

23/5/17

**GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT**

Ref:No.21059/2015/WLR-2
Dated: 04-05-2017

O/o. Principal Chief Conservator of Forests (HoFF)
Aranya Bhavan, Agarthavarapadu,
Andhra Pradesh, Guntur.

Sri P. K. SARANGI, IFS,
Principal Chief Conservator of Forests
(Head of Forest Force)

CIRCULAR No.3/2017

Sub:- Court cases – Circular instructions and procedures to be followed and prompt action to be taken while preparing the affidavit – instructions issued – Regarding.

Ref:- Rule 117 of Andhra Pradesh Forest Department Code.

•❧•❧•❧•

The Circle Heads and Divisional Forest Officers are informed that it has been observed that major cases related to land dispute or claims made by the claimants within Forest Areas, the Divisional Forest Officers and Forest Range Officers are unable to defend the cases successfully in various Courts due to lack of persuasion or knowledge of law. The cases are getting entangled in prolonged court battle. The Hon'ble Courts including High Court are issuing directions in form of stay order or status quo order due to insufficient submission of informations, material papers and documents. It has to be appreciated that until and unless sufficient documentary evidences and all relevant material papers are submitted to the Court by the concerned Divisional Forest Officers/Forest Range Officers, the Hon'ble Courts may not be in a position to arrive at any definitive conclusion. Therefore, it is mandatory for Divisional Forest Officers/Forest Range Officers to follow the Court procedures and submit all necessary documents to get favourable orders from the Courts. The main reason for huge pendency in various courts including High Court of AP are due to following reasons:-

- i. Improper, defective or insufficient preparation of draft affidavit.
- ii. Improper scrutiny made by Divisional Forest Officers while preparing of draft affidavit and is left either to Forest Range Officer or concerned ministerial staff of Division or Range Office.
- iii. Supporting documents are not enclosed along with affidavit.
- iv. Affidavit submitted without initiating action against the accused in case of encroachment of Forest Land.

Therefore, it is felt that the following procedures and instructions should be followed strictly in future to defend the cases fought in the various courts, specially in High Court successfully:-