittimathi road. (6) Tittimathi-Tharikatte road. (7) Tittimathi-Hebbalapatna road
4. Nagerhole Range ..	(8) Mathigode-Ganagur-Aramane bane road. (9) Aramanebane-Asthaniapala road. (10) Karmad-Kolangere road.

(11) Kutta-Nallurpala road.

(ii) These roads are open for traffic to the public for the purpose of transporting agricultural and plantation products only either by head-loads or by vehicles.

(iii) These roads shall be open for the traffic specified above from 8.00 a.m. to 5.00 p.m. on all days during the year.

(iv) No person shall carry fire-arms while passing through these roads.

(v) No animal or bird found straying on these roads shall be wounded or destroyed by any person using these roads.

(vi) Any Forest Officer of and above the rank of a Forest Watcher may, at any time, stop any person or vehicle passing through these roads for the purpose of checking that no forest produce is smuggled and all facilities shall be afforded by such person or owner of such vehicle for effecting such check.

(vii) All persons and vehicles passing these roads should stop at the checking Stations (gate) put up by the Government at the places specified below on these roads and shall not proceed until he/it is permitted to proceed by the Officer-in-charge of the Checking Station (gate).

1. Murkal.
2. Balecove.
3. Karmad.
4. Mathigode.
5. Maldare.

(viii) The Government reserves the right to close all or any of the roads for traffic at any time without notice and without assigning any reasons for doing so.

(ix) Any person contravening any of the above conditions shall on conviction by a Magistrate be punishable with fine which may extend to Rs. 500-00.

140. Genimalais in Coorg District.

Genimalais are areas of evergreen forests leased out of Cardamom cultivation for a specified lease period and on recovery of specified lease rent.

The lease period of Genimalais, the termination or renewal of original leases, and the lease rent shall be as determined by the State Government from time to time.

141. Jammamalais contain the right for cultivation of Cardamom granted by the Coorg Rajas but the Jammamalai holders do not hold any proprietary rights on the Malais. The Jammamalais are not transferable and treated as inclosure within the Reserve forest.

Jammamalaigars shall have right only to cultivate Cardamom in the Jammamalais. The regulation of tree growth as is necessary for the preparation of Cardamom plots or to further the development of the Cardamom crop, and the assessment recovery shall be as determined by the State Government from time to time.

(iii) General Privileges

142. The general privileges shall apply to the entire State to all the Forest villages and as well as to the adjoining villages.

(1) No one will be prohibited from drawing water in forests in cases where it is not procurable elsewhere within a reasonable distance.

(2) Without detriment to the Ecology conservancy and Development, permission will be given freely for the clearance of choked up tanks and channels and for the removal of forest growth obstructing the flow of water.

(3) Under special circumstances and in case of acute necessity such as want of other source of water or during famine condition, the Divisional Forest Officer may at his discretion permit drawal of water from any tank, pond and such other natural source of water in forest areas and also permit digging of wells and channels for agricultural purposes.

(4) Free grazing in open forests may be allowed under permits subject to restrictions laid down in the grazing rules in force provided no Forest Area will be closed to grazing within 400 mtrs. of a village side except plantation.

(5) Access to the open grazing areas in open forests in the interior will be granted by the allotment of approach roads.

(6) Removal of stones, earth, fallen leaves and grass from places approved by the Divisional Forest Officer for the **bona fide** domestic and agricultural use.

(7) In case of destruction by fire of houses in Forest Areas, the timber of inferior species and bamboos required temporary huts will be made available on production a certificate from the Tahsildar.

(8) Free removal of dried firewood on head-loads is permitted only from District Forests for purposes of **bona fide** use and not for sale or barter. In case there is no District Forest nearby, dried firewood may be given from the nearest Protected or Reserved Forests subject to prior approval by the Conservator of Forests. Dried firewood for this purpose means billets not more than 8 cms. in diameter or parts dead and fallen trees.

(9) Removal of thorns and shrubs from the District Forests and Amrithmahal Kaval may be granted to the cultivating ryots on **mafi** licenses.

(10) The Date farm leaves (Kirchalu) may be permitted or removal free of payment from District Forests.

(11) The right of collecting the following minor forest produce freely may be considered at the discretion of the Divisional Forest Officer to villagers for their own **bona fide** domestic uses subject to withdrawal in case of any abuse of the concession from the District Forests :—

- | | |
|-------------------------|---------------------|
| 1. Kare or Garchannu | 35. Budamekayi |
| 2. Amte Kayi | 36. Thonde hannu |
| 3. Nellikayi | 37. adahagalakayi |
| 4. Kirinellikayi | 38. Challehannu |
| 5. Yelchi fruit | 39. Turakaharalu |
| 6. Karibevu fruit | 40. Yagachi hannu |
| 7. Gulganji | 41. Kadubale |
| 8. Magail Beru | 42. Bidarakki |
| 9. Gandagase | 43. Kudagali hannu |
| 10. Tupre fruit | 44. Sonde Kayi |
| 11. Sagade Beru | 45. Heddalike hanuu |
| 12. Kadugenasu | 46. Yesali hannu |
| 13. Daturi seed | 47. Sodlihannu |
| 14. Neem fruit and seed | 48. Hadgahannu |
| 15. Narve hannu | 49. Uppi |
| 16. Devadari hannu | 50. Vate |

- | | |
|---------------------|------------------------|
| 17. Bikke hannu. | 51. Murakalu |
| 18. Nerale haunu | 52. Hale |
| 19. Kurdi kai | 53. Garjige or Karjige |
| 20. Gutti | 54. Chotti |
| 21. Mallali | 55. Japalu |
| 22. Mindi | 56. Jummanakayi |
| 23. Alli | 57. Sibe |
| 24. Parakali | 58. Malaveballi |
| 25. Atti hannu | 59. Kasarakanakayi |
| 26. Alada hannu | 60. Ganagalakayi |
| 27. Goni liannu | 61. Bemmaralahannu |
| 28. Nagare hannu | 62. Ranjada hannu |
| 29. Kayali hannu | 63. Kallujarupe hanuu |
| 30. Basari hannu | 64. Parangi hannu |
| 31. Bore hanim | 65. Siprihannu |
| 32. Huli hannu | 66. Haramalika hannu |
| 33. Ustihannu | 67. Janihanau |
| 34. Kondamukadi kay | 68. Murkihannu |

(12) The villagers are entitled to receive freely seedlings of miscellaneous species including Sandal for purposes of planting in their farm lands and waste lands from the Range Forest Officers having jurisdiction.

(13) The cultivating ryots may be permitted to cut and remove fallen and dead trees for purposes of fence posts. The species from which the fence posts will be prepared will be generally inferior species and will be fixed by the Divisional Forest Officer from time to time

143. (1) Timber or other forest produce shall not be given free at the expense of the Forest Department in the real sense either to any individual person or to any category persons, since the Forest Department is a commercial Department. However in case of emergencies like accidental fire, floods, Earth-quakes, infectious diseases like plague cholera and other natural calamities, the Department supply the forest produce immediately without any delay on receipt of indents from the, concerned administrative Department incharge of ameliorating such calamities. After supply as indented by the Department concerned, the Forest Department shall get the entire value of the forest produce supplied reimbursed. For this purpose, the value shall be assessed at the seigniorage rates to be sanctioned from time to time by the Chief Conservator of Forest (General).

(2) The forest produce to be supplied in such cases shall be from the established Government Depots and if not possible from the District Forests or Protected Forests or Village Forests or Unreserved lands or Revenue waste lands only. Even when this is not possible, then the supplies can made from the nearest Reserved Forests provided the provisions of any Working Plans covering the area shall not contravened without the formal sanction of the Government.

(3) Supplies to meet the natural calamities shall be made expeditiously by avoiding delay.

(4) In case of individual grants subject to reimbursement by the concerned administrative department and under the express indent and requisition from the concerned administrative department, timber or other forest produce may be made to the individual party out of Sale Depots or from regular fellings if any in the vicinity. The selection of

trees estimated to give required quantity of timber should be made by an Officer not lower than the rank of that of a Forester. In case of any excess, the same may be allowed to be removed by the grantee on payment at twice the seigniorage rate.

(5) In all cases of supply in the case of calamities as well as individual cases, the sanctioning authority will intimate the concerned Divisional Forest Officer about the money value of the free grants sanctioned by him and thereupon the latter officer will issue mafi license specifying the name of the Depot or Forest from where, the materials have to be removed. Separate license shall be issued to each person for the quantity sanctioned to him except in cases where the materials covered by the license or required to be distributed among several persons.

(6) In times of famine or severe scarcity, Anjan leaves should be given free.

144. Leaves of fodder or green manure value may be given to deserving cultivating ryots at the sanctioned seigniorage rates sanctioned from time to time provided such removals do not affect the forest conservancy and other works and prior orders of the Divisional Forest Officer are obtained.

145. Artisans engaged in handicrafts as mentioned under Rule 84 (vi) of the Karnataka Forest Rules 1969 may be given forest produce at the specified quantity and rate fixed by the Chief Conservator of Forests (General) from time to time. The cases that come under this group are:

Medras and Buruds, Artisans involved in making toys, rope and mat making, tanning, etc.

146. Sandalwood may be sold to the Artisans engaged in carving, i.e., Gudigars subject to availability of stocks at the rates sanctioned by Government from time to time subject to production of a certificate from the Department of Industries and Commerce.

(2) The Forest Department shall prefer monthly bills and claim the subsidy value from the Industries and Commerce Department.

(4) All Gudigars and other people who are entitled for concession shall have to comply with Rules 118, 119, 120, 121, 122 and 123 of the Karnataka Forest Rules 1969 and other related provisions under Karnataka Forest Act 1963 and Karnataka Forest Rules 1969.

147. Each Divisional Forest Officer shall maintain a register of all supplies and disposals of forest produce made in his Division to:

(i) fire accident cases,

(ii) cases involving natural calamities such as floods, earth-quake, infectious diseases and famine,

(iii) supplies to artisans,

(iv) individual grantees and other cases and forward the quarterly extract to the Conservator of Forests and the Chief Conservator of Forests for bringing to the notice of the Government and also to report on any excessive or irregular grant made in addition to the annual report.

The register shall be in Form No. 33.

148. The practice of shifting cultivation shall be completely dispensed with.

149. However where there is demand for taking up plantations on Agri-Silvi basis, the Divisional Forest Officer at his discretion may give plantations to deserving persons who are usually landless persons. The important principle to be followed in giving plantations under the Agri-Silvi practice are:

(i) No concession shall be given to Tangyadars which will jeopardise the growth of the forest species planted.

(ii) Agricultural crops which will hinder the successful growth of the forest species shall not be permitted.

(iii) The permission to raise agricultural crop shall be normally free in lieu of the services rendered by them in planting the forest species and subsequent aftercare such as soil hoeing, weeding and fire-tracing. However in certain cases where the Tangyadars do not come forward to go in for agricultural crops without rendering any services, in such cases, if the Divisional Forest Officer decides to permit such Tangyadars it shall be on collection of rental which will not be less than Rs. 250-00 per hectare. However this rent could be reduced or waived if the plantations are threatened with heavy weeds like Eupatorium or Strobilanthus which would normally consume heavy expenditure for weeding. By virtue of allowing the Tangyadars to cultivate the agricultural crops if it is possible to reduce the weed growth and consequently the cost on weeding, the Divisional Forest Officer can waive or reduce the Tangya rental.

(iv) Strict precaution shall be taken to see that no damages to the surrounding tree growth or occurrence of fire by the Tangyadars or his family members take place in the plantation area.

(v) No plantations shall be given to Tangyadars on Agri-Silvi basis without getting prior agreement executed for the purpose. The agreement shall be as in Form No. 34.

