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FOREST DEPARTMENT

Ref.No.52245/85-J1
Dt.24.8.1985

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

Presents: Sri V.S.Sastry, IES.,
Prl.Chief Conservator of Forests

CIRCULAR NO. 20/85

Sub: Forest Department - Andhra Pradesh Forest Act 1967 -
rules framed under section 26 and 27 - reg.

The Govt.of A.P.have framed rules called "The Andhra Pradesh protected forest rules 1970". These rules were issued through G.O.Ms.No.356, Food and Agriculture, dt.4.3.1970 and published in A.P.Gazette supplement to part II dt.30.4.1970.

Amendment to the said rules were issued through G.O.Ms.No. 77, Forests & Rural Development (For.I) Dt.5.2.76. The same was published in Andhra Pradesh Gazette supplement to part II, issue No.7 dt.19.2.76 at pages 111-112.

The Govt.have also framed rules under sec.26 of A.P.Forest Act 1967, superseding all existing notifications made under any Act repealed by sec.72 of the act aforesaid through the G.O.Ms. No.357 Food & Agriculture, dt.4.3.70 and published in Andhra Pradesh Gazette part-I dt.30.4.1970.

The above rules govern the regulation/of all protected forests under the control of the Forest Department in Andhra Pradesh state. Thus there is no need for issue of separate notification for each block whenever it is notified u/s.24 of the Andhra Pradesh Forest Act, 1967. A copy of the set of the above rules duly incorporated with the amendment is sent herewith for ready reference.

There are large number of unnotified forest areas still under the control of the Forest Department. The Conservators of Forests and Divnl.Forest Officers have been requested to take immediate action to see that all un-notified areas are notified U/s.4 or 24 on or before 31.3.1985. This office is yet to receive notifications from the Conservators of Forests. It is not clear whether the concerned Divnl.Forest Officers have submitted notification from the Divisional level by now or otherwise. They are once again informed that for notification of any block U/s.24, rough boundary description is good enough. In a single notification group of blocks with boundary description could be included. This would avoid delay in the routing of the notification. All blocks of a division could be included in one notification and submitted by the Divnl.Forest Officers. Due to keeping these Forest areas unnotified indefinitely, lot of complications are being faced by the department in the matter of protection and Management. As such, the Conservators of Forests/Divisional Forest Officers are requested to treat this branch of work on a war footing and see that all blocks are notified u/s.24 atleast within a month ie., by 30.9.1985.

The Conservators of Forests are requested to hold the Divnl.Forest Officers personally responsible for any delay in this regard and initiate immediate action against such defaulting D.F.Os. The receipt of circular may be acknowledged by return of post.

Encl: Rules mentioned
above.

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

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1. These rules shall be called the A.P. Protected Forest Rules 1970

2. (1): No person shall, except in accordance with the rules do, attempt to do or cause to be done, in a protected forest any of the following acts.

- i) clearing, ploughing or breaking-up of land for cultivation or any other purpose;
- ii) kindling of fire
- iii) cutting, sawing, conversion and removal of tree and timber and the collection and removal of natural produce;
- iv) quarrying of stone, the boiling of catechu or the burning of lime or charcoal;
- v) cutting of grass or the pasturing of cattle; and
- vi) hunting, shooting, fishing, poisoning of water and setting trap or shares.

Nothing in sub-rule (1) shall be deemed to prohibit any act done in accordance with any order issued by the Govt. or with the permission of the Chief Conservator of Forests, Conservator of Forests, Divisional Forest Officer, or any officer authorised to grant such permission".

3. Persons belong to scheduled tribes are eligible for the following concessions namely:-

- i. the removal of timber, bamboos and forest produce from the protected forests for domestic and agricultural purposes from time to time on payment of segniorage fees fixed thereof.
- ii. to graze their own cattle in the protected forests without payment of any fee.

Explanation: For the purposes of this rules,

i. Agricultural purposes shall include the use of

- a) timber for agricultural implements
- b) poles and thorns for hedges,
- c) bamboo for fencing and roofing of huts and sheds in fields and
- d) leaves for green manure.

ii. domestic purposes shall include the use of

- a) fuel for heating and cooking
- b) timber and other forest produce for the erection and repair of permanent and temporary dwellings, cattle sheds, pandals and fencing of compounds and fields.

iii. The ranger shall be the competent authority to issue the segniorage permits, on payment of the specific fees, to the tribals.

