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PART III.
LEGISLATIVE MEASURES AND RULES THEREUNDER.

LEGISLATIVE DEPARTMENT.

THE MYSORE FOREST REGULATION, 1900.

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REGULATION No. XI OF 1909.

(Passed on the 1st Day of November 1909).

A Regulation to amend the Law relating to Forests and
Forest Produce in Mysore.

Whereas it is expedient to amend the law relating to forests and forest produce in Mysore; Her Majesty the Maharani Regent is pleased to enact as follows:—

CHAPTER I.

Preliminary.

1. (1) This Regulation may be called The Mysore Forest Regulation, 1909, and shall come into force on the 1st day of November 1909.

(2) It extends to the whole of Mysore; provided that the Government may, by notification in the official Gazette, exempt any part of the whole or any part thereof, and withdraw such exemption:—

(3) It shall come into force on such date as the Government may, by notification in the official Gazette, direct.

(4) A notification under the proviso to subsection (2), exempting a place or thing from the operation of this Regulation, shall not affect any thing done, or any offence committed, or any fine or penalty imposed, in such place before such exemption.

(5) On and from the date on which this Regulation comes into force, the Forest Officer of the proper Traffic Post of the Forest Department of the State of Mysore, shall be known as the "Forest Officer," and shall exercise all the powers and perform all the duties conferred or imposed by this Regulation.

(6) A Magistrate has the power to issue orders for the protection of forests and forest produce and to impose penalties thereon.

(7) "District Forests" means all places included within the limits of any State or Village Forest.

(8) "Village Forest" means all places not included within the limits of any State or Village Forest.

2. Any land at the disposal of Government may be constituted a State Forest in the manner hereinafter provided.

3. Whenever it is proposed to constitute any land a State Forest, the Government shall publish a notification in the official Gazette—

(a) specifying as nearly as possible the situation and limits of such land;

(b) declaring that it is proposed to constitute such land a State Forest; and

(c) appointing an officer (hereinafter called "the Forest Settlement Officer") to inquire into and determine the existence, nature, and extent of any rights claimed by, or alleged to exist in favor of, any person in or over any land comprised within such limits, or to any forest produce of such land, and to deal with the same as provided in this Chapter.

The officer appointed under clause (c) of this section shall continue to act.
8. When a notification has been published under Section 4, the Forest Settlement Officer shall publish, in Kurnool, in the official Gazette and at the head-quarters of each taluk in which any portion of the land comprised in such notification is situate, and in every town and village in the neighbourhood of such land, a proclamation—
(a) specifying as nearly as possible the situation and limits of the proposed forest;
(b) setting forth the substance of the provisions of Section 6;
(c) explaining the consequences which, as hereinafter provided, will ensue to such forest being constituted a State Forest;
(d) fixing a period of not less than three months from the date of publishing such proclamation, and requiring every person claiming any right or making any claim referred to or mentioned in Section 4, either to present to such officer within such period a written notice specifying, or to appear before him within such period and state, the nature of such right or claim, and in either case to produce all documents in support thereof.
6. (1) During the interval between the publication of such proclamation and the date fixed by the notification declaring the forest to be a State Forest as hereinafter provided, no right shall be acquired in or over the land comprised in such notification, except by prescription 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 acquire such right was vested when the proclamation was published; and, on such land, no new house shall be built or plantation formed, no fresh cuttings for cultivation or for any other purpose shall be made, and no trees shall be cut for the purpose of trade or manufacture except as hereinafter provided.
No right of occupancy shall, without the previous sanction of Government, be granted in respect of such land, and every right of occupancy granted without such sanction shall be void and voidable.
(2) Nothing in this Section shall be deemed to prohibit any act done under the written permission of the Forest Settlement Officer.
7. No Civil Court shall, between the date of publication of the notification under Section 4 and of the final notification to be issued under Section 17, entertain any suit to establish any right in or over any land or to the forest produce of any land included in the notification under Section 4.
8. The Forest Settlement Officer shall take down in writing all statements made under Section 3 (9), and shall, at some convenient place, require of all claims duly preferred in accordance with the provisions of Section 4 (7) and not claimed under Section 3 (6), as far as the same may be ascertainable from the records of Government and the evidence against such claims.
The Forest Settlement Officer shall, at the same time, consider and record any objection which the Forest Officer, if any, appointed to assist him, may make to any such claim or any information which he may afford with regard to the existence and extent of any such right
9. For the purpose of such enquiry the Forest Settlement Officer may exercise the following powers—
(a) power to enter, by himself or any officer authorized by him for the purpose, upon any land, and to survey, demarcate and make a map of the same;
and
(b) the powers of a Civil Court in the trial of suits.
10. Rights in respect of which no claim has been preferred under Section 3, and of the existence of which no knowledge has been acquired by inquiry under Section 7, shall be extinguished unless before the first publication under Section 4.
The Government may, within five years of the passing of this Regulation, make any amendment of any of the procedures under Sect. 15 or 16, and direct that any such proceedings be taken in lieu of any other of such proceedings, or that the rights admitted under Section 13 be commenced under Section 14.

