

GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

-: 61 :-

Rc.No.51846/95/L1.,
Dated: 16-7-1996.

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

Sri M.Kamal Naidu, I.F.S.,
Pri.Chief Conservator of forests.

C I R C U L A R No.6/96/L1

Sub:- A.P.C.S.(CCA) Rules, 1991 – The punishment of with-holding (stoppage) of increments of the charged officers either with or without cumulative effect – usage of proper wording – Instructions issued.

Ref:- This office Cr.No.4/96/L1 (Rc.No.12212/96/L1) dated 9-4-1996.

The attention of the Conservators of Forests is invited to the subject cited, dealing with punishment of 'with-holding of increments' on the charged officers by the respective disciplinary authorities as laid down in the A.P.C.S.(CCA) Rules, 1991, either with cumulative effect or without cumulative effect, depending upon the gravity of the proved charges levelled against the said charged officers.

While dealing with the appeal cases, it has been observed that some of the disciplinary authorities are inflicting punishments of stopping increments without being properly worded, which is leading to confusion at all levels.

Attention of the Conservators of Forests, is also invited to the provisions of Rule 9(iv) of A.P.C.S.(CCA) Rules, 1991. According to which the punishment of 'withholding of increments' is one of the minor punishments listed out in the said rule.

Whereas, the punishment of with-holding of the increments with cumulative effect will become one of the major punishments (as clarified in G.O.Ms.No.335, General Administration (Ser.C) Department, dt.14-6-1993 and communicated to all the Conservators of Forests/Divisional Forest Officers in Pri.Chief Conservator of Forests' Endt.No.29338/93/K1(S.F.), dated 23-7-1993).

They are informed that, if the punishment of with-holding (stoppage) of increment(s) without cumulative effect, is to be inflicted by the concerned disciplinary authorities, then the increments so with held will have to be released after expiry of the period of the said punishment; while the punishment of with-holding of increment(s) with cumulative effect is to be inflicted, then the said increments will not to be restored.

In this context, they are informed that the Rules 9(iv) of the C.C.A. Rules, does not throw any light on the nature of with-holding of increments i.e., either with or without cumulative effect.

As such, the provisions of F.R. 24 together with the instruction and Rulings under the said rule are to be consulted for the methods to be followed, in the issue in question.

It is to be construed that the with-held increments of a subordinates should have to be restored after the period of operation of the said penalty, in case it was ordered to have without cumulative effect, and the with-held increments of any subordinate saying cumulative effect will not to be released, as the latter amounts in permanent cut-off in the pay of the concerned, for ever.

Of late, it has been noticed that some of the disciplinary authorities and/or the appellate authorities of the Department are not framing the correct and appropriate wording of the punishment while issuing the orders with-holding (stoppage) of the increments of some of the subordinates with or without cumulative effect, resulting in ambiguity and confusion over the exact implication/application of the said orders.

For instance, it is informed that a Divisional Forest Officer, had imposed the

"STOPPAGE OF NEXT INCREMENT WITH CUMULATIVE EFFECT FOR A PERIOD OF (3) THREE YEARS".

By the above punishment imposed by the said Divisional Forest Officer, it can be inferred that the with-hold increment of the concerned individual shall have to be released after the period of the punishment is over, in case 'the period of 3 years' is to be taken in to account; whereas, the said increment need not to be released in case the working of 'with cumulative effect' is to be taken into account.

The same Divisional Forest Officer had (at the time of submitting the remarks of the appeal petition of the said subordinates) informed the Conservator of Forests, that three increments of the said individual were stopped with cumulative effect. The Conservator of Forests in turn, had reiterated the same while passing his final orders on the appeal petition of the individual. Thus, a state of confusion prevailed, when the Revision Petition of the concerned subordinate was under examination of this office.

In view of the ambiguous orders thus issued by some of the department officers, as that of the one discussed in preceeding paras, the Conservators of Forests are requested to keep the above points in view at the time of issuing orders inflicting the punishments of with-holding the increments of the subordinates either with or without cumulative effect and use the correct wording of either of the two punishments, in future and ensure that such controversial orders are not issued by them.

The Conservators of Forests, may also issue suitable instructions in the matter, to the subordinate officers working under their control to note the above points and insist them for strict implementation of the same, hereinafter.

The receipt of this circular should be acknowledged by return of post.

Sd/-M.Kamal Naidu
Pri.Chief Conservator of Forests

To
All the Conservators of Forests.

// true copy //

GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

Rc.No.42299/96/U1,
Dated: 7-8-1996.

Office of the Pri.Chief Conservator of Forests,
Aranya Bhavan, A.P., Hyderabad.

Sri M.Kamal Naidu,I.F.S.,
Pri.Chief Conservator of forests.

CIRCULAR No.7/96

Sub:- Forest Department – Social Forestry – Instructions on raising of Nurseries for Public Distribution – Issued – Regarding.

In the past number of instructions were given regarding the collection of information and steps to be followed in case of nurseries raised for public distribution under different schemes in the state. But in the recent past instances have come to notice that, the field officers are not following these instructions. Therefore instructions are herewith given for strict compliance with immediate effect regarding raising of nurseries for public distribution.

NOMINATION OF NODAL OFFICER:

Where-ever, there is a Divisional Forest Officer, Social Forestry Division in place, he will be the Nodal Officer. In other Districts, a Nodal Officer should be nominated by the Conservator of Forests, who is stationed at District head quarters.

(AA*)

(**) species composition should be finalised and compiled in Annexure-I

On Nov. 1st the location of nurseries along with the identification of nursery site and the scheme composition depending upon the principles of the identified scheme should be finalised by end of XXXX October