

Ref. No. 3697/66-F2.

Dated : 19-1-1966.

Circular No. 1/66.

Sub :— Wild Life—Crop protection guns—Government orders for depositing the guns during off season in the nearest Police Station Instructions—Regarding.

Ref : Chief Conservator of Forests, Ref. No. 22365/61-F2, dated 1-5-1961.

In G.O./Ms. No. 836, Home (General -A), dated 26-4-'61 communicated in reference cited (copy enclosed) Government have ordered that a condition should be added in the crop protection gun licences to the effect that the licence holders should deposit their guns in the nearest Police Stations during off season whenever they are issued. The District Forest Officers are therefore requested to verify whether the above condition is being included in the crop protection gun licences issued. If not they are requested to take up the matter with the concerned authorities for implementing the Government orders in the matter. They are also requested to ensure that the gun licence holders deposit their guns in the nearest Police Stations and adhere to the above condition strictly.

Sd/- A. V. Ramakrishna Rao,
for Chief Conservator of Forests.

Ref. No. 83802/65-MI

Dated : 10-1-1966.

Circular No. 2/66.

Sub :—ESTABLISHMENT - Forest Department - Gazetted Officers - Transfer and postings - Intimation to Chief Conservator of Forests by wire about the date of taking over charge of new station - instructions - issued regarding.

It is observed that even though, the officers are being transferred and posted from one station to the other, the Chief Conservator of Forests comes to know of the compliance of these orders, only when the C.T.C. of the officers, is received. This C.T.C. is also received a week or fortnight after the officer assumes charge of the new station. Due to delay in the compliance of transfer orders, several administrative complications are cropping up. In order to have correct and timely information, it is ordered that the Gazetted officers should intimate to Chief Conservator of Forests about their taking charge of new stations on the very day of assuming charge through telegram.

The receipt of this circular may be acknowledged in the form below.

Sd/- P. S. RAO,
Chief Conservator of Forests.

End. No. 9983/65-M3.
Dated : 24-1-1966.

Circular No. 3/66.

**Sub :— PUBLIC SERVICES - Andhra Pradesh Civil Service (C. C. A.)
Rules - Competent authority to impose penalty on Govern-
ment employee transferred from the jurisdiction of one
officer to that of another - Further clarification.**

- Ref :— 1. Govt. Memo No. 2252/For-I/65-4, Food & Agriculture, dated 18-12-1965.
2. Govt. Memo No. 33/65-2, General Administration (Ser-C) Department
dt. 29-1-65 communicated in Chief Conservator's Ref. No. 7233/65-M5,
dt. 10-2-65.
3. Chief Conservator's Ref, No. 9983/65-M3, dated 30-4-65 addressed to
Government.

The Government Memo cited above is communicated.

The following points may be noted and implemented without fail.

I. Where disciplinary action has been initiated before transfer :-

1. Upto show cause notice stage the enquiry can be conducted but the records and the findings of the Enquiry Officer should be sent to the new disciplinary authority for issue of show cause notice and proceedings.
2. The old Disciplinary authority should in no case issue show cause notice after the Government servant is transferred from his control to that of another authority.
3. Where the Government Servant is transferred after issue of Show Cause notice to a new disciplinary authority, the procedure as given in para 2 of Government Memo. should be followed.

II. Where irregularities are noticed after the Government servant is transferred, it is necessary that Enquiry Officer is appointed by the new Disciplinary authority. The Enquiry Officer so appointed can proceed with the case upto show cause notice stage and send his findings to the new disciplinary authority.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 28426/66 KI.
Dated: 29-1-1966.

Circular No. 4/66

**Sub :— Visits—Visits of officials from States outside Andhra Pradesh—
Payment of T.A. etc , regarding.**

An instance has come to the notice of Chief Conservator of Forests wherein an official of Gujrat State was invited to visit the Nehru Zoological Park some time during March 65 and

he was not paid his T. A. till January '66 for want of specific sanction from the Government. This is really an unsatisfactory situation. The officer all the way came here and gave his opinion left the place and had to wait for months to secure his T. A. This sort of things will naturally create dissatisfaction among the officers who visit this State. In order to avoid this, it is hereby ordered that in future whenever it is proposed to invite an officer from outside the State, firm orders from the Government about his T. A. etc. should be obtained first and then only the officer invited to visit this State.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 8249 R3/66-1.

Dated : 8-2-1966.

Circular No. 5/66.

Sub :—IRRIGATION-Minor Irrigation sources-quick release of forest lands - for Minor Irrigation sources procedure to be followed-revised.

- Ref :
1. This Office No. Circular No. 31/63, dt. 7-9-63.
 2. This Office No. Circular No. 31A/63, dt. 14-4-65.
 3. This Office No. 36420/R3/63, dt. 24-11-65.

Attention of the Divisional Forest Officers and Conservator of Forests is invited to the references cited, in which instructions from time to time were issued to the Divisional Forest Officers to take immediate necessary action for the speedy implementation of Minor Irrigation programme. Yet complaints have been received from the Irrigation Department that Forest Department is not cooperating with them for the speedy implementation of Minor Irrigation works.

The following further instructions are issued to avoid all possible delays. The Minor Irrigation schemes referred to this Department by the Public Works Department or Irrigation Department may be classified at the following stages :

- (1) Investigation Stage.
- (2) Opinion Stage.
- (3) Execution Stage.

(i) **Preliminary investigation stage :—**Whenever Public Works Department officials, request for permission for the preliminary investigation and survey, the Divisional Forest Officers shall issue permission immediately as this does not involve any disreservation of forest areas, except clearance of light jungle to facilitate survey work. They are requested not to insist on the Public Works Department the supply of maps etc. pegmarking of Reserved Forest areas, joint inspection of the areas, in all cases at the time of preliminary investigation stage. The produce obtained by clearing jungle growth should be brought to timber accounts and sold in public auction.

(ii) *Opinion Stage* :—As and when the Public Works Department refers the matter to the Divisional Forest Officers for the opinion or concurrence of the Forest Department for executing the scheme, the Divisional Forest Officers shall issue permission and take necessary action as per this office Circular No. 31A/63, dated 14-4-65, or refer the matter to this Office, provided the proposals of Public Works Department involve submergence of forest plantations, roads, rest houses or location ayacut in Reserved Forest. The following instructions shall be borne in mind:

(1) Pegmarking and survey of the areas (involved in the scheme) need not be insisted upon the Public Works Department.

(2) Before communicating the opinion, the Divisional Forest Officers may obtain maps of the irrigation Department, superimpose reserved forest boundaries on these maps and examine the important points.

(3) Joint inspection of the areas need not be insisted upon.

(4) If portion of the ayacut is located in Reserved Forest and no other point is involved Divisional Forest Officers may give concurrence specifically pointing out that ayacut should not be located in Reserved Forest.

(5) The Public Works Department may also be incidentally informed to give intimation, to facilitate extraction of forest produce, 6 months or 1 year or 2 years more in advance of executing the work and submergence time.

3. *Execution Stage* :—They will please contact the Executive Engineer concerned, who is executing the work, ascertain from him the time by which the Public Works Department are likely to start the work and by which the area will be submerged and if necessary the Divisional Forest Officers will ask for sufficient time, depending upon the quality and extent of tree growth existing in the submergible canal, and bund areas, which is to be exploited. They will insist for the pegmarking and survey of such areas. After these works are completed, the standing growth should be disposed of in public auction, either through the agency of contractors or departmentally depending upon the quality and extent of areas, where tree growth is existing.

It is also observed that some of the Divisional Forest Officers are confusing about the supply of water by the Public Works Department for raising irrigated plantations by the Forest Department. As per this office Circular No. 31A/63, dt. 14-4-65, the Divisional Forest Officers need not insist on the Public Works Department, the condition of designing the channels and supply water to the Forest Department for raising irrigated plantations. The Instructions issued in this office Ref. No. 2445/G4/65, dt. 6-8-65, should be strictly followed, while submitting proposals for raising irrigated plantations. The following further instructions are issued:

1. Wherever irrigation sources are existing within Reserved Forest they will contact the concerned Executive Engineer, obtain the maps of command area, duly superimposing Reserved Forest boundaries, on it, inspect the area, and submit concrete proposals for raising irrigated plantations if the soil conditions are suitable for the same.

2. In case channels are running through a deep cut, the proposals for raising irrigated plantations, through lift irrigation method may please be investigated and proposals submitted.

3. At the time of preliminary investigation, itself by the Public Works Department, the Divisional Forest Officers concerned will please contact the Executive Engineer personally locate the area suitable for raising irrigated plantations and at the same time submit concrete proposals showing the area, species suitable, economics etc, along with a sketch to Chief Conservator of Forests direct with a copy to the Conservator of Forests. The Chief Conservator of Forests will pursue with the Chief Engineer for providing water for irrigation.

The Divisional Forest Officers are once again informed that they need not bother, whether the Public Works Department would supply water to the Forest Department or not. The matter is under correspondence with the Government and orders will be communicated. Concrete schemes may be submitted wherever possible to make out a case to Government.

Receipt of this circular may please be acknowledged in the form enclosed.

Sd/— P. S. RAO,
Chief Conservator of Forests.

Rc. No.8818/66 D-2.

Dated : 10-2-1966.

Circular No. 6/66.

Sub :— Forest leases—allotment of lease units to the Forest Coupe Co-operative Societies in terms of G.O.Ms. No. 1049, F & A, dt. 6-4-1964—submission of proposals—proforma—prescribed.

Of late there has been great rush of applications from the Co-operative Societies for allotment of lease units in terms of G. O. Ms. No. 1049, F & A, dt. 6-4-64. It is observed that many a time the proposals received from the District Forest Officers in this connection are incomplete and did not contain full details, with the result considerable delays are occurring in finalising the cases. This is more on account of over sight. It is also observed that in many cases combined proposals are being received in respect of more than one Society and two or more coupes with the result if there is any hitch in respect of a coupe, the entire proposal is being heldup.

2. All the District Forest Officers and Conservators of Forests are hereby informed that in future all proposals for allotment of lease units should be submitted strictly in accordance with the following instructions:

- (i) The proposals should be submitted in the proforma appended.
- (ii) Separate proposals should be submitted by District Forest Officer in respect of each coupe or other lease unit in the proforma.
- (iii) As soon as the proceedings of the District Committee are received the, District Forest Officer should submit proposals in the proforma in triplicate to the Conservator of Forests along with copies of the proceedings of the District Committee. The Conservator of Forests will fill up the Columns 17 and 22 submit it in duplicate to Chief Conservator of Forests retaining one copy with him.

(iv) If the District Committee's proceedings cover more than one Society and coupe, copies of the proceedings should be taken and enclosed to each proforma proposed.

(v) The District Forest Officers are requested to go through the proforma carefully and furnish categorical replies to all the items without leaving any column blank.

3. The District Forest Officers and Conservators of Forests are requested to submit proposals strictly in accordance with these instructions in respect of all the pending and future cases.

4. The receipt of this Circular should be acknowledged.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Proposals for allotment of timber/fuel/bamboo/minor forest produce lease units to Co-operative Societies in terms of G. O. Ms. No. 1049, F & A, dated 6-4-1964.

N. B.-Separate Proforma has to be submitted in duplicate to Chief Conservator of Forests in respect of each lease unit.

I. GENERAL :

1. Name of Division.
2. Name of the Society to which the lease unit is proposed to be allotted.
3. Date of application of the Society for allotment of the lease unit.
4. Date of receipt of application of the Society by the District Committee/Dy. Registrar/Asst. Director of Industries & Commerce/District Forest Officer.
5. Lease unit applied for by the Society.

II. DISTRICT COMMITTEE RECOMMENDATIONS :

6. Date of consideration by District Committee.
7. Whether District Committee recommended allotment or not.
8. Net solvency of the Society on the date of consideration by the District Committee as given by Dy. Registrar of Co-operative Societies or Asst. Director of Industries & Commerce.
9. Lease unit recommended by the District Committee for allotment.
10. Lease amount recommended by the District Committee.
11. Basis for the above recommendations.

III. RENTAL AS PER FORMULA :

12. Timber coupes (lease period from.....to)

- (i) What is the rate per Cft. for teak, non-teak, fuel etc. for a coupe in the same series in the previous year.

OR

What are the rates for a coupe in the nearest series if a coupe in the same series is not sold.

Let this be A

- (ii) What are the rates fetched in the recent sales ?

Let this be B

- (iii) What is the percentage increase between A & B

Let this be C% increase or decrease

- (iv) What is the rate as per upset price.

Let this be U

- (v) Rate proposed = (R) $R = A + \text{or} - C\%$

13. Bamboo coupes : (Lease period from to)

- (i) What is the rate fetched for same coupe in the last felling cycle ? = A.

- (ii) What is the rental obtained for the coupe in the same series sold in previous year ? = B.

- (iii) What is the rental obtained for 'B' in previous rotation ? = C.

- (iv) What is the percentage increase or decrease between C & B ? = D%

- (v) Proposed Rentals (R) $R = A + \text{or} D\%$.

14. Fuel coupes (lease period from to.....)

- (i) What is the price fetched by the coupe in the same series during the previous year ? = A.

OR

- (ii) What is the average price fetched, for a coupe in the nearest series ? = A.

OR

What is the price fetched for a coupe in the nearest series ? = A.

- (iii) What is the rate fetched during the year before last for the coupe whose previous years prices is A=B.

- (iv) What is the percentage increase between B&A=C%.

- (v) Proposed rental (R). $R = A + C\%$.

Note:—If there is no increase between A&B adopt A or the upset price as the rental.

15. Other Minor Forest Produce : (Lease period fromto.....)

A. Three year leases :

- (i) What is the rental of the unit when sold last ?=A.

- (ii) What is the rental of the same units when sold during the previous rotation ?= B.

(iii) What is the percentage of increase? $\pm C\%$

(iv) Proposed Rental (R). $R = A \pm \text{or} - C\%$

B. One year leases :

(Including beedi leaf leases. Lease period from to...)

(i) What is the rental in the previous year? A

(ii) What is increase or decrease in market trend (to be found by comparing the rates of last year with those of before last year) $= C\%$.

(iii) Proposed Rental (R). $R = A \pm \text{or} - C\%$.

IV. RENTAL RECOMMENDED :

16. What is the rental recommended by District Forest Officer (To be substantiated with full reasons).

17. What is the rental recommended by the Conservator of Forests (To be substantiated with full reasons).

V. REPUTATION OF SOCIETY :

18. Did the Society take any lease in the previous years? and if so was the working of lease units satisfactory?

19. Are there any complaints against the Society? and if so, are they duly enquired into by the Dy. Registrar/Asst. Director of Industries and Commerce as the case may be. If so, with what result whether these facts have been placed before the District Committee at the time of consideration of the application of the Society for the allotment of lease unit?

20. Has the Society given a written undertaking to the effect that the Society is prepared to pay the rental as fixed by Government ultimately.

VI. GENERAL REMARKS :

21. General remarks of the District Forest Officer.

22. General remarks of the Conservator of Forests.

Rc. No. 70176/64-A6

Dated : 5-2-1966.

Circular No. 7/66.—A6.

Sub :— Establishment - Forest Department - transfer of subordinates when charges are pending - instructions - issued.

It has been brought to the notice of Chief Conservator of Forests that some Forest Subordinates are transferred from one Division to another by the Officers even when charges are pending against them.

2. In this connection, the attention of all Officers is invited to the instructions issued in G. M. No 33/65-2, G. A. (S. C.) Department, dated 29-1-65 communicated in C. C. F's No. 7233/65, M5 dated 10-2-1965 according to which, the final orders in disciplinary proceedings should be passed by the Officer, under whose jurisdiction the subordinate is actually serving. Otherwise, the proceedings of the former authority are held to be vitiated for want of jurisdiction. The intention of the order is that generally if a subordinate is transferred from the disciplinary control of one authority to the other, the case has to be forwarded to the latter authority has to again acquaint with the case afresh and consequently there will be delay in the disposal of the disciplinary cases. It is therefore considered desirable that the subordinates against whom charges are pending should not be transferred or proposed for transfer from the jurisdiction of one disciplinary authority to the other authority, under any circumstances.

3. It is therefore hereby ordered that when charges are pending against the subordinates of any class, category or service, in a Division or Circle, they should not be transferred outside the jurisdiction of such disciplinary authority until the charges are disposed of. This order should be kept in view while submitting proposals for transfer of any subordinates either to Conservator of Forests or Chief Conservator of Forests. In future, whenever transfer proposals are submitted involving transfer from jurisdiction of one disciplinary authority to the other it should be specifically reported that no charges are pending against them. In special cases, in which transfers are inevitable on administrative grounds, special justification should be furnished.

4. Detailed Circular instructions as to when the records connected with the charges should be forwarded to the concerned disciplinary authority under whose control the subordinate is actually working have been issued in Chief Conservator of Forests Circular No. 3/66 dated 24-1-1966.

5. The receipt of this Circular should be acknowledged in the enclosed form.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 11442/66-F2

Dated: 20-2-1966

Circular No. 8/66.

Sub :- Wild Life—Cases of Poaching—Submission of reports to Chief Conservator of Forests—Ordered.

At present reports of assaults on forest subordinates or of detection of cases involving lorries are being received in this office. Intimations about the detection of poaching cases are however not being received.

It is considered that information regarding poaching cases should also be collected in Chief Conservator's office as it may be necessary for the State Wild Life Advisory Board. The District Forest Officers are therefore, requested to send reports of all poaching cases to the Chief Conservator of Forests as in the case of assault and lorry cases immediately after detection. All subsequent reports about the case should be sent to the Conservator of Forests

concerned who will further pursue the case until it is disposed off finally. The Conservators of Forests will be responsible for seeing that prompt and sustained action is taken on all such cases till they are finally disposed off. A register of Poaching cases should be opened in the Conservator's office and entries made therein as and when cases are detected and new stages are reached. Action on all the poaching cases should be pursued with alertness.

A final report to the Chief Conservator of Forests in the proforma appended should be sent after closure of each case. These instructions should be given immediate effect and information on all such cases emanating from 1-1-1966 onwards should be furnished.

The receipt of this Circular should be acknowledged.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref No. 11593/66/JI.

Dated: 19-2-1966.

Circular No. 9/66.

Sub :- Réservation of Forest blocks—proposals under section 4 of the Andhra Pradesh (Andhra Area) Forest Act., 1882—Preparation and scrutiny—Instructions—Regarding.

Proposals under section 4 and 14 of the Andhra Pradesh (Andhra Area) Forest Act, 1882 are being submitted by the Conservators of Forests to the Chief Conservator of Forests for submission to Government. Several of these proposals are inherently defective resulting in their being returned for resubmission after rectification and lengthy correspondence. It is felt that if a proper check is exercised by the Conservator of Forests and District Forest Officer much correspondence and time can be saved,

2. A check list of defects very commonly noticed in the proposals is enclosed. It may be noticed that these could be remedied even at the initial stage by the District Forest Officers and whatever is left over may be rectified by Conservator of Forests. This District Forest Officers and Conservators of Forests are requested to ensure that these are invariably attended to before the proposals leave their offices.

3. Whenever any proposal under section 4 is submitted the Conservator of Forests is requested to attach a copy of the Check list (now enclosed) with endorsement in Column No 3. The questionnaire is so framed as to indicate the proper action and the endorsements in column No. 3 shall be either "Yes" or "does not arise" and cannot be anything else,

4. The District Forest Officers and Conservators of Forest are requested to acknowledge receipt of this Circular by return of post by detaching the form below and submitting to the Chief Conservator of Forests after fitting up the same.

Sd/- Mazharuddin Ahmed,
For Chief Conservator of Forests.

CHECK LIST

ON RESERVATION PROPOSALS

Sl. No.	Point of verification	Endorsement of compliance (i.e. YES/DOES NOT ARISE)
1	2	3
	1. Whether starting point is correctly fixed with reference to a permanent landmark ? (in the absence of a permanent landmark a masonry pillar is to be erected at the starting point and its situation clearly indicated in sketch and notification).	
	2. Whether the main boundary line of the block is shown in <i>Standard notations</i> ? (i.e. continuous black line with red Ribbon).	
	3. Whether the survey numbers adjoining the boundaries are shown in sketches ?	
	4. Whenever enclosures are proposed within the block, whether suitable approach tracks or paths are proposed for admission as rights of way and included in the "Remarks" item after the draft notification ?	
	5. Whether the enclosures : are (i) surveyed, (ii) The lines drawn to the main boundary of the block and (iii) details of survey given in the draft notification.	
	6. Whether the area of the proposed block is shown in the sketch and notification exclusive of area (s) of enclosures etc. ?	
	7. Whether enclosures are proposed within the block, whether the area shown in the sketches and indicated in the draft notification tally ?	
	8. (a) Whether Railway lines and its margins (being the Railway property) occur in the proposed block, whether this area is excluded from reservation ? (to be done), (b) Whether stations of the block are fixed on the junction points of the block boundaries and the Railway lands ? (to be done).	
	9. Whether the preamble, the schedule and the "Remarks" are prepared on correct lines ? (the notification under Sec. 4 published in part I of A. P. Gazette on or after 16-12-65 be pursued for guidance).	

1	2	3
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10. Whether the details shown in the notification such as magnetic bearings, distances, station Nos. etc. tally with details of the sketch ?
11. Whenever the starting point is fixed to a permanent landmark by a tie-line, whether the survey details are shown in the notification ?
12. Whether proposed rights of way are properly described with reference to: (i) points of entry, (ii) the approximate direction of the course (iii) the length within the block and (iv) the points of exit etc., in terms of bearings and distance ?
13. Whether the brief history of the block details : (i) previous ownership (ii) present legal status (iii) the date of publication in the Dt. Gazette under section 26 and (iv) the area then notified ?
14. Whether all the columns in the Ayacut statement correctly tally with reference to each other and total area of the village etc. ?
15. Whether all the villages shown in the Ayacut statement and statement of villages are shown in the sketches ?
16. Whether the particulars furnished in Ayacut statement and statement of villages are tallied correctly in respect of common data ?
17. Where lands are to be acquired, whether a statement "list of lands to be acquired" with details of : (i) Village (S.Nos.) (iii) Area (iv) Name of the owner and (v) Approximate cost of acquisition is enclosed ?
18. Whether a copy of Collector's forwarding letter agreeing for the reservation of the block is enclosed ?
19. Whether the draft notification, maps etc. submitted to Chief Conservator of Forests are in triplicate ?
20. Whether copies of original field books are recorded in District Forest Officers and Conservators of Forest Offices?

Asst. Conservator of Forests,
Reservation, Hyderabad.

Circular No. 10/66.

Sub :— LEASES—Security Deposits—regarding.

Various Government orders are given on the subject of Security Deposits collected from Lessees and powers of District Forest Officers to operate on them. The following are the Government Orders issued in this context.

