

Ref. No. 19105/71/H2

Dated : 25—3—1971.

Circular No. 1/71.

Sub :— Motor Vehicles - Govt. Vehicles - Transfer of useful parts etc., of one vehicle to another vehicle - Instructions-issue of.

It has been observed in some cases that when a Government Vehicle falls into repairs and it is uneconomical to repair it, some serviceable spare parts are removed from it and used for other vehicles without maintaining proper records. At the outset it is pointed out that exchanging of spare parts like tyres, battery gear box, top-hood, springs etc., from one vehicle to another should not be done at all. If at all there is an urgent necessity a self contained report should be submitted to Chief Conservator of Forests and after obtaining the Chief Conservator of Forests written permission, only the useful spare parts should be removed from the sick vehicles and used for other vehicles.

The receipt of this Circular should be acknowledged.

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

Ref. No. 36330/71/B4,

Dated : 29—8—1971.

Circular No. 2/71.

The Deputy Accountant General, A. P. has brought to notice of this office several irregularities committed by the D. F. Os with regard to drawal of advances from G. P. F. Some of the irregularities are furnished below :—

- 1) G. P. F. Schedules are not being furnished regularly with the result that unposted audit items increased to 2916 amounting of Rs. 3,51,441.22 and debit items to 418 valued approximately 15093 and 4935 accounts.
- 2) In many cases it is found that correct G. P. F. Account numbers are not being shown in schedules with the result these items had to be kept unposted.
- 3) Temporary advance sanctioned to N. R. S. are being classified under Regular G. P. F. Accounts vice versa.
- 4) Temporary advance are being sanctioned frequently in contravention of G. P. F. Rules and provisions of G. O. Ms. No. 297 Fin. Dt. 11—12—1968 and without referring to Account slips issued by A. G. and thereby resulting in mines balances.

- 5) Copies of sanctions to Temporary advances are not being enclosed to the vouchers. It is also noted in some cases that temporary advances are being drawn without according sanctions as per rules.
- 6) It is noted in some cases that the balances outstanding on previous advances are being adjusted from the advance sanctioned subsequently and the net amounts are being disbursed.
- 7) In many cases recoveries of temporary withdrawals are not being effected inspite of frequent reminders from 4. G to concerned drawing officer. It is also noticed that during the period of loan recovery regular subscriptions are not being recovered.
- 8) In many cases the subscriptions and interest on the advances are being recovered in paise instead of rounding off to the nearest rupee as per rule 15 (1) (4) (1) of G. P. F. Rules. As many as 600 accounts are having paisa balances.
- 9) Sanction and payment of part final withdrawals without authorisation from A. G.'s office.
- 10) Recovery of subscriptions from the new subscribers prior to the allotment of G. P. F. Account Nos.

It is impressed on all the concerned officers that violation of rules and regulations is serious irregularity and cannot be tolerated if repeated again. I am firmly of the opinion that all the irregularities listed out above could have been avoided had the Manager, Superintendents and Head Clerks concerned exercised proper supervision. I will be constrained to take severe disciplinary action against all concerned if there is repetition of such irregularities and I will not hesitate to recommend to Government the withdrawal of powers of D. F. Os if they go on repeating the irregularities. I hope that officers concerned will not give scope for much situation and will exercise their powers properly.

All the Conservators of Forests and Dist. Forest Officers and Working Plan Officers, State Silviculturist, Forest Utilization Officer are requested to guard against the irregularities specified above and for repetition of such irregularities they should take severe disciplinary action against the Accountant and the Establishment clerk concerned. As controlling Officers, it is also imperative on the Conservator of Forests to ensure avoidance of such irregularities and they should see that severe disciplinary action is taken against the concerned, if such instances are brought to their notice by Accountant General.

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

Sd/- M. Ahmed,
Addl. Chief Conservator of Forests.

Rcf. No. 11056/R1/70.

Dated: 22-9-1971.

Circular No. 3/71.

**Sub :— Law and Order - opening of fire by Forest Personnel -
Instructions Issued.**

According to section 114 of the Andhra Pradesh Forest Department Code, Government Muskets of 476 bore are supplied to Forest Officials and Forest officials are Public Servants, for purpose of section 45 of the Arms Act.

Whenever a public servant opens fire either in the discharge of his official duty or in self defence it is his primary duty to report the fact immediately to his superiors and the District Magistrate. The Chief Conservator of Forests should also be kept informed.

The above instructions should be followed scrupulously.

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

Ref. No. 66464/71/R1,

Dated : 1-12-1971.

Circular No. 3-A/71.

**Sub :—Law and order—opening of fire by forest personnel—further—
Instructions—issued.**

In circular No. 3/71 (Ref : No. 11056/R1/70 Dt. 22-9-71) detailed instruction have been issued in the matter.

