

Shri. S. K. DAS., I.F.S.,
Principal Chief Conservator of Forests.

CIRCULAR No.1-A/2003

(The Circular on this subject was first issued vide ref.no.5357/2003/F5 dated 25-01-2003. This Circular on the same subject supersedes the first circular.)

Sub: Patta Lands - removal of timber and other produce from patta lands - consolidated guidelines issued - Reg.

Ref: 1. The Prl. CCF Circular 1/2003 (Ref.No.5357/2003/F5, Dated 25-01-2003)
2. PCCF, Ref.No.18606/97/F5, Dated 29-4-1997. (Circular No.6/97).

In the reference cited, instructions have been issued, regarding procedure to be followed in dealing with patta cases, for issuing of transit permits for the transportation of timber and other produce from patta lands to outside. The instructions are further reviewed in the light of the experience gained in their implementation. The Red-sander is endemic to Andhra Pradesh and is subjected to heavy biotic pressure and requires adequate protection measures. Therefore in addition to the existing provisions under relevant Act and Rules, for extraction and transit for red sanders wood following further instructions are issued for proper regulation of extraction and transit of red sanders from private patta land.

These instructions are issued in super-session of all previous instructions. The Circular 1/2003 cited in reference 1st cited is withdrawn and the following instructions are to be followed which are in the nature of guidelines and supplementary to the statutory Acts and Rules.

I. PROCEDURE FOR GRANT OF TRANSIT PERMITS IN PATTA LANDS FOR RED SANDER WOOD

The regulation and possession of Red Sanders and Sandal Wood is being dealt under Andhra Pradesh Sandalwood and Red-Sander wood transit Rules, 1969 and Andhra Pradesh Red-sander Wood Possession Rules 1989. These provisions should be followed scrupulously. These Rules provide detailed provisions for verification of the material, issue and checking of transit permit, registration of property marks and fixing of marks on the trees and felled logs etc. The Rules stipulate as follows:

"Rule-6-Checking of permits: (1) All sandal wood or red sanders wood, as the case may be, in transit shall be produced for examination at every checking station en route even without being asked by any officer for it or when called upon to do so".

"Rule 7 Sub Rule 3 (i) - Every application for the registration of property mark in respect of sandalwood or red-sanders wood, as the case may be, to be extracted

from private lands within the State shall be accompanied by a statement in Form-III / Form-IV in which all the particulars therein prescribed shall be furnished to the Divisional Forest Officer concerned and also by six facsimiles of the mark proposed. Form-III/Form-IV (shall be in writing) and shall be prepared by the applicant".

"Rule 7 Sub Rule 3 (ii) - After the receipt of the application referred to in sub-rule 3(1) the Divisional Forest Officer or the subordinate authority authorized by him, shall, if he is satisfied that the Government have no interest in the trees, inspect trees, as soon as possible and with the consent of the owner of the land affix the departmental hammer mark on each tree after blazing it at breast height from ground level and issue written permission for the extraction of the trees and grant a certificate of registration of the property mark in Form V for the transport of the trees to a central place in the nearest village for final clearance if so desired by the applicant".

"Rule 7 Sub Rule 3 (viii) (a) - After receipt of the application for the removal of the sandal wood or the red sanders wood, as the case may be, with the statement in Form VI/Form VII containing all the particulars therein prescribed is received, the Divisional Forest Officer or [any subordinate officer, authorized by him] in this behalf shall as soon as possible, inspect and identify the sandalwood or red-sanders wood, as the case may be, by verifying the girth and the departmental hammer mark put on the standing tree and by assembling all parts of each tree and satisfying himself that the wood is of the same tree that was hammer marked standing and that the details furnished by the applicant in Form-VI/Form-VII are correct and without error and there after mark all sandalwood or the red sanders wood, as the case may be [at the both ends] with Divisional pass hammer. Thereafter, the Divisional Forest Officer shall, subject to provisions of sub clause (b), grant a Certificate of Registration in Form-V with as little delay as possible.