- (a) Para 4 (iv) of G.O. Ms. No. 2488 Agrl. dt. 8-12-1961.
- (b) Para 4 (i) G.O. Ms. No. 2191 F & A dt. 17-10-1963.
- (c) G.O. Ms. No. 428 F & A dt. 2-3-1965.
- (d) Para 10 of G.O. Ms. No. 2879 F & A dt. 4-12-1965.

After taking all the Government orders cited above into consideration the following instructions are given for strict compliance by all Conservators of Forest and District Forest Officers.

(i) For violation of any agreement Clause the District Forest Officer can levy penalties on contractors, invoking penal condition, which if not paid can be adjusted from Security Deposit. After adjusting such sums the contractor is bound to replenish the amounts so recovered so that the Security Deposit is in full amount as originally announced at the time to sale. A condition to that effect should be incorporated in sale notice and agreement.

(ii) The Security Deposit should be returned to contractor after the completion of the original lease period or the extended lease period after deducting amounts due to Government within 6 months of expiry of the lease period or extended lease period.

(iii) When the contract is terminated by an order of District Forest Officer due to breach of conditions of agreement, the Security Deposit should be forfeited to Government. Such provision to forfeit should invariably be made in the agreements. But even after forfeiture, the Security Deposit should be taken into consideration while recovering the loss and damage caused to Government by reason of breach from the contractor. (G.O. Ms. No. 2879, F & A dt. 4-12-1965). Thus if any sums are due from the lessee shall be set off against the Security Deposit and only balance amounts if any shall be shown as arrear demand. If a portion of forfeited Security Deposit is still left as balance after adjustment towards the sums due, such portion is not refundable.

(iv) Whenever a cancelled contract is revoked, Security Deposit forfeited at the time of cancellation shall stand revoked automatically unless the authority competent stipulates in the revocation orders that contractor shall pay Security Deposit afresh. Mo. 3152/For III/65-4, dt. 6-10-1965).

(v) All instructions given so far on the subject of Security Deposit are superseded by these instructions so far as the contents of these instructions relate to.

(vi) All pending cases of arrear demands should be examined in the light of these instructions and revised arrear demands must be arrived at and communicated to the parties and Revenue authorities for recovery.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 47058/64-A6.

Dated : 14-3-1966.

Circular No. 11/66.

Sub : Establishment — Forest Department — Ousted employees coming through Employment Exchange—for appointment and age concession—regarding.

(1) Govt. Memo No. 4167-For-65-6 dt. 5-3-1966 is communicated. This Government Memo is important in that it states, that appointment of ousted persons without their coming through Employment Exchange provided they satisfy all qualifications including age at the time of every fresh appointment can be done.

(2) Copy of Govt. Memo No. 4167, For. 11-65-6, dt. 5-3-66.

Sub :— Establishment - Forest Department - retrenched employees coming through exchange again for appointment and age concession - Regarding.

Ref :— From the Chief Conservator of Forests, Lr. No. 47058-64 A6, dated 20-8-65.

With reference to his letter cited, the Chief Conservator of Forests is informed that the orders issued in G. O. Ms. No. 600 Home dated 7-4-64 have been subsequently revised in G. O. Ms. No. 931, Home (Lab. II) Dept. dated 4-5-65 according which vacancies have to be notified to the concerned employment exchanges as required under E. E. (C. N. V.) Act 1959. After notifying, the employers have to follow the procedure laid down in para 2 of the G. O. Ms. No. 931 Home Department dated 4-5-65. According to section 3 (2) (a) of the aforesaid act, vacancies which are proposed to be filled by absorption of surplus staff of any department need not be notified to employment exchanges. Therefore the question of applying instructions issued in aforesaid G. O. does not arise. As such, the employees viz. Foresters and Forest Guards ousted for want of vacancies can be re-appointed even if they do not come through employment exchanges under Section 3 (2) (a) of the E.E (C.N.V.) Act 1959.

2. He is also informed that a candidate appointed on temporary basis should satisfy all the qualifications required for the post including age limit at the time of every fresh appointment. The Government Memo. No. 1794-Lab. I/65-3, dated 5-7-65 relates to re-employment

of retrenched employees in Government Industrial undertakings and not to re-employment of Government servants appointed on temporary basis.

3. The instructions contained in the above Government Memo. should be followed strictly.
4. The receipt of this circular may be acknowledged in the form enclosed.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 4362/63 D-2

Dated : 17-3-1966.

Circular No. 12/66.

Sub :— FOREST LEASE - grant of coupes to Forest Coupes Cooperative Societies - Proposing of rentals by the District Forest - Officers for consideration of District Committee - Instructions - Issued.

Through G. O. Ms. No. 1049, F & A dt. 6-4-64, the Government while continuing the concessions relating to grant of coupes to Co-operative Societies have laid down the basis on which the rentals are to be calculated. Strict application of this basis has resulted, in several cases, in abnormal rentals, which do not seem to have any relation whatsoever to the potential value of the lease unit. It was after found necessary to revise these rentals deviating from the basis indicated in the G. O. on justifiable grounds. In almost all such cases the deviation from the formula rentals was taken up long after the proceedings - of the District Committee and at the instance of Chief Conservator of Forests.

It is felt that justifiable rentals are better calculated and indicated even at the time of District Committee meeting itself. Thus rental once suggested can be adhered to on justifiable grounds and it will also have sanctity if it figures in the District Committee deliberations, whether approved or not by a majority decision.

Hence, all the District Forest Officers are hereby instructed to consult the Conservators of Forests much in advance, obtain their approval of the rentals to be proposed for Society coupes, and then place such approved rentals with full justification before the District Committee for consideration. Whatever may be the ultimate majority decision of the District Committee, the District Forest Officer should invariably record his viewpoint regarding rental in the District Committee proceedings.

The receipt of this Circular should be acknowledged in the enclosed form.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Circular No. 13/66.

Sub :— Appointment of Tribunal candidates—without the Agency of Employment Exchange—Regarding.

Government in their G. O. Ms. No. 1092 G/56-5, dated 29-3-57; instructed that the appointing authority may appoint directly without insisting on registration at the Employment Exchanges; suitable agency people forth-coming for appointment. In the same G.M. the appointing authorities are also informed that preference should be shown to Agency people in the matter of appointments to post in Agency area. Rules regarding qualifications should however be strictly adhered to.

Once again in G. M. No. 2091/KK1/61-2, Education, dated 14-9-61, the Government ordered that actual vacancies arising should be notified to the Employment Exchanges but the Agency people who have not registered themselves with the Employment Exchanges can also be appointed along with the candidates directed by the Employment Exchanges.

In the G. O. Ms. No. 2135, For II/63, dated 17-10-1963 it was stated that when suitable candidates become available from the tribals, they should be preferred for appointment as Forest Watchers and Forest Guards over others.

In view of the various orders already in existence as quoted above the appointing authorities in Forest Department are instructed to strictly follow the Government orders cited above by giving preference to suitable tribal candidates and also by appointing them even if they do not come through the Agency of Employment Exchange.

Sd/— P. S. RAO,
Chief Conservator of Forests.

Circular No. 14/66.

**Sub :— Electricity Consumption—Restriction in use of electricity—
instructions—issued.**

The quota of electrical energy fixed by the A. P. State Electricity Board is only 383 units per month from 1-1-66 for each of the three meters of CC's office building it is seen from the Electricity bills sent by the Electricity Dept., that during December, 1965 and January 1966/2512 units of Electricity was consumed as against the permissible 1149 units.

With a view to observe economy and to restrict the consumption of the energy, it has been decided to disconnect all the fans forthwith.

All the officers are requested to switch off the lights as and when they go out of their seats and to see the unnecessary bulbs are removed. The other officers situated in the building are also requested to observe strict economy in the consumption of Electricity, as stated above and also to issue suitable instructions to their staff.

Sd/-
Chief Conservator of Forests.

Rc. No. 18466/66-DI
Dated : 17-3-1966.

Circular No. 15/66.

Sub :— Forest Leases—Obtaining of Solvency Certificates in respect of leases with more than one year as lease period.

Clarification issued in G. M. No. 4005, For III/65-5, Dated 2-2-1966 is enclosed. In view of the Clarifications, the District Forest Officers are requested to note as follows:-

1. The value of Solvency Certificate should be 1/3rd of the lease amount of the contract and not 1/3rd of per year bid amount.
2. Solvency Certificate accepted for the contract need not be got renewed or fresh Solvency Certificate insisted every year in contracts having lease period of more than one year.

Receipt of this Circular should be acknowledged in the enclosed form.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Rc. No. 53201/62 D-4.
Dated : 14-2-1966.

Circular No. 16/66.

Sub :— Forests—Forest Produce involved in Suits pending in Courts—disposal of—Instructions—issued.

Ref :— D. O. Lr. No. 12400/65 G1

Dated 26-2-1965.

In the D. O. cited (copy enclosed) attention of all District Forest Officers and Conservators of Forests in the Telangana region was drawn to a typical case wherein felled produce which was seized in patta case was allowed to deteriorate without being auctioned at the appropriate time pending a final decision on the patta case. Similar instances of undisposed seizures involved in cases pending in Courts have been surfaced recently. All the District Forest Officers and Conservators of Forests are informed that wherever there are such seizures responsibility devolves on the Department for proper accounting of the seizures sooner or later. Since most of the seizures are of perishable nature the difficulty of accounting them increases

with the passage of time. Where disposal of seizures in normal course is not possible due to litigations either in Courts of Law or higher Offices, the safe course would be to obtain the permission of competent authority, be it a Court of Law or higher office to convert the seizures into cash by sale and to keep the sale proceeds in deposit pending disposal of the case in favour of one or the other.

2. Hence, all the District Forest Officers are advised ONCE AGAIN to review all cases of undisposed seizures and to take action for their disposal in the light of suggestions made above. Failure to do so will render the Officers concerned responsible for the discrepancies. This may be noted.

The receipt of this Circular should be acknowledged in the form enclosed.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Copy of D. O. Lr. 12400/65 GI, dated 26-2-1965 addressed to all Divisional Forest Officers in Telangana region.

My dear.....

Recently there was a patta case in Warangal Circle, details of which are given below :-

Permits were issued by one Divisional Forest Officer for the felled material in the patta since 1954. Suddenly in 1962 for some reasons or the other, permits were withdrawn and produce in the patta was seized. Having seized the produce a decision should have been taken either to confiscate it, sell it and credit the revenue to Government or sell it and keep it in Amanat pending decision on the genuineness of the patta or the material should have been released on taking adequate security from the Party. But no such thing was done till 1965. The Party is now claiming damages for the produce damaged. The matter is being examined.

In order to avoid such complications, if there are any cases in your Division where produce has been seized, whether it be in patta cases or offence cases or Forest leases, you should make an all out effort to see that some decision or the other is given and the cases completed by the 21 st March, 1965.

It is not proposed to remind you on this issue. If you fail to do it even after 31 st March, 1965, in spite of this advice, you will be doing so at your own risk and loss and you may have to face the consequences.

The receipt of this D. O. may please be acknowledged.

Yours sincerely,
Sd/- P. S. RAO.

Rc. No. 53201/62 D-4.

Dated: 5-4-1966.

**Sub :— Forests—Forest Produce involved in Suits pending in Courts—
disposal of—instructions issued.**

The Circular issued in Chief Conservator's Rc. No. 53201/62 D-4 dated. 14-2-1966 on the above subject should be read as Circular No. 16/66, dated 14-2-1966.

Sd/- A. V. Ramakrishna Rao,
for Chief Conservator of Forests.

Ref. No. 19922/66 A-3.

Dated: 24-3-1966.

Circular No. 17/66.

It is hereby ordered that whenever reports or remarks are called for from sub-offices, and copies of letters are marked to Divisional Forest Officers, the D.F.Os. while sending replies through proper channel should send one copy of the report called for direct to the Chief Conservator of Forests.

The receipt of this circular may be acknowledged.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Rc. No. 20162/60 C-3.

Dated: 19-3-1966.

Circular No. 18/66.

**Sub :— Plan Schemes—Modification of and co-ordination with budget -
Instructions - Issued.**

The physical and financial targets for plan schemes are generally finalised after detailed discussions with Conservators of Forests, who in turn would have discussed with District Forest Officers. It is their responsibility to see that the targets as approved by the Government while sanctioning the schemes are achieved in full. The schemes may undergo minor modifications in course of execution but the targets cannot be altered. The scope for reappropriation of funds within the plan schemes is very limited in view of the different patterns of assistance the schemes received from Central Government. The chances of getting additional amounts over and above the plan ceiling are remote.

The schemes take considerable time for processing unless a strong case is made out, revisions including additional staff, will not be sanctioned by Government. Revisions including changes in purchase of types of machinery etc. result in delaying the progress of the

scheme, and it may so happen that the amounts have to be surrendered for want of sufficient time to obtain the machinery.

In spite of all the above known facts the Conservator of Forests are submitting revised proposals at various times in the year, asking for additional staff or additional funds. The proposals do not contain detailed justification and also they are not made with reference to a sanctioned scheme but in a general way. Different items such as advance action and current schemes are clubbed in one proposal. In some cases the reasons for modifications is given as "as desired by District Forest Officer or as decided by District Forest Officer". Such proposals cannot be entertained.

The Conservators of Forests are responsible for achieving the physical and financial targets fixed for the circle as a whole. Within that frame work what little modifications are possible and necessary in the interest of the work may be done under intimation to the Chief Conservator of Forests. Employment of additional staff without sanction is out of question. Any alteration of physical and financial target, any new item of work or purchase not covered in the sanction scheme would constitute a major deviation and requires prior approval of Chief Conservator of Forests or the Government as the case may be. It is a matter of simple financial propriety that no work which is not covered by provision in a sanctioned scheme can be taken up which irrevocably commits the Department to expenditure over and above the ceiling of funds allotted. It will not be possible for the Chief Conservator of Forests to provide funds in the middle of the year for new works which have not received specific clearance.

The Second point is regarding the coordination between budget and plan schemes. Plan expenditure is watched every month and every quarter scheme wise. The expenditure in various schemes is exhibited under different heads in the budget. After inclusion in budget estimates, the figures can be revised only once in course of the year at the time of revised estimates. Some schemes contain schemes that are operated exclusively in a region and some are spread over within Andhra, Telangana and again in ordinary and schedule areas. While the progress scheme wise is generally satisfactory when the figures under various budget heads are compared at the end of the year the variations are fantastic. It has become impossible to explain these variations to the Accountant General and Public Accounts Committee.

The reasons for such variations are due to :

- (i) Non-reconciliation of accounts with Accountant General.
- (ii) Incorrect exhibition of expenditure under different heads and wrong charging.

To remedy the situation the reconciliation of accounts with Accountant General must be done regularly. Instructions have already been issued on the subject.

Regarding the second point it is necessary to divide the expenditure at the same time as the scheme itself is formulated under different budget heads. There are circles covering Andhra and Telangana Regions, and divisions and even ranges covering both ordinary and scheduled areas. In course of implementation of a scheme it may be necessary to change the location work, or staff from ordinary areas to schedule area or vice versa and consequently the expenditure may have to be exhibited under a different head than originally proposed and approved in the budget.

These variations are indicated in Revised Estimates proposals of Conservators of Forests. It is within Chief Conservator of Forests powers to order reappropriation from one head to another to meet the situation. But this is not usually done in October itself but in January, because often there were further variations at that time. Reappropriating too many times is not correct and will be adversely commented upon by Government, Accountant General and Public Accounts Committee, worse still if there is a surrender or lapse under a head to which additional funds were reappropriated. These points will have to be borne in mind while formulating schemes and proposing alterations. For purpose of carrying out the work, i.e., achieving physical and financial targets, and progress reports prescribed under plan, the sanctioned scheme is the authority. But for purpose of actual control of expenditure and exhibition in accounts the amounts indicated in budget distribution are the authority, which can be modified only once in a year to suit the changes the plan scheme undergoes. At the initial stage of formulation of the scheme itself it is necessary to break up the proposed expenditure correctly under different budget heads. At least once in a quarter, latter on the figures in plan progress report must be made to tally with the expenditure figures exhibited in accounts and reconciled with Accountant General. Otherwise at the end of the year there are large variations between Accountant General's figures and departmental figures and there is no way of explaining the difference.

The plan scheme gets assistance from Central Government and this will have to be claimed on the basis of audited actuals by Accountant General. Therefore once in a quarter the expenditure figures duly reconciled with Accountant General under each budget head may be compared with the figures furnished in plan progress report and a revised progress report may be submitted once in a quarter (i. e. ending June, September, December, March) explaining the variations. The revised report should be submitted within two months after ending of the quarter by which time the expenditure would have been reconciled with Accountant General.

A few instances are quoted which indicate the gravity of the situation that promoted issue of this circular which repeats merely well known points.

Pages 332 of Appropriation accounts 1962-63.

70. Forests b. Conservancy and Works.

(iv) Schemes included in 3rd Five Year Plan.

Original grant	... 22,37,000	A
Reappropriation	(—) 7,45,800	
(Surrender)	_____	
Total Grant :	14,91,200	
Actual Expenditure	14,38,793	
(A. G's figures)	_____	
Lapse	(—) 52,407	B

Reappropriation by way of surrender at 'A' is most undesirable and for the lapse of funds pointed at 'B' therein no excuse.

Page 330 of Appropriation accounts 1962-63.

70. Forests b. Conservancy & Works.

D. communication and buildings.

Original grant	...	46,400	
Reappropriation	...	6,000	
(Additional)			
	Total Grant :	52,000	
Actual expenditure :		37,247	(Departmental figures 39,239)
(A. G's figures)			
	Lapse :	15,153	

Here is a typical example where additional amounts were asked for and obtained and in the end not even the original grant was fully spent. How can this be explained ? Further the departmental figure also does not tally with Accountant General's. The responsibility lies with the department no matter where the mis-classification occurred because the department did not reconcile the figures with Accountant General. The examples given in the statement enclosed are chosen at random which illustrate typical mistakes committed. These could have been avoided if greater care is exercised in classifying the vouchers.

The receipt of this circular may kindly be acknowledged in the form enclosed.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Name of the Divn./ Circle	Head of account booked by Dept.	Month Year	A. G's actuals	Departmental figures	Difference	Correct head of account to be booked	REMARKS
1	2	3	4	5	6	7	8
Badrachalam Divn.	70 Forests C. Establishment	4/65	350	350	...	70 c. Establishment II. Scheduled Areas (Non Plan) Other contingencies.	The amount of Rs. 350 has to be added in the A.G's account under the head shown in column 7.
Kothagudem Circle.	II. Scheduled Areas Non Plan Service Postage.						
do	70 C. Establishment II. Scheduled Areas Plan A. Reorganisation.						
	D. A.	...	233	233	...	70. C. Establishment II Scheduled Areas (Plan A. Reorganisation Allowances.	
	F. T. A.	...	59.07	59.07	...	-do-	
	O. C. A.	...	4.00	4.50	(-)4.00	do--	
	H. R. A.	...	0.50	...	(-)0.50	-do-	4 have to be deducted in A. G's figure and to be adjusted under the head shown under column 7. (-) 50 np. has to be deducted in A. G's figures & to be adjusted under allowanes.
D. F. O. Kakinada Guntur Circle.	70. Forests Plan. B. Conservancy and works IV. Schemes included in IIIrd Five Year Plan I. Ordinary Areas other scheme for raising quick growing species.	5/65	...	3,565.25	(-)300	70. Forests b. Out of amount of Conservancy and works IV. shown under head Schemes included in the IIIrd Five Year Plan amount of Rs. 300/- has to be booked under the head mentioned in column 7.	
Atmakur Kurnool Circle.	B. Conservancy and Works. B1. B. Timber.	6/65	257.22	357.22	(+)100.00	Departmental figure wrong	

1	2	3	4	5	6	7	8
Srikakulam Visakhapatnam Circle.	70. Forests b. Conservancy and Works IV Schemes included in 3rd Five Year Plan I. Ordinary Area L. Scheme for soil conservation Matchkund Basin.	6/65	...	2552.00	...	70. Forests b. Conservancy & Works IV Schemes included in the IIIrd Five Year Plan I. Ordinary Areas M Schemes for raising growing species.	A. M. proposed.
Coffee Divn. Visakhapatnam Circle.	-do- J. Afforestation Dry and eroded land I. ordinary Areas.	5/65	...	37192.59	...	-do- G. Afforestation Dry and eroded lands II. Scheduled Areas.	
-do-	-do-	6/65	...	23884.30	...	-do-	
Nellore South Guntur Circle.	...	5/65	5780.88	...	(-)5780.88	LI. Forests E. Miscellaneous Fines & forfeiture.	An amount of Rs. 5780.80 was committed in the Departmental accounts & has to be credited under the head mentioned in col. 7.
Mahboobabad Division, Warangal Circle.	Shown under Forest Advances in F. A. VIII.	9/65	521.05	521.05	(+)135	70. c. Establishment I. Ordinary Areas General (Non-Plan) 3. Allowances.	The D. F. O. Mahboobabad has included Rs. 135/- under T. A. Forest Advances instead of under the head mentioned in col. 7. Hence an amount of Rs. 135/- has to be withdrawn from forest advances and included in 3. Allowances.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 16952/66-A2.

Dated : 29—3—1966.

Circular No. 19/66.

Communicated for information and necessary action. They are requested to acknowledge the receipt of the circular urgently.

Sd/- Y. Sudhakara Rao,
for Chief Conservator Forests.

To

All Officers of Distribution List A.

G. A. (S. C.) Dept , Memo No. 3344/Ser-C/65-3 dated 2-3-1966.

Sub:—Public Service — Appeals against penalties and petitions for promotion opportunity to represent the case personally to the higher authorities—instructions—issued.

Ref : Memo No. 4488/57-4

G. A. (Ser. C) dated 19-2-1958.

In the memo cited orders were issued that Government servants should obtain prior permission of their heads of Departments or Secretary to Government, concerned in respect of the Secretariat staff to seek interviews with the Ministers and if the permission is wrongly refused, the Minister will have the power to over-rule the decision of the Head of the Department, or the Secretary to Government after seeing why the concerned authority refused permission. It was also clarified therein that these instructions apply mutatis mutandis to Government servants intending to see officers higher than those to whom they are directly subordinate for representing their grievances and the higher officers in these cases also will have the power to over rule the decision of the officers who refused the permission, if they are satisfied that the refusal that was not justified".

The matter was re-examined by Government. In so far as statutory appeals etc., are concerned the appellants are generally ganted interviews .by the appeallate authorities, but in respect of other matters generally the superior officers are not granting interviews to their subordinates. Government direct that if a sub-ordinate officer makes a written request to his superior officer for an interview of a personal hearing in regard to his appeal against penalties or petition for promotion, it should be granted within a maximum period of fifteen days. Should, however, such an interview be refused, or a suitable reply is not sent within the said period the officer concerned should have the right of direct access to the next higher authority.