The Collector and Dist. Magistrate, Kurnool, pointed out the following lapses on the part of Forest Officials who opened fire.

- a) Officials who are not allotted the fire arms have used the them.
- b) Officials who opened fire have not produced the weapon used in such firing without cleaning it, together with the empty cartridges, if any, before the enquiry officers, in support of the opening of fire.

It is, therefore, ordered that such lapses should be avoided in future.

The receipt of the circular may be acknowledged.

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

Copy of circular No. 4/71, of C.C.F. A.P. Hyderabad in C. C. F. R. C. No. 52524/71/M4,
Dated : 28-10-1971.

Sub :— Gazetted Officers - Forest Department - Leave on Medical Certificate - Instructions in part I of annexure II of the F. R. Following of Reg.

Of late it has been observed that Forest Officers proceeding on leave on private affairs have sought extension of leave on Medical grounds. While doing so, it has been noticed that the instructions on the subject contained in Annexure II of part-I Section III of the F. R. not being followed.

According to F. R. 10 before a gazetted officer can be granted leave or an extension of leave on Medical Certificate he must obtain a certificate in a prescribed Form from a Civil Surgeon or Official Medical Attendant. F.R. 14-A states that in cases where Gazetted Officers desires to go on leave on Medical Certificate for a period not, exceeding 2 months or 50 days as the case may be he may appear before any Government Medical Officer and get his case sheet prepared in duplicate and sent along the leave application through the proper channel who may accept or refer the case to Medical Board.

It is evident from the above instructions that the Medical Certificates in support of medical leave will have to be obtained only from Govt. Medical Officers and extensions of Medical leave beyond 2 months cannot be sanctioned to a Gazetted Officer without reference to the Medical Board.

Therefore all Forest Officers are requested to strictly follow the rules laid down in Annexure-II Part-I of the F.R. while seeking leave on Medical grounds.

Sd- P. S. RAO,
Chief Conservator of Forest.

Ref. No. 52524/71/M4.

Dated : 28-10-1971.

Circular No. 4/71.

Sub :— Gazetted Officers—Forest Department—leave on medical certificate—instructions in Part I of Annexure II of the Fundamental Rules—Following of—regarding.

Of late it has been observed that forest officers proceeding on leave on private affairs have sought extension of leave on medical grounds. While doing so, it has been noticed that the instructions on the subject contained in Annexure II of Part I, Section III of the Fundamental Rules are not being followed.

According to F. R. 10, before a Gazetted Officer can be granted leave or an extension of leave on Medical Certificate, he must obtain a certificate in a prescribed form from a Civil Surgeon or Official Medical attendant. F. R. 14-A states that in cases where Gazetted Officer

desires to go on leave on medical certificate for a period not exceeding 2 months or 60 days as the case may be, he may appear before any Government Medical Officer and get his case-sheet prepared in Duplicate and sent along with leave application through the proper channel, who may accept or refer the case to a Medical Board.

It is evident from the above instructions that medical certificates in support of medical leave will have to be obtained only from Government Medical Officers and extensions of medical leave beyond 2 months cannot be sanctioned to a Gazetted Officer without reference to the Medical Board.

Therefore, all Forest Officers are requested to strictly follow the rules laid down in Annexure II, Part I of the Fundamental Rules while seeking leave on medical grounds.

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

Ref. No. 39581/71-J4.

Dated : 17-11-71.

Circular No. 5/71.

Sub:- Forest Schedule of rates and P. W. D. Schedule of rates—Adoption in the execution of work by the Forest Dept.—reg.

- Ref :—1. C C F Circular No. 13/63 dt. 25-3-1963.
2. C F Kurnool No. 47776/71-M5, dt. 23-8-1971.
3. C F Visakhapatnam No. 10808/71-M6 dt. 21-10-71.

In the C C's Circular cited orders were issued to prepare a Forest schedule of rates for each Division for the items not covered by the P. W. D. S. S. R. and the rates for such items should be worked out based on field data. It was also ordered that the P. W. D. S. S. R. should be adopted for the items covered by it and when P. W. D. S. S. Rates are adopted a margin of 12½% to be deducted towards contractors profit.

2) The C. F. kurnool in his above ref. stated, that no other Dept. is deducting a margin or percentage towards contractors profit when P. W. D. S. S. Rates are adopted for execution and adoption of such a cut in the Forest Dept. only is unjust and as such, requests for dispensing with the deduction towards contractors profit. He has also suggested to issue instructions to have an independent F. S. R. covering all the items including Buildings and Road Works. The C.F. Visakhapatnam in his ref 3rd cited reported that the S. E. (R&B) Dowlaiswara had stated that the P.W. D.S.S. Rates do not include contractors profit and therefore it is not necessary to deduct 12½% towards contractors profit even when the works are executed through the departmental agency. The C. F. however requested the C. C. F. to obtain clarification from the C. E. (R & B) in this regard.

