

GOVERNMENT OF ANDHRA PRADESH  
FOREST DEPARTMENT

Rc.No.18606/97/F-5,  
Dated: 29-4-1997.

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

Sri S.D. Mukherji, IFS.,  
Pri. Chief Conservator of Forests

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C I R C U L A R No.6/97

Sub:- Patta Lands – removal of timber and other produce from Patta Lands –  
Consolidated guidelines issued – Regarding.

- Ref:- 1) C.C.F's Rc.No.113052/76/G5 (F1), dated 27-4-1982.  
2) P.C.C.F's Rc.No.115052/76/G5, dated 24-6-1985.  
3) P.C.C.F's Rc.No.115052/76/G5, dated 22-10-1986.  
4) P.C.C.F's Rc.No.5849/87/G3, dated 16-4-1990.  
5) P.C.C.F's Rc.No.5849/89/G3, dated 3-5-1991 & 13-5-1991.  
6) P.C.C.F's Rc.No.74502/90/G2, dated 4-8-1991.  
7) P.C.C.F's Rc.No.53425/91/G3, dated 22-11-1991.  
8) P.C.C.F's Rc.No.53423/91/G3, dated 22-11-1991.  
9) P.C.C.F's Rc.No.5849/89/V3, dated 8-5-1992.  
10) P.C.C.F's Rc.No.55574/91-V2, dated 9-7-1992.  
11) P.C.C.F's Rc.No.2973/93/G2, dated 25-8-1993.  
12) P.C.C.F's Rc.No.2973/93/G2, dated 21-4-1994.  
13) P.C.C.F's Rc.No.20898/94/V3, dated 25-6-1994.

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Vide references cited, instructions have been given in the past from time to time regarding procedure to be followed in dealing with Patta cases, i.e., issuing of transit permits for the transportation of timber and other produce from patta lands to outside. However, it has come to the notice of the undersigned that the instructions are not being followed scrupulously, and in certain cases, the instructions have been mis-interpreted and irregularities committed by some Officers. Such acts have invited adverse criticism from the Commissioner, A.P. Vig., Commission. He has requested the Pri.CCF to formulate & communicate suitable instructions to all the officers in the field, so that such irregularities are avoided, and there will be neither adverse criticism nor any harm caused to the forests and environment.

Therefore, the following instructions are issued for regulating the working of tree growth in the patta lands, situated both inside as well as outside the Schedule Areas. These instructions are issued in supersession of all previous instructions, as guidelines and are supplementary to the statutory Acts and Rules with a view to bring in clarity and uniformity streamlining of the procedure.

I. PROCEDURE FOR WORKING OF TREE GROWTH IN THE PATTALANDS SITUATED IN SCHEDULED AREAS TO WHICH CHAPTER IIIA OF A.P.FOREST ACT 1967 APPLICABLE AND LARGE CHUNKS OF LANDS OUTSIDE THE SCHEDULED AREAS CLASSIFIED AS FORESTS IN GOVERNMENT RECORDS:-

As the lands in these categories are classified as 'forests' in Govt. records. Forest Conservation Act 1980 will be applicable in such cases.

These lands can be worked only after due permission from Govt. of India is received under Section 2 of Forest Conservation Act 1980, in the manner approved by Govt. of India.

