

Act Description : ANDHRA PRADESH FOREST ACT, 1967

Act Details :

**ANDHRA PRADESH FOREST ACT, 1967**

**1 of 1967**

13th MARCH, 1967

An Act to consolidate and amend the law relating to the protection and management of forests in the State of Andhra Pradesh. BE it enacted by the Legislature of the State of Andhra Pradesh in the Eighteenth Year of the Republic of India as follows

**CHAPTER 1 Preliminary**

**Section 1 Short title, extent and commencement**

- (1) This Act may be called the Andhra Pradesh Forest Act, 1967;
- (2) It extends to the whole of the State of Andhra Pradesh.
- (3) It shall come into force on such [date] as the State Government may, by notification in the Andhra Pradesh Gazette appoint.

**Section 2 Definitions**

In this Act, unless the context otherwise requires.

- (a) 'cattle' includes cows oxen, elephants, camels, buffaloes, horses, mules, asses, pigs, sheep, goats and such other kind of animals as the Government may, by notification, specify;
- (b) 'Court' means the principal civil court of original jurisdiction;
- (c) 'Divisional Forest Officer' means the forest officer in independent charge of a forest division;
- (d) 'forest division' means such area as may be declared, by notification, by the Government or by such authority as may be empowered by the Government in this behalf to be a forest division for the purposes of this Act;
- (e) 'forest offence' means an offence punishable under this Act or any rule made thereunder;
- (f) 'forest officer' means any person appointed by the Government or by any officer empowered by the Government in this behalf:
  - (i) to be the Chief Conservator, Deputy Chief Conservator, Conservator, Deputy Conservator, Assistant Conservator, Divisional Forest Officer, Ranger, Deputy Ranger, Forester, Forest Guard, Forest Watcher, Thanadar, Checking Officer or Plantation Watcher;
  - (ii) to perform any function of a forest officer under this Act or any rule or order made thereunder; but does not include a Forest Settlement Officer appointed under clause (c) of sub-section (1) of Section 4;
- (g) 'forest produce' includes
  - (1) The following whether found in or brought from a forest or not that is to say timber bamboos

charcoal, rubber, cacutchour, catechu, wood oil, resin, natural varnish, bark, lac, mahua flowers, mahua seeds, myrobalans, tunki leaves, rousa grass, rauwolfia serpentina, adda leaves;

(2) the following when found in, or brought from a forest, that is to say

(i) trees, such leaves, flowers and fruits as may be prescribed and all other parts or produce not herein before mentioned of trees;

(ii) plants not being trees (including grass, creepers, reeds and moss) and all parts or produce of such plants;

(iii) wild animals, wild birds, skins, tusks, horns, bones, silk cocoons, honey, wax, and all other parts or produce of animals and birds;

(iv) peat, surface soil, rock and minerals (including lime stone and laterite) mineral oil and all products of mines or quarries; and

(3) such other produce as may be prescribed;

(h) 'Government' means the State Government;

(i) 'magistrate' means a magistrate of the first class or second class having jurisdiction and includes a magistrate of the third class specially empowered by the Government in this behalf to try forest offences;

(j) 'notification' means a notification published in the Andhra Pradesh Gazette:

(k) 'owner in relation to a forest' includes a mortgagee with possession, lessee or other person having right to the possession and enjoyment of the forest;

(l) 'prescribed' means prescribed by rules made under this Act;

(m) 'red sanders wood' means the wood derived out of any part of the tree known by its botanical name as *Pterocarpus santalinus* and includes chips, dust or powder of such wood;

(n) 'river' includes a stream, canal, backwater, creek and other channel, natural or artificial;

(o) 'sandalwood' means the wood derived out of any part of the tree known by its botanical name as *Santalum album* and includes chips, dust or powder of such wood;

(p) 'teakwood' means the wood derived out of any part of the tree known by its botanical name as *Tectona grandis*;

(q) 'timber' includes trees fallen or felled, and all wood, cut up or sawn;

(r) 'tree' includes bamboos, stems, brush wood and canes.

## **CHAPTER 2 Reserved Forests**

### **Section 3 Power to reserve forest**

The Government may constitute any land as a reserved forest in the manner hereinafter provided.

### **Section 4 Notification by Government**

(1) Whenever it is proposed to constitute any land as a reserved forest, the Government shall publish a notification in the Andhra Pradesh Gazette and in the District Gazette concerned if any;

(a) specifying, as nearly as possible, the situation and limits of such land;

(b) declaring that it is proposed to constitute such land as a reserved forest;

(c) appointing a Forest Settlement Officer to consider the objections, if any, against the declaration under clause (b) and to enquire into and determine the existence, nature and extent of any rights claimed by, or alleged to exist in favour of, any person in or over any land comprised within such limits, or to any forest produce of such land, and to deal with the same as provided in this Chapter.

*Explanation* For the purpose of clause (a) it shall be sufficient to describe the limits of the land by any well

known or readily intelligible boundaries, such as roads, rivers, bridges and the like.

(2) A person appointed to be a Forest Settlement Officer under clause (c) of sub section (1) shall be an officer of the Revenue Department not below the rank of a Revenue Divisional Officer.

(3) Any forest officer may represent the Forest Department at the inquiry conducted under this Chapter.

#### **Section 5 Suits barred**

Save as otherwise provided in this Act, no court shall between the dates of the publication of the notification under Section 4 and the notification to be issued under section 15, entertain any suit or other action against the Government to establish any right in, or over, any land, or to the forest produce of any land included in the notification published under Section 4

#### **Section 6 Proclamation by Forest Settlement Officer**

(1) Where a notification has been issued under Section 4, the Forest Settlement Officer shall publish in the main language of the district, in the District Gazette concerned or where there is no such Gazette, in the Andhra Pradesh Gazette, and in the regional language in every town and village and at the headquarters of each taluk and at the office of the gram panchayat, in which any portion of land included in the said notification is situate, a proclamation,

(a) specifying, as nearly as possible, the situation and limits of the land proposed to be included within the reserved forest;

(b) setting forth the substance of the provisions of Section 7;

(c) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and

(d) fixing a period of not less than six months and not more than one year from the date of publishing such proclamation at the headquarters of the taluk, and calling for objections, if any, within the period so fixed from any person interested against the declaration under clause (b) of sub section (1) of Section 4, and requiring every person claiming any right in such land either to present to the said officer, within the period so fixed, a written statement specifying , or to appear before him within the said period and state, the nature of such rights, and in either case to produce all documents in support thereof.

(2) The Forest Settlement Officer shall also serve in the manner prescribed, a copy of the proclamation on every known or reputed owner or reputed owner or occupier of any land included in or adjoining the land proposed to be constituted as a reserved forest, or on his recognised agent or manager.

#### **Section 7 Bar of accrual of forest rights and prohibition of clearings**

(1) During the interval between the publication of a notification in the Andhra Pradesh Gazette under Section 4 and the date fixed by the notification under Section 15;

(a) no right shall be acquired by any person in or over the land included in the notification under Section 4 except by succession or under a grant or contract in writing made or entered into by or on behalf of the Government or any person in whom such right was vested before the publication of the notification under Section 4.

(b) no new house shall be built or plantation formed, no fresh clearing for cultivation or for any other purpose shall be made, on such land and no trees shall be cut from such land for the purpose of trade or manufacture:

Provided that nothing shall prohibit the doing of any act specified in this clause with the permission in writing of the Forest Settlement Officer; and

(c) no person shall set fire or kindle or leave burning any fire in such manner as to endanger or damage such land or forest produce.

(2) No patta in such land shall be granted by or on behalf of the Government.

#### **Section 8 Enquiry by Forest Settlement Officer**

(1) The Forest Settlement Officer shall consider every objection and inquire into every claim made under Section 6, after recording in writing the statements made or evidence given in pursuance of the proclamation published or notice served under that section. He shall record any representation which the forest officer, if any, representing the Forest Department under sub section (3) of Section 4, may make in respect of any such objection or claim.

(2) The evidence under sub section (1) shall be recorded in the manner provided by the Code of Civil Procedure, 1908 in appealable cases.

### **Section 9 Powers of Forest Settlement Officer**

For the purpose of an inquiry under section 8, the Forest Settlement Officer may exercise the following powers, namely:

(a) power to enter by himself or to authorise any officer to enter upon any land and to survey, demarcate and make a map of the land; and

(b) the powers conferred on a civil court by the Code of Civil Procedure, 1908, for summoning and enforcing the attendance of any person and examining him on oath and requiring the production of any document or other article.

### **Section 10 Claims to Certain rights**

(1) Where the claim relates to a right in or over any land other than the following rights:

(a) a right of way;

(b) a right to water course, or to use of water;

(c) a right of pasture; or

(d) a right to forest produce; the Forest Settlement Officer shall, after considering the particulars of such claim, and the objections of the forest officer, if any, pass an order, admitting or rejecting the same wholly or in part after recording the reasons therefor.

(2)

(a) If any claim is admitted wholly or in part under sub section (1), the Forest Settlement Officer may:

(i) accept the voluntary surrender of the right by the claimant or determine the amount of compensation payable for the surrender of the right of the claimant, as the case may be; or

(ii) direct the exclusion of the land from the limits of the proposed forest; or

(iii) acquire such land in the manner provided by the Land Acquisition Act, 1894 (hereafter in this sub section referred to as the said Act).

(b) For the purpose of acquiring such land:

(i) the acquisition shall be deemed to be for a public purpose; and the notification under Section 4 shall be deemed to be a notification under sub section (1) of Section 4 of the said Act;

(ii) the Forest Settlement Officer shall be deemed to be a Collector under the said Act, and the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under Section 9 of the said Act;

(iii) the provisions of Section 5 A, 6,7 and 8 of the said Act shall not be applicable; and

(iv) the Forest Settlement Officer with the consent of the claimant, or the court as defined in the said Act with the consent of the claimant and of the Government may, instead of money compensation, award compensation by the grant of any other land in exchange, by the grant of any right in or over land or partly by the grant of any land any right therein and partly by the payment of money.

### **Section 11 Claims to rights of way, etc**

(1) Where the claim relates to any of the rights specified in clauses (a) to (d) of sub section (1) of section

10, the Forest Settlement Officer shall, after considering the particulars of such claim so far as may be necessary to define the nature, incidents and extent of the rights claimed, and the objections of the forest officer, if any, pass an order; admitting or rejecting such claim wholly or in part, after recording the reasons therefor.

(2) Where the claim admitted relates to a right for the beneficial enjoyment of any land or building, the Forest Settlement Officer shall record the designation, position and area of such land and the designation and position of such building.

(3) Where the claim admitted relates to a right of way or to a water course or to the use of water, the Forest Settlement Officer shall either accept the voluntary surrender of the right by the claimant with or without conditions or pass an order for the continuance of the exercise of such right subject to such conditions as may be agreed upon between the Forest Department and the claimant or in default of such agreement, as the Forest Settlement Officer, may impose.

(4) Where the claim admitted relates to a right of pasture or to forest produce, the Forest Settlement Officer shall either accept the voluntary surrender of such right or pass an order, providing for the exercise of such right, if any, subject to such conditions or restrictions as he may impose, or directing the exclusion of the land of sufficient extent, of a suitable kind, and in a locality reasonably convenient to the claimant, by altering the limits of the proposed reserved forest.

(5) In the order passed under sub section (4) the Forest Settlement Officer shall record, as far as practicable, the number and description of the cattle which the claimant is from time to time, entitled to graze, the local limits within which, and the seasons during which, such pasture is permitted, or the quantity of timber or other forest produce which the claimant is authorised to take or receive, the local limits within which, the seasons during which, and the mode in which, the taking or receiving such produce is permitted, and such other particulars as may be required in order to define the extent of the right which is continued and the mode in which it may be exercised.

(6) A copy of every order passed under this section shall be furnished to the claimant by the Forest Settlement Officer and another copy shall be forwarded to the Forest Officer, if any, representing the Forest Department under sub section (3) of section 4 or where no such officer is appointed, to the Divisional Forest Officer.

### **Section 12 Compensation for rights**

Where the Forest Settlement Officer finds it impossible, having due regard to the maintenance of the reserved forest, to make such settlement under Section 11 as shall ensure the continued exercise of the said rights to the extent so admitted, he shall direct the Forest Department to pay compensation as determined on the basis of the value of such right on the date of notification under Section 4, in accordance with the provisions of the Land Acquisition Act, 1894, in so far as such provisions are applicable.

### **Section 13 Appeals from the orders of Forest Settlement Officer**

(1) Where a claim is rejected wholly or in part, the claimant may, within ninety days from the date of the order under sub section (1) of section 10 and within sixty days from the date of the order under sub section (1) of section 11, prefer an appeal to the district court having jurisdiction in respect of such rejection only.

(2) Where a claim is admitted under section 10 or section 11 in the first instance wholly or in part and where such claim does not relate to the acquisition of any land under the Land Acquisition Act, 1894, a like appeal, subject to the same period of limitation and subject to the same conditions, may be preferred to the district court having jurisdiction on behalf of the Government by the forest officer or other person, generally or specially empowered by the Government in this behalf.

(3) Every order passed on appeal under this section, shall be final.

(4) Where the district court on appeal decides that the claim or such part thereof as has been rejected should be admitted, the Forest Settlement Officer shall proceed to deal with it in like manner as if it has been in the first instance admitted by himself.

### **Section 14 Appointment of pleader**

The Government or any person who has made a claim under this Act may appoint any person to appear, plead and act on their or his behalf in the course of any enquiry or other proceeding under this Act.

#### **Section 15 Notification declaring Forest reserved**

(1) Upon the occurrence of the following events namely :

- (a) the period fixed under section 6 for preferring of an objection or a claim had elapsed, and every objection or claim made under that section was disposed of by the Forest Settlement Officer ; and
- (b) if any such claim was made, the period limited by section 13 for preferring an appeal from the order passed on such claim had elapsed, and every appeal presented within such period was disposed of by the appellate authority ; and
- (c) all proceedings mentioned in section 10 were taken and all lands, if any, to be included in the proposed forest, which the Forest Settlement Officer had, under section 10, elected to acquire under the Land Acquisition Act, 1894, had become vested in the Government under Section 16 of that Act ; the Government may publish a notification specifying definitely according to boundary marks erected or otherwise, the limits of the forest which it is intended to reserve and declaring the same to be reserved from a date to be fixed by such notification and from the date so fixed, such forest shall be deemed to be a reserved forest.

(2) Copies of the notification shall also be published in the District Gazette, if any, and in the manner provided for the proclamation under section 6.

#### **Section 16 Extinction of rights not claimed**

Rights in respect of which no claim was preferred under section 6 within the period fixed under that section shall stand extinguished on the publication of the notification under section 15 unless, before the publication of such notification the person claiming them has convinced the Forest Settlement Officer that he had sufficient cause for not preferring such claim within that period in which case the Forest Settlement Officer shall proceed to dispose of the claim in the manner herein before provided.

#### **Section 17 No right acquired over reserved forest except as herein provided**

No right of any description shall be acquired by any person in or over a reserved forest, except by succession or under a grant or contract in writing made or entered into by or on behalf of the Government or any person in whom such right was vested before the publication of the notification under Section 15.

#### **Section 18 Rights continued under section 11 not to be alienated without sanction**

(1) Notwithstanding anything in this Act, no right continued under section 11 shall be alienated by way of grant, sale, exchange, lease or otherwise, without the sanction of the Government;

Provided that were any such right is continued for the beneficial enjoyment of any land or building it may be sold or otherwise alienated with such land or building, without such sanction;

(2) Any alienation of such right in contravention of this section shall be null and void.

(3) Subject to the provisions of sub section (1), no forest produce obtained in exercise of any right continued under section 11 shall be sold or exchanged except to the extent provided by the order passed under sub section (4) of section 11 in respect thereof.

(4) Any person selling or exchanging any forest produce in contravention of sub section (3) shall be punishable with fine which may extend to one thousand Rupees.

#### **Section 19 Power to stop ways and water courses in reserved forests**

The Divisional Forest Officer may, from time to time, with the previous sanction of the Government, stop any public or private way or water course in a reserved forest where reasonably convenient substitute for the way or water course so stopped already exists or has been provided or constructed.

#### **Section 20 Penalties for trespass of damage in reserved forest and acts prohibited in such forests**

(1) Any person who -

(a) contravenes the provisions of clause (b) of sub section (1) of section 7 :

(b) sets fire to a forest notified to be reserved under section 4 or kindles in such forest any fire or leaves any fire burning in such manner as to endanger such forest ;

(c) in a reserved forest

(i) kindles, keeps or carries any fire, except at such season and subject to such conditions as the Divisional Forest Officer may, from time to time, specify in this behalf ;

(ii) trespasses, pastures cattle or allows cattle to trespass;

(iii) causes any damage, either wilfully or negligently in felling or cutting any tree or dragging any timber ;

(iv) fells, girdles, lops, taps or burns any tree or strips off the bark or leaves from, or otherwise damages the same ;

(v) quarries stones, burns lime or charcoal ;

(vi) collects or subjects to any manufacturing process, any forest produce ;

(vii) clears or breaks up or ploughs any land for cultivation or for any other purpose ;

(viii) hunts, shoots, fishes, poisons water or sets traps or snares ;

(ix) damages, alters or removes any wall, ditch embankment, fence, hedge, or railing ; or

(x) removes any forest produce ;

(d) abets any of the acts specified in clauses (a), (b) and (c), shall, in addition to such compensation for damages caused to the forest as the court may direct to be paid, be punishable

(i) in every case where any of the acts aforesaid relates to sandalwood or red sanderswood with imprisonment for a term which shall not be less than three months but which shall not exceed one year and with fine which shall not exceed ten thousand rupees ;

(ii) in any other case, with imprisonment for a term which may extend to one year or with fine which may extend to two thousand rupees or with both.

(2) Nothing in sub section (1) shall be deemed to prohibit

(a) any act done in accordance with any rule made under this Act or with the permission in writing of the Divisional Forest Officer or of an officer authorised by him to grant such permission ; or

(b) the exercise of any right continued under sub section (3) or sub section (4) of section 11 or created by a grant or contract in the manner described in section 17.

(3) Where a person contravenes the provisions of sub clause (ii) or sub clause (vii) of clause (c) of sub section (1)

(i) a forest officer not below the rank of a Ranger;

(ii) a police officer not below the rank of a Sub Inspector ; or

(iii) a revenue officer not below the rank of a Deputy Tahsildar ; may evict the person from the forest or the land, pertaining to which the contravention has taken place and remove any building or other construction or anything grown or deposited on it :

Provided that before taking any action under this sub section, the officer concerned shall give an opportunity to the person affected to make any representation against the action proposed.

(4) Where any agricultural or other crop is grown on the land in contravention of sub clause (vii) of clause (c) of sub section (1) or any building or other construction is put up on such land, any such crop, building or other construction shall be liable to confiscation by an order of the Divisional Forest Officer :

Provided that before making any order under this sub section the Divisional Forest Officer shall give an

opportunity to the person affected to make a representation against the order proposed to be made.

### **Section 21 Suspension of rights in reserved forests**

Where fire is caused wilfully or negligently by any person or persons in a reserved forest or any portion thereof, the Government may direct that in such forest or portion thereof, the exercise of all rights of pasture or to forest produce shall be suspended for such period as they think fit.

### **Section 22 Persons bound to assist forest officer and police officer**

(1) Every person who exercises any right in a reserved forest, or who is permitted to take any forest produce from or to cut and remove timber or to pasture cattle in, such forest, and every person who is employed by any such person in such forest ; and every village officer or person in any village contiguous to such forest who is employed by the Government ; shall be bound to furnish without delay to the nearest forest officer or police officer in charge of the nearest police station any information he may possess respecting the occurrences of a fire in, or near, such forest, or the commission for or intention to commit any forest offence ; and shall forthwith take steps, whether so required by the forest officer or police officer or not.

(a) to extinguish any such fire of which he has knowledge or information ;

(b) to prevent any such fire from spreading and shall assist any forest officer or police officer demanding his aid

(ii) in preventing the commission in such forest of any forest offence ; and

(ii) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

(2) Whoever, without lawful excuse, fails to comply with the provisions of sub section (1) shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees or with both.

### **Section 23 Power to declare reserved forest as no longer reserved**

(1) The Government may, by notification, direct that from a date to be fixed by such notification any reserved forest or any portion thereof shall cease to be reserved.

(2) From the date so fixed, such forest or portion shall cease to be reserved, but the rights, if any, which have been extinguished therein shall not revive in consequence of such cessation.

## **CHAPTER 3 Protected Forests**

### **Section 24 Protected forests**

(1) The Government may, by notification, declare any forest or waste land which is the property of the Government or which is placed under their control for management and which is not included in a reserved forest, to be a protected forest and, on such declaration, the provisions of this Chapter shall apply to such protected forest.

(2) No such notification shall be made in respect of any land unless the nature and extent of the rights of the Government and of private persons in or over such land have been inquired into and recorded at a survey of settlement, or in such other manner as may be prescribed, and every such record shall be presumed to be correct until the contrary is proved:

Provided that, where in the case of any land, the Government consider that such inquiry and record are necessary, but that the completion thereof will occupy such length of time, as in the meantime, to endanger the rights of the Government, the Government may, pending such inquiry and record, declare such land to be protected forest but such declaration shall not affect or abridge any existing rights of individuals or communities.

### **Section 25 Power to close forest against pasture**

(1) Where fire is caused wilfully or negligently by any person in any protected forest or a portion thereof

the Government may direct that such forest or portion thereof be closed against pasture for such period as they think fit.

(2) Whoever pastures cattle or allows cattle to trespass in protected forest closed against pasture under this section shall be punishable with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees or with both.

#### **Section 26 Power to issue notification reserving trees, etc**

(1) The Government may, by notification

(a) declare any trees or class of trees in a protected forest to be reserved from a date fixed by the notification ;

(b) prohibit, from a date fixed as aforesaid the quarrying of stone, or the burning of lime or charcoal or the collection or subtraction to any manufacturing process or removal of, any forest produce in any such forest and the breaking up or clearing for cultivation, for building, for herding cattle or for any other purpose, of any such forest.

(2) A translation into the main language of the locality of every notification issued under this section shall be caused to be affixed in a conspicuous place in every town and village in the neighbourhood of the protected forest comprised in the notification.

#### **Section 27 Power to make rules**

(1) Subject to all rights now vested in individuals and communities by law or custom or usage having the force of law, the Government may make rules to regulate the use of the pasturage or of the natural produce of any protected forest ; and such rules may with respect to such forests

(a) regulate the occupation, clearing, ploughing or breaking up of land for cultivation or other purposes ;

(b) regulate or prohibit the kindling of fire and provide for the precautions to be taken to prevent and spreading of fire ;

(c) regulate the cutting, sawing, conversion and removal of trees and timber and the collection and removal of natural produce ;

(d) regulate the quarrying of stone, the boiling of catechu or the burning of lime or charcoal ;

(e) regulate or prohibit the cutting of grass or the pasturing of cattle, and regulate the payments, if any to be made for such cutting or pasturing ;

(f) regulate or prohibit hunting, shooting, fishing poisoning of water and setting traps or snares ;

(g) regulate the sale or free grant of timber or other natural produce ;

(h) specify the fees, royalties, or other payments for such timber or other natural produce and the manner in which such fees, royalties or other payments shall be levied.

(2) Whoever contravenes any rule made under sub section (1) shall be punishable

(i) in every case where such contravention relates to sandalwood or red sanders wood, with imprisonment for a term which shall not be less than three months but which shall not exceed one year and with fine which shall not exceed ten thousand rupees ;

(ii) in any other case, with imprisonment for a term which may extend to six months or with fine which may extend to two hundred rupees or with both.

(3) The Government may, by notification and for reasons to be recorded in writing, exempt any person or class of persons belonging to the Scheduled Tribes from the operation of all or any of the rules made under this section.

#### **Section 28 Power to declare protected forest to cease to be protected forest**

The Government may, by notification, direct that from a date to be fixed by such notification, any protected

forest or any portion thereof shall cease to be a protected forest.

## **CHAPTER 3A Preservation of Private Forests**

### **Section 28A Definitions**

In this Chapter, unless the context otherwise, requires.

(a) 'forest' includes waste or communal land containing tree growth and shrubs, pasture land and any other class of land declared, by the Government in this behalf by notification in the Andhra Pradesh Gazette, to be forest;

(b) 'owner' in relation to a forest includes a mortgagee, lessee other person having right to possession and enjoyment of the forest ;

(c) 'person' includes a Hindu undivided family.

[(d) 'District Collector' means the Collector of the District concerned and includes any officer appointed by the State Government by a notification to exercise and perform such of the powers and functions of a District Collector under this Act, as may be specified in such notification.] Cl.(d) added by G.O.Ms.No. 210 dt. 20-7-1988)

### **Section 28B Preservation of private forests**

(1)

(a) No owner of any forest shall, without the previous sanction of the District Collector sell, mortgage, lease or otherwise alienate the whole or any portion of the forest or the forest produce.

Provided that any Power of Attorney or Authority Letter or Bond or similar deed executed or a contract, licence or any other transaction entered into before or after the 1st day of January, 1970 by a land owner in favour of or with a person to act on his behalf or to do any job under this Chapter or rules made thereunder shall be null and void.] (Proviso added by G.O.Ms.No. 210 dt. 20-7-1988)

Explanation Nothing in this sub section shall be construed as preventing the owner from selling or otherwise dealing with the right to gather and remove forest produce, other than trees timber, in the usual or customary manner.

(b) Any alienation, made in contravention of clause (a) shall be null and void.

(2) No owner of any forest and no person claiming under him, whether by virtue of a contract, licence or any other transaction entered into either before or after the 1st day of January 1970, or any other person shall without the previous permission of the District Collector, cut trees or do any act likely to denude the forest or diminish its utility as a forest.

Provided that nothing in this sub section shall apply to the removal of dead or fallen trees or to any act done for the usual or customary domestic purposes or for making agricultural implements.

Provided further that no such permission shall be granted in a year to cut trees of the value exceeding Rs.5,000/- unless the District Collector is satisfied that the value of the trees proposed to be cut exceeding the said limit is necessary to meet urgent expenses of such owner.] (Proviso added by G.O.Ms.No. 210 dt. 20-7-1988)

(3) Notwithstanding anything in sub section (1) or subsection (2) the Government may exempt any forest or class of forests or class of trees grown therein from all or any of the provision of this section.

### **Section 28C Appeals**

Any person aggrieved by an order made under clause (a) of sub section (1) of section 28-B or under sub section (2) of that section in regard to the sanction or permission referred in that clause or sub section may within two months of the date of communication of such order prefer an appeal in writing to the Government and the Government shall pass such orders on the appeal as they may think fit.

### **Section 28D Power to Prohibit or Regulate Certain Acts**

If, in the opinion of the Government, it is necessary for the preservation of a forest, or forests they may, by notification in the Andhra Pradesh Gazette.

- (i) prohibit or regulate the doing of any act likely to be detrimental to the preservation of such forest or forests;
- (ii) regulate the exercise of customary or prescriptive rights in such forest or forests.

#### **Section 28E Penalties**

(1) Whoever contravenes the provisions of sub section (1) or sub section (2) of section 28 B or any of the terms of a notification under section 28 shall be punished with imprisonment which may extend to two years or with fine which may extend to five thousand rupees or with both.

(2) No prosecution shall be instituted against any person without the sanction of the District Collector.

#### **Section 28F Bar of Suits**

No order of the Government of the District Collector under this chapter and no notification issued by the Government under section 28 shall be liable to be questioned in any court.

#### **Section 28G Power to make Rules**

(1) The Government may, by notification in the Andhra Pradesh Gazette, make rules for carrying out the purposes of this Chapter.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for

- (a) the classes or kinds of tree growth which may be permitted to be cut and the girth of such trees;
- (b) the terms and conditions subject to which, sanctions or permissions may be granted
- (c) the procedure to be followed by the District Collector before granting sanctions or permissions.