The Heads of Departments etc. are requested to bring these instructions to the notice of all their subordinate officers and staff. The receipt of this memorandum should be acknowledged immediately.

Sd/- Anantharaman,
Chef Secretary to Government.

Circular No. 20/66.

Sub :— Pension cases - Certain defects pointed out in submission of pension papers—Instructions—issued.

The Conservators of Forests and Dist. Forest Officers are informed that the following defects are noticed in the pension cases submitted by the sub-officers for Chief Conservator's sanction :-

- (1) Pension cases are submitted direct to Chief Conservator of Forests instead of through the Conservators of Forests concerned.
- (2) As per the orders of Government in Memo. No. 3218/For. II/65-1, dated 17-7-65 pension cases should be submitted two years in advance for verification by the Accountant General but these orders are not followed and the cases are submitted sometime after the date of retirement.
- (3) All columns of the pension application form are not filled in properly and attested by the sub-officers. Especially the remarks of the 'receiving authority' on the third page of the application for pension (items (1) to (5) are not filled in and attested by the receiving authority viz. the Dist. Forest Officer or the Conservator of Forests.
- (4) Issues like pay fixation, arrears claims etc.. are kept pending till the date of retirement with the result that the pension has to be admitted and sanctioned on the information available and it has to be revised again.
- (5) Full details of recoveries are not furnished in the L.P.Cs.
- (6) In respect of family pension cases, Legal heir certificates granted by the Revenue authorities are not furnished.
- (7) Personal files of the retired persons are not submitted.
- (8) The Accountant General has reported that while sending the pension cases to him the subordinate officers are sending only the application of pension or gratuity and the S. B. Neither average pay statement for the period of last 3 years nor the proposed pension, gratuity shown in Col. 11 & 12 of the 1st page of pension application.

In view of the above, the following instructions are issued for guidance and observance by the sub-officers:

- (1) All pension cases for sanction of C. C. F. should be submitted two years in advance thro' the C. Fs. for submission to A. G. for preliminary verification. The Conservators of Forests should maintain a list of such cases, watch them and submit the cases in time to Chief Conservator of Forests.

- (2) The C. Fs. should ensure that all columns of the application for pension are filled in properly and that especially the remarks of the receiving authority on the third page are furnished and attested by him. They are also requested to furnish the cases with all the required enclosures.
- (3) The C. Fs. should ensure that all issues like pay fixation, arrear claims etc., are settled well in advance of the date of retirement and no issue is kept pending on the date of retirement, so that there is hindrance for sanctioning the pension.
- (4) It should be ensured that full details of recoveries are furnished with the L. P. Cs.
- (5) In respect of family pension cases, legal heir certificates and guardianship certificates granted by the Revenue authorities should be furnished.
- (6) Personal files written up to the date of retirement or the death should be furnished invariably along with the pension cases.
- (7) While sending the pension papers to the A.G. the statements of average emoluments for the last 3 years should also be sent along with the pension application and other pension papers. The pension and gratuity admissible should also be worked out and indicated in Col. 11 & 12 of the 1st page of pension application as required by the Accountant General.

The special attention of the Conservators of Forests is invited to the important fact that in many cases information against Col. 19 of the application for pension viz., "charges, if any, pending against the applicant" is not furnished at all. The column is left blank. Nor any information is furnished either by the D. F. Os. or C.Fs. in their covering letters regarding charges pending against the ret'd. person with the result that C.C.F. has to address them again at the last moment for the information. Hence the sanction of pension is delayed. Full pension cannot be sanctioned, if charges are pending against the ret'd. persons and it is the duty of the C. Fs. and D. F. Os. to furnish correct information before the pension cases are submitted to Chief Conservator of Forests for sanction. It is observed in many cases that the Dist. Forest Officers and Conservators of Forests are not reporting about pending charges, until they are addressed by the C. C. F. to state specially whether there are any charges or recoveries pending against them. It is also seen that when once verification report is issued by Accountant General admitting pension and DCRG, sanction of pension is delayed for want of reports regarding pending charges from the C. Fs. or D. F. Os. In some cases cross refs. are also made stating that other D. F. Os. of the Division where the ret'd. persons have worked were addressed regarding charges and that their reports are awaited. In view of this, the pension cases are unnecessarily delayed and the retired persons are put to hardship. Unless the charges are pending with the C. C. F., or Government, it is the look out of the Conservators of Forests and Dist. Forest Officers to ascertain well in advance from other concerned officers of the Divisions in which the ret'd. persons have worked previously regarding charges, if any, pending against the ret'd. persons and intimate to the C. C. F. while sending the pension cases to C.C.F. for sanction. They should also take steps to see that the charges are finalised before the date of retirement by pursuing with the concerned officers. Before sending the pension papers they should see that Col. 19 of the application for pension is filled in with the details, if charges are pending. If no charges are pending they should specifically mention that there are no charges

or recoveries pending. In their covering letters also, the C.Fs. are requested to mention specifically about the charges with details and also make specific recommendation whether full pension should be sanctioned or whether any anticipatory pension to be sanctioned or if any reduction in pension is recommended. In this connection their attention is also invited to the instruction 10 contained in G. O. I. Lr. No. GOI. Ministry of Fin. F. 7 (6) E. V/58 dt 9-3-59 (printed at P. 51-55 of A.P.L.P. Rules booklet) regarding recovery of Govt. dues and they are requested to make suitable recommendation as mentioned therein, if any recoveries are pending and if it would take time to assess the same. The C. Fs. are requested to scrutinize the pension cases received from the D. F Os in view of the above instructions before forwarding them to C. C. F. with their recommendations. For this purpose, the C.Fs are advised to take with them on tours all pending pension, gratuity etc., cases and see that the information required is obtained in Camp itself. They are also requested to follow strictly the above instructions while sending the pension cases in future for C. C's sanction.

The receipt of this reference should be acknowledged in the form attached.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 23384/66 B 4.

Dated : 27-5-1966.

Circular No. 21/66.

Sub :— Arrear claims—Forest Dept—instructions regarding preservation of the vouchers and other relevant records.

Ref :—A.G's. No. DF. II/II/64-65/171 dated 5-8-64.

As per G. O. Ms. No. 540, Finance, dt. 1-7-60. arrear claims have to be referred to Government with full details of reasons of delay in the proforma prescribed along with verification certificate issued by Accountant General. In some cases verification reports could not be issued by Accountant General as records in A.G's office are preserved for a limited period. In his letter cited (copy enclosed), the A.G. has stated that it would not be possible for his office to watch the receipt of a bill once returned and consequently the records are destroyed in the normal course. He has therefore suggested that in future if any case of arrear claims is pending, the officer concerned should request the A.G. specifically to preserve the vouchers and other relevant records till the arrear claim is finally settled. The officers are therefore requested to note the suggestion of the A.G. and follow it strictly while dealing with arrear claims so as to enable the Accountant General to furnish verification certificates for arrear claims.

The receipt of the circular should be acknowledged in the form appended

Sd/- M. AHMAD,
For Chief Conservator of Forests.

Copy of letter No. DF 11/11/64-65/171 dated 5th August 1964.

Sub :— Arrear claims—Leave salary claim of Sri D. Ratnam, Forester—Sanction of.

Ref :—Govt. Lr. No. 770/For. II/64-1, dated 10-3-64.

with ref. to the Govt's Lr. cited on the subject mentioned, I am to state that according to the rules of this office, the records are preserved only for a limited period. It would not be possible for this office to watch the receipt of a bill once returned and consequently the records are destroyed in the normal course. It is however, suggested that in future, if any case of arrear claim is pending, the department concerned may be required to specifically request this office to preserve the vouchers and other relevant records.

Yours faithfully,
Sd/- Asst. Accounts Officer,
A. G., A. P., Hyd.

Ref. No. 58275/65/22.

Dated : 13-4-1966.

Circular No. 22/66.

Sub :— Criminal justice—Appeal against acquittal—preferring an appeal—regarding.

In a Forest Offence case of illicit transport of Sandalwood the Judicial Second Class Magistrate pronounced the judgement on 23-4-65 and acquitted of the accused. The Divisional Forest Officer has submitted proposals on 16-7-65 to the Conservator of Forests for preferring an appeal in the High Court. The Conservator of Forests had delayed the matter in correspondence and submitted his report on 16-8-65.

Government have rejected the proposal for preferring an appeal against the acquittal of the accused on the opinion of the public prosecutor that the appeal time has already been over and no action is necessary at the belated stage. The appeal time was over by 28-7-65 whereas the Conservator of Forests proposal was received in Chief Conservator's Office on 27-8-65.

The limitation for filing appeal against acquittal and for filing revision petition against the order of lower Court is 90 days (Ninty) from the date of pronouncement of the judgement in the lower Court or lower appellate Court. The time taken by the Court in delivering a copy of judgement will not, however, be counted towards this appeal period.

The Divisional Forest Officers and Conservator of Forests are therefore requested to carefully watch appeal period and see action is taken to consult public Prosecutor (High Court) and prefer appeal, where found feasible within time. Lapses on this account will be taken serious notice of as they affect Government interests very adversely.

The receipt of this reference should be acknowledged in the form enclosed.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Rc. No. 85082/65 D-1.
Dated : 15-4-1966.

Circular No. 23/66.

Sub :— ACTS & RULES - Andhra Pradesh (Telangana Area) Forest Act section 82 - scope - explained - recovery of damages instructions - issued.

Copies of G. O. Ms. No. 2879 F & A dated. 4-12-1965 and G. M. No. 3878 For III/65-3 dated 26-11-1965 are enclosed. They clarify in great detail all the doubts relating to :

- (i) Termination of contracts ;
- (ii) Forfeiture of security deposits ;
- (iii) Adjustment of Security deposits towards dues ;
- (iv) Resale of fuel, timber, bamboo coupes and Minor Forest Produce etc., and
- (v) Assessment of arrears in case of terminated contracts.

2. These G. Os while clarifying the liability of defaulting contracts also indicate the responsibilities of Government and as such it is necessary to follow the instructions obtained in these references scrupulously.

3. In view of the observations made against para 10 of G. O. Ms No. 2879 F & A dated 4-12-1965 the following instructions are also issued :—

The following sentences may be added before the condition No. 35 of proforma sale notice sent in CCF Rc. No. 42218/64 D 3 dated 13-1-1965.

- (i) The security Deposit is liable to be foreited in case of breach of any agreement conditions.
- (ii) Such forfeiture shall be in addition to the penalties specified in Clause 7 of Forest Contract Agreement form given, in Forest contract rules where it is adopted for executing the contract deed.

The receipt of the Circular should be acknowledged and compliance regarding incorporation of modifications in future sale notice should also be reported in the enclosed form.

Sd/— P. S. RAO,
Chief Conservator of Forests

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

ACTS AND RULES — Andhra Pradesh (Telangana Area) Forest Act. Section 82 of the Act — Scope explained Recovery of damages from defaulting contractors—Detailed Instructions — Issued.

Food & Agriculture (Forest III) Department.

G. O. Ms. No. 2879.

Dated : 4-12-1965.

Read Again :— 1. G. O. Ms. No. 2488 Agriculture, dated 8-12-1961.

2. G. O. Ms. No. 2191 Food & Agriculture, dated 17-10-1963.

Read Also :— 3. From the Chief Conservator of Forests, Lr. No. 51828/62-D1, dated 17-1-1965.

4. From the Chief Conservator of Forests, L. R. No. 2896/65-D1, dated 8-7-1965.

ORDER :

1. Instructions were issued in the G. Os. first and second read above explaining the scope of section 82 of the Andhra Pradesh (Telangana Area) Forest Act corresponding to section 67 of the Andhra Pradesh (Andhra Area) Forest Act and the principles to be followed in the assessment of loss and damages sustained by the Government in Forest cases. The instructions do not, however, appear to have been properly interpreted by the officers of the Forest Department and, consequently, a number of doubts have been raised from time to time regarding the procedure to be followed in the assessment of loss and damages. Consequently it is found necessary to give, in detail, the procedure to be adopted by the officers of the Forest Department in dealing with cases relating to breach of contract committed by the Forest contractors. The following instructions are accordingly issued in the matter for the guidance of Forest Officers in supersession of the instructions issued in the G.O. first and second read above.

Scope of section 82 of the Andhra Pradesh (Telangana Area) Forest Act, 1355 F :

2. The money payable by the contractor is relatable to the felled produce and also to the unfelled produce in the trees which were not cut by him. The question of taking possession of the forest produce felled or unfelled will arise only when the amount due by the contractor is not paid. Taking possession of the felled produce means taking physical possession of that produce, while taking possession of unfelled produce will be secured by preventing the contractor from cutting the trees.

3. The selling of forest produce as per section 82 (2) pertains both to the felled and unfelled produce. There is, however, one essential and important difference in the position between felled produce and unfelled produce. The property in the severed or cut trees vests in the contractor as soon as the trees are felled and the felled or gathered produce has therefore to be disposed of by public auction even after the expiry of the lease period and the sale proceeds there of should be applied first in discharging the money due to the Government in

respect of which a first charge has been created by section 82 (1). Section 82 (3) provides that the surplus, if any if not claimed within two months from the date of the sale by the persons entitled thereto, shall be forfeited to the Government. In other words, the surplus of the sale proceeds needs be refunded to the contractor only if he puts in a claim for it within two months from the date of the sale. While the sale of the felled or gathered produce is thus obligatory, the same cannot be said of the unfelled produce in as much as the title to, or property in, the unfelled produce has not passed to, or vested in, the contractor, however, in respect of unfelled produce also equity requires that there should be a resale there of, unless there are justifiable grounds for not proceeding with the resale. However, the question of resale may not arise in the case of leases of perishable forest produce like fruits, leaves and other seasonal products as nothing may be left after the expiry of the season.

THE FOLLOWING ILLUSTRATIONS EXPLAIN POSITION :

- (a) In the case of a lease for one year, if, for example, there is default by the lessee in paying the first instalment due, the appropriate course will be to cancel the lease straight away or give some short time to clear off the arrears due and if he fails to pay the amounts due within the time allowed, the coupe may be reaucted for the balance of the lease period. It will not be equitable to stop him from operating till the entire amount is paid without cancelling the lease. If the lease is not cancelled, he may be allowed to operate on the specific condition that the felled produce would not be allowed to be removed from the site on account of the fact that Government have a first charge on that felled produce. Whatever produce is cut, it will be lying on the site and it will serve as security for the Government for the amounts due. If it is not practicable for the department to keep watch and ward staff to ensure that the cut produce is not removed by the lessee, the cancellation of the contract itself will be a better solution.
- (b) Suppose in a given case, the contractor has the right to cut trees during the months from January to December, 1960 and he has exercised his right of cutting the trees upto September 1960 and if he has failed to remit the amounts due, it is open to the Forest Authorities of the Government to take possession of the felled produce, to cancel the lease and prevent the contractor from exercising his right of cutting the unfelled trees for the rest of the period of three months (i. e. October to December 1960) but then, the forest authorities have to auction the coupe for residuary term of three months or for a lesser period as the public auction will necessarily take some time. The contractor has no legal right to insist that the auction should be for the full period of three calendar months. Supposing the auction could not take place due to circumstances beyond the control of the Forest Authorities, the contractor can have no legitimate grievance.
- (c) In another hypothetical case of the forest contractor having exercised his right of cutting for a period of 11 months and if on account of his default in the payment of instalments, the lease is cancelled and he is prevented from cutting the trees for the remaining period of one month, it is quite possible that the departmental authorities may not be able to put the coupe for auction at all for the balance period of one month, as due to administrative difficulties it becomes impracticable to conduct the auction of the right for cutting trees for the balance period of one month or less. The contractor, should have no grievance nor can he have a justifiable

right to insist on the auction of the right for cutting the trees for a full calendar month or less. It is thus left to the discretion of the forest authorities to hold or not to hold the auction of the unfelled produce depending upon the circumstances and the facts of each case. The discretion should not, however, be exercised arbitrarily.

- (d) Suppose in another hypothetical case the contractor has right to cut the trees from January to December, 1960 against payment of a consideration of Rs. 10,000/- in four quarterly instalments and if he failed to remove some felled material and also failed to cut a portion of the leased area by the end of December, 1960 even after payment of all dues to the Government. In that case the provision of sub-sections (1) and (2) of Section 82 of the Act are not attracted since no money is payable by the contractor for or in respect of the forest produce. Consequently the question of refund of the surplus sale proceeds of the material (even felled material) to the contractor even if it is claimed within two months from the date of sale does not arise.

4. For the removal of doubts, the position is further explained below by way of specific questions and answers for the guidance of officers of the Department.

(i) When seizure mentioned in section 82 (2) of the Andhra Pradesh (Telangana area) forest act, can be effected.

Seizure can be resorted to only after an instalment falls due and is not paid. The corresponding section 67 in the Andhra Area Forest Act is clear on this. Para 25 and 26 of the Executive Instructions contained in the Hyderabad Forest Contract Rules to extent they are not consistent with the above position, required to be modified.

(ii) Whether what can be seized and referred to in item (i) is felled produce alone or felled and unfelled produce.

The expression "forest produce" is relatable to both felled and unfelled produce.

(iii) Whether forest produce seized and referred to in Item (ii) above be not sold compulsorily, if arrears remain unpaid :

Resale of felled produce is compulsory. Resale of even unfelled produce, if practicable, is necessary to meet the ends of justice.

(iv) When recourse may be had to private property of Contractor for realisation of dues under the Forest Contract :

The question of proceeding against the private properties of the lessee will arise only when the Government are not able to realise their dues from the security deposit, if any and the resale proceeds of the felled produce and unfelled produce in cases where it has been possible to effect a resale.

- (v) **Whether sale referred to in item (iii) above need take place within the period of lease and, whether the period of lease relating to resale need be limited to the unexpired period of the original lease :**

This question is already covered in paragraph 3 above.

- (vi) **When seizure referred to in item (i) above is effected after termination of contract, what consequences follow in relation to felled and unfelled produce in the contract area :**

The defaulting lessee is entitled to the adjustment of the resale proceeds of both felled and unfelled produce consequent on termination of his lease and this is subject to the condition that resale of the unfelled produce is limited to the unexpired period of the original lease.

- (vii) **Whether the benefit of adjustment of resale process against arrears and refund of excess, if any provided for in section 82 of the Telangana Area Forest Act is compulsory :**

Whenever there is a resale during the lease period as stated under items (ii) to (v) above, the benefit shall accrue.

- (viii) **When sale referred to in item (iii) above takes place at the end of or after the leased period, what rights the old lessee who remained in arrears has on the sale proceeds :**

The resale should be for only the balance of the lease period of the original lease. Where the lessee has defaulted in making payments and the lease has been terminated, and when a resale cannot be held for the balance of the period of lease due to practical difficulties, there ends the matter. The rights and liabilities of the lessee are determinable with reference to the last date of the period of lease. The resale will be a fresh contract and the lessee, whether in arrears or not, cannot have any claim for the amount realised by the Government such fresh lease which will be for a fresh period calculated from a date subsequent to the date of expiry of the period of the original lease.

5. In Item No. (viii) of para 4 above, it was made clear that the resale of the coupe after the expiry of the original period will be a fresh contract and lessee, whether in arrears or not, cannot have any claim for the amount realised by the Government by such fresh lease which will be for a fresh period calculated from a date subsequent to the date of expiry of the period of the original lease. However as a matter of policy, the Government consider that even in such cases the quantum of recoveries that have to be made from the defaulting contractor should have a relation to the quantum of damages that the Government may claim in a given case. The quantum of damages that may be claimed or awarded in a given case depends upon the facts of that case. There are three fundamental principles upon which law proceeds to determine the measure of damages. They are :—

- (i) In calculating damages one has to consider what is the pecuniary sum which will make good to the sufferer, in so far as money can do, the loss which he has suffered as the natural result of the wrong done to him.
 - (ii) The connection between the damage and the wrongful act should not be too remote. Law prevents the recovery of any damages that do not flow or arise as a direct consequence of the wrongful act, complained of.
 - (iii) In claims for damages a duty is cast upon the plaintiff to mitigate or minimise damages, that is to take all reasonable precautions to reduce the amount loss or damage arising from the wrongful act of the defendant. Any loss or damage which with exercise of reasonable care the plaintiff could have avoided, will be deemed too remote to be recoverable.
6. The above principles apart, in two classes of cases, namely :—
- (a) Cases where a sum is named in the contract as the amount to be paid in case of breach ; and
 - (b) Where the contract contains any other stipulation by way of penalty,
- (i) The party complaining of the breach of the contract is entitled (under section 74 of the Indian Contract Act) whether or not actual damage or loss is proved to have been caused thereby, to receive from the party who has broken the contract reasonable compensation not exceeding the amount so named, or as the case may be the penalty stipulated for. These are the fundamental principles that govern the determination of the quantum of damages on breach of contract.
 - (ii) The question of assessment of damages that may be claimed by the Department on account of breach of contract by the contractor may have to be made in accordance with the principles of law referred to above. It is, no doubt, true that for the assessment of actual loss sustained by the Department the value of the produce left over will have to be taken into consideration and where there is a resale of that produce the price obtained at the resale would naturally indicate the value of such produce. Where there is no resale of the produce left over, a reasonable estimation of the value of the produce has to be taken into consideration in assessing the actual loss. This is possible only in the case of lease of forest fuel, timber and such other forest produce. But no such question would arise in the case of lease of fruits, leaves and such other perishable forest produce, as nothing will be left after the expiry of the season. Each case has, therefore, to be considered with reference to the facts of the particular case in the matter of assessment of the actual loss sustained by the Department on account of breach of contract by the contractor and for such assessment of loss, the value of the produce left over will necessarily have to be taken into consideration. Consequently, the resale proceeds of the produce in case of resale even after the expiry of the original lease period will have to be taken into account for assessment of actual loss sustained by the Department.

- (iii) It is to be noted that loss is different from the damages and one should not be confused with the other. In assessing damages in a given case, the loss occasioned will be taken into account.

7. In the light of the position set out in paras 5 and 6 above, in the matter of recovery of arrears of dues from defaulting forest contractors, the following broad considerations must be kept in view by the forest officers :—

- (i) Whenever there is a breach of contract by the contractor, the contract must be duly terminated as soon as possible and the security deposit should be forfeited :
- (ii) For claiming damages, the actual loss sustained by the Government as a direct result of the breach must be determined having due regard to matters such as :
 - (a) the amounts fetched in resale of the left over produce :
 - (b) in cases where such resale is not practicable, the reasonable estimated value of the left over produce.

Provided, in the case of perishable forest produce such as fruits, leaves, etc, the question of taking into account the value of any left over produce does not arise.

- (c) loss or damage which, with exercise of reasonable care, the department could have avoided.

8. While the preceding paragraphs set out the legal position, the forest officers may bear in mind the following further instructions in implementing the above principles of law in actual practice.

