The Meghalaya Forest Regulation (Application and Amendment) Act, 1973

Act 9 of 1973

Keyword(s):
Forest Regulation

Amendments appended 7 of 1998, 16 of 2012, 24 of 2019
THE MEGHALAYA FOREST REGULATION (AMENDMENT) ACT, 2019

An
ACT

to amend the Meghalaya Forest Regulation (Assam Regulation No. 7 of 1891 as adapted and amended by the State of Meghalaya).

Be it enacted by the Legislature of the State of Meghalaya in the Seventieth Year of the Republic of India as follows:-

1. (1) This Act may be called the Meghalaya Forest Regulation (Amendment) Act, 2019.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. In the Meghalaya Forest Regulation (Assam Regulation No. 7 of 1891 as adapted and amended by Meghalaya), in clause (2) of Section 3, the word “bamboos” appearing therein shall be omitted.

S. K. SANGMA,
Deputy Secretary to the Govt. of Meghalaya,
Law Department.
The Meghalaya Forest Regulation (Application and Amendment) Act, 1973

Act 9 of 1973

Keyword(s):
Forest Regulation

Amendments appended 7 of 1998, 16 of 2012, 24 of 2019
MEGHALAYA ACT 9 OF 1973

THE MEGHALAYA FOREST REGULATION (APPLICATION AND AMENDMENT) ACT, 1973

(As passed by the Assembly)

(Received the assent of the Governor on the Seventeenth April, 1973)

[Published in the Gazette of Meghalaya, Extra-ordinary, dated the 21st April, 1973]

An Act to provide for the extension and application of, and to amend the Assam Forest Regulation, 1891 (Regulation 7 of 1891) and the Meghalaya Forest Regulation and for matters connected therewith or incidental thereto

Be it enacted by the Legislature of Meghalaya in the Twenty-third Year of the Republic of India as follows:-

Short title and commencement. 1. (1) This Act may be called the Meghalaya Forest Regulation (Application and Amendment) Act, 1973.

(2) It shall extend to the State of Meghalaya.

(3) It shall come into force at once.

Application and extent of the Regulations. 2. As from the 21st day of January, 1972, the Assam Forest Regulation, 1891 and the Meghalaya Forest Regulation, the rules framed thereunder, with the amendments to which they have been subjected before the said day and which are for the time being applicable to Meghalaya or any part thereof, shall have effect, subject to the amendments, adaptation or modifications hereinafter appearing.
3. In the Assam Forest Regulation; 1891 –
(1) for the word “Assam” wherever it occurs the word “Meghalaya” shall be substituted and for the words “State Government”, “Assam Government” or “State Government of Assam” wherever they occur, the words “Government” of Meghalaya” shall be substituted.

4. For sub-sections (1),(2),(3) and (4) of section of the Assam Forest Regulation, and for sub-sections (1) and (2) of section q of the Meghalaya Forest Regulation the following sub-section shall be substituted, namely :-

1. (1) This Regulation may be called the Meghalaya Forest Regulation.

(2) It extends to the whole of Meghalaya; Provided that the Government of Meghalaya may, by notification, except any place from the operation of the whole or any part thereof, and withdraw such exemption.

(3) It shall come into force at once in areas where it is not in force immediately before the 21st day of January, 1972.”
The 22nd December, 1998

No. LL(B) 87/98/17- The Meghalaya Forest Regulation (Amendment) Act, 1998 (Act No.7 of 1998) is hereby published for general information.

MEGHALAYA ACT NO. 7 OF 1998

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on the 21st December, 1998.

Published in the Gazette of Meghalaya, Extra Ordinary, issue dated 22nd December, 1998

THE MEGHALAYA FOREST REGULATION (AMENDMENT) ACT, 1998

An

Act

Further to amend the Meghalaya Forest Regulation (Assam Regulation No. 7 of 1891 as applied and amended by Meghalaya)

Be it enacted by the Legislature of the State of Meghalaya Forty-ninth year of the Republic of India as follows:-

1. Short title and Commencement

1. (1) This Act may be called the Meghalaya Forest Regulation (Amendment) Act, 1998

2. Amendment of Section 40 of Regulation of 1991

2. In section 40 of the Meghalaya Forest Regulation (Assam Regulation No. 7 of 1891 as applied and amended by Meghalaya), in sub-section (2) for clause (1), the following shall be substituted, namely:-

“(1) prohibit absolute, or subject to conditions, rules, within specified local limits, the establishment of Saw Mills, Sa Pit, Vencer Mills, Plywood factories and any kind of Forest-Based Industries for the purpose of conversion, manufacturing, peeling, slicing, cutting, burning, concealing, marking or supermaking the timber, altering or affecting any of the marks on the same and possession or carrying of making hammers or other implements, used for making timber: and”

L.M.SANGMA

Under Secretary to the Govt. Of Meghalaya,

Law (B) Department.
The 21st December, 2012.