### **CHAPTER 4 Control of timber and other forest produce in transit or possession**

#### **Section 29 Power to make rules to regulate the transit and possession of timber and other forest produce**

The Government may make rules to regulate -

- (i) the floating of timber in the rivers in the State and the transit of timber and other forest produce by land or water;
  - (ii) the possession of teak wood of such value as may be specified in this behalf, or red sanders wood by any person residing in any village within a radius of fifteen kilometers of such reserved forest as may be specified in this behalf.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may
- (a) specify the routes by which alone timber or other forest produce may be imported, exported or moved into, from or within the State;
  - (b) prohibit the import or export or moving of such timber or other forest produce without a permit from a forest Officer duly authorised to issue the same, or otherwise that in accordance with the conditions of such permit, or in the case of timber, without a transit mark affixed by such officer.
  - (c) provide for the issue, production and return of such permit or in the case of timber, for affixing of transit mark and for the payment of the fees therefor;
  - (d) provide for the stoppage, reporting, examination and marking of timber or other forest produce in transit in respect of which there is reason to believe that any money is payable to the Government on account of the price thereof, or on account of any duty, fee, royalty, or charge due thereon or to which it is desirable for the purpose of this Act to affix a mark;
  - (e) provide for

- (i) the establishment and regulation of depots and stations to which such timber or other forest produce shall be taken by those in charge of it for examination, or for the payment of such money or in order that such marks may be affixed to it, the conditions under which such timber or other forest produce shall be brought to, stored at and removed from such depots or stations;
- (ii) the setting up of a check post or the erection of a barrier or both at such places as the Government may specify with a view to prevent or check the carrying of smuggled forest produce; and
- (iii) the management and control of such depots, stations, check posts or barriers, and for regulating the appointment and duties of persons employed thereat.
- (f) prohibit the closing up or obstructing of the channel or banks of any river used for the transit of timber or other forest produce and throwing of grass, brushwood, branches or leaves into any such channel or river or any act which may cause such channel or river to be closed or obstructed.
- (g) provide for the prevention or removal of any obstruction of the channel or banks of any such river and for recovering the cost of such prevention or removal from the person whose act or negligence caused such obstruction.
- (h) prohibit absolutely or subject to such conditions in the entire State of Andhra Pradesh or within such local limits as may be specified, the establishment of pits or machinery for sawing, converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same, or the possession or carrying of hammers or other implements used for marking timber;]
- (i) regulate the use of property marks for timber and the registration of such marks, declare the circumstances in which the registration of any property marks may be refused or cancelled; prescribe the time for which such registration shall hold good, limit the number of such marks that may be registered by any one person and provide for the levy of fees for such registration.
- (j) provide for the maintenance of accounts in respect of all classes of sandalwood and red sanders wood stored in private lands, depots, markets or factories, for industrial or commercial purposes;
- (k) provide for the protection of bridges locks or other public works by regulating the floating of timber and the storing of such timber or other forest produce on river banks and authorising the seizure of such timber or other forest produce floated or stored in contravention of such rules or by which any damage to such work may have been caused, and the detention and disposal of such timber or other forest produce until compensation has been made for the damage done.
- (3) The Government may, by notification, direct that any rule made under this section shall not apply to such classes of timber or other forest produce or to such local area, as may be specified by them.
- (4)
- (a) Whoever contravenes any rule made under this section shall be punishable
- (i) in every case, where such contravention related to sandal wood or red sanders wood, with imprisonment for a term which shall not be less than three months but which shall not exceed one year and with fine which shall not exceed ten thousand rupees;
- (ii) in any other case, with imprisonment for a term which may extend to one year or with fine which may extend to two thousand rupees or with both.
- (b) If an offence under this section is committed, after sunset and before sunrise or after preparation for resistance to lawful authority or where the offender has been previously convicted of a like offence, the magistrate having jurisdiction may inflict double the penalty prescribed for such offence.

### **Section 30 Government and forest officers not liable for damage to forest produce at depots and stations**

The Government shall not be responsible for any loss or damage which may occur in respect of any timber or other forest produce while at a depot or station established under a rule made under Section 29 or while detained elsewhere for the purpose of this Act; and no forest officer shall be responsible for any such loss

or damage unless he causes such loss or damage negligently, wilfully, maliciously or fraudulently.

### **Section 31 Persons employed at depots and stations bound to aid in case of accident**

Where any accident or emergency involving danger to any property at any depot or station referred to in Section 30 occurs, every person employed at such depot or station shall render assistance to any forest officer or police officer demanding his aid in preventing or mitigating the damage or loss to such property.

## **CHAPTER 5 Possession of Sandalwood**

### **Section 32 Possession of sandalwood under licence or mark**

No person shall have in his possession any quantity of sandalwood in excess of ten kilograms, except under a licence granted by the Divisional Forest Officer in that behalf, and except such sandalwood as is marked by a forest officer in such manner as may be prescribed.

Provided that the Divisional Forest Officer may, by order, refuse to grant or renew licence to any applicant or licensee in respect of whom he is satisfied that by reason of his conviction of an offence under this Act or the rules made thereunder, or the previous cancellation or suspension of any licence granted thereunder, or the contravention of any of the requirements as to the possession of sandalwood, or for any other ground that may be prescribed, he is not a fit person to whom a licence may be granted or renewed under this section, and every such order shall be communicated as soon as may be, to the applicant or the licensee, as the case may be.

### **Section 33 Forms and conditions of licence**

The Government may make rules to provide for

- (a) the form and manner in which application for licence may be made;
- (b) the terms and conditions which may be included in any licence and the fees for the grant of such licence;
- (c) the grant of duplicate licence and the renewal of licence and fees for the same.

### **Section 34 Power to cancel or suspend licence**

The Divisional Forest Officer may, after recording the reasons therefor, cancel or suspend any licence granted under this Chapter, if he is satisfied that the licensee has contravened, or failed to comply with, any of the provisions of this Act or the rules made thereunder or any of the terms or conditions of the licence, after giving the licensee an opportunity of making a representation against the action proposed to be taken.

### **Section 35 Appeal**

- (1) Any person aggrieved by the decision of the Divisional Forest Officer, refusing to grant or renew, or cancelling or suspending a licence under this Chapter may, within such time as may be prescribed, appeal to the Conservator of Forests who may make such order as he deems fit, after recording the reasons therefor.
- (2) Any person aggrieved by an order of the Conservator of Forests in appeal preferred under sub section (1) may, within such time as may be prescribed, prefer a second appeal to the Chief Conservator of Forests who may make such order as he deems fit, after recording the reasons therefor.

### **Section 36 Penalties**

Whoever, in contravention of the provisions of this Chapter or of any rule made or licence granted thereunder possesses sandalwood, shall be punishable with imprisonment for a term which shall not be less than three months but which shall not exceed one year and with fine which shall not exceed ten thousand rupees.

## **CHAPTER 6 Of the collection of drift and stranded timber**

### **Section 37 Certain kinds of timber to be deemed property of Government until title thereto is proved and may be collected accordingly**

(1)

(a) All timber found a drift, beached, stranded or sunk.

(b) all timber bearing marks which have not been registered in accordance with the rules made under section 29 or on which the marks have been obliterated, altered or defaced by file or otherwise, and

(c) all unmarked timber found in such areas as the Government may specify, shall be deemed to be the property of the Government unless and until any person establishes his right and title thereto as provided in this Chapter.

(2) Such timber may be collected by any forest officer or by any other person empowered by a rule made under section 43 and may be brought to any depot which the forest officer may notify as a depot for the reception of drift timber.

(3) The Government may, by notification, and for reasons to be recorded in writing exempt any class of timber from the provisions of this section.

#### **Section 38 Notice to claimants to drift timber**

Where any timber is collected by the forest officer or other person under Section 37, he shall immediately report the same to the Divisional Forest Officer who shall publish a notice in the District Gazette concerned or where there is no such Gazette, in the Andhra Pradesh Gazette, requiring any person claiming the same to present to him within a period, not exceeding two months, from the date of such notice, a written statement of such claim. Such notice shall contain a description of the timber and the place from which it was collected and the depot or station at which it is stored.

#### **Section 39 Procedure on the presentation of claim to such timber**

(1) When any statement of claim is presented as required under section 38, the Divisional Forest Officer, may, after making such enquiry as he thinks fit, either reject the claim, or deliver the timber to the claimant, after recording the reasons therefor.

(2) Where such timber is claimed by more than one person, the Divisional Forest Officer may either deliver the same to any such person whom he finds to be entitled thereto after recording the reasons therefor, or may refer the claimants to the court, and retain the timber pending the receipt of an order from such court for its disposal.

(3) Any person whose claim has been rejected under this Section may, within three months from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall be entitled to any compensation or cost against the Government or against any forest officer on account of such rejection, or the detention or removal of any timber, or the delivery thereof to any other person.

(4) Save as otherwise provided in this section no such timber shall be subject to the process of any civil, criminal or revenue court until it is delivered.

(5) Where the matter is pending before a court under this section, the Divisional Forest Officer may, with the permission of the court, instead of retaining the timber under sub section (2), sell the timber in public auction and remit the sale proceeds into the nearest Government treasury. The court may deal with the proceeds of the sale of any such timber in the same manner as it might have dealt with the timber if it had not been sold.

#### **Section 40 Disposal of unclaimed timber**

Where no statement of claim is presented as required under section 38 or where the claimant fails to prefer his claim in the manner and within the period fixed by the notice issued under that section or on such claim having been so preferred by him and having been rejected, fails to institute a suit to recover possession of such timber within the further period fixed by section 39, the ownership of such timber shall vest in the Government free from all encumbrances or when such timber has been delivered to another person under that section, in such other person, free from all encumbrances other than those created by him.

#### **Section 41 Government and their officers not liable for damage to timber collected under section 37**

The Government shall not be responsible for any loss or damage which may occur in respect of any timber collected under section 37 and no forest officer shall be responsible for any such loss or damage unless he causes such loss or damage negligently, wilfully, maliciously or fraudulently.

**Section 42 Payment to be made by claimant before timber is delivered to him**

No person shall be entitled to recover possession of any timber collected under Section 37 or delivered under section 39 until he has paid to the forest officer or other person entitled to receive it such sum on account thereof as may be due under any rule made under section 43.

**Section 43 Power to make rules and prescribe penalty for contravention thereof**

(1) The Government may make rules to regulate the following matters, namely:

- (a) the salvaging, collection and disposal of all timber referred to in this Chapter;
- (b) the use and registration of boats used in salvaging and collecting timber;
- (c) the costs to be paid for salvaging, collecting, moving, storing or disposing of such timber;
- (d) the use and registration of hammers and other implements used for marking such timber.

(2) Whoever contravenes any rule made under this section shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

**CHAPTER 7 Penalties and Procedure**

**Section 44 Seizure of property liable to confiscation and procedure thereupon**

(1) Where there is reason to believe that a forest offence has been committed in respect of any timber or forest produce, such timber, or forest produce, together with all tools, ropes, chains, boats, vehicles and cattle used in committing any such offence, may be seized by any forest officer or police officer.

(2) Every officer seizing any property under this section shall place on such property, or the receptacle, if any, in which it is contained, a mark indicating that the same has been so seized and shall, except where the offender agrees in writing forthwith to get the offence compounded [without any unreasonable delay either produce the property seized before an officer not below the rank of an Assistant Conservator of Forests authorised by the Government in this behalf by notification (hereinafter referred to as the authorised officer) or make a report of such seizure to the magistrate:]

Provided that where the timber or forest produce with respect to which such offence is believed to have been committed is the property of the Central or State Government and the offender is not known, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to the Divisional Forest Officer.

(2-A) Where an authorised officer seizes under sub section (1) any timber or forest produce or where any such timber or forest produce is produced before him under sub section (2) and he is satisfied that a forest offence has been committed, in respect thereof, he may order confiscation of the timber or forest produce so seized or produced together with all tools, ropes, chains, boats or vehicles used in committing such offence.

(2-B) No order confiscating any property shall be made under sub section (2 A) unless the person from whom the property is seized is given.

- (a) a notice in writing informing him of the grounds on which it is proposed to confiscate such property;
- (b) an opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the grounds for confiscation; and
- (c) a reasonable opportunity of being heard in the matter.

(2-C) Without prejudice to the provisions of sub section (2 B), no order of confiscation under sub section (2 A) of any tool, rope, chain, boat or vehicle shall be made if the owner thereof proves to the satisfaction of the authorised officer that it was used in carrying the property without his knowledge or connivance or the knowledge or connivance of his agent, if any, or the person in charge of the tool, rope, chain, boat or vehicle

in committing the offence and that each of them had taken all reasonable and necessary precautions against such use.

(2-D) Any forest officer not below the rank of a Conservator of Forests empowered by the Government in this behalf by notification, may within thirty days from the date of the order of confiscation by the authorised officer under sub section (2-A) either suo motu on application call for and examine the record of that order and may make such inquiry or cause such inquiry to be made and pass such orders as he may think fit:

Provided that no order prejudicial to any person shall be passed without giving him an opportunity of being heard.

(2-E) Any person aggrieved by an order passed under sub section (2-A) or sub section (2-D) may within thirty days from the date of communication to him of such order, appeal to the District Court having jurisdiction over the area in which the property has been seized, and the District Court shall after giving an opportunity to the parties to be heard, pass such order as it may think fit and the order of the District Court so passed shall be final.]

(3) Any forest officer not below the rank of a Forester, who or whose subordinate has seized any tools, ropes, chains, boats, vehicles or cattle under sub section (1) [and where he makes a report of such seizure to the magistrate under sub section (2)] may release the same on the execution by the owner thereof a bond for the production of the property so released, if and when so required before the magistrate.

(4) Upon the receipt of any report under sub section (2), the magistrate shall, except where the offence is compounded, take such measures as may be necessary for the trial of the accused and the disposal of the property according to law.

(5) The property seized under this section, shall be kept in the custody of the forest officer not below the rank of a Forest Guard or the village headman until the compensation for compounding the offence is paid or until an order of the magistrate directing its disposal is received.

#### **Section 45 Timber, forest produce, tools. etc., when liable to confiscation**

Where a person is convicted of a forest offence, the Court sentencing him shall order confiscation to the Government of timber or forest produce in respect of which such offence was committed and of any tool, boat, vehicle, vessel or other conveyance or any other article used in committing such offence except where an order of confiscation, has already been passed in respect thereof under section 44.]

#### **Section 46 Disposal on conclusion of trial for forest offence of timber or forest produce in respect of which it was committed**

When the trial of any forest offence is concluded, any timber or forest produce in respect of which such offence was committed shall, if it is the property of the Central or State Government, or if it is confiscated, be taken possession of by or under the authority of the Divisional Forest Officer, and in any other case, may be disposed of in such manner as the court having jurisdiction may, by order, direct.

#### **Section 47 Procedure when offender is not known or cannot be found**

Where the magistrate is of opinion that a forest offence was committed but the offender is not known or cannot be found, he may on an application made in this behalf order the property, in respect of which the offence was committed and which was seized, to be confiscated and taken possession of by or under the authority of the Divisional Forest Officer or to be made over to any person whom the magistrate considers to be entitled to the same.

Provided that before making any such order the magistrate shall cause a notice of any application made under this section to be served upon any person who, he has reason to believe, is interested in the property seized, or shall publish such notice in such manner as he thinks fit:

Provided further that no such order shall be made until the expiration of thirty days from the date of seizing such property, or without hearing the person, if any, claiming any right thereto, and the evidence, if any, which he may produce in support of his claim.

**Section 48 Procedure in regard to perishable property seized under Section 44**

(1) Except where a forest offence has been compounded, the magistrate may direct the sale of any property seized under Section 44, which is subject to speedy and natural decay, and if in the opinion of the officer seizing such property, it is not possible to obtain the orders of the magistrate in time, such officer may sell the property himself, remit the sale proceeds into the nearest Government treasury and make a report of such seizure, sale and remittance to the magistrate and thereupon the magistrate shall take such measures as may be necessary for the trial of the accused.

(2) The magistrate may deal with the proceeds of the sale of any property held under sub section (1) in the same manner as he might have dealt with the property if it had not been sold.

**Section 49 Appeal from orders under section 45, Section 46 or Section 47**

Any person claiming to be interested in the property seized under Section 44 may, within one month from the date of any order passed under section 45, section 46 or section 47, present an appeal therefrom to the court to which an appeal from the order of the magistrate ordinarily lies. The appeal shall be disposed of in the manner provided by the Code of Criminal Procedure, 1898.

**Section 50 Property when to vest in Government**

(1) Where an order of confiscation of any property passed under sub section (2-A) or sub section (2-D) of section 44 has become final in respect of the whole or any portion of such property, such property or the portion thereof as the case may be, shall vest in the Government free from all encumbrances.

(2) Where an order for the confiscation of any property was passed under section 45 or section 47 and the period limited by section 49 for presenting an appeal from such order has elapsed, and no such appeal was presented, or where, on such an appeal being presented, the appellate court confirms such order in respect of the whole or a portion of such property, such property or portion, as the case may be, shall vest in the Government free from all encumbrances.

**Section 51 Saving of power to release, property seized**

Nothing in this Act shall be deemed to prevent the Divisional Forest Officer from directing at any time the immediate release of any property seized under Section 44, and the withdrawal of any charge made in respect of such property in accordance with the provisions of section 494 of the Code of Criminal Procedure, 1898:

Provided that where a report is made to the magistrate of the property seized under Section 44 the Divisional Forest Officer shall not release the property without the consent in writing of such magistrate, or without previous intimation to such magistrate.

**Section 52 Penalty for counterfeiting marks on trees and timber and for altering boundary marks**

Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code

(a) knowingly counterfeits upon any timber or standing tree, a mark used by any forest officer to indicate that such timber or tree is the property of the Central or State Government or of some person, or that it may lawfully be cut or removed by some person, or that it may lawfully be cut or removed by some person, or

(b) unlawfully affixes to any timber or standing tree, a mark used by any forest officer, or

(c) alters, defaces or obliterates any such mark placed on any timber or standing tree by or under the authority of any forest officer, or

(d) alters, moves, destroys or defaces any boundary mark of any forest or any land to which any provisions of this Act apply. shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to one thousand rupees or with both.

**Section 53 Power to arrest without warrant**

Any forest officer not below the rank of a Forest Guard or police officer may, without orders from a magistrate and without a warrant, arrest and detain in custody any person if the officer knows or has reason

to believe that such person is committing or has committed any forest offence and, if such person refuses to give his name and residence, or gives a name or residence which there is reason to believe to be false or if there is reason to believe that he will abscond.

(2) Every person arrested and detained in custody under this section shall be informed, as soon as may be, of the grounds for such arrest and detention and shall be produced before the nearest magistrate within a period of twenty four hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate; and no such person shall be detained in custody beyond the said period without the authority of a magistrate.

#### **Section 54 Power to release on bond a person arrested**

Any forest officer not below the rank of a Forester, who or whose subordinate has arrested any person under the provisions of section 53, may release such person on his executing a bond to appear, if and when so required, before the magistrate or before the officer in charge of the nearest police station.

#### **Section 55 Punishment of wrongful seizure or arrest**

Any forest officer or police officer who vexatiously or frivolously seizes any property on pretence of seizing property liable to confiscation under this Act, or who vexatiously or frivolously arrests any person, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

#### **Section 56 Power to prevent commission of offence**

Every forest officer and police officer shall prevent, and may take necessary steps for the purpose of preventing the commission of any forest offence.

#### **Section 57 Power to try offences summarily**

Any Magistrate of the first class specially empowered in this behalf by the Government may try summarily under the Code of Criminal Procedure, 1898 any forest offence punishable with imprisonment for a term not exceeding six months, or with fine not exceeding five hundred rupees, or with both.

#### **Section 58 Operation of other laws not barred**

Nothing in this Act shall be deemed to bar the prosecution of any person under any other law for any act or omission which constitutes a forest offence, or from being liable under such other law to any higher punishment or penalty than that provided by this Act, or the rules made thereunder.

Provided that no person shall be prosecuted and punished for the same offence more than once.

#### **Section 58A Order of confiscation not to bar imposition of other penalty**

An order of confiscation under sub section (2-A) or sub section (2-D) of Section 44 shall not be deemed to bar the imposition of any other penalty to which the person from whom the property is seized is liable under this Act.]

#### **Section 59 Power to compound offences**

(1) Any forest officer, specially empowered in this behalf by the Government may accept a compensation from any person who committed or in respect of whom it can be reasonably inferred that he has committed any forest offence, other than an offence under section 52 or Section 55--

(i) a sum of money not exceeding fifty rupees where such offence is of a trival nature;

(ii) a sum of money which shall not in any case be less than the value of the forest produce, or more than four times such value as estimated by such forest officer, in addition to the value of the forest produce, where such offence involves any forest produce which in the opinion of the forest officer, may be released;

(iii) a sum of money which shall not in any case be less than the value of the forest produce or more than four times such value as estimated by such forest officer, where such offence involves forest produce which in the opinion of the forest officer should be retained by the Government.

(2) On receipt of the sum of money referred to in sub section (1), by such officer,

- (i) the accused person, if in custody, shall be discharged;
- (ii) the property seized shall, if it is not to be so retained, be released, and
- (iii) no further proceedings shall be taken against such person or property.

#### **Section 60 Presumption that timber or forest produce belongs to the Central or State Government**

Where, in any proceedings taken under this Act, or in consequence of anything done under this Act, a question arises as to whether any forest produce is the property of the Central or State Government, such produce shall be presumed to be the property of the Central or State Government as the case may be, until the contrary is proved.

### **CHAPTER 8 Cattle Trespass**

#### **Section 61 Cattle Trespass Act, 1871 to apply**

(1) Cattle trespassing in a reserved forest or in a protected forest shall be deemed to be cattle doing damage to a public plantation within the meaning of section 11 of the Cattle Trespass Act, 1871, and may be seized and impounded as such by any forest officer or police officer.

(2) The Government may, by notification, direct that in lieu of the fines fixed by section 12 of the Act referred to in sub section (1), there shall be levied, in all or any of the areas to which this Act applies, for each goat or kid impounded under sub section (1), such fine not exceeding rupees five as they think fit.

### **CHAPTER 9 Powers of Forest Officers**

#### **Section 62 Government may invest forest officers with certain powers**

(1)

(a) The Government may, by notification and subject to such terms and conditions as may be specified therein, invest any forest officer not below the rank of a Ranger with all or any of the following powers, namely:

(i) to enter upon any land and to survey, demarcate and make a map of the same:

Provided that no such demarcation shall take away or a bridge the right of any person in or over the land;

(ii) to hold enquiries into forest offences, and in the course of such enquiries to receive and record evidence.

(iii) to accept compensation for forest offences under Section 59.

b) The Government may, by notification invest any forest officer, not below the rank of [a Forest Range Officer] with all or any of the following powers, namely:

(i) power of a civil court to compel the attendance of witnesses and the production of documents and material objects:

(ii) to search or to issue a search warrant which may be executed in the manner provided in the Code of Criminal Procedure, 1898.

(2) The Government may, in like manner, withdraw any powers invested under sub section (1).

(3) Any evidence recorded under item (ii) of clause (a) of sub section (1) shall be admissible in any subsequent trial of the alleged offender before a Magistrate, if it has been taken in the presence of the accused person and recorded in the manner provided by section 355, section 356 or section 357 of the Code of Criminal Procedure, 1898.

#### **Section 63 Forest Officers deemed public servants**

All forest officers shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.

#### **Section 64 Powers of entry and inspection**

Any forest officer not below the rank of a Forester may, at any time enter and inspect any private forest or land within his jurisdiction for the purpose of ascertaining whether there has been contravention of any of the provisions of this Act and the rules made thereunder or for the purpose of securing compliance with any such provision.

#### **Section 65 Indemnity for acts done in good faith**

No suit or criminal prosecution shall lie against any public servant for anything done or omitted to be done in good faith in pursuance of this Act.

### **CHAPTER 10 Miscellaneous**

#### **Section 66 Revision**

(1) The Government may suo motu or on application made to them, call for and examine the record of any forest officer in respect of any proceeding, not being a proceeding in respect of which a suit, an appeal or application or a reference to a court is provided under this Act, to satisfy themselves as to the regularity of such proceeding, or the correctness, legality or propriety of any decision passed or order made therein; and if in any case, it appears to the Government that any such decision or order should be modified, annulled, reversed or remitted for reconsideration, they may pass order accordingly.

Provided that every application to the Government for the exercise of the powers under this section shall be preferred within ninety days from the date on which the proceeding, decision or order to which the application relates was communicated to the applicant.

(2) No order prejudicial to any person shall be passed under sub section (1) unless such person has been given an opportunity of making his representation.

(3) The Government may suspend the execution of any proceeding, decision or order pending the exercise of their power under sub section (1) in respect thereof.

#### **Section 67 Power of Government to exempt any area from the provisions of the Act**

The Government may, by notification exempt for reasons to be recorded in writing, any area from all or any of the provisions of this Act but not so as to affect anything done, or any offence committed, or any fine imposed or penalty levied, or any proceedings commenced in such place before such exemption, and may in like manner vary or cancel such notification.

#### **Section 68 Power of Government to make rules**

(1) The Government may by notification make rules to carry out all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for

(a) declaring by which forest officer or class of forest officers, the powers conferred or duties imposed by or under this Act on a forest officer shall be exercised or performed.

(b) regulating the procedure to be followed by the Forest Settlement Officer;

(c) regulating the rewards to be paid to officers or informers from the proceeds of fines and confiscations under this Act, or from the Government treasury;

(d) regulating or prohibiting, hunting, shooting, carrying firearms, fishing, poisoning of water or setting traps or snares on or from any public road passing through or situated within a distance of thirty metres from any forest:

(e) the preservation, reproduction and disposal of trees and timber belonging to the Government;

(f) any other matter which is to be or may be prescribed.

(3) Every rule made under this Act shall immediately after it is made be laid before each House of the State Legislature if it is in session and if it is not in session, in the session immediately following, for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if

before the expiration of the session in which it is so laid or the session immediately following both Houses agree in making any modification in the rule or in the annulment of the rule, the rule shall thereafter have effect only in such modified form, or shall stand annulled, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(4) Any person contravening any rule under this Act, for the contravention of which no special penalty is provided shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to five hundred rupees or with both.

Provided that no prosecution under this sub section shall be instituted without the previous sanction of the Divisional Forest Officer.

### **Section 69 Government may delegate powers**

The Government may, by notification delegate any of the powers conferred on them by sections 18,19,21,24,25 and sub section (2) of section 61, to the Chief Conservator of Forests, or to such other officer or authority as they deem fit.

### **Section 70 Recovery of money due to Government**

(1) All monies, other than fines imposed by the magistrate, duly ascertained and payable to the Government under this Act, or any rule made thereunder, or on account of timber or forest produce or of expenses incurred in the execution of this Act in respect of timber or forest produce or under any contract relating to timber or forest produce including any sum recoverable thereunder for the breach thereof or in consequence of the cancellation or under the terms of a notice relating to the sale of timber or forest produce by auction or by invitation of tenders issued by or under the authority of a Divisional Forest Officer and all compensations awarded to Government under this Act including the compensation under Section 59 may, if not paid when due, be recovered as if it were an arrear of land revenue.

(2) Where the money referred to in sub section (1) is payable for, or in respect of any forest produce, the amount thereof shall be deemed to be a first charge on that produce; and if the amount be not paid when due, the produce may be taken possession of by or under the authority of the Divisional Forest Officer, and may be retained until such amount is paid, or the forest officer may sell the produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

(3) The surplus, if any, shall be paid to the person entitled thereto.

### **Section 71 Land required under this Act to be deemed to be needed for public purpose under the Land Acquisition Act, 1894**

Whenever it appears to the Government that any land is required for any of the purposes of this Act, such land shall be deemed to be needed for a public purpose within the meaning of the Land Acquisition Act, 1894.

### **Section 72 Repeal**

(1) The Andhra Pradesh (Andhra Area), Forest Act, 1882 and the Andhra Pradesh (Telangana Area) Forest Act, 1355 are hereby repealed.

(2) Upon such repeal, the provisions of sections 8 and 18 of the Andhra Pradesh General Clauses Act, 1891 shall apply.

### **ANDHRA PRADESH FOREST DEPARTMENT REWARD RULES, 1970**

In exercise of the powers conferred by clause (c) of sub section (2) of Section 68 of the Andhra Pradesh Forest Act, 1967 (Act No.1 of 1967) and in supersession of all previous rules and Notifications on the subject, the Governor of Andhra Pradesh hereby makes the following rules to regulate the grant of rewards to informers in respect of offences taken cognizance of by the Forest Officers.

#### **Rule 1 Short title and Extent**

These rules may be called the Andhra Pradesh Forest Department Reward Rules, 1970. They shall

extend to the whole of the State of Andhra Pradesh.

### **Rule 2 Definitions**

Unless there is anything repugnant to the subject or context, words and expressions used in these rules shall have the meanings assigned to them in the Andhra Pradesh Forest Act, 1967.

### **Rule 3 Rewards to Informers**

Any person or persons furnishing information leading to or otherwise contributing to the detection of forest offence and or successful penal action against the offenders may be granted rewards by the Chief Conservator of Forests, Conservator of Forests Divisional Forest Officer or Forest Range Officer

### **Rule 4 Conditions for grant of Reward**

(1) The Reward made under rule 3 shall be in cash and shall be in accordance with the following terms.

Name of the Officer Competent to grant reward

Extent of rewards that may be granted

1

2

Chief Conservator of Forests Rupees ten thousands or 15% of the value (whichever is less) of the seized forest produce or Compounding fees collected.

Conservator of Forests Rupees one thousand or 15% of the value (whichever is less) of seized forest produce or compounding fees collected.

Divisional Forest Officer Rupees five hundred or 15% of the value (whichever is less) of the seized forest produce or compounding fees collected.

Forest Range Officer Rupees hundred or 15% of the value (whichever is less) of the seized forest produce or compounding fees collected.

(2) The Reward in any case shall not exceed Rupees ten thousand or 15% of the value of the seized forest produce.

(3) Where no forest produce is seized, a maximum of rupees one hundred can be sanctioned as reward by the Chief Conservator of Forests to a person or persons who are instrumental in detecting the cases or prosecuting the cases successfully.

(4) The quantum and conditions of rewards under sub rules (1) and (3) shall not apply to the Government Servants.

(5) Whenever the maximum prescribed amount is sanctioned by officers under sub rule (1), the sanctioning authority shall report the facts of the case to his superior.

### **Rule 5 Incentive rewards for preventing forest fires**

The Conservator of Forests may grant a reward not exceeding Rs.100 to any person who render exceptionally good service in keeping a Government forest free from fire or suppressing fire or furnishes information leading to the conviction of a forest incendiary.

### **Rule 6 Rewards to Gazetted Officers**

The Government may grant rewards to the Gazetted Officers in exceptional cases where individual performance of very high standard is displayed in apprehension or attempted conviction of offenders or realisation of compounding fees.

### **Rule 7 Rewards to Non-gazetted Officers**

The Chief Conservator of Forests and other Officers in the Department may grant reward to Non Gazetted Government Employees for their exceptional performance in booking any particular offence or offences during the year as follows.

**Rule 8 Rewards by Government**

The Government may grant a reward to any individual contributing to the booking and or disposal of any forest offence, if the rewards exceeds the delegated powers under these rules.