9. It is a condition of the auction that the bidder should deposit such sum not exceeding 10 per cent of the reserve price as the District Forest Officer may fix. This will serve as 'earnest' and shall be returned to unsuccessful bidders at the close of the auction, or may be taken as part of the first instalment payable by the successful bidders. This deposit may, for facility of reference, be called 'earnest money deposit'. In addition to this deposit, the District Forest Officer may insist that the successful bidder shall deposit a further amount as security for due performance of the contract. Such deposit may be called 'security deposit' for facility of reference. The 'earnest money deposit' shall form part of the first instalment when it is paid. But if the first instalment is not paid when due or if an agreement is not executed when the successful bidder is required to do so after the close of the auction, this earnest money deposit, shall be forfeited. This is the position upto the conclusion of the agreement. The 'security deposit' is liable for forfeiture whenever there is a breach of the terms of the contract.

10. A doubt has been raised whether the security deposit so forfeited should be taken into account for assessment of loss or damages. By section 74 of the Indian Contract Act, in all cases where the contract names a sum to be paid in case of breach and when the contract contains any other stipulation by way of penalty, the court has jurisdiction to award such sum only as it considers reasonable but not exceeding the sum so named or, as the case may be, the penalty stipulated for. Therefore the security deposit forfeited should also be taken into consideration while recovering from the lessee the loss and damage caused to the Government by

reason of the breach. However, it is advisable to include in all forest contract agreements a provision to the effect that the Security Deposit made by the contractor will be forfeited in addition to the penalty specified in clause 7 of the Forest Contract Agreement in the event of the contractor committing a breach of contract so that the Government's interests in the event of breach may be safeguarded.

11. A doubt has been raised as to whether the contract should be terminated forthwith even when the breach is of a trivial nature. The instructions Nos. 35 and 37 appended to the Forest Contract Rules set out the position in this regard. It is impressed upon the contracting officers that, in fixing the dates of instalments initially, the broad considerations of policy set out in instruction 22 of the instructions appended to the Forest Contract Rules should be borne in mind and that the contract should be terminated forthwith in accordance with rule 30 whenever there is a failure on the part of the Forest Contractor to pay an instalment on the due date as agreed to in the 'Forest Contract Agreement' subject only to the provisions of rule 7 of the Forest Contract Rules.

12. Whenever a contract is terminated in accordance with rule 30 of the Forest Contract Rules the Government are entitled:--

- (1) To keep (i.e.) to appropriate all sums already paid by the Contractor towards the forest contract ;
- (2) To sell any forest produce in public auction and apply the proceeds of the sale towards the amount DUF under the contract but not paid; and
- (3) To recover any penalty assessed under rule 29 and damages assessed under rule 15.

13. When assessing loss and damages consequent upon the breach, it is these amounts that should be taken into consideration. It has, however to be clearly borne in mind that where the sale in a public auction referred to in item (2) *supra* is not confirmed due to the default of the highest bidder, his bid amount alone shall be deemed to be the value of the forest produce to which the Contractor shall be entitled to credit in assessing the loss and damages sustained by the Government but not the sale proceeds of the forest produce at a subsequent public auction.

14. The Government do not stand in a way different from any citizen in the matter of recovery of damages for breach of contract. When a contractor commits a breach in the contractual obligations with impunity, the damages constitute not only the actual loss caused to the Government but also a reasonable amount which compensate the Government, in so far as money can do, for the loss of time and inconvenience resulting from such breach. Each case has to be examined on its merits. The consideration of equity arises only when the Contractor approaches the Government with clean hands for settlement out of court and not invariably in all cases.

15. As regards the sale of forest produce for the purpose of Section 82 of the Act and Rule 30 of the Forest Contract Rules, it should be noted that the value of the Forest produce (both felled and unfelled) should be the market value on the date of termination of the

contract There should, therefore, be no undue delay on the sale of the produce by public auction after termination of the contract in accordance with rule 40.

16. The Chief Conservator of Forests is requested to take necessary further action in all Forest cases in the light of the above instructions.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Sd/- S. A. QUADAR,
Secretary to Government.

Copy of G.M, No. 3878 For III/65-3 F & A dt. 26-11-1965.

Sub :— Forest Leases—Bamboo coupes—adjustment of resale proceeds against arrears due—Modification of Government Orders—regarding.

Ref:— Form the CCF Lr. No. 146552/64 D-1 Dt. 6-9-1965.

With reference to his letter cited, the Chief Conservator of Forests is informed that whatever might be the reasons given he was informed in G. M. No. 2191 For III/65-2 dated 19-6-65 that the question of taking into consideration the reasonable estimate value of the left over produce in assessing the loss, does not arise in respect of bamboo coupes also as in the case of seasonal produce like beedi leaves, Tan Bark etc. Whenever a contractor of bamboo coupe defaults to pay the dues, the Department should try to resell the coupe for the balance lease period at the risk and the loss of the contractor, If it is not possible to resell the coupe for the balance lease period for administrative reasons, there ends the matter and the question of setting of the resale proceeds against the arrears due does not arise. The question of selling the coupe after the expiry of the lease period also does not arise since such a course will affect the revenues of the State during the next rotation. The question of assessing the value of left over produce for purposes of setting off, against the arrears due from the contractor does not arise since such a course is not practicable from the administrative point of view.

2. The Chief Conservator of Forests is requested to take necessary action accordingly.

Sd/- Syed Ghulam Rasool,
Dy. Secretary to Government.

Ref No. 41783/65/MI.
Dated : 10-5-1966.

Circular No. 24/66.

Sub :— Establishment — Forest Department — Gazetted Officers— Drawal of pay and allowances without authorisation—Audit irregularities—Instructions—Issued.

The Accountant General has brought to the notice of this office several instances, wherein the officers of the Forest Department have misused the cheque drawing powers

entrusted to them by drawing pay and allowances, advances and additional charge allowances, without authorisation from Accountant General. It has also been reported that the Forest Officers are deviating from Financial Rules by drawing tour advances in excess of requirements, non-remittances of the balance of tour advances without adjusting the previous ones. It is also reported that amounts were drawn without stamped receipt and without recording the date of payment and number and date of voucher etc.

From the foregoing it is evident that many of these irregularities are quite serious. Officers of this Department should not misuse the powers vested in them and give scope to the Accountant General to complain. I personally take a serious view of such lapses. The Officers are hereby informed that if any such irregularities are committed by the Forest Officers and if they are brought to my notice by the Accountant General in future, I shall be constrained to withdraw the cheque drawing powers of that particular officer, who is responsible for such irregularity and necessary action will be taken against him.

The receipt of this circular should be acknowledged in the form given below.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 41783/65/M1.

Dated: 24-5-1966.

Sub :- Establishment—Forest Department—Gazetted Officers—drawal of pay and allowances without authorisation—audit irregularities—instruction—issued—regarding.

Ref : CC's. Ref. No. 41783/65/M1 (Circular No. Nil/66) dated 10-5-66.

The Circular issued under the above reference may be read as "Circular No. 24/66".

Sd/- Y. Sudhakara Rao,
for Chief Conservator Forests.

Rc. No. 32353/66D-3

Dated : 5-6-1966

Circular No. 25/66.

Sub :- Indian Stamp Act 1899—Inspection under Section 73 Andhra Pradesh Court Fees and Suits Valuation Act 1956—Inspection—Stamp Audit of Public Offices—Collection of deficit stamp duties—penalties and deficit Court fees—regarding.

Ref:—CCF Circular No. 42 65 dt. 12-10-1965 (Rc. No. 40466/65 D3) From the Regional Inspecting Officer (Stamps) Kurnool Lr. No. Nil/66 Dated 5-5-66 addressed to D.F.Os. Kurnool and Guntur Circles.

In continuation of this office Circular first cited, a copy of the reference second cited is communicated to all the Officers of Distribution List 'A' for information and guidance.

The Regional Inspecting Officer Stamps (Kurnool) has elucidated the procedure regarding collection of deficit stamp duty in greater detail.

The following are salient points clarified by the Regional Inspecting Officer (Stamps) :-

- (1) That the deficit stamp duties and penalties under the Indian Stamp Act 1899 in respect of the insufficiently stamped documents have to be collected in cash only and not otherwise.
- (2) That even if the deficit stamp duties and penalties are collected in the shape of Court fee stamps, they have again to be collected in cash and remitted into treasury to the Head of Account to be given.
- (3) That the deficit Court Fees (Pointed out in the Audit Reports) have to be collected in the shape of Court fee stamps alone and affixed to the concerned petition application etc., as the case may be and defaced and punched so as not to allow their being used again.
- (4) That the deficit stamp duties pointed out in the audit report in regard to insufficiently stamped documents are only provisional and not final.
- (5) That as per the procedure in vogue, the parties to the documents have to be given a reasonable opportunity to represent their case in the matter of realization of deficit stamp duties besides penalties to be determined at the time of passing final orders adjudicating them in respect of documents executed by them.
- (6) That after giving a reasonable opportunity, final orders determining the deficit stamp duty and penalty leviable will be passed.
- (7) That copies of these orders will be communicated to the Head of concerned office for realizing the same from the parties concerned and remitting the amount into the treasury to the Head of account to be given.

Under the circumstances, the District Forest Officers are requested to keep the above in view and follow the same in future.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 36269/66 B-3

Dated : 5-6-1966.

Circular No. 26/66.

Sub:—Arrear claims—Pension—pay fixation cases, Audit objections, Audit Reports ect.,—Dy. C. C. F. placed in charge—correspondence—regarding.

It is seen that the Chief Conservator of Forests is addressed demi-officially by certain officers in respect of Pension cases etc. All officers are informed that the Dy. Chief Conservator of Forests is in complete charge of the following subjects :—

- (1) Pensions.
- (2) Pay fixation cases.
- (3) Arrear claims.
- (4) Audit objections.
- (5) Audit Reports.
- (6) T. A, Spl. pay and all other Accounts matters.
- (7) Reservation of Forest Blocks.
- (8) Sanctions for Purchases & Repairs.
- (9) Working Plans.
- (10) Forest Settlements.

If the officers require any replies in respect of the above matters, or if they desire to pursue the cases, they are requested not to address the Chief Conservator of Forests demiofficially, but write to the Dy. C. C. F. who is in over all charge of the subjects.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 30944/63 B-2
Dated : 25—6—1966.

Circular No. 27/66.

Sub:—Pay fixation under G. O. Ms. No. 1044, Clearance Drive I— Organisation of.

It needs hardly any emphasis that despite issuing instructions from time to time to the Officers of Dist. List 'A' the position of Pay fixation cases under G. O. Ms. No. 1044, dt. 24-6-1959 the G.O.Ms. 426 Fin, dt. 15-11-61 in the department has not improved. It is evident that the instructions issued to the officers are not followed.

In view of the disappointing state of affairs, it is proposed to launch a special drive viz., "Pay Fixation Clearance Drive" from 1-7-66 to 31-7-66. All the officers of Dist. List. 'A' are requested to examine personally the pay fixation cases in their offices and to see that necessary action is taken immediately to settle the pending pay fixation cases. It is observed that pay fixation statements sent to this office are often found defective and they have to be referred back for rectification. Thus considerable delay occurs in finalising the cases. The report of the D.F.Os. should be self contained as per G.O.Ms.No. 1044, and submitted through concerned C.Fs. They are requested to see that all the pending pay fixation cases are entered immediately in a register prescribed for the purposes with details in the under mentioned proforma so that the pending pay fixation cases cannot be lost sight of.

Sl. No.	Name & designation.	Stage of pending.	Action taken.	Nature of disposal.	C. F's Ref. No.	CC's Ref. No.	Remarks.
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The Register should also be attested by the officers. The Divl. Forest Officers are requested to report to this office the fact of having opened the register. Separate Registers should be opened for Fixation cases under G. O. Ms. 1044, Fin., dt. 24-6-59 and G. O. Ms. 426, Fin., dt. 15-11-61. An extract of the registers showing the details of the pay fixation cases pending with them should be submitted to their Conservators of Forests with a copy marked to Chief Conservator of Forests by 5-7-1966 positively.

The Conservators of Forests are requested to inspect during the tour of the Divisions whether the Registers are opened and whether all the pending pay fixation cases are attended to and upto-date action on each case taken.

They are also requested to investigate into the reasons for pendency of pay fixations and take action against the persons responsible.

The D. F. Os. are also requested to submit monthly progress reports in the following form the register maintained by them, to their Conservators of Forests.

The Conservator of Forests in turn should consolidate the reports and submit their Circle reports with their review by 15th of every month to C.C.F.

Sl. No.	Opening Balance as on 1-7-66.	Received during the month.	Total	No. disposed during the month.	Balance	Remarks
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The Dist. Forest Officers and Conservator of Forests are requested to organise the drive from 1-7-66 to 31-7-66 vigorously and to see that all the pending pay fixation cases are attended to and settled expeditiously. The Dist. Forest Officers are requested to submit their first progress reports to their Conservators of Forests by 10-8-66 with copies marked to Chief Conservator of Forests and Conservators of Forests will send their consolidated reports to Chief Conservator of Forests by 15-8-1966 positively together with their remarks.

This should be attended on top priority basis and all pay fixation cases should be finalised by 31-7-1966.

The receipt of this ref. may please be acknowledged in the following form.

Sd/- M. AHMED,
For Chief Conservator of Forests.

Ref. No. 22864/R2/66

Dated : 29-6-1966.

Circular No. 28/66.

Sub:—Criminal justice filing an appeal against the orders of judicial second court Magistrate and session judges procedure to be followed instruction issued.

Ref :—CC's Circular No. 22/66 dt, 13-4-1966.

A Divisional Forest Officer has prosecuted a lorry case of illicit removal of Forest produce in the judicial second Court Magistrate and the Magistrate has ordered on 19-1-66

convicting the accused but ordered for the release of the lorry. The Divisional Forest Officer after consulting the Assistant Public Prosecutor and Public Prosecutor has submitted proposal on 19-5-66 for preferring an appeal in the High Court.

The public prosecutor High Court pointed that the appeal should be filed in the session Court within 30 days of the order and not in the High Court. He has therefore returned the connected papers. In the process there was delay and limitation barred preferring of an appeal.

In order to avoid confusion hereafter, the Public Prosecutor (High Court), has indicated the limitation of time as hereunder for guidance.

- (1) Where an accused person is acquitted an appeal has to be filed in the High Court and this has to be done within 90 days after the judgement of acquittal is pronounced.
- (2) Where a vehicle involved in the commission of a Forest offence is not ordered to be confiscated though the accused is convicted.
 - (a) If the order is passed by Magistrate, appeal should be filed in the court of the session judge of the concerned district and this has to be done within 30 days of the order.
 - (b) If the order is passed by a session judge or an Additional Session Judge a revision should be filed in the High Court within 90 days of the order.

The Divisional Forest Officers are requested to follow the above procedure so that mistakes and delays may be avoided.

The Receipt of this circular should be acknowledged in the proforma appended hereto.

Sd/—P. S. RAO,
Chief Conservator of Forests.

Ref. No. 3706/J3

Dated: 13-7-1966.

Circular No. 29/66.

Sub:—Forests—Reservation of Forests blocks—Final settlement by the Forest Settlement Officers—Claims and objections by the public—Examination and disposal furnishing of full details—Regarding.

In CC's circular No. 14/63 dated 15-6-63 the procedure to be adopted for the final reservation of the blocks notified under section 4 of the Forest Act was indicated. The copy of the circular instructions were subsequently furnished to the Forest Settlement Officers in the Andhra Region also by the Conservator of Forests. The procedure to be adopted by the Forest Settlement Officers have been laid down in sections 5 to 16 of the Andhra Pradesh (Andhra Area) Forest Act, 1882. These have further been amply elaborated and detailed instructions given in the "Standing Orders relating general and special issued under the Andhra Pradesh (Andhra Area) Forest Act with standing orders and Departmental instructions" published in the

forest Manual. According to these each Forest Settlement Officer had to maintain two Registers called 'A' and 'B'. Necessary information for these registers are given in the Forest Manual itself. In the Register 'A' the Forest Settlement Officer has to make entries of all the claims and objections received by him either orally or in writing. This is called the 'A' Register of claims. In the Register 'B' the Forest Settlement Officer has to furnish the following also in the appropriate columns.

- (1) Nature and extent of claims.
- (2) Brief summary of evidence in support of the claims.
- (3) Brief summary of the arguments of the District Forest Officer and evidence produced by him.
- (4) Brief abstract of decision and final disposal of the claims by the Forest Settlement Officers.

2. The Government have observed that the Forest Settlement Officers while submitting the final reservation proposals to notify the R. F. areas under section 16 of the Forest Act are not giving full details of objections raised by the villagers and as such it is difficult to judge the reasonableness of the claims and conclusions of the Forest Settlement Officers. The Government have therefore, requested the Chief Conservator of Forests, to obtain and furnish the details of the claims and the decision of the Forest Settlement Officer in each such case. In view of the above the Forest Settlement Officers are hereby requested to note that in future full and clear details of the nature of claims and objections and clear details and justification and reasons of the Forest Settlement Officers in arriving at their decisions may please be furnished in the appropriate columns of the 'B' Register of claims against each claim and objections.

Sd/- Mazharuddin Ahmed,
for Chief Conservator of Forests.

Rc. No. 46141/66 D-2.

Dated : 13-7-1966.

Circular No. 30/66.

Sub:— FORESTS—unreserves—sale of Minor Forest produce in the unreserves—instructions issued.

Ref :— (1) G. O. Ms. No. 2672 F & A Dept. dt. 6-11-65 communicated in CC's Rc. 15431/64 D-2 dt. 24-11-65.

(ii) G. M. No. 402 For. III/66-1 F & A dt. 2-3-66 communicated in CC's Rc. No. 15431/64 D-2 dt. 12-4-1966.

Attention of all the Officers of Distribution List 'A' is invited to the orders issued in the references cited with regard to the sale of Minor Forest Produce in the R Fs. unreserves, and in the lands rested in the Gram Panchayats.

2. According to the orders issued in G. O. 1263 Agri. Dept. dt. 23-6-61 the sale of all items of minor forest produce in the reserved forests and unreserves except custard apple in unreserves was being held by the Forest Department throughout the State. The sale of

custard apple (seethaphal) in the unreserved lands or in the lands rested in the Gram panchayats was therefore not being held by the Forest Department.

3. In the G. O. First cited Government issued revised orders in supercession of the orders issued in G. O. 1263 Agrl. Dept. dt. 23-6-61. According to these latest orders of Government the sale of all items of Minor Forest Produce in respect of Reserve Forests and unreserved lands including ex-state and exjagir Forests (excluding porampokes) and beroon lands containing thick vegetation in Telangana area which have already been ordered in G. O. 1097 Agrl. dt. 31-6-61 to be transferred to the Forest Department for being notified under section 20 and 30 of Andhra Pradesh (Telangana Area) Forest Act is to be held by the Forest Department. The sale of all Minor Forest Produce referred to above therefore includes custard apple (Seethaphal) in the unreserves also which was not being sold hitherto by the Forest Department.

4. Thus the fact that the custard apple in the unreserved lands also shall be sold by the Forest Department has been specially clarified in the Government Memo second cited. It is not known whether all the District Forest Officers have taken note of the above important change and takes steps to sell the custard apple in the unreserves also as ordered by Government. If there is any lapse on the part of any District Forest Officer the responsibility for the loss of Revenue due to non-sale of Minor Forest produce in the unreserves will devolve on the District Forest Officers concerned.

5. All the District Forest Officers and Conservators of Forests are therefore requested to take suitable action.

6. The receipt of this reference should be acknowledged.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 48122/66/B3,

Dated: 21-7-1966.

Circular No. 31/66.

Sub:—Pension — expeditious disposals of pension cases — Further instructions — Regarding.

It is observed from the monthly pensions returns of the Sub-offices and the individual pension cases and also the A. G's objections raised during the scrutiny in audit that the pension cases are not settled for one or other reasons, resulting in a huge pendency at all levels. Such state of affairs is giving scope for criticism by the Govt. and constant flow of applications by the retired personnel. In this connection several instructions have been issued from time to time in the monthly and quarterly reviews, yet there is no improvement to the desired extent.

To remove the bottlenecks the following instructions are issued to rectify the defects and omissions mentioned below:—

1. Legal heir Certificates to be issued by the Revenue authorities ect., in case of survivors of the deceased Government servant.

Though it is obligatory on the part of legal heirs to submit legal heir certificates, yet on account of illiteracy on their part or delay in Revenue and other offices, the submission of the required certificates is delayed. To overcome this difficulty, the D. F. Os. should entrust the work to some experienced and energetic Range Officers to contact the Revenue Officials for procuring the Certificates within a reasonable time of 15 to 30 days. The D. F. Os. should also contact the Revenue officials off and on in person and pursue the cases with them regularly.

2. (a) Furnishing of descriptive rolls of all the survivors of the deceased Government servant showing their relation, ages, married, guardianship certificate to receive gratuity on behalf of minors and willingness of major sons and unmarried daughters if they want gratuity to be paid to the widowed mother or Guardian and non-remarriage certificate in respect of widow of the deceased Government servant.

(b) Identification documents i. e., photos, finger impression, specimen signature, declarations etc.

The above documents are generally wanted by the A. G. if these documents are not received from the parties, the work should also be entrusted to the Range Officer as suggested in para (1) above. The Range Officer, should keep all specimen forms and get them filled in his presence and guide them properly. The Range Officer, should feel that it is his personal responsibility and also a humanitarian task.

3. Completion of S. Rs.

The D. F. Os. should ensure themselves that the Service Registers of employees due to retire during the ensuing two years are completed in all respects and to particularly see that option slips for pension and nomination forms etc, are posted therein and necessary entries, of increments, pay fixation, regularisation of suspension periods, temporary service, breaks and deficiency in service are made therein and necessary action is initiated in advance instead of waking up and taking the issues at the verge of retirement of Government servants.

4. Charges pending and recoveries to be effected.

It is generally observed that persons are involved in disciplinary proceedings at the verge of retirement and they will be pressing hard for finalisation of their pension cases, some times threatening for hunger strike etc., for early disposal of their pension cases. In such cases Government also take a lenient and sympathetic views of such persons and try to decide the case early and thereby the culprits will escape with a lighter punishment. It is therefore desirable that the D.F.Os. should be vigilant and have a special eye on the work, conduct and movement specially of those who are due to retire within two years. Even after taking the above precautions, any exceptional case crops up, and if the pension sanctioning authorities have reasons to believe that according to gravity of the charges, the pension case is likely to be delayed, the D.F.Os. should immediately get the verification report from audit and propose some anticipatory pension to mitigate the hardship to the retired Government Servant. At the same time steps should be taken to dispose of the pending charges before retirement by fixing time limit. In this connection their attention is also invited to the instructions issued in CCFs circular No. 20/66 dated 21-3-1966.