Provided that he may refuse to issue such permits in any case if the requirement of the rules are not satisfied.

iv. In case of refusal of permits, an appeal lies to the Divnl. Forest Officer, whose decision thereon shall be final.

v. The Divnl. Forest Officer, on his own motion, may, for sufficient and valid reasons, cancel or revise any permits issued by the Range.

Provided that an opportunity is given to the holder of the permit to represent against the proposed action.

5 (1) Any individual or community claiming rights by law or custom usage having force of law with respect to any protected forest may exercise such rights only after obtaining recognition from the Divisional Forest Officer.

Provided that the Divnl. Forest Officer may by order refuse such permission if the claims are not established.

2) Any person aggrieved by an order of the Divnl. Forest Officer, under sub-rule (1) may prefer an appeal, within thirty days of the receipt thereof to the Conservator of Forests, who shall after holding an enquiry pass an order thereon which shall be final.

3) The Conservator of Forests may, on his motion for sufficient and valid reasons, revise or cancel the permission granted by the Divnl. Forest Officer under sub-rule-1.

Provided that an opportunity is given to the person affected by such revision or cancellation to represent against the proposed action.

4) Any person aggrieved by the decision of the Conservator of Forests under sub-rule (3) may prefer an appeal to the Chief Conservator of Forests, within thirty days of receipt of the decision of the Conservator of Forests and the decision of the Chief Conservator of Forests thereon shall be final.

III. In exercise of the powers conferred by sec.29 read with sub-sec.1 of sec.68 of the A.P.F. Act 1967 (A.P. Act No. I of 1967) & the suppression of all existing rules on the subject made under any of the Acts repealed under sec.72 of the Act aforesaid the Governor of A.P. hereby makes the following rules regarding the possession of teakwood and redsanders wood.

1. These rules may be called the A.P. Teak wood and Redsanders wood possession rules, 1970.

2. No person residing in any village situated within a radius of 15 Km. of such reserved forest as may be specified by the C.C.F. in this behalf by a notification in the A.P. Gazette shall possess a quantity of teakwood, the value of which exceeds rupees two hundred or redsanderswood, the quantity of which exceeds quarter of a cubic metre in volume unless the teakwood or redsanders wood bears distinguishable Govt. transit mark or the property mark affixed to it under the A.P. Forest produce transit rules 1970 or A.P. Sandalwood and Redsanderswood transit rules 1969 as the case may be.

Explanation I. For the purpose of this rule, teakwood or redsander wood does not include sawn timber.

Explanation II. For the purpose of this rule, the value of teakwood possessed by a person shall be determined having regard to such rates as may, from time to time, be fixed per unit measure by the CCF. by notification in the A.P. Gazette.

3. (1) Any person accused of contravention of rule-2 may within 15 days of date of booking the offence prefer a representation to the Conservator of Forests in writing with such material evidence as in the opinion of the accused person would prove the legitimate origin of the Teakwood or Redsanderswood in his possession.

2. The Conservator shall thereupon make such enquiry as he deems fit and pass an order containing his decision as to the legitimate origin of the teak or redsanderswood.

3. Any person aggrieved by the order of the Conservator of Forests under sub-rule-2 may, within thirty days of the receipt thereof by him prefer an appeal to the Chief Conservator of Forests, who shall, after giving such person an opportunity of being heard, pass such order as he deems fit and the order so passed shall be final.

Sd/- E.V. Ramreddy,
Secretary to Government.

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TREES IN ALL PROTECTED FORESTS DECLARED AS RESERVED FORESTS

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(G.O.Ms.No.357 Food & Agriculture, 4th March, 1970)

In exercise of the powers conferred by sub-section (1) of Section 26 of the Andhra Pradesh Forest Act, 1967 (Act I of 1967) and in supersession of all existing notifications made under any Act repealed by Section 72 of the Act aforesaid, the Governor of Andhra Pradesh hereby:-

i) declares that all trees in all protected forests to be reserved from the date of publication of this Notification; and

ii) prohibits, except in accordance with the rules made under this act from the date aforesaid, the quarrying of stone, or the burning of lime or charcoal or the collection or subjection to any manufacturing process or removal of any forest produce in such forest and the breaking-up or clearing for cultivation, for building, for herding cattle or for any other purpose, of any such forests.

E.V.RAM REDDY,
Secretary to Government.

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