

Under rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 10th February 2011 is published together with statement of objects and Reasons for general information:—

**L.A. Bill No. 7 of 2011**

***A Bill further to amend the Tamil Nadu Preservation of Private Forests Act, 1949.***

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-Second Year of the Republic of India as follows:—

**1.** (1) This Act may be called the Tamil Nadu Preservation of Private Forests (Amendment) Act, 2011.

Short title and commencement.

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

**2.** After section 4 of the Tamil Nadu Preservation of Private Forests Act, 1949, the following section shall be inserted, namely:—

Insertion of new section 4-A.

**“4-A. Sanction to purchaser.”**—(1) Notwithstanding anything contained in sub-section (1) of section 3, the purchaser of the whole or any portion of the forest, which has been sold by the owner of such forest without the previous sanction of the committee under clause (a) of sub-section (1) of section 3, may, apply to the committee for sanction to retain the whole or any portion of the forest, within such time as may be prescribed.

(2) The committee may, by order, accord the sanction for the whole or any portion of the forest specified in the application, subject to such conditions as it may deem fit.

(3) The committee may refuse to accord the sanction, if prosecution is instituted for any of the contraventions referred to in section 7, in such forest, other than the contravention of the provisions of sub-section (1) of section 3 or for any other reason to be recorded in writing.

(4) Any person aggrieved by an order under sub-section (3) may, within two months from the date of receipt of such order, prefer an appeal in writing to the State Government. The State Government shall pass such order on the appeal as they may think fit.

(5) The sanction accorded under sub-section (2) shall not prohibit the institution of prosecution against the owner for the contravention of sub-section (1) of section 3.

**STATEMENT OF OBJECTS AND REASONS**

As per sub-section (1) of the section 3 of the Tamil Nadu Preservation of Private Forests Act, 1949 (Tamil Nadu Act XXVII of 1949), the owner of the forest shall obtain the previous sanction of the committee constituted under section 2-A of the said Act for the sale of forest and any alienation in contravention of the said provisions is null and void. There is no provision in the said Act for the purchaser to apply to the committee for sanction to retain the forest sold to him without the previous sanction of the committee. Many representations have been received by the Government from the purchasers of the forest for sanction to retain the forest, which has been sold to them without the previous sanction of the said committee. The Government after careful consideration of the said representations have decided to amend the said Act so as to make provision to enable the purchaser to make an application to the said committee for sanction to retain the forest and to prefer an appeal to the State Government against the order of the committee.

2. The Bill seeks to give effect to the above decision.

N. SELVARAJ,  
*Minister (Forests).*

**MEMORANDUM REGARDING DELEGATED LEGISLATION**

New section 4-A proposed to be inserted in the Tamil Nadu Preservation of Private Forests Act, 1949 (Tamil Nadu Act XXVII of 1949) by clause 2 of the Bill authorise the Government to make rules for the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

M. SELVARAJ,  
*Secretary.*