

***The Orissa Forest (Grazing of Cattle) Rules, 1980**

S.R.O. 412/80 dated 10th April, 1980 – In exercise of the powers conferred by Clauses (i) of Section 36 read with Clause (d) of Sub-section (1) of Section 82 of the Orissa Forest Act, 1972, (Orissa Act 14 of 1972), the State Government do hereby make the following rules, namely:

1. Short Title and Commencement – (1) These rules may be called The Orissa Forest (Grazing of Cattle) Rules, 1980.

(2) They shall come into force on the date of their publication in the *Official Gazette*.

2. Definitions- In these rules, unless the context otherwise requires-

- (i) **Act** means the Orissa Forest Act, 1972.
- (ii) **Closed area** means the forest area notified as closed for grazing of cattle under Sub-rule (1) of Rule 3;
- (iii) **Forest area** means any land or forest declared or deemed to be reserved forest or protected forest under the Act.
- (iv) **Form** means a form appended to these rules;
- (v) **Herdsman** means the man in charge of the herd of cattle;
- (vi) **Open area** means the forest area other than closed area;
- (vii) **Penning** means overnight camping of cattle inside the forest;
- (viii) **Permit** means a written permission issued either in Form No. 1 or in Form No. 11 under Sub-rule (1) or under Sub-rule (6) respectively of Rule 7;
- (ix) **permit-holder** means any person who holds a valid permit and includes the owner of the cattle, his agent or servant and herdsman;
- (x) **professional graziers** means cattle owners who migrate from place to place for grazing cattle for a part of the year and depend on such cattle as a means of their livelihood and
- (xi) **village cattle** means the cattle kept by the persons other than professional graziers at one and the same village or town all the year round except when they are temporarily taken for grazing purpose to an authorized cattle pen.

(2) All other words and expression used but not defined in these rules shall have the same meaning respectively assigned to them in the Act.

3. Closer of Forest to Grazing – (1) The Divisional Forest Officer may declare any forests are closed to grazing from time to time.

(2) Such forest areas closed to grazing shall be notified by the Divisional Forest Officer by affixing notices in Oriya language at prominent places in the surrounding villages and also by proclamation by beat of drums in these villages.

(3) The notification issued under Sub-rule (1) shall specify the period of closure and the kind of animals to which the area is closed.

(4) The closed area shall be demarcated on the ground by putting red bands on trees growing on the boundary of such areas and by means of signboards erected at prominent places around its periphery:

Provided that where such trees are not available on the boundary or periphery of the area proposed to be closed the Divisional Forest Officer may erect fences or dig up trenches around such area.

(5) A list of closed area in each range shall be displayed on the notice-board in the concerned Range Office for the information of the public.

4. Grazing in Protected Forests – (1) Grazing of village cattle shall be free without permit in protected forests except in forest areas closed to grazing under Rule 3 and in such of the forest areas notified under Clause (c) of Section 34 of the Act.

(2) Professional graziers shall be charged fees at the rate prescribed in Sub-rule (2) of Rule 5 for grazing cattle in protected forest.

5. Grazing in Reserve Forests – (1) No person shall pasture cattle in a reserve forest except in the open areas and in accordance with a permit issued under Sub-rule (1) or (6) of Rule 7.

¹[Grazing fees at such rates as prescribed in the Table below shall be levied on all village cattle that are permitted to graze in open areas of reserve forests, except in cases of persons who have the right to graze the cattle free in such forest up to the limit as recorded in Forest Settlement Records. Professional graziers shall be charged one and half times the said rate for grazing their cattle in such areas.

[TABLE]

Sl. No. (1)	Cattle (2)	Rate of Fees (3)	Period (4)
1.	Elephant	One rupee per head	...per year
2.	Buffalo	Seventy-five paise per head	Ditto
3.	Horse, mare, gelding, pony, colt, filly, mule, ass, bull, ox, cow, calf,	Fifty paise per head	Ditto
4.	Goat and Sheep	Twenty-five paise per head	Ditto

Note- Rate of fees per month shall be determined proportionately from the rate of fees per year. If any question arises as to who are the professional graziers, the decision of the Divisional Forest Officer thereon shall be final.

