

GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT.

Ref. No. 13688/82/J3

Dated: 13-3-1982

Office of the Chief Conservator of
Forests, Andhra Pradesh, Hyderabad.

Sri Munawar Hussain, IFS.,
Chief Conservator of Forests.

CIRCULAR NO. 4/82

Sub:- Forests-Deletion of Forest areas-Requires
approval of Government of India-Violation leads
disciplinary action-instructions-issued.

Ref:- 1. Forest Conservation Act, 1980 (Act No. 69
of 1980) of Government of India.

2. CCF's Ref. No. 18997/75/J3 dt. 5.8.1981 addre-
ssed to the Secretary to Government, F&RD and
copy communicated to all CFS.

3. G.M. No. 34894/For. I/81-4 dt. 18.12.1981.

4. CC's Endt. No. 18977/75/J3 dt. 5.1.1982.

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Copies of the references 2, 3 and 4 are enclosed to this
circular for ready reference.

The Addl. Chief Conservator of Forests (A&T) during his
tours has observed that the provisions of the Forest Conserva-
tion Act, 1980 of Government of India and the seriousness in-
volving disciplinary proceedings against the officers for de-
reliction of duties in violating the provisions of the said
Act need to be fully explained to all the Divisional Forest
Officers. In this connection attention of the Conservators of F-
orests Officers is invited to the correspondence resting on the
references cited and it is reiterated that according to Section
(2) of the Forest (Conservation) Act, 1980 (Act No. 69 of 1980)
of the Government of India no State Government or other autho-
rity shall make except with the prior approval of the Central
Government any order directing:-

- i) that any Reserved Forest (Within the meaning of
expression "Reserved Forest" in any law for the
time being in force in that State) or any portion
there of, shall cease to be reserved and
- ii) that any Forest land or any portion there of may be
used for any non-forest purpose.

The Act has also defined the expression
"Non-Forest Purpose" as breaking up or clearing of
any Forest Land or portion there of for any purpose
other than reforestation. The Government of
India, Ministry of Agriculture, (Department of
Agriculture and Co-operation), New Delhi have
clarified that it is the direct responsibility
of the concerned officers in their capacity as Civil
Servants, to ensure that the provisions of the Forest
Conservation Act, 1980 are scrupulously followed and
that no instance of diversion of Forest lands for
non-Forest purpose take place except under the
provisions of the Act. The Government of India have
further stated that violation of the said Act would
tantamount to an act against the law of land and
would call for disciplinary proceedings against the
officials for dereliction of duties.

In view of the above clear instructions of the Conservators of Forests and the Divisional Forest Officers are instructed to be too cautious and ensure that no Forest land is granted for non-Forest purpose. It is opined that Forest areas which have not been statutorily notified under section 23 of Forest Act, 1967, though there are administrative orders from the State Government prior to the date of the Forest Conservation Act of 1980 are to be treated as Reserved Forest land and permission has to be obtained under the Forest Conservation Act for deletion under Section 23 of the Andhra Pradesh Forest Act. Similarly granting fresh rights of way, water courses and the like within the Forest limits attracts the provisions of the Act. Deletion of Forest lands from the proposed Reserved Forests by the Forest Settlement Officers for non-forest purposes requires prior approval of the Government of India. The Divisional Forest Officers and Conservators of Forests are hereby strictly instructed that no fresh right or grant of land within Forest limits for non forest purposes be issued without prior approval and orders of the Government under the provisions of the Forest Conservation Act. Any action in violation of the instructions involves disciplinary action against all the officials concerned and it is the duty of the Conservators of Forests to ensure that these instructions are meticulously followed by the Divisional Forest Officers and the erring officials are brought to the notice of the Chief Conservator of Forest without least possible delay.

All the Conservators of Forests and the Divisional Forest Officers are requested to acknowledge the receipt of this circular by return of post.

Sd/- B. R. Ramabhadraiah,
Addl. Chief Conservator of Forests,
(A & T)

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DEPARTMENTAL TEST- OFFICE PROCEDURE & ACCOUNTS.
(SHORT NOTES)

CANCELLED CHEQUE: -

If a cheque which has been drawn and entered in the Cash Book has to be cancelled subsequently, the amount of it should be accounted for on the creditor side as a "cancelled cheque", the cancelled cheque being treated as a voucher. Simultaneously, an entry should be made on the debtor side, as indicated below:-

- a) If the cancelled cheque is replaced immediately by a fresh cheque- The fresh cheque should be shown as a "Forest Remittance", the number and date of the cheque in lieu of which it is drawn being quoted in the entry.
- b) If the cancelled cheque is not replaced immediately- The expenditure in payment of which it was drawn should be written-back by making an entry of the cancelled cheque on the debtor side as for a cash recovery of a service payment. (Article 253).

(Art. 262 of A.P. Account Code Vol. ~~IX~~ III)