5. Confirmation on the posts.

There are cases where the retired Government servants insist for the revision of pension after confirming them on the higher posts.

According to A.P.L.P. Rules 1961 the retired Government servant will be benefitted if he is confirmed on the higher post. The appointing authorities should see that the retired person is confirmed in any one of the post including that of higher post. Such cases should be taken up sufficiently in advance.

6. Pay fixation, crossing of efficiency bar payment of arrear claim etc.

Except pay fixation under G. O. Ms. 1044, Fin. lifting E. B. of Range Officers and Dy. Range Officers etc. (old scale other fixation of pay can be done by the Heads of the Officers i.e. D.F.Os.) under normal rules of F. R. It is seen that cases for refixation pay where in the pay has already been fixed giving weightages under the said G.O. by the Special Officer Pay Committee or Chief Conservator of Forests, are coming to CF, whenever there is an increase in pay with retrospective effect or on account of lifting of E. B. etc. When once pay is fixed under G.O. Ms. 1044, Fin. after giving weightages according to length of service and next higher stage there is hardly any necessity for refixing the pay again. However, in complicated cases where the pay fixation is in dispute or some arrear claims are to be paid, the DFOs. should at once address the A.G. to verify the title of pension on the basis of pay actually drawn by the retired Government servant and the case settled. The question of final pension may then be taken up when pay fixation is settled and arrears are paid. DFOs. should always bear in mind that no pension or gratuity case should be delayed under any plea.

7. Non-availability of pension/option slips in the S.Rs.

The A.G. generally remarks in pension cases that pension option slips are not available in the Service Registers, and thereby the Government servant is to be brought under A.P.L.P. Rules of 1961 and consequently lot of correspondence between A.G. DFO and party is going on. In such exceptional cases the latest option form exercised at the time of introduction of A.G. Family Pension Rules 1964 may be taken as the last report and correct position explained to the A.G. If a Government servant failed to opt or exercise option in Form 'A' his pension case should be finalised under A.P.L.P. Rules 1964. If any body opted in F. - 'b' he will be governed by old pension rules to the extent applicable to him.

8. Pension / Gratuity cases arose before 31-12-62 to be referred to Special Officer (Pen) Fin. Department.

All such cases should invariably be referred to the Special Officer (Pension) Fin. Department, direct by the Conservator of Forests or Divisional Forest Officers along with all pension papers, Service Registers etc. Failure to comply these instructions will entail disciplinary action against all concerned. In this connection their attention is also invited to the instructions issued in G.M. No. communicated in CCFs ref:

9. Not attending audit check slips promptly and completely by the Divisional Forest Officers.

Instances have come to the notice that A. Gs. objections on pension / gratuity cases are not attended to promptly or attended in defective manner giving scope for further objections and correspondence at all levels, leading to abnormal delays in finalisation of pending

cases. The D. F. Os. should maintain a diary to watch that A.G's. objections are attended to promptly on the same day. The Conservator of Forests are also to watch the cases of mishandling by the sub-offices and to take drastic action against the defaulters. This is absolutely necessary for streamlining the efficiency at Division levels. The D. F. Os should make it a point that whenever they happen to come over to Hyderabad they should bring a list of pending pension cases with A. G. and discuss with the concerned A.A.O of pension Branch in A. G. office and see that they are expedited.

10. Signing fair copy of proceedings sanctioning pensions/gratuity intended to A. G./ by the Head clerks instead of DFO.

11. The pension cases coming within the competence of the Chief Conservator of Forests are submitted direct instead of through Conservator of Forests concerned.

12. All columns in pension application form are not filled in properly and attested by the Divisional Forest Officer or Conservator of Forests specially third page of application (i.e) characters conduct should be filled in and attested by the Divisional Forest Officers and Conservator of Forests themselves.

13. Full details of recoveries should be furnished in L. P. C. and or in future to avoid further correspondence and unnecessary delay at all level.

14. The average pay statment for the pay drawn during the last three years is not furnished and proposed pension and gratuity is not indicated in Column No. 11 and 12 of the last page of the application.

15. The Divisional Forest Officer should invariably send a copy of monthly return to Chief Conservator of Forests while furnishing the same to Conservator of Forests.

16. The Officers are not making use of the revised forms of pension applications which provide for according sanction on the third page of pension while sending the pension papers to Accountant General, if the sanctioning authority is satisfied that everything is in order, he may record his orders of sanctioning the pension at page 3 of the pension application and send the pension to Accountant General, so that he can straightaway issue necessary P. P. O. instead of sending further verification report and awaiting sanctioning reference. In respect of compassionate pension to be sanctioned by Chief Conservator of Forests under rules for compassionate pension and gratuities of the Ex-Hyderabad Government (under appendix 12 of Andhra Pradesh Pension Code) the Divisional Forest Officers of Telangana region are requested to send the papers to Accountant General through the Chief Conservator of Forests, with a copy to Accountant General so that the Chief Conservator of Forests can record the sanction on the third page and forward the pension papers to Accountant General.

Fair copy of the proceedings sanctioning pension/Gratuity which is intended to A. G. should always be signed by the Gazetted Officer (DFO). Instances have come to the notice that generally in Telangana Divisions they are signed by the Head Clerks giving scope for audit objections and causing delay in issue of authorisation by A.G. This practice should end at once. If such instance comes again to the notice, the Conservator of Forests may take disciplinary action against the concerned Head Clerk.

General to Conservator of Forests.

The quarterly returns of pending pension cases from the Divisions received in Circle offices before 5th of the succeeding month to which the quarter relates. On the basis of information furnished by the various DFOs the Conservator of Forests should prepare a separate list of pension cases pending with A. G. quoting therein the names of pensioners, Name or the Division, Ref. in which papers were sent and further reply furnished to A. G. and A. G's ref : if any showing the stage of pendency. Then an experienced clerk should be deputed to A. G's office along with the said list and D. O. letter addressed to concerned A. A O every quarter i.e. 10th April, 10th July, 10th October. and 10th January, to have the exact position of the cases and to check the statement of the DFOs as revealed in the returns. The clerk deputed should be instructed to get the cases expedited in A. G's office and to note the stage in the list. The above procedure should be put into practice from the quarter ending June 1966 i.e. the clerk be deputed on 20th July (as 10th July is already over). The above procedure should be followed where the pendency in A. G's office relating to all the Divisions, in the circle exceed (5) cases.

Further Conservators of Forests are also requested to send a list of pending pension cases stated to be pending with Accountant by 10th and get correct picture and then to pursue with Divisional Forest Officers.

2. In spite of pointing out repeatedly in the monthly and quarterly reviews of pending pension cases, the Conservator of Forests are not submitting their reviews to this office punctually. The instructions should be followed scrupulously and reviews submitted to this Office before 15th of succeeding months without fail.

3. Names of the persons due to retire during next two years and a certificate to the effect that "the pension papers of all Government servants due to retire during next two years have been verified and are in complete shape and ready to be sent to Accountant General for final verification" are not being furnished at the end of quarterly returns by the Conservator Forests. This should invariably be furnished hereafter. The intention is that the pension papers need not be sent to Accountant General two years in advance for preliminary verification, but the pension sanctioning authorities should start verification and complete work two years in advance and to keep the pension papers ready in complete shape so that they may be sent to Accountant General for final verification in complete shape only 6 months in advance of the actual retirement of Government servants. Separate instructions are being issued in this regard.

4. Further whenever the Conservator of Forests happen to go to the Divisions they must take a list pending pension cases in that Division compare it and see each and every individual file whether prompt and complete action taken by the Divisional Forest Officer and also to see that the above instructions are not violated and that the Divisional Forest Officers and Head Clerks maintain a diary for watching pension cases. All pension/gratuity cases should be seen by the Divisional Forest Officers at least once in a week.

These instructions are issued in addition and in continuation of the instructions issued in Circular No 20/66 (C. No. 13097/66 B3) dated 21-3-66 and with the instructions should always be kept in view dealing with the pension/gratuity cases.

The receipt of this circular should be acknowledged in the form appended:—

Sd/- M. AHMED,
for Chief Conservator of Forests.

Ref. No. 31965/66 E-2.

Dated : 18-7-1966.

Circular No. 32/66.

**Sub:—Plantations—Percentage of Success of Plantations Raised
Comments offered by the Audit Party—Instructions—Issued.**

During the discussions held on 10-11-1965 at Nizamabad in the Office of the Divisional Forest office regarding audit reports and audit objections with the following Officers: (1) Sri D. Jacob, Deputy Secretary to Government Special Officer, audit objections Finance Department, (2) Sri T. V. Subba Rao, Conservator of Forests, Hyderabad, (3) Sri V. Sastry, Dist. Forest Officer, Nizamabad, (4) and Sri K. P. Muniswamy, Dist. Forest Officer, Kamareddy the following subject was discussed and the result of discussions as follows.

Percentage of Success of Plantations Raised: "The audit party is going through the Plantation Journals and commenting on the percentage of survival of the plantations. It is purely a technical matter and action is always initiated against those subordinate officers who are guilty of neglect of the Plantations. In view of the above, it may not be necessary for the audit party to comment upon such technical matters in audit reports as if they are serious irregularities. The Deputy Secretary promised to take up the matter with the Accountant General."

2. The Government of Andhra Pradesh moved the matter with the Accountant General in their Ref. No. 86980 B/142/A O./65-1 dated 29-11-1965 and it was clarified by the Accountant General in his letter No. OAD/Civil/IV/960 dated 3-3-1965 that comments are offered regarding percentage of success of Plantation raised where the targets have not been achieved. The Government have accepted the opinion offered by the Accountant General, Hyderabad in their G. M. No. 86980/B-142/A O./65-3 dated 10-5-1965. Therefore all the District Forest Officers are requested to bear the above instructions in mind at the time of discussing the audit report with the audit officers.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 47007/66 A-1.

Dated : 18-7-1966.

Circular No. 33/66.

Sub:—Public Services—Probation—Declaration of probationers circular instructions—issued.

- Ref: 1. CCC Ref. 52730/62 M2 dated 9-8-62
2. Govt. G. M. No. 2011/60 GA (SA) dated 27-7-62.
3. Govt. Memo. 694/66-3 dated 13-7-66.

While communicating the G. O. 2nd cited, instructions have been issued to all appointing authorities of the Forest Department to take immediate action in respect of opening a register of probationers in their offices as prescribed in the appendix to the G. M. under communication and follow the instructions contained therein rigidly.

2. The main intention behind these instructions was to watch the declaration of the probation of the officers who have completed the prescribed period of probation every month with a view to avoid administrative delays in issuing the orders of declaration of probation. But it has been reported by the Accountant General, A. P., Hyderabad that the instructions issued in G. O. Ms. 2011 62-2 General No. dt. 27-6-66 are not being followed effectively by the appointing authorities with the result that there is considerable delay in the issue of declaration of orders even now. This viewed seriously.

All the appointing authorities of the Forest Department are therefore requested to follow the instructions issued in the Government Memo 2nd cited scrupulously and to avoid delay in issuing the orders and submission of proposals for the declaration of the probation of the officers in the term of G. O. Ms. No. 877 General and Services dt. 7-8-63. are requested to look on the Register personally every month and take prompt action on submitting proposals to the authorities whenever necessary and the question of declaration of probation of the officers who have completed the period prescribed. A copy of Govt. Memo. No. 694/66-3 dt. 13-7-66 G.A D. is enclosed herewith for immediate action.

2. The receipt of this circular should be acknowledged by return of post.

Sd/- P. S. RAO,

Chief Conservator of Forests.

Government of Andhra Pradesh General Administration
(Services/A) Department

Memorandum No. 694/66-3

Dated the 13th July 1966.

Sub :— Public Services—Probation Declaration of prescription of Register of probationers Instructions Issued.

- Ref : 1. Govt. Memo 2011/62-2 Genl. Admn. (Ser-A) Dept. dated 27-7-62.
2. From the A. G. G1/Genl/1-8/65-66/28I dated 14-3-66.

In the Government Memo first cited, instructions were issued to all concerned to prescribe a register of probationers so as to watch the declaration of the probation of the officers who have completed the prescribed period of probation, every month with a view to avoid administrative delays in issuing the orders of declaration of probation, But in his reference second cited the Accountant-General has reported that the above instructions are not being followed effectively by the appointing authorities with the result that there is considerable delay in the issue of declaration of orders even now.

All the Heads of Departments and the Departments of Secretariat, are therefore, requested to follow the instructions issued in the Government Memo first cited scrupulously and to avoid delay in issuing the orders of the declaration of the probation of the officers in terms of G.O.Ms. No. 877 General Administration (Ser-A) dated 7-8-63.

Sd/- S. SATYANARAYANA,
Deputy Secretary to Government.

Ref No. 78244/R2/65.

Dated : 25—7—1966.

Circular No. 34/66.

Sub :— Criminal Justice—Forest Offences—Furnishing copies of judgments in case of acquittal—Regd.

A copy of the circular instructions issued by the High Court to the Magistrates is enclosed alongwith. The District Forest Officers in Andhra Region are requested to bring to the specific notice of the Magistrate etc., the provisions of Manual, wherever necessary to enable them to follow the procedure laid down therein.

The receipt of this circular may be acknowledged in the enclosed form.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Copy of Circular Roc. No. 527/66 B. 1 dated 10-6-1966.

Sub :— Criminal Justice—Forest Offences—Furnishing copies of judgments in case of acquittal—Regd.

The Chief Conservator of Forests has brought to the High Court that some Magistrates are not forwarding to the District Forest Officer copies of judgements in forest cases where the accused are acquitted as required under the instructions is under the Forest Act.

An extract from the instructions issued under the Forest Act is communicated herewith. Magistrates are requested to forward to the District Forest Officer a copy of their judgment in every case of acquittal of forest offences.

Sd/- G VENKATAKRISHNIAH,
Asst. Registrar, Administrative Department.

Rc. No. 37923/65D-4

Dated : 1—8—1966.

Circular No. 35/66.

Sub :— Arrear Collection - defaulters living outside the State of Andhra Pradesh - procedure - indicated.

The present procedure in respect of collection of arrears when the defaulter owns properties outside the State of A. P. has been addresses to that State Government through our Government for collection of the arrears, invoking the land revenue Recovery Act.

The Government have recently clarified the position which cuts down the tiresome procedure. According to this the District Forest Officer has to address the Collector of the District and indicate the arrears of the defaulter along with details of solvency certificate originally produced by the defaulter. On the basis of this, the Collector will address his counter-

part of the district in which the properties of the defaulter are situated and have the recovery proceedings launched as an arrear of Land Revenue.

An extract of section 3 of the Revenue Recovery Act 1890 (Central Act 1 of 1890) is enclosed for further details. All the Officers are requested to follow the procedure indicated therein bringing to the specific notice of the Collector wherever arrears are to be recovered as if they are arrears of Land Revenue.

The receipt of this Circular should be acknowledged by return of post.

Sd/— P. S. RAO,
Chief Conservator of Forests.

Extract of Section 3 of the Revenue Recovery Act,
1890 (Central Act 1 of 1890)

(1) When an arrear of Land-Revenue, or a sum recoverable as an arrear of Land Revenue, is payable to a Collector by a defaulter being or having property in a district other than that in which the arrear accrued or the sum is payable, the Collector may send to the Collector of the District a certificate in the form as nearly as may be of the Schedule, stating—

(a) The name of the defaulter and such other particulars as may be necessary for his identification, and

(b) The amount payable by him and the account on which it is due.

(2) The Certificate shall be signed by the Collector making (or any Officer to whom such Collector may, by order in writing delegate this duty) and save as otherwise provided by this Act, shall be conclusive proof of the matters therein stated.

(3) The Collector of the other District shall, on receiving the certificate, proceed to recover the amount stated therein as if it were an arrear of Land Revenue which had accrued in his own district.

Copy of the Schedule

CERTIFICATE

[See Section 3, Sub-Section (1)]

From :

The Collector of

To

The Collector of

Dated the _____ of _____ 1966.

The sum of Rs. _____ is payable on account of _____ by son of _____ resident of who is believed (to be at _____) (to have property consisting of at _____) in your District.

Subject to the provisions of the Revenue Recovery Act, 1890, the said sum is recoverable by you as if it were an arrear of Land Revenue which had accrued in your own District and you are hereby desired so to recover it and to remit it to my office at.

(Seal)

Collector of

Circular No. 36/66.

Sub:- Public Services—Appointments to selection of posts preparation of panel for promotion—Orders issued.

Ref :—1. G. O. Rt. 1042 G. A. (Ser. A) Dept, dt. 15-6-66,

1. A copy of the G. O. cited above is enclosed. It has been ordered by the Government in their G. O. Rt. cited that panel system should be adopted in respect of promotions to selection categories and posts in all services and panels should be prepared in the 1st week of March every year to be kept operative for the whole year and it should be revised after six months so that the cases of such of those who acquired the requisite qualifications by passing the prescribed tests etc., and who become eligible for appointments to those posts during this period of six months may be added to the panels as originally prepared.

2. Till now the practice in vogue in the Department is that cases of all qualified persons on the date of selection are being considered for promotion to selection posts. By this method the incentive of a junior candidate who took pains to acquire the prescribed qualifications earlier than his senior is not rewarded adequately as his senior who acquired the qualification later became eligible for promotion in preference to him.

3. In order to obviate any injustice to such qualified people and to ensure uniformity of procedure in making appointments it is hereby ordered that for the following posts panels should be prepared by the appointing authority in March every year without fail and use the same panel throughout the year. This should be revised suitably only in September if necessary taking into consideration those qualified between 1st March to 31st August. It should not be further revised till March of the succeeding year. This is very important.

<i>Category</i>	<i>Panel to be prepared by</i>
Dy. Conservator of Forests.	Chief Conservator of Forests.
Asst Conservator of Forests.	Chief Conservator of Forests.
Range Officers.	Chief Conservator of Forests.
Dy. Range Officers.	Chief Conservator of Forests.
Foresters	Divisional Forest Officers.
D.M. 1st Grade.	Chief Conservator of Forests.
U. D. Cs.	Conservator of Forests.

5. For arrangement on Asst. Conservator's posts. Chief Conservator of Forests has to prepare a panel of the qualified Range Officers, and submit to Government by 25th February each year and review the panel so prepared in September of each year adding the names of Range Officers who qualified themselves during the period from March to 31st August.

6. The Chief Conservator of Forests in the appointing authority in respect of Range Officers, Deputy Range Officers, Draughtsmans, 1st Grade, Managers, Superintendents. All

the Conservators of Forests therefore should prepare a list of all qualified Deputy Range Officers and Foresters of their circles and also 2nd Grade Draughtsmen and submit them to the Chief Conservator of Forests' Office so as to reach this office by 25th February of each year. If any Deputy Range Officer, Forester or 2nd Grade Draughtsman, qualified themselves during the period for promotion as Range Officers, Dy. Range Officers and 1st Grade Draughtsmen respectively, their names should be intimated by the concerned Conservator of Forests to the Chief Conservator of Forests by the end of August for inclusion in the panel.

7. As the Conservator of Forests are competent to make arrangements on Upper Division Clerks of their circles. Divisional Forest Officers should furnish lists of qualified Lower Division Clerks of their Divisions to the concerned Conservators of Forests by 25th February each year and the Conservator of Forests should prepare a panel of qualified Lower Division Clerks for the whole circle for the promotion to Upper Division Clerks' post. These lists should be reviewed in the 1st week of September by Conservators of Forests by including the names of Lower Division Clerks who acquired requisite qualifications during the period between 1st March and 31st August.

8. All the Divisional Forest Officers should prepare a panel of qualified and suitable Forest Guards for promotion to the post of Foresters in the 1st week of March every year and kept operative for the whole year. They should revise the list in the 1st week of September after such of those who got themselves qualified in the meanwhile.

9. In the case of Chief Conservator's Office, Asst. Chief Conservator of Forests (E) should prepare a panel of qualified Lower Division Clerks for promotion to the Upper Division Clerks cadre in the 1st week of March, every year and review it in the 1st week of September.

10. For promotion to Accounts Officer Posts, Asst. Chief Conservator of Forests (E) should prepare a panel of qualified Managers and Superintendents in the 1st week of March every year and review it in the 1st week of September.

11. Besides the above for the sake of convenience it is ordered that in respect of Managers, Chief Conservator of Forest's Office, Managers Conservators of Forest's Offices, Accountants of Conservators of Forest's Offices, Superintendents of Divisions and Tour Clerks also, Asst. Chief Conservator of Forests (E) should prepare panels in March every year and review if necessary in September. The Conservators of Forests should send the particulars about eligible people in respect of the above categories also by February 25th every year and revised particulars if any by August 25th. All the concerned are requested to open registers.

The receipt of this circular should be acknowledged in the form enclosed.

These orders will take effect from the date of the G. O.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Copy of:

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services—Appointments to selection posts—Preparation of pannels for promotion—Orders—Issued.

GENERAL ADMINISTRATION (SERVICES / A) DEPARTMENT.

G. O. Rt. No. 1042.

Dated : the 15th June, 1966

O R D E R :

The Government have, for some time past, been considering the adoption of "Panel System" in respect of promotion to selection categories and post in all services. Instructions have already been issued in Memo No. 1436/63-1, General Administration (Services A) Department dt. 20-5-1963 to the effect that all appointing authorities should draw up panels of officers fit for promotion well in advance so as to obviate the need for making temporary promotions. It has, however, been brought to the notice of the Government that different methods are being followed by different departments at present in the matter of making appointments to selection posts. In some Departments panels are prepared in the first week of March every year and made operative during the whole year, while in other Departments no panels as such are prepared but the claims of all eligible and qualified candidates on the date of occurrence of a vacancy to a selection post are considered for appointment. It has been pointed out that by the latter method the incentive of a junior candidate who took pains to acquire the prescribed qualifications for promotion earlier than his senior is not rewarded adequately as his senior who acquired the qualification later became eligible for promotion in preference to him.

In order to ensure uniformity in making appointments to selection categories and posts in various services, the Government have decided that panels should be prepared in the first week of March every year to be kept operative for the whole year. The panels so prepared should be reviewed after six months so that the cases of such of those who acquired the requisite qualifications by passing the prescribed tests etc. and who become eligible for appointment to these posts during this period of six months may be added to the panels as originally prepared.

All appointing authorities should follow the above instructions scrupulously. Necessary amendments to General Rules for the State and Subordinate Services and Special Rules for which the General Rules do not apply will issue from General Administration (Services D) Department and from the Departments of Secretariat concerned.

(By Order and in the Name of the Governor of Andhra Pradesh.)

Sd/- Anantharaman,
Chief Secretary to Government.

Circular No. 37/66.

Sub :- Forest Schools—Yellandu and Sudikonda selection of Deputy Range Officers, Foresters, Forest Guards for training—instructions—Issued.

