

Ref. No. 65402/71/D.1

Dated : 4-1-1972.

**Circular No. 1/72.**

**Sub :— Forest Leases— Grant of Extension in lease period of timber and fuel coupes etc. submission of proposals in proforma-prescribed.**

A copy of the proforma prescribed for submission of proposals for grant of extensions in lease period of timber, fuel etc. coupes is communicated herewith. The Conservators of Forests and Divisional Forest Officers should submit in future proposals for the grant of any extension either to the Chief Conservators of Forests or the Conservators of Forests etc. in the proforma prescribed along with the connected records.

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

**Proforma for submission of proposals in connection with obtaining extension of Lease Period in Respect of Timber Fuel Etc. Coupes**

1. General Particulars of the lease unit.
  - (a) Name of Division
  - (b) Name of Range :
  - (c) Name of Series :
  - (d) Coupe No. & Year of Working :
2. Detailed particulars of the unit:
  - (a) Date of issue of sale notice.
  - (b) Whether sale notice condition relating to extension of lease period specifies.
    - (i) the grant of 1st extension by the D F O for 3 months immediately following the lease period at 5% penalty, 2nd extension by the C. F. for the following 3 months of 1st extension at 5% penalty and third extension by Govt. in extra ordinary cases with such conditions and penalty as they deem fit as per G. O. Ms. 235 Agri. dt. 20-2-57.

OR

- (ii) the grant of 1st extension by the D F O for 3 months immediately following the lease period at 5% penalty, 2nd extension by the CF for the following 3 months of the 1st extension at 10% penalty and 3rd extension by the C C F in extraordinary cases at 20% penalty as per G. O. Ms. No. 1542 F& A Dept., dt. 23-7-70 communicated with CC's Ref. No. 46869/70/D.1 dt. 11-8-70.

- (c) (i) The date of sale.
- (ii) Sale amount: Rs.
- (d) Lease period.
- (e) Date of Confirmation.
- (f) Date of execution of the agreement.
- (g) Date of handing over charge of coupe/ unit to the contractor.

3. Particulars of 1st extension ;—

- (a) Reasons why work could not be Completed during the lease period.
- (b) Quantity of felled material with approximate value and extent and extent value of standing growth left in the lease unit.
- (c) Date of application for 1st extension and date of its receipt by the Divisional Forest Officer.
- (d) No. & Date of orders of the Divisional Forest Officer granting 1st extension specifying the period penalty etc.]
- (e) Amount of penalty (@ 5%) and date of payment by the Contractor.

4. Particulars of 2nd Extension ;—

- (a) Reasons why work could not be completed during the first extension period.

- (b) Quantity of felled material with value and extent and value and extent of standing growth left in the lease unit.
- (c) Date of application for 2nd extension and date of its receipt by the Divisional Forest Officer/Conservator of Forests.
- (d) No. and date of orders of the Conservator of Forests granting 2nd extension specifying the period, penalty etc.
- (e) Amount of penalty and date of payment by the Contractor.

5. Particulars for the 3rd Extension :-

- (a) Reasons why work was not completed during the second extension period.
- (b) Date of application for third extension and date of its receipt by the DFO/CF.
- (c) Quantity of felled material with value and extent and value of standing growth.
- (d) Recommendation for the grant of 3rd Extension.
  - (i) by the D. F. O. indicating the period and penalty.
  - (ii) by the C. F. indicating the period and penalty.

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

**Circular No. 2/72.**

**Sub:—Forest leases—Suits and Writ Petitions—submission of parawise remarks by the Divisional Forest Officers in Suits and Writ petitions and also detailed parawise reports in respect of petitions referred to by the Government for remarks from this department—regarding.**

It is generally found that in petitions referred to by the Government to this department and on the affidavits communicated to the Divisional Forest Officers in writ petitions only one copy of parawise detailed reports of Divisional Forest Officers containing several pages are being received from the Conservators of Forests. In most of the cases parawise reports of the Divisional Forest Officers are being copied and sent to the Government or Government Pleader as the case may be thereby time is consumed in making of copies of the Divisional Forest Officers reports. This can be very well avoided for expeditious fair copy work if required No. of copies are submitted.