SCHEDULE 'A'

(RESERVED SPECIES)

[Para 131A(3)]

Botanical name

1. Sandal	.. Santalum album
2. Teak	.. Tectona grandis
3. Rosewood	.. Dalbergia latifolia
4. Ebony or Karimara	.. Diospyros ebenum
5. Surahonne	.. Callophyllum Tomentosum
6. Shivani	.. Gmelina arborea
7. Kallumuthuga or Kalluhonne.	.. Ougenia dalbergioides
8. Honne	.. Petrocarpus marsupium
9. Halasu	.. Artocarpus integrifolia
10. Hebbalasu	.. Artocarpus hirsuta
11. Kiralbogi	.. Hopea parviflora
12. White Cedar or Devagarige.	.. Dysoxylum malabaricum
13. Kalarige	.. Chukrassia tabularis
14. Red Cedar or Gandhagarige.	.. Cedrela toona
15. Yennemara	.. Hardwickia pinnata
16. Kaidupa	.. Canaricum strictum
17. Dhuma	.. Dipterocarpus indicus
18. Dhupa	.. Vateria indica
19. Halamaddi	.. Ailanthus malabarica
20. Yayimara	.. Ailanthus excelsa
21. Cinnamon	.. Cinnamomum zeylanica
22. Hadasale	.. Dichopsis ellipticum

23. Sattaga	.. Elaeocarpus tuberculatus
24. Gulmavu	.. Machilus macarantha
25. Chunga	.. Symplocas spicata
26. Makali	.. Evodia roxburghiana
27. Arisina Guragi	.. Garcinia morella
28. Kadagelumurug or Murugulu.	.. Garcinia indica
29. Guragi or Uppagi	.. Garcinia cambogia
30. Mavu	.. Mangifera indica
31. Buruga	.. Salmalia malabaricum
32. Doddathoppe	.. Hymenodictyon exelsum
33. Kyasatte	.. Eleocarpus serratus
34. Jummanamara	.. Xanthoxylum thetsa
35. Jalari, jhall	.. Shorea talura
36. Kaggali	.. Acacia catechu
37. Kendala, Sagae	.. Schleicheria trijuga
38. Hurugalu or Satinwood	.. Chloroxylon sweitenia
39. Alale	.. Terminalia chebula
40. Bore	.. Zyzyphus jujube
41. Hunise	.. Tamarindus indica
42. Kasarike, Kajri	.. Strychnos nux-vomica
43. Geru	.. Semicarpus anacardium
44. Ippe, Mhowrar	.. Bassia latifolia, Bassia longifolia
45. Antawala or soapnut	.. Sapindus eraarginatus
46. Dhupadamara or sambrani.	.. Boswellia serrata
47. Cashew	.. Anacardium occidentale
48. Honge	.. Pongamia glabra
49. Surati	.. Hydnocarpus wightianum
50. Naihalasu	.. Carallia lucida
51. Bile-hebbalasu	.. Lophopetalum wightianum
52. Silver oak	.. Greyillea robusta
53. Maddale	.. Alstonia scholaris
54. Neerulli, Gobharneralu	.. Bischofia javanica
55. Halthadi or Hanalthari	.. Elaeocarupus ablorgus
56. Karachi or Kamara	.. Hardwickia binata
57. Yettiga	.. Adina cardifolia
58. Nerale	.. Eugenia jambolana

SCHEDULE 'B'

[Para 131A(4)]

		Rate per Cft.
1. Hole Honne	Callophyllum weightianum	3.00
2. Matti	Terminalia tomentosa	3.50
3. Nandi	Lagerstroemia lanceolata	3.50
4. Belematti or Torematti	Terminalia arjuna	1.50
5. Jambe	Xylia xylocarpar	2.00
6. Naviladi or Banagir	Vitex altissima	2.00
7. Hunal or Huluve	Terminalia paniculata	2.00

8.	Bage or Siris	<i>Albizzia lebbek</i>	2.00
9.	Bilwara or Godhune	<i>Albizzia odoratissima</i>	2.00
10.	Bellatte	<i>Albizzia procera</i>	2.00
11	Thadasal	<i>Grewia tiliaeofolia</i>	2.00
.			
12	Nanja or Bokli	<i>Mimusops elengi</i>	2.00
.			
13	Massi or Phudgus	<i>Alseodaphne semicarpifolia</i>	1.50
.			
14	Dindiga	<i>Anogeissus latifolia</i>	1.00
.			
15	Kadavala or Kalamb	<i>Stephegryne parvifolia</i>	1.50
.			
16	Goje or Kavanchi	<i>Bridelia retusa</i>	1.00
.			
17	Genasu or Godi	<i>Stereospermum xylocarpum</i>	1.50
.			
18	Hessare or Ubalu	<i>Saccopetalum tomentosum</i>	1.00
.			
19	Haiga or Kabsi	<i>Hopea wightiana</i>	1.50
.			
20	Manjuti	<i>Adenantha pavonina</i>	1.00
.			
21	Atti, Umbar	<i>Ficus glomerata</i>	1.00
.			
22	Banyan or Ala	<i>Ficus bengalensis</i>	1.00
.			
23	Basri	<i>Ficus infectoria</i>	1.00
.			
24	Goli or Goni	<i>Ficus mysorensis</i>	1.00
.			
25	Pipal or Arali	<i>Ficus religiosa</i>	1.00

Note: In addition to the rates detailed along side the species average rate of Rs. 1.50 per Cft. will be chargeable towards the cost of felling, extraction and transport to the Depot.

CHAPTER XI
SPECIAL RULES REGARDING ROSEWOOD

Rules concerning cutting, felling and sale of disposal of Beete trees (*Dalbergia latifolia*).

150. On receipt of application in Form No. 45 provided in Rule 127(a) of the Karnataka Forest Rules, the Divisional Forest Officer will refer such application along with his observations to:

(1) in the case of Coorg District, to the Deputy Commissioner, Coorg District, Mercara, where the value of the tree growth involved is more than Rs. 50,000 and in all other cases to the Assistant Commissioner having the jurisdiction,

(2) in other Districts to the Deputy Commissioner in cases where the value of the tree growth exceeds Rs. 10,000 and to the Assistant Commissioner having the jurisdiction in case the value is within Rs. 10,000-00,

(3) he will obtain the following details from the concerned Deputy Commissioner or the Assistant Commissioner :

(a) a sketch prepared by a competent Revenue Surveyor showing the Survey number countersigned by the Assistant Superintendent of Land Records clearly specifying that the concerned tree growth applied for is situated within the survey number specified in the application,

(b) obtain clear opinion about the ownership of the tree growth in the survey number and whether the tree growth belongs to the applicant or not.

151. On receipt of the sketch along with the opinion of the Deputy Commissioner or the Assistant Commissioner concerned, the Divisional Forest Officer will scrutinise the application and in case the tree growth is situated within the survey number applied for and if certified by the Deputy Commissioner or the Assistant Commissioner concerned that the tree growth belongs to the applicant and if silviculturally found feasible, he may take further action as per Rule 127(a).

Release of Rosewood—Procedure.

152. The following procedure will be followed regarding release of Rosewood and issue of passes for transport outside the State;

(1) In respect of release of the Rose-wood from the Government Timber Depots, under proper authority, the passes may also be issued by the Divisional Forest Officer, when the Rosewood logs are intended to be transported outside the State. Government Hammer mark for release of such timber should invariably be put on the logs.

(2) When the Rosewood logs to be released are intended to be transported to Cochin Port or Calicut, telegram should be sent by the Divisional Forest Officer to the Divisional Forest Officer, Cochin Port (Kerala State or the Divisional Forest Officer, Khozikode) as the case may be immediately at the time of issue of the transit pass indicating therein, the lorry number, date and time of departure, pass numbers, number and quantity of Rosewood logs along with its measurements and the hammer mark etc., Post copy of the telegram should also be endorsed to the Officer incharge, Forest Mobile Squads stationed at the border.

(3) A copy of the transit pass should be posted to the Divisional Forest Officer, Cochin Port or the Divisional Forest Officer, Khozikode as the case may be on the very day by express delivery.

(4) One Guard should accompany the vehicle transporting the Rosewood logs and going to Kerala, right from the starting point to destination end in Kerala State. For this purpose, a batch of guards should be reserved and stationed exclusively for this duty. A Guard accompanying the vehicle from the starting point should be relieved at the border post and another Guard should accompany the vehicle from the border post to the destination end in Kerala.

(5) To facilitate proper implementation of this procedure, limited number of routes should be prescribed for entry of the loaded vehicles into Kerala State and notified for the information of the public.

(6) All the Check posts enroute and the Forest Mobile Squad including the special Police (Forest Cell) should be alerted to enforce strict vigilance over the movements of Rose-wood in addition to other forest produce.

(7) Acknowledgement of receipt of the copy of the pass should be obtained from the, Divisional Forest Officer, Cochin Port or the Divisional Forest Officer, Khozikode by the Guard accompanying and filed by the concerned Divisional Forest Officer.

(8) All the pass books and the counter foils of passes in respect of release of Rosewood logs outside the State should be in the safe custody of the Divisional Forest Officer.

(9) In case the Rosewood timber is transported to Kerala by Rail, a Forest Guard need not accompany the load.

153. Towards the implementation of rules regarding the disposal of Beete timber received in the Government Timber Depots from the private holdings, the following instructions should be carried out:

(i) The Divisional Forest Officer on receipt of details of Rosewood logs delivered in the Depot shall pay 50 per cent of the provisional purchase price. The provisional purchase price for the various classifications of Rosewood timber may be proposed by the Chief Conservator of Forests to Government for sanction. The balance purchase price is to be paid to the owner after the concerned logs are sold in auction and the sale proceeds are realised, after deducting the following:

(a) Ten per cent of the sale proceeds towards supervision charges.

(b) cost of felling, conversion, dragging, loading, transportation, unloading at the Depots, lotting and octroi or other municipal levies enroute,

(c) any other incidental cost.

(ii) Government will constitute a Committee to go in-o the grievances concerning classification of the tree or timber on the basis of which 50 per cent of the provisional value is to be paid. The concerned owner of the tree should remit together with his application an **Earnest Money Deposit** of Rs. 1,000-00. If the appeal is proved to be baseless this amount would be forfeited to Government while if it is accepted by the Committee, after adjusting the expenditure incurred by the Committee on this specific enquiry the balance amount will be refunded.

(iii) The Rosewood logs received in the Depots under these rules should be arranged to be sold within 3 months from the date of receipt of the logs in the Depot. The owner of the timber should be informed of the sale and he will have the right to offer the final bid.

(iv) If the price received in the sale is less than the advance paid to the owner and the exploitation and supervision charges then the difference may be recovered from the owner within one week's time. This condition may be made known before payment of 50 per cent value is made. If this is not paid, the dues should be recovered as arrears of land revenue.

(v) The purchaser of Rosewood in auction sales should get clearance from the concerned Divisional Forest Officer as regards its timber disposal.

(vi) The responsibility over the Rosewood timber once it is taken over from the grower shall be of the Government and in case of theft or fire damage the value as per classification should be paid to the owner.

(vii) Any owner intending, to retain Beete timber for his bonafide personal use can be permitted to retain up to 10 cubic metres by the Chief Conservator of Forests or any officer authorised by him. This limit may be relaxed by Government in individual cases on merits.

CHAPTER XII
PROSPECTING AND MINING LEASES

154. No prospecting or mining lease shall ordinarily be recommended for grant from tracts of various forest areas containing valuable growth or capable of bearing rich forest growth if afforested or reforested.

155. Areas under steep slopes where problems of soil erosion are likely to crop up if operated for prospecting or mining purposes and catchment areas of river valley project reservoirs shall not be recommended for grant.

156. When at any time an application for such prospecting license or mining lease in any area is recommended for rejection, the same area should not be subsequently recommended for grant unless the circumstances have altered.

157. Prospecting and mining as practiced at present by sporadic exploitation of minerals by surface collection in digging pits here and there results in rendering the forest area unproductive and therefore as far as possible only unproductive forest areas should be allowed for prospecting and mining operations. Even here, such areas are to be restored after prospecting and mining is over. For this purpose, as soon as the leased period is over, the leased land shall be resumed and immediate measures are to be taken by the Forest Department to reforest it.

158. No prospecting or mining lease shall be granted by the Director of Mines and Geology or the Department of Industries and Commerce until and unless the Chief Conservator of Forests (General) or the Forest Department concur to such lease.

159. In addition to the normal clauses of the agreement entered into by the Director of Mines and Geology for prospecting or mining lease, he shall also include conditions stipulated by the Forest Department additionally while recommending the grant of leases.

160. The conditions specified in the agreements concerning the prospecting and mining leases which will be supplied by the Director of Mines and Geology contains provisions concerning obtaining prior permission by the Lessees or Licensees to enter the forests, not to cut any tree growth or do other type of damages, prevent occurrence of fire and pay compensation for any damages etc. The Divisional Forest Officer in whose jurisdiction such prospecting or mining occurs shall go through the lease agreement or license conditions carefully before the expiry of the lease or the license period and take such appropriate action before the Lessee or the Licensee leaves the area after prospecting mining or removal of minerals.

161. Minor minerals have been defined as forest produce under Karnataka Forest Act 1963. Hence, the officials of the Forest Department have been granting permits for exploitation of minor minerals and in some cases have been "auctioning quarry rights for certain purposes which is usually for a period of one or two years in the Reserve forest areas. However such removals will have to be also in consonance with the Karnataka Minor Minerals Concession Rules 1969. A Notification empowering the officers of the Forest Department to issue such permits for exploitation or to dispose oil such minor minerals is enclosed herewith.

