

Annexure VII (22), (Vide Article - 7.03)

Maharashtra Private Forests (Acquisition) Act, 1975
Implementation of

**Government of Maharashtra
Revenue & Forests Department,
Resolution No.PR.F.1482/140951-F-6
Mantralaya, Bombay- 32
Dated : 8th, January 1982.**

CIRCULAR

It has been brought to the notice of Government that some of the Divisional Forest Officers particularly in Thane Circle, have denied permission to persons eligible for restoration of forest land under section 22 A of the Maharashtra Private Forests (Acquisition) Act, 1975 (as amended) for felling of trees therein on the premise, that the instructions issued in this regard in Government Circular, Revenue and Forest Department No. PR.F 1480/948/F-6, dated 17th December 1980 are not clear on certain points and that consequently no little financial hardship is caused to the persons.

2. In the above context it is hereby clarified, that the instructions contained in paragraph (5) of the aforesaid Government Circular, Revenue and Forests Department, dated the 17th December 1980, apply to standing trees on any forest land, which is liable for restoration under section 22-A of the Maharashtra Private Forests (Acquisition) Act, 1975 (as amended). Other words, he person who are eligible for restoration of the forest land in question under section 22- A of the said Act, may be allowed to fell trees therein, subject to obtaining the permission, wherever necessary, under the Maharashtra Felling of Trees (Regulation) Act, 1964 or the Maharashtra Land Revenue Code, 1966 or Section 35 of the Indian Forest Act, 1927, as the case may be, on production of a certificate from the competent Revenue Officer, to the effect that the total holding (including forest land) of the applicant, did not exceed 12 hectares as on 30th August, 1975, i.e. the appointed day under the Maharashtra Private Forests (Acquisition) Act, 1975 (as amended). Action to issue forest transit passes in such cases need not therefore be held up, pending completion of statutory proceedings for restorationof land under section 22-A of the said Act after obtaining the requisite permission under the Forest (Conservation) Act, 1980.

By order and in the name of the Governor of Maharashtra.

(L.H.A. REGO)
Deputy Secretary to Government
Revenue & Forest Department.