2. In the case of suits filed in the sub-courts in the Districts or taluks where Government or the Chief Conservator of Forests are impleaded as defendants only one copy of judgment is being received with the result that copies have to be made again in this office for submission to Government or to Government Pleader in cases where appeals are to be preferred.

3. In the circumstances mentioned above, it is felt necessary that a uniform procedure is followed by all the Forest Officers in this regard and avoid duplication of work. In all cases connected with suits, suit appeals and Writs where the Government or Chief Conservator of Forests is impleaded and in all petitions where government have called for remarks all the forest officers are requested :

- a) to submit parawise remarks *in duplicate* in respect of Writ petitions referred to them.
- b) to submit *in duplicate* copies of reports of Divisional Forest Officers in case of petitions referred to by the Government and communicated for remarks to the sub-officers and
- c) to submit judgments pronounced in the sub-courts *in triplicate* where it is proposed to file appeals in the high court.

This procedure should be followed with immediate effect.

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

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

Rc. No. 53581/71/D1.

Dated : 30-10-1972.

**Circular No. 3/72.**

**Sub:—Leases—Common irregularities committed by Divisional Forest Officers avoidance of—deletion of para relating to attending of the sales of the coupes by the Conservator of Forests—Amended.**

Ref:—1. CC's Circular No. 32/63 communicated in Chief Conservator's Ref. No. 20718/63/D. 1 dt. 15-9-1963.

2. CC's Ref. No. 53581/71/D. 1 dated 3-11-1971.

3. CC's Ref. No. 53581/71/D. 1 dated 3-10-1972.

In view of the facts stated in the reference third cited the Circular No. 32/63 communicated in Chief Conservator's Ref No. 20718/63/D. 1 dated 15-9-1963 is amended as follows :-

**Amendment :—**For the sentence occurring in para 5 in item II at page 2 of the above circular Viz. "In order to speed up on the spot confirmation of units, the Conservator of Forests must attend all sales of units expected to fetch more than Rs. 10,000/- as no work can be considered more important when the consideration of realisation of more and more revenue is the supreme controlling factor", substitute the following sentence :

"In order to speed up on the spot confirmation of units, the Conservators of Forests must attend all important sales of lease units of their circle as no work can be considered more important when the consideration of realization of more and more revenue is the supreme controlling factor. The Conservators of Forests himself should decide which sales are important and which are not".

This amendment comes to effect from the date of this reference.

They are requested to acknowledge the receipt of the circular.

Sd/- P. S. RAO

Chief Conservator of Forests.

Ref. No. 68864/71/J3

Dated: 7-10-1972.

**Circular No. 4/72.**

**Sub:—Establishment—Forest Department—Settlement of taken over forest areas by the Forest Settlement Officers—Conduct of Inspections in company with Forest Officers Instructions Issued—Regarding.**

The Government in their G. O. Ms. No. 961/Food & Agril., (For. IV) Department dated 28-6-72, have issued orders reorganising the Forest Settlement Work among the 5 Forest Settlement Officers for their effective function. According to the changed set up, it is aimed

that each Forest Settlement Officer is to get considerable number of Forest Blocks on hand to conduct inspections, enquiries and finalise notification during the year 1972-73 itself. In order to facilitate the Forest Settlement Officers to conduct enquiries and inspections with desired speed and efficiency it was considered desirable to provide them with jeeps and drivers. Accordingly the Govt. were requested to sanction a jeep with driver to all the 5 Forest Settlement Officers functioning in the State. But the Govt. in their Memo. No. 1101/For. IV/72-2, dt. 20-7-72 have informed the Chief Conservator of Forests that it is not possible to sanction new Jeeps to the Forest Settlement Officers in view of the fact that the ways and means position of the State is not very sound. The Government have further informed that the forest settlement work is taken up in the interest of Forest Department and as such it is imperative and necessary that all Conservators should find a way out in placing a jeep at the Disposal of Forest Settlement Officers whenever necessity arises or in the alternative the Divisional Forest Officers should arrange their tour programme in such a way as to accommodate the Forest Settlement Officers on their tours in the same Vehicle and by this method the T. A. could also be considerably reduced.

