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GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

Re.No. 25597/79/G4
Dated: 29.5.1979.

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

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

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CIRCULAR NO. 18/79.

Sub:- Forests-Release of Forest Lands for Submergence bunds and Channels of Minor Irrigation Sources, Canals under Major and Medium Irrigation Projects Roads, K.V. Lines, Telephone Lines, Pipe Lines etc., Further Instructions -Regarding.

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1. The Constitution (Forty-Second Amendment) Act, 1976 has amended the Seventh Schedule to the Constitution; by virtue of which, the subjects; "Forests" and "Protection of Wild Animals and Birds" stand transposed from "State List" to the "Concurrent List". The amendment to the constitution has to come into effect from 18.12.76.

2. The Govt. of India expressed grave concerns over instances of ill-considered removal of forest cover, which had increasingly resulted in soil erosion, floods and droughts in various parts of the country. They, therefore desired that any proposal for removal of forest cover, in an area exceeding 10 Hec. should be with the prior assessment of the Inspector General of Forests in the Department of Agriculture, Government of India; Keeping in view these directives of the Government of India, the State Government have issued orders in G.O.Ms.No. 671 Forests and Rural Development (For.I) Department dt. 23.7.1976 (communicated in CC's Ref.No. 17(38/76G2 dt. 3.8.76); G.O.Ms.No. 424, Forests and Rural Development (For.I) Department, dt. 20.5.1977 (communicated in CC's Ref.No. 50907/77-G2 dated 7.6.77). Subsequently, the Govt. of India have laid down certain guide-lines for screening proposals for deforestation. Copy of the guide-lines has been communicated in this office Re.No. 50799/76/G2 dt. 19.5.1978. According to these guide-lines, any proposals involving deforestation of 10 Has. and more should give consideration to the consequent loss of productive forests and the dwindling resources. All possible alternatives should also be considered, and cost benefit analysis made. If deforestation of areas due to projects is inevitable, suitable areas will have to be identified and acquired elsewhere to compensate the loss of land and undertake re-forestation or plantations. To meet the expenditure on all such items, necessary funds will have to be with the protection of threatened species of wild animals and sanctuaries together with their surrounds would have to be protected from external interference of the projects. The State Govt. have accepted the guide-lines of the Govt. of India issued with the approval of the Prime Minister. Orders of the State Government to this effect are contained in G.O.Ms.No. 636 Forests and Rural Development (For.I) Dept. dt. 16.9.78 (Communicated in CC's Re.No. 50799/76/G2 dt. 21.9.1978).

3. Of late, the policy of the Government has been to eliminate the agency of contractors in exploitation of forests and for this reasons, in all Forest Divisions in the State the Scheme of "Departmental Extraction" has been introduced.

4. In the wake of the Guide-Lines of the Govt. of India as approved by the State Govt. and the policy of the Govt., to introduce Departmental Extraction of Timber in all the State Forests, there is need to review the existing conditions in all the State Forest Lands for

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- 1) Minor Irrigation Sources; 2) K.V. Lines, Posts & Telegraphs Lines and
- 3) Roads, Canals, Pipe-Lines etc.,

5. MINOR IRRIGATION SOURCES:

5.1 The procedure to release forest lands for the purpose of Minor Irrigation sources in the Reserved Forests including lands for the purpose of Minor Irrigation sources in the Reserved Forests including lands for submergence, bund and Irrigation Channels is laid down in CF's Circular Nos. 31/63 dt. 6.9.63 Circular No. 31-A/63, dt. 14.4.1965 and Cri. No. 5/66 dt. 8.2.1966. According to these orders and the directions contained in G.O. Ms. No. 2546 Food and Agriculture Dept. dt. 10.12.1963 and G.O. Ms. No. 941 Food and Agriculture Dept., ~~xxxx~~ dt. 20.5.1967, the DFOs have to accord permission to the Officers of the Irrigation Dept. to carry out preliminary investigation and survey of the feasibility of laying new minor Irrigation sources or restoring old tanks in the Reserved Forests. The Officers of the Irrigation Department, on the conclusion of F.R.L. Survey, will prepare a sketch showing the submergence in the Reserved Forests and furnish a map showing its location with reference to the boundaries of the Reserved Forest to the D.F.O. concerned, so that the Forest Dept. may take necessary steps for the clearance of the growth. No ayacut is permissible in the Reserved Forests. The D.F.O. is authorised to give their concurrence to execute the scheme in all cases wherein the ayacut of the Scheme does not lie inside the forest and except where submersion of plantations, roads and buildings is involved. In the latter case, they were requested to refer the matter to the Chief Conservator of Forests. The D.F.O.s were also authorised to accord permission for execution of the scheme and were requested to furnish the following information along with the sketch.