II. PROCEDURE FOR GRANT OF TRANSIT PERMITS IN ALL OTHER TYPES OF PATTALANDS (OTHER THAN MENTIONED AT I ABOVE) :-

## GENERAL :-

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- i) Person intending to fell and transport tree growth existing on the patta lands shall make an application to this effect to the territorial D.F.O. concerned in the proforma prescribed in the Annexure-I along with all the relevant information as enclosures.
- ii) On receipt of the application, the D.F.O. shall examine the same, specially the M.R.O's "CERTIFICATE OF TITLE ON PATTa PRODUCE" as prescribed under Rule 5(3) of the A.P. Forest Produce (Transit) Rule 1970 furnished by the applicant.
- iii) The proforma for the above certificate, as per above Rule, is to be prescribed by the C.Fs concerned. In this regard a draft proforma evolved by this office was communicated to the C.Fs. vide reference 1<sup>st</sup> cited. The same or similar proforma for the "Certificate of Title on Patta Produce" might have been prescribed by the C.Fs (T) and communicated to the D.F.Os for use. It is now observed that there are certain inadequacies in the proforma communicated earlier from this office and the same needs to be revised. Accordingly a revised draft "Certificate of Title on Patta Produce" is prepared and appended herewith as Annexure-II.
- iv) The C.Fs are requested to examine the same and if deemed fit, adopt the same as such or with modifications depending on the local requirements. The DFOs must ensure that the applicants furnish the certificate in complete shape in all aspects. If the DFOs take action on the incomplete Certificates which later on result into irregular sanction of Transit Permits, the DFO alone shall be held responsible.
- v) For verification whether all the required information has been furnished by the land owner in the Application Form along with Annexures, a check slip is prescribed and appended here with as Annexure-III.
- vi) With regard to furnishing information in the 'Certificate' by MRO, a copy of the instructions issued to Tahsildars, Revenue Divisional Officers and Collectors of Telangana, by the Commissioner of Civil Supplies and Ryotwari Settlement, from Board of Revenue, regarding enquiry to be conducted by Tahsildars and Revenue Divisional Officers regarding title on timber and other produce on patta lands, during 1964 is enclosed herewith as Annexure-IV. The same will be quite useful.
- vii) DFOs shall send a copy of the Application Form alongwith the copy of certified map of the Patta land to the F.R.O. for field verification.
- (a) The FRO shall verify the location and extent of patta land and certify to the effect that the same is located outside the R.F. If there is any variation, the same shall be reported to the DFO at once. The distance of patta land for the nearest R.F. shall also be reported.
- (b) The applicant shall get all the tree growth enumerated and enumeration list prepared. For the preparation of enumeration list, proforma as prescribed in the DET Manual and A.P. Forest Department Code, Form No.3A on page No.328 shall be adopted.
- (c) Enumeration list shall be prepared in triplicate, using carbon paper, each page duly signed by the applicant.
- (d) Forest Section Officer concerned or any other Section Officer deputed for this purpose shall test check 100% of the enumeration done by the Pattedar and shall put his signatures on every page in token of having test-checked the same.
- (e) The FRO shall test check 10% of the enumeration at random sample basis covering the entire area and attest the entries checked by him in the enumeration list putting his dated initials, so that the date of test check is recorded. (\*\*)

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shall be test checked by the Sub-DFO/DFO concerned.



(g) In patta lands where no yield of timber is expected, and by and large only firewood/root-wood is expected, the Pattedar should lay sample plots of 10M x 10M size for every one Acre (0.4 Ha.) and arrive at the yield of fire-wood as well as Faggot/root-wood, as the case be such wood should not be heaped but stacked in regular shaped stacks before arriving at yield figures. The location of the sample plots shall be clearly demarcated on the ground as well as on the surveyed sketch, with the help of tie lines. All the sample plots and stacks shall be test checked by F.S.O. Wherever the number of sample plots laid is 5 or more, F.R.O. shall test check 20% of the sample plots \_\_\_\_\_ plot for every 5 plots.

(h) After due verification the FRO shall submit the enumeration list along with the estimate of yield of timber and fire/faggot/root-wood species-wise, and bamboo if any to the D.F.O.

(i) All the expenses on marking, enumeration etc. shall be borne by the Patteda/Applicant.

(j) On receipt of report from the F.R.O., after due verification the D.F.O. shall accord permission for felling of the growth fixing time limit for execution of the task. The land owner shall take up felling of tree growth only after the due permission is granted.

(k) After felling of the growth, the Pattedar shall prepare the list of timber obtained species-wise as well as Fire/faggot/root-wood, and bamboo, if any, in triplicate and submit to the F.R.O.

(l) The timber to be transported shall be digit numbered. Fire-wood shall be stacked, in regular shaped stacks eg., Square or rectangular stacks.