**Rule 9 Rewards not to be claimed as of right**

No appeal shall lie to any authority on the grant of any reward or otherwise under these rules

**ANDHRA PRADESH FOREST SETTLEMENT RULES, 1969**

In exercise of powers conferred by Clause (b) of Sub-section (2) of Section 68 of the Andhra Pradesh Forest Act, 1967 (Act I of 1967), the Governor of Andhra Pradesh hereby makes the following Rules

**Rule 1**

These rules may be called the Andhra Pradesh Forest Settlement Rules, 1969.

**Rule 2**

In these Rules, unless the context otherwise requires. "Form" means a form appended to these Rules.

**Rule 2A**

The Forest Settlement Officer shall serve a copy of the proclamation made in Form 3 on every known or reputed owner or occupier of any land included in or adjoining the land proposed to be constituted as a reserved forest, or on his recognised agent or manager either in person or under certificate of posting

**Rule 3**

When claimants under Section 6 (1) (d) appear and verbally state the nature of their rights, the Forest Settlement Officer shall record substance of the said statements. Written statements specifying the nature of the rights claimed must be stamped in accordance with the provisions of the Andhra Pradesh Court-fees and Suits Valuation Act, 1956.

**Rule 4**

Copies of statements filed by parties in evidence and of the decisions recorded by the Forest Settlement Officer may be granted to claimants on payment of the requisite fee, such copies shall be stamped in accordance with the provisions of the Andhra Pradesh Court-fees and Suits Valuation Act, 1956.

**Rule 5**

Claims on behalf of a family may be presented by any member of the family; on behalf of a tribe or community by any member of the tribe or community; on behalf of Joint claimants or Pattedars by any one of the joint claimants or Pattedars; and on behalf of village, by the Tahsildar of the taluk or any officer duly authorised by him, or the headman or Sarpanch of the village Otherwise all claimants must 2 appear in person or through a legal practitioner before the Forest Settlement Officer.

**Rule 6**

The Forest Settlement Officer may, at any time, combine any number of claims, provided they are all situated in the same proposed reserved forest area, in order to hold a common inquiry, or may sever any claims jointly made in order to hold separate inquiries at his discretion. It shall not be necessary to take for a second time, evidence already recorded in an enquiry relating to another claim. However, in deciding upon the claim of any person, the Forest Settlement Officer shall admit previously recorded evidence or documents, and may also recite a previous decision in disposing of a case; the person whose claim is thus treated shall be entitled to obtain a copy of such previous evidence, document or decisions, as if it had been recorded during the enquiry into his own claim.

**Rule 7**

At the time of settlement, the Forest Settlement Officer shall verify the gainr land available in the village limits for the use of community and if it is not equal to the minimum area required for reservation for communal purposes in respect of the said village he shall provide for the same in consultation with the

District Collector by deleting a portion of the proposed forest block from the periphery. He shall intimate the revenue authorities particularly, the Collector and the Tahsildar as to the purpose for which the area is so left out and inform them to enter it in the prohibitory order book so as to make them unassignable or any other purpose.

**Rule 8**

The Forest Settlement Officer shall make suitable enquiries to find out the customary rights and concessions enjoyed by the various scheduled tribes living in the forest or adjoining the forest in respect of which reservation is proposed and protect or extinguish the same after proper examination and enquiry and after giving a reasonable opportunity of making a representation to the person affected.

**Rule 9**

Claimants may employ a legal practitioner or other person to appear on their behalf. In such cases, the Forest Settlement Officer shall require the production of the usual stamped authority.

**Rule 10**

The Forest Settlement Officer shall examine the claimants and witnesses upon oath or solemn affirmation. Process fee according to the scale laid down in the Civil rules of Practice and circular orders shall be required from claimants, but not from the forest officer attending the enquiry if application is made to the Forest Settlement Officer to compel the attendance of witnesses or production of documents.

**Rule 11**

The Forest Officer attending the inquiry shall have rights and responsibilities similar to those of a defendant in a civil suit. He may cross-examine the witnesses who support claims; may produce evidence to rebut claims and may comment on any documents produced. He may pursue and take copies of any documents or evidence and no court fees shall be required of him. If the claimant desires to prefer an appeal against any decision, the Settlement Officer shall give him a duly stamped and certified copy of such decision and shall meet the cost from the contingencies of the Forest Settlement Office.

**Rule 12**

The Divisional Forest Officer shall normally attend the inquiry, if he is unable to attend the inquiry before the Forest Settlement Officer, he may forward to the Forest Settlement Officer any statement he may wish to make in writing along with any documents he may decide to put in. The Divisional Forest Officer may, in such cases, if he so wishes, depute a subordinate to explain, if necessary, the statement submitted by him. In such cases the officer so deputed shall not be below the rank of Ranger.

**Rule 13**

The Forest Settlement Officer shall, at all times afford the forest officer attending the inquiry all reasonable information regarding the posting of claims for hearing as far as is convenient to meet the wishes of the forest officer in adjourning inquiries to give time for him to consult the Collector or the Conservator of Forests. The Forest Settlement Officer shall inform the date of hearing to parties concerned also and may for sufficient reasons, grant adjournments.

**Rule 14**

The views of the Collector in cases regarding land the claims to which are being investigated under Section 10, or of the Conservator of Forests in any other question which may arise, shall be placed before the Forest Settlement Officer by a written note. Such written note shall be read aloud and shall form part of the record and shall be explained to the claimants in their vernacular language if they do not understand English.

**Rule 15**

(1) The Forest Settlement Officer shall keep a diary of his day to day proceedings which shall be clearly written up and shall be intialled by himself every evening as magisterial diaries are kept.

(2) The claims on which he has to adjudicate shall usually be of two classes.

1. Claims of land

2. Claims to rights of the nature of easements specified in section 10 of the Act x x x x x

(3). He shall maintain two registers 'A' and 'B' in Forms 1 and 2 and shall enter in the former, all claims as they are received and in the latter, all claims as they are disposed of . Register 'B' or a fair typed copy thereof shall be forwarded to the Government for incorporation in the notifications under Section 15 of the Act.

(4) Where a claim comes partly under Section 10 and partly under Section 11, the Forest Settlement Officer shall separate those parts of it x x x x x x x x and shall enter them in his register as separate claims.

(5) In cases in which appeals are preferred against his decision, the Forest Settlement Officer shall obtain copies of the decisions of appellate court which shall form part of the Forest Settlement record. A brief abstract of each appellate decision shall also be prepared and entered in the appropriate column of register 'B' reference being made in the remarks column to the number and date of such decision.

**Rule 16**

Where a claim is admitted by the Forest Settlement Officer, the concerned Conservator of Forests may indicate to the Forest Settlement Officer the course under Clause (a) of Sub-section (2) of Section 10 of the Act which the Forest Department desires to be followed. The Forest Settlement Officer shall give an opportunity of being heard to the claimant whose claim has been admitted before deciding the course of action he will take in the matter.

**Rule 17**

If the Forest Settlement Officer, chooses to grant any land in exchange of the rights admitted under Section 10, he shall consult the Chief Conservator of Forests if the land proposed to be granted in exchange is a protected forest or is proposed to be constituted as a reserve forest and the Collector if it is any other land.

**Rule 18**

Where the Forest Settlement Officer acts under Sub-section (4) of Section 11 and commutes a right of pasture or to forest produce by grant of money or land, such commutation shall ordinarily be calculated as follows:

(a) if paid in money, at 20 years purchase of the annual value of the right, as ascertained by the Forest Settlement Officer; and

(b) if paid by grant of any other land in exchange, the assessment of the land shall be equal to the annual value of the commuted right, as estimated by the Forest Settlement Officer.

**Rule 19**

When the settlement is concluded and the notification under Section 15 is published, the Forest Settlement Officer shall deliver to the Forest Officer a statement of all rights, finally admitted within the reserved forest specifying their nature and extent

**Rule 20**

x x x x x x x x x x

**Rule 21**

x x x x x x x x x x

**APPENDIX 1 FORM 1**

FORM

FORM 1

(See Rule 15)

Register 'A' of claims to lands, Rights to forest produce, or easements in the proposed reserved forests

Number Names of claimants Date of presentation of claims Nature and extent of claims preferred Remarks  
(1) (2) (3) (4) (5)

**APPENDIX 2 FORM 2**

FORM

FORM 2

(See Rule 15)

Register `B' of claims to lands, rights to forest produce or easements in the proposed reserved forests

No Names of claimants Date of presentation of claims Nature and extent of claims preferred Brief summary of evidence adduced in support of claims Brief summary of Divisional Forest Officer's arguments and evidence produced by him Brief abstract of decision and final disposal of the claims, by the Forest Settlement officer Brief abstract of decision if any, of court, of final appeal and settlement. (1) (2) (3) (4) (5) (6) (7) (8)

**APPENDIX 3 FORM 3**

FORM

FORM 3

[(See Rule 2-A)]

Form of proclamations under Sub-section (2) of Section 6

Whereas by a notification published under Section 4 of the Andhra Pradesh Forest Act, 1967 (Act 1 of 1967 ) at page ..... of the Andhra Pradesh Gazette, dated the ..... (here enter date) it is proposed to constitute as a reserved forest all the block of land comprised within the following limits ..... (herein enter the limits of the proposed reserved forest). It is hereby notified for general information that during the interval between the date of publication of the said notification in the Andhra Pradesh Gazette and the date fixed by the notification under Section 15 of the said Act.

(1) No right shall be acquired by any person in or over the land included in the notification under Section 4 except by succession or under a grant or contract in writing made or entered into by or on behalf of the Government or any person in whom such right was vested before the publication of the notification under Section 4;

(2) No new house shall be built or plantation formed, no fresh clearing for cultivation or for any other purpose shall be made on such land and no trees shall be cut from such land for the purpose of trade or manufacture, unless permission in writing is obtained from the Forest Settlement Officer;

(3) No person shall set fire or kindle or leave burning any fire in such manner as to endanger or damage such land or forest produce; and

(4) No patta in such land shall be granted.

2. All persons, therefore, claiming any right in the said land are hereby required to state to the undersigned either personally or by written statement within six months from the date of [publishing this proclamation at the headquarters of the taluk] produce all documents in support thereof

3. All rights in respect of which no claim is preferred within the above stated six months period shall subject to the provisions of Section 16 of the Act stand extinguished on the publication of notification under Section 15.

**ANDHRA PRADESH FOREST PRODUCE (STORAGE AND DEPOT) RULES, 1989**

In exercise of the powers conferred by Section 29 read with Section 68 of the Andhra Pradesh Forest Act (Act 1 of 1967) the Governor of Andhra Pradesh hereby makes the following Rules to regulate the setting up of Forest Produce (Storage and Depots) in the State namely

**Rule 1 Short title and application**

(1) These Rules may be called the Andhra Pradesh Forest Produce (Storage and Depot) Rules 1989.

(2) The Rules shall extend to the whole of the State of Andhra Pradesh except the Depots established by the Government Departments and Government undertakings.

### **Rule 2 Definitions**

In these Rules unless the context otherwise requires

(i) 'Act' means the Andhra Pradesh Forest Act, 1967;

(ii) 'Depot' means a place where forest produce is stored by any person or institution or a joint concern for the purpose of trade [x x x x] or any temporary use for trade purposes;

(iii) 'Divisional Forest Officer' means the Divisional Forest Officer having jurisdiction over the area concerned;

(iv) 'Licence' means licence prescribed under these Rules.

(v) 'Form' means a form appended to these Rules.

(vi) 'Trade means business carried as a means of livelihood or profit.'

(vii) "Forest Produce" for the purpose of these rules means all types of timber fuel wood, excepting those species that are exempted under Andhra Pradesh Forest Produce Transit Rules, 1970, and includes, Bamboos.]

2. Words and expressions used but not defined in these rules shall have meaning respectively assigned to them in the Act.

### **Rule 3 Application for Licence**

Any person or institution desirous of setting up a [xxx] forest produce depot shall obtain a licence from the Divisional Forest Officer in Form 2 giving full particulars of land, S.No. Municipality, Mandal, and the extent and title deed registered in his favour or any person from whom he has leased it.

Provided that no person or institution shall be entitled to run a depot already existing unless a licence is obtained in accordance with the rules on or before 31-5-1994]

### **Rule 4 Procedure for grant of licence**

(1) On receipt of an application in Form 1, Divisional Forest Officer shall make such enquiry as he deems fit, and after satisfying himself as to the genuineness of the need etc., may grant a licence in Form-2 for a period not exceeding [three years at a time]

(2) Every application shall be accompanied by a fee of Rs. [250/-] for grant of a licence or its renewal. In case of refusal to issue or renew the licence the fee so paid shall be refunded.

### **Rule 5 Security Deposit**

(1) The licensee shall on being required to do so by the Divisional Forest Office, and before the issue of licence make a deposit in favour of Divisional Forest Officer a minimum amount of [Rs.500/- but not exceeding Rs.5000/-] as security deposit towards due observance of provisions of the Act, and the rules made thereunder.

Provided this sub-rule does not apply to the timber depots located within the limits of municipalities and Municipal Corporations]

(2) The discretion of fixing the amount of security deposit in each case shall vest with the Divisional Forest Officer, who shall take into consideration the nature and quantities of Forest Produce to be stored at the depot while fixing the amount. The decision of the Divisional Forest Officer shall be final.

### **Rule 6 Licence granted subject to the provisions of rules**

Every licence granted under Rule 4 shall, subject to the provisions of Rule 11 of these rules will be effective from the date of issue to the [31st March of the year in which the licence expires both days

inclusive]

#### **Rule 7**

The Divisional Forest officer, may on application made to him [before the expiry of the existing licence] may renew the licence granted under Rule 4 for a further period not exceeding [three years]

#### **Rule 8 Register to be maintained**

(1) All transactions involving receipt storage and disposal shall be recorded [in two separate registers in the proforma prescribed in Form-3A and 3-B separately]

(2) Every licence holder shall submit annually, an abstract of the proforma to the Divisional Forest Officer, before the 30th of April of every year, failing which he shall be liable to pay a penalty of not less than Rs.50/- but not exceeding Rs.500/- for every month of default which shall be levied by the Divisional Forest Officer. In the event of non-payment of the penalty so levied it shall be adjusted from the security deposit and the security deposit shall be replenished to original amount within 30 days, failing which the depot licence shall stand temporarily suspended till the security deposit is replenished, to its original amount.

#### **Rule 9 Licence not transferable**

(1) The licence granted under these rules shall not be transferable, unless permitted in writing by the Divisional Forest officer.

(2) The licence and other records shall be produced for inspection on demand by a Forest Officer not below the rank of a Forester.

#### **Rule 10 Power to enter the Depot**

All Officers of Forest Department of and above the rank of a Forester [xxxx] shall have the power to enter into any depot for the purpose of inspection and securing compliance with these rules.

#### **Rule 11 Cancellation of the licence on contravention of the provisions**

(1) Notwithstanding anything in the foregoing rules, the Divisional Forest Officer may, where he has reason to believe that a licensee has contravened the provision of Act or any rule made thereunder, at any time, revoke the licence granted under these rules, after giving the licensee an opportunity of being heard.

(2) For any violation of the provisions of Act, or the rules made thereunder by the licensee, the Divisional Forest Officer shall be competent to seize and confiscate any forest produce together with machinery, implements, and equipments which might have been used in the commission of the offence.

(3) In case of violation, where it is not proposed to either revoke the licence or seize and confiscate the produce etc., the Divisional Forest Officer shall be competent to impose a penalty not exceeding a sum of rupees ten thousand or upto the extent of security depot.

(4) All penalties levied shall be paid by the licensee within fifteen days from the date of despatch by Registered post of the order of the notice or demand for payment. In case of failure to pay the penalties in time, the same will be adjusted from the security deposit, which shall be replenished immediately. The licence granted shall be deemed to be inoperative until such time the licence replenishes the adjustments in the security deposit.

(5) In the event of revocation of licence under sub-rule (1) or seizure and confiscation of Forest produce together with machinery implements etc. under sub-rule (2) the Divisional Forest Officer shall be competent to forfeit security deposit either in part or the whole.

#### **Rule 12 Revocation of Order**

Where the Divisional Forest Officer refused to renew or revoke a licence granted under these rules or seize and confiscate the produce with machinery etc. he shall do so by an order communicated to the licensee, giving reasons for such refusal or revocation.

#### **Rule 13 Appeal and Revision**

(1) Any person aggrieved by the orders of Divisional Forest Officer may within thirty days of the service on him of the order prefer an appeal to the Conservator of Forests, who shall hold or cause to be held such enquiry as he deems fit and after giving an opportunity of making a representation to the appellant pass an order, as he deems fit.

(2) Any person aggrieved by an order of Conservator of Forests or passed under sub-rule (1) may within thirty days from the date of receipt of the order prefer revision petition to the Principal Chief Conservator of Forests or [any Chief Conservator of Forests] as may be authorised by the Principal Chief Conservator of Forests, who may pass such order as he deems fit, and such order shall be final.

#### **APPENDIX 1 FORM 1**

FORM

FORM 1

[See Rule 4 (1)]

Form for Application of a Licence

1. Name of the applicant
2. Full address of the applicant with title deed of the site duly registered in his name or copy of registered lease deed of site executed in his favour.
3. Sources from where the forest produce is to be obtained
4. Place where the applicant proposes to keep the forest produce (A Sketch should be enclosed)
  1. S.No
  2. Village
  3. Mandal or Municipality
5. Quantity and description of Forest Produce which is likely to be stored
6. Details of payment of application

Dated:

Place:

Signature

#### **APPENDIX 2 FORM 2**

FORM

FORM 2

[See Rule 4(1)]

Licence for Setting up a Forest Produce Depot Division

1. Licence number
2. Name of licensee
3. Address of licensee
4. Place in which the Forest Produce is to be stored :
  1. S.No
  2. Village
  3. Mandal or Municipality

5. Type and maximum quantity of Forest produce permitted to be stored

6. Period of licence From to Station

Date:

Signature of Licensing

Authority and Designation

### **ANDHRA PRADESH RED SANDERS WOOD POSSESSION RULES, 1989**

In exercise of the powers conferred by Section 29 read with Sub-section (1) of Section 68 of Andhra Pradesh Forest Act, 1967 (Andhra Pradesh Act 1 of 1967), and in supersession of all existing Rules on the subject made under any of the Acts repealed under Section 72 of the Act aforesaid, the Governor of Andhra Pradesh hereby makes the following Rules regarding the possession of Red Sanders wood.

#### **Rule 1**

These Rules may be called the Andhra Pradesh Red Sanders Wood Possession Rules, 1989.

#### **Rule 2**

In these Rules, unless the context otherwise requires

(a) 'owner' means a person who has the red sanders wood trees in his patta land.

(b) 'Divisional Forest Officer' means the Divisional Forest Officer having jurisdiction over the area concerned.

(c) 'form' means a form appended in the Schedule appended to these Rules.

(d) 'Licence' means licence prescribed in these Rules.

(e) 'stockist' means a person who stocks red sanders wood.

#### **Rule 3**

No person shall possess red sanders heart wood or a piece of wood containing both sapwood and heart wood at which the heart wood does not exceed 10 Cmt. in diameter at thickest end., in excess of 20Kgs. in any shape or indulge in manufacture or trade except under a licence issued in this behalf in Form-II by a Divisional Forest Officer and except the circumstances mentioned hereunder.

#### **Rule 4**

Every application for grant of licence shall be in Form-I and accompanied by authenticated documents and other material in support of origin of procurement of red sanders wood and a fee of Rs.1,000. The divisional Forest officer may grant or reject the licence depending on the circumstances, without assigning any reasons.

#### **Rule 5**

Any person aggrieved by an order of the Divisional Forest Officer under rule 4 he may appeal to the Conservator of Forests, within a period of fifteen days from the date of receipt of cancellation order, whose decision shall be final.

#### **Rule 6**

On the licence so granted under Rule 4 the Owner or the stockist shall not at any one time possess over and above one metric tonne of red sanders wood in any form or shape obtained from patta lands or otherwise except with the written permission of the Divisional Forest Officer concerned. Licence once granted under Rule 4 shall not be transferable and no person shall hold power of attorney on behalf of licensee.

#### **Rule 7**

Every licence issued or renewed at any time during the financial year shall be valid till the end of the Calendar year.

**Rule 8**

The divisional Forest Officer may on an application made by the licensee, renew his licence, or reject his licence without assigning any reasons therefor.

**Rule 9**

The fees chargeable for renewal of licence shall be Rs.500

**Rule 10**

(1) A duplicate licence, in the event of loss of original licence shall be granted only after due enquiry by Divisional Forest Officer.

(2) The fee chargeable for grant of duplicate licence shall be Rs.500

**Rule 11**

(1) If at any time, it appears to the Divisional Forest Officer that the licensee has contravened any of the provisions of these Rules or failed to comply with any of the conditions laid down on the grant of, licence he may cancel or suspend the licence after giving the said licence fifteen days' notice in writing for making his representation against such cancellation or suspension.

(2) Any person aggrieved by the orders of Divisional Forest Officers passed under sub-rule (1) may within 15 days from the date of receipt of such order prefer an appeal to the Conservator of Forests who may pass such orders as he deems fit after recording the reasons therefor.

(3) Any person aggrieved by the order of Conservator of Forests passed under sub-rule (2) may within 30 days from the date of receipt of the order, prefer a second appeal to Chief Conservator of Forests; who may pass such order as he deems fit, after recording the reasons therefor, and whose orders shall be final.

**Rule 12**

(1) Every owner, or stockist who intends to possess any consignment of red sanders wood, shall immediately inform the Divisional Forest Officer, in writing of the actual source from which he intends to obtain such red sanders wood and supply such information as the Divisional Forest Officer may require to satisfy himself about bona fides of such red sanders wood.

(2) The owner or stockist who comes into possession of a consignment of red sanders wood shall within 24 hours of such possession, intimate the Divisional Forest Officer about the fact of actual possession and the same shall be inspected by an officer not below the rank of Forest Range Officer without any delay; and till such inspection is over the owner or stockist shall not tamper with the identification marks that may have been already placed on such red sanders wood.

(3) A owner or stockist shall not convert such red sanders wood as he may have come into possession in accordance with sub-rule (2) except in accordance with orders in writing of the Divisional Forest Officer.

**Rule 13**

(1) Every owner or stockist storing red sanders wood or its products obtained by manufacture or conversion shall furnish the Divisional Forest Officer full particulars of the place of storing together with a certified sketch of the premises. The premise should be distinguishable by a Notice Board conspicuously displayed. Any change in such place shall be made only after giving prior intimation to Divisional Forest Officer.

(2) Every owner or stockist shall maintain a stock register showing receipts and issues of red sanders wood and all its products.

(3) A true extract of stock register in Form-III shall be submitted to Divisional Forest Officer before 10th of every month, In the event of failure to furnish the return he shall be liable for a penalty which shall not be less than Rs.1,000/- but shall not exceed Rs.2,500/-and in the event of failure to pay the penalty so levied, the licence shall stand automatically cancelled.

**Rule 14**

(1) The stock register and stock of red sanders wood shall be kept open for inspection at any time by any

Forest Officer not below the rank of Forester having jurisdiction over the area concerned.

(2) The inspecting officer, if he has reason to believe that the terms of licence have been contravened, seize any or all records, stocks, of red sanders wood, vessels and conveyance used in such contravention. The seizures may be removed by the inspecting officer for safe custody and produced in the Court having jurisdiction over the area within a Week.

**Rule 15**

(1) Whenever the inspecting officer considers that the production of any document or other thing is necessary for purposes of compliance with these rules, the inspecting officer, may issue a written requisition or order, to the owner or stockist in whose possession such document or thing is believed to be, requiring him to produce it at the time and place stated in the requisition order.

(2) Where the inspecting officer has reason to believe that the owner or stockist to whom an order under sub-rule (1) has been or might be addressed, will not or would not produce document or thing as required by such requisition or order, or where the inspecting officer considers that the purpose of these rules will be served by a general search by himself he may obtain a search warrant and execute in the manner provided in the Code of Criminal Procedure 1973.

**Rule 16**

Nothing in these Rules shall apply to red sanders wood put in actual domestic use. Whether an article made of Red Sanders Wood is put for domestic use or not would be decided by the Divisional Forest Officer concerned, and his decision shall be final.

**SCHEDULE 1 SCHEDULE**

**Form 1 FORM 1**

FORM

FORM 1

Form for the Application of Licence

(See Rule 3)

1. Name of the applicant
2. Fathers/ Husbands name
3. Address of the Applicant
4. Names and address of persons from whom the applicant proposes of obtain the red sanders wood.
5. Place where the applicant proposes to keep the red sanders wood
6. Quantity of Wood. No. of pieces, length, girth, and weight in Kgs. of individual piece.

Date:

Signature of Applicant.

**Form 2 FORM 2**

FORM

FORM 2

Form of Licence (See Rule 3)

Original/Duplicate

1. Licence Number
2. Name of Licensee

3. Address of Licensee

4. Place of storage of Red sanders Wood.

5. Quantity description of produce that is permitted for storage.

Licence is hereby granted, to the person mentioned above for the 31st December subject to provision of the A.P. Forest Act, 1967 and rules thereunder.

The Licensee shall submit abstract of Stock Register, before 10th every month to the undersigned.

The Licence will be cancelled if any contravention of Andhra Pradesh Forest Act, 1967 and rules made thereunder is committed.

Station:

Date:

Signature of Issuing Officer,

Designation

(Strike out whichever is not necessary)

**Form 3 FORM 3**

FORM

FORM 3

Form of Stock Register

[See Rule 13 (3)]

Name of the Owner . /Stickist Month

Licensee Number

Place of Storage

RECEIPTS

Date Opening balance No. and date of permit and by whom issued Description of red sanders wood No.of pieces(length girth description of article in form and shape) Quantity in Kgs. No. & Date of permit to whom issued Description of red sanders wood Whether converted or not if covered No. of products derived and disposed Quantity in Kgs Total Balance Remarks (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11)

Note:- In description of red sanders wood in Columns (4) and (7) if it is in log form No. of logs is to be indicated. If it is in the shape of Musical Instrument, Idols, Vessels or Containers parts, Chips, or Powder or scrap same shall be entered in the Column.

2. In column (8), details of products, namely billets, idols, containers, instruments, parts, chips, powder, scrap etc., may be indicated separately along with their quantity.

### **ANDHRA PRADESH PRESERVATION OF PRIVATE FOREST RULES, 1978**

In exercise of the powers conferred by section 28-G of the Andhra Pradesh Forest Act, 1967 (Act 1 of 1967) in its application to the Scheduled Areas in the State of Andhra Pradesh, the Governor of Andhra Pradesh hereby makes the following rules.

#### **Rule 1**

The Rules may be called "The Andhra Pradesh Preservation of Private Forest Rules, 1978".

#### **Rule 2**

In these Rules unless the context otherwise requires.

(a) "Prohibited Trees" shall mean the trees specified in Schedule-I.

(b) "Reserved Trees", shall mean, the trees specified in Schedule-II.

### **Rule 3**

(1) No permission to fell a "prohibited tree" shall be granted.

(2) Permission to cut "Reserved Trees" shall not be granted unless the trees exceed 120 cms. in girth at 1.3 mtrs. height from ground level. [The felling of trees for this purpose shall be felled as close to the ground as possible] (Added by G.O.Ms.No.80 dt. 10-3-1989) [xxxxxxx]

[Provided that the Collector of the District may in the interest of the conservation fix a higher girth limit than the one mentioned in the sub-rule]

### **Rule 4**

The Collector of the District shall grant permission for cutting bamboos subject to such conditions as may, in consultation with the Divisional Forest Officer concerned, be fixed.

### **Rule 5**

[Every application by the owner of forest for permission to cut trees shall contain the following particulars

(1) Name of the Revenue Mandal.

(2) Name of the Village.

(3) Full name of land owner.

(4) Whether tribal or non-tribal.

(5) S.No..... extent ..... Boundaries of S.Nos.

(6) Particulars of tree growth available on the land.

(7) Purpose for which tree growth is proposed to be sold.

(8) What are the special reasons if the value of the trees proposed to be cut exceeds Rs.5000.

(9) Whether the following documents are enclosed:

(a) to prove ownership of the land;

(b) survey sketches of the S.Nos. mentioned in the application;

(c) combined sketch showing the fields of the land owner and the boundaries; and

(d) extract of village Accounts i.e., fair Adangal 10 (1) and Adangal. Signature of the Applicant".

### **Rule 6**

No permission shall be required for the cutting and removal in head-loads or cart-loads of trees other than reserved or prohibited trees by the local tribal's for their bonafide domestic needs.

### **Rule 7**

Every application received by the District Collector shall be referred to the Divisional Forest Officer and Sub-Collector or Revenue Divisional Officer for opinion, before the permission for felling trees is granted"

. Where the owner is a tribal the Divisional Forest Officer, while giving his opinion shall state the current market value of the trees to be felled.

### **Rule 8**

[(1) Where permission is granted, the cutting and transportation and sale of specified trees shall be done by the Divisional Forest Officer departmentally in such manner as may be specified in an order by the State Government.

(2) The amount of consideration payable to the land owner after deducting the amount actually incurred for

felling, transport and other incidental charges and also the amount required to fully regenerate the area as specified by the State Government shall be deposited by the Divisional Forest Officer in a Commercial Bank or a Co-operative Bank in a joint Account of the land owner and the Project Officer, Integrated Tribal Development Agency concerned or such other officer authorised by the District Collector to be operated jointly by both of them.

(3) The District Collector shall take all necessary precautions to protect the land owner from exploitation, by ensuring proper utilisation of the deposited amount for the best of the interests of the land owner and for this purpose he may exercise such check on the withdrawal of the amount from the Bank as he may deem fit.]