In the past there were also complaints that the Divisional Forest Officers have not been accompanying the Forest Settlement Officers for Joint inspections and with the result the Forest Settlement Officers were unable to complete the enquires and settlement of the blocks with desired speed and efficiency.

The Forest Settlement Officers are functioning at the cost of Forest Budget and it is the concern of the Forest Department to provide all possible facilities to the Forest Settlement Officers to enable them to complete all pending blocks with utmost speed and thus help to reduce the cost of settlement to the minimum besides bringing the forest areas under the perview of the forest act quickly to ensure rigid protection.

Keeping the above points as background, the whole question has been carefully examined and the following instructions are issued to all concerned for strict compliance.

The Forest Settlement Officers are required to send their tour programmes two months in advance marking copies to the concerned Divisional Forest Officers. Therefore it is possible for the Divisional Forest Officers to adjust their hours and accompany the Forest Settlement Officers for the joint inspections. If the Divisional Forest Officers once make it a point to Accompany the Forest Settlement Officers invariably for joint inspections, with their vehicle, then there would not be any difficulty for the Forest Settlement Officers to conduct inspections and enquires according to their programme and finalise the settlement of the blocks with desired speed.

It is therefore ordered that all Divisional Forest Officers should adjust their tour programme with the tour programme of the concerned Forest Settlement Officers and must accompany them, for joint inspections. Under no circumstances except in the following cases, the Divisional Forest Officer should depute his sub Divisional Forest Officer or his subordinates for inspections with the Forest Settlement Officers without obtaining prior permission of the Conservator of Forests concerned. In cases where the Divisional Forest Officer has failed to accompany the Forest Settlement Officer with the prior permission of the Conservator of Forests also, the Divisional Forest Officer must send his Vehicle with his deputy to follow the Forest Settlement Officer other than the cases enumerated in items 1 & 3.

1. When the Ministers are visiting in their divisions and they are following the Ministers.
2. When they are required to attend meetings of Collector and Z. P. concerned and court duties.
3. When V. I. P. S. are visiting the areas in their jurisdiction and they have instructions to follow them.

These instructions come into force with immediate effect. The Conservators of Forests are regularly reviewing the work of Forest Settlement Officers and of Divisional Forest Officers in Forest Settlement work. At the time of review, this aspect should be specially reviewed and if any Divisional Forest Officer has violated the instructions, such lapses should be brought to the special notice of the Chief Conservator of Forests.

They should acknowledge the receipt of this circular in the enclosed form by return post.

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

Ref. No. 72038/70-KI  
Dated : 16-10-1972.

### Circular No. 5/72.

**Sub:—PUBLIC SERVICES—Andhra Pradesh Civil Services (CCA) Rules 1963—Competent authority to impose penalty on Government Employees transferred from Jurisdiction one office to that of another—Clarification—Regarding.**

Ref :—G. M. No. 2252/For. II/65-4, F&A dt. 18-12-65 communicated in CC's circular No. 3/66 dt. 29-1-66

Instructions have been issued in Chief Conservator of Forest's Circular cited regarding change of Enquiry Officer etc. consequent on the transfer of a delinquent officer from the control of one disciplinary authority to another.

The Conservator of Forests, Warangal Circle has sought for a further clarification in the matter on the following points.

"In case a delinquent Officer is transferred from the control of one disciplinary authority to that or another even before the enquiry is completed and the enquiry report with the findings is submitted by the Enquiry Officer at his earlier place of posting, whether it will be necessary to continue the same Enquiry Officer till the stage of issue of findings and then only change the Enquiry Officer or whether any new Enquiry Officer can be appointed straight away by the new disciplinary authority to take up the enquiry against the Delinquent Officer including issue of charge sheet"

Government have clarified the issue as follows.