Notwithstanding anything contained in Section 20, no right continued under Section 13 shall be extinguished by any subsequent sale, lease, licence, mortgage or otherwise, without the sanction of the Government:

Provided that, when any such right is appurtenant to any land or building, it may be sold or otherwise alienated with such land or building without such sanction.

Provided that, for the purpose of any such apportionment of any right to watercourse for which, in the opinion of the Government or officer authorized by it, the demand is insufficient, such apportionment may be made in the manner provided in the Regulation, and, until such apportionment has been made, no decision shall affect the rights of persons to whom such rights are allocated under this Regulation.

Provided that the rights of persons to all or any land or portion of such land which has not been apportioned and recorded in a manner which the Government deems sufficient, shall be extinguished by any subsequent alienation, settlement or recordation by the Government, and, until such apportionment and recordation have been completed, no decision shall affect the rights of such persons.

All questions, differences, orders issued and records prepared in connection with this Regulation shall be decided by the Government, which shall have the final authority in the matter.

Provided that any person who shall fail to comply with any requirement of this Regulation, or who shall fail to pay any fine or penalty imposed under it, shall be liable to a fine of not more than twenty-five rupees, or, in default of payment, to imprisonment for a term not exceeding one month.
(a) makes any fresh clearing prohibited by Section 9; or
(b) sets fire to a State Forest, or, in conservation of any lands made by
the Government, kindles any fire, or leaves any fire burning, in such manner as
endanger such a forest,
or who, in any such forest,
(c) kindles, keeps or carries any fire except at such seasons and in such manner
as a Forest Officer duly empowered in this behalf may from time to time notify
or
(d) sells, cuts, girdles, marks, chops, taps, or injures by fire or otherwise any
tree, or
(e) quarries alone, burn limestone or charcoal, or collects, subjects to any manu-
factoring process, or removes, any forest produce, or
(f) clears or breaks up any land for cultivation or any other purpose,
shall be punished with imprisonment for a term which may extend to six
months, or with fine which may extend to five hundred rupees, or both.

 Acts excepted from Section 28 and 29:

(c) the exercise, in accordance with the rules, if any, made by the Govern-
ment under Section 13, of any right continued under that Section; or

(d) the exercise of any right created by grant or contract in the manner
described in Section 39, or

(e) any act done in pursuance of the provisions of writing of a Forest Officer duly
empowered to grant such permission.

37. The Government may in any State Forest grant such privileges as are
be consistent with the due maintenance of the forest; and may, without assigning reason therefor,
cancel such grants.

38. Provided always that all privileges so granted shall previously be speci-
ced and recorded by the Deputy Commissioner of the District in the manner pro-
vided in Section 12:

Provided further that the exercise of any privilege under this section shall be for the use of the person entitled thereto, and not for the purpose of export or merchandize.