(m) The timber and firewood etc., so obtained shall be physically verified by the F.S.O., F.R.O. and Sub-DFO/DFO., before transit permits are issued by the DFO in the same manner as mentioned in paras d to if above, i.e., 100% check by Forest Section Officer or Forester deputed for the purpose, 10% check by the F.R.O. covering the entire area and 10% by the Sub-DFO/DFO if the area exceeds 2.00 Ha. in extent.

(n) The timber and firewood etc. should be stored only at the site of extraction. Normally no permission for Intermediate Depot shall be granted for this purpose.

(o) After physical verification of the timber, firewood etc. obtained on felling and conversion at site, the required number of transit permits should be issued by the competent authority for removal of the patta produce.

(p) After completion of the transport of produce, the F.R.O. should submit a completion report to the D.F.O. giving details of the produce transported and number of T.Ps utilized duly returning the used and unused T.Ps. Copy of the O.R. should be marked to C.F./PCCF if the permits are sanctioned by them.

#### B. AUTHORITY FOR SANCTION OF TRANSIT PERMITS.

(a) Transit Permits for Red Sanders and Sandal wood shall be authorized only by the Conservator of Forests irrespective of the number of trees involved or size of land holding.

In case the wood/sawn size is to transported outside the country, the full details of the case along-with the details of each place shall be reported to the Principal Chief Conservator of Forests for issue of Certificate of Origin.

Transit permit for Teak wood shall be authorised by Conservator of Forests.

(c) Transit Permits for timber and fuel wood, by lorries, pertaining to all species, except, Teak, Red Sanders and Sandal wood shall be issued by the Divisional Forest Officer and by bullock carts and tractors for destination within the jurisdiction of the

(\*\*) F) If the extent of the patta land exceeds 2.00 Ha. 10% of the entries shall be test checked by the Sub-DFO/DFO concerned.

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~~and~~ Range by FRO Conservator

C. ISSUE OF TRANSIT PERMITS.

(i) All the Transit permits should be written in triplicate, using two sided carbon papers for entries on duplicate and triplicate copies of T.Ps. In no case, separate the entries be made on the original, duplicate and triplicate copies of the T.Ps.

(ii) All the columns of T.P. should be filled in clearly. Validity period of the T.Ps should be kept at the minimum possible, taking into account the distance of the destination. While doing so following scale may be adopted.

- a) Upto 200 Kms. 6 Hours  
b) For every additional 30 Kms. 1 Hour

(iii) The original T.P. should accompany the vehicle carrying the forest produce, the duplicate should be sent to D.F.O. within 48 hours of issue and the triplicate retained in the permit book.

(iv) The Transit Permit shall be accompanied by an attested copy (Not a Xerox copy) of the proceedings of the Divisional Forest Officer.

D. ACCOUNT OF PERMITS ISSUED AND PRODUCE TRANSPORTED.

The details of the Transit Permits issued by the FRO/DFO should be entered in a separate Register in the Range/Division office to be called as "Watcher Register of T.Ps issued in Patta cases" in the following proforma:-

Sl. No.	Name of the land owner & his complete postal address	Proceeding No. & Date of competent authority	Description of Forest produce	Quantity
1.	2	3	4	5

Place from where consigned	Destination	No. of T.Ps issued			Remarks
		From Sl.No.	To Sl.No.	Total	
6	7	8	9	10	11

Extract of the Register should be sent to next higher authority every month.

E. TEST CHECK IN THE FIELD BY SUPERIOR OFFICERS.

The next higher authority to the one granting T.Ps upto Conservator of Forests, shall test check 10% of cases in the field pertaining to a month, during the succeeding month and issue a monthly review, whether the Circular instructions have been complied with.