As per rule 5 of the Forest Subordinate Service Rules approved in G. O. Ms. 2034 Food & Agriculture dated 17th Sep. 1963 and communicated in this office ref. No. 28911/56-A 1, dated 5-11-1963; a Deputy Range Officer or Forester to get himself promoted as Range Officer respectively beside other qualifications, must have successfully completed the Foresters Course in Forest School Yellandu or in the Regional Forest School, Coimbatore. Similarly, a Forest Guard to get himself eligible for promotion as Forester must have obtained a certificate of attendance from the school at Yellandu or Sudikonda. But one cannot acquire the above qualifications by himself unless one is deputed for training in the Department.

2. Therefore it is sound principle to depute for training on the basis of seniority alone. Keeping this in view the following instructions are given :

I. Procedure for selection of Dy. Range Officers and Foresters for training in the Forest School at Yellandu.

The selection to the post of Dy. Range Officers is made on regional basis. Therefore the seniority of Foresters to be followed should be also on regional basis. Region-wise seniority lists, are sent separately to Conservator of Forests, Kothagudem. He will be the authority to select Foresters and Dy. Range Officers for admission in the school. He will follow the seniority without exception from the region-wise seniority list. The responsibility for ensuring that the selections are as per region-wise seniority list is entirely that of Conservator of Forests, Kothagudem.

He should select the candidates and send the selected list for the course starting on 1st April to all Conservators of Forests and Divisional Forest Officers by 1st October of the previous year itself so that they know six months in advance the Foresters and Dy. Range Officers to be relieved for training. If any of the selected Foresters and Dy. Range Officers are under suspension or facing very grave charges which will definitely result in dismissal or removal, then the concerned Conservator of Forests should inform the same to the Conservator of Forests, Kothagudem circle for deleting his name and selecting another. This should be done on or before 31 December of the previous year. It should be remembered that all types of pending charges or even a bad record should not be considered as a bar for sending to training. When we are keeping a man in service we must see he is trained to do the job well. Therefore deletion of certain names should only be an exception and relate to only those facing dismissal removal and compulsory retirement. Normally the ratio of candidates between Andhra and Telangana will be 2:1 as laid down in rule 17 (a) of the revised rules of Forest School, Yellandu.

II. Procedure for selection of Forest Guards :

The Division is the unit for seniority. The Divisional Forest Officers should invariably select the Forest Guards on the basis of seniority only. Exceptions should be very rare and only those who are definitely going to be dismissed on specific charges should be omitted.

III. Admission to schools in time :

As per rules 21 of the revised rules of Forest School, Yellandu and Kakinada issued in G. O. Ms. No. 1570 Food & Agriculture dated 9-7-63 candidates coming one week after the commencement of the session will not usually be admitted. But even after the above and in spite of clear instructions given by the Conservator of Forests, Kothagudem some Divisional Forests Officer were not following the above instructions, and are delaying in relieving the candidates for training. This is resulting in unnecessary correspondence with Government for obtaining exemptions. It is therefore made clear that no such exemption will be given in future and disciplinary action will be taken against the Divisional Forest Officer who fails to relieve the candidate in time to enable the candidates to join the school on appointed date.

IV. Alternate arrangement on posts :

As per G. O. Ms. 1387 Food & Agriculture dated 6-6-66 the emergency course of training of Dy. Range Officer and Foresters (three months course) sanctioned in G. O. Ms. 1849 Food & Agriculture dated 15-7-1964 was abolished and regular course of training of one year duration sanctioned in G. O. Ms. 903 Agriculture dated 25-4-1959 was resumed with effect from 1-4-1966. Government were also pleased to sanction additional 30 supernumerary posts of Dy Range Officers and Foresters for a period of 5 years with effect from 1-4-66. Thus officiating arrangements on 60 Dy. Range Officers and Foresters vacancies caused due to deputation of candidates for training at Forest School, Yellandu can be made. But since these training vacancies are only short term vacancies there should be no direct recruitment for these vacancies, only deserving Forest Guards should be promoted. The percentage of promotions fixed for the Forest Guards to Foresters in Rule 2 of Forest Subordinate Service Rules need not be observed in so far as these temporary training vacancies are concerned. However in special divisions like working plans divisions Forest Utilisation Officers and State Silviculturist where posts of Forest Guards are very limited the vacancies may be filled in by direct recruitment if suitable Forest Guards are not forthcoming for promotion with a specific condition in the Service Orders that the appointment is purely temporary for such and such a period and that the incumbents will be ousted at the end of training period as soon as permanent incumbents join duty and suited candidates cannot claim any preferential treatment for further vacancies.

The receipt of this circular should be acknowledged on the prescribed proforma (enclosed.)

Sd/- P. S. RAO,
Chief Conservator of Forests.

Circular No. 38/66.

- (1) N. G. O Ms. No. 1563, Home d/11-5-1953
- (2) Govt Memo No. 90905/Tr II/58-3 d/18-10-1958.
- (3) From the Chief Conservator of Forests, Letter No. 54822 63/P2 d/20-2-1966.

ORDER :

As per orders issued in the Government order first cited read with the Memo second cited all Government Departments are required to consult the Transport Commissioner before confirmation of the auction sale of the condemned vehicles. The Motor Vehicles Inspectors of Transport Department will first inspect the condemned vehicles and fix the probable price which the vehicle would fetch if sold in public auction and the final confirmation of the auction sales will be made by the Transport Commissioner.

2. It has now been brought to the notice of the Government by the Chief Conservator of Forests, in his letter 3rd cited that a Van was confiscated by him, to the State under Andhra Pradesh (A. A.) Forest Act 1882, as it was involved in sandalwood smuggling and the same is proposed to be sold in open auction.

3. As there are no specific rules and regulations in respect of the sale of the vehicles confiscated to the State, the Chief Conservator of Forests has suggested that the following procedure may be adopted in respect of vehicles confiscated to the Government in forest offences.

- (i) The upset price (Value) of the vehicle may be fixed by Regional Transport Officer.
- (ii) The sale of the Vehicles may be confirmed by the Chief Conservator of Forests.

4. The Transport Commissioner who was consulted in the matter has agreed to the suggestions made by Chief Conservator of Forests.

(Concerned competent authority). In cases where there are no bidders at the upset price, the sale proceedings will be confirmed by the Head of the Department concerned.

5. Government, after careful consideration, accept, the proposals made by the Chief Conservator of Forests and direct that the following procedure be followed in the sale by auction of confiscated vehicles.

6. As soon as the competent authority issues orders to confiscate a vehicle to the State, the Regional Transport Officer, concerned, should be requested to depute the Motor Vehicles Inspector concerned to inspect the condition of the vehicle and to report the probable price the vehicle would fetch, if sold in public auction. The auction of the vehicle should start with the motor vehicle inspectors valuation as up-set price, and the sale of the vehicle may be confirmed by the Head of the Department.

7. All Heads of Departments, except the Inspector-General of Police are requested to strictly adhere to the above procedure.

(By order and in the name of the Governor of A P.)

Sd/- S. A. IYENGAR
Second Secretary to Government.

Ref. No. 54648/R2/66.

Dated : 16-8-1966.

Circular No. 38/66.

Sub :—Motor Vehicles—Confiscated Vehicles Disposal in auction procedure orders issued.

A copy of G. O. Ms. No. 1638/Home (Transport III) Dept., Dated 28-7-1966 is communicated.

The District Forest Officers requested to follow the procedure as laid down in the Government order for the disposal of confiscated vehicles involved in the Forest Offence cases.

The receipt of this Circular should be acknowledged in proforma appended herewith.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Note:—For copy of G. O. Ms. No.1638/Home.

Motor Vehicles-confiscated Vehicles Disposal in auction procedure orders issued.

(See Page 285)

Ref. No. 60535/175/J2/63

Dated : 12-8-1966.

Circular No. 39/ 66.

It has been represented that insisting on construction of masonry pillar at the starting points in the case of Section '4' proposals is coming in the way of expediting the reservation work. It was also stated that similar insistence on particulars regarding pattas included in proposed forest blocks, is also coming in the way of finalising the initial proposal itself.

Though there is no question of relaxing the provision regarding the construction of masonry pillar as instructed in Circular No. 9/66 it is however felt that proposals need not be withheld only for non-compliance of this item. Therefore all the District Forest Officers are requested to submit the proposals as per the rest of the instructions in Circular 9/66 even number if this particular item cannot be complied with. The District Forest Officers must however pursue the matter and see that the construction of masonry pillar is done within (2) months from the date of submission of section 4 proposals to Chief Conservator of Forests. This will be their personal responsibility.

In Circular No. 43/63 clear instructions were issued stating that no patta land should be included in any forest block, without prior permission of the Chief Conservator of Forests. It was instructed in the circular that various details relating to the patta lands should be furnished before orders can be passed for their inclusion or otherwise. It is now represented that

it is difficult to give all these particulars (which include value of growth and probable quantum of compensation etc.) initially itself because of the enormous time involved. Though there is some truth in this, the idea behind this being expeditious disposal of patta cases, it is felt that some sort of watch must be kept in such instances. Hence all patta cases must be entered in patta Register (although without the required particulars) at the time of sending reservation proposals. The register will be the one prescribed in Chief Conservator's Circular 43/63. Within (3) months from the date of submission of proposals for reservation, these particulars must be furnished in patta register and copy sent to Chief Conservator of Forests for Reservation File.

To the above extent the Circular instructions given in Chief Conservator of Forests Circular 43/63 and 9/66 stand modified.

Sd/-MAZHARUDDIN AHMED,
for Chief Conservator of Forests.

Ref. No. 57423/65 H-1.

Dated : 17-8-1966

Circular No. 40/66.

Sub:-STORES—Electric Bulbs—Local purchase of—Instructions— Regarding.

According to the provisions of the item 14 of Appendix 7 to A. P. Financial Code Volume II-Electric bulbs are to be obtained from Electrical Engineer, General at the rates fixed by him. But instances have come to the notice of the Chief Conservator of Forests, A. P., Hyderabad that some of the Forest Officers have resorted to local purchase of their requirements in Electric bulbs and when objected to by the Audit, have come up with proposals for ratification of their action.

Such a procedure of local purchase of the articles which are supplied by another Government Department is highly irregular. If any of the Officers resort to local purchase of Electric bulbs in spite of clear instructions of the Financial Code, their cases will not be considered and the Officers concerned will have to bear the consequences themselves.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Rc. No. 54305/66 D-3.

Dated : 25-8-1966.

Circular No. 41/66.

Sub :- Large variation in upset prices—Accountant General's objection—Item—Inclusion of—in the Divisional Information Book Inspection regarding.

- Ref : 1. CC's Circular No. 15/62 dated 26-10-1962.
2. CC's Circular No. 23/63 dated 14-7-1963.

In this office Circulars cited detailed instructions were issued among other things, that the upset prices statements should be prepared correctly, and that the District Forest Officers

should also check the upset price statements before hand, and see that defects, if any, are rectified before the sales.

Of late it is observed that there has been adverse comments by the Accountant General that there is large variation between the upset price, and the price actually realised. As such it is felt that there is something grossly wrong in fixing up of the upset price. It will be better to have this information readily with the District Forest Officers, so that it will give them an idea as to how far their upset prices require scrutiny in order to give a reasonably correct upset prices of the coupes

In view of the above, all the District Forest Officers are therefore requested to open a register and keep the information in the following statement for all the coupes that are sold except Minor Forest Produce leases for which there is no upset price :—

S No.	Name of the coupe.	Opset price.	Actual Revenue realised.	Percentage (Increase or decrease + or—)
(1)	(2)	(3)	(4)	(5)

The information on the above proforma should be included as item No. 35 of the Divisional Information Book.

The receipt of this Circular should be acknowledged immediately.

Sd/—P. S. RAO,
Chief Conservator of Forests.

Rc No. 57743/66 A3

Dated :

Circular No. 42/66.

Sub :— Establishment — Forest Department—confirmation of sub-ordinates—instructions—issued.

Whenever Service Registers are called for, for filling the permanent vacancies in the categories like Range Officers, Deputy Range Officers, Managers, Accountants, Tour Clerks, etc., the subordinate officers under whom have been reporting concerned happened to work at that time, then and they are awaited from some other officers etc. They have however, been furnishing particulars from the consolidated pay bills. Even so, the information is not complete as the consolidated pay bills do not contain all the details. The result is many of the confirmation cases are obliged to be kept pending indefinitely. It is presumed that this is the position more or less in the case of vacancies in other categories which are within the competency of Conservators, District Forest Officers etc

For various reasons, Service Registers may not be readily available. But on that score issue of confirmation orders cannot be postponed indefinitely. It is also necessary to keep track of events like retirement, transfer of lien from one unit to another etc. If all the particulars are gathered, and kept in a register it will be possible not only to overcome the present difficulty but also a record of all the events pertaining to any subordinate. The Conservator of Forests and District Forest Officers etc. are requested to maintain a register for this purpose in

their respective offices. It may be called "Permanent vacancies register" and it may be in the following proforma :

1. Serial No.
2. Category :
3. Date of sanction of the post or date of occurrence, of the permanent vacancy.
4. Name of the subordinate who is concerned.
5. Date from which confirmed.
6. Whether he held a permanent lien on a lower post previously.
7. Termination of lien due to retirement or dismissed (ii) Transfer to some other unit.

The receipt of the reference should be acknowledged.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 59503/R3/66.

Dated : 25-8-1966.

Circular No. 43/66.

IRRIGATED PLANTATION

Sub : Raising of Irrigated Plantation Instruction Issue of — Regarding.

In Chief Conservator of Forest's reference No. 7445/65-G4, dated 6-8-65 the Divisional Forest Officers were requested to prepare the Schemes for raising irrigated plantation wherever possible. In Chief Conservator of Forest's reference No. 2445 R3/65, dated 27-6-66 while communicating G. O. Ms. Go. 1485, Public Works Department, dated 15-6-66, the Divisional Forest Officers were requested to submit the proposals for raising the irrigated plantations before the ayadut is developed in Minor Irrigation Schemes to take full advantage of the facility offered by the Government.

From the proposals so far received in this Office there appears to be some confusion in the minds of the Officers regarding the supply of water. The Divisional Forest Officers are entering into lengthy correspondence with Public Works Department Officers for supply of water and delaying submission of schemes. As far as water from Minor Irrigation sources is concerned the Irrigation Department is bound to give water for a year or two and we have to go to the Government with concrete proposals. The only information required from local irrigation department officials is as to when the water will be impounded, the quantity of water that can be released and time lag for development of agricultural ayacut. As far as water from other sources is concerned there is no need to refer to local Public Works Department authorities before preparing the scheme.

Therefore the following clarifications are issued.

Item I : Supply of water from Minor Irrigation Sources :

While giving permission for several minor irrigation schemes it was mentioned that no ayacut should be allowed in the Reserve Forest though in some case it is found that a portion

of the Reserve forest comes in the command area. Now that the Government have agreed to give water to the Forest Department before the Agricultural ayacut is developed, in all cases where some portion of the forest also falls under the command area we must immediately submit a scheme for raising irrigated plantations for obtaining the approval of the Government in time. The State Silviculturist has worked out the water requirement in respect of teak and communicated to all officers in his reference No. dated 18-7-66. Roughly on the same lines the water requirements for other species may be calculated. The schemes may contain among things the financial implications, the species, rotation, approximate requirement of water, the expected time of developing ayacut and the economics of the plantation etc. In cases when irrigation by gravity is not possible the economics of lift irrigation may also be explored. In view of the fact that once minor Irrigation schemes are started they are completed in 5 or 6 months time and the agricultural ayacut also developed rapidly in course of one or two years, we may barely have 1½ years for raising the plantations. Before that we have to obtain the sanction from the Government for the plantation scheme. Therefore expeditious action has to be taken in all cases where there is any possibility of raising irrigated plantations from Minor Irrigation sources.

Other sources : There are also several major and medium projects under execution and canals pass through Reserve Forests. In some cases irrigation by gravity may be possible and in other cases lift irrigation may have to be adopted. The economics of such schemes wherever possible may be worked out and submitted so that the Government may be approached for release of funds and water. This work may be done by working Plans Divisions wherever these Divisions are functioning and in other Divisions by the District Forest Officers themselves. In addition to the above even if there is any possibility of raising irrigated plantations from any stream or any other water source the possibility must be fully explored and schemes submitted with economics. Receipt of the Circular may please be acknowledged in the form appended.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 61021/66-A2.

Dated : 12-9-1966.

Circular No. 44, 66.

Sub:—Establishment — Forest Department — Immediate report of important incidences—submission of by telegram or express letter, instructions issued.

It is observed that the instructions contained in Articles 294 and 299 of the Andhra Pradesh Financial Code Volum I are not being followed scrupulously and that serious incidents and important events like big detection of offences large scale destruction of forests due to illicit fellings, large scale smuggling, assault, misappropriation of Government monies large scale fires doing damage to plantations or forest areas etc., occurring in the Ranges and Divisions either do not come to the notice of the Chief Conservator of Forests immediately or not reported at all. Consequently investigation or action on such important incidents is also delayed.

In order to minimise delays in such cases it is desired that in future when such incidents of serious nature take place in any Range and Division the Divisional Forest Officer concerned should submit a preliminary report to the Chief Conservator of Forests by name immediately either by a telegram or by any express letter and investigate the matter fully without and undue delay. A copy of such preliminary report may however be submitted through proper channel in the ordinary course.

The receipt of this circular should be acknowledged by return of post without fail in the enclosed form.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Rc. No. 61940/66 D-1

Dated: 14-9-1966.

Circular No. 45/66.

Sub:—FOREST LEASES—arrears recoverable from defaulting contractors—calculation of Penal Interest on the over due amounts—clarifications.

From time to time through the following references clarifications were issued which have a bearing on calculation of penal interest.

1. G. O. Ms. No. 2928 E & A dated. 21-12-64.
2. G. M. No. 1471 For III/65-1 dated 20-4-65 communicated through CC's Rc. No. 2596/65 D-1 dated. 19-6-65
3. G. O Ms. No. 2979 F & A dated. 4-12-65 communicated through CC's circular No. 23/66 dated 15-4-66.
4. G. M. No. 406 For III/66-6 dated. 24-6-66.

Since clarifications are being sought time and again the following consolidated clarifications are issued for calculation of penal interest in the light of the above references.

- I. Method of adjusting Deposit before penal interest is calculated.

The Security Deposit has to be adjusted on the date the amount fell due and thereafter on the balance dues only, the penal interest has to be calculated. For example in a contract, after default on 1-7-53, if there are total dues of Rs. 20,000/- and the Security Deposit of Rs. 2,500/- available for purposes of recoveries from the defaulter, the penal interest has to be calculated on Rs. 17,500 only from 1-7-63 (Rs. 20,000—2,500=17,500).

- II. When the resale proceeds are to be adjusted against the dues of the original contractor (Circular No 23/66).

After suitable adjustments as in (I) above, penal interest has to be calculated upto the date of resale before resale proceeds are adjusted. After adjustment if there are still dues, they have to be recovered with penal interest till the date of realisation.

III. When the value of standing growth has to be adjusted against the arrears (Circular No. 23/66).

There are two contingencies for such adjustments and are clarified below :-

(i) When the contract is terminated during the lease period :

After setting off the dues against the security deposit as in (I) the penal interest has to be calculated on the dues upto the date of termination.

The value of tree growth of the date of termination should be set off then against the dues (Principal and interest). If still any dues are left they have to be recovered with penal interest till the date of realisation.

(ii) When the contract is not terminated :

After setting off the dues against the security deposit as in (I) the penal interest has to be calculated till the date of expiry of lease period. The value of tree growth on the date of expiry of lease period has to be set off then against these dues (principal and interest). If still any balance arrears are left they have to be recovered with interest till the date of realisation.

Suitable action may be taken accordingly wherever calculations of penal interest are involved.

The receipt of this Circular may be acknowledged in the Form enclosed.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref No. 62579/F2/66-1

Dated : 16—9—1966.

Circular No. 46/66.

Sub:— Wild Life—Skin of dead tiger—regarding.

It has come to the notice of the Chief Conservator of Forests in one case that the skin of a tiger found dead in forest by administering poison or due to natural causes, was sold in Public Auction by the Forest Department. It is not desirable to sell away tiger skins in such cases of deaths.

All the District Forest Officers are hereby informed that a museum is being set up in Nehru Zoological Park and in all such cases the skin with the skull should be properly salted and sent immediately through a special messenger to the Curator, Nehru Zoological Park, Hyderabad, for display in the Museum.

The receipt of this Circular may be acknowledged in the form given below.

Sd/— P. S. RAO,
Chief Conservator of Forests.

Circular No. 47/66.

Sub:— Pension cases—expeditious disposal—Form of questionnaire to be filled and furnished to C.C.F. and C.F.

Ref :—CC's No. 49307/66 B.3 dt. 25-7-1966.

During the discussion held with Asst. Accountant Officer of Accountant General's Office on 20-7-1966, it was pointed out that the pension cases are not sent by the sub-officers in complete shape, with the result that the Accountant General has to call for the wanting information and documents from the Dist. Forest Officers. This results in abnormal delay in finalisation of pension cases. With a view to ensure that the pension papers are sent to Accountant General in complete shape, it was suggested that a questionnaire form may be prescribed in which information has to be furnished whether all the documents have been sent to Accountant General and this should be certified by the Dist. Forest Officer.

In pursuance of the suggestions, a questionnaire Form is enclosed.

The Dist. Forest Officers are required to fill in this questionnaire form whenever pension/gratuity papers are submitted to the Accountant General for verification and to send a copy of the questionnaire form duly filled in to the Conservator of Forests and C.C.F.

Specific replies should be furnished against each question as to whether the information or documents are sent.

It is a common practice to exhibit dashes (--) against the questions and this should be avoided while filling in the questionnaire. Replies should be specific and in case of non-compliance the reasons should be specified.

The officers are also requested to certify below the questionnaire that the information furnished therein is correct.

On receipt of the form, the Conservators of Forests should pursue and see that the wanting information or documents are forwarded to the Accountant General. The receipt of this Circular may please be acknowledged by return of post.

Sd/- P. S. RAO,
Chief Conservator of Forests.

QUESTIONNAIRE.

Form of intimation of Pension/Gratuity cases sent to A. G.

- (1) Name of the Govt. servant.
- (2) Designation.
- (3) Date of retirement/Death.