GOVERNMENT OF KARNATAKA
No. CI-189-EMM-75, Bangalore, dated 5th July 1976
NOTIFICATION

In exercise of the powers conferred by clause (b) of sub-rule (1) of rule 2 of the Karnataka Minor Mineral Concession Rules, 1969, and in supersession of the Notification No. CI 265-EMM-74, dated 31st December 1974, the Government of Karnataka hereby appoints the officers in column 1, as the competent officers in respect of the areas specified in column 2 of the Table below to perform the functions of the competent officers under the said rules.

TABLE

Competent Officers	Areas
1	2
1. Conservator of Forests, Shimoga and Chickmagalur Districts Shimoga Circle.	
2. Conservator of Forests, Chitradurga, Bellary, Raichur, Gulbarga and, Bidar Bellary Circle.	Districts.
3. Conservator of Forests, Belgaum, Dharwar and Bijapur Districts Belgaum Circle.	
4. Conservator of Forests, North Kanara District Kanara Circle.	
5. Conservator of Forests, Hassan Coorg and South Kanara Districts and Coorg Circle.	Hunsur, Periyapatna and K. R. Nagar taluks of Mysore Districts.
6. Conservator of Forests, Mysore District excluding, Hunsur, Periyapatna and Mysore Circle.	K. R. Nagar Taluks and the Bandipur Tiger Reserve Area and Man Mandya District
7. Conservator of Forests, Bangalore, Kolar and Tumkur Districts Bangalore Circle.	
8. Field Director, Tiger, Mysore.	Project Portion of Mysore District falling in Bandipur Tiger Reserve Area.
9. Deputy Director (Plan Scheme,) Mines and Geology, Bangalore.	(Plan In respect of areas other than the Forests.

By Order and in the name of the Governor of Karnataka,

B. KUBERAPPA,

Under Secretary to Government,
Commerce and Industries Department.

For this purpose, the Chief Conservator of Forests (General) is the Controlling Officer in the case of the lands incharge of the Forest Department as per rule 2(c) of the Karnataka Minor Mineral Concession Rules, 1969.

162. The list of Minor minerals and the royalty leviable on such minor minerals shall be as under:

1. (a) Limestone and Kankar used in Kilns for 0.65 per metric tone or Rs. 2.60 per manufacture of lime used as building material. brass.
- (b) Used limestone blocks Rs. 1.50 per tone or Rs. 6.00 per brass.

- (c) Limestone used for other purposes, including Rs. 3.00 per metric ton or Rs. 12.00 coloured limestone used for manufacture of per brass. chips and other articles.
2. (a) Marble-dressed, carved and rough and marble slabs. Rs. 25.00 per metric ton or Rs. 100 per brass.
- (b) Marble chips, powder and ballast. Rs. 3.00 per metric ton or Rs. 12 per brass.
3. (a) All other building stones, used as dressed stones or as chips ballast, etc. Rs. 0.50 per metric ton or Rs. 2 per brass.
4. (a) Boulders, Shingle, gravel, murrain ordinary sand and Kankar, all used for constructional purposes by excavation or collection. 0.20 per metric ton or Rs. 0.80 per brass.
- (b) Pebbles and nodules of chalcedony, quartzite flint, etc., (used for ball mill and other purposes). Rs. 5.00 per metric ton Rs. 20.00 per brass.
5. (a) Ordinary clay used by the village potter. Rs. 0.50 per metric ton or Rs. 2 per brass.
- (b) Ordinary clay or silt, used in the manufacture of tiles and used for industrial purposes. Rs. 0.25 per metric ton or Rs. 1.00 per brass.
- (c) Ordinary clay or silt used for constructional purpose. Rs. 0.20 per metric ton or Rs. 0.80 per brass.
6. Rehmatti Rs. 2.50 per metric ton or Rs. 10.00 per brass.
7. Slates and shales when used for building purposes. Rs. 1.50 per metric ton or Rs. 6.00 per brass.
8. Brick-earth Rs. 0.15 per metric ton of earth, or Rs. 0.50 per 1,000 manufactured bricks 3" at kiln.
9. Fuller's earth and Bentonite Rs. 12.00 per metric ton or Rs. 48.00 per brass.

The Divisional Forest Officer shall recover the royalty at the above rates and credit to the Forest revenue whenever such minerals are allowed to be removed from the Reserve Forest or Protected Forest areas under the control of the Forest Department.

**KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)**

FORM NO. 1. (Rule 13)

NOTIFICATION UNDER SECTION 4 OF THE KARNATAKA FOREST ACT.

No..... dated, Bangalore, the

In exercise of the powers conferred by Section 4 of the Karnataka Forest Act, 1963, the Government of Karnataka is pleased to declare that it is proposed to constitute the land in the village..... talukDistrict specified in the Schedule hereto annexed as Reserved Forest:

SCHEDULE

Village	Survey Number	Area	Boundary description
---------	---------------	------	----------------------

2. The Assistant Commissioner/Revenue Sub Divisional Officer, (.....) is hereby appointed, under Clause (c) of the same Section, to be the Forest Settlement Officer to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over this land.

3. Under Section 16(1) of the said Act, the Karnataka Revenue Appellate Tribunal is empowered to hear appeals from aggrieved persons, preferred within 3 months, from any orders passed by the said Forest Settlement Officer under Sections 11, 12 and 14 of the said Act.

4. Under Section 16(2) of the said Act, any person aggrieved by an order under Section 15 may appeal to the District Court, within 3 months from the date of such order.

By order and in the name

.....

KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)

FORM NO. 1A (Rule 13)

Statement of Lands taken up for the.....Proposed Reserved Forest in the.....
District.

Taluk	Hobli	Village	Assessed occupied	Total area of the village		Gomal	Total of columns 4 to 7		
(1)	(2)	(3)	(4)	Assessed waste	Kharab	(7)	(8)		
Details of area taken									
	Occupied		Assessed Waste			Kharab		Gomal	
Sl.No.	Area	Assessment	Sl.No.	Area	Assessment	Sl.No.	Area	Sl.No.	Area
	(9)			(10)		(11)		(12)	
Area remaining for Village out of Kharab and Gomal Lands									
Total columns 9 to 12		Kharab less assignments for Gomal	Gomal assignments from Kharab	Total	No. of cattle	Compensation awarded for occupied lands acquired (Column 9)			
(13)		(14)	(15)	(16)	(17)	(18)			

**KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM NO. 2 (RULE 15).**

Proclamation under section 5 of the Karnataka Forest Act 1963.

(Proclamation shall be in Kannada or in any regional language of the area and be published at the Head'-quarters of each Taluk concerned).

Whereas by a notification published at page.....of the official gazette of the Government of Karnataka dated.....month..... year it has been decided to constitute into a Reserve Forest of the block of land comprised within the following limits (enter reserve forests proposed).

It is hereby notified for the general information, that between the date of publication of this proclamation under Section 5 and of the final notification to be issued under Section 17 of the Karnataka Forest Act,

(1) no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in writing made or entered into by or on behalf of the Government or some person in whom such right, or power to create such right was vested, when the notification was issued,

(2) no new house shall be built or plantation formed on such land,

(3) no fresh clearance for cultivation or for any other purpose shall be made, on such land,

(4) no tree shall be cut for the purpose of trade or manufacture, on such land,

(5) no patta or right of occupancy shall without the previous sanction of the State Government be granted in respect of such land and every patta or right of occupancy granted without such sanction shall be null and void,

(6) no Civil Court shall entertain any suit to establish any right in or over any land or to the Forest produce of any land included in this proclamation.

All persons, therefore claiming any rights in any of the said lands to any of the forest produce thereof are hereby required to state to the undersigned, either personally and orally or by a written statement, within three months from the date of the publication of this proclamation in the official gazette, the nature of the rights claimed and to produce all documents in support thereof.

All rights in respect of which no claims are preferred within the aforesaid period will, after the lands have been declared by notification in the official gazette under Section 17 as Reserve forest shall become extinguished.

.....
Forest Settlement Officer.

**KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM NO. 3 (RULE 24)**

No dated, Bangalore, the

In exercise of the powers conferred by Section 17 of the Karnataka Forest Act, 1963, the Government of Karnataka are pleased, with reference to Government Notification No.....dated..... to declare the land in the.....villageTaluk District, specified in the schedule hereto annexed, to be a 'Reserved Forest' with effect from..... subject to the exercise of rights specified at foot thereof.

SCHEDULE

Village	Survey	Numbers	Name of Block	Area
..
..
..
..

BOUNDARIES

North
 East
 South
 West

RIGHTS

.....

By order and in the name of the

KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM No 4 (Rule 26)

Proclamation under Section 18 of the Karnataka Forest Act 1963.

(Proclamation shall be in Kannada or any other regional language of the area and be published in the official gazette and at the Headquarters of the Taluk in which the Forest is situated and in every town and village in the neighbourhood of such forest).

Whereas by notification under Section 17 of the Karnataka Forest Act 1963 published at Page..... of the official gazette of the Government of Karnataka dated..... month.....year....., the Government of Karnataka have declared the land in thevillageTaluk of.....District, specified in the schedule hereto annexed, to be a reserve forest with effect from....., it is hereby notified for the general information that with effect from the said date, the land will be a reserved forest, and

from the said date :

(1) no right of any description shall be acquired in or over a reserved forest, except by succession or under a grant or contract in writing made by or on behalf of the State Government or some person in whom such right or the power to create such right was vested when the notification under Section 17 was published,

(2) notwithstanding anything contained in (1) above, no right continued under Section 14 shall be alienated by way of grant, sale, lease, mortgage or otherwise without the sanction of the State Government ;

Provided that, when any such right is appendant to any land or building it may be sold or otherwise alienated with such land or building without such sanction,

(3) the benefit of any right continued under Section 14 of the Karnataka Forest Act shall not in any case be leased, sold or bartered except to the extent defined by the order recorded under that Section or under, Section 16, and any such lease, sale or barter shall be void,

(4) any person leasing, selling or bartering the benefits of any right continued under Section 14 in contravention of (3) above shall, on conviction, be punishable with fine which may extend to one thousand rupees.

(5) Any person who :

(a) makes any fresh clearing prohibited by Section 6, or

(b) sets fire to a reserved forest or; in contravention of any rules made by the State Government in this behalf, kindles any fire, or leaces any fire burning, in such manner as to end-danger such a forest;

or any person who, in a reserved forest:

(c) in contravention of the rules made in this behalf by the State Government:

(i) kindles, keeps or carries any fire except at such seasons as the Forest Officer may notify in this behalf;

(ii) trespasses or pastures cattle, or permits cattle to trespass ;

(d) causes any damage by negligence in felling any tree or cutting or dragging any timber ;

(e) fells, cuts, girdles, lops, taps or burns any tree or strips off the bark or leaves from, or otherwise damages the same ;

(f) quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest produce;

(g) clears or breaks up any land for cultivation or any other purpose; or

(h) damages, alters or removes any cairns, wall, ditch embankment, fence, hedge, or railing ;

(i) poisons or dynamites water; or

(j) in contravention of any rules, hunts, shoots, fishes or sets traps or snares, or who abets committing of any of the above prohibited acts shall, on conviction, 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, and in addition be liable to pay such compensation for the damage done to the forests as the convicting court may direct to be paid.

(6) Nothing stated in the above Section shall be deemed to prohibit:

(a) the exercise, in accordance with the rules, if any, made under Section 14, of any, right continued under that section; or

(b) the exercise of any right Created by grant or contract in the manner described in Section 20; or

(c) any act done with the permission in writing of a Forest Officer duly empowered to grant such permission, or under any rule made by the State Government,

(7) Whenever fire is caused willfully or by gross negligence in a reserved forest by a person having rights in such forest or by any person in his employment or whenever any person having rights in such forest contravenes the provision of Section 21, the State Government may, without prejudice to any punishment under this Act, direct that in such forest, or any specified portion thereof, the exercise of all or any of the rights of pasture or to forest produce of any such person shall be extinguished, or for such period as it thinks fit, be suspended,

(8) the Forest Office i.e. the Conservator of Forests or the Divisional Forest Officer concerned may with the previous sanction of the Chief Conservator of Forests by order notified in the official gazette, stop any public or private way or water course in a reserved forest,

Provided that for the way or water course so stopped another way or water, course which is equally convenient, already exists or has been provided or constructed;

Provided further that no wafer course feeding a tank or other reservoir shall be stopped except after consulting the Executive Engineer having jurisdiction over such tanks or reservoir.

Any person aggrieved by the order as above regarding stoppage of ways and water courses may within 90 days from the date of publication of the order in the official gazette, appeal to the Karnataka Revenue Appellate Tribunal and its decision thereon shall be final.

(9) The list of rights admitted in the above reserved forest is given below in the schedule.

KARNATAKA FOREST DEPARTMENT.
(KARNATAKA FOREST MANUAL)
FORM NO. 5 (RULE 32).