39. Whenever fire is caused wilfully or by gross negligence in a State For-
test by any person having rights in such forest as by
not having rights in such forest contravenes the pro-
vision of Section 31, the Government may, notwith-
standing the existence of any penalty under this Regulation, direct that in such
forest or to forest produce shall be extinguished for such period as it thinks fit to suspend any person having such rights, or to cut and remove timber or to pasture cattle in, such

40. Every person who exercises any right in a State Forest, or who is
permitted to take any forest produce from, or to cut and remove timber or to pasture cattle in, such
or to such forest, and every village officer or person in any village con-
within one year to such forest who is employed by Government, shall be bound to furnish informa-
section 31, or the Government may, without assigning reason therefore, cancel such grant.

42. (1) The Government may by notification in the official Gazette, pub-
lish the provisions of this Section, and shall, for the purpose of enforcement of this Section, confer
on the Forest Officer or Police Officer any such

43. The Government may by notification in the official Gazette, con-
stitute any land in any State Forest or a Village Forest for the benefit of any village com-
unity or group of village communities, and may in like manner vary or cancel any such notification.

44. (1) The Government may by notification in the official Gazette, consti-
tute any land in the State Forest or any Village Forest for the benefit of any village commu-
ity, group of village communities, or in the manner prescribed by Chapter II of this Regulation.

45. The Government may, in any District Forest, grant such privileges as
it thinks fit in regard to the removal by cultivating
rights in the cultivation of any portion of such forest;

46. Subject to all rights now legally vested in individuals and communities,
the Government may, or by any person having such rights, or to cut and remove timber or to pasture cattle in, such
without assigning reason therefore, cancel such grant:
Provided always that the exercise of any privilege under this section shall be for the use of the person entitled thereto, and not for the purpose of export or merchandize.

47. The Government may, by notification in the official Gazette, publish the provisions of this Section, and shall, for the purpose of enforcement, confer
on the Forest Officer or Police Officer any such

48. The Government may, in any District Forest, grant such privileges as
it thinks fit in regard to the removal by cultivating
rights in the cultivation of any portion of such forest;

49. Subject to all rights now legally vested in individuals and communities,
the Government may, or by any person having such rights, or to cut and remove timber or to pasture cattle in, such
without assigning reason therefore, cancel such grant:
Provided always that the exercise of any privilege under this section shall be for the use of the person entitled thereto, and not for the purpose of export or merchandize.

50. (1) The Government may, by notification in the official Gazette, pub-
lish the provisions of this Section, and shall, for the purpose of enforcement, confer
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tute any land in any State Forest or a Village Forest for the benefit of any village com-
community, group of village communities, or in the manner prescribed by Chapter II of this Regulation.
(v) regulate or prohibit the cutting of grass, and prescribe the precautions to be taken to prevent the spreading of fires; and
(vi) regulate or prohibit the felling, cutting, girdling, marking, lopping, trapping or injuring any tree, the burning of any forest, the sawing, felling, cutting, and removal of trees and timber, and the collection and removal of firewood.
(vii) regulate or prohibit the sawing of stone or gravel, the burning of lime or charcoal, the planting of trees, or the burning of cane.
(viii) regulate or prohibit the cutting of grass and pasturing of cattle, and prescribe the prices (if any) to be made for such cutting or pasturing.
(ix) regulate or prohibit hunting, shooting, beheading, or driving for game, fishing, poaching or dynamiting water, and setting traps or snares.
(x) regulate the disposal of timber and other forest produce whether by sale or by free grant.
(xi) prescribe or authorize the Conservator and the Public Commissioner of the district jointly to prescribe, the fees, royalties, or other payments for such timber and other forest produce, and the manner in which they shall be levied.

The Government may by such rules prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to one month or fine which may extend to two hundred rupees, or both.

Provided that the Government may exempt any person or class of persons from the operation of all or any of such rules.

Chapter V.
Control of Forest Produce in Transit.