#### **Rule 9**

All Forest Officers and Revenue Officers not below the rank of a Revenue Inspector shall have power to enter into any land with tree growth for the purpose of securing compliance with these rules.

#### **SCHEDULE 1 SCHEDULE 1**

SCHEDULE SCHEDULE 1

[See Rule 2 (a)]

1 Vepa

...

(Azadirachta indica)

2 Lppa

...

(Madhuka latifolia)

3 Mamidi

...

(Mangifera indica)

4 Kunkudu

...

(Sapindus emarginatus)

5 Mushti

...

(strychnos nuxvomica)

6 Chinta

...

(Tamarindus indica)

7 Panasa

...

(Artocarpus integrifolia and Artocarpus hirsuta)

8 Karaka

...

(Termmalia chebula)

9 Tunik

...

(Diospyros malonoxydon)

10 Kaniga.

...

(Pongamia glabra)

## **SCHEDULE 2 SCHEDULE 2**

SCHEDULE SCHEDULE 2

[See Rule 2 (b)]

1 Bandaru (Adina cordifolia)

2 Billudu (Chloroxylon Swietenia)

3 Jitteg (Dalbergia latifolia)

4 Yepi (Hardwickia binata)

5 Raktachanadanam (Pterocarpus santalinus)

6 Yegisa (Pterocarpus marsupium)

7 Chandanam (Santalum album)

8 Salwa (Shorea robusta)

9 Kusum (Schleichera trijuga)

10 Teku (Tectona grandis)

11 Maddi (Terminalia tomentosa)

12 Konda Tangedu (Xylyla dolabriformis)

## **ANDHRA PRADESH FOREST PRODUCE TRANSIT RULES, 1970**

In exercise of the powers conferred by section 29 read with sub-section (1) of section 68 of the Andhra Pradesh Forest Act, 1967 (Andhra Pradesh Act No. 1 of 1967) and in supersession of all existing rules on the subject made under any of the Acts repealed by section 72 of the Act, aforesaid the Governor of Andhra Pradesh hereby makes the following rules to regulate the movement of forest produce in the State of Andhra Pradesh.

### **Rule 1**

These Rules shall be called the Andhra Pradesh Forest Produce Transit Rules, 1970.

### **Rule 2 In these rules**

(1) [x x x x x x x]

(2) "Firewood" means all timber below 25 cms. in girth at its thickest end and one meter in length.

(3) "Forest produce in transit" includes forest produce found stored in any place or in the margin of any public road or cart track or food-path whether [or not] loaded in carts or other vehicles [xx xx xx] and forest produce found in any river, canal or water course whether in rafts or not.

(4) "Form" means appended to these rules.

### **Rule 3**

No forest produce shall be moved into or from or within the State by land or water, unless such produce is

accompanied by a permit therefor issued under Rule 5 and produced for check immediately on demand:

Provided that where the forest produce is imported into the State from any other State it is enough if such produce is accompanied by a permit issued by the Government of the State from where such produce is imported and the said permit shall be valid only for the transport of such produce, such quantity and the destination specified therein.

#### **Rule 4**

Timber exceeding 25 cms. in girth at its thickest part and one meter in length, except timber sawn into sizes shall not be moved into or from or within the State of Andhra Pradesh, unless such timber bears a distinguishable Government transit mark of such description as mentioned in the permit authorising the transit thereof accompanying the said timber.

#### **Rule 5**

(1) The Divisional Forest Officer or an Officer or person duly authorised by him in this behalf shall, subject to the provisions of the rules, [issue a permit in Form-I in respect of forest produce to be removed from the forest areas or Government Timber Depots, and in Form-II in all other cases.] The Divisional Forest Officer may refuse to issue such permits, if he has any doubt either of ownership or the existence of forest produce itself and, may withhold the issue of transit permits till it is proved to his satisfaction that the forest produce that exists lawfully belongs to the applicant.

(2) The Divisional Forest Officer may satisfy himself about the presence of forest produce to be removed and shall determine the number of permits required, keeping in view the estimated quantity of the forest produce.

(3) The Divisional Forest Officer may, for the purpose of issue of permits in Form-II for the forest produce to be removed from private lands, ascertain about the rights and titles over the forest produce from such Revenue Officer of the district, as may be specified by the Conservator of Forests. Explanation :- A certificate issued by the Revenue Officer or other authorised person in the form prescribed by the concerned Conservator of Forests shall be considered as conclusive evidence of the rights and titles of individuals over the tree growth.

(4) The permit authorising the transport of forest produce in lorries or railway wagons etc., and the like shall be super scribed clearly by the words "Transport by lorry" "Transport by wagon", "Transport by cart" etc., and the like as the case may be depending on the mode of conveyance used for transport.

(5) For the supply of Form-I and Form-II permits in triplicate a rate of Rs.500.00(Rupees five hundred) per 100 permits in triplicate shall be charged.

(6) The permit shall be in triplicate duly filled in and signed by the issuing authority. The original shall be delivered to the person moving the forest produce, the duplicate shall be sent to the Range Officer concerned and the triplicate shall be retained as counterfoil for record of the issuing authority.

(7) The Divisional Forest Officer or any Officer authorised by him shall affix the Government transit mark on timber for which a transit permit is issued.

(8) In the event of the Divisional Forest Officer authorising any person not being a forest officer to issue the permits, as specified in sub- rule (1), he may, if considered expedient in the interests of safeguarding forest produce belonging to the Government lay down conditions for such authorisation and also collect a reasonable sum of money as security for the fulfilment of such conditions.

(9) In Municipalities and Municipal Corporation areas where the saw mill owner, depot owner dispose Forest produce except round timber within the local limits of Municipalities or Municipal Corporation, they should issue delivery Chelan in Form-IV along with the forest produce sold. Form-IV can be got printed by the saw mill owners or depot owners themselves and use them after informing Book No. and No. of leaves in each book to concerned Ranger Officers and Divisional Forest Officers by Registered Post with Acknowledgement due.

(10) Whenever permits in Form-II are issued more than (50) in numbers, the validity of the permits should be from the date of issue to the 31st December of that year and validity period be super scribed on Form-II

permit.

#### **Rule 6**

- (1) The ownership of timber not belonging to the Government may, if moved within the State in accordance with these rules be indicated by a separate property mark.
- (2) All such property marks shall be registered by the Divisional Forest Officer.
- (3)
  - (a) Every application for registration of property marks or renewal thereof shall be made to the Divisional Forest Officer accompanied by a fee of Rs.25.
  - (b) The application shall contain the following particulars, namely.
    - (i) the details of the locality where the timber is situated;
    - (ii) the species [and approximate] quantity of timber for which the property mark is to be used;
    - (iii) six facsimilies of the property mark;
- (4) The Divisional Forest Officer may register or renew the property mark in Form-III, or refuse registration of the property mark, and may cancel the registration of the property mark, if he considers that the property mark cannot be easily distinguished from the Government mark or from a property mark already registered or for other reasons to be recorded in writing.
- (5) If registration of property mark is refused or cancelled for reasons other than misuse, the registration fee shall be refunded by the Divisional Forest Officer.

#### **Rule 6A**

Any person, aggrieved by any order of the Divisional Forest Officer, refusing to issue the permits under rule 5 or refusing to register the property mark under rule 6 may prefer an appeal within fifteen days from the date of such order to the Conservator of Forests and the order passed thereon by the Conservator of Forests shall be final.

#### **Rule 7**

No permit shall cover more than one load.

#### **Rule 8**

Any Forest Officer not below the rank of Ranger having jurisdiction over the place, may [for reasons] to be recorded in writing, in case of breakdown of a vehicle carrying forest produce, alter the period of validity of the permit.

#### **Rule 9**

The permit shall be considered invalid if the quantity and description of forest produce is not mentioned accurately.

#### **Rule 10**

Save as otherwise provided in Rule 8, the permit shall be considered invalid if there is erasure, overwriting or if there is alteration in anything printed or written on the permit and if any column is left unfilled.

#### **Rule 11**

The forest produce in transit shall be of the description mentioned in the permit and it shall be transported within the time allowed in the permit accompanying the produce on the route and to the destination mentioned therein.

#### **Rule 12**

- (1) Any Forest Officer, or any officer of the Police Department not below the rank of a Sub-Inspector or any officer of the Revenue Department not below the rank of [Mandal Revenue Officer] [or any Task Force

Officers of the Department of Vigilance and Enforcement not below the rank of Revenue Inspector] may, with a view to securing compliance with these rules or to satisfying himself that these rules have been complied with stop, detain examine at any place any vehicle in respect of which he has reason to believe that a contravention of any of the provisions of these rules has been, is being or is about to be committed.

(2) The Driver of the vehicle shall take the vehicle so stopped under sub-rule

(1) to the nearest office of the Forest Department, Police Station, Village Officer, or the Magistrate as the officer stopping the vehicle may direct, for further investigation or charging the case;

Provided that such officer may cause removal of the vehicle to any of the offices specified by appropriate means in the event of driver failing to comply with the directions of the officer.

### **Rule 13**

The Divisional Forest Officer shall set up check posts, erect barriers or do both at all or any of the places given in Schedule-I with a view to stop, detain and examine the vehicles and secure compliance of the rules. The Chief Conservator of Forests may from time to time, amend the Schedule-I by adding new check posts in or shifting or deleting the existing check posts from the Schedule-1.

### **Rule 14**

Every person taking any forest produce in any vehicle shall stop at any check post or barrier specified in Rule 13 for the purpose of inspection.

### **Rule 15**

The Officer in charge of the check post or barrier shall, after satisfying himself that the forest produce is genuinely covered as per rules by the permit in Form No. II and that in case of timber such timber bears the Government transit mark, endorse on the said permit, the fact of checking and indicate the date and time of check before [allowing] the vehicle to proceed further [as expeditiously as possible

### **Rule 16**

These rules shall not apply to red-sanders and sandal wood and such classes of timber, firewood and other forest produce and in such areas as are specified in Schedule-II and III.

## **ANNEXURE 1 ANNEXURE**

### **Form 1 FORM**

FORM

ANNEXURE

FORM-I

(See Rule 5 of the Andhra Pradesh Forest Produce Transit Rules, 1970)

Permit No. Book No.

Ref. to Invoice No. and Date.

Transport by Vehicle No. 1. By whom issued : i. Name : ii. Designation : 2. To whom issued : i. Name : ii. Father's Name : iii. Village : iv. Mandal : v. District : 3. Description of Forest

Produce (Detailed measurement to be given in the invoice enclosed) : i. Type of Produce Timber/Poles/Fire wood/Bamboo Charcoal/Minor Forest Produce ii. Species : iii. Numbers ( )

(In words) ( ) iv. Quantity ( ) Cmt. v. Govt. transit mark In words ( ) 4. Place of consignment Comptt. No. & .F. block OR Name of GTD & Divn. : 5. Destination

i. Locality

ii. Village

iii. Mandal

iv. District : 6. Route of Transport : 7.

Date and Time of issue of Permit : i. Time : ii. Date : 8. Permit valid upto : i. Time : ii. Date : 9. Obligatory Check Points :

Place : Seal of the Signature and

Date: Office of Divnl. Designation of Forest Officer, issuing authority.

(REVERSE SIDE)

(Endorsements of obligatory check Points.)

I II 1. Place of check : : 2. Name of the Tanedar : 3. Date and time of check : : 4. Entry No. in the check Post Register : : 5. Signature and Stamp of the Tanedar : :

### **Form 2 FORM**

FORM

FORM-II

(See Rule 5 of the Andhra Pradesh Forest Produce Transit Rules, 1970)

Permit No. Book No.

Ref. to Invoice No. and Date.

Transport by Vehicle No. 1. By whom issued : i. Name : ii. Designation : 2. To whom issued : i. Name : ii. Father's Name : iii. Village : iv. Mandal : v. District : 3. Description of Forest Produce (Detailed measurement to be given in the invoice enclosed) : i. Type of Produce Timber/Poles/Fire wood/Bamboo Charcoal/Minor Forest Produce ii. Species : iii. Numbers ( ) (In words) ( ) iv. Quantity ( ) Cmt. v. Govt. transit mark In words ( ) 4. Place of consignment Comptt. No. & .F. block OR Name of GTD & Divn. : 5. Destination

i. Locality

ii. Village

iii. Mandal

iv. District : 6. Route of Transport : 7. Date and Time of issue of Permit : i. Time : ii. Date : 8. Permit valid upto : i. Time : ii. Date : 9. Obligatory Check Points :

Place: Seal of the Signature and

Date: Office of Divnl. Designation of

Forest Officer, issuing authority.

(REVERSE SIDE)

(Endorsements of obligatory check Points.)

I II 1. Place of check : : 2. Name of the Tanedar : : 3. Date and time of check : : 4. Entry No. in the check Post Register : : 5. Signature and Stamp of the Tanedar :

### **Form 3 FORM**

FORM

FORM-III FORM -III See rule 6 of the Andhra Pradesh Forest Produce Transit Rules, 1970 See rule 6 of the Andhra Pradesh Forest Produce Transit Rules, 1970 (Counter Foil) (Counter Foil) Certificate of Registration Certificate of Registration 1. Name of the person registering 1. Name of the person registering 2. Description of device or property mark 2. Description of device or property mark 3. Description and quantity of registered timber 3. Description and quantity of registered timber 4. Date of registration of renewal 4. Date of registration of renewal 5. Remarks 5. Remarks Certified that ----- Certified that----- registered residing at ----- has-----renewed residing at -----

has----- reviewed the above device or property mark for the official year ending 31st March, 19 the  
above device or property mark for the official year ending 31st March, 19 (Official Seal) (Official Seal)  
Date: 19 Date: 19 Divisional Forest Officer Divisional Forest Officer

#### **Form 4 FORM**

##### **FORM**

FORM IV FORM IV (See Rule 5(9) of the A.P.Forest Produce Transit Rules, 1970) (See Rule 5(9) of the  
A.P.Forest Produce Transit Rules, 1970) Book No.....Serial No..... Book No.....Serial No.....  
Duplicate Original To be retained in the book To be issued to the purchaser .....Division  
.....Division .....Range .....Range Name and Address of Saw Mill/Depot Name and Address of  
Saw Mill/Depot (2) Licence No. (2) Licence No. (3) Name and address of the Purchaser (3) Name and  
address of the Purchaser (4) Timber/Forest Produce sold(Give specification as to measurements in  
cms/weight in Kgs/Volume in cubic metres) (4) Timber/Forest Produce sold(Give specification as to  
measurements in cms/weight in Kgs/Volume in cubic metres) (5) Entered at Page No.....of Form III (B) of  
A.P. Saw Mill (Regulation) Rules, 1969 (5) Entered at Page No.....of Form III (B) of A.P. Saw Mill  
(Regulation) Rules, 1969 Signature of Saw Mill/Depot Owner. Signature of Saw Mill/Depot Owner. Date

#### **SCHEDULE 1 SCHEDULE**

##### **SCHEDULESCHEDULE-I**

Sl. No

Revenue District

Place where check posts may be set up and barrierserected

(1)

(2)

(3)

1. Adilabad

1. Adilabad

2. Jannaram

3. Taplapet

4. Gudem

5. Nirmal

2. Anantapur

6. Ananthapur

7. Tadipatri

8. Mudigubba

3. Chittoor

9. Chittoor

10. Renigunta

11. Uthu Kota

12. Satyavedu

13. Nalagalapuram

14. Puthur

15. Reddigunta  
16. Iruvaram  
16. A. Mordhana  
16B. B. V. Kota  
16C. Ramakuppam  
16D. Nadiomur  
16E. Peddur  
16F. Naickneri  
16G. Gundrajupalli  
16H. Ramasamudram  
16J. Mulakalacheruvu]  
4. Cuddapah  
17. Chinna Chowk  
18. Kagithalapenta  
19. Guvvalacheruvu  
20. Balapalle  
21. SR Palem  
22. Sanipaya  
23. Onipenta  
24. Maidukur  
25. Porumamilla  
26. Badvel  
5. East Godavari  
27. Yetimoga  
28. Gollaprolu  
29. Kathipudi  
30. Prathipadu  
31. Yeleswaram  
32. Yellawaram  
33. Jaggampeta  
34. Kothapalle  
35. Gokavaram  
36. Foulkspeta  
37. Rajahundry  
38. Rampachodavaram  
39. Devipatnam

40. Korukonda  
6. Kareemnagar  
41. Bhupalapalli  
42. Gorental  
7. Khammam  
43. Old Paloncha  
44. Yanambail  
45. Koida  
46. Yellandu  
47. Marredu (Kothagudem)  
48. Ramavaram  
49. Tallada  
50. Muthagudem  
51. Rajrala (near Sathupally)  
52. Khammam  
53. Ashwaraopet  
54. Bhadrachalam(near Road Bridge)  
8. Krishna  
55. Ibrahimpatnam  
55-A. Lakshmipuram  
55-B. Kanakadurgammavaradhi  
9. Kurnool  
56. Atmakur  
57. [\*\*\*]  
58. Allagadda  
59. Ayyalur  
60. Valigode  
61. [\*\*\*]  
62. [\*\*\*]  
10. Mahabubnagar  
63. Mannapur  
64. Achampat  
65. Lingal  
66. Kodangal  
67. Chintapalli  
11. Medak

68. Narasapur  
69. Zaheerabad  
70. Pathur  
71. Siddipet  
72. Mulug  
73. Annaram  
74. Garapally  
75. Bacheppally  
76. Patancheru  
12. Nellore  
77. Nellurpalem  
78. Auduripalle  
79. Rapur  
80. Tada  
13. Nizamabad  
81. Pulong  
82. Mollaram  
83. Varni  
13. Nizamabad  
84. Kamareddy  
85. Waddiaram  
86. Yellareddy  
13-A Prakasam  
87. Dornal  
88. Papinenipalli  
89. Digurvametta  
14. Srikakulam  
90. Konavalasa  
91. Yelam  
15. Visakhapatnam  
92. Padakala  
93. Mustapur  
94. Borluorm  
95. Sankarametta  
96. Powedara  
97. Kothakota

98 Tallapalem

99 Yettigowampeta

100 Chidigummale

101. Baligatta

16. Warangal

102. Parsa

103. Narasampeta

104. Gangaram

17. West Godavari

105. Polavaram

106. Janga reddy guddem

107. Eluru

**SCHEDULE 2 SCHEDULE 2**

SCHEDULE SCHEDULE -II

(See Rule 15)

Description of species of timber and firewood which are exempted from the purview of rules

Sl. No

District

Scientific Name

Vernacular Name

(1)

(2)

(3)

(4)

1. Adilabad Revenue

District whole

District of Adilabad

i) Citrus Species.

ii) Borassus fla-bellifera.

iii) Casuarina.

equisetifolia.

iv) Psidium Guyava.

v) Prosppis Juliflora.

vi) Achras Sapota.

vii) Cocos nucifera.

viii) Anacardium

occident able.

ix) Eucalyptus.

x) Leucaena leu

cocephda.

i) Orange and related species.

ii) Tati, Tadi, Palmyrah.

iii) Sarugudu Casurina. Sarvisaru.

iv) Jama, Guava.

v) Seemathumma.

vi) Sapota.

vii) Coconut, Kobbari. Tenkai.

viii) Cashew, Jeedi Mamidi.

ix) Eucalyptus. Neelagiri Jamaoil

x) Subabul.

2. Anantapur Revenue District whole

District of Anantapur

i) Mangifera indica.

ii) Ficus (All species of Ficus.

iii) Citrus species.

iv) Casuarina equiseti folia.

v) Borassus flabellifera.

vi) Pysidiumguyava.

vii) Achras Sapota.

viii) Cocos nucifera.

i) Mamidi, Mango.

ii) Ravi and related species.

iii) Orange and related species.

iv) Sarugudu. Casuarina Sarvi Saru.

v) Tati, Tadi, Palymarh.

vi) Jama, Guava.

vii) Sapota.

viii) Coconut, Kobbari, Tenkai.

ix) Eucalyptus Species.

x) Leucaena

Leucocephala.

xi) Prosopis. Juliflora.

ix) Eucalypts.

x) Sababul.

xi) Seemathumma.

3. Chittoor Revenue District

(a) The following thirty Mandals Namely:

1) Yadmari

2) Bangarupalem

3) Tharanamapalli

4) Irala

5) Madanapalli

6) Nimmanapalle

7) Kurabala kota

8) B. Kotha

9) Peddamandyam

10) Thambalapalle

11) PT.M. Mandal

12) Mikkalacheruvu

13) Veyalpad

14) Gurramkonda

15) Kalakada

16) Kalikiri

17) Punganur

18) Chewdepalle

19) Ramasamudra

20) Sadam Mandal

21. Somala

22) Peddapanijani

23. Palamangi

24) Gangavaram

i) Casuarina equisetifolia.

ii) Borassus.

iii) Posopis Juliflora.kota.

iv) Citrus Species.

v) Psidiumguyava.

vi) Mangifera indica.

vii) Ficus species (all species of Ficus).

- viii) Acharas Sapota.
- ix) Cocos nucifera.
- x) Eucalyptus Species.
- xi) Leucaena leucocephala.
- i) Casuarina Sarvidi, Chowka.
- ii) Tati, Tadi, Palmyrah.
- iii) Seemathumma.
- iv) Orange and related Species.
- v) Jama, Guyava.
- vi) Mamidi, Mango.
- vii) Ravi and related species.

- viii) Sapota.
- ix) Coconut, Kobbari, Tenkai.
- x) Eucalyptus.
- xi) Subabul.

25) Baireddipalle

26) V. Kota

27) Ramakuppam

28) Gudipalem

29) Santhipuram

30) Kuppam.

(b) the following thirty six Mandals Namely

1) Gangadhara Nellore

2. Penumur

3) S.R. Puram

4) Patchikapalem

5) Kammappalli

6) Vadamalpet

7) Pala samudram

8) Puttur

9) Karveti nagar

10) Narayanavaram

11) Nagari

12) Nindra

13) Vijayapuram

14) Chandragiri

- 15) Pakala
- 16) Pulicherla
- 17) Tirupathi
- 18) Tirupathi Rural
- 19) Renigunta
- 20) Srikalahasti
- 21) Yerpedu
- 22) Thottambedu
- 23) Buchinaidu Kandriga
- 24) Kovanur
- 25) Satyavedu
- 26) Varadaipalem
- 27) Nagalapuram
- 28) Pitchitur
  - i) Casuraina  
equisetifolia.
  - ii) Borrassus  
flabellifera.
  - iii) Prosopis Juliflora.
  - iv) Citrus Species.
  - v) Psidiumguyava.
  - vi) Mangidera indica.
  - vii) Acharas Sapota.
  - viii) Cocos nucifera.
  - ix) Eucalyptus Species..
  - x) Leuceena leucocephala
    - i) Casuarina Sarividi, Chowka.
    - ii) Tati, Tadi, Palymyrah.
    - iii) Seemathumma.
    - iv) Orangeand related species.
    - v) Jama, Guava.
    - vi) Mamidi, Mango.
    - vii) Sapota.
    - viii) coconur, Kobbari, Tenkai.
    - ix) Eucalyptus.
    - x) Subabul.

29) Yerravanipalem

30) Chinnagottigallu

31) Rompicherla

32) Khambamvaripalli

33) Chittoor East

34) Gedipala

35) Puthalapattu

36) Pileru.

4. Cuddapah Revenue District whole District of Cuddapah

i) Citrus species

ii) Casuarina equisetifolia

iii) Vorasus flabellifera

iv) Prosopis Juliflora

v) Psidiumguyava

vi) Achras Sapota

vii) Cocos nucifera

viii) Eucalyptus Species.

ix) Leucaena Leucocephda.

x) Mangifera indica.

i) Orange and related

ii) Sarugudu, Casuarina Sarvi, Saru.

iii) Tati, Tadi, Palmyrah.

iv) Seemathumma

v) Jama, Guava

vi) Sapota

vii) Coconut, Kobbari, Tenkai

viii) Eucalyptus

ix) Subabul

x) Mango

5. Guntur Revenue District

(a) Whole District of Guntur

(b) Whole Districe except the following Mandals

i) Mangifera indica.

ii) Ficus (all species of Ficus)

iii) Borrassus flabelli fera

iv) Psidiumguyava

- v) Anacardium occidentale
- vi) Achras Sapota
- vii) Cocos nucifera
- viii) Citrus species
- ix) Prosopis Juliflora
- x) Eucalyptus Species
- xi) Leucaena Leucocephala
- i) Mamidi, Mango
- ii) Ravi and related species
- iii) Tati, Tadi Palmyrah
- iv) Jama, Guava
- v) Cashew, Jeedimamidi
- vi) Sapota
- vii) Coconut, Kobbari Tenkai.
- viii) Orange and related
- ix) Seemathumma
- x) Eucalyptus
- xi) Subabul
- 1. Repalli
- 2. Nizampatnam,
- 3. Bapatla
- 4. Karla palem
- 6. East Godavari Revenue District

The following twenty five Mandals Namely:-

1. Tallrevu
2. Kajuluru
3. Kakinada
4. Pithapuram
5. Gollaprolu
6. Kothapalli
7. Tuni
8. Thondangi
9. Alamuru
10. Kapileswarapuram
11. Pamarru
12. Sakinetipalli

13. Malikipuram

14. Razole

15. Ravulapalem

16. Atreyapuram

17. Kothapeta

18. Allavaram

19. Uppalaguppam

20. Ainavalli

21. Mummidivaram

22. Katrenikona

23. I.Polavaram

24. Karapa

25. Kadiyam

xii) Dendro colamus strictus

xiii) Casuarina equisite folia

i) Samania Saman

ii) Ficus Species

iii) Anacardium Occidental

iv) Citrus species

v) Achras Sapota

vi) Psidiumguyava

vii) Cocos nucifera

viii) Borassus Flebulifera

ix) Prosopis Juliflora

x) Mangifera

xi) Eucalyptus species

xii) Leucaena Leuco cephada

xii) Bamboo, Bongu

xiii) Sarugudu, Casuarina Sarvi

i) Nidraganneru, Raintree.

ii) Ravi and related species

iii) Jeedimamidi, Cashew, Jeedi

iv) Orange and related species

v) Sapota

vi) Jama, Guava

vii) Coconut, Kobbari Tenka

viii) Tati, Tadi, Palmyrah

ix) Seemathumma

x) Mamidi, Mango

xi) Eucalyptus

xii) Subabul

(b) The following seven Mandals Namely:

i) Samania Saman

ii) Casuarina equisetifolia

iii) Ficus (all species of Ficus)

i) Nidraganneru Ravi tree

ii) Casuarina, Sarugudu, Chowka

iii) Ravi and related species

1. Yeles waram

2. Jaggam peta

3. Gomme palli

4. Rajahundry

5. Korukonda

6. Gokavaram

7. Seetanagaram

(c) The following Seven Mandals namely:-

1. Addatee gala

2. Rajavomangi

3. Y. Ramavaram

4. Gangavaram

5. R. Chodavaram

6. Devipatnam

7. Maredumilli

(d) The following eighteen Mandals namely:-

iv) Anacardium Occidentale

v) Citrus Species

vi) Acharas Sapota

vii) Psidiumguyava

viii) Cocos nucifera

ix) Borasus flabellifera

x) Prosopis Juliflora

xi) Eucalyptus Species

- xii) Leucaena Leucocephala
- i) Samania Saman
- ii) Casuarina equisetifolia
- iii) Focus Species (All species of Fircus)
- iv) Anacardium Occidentale
- v) Citrus Species
- vi) Achras Sapota
- vii) Psidium Guyava
- viii) Cocos Nucifera
- ix) Borassus Flabelifera
- x) Prospis Juliflora
- xi) Eucalyptus Species
- xii) Leucdaena Leucocephala
- iv) Jeedimamidi, Jeedi Cashew
- v) Orange and related Species
- vi) Sapota
- vii) Jama, Guava
- viii) Coconut, Kobbari, Tenkai
- ix) Tati, Tadi Palmyrah
- x) Seemathumma
- xi) Eucalyptus
- xii) subabul
- i) Nidraganneru Rain tree
- ii) Casurina, Sarugud Chowka
- iii) Ravi and related Species
- iv) Jeedimamidi, Cashew Jeedi
- v) Orange and related Species
- vi) Sapota
- vii) Jama, Guava
- viii) Coconut, Kobbari, Tenkai
- ix) Tati, Palmyrah, Tadi
- x) Seemathumma
- xi) Eucalyptus
- xii) Subabul
- 1. Peddapuram
- 2. Rangampet

3. Rajanagaram
  4. Samalkota
  5. Pedapudi
  6. Prathipadu
  7. Sankavaram
  8. Kirlampudi
  9. Kotananduru
  10. Rayavaram
  11. Bikkavolu
  12. Anaparthi
  13. Rama chandrapuram
  14. Mandapeta
  15. Mamidikuduru
  16. P. Gannavaram
  17. Ambajipeta
  18. Amalapuram
- i) Samania Saman
  - ii) Casuarina equiseti folia
  - iii) Ficus Species (all species of Ficus)
  - iv) Anacardium Occidentale
  - v) Citrus Species
  - vi) Achras Sapota
  - vii) Psidium Guyava
  - viii) Cocos nucifera
  - ix) Borssus flabelifera
  - x) Prosopis Juliflora
  - xi) Mangifera indica
  - xii) Eucalyptus Species
  - xiii) Leucaena Leucoce phalep
- i) Nidraganneru, Rain tree
  - ii) Casuarina, Sarugudu Chowka
  - iii) Ravi and related Species
  - iv) Jeedimamidi, Jeedi, Cashew
  - v) Orange and related Species
  - vi) Sapota
  - vii) Jama, Guava

viii) Coconut, Kobbari Tenkai

ix) Tati, Palmyrah, Tadi

x) Seemathumma

xi) Mango, Mamidi

xii) Eucalyptus

xiii) Subabul

7. Hyderabad Revenue District whole District of Hyderabad

i) Mangifera indica

ii) Ficus Species (all species of ficus)

iii) Cocos nucifera

iv) Achras Sapota

v) Zizyphus Species

vi) Borassus flabellifera

vii) Casuarina equisetifolia

viii) Citrus Species

ix) Psidium Guyava

x) Prosopis juliflora

xi) Eucalyptus Species

i) Mamidi, Mango

ii) Ravi and related Species

iii) Coconut, Kobbari, Tenkai

iv) Sapota

v) Regi, Ber

vi) Tati, Tadi, Palmyrah

vii) Casuarina, Sarugudu Chowka

viii) Orange and related Species

ix) Jama, Guava

x) Seemathumma

xi) Eucalyptus

xii) Leucaena Leucocephala

xii) Subabul

8. Karimnagar Revenue District Whole District of Karimnagar

i) Citrus Species

ii) Borassus Flebellifera

iii) Mangifera indica

iv) Ficus Species (all Species of Ficus)

- v) Casuarina equiseti-fofia
- vi) Psidium Guyava
- vii) Achras Sapota
- viii) Prosopis Juliflora
- ix) Cocos nucifera
- x) Eucalyptus Species
- xi) Leuceena Leucecephla
- i) Orange and related Species
- ii) Tadi, Tati, Palmyrah
- iii) Mamidi, Mango
- iv) Ravi and related Species
- v) Casuarina, Sarugudu, Chowka
- vi) Jama, Guava
- vii) Sapota
- viii) Seemathuma
- ix) Coconut, Kobbari Tenkai
- x) Eucalyptus
- xi) Subabul

9. Khammam Revenue District whole District of Khammam

- i) Ficus species (all species ficus)
- ii) Borassus flabelli fera
- iii) Citrus species
- iv) Psidium Guyava
- v) Anacardium Occidental
- vi) Achras Sapota
- vii) Casuarina equiseti folia
- viii) Prosopis
- ix) Cocos nucifera
- x) Mangifera indica
- xi) Leucaena Leucocephla
- xii) Eucalyptus species
- i) Ravi and related Species
- ii) Tati, Tadi, Palmyrah
- iii) Orange and related species
- iv) Jama, Guava
- v) Cashew, Jeedimamidi

- vi) Sapota
- vii) Casuarina, Sarugudu Chowka
- viii) Seemathumma
- ix) Coconut, Kobbari Tenkai
- x) Mamidi, Mango
- xi) Subabul
- xii) Eucalyptus

10. Krishna Revenue District whole District of Krishna

- i) Mangifera indica
- ii) Ficus Species (All species of ficus)

- i) Mamidi, Mango
- ii) Ravi and related Species
- iii) Borassus flabelli fera

- iv) Citrus species
- v) Achras Sapota

- vi) Psidium Guyava

- vii) Cocos Nucifera

- viii) Prosopis Juliflora

- ix) Artocarpus integri folia

- x) Eucalyptus

- xi) Leucaena Leucocephada

- xii) Cauarina equisitefolia

- iii) Tati, Tadi, Palmyrah

- iv) Orangeand related species

- v) Sapota

- vi) Jama, Guava

- vii) Coconut, Kobbari Tenkai

- viii) Seemathumma

- ix) Panasa

- x) Eucalyptus

- xi) Subabul

- xii) Casuarina, Sarvi Chowka

Whole district except the following Mandals.