**RE-NOTIFYING BOUNDARIES OF FOREST UNDER SECTION 19 OF THE
KARNATAKA FOREST ACT.**

No..... Bangalore, dated

With reference to Government Notification No..... datedpublished under Section T7 of the Karnataka Forest Act, 1963, declaring the forest to be a Reserved Forest, the Government of Karnataka is pleased to direct that the following amended and more accurate description of the boundaries of the, said forest be submitted substituted for the description contained in the said notification.

BOUNDARIES.

Existing.	Amended.
North.....
South.....
East.....
West.....
	By order, etc.

KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM NO. 6 (RULE 33 (7))

NOTIFICATION FOR DISAFFORESTATION OF RESERVED FORESTS UNDER
SECTION 28 OF THE KARNATAKA FOREST ACT.

No..... Bangalore, dated

In exercise of the powers conferred by Section 28 of the Karnataka forest Act, 1963, the Government of Karnataka is pleased to direct that the area specified below, which in Government Notification Nodated was declared to be Reserved Forest under Section of the Karnataka Forest Act, 1963, shall cease to be Reserved Forest from

Village

Sy. No. Area

By order, etc

Boundaries.

By order, etc.....

**KARNATAKA FOREST DEPARTMENT.
(KARNATAKA FOREST MANUAL)
FORM NO 7 (RULE 38)**

(FORM OF NOTIFICATION OF SUBDIVISIONS OF FOREST SURVEY NUMBERS)

No..... Bangalore dated.....

It is hereby notified that survey Nos.....village, of
Taluk mentioned in Government Notification No.....dated.....
issued under Section 17 of the Karnataka Forest Act, 1963 has/have been split up into
separate plots as shown below:

Village	Already notified		New pots	
	Survey numbers	Area	Survey numbers	Area

By order and in the name of.....

KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM No. 8 (RULE 43)
NOTIFICATION FOR THE CONSTITUTION OF A VILLAGE FOREST AND ITS
MANAGEMENT BY THE VILLAGE PANCHAYAT.

Notification No.....

Bangalore, dated.....

The Government of Karnataka is pleased to declare, under the provisions of Section 29 of the Karnataka Forest Act, 1963, that the area, the boundaries of which are described in the annexed Schedule, s constituted a Village Forest under the provision of the said Act.

The management of the said forest will vest in village Panchayat, under Sections 42 and 46 of the Karnataka Village Panchayats and Local Boards Act 1959.

SCHEDULE

District	Taluk	Village	Survey No.	Area	Situation
..
..

Boundaries

North

East

South

West

By order, etc.....

KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Rules, 1969)
FORM No. 9 (RULE 49(3))

NOTIFICATION UNDER SECTION 33(2) (ii) AND SECTION 33(4) DECLARING
LAND AS PROTECTED FORESTS

Notification No.....

Bangalore, dated

In exercise of the powers conferred by Section 33 of the Karnataka Forest Act, 1963, the Government of Karnataka is pleased to declare the land in theTaluk of District, specified in the schedule hereto annexed, to be "Protected Forest" with effect from

Name of the 'Protected Forest'.	District Taluk Village			Revenue survey number	Area Boundaries	
1	2	3	4	5	6	7

By order, etc.....

**KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM No. 10 (RULE 51)**

NOTIFICATION UNDER SECTION 36(1) DECLARING LAND TO BE A 'FOREST'

Notification No.....

Bangalore, dated

In exercise of the powers conferred by Section 36(1) of the Karnataka Forest Act 1963, the Government of Karnataka is pleased to declare the land in the village

Taluk.....District belonging to Sri son of..... of Village,Taluk,District, as specified in the schedule hereto annexed to be a forest for the purpose of Chapter V of Karnataka Forest Act 1963.

District	Taluk	Village	Sy. No.	Area in Hectare	Boundaries	Name of the owner of the land
2	3	4	5	6	7	

--	--	--	--	--	--	--

By order, etc.....

KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
[FORM No. 11 (RULE 51)]

Notification No.....

Bangalore, dated.....

To

Sri.....

Village, Taluk,.....District.

Whereas the Government of Karnataka in their Notification No..... dated..... published in the **Karnataka Gazette**, dated..... appearing in Page No..... have declared the land in the.....village Taluk District specified in the Schedule hereto annexed as a 'Forest' under Section 36(1) of the Karnataka Forest Act, 1963 and whereas it appears to the Government of Karnataka that it is necessary:—

- (a) for the conservation of trees and forest;
 - (b) for the preservation of and improvement of soil or the reclamation of saline or water-logged land, the prevention of land slips or the formation of ravines and torrents or the protection of land against erosion or the deposit thereon of sand, stones or gravel;
 - (c) for the improvement of grazing ;
 - (d) for the maintenance of water supply in springs, rivers and tanks;
 - (e) for the maintenance, increase and distribution of the supply of fodder, leaf manure, timber or fuel;
 - (f) for the maintenance of reservoirs or irrigation works and hydro-electric works ;
 - (g) for protection against storms, winds, rolling stones, floods and drought;
 - (h) for the protection of roads, bridges, railways and other lines of communications;
- and
- (i) for the preservation of public health, to regulate or prohibit certain acts in the forest specified in the schedule hereto annexed.

Now therefore in exercise of the powers conferred by Sections 36, 37, 38 and 39 of the Karnataka Forest Act, 1963, and the Rules framed thereunder, the Government of Karnataka hereby prohibits or regulates, as the case may be, the following acts in the said forest.

(a) Acts prohibited

1. Clearing or breaking up of land for cultivation without the permission of the Divisional Forest Officer,
2. Setting of fire to the forest or kindling or leaving any fire in such manner as to endanger the forest. If any fire occurs by accident, all possible measures to extinguish it shall be taken by the owner promptly.
3. Kindling, keeping or carrying any fire in the forest except during such season and in such manner as the Divisional Forest Officer, may from time to time notify.
4. Admitting goats into the forest for browsing, penning or for any other purpose, whatsoever, except in places set apart for the purpose by the Divisional Forest Officer,
5. Grazing of cattle in any clearfelled coupe or block of the forest for a period of 5 years.

6. Lopping of trees of the following species.—Teak, Mango, Rosewood, Hippe, Alale, Khair, Honne, Sivani, Sandal, Basavanapada and Tupra.
7. Clearfelling of areas of forest situated on steep or precipitous slopes.

(b) Acts regulated

1. Marking of trees for felling in flat areas and moderate slopes shall be done on silvicultural principles approved by the Divisional Forest Officer, and in the steep and precipitous slopes on the principles of protection, where only dead, dying and unsound trees may be removed.
2. Cutting of trees shall be regulated according to the silvicultural requirement of the crop by the Divisional Forest Officer,..... Trees to be felled or retained whichever are less in number shall be marked “according to the prescriptions laid down by the Divisional Forest Officer.....
3. Grazing of cattle other than goats shall be limited to the carrying capacity of the forest. The intensity of grazing shall not exceed 5 heads of cattle per hectare.
4. Girdling of trees shall not be permitted unless the removal of the tree is silviculturally desirable.
5. Tapping of trees shall be allowed in the manner and during the period as prescribed for the species by the Divisional Forest Officer.
6. Lopping of trees of the species other than those mentioned under A(6) shall be permitted in the manner prescribed by the Divisional Forest Officer,
7. Stripping of leaves of fodder trees shall be permitted by rotation and in the manner prescribed by the Divisional Forest Officer,.....
8. Pollarding of economic species such as *Diospyros melenoxylon*, *Bauhmia racemosa* and other species useful as Lac hosts or for rearing of silk worms shall be permitted by rotation during the period, and in the manner prescribed by the Divisional Forest Officer,
9. Stripping of bark of trees shall not be allowed unless otherwise specially permitted by the Divisional Forest Officer,
10. Clearing of undergrowth shall not be allowed except under the privileges sanctioned by the Government for the neighbouring Government forests.
11. Quarrying shall be done only in the places approved by the Divisional Forest Officer,quarrying shall not be allowed if sacrifice of good tree growth is involved.
12. Burning of lime or charcoal shall be done preferably on flat areas with due precautions to see that the fire does not spread and destroy the vegetation.
13. All live and sound trees shall be felled at a height not exceeding 15 cm. from the ground and the stools neatly trimmed. In the case of dead trees and casuarina trees, the removal of the stump and roots will also be permitted.
14. No tree shall be allowed to be cut within 20 metres of either bank of any stream, river spring or water reservoir unless they are dead.
15. Every coupe in which trees have been felled in any year shall be demarcated at prominent corners with coupe stones showing the year of felling and the area felled.
16. The coupe in which trees have been felled in any year shall be planted up by the owner within that year or the next planting season.
17. The trees to be retained after felling should be sound ones and distributed evenly over the area. Under no circumstances large gaps be created in the canopy. Felling should not reduce the stand in the area below 100 trees per hectare, of 90 cm. and above in girth.

18. Fruit trees and trees yielding important economic forest products such as Mango, Jack, Cashew, Nerale, Honge, Nelli, etc., shall not be cut. Only over-mature trees of such species may be felled after they are certified by the Range Forest Officer.

19. The cutting and removal of Sandalwood trees in the forest and their transport outside shall be governed by separate rules made under the Act.

20. Before felling is started, the area shall be inspected by the Range Forest Officer. He will also inspect the area after the felling is completed and furnish a certificate of satisfactory completion of work to the Divisional Forest Officer.

21. The periodicity of felling will be limited to the number of years in the felling cycle. The felling cycle shall be decided by the Divisional Forest Officer, with due consideration to the system of management, species and locality factors. Hence the area once worked will not be allowed to be worked till the number of years in the felling cycle has elapsed from the year of previous working.

22. Nothing contained in the above conditions shall apply to the following :

(a) The cutting and removal of fallen or dead trees;

(b) the cutting and removal of bamboos and palm trees;

(c) the thinning of plantation without reference to the prescribed girth limit, provided such thinning is manifestly done for the silvi-cultural improvement of the crop;

(d) the cutting and removal of fuel, small timber and green manure leaves or any act done for the usual customary agricultural or domestic purpose for the **bonafide** use of the owner but not for sale, provided the Divisional Forest Officer, after enquiry fixes the kind and quantities of small timber, fuel or other forest produce that can be removed by the owner of the forest and the time during which such removal can be done ;

(e) the cutting and removal of fuel and small timber granted free of charge by the owner to poor people affected by floods or fires or for charitable purposes.

By Order etc.....

SCHEDULE

District	Taluk	Village	Sy. Number	Area in hectares	Boundaries
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**KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
[FORM No. 12 (Rule 54)]**

To

.....
.....

****Whereas** it has come to the notice of the Government of Karnataka that you have been neglecting to abide by or willfully disobeying the regulations or prohibitions imposed by Government Notification in the Food and Forest Departments No..... dated..... in respect of the management of the forest specified in the schedule hereto annexed, or

**** Whereas,** it appears to the Government that it is necessary in the public interest to assume the management of the forest specified in the schedule hereto annexed for the purpose of preservation, protection, improvement and maintenance of the said forest or if any work constructed by Government in the said forest so require under Section 39(2) and (3) of the Karnataka Forest Act, 1963.

It is intended to take over, the management of the said forest under the provisions of Section 43 of the said Act and place it under the management of the Forest Department and to declare that Sections of the said Act shall apply to the said forest.

You are hereby directed to show cause withindays, why such an order placing the forest under the management of the Forest Department according to the provisions of Section 43 of the Karnataka Forest Act, 1963, should not be made and state your objections if any in that connection.

SCHEDULE

District	Taluk	Village	Survey No.		Approximate area in hectares	Boundaries
..
..
..
..
..

Dated at Bangalore, the.....day of19.....

Secretary to Government.....

**** (Strike whichever is unnecessary).**

**KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM No. 13 (RULE 55)**

Notification No.....

Bangalore, Dated.....

Whereas the Government of Karnataka, served t notice under Section 43(2) of the Karnataka Forest Act 1963, on Sri..... of village, Taluk, District, the owner of forest specified in the schedule hereto annexed and whereas the Government have carefully considered the replies furnished by him and in exercise of the powers conferred by Section 43(1) of the Karnataka Forest Act 1963, the Government of Karnataka are pleased to hereby take over the management of..... forest specified in the Schedule hereto annexed, with effect fromfor a period of 10 years at the first instance or such extended period as the case may be but not more than 30 years from the date of this notification. With effect from the date of this Notification, the entire management of the forest shall rest with the Government.

The State Government hereby appoints the Divisional Forest Officer, Division, as the Forest Officer, to be incharge of the Forest specified in the schedule hereto annexed.