97. (1) The export of all rivers and their banks as regards the cutting of timber, as well as the control of all forest produce in transit by land or water, is vested in the Government, which may make rules to regulate the transit of any forest produce.
(2) Such rules may, among other matters:
(a) prescribe the routes by which such forest produce may be imported into or exported from, or moved within, the territories to which this Regulation extends.
(b) prohibit the import, export, collection, or moving of forest produce in transit by land or water, as the case may be.
(c) authorize any officer to prescribe or control the transit of such forest produce.
(d) provide for the destruction or removal of such forest produce in transit in respect of which there is reason to believe that any person is guilty of an offence under this Regulation, or to which it is desirable, for the purposes of this Regulation, to arrest a suspect.
(e) authorize revenue stations or depots to which forest produce is to be taken by the persons in charge of it for examination, or for the execution of any order of the Government in that behalf.
(f) declare any person to be an offender for the purpose of proceedings under which forest produce is to be brought, stored, or removed, to be prescribed.

Chapter VI.
Collection of Duties, Stamps, and other Timber.

98. (a) Certain kinds of timber to be deemed the property of Government until the present of:
(b) timber found salved, beheaded, or sawn;
(c) timber having marks which have not been registered under rules made under Section 57;
(d) timber which has been supermarked, or on which marks have been obliterated, altered, or defaced by fire or otherwise;
(e) in such cases as the Government directs, all unmarked timber, shall be deemed to be the property of the Government unless and until any person establishes his right thereto as provided in this chapter.
(2) Such timber may be collected by any Forest Officer or other person entitled to collect the same, and may be brought to such station as a Forest Officer specially empowered in this behalf may, from time to time, notify as stations for the reception of drift timber.
(3) The Government may, by notification in the official Gazette, exempt any class of timber from the provisions of this section and withdraw such exemption.
(4) (1) Public notice shall, from time to time, as occasion may require, be given by a Forest Officer specially empowered in this behalf of timber collected under the last foregoing provision.
(2) Such notice shall contain a description of the timber and shall be --
(v) regulate or prohibit the kindling of fires, and prescribe the precautions to be taken to prevent the spreading of fires;
(vi) regulate or prohibit the felling, cutting, girdling, marking, tying, tapping or injuring by fire or otherwise of any trees, the sawing, felling, breaking, removal of trees and timber, and the collection and removal of other forest products;
(vii) regulate or prohibit the quarrying of stone or gravel, the burning of lime or charcoal, the smelting of ore, or the burning of catchas;
(viii) regulate or prohibit the cutting of grass and pasturing of cattle, and prescribe the payments (if any) to be made for such cutting or pasturing;
(ix) regulate or prohibit hunting, shooting, burning or driving for game, fishing, poisoning or dynamiting water, and setting traps or snares;
(x) prescribe the disposal of timber and other forest produce whether by sale or by free grant;
(xi) prescribe, or authorize the Conservator and the Deputy Commissioners of the district jointly to prescribe, the fees, royalties, or other payments for such timber and other forest produce, and the manner in which they shall be levied.

50. The Government may by such rules prescribe, as penalties for the infringement thereof, imprisonment for a term which may extend to one month or fine which may extend to a hundred rupees, or both.

Provided that the Government may exempt any person or class of persons from the operation of all or any of such rules.

CHAPTER V.
Control of Forest Produce in Transit.

51. (1) The control of all rivers and their banks as regards the flotting of timber, as well as the control of all forest produce in transit by land or water, is vested in the Government, which may make rules to regulate the transit of such produce.

(2) Such rules may, among other matters,
(a) prescribe the routes by which alone forest produce may be imported into, or exported from, or moved within, the territories to which this Regulation extends;
(b) prohibit the import, export, collection, or proving of forest produce without a pass from an officer authorized to issue the same, or otherwise than in accordance with the conditions of such pass;
(c) provide, for the issue, production and return of such passes;
(d) exempt, or authorize any Forest Officer, subject to the control of the Conservator, to issue passes to such persons, as he may think fit, for the purpose of collecting or supply of forest produce, of the same or other kinds, to meet the consumption of such persons or of the Government, or for the purposes of the Government, in respect of which there is reason to believe that any such passes would be requisite in the public service, to be issued by the Conservator, to such persons;
(e) regulate, to the extent to which it is desirable, for the purpose of the Government, the transportation and control of such revenue stations or depots to which forest produce is to be transported, or for the purpose of regulating the persons in charge of it for examination, or for the realization of the proceeds therefrom.