1. Kruthivannu
2. Bantumilli
3. Pedana

4. Machilipatnam

5. Koduru

6. Nagayalanka

11. Kurnool Revenu District Whole District of Kurnool

i) Citrus species

ii) Casuarina flabelli fera

iii) Borassus flabelli fera

iv) Psidiumguyava

v) Prosopis Juliflora

vi) Achras Sapota

vii) Cocos nucifera

viii) Anacardium Occidentale

ix) Eucalyptus species

i) Orange and related species

ii) Casuarina Sarugudu Chowka

iii) Tati, Tadi, Palmyrah

iv) Jama, Guava

v) Seemathumma

vi) Sapota

vii) Coconut, Kobbari, Tenkai.

viii) Cashew, Jeedi, Jeedimamidi

ix) Eucalyptus

x) Leucaena Leucocephda

xi) Mangifera indica

x) Subabul

xi) Mango

12. Ranga Reddy Revenue District Whole District of Ranga Reddy

i) Mangifera indica

ii) Ficus Species (all spe ies of ficus

iii) Cocos nucifera

iv) Achras Sapota

v) Zizyphus Species

vi) Borassus flabellifera

vii) Casuarina equiseti folia

viii) Citrus species

ix) Psidium Guyava

- x) *Prosopis juliflora*
- xi) *Eucalyptus* Species
- xii) *Leucaena Leucocephala*
- i) Ravi and related Species
- ii) Ravi and related species
- iii) Coconut, Kobbari, Tenkai
- iv) Sapota
- v) Regi, Ber
- vi) Tati, Tadi, Palmyrah
- vii) *Casuarina*, Sarugudu Chowka
- viii) Orange and related species
- ix) Jama, Guava
- x) *Seemathumma*
- xi) *Eucalyptus*
- xii) *Subabul*

13. Mahabubnagar Revenue District Whole District of Mahabubnagar

- i) *Mangifera indica*
- ii) *Ficus* Species (all species of *Ficus*)
- iii) *Psidium* Guyava
- iv) *Anacardium*
- v) *Achras* Sapota
- vi) *Cocos nucifera*
- vii) *Casuarina equiseti folia*
- viii) *Citrus* species
- ix) *Borassus flabellifera*
- x) *Prosopis Juliflora*
- xi) *Eucalyptus* species
- xii) *Lleucaena Leucocephala*
- i) mamdi, Mango
- ii) Ravi and related species
- iii) Jama, Guava
- iv) Cashew, Jeedimamidi
- v) Sapota
- vi) Coconut, Kobbari Tenkai
- vii) *Casuarina* Sarugudu Chowka
- viii) Orange and related species.

ix) Tati, Tadi, Palmyrah

x) Seemathumma

xi) Eucalyptus

xii) Subabul

14. Medak Revenu District Whole District of Medak

i) Citrus species

ii) Ficus species (all species of Ficus)

iii) Achras Sapota

iv) cocos nucifera

v) Psidium Guyava

vi) Borassus Flabelifera

vii) Casuarina equiseti folia

viii) Eucalyptus species

ix) Leucaena Leucocephada

x) Magifera indica

i) Orange and related species

ii) Ravi and related species

iii) Sapota

iv) Coconut, Kobbari Tenkai

v) Jama, Guava

vi) Tati, Tadi, Palmyrah

vii) Casuarina, Sarugudu Chowka

viii) Eucalyptus

ix) Subabul

x) Mamidi, Mango

15. Nalgonda Revenue District whole District of Nalgonda

i) Mangifera indica

ii) Citrus species

iii) Ficus species (all species of Ficus)

iv) Psidium Guyava

v) Abcardium Occidentale

vi) Achras Sapota

vii) Zizyphus species

viii) Cocos nucifera

ix) Borassus flabelifera

x) Casuarina equisetifolia

- xi) *Prosopis juliflora*
- xii) *Eucalyptus* species
- xiii) *Leucaena Leucocephala*
- i) Mango Mamidi
- ii) Orange and related species
- iii) Ravi and related species
- iv) Jama, Guava
- v) Cashew, Jeedimamidi
- vi) Sapota
- vii) Regi, Ber
- viii) coconut, Kobbari Tenkai
- ix) Tati, Tadi, Palmyrah
- x) *Casuarina*, Sarugud, Chowka
- xi) Seemathumma
- xii) *Eucalyptus*
- xiii) Subabul

16. Nellore Revenue District (a) whole District of Nellore

- i) *Mangifera indica*
  - ii) *Ficus* (all species of ficus)
  - iii) *Borassus flabelifera*
  - iv) *Citrus* species
  - i) Mamidi, Mango
  - ii) Ravi and related species
  - iii) Tati, Tadi, Palmyrah
  - iv) Orange and related
- b) Whole District except the following Mandalas
- v) *Psidiumguyava*
  - vi) *Prosopis Juliflora*
  - vii) *Achras Sapota*
  - viii) *Cocos nucifera*
  - ix) *Eucalyptus* species
  - x) *Leucaena*
  - xi) *Dendro calamus strictus*
  - xii) *Casuarina equisitefolia*
  - v) Jama, Guava
  - vi) Seemathumma

- vii) Sapota
- viii) Coconut, Kobbari Tenkai
- ix) Eucalyptus
- x) Sababul
- xi) Bamboo, Bangu
- xii) Casuarina Sarugud Sarivi
- 1. Kavali
- 2. Bogolu
- 3. Allur
- 4. Vidavalur
- 5. Indukurpet
- 6. Totapaligudur
- 7. Muthukur
- 8. Kota
- 9. Vakadu
- 10. Sullurpeta
- 11. Chillakur
- 12. Chittamur
- 13. Tada,
- 17. Nizamabad Revenue District whole District of Nizamabad
- i) Citrus species
- ii) Casuarina equiseti folia
- iii) Psidium Guyava
- iv) Anacardium Occidentale
- v) Achras Sapota
- vi) Ficus (all species of ficus)
- vii) Cocos nucifera
- viii) Borrassus flabelifera
- ix) Prosopis Juliflora
- x) Eucalyptus species
- i) Orange and related Species
- ii) Casuarina, Sarugudu Sarugud
- iii) Jama, Guava
- iv) Cashew, Jedi Jedi Mamidi
- v) Sapota
- vi) Ravi and related species

vii) Coconut, Kobbari Tenkai

viii) Tati, Tadi, Palmyrah

ix) Seemathumma

x) Eucalyptus

xi) Leucaena Leucocephde

xii) Mangifera indica

xi) Subabul

xii) Mamidi, Mango

18. Prakasam Revenue District

(a) Whole District of Prakasam

i) Mangifera indica

ii) Ficus species (all species of Ficus)

iii) Borassus flabellifera

iv) Citrus species

v) Psidium Guyava

vi) Achras Sapota

vii) Cocos nucifera

viii) Prosopis juliflora

ix) Eucalyptus species

x) Leucaena Leucocephda

xi) Casuarina equisetefolia

i) Mamidi, Mango

ii) Ravi and related species

iii) Tati, Tadi, Palmyrah

iv) Orange and related species

v) Jama, Guava

vi) Sapota

vii) Coconut, Kobbari, Tenkai

viii) Seemathumma

ix) Eucalyptus

x) Subabul

xi) Casuarina, Sarugudu, Sarvi

(b) Whole District except the following Mandals

1. Chirala

2. Vetapalem

3. Chinaganjam

4. Nagulupaalapadu

5. Kothapatnam

6. Tangutur

7. Singarayakonda

8. Ulavapadu

9. Gudluru.

19. Srikakulam Revenue District

(a) the following Fourteen Mandals namely:-

1. Ranastalam

2. Ponduru

3. Srikakulam

4. Gora

5. Laveru

i) Borassus flabellifera

ii) Cocos nucifera

iii) Citrus species

iv) Ficus species (all species of Ficus)

v) Eucalyptus species

i) Tati, Tadi, Palmyrah

ii) Coconut, Kobbari Tenkai

iii) Orange and related species

iv) Ravi and related species

v) Eucalyptus

6. Etcherla

7. Gamaiverisigadam

8. Tekkali

9. Kotabommali

10. Nandigama

1. Santhabommali

12. Polaki

13. Jalumuru

14. Narasannapeta

(b) the following sixteen mandals namely:

vi) Leuceane Leucocephale

i) Ficus species (all species of ficus)

vi) Sababul

i) Ravi and related species

1. Seetampeta
2. Veeraghattam
3. Burja
4. Palakonda
5. Vongala
6. Regidi- Amadala valasa
7. Santha Kaviti
8. Rajam
9. Amdala valasa
10. Sarubujjili
11. Pathapatnam
12. Meliaputti
13. Hiramandalam
14. Kothuru
15. Bhamini
16. Saravakota

ii) Borassus flabeligera

iii) Citrus species

iv) Psidium Guyava

v) Achras Sapota

vi) Cocos nuifera

vii) Prosopis Jjuliflora.

viii) Eucalyptus species

ix) Leucaene Leucocephale

ii) Tati, Tadi, Palmyrah

iii) Orange and related species

iv) Jama, Guava

v) Sapota

vi) Kobbari, Coconut, Tenkai

vii) Seemathumma

viii) Eucalyptus

ix) Subabul

(c) the following Seven Mandals namely:

1. Ichapuram
2. Kavati

3. Kanchili

4. Sompeta

5. Palasa

6. Vajrapukotthuru

7. Mandasa

i) Ficus species (all species of ficus)

ii) Borassus flabelli fera

iii) Citrus species

iv) Psidium Guyava

v) Cocos nucifera

vi) Prosopis Juliflor

vii) Eucalyptus species

i) Ravi and related species

ii) Tati, Tadi, Palmyrah

iii) Orange and related species

iv) Jama, Guava

v) Coconut, Kobbari, Tenkai

vi) Seemathumma

vii) Eucalyptus

viii) Leucaene Leuco-cephale

vii) Eucalyptus

viii) Subabul

20. Visakhapatnam Revenue District

(a) Whole District of Vishakhapatnam

(b) Whole District except the following Mandals-

i) Ficus species (all species of ficus )

ii) Samania Saman

iii) Psidium Guyava

iv) Achras Sapota

v) Cocos nucifera

vi) Citrus species

vii) Borassus flabellifera

viii) Prosopis Julifloraix Eucalyptus species

x) Leucaene Leucacephale

xi) Casuarina equisetifolia Ravi and related species

ii) Nidranganneru, Rain tree

- iii) Jama, Guava
  - iv) Sapota
  - v) Coconut, Kobbari Tenkai
  - vi) Orange and related species
  - vii) Tadi, Tati, Palmyrah
  - viii) Seemathumma
  - ix) Eucalyptus
  - x) Subabul
  - xi) Casuarina
1. Bhimunipatnam
  2. Visakhapatnam
  3. Gajuvaka
  4. Pedagantyada
  5. Paravada
  6. Payakaraopeta
  7. Nakkapalli
  8. S.Rayavaram
  9. Auchuta puram
  10. Ramballi
  21. Vizianagaram Revenue
- a) District whole district of Vizianagarm
  - (a) District whole district of Vizianagaram
  - i) Borassus flabellifera
  - ii) Citrus species
  - iii) Psidium Guyava
  - iii) Psidium Guava
  - iv) Achras Sapota
  - v) Cocos nucifera
  - vi) Prosopis Juliflora
  - i) Tati, Tadi, Palmyrah
  - ii) Orange & related species
  - iii) Jama, Guava
  - iv) Sapota
  - v) Coconut Kobbari Tenkai
  - vi) Seemathumma
- (b) Whole district except the following Mandals.

1. Bhogapuram
2. Pusapatirega
- vii) Eucalyptus species
- viii) Leucasena Leucocephada
- ix) Casuarina equisetifolia
- vii) Eucalyptus
- viii) Subabul
- ix) Casuarina
22. Warangal Revenu Distirct
- (a) the following twenty Mandals
- i) Citrus species
- ii) Mangifera indica
- iii) Casuarina equiritefolia
- i) Orange and related species
- ii) Mango, Mamidi
- iii) Casuarina, Sarugudu Sarvi
1. Hanamkonda
2. Hasanparthy
3. Dharamasagar
4. Ghanpur (Stn. Ghanpur)
5. Palakurthuy
6. Devaru palle
7. Wardanapet
8. Jaffargadh
9. Raiparthy
10. Kodakondla
11. Cherial
12. Eachennepet
13. Geesakonda
14. Maddur
15. Narmette
16. Lingal Chanpur
17. Raghunathpalli
18. Jangaon
19. Samgam
20. Parvathagiri

- iv) Psidium Guyava
  - v) Anacardium Occidentale
  - vi) Achras Sapota
  - vii) Cocos nucifera
  - viii) Ficus species (all species of ficus)
  - ix) Borassus flabellifera
  - x) Prosopis Juliflora
  - xi) Eucalyptus species
  - xii) Leucaena Leucocephada
- iv) Jama, Guava
- v) Cashew, Jeedimamidi
- vi) Sapota
- vii) Coconut, Kobbari, Tenkai
- viii) Ravi and related species
- ix) Tati, Tadi, Palmyrah
- x) Seemathumma
- xi) Eucalyptus
- xii) Subabul
- b) the following fourteen Mandals namely:-
1. Parkal
  2. Shyampet
  3. Atmakur
  4. Mogulapalli
  5. Chityal Citrus species
- ii) Mangifera indica
  - iii) Casuarina equiritefolia
  - iv) Psidium Guyava
  - v) Anacardium Orange and related species
- ii) Mango, Mamidi
  - iii) Casuarina, Sarugudu Chowka
  - iv) Jama, Guava
  - v) Cashew, Jeedimamidi
6. Tadavi
  7. Mangapet
  8. Venkatapur
  9. Mulug Ghanpur

10. Eturnagaram

11. Bhupalapalli

12. Govindaraopet

(c) the following sixteen Mandals namely:-

1. Gudur

2. Khanapur

3. Kothagudem

4. Narasampeta

5. Nallabelli

6. Chennaraopeta

7. Nekkonada

8. Maripeda

9. Vetalapalli

10. Torru

11. Mahabubabad

12. Balpal

13. Dornakal

14. Nelli kuduru

15. Kesamudram

16. Duggondi

vi) Achras Sapota

vii) Cocosnucifera

viii) Ficus species (all species officus)

ix) Borassus flebellifera

x) Prosopis Juliflora

xi) Eucalyptus species

xii)Leucaene Leucocephale

i) Citrus species

ii) Mangifera indica

iii) Casuarina equiritefolia

iv) Psidium Guyava

v) Anacardium Occidentale

vi) Achras Sapota

vii) Cocos nucifera

viii) Ficus species (all specie of Ficus)

ix) Borassus flabellifera

- x) Prosopis Juliflora
- xi) Eucalyptus speices
- xii) Leucaene Leucocepada
- vi) Sapota
- vii) Coconut Kobbari Tenkari
- viii) Ravi and related species
- ix) Tati, Tadi, Palmyrah
- x) Seemathumma
- xi) Eucalyptus
- xii) Subabul
- i) Orange and related species
- ii) Mango, Mamidi
- iii) Casuarina, Sarugudu Chowka
- iv) Jama, Guava
- v) Cashew, Jeedi, Jeedimamidi
- vi) Sapota
- vii) Coconut Kobbari Tenkai
- viii) Ravi and related species
- xi) Tati, Tadi, Palmyrah
- x) Seemathumma
- xi) Eucalyptus
- xii) Subabul

23. (a) West Godavari Revenue District whole District of West Godavari

- i) Ficus species (all species of Ficus)
- ii) Borassus flabellifer
- iii) Achras Sapota
- iv) Psidium Sapota
- v) Cocos nucifera
- vi) Citrus
- vii) Prosopis Juliflora
- viii) Eucalyptus species
- ix) Leucaene Leucocephada
- x) Manfifera indica
- i) Ravi and related species
- ii) Tadi, Tati, Palmyrah
- iii) Sapota

- iv) Jama, Guava
- v) Coconut, Kobbari, Tenkai
- vi) Orange Species
- vii) Seemathumma
- viii) Eucalyptus
- ix) Subabul
- x) Mango, Mamidi
- xi) Panasa

(b) Whole District except the following 5 Mandals

1. Jeelugumilli
  2. Buttaigudem
  3. Jangareddigudem
  4. Koyyalagudem
  5. Polavaram Whole Dist. except the following Mandals.
    1. Narasapur
    2. Mogalturu
- xii) Casuarina equisetifolia,  
xii) Casurina, Sarugudu, Sarvi

### **ANDHRA PRADESH DRIFT WOOD RULES, 1975**

In exercise of the powers conferred by sub section (1) of section 43 of the Andhra Pradesh Forest Act, 1967 (Andhra Pradesh Act No. 1 of 1967) and in supersession of all the existing rules on the subject made under any of the Acts repealed by section 72 of the Act aforesaid, the Government of Andhra Pradesh hereby makes the following rules to regulate the collection of drift and stranded timber in the State of Andhra Pradesh.

#### **Rule 1**

These rules may be called the Andhra Pradesh Drift Wood Rules, 1975

#### **Rule 2**

In these rules, unless there is anything repugnant to the subject or context,

- (i) "drift wood" includes drift, beached, stranded, buried, or sunk timber.
- (ii) "timber" means any piece of wood whether cut up or hollowed, cut or of whose girth is not less than 25 cm. at the thickest end.

#### **Rule 3**

The collection of drift wood from the rivers of [x x x] or from the villages situated on either side of their banks and disposal of the same shall be under the control of the Divisional Forest Officer concerned.

#### **Rule 4**

The salvaging and collection of the drift wood may be arranged departmentally or through the agency of a contractor or through the members of a Registered Co-operative Society at their own cost.

#### **Rule 5**

When salvaging and collection is entrusted to a contractor, the terms and conditions of the contract shall be

reduced into writing in the form of an agreement.

#### **Rule 6**

(a)

(i) Any person desiring to engage in salvage operation on a contract basis shall make an application in that behalf to the Registration Authority, who will be the Divisional Forest Officer concerned. Every application shall be accompanied by a fee of Rs.25 for registration or for its renewal. On receipt of the application the Registering Authority shall make such enquiry as he deems fit and after satisfying himself having regard to the antecedents of the applicant, there is no objection for registration, may register the same.

(ii) Notwithstanding anything in these rules the Registration Authority may, where he has reason to believe that the registered [contractor or a Registered Co operative Society] is indulging in activities prejudicial to the interest of forest conservancy, at any time, revoke the registration made under this rule giving the [contractor or a Registered Co operative Society] an opportunity of being heard.

(iii) When the Registration Authority refuses to register or renew or revoke registration made under these rules he shall do so, by an order communicated to the applicant or to the registration holder, as the case may be, giving reasons therefor in writing.

(iv) The registered contractor or a Registered Co operative Society shall also register the boats and other vessels to be used for the purpose of salving the drift wood with Divisional Forest Officer concerned and obtain registration certificate separately for each boat or vessel used in the manner indicated above. The boats or the vessels shall be got approved by the Public Works Department as per the rules of the Public Works Department and only boats and vessels so registered shall be used. On demand by any Forest Officer not below the rank of Tahasildar, the person in charge of the boat or the vessel shall produce the registration certificate, in token of authority.

(b)

(i) Any person aggrieved by an order made under rule 10 may, within thirty days of the service on him of the order, prefer an appeal to the Conservator of Forests who shall after giving such person an opportunity of being heard, pass such order as he deems fit.

(ii) Any person aggrieved by an order of the Conservator of Forests may, within thirty days of the service on him of the order, appeal to Chief Conservator of Forests, who may make such order as he deems fit, after recording the reasons therefor.

#### **Rule 7**

All salvaged timber shall be retained in the custody of the Government or on behalf of the Government as may be specified by the Divisional Forest Officer. The timber salvaged by the contractor shall be kept in the deposits, as specified in the agreement to be entered into.

#### **Rule 8**

A notice shall be published in the District Gazette or in the A.P.Gazette where the District Gazette is not there giving description of timber and place from where it is collected and the depot or station at which it is stored. The notice shall also indicate that any person claiming the same shall present to the Divisional Forest Officer concerned within a period of one month from the date of such notice, a written statement of such claim.

#### **Rule 9**

If any person establishes his ownership of any drift timber salvaged under these rules the timber shall be made over to him on payment of any expenditure that may have been incurred and as indicated by the Divisional Forest Officer concerned.

#### **Rule 10**

If a claim is made but in the opinion of the Divisional Forest Officer it is not established he shall make

an order referring the claimant to a civil court, directing that unless a suit is filed within one month from the date of the order, the timber will be sold. Excepting with the consent of the claimant or claimants, if more than one person are involved, and until the period of one month had expired without a suit being filed or if a suit has been filed, until it has been decided, the Divisional Forest Officer shall not dispose of the timber.

#### **Rule 11**

If no claim has been made within the period fixed or if any claim has been made, but the claimant has failed to establish his right in a Civil Court, the timber shall be sold in public auction under the orders of the Divisional Forest Officer.

#### **Rule 12**

If the salving and collection have been leased to a contractor the proceeds of auction shall be shared equally by the Government and contractor. [However members of the Co operative Society registered with the Divisional Forest Officer may collect all drift wood of and below 25 cm. girth at the thickest end, at their own cost and dispose it off, in whatever manner they choose, under intimation to Divisional Forest Officer concerned.

### **ANDHRA PRADESH FOREST CONTRACT (DISPOSAL OF FOREST PRODUCE) RULES, 1977**

In exercise of the powers conferred by sections 29 and 68 of Andhra Pradesh Forest Act, 1967 (Act I of 1967) and in supersession of all the rules and notifications on the subject issued under the provisions of the Acts repealed under section 72 of the said Act, the Governor of Andhra Pradesh hereby makes the following rules to govern the disposal of forest produce.

#### **PART 1 General**

##### **Rule 1 Short title, Commencement and Applicability**

(i) These rules shall be called the Andhra Pradesh Forest Contract (Disposal of Forest Produce) Rules, 1977.

(ii) These rules shall apply to all sales of forest produce conducted by the Forest Department unless otherwise provided for by special rules for specific produce.

##### **Rule 2 Definitions**

(1) In these rules, unless the context otherwise requires :

(a) "bid" means an offer made in an auction by an eligible participant and also includes an offer made through a sealed tender, in case the sale is proposed by invitation of sealed tenders, and knocking down of a bid includes acceptance of tender.

(b) " Solvency Certificate" means the pecuniary capabilities of a person certified in a prescribed form by a Tahsildar or a Deputy Tahsildar in independent charge in whose jurisdiction the person may have the immovable property. In case the property is located outside the State of Andhra Pradesh, the certificate shall be countersigned by the Collector of the District concerned, (the solvency certificate shall be hypothecated in favour of concerned Divisional Forest Officer). The solvency certificate could also be in the form of a Bank guarantee issued by a nationalised Bank and valid for a period of at least six months beyond the period of contract.

(c) " Cash Solvency" means such money as may be deposited by an intending bidder in lieu of solvency certificate;

(d) " Coupe " means a unit of sale with such description as may be specified in the sale notice from where forest produce under sale is to be extracted and is synonymous with the items Unit Sale Unit or Group;

(e) " forest contract " means a contract whereby Government agrees to sell and the purchaser agrees to buy forest produce (subject to sale notice conditions);

(f) " contract area " means the area covered by a forest Contract;

(g) " forest contractor " means a person in whose favour a contract of sale of forest produce or right to extract forest produce is effected;

(h) " form " means a form specified in the Schedule to these rules;

(i) " Sale " means the sale by open auction or sealed tenders or by negotiation or a combination of these as the case may be;

(j) " Sale amount " means amount bid for and confirmed with respect to the contract;

(k) " Sale Conducting Officer " means the officer conducting the sale.

(2) Other words and expressions not defined herein, or in section 2 of Andhra Pradesh Forest Act, 1967 shall carry the same meaning in so far as the context admits, as the Indian Contract Act, 1872 and the Sale of Goods Act, 1930 may have assigned.

## **PART 2 Matters Relating to the Conduct of sales**

### **Rule 3 Sales to be conducted by Forest Officers**

(1) Notice of sale of forest produce shall be issued by a Forest Officer not below the rank of a Divisional Forest Officer. The officer who issues notice of sale shall hereafter be called sale notice issuing authority.

(ii) The sale of forest produce shall be conducted by the sale notice issuing authority or by any other forest officer authorised by him. The officer who conducts the sale shall hereafter be called the sale conducting officer.

(iii) The sale of forest produce shall be by open auction or by sealed tenders or a combination of both the methods as the sale notice issuing authority may direct.

Provided that the Government or any officer authorised by the Government may conduct any sale by negotiation [in special circumstances and for special reasons to be recorded in writing.

### **Rule 4 Publicity for sales**

(1) For all sales of Forest Produce, except sale by negotiation, wide publicity shall be given by issuing sale notice well in advance to the proposed date of sale.] (ii) The sale notice may specify conditions applicable to the sale including method of working the forest contract and such other details as may be necessary.

These conditions may be varied if so required but all such variations shall be announced before the commencement of sale. In all these matters the decision of the sale notice issuing authority shall be final and binding.

### **Rule 5 Inspection of units of sale by the bidders before sale**

The details with respect to the units specified in the sale notice shall be deemed to be correct but accuracy thereof shall not be guaranteed. It shall therefore be the responsibility of all intending bidders to inspect the sale units on the spot with a view to satisfying themselves about the quality and quantity of the forest produce available for sale and the area and no claim shall lie against the Government for compensation or any other relief if the details of quantity are subsequently found to be different.

### **Rule 6 Persons disqualified from participation in sales**

(i) The following categories of persons are not eligible for participation in the sales:

(a) black listed persons or defaulters who have to pay due to the Forest Department on the date of sale or a member of joint family of any such defaulter.

Explanation A defaulting person even if he obtains stay orders against recovery of dues shall be continued to be treated as a defaulter for the purpose of participating in the sales and shall not be allowed to participate in the sale unless there is a specific direction in the stay orders that he should not be refused to participate in the sale. If a person is granted extension of time for payment of the due instalment, he will not be treated as a defaulter during the period of such extension.

(b) persons who are convicted in a court of law for offences involving moral turpitude; and

(c) minors If the ineligibility of any bidder comes to the knowledge of the sale conducting officer he may refuse to consider the bid from such a bidder and forfeit the Earnest Money Deposit paid by him and if such ineligibility is revealed after a contract has been concluded with such a bidder, it shall be competent for the Divisional Forest Officer to cancel the contract and cause resale at the risk and loss of the bidder.