1. Locality: Division/Range/Section/Bent or Reserved Forest.
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2. Areas lost due to/bumargency (2) Bunds (3) Channels
- (4) To L.
3. Description of the forest with its value.
4. Amounts realised by disposal of tree growth.
5. Remarks.

5.2 : Before any clearance of forest growth is made the existing tree growth has to be enumerated in a marking book and the felling was to be carried out by the Irrigation Dept. On completion of felling, the felled material used to be handed back to the Forest Officer according to the marking book, when it was being accounted and disposed of according to the prescribed procedure.

5.3 : The question of granting permission to the creation of Irrigation sources in the Reserved Forests came up for discussion before the Secretary to Govt. Forests and Rural Development Dept, in the month of December 1978 and it was agreed that, since the area of submergence involved in a minor Irrigation source is small, the Forest Dept. may have no objection in allowing Minor Irrigation schemes to be executed in the Reserved Forests. In execution of the scheme, submergible area and the minimum area required for bund and channels can be released to the Irrigation authorities after their clearance. These areas will still be retained with the Forest Dept. without dispossession, so that the area in the foreground is available for raising plantations with species like "Babul" etc.

5.4: The question of acquisition of land of equal extent and raising compensatory plantations with the funds to be provided by the Irrigation Dept. is under the consideration of the Govt. and orders in that regard will issue separately.

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5.5: The D.F.O.s may hence-forth give their concurrence and allow the Irrigation Dept. to execute all minor Irrigation Schemes where-in the ayacut does not fall inside the forest, where the reservoir is located on the periphery of the forest block only and where no plantations or roads or buildings get submerged keeping in view the guide lines of the Government of India and the orders of the Govt. of AP. In all proposals of Minor Irrigation Schemes which relate to areas within the limits existing or proposed wild life sanctuaries and Bio-sphere Reserved or their surrounds, the Chief Wild life Warden will be duly consulted before any permission is accorded. While giving permission the D.F.O.s, will furnish the information along with a sketch as mentioned in para 5.1 to the Chief CCF and the Conservator of Forests concerned.

5.6 : Clearance of forest growth and extraction of material shall however be done departmentally only after the submergible etc. area is clearly pegmarked by the Irrigation Dept. on the ground after obtaining sanction of Govt. for execution of the scheme. It shall not be entrusted either to Irrigation Dept. or its contractors. The D.F.O.s will have to make necessary provisions in their budget estimates and include such working in the Department Extraction Schemes.

5.7: If the Minor Irrigation source is located in a Reserved Forest Proposals for right of way and water course should be submitted to the CCF. If the forest block, in which the Minor Irrigation source is situated, is yet to be declared as Reserved Forest, the right way and water source may be admitted in the final notification itself.

6.K.V. LINES: POSTS AND TELEGRAPHS: LINES:

6.1: In Chief Conservator of Forests Circular No. 28/65 dt. 10.7.65 the Powers to grant permission to Electricity Department and Posts and Telegraphs Dept. to lay K.V.Lines and Posts and Telegraphs lines respectively have been delegated to the DFO.

6.2: The D.F.O.s. may continue to exercise their powers in according permission to indenting departments, subject to the condition that hence-forth felling and extraction of timber shall be done only by the Forest Department. Cutting of trees shall neither be entrusted to the indenting departments nor to any of their contractors.

6.3 : Permission shall not be given in cases when the T/P.T. Lines pass through Research plots, experimental plots, areas containing plus trees, seed production areas etc. In all such cases, the matter should be immediately referred to the Conservator of Forests ~~xxxxxx~~, Research and Dept. Circle with a copy of the CF's concerned, who may issue further necessary orders. The indenting departments, may however be requested to divert the lines suitably so as to avoid any of the aforesaid important areas of the Dept. Similarly, if these lines pass through existing or proposed Sanctuaries and Biosphere Reserves or their surrounds the Adl. Chief Conservator of Forests Wildlife (Chief Wildlife Warden) should be consulted.

7. ROADS CANALS AND PIPE LINES:

7.1: Orders delegating powers to the Divisional Forest Officers enabling them to grant permission to lay roads, canals, pipe-lines etc. have been issued in Chief Conservator of Forests Circular No. 55/66 dt. 19.12.66. The DFOs may continue to exercise these