- (4) Type of pension to be specified :—
- (a) Superannuation Pension.
 - (b) Retiring Pension (Compulsory retirement)
 - (c) Invalid Pension.
 - (d) Family Pension.
 - (e) D. C R. G.
 - (f) Extraordinary Pension under:
 - (i) The Extraordinary Pension Rules, A. P.
 - (ii) Compassionate Pensions under Ex-Hyd. Govt. under Appendix 12 of the A. P Pension Code
 - (iii) Extraordinary Pension Rules under Hyd. Services (Extraordinary Pension) Rules 1952.
 - (g) **Gratuities :—**
 - (i) A P. Retiring and Invalid Gratuities (Non-Pensionable Estt.) Rules 1941.
- (5) Whether Valid Option for Pension was exercised and if so the rules to which option was exercised.
- (6) Date of submission of the Pension Papers to A. G. (D. F. O's/C. F's Ref. No. & date and date of despatch).
- (7) Whether the following enclosures were sent :—
- (a) Formal application for pension (vide P. 56 of A. P. L. P. Rules Booklet) (in Form 10),
 - (i) Two specimen signatures, duly attested.
 - (ii) Two pass port size photographs, duly attested.
 - (iii) Two slips each bearing left hand thumb and finger impressions. (this is only in the case of persons who are illiterate and cannot sign their names).
 - (iv) Two slips each showing particulars of height and identification marks.
 - (b) Application in Form I (prescribed at P. 89-94 of A.P,L.P. Rules booklet) in duplicate.
 - (c) A copy of the first page of application for pension duly attested.
 - (d) Service book duly verified and attested upto the date of retirement.
 - (e) History of services (showing interruptions)
 - (In Form I)
 - (f) Memorandum of Average emoluments.
 - (g) Invalid certificates (if the claim is for invalid pension).

- (h) Declaration under G. O. Ms. 47, dt. 12-2-62.
 - (i) Declaration regarding Special pay included in the average emoluments.
 - (j) Last Pay Certificate.
 - (k) A Surety Bond from a permanent Govt. servant in the Form prescribed in Page No. 166 of L.P.R. Booklet.
 - (l) Address of the Govt. servant after retirement.
 - (m) Discharge Certificate.
 - (n) No demand Certificate.
 - (o) Letter of consent of the retired Govt. servant in case of recovery of dues, (if any dues are pending).
 - (p) In case of compulsory retirement, certificate from the competent authority that rules relating to such retirement have been observed.
 - (q) In case of option for family pension whether a set of joint photograph with wife has been sent, with a list of family members.
 - (r) In case where no nomination is made, whether list of family members, their age and the relation has been furnished.
- (8) Whether charges are pending.
 - (9) Whether the remarks of the receiving authority have been made in the third page of the application for pension.
 - (10) Whether the orders of the pension sanctioning authority has been recorded on third page of the application for pension.
 - (11) Whether in case of recoveries the amount due has been mentioned in the sanction order at the third page,
 - (12) Whether any reduction in pensioner DCRG has been mentioned in the sanction order at the third page.
 - (13) In the case of family pension or DCRG, after death of the Govt. Servant whether the application has been submitted in the prescribed form (Forms F & H).
 - (14) Whether the death certificate and legal heir certificates have been furnished.
 - (15) In case of minors dependents whether guardianship certificate has been enclosed

CERTIFICATE

Rc. No.

Date :

Submitted to the Conservator of Forests

Chief Conservator of Forests. Certified that the information furnished above is correct.

Station :

Date :

Signature & Designation.

Dated : 29-9-1966.

Circular No. 48/66.

Sub:— Forest leases—Supply of Transit permit Books to the contractors of Government coupes—Instructions—Issued.

At present the permit books required by the contractors of Government coupes for transport of the produce from the said coupes are supplied to the contractors from the Divisional Forest Office concerned direct in Telangana Region and through Range Officers in Andhra Region. The Contractors Association Kothagudem has represented that the supply of Transit Permit Books required by them may be arranged from the Range Office concerned since it involves time and expense for the contractors to approach the Divisional Forest Officer every time the permits are required. The request of the contractors has been examined and the following instructions are issued for being followed in future.

2. In Andhra Region, the permits are transferred from the stock of District Forest Officer to the stock of Range. After that the issue/permits for any coupe is done by the Range Officer himself. This has the advantage of making available to the contractor permits at short notice. There is no particular advantage in the District Forest Officer encumbering himself with this task of issuing permits direct. Therefore it is ordered that upto the upset price yield a specified number of permit books should be given to the Range Officer in the beginning of the lease period. *Upto the upset price yield only, the Range Officer can issue permits. The Range Officer should not issue permits in excess of the yield mentioned in upset price statement without prior permission of District Forest Officer.* If the upset price yield is to be exceeded then the Range Officer should send a special report to the District Forest Officer giving reasons as to why the upset price was not calculated as nearly as possible and how it is necessitated that more permits than what are estimated are to be given. *At this point the District Forest Officer should exercise strict control.* Giving permits in excess of yield in upset price statements should not be a routine. In all such cases the Range Officers should give detailed reasons and a certificate that no outside fellings are there. Then only the District Forest Officer should release more permits, if necessary only after spot inspection as far as possible.

The receipt of this Circular should be acknowledged.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Circular No. 49/66.

Sub : Indian Stamp Act 1899-Inspection of Government Officers under Section 73 and A. P. Court Fees and Suits valuation Act 1956-by the Inspector General of Registration and Stamps, A. P., Hyderabad or the person authorised by him-Action on the inspection notes-by the Head Offices-Forest Department-Instructions issued.

- (i) C.C's. Rc. No. 40466/65D3, dated 13 7-65 (C. C's. Circular. 30/65).
- (ii) C. C's Circular No. 42/65, dated 12 10-65

In this Office Circular first cited all the Officers of the Forest Department were informed, that the Government of Andhra Pradesh, have authorised the Inspector General of Registration and Stamps any person authorised by him to inspect public offices to detect leakages of Stamp Revenue due to Government under the Indian Stamp Act and the court fees to be collected under the Court fees and suits Valuation Act. Various irregularities which were already pointed out by the Regional Inspecting Officer Stamps in the records of Kakinada Division, were also communicated and detailed instructions were issued for rectification of the defects.

2. The Regional Inspecting Officers (Stamps) appointed for the purpose by the Government, have since inspected the records of several D.F.Os. and inspection reports received from the Registration Department, have also been communicated to the D. F. Os. and C. Fs. concerned for taking suitable action thereon as per the instructions contained therein. It is presumed that the D. F. Os. and C. Fs. concerned have been taken necessary steps to collect the deficits of stamp duty and to rectify other defects pointed out in the inspection reports.

3. From the inspection reports so far received from the Inspector General of Registration and Stamps, it is observed that major irregularity pointed out in all the inspection reports so far received is deficit stamp duty levied. The amounts relating to the deficit stamp duty are mounting up to thousands of rupees in each division. There are already clear instructions to the effect that in order to overcome the difficulties in assessing the correct stamp duty, the D. F. Os. should invariably send all the documents for adjudication to the "Collector" concerned.

It is not clear when these instructions have not been strictly followed. Whatever may be the reasons the responsibility for collection of the deficit stamp duty amounts now pointed out by the Registration Department, rests with the Head of Office i. e. the D. F. O. concerned.

Therefore in the original instance itself the correct, stamp duty should be collected. In view of the fact that even Inspector General of Registration and Stamps is changing the rate of Stamp duty to be collected and as no fixed rate appears to be there, it is hereby ordered that the instruction about collection of 3 percent of Security Deposit are hereby cancelled. All D. F. Os. should invariably and without exception send all documents for adjudication and get the stamp duty assessed by the "Collectors" under Stamp Act. They should collect the Stamp duty levied by the arbitration authority.

The following instructions are issued to all officers of the Forest Department with a view to ensure prompt action for the collection of the deficit stamp duty pointed out by the Registration Department.

4. The Rules for recovery of duties and penalties in the course of inspection under Section 73 of the Indian Stamp Act (A. P. Extension and Amendment) Act 1959 are issued in G. O. Ms. No. 702 Revenue, Dated 19-4-62 and published at pages 284 to 286 of the rules supplement to part I of the Andhra Pradesh Gazette dated 4th May 1961. Further instructions were also issued in this office references first and second cited. The rules regarding collection of deficit stamp duty under the Court fees and Suits Valuation Act 1956 issued in G. O. 275 Home (Court - A) Department dated 22-2-64 have been communicated to all officers in of C's. Rc. No. 30812/65 D-3, dated 25-5-65. All the Officers are requested to go through these rules carefully and acquaint themselves fully with the procedure regarding the collection of deficit stamp duty either noticed by the Heads of Offices themselves or pointed out by the inspecting officers.

5. It will be seen from the rules mentioned in para 5 above, that in the event of the deficit duties and penalties not been realised even after adopting the procedure prescribed in the rules, action as deemed fit by the Chief Conservator of Forests, is liable to be taken against the persons adjudged as responsible for the the loss sustained by the Government.

6. (i) In view of the fact that the ultimate responsibility for collection of the deficit stamp duty rests with the Department. There should be a close watch of the collection of the deficit duties pointed out both at the D. F. Os. and Conservator of Forests level. It is therefore hereby ordered that a Register on the following form should be maintained in all the Divisional Forest Offices for the purpose

	2	3	4	5	6	7	8
Serial No.	No. & Date of the audit report of R I. O. (Stamps) or date of detection in case, the deficit is detected by DFO himself.	Name of the person from which the deficit duty is to be collected.	On what account the deficits duty is due (give relevant document).	Amount of deficit provisionally fixed in the audit report	Amount of deficit finally fixed after adjudication of the documents by the R I O	Stamps or by the RDO as the case may be vide CC's Circular No. 25 66 dated 5-6-66.	Date of collection of the amount in column 6. Remarks.

(ii) As soon as the audit report is received or the deficit levy is detected as the case be necessary entries should be made in the Register mentioned above in column 1 to 5.

(iii) Separate pages should be allotted in the Register in respect of the deficit duties relating to the Indian Stamp Act (A. P. Extension and Amendment Act 1959) and these relating the Court fees and Suits Valuation Act 1956.

(iv) In respect of all the cases of deficit duties relating to the Indian Stamp Act, all the documents should be collected and sent to the concerned Regional Inspecting Officer (Stamps) for adjudication in respect of those items which are pointed out by him in the audit reports. In respect of other documents i. e., where the deficit are detected by the D. F. Os. The

documents impounded shall be sent to the R. D. O. having jurisdiction over the areas in which the Forest Officers are respectively situate for adjudication.

(v) As soon as the documents are received back from Regional Inspecting Officer Stamps or the Revenue Divisional Officer concerned as the case may be, the deficit amounts and penalties as per final adjudication endorsements should be entered in column No. 6 of the Register.

(vi) After the deficit levies are thus finally fixed by the competent authorities, the D.F.O. shall issued demand notice to the person concerned for payment of the deficit duties and penalties and the amounts paid by the party in compliance of the demand notice shall be remitted into the treasury to the following Head of Account.

Deficit Duties:- "IX-Stamps-A. Non-Judicial (a) Duty on impressing documents".

Penalties :- "IX-Stamps-A. Non-Judicial (C) fines and penalties".

The D. F. O. shall then forward the original document together with the challan to the Inspector General of Registration and Stamps, Andhra Pradesh, Hyderabad. who shall and the certificate under Section 42 on the document and returned to the Head of the Office

(vii) If the parties concerned do not pay the deficit levies in compliance with the demand notice, the original documents concerned shall be sent to the Collector, exercising powers under Section 48 for effecting recovery by coercive process i.e., under L. R. R. Act.

(viii) After the amounts are collected by the coercive process, the procedure prescribed in Clause (vii) above shall be adopted.

(iv) In regard to the deficit levy under the Court fees and Suits Valuation Act, the D.F.O. shall arrange for collection of the fees from the concerned parties within a reasonable period (not by coercive process) *purchase the court fee labels*, affix them to the application etc., as laid down in Boards Standing Orders 83 and send a certificate to that effect to the Inspector General of Registration and Stamps or the person authorised by him.

8. The Conservators of Forests are requested to review the action taken by the D.F.Os. on these inspection notes during their annual Office inspections of the Divisional Forests Offices/District Forest Offices. The following question shall be added to the existing questionnaire for inspection of Divisional Offices/District Offices prescribed in C. C's No. 16709/63-B3. dated 20-2-66. Question No. VIII (O) Stamp duty.

(i) Is the Register showing deficit levy of stamp duty and penalties under the Indian Stamp (A. P. Extension and Amendment) Act 1959, prescribed in Circular No. 49/66 dated 5-10-66 maintained and posted upto date and are all the deficits pointed out in inspection notes of Regional Inspecting Officer, Stamps or those detected by D. F. Os. duly entered therein?

(ii) Have prompt steps been taken for the collection of deficit levies?

(iii) How many items of deficit are still pending realisation and what are the reasons therefor?

9. The Conservators of Forests are also informed that the amounts relating to these deficit levies are also dues to Government and therefore they have to be accounted for in the

monthly timber returns i. e. Form No. 9 - Outstandnigs of Revenue inspite of maintenance of this separate Register. As soon as inspection report is received, the total amounts of deficit levy should be taken to Form No. 9 of that month as a single item and shall be continued in subsequent month until the amount is completely collected. The total amount thus shown as out standing in Form No. 9 should tally with the details posted in separate Register maintained. The Conservator of Forests should review promptly the collections under this item also in their monthly review on the timber returns of their divisions.

The receipt of this Circular should be acknowledged.

Sd/— P. S. RAO,
Chief Conservator of Forests

Ref. No. 70892/66-F4.

Dated : 18—10—1966.

Circular No. 50/66.

Sub:—Working Plans-Periodical monthly progress report on work done etc. in the preparation of working plans-Procedure-Regarding.

Hitherto the working plan officers have been submitting the progress reports of work done by the parties every month. But it is observed that there has been no uniformity in the proformas adopted for submission of these progress reports. The reports also were not being received punctually from the Working Plan Officers. This does not give a clear picture of work already done and yet to be done in respect of the working plan divisions. It is, therefore, decided to have uniformity in the procedure for submission of progress reports by all the Working Plan Officers and to review of these progress reports by the Conservators of Forests at State level. A revised proforma is now prescribed and is enclosed for reference. In future all the progress reports from the Working Plan Officers should be submitted to the Conservators of Forests and to the Chief Conservator of Forests in the revised proforma, so as to reach them not later than 5th of the following month.

2. The following further instructions are issued for the guidance of working plan officers:

- (1) All the items of works proposed to be carried out must be indicated with time limit and targets.
- (2) For each item of work monthly progressive statement has to be prepared in the proforma given below. The progress of work made to the end of previous month during the month and to end of the month has to be shown in the progress statement whethe attended to or not in a month under report. Even after completion of any item of work, the item must be shown as having been completed in the progress statement of each month.
- (3) The Workidg Plan Officers must submit the progress statement on 1st day of every month indicating the achievements during the previous month to the Conservator of Forests concerned and Deputy Chief Conservator of Forests

In a name cover to reach them on or before 5th of the succeeding month positively.

- (4) The Conservator of Forests should watch the progress made review them and submit reports to the Deputy Chief Conservator of Forest regularly.

PROFORMA

Progress report on **.....in.....
 Division..... for the month of1966.
 Working Plan party No
 Name of the Division to which the }
 Working plan is being prepared. }
 Calendar of works approved

S No.	Name of the Reserved Forests	Compt. No.	Area.	Name of the personnel for the party	Upto end of previous month
1.	2.	3.	4.	5.	6.

Target for the month.	Work Actually done for the month	Total	Balance	Date of Checking by the Working Plan Officer.	Remarks.
7.	8.	9	10.	11.	12.

NOTE :

- ** Indicate the item of work.
- Cols. 2, 3 & 4—Enumerate the entire work to be turned over by the party.

All the officers are requested to acknowledge the receipt of the reference in the proforma enclosed.

Sd/- M. AHMED,
 for Chief Conservator of Forests.

Circular No. 51/66.

Present : Sri P. S. Rao, B. Sc., (Hons) A.I.F.C.,
Chief Conservator of Forests.

**Sub:—Forests—Quarrying of Minor Minerals in Reserve Forests
Reserve lands and Unreserves under the control of the Forest
Department Rules of procedure Dealing with the quarrying
cases Consolidated instructions issued.**

According to the position now obtaining in the Andhra Pradesh State, the quarrying of Minor Minerals in Reserve Forests, Reserve Lands and unreserves under the control of the Forest Department is being allowed under different authorities viz., the Madras Forest Manual in the Andhra area and under the rules regulating the working of minor Minerals 1954, in the Telengana area, with the result that there is lot of confusion among officers.

An integrated set of rules applicable to both for Andhra and Telengana areas is under the consideration of the Government. Till such time in order to avoid confusion and to make the rules clear by bringing them to a place. It is considered desirable to issue the following consolidated instructions. The rules and procedure applicable to each region are dealt separately and in case of any doubt as to the detail the authority quoted therein may be referred.

1. TELENGANA REGION

The "Rules regulating the working of minor minerals 1954" are applicable

- (a) Procedure for permitting removal of minor Minerals by local inhabitants from forest area for petty domestic requirements.

According to rule 5 of the "Rules Regulating the working of Minor Minerals 1954", the concerned District Forest Officer, and grant permission to quarry small stay deposits of minor minerals from the Forest area to meet the immediate or timely petty requirements of local inhabitants, on payment of royalty specified in the schedule annexed to these rules. The permission can be granted for a period not exceeding 3 months. Copies of such permission issued in variable be marked to Director of Mines and Geology for information.

It may be appreciated that no distinction is made as to the legal status of the Forest to attract the Jurisdiction of District Forest Officer. But it is implicit that the District Forest Officer has these powers only on such lands which have legal status under Forest Act and thus come under his control.

- (b) Procedure for Removals By P. W. D. and other Departments.

According to the Director of Mines and Geology Circular No. 19071/G3 P 65, dated 14-4-65, communicated with Chief Conservator of Forests reference No. 65742/65/R2, dated 7-1-66, the District Forest Officer is empowered to grant temporary permission for removal of Minor Minerals namely, roadmetal, boulders gravel, etc., to the Public Works Department contractors in their respective jurisdiction on due certification by the Executive Engineer concerned

for working quarries (Not reserved otherwise) under intimation to the Director of Mines and Geology. This is subject to the conditions: (1) that the royalty is collected at the rates specified in the schedule to the Rules regulating the working of minor Minerals, '54, (ii) that the quarrying is done under direct supervision of the Executive Engineer in each case without prejudice to such regulations as may be applicable to these quarries under the various sections of the Indian Mines Act 1952 (as ammended from time to time), (iii) that the permission granted will be valid for 3 months as a time from the date of issue in each case of individual contractor : which should be reviewed at regular intervals and the permission so granted shall, in no case exceed a total period of 6 months or 9 months after renewal.

(c) Procedure for sanction of quarry lease and Auction.

Every application for quarrying in Reserve Forests or unreseves has to be made to the Director of Mines and Geology who after consulting the District Forest Officer concerned will grant such lease or otherwise order to sell it in open auction when there is more than one application (Rule 9). The lease is subject to confirmation by the Director of Mines and Geology.

Now Government in their G O.Ms. 60 Industries Dated 1-2-66, have evolved a uniform procedure in the matter of disposal of quarries of Minor Minerals throughout the State. The Rules and Regulations applicable to grant of leases for minor minerals in their respective areas have to be followed in addition to the instructions contained in Government order, pending issue of a common set of rules Governing the grant of leases for minor minerals throughout the State. (A copy of the said Government order is enclosed for ready reference).

II ANDHRA REGION.

The rules are different in the case of Reserve Forest and reserve Lands

The rules framed under Section 63 (e) of Andhra Pradesh (Andhra Area) Forest Act 1882 printed at page 62 of the Madras Manual are applicable in respect of quarry leases of minor Minerals from Reserve Forest.

Rule 12 "General rules for the management of reserved and unreserved lands" framed under Section 26 of the Andhra Pradesh (Andhra Area) Forest Act. 1882 is applicable in respect of reserved and unreserved lands.

- (a) Procedure for permitting the removal of minor Minerals by local inhabitants from forest areas for bonafide domestic pursoses.

(I) From the Reserve Forests :—

Rules do not envisage any permission for quarrying from reserve Forest for the domestic purposes etc.

(ii) From Reserve lands :—

The District Forest Officer can issue quarrying permits on collection of seigniorage rates as specified under rules cited above.

- (b) Procedure for removal of minor minerals by ths Public Works Department and other departments.

According to sub rule (ii) of rule (I) framed under section 68 (e) of Andhra Pradesh (Andhra Area) Forest Act, 1882 the Forest Department District Forest Officer may allow other Departments to quarry inside the reserve forest on permits end charge for the material also Chief Conservator of Forests Circular No. 9/65, dated 9-4-65. may be seen for procedure.

All transactions relating to removals should be conducted by the District Forest Officer with the Executive Engineer of the Government Department, local body concerned but not with their contractors direct. The indenting officer (of the Government or local body) should be requested to specify in each case, the quantity of material indented for as per instructions contained in G. O. Ms. No. 780 Rev. dated 5-4-1930.

(c) Procedure for sanction of quarry lease and auction :—

Every application of lease for quarrying in Reserve Forest should be made to the Collector and the Collector in turn, after consulting the District Forest Officer concerned, will grant such leases if he deems it fit; whether for any such leases. applications are received from a number of persons, the quarry should be sold in open auction subject to confirmation by the Board of Revenue or by their authorised agent. The procedure is laid down in Madras Forest manual in rules framed under section 63 (e).

Now Government in their G. O. Ms. No. 60 Industries Dated 1-2-66, have evolved a uniform procedure for the auction of the quarries throughout Andhra Pradesh. A copy of the said order is enclosed. All the officers should follow this order scrupulously.

(iii) GENERAL :—

(a) Definition of minor minerals :—

(i) As per rule 2(i) (b) of the rules specified in para 1(3) of Notification No. 32 dated 22-3-54, issued by the Government of Hyderabad, the definition of minor minerals includes building stone, boulder, shingle, granite, limestone, (Lime shell) and Kanker used for lime burning Muram brick-earth, ordinary clay, ordinary sand and road metal.

(ii) As per clarification issued in letter No 6658/M5/63, dated 2-5-1963, of the Director of Mines and Geology Limestone is classified as minor minerals only when it is used for lime burning. It is not a minor mineral when used for chemical and industrial purposes and should be classified as a major mineral.

This definition will hold good for both Andhra and Telangana Areas.

(b) Classification of the revenue (in both Andhra and Telangana) :—

According to G. O. Ms. No. 418 (Ind.) (B 1) Department dated 21-4-66, communicated in Chief Conservator of Forests Reference No. 49139/64-R2, dated 18-5-66, all revenue by the grant of Mineral concessions in and outside reserve Forests are to be credited to the Major Head :

"XXXII Misc. Social and Developmental Organisation (d) Mis. Department Miscellaneous", with the following different detailed heads.

- (i) Major Minerals revenue outside forests.
- (ii) do inside reserve Forest.
- (iii) Major minerals revenue in forest and outside Forests (in the case of combined lease).
- (iv) Minor mineral revenue in Forests.
- (v) do outside Forest.

(vi) Minor Mineral revenue outside forests and inside Forests. Further it was ordered that the revenue items like surface rent, cesses assessment are to be credited to 'IX' Land Revenue only.