"Under Rule 16 (1) of the A. P. C. S. (C.C.A.) Rules, the authority which may impose a penalty on a member of a service is the authority to whose jurisdiction he has been transferred. The disciplinary authority which initiated the disciplinary proceedings against the member of the service, may complete the enquiry and remit the Enquiry Officer's report and the connected records to the disciplinary authority to whose jurisdiction the member of the service had been transferred for taking further action in the case.

The question of the new disciplinary authority changing the enquiry officer does not, however, arise unless a change of the enquiry officer is necessitated for reasons other than the transfer of the member of the service from the jurisdiction of one disciplinary authority to that of another disciplinary authority. There is also no provision in the C.C.A. Rules that the Enquiry Officer should be changed every time, there is a change in the disciplinary authority. The Enquiry Officer will submit his findings to the disciplinary authority which appointed him to enquire into the case, who in turn will pass on the report of the Enquiry Officer the connected records to the disciplinary authority to whose control the member of the service has been transferred."

All the Officers are requested to make a note of the above clarification issued by Government and take action accordingly whenever such cases arise.

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

Ref. No. 64855/72-K3,  
Dated : 10-11-1972.

#### **Circular No. 6/72.**

**Sub:—PUBLIC SERVANTS—Allegations of corruption and criminal misconduct against public servants — preliminary enquiry reports submission Instructions—Regarding.**

- Ref:—1. C.C.F.s Circular instructions No. 18/67 vide Ref. No. 75367/67-A4, dt. 27-12-67.
2. C.C.F.'s Circular instructions No. 19/68 vide Ref. No. 60596/67-M3, dt. 25-9-1972.

In the circular instructions cited first (No. 18/67) the procedure to conduct a preliminary enquiry into complaints of corruption, misconduct etc. against a Government servant was laid down. According to the above instructions all such complaints have to be enquired into in the first instance to find out whether there is prima facie case or not and a report with a list of the preliminary enquiry report has to be submitted to the Vigilance Commissioner along with Form III. In para 3 of the same circular instructions the Conservator of Forests Divisional Forest Officers, and Asst. Conservators of Forests were specifically informed that they should as a rule complete all such preliminary enquiries either received by them or referred to them by higher authorities as early as possible and at any rate *within one month* and submit their preliminary enquiry reports along with Form III report in triplicate invariably so that the purpose of investigation tampering of with of the records.



2. Again in Chief Conservator of Forest's Circular 19/68 cited second the scope and application of the cases of misconduct, misappropriation and corruption are clarified for the guidance of the officers.

3. It is however observed that in almost all cases the above circular instructions are violated. Instead of conducting preliminary enquiries as instructed in the above circulars, regular enquiries are being conducted by the Officers unauthorisedly into the complaints of the above cases wherein statements of witness are being recorded and even the officers/subordinates against whom the complaints are made are given opportunity to cross-examine the witnesses even before the cases are reported to Chief Conservator of Forests and the Vigilance Commissioner is consulted. This is highly irregular and contrary to the circular instructions mentioned above. It appears the officers have not understood the purpose and meaning of a preliminary enquiry. A preliminary enquiry is meant to find out whether there is a prima facie case of corruption. It should be conducted directly without recording any statements or informing any body and the Officer complained against particularly. If any reference to records or information etc. is necessary they should be obtained as though they are required for administrative purposes without divulging the purpose for which they are being obtained. In other words complete secrecy should be ensured without giving any room for any suspicion about the enquiry being conducted.