During the period of the management with the Government, Sri..... will receive annually from the Divisional Forest Officer, above named compensation which shall be the aggregate of (1) an allowance calculated on the total area of the forest as determined by the Conservator of Forests, at the rate of 00—25 P per hectare per annum, (2) the not profits if any accruing from the working and management of the forest. For the purpose of calculating the net profits the total expenditure incurred on the working and management of the forest shall be adjusted against the total income from the working and management up to the date of account and the amount of any deficit shall be carried forward with interest at 10% from year to year till such amount is made up and surplus is affected.

During the period of management, the State Government shall receive all revenue accruing from the working and management of the forest and shall pay the whole expenditure incurred in the working and management of such forests and the owner of such forests or any person shall not be entitled to make any objection to any expenditure that the State Government may consider it necessary on such working and management.

The State Government shall maintain the revenue and expenditure account of the forest and shall at the request of the owner furnish to him an extract of the yearly account so maintained.

All legal proceedings pending and all processes, executions or attachments in force in respect of debts and liabilities enforceable against the forest of any part thereof shall be suspended and (1) so long as the management by the State Government continues, no fresh proceedings, processes, executions or attachments, shall be instituted, issued, enforced, or executed, in respect thereof, (2) so long as the management by the State Government

continues the owner of the Forest shall be incompetent to (i) enter into any contract with respect to the forest, to (ii) mortgage, charge, lease, or alienate the forest or any part thereof or any product thereof, (iii) to grant validate, receipts for the rent or profits arising or accruing therefrom. (3) o long as the management by the State Government continues, subject to the orders of the State Government, no person other than the Divisional Forest Officer named above, shall be competent to do the acts referred to in sub-clauses (i), (ii) and (iii) above.

Subject to the order of the State Government, the Divisional Forest Officer above named shall during the period of the management of the forest have all the powers which the owner thereof might as such have exercised for the purposes of management and shall receive and recover all rents and profits due in respect of the property under management and for the said purposes in addition to any powers of the owner, the Divisional Forest Officer named above, shall be competent to exercise any power which he can exercise in respect of the Reserve Forest.

If the State Government decides to terminate the period of management of the forest, it shall by notification to be published in the official Gazette declare such termination and there upon possession of the forest shall be given to the owner or if the owner be dead, to any person entitled to such possession, together with any sum of money which may be standing to the credit of the owner. However, no period of management shall be extended unless the owner has been given reasonable opportunity of showing cause against such extension.

By Order.....

**KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM No. 14 (Rule 56(5)).**

Notification No.....

Bangalore, dated.....

Whereas Sri/Smt..... of Village..... Taluk..... District..... owner of.....Forest specified in the schedule hereto annexed have applied in writing to the State Government; to take over the management of the said Forest and whereas the State Government have carefully considered the application, and in exercise of the powers conferred by Section 47(1) of the Karnataka Forest Act 1963, the Government of Karnataka is pleased to assume the management of the Forest specified in the schedule hereto annexed belonging to Sri/Smt.....in public interest with effect from.....

The State Government hereby appoint the Divisional Forest Officer, Division to be in-charge of the said Forest.

The period of management shall be for.....years.

The State Government shall during the period of management of the Forest pay annually to the owner of the Forest compensation which shall be the aggregate of—

(i) an allowance calculated on the total area of the forest as determined by the Conservator of Forests at the rate of ten paise per acre per annum ; and

(ii) the net profits, if any, accruing from the working and management of the forest.

(b) For the purpose of calculating the net profits, the total expenditure incurred on the working and management of the forest shall be adjusted against the total income from the working and management up to the date of account and the amount of any deficit shall be carried forward with interest at the prescribed rate from year to year till such amount is made up and surplus is effected.

(c) During the period of management, the State Government shall receive all revenues accruing from the working and management of the forest and shall pay the whole expenditure incurred in the working and management of such forest, and the owner of such forest or any other person shall not be entitled to make any objection to any expenditure that the State Government may consider it necessary on such working and management.

(d) The State Government shall maintain the -revenue and expenditure account of the forest and shall at the request of the owner furnish to him an extract of the yearly account so maintained.

(e) All legal proceedings pending, and all processes, executions or attachments in force in respect of debts and liabilities enforceable against the forest or any part thereof shall be suspended, and so long as the management by the State Government continues no fresh proceedings processes, excluding or attachment shall be instituted, issued, enforced or executed in respect thereof;

(f) so long as the management by the State Government continues, the owner of the forest shall be incompetent—

(i) to enter into any contract with respect to the forest;

(ii) to mortgage, charge, lease or alienate the forest or any part thereof or any product thereof ; or

(iii) to grant valid receipts for the rents or profits arising or accruing therefrom,

(g) so long as the management by the State Government continues, subject to the orders of the State Government, no person other than the Divisional Forest Officer placed incharge of the forest shall be competent to do the acts referred to in sub-clauses (i) (ii) and (iii) of clause (f).

(h) Subject to the order of the State Government, the Divisional Forest Officer placed incharge of the forests, shall during the period of management of the forest, have all the powers which the owner thereof might as such have exercised for the purposes of management and shall receive and recover all rents and profits due in respect of the property under management; and for the said purposes in addition to any powers of the owner, the Divisional Forest Officer shall be competent to exercise any power which he can exercise in respect of a reserved forest.

(i) all acts done or purporting to be done by the Divisional Forest Officer in respect of the forest placed under his management shall be binding on the owner of such forest, or any person to whom possession of the forest would be delivered after the period of management.

By Order and in the name

.....

**KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM No. 15 (Rule 64 (B)h)
Warrant to Search Suspected Place of Deposit**

To

.....

(Name and designation of a Forest Officer above the rank of a Forest Guard).

Whereas information has been laid before me, and on the inquiry thereupon had, I have been led to believe that (the describe the house! or other place) is used as a place for the deposit (or sale) of property (or if for either of the other purposes expressed in the section, state the purpose in the words of the section);

This is to authorise and require you to enter the said house (or other place) with such assistance as shall be required, and to use, if necessary, reasonable force for that purpose, and to search every part of the said, house (or other place, or if the search is to be confined to a part, specify the part clearly), and to seize and take possession of any property (or documents, or stamps or steals, as the case may be) (add when the case requires it) and also of any instruments and materials which you may reasonably believe to be kept for the manufacture of forged documents, or counterfeit 'stamps, or false seals (as the case may be) and forthwith to bring before this Officer such of the said things as may be taken possession of, returning this warrant, with an endorsement certifying what you have done under it, immediately upon its execution.

Dated, this day of.....19.....

Seal of the. Office

Signature.

KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)
FORM NO. 16 (RULE 64 [5BL])
(Section 62 and 99(c) of the Karnataka Forest Act 1963)

SEARCH LIST

Range.....	Division.....
1. Forest Offence Case Number	.....
2. Name and address of the accused.	.....
3. Nature of offence and Section of Forest Act or other Law applicable.	.....
4. Search warrant number and date, by whom issued and to whom.	.....
5. Name and rank of the Forest Officer who conducted the search.	.....
8. House, premises and the village where search is made.	.....
7. Name of the owner of the house of premises searched.	.....
8. Date and hour of search	.....
9. Names of search witnesses	.....
10. Did the house owner attend the search? If not, did any one do so on his behalf?	.....
11. Description, quantity and value of the property seized during the search.	.....
12. Marks of identification put on the seized property.	.....
13. Name and address of the person or official to whom the property seized is entrusted for safe custody.	.....
14. Whether the property seized has been released to the owner on the execution of a bond by the owner under Section 63 of the Act? If so, date of release.	.....
15. Names of persons arrested, if any, during the search. If so, how disposed of.	.....
16. Date of despatch of the seizure report to the Magistrate.	.....

Signature of witnesses.

- 1.
- 2.
- 3.
- 4.

Place.....

Date.....

Signature, of the Forest Officer,
conducting the search.

To be printed in quadruplicate.

1. Original to be retained by the Forest Officer conducting the search.
2. Duplicate to be sent to the Magistrate.
3. Triplicate to be sent to the Forest Officer authorising the search.
4. Quadruplicate copy to be delivered to the occupant at his request.

KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM No. 17 [Rule 65(1)]

FIRST INFORMATION REPORT

Number.....

Date

1. Name of Beat, Section, Range and Division	.....
2. Place where the offence took place or discovered	.....
3. Nature of the offence	.....
4. Description and quantity of thy property seized, where, when and what arrangements made for its safe custody.	.....
5. Name and address of the accused. If arrested, how he was disposed off ?	.....
6. Names of witnesses	.....

Station

Signature and designating of the Forest
Officer, reporting.

Date

To be printed in quadruplicate.

1. Original to be retained by the Officer reporting.
2. Duplicate to be sent to the concerned Range Forest Officer.
3. Triplicate to be sent to the Divisional Forest Officer.
4. Quadruplicate to be sent to the Magistrate having jurisdiction.

KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)
FORM No. 18A (RULE 65 [5])
Forest Offence Register.....Division/Sub-Division.

Serial Number	Name of Range	By whom reported, number and date of First Information Report and date of its receipt.	Date on which the offence was discovered	Nature of the offence and Section of the Forest Act applicable	Name, parent age, age and residence of the accused.	If the offender was arrested, by whom, where and how disposed of.	Description, quantity and value of the property seized and to whom entrusted for safe custody and the number and description of the cattle seized and date of impounding. State if the seized property is released on execution of a bond?	Estimated value of the damage caused and the description and value of the property stolen	Number and date of submission of the seizure report in Form No. 15 to the Magistrate.	By whom investigated and inquired into	Date of receipt of the Enquiry report in Form 20 from the Range Forest Officer	Witness cited for the prosecution	Brief statement of the accused and for what sum he is willing to compound	Whether the offender has been previously warned or punished in any forest offence cases? Reasons if any for special punishment	Name of the Divisional Forest Officer, of the Sub-Divisional Forest Officer, passing orders in the case	Nature of orders of the Divisional Forest Officer or Sub-Divisional Forest Officer and the number and date of such order in Form No. 21	Signature of the Officer issuing the order	Date of receipt of the final report with the result	REMARKS
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20

KARNATAKA FOREST
(Karnataka Forest
FORM No. 18B

Serial Number	Name of the Beat and Section, where the offence occurred	By whom reported. Number and date of First Information Report in Form 18 and date of its receipt.	Date on which the offence was discovered	Nature of the offence and Section of the Forest Act applicable	Name, parentage, age and residence of the accused.	If the offender was arrested, by whom, where and how disposed of.	Description, quantity and value of the property seized and to whom entrusted for safe custody or the number and description of the cattle seized and date of impounding. State if the seized property is released on execution of a bond?	Estimated value of the damage caused and the description and value of the property stolen	Number and date of submission of the seizure report in Form No. 15 to the Magistrate.	By whom investigated and inquired into	Date of submission of the Enquiry report in Form 20 to the Divisional Forest Officer	Witnesses cited for the prosecution
1	2	3	4	5	6	7	8	9	10	11	12	13

**DEPARTMENT
Manual)**
(RULE 65[5])

Brief Note of the statement of the accused, and for what sum he is willing to compound?	Previous warnings and punishments or reasons for special punishments, if any	Name of the Divisional Forest Officer, Sub-Divisional Forest Officer or Range Forest Officer passing orders in the case	Nature of orders of the Divisional Forest Officer, the Sub-Divisional Forest Officer or the Range Forest Officer and the number and the date of such order in Form No. 21	Date of receipt of Form 21 by the Range Forest Officer	Date of issue of notice to the accused in Form 23 and the time given for payment of composition fees, etc.	Date of which composition fees, value, etc. & realised and credit item number of cash book.	Seized property whether released or confiscated. If realised, number and date of receipt filed. If confiscated, item number and month during which it is taken to stock	If the case is prosecuted, the name of the Court, Case No. and date of filling charge sheet	Result of prosecution	Date of submitting the final report to the Divisional Forest Officer.	REMARKS	Signature of the Range Forest Officer
14	15	16	17	18	19	20	21	22	23	24	25	26

**KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM No. 19 [Rule 66(16)]**

BAIL BOND

(Section 75 of the Karnataka Forest Act, 1963)

I, of..... being charged with the offence of do hereby bind myself to appear before on at and continue to so appear when required until otherwise directed by the said Officer or arty other competent court.

And in case of my making default herein, I bind myself to forfeit to the Government of Karnataka, the sum of Rs.....

Dated thisday of.....19 ..

Witnesses :

.....
.....

Signature.

‘Before me’

Place
designation
Date.....

Signature and
of the Forest Officer.

I declare myself (we jointly and severally declare ourselves and each of us) surety (surities) for the above named..... that he shall appear before on at and continue to so appear when required until otherwise directly by the said Officer, or any other competent court.

And in case of his making default therein, I bind myself (we bind ourselves and each of us) to forfeit to the Government of Karnataka, the sum of Rs.....

