

FOREST DEPARTMENT

Ref.No.78602/88/J3,
Dated:25-8-1988.

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

Sri K.V.S.Babu, IFS.,
Prl.Chief Conservator of Forests &
Ex-Officio Secy. to Government.

CIRCULAR NO.5/88.

Sub:- FOREST SETTLEMENT -Enquiry by the F.S.O.
Attendance by the Forest Officers-Securing
copies of documents/evidence-produced by
claimants-Instructions issued -Regarding.

Instances have come to notice that certain awards passed by the Forest Settlement Officers were found to be defective and detrimental to the interests of the Department. It was observed that these defects could have been avoided had the departmental officers took desired interest in securing full information and result the claims as provided under the relevant rules. At the appeal stage it was also found that divisional files did not contain copies of documents/evidence filed by the claimants based on which the Forest Settlement Officer passed awards. These deficiencies have been creating difficulties in filing appeals besides adverse comments by the concerned.

In this connection, particular attention is invited to rule 10 to 14 of Forest Settlement Rules framed under the Andhra Pradesh Forest Act, 1967. These rules provide for the Department to obtain copies of documents/evidence filed by the claimants without extra cost, attend the enquiry, cross examine the witness, and result the claims during enquiry. If these rules are strictly followed there would have been no occasion for the divisional files to be lacking essential information like copies of (1) documents/evidence produced by the claimants (2) cross examination of the witnesses etc. The written statements forwarded to the Forest Settlement Officer in this regard under rule 12 of F.S.R. also often found to be lacking details for rebutting the claims successfully at the initial stage itself.

In order to avoid the above defects in the processing of Forest Settlement cases, the Divl.Forest Officers are advised to make it a point to obtain copies of all documents/evidence produced by the claimants in respect of all claims preferred before the Forest Settlement Officer for each block defend the interests of the department as provided in the rules, and keep the divisional files with full information. It is necessary that either the Divl. Forest Officer or the Range Officers is always present during Forest Settlement Officer's enquiry and inspection. In the event of any divisional file found containing deficient information like copies of documents/evidence cross examination of the witness etc. or defective written statements forwarded to the Forest Settlement Officer without proper examination and not taking steps to secure all possible information, the Divl.Forest Officers concerned shall be made personally responsible for all consequences

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therefore and disciplinary action initiated against the defaulting officers. The Conservators of Forests are requested to make it a point to check all reservation cases on these aspects during the divisional office inspections and in d individual cases whenever received for instructions or orders. Record observations and initiate suitable action against the concerned.

They are requested to acknowledge the receipt of the Circular in the enclosed proforma by return post.

Sd/-K.V.S.Babu,
Prl. Chief Conservator of Forests.

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FOREST DEPARTMENT

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Ref.No.78603/88/J3,
Dated:7-9-1988.

Office of the Prl.Chief Conserva-
tor of Forests, A.P. Hyderabad.

Sri K.V.S. Babu, IFS.,
Prl. Chief Conservator of Forests &
Ex-Officio Secy. to Government.

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CIRCULAR NO.6/88.

Sub:-Forest Department-Notification of Forest
Blocks under Forest Act, 1967-Raising Planta-
tions over Patta lands proposed for inclusion
in the blocks-Instructions-Issued-Reg.,

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Instances have come to notice where the Departmental Officers have selected areas for raising plantations and other developmental activities etc. out of the Patta lands included in the block, proposing them for acquisition on payment of compensation during Forest Settlement by the Forest Settlement Officer.

In this connection, it is informed that there may not bescope to acquire such patta lands on payment of land to land compensation outside the block at this stage as no suitable lands are being made available by the Revenue Department. It may not be possible to acquire them on payment of cash compensation at huge cost.

Hence, the Conservators of Forests and Divl. Forest Officers are advised to make sure themselves by referring to reservation records etc. that the areas selected for raising of Plantations or other kinds of developmental activities of the Department do not fall in any of the patta lands included in the block which were proposed for acquisition in the settlement or the lands which are under dispute and the department is not sure of its ownership.

K. V. S. Babu
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