No.LL(B)74/2012/11.—The MeghalayaForest Regulation (Amendment) Act, 2012 (Act No. 16 of 2012) is hereby published for general information.

MEGHALAYA ACT NO. 16 OF 2012.

(As passed by the Meghalaya Legislative Assembly)

Received the assent of the Governor on 19th December, 2012.

Published in the Gazette of Meghalaya Extra-Ordinary issue dated 21st December, 2012.

THE MEGHALAYA FOREST REGULATION (AMENDMENT) ACT, 2012.

AN

ACT

to amend the Meghalaya Forest Regulation Act, (Assam Regulation 7 of 1891 as adapted and amended by Meghalaya).

Be it enacted by the Legislature of the State of Meghalaya in the Sixty-third Year of the Republic of India as follows : -
1. (1) This Act may be called the Meghalaya Forest Regulation (Amendment) Act, 2012.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. In section 3 of the Meghalaya Forest Regulation (Assam Regulation 7 of 1891 as adapted and amended by Meghalaya), after clause (9), the following new clause (10) shall be inserted, namely,-

(10) An area would be “forest” if it is a compact or continuous tract of minimum 4 hectares land, irrespective of ownership, and where -

(a) more than 250 naturally growing trees per hectare of 15 cm and higher diameter at breast height (DBH) over bark are present; or

(b) more than 100 naturally growing bamboo clumps per hectare are present in case of the tracts containing predominantly sympodial bamboo:

Provided that in case of tract containing mixed crop of non-bamboo vegetation and bamboo, the qualifying number of trees including bamboo clumps would be proportionately modified from the above specified numbers for determining the land as “forest.”

Provided further that a tract of land used for traditional way of agriculture by the tribal population or for bonafide community livelihood needs shall not be “Forest” irrespective of the density of vegetation growing on it:

Provided further that any area recorded as “Forest” in any of the Government records including the records of the Autonomous District Councils of the State shall ipso facto be “Forest” irrespective of the size and number of trees including bamboo clumps:

Provided further also that “Forest” shall also include all the areas irrespective of size, ownership and type of vegetation growing on such areas which have been identified by a competent authority and notified as protected areas or critical wildlife habitat or corridors for wildlife or habitat of endangered species or eco-sensitive/eco-fragile areas or critical catchment areas of rivers and other water sources or biodiversity heritage sites or sacred groves in the State.

Explanation:

If 60% of the tract is covered with trees and 40% with bamboos, then the qualifying numbers shall be more than 150 trees of 15 cm and higher DBH over bark and more than 40 bamboo clumps per hectare for identifying such areas as “forest”.

L. M. SANGMA,
Secretary to the Govt. of Meghalaya,
Law Department.
NOTIFICATION

The 16th October, 2019.

No.LL(B).74/2012/29.—The Meghalaya Forest Regulation (Amendment) Act, 2019 (Act No. 24 of 2019) is hereby published for general information.
THE MEGHALAYA FOREST REGULATION (AMENDMENT) ACT, 2019

An
ACT

to amend the Meghalaya Forest Regulation (Assam Regulation No. 7 of 1891 as adapted and amended by the State of Meghalaya).

Be it enacted by the Legislature of the State of Meghalaya in the Seventieth Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Meghalaya Forest Regulation (Amendment) Act, 2019.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

Amendment of Section 3 of the Meghalaya Forest Regulation.

2. In the Meghalaya Forest Regulation (Assam Regulation No. 7 of 1891 as adapted and amended by Meghalaya), in clause (2) of Section 3, the word “bamboos” appearing therein shall be omitted.

S. K. SANGMA,
Deputy Secretary to the Govt. of Meghalaya, Law Department.