F. TIME FRAME FOR PROCESSING OF THE CASES.

The entire processing of the cases of grant of T.Ps for transport of timber and other produce obtained from patta lands, should be completed within a period of (3) months from the date of receipt of Application Form in complete shape from the Applicant at the earliest possible, with a view to avoid undue hardships to the land owners. Following time frame is prescribed for the purpose :-

(i) On receipt of application form in complete shape from the applicant, D.F.O. shall forward the same to F.R.O. within a fortnight of its receipt to the F.R.O. for physical verification of the location & extent of the patta land & the later shall submit his inspection report to the D.F.O. within another fortnight.

(ii) Similarly on receipt of enumeration list from the applicant, it shall be sent to F.R.O. within a fortnight of its receipt & the later after due test check shall resubmit it to D.F.O. within another fortnight. Test check by Sub-DFO/DFO shall be completed within this period of a month.



G. REVIEW OF CASES DURING OFFICE INSPECTION.

(i) Review of all the patta cases shall be compulsorily made by Conservator of Forests, during the Annual Division Office inspections in the Questionnaire already communicated.

(ii) Likewise, review of the above case in Range Office shall be made by D.F.Os and that in the C.Fs offices by PCOF/COF during their Annual office inspections.

The receipt of the Circular instructions should be acknowledged by return of post.

Encl: 4 (Annex-I-IV)

Sd/- S.D. Mukherji,  
Prl. Chief Conservator of Forests

To

All the Conservators of Forests and Divisional Forest Officers (Territorial)

// true copy //

## ANNEXURE - I

APPLICATION FORM FOR GRANT OF TRANSIT PERMITS FOR TRANSPORT OF  
PRODUCE FROM PATTALANDS

To

The Divisional Forest Officer,

Division.

- i. Name of the applicant.
- ii. Father's name and complete postal address.
- iii. Whether he is a land own or G.P.A.? (G.P.A. is made null and void, in case of lands situated in Scheduled areas).
- iv. If G.P.A., please enclose the document.
- v. Details of land from where tree growth is to be removed.
  - a) Extent (area in Ha./acres)
  - b) Classification of land as per Village/Revenue records.
  - c) Certified copy of map of land issued by L.R.A. or the Asst. Director of Survey and Land Records be furnished.
  - d) Is the land situated in the Scheduled area? Yes/No
  - e) Is the land an
    1. Estate Land? Yes/No
    2. Inam Land? Yes/No
    3. Bilmachha Land? Yes/No
    4. If any other category, specify
  - f) Is the land a Patta land? Yes/No
 

If Yes, has it been granted under

    1. Bigawan System? Yes/No
    2. Darkhasth Rules? Yes/No
    3. Loani Rules? Yes/No
    4. Or any other category, Please specify.
  - g) Date of sanction
  - h) Authority, who sanctioned it.
  - i) Survey No. at the time of original sanction and the present S.No.
  - j) Whether it is dry or wet land? Yes/No
  - k) Are you entitled over the vegetative growth? Yes/No
  - l) If yes, enclose a certified copies of patta or any other document & MRO's "Certificate of title on Patta produce".
  - m) Are the boundaries of the land clearly demarcated on the ground? Yes/No

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The receipt of the Circular instructions should be acknowledged by return of post.

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Sd/- S.D. Mukherji,  
Prl. Chief Conservator of Forests

To

All the Conservators of Forests and Divisional Forest Officers (Territorial)

// true copy //

vi. Is the tree growth on the land natural or artificial  
i.e., plantations.

Natural/Plantation

- a) If natural, what type of tree growth is existing and how old it is ?
- b) If plantation, when was it raised and with what species ?
- c) How much quantity of timber, fire foggot/rootwood, bamboo etc. is expected to be obtained from the land? (Mention species wise).
- d) Enclose a copy of enumeration list (in triplicate) along with abstract thereof.

vii. Whether he wants to use the produce for self-consumption or for marketing.

Self-consumption/  
marketing

viii. Place where the applicant proposes to keep the patta produce and transact the business.

