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गुरुवार, डिसेंबर १४, १९७८/अग्रहायण २३, शके १९००

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Assembly on 14th December 1978:—

L. A. BILL No. LVI OF 1978

A BILL

further to amend the Maharashtra Private Forests (Acquisition) Act, 1975.

Mah. XXIX of 1975 WHEREAS it is expedient to amend the Maharashtra Private Forests (Acquisition) Act, 1975, for the purposes hereinafter appearing; It is hereby enacted in the Twenty-ninth Year of the Republic of India as follows:—

1. This Act may be called the Maharashtra Private Forests (Acquisition) Short title. (Second Amendment) Act, 1978.

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Amendment of preamble to Mah. XXIX of 1975. **2.** In the preamble to the Maharashtra Private Forests (Acquisition) Act, 1975 (hereinafter referred to as "the principal Act"), in the fourth paragraph for the words "twelve hectares" wherever they occur the words "twenty-two hectares" shall be substituted.

Amendment of section 22A of Mah. XXIX of 1975. **3.** In section 22A of the principal Act, in sub-section (1) for the words "twelve hectares" wherever they occur, the words "twenty-two hectares" shall be substituted.

Amendment of section 24 of Mah. XXIX of 1975. **4.** In section 24 of the Maharashtra Private Forests (Acquisition) Act, 1975, sub-section (2) shall be deleted.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Private Forests (Acquisition) Act, 1975 was amended in 1978 [by the Maharashtra Private Forests (Acquisition) (Amendment) Act, 1978] so that in case of owners of private forests whose total holdings of lands became less than twelve hectares after acquisition, it should be possible to restore the acquired forest lands to them. Many of the persons from whom forest lands were acquired are poor needy persons, mostly from hilly inaccessible areas. It is, therefore, necessary to increase the limit of twelve hectares to twenty-two hectares in order to give relief to these persons.

Further sub-section (1) of section 24 of the Act has repealed sections 34A, 35, 36, 36A, 36B, 36C and 37 of the Indian Forest Act, 1927. However under sub-section (2) of the said section which was inserted by the amendment Act of 1978, the aforesaid sections of the Indian Forest Act have been re-enacted in respect of lands which have been or will be restored to owners. The persons to whom lands have been or will be restored under the said amendment Act of 1978, are the poor needy persons referred to above. They are sought to be restored to them with a view that they may be in a position to cultivate them. The re-enactment of the aforesaid sections of the Indian Forest Act means unnecessary harassment of these poor persons. It is, therefore, necessary to repeal sub-section (2) of section 24.

The present Bill seeks to amend the Maharashtra Private Forests (Acquisition) Act, 1978, for these purposes.

Nagpur, dated 6th December 1978.

S. G. GHOLAP,
Member-in-charge.

Nagpur, dated 14th December 1978.

G. S. NANDE,
Secretary,
Maharashtra Legislative Assembly.