#### **Rule 7 Earnest Money Deposit, Solvency Certificate, Cash Solvency**

(i) All intending bidders shall pay a sum to be specified by the sale conducting officer in respect of each unit in the sale of which he proposes to participate as Earnest Money Deposit failing which the sale conducting officer shall refuse to take bids of such bidders into consideration.

Explanation The officer shall make local arrangements for receipt of Earnest Money Deposits and issue of money receipts thereof.

(ii) Every intending bidder shall deposit cash solvency and or produce a valid solvency certificate duly hypothecated in favour of concerned Divisional Forest Officer in Form I; or produce a bank guarantee in Form I A. Such solvency certificate shall not be valid if it is older than six months (by virtue of the date of issue) as on the date of sale. The amount of solvency shall be atleast upto one third of the proposed bid and such cash solvency or solvency certificate or bank guarantee shall be returned on conclusion of the sale if the bid is not knocked down:

Provided that the sale conducting officer may refuse to consider the bid if the solvency certificate or bank guarantee is not produced or cash solvency not paid.

(iii) The solvency certificate or bank guarantee or cash solvency, as the case may be, shall be retained by the Divisional Forest Officer till the contract expires or total dues to the Government are discharged whichever is later.

Provided that it shall be open to the Divisional Forest Officer to adjust the cash solvency or invoke the bank guarantee towards any dues to Government on account of the relevant contract or any other contract;

Provided further that it shall also be open to the Divisional Forest Officer to return the cash solvency on production of the solvency certificate or on payment of full sale amount and other amount payable.

(iv) No person shall sell or otherwise dispose of any property based on which the solvency is determined till the solvency certificate is returned by the Divisional Forest Officer. Every contractor shall give an undertaking to this effect before execution of agreement.

(v) A registered Co operative Society intending to participate in a sale shall produce a certificate in Form II in lieu of the solvency certificate specified in sub rule (ii).

#### **Rule 8 Extent of bids and authorisation for bidding**

(i) Every bidder is permitted to bid upto three times the monetary value of his solvency certificate or cash solvency certificate and cash solvency put together as the case may be.

(ii) No one will be allowed to bid on behalf of another person or a firm without power of attorney duly executed on stamp paper of the required value and duly adjudicated by an officer authorised for this purpose under the provisions of Indian Stamp (Andhra Pradesh Extension and Amendment) Act 1959 and unless such power of attorney is accepted by the sale conducting officer.

(iii) The act of bidding shall be deemed to be a complete and unreserved acceptance of the rules and conditions of sale.

#### **Rule 9 General Powers of Sale Conducting Officer**

The sale conducting officer may, without assigning any reasons.

(a) prohibit any one from bidding at any stage of the auction;

(b) reject the highest or any bid;

(c) accept highest or any bid;

- (d) with draw any of the units from sale;
- (e) sell the units separately or join together more than one unit or sell them after so rearranging as he may consider necessary;
- (f) announce any new condition or conditions at the commencement of auction;
- (g) fix a minimum amount at which the bids may start;
- (h) fix the method of bidding in open auction namely whether the bids be per hector or lumsom for the units; (i.e., where the forest produce is sold as is available within a measured area); and
- (i) fix a minimum amount of each advance over the previous bid or alter the amount so fixed from time to time during the course of bidding in the open auction.

#### **Rule 10 Conduct of Sale**

- (i) A record of bids to be hereinafter called sale list shall be made in Form III by the sale conducting officer. The bids offered in respect of a sale unit shall be recorded in Form III to be called, sale list by the sale conducting officer.
- (ii) Once a bid is knocked down, the sale list shall be signed by the highest bidder, in whose name it is knocked down and witnesses who may include the second highest bidder at the appropriate places and the highest bidder shall give a certificate on the sale notice which will be attached to the sale list, to the effect that he has read and understood the terms and conditions of the sale notice and supplementary conditions if any and that he agrees to abide by them.

Explanation Knocking down of any bid is not acceptance and confirmation within the meaning of rule 14.

- (iii) The highest bidder shall also give his specific postal address over his signature in the sale list and it shall be his responsibility to receive all communications sent on such address.

#### **Rule 11 Refund or adjustment of Earnest Money Deposit**

Earnest Money Deposits of all the participants except those of the successful bidders shall be returned to the depositors on the conclusion of the sale.

#### **Rule 12 Payment of amount after knocking down and consequences of default**

- (i) Where the sale amount is Rs.1,000 or less, the full sale amount less the Earnest Money Deposit already paid shall be paid by the successful bidder immediately after the bid is knocked down in his favour of the open auction sale.
- (ii) When the bid knocked down exceeds Rs.1,000 the amount payable immediately on the sale being knocked down shall be 1/4th of the bid or Rs.10,000 whichever is less, less the Earnest Money Deposit;

Provided, however, that a sum of Rs.1,000 shall be immediately paid if the bid amount is less than Rs.4,000.

- (iii) If sub rules (i) and (ii) are not complied with, the Earnest Money Deposit paid may be forfeited and the sale cancelled and in that event the successful bidder shall have no right whatsoever on the sale unit and such unit may be resold. If the amount obtained in the resale is less than the original sale amount, the original successful bidder shall be liable to pay the difference. If, however, the resale amount be higher he shall not be entitled to any benefit from such resale.

- (iv) The Divisional Forest Officer may revoke the orders of forfeiture of the amounts, cancellation of the sale and the resale, if the defaulter applies subsequently, but before resale, and after payment of the amount as required under the sub rule (i) or (ii) as the case may be and a penalty amount equal to 5% of the amount payable under sub rule (i) or (ii) as the case may be.

- (v) The amount paid including the Earnest Money Deposit shall be returned if the sale is not confirmed and such amount shall not bear any interest.

#### **Rule 13 Bar against revocation of bid**

The bid once given is final and cannot be revoked and the highest bidder shall be bound to accept the contract if the orders confirming the bid are communicated by the competent authority under rule 14 (1) within a period of thirty days from the date of sale. The date of communication for this purpose shall be the date of despatch of confirmation order by the competent authority:

Provided that if the bid is revoked within the period of thirty days the Earnest Money Deposit and other amounts paid, if any, shall be forfeited to the Government and the unit is liable to be resold at the risk and loss of the highest bidder.

### **PART 3 Confirmation of the bid and securing Compliance with the Terms of the Contract.**

#### **Rule 14 Confirmation of the bid**

(i) Any bid made in the sale is subject to confirmation by the competent authority in token of acceptance of the bid and the fact of such confirmation shall be communicated in Form IV to the party by the Divisional Forest Officer or by the Range Officer as the case may be acting for and on behalf of Governor of Andhra Pradesh.

(ii) Such confirmation orders may be issued on the stamp paper if necessary and the value of the stamp paper shall be recovered from the forest contractor.

(iii) The authorities competent to confirm bids and the monetary limits within which they could confirm shall be as specified by Government from time to time.

(iv) The confirming authority may reject any bids without assigning any reasons.

(v) Even if any bid is within the competence of the authorities specified either for confirmation or rejection it shall be incumbent on the concerned authority either to refer to a higher authority seeking confirmation, rejection or advice as administrative instructions may specify in that behalf for a specific cases or class of cases or to act in conformity with such instructions as may be in force. The competent authority shall confirm or reject the bid within thirty days from the date of sale and once it is confirmed a concluded contract is deemed to have been effected between the Governor of Andhra Pradesh, and the bidder whose bid is confirmed in token of acceptance:

Provided that the bid may be revoked by specific notice to the competent authority if it is not confirmed within the period of thirty days. Explanation For the purpose of this sub rule the date of sending the orders of confirmation through normal channel shall be deemed to be the date of communication of the confirmation order.

#### **Rule 15 Division of sale amount into instalments and their payment**

(1) The Divisional Forest Officer may divide the sale amount into suitable number of instalments as may have been specified in the sale notice and indicate the due dates before which such instalments are to be paid and communicate along with the confirmation orders.

(2) In the case of timber and firewood coupes which may have been divided into several strips to watch and control the working against payment of instalment amounts and due dates shall be specified along with the strip number to which they relate.

#### **Rule 16 Payment of amount after confirmation**

The bidder shall pay within twenty days of despatch of confirmation orders to him.

(a) the instalment as may be fixed in the confirmation orders;

(b) security deposit as 6 1/4 % of the sale amount in such form as may be specified by the Divisional Forest Officer; and

(c) such other amounts as may be payable under conditions of sale or any other statutory provisions.

#### **Rule 17 Grant of time, resale in case of default, revocation of cancellation orders etc.**

(1) The Divisional Forest Officer may at his discretion grant suitable extension of time to secure compliance with the formalities referred to in Rule 16.

(ii) The Divisional Forest Officer may cancel the contract and forfeit all the amounts paid in the event of failure on the part of the Forest contractor to comply with the formalities referred to in Rule 16 following confirmation within the time specified for the purpose or during the extended period of time granted and sell such unit against at the risk and loss of the defaulting forest contractor;

(iii) The Divisional Forest Officer may revoke the cancellation orders, if the Forest contractor fulfills the formalities subsequent to cancellation but before resale or before confirmation of any bid in such a resale on payment of a penal amount equal to 5% of the bid amount.

(iv) When a unit is resold under provision of sub rule (i) whatever bid is offered may be confirmed irrespective of the original sale value of the unit put for resale.

#### **Rule 18 Procedure for handing over and taking over of possession of the coupe**

On completion of formalities by the Forest Contractor following confirmation the Divisional Forest Officer shall issue possession order in Form V.

#### **Rule 19 Lease period**

(i) The contract will be considered effective from the date of commencement of contract period or lease period as may have been specified in the sale notice or the date of issue of possession order whichever is later and the Forest Contractor shall be at liberty to enter, take possession and work the unit from that date after tendering to the Range Officer and the Forest Section Officer concerned, the possession certificates in Form VI signed by him or his authorised agent:

Provided that the forest contractor shall be deemed to have taken the possession of the unit in a satisfactory condition in any case after ten days of issue of the possession orders if in the meanwhile no possession certificate in Form VI is tendered.

(ii) On expiry of the period of contract or on its termination under the rules, the Forest Contractor shall hand over the area to the Range Officer or an officer authorised by him not below the rank of Forester within fifteen days of the expiry of the period of contract or the date of termination as the case may be and obtain receipt in Form VII thereof:

Provided that if delivery is not made over within the stipulated period the Range Officer or an officer authorised by him not below the rank of Forester shall be at liberty to take delivery and make an inventory of irregularities, condition of the coupe and the like in the presence of at least two witnesses and the observation made in such an inventory shall not be questioned by the Forest contractor and he shall abide by the factual observation made thereon:

Provided further the Forest Contractor is at liberty to deliver the coupe back even before the expiry of the period of contract if he has completed his work in terms of the contract.

### **PART 4 Matters Relating to Compliance with Terms of the Contract**

#### **Rule 20 Work to be done by the Forest Contractor himself or by his authorised Agent**

(i) The Forest Contractor may work the unit and discharge his obligations under the contract either by himself or through agents after assigning proper power of attorney acceptable to the Divisional Forest Officer: Provided that the Divisional Forest Officer may reject any person or persons to work on behalf of the contractor without assigning any reasons thereof: Provided further the Divisional Forest Officer may cancel the agent ship of any person during the lease period if he considers it necessary in the public interest.

(ii) The Forest Contractor shall not employ, for any purpose connected with the contract, any person who has been removed from the Forest Department.

(iii) If so required by the Divisional Forest Officer, the Forest Contractor shall provide his servants and agents with a signed badge, warrant or other device approved by the Divisional Forest Officer where by they may be readily identified. Failure to wear or possess such a device in the contract area shall render a servant or agent to be treated as a trespasser.

#### **Rule 21 Time to be essence of the contract**

Where, by the terms of the contract, it is agreed that the extraction of the forest produce purchased under the contract may be carried out during a specified period, time shall be deemed to be the essence of the contract, and upon completion of the specified period, the forest contractor's rights under the contract shall abate and any forest produce not removed outside the boundaries of the contract area shall become the absolute property of the Government:

Provided that the Divisional Forest Officer or any officer superior to him or the Government may, on the request of the Forest Contractor grant time for fulfilment of the terms of the contract after levy of such amounts of premium as may be specified by Government from time to time:

Provided further that if for no fault of his the contractor fails to exploit the unit fully within the given time, and the time cannot be extended, he may be given appropriate rebate in the lease amount.

Provided also that no such time shall be granted in respect of bamboos and seasonal produce like minor forest produce.

#### **Rule 22 Powers of Forest Officers to stop extraction of forest produce**

Where the consideration payable to Government under the contract is payable in instalments and the Divisional Forest Officer at any time before the last instalment is paid, considers that the value of the forest produce removed by the Contractor exceeds the amount of the instalments already paid, the Divisional Forest Officer may stop further removal until the contractor has paid further sums as may, in his opinion, be sufficient to cover such excess:

Provided that it shall be lawful for the Divisional Forest Officer to cause seizure either within the coupe or outside of such forest produce removed from the coupe and not paid for till such payment is made within the period. Explanation For the purpose of this rule the value of the forest produce removed shall be calculated on the basis of the consideration payable to the Government and not on the price which the forest contractor may be obtaining in the market.

#### **Rule 23 Duties and responsibilities of the Forest Contractor**

(1) The Forest contractor shall not remove any forest produce from the contract area in contravention of Andhra Pradesh Forest Act, 1967 or the rules made thereunder. (ii) The Contractor shall assist the Forest Officers in preventing commission and detection of offences, and in putting out forest fires near his lease area.

#### **Rule 24 Rights of private persons to be respected**

The forest contractor shall respect all rights lawfully vested in private persons relating to access to the forest and appropriation of Forest Produce.

#### **Rule 25 Maintenance of accounts and use and return of permits**

(i) The Forest contractor shall keep accounts of the quantities of various kinds of forest produce removed by him from the contract area in such form as the Divisional Forest Officer may specify and render such accounts of each month by the tenth day of the succeeding month:

Provided that it shall be open to the Divisional Forest Officer or an officer authorised by him to demand and inspect such accounts as are being maintained at anytime even if the date for rendering such accounts has not fallen due.

(ii)

(a) The permits that are delivered to the Forest contractor for use under the relevant rules with respect to the contract shall be used by him for that forest produce only which is covered by the contract.

(b) The used counterfoils of the permits and unused permits shall be returned to the Divisional Forest Officer on expiry of the contract. The counterfoils of each permit book shall be returned as soon as the book is completely used.

#### **Rule 26 Transfer of the contract to a third party with the approval of the Divisional Forest Officer**

The Forest contractor cannot transfer his contract by sale or otherwise to any other party, unless approved

by the Divisional Forest Officer under such terms as he may impose on the basis of administrative policy of the Government from time to time.

**Rule 27 Termination of Contract on occurrence of famine and compensation, thereof**

In the event of the Government ordering that it is necessary to open any contract area for free collection of forest produce or portion thereof, the contract in respect of such area shall be terminated from the date of the orders passed by the Government. The Forest contractor shall be entitled to compensation for any actual loss caused to him by such termination and such compensation shall be as determined by the Chief Conservator of Forests. The proportion, which the produce left behind in the coupe on the date of the contract shall be calculated in the first instance and the compensation computed on the basis of that proportion.

**Rule 28 Government indemnified against natural calamities and acts of third parties**

The Forest contractor shall not be entitled to any compensation whatsoever for any loss that may be sustained by reason of fire, tempest, disease, pest, flood, drought or other natural calamity or by reason of any wrongful act committed by any third party or by reason of unsoundness or breakage or loss of utility of any forest produce purchased under the contract.

**Rule 29 Remittance of amounts and grace period for remittance**

(i) In the course of the contract all amounts payable by the Forest contractor may be remitted in the treasury of Bank and no cash payment shall be done to the Divisional Forest Officer or his staff.

(ii) A grace period of one month may be allowed by the Divisional Forest Officer at his discretion from the due date of payment of instalment, subject to payment of such interest as may be specified by Government for such delayed payments:

Provided that if the delay is by fifteen days or less, interest will be charged for half the month and if it is more than fifteen days but less than thirty days for the whole month;

Provided further that no forest produce shall be removed outside the leased area until the amount due is paid along with interest thereof.

**Rule 30 Refund of or adjustment towards dues of the Security Deposit**

The Security Deposit shall be refunded to the Forest Contractor on expiry of the contract:

Provided that the Divisional Forest Officer may appropriate such sum as is necessary to discharge the dues to the Government (a) relating to the contract or (b) on any account in which the Forest contractor has a liability to pay to the Forest Department.

**Rule 31 Action for breach of contract**

(i) For breach of any of the provisions of the Andhra Pradesh Forest Act, 1967 or the rules made thereunder or conditions of sale, either by the Forest Contractor himself, or his agent or servant, the Divisional Forest Officer shall call for the explanation of the Forest contractor or his authorised agent and after taking the explanation if any tendered within the time specified into consideration, the Divisional Forest Officer, may:

(1)

(a) terminate the contract and simultaneously forfeit (in favour of the Government) all the sums paid as sale amount or otherwise and in addition levy compensation for the damage caused by breach; or

(b) forfeit the security deposit in full or part and allow continuance of the contract, provided the security deposit is reimbursed to the full extent; or

(c) forfeit the security deposit and also levy compensation for the damage caused by such breach and allow continuance of the contract, provided the security deposit is reimbursed to the full extent and compensation paid.

(2) The Divisional Forest Officer is competent to suspend the working of any unit by the Forest contractor when the breach specified in this sub rule comes to his notice, pending investigation and decision but such

suspension shall not normally exceed one month. The contractor will not be entitled to compensation either by way of extension in lease period or of any other nature for such period of suspension in work.

(ii) On termination of the contract, the instalment amounts not due on the date of termination shall also become due and recoverable with immediate effect.

(iii) On termination of the contract under the sub rule (i) or lapse of a contract on expiry of the period of contract the Divisional Forest Officer shall take action in accordance with the provisions of section 70 of the Andhra Pradesh Forest Act, 1967, to recover the amounts, duly ascertained and payable by the Forest contractor.

(iv) For the purpose of this rule, the Divisional Forest Officer shall be the competent authority to determine the person causing the damage and the value of the damage caused.

Explanation For the purpose of the sub rule (i) the damage means the actual loss caused to the Government in so far as money can do, for the loss of time and inconvenience resulting from such breach.

### **Rule 32 Amounts payable to be recovered as arrears of land Revenue**

All amounts payable by the Forest contractor on account of the contract including the damages and penal interest, if any, due to the Government, if not paid, shall be recovered as an arrear of land revenue either after the contract is terminated or after the period of contract expires.

### **Rule 33 Appeals**

(i) On every order passed by the Divisional Forest officer with respect to any forest contract, the aggrieved may prefer an appeal to the concerned Conservator of Forests within thirty days from the date of receipt of such order:

Provided that no appeal lies if the order of the Divisional Forest Officer is for suspending the work or does not involve an amount exceeding rupees five hundred as penalty.

(ii) The orders of the Conservator of Forests, on such appeal, which may be passed on such enquiry and scrutiny of records as in his opinion are adequate, shall be final.

(iii) The Conservator of Forests may condone delays in preferring the appeals if he is satisfied with the grounds for the delay.

## **SCHEDULE 1 SCHEDULE**

### **Form 1 Solvency Certificate**

FORM

FORM - 1

(See Rule 7 (2) of Andhra Pradesh Forest Contract (Disposal of Forest Produce) Rules, 1975.)

Solvency Certificate

Certified that I have examined the solvency of the applicant Srison of wife of resident of village taluk with reference to the immovable properties standing in his her own name and possession and enjoyment over which he she has independent saleable right and I have satisfied myself that the applicant is solvent for Rs (in words) . after taking into consideration his liabilities on this day and they are free from encumbrances

Date Signature of Tahsildar or

Dy.Tahsildar Independent Charge.

Details of immovable property owned by the applicant in his her name:

1. District
2. Taluk
3. Village

4. Survey No. or House No

5. Area

6. Wet or Dry

7. Land Revenue assessment

8. In the case of house, Ward No. and name of village panchayat or Municipality and also house tax

9. In whose name the property stands according to Revenue Account of Panchayat or Municipal Accounts

10. What are the total liabilities of the applicant on this day  
Countersigned: Signature of Village Officer  
Revenue Inspector:

Countersigned:

Tahsildar:

**Form 1A Agents Bank Guarantee Bond**

FORM

FORM 1 - A

[See Rule 7 (ii) of the A.P.Contract (Disposal of Forest Produce) Rules, 1977]

Agents Bank Guarantee Bond

(To be issued by approved scheduled banks)

In consideration of the Governor of Andhra Pradesh (hereinafter called (the Government) having agreed to sell to (hereinafter called "the said contractor (s) the right to collect forest produce, under the terms and conditions of sale and agreement made between and for the due fulfilment by the said contract (s) of the terms and conditions of sale and agreement on production of a bank guarantee in lieu of solvency certificate for Rs.(Rupees..only) We .Bank (hereinafter referred to as "the Bank" do hereby undertake to pay to the Government an amount not exceeding Rs.against any loss or damages caused to or suffered or would be caused to or suffered by the Government by reason of any breach by the said contractor (s) of any of the terms or conditions contained in the said agreement of the relevant contract or any other due relating to any other contract,

2. We..Bank do hereby undertake to pay the amounts due and payable under this guarantee without any demur, merely on a demand from the Government stating that the amount claimed is due by way of loss or damage caused to or would be caused to or suffered by the Government by reasons of any breach by the said contractor (s) or any of the terms and conditions contained in the agreement or by reason of the contractor s failure to perform the said contract or pay dues in respect of other contracts. Any such demand made on the Bank shall be conclusive as regards the amount due and payable by the Bank under this guarantee. However, out liability under this guarantee shall be restricted to an amount not exceeding Rs.

3. We. Bank further agree that the guarantee herein contained shall remain in full force and effect during the period that would be taken for the performance of the said agreement and for a further period of six months beyond this period and that it shall continue to be enforceable till all the dues of the Government under or by virtue of the said guarantee have been fully paid and its claims satisfied discharged or till the D.F.O. of. (Division) certified that the terms and conditions of the agreement have been fully and properly carried out by the said contractor (s) and accordingly discharge the guarantee. Unless a demand or claim under this guarantee is made on us in writing on or before the.we shall be discharged from all liability under this guarantee thereafter.

4. We..Bank, further agree with the Government that the Government shall have the fullest liberty without our consent and without affecting in any manner our obligations hereunder to vary any of terms and conditions of the said agreement or to extend the time of performance by the contractor (s) from time to time or to postpone for any time or from time to time any of the powers exercisable by the Government against the said contractor (s) and to forbear or enforce any of the terms and conditions relating to the said agreement and we shall not be relieved from our liability by reasons of any such variation or extension

being granted to the said contractor (s) or for any forbearance, act or omission on the part of the Government to the said contractor (s) or by any such matters or thing whatsoever which under the law relating to sureties would but for this provision have the effect of so relieving us.

5. We, Bank, lastly undertake not to revoke this guarantee during its currency except with the previous consent of the Government in writing Dated of the \_\_\_\_\_ day

\_\_\_\_\_ 197\_\_\_\_\_  
\_\_\_\_\_for /Bank Ltd.

## **Form 2 FORM**

FORM

FORM - II

(See Rule 7 (v) of Andhra Pradesh Forest Contract (Disposal of Forest Produce) Rules 1975.)

1. It is certified that ..(name of the Society) bearing registration No..and required under the provisions at Andhra Pradesh Co operative Societies Act, 1964 comprises members who are exclusively Harijans or and also belong to Schedule Castes or and also Scheduled Tribes or and Backward Classes.

It is also certified that the members of the society are labourers by profession working in Forest coupes or relating the works of Forest Coupes thus depending on forests for livelihood.

(i) It is also certified that I have examined the solvency of the ..society (name of the society with reference to immovable property standing in its name and possession and enjoyment over which it has independent saleable right and or the share capital of the society and I have satisfied myself that the society is solvent for Rs.. (in words) ..after taking into consideration its liabilities this day and the assets listed are free from encumbrances.

(ii) In the event of the society being required to make payment of any dues to the Government arising out of any dealings on the strength of any certificates in (i) and also in the event of the society not fulfilling its obligation to pay the dues as required. I undertake to appropriate the assets of the society towards such dues as first charge.

Signature of Deputy Registrar:

of Co operative Societies Asst. Director of Industries

Name and Designation Official Seal:

(i) Name and signature of the President of the Society

(ii) Name and signature of the Secretary of the Society Attested:

Signature of the

Dy.Registrar of Co-operative ocieties Assistant Director of Industries.

## **Form 3 List showing the Bids made with a respect to each Auction Sale**

FORM

FORM - III

(See Rules 10 and 15 of Andhra Pradesh Forest Contract

(Disposal of Forest Produce) Rules, 1977)

Sale List

List showing the Bids made with a respect to each Auction Sale.

(1) Situation of the coupe:

Unit of sale

(a) Coupe No. and series:

(b) Name of the Forest Block:

(c) Range

(2) Period of the contract:

(3) Date of auction:

(4) Name and designation of sale conducting Officer:

Name of the bidder Amount of each bid Signature of the highest and second highest bidders (1) (2) (3)

Amount of the highest bid and signature of the Highest bidder Signature of the Range Officer witnessing the signature of the highest bidder.

knocked down the sale the name of the highest bidder Sri/S/o R/o taluk for Rs (In words) only.

Signature of the

Sale Conducting Officer.

I hereby certify that the sale was conducted by me in person in the presence of the witnesses whose signatures are affixed hereunder.

Signature of the Witnesses:

1.

2.

Signature of the Sale Conducting officer

Certified that I have obtained the solvency certificates of all the bidders participating in the sale, scrutinised the same and found them to be valid.

Signature of the Range Officer

Confirmed the sale for Rs..... (in words) only in the name of the highest bidder Sri.....  
S/o.....R/O

Range Officer:

Divisional Forest Officer Conservator of Forests.

Place:

Date:

**Form 4 FORM**

FORM

FORM - IV

(See Rules 15 to 18 of Andhra Pradesh Forest Contract (Disposal of Forest Produce) Rules, 1977).

Ref.No,

Office of the Divisional Forest Officer .Division

Sub: Forest contractors Sale of

Range confirmation orders Reg.

The sale of right to..as per this office sale notice Nodated in coupe Noseriesof Range, is confirmed by the competent authority in the name of the highest bidder SriS o.for Rswith contract period from toThe Highest Bidder has paid sum of Rs (in words) at the time of sale in the Office of the The balance sale amount is

payable as follows:

1. 1st instalment (excluding the sale amount already paid) of Rs within (10) days of receipt of this order (corresponding to 1st strip.)
  2. 2nd instalment of Rs on or before (Corresponding to 2nd strip).
  3. 3rd instalment of Rs on or before (Corresponding to 3rd strip).
  4. 4th instalment of Rs on or before (Corresponding to 4th strip).
2. In addition to the above, the highest bidder shall also pay the security deposit at the rate of 6 1/4% of the sale amount i.e., Rs and Rs being the value of stamp fee initially defrayed from this office within (10) days of receipt of this confirmation order.
3. On completion of the above formalities possession orders will be issued.
4. The forest contractor is informed that failure to pay the above amounts, including the security deposit, within the time specified above may result in action being taken according to conditions of sale including forfeiture of all amounts paid and resale of the contract at his risk and loss and the loss, if any, being recoverable, from him as arrears of land revenue.

Regd. Post Ack. Due Name:

Divisional Forest Officer,

Division.

To

Sri Acting for and on behalf to the Government of Andhra Pradesh.

Forest Contractor Resident of

Copy to the Range Officer for necessary action.

**Form 5 Government of Andhra Pradesh Forest Department**

FORM

FORM - V

[See rule 19 of Andhra Pradesh Forest Contract (Disposal of Forest Produce) Rule 1975]

Government of Andhra Pradesh Forest Department

Ref. No: Office of the Divisional Forest Officer, .Division.

Sub: Forests contracts Sale of .possession orders - Reg.

Ref.: Confirmation orders issued in this office Ref. No. Dated: .

1. Sri . S o .o .Taluk .has been sold the right .of coupe .Range .of this Division for a sale amount of Rs. with contract period from . to . vide confirmation orders issued in the reference cited.

2. He has paid the following amounts towards sale amount.

(a)

(b)

(c)

(d)

3. He has paid the security deposit as follows:

(a)

(b)

(c)

(d)

4. He has paid the stamp duty as follows:

(a)

(b)

(c)

5. The total sale amount less the amount already paid is payable in the following instalments on or before the dates given thereof.

Instalment amount Date 1. 2. 3.

1. 2nd instalment (Corresponding to strip.....)

2. 3rd instalment (Corresponding to strip .....

3.

4.

5. Since he has completed, all the formalities precedent to the issue of the possession orders, he is allowed to take possession of the coupe from the Range Officer .or his deputy and carry out the work of the coupe starting from strip .in terms of sale notice issued in this office Ref. No.dated .and Andhra Pradesh Forest Contract (Disposal of Forest Produce) Rules, 1977. He shall deliver possession certificate to the Range Officer or his deputy in the prescribed form on taking possession. He is also informed that he is also at liberty to enter the coupe and take possession of the coupe after tendering the prescribed possession certificate to the Range Officer and in any case he will be deemed to have taken possession of the coupe in a satisfactory condition if no possession certificate is tendered within (10) days of the issue of this possession orders.

6. (a) He will submit to the Divisional Forest Officer through Ranger on the 10th of each month on account of Forest produce removed under the contract in the proforma enclosed.