Date:

Place:

Signature of the Applicant

Approved

Sd/- S.D. Mukherji,  
Prl. Chief Conservator of Forests

// True Copy //

Sd/- P.K. Sharma,  
for Prl. Chief Conservator of Forests

ANNEXURE - II

CERTIFICATE OF TITLE PATTAS PRODUCE (SEE R.5(3) OF THE A.P. FOREST  
PRODUCE TRANSFER RULES, 1970

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Certified that I have examined the rights and titles of the applicant  
Sri/Smt. \_\_\_\_\_ S/o/Wife of \_\_\_\_\_  
Resident of \_\_\_\_\_ over the standing timber and other patta  
produce on the lands held by him/her, the particulars of the same are furnished in the  
Annexure.

Signature

# ANNEXURE TO THE CERTIFICATE

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1. Name of the Applicant or pattedar.
2. Survey No. and extent.
3. Whether the land is a patta, Bilmaqta or Inam ?
4. Date of sanction of patta, Bilmaqta or Inam as the case may be.
5. Authority who sanctioned it and whether he was competent to accord such sanction.
6. S.No. and extent at the time of the original grant and the corresponding present S.No. and nature of the land i.e., dry or wet.
7. Conditions of grant, if any.
  - a) If it is a patta granted under the Bigwan system state whether Bigawan amount has been paid and if so, whether fully or in part and whether for the entire area or only a part of it showing the exact extent ?
  - b) Whether any receipt has been produced in support of the claim of the Bigawan amount having been paid? If so, whether its genuineness has been verified from the official records.
  - c) If it is patta land granted under rule 17 of the Loani Rules of 1937 F. Please state whether the upset price fixed by the M.R.O. has been paid in full and if so give the credit particulars?
  - d) If it is a patta land granted under the Loan rules of 1950 before they were amended making auction of the Forest Produce compulsory before handing over possession to the assignee, state whether the pattedar has paid valuation in full and if so give the credit particulars?
  - e) If the land is Inam or Bilmaqta state clearly with reference to the terms of the grant whether the occupant is entitled to the timber and if so to what extent?
  - f) If the patta is situated in the Scheduled area, is the Chapter IIIA of A.P. Forest Act 1967 applicable to the area?
9. Has the occupation of the land been continuous if not give details of the transfer or transfers together with date and also the official sanction for such transfers if necessary at the time ?
10. Whether the land revenue has been paid continuously, if not, are there any Govt. arrears on the land due from the occupant if so why the arrears should not be recovered by the attachment of the timber under the law in force ?
11. Is the extent and location of the present S.No. the same as at the time of original sanction of patta if not give reasons thereof ?
12. If there is enhancement in the area state the reasons therefore and also state clearly whether the occupants entitled to the excess area and the timber thereon according to the rules and if so quote the authority.
13. Whether a certified copy of the map issued by the Mandal Surveyor or the Asst. Director, Survey and Land Records has been produced by the applicant ?
14. Whether the M.R.O. has inspected the lands

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16. Have the boundaries of the land been clearly demarcated and if so by whom?
17. State clearly whether any portion of the land is Government land?
18. Are there any protected tenants or Shikmidars, if so, give their names the area under their possession and their rights over the tree growth places see sec.24 of the Hyderabad Tenancy and Agricultural lands Act 1950?
19. 1. Is the land owner entitled to the timber and other produce?  
2. Is any condition attached to the enjoyment of above title and what it is?
20. Remarks, if any.

Dated:

Place:

Signature

(Name: )  
MANDL REVENUE OFFICER,  
Mandal,  
District

Approved

Sd/-S.D. Mukherji,  
Prl. Chief Conservator of Forests

// True Copy //

### ANNEXURE - III

### CHECK SLIP

1. Has the applicant furnished all the information in the Application Form in Annexure - I?
2. If not, what action was taken by the D.F.O. to obtain the same?
3. Has the M.R.O. furnished all the information in the certificate of Title on Forest Produce in the prescribed proforma in Annexure - II?
4. If not what steps were taken by the D.F.O. to obtain the same?
5. Is the D.F.O. fully satisfied about the title of the land owner over the timber and other produce over the land?
6. In case of farm/private forestry plantation, is the D.F.O. satisfied about the details furnished?

