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THE PUNJAB FOREST (SALE OF TIMBER) ACT, 1913

(III of 1913)

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TEXT

'THE PUNJAB FOREST (SALE OF TIMBER) ACT, 1913

(III of 1913)

[21 March 1913]

An
Act

*to provide for the control of the sale of timber and the establishment of sale depots
for such timber in the Punjab.*

WHEREAS it is expedient to provide for the control of the sale of timber and the establishment of sale depots for such² timber in the Punjab;

It is hereby enacted as follows:—

1. Short title, extent and commencement.— This Act may be called the Punjab Forest (Sale of Timber) Act, 1913.

It shall extend to such local areas as the ³[Provincial Government] may by notification⁴ in the ⁵[Official Gazette] direct; and it shall come into force in each of such areas on such day as the ⁶[Provincial Government] in like manner directs⁷ in this behalf.

2. Meaning of terms.— In this Act all expressions shall have the meaning assigned to them in the ⁸[Forest Act, 1927].

3. Power to make rules regulating sale of timber and the establishment of sale depots.— (1) The ⁹[Provincial Government] may, by notification¹ in the ²[Official

¹This Act received the assent of the Lieutenant-Governor of the Punjab on 12th February 1913; and that of the Governor-General on 6th March 1913 and was published in the Punjab Gazette Part-V, dated March 21, 1913. For Statement of Objects and Reasons, see Punjab Gazette, 1912, Part V, p. 92; for Report of the Select Committee, see Punjab Gazette, 1912, Part V, p. 225; for Proceedings in Council, see Punjab Gazette, 1912, Part V, p. 134, and *ibid.*, 1913, Part V, p. 5.

²Printed as “sum” in the original Gazette Part-V, dated March 21, 1913.

³Substituted for the words “Local Government” by the Government of India (Adaptation of Indian Laws) Order, 1937, published in the Gazette of India (Extraordinary), dated 01.04.1937, pp. 75-344.

⁴See the Punjab Forest Manual, Vol-I, Chapter VI, at Sr. No. 29, under the heading “Rules describing the tracts to which the Punjab Forest (Sale of Timber) Act, 1913 shall apply under section 1 of that Act”, Notification No. 17415-Forests, dated the 14th June 1923 and amended by Notification No. 14697-Forests, dated 11th May 1927, p. 43 and published in the Punjab Gazette, Part I, dated 14th June, 1923, p. 517.

⁵Substituted for the words “local official Gazette” by the Government of India (Adaptation of Indian Laws) Order, 1937, published in the Gazette of India (Extraordinary), dated 01.04.1937, pp. 75-344.

⁶Substituted for the words “Local Government” by the Order *ibid.*

⁷See the Punjab Forest Manual, Vol-I, Chapter VI, at Sr. No. 29, under the heading “Rules describing the tracts to which the Punjab Forest (Sale of Timber) Act, 1913 shall apply under section 1 of that Act”, Notification No. 17415-Forests, dated the 14th June 1923 and amended by Notification No. 14697-Forests, dated 11th May 1927, p. 43 and published in the Punjab Gazette, Part I, dated 14th June, 1923, p. 517.

⁸Substituted for the words, comma and figures “Indian Forest Act, 1878” by the Punjab Forest (Sale of Timber) (Amendment) Ordinance, 2001 (Punjab Ordinance No. XXXV of 2001), dated 5th November, 2001, published in the Punjab Gazette (Extraordinary), dated November 5, 2001, pp. 1765-1766.

⁹Substituted for the words “Local Government” by the Government of India (Adaptation of Indian Laws) Order, 1937, published in the Gazette of India (Extraordinary), dated 01.04.1937, pp. 75-344.

Gazette], make rules to regulate the sale of timber and the establishment of sale depots for such timber.

Such rules may among other matters—

- (a) prescribe the classes of timber to which the rules shall apply;
- (b) define what shall be deemed to be a sale depot;
- (c) provide for the establishment, registration, regulation and inspection of sale depots, and the levy of fees for registration; prescribe the period for which registration shall hold good and the conditions under which timber may be brought to, stored at, sold at, and removed from sale depots; and prohibit the sale of timber at or the establishment or maintenance of unregistered sale depots;
- (d) regulate the use of sale depot marks and the registration of such marks; prescribe the time for which registration shall hold good; and provide for the levy of fees for registration;
- (e) prescribe the registers to be maintained at sale depots, and provide for the production of such registers before and for their examination by any forest or police officer authorized in this behalf by the Divisional Forest Officer or by the District Superintendent of Police, respectively;
- (f) prescribe as penalties for the infringement of any rule made under this section imprisonment which may extend to six months or fine which may extend to Rs. 500 or both. Double penalties may be inflicted where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful³ authority, or if the offender has been previously convicted of a like offence.

(2) All rules made under sub-section (1) shall be so made after previous publication in the ⁴[Official Gazette].

4. Application of Chapter X of Indian Forest Act.— The provisions of Chapter X of the ⁵[Forest Act, 1927], with the exception of section 67, shall apply so far as may be to any infringement of the rules make under this Act as if such infringement were a forest offence under the ⁶[Forest Act, 1927].

5. Indemnity for acts done in good faith.— No suit shall lie against any public servant for anything done by him in good faith under this Act.

¹See the Punjab Forest Manual, Vol-I, Chapter VI at Sr. 28 under the heading "Rules under the Punjab Forest (Sale of Timber) Act, 1913", and "Rules regarding the registration of Timber Depots under section 3 of the Punjab Forest (Sale of Timber) Act, 1913 (III of 1913), by Notification No. 1436, dated 12th January 1923 and amended by Notification No. 14696, dated 11th May 1927, pp. 41-43 and published in the Punjab Gazette, Part I, dated 19th January, 1923, p. 62.

²Substituted for the words "local official Gazette" by the Government of India (Adaptation of Indian Laws) Order, 1937, published in the Gazette of India (Extraordinary), dated 01.04.1937, pp. 75-344.

³Printed as "lawulf" in the original Gazette Part-V, dated March 21, 1913.

⁴Substituted for the word "Gazette" by the Government of India (Adaptation of Indian Laws) Order, 1937, published in the Gazette of India (Extraordinary), dated 01.04.1937, pp. 75-344.

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⁶*Ibid.*