3) The subject matter was examined in De-novo and found the following are the three points requiring examination and decision.

- i) To waive deduction of $12\frac{1}{2}\%$ towards contractors profit over the P. W. D. S.S.R. when opted for execution of works in the Forest Dept.
- ii) The P. W. D. Rates do not include contractors profit.
- iii) The Forest Dept. should have its own F.S.R. including rates for roads, buildings and other works of P.W.D. nature carried out in the Forest Department.

Point (I) The Forest Dept. executes all its works on schedule contract method IV, (vide art 162 of Fin. code), entrusting one or more items of work to a person at fixed rates whereas in P.W.D. they are obliged to assign all major works each costing Rs. 2,500/- and above to contractors, for execution, employing tender system, unlike Forest Dept. The system adopted by the P. W. D. enabled the department to effect savings in the estimated amount arrived at based on P.W.D. SSR, by way to tender cut. There are instances, where tender cut has gone up to 30% in certain works. But the system adopted by the Forest Dept. for all types i.e. major or minor works does not provide means to earn P.W.D. S.S.R. This perhaps lead the dept. in the initial stages to order for adoption of certain percentage deductions over the P.W.D. S.S.R. whenever adopted. Prior to issue of the said circular instructions in this regard there were different percentages namely 10, 15, 20, named as "deduction towards contractors profit in practice in various divisions of this Department.

Taking into consideration all factors related to the subject and various reports from the concerned conservators in this regard and after thorough and careful examination of the issue a decision was taken to effect a general deduction of $12\frac{1}{2}\%$ over the P.W.D. S.S.R. whenever adopted in the execution of works in the Dept. and communicated to all the officers for implementation. This decision particularly weighed more towards the proposals of the C.F. Kurnool in this regard. The decision however escaped examination on the nomenclature assigned to the deduction of $12\frac{1}{2}\%$. As a consequence of which the decision has been subjected to controversies now and then by certain officers.

Reviewing the matter once again in the light of the factors that lead to take the said decision at that time and various other factors presently brought forwarded by the C.F's Kurnool and Visakhapatnam, the main reason for the controversies has been found due to adopting of an inappropriate nomenclature for the deduction. Hence it is found absolutely essential to modify its name as "anticipated tender cut" in order to make the issue once for all settled.

In view of what has been stated earlier the CC. F's does not see any reason to dispense with the deduction of $12\frac{1}{2}\%$ over the P. W. D. S S R when applied to forest works and where they are executed through nominated contractors. However the quantum of deduction is subject to review at the appropriate time.

Point II :—The P.W.D. rates are based on the rate collected by them. The details available in the data of any rate did not specifically include any provision towards contractors profit. As such the clarification rendered by the S. E. Dowales waram in this regard has to be literally accepted. Further the reasons behind the imposition of deduction over the P. W. D. S. S. R. when adopted in this Dept. is different and as such no further probe into this aspect is considered necessary.

Point III :—Regarding an independent F. S. R. for the Forest Dept. covering the rates of all the items of works, it is to be stated that the P. W. D. being the parent Technical Dept., has got its own standard specification, standard data for each item and a worked out rate for each material with a fully trained and equipped organisation to prepare its S. S. R. Having those things as back ground and considering the trend of tenders during the year, the P. W. D. revises its S. S. R. annually holding the conference of the officers also usually get invitations to the annual conferences to be held by the concerned S. E. (R & B). The Forest Officers as well can attend such conferences and get the extra percentages. Required for remoteness of localities or of any special nature, included in the P. W. D. S. S. R. instead of venturing to prepare its own F. S. R. covering all the items with the assistance of the Forest Officers who are not professionally qualified to undertake such an arduous job in addition to their already existing multifarious duties. In view of the above the suggestion of the C. F. Kurnool to have an independent F. S. R. totally dispensing with the adoption of P. W. D. S. S. R. in forest works did not merit consideration.

4. Conclusively and in supersession of the previous orders issued in this regard it is hereby ordered that henceforth, whenever P. W. D. rates are adopted in the estimates, either the works should be entrusted to contractors after inviting tenders and observing all the financial rules, or the works should be executed under schedule contract method IV through petty contractors adopting a deduction of 12 1/2% towards "Anticipatory tender cut". And an F. S. R. for each Division for the items not covered by the P. W. D.S.S.R. should be prepared based on the actual field date as usual and maintained.

5. The C. F's are requested to acknowledge the receipt of this circular.

Sd/-M. Ahmed.
Chief Conservator of Forests