Divisional Forest Officer,  
Division

Approved

Sd/-S.D. Mukherji,  
Prl. Chief Conservator of Forests

// True Copy //

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Has the M.R.O.  
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## ANNEXURE - IV

Copy of Board's Ref. 12/4364/63, dated 15<sup>th</sup> May, 1964 - Board of Rev. A.P.

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Sri V. Rajeshwara Rao, IAS.,  
Commissioner of Civil Supplies and Ryotwari Settlements.

Sub:- Timber on patta lands - enquiry regarding title - instructions - issued.

Ref:- Boards Ref. No. 12/4192/60, dated 27-1-1961.

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Several instances have come to the notice of the Board where in a certain Collector had granted permission to some pattedars for felling of timber on their lands, on applications made by them or on the references made by the Dist. Forest Officer. Before granting such permission some information regarding the patta lands concerned was called for from the Tahsildar concerned which was called the "Patta Certificate". The Board has examined the matter and finds that it is incumbent upon a pattedar to apply for and obtain permission from the District Forest Officer for transportation of timber from his patta lands, for which he is required to obtain transit permit from District Forest Officer under the Hyderabad Timber Transit Permit Rules of 1993 Fasli. But before issuing such permits the Forest Officers are insisting upon the applicant i.e., the pattedar to furnish them with the required information i.e., whether he is the pattedar to the land in question, whether the patta is genuine, whether he is entitled to the timber etc. It is here that the Revenue Department comes into the picture and the occasion should be utilized for safeguarding the Government interest, there are no rules prescribing the method of enquiry by the Revenue Officers and the conditions to be fulfilled by a pattedar before a Collector can certify his title to the timber. The so called "Patta Certificate" was neither prescribed by the Board nor by the Government the following instructions are therefore issued in consultation with the Chief Conservator of Forests for the guidance of Revenue as well as Forest Officers.

1. No permission for the felling of timber need be issued by the Collectors or by any other Revenue Officer. The pattedars have to apply for and obtain transit permits for the transportation of timber from their patta lands from the concerned Divisional Forest Officer. When a pattedar applied to the Divisional Forest Officer for permission to fell and transport timber from his patta lands and for issue of transit permits the Divisional Forest Officer will refer the matter to the Collector for remarks regarding the eligibility of the pattedar to the timber, the Collector should direct the Tahsildar concerned to personally inspect the lands and submit a report in the enclosed proforma, through the Revenue Divisional Officers along with the connected records.
2. The Tahsildar should not submit his report without having first inspected the land and satisfied himself that the land in question is actually a patta, duly verified, and its position shown in the settlement map etc. The proforma enclosed herewith should be filled in after examining thoroughly all the connected office records and the rules in force. On the receipt of the Tahsildar's report, Revenue Divisional Officer will after verifying carefully its correctness and inspecting the area, if necessary forward the same with his remarks to the Collector. The latter may after satisfying himself that the applicant has a bonafide right to the timber forward the Tahsildar's report to the Divisional Forest Officer for necessary action.
3. The Tahsildar should not issue copies of toposketches or of phodi or village maps where the survey maps are not available nor should they issue them when the survey maps are available. In either case, the party should be directed to apply to the L.R.A. or D.O.S. and obtain the map or a certified copy thereon.
4. The Tahsildar should first verify the map or certified copy thereof produced by the party with the map, if any available in his office. If they agree he should next verify carefully the spot whether the land demarcated the claimed to be in the possession of the applicant tallies with its situation in the map. If there is any variation he should report

OFFICER,  
Mandal,  
District

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of Forests

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by the  
Tahsildar  
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issued by the  
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*The matter to the Collector for  
avoidance. It should also be verified 11 98 11  
whether there is any large unassigned forest.*

In particular case should be taken to see that the land, the occupancy of which is claimed by the applicant is the land originally granted to him or held by him on patta. This is especially necessary where no phodi (Sub-Division) had taken place and consequently a survey map of the land is not available. In the past assignment were made, in certain respects, out of large poramboks or gut numbers without clearly demarcating the areas assigned. No phodi was made of the lands so assigned and neither the Revenue nor the Forest Officers were in position to check whether the area so occupied by the assignees in them. It is quite possible that certain assignees had taken possession which contained valuable timber, although the area actually assigned to them might have been totally different.