Provided that such regulations shall be subject to the control of the Conservator, and shall be such as shall be necessary to prevent any loss or injury to the revenue, or to any person.

PART III.
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52. (1) The Government may authorize the transport of timber across any land, and provide for the assessment and payment of compensation for any damage done by the transport of such timber:

(c) prohibit the closing of any stretch of the channel, or banks of any river, used for the transit of forest produce and the throwing of grass, brushwood, branches or leaves into any such river, or any other water which tends to cause the obstruction of such channel:

(3) provide for the prevention and removal of any obstruction in the channel or on the banks of any such river, and for recovering the cost of such prevention or removal from the person causing such obstruction:

(4) prohibit absolutely, or subject to conditions, within specified local limits, the establishment of sawmills, the converting, cutting, farming, conning, marking, or stamp-marking of timber, the altering or effecting of any marks on the same, and the possessing or carrying of marking hammers or other implements used for marking timber:

(5) regulate the use of property marks on timber and the registration of such marks, authorizing the refusal or cancellation of the registration of any proprietary marks, prescribe the time for which the registration of property marks is to be held good, limit the number of such marks which may be registered by any one person and provide for the levy of fees for such registration.

53. The Government may direct that any rule made under this section shall not apply to any specified class of timber or other forest produce or to any specified local area.

54. (1) The Government may, by a rule made under this section, attach to the breach of any rule under this section any punishment, not exceeding imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

(2) In cases where the offence is committed after notice and before seizure or after preparation for resistance to the execution of any law or any legal process, or where the offender has been previously convicted of a like offence, the conviction thereof may double the penalty prescribed for such offence.

CHAPTER VI.
Collection of Dues, Stamp, and other Timber.

55. Certain kinds of timber to be deemed the property of Government within this District.

(1) Timber falling under any of the following descriptions, namely:

(a) timber found adrift, beached, stranded, or sunk;
(b) timber bearing marks which have not been registered under rules made under Section 37;
(c) timber which has been supercharged, or on which marks have been obliterated, altered, or defaced by fire or otherwise;
(d) in such areas as the Government directs, all unmarked timber, shall be deemed to be the property of the Government unless and until any person establishes his right thereto as provided in this chapter.

Such timber may be collected by any Forest Officer or other person entitled to collect the same, and may be brought to such stations as a Forest Officer specially empowered in this behalf may, from time to time, notify as stations for the reception of drift timber.

(3) The Government may, by notification in the official Gazette, exempt any class of timber from the provisions of this section and withdraw such exemption.

56. Public notice shall be published, from time to time, in an announcement of the nature of such inspection of timber:

57. Such notice shall contain a description of the timber and shall in-
not less than one month from the date on which such notice is given, a written statement of such claim.

11. (1) When any such statement is presented as aforesaid, the Forest Officer may, after making such enquiry as he thinks fit, either reject such claim or set such condition in writing as the claimant desires which form a part of the claim. If such condition is not complied with in writing, the Forest Officer may reject the claim.

(2) No such condition shall be subject to the provisions of any Civil Court and it shall be deemed to be a written statement for the purposes of the Act.

12. If any such condition is rejected by the Forest Officer, either in whole or in part, the claimant may appeal to the Presidency Magistrate, who shall, after holding such inquiry as he deems fit, either confirm or modify the condition.

(1) Any person whose claim has been rejected under this section may, within three months from the date of such rejection, institute a suit to recover possession against the Government or against any Forest Officer on account of such rejection or the detention or removal of any timber, or the delivery thereof to any other person under this section.

13. No such timber shall be subject to the provisions of any Civil Court and it shall be deemed to be a written statement for the purposes of the Act.