"Rule 7 Sub Rule 3 (viii) (b) - The Divisional Forest Officer or subordinate authorized by him may require from any person, either when presenting a property mark for registration or at any subsequent time, information as to the source of origin and the quantity of sandalwood or red sanders wood, period of felling, agency, routes, depots, destination and such other details regarding his method of felling, trading or working as the Divisional Forest Officer may think necessary....."

"Rule 7 Sub Rule 4 (c) - All the sandal wood or red sanders wood, as the case may be, in respect of which a property mark is registered under this sub rule shall be marked with Divisional Pass Hammer by the Divisional Forest Officer or by the subordinate authorized by him to do so".

"Rules 5 - Issue of Permits: - Permits in Form-I shall be in quadruplicate and shall have all columns filled up by the Divisional Forest Officer or a subordinate officer duly authorized by him in this behalf. The Divisional Forest Officer or the subordinate officer so authorized, as the case may be, shall handover the original permit to the purchaser, send the duplicate to the Range Officer and the triplicate to the concerned Divisional Forest Officer at destination by Registered Post with Acknowledgment Due before movement of the consignment and retain the quadruplicate as counterfoil for record in his office..... "

In addition to these regulations and provisions, following further instructions are issued for exercising proper control over the movement of red sander from patta lands.

- i. Estimation of yield and verification of record about the authentication of the patta land and ownership of the tree growth will be done by the concerned Divisional Forest Officer and the Divisional Forest Officer (FS) jointly.
- ii. The concerned Divisional Forest Officer shall issue felling permission if the material involved is up to 1 MT and obtain technical approval from following officers if the quantity involved is more than 1 MT as prescribed below :-
 - a. More than one MT and up to Ten MT – concerned Conservator of Forests.
 - b. More than Ten MT from the Prl. Chief Conservator of Forests.
- iii. Transit Permits will be issued by the concerned Territorial FRO and the FRO Flying Squad Party jointly only after Red Sanders is loaded into the lorry.
- iv. At the check posts apart from general verification of the material in transit a sample check of 10 to 15 logs shall also be carried out for verifying the dimensions as per invoice enclosed. This should be done within shortest possible time.
- v. In the check post a separate register should be maintained for R.S. wood and the dimension of 10-15 logs as mentioned in (iv) above should be recorded in this register.

II. Procedure for Grant of Transit Permits in all other Types of Patta Lands (Other than Red Sander and Sandal Wood):

- i. Person intending to fell and transport tree growth existing on the patta lands, shall make an application to this effect to the territorial DFO concerned in the proforma prescribed in the **Annexure-I** along with all the relevant information as enclosures.
- ii. On receipt of the application, the DFO shall examine the same, specially the MRO's 'Certificate of title on patta produce as' prescribed under rule 5(3) of the A.P. Forest Produce (Transit) Rules, 1970 furnished by the applicant.
- iii. The proforma for the above certificate, as per above Rule, is to be prescribed by the CFs concerned. A draft 'Certificate of Title on Patta Produce' is prepared and appended herewith as **Annexure-II**.
- iv. The CFs are requested to examine the same and if deemed fit, adopt the same as such or with modifications depending on the local requirements. The Divisional Forest Officers 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 annexure, **a check slip** is prescribed and appended herewith as **Annexure-III**.

- vi. With regard to furnishing information in the 'certificate' by MRO, a copy of the instructions issued to Tahsildars, Revenue, Divisional Forest 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 along with the copy of certified map of the patta land to the FRO 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 RF. If there is any variation, the same shall be reported to the DFO at once. The distance of patta land from nearest RF shall also be reported.
 - b) The applicant shall get all the tree growth enumerated and enumeration list prepared. For preparation of enumeration list, proforma as prescribed in the DET Manual and A.P. Forest Dept. 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.
 - 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.
 - 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 (0.4ha.) and arrive at the yield of firewood as well as faggot/root wood as the case may be such wood should not be heaped but stacked in regular shaped stacks before arriving at yield figures. All the sample plots and stacks shall be test checked by FSO. Whenever the number of sample plot laid is 5 or more, FRO shall test check 20% of the sample plots i.e. 1 plot for every 5 plots.
 - h) After due verification, the FRO shall submit the enumeration list along with the estimate of yield of timer and fire/faggot/root-wood, species wise, and bamboo if any to the DFO.
 - i) All the expenses in marking, enumeration etc. will be paid-by the pattedar / applicant.