5. In partial modification of the instructions issued in the Board's reference cited, the Board directs that hereafter there should be a joint inspection of the land concerned by the Tahsildar with the concerned Divisional Forest Officers or Sub-Divisional Forest Officers in order to ensure that there are no illicit fellings in the adjoining beroons not yet taken over or not required by the Forest Department. The D.F.Os or Sub-DFOs should inspect atleast 25% of the patta lands where the area exceeds 25 acres. Necessary instructions in this regard to the Divisional Forest Officers will issued separately by the Chief Conservator of Forests.

6. A register of the reports sent by the Tahsildars should be opened in every Tahsil office and the concerned filed should be closed as D.Dis. so that they may be available for future reference if an occasion arise.

7. For determining the right to timber on Ijara and Bilmagta lands the rules contained in standing order given on pages 45 to 47 and the standing order 20 on page 50 of the Kawli and Ijara Manuals of 1343 Fasli should be referred to and action taken accordingly. In regard to the Kowli land the standing orders 11 and 12 on pages 86 and 87 of the same manual will apply, utmost care should be taken in examining a case with reference to those rules and see that Government interests are safe guarded accordingly. In regard to Inam lands also adequate care should be taken to safeguard the Government interest particularly attention is invited to section 3 of Hyderabad Abolition of Inam Act 54 according to which all rights, titled and interest vesting in the inamdar to forest etc. shall cease and be vested in the State free from all encumbrances. Attention is also invited to Section 4 of the same Act according to which an Inamdar is not entitled to be registers as an occupant in respect of forest lands be examined with reference to para 482 of Mojmu-e-Quaneen Malguzari Vol.I (Rule 20 of the Hyderabad Settlement Rules 1818 F) cases concerning the rights of Sethsindhis over the tree growth on their Inam lands should be examined with reference to the Revenue Dept's letter No.4480/4481 dt.19-6-1924 F and no.137 dtd.16-1-1340 Fasli and Chief Conservator of Forests letter No.6229/dt.9-7-1324 Fasli.

8. The attention of the Revenue Officers is invited to Circular No.11 dt.Sheherwar 1346 Fasli which clarifies the rights of the pattadar and Government over trees situated in patta land, as from 1st Azar 1318 Fasli, i.e., date from which the Hyderabad Land Revenue Act came into force. According to section 29 of the said Act, reads with rule 18 of the Hyderabad Settlement Rules of 1318 Fasli, it shall be incumbent on the Forest Department to sell to the pattadar trees in which the Government have a right, in case he is agreeable, on a reasonable amount of valuation and to fell them that if he is not willing. From the commencement of Fasli 1321 Government will have no right over the Irsali trees standing on patta lands and all such trees which could not be sold or felled would deemed to be the property of the pattadar. In regard to the right of the pattadars to timber on land assigned after the Hyderabad Land Revenue Act came into force section 31 and 32 of the said Act should be referred to. It will be seen there from that is would incumbent on the revenue authorities to have either felled or sold the timber before letting out the land for cultivation.

9. The assigning  
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9. Through letter No.700 dtd.8-5-1319 Fasli Government issued orders for assigning lands with timber there on in Adilebad Dist. As per the rate fixed herein. These rates were revised in Government Lr.No.468, dtd.2-3-1326 S.F. Through Cir.No.3 dtd.6-2-1328 F. Government extended these orders to all other Dists. only. This was called Bigawan system, as it was found that the Bigwan system was not benefiting the poor ryots and was found that the Bigwan system was not abolished through Circular No.5, dt.18-4-1341 F, wherein it was further ordered that the instructions issued through No.4 dtd. 22-2-134 F. for the recovery of the value of timber by disposal in auction should be followed. An exception made was that the timber on those lands of Ijara which was granted as Bilmaqta could be given as usual on valuation to the Ijardars, these expectations were however, done away with through amending the Circular No.1, dtd. 2-1-1354 Fasli.