(c) Responsibility to recover revenue :—

Responsibility devolves on the District Forest Officers as Officer granting permission to recover the amount due in respect of such permission.

As regards mining lease the provision of the contract may be verified.

(d) Infringement of regulations of the department by the issues :—

There are express provisions in the standard contract forms of mining lease confirming the Forest Officers with certain powers to interfere. In Telangana Area generally rule 29 mineral concession rules 1954 prevails. It will be however necessary that the Forest Officer verifies his powers with reference to the lease deed before taking action against the leases.

(e) Working plan prescription on minor minerals :—

These circular instructions will prevail over working plan prescription if any on these subject of minor minerals as regards the procedure to be followed.

All the Forest Officers are requested to follow these instructions scrupulously pending finalisation of integrated set of rules.

The receipt of this circular should be acknowledge in the form appended hereto.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Copy of G. O. Ms. No. 60, dated 1-2-66, from Industries Department Government of Andhra Pradesh.

**Sub : Mines and Minerals-Minor Minerals Disposal of quarries
Revised procedure-Orders-Issued.**

Ref : G. O. Ms. No. 60, 1 Industries (B i) Department, Dated 1-2-66.

Read the following :—

1. From the Director of Mines and Geology Lr. No. 10836/M1/65, Dated 10-10-66.
2. From the Director of Mines and Geology Lr. No. 20836/M2/65 Dated 19-10-66.
3. From the Director of Mines and Geology Lr. No. 21514/G1/65 Dated 18-1-66.

ORDER :

According to the position now obtaining in the State the grant of leases for minor minerals is being done by different authorities under the Madras Mining Manual in the Andhra Area and under the Rules Regulating the working of Minor Minerals, 1954 in the Telangana Area with the result that there is no uniformity in the procedures adopted for leasing the areas, the selection by suitable applicants for them and in fixing the lease amounts and their collection. The lack of uniformity in the procedure has been a hinderance for the proper development of the industry on sound footing and as a result, the revenues of the Government are also affected. There is a lot of public clamour against the way in which the quarries are leased without notice of sale. In view of the above, the Government have considered it imperative to revise roughly the existing procedure in the disposal of quarries of minor minerals. To remove the difficulties referred to above and to develop the industry on sound lines, a comprehensive scheme for the revision of the procedure of auction of quarries by minor minerals is proposed to be introduced. The Government have decided that the following procedure be followed in the matter of disposal of quarries of Minor Minerals throughout the State. The Collectors are also informed that the rules and regulations applicable to the grant of leases for Minor and Minerals in their respective areas have to be followed in addition to the following instructions pending issue of a common set of rules governing the grant of leases for minor Minerals throughout the State.

1. The sale of quarries of minor Minerals shall be for a period of one year only—the period to start from 1st Jany. and will end on the 31st Decr. of the year.
2. The sale shall be by public auction or by calling tenders whichever is preferable and should be held invariably in the month of October of the year for the lease to commence on, the 1st Jany. of the next year. The three months period should be utilised for the completion of all formalities including execution of the lease deed etc., so that the lessee would be in a position to commence work from 1st Jany. of each year.
3. All the quarries which are proposed to be put to sale or resale shall be published in the official Gazettes A. P. Gazette and the District Gazette during the month of October for leases to commence in Jany. of the next year.
4. Such of those quarries for which auctions had already been held steps should be taken, to confirm the sales upto December 1966 or with hold them
5. Where the period of subsisting leases extend over one year action should be initiated to determine them within the least possible time so that they may be ready to be auctioned as per the revised procedure with effect from 1—1—67, at the latest.
- II. The Collectors of the Districts and the Director of Mines and Geology are requested to follow the above instructions and also to take action as indicated below.
 - (a) All the quarries locally worked in the Districts, Taluqs and Panchayat Samithi limits should be identified by means of revenue sketches to the collector for all quarries after locating and identifying them with the help of Panchayat Samithis or Village Panchayat by staff to be deputed by the Director, Mines and Geology, or the District Collector, as the case may be ;

- (b) Complete lists of quarries with incomes fetched for the past three years together with land sketches for all the quarries leased should be made available to the staff as and when deputed by the local revenue officials in the districts ;
- (c) The Director of Mines and Geology will depute mines Supervisors and Sarveyors to collect data of all quarries being worked or newly identified with the help of local panchyats or village panchayats together with the Revenue and land sketches for each quarry being worked or proposed to be put re-auction or otherwise etc This work should be completed within a period of one month in the Telengana region.
- (d) Similarly lists of all quarries together with sketches of the areas worked or othersie should be collected by the District Collectors in Andhra region with the help of Revenue Field Staff. It is considered that the district and taluq surveyors might also be able to compile all the sketches for the quarries located in the districts ;
- (e) In the case of Telengana region such of those river units where in the rights acquired as in the bed of river Moosi for cultivating watermelon etc. will be suspended and the average income fetched by melon cultivation in the river bed of moosi and or in other quarries in river bed will be included in the annual bid amounts average worked out for a period of three years.
- (f) Sand and stone quarries which have already been confirmed up to Fasli 1375 (June 1966) will have to be terminated by 6 months notice as per covenants of lease to make them co-terminus with the fresh quarries put to resale upto December 1966 This will, however result in blocking up of certain areas held by quarries upto January 31, 1967. These leases will be re-auctioned from 1st Febv. 67 upto December 1967 to bring them in uniformity with the rest of the lease again from January 1967 to December 1967.

III. The collectors are requested to furnish details as in part II above to the Director of Mines and Geology and the Government in due course.

(By order and in the name of the Governor of Andhra Pradesh).

Sd/- T. L. SANKAR,
Deputy Secretary to Government.

Ref No. 31224/66-H1.

Dated : 5-11-1966.

Circular No. 52/66 H1

Sub : - Forest Department—Adoption of Metric System in the Government Departments—Instructions—Issued—Reg.

Ref : Chief Conservator's Rc. No. 31224/65-H1 dated 5-10-1966.

The adoption of Metric System of Weights and Measures has come into force in all sphere of Trade and Commerce throughout the Country. The practice of using any other

Weights and Measures other than Metric Units is an offence under law. Timely instructions were issued to switch on to Metric System so as to avoid legal complications. It was stressed that all the Departmental transactions of Trade and Commerce should be done only in Metric System of Weights and Measures. All the Conservators of Forests were requested to check up this aspect in their respective Circles.

Even though the importance and the immediate need to switch over to the Metric System has been stressed many a time, it has come to the notice of the Chief Conservator of Forests that the Metric System is not being fully followed by several Forest Officers. No progress is achieved in this sector. In the sale notice or Tender Notices of Coupes, timber in depots etc. the Units are still being shown in Units of British System.

All the Officers are informed that they should strictly adhere to the following instructions in the implementation of Metric System of Weights & Measures.

Sale Notices :—

In all Sale Notices the measurements should be indicated invariably in Hectares and cubic meters, showing in brackets the equivalents as per the old system.

Survey :—

In all Survey Operations only the Metric System should be used.

Schedule of Rates of Works :—

It is evident that the system of fixing the rates on the basis of British Units is under practice. This system should be modified according to the Metric System.

All the Conservators of Forests are requested to revise these rates to see that all the works are shown only in Metric System of Weights and Measures.

Seigniorage Rates :—

Seigniorage Rates for sale of timber etc. also need similar change as above.

Saw Mill :—

It has been pointed out by the Controller of Weights and Measures that the specification of the sizes of Timber etc. in the Saw Mills are still being expressed in the Old British System only. This system should get revised. For the revision of these specifications, Indian Standards Institute Formula should be invariably followed. Details of the Indian Standard Institute, Standards with regard to the specification for cut sizes of Timber may be seen in the Indian Standard Institute Publication No. IS. 1331-1958 and No. IS. 399-1952. These booklets can be purchased from the "INDIAN STANDARD INSTITUTE, Manak Bhavan Road, New Delhi -1".

All the Forest Officers are therefore requested to adopt the Metric System of Weights and Measures in all Departmental Transactions forthwith, if not already done. They are warned that the practice of using old units other than Metric Weight and Measure is unlawful and they may have to face the statutory consequences themselves for non implementation of the Statuary orders on this subject. The receipt of the Circular may be acknowledged in the Form enclosed.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Dated :

Circular No. 53/66.

Sub : Establishment Forest Department Direct Recruitment Instructions.

It is noticed that the Divisional Forest Officers are generally notifying all the vacancies in Foresters cadre substantive as well as temporary including leave and deputation vacancies to the employment exchange concerned and making arrangements by Direct Recruits. This procedure is not in accordance with the statutory rules and is creating complications on the expiry of term of vacancies in providing alternative jobs to those retrenched.

2. As per rule 2 of the special rules for F. S. S. Rules 65% vacancies arising in the category of Foresters should be filled by direct recruits, 25% by promotion of Forest Guards and 10% by transfer from fill up permanent posts as per rule 6 of the part II General Rules for State and Subordinate Service Rules where it has been laid down that where the normal method of recruitment to any service is both by D. R. and by transfer, the proportion is applicable only to substantive vacancies in the permanent cadre and not temporary vacancies.

3. In view of the above, for the guidance of the officers of the Forest Department following instructions in respect of filling posts of Foresters are issued.

- (a) D. R. should be restricted to the extent of 65% or the substantive vacancies of permanent cadre.
- (b) transfer from Ministerial Establishment should be limited to the extent of 10% of the substantive vacancies of permanent cadre.
- (c) remaining 25% of the permanent posts and all temporary posts including posts sanctioned under plan, schemes, vacancies caused due to deputation, leave vacancies etc, should be filled by promoting suitable Forest Guards only.

The above instructions should be followed scrupulously in future if in any division direct recruitments are in excess of 65% of the permanent posts of the division further direct recruitment till the percentage reaches to required level should be stopped.

The receipt of this circular should be acknowledged in the proforma enclosed.

Sd/—P. S. RAO,
Chief Conservator of Forests.

Ref No. 77755/66 B2

Dated : 18-11-1966.

Circular No. 54/66.

Sub :— Maintenance of S. Rs.—Posting Col. 15 of S. Rs.—Regarding punishments or rewards.

It is observed during the inspection of the Offices of the Conservators of Forests that Col. 15 of S. Rs. is not being posted by the concerned offices. This Column is left blank. Col. 15

relates to the punishments or censures or rewards given to the Government servants. Although, copies of Proceedings regarding punishments etc., are filed in the S. Rs. to avoid possibility of the copies being detached or lost, it is necessary that specific reference should be made in Col. 15 of the S. Rs. regarding these matters.

All the Officers of Dist List 'A' are therefore requested to enter in Col. 15 of S. Rs. then & there the refs. in which the punishments or rewards are given to the Government servants and attest the entries. While recording the annual verification certificate in the S. Rs. a Certificate should also be furnished to the effect that entries regarding punishments or rewards are posted upto the end of the particular year. If there are no punishments or rewards given during that year, a nil certificate should also be recorded. The Conservators of Forests are also requested to see that these instructions are carried out by them during the divisional office inspections.

The receipt of this Circular may please be acknowledged.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Rc No. 63279/62-J4

Dated : 19—12—1966

Circular No. 55/66.

Sub:—Delegation of powers to the D. F. Os. in the State for the grant of permission for laying roads, canals etc., within Forest Limits by other Departments of Government, Zilla Parishads, Panchayat Samithis, Village Panchayats etc., Authorisation Issued.

Zilla Parishads, Panchayat Samithis, Village Panchayats and other Departments of Government often approach the Forest Department for permission to form roads dig canals, channels or other water ways, lay electric transmission lines pipe lines etc., restore tanks or wells within the limits of the Forests under the control of the Forest Department. The procedure obtaining at present is that such permission has to be accorded by the Chief Conservator of Forests only after examining the requests in consultation with the Conservators of Forests and Divisional Forest Officers concerned. This procedure is time consuming with the result that the authorities asking for permission complain of delay and express inability to execute the works in time. In order to enable those authorities to complete the works in time, it is considered desirable that the Divisional Forest Officers concerned are given necessary authorisation by the Chief Conservator of Forests to examine the requests themselves and grant necessary permission themselves straight away. With this purpose in view the question has been examined in detail and the following orders are issued.

2. As soon as a request is received from any of the authorities mentioned above, the Divisional Forest Officer shall examine the request with reference to the prescriptions of the Working Plan and matters connected with Forest administration with the interests of the Forest Department. If grant of the permission asked for does not in any way interfere or affect the

working plan prescription or the interests of the Forest Department the Divisional Forest Officer will grant the necessary permission in writing subject to the following conditions :

3. (a) The centre line of the alignment of the proposed road or canal etc., to be peg marked and over-all width to be furnished to the Divisional Forest Officer.
- (b) All the standing growth throughout the length and breadth of the road, shall be enumerated and a list prepared in a marking book.
- (c) The standing growth shall be cut, felled produce stocked in convenient stocks at the cost of the authority incharge of the formation of the road, canal etc., After stocking, the materials should be handed over to the Forest Range Officer concerned as per the marking book a copy of which shall be supplied to the Zilla Parishad, Panchayat Samithis, Village Panchayat, concerned Department of Government etc., as the case may be.
- (d) After taking charge of the felled produce so stocked at convenient places, the Forest Range Officer shall immediately bring the same to his Timber accounts and then dispose of the materials in public auction after wide publicity. If tree produce involved is very valuable, the question of transporting the material to a central depot and sale in the presence of Conservator of Forests, after wide publicity should be considered and credit the amount realised to the relevant Head of Account of the Forest Department.
- (e) No further widening of the road, canal etc., than that permitted shall be allowed.
- (f) The contractors and their labourers and other staff engaged in the laying and formation of the road, canal etc., should not misuse the permission and they shall be held responsible for any illicit fellings or damage to the forests within a distance of two furlongs from the work spot.
- (g) The area covered by the road, canal etc., will not be disreserved or alienated but will continue to be the property of the Forest Department. The roads, canals etc, will however be granted a right of way under the relevant section of the Forest Act and the authority incharge of the road, canal etc, will be given full freedom to do all acts necessary within the limits admitted to maintain, repair or improve the same without any hindrance,
- (h) All material of forest produce to be utilised from within the forest limits shall be paid for by the authority concerned according to the prescribed seigniorage rates. The prior written permission of the Divisional Forest Officer should be obtained by the said authority before the use of any such materials or produce. In case of failure to do so the value fixed by the Divisional Forest Officer should be paid by the said authority.
- (i) In the case of tanks, wells etc, which are proposed to be renovated the command area or ayacut area shall not be located within the forest limits.
- (j) In respect of laying electric transmission lines or underground pipes lines or any other over head or underground communication of power or water the

question of grant of right of way does not arise. The prior written permission of the Divisional Forest Officer shall be obtained for clearing the undergrowth or lopping or cutting of over head branches of trees and all cut material should be neatly stacked in convenient sizes and places by giving advance intimation to the Range Officer and handed over to him. The Range Officer shall immediately bring the timber and fuel to his timber accounts and dispose of the materials in public auction and credit the same amount to the relevant head of account of the Forest Department. The same procedure shall be followed whenever the clearance of growth and lopping of tree branches are to be done periodically.

4. In the permission to be granted by the Divisional Forest Officer, the name of the Forest block, its legal status, the length of the road, canal etc., within the forest limits, the overall width allowed and other necessary particulars are to be clearly indicated.

5. As soon as permission is granted the Divisional Forest Officer shall furnish to the Chief Conservator of Forests through the Conservator of Forests with one advance copy direct a copy of his proceedings granting the permission for ratification and also enclose a sketch showing the road, canal etc, with reference to the forest block boundary.

6. All the Divisional Forest Officers are requested to see that the above instructions are followed scrupulously. They are also requested to see that whenever they are approached for permission, the Divisional Forest Officers take very expeditious action in matter on priority basis.

7. All the Divisional Forest Officers are requested to acknowledge the receipt of this circular in the attached form by return of post direct to Chief Conservator of Forests.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Rc. No. 60171/66-B1.

Dated : 21-12-1966.

Circular No. 56/66.

Sub :— Forest Leases-Sale of minor Forest Produce in Reserved Forests and unreserves combined sale instructions-Issued.

Ref : CC's Circular No. 30/66 (issued in CC's Rc. No. 46141/66 D2, dated 13-7-1966).

Instructions were issued in Chief Conservator's Circular cited that the sale of all items of Minor Forest Produce including the custard apple in respect of R F. and unreserves lands including ex-estate and ex-jagir Forests (excluding porambokes) and beroon lands containing thick vegetation in Telangana area which have already been ordered in G. O. Ms. 1097 - Agrl. date 30-6-61 to be transferred to the Forest Department for being notified under A. P. (Telangana Area) Forest Act is to be held by the Forest Department.

It has since come to the notice of Chief Conservator of Forest that in a particular Minor Forest Produce lease unit in a Division, the M. F. P. items in the reserves and unreserves have been sold independently by the District Forest Officer. Since R. Fs. and unreserves generally are interspersed, any given territorial unit such as a Range, Revenue, Taluk etc. is taken as an unit, it will be better to combine both R. Fs. and unreserves as one unit for purpose of sale so that the problem of two different contractors working in side by side in separate leased pockets of reserves and unreserves can be avoided. This will also avoid a likely clash between two contractors. This object is defeated if the R. Fs. and unreserves are sold separately by the Forest Department even after the issue of the orders mentioned in para 1. Therefore, it is informed that in future whatever may be the territorial unit, that is, whether Division or Taluk or Range etc. the Reserves and unreserves etc. as stated in para 1 above situated in that unit, shall form a single lease unit for the sale of M. F. P. items.

All District Forest Officers and Conservators of Forests are requested to take action accordingly if not already done.

The receipt of this Circular should be acknowledged.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Ref. No. 86981/66-/M3

Dated :

Circular No. 57/66.

Sub :— Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules 1963 Instructions, in Chief Conservator's Circular No. 17/64, requiring the submission of all corruption cases to Chief Conservator of Forests modified.

Ref : Chief Conservator's Circular No. 17/64 (Ref : No. 19578/64-M3 dated 24-5-1964.

The following amendment is issued to Chief Conservator of Forests Circular No. 17/64. In the circular cited, para 3 shall be deleted.

This amendment shall be deemed to have come into effect from 24-5-1964 i. e. the date of the said circular.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Circular No. 58/66.

Sub : CORRUPTION—Preventive measures—Focal points of corruption in Government Offices—Transfers of Officers and staff from such posts—Instructions—Issued.

Ref : Govt. Memo No. 2016/66/3. General Administration Administrative Cell Department dated 12th Dec. 1965.

Read : G. O. Ms. No. 1289, General Administration (Ser-A) dated the 6th Nov. 1963.
G. O. Ms. No. 210, General Administration (Ser-A) Dated the 5th Feb. 1965.

In the Government orders cited, instructions were issued, among others, that as a rule no Government servant should be transferred from one place to another before he has put in at least three years in the post and in cases of deviation, "a report with reasons should go to the next higher officer" etc. This amounts in effect to a transfer being given after one has put in three years of service in a post.

2. In this connection it has been pointed out that every Government office may have a house keeping section, which generally deals with the purchase of stores, etc. that there may be certain other items of works also in the Departments or offices which entail dealing with the public and present opportunities for corruption, and that it may not be desirable to continue Government employees indefinitely in such posts.

3. The matter has been examined and it is considered that as a preventive measure, a list of such focal points (posts) should be made out in all Government Departments/Offices and suitable steps taken to ensure that the employees in such focal points are not allowed to continue indefinitely. This may be to a certain extent, prevent the establishment of malpractices or corruption. The Heads of Departments in respect of Gazetted Officers and the appointing authorities in respect of Non-gazetted Officers are requested to take necessary action accordingly.

4. No Government Officer or employee should be kept in the same post listed as a focal point for more than three years, and where it is proposed to deviate from this principle, the authority concerned should obtain the approval of Government in the administrative department concerned in respect of Gazetted Officers and of the next higher authority above the appointing authority in respect of non-gazetted officers. The authority approving the retention of an officer in a focal point beyond the prescribed period should record clearly the reasons therefor.

Sd/- K. N. ANANTARAMAN,
Chief Secretary to Government.

Circular No. 59/66.

Sub:—Forest Revenue—Recovery of Forest Revenue by Range Officers under the Revenue Recovery Act—Investing Forest Range Officer with powers under Andhra Pradesh Rent and Revenue Sales Act—Orders Issued.

A copy of the G. O. Ms. No. 3210, Food and Agriculture (Forest III) Department dated 30-11-66 is communicated for necessary immediate action.

Receipt of this circular may please be acknowledged.

Sd/- P. S. RAO,
Chief Conservator of Forests.

Copy of G. O. Ms. No. 3210, dated the 30th November, 1966, F&A, Dept.

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

FOREST REVENUE—Recovery by Range Officers under the Revenue Recovery Act—Investing Forest Range Officers with powers under Andhra Pradesh Rent and Revenue Sales Act—Order Issued.

FOOD & AGRICULTURE (FOREST III) DEPARTMENT.

G.O.Ms. No. 3210.

Dated the 30th November, 1966.

Read: 1. From the Chief Conservator of Forests, Lr. No. 24333/63-D4, dated 13-1-1965.

2. From the Board of Revenue letter No. TT. 1/72/66, dated 17-2-1966.

ORDER :

With a view to recover the arrears of Forest revenue from the defaulting contractors quickly, the Chief Conservator of Forests instructed the Conservator of Forests and Divisional Forest Officers to address the Collectors to empower the Forest Range Officer to exercise powers under section 5 of the Revenue Recovery Act, 1884 in regard to the sums due to Forest Department. Since the Forest Range Officers cannot effectively exercise the powers under section 5 of the Revenue Recovery Act, 1864, until and unless they are invested with the powers of sale of distrainted movable properties, the Chief Conservator of Forests has requested the Government to invest the Range Officers with powers of Tahsildars under section 2 of the Andhra Pradesh Rent and Revenue Sales Act, 1839. The Government have examined the proposal of the Chief Conservator of Forests in consultation with the Board of Revenue and direct that the powers of the Tahsildars under section 2 of the Andhra Pradesh Rent and Revenue Sales Act 1839, be vested with the Forest Range Officers. The appended notification will be published in the next issue of the Andhra Pradesh Gazette. (By order and in the name of the Governor of Andhra Pradesh).

Sd/- S. A. QUADER,
Special Secretary to Government.

NOTIFICATION

In exercise of the powers conferred by section 7 of the Andhra Pradesh Rent and Revenue Sales Act, 1839 (Central Act VII of 1839), the Governor of Andhra Pradesh hereby invests the Range Officers of the Forest Department with the powers of a Tahsildar under section 2 of the said Act, to sell the property distrained for arrears of rent or revenue due to the Forest Department.

Sd/- S. A. QUADER,
Special Secretary to Government.