14. Where no statement is presented in the manner and within the period prescribed by section 22 of the Act, or where such statement having been presented and such timber within the further period mentioned in Section 31, the ownership of such timber shall be given to the Government for the purposes of any Civil Court.

15. No person shall be entitled to recover possession of any timber collected or delivered to the Forest Officer after the date of the present Act, or the delivery of any timber to the Forest Officer after the date of the present Act, on account of any dispute as to the ownership of such timber.

16. The Government may make rules and regulations for the purpose of regulating the following matters, namely:

(a) The sale, collection, and disposal of all timber mentioned in Section 29;

(b) The use and registration of boats used in salving and collecting timber;

(c) The payment of fixed sums for salvaging, collecting, moving, storing, and disposing of the timber; and

(d) The use and registration of harvesters and other implements to be used in the collection of timber.

17. The Government may, by a rule under this section, attach to the same for a term which may extend to six months, or fine which may extend to two hundred rupees, or both.

PART III

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Provided that unless the forest produce is delivered to the Forest Officer or other person to whom the same is entrusted by such claimant, it shall be deemed to be a part of the forest produce in the hands of the claimant.

18. Upon the receipt of any such report, the Magistrate shall take such measures as may be necessary in the case of the property and the disposal of the property according to law.

19. Upon the receipt of any such report, the Magistrate shall take such measures as may be necessary in the case of the property and the disposal of the property according to law.

(1) When any person is convicted of a forest offence, all forest produce which is not the property of the Government, and in respect of which such offence has been committed, and all tools, boats, carts, and cattle used in the commission of such offence, shall be liable, under order of the convicting Court, to confiscation.

(2) Such confiscation may be in addition to any other punishment prescribed for such offence.

20. When the trial of any forest offence is concluded, any forest produce in respect of which such offence has been committed shall, if it is the property of the Government, or has been confiscated, be taken possession of by a Forest Officer duly empowered in that behalf, and, in any other case, shall be disposed of as may be directed by the Court.
Section 45, which is 'out the property of Government, and the withdrawal of
any charge made to it.
24. (1) Any Forest Officer or Police Officer who, without authority or unnecessary
sums any money on any person or occasion, shall be punished with imprisonment for a term
which may extend to six months, or with fine which may extend to five hundred
rupees, or with both.
(2) Any false record, or any portion thereof, shall, if the conviction
thereof, be given as evidence to the person aggrieved by such
record or portion thereof.
(3) Whoever, with intent to cause damage or injury to the public or to
any person, or to cause wrongful gain as defined in
the Indian Penal Code,
shall

be punished with imprisonment for a term which may extend to two years,
or with fine, or with both.
(4) Any Forest Officer or Police Officer may, without orders from
any person authorized to give such orders, arrest any
person reasonably suspected of having committed
any offense punishable with imprisonment
for one month or under, or who refuses to give his name and
residence which there is reason to believe that he will abscond.
(5) Every Forest Officer and every Police Officer shall prevent, and may
interfere for the purpose of preventing, the commis-
sion of any forest offense.
(6) Nothing in this Regulation shall be deemed to prevent any person from
being prosecuted under any other law for any act or omission which constitutes a forest offense,
or from being liable under such other law to any high-

est punishment or penalty that may be provided for such offense or the rule made
thereunder.

(2) The Government may, by notification in the official gazette, empower
a Forest Officer by name, or hold any
in
charge of a forest, against whom a reasonable suspicion exists that he has committed any forest offense other than an offense
specified in Section 53 or Section 57 or any act or omission which constitutes a forest offense, to

24. (1) Any Forest Officer or Police Officer who, without authority or unecessary
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a Forest Officer by name, or hold any
in charge of a forest, against whom a reasonable suspicion exists that he has committed any forest offense other than an offense
specified in Section 53 or Section 57 or any act or omission which constitutes a forest offense, to
imposed under Section 63 of this Regulation such fines as it thinks fit, but not exceeding the following, namely:

<table>
<thead>
<tr>
<th>For such offence</th>
<th>$70.00</th>
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<tbody>
<tr>
<td>For such offence committed in a forest or forest area</td>
<td>$70.00</td>
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Chapter IX.
Forest Officers.

