

**THE NAGALAND FOREST (2ND AMENDMENT)
ACT, 1972**

(THE NAGALAND ACT NO. 4 OF 1974)

(Received the assent of the President of India on the 12th April, 1974 and published in the Nagaland Gazette Extraordinary dated 17th April 1974).

An

Act

further to amend the Nagaland Forest Act, 1968 (Act No. 3 of 1968). It is hereby enacted in the twenty-third year of the Republic of India as follows :—

I. Short title, extent and commencement.

- (1) This Act may be called the Nagaland Forest (Amendment) Act, 1972 (Act 4 of 1974).
- (2) It shall extend to the whole of Nagaland.
- (3) It shall be deemed to have effect from the first day of March, 1969.

2. Amendment of Section 72 of Nagaland Forest Act 1968.

In the Nagaland Forest Act, 1968 (hereinafter referred to as the Principal Act), in section 72 for clause (c) the following clause shall be substituted, namely : —“(c) to provide for ejectment of any person who has entered into unauthorised occupation in a forest reserve and for the disposal of any crops raised, or any building or other structure constructed without authority in such forest reserve Provided that no Civil Court shall have jurisdiction in any matter prescribed by rules made under this clause¹”

3. Insertion of new section 72A.

After Section 72 of the Principal Act, (Nagaland Act 3 of 1968) the following Section shall be inserted namely : “72A (1) Notwithstanding anything contained in any judgement, decree or order of any Court, any notice served or any action taken or any penalty imposed or ejectment carried out under rules framed under clause (c) of Section 72 of the principal Act shall be deemed always to have been validly done.

- (2) No suit or other proceeding shall be maintained or continued in any Court against the Government or any person or authority for any act done or purported to have been done under the rules referred to in sub-section (1).
- (3) No Court shall enforce any decree or order against the Government or any person authority for any action taken or purported to have been taken under the rules referred to in sub-section (1)”.

**THE NAGALAND FOREST (THIRD
AMENDMENT) ACT, 1973**

*(Received the assent of the President of India on 17th May, 1974
and published in the Nagaland Gazette Extraordinary on
32rd May, 1974.*

An

Act

further to amend the Nagaland Forest Act, 1968 (Act No. 3 of 1968).

It is hereby enacted in the twenty-fourth year of the Republic of India as follows :

1. Short title, extent and Commencement.

- (1) This act may be called the Nagaland Forest (3rd Amendment) Act, 1973.
- (2) It extends to the whole of the State of Nagaland.
- (3) It shall come into force at once.

2. Insertion of new section 728.

Appeal.

In the Nagaland Forest Act, 1968, alter section 72A the following new section shall be inserted namely —72(B) (1)An appeal shall lie from every order made under section

72 (C) in respect of Forest reserves land to an appellate officer who shall be the Chief Judicial Officer of Nagaland.

- (2) Every appeal referred to in sub-section (i) shall be preferred within fifteen days from the date of service of the order on the person concerned.

Provided that where the Appellate Officer is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of fifteen days, he may allow the appeal to be preferred within a further period of thirty days.

- (3) The appellate officer may stay the operation of any order made by the ' Divisional Forest Officer under section 72 (c) for such period and on such conditions as he may deem fit.
- (4) Every appeal preferred under this section shall be disposed of as expeditiously as possible in accordance with such procedure as may be prescribed.
- (5) The appellate officer may after hearing the appeal confirm modify or reverse the order appealed from
- (o) The cost of every appeal preferred under this section shall be in the discretion of the appellate officer.