7. The following persons nominated by him to act as his agents are proved to work as his agents in terms of the power of attorney granted by him and filed in this office.

1.

2.

8. The required transit permits etc., may be obtained from the Range Officer in addition to such assistance as needed in terms of the sale.

9. The following pass hammer is allotted to remove the timber etc., in terms of Andhra Pradesh Forest Produce Transit Rules, 1970.

10. Further points, if any, in terms of Sale.

Name of the Contractor Amount of Contract period of Contractor Description of Contract Area.

Description of produce sold

Return for the month of 19.

Sl.No. Quantityextracteddu-ring thepreviousmonth Quantityadded duringthethe month Total Quantity  
Quantity Removedduring themonth Balance atthe end of themonth (1) (2) (3) (4) (5) (6)

Regd. Post Ack. Due Divisional Forest Officer Division

To

Sri

Forest Contractor.R/o

Copy to the Range Officer with the following Instructions

1.

2.

**Form 6 Possession Certificate**

FORM

FORM - VI

[See Rule 19 of Andhra Pradesh Forest Contract (Disposal of Forest Produce) Rules 1977)

Possession Certificate

I, ..S/o ..R/o ..Village in .. taluk forest contract of coupe ..for the year .. hereby affirm that I have this day ..of ..taken charge of coupe No ( ) area .. of .. Range which I have purchased. The Range Officer Forest Section Officer concerned has today explained to me in the field the boundaries of the area which I have purchased with reference to the surveyed sketch and the conditions of the sale notice and I am satisfied that the area and the forest produce therein taken charge by me today is in accordance with the sketch and the conditions of the sale notice. I also certify that the reserves mentioned in the list supplied are intact and that there are no illicit fellings either in the coupe or within a radius of half a kilometer around it on this date and I have no complaint about the shortage of the forest produce or about the area of the coupe.

If it is a coppice with reserve coupe:

I certify that I have verified the reserves with reference to the marking bood and find that they are all existing intact in the coupe on this day

In case of improvement coupe:

I certify that all the trees marked for felling in coupe No.( ) which I have purchased are existing in the coupe on this day

If it is a felled material or confiscated produce:

I certify that material mentioned in the Sale Notice and which

I have purchased have and the taken possession by me this day the

Signature of the Forest

Contractor authorised agent.

Certified that the above coupe has been handed over to the contractor in good conditions.

Range Officer/Deputy Ranger

**Form 7 Certificate of Return Charge of Coupe**

FORM

FORM - VII

(See Rule 19 of Andhra pradesh Forest Contract (Disposal of Forest Produce) Rules,1977)

Certificate of Return Charge of Coupe

Taken charge of the coupe this dayof 19from SriForest Contractor in the presence of the following witnesses since the Forest Contractor did not deliver the coupe and found the following irregularities in terms of sale notice and contract.

Inventory of Irregularities

Name and address of the witnesses Signature of the witnesses Signature of the Ranger/his deputy taking delivery of the coupe 1. 2. 3. 1. 1. 2. 2.

I agree with the irregularities enumerated I have the following objections.

Signature of the Forest

Contractor Agent.

**ANDHRA PRADESH FOREST OFFENCES (COMPOUNDING AND PROSECUTION) RULES, 1969**

In exercise of the powers conferred by section 68 of the Andhra Pradesh Forest Act, 1967 (Act No.1 of 1967), and all other powers hereunto enabling the Governor of Andhra Pradesh hereby makes the following rules

**Rule 1**

These rules may be called the Andhra Pradesh Forest Offences (Compounding and Prosecution) Rules, 1969.

**Rule 2**

In these rules unless the context otherwise requires:

(a) 'accused' means any person who committed or in respect of whom it may be reasonably inferred that he has committed a forest offence;

(b) 'form' means a form appended to these rules.

**Rule 3**

(1) When a forest offence is booked in Form-A it shall be dealt with in the manner hereinafter provided.

(2) The forest produce seized may be kept in the safe custody of the Forest guard or Forest Watcher and a certificate to that effect shall be obtained in Form-C

(3) The report of seizure of the forest produce shall be submitted immediately to the next superior officer as well as Divisional Forest Officer as prescribed in Form-B

**Rule 4**

An enquiry into a forest Offence shall be held by an Officer not below the rank of a Deputy Range Officer or Forester.

**Rule 5**

Every accused who expresses his willingness to have the offence compounded as provided in rule 4 shall forthwith give a written undertaking in that regard in Form D

**Rule 6**

If, immediately after the offence is detected or at the time of enquiry, the accused is willing to pay in advance any amount towards compensation to be fixed under section 59 of the Act, any Forest Officer not below the rank of a Forester, may accept such amount and shall issue a receipt duly signed by him for the amount so received.

Provided that the acceptance of any amount as aforesaid shall be without prejudice to any decision that may be taken by the competent authority under these rules in regard to the quantum of compensation or the necessity or otherwise to compound the offence.

**Rule 7**

Any property seized from an accused shall not be released immediately on receipt of the amount of advance compensation paid by him under rule 6 but shall be retained with the forest officer concerned until an order in this behalf issued by the competent authority under rule 8, is received by him.

**Rule 8 Where the accused gives an undertaking as specified in rule 5, in the case of**

- (i) all the forest offences, the Divisional Forest Officer or the Sub-Divisional Forest Officer:
- (ii) all the forest offences where the value of the forest produce involved does not exceed Rs.50,000, the Ranger shall be competent to compound the offence under Section 59 by passing an order in this behalf. Every order so passed shall be in Form-E and shall be communicated to the accused immediately on such passing.
- (iii) However, Forest Range Officers shall not compound any offence involving fast moving motorised vehicles, sandalwood and red sanders.

**Rule 9**

Every Officer competent to compound the offence may refuse to compound an offence in any particular case without assigning any reasons.

Provided that where the competent officer refuses to compound an offence, the amount that has been received towards advance compensation from the accused under rule 6 shall be arranged to be refunded to him by such officer by passing a suitable order in this behalf.

**Rule 10**

(1) Any person aggrieved by an order passed by an officer under rule 8 may prefer an appeal, within fifteen days from the date of receipt of such order, to the Sub-Divisional Forest Officer and where there is no such Sub-Divisional Forest Officer, to the Divisional Forest Officer, in case such order is passed by a Ranger and to the Conservator, in case such order is passed by Sub-Divisional Forest Officer or Divisional Forest Officer, and the order passed thereon by the appellate authority shall be final.

(2) The appellate authority referred to in sub-rule (1) may, where no appeal is preferred within the period specified in that sub-rule against any order passed under rule 8, call for and examine the record of such order so as to satisfy itself as to the legality, propriety and regularity of such order and may pass such order in relation thereto as it may deem fit:

Provided that the appellate authority shall not enhance the amount of compensation payable by the accused unless an opportunity of making his representation against such enhancement is given to him.

**Rule 11**

(1) The amount of compensation fixed under rule 8 shall be paid by the person concerned within one month from the date of receipt by him of the order compounding the offence.

(2) In case the amount of compensation so fixed is not paid in full within the period aforesaid, action to recover the same may be taken as provided under Section 70 of the Act.

**Rule 12**

In case the value of forest produce, seized is less than Rs.50,000 Rupees fifty thousand and where the accused does not opt for compounding the offence or the competent authority does not choose to compound the offence, the Forest Range Officer may order the prosecution of the accused. In all other cases, where the accused does not opt for compounding the offence or the competent authority does not choose to compound the offence, the Sub-Divisional Forest Officer, Managers of primary marketing societies under the administrative control of Girijan Co-operative Corporation Ltd., or the Divisional Forest Officer may order the prosecution of the accused.

**Rule 13**

Where an order of prosecution is passed under rule 12, a Forest Officer not below the rank of a Forester authorised in this behalf or the Manager of a Primary Marketing Society, under the administrative control of the Girijan Co-operative Ltd., the officer so authorised or such Manager of the Primary Marketing Society, under the administrative control of the Girijan Co-operative Corporation Ltd., as the case may be shall file a charge sheet in Form-F before the Magistrate having jurisdiction or before the Authorised Officer

**APPENDIX A FORM**

FORM

FORM - A

[See Rule 3(1) Andhra Pradesh Forest Offences (Compounding and Prosecution) Rules, 1969]

..Division .Book No. ..

..Range Report No. ..

**PRELIMINARY OFFENCE REPORT**

1. Name, Parentage and Address of the Accused person(s).
2. Nature of Offence
3. Place where Offence occurred and place of seizure
4. Date and time of detection of offence
5. Name and address of complainant/detector
6. Description and value of forest Produce involved in Forest Offence with measurements and Quantity
7. Description of vehicles, tools, etc., used in committing of Forest Offence.
8. Name and address of Witnesses.

Date:

**APPENDIX B FORM**

FORM

FORM - B

[See Rule 3(2) of Andhra Pradesh Forest Offence (Compounding and Prosecution) Rules, 1969]

Book No.

Serial No.

Report of seized property in a Forest offence  
(under section 44 of A.P. Forest Act, 1967).

To

The Divisional Forest Officer,

Division.

Isubmit that the following Property is seized by me on in connection with a Forest Offence.

1. Name of accused with address
2. Nature of Offence.
3. Particulars of property.
4. Belt/Section.

Signature:

Designation:

**APPENDIX C FORM**

FORM

FORM - C

[See Rule 3(3) of Andhra Pradesh Forest Offences (Compounding and Prosecution) Rules, 1969]

**CERTIFICATE OF SAFE CUSTODY**

The following articles involved in a forest offence are in my safe custody. They are given in my custody by .(name and designation) on ..

I undertake to safeguard them from damage and loss and shall produce the same on demand by an authorised officer of forest Department.

Details of articles taken over :

Date:

Signature:

Designation:

Signature of the Forest officer who seized the articles and handed over to the custodian.

**APPENDIX D COMPOUNDING STATEMENT**

FORM

FORM - D

COMPOUNDING STATEMENT.

[See rule 5 of the Andhra Pradesh Forest Offences (Compounding and Prosecution) Rules, 1969].

I, son of resident of being accused for forest offence hereby undertaken of my own free will to pay compensation under the Andhra Pradesh Forest Offences (Compounding and Prosecution) Rules, 1969.

2. Should I fail to remit the amount of Compensation imposed, the same may be recovered as if it were an arrear of land revenue as provided in the Andhra Pradesh Forest Act, 1967.

3. I also clearly understand that compounding of the offence by the competent authority under the rules is discretionary and my willingness to pay compensation or payment made in anticipation of compounding order does not prevent the competent authority to decide a different course of action.

Particulars:

1. Name of the accused :
2. Father's Name :
3. Permanent Address :
4. Temporary Address :
5. Particulars of Offences under investigation :
6. Where immovable properties situated, if any ;
7. Signature of the accused.

Date:

Signature of the witnesses :

(1)

Address :

(2)

Address :

Name, designation and Signature of the Forest Officer receiving this Statement.

Date:

**APPENDIX E FORM**

FORM

FORM - E

[See Rule 8 of the Andhra Pradesh Forest Offences (Compounding and Prosecutions) Rules, 1969.

OFFENCE FILE NO.

In view of the compounding statement given by the accused Sri. I hereby order that a sum of Rs. be paid to wards compensation by the Accused.

2. On payment of the compensation amount in full the seizures detailed hereunder shall be released. The seized forest produce detailed hereunder is forfeited the State.

DETAILS OF SEIZURES.

3. If the compensation is not paid in full within thirty days from the date of receipt of this notice, action to recover the same, if necessary, will be taken as if it were an arrear of land revenue.

4. Appeal lies on this order to the Sub-Divisional Forest officer/Divisional Forest Officer/Conservator of Forests if preferred within fifteen days from the date of receipt of this order.

5. He is requested to acknowledge receipt of this order affixing the date of receipt also.

Place:

Date:

Compounding Authority:

Designation:

Through Range Officer/Deputy Range Officer/Forester.

To

Sri

.

.

Copy in duplicate to Range Officer/Deputy Range Officer/Forester. He is requested to take further action as per the Andhra Pradesh Forest Offences (Compounding and Prosecution) Rules, 1969.

**APPENDIX F FORM**

FORM

FORM - F

[See Rule 13 of the Andhra Pradesh Forest offences (Compounding and Prosecution) Rules, 1969]

Range/Taluk.

Forest Offence Report Date.

To

The Magistrate.

1. Locality and date of Offence :

2. When, where, and by whom detected and by whom and when reported ; No. and date of report :

3. Number, name, age, parentage, caste, calling and residence of the accused ; and if arrested, by whom, when and where.
4. Nature of offence and under what rule and section liable ; if the offence is theft of forest produce, state whole quantity and value involved. If the offence is illegal grazing, state the number and description of the animals:
5. Number, name, parentage, calling and residence of witnesses. Points on which evidence of each witness is received ;
6. Nature of the defence. State whether the accused is willing to compound ;
7. Description and value of produce etc. seized by whom and when.
8. In whose charge, and by whom and when left ; and where the receipt is recorded ;
9. History of the case ; Nature and date of enquiry by the undersigned :

Place :

Date:

Signature :

Designation :

(To be written in duplicate at a time using carbon paper. Original to be filed as charge sheet and duplicate to be retained as office copy).

### **ANDHRA PRADESH SAW MILLS (REGULATION) RULES, 1969**

In exercise of the powers conferred by Section 29 read with Section 68 of the Andhra Pradesh Forest Act, 1967 (Act I of 1967), the Governor of Andhra Pradesh hereby makes the following Rules to regulate the location of saw mills and conversion of timber at the saw mills in the State.

#### **Rule 1**

These Rules may be called the Andhra Pradesh Saw Mills (Regulation) Rules, 1969.

#### **Rule 2 In these Rules, unless the context otherwise requires**

- (a) "Licensing authority" means the Divisional Forest Officer having jurisdiction over the place of establishment of a saw mill;
- (b) "saw mill" means a mechanical contrivance for sawing, cutting or conversion of timber with the aid of electrical or mechanical power and includes the premises as approved in the licence, but does not include a contrivance operated solely by manual power.

#### **Rule 3**

- (1) No person shall instal, erect or operate a Saw Mill for cutting, converting or sawing of timber without obtaining a licence for such installation from the licensing authority.
- (2) No licence for setting up fresh saw mills within a distance of 5 Km. from the boundary of any Forest under the control of the Forest Department whether notified or not shall be granted, except when it is required for Departmental use.
- (3) The distance of 5 Km. shall be computed from topo sheets as aerial distance as crow flies.

#### **Rule 4**

(1)

- (a) Any person desiring to instal, erect or operate a Saw Mill, shall make an application in Form-I enclosing copies of following documents.

(i) Title deeds or lease deed of the premises or an undertaking by the applicant that the premises of saw mill

are on lease from the land owner".

(ii) Copy of Factory licence, if any.

(iii) Copy of Sales Tax Registration, etc., if any.

(iv) Copy of Location sketch of the premises.

(v) Statement indicating the sources of supply of round wood, species and quantity:

Provided that where within a period of two months from the date of receipt of application by the licensing authority the applicant has not been granted a licence or any communication from Divisional Forest Officer is received the applicant may proceed to establish and run a Saw Mill, but not so as to contravene any of the provisions of the Andhra Pradesh, Forest Act, 1967 or any rule made there under. And after installation of Saw Mill the applicant shall inform licensing authority of such installation and obtain a licence.

(b) Every proprietor of an existing Saw Mill shall obtain a licence from the Licensing authority within sixty days from the date of publication of these rules and any existing Saw Mill should not be operated beyond sixty days without a valid licence under these rules.

(c) Every application shall be accompanied by a fee mentioned below for grant of licence or for its renewal :

(i) Licence period of one year

Rs. 1000-00

(ii) Licence period of two years

Rs. 2000-00

(iii) Licence period of three years

Rs. 3000-00

(d) If the applicant desires to obtain common licence for Saw Mill and depot, he should indicate in the application form in Form. i.(2) On receipt of an application, the licensing authority shall make such enquiry as he deems fit, and after satisfying himself whether or not there would be any objection to granting the licence applied for, having regard to safeguarding the timber in any reserved protected or proposed forest, or in any land referred to in Rule 3, may grant a licence in the form-II of these rules subject to the conditions set out therein or refuse to grant a licence. (3) The licensee, whose Saw Mill is located within five kilometres from forest boundary shall, before the issue of licence make a security deposit of Rs.5,000 in National Savings Certificate in favour of the licensing authority and the security deposit shall be Rs.2,000 in the remaining locations, towards the due observance of Andhra Pradesh Forest Act, 1967 and the rules made thereunder.

#### **Rule 5**

(1) Every licence granted under Rule 4 shall, subject to provisions of Rule 9, be effective from the date of issue or from the date of expiry of the period specified in the proviso to clause (a) of sub-rule (1) of Rule 4, as the case may be, to the 31st December of the year upto which licence is granted, both days inclusive.

(2) The licence granted under these rules for Saw Mills located within five kilometres of forest boundary shall not be transferable.

(3) The Saw Mill machinery and premises shall not be leased to any person without intimation of the licensing authority. For any acts of omission of licensee, licence holder shall be held responsible.

(4) In case the Saw Mill premises is to be changed, or when the machinery is to be shifted from one place to another within same forest division, such changes should not be done without prior approval or licensing authority.

#### **Rule 6**

(1) the licensee should submit renewal application within one month prior to expiry of existing licence.

(2) If no renewal application is submitted to the licensing authority upto 1st December, a late fee of Rs.250/- shall be levied upto February succeeding year, irrespective of duration of delay, if renewal application is not submitted before the end of February it will be deemed that the licence has lapsed and the Saw Mill owner should apply for fresh licence. The security deposit available with the licensing authority shall stand forfeited.

(3) When renewal application is made, the licence holder should furnish the timber accounts in the format prescribed in these rules for the entire licence period and if the accounts are not furnished, the renewal application shall not be considered by licensing authority.

(4) When renewal application is submitted to licensing authority, and till renewed licence is received, the acknowledgment given by the licensing authority shall be treated as licence by inspecting officers.

#### **Rule 7**

(1) Registers as given in Form-III (A) and (B) of these rules shall be maintained by every licence holder for accounting fully and properly the timber received excluding the exempted species under transit rules in the Saw Mill for conversion, and its disposal. The registers should be made available at any time to all inspecting officers along with permits/invoices in original, within the Saw Mill premises.

(2) A yearly abstract of receipts of disposal with the balance of unconverted stock on hand shall be submitted before the 10th of the January next to the Divisional Forest Officer concerned failing which the licence shall be liable to pay a sum of Rs.500/- for every month of default, variation of 5% in round timber in figures in between the register and ground stock in measurements is permissible and variation in excess of the above should be explained.

(3) The licensee shall not operate the Saw Mill or any machinery within the Saw Mill premises during the period of 2200 hrs to 0600 hrs of next day, except in Municipal Corporation/Municipality areas. However, in special circumstances, the Divisional Forest Officer concerned on application made to him may consider relaxation of the above timing for a period to be specified by him. And any such relaxation order obtained by the licence holder shall be displayed in a conspicuous place for verification by inspecting officers.

(4) All the timber, sawn sizes and wood waste shall be properly stacked in the Saw Mill premises.

(a) it bears property marks; and

(b) it is covered by a transit permit, and for this purpose all timber lying within and adjacent to Saw Mill premises upto a distance of five metres shall be taken into consideration :

Provided that the licence holder shall immediately report to the nearest Forest Officer, the timber without property marks, and the timber not claimed by others.

(6) When timber is brought for conversion to Saw Mill premises, the licence holder should retain the original permit and issue 'Form. II permit' or 'Form. IV', under Andhra Pradesh Forest Produce Transit Rules, 1970 as the case may be to the timber owner along with a photo copy of original permit.

#### **Rule 8**

All Officers of the Forest Department of and above the rank of a Forester shall have power { x x x x } to enter into { x x x } any saw mill for the purpose of inspection and securing compliance with these Rules.

#### **Rule 9**

(1) Notwithstanding anything in the foregoing Rules , the licensing authority may, where he has reason to believe that a licensee is operating as saw mill in contravention of the Provisions of the Andhra Pradesh Forest Act, 1967 or any Rules made thereunder at any time , revoke the licence granted under these Rules, after giving the licensee an opportunity of being heard.

(2)

(a) For any violation of the provisions of the Andhra Pradesh Forest, 1967 of the Rules made thereunder by the licensee the licensing authority or Divisional Forest Officer Flying Squad Party shall be competent to seize and confiscate forest produce together with whole or portion of the plant machinery implements and

equipments which have been used in the commission of the offence;

(b) In case of violations, where it is not proposed to either revoke the licence or seize and confiscate the plant, machinery etc., the licensing authority shall be competent to impose a penalty of a sum up to the limit of available security deposit. If the amount of penalty so levied exceeds Rs.1,000, an appeal against such imposition, shall lie with the Conservator of Forest having territorial jurisdiction over the area, and his decision, thereon shall be final. The appeal should however be preferred within fifteen days from the date of despatch of the order imposing penalty, by registered post.

(c) All penalties levied shall be paid by the licensee within fifteen days from the date of despatch by Registered post of the order or the notice of demand for payment. In case of failure to pay the penalties in time, the same will be adjusted from the Security Deposit, which shall be replenished immediately so as to keep it always full and complete. The licence shall be deemed to be inoperative, until such time, the licensee replenishes the adjustments in the security deposit.

(3) In the event of revocation of licence under Sub-rule (1) or seizure and confiscation of forest produce together with whole or portion of the plant machinery, implements and equipments under Sub-rule (2) the licensing authority shall be competent and shall be at liberty to forfeit security deposit in part or whole.

#### **Rule 10**

Where the licensing authority refuses to renew or revokes a licence granted under these Rules, or seizes and confiscates the plant, machinery, implements and equipments under Rule 9 he shall do so by an order communicated to the applicant or the holder, as the case may be giving reasons in writing for such refusal or revocation, or seizure and confiscation.

#### **Rule 11**

Any person aggrieved by an order made under Rule 10, may within thirty days from the date of service of the order, prefer an appeal to the Conservator of Forests having jurisdiction, who shall hold, or cause to be held such enquiry as he deems fit and after giving an opportunity of making a representation to appellant pass a speaking order, which shall be final.

#### **Rule 12**

Notwithstanding anything contained in any enactment relating to electricity for the time being in force, no electric energy shall be consumed and no electric connection shall be installed for the purpose of a Saw Mill, unless such Saw Mill is duly licensed or deemed to be licensed in accordance with the provisions of these rules, and such connection shall be continued so long as the Saw Mill operates under a valid licence granted or deemed to be granted under these rules. A communication from the Divisional Forest Officer in this regard shall be enough authority for A.P. State Electricity Board to comply with the provisions.

#### **Rule 13**

xxxx

### **APPENDIX 1 FORM**

FORM

FORM I

(See Rule 4)

Form for Application Saw Mills/Saw Mill and Depot Licence

1. Name of the applicant :
2. Father's/Husband's Name :
3. Address of Applicant :
4. Place where the Saw Mill/Depot is to be located (Location sketch to enclosed.):
5. Species and quantity of timber likely to be used/traded:

6. Details of application fee paid:

7. List of enclosures:

Signature

Date :

Place:

**APPENDIX 2 FORM**

FORM II

[See Rule 4(2)]

Licence for Establishment and Running of Saw Mill/Saw Mill and Depot

Forest Division District

Licence No.

1. This Licence is granted to residing at to establish and run Saw Mill/Saw Mill and depot at subject to the provisions of the Andhra Pradesh Forest Act, 1967 and rules made thereunder.

2. The Licence is valid upto

3. The Licensee is permitted to instal and run the following machinery and equipment. (Describe the machinery).

4. In the depot the licensee is permitted to store/ is the type and max. quantity of Forest Products as mentioned below

5. The Licence shall be produced for inspection on demand by any authority specified in Andhra Pradesh Saw Mills (Regulation) Rules, 1969.

6. The Licensee should submit his yearly abstract of total quantity of timber received, disposed and balance of material in stock as prescribed in Andhra Pradesh Saw Mills (Regulation) Rules, 1969 before 10th of January to the undersigned, failing which a minimum penalty of Rs.500/- for each of default shall be levied.

Divisional Forest Officer Division

Date:

**APPENDIX 3 FORM**

FORM III(A)

[See Rule 7(1)]

Form of Register Showing the Receipts of Forest Produce in Saw Mills/Saw Mill and Depot

Date of Receipt Details of forest Produce received in the Saw Mills/depot Specices Teak/Non-Teak  
Quantity of Forest Produce (Class/Nos. in case of Poles Bamboos, Tonnes in case of Fuel Wood. Quantity  
of Sawn sizes obtained if sawn Remarks Source TP No. Date Issued by Nos. Cmt. Cmt. (1) (2a) (2b) (2c)  
(2d) (3) (4a) (4b) (5) (6)

**APPENDIX 3(b) FORM**

FORM III(B)

[See Rule 7(1)]

Form of Register showing the Disposal of Forest Produce in Saw Mills/Saw Mill and Depot

Date of disposal Species Details of Forest Produce disposed off To whom disposed destination address  
Remarks (Cash/Bill No. etc.) Nos. Cmt. Permit No. (1) (2) (3a) (3b) (3c) (4) (5)

## **ANDHRA PRADESH SANDAL WOOD POSSESSION RULES, 1969**

In exercise of the powers conferred by [Sections 32,33,34 and 35] read, with Section 68 of the Andhra Pradesh Forest Act, 1967 (Act I of 1967), the Governor of Andhra Pradesh hereby makes the following Rules to regulate the possession of sandal wood in the State.

### **Rule 1**

These Rules may be called the Andhra Pradesh Sandal Wood Possession Rules, 1969.

### **Rule 2 In these Rules, unless the context otherwise requires**

- (a) 'dealer' means a person who deals in sandal wood;
- (b) 'Divisional Forest Officer' means the Divisional Forest Officer having jurisdiction over the area concerned;
- (c) 'form' means a form set-forth in the Schedule appended to these Rules;
- (d) 'licence' means a licence prescribed under these Rules;
- (e) [xxx]
- (f) 'Stockist' means a person who stocks sandal wood for conversion into sandal wood oil or other products [xxx]

### **Rule 3**

(1) No person shall possess sandal wood in excess of the limit specified in Section 32 of the Act, except under a licence issued in this behalf in Form-II by a Divisional Forest Officer. Every application for a grant of licence shall be in Form-I and accompanied by authenticated documents and other material in support of the origin of procurement of sandal wood and a fee of Rs.100 [x x x x] Provided that no fees shall be payable by institutions like temples which stock sandal wood for their bona fide requirements.

(2) A dealer or stockist shall not at any one time possess over and above one metric tonne of sandal wood obtained from patta lands , [ except] with the written permission of the Divisional Forest Officer concerned.

[(3) Every licence other than the permanent licence for pooja material and other materials of worship issued or renewed at any time during the financial year, shall be valid till the end of that financial year.

(4) The fees chargeable for the renewal of licence shall be [Rs.50]

### **Rule 4**

(1) A duplicate licence shall be granted only [after due verification]

(2) The fee chargeable for grant of the duplicate licence shall be Rs.50.

(3) The Divisional Forest Officer may, on an application made by the licensee, renew his licence.

(4) [xxxxx]

### **Rule 5**

[(1) If at any time, it appears to the Divisional Forest Officer that the licensee has contravened or failed to comply with any of the conditions laid down in these Rules, he may cancel suspend the licence after giving the said licensee 15 days notice in writing for making his representation against such cancellation or suspension.

[(2) Any person aggrieved by the orders of the Divisional Forest Officer passed under Sub-rule (1) cancelling or suspending a licence may within 15 days from the date of receipt of such order prefer an appeal to the Conservator of Forests who may such pass orders as he deems fit after recording the reasons therefor.

(3) Any person aggrieved by an order of the Conservator of Forests passed under Sub-rule (2) may within 30 days from the date of receipt of the order, prefer a second appeal to the Chief Conservator of Forests

who, may pass such order as he deems fit, after recording the reasons therefor.

#### **Rule 6**

(1) Whenever a dealer or stockist intends to possess any consignment of sandal wood, he shall immediately inform the Divisional Forest Officer in writing of the actual source from which he intends obtaining such sandal wood and supply such information as the Divisional Forest Officer may require to satisfy himself about bona fides of such sandal wood.

(2) The dealer or stockist who comes into possession of a consignment of sandal wood shall within 24 hours of such possession intimate the Divisional Forest Officer having jurisdiction over the area in which the sandal wood is stored about the fact of actual possession and the same shall be inspected by an Officer not below the rank of a Forester without any delay; and till such inspection is over, the dealer shall not tamper with the identification marks that may have been already placed on such sandal wood.

(3) A dealer or stockist shall not convert such sandal wood as he may have come into possession in accordance with Sub-rule (2), except and in accordance with the orders in writing of the Divisional Forest Officer: Provided that where within a period of one month from the date of application to the Divisional Forest Officer, or the date of submission of such particulars as required by him, permission has not been granted, the applicant may, unless such permission has been refused, proceed with such conversion, but so as not to contravene any of the provisions of the Andhra Pradesh Forest Act, 1967 or any Rules made thereunder.

#### **Rule 7**

(1) A stockist storing the sandal wood and its by products obtained by manufacturer or conversion including sandal wood of smaller billets, sandal wood powder, toilet articles or scented stocks shall furnish to the Divisional Forest Officer full particulars of the place of storing together with a certified sketch of the premises. The premises should be distinguishable by a Notice Board conspicuously displayed. [ Any change in such place shall be made only after giving prior intimation to the Divisional Forest Officer.

(2) The dealer or stockist shall maintain at the premises a stock register showing receipt and issues of sandal wood and all its products including oil.

