



Dr. Vijai Shanker Singh

I.A.S.

Addl. Chief Secretary to Government of Rajasthan  
Departments of Environment & Forests  
1138, MB, Government Secretariat, Jaipur-302 005

No. F.11(20)Forest/2000/

Jaipur, dated 11<sup>th</sup> April 2012

To,

All the Collectors & District Magistrates  
Rajasthan

Sub : Restriction on transfer of land falling in the notified boundary  
of sanctuary/national park.

Ref : This office earlier communication even number dated 12<sup>th</sup>  
July 2011.

Sir,

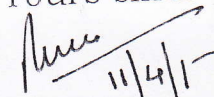
Though the communication under reference is abundantly clear, this communication has been necessitated because of the fact that some public representatives have met the undersigned complaining that the referred communication is being mis-interpreted by the field officers and the ban is being applied on the entire land of the villages where only part of the land of the village falls within the notified area of sanctuary/national park.

It is, therefore, essential that the officers at the cutting edge level are properly briefed about the legal position and also about the boundary details of the sanctuaries/national parks so that the ban order is effected only for the land falling within the notified limits of the sanctuary/national park.

To avoid inconvenience to people and safeguard the mischief by the vested interests it may be useful if remarks about the land that falls within the notified limits of the sanctuary/national park is made in the land records on a campaign note.

Kindly take appropriate action as suggested above to address the problem of people on the one hand and proper enforcement of law on the other.

Yours sincerely,

  
11/4/12  
( Dr V S Singh )





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Dr. V. S. Singh

I.A.S.

Additional Chief Secretary to Government of Rajasthan  
Departments of Environment And Forests &  
Chairman, Rajasthan State Pollution Control Board

D.O. No.F.11(20)Forest/2000

Dated : 12 July, 2011

Dear

It has come to my notice that the private lands falling within boundaries of notified sanctuaries are being transferred through sale-deed or gift deed despite the fact that Section 20 of the Wild Life (Protection) Act, 1972 specifically prohibits such transfer. For convenient reference the relevant provision is extruded below:-

**"20 Bar of accrual of rights** - After the issue of a notification under Sec. 18, no right shall be acquired in, on or over the land comprised within the limits of the area specified in such notification, except by succession, testamentary or intestate".

It has also been brought to the notice of the Stat Government that such transfers, in many cases, are being done on the basis of the orders issued by the officer authorized by Collector for determination of rights despite this being prima facie illegal.

Law Department, in their opinion have made it clear that according to the legal provisions, after issuance of notification under Sec.18 of the Wild Life (Protection) Act, 1972, the rights relating to any land situated within the boundary of the sanctuary, shall only be acquired by the mode of succession, testamentary or intestate and the owner of private land, whose land falls within the boundary of notified sanctuary, **cannot transfer land through sale-deed or gift deed**. The extract of note-sheet containing opinion of LAD is given below:

"The Forest Department seeks comments of the Law Department on following issue:

**"The owner of private land whose land falls within boundaries of notified sanctuary can transfer his land through sale-deed or gift deed?"**

It is submitted that in this matter, the Section 20 of the Wild Life (Protection) Act, 1972, is relevant and the same is reproduced as under, for ready reference:-

**"20. Bar of accrual of rights-** After the issue of a notification under Sec. 18, no right shall be acquired in, on or over the land comprised within the limits of the area specified in such notification, except by succession, testamentary or intestate"

According to above legal provisions, it is clear that after issuing notification under Sec. 18 of the Wild Life (Protection) Act, 1972, the rights relating to any land situated within the boundary of the sanctuary, shall only be acquired by the mode of succession, testamentary or intestate. So, the owner of private land, whose land falls within the boundary of notified sanctuary, can not transfer his land through sale-deed or gift deed."

Please direct -

- (i) the sub-registrars to comply with the above provisions of law.
- (ii) the Tehsildars and SDMs to insure that the law is not violated.

Yours sincerely,

( Dr. V.S. Singh )

All Collector & District Magistrate  
Rajasthan

Encl : As above.





Dr. V. S. Singh

I.A.  
Additional Chief Secretary to Government of Rajasthan  
Departments of Environment And Forests  
Chairman, Rajasthan State Pollution Control Board

D.O. No.F.11(20)Forest/2000  
Dated : 12 July, 2011

Dear Shri Mehrotra,

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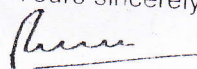
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Please direct -

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- (ii) the Tehsildars and SDM's to insure that the law is not violated.

Yours sincerely,

  
( Dr. V.S. Singh )

Shri R N Mehrotra  
Pr Chief Conservator of Forests (HoFF)  
Van Bhawan  
Jaipur

Encl - As above