Dated thisday of19 ..

Witnesses :

.....
.....

Surities:

.....
.....

‘Before me’

Place
designation

Signature and

Date.....

of the Forest Officer.

KARNATAKA FOREST DEPARTMENT	KARNATAKA FOREST DEPARTMENT	KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)	(Karnataka Forest Manual)	(Karnataka Forest Manual)
FORM No. 20 (RULE 67 [3])	FORM No. 20 (RULE 67 [3])	FORM No. 20 (RULE 67 [3])
Subject :—Report of seizure of property concerned in a Forest Offence Section of the Karnataka Forest Act, 1963 and controversion of the provisions of the Rule Sub-rule.....of the Karnataka Forest Rules, 1969.	Subject :—Report of seizure of property concerned in a Forest Offence Section of the Karnataka Forest Act, 1963 and controversion of the provisions of Rule Sub-rule..... of the Karnataka Forest Rules, 1969.	Subject :—Report of seizure of property concerned in a Forest Offence Section of the Karnataka Forest Act, 1963 and controversion of the provisions of Rule Sub-rule..... of the Karnataka Forest Rules, 1969.
To The.....Magistrate,	To The.....Magistrate,	To The.....Magistrate,
I have to report that I seized the following property on..... in connection with a forest offence committed by the persons named below in the.....Reserved Forest/land. A full report on the case will be furnished in due course by the Range Forest Officer.	I have to report that I seized the following property on..... in connection with a forest offence committed by the persons named below in the.....Reserved Forest/land. A full report on the case will be furnished in due course by the Range Forest Officer.	I have to report that I seized the following property on..... in connection with a forest offence committed by the persons named below in the.....Reserved Forest/land. A full report on the case will be furnished in due course by the Range Forest Officer.
Particulars of Name or Names of property accused persons	Particulars of Name or Names of property accused persons	Particulars of Name or Names of property accused persons
Signature Designation.	Signature Designation.	Signature Designation.
Dated.....	Dated.....	Dated.....

KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)
FORM No. 21 [Rule 67(4)]

BOND FOR THE RELEASE OF PROPERTY SEIZED

(Section 63 of the Karnataka Forest Act 1963)

I, of.....being charged with the offence of in case Nodo hereby bind myself to produce before the Magistrate.....if and when required, the following property seized in the above named offence and released to me under Section 63 of the Karnataka Forest Act, 1963. And in case of my making default herein, I bind myself to forfeit to the Government, the sum of Rs.....in addition to any other punishment according to law.

Dated thisday of19 ..

Particulars of property

Witness :

.....
.....

Signature

‘Before me’

Place
Date.....

Signature and designation
of the Forest Officer.

**KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM No. 22 [Rule 69(6) 11]**

SUMMONS TO WITNESS

To

.....
.....
.....

Whereas complaint has been made before me that (name of the accused) of (address) has (or is suspected to have) committed the offence of (state the offence concisely with time and place), and it appears to me that you are likely to give material evidence or to produce any document or other thing for the prosecution);

You are hereby summoned to appear before this Office on theday ofnext at ten 'O' clock in the forenoon, to produce such document or thing or to testify what you know concerning the matter of the said complaint, and not to depart thence without leave of Office; and you are hereby warned that, if you shall without just excuse neglect or refuse to appear on the said date, a warrant will be issued to compel your attendance.

Dated thisday of19 .. .

(Seal of the Office)

Signature.

KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)

FORM No. 23 (RULE 71)

ENQUIRY REPORT

Range..... Division..... District..... Taluk.....

1. Number of the case in the Range Office Register.
2. Number and date of First Information Report (Form 18) by whom made and when received.
3. Number and date of seizure report (Form 15) by whom made and when received.
4. Name of the forest block or place where the offence was committed.
5. Date on which the offence was committed or discovered.
6. Name and designation, if any, of the Office or person who detected the offence.
7. Name and designation of the Officer who investigated or enquired into.
8. Date of commencement and completion of investigation or enquiry.
9. Nature of the offence and Section of the Forest Act applicable.
10. Name, parentage, age and residence of the accused.
11. (a) If the offender was arrested, by whom, when, where and how disposed of.
(b) If the offender could not be traced inspite of having taken proper steps, the circumstances and details leading to the non-tracing may be given.
12. Description, quantity and value of the property seized and to whom entrusted for safe custody? The number and description of the cattle seized where and when Impounded? State if the seized property is released on execution of a bond?
13. Description and value of the property stolen, or the estimated value of the damage caused.
14. Names and addresses of witnesses for prosecution.
15. Names of defence witnesses, if any, and a brief abstract of the statement of the accused and the defence witnesses.
16. Is the offender willing to get the case compounded? If so, for what amount?
17. Amount to be recovered towards value for the release of the forest produce seized and the damage caused.
18. Amount of deposit, if any, recovered towards compounding the offence and credit item number of cash book.
19. Previous warnings and punishments, if any, or reasons for special punishment, if any.
20. A brief history of the case and the nature of investigation and enquiry conducted by the Forest Officer.

Date.....
Station.....

Signature of the
Range Forest Officer

To be in Triplicate.

1. Original to be retained by the Range Forest Officer.
2. Duplicate to be sent to the Magistrate, in cases prosecuted, along with the charge sheet.
3. Triplicate to be used for reporting the case to the Divisional Forest Officer or the Sub-Divisional Forest Officer.

**KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)**

FORM No. 24 (RULE 72)

No..... Date.....

Divisional/Sub-Divisional/Range

**Forest offence Case No...../19....19....
Forest offence Case No..... of 19....
19.... of.....Range.**

ORDER

1. Withdraw and file.
2. Warn the offender.
3. Prosecute.
4. Compound for Rs.....
5. Release the seized produce belonging to Government viz., after recovery of its value of Rs.....
6. Take into possession of the seized produce, viz.,.....
 - (a) Transport to Government Depot; or
 - (b) Sell in public auction.
7. Recover Rs.....towards the damage caused to the forest.
8. Release the property liable for confiscation viz.....for Rs.....
9. Prosecute if the offender fails to pay the amount of composition the value of the forest produce or the compensation towards damage as fixed above within 30 days from the date of service of Notice in Form No. 19 on him.

Signature and designation
of the Forest Officer.

Date.....

[Office Seal]

Office Copy.

(Strike whichever is unnecessary)

ORIGINAL

**KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)**

FORM No. 24 (RULE 72)

No..... Date.....

Divisional/Sub-Divisional/Range

**Forest offence Case No...../19....19....
Forest offence Case No..... of 19....
19.... of.....Range.**

ORDER

1. Withdraw and file.
2. Warn the offender.
3. Prosecute.
4. Compound for Rs.....
5. Release the seized produce belonging to Government viz., after recovery of its value of Rs.....
6. Take into possession of the seized produce, viz.,.....
 - (a) Transport to Government Depot; or
 - (b) Sell in public auction.
7. Recover Rs.....towards the damage caused to the forest.
8. Release the property liable for confiscation viz.....for Rs.....
9. Prosecute if the offender fails to pay the amount of composition the value of the forest produce or the compensation towards damage as fixed above within 30 days from the date of service of Notice in Form No. 19 on him.

Signature and designation
of the Forest Officer.

Date.....

[Office Seal]

Office Copy.

(Strike whichever is unnecessary)

DUPLICATE

**KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)**

FORM No. 24 (RULE 72)

No..... Date.....

Divisional/Sub-Divisional/Range

**Forest offence Case No...../19....19....
Forest offence Case No..... of 19....
19.... of.....Range.**

ORDER

1. Withdraw and file.
2. Warn the offender.
3. Prosecute.
4. Compound for Rs.....
5. Release the seized produce belonging to Government viz., after recovery of its value of Rs.....
6. Take into possession of the seized produce, viz.,.....
 - (a) Transport to Government Depot; or
 - (b) Sell in public auction.
7. Recover Rs.....towards the damage caused to the forest.
8. Release the property liable for confiscation viz.....for Rs.....
9. Prosecute if the offender fails to pay the amount of composition the value of the forest produce or the compensation towards damage as fixed above within 30 days from the date of service of Notice in Form No. 19 on him.

Signature and designation
of the Forest Officer.

Date.....

[Office Seal]

Office Copy.

(Strike whichever is unnecessary)

TRIPLICATE

FINAL REPORT

(a) Noted and returned for file.

(b) Returned for file after warning the offender.

(c) The produce seized and ordered to be taken possession, has been taken to stock during the month of.....

(d) Composition fee of Rs..... has been recovered.

(e) Seized produce released, on recovery of its value of Rs.....

(f) Property liable for confiscation released, on recovery of Rs.....

(g) Compensation of Rs..... recovered towards the damage caused.

(h) The sum of Rs.....realised as above has been taken to credit vide Dr..... item No..... of the cash book for the month of and remitted to Treasury.

(i) Results of prosecution with a certificate of judgement

.....
.....
.....

Station.....

Date.....

Range Forest Officer.
(Strike whichever is unnecessary)

ಕರ್ನಾಟಕ ಕಾರ್ಪೊರೇಷನ್ ಇಲಾಖೆ
(ಕರ್ನಾಟಕ ಕಾರ್ಪೊರೇಷನ್ ಮ್ಯಾನ್ಯುಯಲ್)
[ಫಾರಂ ನಂ. 25-ರೂಲ್ ನಂ. 74(1)]
1. ಆರೋಪಣೆ

ಕರ್ನಾಟಕ ಕಾರ್ಪೊರೇಷನ್ ಇಲಾಖೆ
(ಕರ್ನಾಟಕ ಕಾರ್ಪೊರೇಷನ್ ಮ್ಯಾನ್ಯುಯಲ್)
[ಫಾರಂ ನಂ. 25-ರೂಲ್ ನಂ. 74(1)]
2. ಆರೋಪಣೆ

ಕರ್ನಾಟಕ ಕಾರ್ಪೊರೇಷನ್ ಇಲಾಖೆ
(ಕರ್ನಾಟಕ ಕಾರ್ಪೊರೇಷನ್ ಮ್ಯಾನ್ಯುಯಲ್)
[ಫಾರಂ ನಂ. 25-ರೂಲ್ ನಂ. 74(1)]
3. ಆರೋಪಣೆ

.....r¹ÖçPÄÄÖ
 gÉÄAdÄ ¥sÁgÄ, ÄÄÖ D|üÄ, ijAzÄ
 gÉÄAdÄ ^aÄÄdPÄÆgÄÄfÉÄ Ä°
 fÄfÉÄ ¥sÁgÉ, ÄÄÖ
^aÉÆPÄzÄÝ^aÄiÄzÄ°è C¥ÄgÄçüUÄ¼ÄzÄ
 (1)vÄ||
 UÄæ^aÄÄzÄ fÄ^aÄÄUÉ
 (2)vÄ||
 UÄæ^aÄÄzÄ fÄ^aÄÄUÉ
 (3)vÄ||
 UÄæ^aÄÄzÄ fÄ^aÄÄUÉ

.....r¹ÖçPÄÄÖ
 gÉÄAdÄ ¥sÁgÄ, ÄÄÖ D|üÄ, ijAzÄ
 gÉÄAdÄ ^aÄÄdPÄÆgÄÄfÉÄ Ä°
 fÄfÉÄ ¥sÁgÉ, ÄÄÖ
^aÉÆPÄzÄÝ^aÄiÄzÄ°è C¥ÄgÄçüUÄ¼ÄzÄ
 (1)vÄ||
 UÄæ^aÄÄzÄ fÄ^aÄÄUÉ
 (2)vÄ||
 UÄæ^aÄÄzÄ fÄ^aÄÄUÉ
 (3)vÄ||
 UÄæ^aÄÄzÄ fÄ^aÄÄUÉ

.....r¹ÖçPÄÄÖ
 gÉÄAdÄ ¥sÁgÄ, ÄÄÖ D|üÄ, ijAzÄ
 gÉÄAdÄ ^aÄÄdPÄÆgÄÄfÉÄ Ä°
 fÄfÉÄ ¥sÁgÉ, ÄÄÖ
^aÉÆPÄzÄÝ^aÄiÄzÄ°è C¥ÄgÄçüUÄ¼ÄzÄ
 (1)vÄ||
 UÄæ^aÄÄzÄ fÄ^aÄÄUÉ
 (2)vÄ||
 UÄæ^aÄÄzÄ fÄ^aÄÄUÉ
 (3)vÄ||
 UÄæ^aÄÄzÄ fÄ^aÄÄUÉ