4. All the Conservators of Forests and Divisional Forest Officers are therefore informed that a regular enquiry into charges of corruption and misconduct against any employee of the Department irrespective of his rank can be taken up by them only under the specific instructions of Chief Conservator of Forests (Vigilance Officer) or the Collector (the Chief Vigilance Officer of the District). Wherever the Conservator of Forests and Divisional Forest Officers receive such complaints, they are not expected to conduct any open enquiry straight away. They should first make confidential preliminary enquiries as stated in para 3 above without revealing the purpose of enquiry to any body and report the result to Chief Conservator of Forests irrespective of whether there is a prima facie case or not. If there is a prima facie case, Form No. III should be invariably enclosed as instructed in Circular 18/67. Regular enquiry shall be taken up even by the Conservator of Forests against any Officer or subordinate only on receipt of specific direction given by the Chief Conservator of Forests or the District Collector and not till then.

These instructions should be carefully noted and followed in future.

The receipt of the instructions should be acknowledged.

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

Ref. No. 69214/72/J3  
Dated : 7-12-1972

**Circular No. 7/72.**

**Sub :— Forest Settlement - acquisition of Patta Lands by the Forest Settlement Officers - Payment of compensation - Calculation of interest - Regarding.**

Instances have come to notice wherein Patta lands were acquired by the Forest Settlement Officers for the forest department during the Settlement of certain blocks. While determining the consideration payable to the land holder towards value, of land and growth and interest thereon, the Forest Settlement Officers appeared to have considered the date of notification of the forest block in question under section 26/29 of old Andhra, Hyderabad forest acts respectively corresponds present section 24 of Andhra Pradesh Forest act 1967 for arriving at the interest on the total sum determined as value of land and forest growth if any. The concerned forest officers also obviously did not appear to have raised any objection in the implementation of awards passed on the above lines.

In this connection attention of all the officers is invited to the provision contained under section 12 of Andhra Pradesh Forest Act 1967 wherein it has been clearly stated that date of notification of the area under section 4 above has to be considered for acquisition purpose.

In view of the above, the officers of the department are requested to bring this provision to the notice of the Forest Settlement Officers in respect of the cases during settlement where compensation is involved and see that interest is paid only from the date of notification of the area under section 4 of Andhra Pradesh Forest Act 1967.

They are requested to acknowledge the receipt of this circular by return post.

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

Ref. No. 69214/72-J3  
Dated: 7-12-1972.

**Circular No. 8/72.**

**Sub :— Forest Settlement - Patta lands included in the Forest blocks - Payment of compensation - communication of the view point of the Forest Department to the Forest Settlement Officer—Instructions - Regarding.**

The Forest Department has constituted several forest blocks out of the forest areas taken over under the Zamindari and Jagirdari abolition acts and got most of the blocks notified U/s. 4 of Andhra Pradesh Forest Act. These notified blocks are entrusted to the respective Forest settlement officers for final settlement.

In the guide lines and subsequent instructions issued from time to time in the matter of selection of areas, demarcation survey and preparation of Section 4 notifications it was clearly pointed out that as a matter of Policy no patta lands are to be included in the proposed blocks except in cases where the patta land included in the block is situated in the heart of the block and is small in extent suggesting undesirability to treat it as an enclosure in the interest of better protection. Also the areas of disputed ownership were included in certain cases.

During the settlement of the above blocks by the Forest Settlement Officers the following two type of cases would come up for decision.

1. Areas suitable for reservation but claimed by certain individuals without producing proper documentary evidence.
2. Patta lands due to their situations in the block.

