

**GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT**

Rc.No.5357/2003/F5
Date: 22-04.06

Office of the Prl. Chief Conservator of Forests
Andhra Pradesh Tuljaguda Complex M.J.Market
Hyderabad

**Circular No-1- A/2003
Sri S.K.DAS, IFS
Principal Chief Conservator of Forests**

- 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 Dt.25.01.2003)
- 2.PCCF, Ref.No.18606/97/F5, Dt.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 of 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 *The Circular 1/2003 cited in reference 1 st cited is withdrawn and the following instructions are to be followed which are in the nature of guidelines and supplementary to the statutory Acts and Rules.*

1. PROCEDURE FOR GRANT OF TRANSIT PERMITS IN PATTALANDS FOR RED SANDER WOOD.

The regulation and possession of Red Sander 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 Rule stipulates as follows:-

“Rule-6 -Checking of permits: - (1) All sandalwood 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”.

“Rule7 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 / For.IV (shall be in writing) and shall be prepared by the applicant”.

“Rule7 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”.

“Rule7 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 thereafter 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.

“Rule7 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.....”

“Rule7 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 the Divisional Pass Hammer by the Divisional Forest Officer or by the subordinate authorized by him to do so”.

“Rule 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 Acknowledgement 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 upto 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 upto 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 Sander 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 RS 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 PATTALANDS (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 MROs **CERTIFICATE OF TITLE ON PATTI 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 10 M X 10 M size for every one Acre(0.4 Ha) 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 timber 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 paras 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 2.00 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, 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 F. S.O 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	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.

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:

- i. 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.
- ii. Similarly on receipt of 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
- iii. 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:

- i. Review of all the patta cases shall be compulsorily made by CFs 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 DFOs and that of the CFs 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.

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

To
The Conservators of Forests (Territorial, Wildlife and Social Forestry)
Copy to all the Divisional Forest Officers (Territorial, Wildlife and Social Forestry)
Copy to all the Additional Principal Chief Conservators of Forests/Chief Conservators of Forests for information and necessary action during their field visit.
Copy to O/O stock file. /spare