- j) On receipt of report from the FRO after due verification, the DFO 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 timbers obtained species wise, as well as fire/faggot/root wood, and bamboo if any, in triplicate and submit to the FRO.
- l) The timber to be transported shall be digit numbered, firewood shall be stacked in regular shaped stacks e.g. square or rectangular stacks.
- m) The timber and firewood etc., so obtained shall be physically verified by the FSO, FRO, and Sub-DFO/DFO, before Transit Permits are issued by the DFO, in the same manner as mentioned in paragraphs (d) to (f) above, i.e., 100% check by FSO deputed for the purpose, 10% check by the FRO covering the entire area and 10% by the Sub-DFO/DFO if the area exceeds 2.00ha. 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, fire wood 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) The permits shall be issued by the FSO or Forester after the timber is loaded into the lorries.
- q) After completion of the transport of produce, the FRO should submit a Completion report to the DFO giving details of the produce transported and number of T.Ps utilized, duly returning the used and unused T.Ps. Copy of the C.R. should be marked to CF/PCCF if the permits are sanctioned by them.

II-A. ISSUE OF TRANSIT PERMITS : Transit permit is to be sanctioned by the Divisional Forest Officer (Territorial) upon recommendation from the Forest Range Officer after due verification of the material.

- 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 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.
- iii) The original T.P. should accompany the vehicle carrying the forest produce; the duplicate should be sent to the DFO within 48 hours of issue and the triplicate retained in the permit book.

- iv) The transit permit shall be accompanied by an attested (not a Xerox copy) copy of the proceedings of the DFO.

II-B.ACCOUNT OF PERMITS ISSUED AND PRODUCE TRANSPORTED:

The details of the transit permits issued should be entered in separate register in the Range/Division office to be called as "Watch-Register of T.Ps issued in Patta Cases" in the following proforma.

S. No	Name of the land owner & his complete postal address	Proceedings 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 SI.No.	To SI.No.	Total	
6	7	8	9	10	11

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

II-C.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 landowners. Following time frame is prescribed for the purpose:

- On receipt of application form in complete shape from the applicant, DFO shall forward the same to FRO within a fortnight of its receipt for physical verification of the location and extent of the patta land and the later shall submit his inspection report to the DFO within another fortnight.
- Similarly on receipt enumeration list from the applicant, it shall be sent to FRO within a fortnight of its receipt and the later after due test check shall resubmit it to DFO within another fortnight. Test check by Sub-DFO/DFO shall be completed within a period of one month.
- On receipt of list of timbers, firewood/faggot wood etc., after felling of tree growth, the same shall be inspected by forester, FRO and Sub-DFO if required, within a period of one month.

II-D.REVIEW OF CASES DURING OFFICE INSPECTION :

- Review of all the patta cases shall be compulsorily made by CFs during the Annual Division Office inspections in the Questionnaire already communicated.
- Likewise, review of the above case in Range office shall be made by DFO's and that of the CF's offices by PCCF/CCF during their Annual Office Inspection.

**III-A. PROCEDURE FOR WORKING OF TREE GROWTH IN THE PATTA LANDS
SITUATED IN SCHEDULED AREA TO WHICH CHAPTER III-A OF A.P FOREST
ACT 1967 IS APPLICABLE.**

In such cases the procedures as laid down in Chapter III-A of the A.P. Forest Act, 1967, shall be followed by obtaining prior permission from the District Collector, as is being followed.

**III-B. LARGE CHUNKS OF PRIVATE LANDS CLASSIFIED AS FORESTS IN
GOVERNMENT RECORDS**

Such cases will be dealt with as per provisions of the Forest (Conservation) Act. 1980.

