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Dated 7-4-1978.

Office of the Chief Conservator  
of Forests, A.P., Hyderabad.

Sri P.S.Rao, I.F.S.,  
Chief Conservator of Forests.

CIRCULAR NO.8/78

Sub:-Forest Offences - Statement of accused recorded  
by Forest Officer - admissibility - Regarding.

After detection of a forest offence and / or at the end of enquiry, the statement of an accused is usually recorded by the Forest Officer. It is decided later that the accused has to be prosecuted in a court of law and the complaint is laid before the Magistrate having jurisdiction over the case, the complaint forest officer is confronted with the question as to what would be the status of the statement recorded by the forest officer.

2. Under sub-section (2) of section 62 of the A.P. Forest Act 1967 any evidence recorded in the presence of the accused is admissible in the subsequent trial of the accused before a Magistrate. But nothing has been said in the Forest Act on the admissibility of the statement of accused recorded by a Forest Officer.

3. The question of admissibility of the statement made by an accused to a Forest Officer had been considered under the Evidence Act by the High Court of Bombay, Madras and Andhra Pradesh and the judgements have appeared in the law journals, as detailed below:

S.No.	Particulars of case.	Name of journal.
1.	The State Vs. Sankulal Gokuldas sha and others.	All India Reporter of 1955 N.U.C. (Bombay).
2.	R.C. Richard Vs. Forest Officer Mettunallayan	All India Reporter of 1958 (Madras).
3.	M. Chakrkrishna Das & others Vs. the State of Andhra Pradesh.	Lawyer's reference of 1971.

4. Copies of the above judgments, as extracted from the respective journals are enclosed herewith for the information and guidance of the forest officers in the state. They are requested to bring the case laws to the notice of all the Foresters and Dy. Rangers.

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

To  
All Officers of D.L.A.

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

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