60. (1) The Government may appoint any Forest Officer by name, or as holding any office, with all or any of the following powers, namely:

(a) power to enter upon any land and to survey, demarcate, and make a map of the same;
(b) the powers of a Civil Court to compel the attendance of witnesses and the production of documents;
(c) power to issue search warrants under the Code of Criminal Procedure;
(d) power to hold inquiries into forest offences, and in the course of such inquiries to receive and record evidence;
(e) power to seize, move, or sell, or otherwise dispose of, any timber, fuel, or timber or fuel, or other property used in the course of any forest offence;
(f) power to take possession of property under this Regulation; and
(g) power to make rules for the protection of property or withdrawal of charges, and to withdraw any power so conferred.

(2) Any evidence recorded under clause (e) of Sub-section (1) shall be admissible in any subsequent trial before a Magistrate of the alleged offender.

Provided that it has been taken in the presence of the accused person and in the manner provided by Section 333, Section 334, or Section 335 of the Code of Criminal Procedure.

61. All Forest Officers shall be deemed to be public servants within the meaning of the Indian Penal Code.

62. No suit or criminal prosecution shall be brought against any public servant for anything done or omitted by him in good faith under this Regulation.

63. No Forest Officer shall, as principal or agent, trade in forest produce, or enter into any contract for the buying or mortgage of any forest, or in any contract for working any forest, whether in Myanar or in foreign territory.

Chapter X.
Supplementary Provisions.

64. (1) All persons who, by the terms of their annuities, are entitled to the timber and sandalwood in their own villages, may fell and sell without penalty any such timber, excepting sandalwood.

(2) The Conservator of Forests may cause any sandalwood growing in such village to be cut and sold on behalf of the annuaries under such rules as may be made by the Government.


78. The Myanar shall be the exclusive property of Government, unless the same be allotted as an area in which the Government may have expressly allocated its right to sandalwood.

79. In any case of a forest offence having reference to the cutting, removing or removal of, or damage to, a sandal tree, belonging to Government, or part of a sandal tree belonging to any Government, the Government may make rules consistent with this Regulation for the protection of such trees.
80. (1) When any such money is payable for, or in respect of, any forest produce, the amount thereof shall be deemed to be a first charge on such produce; and such produce may be taken possession of by a Forest Officer duly empowered in this behalf, and may be retained by him until such amount has been paid.

(2) If such amount is not paid when due, such Forest Officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

(3) The surplus, if any, not claimed within two months from the date of sale by the person entitled thereto, shall be forfeited to the Government.

81. The Government shall not be responsible for any loss or damage which may occur in respect of any forest produce while at a revenue station or depot, established under Section 37, Sub-Section (2), clause (g), or while detained elsewhere for the purposes of this Regulation; and no Forest Officer shall be responsible for any such loss or damage unless he causes the same negligently, maliciously, or fraudulently.

82. In case of any accident or emergency involving danger to any property at any station or depot, every person employed at such station or depot, whether by the Government or by any private person, shall render assistance to any Forest Officer or Police Officer demanding his aid in averting such danger and securing such property from damage or loss.

83. Whenever it appears to the Government that any land is required for any of the purposes of this Regulation, such land shall be deemed to be needed for a public purpose within the meaning of the Land Acquisition Regulations, 1894, Section 4.

84. When any person, in compliance with any rule under this Regulation, binds himself by any instrument to perform any duty or act, or covenants by any instrument that he, or that he and his servants and agents, will abstain from any act, the whole sum mentioned in such instrument as the amount to be paid in case of a breach of the conditions thereof may, notwithstanding anything in Section 74 of the Indian Contract Act, 1872, be recovered from him in case of such breach as if it were an arrear of land revenue.

T. R. A. THUMBOO CHERITY, Officiating Dewan of Mysore.

Certified Copy

[Signature]

Assistant Commissioner
Governor's State Archives
Bengaluru District Court