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

Encl: Annexure I, II, III & IV

Sd/-(**S.K. Das**)
Principal Chief Conservator of Forests

ANNEXURE - I

APPLICATION FORM FOR GRANT OF TRANSIT PERMITS FOR TRANSPORT OF FROM PATTI LANDS

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 owner 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:
- vi.
 - 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. of the Assistant Director of Survey and Land Records be furnished.
 - d. Is the land situated in Scheduled area? Yes/No
 - e. Is the land an
 1. Estate Land? Yes/No
 2. Inam Land? Yes/No
 3. Bilmaqtha Land? Yes/No
 4. If any other category, specify
 - f. Is the land a patta Land? If yes Yes/No
has it been granted under
 - I. Bigawan System? Yes/No
 - II. Darkasth Rules? Yes/No
 - III. Leoni Rules? Yes/No
 - IV. 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?
- k. Are you entitled over the vegetative growth? Yes/No
- l. If yes, enclose 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
- vi. Is the tree growth on the land natural or artificial i.e., plantations? Yes/No
- 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 faggot/root wood, 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: _____ Signature of the Applicant
Place: _____

ANNEXURE-II

CERTIFICATE OF TITLE ON PATTI PRODUCE (See. R. 5(3) OF THE A.P. FOREST PRODUCE TRANSIT RULES, 1970

Certified that, I have examined the rights and titles of the applicant
Sri/Smt. _____ Son/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

(Name _____)
Mandal Revenue Officer
_____ Mandal.
_____ Dist.

Annexure of the Certificate

1. Name of the Applicant or Pattadar.
2. Survey No. and extent :
3. Whether the land is a pattabilmagta or Inam as the case may be?
4. Date of sanction of patta Bilmagta 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.
8.
 - a) If it is a patta granted under the Bigawan 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 a patta land granted under rule 17 of the Laoni 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 Laoni Rules of 1950 before they were amended making auction of the Forest Produce compulsory before handing over possession to the assignee, state whether the pattadar has paid valuation in full and if so give the credit particulars?
 - e) If the land is Inam or Bilmagta state clearly with reference to the terms of the grants 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 MIA of AP. 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 that 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 there on

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 personally, if not why?
15. Has the M.R.O. satisfied himself that the actual location of the land in the enjoyment of the occupant corresponds with that in the certified copy of the map issued by the L.R.A. or DOS?
14. Have the boundaries of the land been clearly demarcated and if so by whom?
15. State clearly whether any portion of the land is Government land?
16. Are there any protected tenets 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?
17. a) Is the land owner entitled to the timber and other produce?
b) Is any condition attached to the enjoyment of above titled and what it is?
20. Remarks, if any

Date:
Place:

Signature:
(Name)
Mandal Revenue Officer
_____ Mandal
_____ Dist.

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 DFO 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 product over the land?
6. In case of farm/private forestry plantation, is the DFO satisfied about the details furnished?

Divisional Forest Officer
_____ Divn.

ANNEXURE-IV

Enclosure :-

Copy Board's Ref. 12/4364/63, dated 15th May, 1964 - Board of Rev. AP.

Sri V. Rajeshwara Rao, I.A.S.,
Commissioner of Civil Supplies and Ryotwari Settlements

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

Ref: Board's R.F.No. 12/4192/60, dated 27-1-1961.

Several instances have come to the notice of the Board wherein a certain collector had granted permission, to pattadars, 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 pattadar to apply for and obtain permission from the Dist. Forest Officer for transportation of timber from his patta lands, for which he is required to obtain transit from Dist. 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 pattadars to furnish them with the required information i.e., whether he is the pattadar 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 pattadar before a Collector can certify his titled to the timber. The so called "Patta Certificate" was neither prescribed by the Board nor by the Government, are the following instructions 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 pattadars 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 pattadar applied to the Divisional Forest Officer for permission to tell 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 pattadar 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 Officer along with the connected records.
2. The Tahasildar 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 forwards 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 Tahasildar's report to the Divisional Forest Officers for necessary action.