(3) Permit-holders shall not be entitled to any compensation in the event of closure of the reserve forest area or a part thereof for grazing, subsequent to issue of permit under Sub-rule (1) or (6) of Rule 7 on account of fire, departmental burning, or for any other valid reasons.

6. Browsing by Goats and Sheep- No goat or sheep shall be permitted to browse in reserve forest, forests notified under Sub-section (1) of Section 4 of the Act, forest areas closed to grazing under Rule 3 and areas notified under Sub-section (c) of section 34 of the Act.

7. Issue of Permits – (1) The Divisional Forest Officer or any officer duly authorized by him in this behalf may issue permits for grazing of cattle which shall be for a period of one financial year commencing on the first day of April and shall be in Form No. 1:

Provided that in case of elephants and for professional graziers permits for shorter period covering a month or multiples thereof may be granted.

(2) The cattle covered by the permit shall invariably be accompanied by and be in charge of the owner, or his agent or servant or headman engaged by the owner, who shall observe the grazing rules in respect of the cattle in his charge. The minimum number of cattle taken out for grazing in one herd shall not exceed fifty.

(3) The person taking out the cattle for grazing shall always carry with him the permit in respect of the cattle in his charge, and shall produce it for inspection on demand by any Forest Officer or Police Officer.

(4) No pollarding of trees, lopping of branches, and stripping of leaves or causing any other damage to the standing trees inside a forest shall be done by the persons in charge of the cattle.

(5) Every permit-holder shall assist any Forest Officer or Police Officer in extinguishing fire in the forests and in the detection and prevention of offence in any forest and in arrest of the offenders in forest offences.

(6) Penning of cattle within a reserve forest may be allowed by the Divisional Forest Officer or an officer authorized by him under a permit in Form No. 2 under such terms and conditions as may be specified therein, and on realization of a fee of twenty-five paise per day per head of cattle permitted to be so penned. The cattle during in the penned areas shall be the property of the Government. The permit shall be in triplicate. The original and the duplicate shall be handed over to person concerned who shall send the duplicate to the concerned Range Officer and the triplicate shall be retained as counterfoils by the issuing authority.

(7) In the event of the original permit being lost the Divisional Forest Officer, if satisfied on enquiring about the loss of the permit may issue a duplicate permit on realization of a fee of one rupee for that purpose.

8. Permit Register- A register of permits issued shall be maintained by the Range Officer in respect of his Range in Form No. 3.

9. Penalty- Any breach of these rules or any of the conditions of the permits shall render the permit liable to cancellation and the permit-holder, to penal action under Sections 27, 37 and 83 of the Act, as the case may be, over and above such action that may or might have taken under the Cattle Trespass Act, 1871.

10. Relaxation of Rules – Notwithstanding anything contained in these rules, at the time of drought, famine, flood and other natural calamities, the State Government may, by notification in the official gazette, relax any or all of the provisions of these rules to such extent and for such period as may be necessary.

11. Out-break of Epidemic- In the event of out-break of cattle epidemic no cattle shall be allowed to graze in the forest unless preventive action has been taken and certified by the Veterinary Assistant Surgeon of the locality.

12. Special Provision for Plantation Areas- (1) The State Government or a Forest Officer authorized in that behalf shall have the power to charge a special fees for allowing cutting and removal of fodder grass in plantation areas closed to grazing in reserve or protected forests.

(2) Such fees shall be notified by the Divisional Forest Officer from time to time, in the locality where the plantation is situated by beat of drums in the neighbouring villages.

13. All rules corresponding to these rules and in force immediately before the commencement of these rules is hereby repealed:

Provided that any orders made, things done or action taken under the rules so repealed shall be deemed to have been made, done or taken under the relevant provisions of these rules.

FORM-I
[Vide Sub-rule (1) of Rule 7]

Book No.....

Permit No.....

GRAZING PERMIT

To graze cattle in.....Reserve/Protected Forest.....
Range Division.

Permit is valid for the period.....to.....for the financial year 20..... 20.....

To whom issued	Place of residence	Number and Description of cattle	Description Number	Rate of grazing fees	Amount of grazing fees paid	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Date of issue.....
Place.....

Signature of Forest Officer
Designation

Note- (1) In case of professional graziers, permit may be for a month commencing from the first day of the month.

(2) In case of village cattle permit for the whole financial year shall be granted.