

ORISSA ACT XI OF 1954
**THE INDIAN FOREST (ORISSA AMEND-
 MENT) ACT, 1954**

[Received the assent of the Governor on the 9th
 May 1954, first published in the Orissa Gazette,
 dated the 21st May 1954]

AN ACT TO AMEND THE INDIAN FOREST ACT, 1927 IN
 ITS APPLICATION TO THE STATE OF ORISSA

WHEREAS it is expedient to amend the Indian Forest Act, 1927 in its application to the State of Orissa in the manner hereinafter appearing ;

Act XVI of
1927.

It is hereby enacted as follows :—

Short title
and com-
mencement.

* 1. (1) This Act may be called the Indian Forest (Orissa Amendment) Act, 1954.

(2) It shall come into force at once.

Insertion of
a new sec-
tion after
section 20,
XVI of 1927

2. After section 20 of the Indian Forest Act, 1927 (hereinafter referred to as the said Act), the following new section shall be inserted, namely :—

Act XVI of
1927.

Forest land,
or waste
land deemed
to be reserv-
ed forest.

“ 20-A. (1) Notwithstanding anything contained in this Act or in any other law for the time being in force, any forest land or waste land in the merged territories, which had been recognised by the Ruler of any merged State immediately before the date of merger as a reserved forest in pursuance of any law, custom, rule, regulation, order or notification for the time being in force or which has been dealt with as such in any administration report or in accordance with any working plan, or register maintained and acted upon immediately before the said date and has been continued to be so dealt with thereafter, shall be deemed to be reserved forest for the purposes of this Act.

(2) In the absence of any rule, order or notification under this Act, applicable to the area in question any law, custom, rule, regulation, order or notification mentioned in sub-section (1) shall, anything in law to the contrary notwithstanding, be deemed to be validly in force as if the same had the force and effect of rules, orders and notifications made under the provisions of this Act and shall continue to so remain in force until superseded, altered or modified in accordance therewith.

* For Statement of objects and reasons see *Orissa Gazette* extra-ordinary, dated the 23rd February 1954.

(3) No report, working plan, or register as aforesaid or any entry therein shall be questioned in any court of law ; provided that the State Government have duly certified that such report, working plan, or register had been prepared under the authority of the said Ruler before the date of the merger and has been under the authority of the State Government continued to be recognised, maintained or acted upon thereafter.

(4) Forests recognised in the merged territories at Khesra forests, village forests or protected forests, or forests other than reserved forests, by whatever name designated or locally known, shall be deemed to be protected forests within the meaning of this Act and provisions of sub-sections (2) and (3) shall *mutatis mutandis* apply.

Explanation I—“ Working plan ” includes “ any plan, scheme, project, maps, drawings and lay-outs prepared for the purpose of carrying out the operations in course of the working and management of forests.

Explanation II—“ Ruler ” includes the Darbar administration prior to the date of the merger and “ State Government ” includes the successor Governments after the said date.”

Amendment
of sections
52 and 53,
XVI of 1927

3. In sections 52 and 53 of the said Act, for the word “ carts ” wherever it occurs the word “ vehicle ” shall be substituted.