

GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

Ref.No.5357/2003/F5,

Office of the Prl.Chief Conservator of Forests,

Dated: 25-1-2003

'Aranya Bhavan',A.P., Hyderabad.

Circular No. -- 1/2003

Sri S.K. Das, IFS.,

Prl.Chief Conservator of Forests.

Sub: Patta Lands – removal of timber and other produce from patta lands – consolidated guidelines issued – regarding

Ref: 1. PCC.F Rc. No. 18606 /97/F5, Dated 29-4-1997

In the reference cited, instructions have been issued, 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. The instructions are further reviewed in the light of the experience gained in the implementation of the instructions issued earlier and to simplify the procedure and thus avoid inconvenience and hardship to the applicants in the processing of their applications for transport of produce from their patta lands.

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 super session of all previous instructions. These are in the nature of guidelines and are supplementary to the statutory Acts and Rules.

I. PROCEDURE FOR WORKING OF TREE GROWTH IN THE PATTA LANDS SITUATED IN SCHEDULED AREAS TO WHICH CHAPTER IIIA OF A.P.FOREST ACT 1967 IS 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 FC Act 1980, in the manner approved by Govt. of India.

II. PROCEDURE FOR GRANT OF TRANSIT PERMITS IN ALL OTHER TYPES OF PATTA LANDS (OTHER THAN MENTIONED AT I ABOVE)

GENERAL:

- 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 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 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 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 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 for the nearest RF 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 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 Pattadar 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 (0.4 Ha.) and arrive at the yield of fire-wood as well as Faggot/rot-wood, as the case 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. Whether 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 file/faggot/root wood, and bamboo if any, in triplicate and submit to the FRO.
- l) The timbers 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, ie., 100% check by FSO or Forester 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) In respect of Teak Red Sanders and Sandalwood 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 utilised, 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.

B. AUTHORITY FOR SANCTION OF TRANSIT PERMITS:

a. Where the wood/sawn sizes is to be exported outside the country, the full details of the case, along with the details of each piece shall be reported to the Prl.CC. F for issue of Certificate of Origin.

b. Transit permits for timber and fuel wood, by lorries, pertaining to all species shall be issued by the DFO and by bullock carts and tractors for destination within the jurisdiction of the Range by FRO concerned.

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.

iii. The original T.P. should accompany the vehicle carrying the forest produce, the duplicate should be sent to DFO 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 DFO.

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 "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.

E. 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 applicable 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, DFO shall forward the same to FRO within a fortnight of its receipt to the FRO 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 this period of a 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

F. 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 in the CFs Offices by PCCF/CCF during their Annual Office Inspections.

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

Encl: 4 (Annex.I-IV)

S. K. Das,
Prl.Chief Conservator of Forests.

To

All the CFs and DFOs (T)

Copies on the tables of PCCF and all the CCFs.

Copies to all the DFOs (FSP) and Vig.I & II, O/o.Prل.CCF Office.

Copies to CFs (EST), (TGP) & Vig., O/o.Prل.CCF., Hyderabad.

Copies to Superintendents G, F, P and X Sections, O/o.Prل.CCF Office.

Copy to stock file of circulars of PCCF.

//t.c.b.o//

SUPERINTENDENT

ANNEXURE I

APPLICATION FORM FOR GRANT OF TRANSIT PERMITS FOR TRANSPORT OF PRODUCE 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 landowner 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 of Survey and Land records be furnished.
 - d. Is the land situated in the scheduled area?
 - e. Is land an
 - 1 Estate Land? Yes/no
 - 2 Inam Land? Yes/no
 - 3 Bilmaqtha Land? Yes/no
 - 4 If any other category, specify Yes/no
- f. Is the land a patta land Yes/no
 - If Yes, has it been granted under
 - i. Bigawan System? Yes/no
 - ii. Darkhasth rules? Yes/no
 - iii. Laoni Rules: Yes/no
 - iv. Or any other category, Pl. specify

- g. Date of sanction
- h. Authority. Who sanctioned it?
- i. Survey No. at the time of original sanction and they 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 a certified copies of patta or any document & MRO's "Certificate of title on pattas and 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 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 faggot/root wood, bambooetc. is expected to be obtained From the land? (Mention species wise)
- d. Enclose a copy of Enumeration list (in triplicate) alongwith 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 :

APPROVED

Sd/- D.D. Mukherjee
Prl.Chief Conservator of Forests

ANNEXURE II
CERTIFICATE OF TITLE ON PATT A PRODUCE (SEE. R.5 (3) OF THE
A.P. FORETS 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 land held by him / her, the particulars of the same are

Furnished in the Annexure.

Signature

(Name)

MANDAL REVENUE OFFICER.

.....Mandal.

.....Dist.

ANNEXURE TO THE CERTIFICATE (20 Column Proforma)

- 1) Name of the Applicant or pattadar.
- 2) Survey No. and extent :
- 3) Whether the land is a patta, Bilmagta or Inam.?
- 4) Date of sanction of patta .bilmagta or Inam as the case may be.
- 5) Authority who sanctioned it and whether he component 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 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 Bigwan 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 ordiet particulars.
 - d) If it is a pattaland 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 ha 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 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 Andhra Pradesh Forest Act 1967 applicable to the area?
- 9) Has the occupation of the land been continuous if not give details of the transfer of transfers to others 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 Government 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 the time of original sanction of patta if not give reasons thereof?
- 12) If there is enhancement in the area state the reasons therefor 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 Survey 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?

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 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?

19. a) Is the landowner entitled to the timber and other produce?

b) Is any condition attached to the employment of the above title and what it is?

20) Remarks, if any.

Date: _____
Place: _____

Signature
(Name: _____)
MANDAL REVENUE OFFICER
.....Mandal.
.....Dist.

APPROVED
Sd/- S.D. Mukherjee
Prl. Chief Conservator of Forests

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 the 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 DFO satisfied about the details furnished?

Divisional Forest Officer
.....Divn.

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APPROVED
Sd/ - S.D. Mukherjee
Prl. Chief Conservator of Forests