Many assignments were made carelessly without collecting the bigawan amount, hence special care has to be taken to verify as laid down in the proforma enclosed whether the bigwan amount has been paid by the pattedar.

In case the valuation under the Bigawan system was fixed for the timber of such land but the pattedar had neither availed of the timber nor paid the valuation and also in case where he had paid the bigawan amount partly but had not permitted to exploit the timber now. Such cases should be referred to Board of Revenue for orders.

10. There are also certain pattas which were granted to ex-army personnel prior to 1344 SF. The rights of such personnel over the timber of such patta lands should be examined in the light of the following orders of the Government in the Revenue Department.

- Revenue Department Lr.No.1339, dt.22-12-1340 F.
- Revenue Department D.O.No.Nil, dt.18-12-1932.
- Revenue Department Lr.No.143, dt.17-1-1347 F.
- Revenue Department Lr.No.1446, dt.25-2-1351 F.
- Revenue Department Lr.Cir.No.1, dt.2-1-1354 F.
- Revenue Department Lr.No.Nil, dt.14-2-1354.
- Revenue Department Circular instructions of 1354 F applying Cir.No.1 of 1354 F. to the patta cases of Ex-Army personnel (New addition).

11. There are some pattas, which were granted by the Jagirdars, during the Jagir days to various individuals, the rights of such individuals over the patta lands and the timber thereon should be examined in the light of section 6 of Hyderabad Jagir Abolition Regulation of 1358 Land Rules regarding Grant of Pattadari rights. In Non-Khasa village "Published in Gazette No.32, dt.19<sup>th</sup> Thir 1356 F and the rights of the Government should be safeguarded.

12. Attention is next invited to the Loani Rules of 1347 F. The instructions issued in rules 11, 17, 19 and 20 should be specially noted. Rule 11 states that in case of general loani the timber should be auctioned along with the land. Rule 17 stated that under special loani it shall be binding upon the assignee to pay the price of timber possession of the land, it is specifically stated that the possession paid except in the cases where permission has been accorded for payment in instalments as per Rule 17.

13. These rules were repeated by the Loani Rules of 1950. As these originally stood, timber was disposed of on the basis of valuation. Since this was unsatisfactory, rule 9 (f) was amended through Rev.Dept's notification as dt.8-1-1952 and the Tahsildars were instructed to auction the trees. Similarly, the corresponding rule 17 dealing with special Loani was amended vide Rev. Dept's notification No.30/55, dt.17-6-55. Similarly instructions were issued by the Government in their Memo.No.II.2866/60-I, dt.14-11-1960.

14. Certain instances also came to the notice of the Board and the Chief Conservator of Forests wherein permits were issued by certain Divisional Forest Officers of Adilabad District only on the strength of certified copies of pahajs based on the Circular No.2892/K/63, dt.26-8-1952 issued by the Chief Conservator of Forests with the approval of the Government. This Circular states that permits of timber for transport of timber should be issued by the Divisional Forest Officer on verifying the certificate issued by the patwari of the village, panchayat committee or any gazettted officer, whether in service or retired, produces by the pattadar, since it is not safe to issue permits on the basis of such certificates the Divisional Forest Officers are requested to act on them and issue permits. Action is being taken separately to cancel circular No.2892-K/63, dt.26-8-1952.

15. A history of the rules given above dealing with the disposal of timber is intended to enable the Revenue Officers to examine the claims of a pattadar to the timber on his lands and determine his rights. Such examination should be made very thoroughly so that Government interests should not suffer.

Sd/- M.B.Balaraj,  
for Joint Secretary

To

All the Tahsildars, Revenue Divisional Officers and Collectors of the Telangana Region.

All the Divisional Forest Officers

Copy to the Chief Conservator of Forests and Conservator of Forests.

Copy submitted to the Govt. in Revenue Dept., and Agriculture Dept.

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