E^aÄgÄÄUÄ½UÉ
 w½AiÄÄ¥Är, ÄÄ^aÄÄzÉÄfÉAzÄgÉ
 çfÄß/ç^aÄÄäUÄ¼Ä PÉÆÄjPÉ ¥ÄæPÄgÄ
^aÉÄÄ°iÄqÄ ^aÉÆPÄzÄÝ^aÄiÄ^aÄÄÄÄÄB
 gÄÆ.UÄ½UÉ MqÄÄSrpÉ ^aÄä^aÄ, ÉÜ
^aÄiÄrPÉÆ¼ÄÄ°Ä
 r«d fÄ[~]i/, Ä[~]ir«d fÄ[~]i/gÉÄAd ¥sÁgÉ, ÄÄÖ
 D|üÄ, igÄ^aÄgÄÄfÉÄ fÄÄSgi
 °ÄÄPÄÄÄ Äçgi ^aÄiÄrgÄÄvÄUgÄV
 çÄfÄÄ/ç^aÄÄÄUÄ¼ÄÄ F fÉÆÄnÄ, ÄÄ
 eÄjAiÄiÄzÄ 30 çfÄUÄ¼ÄÉÆ¼ÄUÉ F PÉ¼ÄUÉ
 vÄ¥Ä²Ä[~]ÄzÄ ÄzÄjÄ ^aÉÆS°UÄfÄÄB
 fÄ^aÄÄä°è ¥Ä^aÄwÄ ^aÄiÄr gÄ¹Äç
 ¥ÄqÉAiÄÄ[~]ÉÄPÄÄ/F fÉÆÄnÄ¹UÉ
 °UÄwÜ¹gÄÄ^aÄ ZÄ°fÄ ^aÄÄÆ°PÄ
 ReÄfÉUÉ °Ät ¥Ä^aÄwÄ ^aÄiÄr ÄzÄj ZÄ°fÄ
 C fÄÄB °Ädj¥Är, ÄvÄPÄizÄÄY. vÄ|ÄzÄY°è
 gÄÆ[~]i C fÄÄ, Äj¹ ¥Äæ¹PÄÆÄpÄfÄi PÄæ^aÄÄ
 dgÄV, Ä[~]ÄUÄÄvÉÜ.

E^aÄgÄÄUÄ½UÉ
 w½AiÄÄ¥Är, ÄÄ^aÄÄzÉÄfÉAzÄgÉ
 çfÄß/ç^aÄÄäUÄ¼Ä PÉÆÄjPÉ ¥ÄæPÄgÄ
^aÉÄÄ°iÄqÄ ^aÉÆPÄzÄÝ^aÄiÄ^aÄÄÄÄÄB
 gÄÆ.UÄ½UÉ MqÄÄSrpÉ ^aÄä^aÄ, ÉÜ
^aÄiÄrPÉÆ¼ÄÄ°Ä
 r«d fÄ[~]i/, Ä[~]ir«d fÄ[~]i/gÉÄAd ¥sÁgÉ, ÄÄÖ
 D|üÄ, igÄ^aÄgÄÄfÉÄ fÄÄSgi
 °ÄÄPÄÄÄ Äçgi ^aÄiÄrgÄÄvÄUgÄV
 çÄfÄÄ/ç^aÄÄÄUÄ¼ÄÄ F fÉÆÄnÄ, ÄÄ
 eÄjAiÄiÄzÄ 30 çfÄUÄ¼ÄÉÆ¼ÄUÉ F PÉ¼ÄUÉ
 vÄ¥Ä²Ä[~]ÄzÄ ÄzÄjÄ ^aÉÆS°UÄfÄÄB
 fÄ^aÄÄä°è ¥Ä^aÄwÄ ^aÄiÄr gÄ¹Äç
 ¥ÄqÉAiÄÄ[~]ÉÄPÄÄ/F fÉÆÄnÄ¹UÉ
 °UÄwÜ¹gÄÄ^aÄ ZÄ°fÄ ^aÄÄÆ°PÄ
 ReÄfÉUÉ °Ät ¥Ä^aÄwÄ ^aÄiÄr ÄzÄj ZÄ°fÄ
 C fÄÄB °Ädj¥Är, ÄvÄPÄizÄÄY. vÄ|ÄzÄY°è
 gÄÆ[~]i C fÄÄ, Äj¹ ¥Äæ¹PÄÆÄpÄfÄi PÄæ^aÄÄ
 dgÄV, Ä[~]ÄUÄÄvÉÜ.

E^aÄgÄÄUÄ½UÉ
 w½AiÄÄ¥Är, ÄÄ^aÄÄzÉÄfÉAzÄgÉ
 çfÄß/ç^aÄÄäUÄ¼Ä PÉÆÄjPÉ ¥ÄæPÄgÄ
^aÉÄÄ°iÄqÄ ^aÉÆPÄzÄÝ^aÄiÄ^aÄÄÄÄÄB
 gÄÆ.UÄ½UÉ MqÄÄSrpÉ ^aÄä^aÄ, ÉÜ
^aÄiÄrPÉÆ¼ÄÄ°Ä
 r«d fÄ[~]i/, Ä[~]ir«d fÄ[~]i/gÉÄAd ¥sÁgÉ, ÄÄÖ
 D|üÄ, igÄ^aÄgÄÄfÉÄ fÄÄSgi
 °ÄÄPÄÄÄ Äçgi ^aÄiÄrgÄÄvÄUgÄV
 çÄfÄÄ/ç^aÄÄÄUÄ¼ÄÄ F fÉÆÄnÄ, ÄÄ
 eÄjAiÄiÄzÄ 30 çfÄUÄ¼ÄÉÆ¼ÄUÉ F PÉ¼ÄUÉ
 vÄ¥Ä²Ä[~]ÄzÄ ÄzÄjÄ ^aÉÆS°UÄfÄÄB
 fÄ^aÄÄä°è ¥Ä^aÄwÄ ^aÄiÄr gÄ¹Äç
 ¥ÄqÉAiÄÄ[~]ÉÄPÄÄ/F fÉÆÄnÄ¹UÉ
 °UÄwÜ¹gÄÄ^aÄ ZÄ°fÄ ^aÄÄÆ°PÄ
 ReÄfÉUÉ °Ät ¥Ä^aÄwÄ ^aÄiÄr ÄzÄj ZÄ°fÄ
 C fÄÄB °Ädj¥Är, ÄvÄPÄizÄÄY. vÄ|ÄzÄY°è
 gÄÆ[~]i C fÄÄ, Äj¹ ¥Äæ¹PÄÆÄpÄfÄi PÄæ^aÄÄ
 dgÄV, Ä[~]ÄUÄÄvÉÜ.

	gÄ Æ.	¥ÉÊ
(1)	vÄ|ävÄzÄ MqÄÄSrpÉ sUÉi	
(2)	»rAiÄÄ°änÖgÄÄ ^a Ä ¥sÁgÉ, ÄÄÖ GvÄävÜAiÄÄ sUÉi.	
(3)	^a ÄÄÄiÄÖUÉÆÄ°UÉ UÄÄjAiÄiÄzÄ ÄéwÜfÄ ©qÄÄUÄqÉAiÄÄ sUÉi	
(4)	fÄÄpÄÖ ^a ÄzÄ ÄéwÜfÄ	

	gÄ Æ.	¥ÉÊ
(1)	vÄ|ävÄzÄ MqÄÄSrpÉ sUÉi	
(2)	»rAiÄÄ°änÖgÄÄ ^a Ä ¥sÁgÉ, ÄÄÖ GvÄävÜAiÄÄ sUÉi.	
(3)	^a ÄÄÄiÄÖUÉÆÄ°UÉ UÄÄjAiÄiÄzÄ ÄéwÜfÄ ©qÄÄUÄqÉAiÄÄ sUÉi	
(4)	fÄÄpÄÖ ^a ÄzÄ ÄéwÜfÄ	

	gÄ Æ.	¥ÉÊ
(1)	vÄ|ävÄzÄ MqÄÄSrpÉ sUÉi	
(2)	»rAiÄÄ°änÖgÄÄ ^a Ä ¥sÁgÉ, ÄÄÖ GvÄävÜAiÄÄ sUÉi.	
(3)	^a ÄÄÄiÄÖUÉÆÄ°UÉ UÄÄjAiÄiÄzÄ ÄéwÜfÄ ©qÄÄUÄqÉAiÄÄ sUÉi	
(4)	fÄÄpÄÖ ^a ÄzÄ ÄéwÜfÄ	

KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)
 FORM No. 26 (RULE 75 [1])
CHARGE-SHEET

- | | |
|--|-----------|
| No..... | Date..... |
| 1. Name of Range ..... | ..... |
| 2. Offence case number ..... | ..... |
| 3. Number and date of First Information Report. .... | ..... |
| 4. Enquiry Report number and date. .... | ..... |
| 5. Orders of the Divisional Forest Officer in Form No..... | ..... |
| 6. Name and official designation of the complainant. .... | ..... |
| 7. Names and addresses of accused persons—
(a) Forwarded in custody
(b) On bail, sent up for trial, (c) Not sent for trial | |
| 8. Charge ; Nature of offence and circumstances connected with it in brief and Section of Forest Act or other Law applicable. .... | ..... |
| 9. Description, quantity and value of the property seized where, when and by whom seized and how disposed of, and the number and date of submitting the seizure report in Form No..... | ..... |
| 10. Names and address of witnesses and what point each is called on to prove. .... | ..... |
| Signature and designation of the R.F.O. | |

KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)
 FORM No. 26 (RULE 75 [1])
CHARGE-SHEET

- | | | |
|--|-----------|--|
| No..... | Date..... | |
| 1. Name of Range ..... | ..... | Intimation to the Range Forest Officer |
| 2. Offence case number ..... | ..... |  |
| 3. Number and date of First Information Report. .... | ..... | Range Forest Officer ... |
| 4. Enquiry Report number and date. .... | ..... | ..... |
| 5. Orders of the Divisional Forest Officer in Form No..... | ..... | Range..... |
| 6. Name and official designation of the complainant. .... | ..... | ..... |
| 7. Names and addresses of accused persons—
(a) Forwarded in custody
(b) On bail, sent up for trial, (c) Not sent for trial | | Charge Sheet
Number |
| 8. Charge ; Nature of offence and circumstances connected with it in brief and Section of Forest Act or other Law applicable. | | Magistrates case
No.....'....
Government VS.
Accused (name)
Result |
| 9. Description, quantity and value of the property seized where, when and by whom seized and how disposed of, and the number and date of submitting the seizure report in Form No..... | ..... | Magistrate. |
| 10. Names and address of witnesses and what point each is called on to prove. .... | ..... |  |
| Despatched at .....A.M./P.M. on .....19..... | | |
| Signature and designation of the Range Forest Officer. | | |

KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)

FORM NO. 27 (Rule 101)

Statement of license Forms Received, Issued, Balance in hand and those indented for the month of..... 19.....in..... Range.....Division.

	Licenses For timber	Licenses For firewood and charcoal	Licenses For bamboos	Licenses for Grazing	Licenses for M.F.P. and Miscellaneous products	Remarks
Opening balance						
Received from.....						
Received during the....						
Total						
Issued during the.....						
Balance in hand.....						
Number of license books indented for.						

Date.....

Station.....

Name and designation of Officer.

(To be printed in loose sheets).

KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)

FORM NO. 28 (Rule 102)

Register of License Forms Received, Issued and Balance on Hand for the
 month of.....in.....Range.....Division.

Date	Particulars	Licenses			Licenses for M.F.P. and Miscellaneous products	Remarks
		Licenses For timber	For firewood and charcoal	Licenses for Grazing			Licenses For bamboos
	Opening balance					
	Received from.....					
	Total					
	Issued to.....					
	as per Indent No...					
					
	dated.....					
	Total					
	Balance on hand					

(To be printed in book-form)

KARNATAKA FOREST DEPARTMENT

(Karnataka Forest Manual)

FORM No. 29 [Rule 112(1)]

Register of Pass Books Received, Issued, Balance on Hand for Month of.....

In.....Range.....Division

Date	Particulars	Form No. 25	Form No. 26	Form No. 27	Form No. 28	Form No. 29	Remarks
	Opening balance						
	Received from.....						
	Total						
	Issued to.....						
	as per Indent No.....						
	dated						
	Total						
	Balance on hand						

(To be printed in book form)

**KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM NO. 30 (RULE 118)**

**Application for grant or Renewal of a Saw-Mill/Saw pit/ or any other hand Sawing
Contrivances**

To

The Divisional Forest Officer
.....Division

OR

The Range Forest Officer,
.....Range.

Sir,

I,.....son ofresident of village Taluk District intend to establish a Saw-Mill/Saw pit/any other hand sawing contrivances (score out whichever is not applicable) the particulars of which furnished below, for the purpose of job sawing/otherwise and request for the grant of a license for the same.