In respect of the cases coming under the category one above, the Forest Settlement Officer after going into the details of the case and hearing the departmental view point will pass an award. In case the Forest Settlement Officer admits the claims, then as required under rule 16 of the forest settlement rules, he has to consult the Divisional Forest Officer representing the forest department as to which course under clause (a) of sub-section (2) of section 10 has to be followed. The Divisional Forest Officer in turn has to consult the Conservator of Forests concerned before the view point of the Department is communicated to the Forest Settlement Officer. Under the existing rules, sanction of Government is essential for payment of compensation in cash for any land, to be acquired by the department. Considering the present financial position of the Government and other reasons evolved by the Government in the matter of acquisition of private vacant lands, it is considered expedient on the part of the department not to agree for acquisition of any land on payment of cash compensation. Hence the Divisional Forest Officers and Conservator of Forests are instructed to bear this in mind and while communicating the view point of the department to the Forest Settlement Officers they must specifically indicate that the department is not agreeable for cash compensation. If the Party agrees for land to land compensation, there is no objection. Otherwise they should take action to exclude the area. In exceptional cases where the Divisional Forest Officers and Conservator of Forests feels that it is highly desirable to acquire any particular portion, they may submit necessary proposals with full justification for obtaining orders of Government in the matter. In such cases the Divisional Forest Officer should invariably await the decision of the Government before the view point of the department is conveyed to the Forest Settlement Officer. Any deviation to these instructions the Divisional Forest Officers concerned will be held personally responsible.

In cases where the Forest Settlement Officer passes an award for payment of cash compensation contrary to the intention of the department without obtaining specific reply from the department on the point at issue as had happened in some cases in the past, the Divisional Forest Officer and Conservator of Forests concerned should take immediate remedial measures under the provisions of the Forest Act. Any deviation or lapses in this regard resulting commitment on the part of the State Government, the officer concerned will be held personally responsible.

With regard to the case coming under category 2 above, the Divisional Forest Officer should invariably submit necessary proposals through the Conservator of Forests and Chief Conservator of Forests to the Government and await Government or Chief Conservator of Forest's

decision before the view point of the department is communicated to the Forest Settlement Officers concerned.

They are requested to acknowledge the receipt of this circular by return post in the form appended to it.

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

Ref. No. 41729/72-M2

Dated : 5-12-1972.

**Circular No. 9/72.**

**Sub:—Gazetted Officers—Deputation of Officers for training courses  
Declining to go on training—Strict Instructions—Regarding.**

Ref:—G. M. No. 2612/For. II/72-4, Dated 21-9-1972.

The Department is deputing Officers for various training courses, i. e., Logging training, special refresher course, Wild Life Management Course, Soil Conservation Training etc. It has been the experience in the past that when willingness of the Officers for deputation to these training courses was called for it became a difficult problem to get willing officers and even when the officers were ordered to go on deputation, they are declining at the last minute, by putting forth various reasons. Due to this, we are not only losing the opportunity of sending some other officer for the training, but also losing the seats allotted to this State for the specified training course, besides affecting that training programme.

In order to avoid such last minute dislocation of training programme, the Government have issued strict instructions in this regard vide G. M. No. 2612/For. II/72-4, dt. 21-6-1972, a copy of which is enclosed herewith for ready reference. In view of these orders of Government all Officers are informed that wherever any officer is deputed for training he should undergo the training, without any plea. In case any officer declines, from undergoing the training for insufficient reasons, a note shall be made in his confidential reports.

These instructions may be acknowledged on the proforma given below :

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

Copy of :

GOVERNMENT OF ANDHRA PRADESH

Food & Agriculture Department.

Memo No. 3729/For.II/72-1, dated 1-12-1972.

**Sub :—Gazetted Officers—Deputation of officers for 5½ months training Course in Soil Conservation at Dehra Dun—Deputation of Assistant Conservator Forests—Regarding.**

Ref:—From the Chief Conservator of Forests letter No. 41729/72-M2, Dated 18-11-1972.

In the past it was found that after processing proposals and after issuing orders, officers were requesting exemption from under going training on some pretext or other. With a view to ensure that the officers selected undergo the training, instructions were issued in Govt. Memo No. 2612/For. II/72-4, dt. 21-9-1972 to sound the officers regarding their deputation to training to avoid last minute changes. It is evident that Sri K. Sriramulu, Assistant Conservator of Forests on relief has applied for leave with a view to avoid undergoing the training. The Chief Conservator of Forests is therefore requested to report the action taken against the officer in terms of the instructions to make a note in the Confidential report of the officer.

GHULAM AHMED,  
Deputy Secretary to Government.