(3) A true extract in Form III from the stock register shall be submitted to the Divisional Forest Officer every year by the 15th April or before the renewal of licence

#### **Rule 8**

(1) The stock register and the stock of sandal wood shall be kept open for inspection at any time by any Forest Officer not below the rank of a Forester [having jurisdiction over the area concerned.]

(2) The Inspecting Officer may, if he has reason to believe that the terms of licence have been contravened, seize any or all records, stocks of sandal wood and its products, vessels and conveyance used in such contravention. The seizures may be removed by the inspecting officer for safe custody and produced in the court having jurisdiction over the area within a week.]

(3) In so inspecting the premises due regard shall be paid by the inspecting officer to the special and religious customs of the occupants of the premises.

#### **Rule 9**

(1) Whenever the inspecting officer considers that the production of any document or other thing is necessary for purposes of compliance with these Rules, the inspecting officer may issue a written requisition or order, to the dealer or stockist in whose possession such document or thing is believed to be, requiring him to produce it at the time and place stated in the requisition or order.

(2) Where the inspecting officer has reason to believe that the dealer or stockist to whom an order under Sub-rule

(1) has been or might be addressed, would not produce, document or thing as required by such requisition or order, or where the inspecting officer considers that the purpose of these Rules will be served by a general search or inspection, he may if he is competent search by himself or obtain a search warrant under

Section 12(1) (b)

(ii) of the Act and execute in the manner provided in the Code of Criminal Procedure 1973.]

**SCHEDULE 1 SCHEDULE**

**Form 1 Form for the application of a Licence**

SCHEDULE

FORM-1

Form for the application of a Licence

[See Rule 3 (1)]

1. Name of the applicant :
2. Father's/Husband's name :
3. Full address of the applicant Village:

Taluk:

4. Names and address of the persons from whom the applicant proposes to obtain the sandal wood.
5. Place where the applicant proposes to keep the sandal wood and transact the business.

**Form 2 FORM**

FORM -2

Form of Licence

[See Rule 3 (1)]

ORIGINAL/DUPLICATE

1. Licence Number :
2. Name of Licensee :
3. Residence :

Village:

Taluk:

4. Place in which the sandal wood is to be stored:

Licence is hereby granted to the person mentioned above for the possession of sandal wood from the date of issue of licence to the 31st March ..... subject to the provisions of the Andhra Pradesh Forest Act, 1967 and the Rules made thereunder.

Station:

Date :

Signature of Issuing Officer Designation

Score out words not necessary

**Form 3 Form of Stock Register**

FORM

FORM- 3

Form of Stock Register

Month .....

See Rule 7 (3)

Name of dealer/Stockist ..... Name of Village/Town .....Places of storage of Sandal wood

Date Receipt By Sale Issue By Conversion Balance Remarks Opening Balance of Sandal wood No.& date of permit and by whom issued Description of Sandal wood Quantity in kgs. Total No.& date of permit to whom issued Description of Sandal wood Quantity in Kgs Mode of conversion Quantity consumed in kgs.  
Total 1 2 3 4 5 6 7 8 9 10 11 12 13 14

### **ANDHRA PRADESH TEAKWOOD POSSESSION RULES, 1970**

In exercise of the powers conferred by Section 29 read with Sub-section (1) of Section 68 of the Andhra Pradesh Forest Act, 1967 (Andhra Pradesh Act No.1 of 1967) and in supersession of all existing Rules on the subject made under any of the Acts repealed under Section 72 of the Act aforesaid the Governor of Andhra Pradesh hereby makes the following Rules regarding the possession of Teak wood and red sanders wood.

#### **Rule 1**

These Rules may be called the Andhra Pradesh Teak Wood [...] Possession Rules, 1970.

#### **Rule 2**

No person residing in any village situated within a radius of 15KM of such Reserved Forest as may be specified by the Chief Conservator of Forests in this behalf by a notification in the Andhra Pradesh Gazette shall possess a quantity of teak wood., [xxxx] [xxx] the quantity of which exceeds quarter of a cubic metre in volume unless the teak wood [xxxx] bears distinguishable Government transit mark or the property mark affixed to it under the Andhra Pradesh Forest Produce Transit Rules, 1969.

[Explanation:- For the purpose of this rule, teakwood or redsander wood does not include sawn timber.]

#### **Rule 3**

(1) Any person accused of contravention of Rule 2 may within fifteen days [from the date of detection of the offence make a representation] to the Conservator of Forests in writing with such material evidence as in the opinion of the accused person would prove the legitimate origin of the Teakwood [xxxx] in his possession.

(2) The Conservator shall thereupon make such enquiry as he deems fit and pass an order containing his decision as to the legitimate origin of the teak wood. [xxxx]

(3) Any person aggrieved by the order of the Conservator of Forests under sub-rule (2) may, within thirty days of the receipt thereof by him, prefer an appeal to the Chief Conservator of Forests, who shall, after giving such person an opportunity of being heard, pass such order as he deems fit, and the order so passed shall be final.

### **ANDHRA PRADESH SANDAL WOOD AND RED SANDALS WOOD TRANSIT RULES, 1969**

In exercise of the powers conferred by Section 29 read with Section 68 of the Andhra Pradesh Forest Act, 1967 (Act 1 of 1967) and of all other powers hereunto enabling and in supersession of all previous notifications and rules on the subject, the Governor of Andhra Pradesh hereby makes the following rules to regulate the transit of sandal-wood and red sanderswood in the State.

#### **Rule 1 Short title**

These rules may be called the Andhra Pradesh SandalWood and Red SandersWood Transit Rules, 1969.

#### **Rule 2 Definitions**

In these rules, unless the context otherwise requires

[(i) "Check Post" means any check post set up or barrier erected under Rule 13 of the Andhra Pradesh Forest Produce Transit Rules, 1970]

(ii)'Form' means a Form appended to these rules.

### **Rule 3 Conditions for Import, Export and Movement**

(1) No person shall import sandalwood, sandalwood chips, sandalwood powder or redsanders wood, red sanderswood chips, redsanders wood powder into, or export sandal wood, sandalwood chips, Sandal wood powder or red sanders wood, redsanderswood chips, red sanderswood powder from, or move sandal wood or red sanders wood within, any place in the whole of the State, unless such sandalwood or redsanders wood is accompanied by a permit prescribed in Rule 4.

(2) No piece of the wood and other materials specified in sub-rule (1) or bags containing saw dust or chips of such wood shall be transported unless they bear an authorised marking or seal of the Government as provided in Rule 7.]

### **Rule 4 Form of permits**

(1) In the case of sandal wood or red sanders wood purchased from Government, the permit shall be in Form I.

(2) In the case of sandal wood or red sanders wood purchased at the Government sale depots in any other State and imported into this State, the permit shall be that used by the Government of that State or any authority in that state responsible for the sale of sandal wood or red sanders wood in that State and such permit shall be valid only for transport of the sandal wood or red sanders wood to the destination specified therein

[(3) In the case of sandal wood or red sanders wood other than that referred to in sub-rules (1) and (2) or in the case of subsequent movement of the same sandal wood or red sanders wood referred to in sub-rules (1) and (2) the permit shall be in Form- II.

(4) The quantity of sandal wood should be noted in detail in the permit, namely, the number of pieces, measurement of each piece, quality according to the standard classification and weight of each piece/quality.]

### **Rule 5 Issue of permits**

(1) Permits in Form-I shall be in quadruplicate and shall have all columns filled up by the Divisional Forest Officer or a subordinate officer duly authorised by him in this behalf. The Divisional Forest Officer or the subordinate officer so authorised, as the case may be shall handover the original permit to the purchaser, send the duplicate to the Range Officer and the triplicate to the concerned Divisional Forest Officer at destination by Registered Post with acknowledgement due before movement of the consignment and retain the quadruplicate as counterfoil for record in his office.

(2) Permits in Form-II shall be in quadruplicate and shall have all columns filled up by the Divisional Forest Officer or a subordinate officer duly authorised by him in this behalf. The Divisional Forest Officer or the subordinate officer so authorised, shall handover the original permit to the purchaser, to remove the sandal wood or red Sander wood, send the duplicate to the Range Officer and the triplicate to the concerned Divisional Forest Officer at destination by Registered Post with acknowledgement due before movement of the consignment and retain the quadruplicate as counterfoil for record in his office.

(3) For supply of Forms-I or II permits in quadruplicate, [a rate of Rs.10-00 per 100 permits] shall be charged. All permits so issued shall bear the seal of Divisional Forest Officer.

### **Rule 6 Checking of permits**

(1) All sandal wood or red sanders wood, as the case may be, in transit shall be produced for examination at every checking station enroute even without being asked by any officer for it or when called upon to do so.

(2) The Officer in-charge of the checking station shall, after satisfying himself that the sandal wood or the red sanders wood, as the case may be, has actually come from the place and is of the kind, stated in the permit issued by the concerned State Government or by any authority empowered in this behalf, and the permit is in Form I or Form II, as the case may be, and is not in excess of the quantity specified therein, endorse on the permit suitably in token of having passed the consignment and also make necessary entries in the register maintained at the checking station for this purpose. If the officer-in-charge of the checking station is not so satisfied and refuses to endorse in token of passing the consignment he shall retain the

sandal wood or the red sanders wood, as the case may be, and the permit of the concerned State Government or the permit in Form I or Form II, as the case may be, and report the case for orders of the Divisional Forest Officer having jurisdiction over the area stating clearly his reasons for the action taken.

(3) The quantity of sandal wood or red sanders wood, as the case may be, in transit shall not be [more] than that entered in the permit and if it is less, the same permit shall not be used again to cover the deficiency.

(4) The permits referred to in the preceding rules shall, in the case of the imported sandal wood or red sanders wood and sandal wood or red sanders wood for export, be produced with the sandal wood or the red sanders wood, as the case may be, for examination at every checking station enroute which the sandal wood or the red sanders wood may be taken.

(5) Any Revenue Officer not below the rank of a Revenue Inspector in charge of a Firka or any Police Officer in uniform, not below the rank of a Head Constable or any Forest Officer not below the rank of a Forest Guard or Thanadar or the officer or other subordinate in charge of a checking station may stop any vehicle reasonably suspected of carrying sandal wood or red sanders wood, as the case may be, for checking its contents and the permits. and such vehicle shall not proceed therefrom until permitted to do so by the above said officer or subordinate.

Explanation In this sub-rule "vehicle" includes railway vehicle, lorries, stage carriages, contract carriages, motor cars, tractors, motor cycles, cycles hand carts, bullock carts, buffalo carts, horse drawn carriages such as jutkas and rickshaws such as cycle rickshaws autorickshaws and hand pulled rickshaws and other pack animals.

(6) No person shall take any sandal wood or red sanders wood off, or pass it from, any road on which a checking station has been placed with intent to evade the production of the sandal wood or red sanders wood at a checking station.

#### **Rule 7 Use and Registration of property marks**

All sandal wood or red sanders wood imported from other States and all Government sandal wood or red sanders wood disposed off locally shall bear the marks of the Government of origin in the following manner-

(1) Every piece of sandal wood or red sanders wood shall bear [Government mark at the both ends] and in the case of chips and saw dust carried in bags, the latter shall be closed and the fastening sealed with the above mark.

(2)

(a) The Ownership of all sandal wood or red sanders wood grown and moved with in any area in the State shall be indicated by a property mark affixed in the manner provided in clause (b)

(b) All such property marks shall be registered at a Divisional Forest Office

(i) in accordance with the provisions of sub-rule (3) if the marks relate to sandal wood or red sanders wood extracted from private lands within the area; and

(ii) in accordance with the provisions of sub-rule (4) if the marks relate to sandal wood or red sanders wood, as the case may be, other than that extracted from private lands within the area.

(c) A fee of Rs. 25 shall be charged in respect of registration or renewal of a property mark.

(3)

(i) Every application for the registration of a property mark in respect of sandalwood or red sanders wood, as the case may be, to be extracted from private lands within the State shall be accompanied by a statement in Form III/Form IV in which all the particulars therein prescribed shall be furnished to the Divisional Forest Officer concerned and also by six fascimiles of the mark proposed. Form III/Form IV [shall be in writing] and shall be prepared by the applicant.

(ii) [After the receipt of the application referred to in sub-rule 3 (1) ], the Divisional Forest Officer or the subordinate authority authorised by him shall if he is satisfied that the Government have no interest in the

trees, inspect trees, as soon as possible and with the consent of the owner of the land affix the departmental hammer mark on each tree after blazing it at breast height from ground level and issue written permission for the extraction of the trees and grant a certificate of registration of the property mark in Form V for the transport of the trees to a central place in the nearest village for final clearance if to desired by the applicant.

Provided that the Divisional Forest Officer may, by a written order, refuse to give permission for extraction of the trees and to grant the certificate of registration of the property mark if he has reason to believe that the trees belong to Government or that the applicant has committed fraud in respect of such trees [xxx].

[(ii-a) An appeal against any such order of the Divisional Forest Officer may be preferred to the Conservator of Forests concerned within thirty days from the date of receipt of such orders by the aggrieved party and the decision of the Conservator of Forests shall be final]

(iii) Every uprooted sandal wood tree, bearing heart wood shall be cleaned upto its heart wood limits. In so cleaning the uprooted sandalwood tree, the departmental hammer mark at the breast height shall be left in tact and ring of bark and sapwood 5 to 7 centimetres wide surrounding the departmental hammer marks shall be left uncut.

(iv) Red sanders wood tree shall be felled so as to retain the hammer mark on the stool affixed under clause(ii).

(v) Every sandal wood tree so uprooted and cleaned and every red sanders wood tree so cut shall bear its distinct serial number which shall be written legibly in tar any where on it if it has not been cut up into pieces [or when it has been cut up into roots and pieces or billets, all parts of such tree so cut up shall bear at their cut ends, the original serial number assigned to the tree so as to admit of identification and check subsequently by the Divisional Forest Officer or his subordinates, authorised by him in this behalf.]

(vi) The exact situation of the land where each of the sandal wood trees containing heart wood was extracted shall be indicated on the ground by a stout numbered peg which shall be well-driven home in the pit formed in the process of uprootal; the number on the peg being the same as that written on the wood concerned. Such pegs shall be retained until such time as the Divisional Forest Officer or his [ subordinate authorised by him] checks the sandal-wood and verifies the locality of the fellings.

(vii)

(a) the heart wood obtained from each of the sandalwood trees shall thereafter be weighed and the result recorded in the statement in Form VI [xxx] with an abstract in the remarks column showing the total number of sander wood trees extracted and cleaned, their total out-turn expressed in number of pieces (roots, billets separately,) and the aggregate of all pieces in respect of which the registration of the property mark is desired.

(b) The midgerth measurements and the length of each stem and billet obtained from each red sanders wood tree so cut shall be recorded in the statement in Form VII indicating the number of billets obtained from each of such red sanders wood trees with an abstract in the remarks column showing the total number of trees extracts and their total out-turn expressed in number of billets as well as in cubical contents in respect of which the registration mark is desired.

(c) Form VI/Form VII shall on application be supplied by the concerned Divisional Forest Officer having jurisdiction over the area on payment of fee fixed by the Government, from time to time. No form other than that supplied by the Divisional Forest Officer shall be issued

(viii)

(a) After receipt of the application for the removal of the sandalwood or the red sanders wood, as the case may be, with the statement in Form VI/Form VII containing all the particulars wherein prescribed is received, the Divisional Forest Officer or [any Subordinate Officer authorised by him] in this behalf shall as soon as possible, inspect and identify the sandal wood or red sanders wood, as the case may be, by verifying the girth and the departmental hammer mark put on the standing tree and by assembling all parts of each tree and satisfying himself that the wood is of the same tree that was hammer marked standing and that the details furnished by the applicant in Form VI/Form VII are correct and without error and thereafter

mark all sandal wood or the red sanders wood, as the case may be, [at the both ends] with the Divisional pass hammer. Thereafter, the Divisional Forest Officer shall, subject to provisions of sub-clause (b), grant a certificate of registration in Form V with as little delay as possible.

(b) The Divisional Forest Officer or any [subordinate authorised by him] may require from any person, either when presenting a property mark for registration or at any subsequent time, information as to the source of origin and the quantity of sandalwood or red sanders wood, period of felling, agency, routes, depots, destination and such other details regarding his method of felling, trading or working as the Divisional Officer may think necessary. The Divisional Forest Officer may [after giving a reasonable opportunity] by order, refuse registration or cancel the registration of any property mark if the information required is not given or [if he considers that such property mark cannot easily be distinguished from a Government mark, or from a property mark used by another person] or if he has reason to believe that the person using the property mark is or has been concerned in any illegal practice with regard to the sandal wood or red sanders wood or for any other good and sufficient reason. The reason for such refusal or cancellation shall in every case be recorded by the Divisional Forest Officer may be preferred to the Conservator of Forests concerned within thirty days from the date of receipt of such orders by the aggrieved party and the decision of the conservator of Forests shall be final.

(4)

(a) Every application for the registration of property mark in respect of sandal wood or red sanders wood other than that extracted from private land shall be accompanied by fascimilies of the marks proposed.

(b) After the receipt of the application, the Divisional Forest Officer or the subordinate (xxxx) authorised by him, shall check such sandalwood or red sanders wood, as the case may be, and if the result of checking is satisfactory, the Divisional Forest Officer shall subject to the provisions of sub-clause (b) of clause (vii) of sub-rule (3) grant a certificate of registration in Form V with as little delay as possible.

(c) All the sandalwood or red sanders wood, as the case may be in respect of which a property mark is registered under this sub-rule shall be marked with the Divisional Pass Hammer by the Divisional Forest Officer or by the subordinate [xxxx]authorised by him to do so.

[ (4-A.) The pass hammer used on the sandal wood or red sanders wood timber is to be clearly indicated on the permits.]

### **Rule 8**

Date upto which and description and quantity of sandal wood or red sanders wood for which registration of property mark has effect- The registration and each renewal of registration of a property mark shall be valid only in respect of the description and quantity of the sandalwood or the red sanders wood entered in Form V and be in force only from the date of such registration or renewal until the first day of April following unless otherwise stated.

### **Rule 9 Exemption of small quantities of sandal wood or red sanders wood carried by a bonafide traveller or cut and carried by ryots for their own use**

Nothing in these rules shall apply to

(a) Sandal wood not exceeding 10Kgs. in weight carried by any bonafide traveller or under his authority for his personal use or

(b) Sandalwood cut and carried by a ryot for his personal use from trees growing on the patta lands of the said ryot or of any neighbouring ryots from whom title to such sandal wood is derived, provided that he obtains a certificate of title from the [village munisff or village patwari] and that the quantity cut and carried on each occasion does not exceed 10Kgs.in weight;

(c) Red sanders wood [and sandal wood] fashioned into dolls, images toys and vessels [and idols of worship of fancy, provided the weight does not exceed 10kgs.]

(d) Red sanders wood cut and carried by a ryot for own use from trees growing on the patta lands of the said ryot or of any neighbouring ryots from whom title to such red sander wood is derived; provided that he obtains a certificate of title from the village munsiff and that the quantity cut and carried on each occasion

does not exceed one log 4.50 metres in length 40 Cms. in girth at the butt end.

**Rule 10**

(1) Special facilities for companies and persons engaged in the Distillation of Sandal wood The Divisional Forest Officer may, in his discretion, include the name of any company or person engaged in the distillation of sandal wood or in the manufacture of any of its by-products, in an approved list to be maintained by him and he may also at his discretion remove the name of any such company or person from such list. The Divisional Forest Officer, may, by written order, exempt, any company or person, whose name is included in the approved list from the provisions of sub-rule (2) of rule 5 in so far as it relates to the retention of sandal wood in custody for purposes of check and from the provisions of clauses (b) and (c) of sub-rule (4) of rule 7 and may cancel any such order. [after giving opportunity to a person of Company in this regard.]

[(2) Any person aggrieved by an order made under sub-rule (1) may within thirty days of service of the order on him prefer an appeal to the conservation of Forests who after giving such person an opportunity of being heard pass such order as he deems fit]

**APPENDIX 1 FORM**

**FORM**

FORM I FORM I FORM I FORM I (See Rule 4) (See Rule 4) (See Rule 4) (See Rule 4) (Counter foil to be retained by the issuing authority (Triplicate to be sent to the Divisional Forest Officer at destination) (Duplicate to be sent to the Forest Range officer) (Permit for export/transport of Sandal wood/red Sanders wood from Government Sale Depot.) Permit No Permit No Permit No Permit No 1. Name and residence of the person to whom the permit is granted 1. Name and residence of the person to whom the permit is granted 1. Name and residence of the person to whom the permit is granted 1. Name and residence of the person to whom the permit is granted 2. Quantity 2. Quantity 2. Quantity 2. Quantity 3. Description of sandalwood/redsanders wood 4. Fees paid if any 5. Marks, if any on the sandalwood/redsanders wood 5. Marks, if any on the sandalwood/redsanders wood 5. Marks, if any on the sandalwood/redsanders wood 6. From what forest or depot removed 7. To what place being removed 8. Route 8. Route 8. Route 8. Route 9. Time allowed 9. Time allowed 9. Time allowed 9. Time allowed 10. Remarks 10. Remarks 10. Remarks 10. Remarks Station Station Station Station Date Date Date Date Signature of the issuing officer Designation Designation Designation Designation

Endorsements of Tanahdar or other officer in charge of the checking station)

1. Date and time of check
2. Entry number in the register maintained by him.
3. Signature in token of approving further movement.
4. Full name in block letters.

Designation and address. Name and situation of checking station

**APPENDIX 2 FORM**

**FORM**

FORM II FORM II FORM II FORM II (See Rule 4) (See Rule 4) (See Rule 4) (See Rule 4) COUNTERFOIL TRIPLICATE DUPLICATE ( To be retained by the person issuing the permit) (To be sent the Divisional Forest officer at destination) (To be sent to the Forest Range Officer) (Permit for the import/export transport of sandalwood/redsanderswood of private lands or foreign territory). PERMIT NO PERMIT NO PERMIT NO PERMIT NO 1. Name and residence of the person to whom the permit is

granted 1. Name and residence of the person to whom the permit is granted 1. Name and residence of the person to whom the permit is granted 1. Name and residence of the person to whom the permit is granted 2. Quantity 2. Quantity 2. Quantity 2. Quantity 3. Description of sandal wood/redsanders wood 3. Description of sandal wood/redsanders wood 3. Description of sandal wood/redsanders wood 4. Marks, if any, on the sandalwood / redsanders wood 4. Marks, if any, on the sandalwood / redsanders wood 4. Marks, if any, on the sandalwood / redsanders wood 5. Whence obtained 5. Whence obtained 5. Whence obtained 5. Whence obtained 6. To what place being removed 7. Route 7. Route 7. Route 7. Route 8. Time allowed 8. Time allowed 8. Time allowed 8. Time allowed 9. Remarks 9. Remarks 9. Remarks 9. Remarks Station Station Station Station Date Date Date Date Signature and designation of the person granting the permit Signature and designation of the person granting the permit Signature and designation of the person granting the permit Note: The time to be entered in column (8) should not exceed the period calculated at 24 Kms. per day except with the special permission of the Divisional Forest Officer Note: The time to be entered in column (8) should not exceed the period calculated at 24 Kms. per day except with the special permission of the Divisional Forest Officer Note: The time to be entered in column (8) should not exceed the period calculated at 24 Kms. per day except with the special permission of the Divisional Forest Officer \* [REVERSE (Endorsement of Tanager or other officer in-charge of the checking station) 1. Date and time of check; 2. Entry number by the officer-in-charge of the checking station 3. Signature in token of approving further movement 4. Full name in block letters designation and address name and situation of checking station]

**APPENDIX 3 FORM**

FORM

FORM - III

(See Rule 7)

List of Sandalwood trees proposed to be extracted from private land of .....village

Sl.No \* [Name of owner] \* [Particulars of ownership of land Serial number of tree Girth in Centimeters over bark at breast height above ground level. Anticipated height in meters of bole containing heartwood Remarks (1) (2) (3) (4) (5) (6) (7)

**APPENDIX 4 FORM**

FORM

FORM - IV

(See Rule 7)

List of red Sanderswood Trees Felled, Numbered and Cleaned, which are Awaiting Removal from the 1 [Limits of Demarcated area]

Field No. .... of village ..... in the ..... taluk ..... district to ..... depot Taluk ..... District ..... situated ..... village.

Period of felling Serial No. of trees felled Girth of tree over bark at breast height in cms Description and No. of pieces obtained. Stem Wood Out turn of wood from each tree Remarks (1) (2) (3) (4) (5) (6) (7)

**APPENDIX 5 FORM**

FORM

FORM - V

(See rule 7)

Counterfoil to be retained by the Issuing Officer in duplicate diglot Certificate of Registration.

Name of person registering Description of device or property mark Description and quality of sandal wood/red-sanders wood registered Date of registration on renewal Remarks 1. 2. 3. 4. 5. 6.

Certified that \_\_\_\_\_ residing at \_\_\_\_\_ has Registered/renewed the above device or property mark for the official year ending 31st, March 19 .

Divisional Forest officer

Date: 19.

### **APPENDIX 6 FORM**

FORM

FORM -VI

(See Rule 7)

List of Sandalwood trees Uprooted, Numbered, Cleaned and Weighed which are Awaiting removed from the Limits of Survey

Field .....S.No..... of .....village in the .....taluk  
.....district to.....Depot situated in  
.....Village.....

Period of felling Serial number of tree uprooted Girth of trees over bark at breast height in cm  
Description/number of pieces obtained Root wood, stem and branch wood Outturn of scented wood from  
each tree Remarks (1) (2) (3) (4) (5) (6)

### **APPENDIX 7 FORM**

FORM

FORM -VII

(See rule 7)

List of Red Sanders wood trees proposed to be Extracted from Private Land ..... village.

Sl.No Date of assignment Name of owner Serial No. of tree Girth in Cms. over bark at breast height above ground level Anticipated height in metres of bole containing heart-wood Remarks (1) (2) (3) (4) (5) (6) (7)

### **ANDHRA PRADESH PROTECTED FOREST RULES, 1970**

In exercise of the powers conferred by Sub-section (1) of Section 27 read with Sub-section (1) of section 68 of the Andhra Pradesh Forest Act, 1967 (Andhra Pradesh Act 1 of 1967) and in supersession of all existing Rules on the subject made under any Act repealed by Section 72 of the Act aforesaid, the Governor of Andhra Pradesh hereby makes the following Rules for the regulation or use of natural and forest produce in the protected forests.

#### **Rule 1**

These Rules shall be called the Andhra Pradesh Protected Forest Rules, 1970.

#### **Rule 2**

(1) No person shall, except in accordance with the Rules, do, attempt to do, or cause to be done, in a protected forest any of the following acts

(a) clearing, ploughing or breaking up of land for cultivation or any other purpose;

(b) kindling of fire;

(c) cutting, sawing, conversion and removal of trees and timber and collection and removal of natural

produce;

(d) quarrying of stone the boiling of catechu or the burning of the lime or charcoal;

(e) cutting of grass, or the pasturing of the cattle; and

(f) hunting, shooting, fishing, poisoning of water and setting of traps or snares.

(2) Nothing in sub-rule (1) shall be deemed to prohibit any act done in accordance with any order issued by the Government or with permission of the Chief Conservator of Forests, Conservator of Forests, Divisional Forest Officer, or any officer authorised to grant such permission.]

**Rule 3 Persons belonging to Scheduled Tribes are eligible for the following concessions namely**

(i) the removal of timber, bamboos, and forest produce from the protected forests for domestic and agricultural purposes [from time to time] on payment of seigniorage fees fixed thereof;

[(ii) to graze their own cattle in the protected forests without payment of any fee].

Explanation For the purposes of this rule, [x x x x]

(i) Agricultural purposes shall include the use of

(a) timber for agricultural implements,

(b) poles and thorns for hedges.

(c) bamboo for fencing and roofing of huts and sheds in fields and

(d) leaves for green manure.

(ii) domestic purposes shall include the use of

(a) fuel for heating and cooking:

(b) timber and other forest produce for the erection and repair of permanent and temporary dwellings, cattle sheds, pandals and fencing of compounds and fields.

**Rule 4**

(i) The Ranger shall be the competent authority to issue the seigniorage permits, on payment of the specified fees, to the [xxxx] tribals.

Provided that he may refuse to issue such permits in any case if the requirements of the Rules are not satisfied.

(ii) In case of refusal of permits, an appeal lies to the Divisional Forest Officer, whose decision thereon shall be final.

(iii) The Divisional Forest Officer, on his own motion, may, for sufficient and valid reasons, cancel or revise any permits issued by the Ranger.

Provided that an opportunity is given to the holder of the permit to represent against the proposed action.

**Rule 5**

(1) Any individual or Community claiming rights by law or custom or usage having force of law with respect to any protected forest may exercise such rights only after obtaining a recognition from the [Divisional Forest Officer] [x x x x x]

Provided that the Divisional Forest Officer may by order refuse such [recognition] if the claims are not established.

(2) Any person aggrieved by an order of the Divisional Forest Officer under Sub-rule (1) may prefer an appeal, within thirty days of the receipt thereof, to the Conservator of Forests who shall after holding an enquiry pass an order thereon which shall be final.

(3) The Conservator of Forests may, on his motion for sufficient and valid reasons, revise or cancel the

[recognition] granted by Divisional Forest Officer under Sub-rule (1).

Provided that an opportunity is given to the person effected by such revision or cancellation to represent against the proposed action.

(4) Any person aggrieved by the decision of the Conservator of Forests under Sub-rule (3) may prefer an appeal to the Chief Conservator of Forests within thirty days of receipt of the decision of the Conservator of Forests and the decision of the Chief Conservator of Forests thereon shall be final.

Act Type : Andhra Pradesh State Acts