1. Name of the Taluk.
2. Name of the village.
3. Sy. No. or other particulars of the land wherein the Saw-mill/ Saw pit or other hand sawing contrivances are intended to be established.
4. The right of the applicant over the land in question.
5. Whether permission for power has been obtained from the Karnataka Electricity Board.
6. Whether permission has been obtained in any from the Directorate, Industries and Commerce.
7. Purpose of sawing.
8. The place from where he proposes to bring timber for sawing.
9. Whether he has furnished sales Tax clearance certificate or not.
10. Whether he has furnished Income Tax clearance certificate or not.
11. Whether the sketch showing the location of the establishment of the mill furnished or not.
12. Whether the No objection certificate from the Town Municipal Corporation or the Town Municipal Council or village Panchayat is enclosed or not.
13. The probable daily intake and daily output to be indicated.
14. Details of saw mill or other sawing contrivances such as various types of saws.

Place:

Date :

Signature of the applicant.

**KARNATAKA FOREST DEPARTMENT
(KARNATAKA FOREST MANUAL)
FORM NO 31 (RULE 119)**

**Form of Application for the pass for Transport of Removal of Forest produce from
Inam lands on Private lands including coffee lands.**

To

The divisional Forest Officer
Range Forest Officer,

.....**Division**
Range

Sir,

I/We the owner/s of the Sy. Nos..... of..... village.....Taluk
..... District residing in intend to transport remove
(state details of forest produce). I/We am/are furnishing herewith the following particulars
along with the certified copies of the extracts of revenue records and the starve; sketch
certified by the Assistant Superintendent of Land Records in support of the proof that I/We
have the right to land and the tree growth in question for your reference and further action.

1. S. No. and extent in acres from which the forest produce is to be removed.
2. Location of the S. Nos. with survey sketch
3. Whether the boundary of the S. No. is cleared and demarcated properly on the ground.
4. The number of trees standing on S. No.
5. The number of trees intending to be felled/or felled.
6. The quantity of and description of the materials to be removed.
7. The route by which and the place: to which they are to be taken.
8. The time within which the applicant desires to remove.
9. Whether the applicant has cut a demarcation line of one metre width inside the private holding before applying for a pass (in cases where his land abuts a reserved or protected or district forest).
10. Survey sketch of the S. Nos. locating the trees to be felled or the forest produce collected for removal which should be certified by the Assistant Superintendent of Land Records.
11. Tenure: of the land (Hiduvali, Dharakast, Inam, Lease, Coffee/ Cardamum, malai, bane and so on and whether the tree growth is redeemed or unredeemed).
12. Right to the land (year of grant or assignment and the period of contiguous occupation by the owner).
13. Right to the forest produce to be removed
14. Any forest produce to be removed is reserved to Government or not.
15. Payment of value of trees or other forest produce, if any paid in the past in Dharkast cases or in the cases of redeemed tenure.
16. Revenue records along with the certificate of Deputy, Commissioner or the Assistant Commissioner.

17. Consent of the other owners having share in the right to land and the trees if any.

I/We therefore, request you to accord permission and issue pass for removal/transport of the above forest produce.

I/We am/are prepared to furnish other particulars if any, required and demanded by the Divisional Forest Officer/Range Forest Officer in this regard during the course of enquiry and with the Divisional Forest Officer/Range Forest Officer or any other Officer authorised by him in this regard in discharging his duties during the course of enquiry.

I/We will agree to abide by the conditions of the Karnataka Forest Act 1969, Karnataka Forest Manual 1969 and such other conditions that would be imposed by the Divisional Forest Officer while according permission to remove/transport the forest produce.

Yours faithfully,

Place:

Date :

**GOVERNMENT OF KARNATAKA
(KARNATAKA FOREST MANUAL)
FORM NO. 32 (PARA 131-A(7))**

To
The Divisional Forest Officer/Range Forest Officer,
.....
.....

Sir,
Subject:—Issue of permits under special privileges.

I.....the permanent resident of.....village Taluka
District hereby apply for the grant of for my bonafide agricultural/domestic
use. The particulars of my landed property and annual income are as under :—

1. Survey Number.
2. Average/Annual land revenue paid.
3. Type of land.
4. House/Cattleshed possessed.
5. Village in which situated.
6. Timber concession last availed with particulars of year, quantity and purpose for which obtained.
7. Other concessions last availed as per the privileges with the nature of such concessions and the extent to which availed.
8. Annual income.

Necessary certificate obtained from the Tahsildar about the annual income is enclosed.

Yours faithfully,

KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual,
 FORM NO. 33 (RULE 147)

Forest Department, Karnataka,..... Circle.....

Register/Abstract showing free grants of timber and other forest produce made during
 19...../19....

By whom sanctioned	Locality (Reserved forests or reserved lands or unreserved worked by the Department	Number of grantees	Purpose for which granted	Produce granted		Value	Total value	Remarks	
				Description	Description				
				volume in Cubic mtr.	and quantity				
1	2	3	4	5	6	7	8	9	10

KARNATAKA FOREST DEPARTMENT
(Karnataka Forest Manual)
FORM NO. 34 (RULE 149)
Form of Agreement for Kumri Cultivation.

Agreement made this.....date of..... between..... son of(hereinafter called the Kumridar which expression shall where the context so admits include his heirs, executors, administrators, legal representatives and assigns) of the one part and the Governor of Karnataka (hereinafter called the Government which expression shall where the contract so admits include his successors in office and assigns) of the other part.

Whereas the Kumridar has applied for the lease of land for Kumri cultivation in respect of the land within Reserved Forest covering an extent ofhectares more particularly described in the schedule for cultivation, subject to the following conditions and the special conditions, if any, specified in column 5 of the Schedule.

Whereas the Kumridar has deposited the sum of Rs..... in Post Office Savings Bank Account No.....in the name of the said Divisional Forest Officer as aforesaid on..... as Security for the due performance by him (Kumridar) on the terms and conditions hereinafter contained.

Now these presents witness that, for carrying the said agreement into execution, the Kumridar and the Governor of Karnataka do hereby mutually contract with the other as follows :

(1) The area covered by this contract (hereinafter referred to as the 'said land') shall not be used for any purpose other than the one specified in this permit and the Kumridar shall not encroach upon adjacent lands.

(2) No structures or buildings of a permanent or temporary nature shall be erected except such buildings or a temporary nature as may be required for cultivation purposes. With the previous permission in writing of the Divisional Forest Officer, for the time being (hereinafter called the 'Divisional Forest Officer').

(3) The Kumridar shall be responsible for any illicit fellings or removals from Reserved Forests either by himself or by his servants, agents and mazdoors within a radius of 0.402 km. from the said land.

(4) The Kumridar shall not assign, or sublet or part with the possession of the said land or any part thereof or any of his rights under this permit without the previous permission in writing of the Divisional Forest Officer which permission may be refused by the Divisional Forest Officer without assigning any reason for such refusal.

(5) The Kumridar shall comply at all times with the provisions of the Karnataka Forest Act 1969 and any subsisting statutory modifications thereof and all rules from time to time in force thereunder, respectively.

(6) At the expiration or the sooner determination of the period, the Kumridar shall deliver up the said land together with all the crops and buildings, which shall then be standing thereon and all other improvements thereof and all forest growth thereon in all respects in such state and condition as shall be consistent with the due performance of the

convenients herein contained and without any right to compensation in respect of such crops, buildings and improvements.

(7) No standing tree growth or any forest produce, except as has been specifically permitted in writing by the Divisional Forest Officer shall be cut or removed either from the said land or from the adjoining Reserved Forest.

(8) The Kumridar shall carry out such soil conservation measures as may be directed by the Forest Department.

(9) All reserved trees on the said land enumerated and appended to this permit shall be preserved and protected.

(10) The entire area granted for Kumri cultivation in the permit shall be protected from damage by cattle through-out the period covered under this permit.

(11) The Kumridar shall make the area permitted to him in a fit condition, for planting within time to be specified by the Divisional Forest Officer. In case, burning is prescribed as a part of preparatory work in this area, he is responsible to see that fire does not escape from the area to the adjacent Reserved Forest. The Kumridar shall, throughout the period of lease granted to him, protect the area from fire and damage by cattle.

(12) The Forest Department will supply seeds and seedlings for raising forest crop in the said land.

(13) The Kumridar shall help the Forest Department to procure labour for dibbling of seeds, or planting of seedlings in the said land, which will be done by the Forest Department under the direct supervision of Forest subordinates.

(14) The planting lines to a width of 0.610 metres on either side of the plants shall always be kept clear in the said land.

(15) The roads and inspection paths laid out in the Regeneration area shall be kept clear throughout the period.

(16) "The Kumridar shall replace casualties with the seedlings supplied by the Forest Department and keep the said land well

(17) If any work be found, at any time, not carried out by the Kumridar, as required by the Divisional Forest Officer, the same shall be undertaken departmentally at the risk and cost of the Kumridar, after the issue of notice by the Divisional Forest Officer or the Range Forest Officer allowing a time limit of seven days for work to be taken up by the Kumridar. If the Kumridar fails to carry out the specified works or keeps the said land in a neglected condition, the Divisional Forest Officer at his discretion may cancel the contract. On such cancellation, the security deposit relating to this permit will be forfeited to the Government and the said land resumed with the entire crop standing thereon including the crop raised by the Kumridar and he will not be entitled to any compensation.

(18) The Kumridar will be permitted to grow only such agricultural crops as approved by the Divisional Forest Officer, in the space between, the regeneration plots. He shall at all times see that the agricultural crops do not interfere; with the tree species.

(19) A little before the agricultural crop is harvested a mulching of the soil round the forest crop shall be done; by the Kumridar free of cost.

(20) The Kumridar shall remove the entire crops belonging to him within the period of this contract and he will not be entitled to any of his crops left in the area unremoved by him on the last day of the contract.

(21) All works in the said land shall be conducted by the Kumridar or by his duly authorised agents, approved by the Divisional Forest Officer, and, for this purpose either

the Kumridar or his duly authorised agents shall be present in the said land, while work is in progress, under the terms of this permit.

(22) The Kumridar must be present for inspection, when notice to this effect is given to him.

(23) Clearing of land for second and subsequent cultivation in case the contract is renewed, shall be done only after tracing out the seedlings and planting of missing stakes. Replacements of casualties at the missing stakes shall be done by the Kumridar with the seedlings supplied by the Forest Department.

(24) All debris collected shall be heaped up only in open space, between plants and on no account shall soil be picked in any manner than that approved by the Divisional Forest Officer. The Kumridar shall protect the forest species from injury, while preparing for his crop or weeding his crop.

(25) Fire lines not less than 5.486 metres in width shall be maintained around the said land from January to June every year.

(26) The Kumridar shall maintain the demarcated limits of the said land for cultivation throughout the entire period of the permit.

(27) The Kumridar shall be fully responsible for the acts of himself, his agents, and persons employed by him, and shall make good any damage in the said land resulting from their acts or omission, by fire or otherwise, the amounts of such damage to be fixed in each case by the Divisional Forest Officer, whose decision thereon shall be final. The Kumridar shall pay all such sums, as the Divisional Forest Officer may determine to be necessary for doing any work required to be done by the Kumridar, under this permit, which he has failed to do after notice.

(28) The contract is liable to be cancelled at any time by the Divisional Forest Officer, for any breach of the Kumridar of any of the conditions of the contract and, on such cancellation, all rights, which the Kumridar may have acquired under the terms of the contract, shall cease and the Kumridar shall not be entitled to the crops raised by him on the land or for any other work whatsoever done by him on the land and he is not also entitled for any compensation.

(29) The Divisional Forest Officer shall be entitled to forfeit the Security deposit in whole or in part either during or after the expiry of this contract and, in the event of any such forfeiture, pending continuance of this contract, any sum so forfeited shall be immediately made good by the Kumridar who will not be allowed to continue his work hereunder until such deposit has been brought up to the full amount originally deposited.

(30) The security deposit, the balance thereof, if any deductions have been made under any of the above conditions, shall be returnable to the Kumridar one month after the expiry of the contract on production by the Kumridar of an order in writing by the Divisional Forest Officer releasing the Kumridar from all liabilities under this permit.

(31) All amounts due from the Kumridar under the terms of the contract shall be paid by him within 15 days from the date of demanding the same. If such dues are not paid within the said time, the same shall be recovered from the Kumridar as arrears of land revenue under the Karnataka Revenue Act.

(32) No application for renewal of this contract shall be considered, unless presented to the Divisional Forest Officer one month before the expiry of the term of this contract but the Divisional Forest Officer shall in no case be under obligation to grant renewal. The renewal of the contract for any further period will be at the discretion of the Divisional Forest Officer.

SCHEDULE

District	Taluk	Village	Name and particulars of the area leased	Conditions and restrictions, special conditions and restrictions
1	2	3	4	5