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Mr. Parekh, when questioned could not state that any prior approval of the Central Government under the forest (Conservation) Act, 1950 was taken nor the said indenture shows any. In view of the provisions of the said Act, no grant could at all be made as the same are mandatory in nature.

Reserved species of trees cut

50. By Notifications dated 23.1.1966 and 11.3.1967 felling of seven species of trees were banned except with the permission of the administration even outside reserve forest. Annexed hereto and marked Annexure-G and H are true copies of the notifications dated January 23, 1966 and March 11, 1967. Despite these notifications these reserved trees were cut and sent to private saw mills and furniture units and there was smuggling of such timber even from the government forest. Therefore the administration issued circular dated 5.2.1966 stated as under:

"Instances have come to the notice where padauk and other reserved trees extracted from the areas other than reserved forest is being channelised through private saw mills and furniture units leading to smuggling of padauk timber even from the government forest. In order to curb this it is again clarified that all padauk and ornamental timber (reserved trees) whether found in or extracted from private, revenue or forest areas, shall be taken over by the forest department. No private parties or owners of hill land shall be permitted to trade or undertake movement of padauk and other reserved trees without specific permission of the competent authority."

A COPY OF THE SAID CIRCULAR IS ANNEXED HERE TO AND MARKED AS ANNEXURE I

51. Despite this the extraction of these species continues as a matter of course till today. The publication of the Forest Statistics 1996-97 reports extraction of 6614 cu metres of these species in 1993-94, 4865 in 1994-95, 4737 in 1995-96 and 5219 cu metres in 1996-97. Annexed hereto and marked Annexure-I is a table indicating the statistics