3. The Tahsildar should not issue copies of topo sketches 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. 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 the matter to the Collector (Land Records) for guidance. It should also be verified whether there is any large, unaccounted for increase in the area of the lands in the revision as against the area noted during the original survey. Such variation should be reported to the Board by the Collector for order explaining the reasons for the same.

In particular, care 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 feelings in the adjoining beroons not yet taken over or not required by the Forest Department. The DFOs or Sub-DFOs should inspect at least 25% of the patta lands where the area exceeds 25 acres. Necessary instructions in this regard to the Divl. Forest Officers will be 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 connected 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 Bilmaqta lands the rules contained in standing order given on paged 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 order 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 interests, particularly attention is invited to section 3 of the Hyderabad Abolition of Inam Act 54 according to which all rights, titles and interest vesting in the inamdar to forest etc. shall cause 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 registered as an occupant in respect of forest lands be examined with reference to para 482 of Majmu- equaneen 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, dated 19-6-1924 F and No. 137 dated 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. Shehewar 1346 Fasli which clarifies the rights of the pattedar and Government over trees situated in patta land, as from 1st Azur 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, 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 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 felled would deemed to be the property of the pattedar. In regard to the right of the pattedars 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 it would incumbent on the revenue authorities to have either felled or sold the timber before letting out the land for cultivation.
9. Through letter No.700 dated 8-5-1319 Fasli, Government issued orders for assigning lands with timber there on in Adilabad Dist. as per the rate fixed herein. These rates were revised in Government Lt.No.468, dated 2-3-1326 S.F. Through Cir.No.3, dated 6-2-1328 F Government extended these orders to all other Dists. only. This was called Bigwan System, as it was found that the Bigwan system was not abolished through Circular No.5, dated 18-4-1341 F. Wherein it was further ordered that the instructions issued through No.4 dated: 22-2-1341 F. for the recovery of the value of timber by disposal in auction should be followed. An exception made was that timber on those lands of Ijara which was granted as Bilmagta could be given as usual on valuation to the Ijardars, these expectations were given as usual on valuation to the Ijardars, these expectations were however done away with through amending the circular No.1 dated 2-1 -1354 Fasli.

Many assignments were made carelessly without collecting the begwan 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 Bigwan system was fixed for the timber of such land but the pattadar had neither availed of the timber nor paid the valuation and also in case where he had paid the bigwan 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.
 1. Revenue Department Lr.No.1339, dated 22-12-1340 F.
 2. Revenue Department D.O.No.Nil, dated 18-12-1932.
 3. Revenue Department Lr.No.143, dated 17-1 -1347 F.
 4. Revenue Department Lr.No.1446, dated 25-2-1351 F.
 5. Revenue Department Lr.Cir.No.1, dated 2-1-1354 F.
 6. Revenue Department Lr.No.Nil, dated 14-2-1354.
 7. Revenue Department Circular Instructions of 1354 F applying Cir.No. 1 of 1354 to he 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 Pattedari rights. In Non-Khasa village "Published in Gazette No.32, dated 19th Thir 1356 F and the rights of the Government should be safe guarded.
12. Attention is next invited to the Laoni 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 loan! 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 installments as per Rules 17.
13. These rules were repealed 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, dated 17-6-1955. Similarly instructions were issued by the Government in their Memo.No.11.11/2866/6041, dated 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 Divl. Forest Officers of Adilabad Dist. only on the strength of certified copies of pahajs based on the circular No.2092/K/63, dated 26-8-1952 issued by the Chief Conservator of Forests with the approval of the Govt. 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 that village, panchayat committee or any Gazetted officer, whether in service or retired, produced by the pattadar. Since it is not safe to issue permits on the basis of such certificate the Divisional Forest officers are requested

not to act on them and issue permits. Action is being taken separately to cancel circular No.2892/K/63, dated 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