4. [1]The Telangana Forest Settlement Rules, 1969

The Andhra Pradesh Forest Settlement Rules, 1969 issued vide G.O.Ms.No.437, Food &Agri (Legn) Dept, dt.12.03.1969, which was A.P., Gazette RS, Pt.II, dt.29.05.1969, has been adopted in the State of Telangana vide notification issued in G.O.Ms.No.22, EFS&T (For.I)Dept, dt.13.05.2015.

In exercise of powers conferred by Clause (b) of sub-section (2) of Section 68 of the Andhra Pradesh Forest Act, 1967 (Act 1 of 1967), the Governor of Andhra Pradesh hereby makes the following rules:

RULES

1. These rules may be called the Telangana Forest Settlement Rules, 1969.
2. In these rules, unless the context otherwise requires “Form” means a form appended to these rules.

Form 3 on every known or reputed owner or occupier of any land included in or adjoining the land proposed to be constituted as a reserve forest, or on his recognised agent or manager either in person or under Certificate of Posting].

3. When claimants under Section 6 (1) (d) appear and verbally state the nature of their rights, the Forest Settlement Officer shall record substance of the said statements. Written Statements specifying the nature of the rights claimed must be stamped in accordance with the provisions of the Andhra Pradesh Court-fees and Suits Valuation Act, 1956(adopted).

4. 3[Copies of statements filed by parties] in evidence and of the decision recorded by the Forest Settlement Officer may be granted to claimants on payment of the requisite fee, such copies shall be stamped in accordance with the provisions of the Andhra Pradesh Court–fees and Suits Valuation Act, 1956(adopted).

2.Rule 2 – A was inserted by G.O.Ms.No.52 F & RD (For.I) Dept., dt. 7.1.1978, Pub. in A.P. Gazette (EO) RS to PT.II dt. 26.01.1978.

3.The words 'copies of documents filed 'substituted by G.O.Ms.No.52, F & RD (For.I) Dept., dt. 7.1.1978.

5. Claims on behalf of a family may be presented by any member of the family; on behalf of a tribe or community by any member of the tribe or community; on behalf of Joint Claimants or Pattadars by any one of the Joint Claimants or Pattadars; 1[and on behalf of village, by the Tahsildar of the taluk or any officer duly authorized by him, or the headman or Sarpanch of the village]. Otherwise all claimants must 2[appear in person or through a legal practitioner] before the Forest Settlement Officer.

3[6. The Forest Settlement Officer may, at any time, combine any number of claims, provided they are all situated in the same proposed reserved forest area, in order to hold a common inquiry, or may severe any claims joined or jointly made in order to hold separate inquiries at his discretion. It shall not be necessary to take for a second time, evidence already recorded in an enquiry relating to another claim. However, in deciding upon the claim of any person, the Forest Settlement Officer shall admit previously recorded evidence or documents, 4[and] may also recite a previous decision in disposing of a case; the person whose claim is thus treated shall be entitled to obtain a copy of such previous evidence, documents or decisions, as if it had been recorded during the enquiry into his own claim.]

5[7. At the time of settlement, the Forest Settlement Officer shall verify the gairan land available in the village limits for the use of community and if it is not equal to the minimum area required for reservation for communal purposes in respect of the said village he shall provide for the same in consultation with the District Collector by deleting a portion of the proposed forest block from the periphery. He shall intimate the revenue authorities particularly, the Collector and the Tahsildar as to the purpose for which the area is so left out and inform them to enter it in the prohibitory order book so as to make them unassignable for any other purpose.]

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1. Sub. for 'and on behalf of a village by the headman of the village or Sarpanch' by G.O.Ms.No.365, F & RD (For.III), dt.20.5.1978, pub.in A.P. Gazette, RS to Pt. II, dt.22.6.1978.

2. The Words 'appear in person' substituted by G.O.Ms.No.52, F&RD (For.I) dt.22.6.1978.

3. Subs. For original Rule 6 by G.O.Ms.No.52, F&RD (For.I) dt.7.1.1978.

4. Subs. For "ör" vide Memo No. 574/For-I/78-2 F & RD Dept., dt. 11.2.1980, published in A.P. Gazette No.9, dt.6.3.1980, pages 131, 132.

5. Subs. For original Rule 7 by G.O.Ms.No.815, F & RD (For.I), dt.14.11.1975, Pub.in A.P. Gazette R.S. to Pt. II, dt.11.12.1975, page 1240.

8. The Forest Settlement Officer shall make suitable enquires to find out the customary rights and concession enjoyed by the various scheduled tribes living in the forest adjoining the forest in respect of which reservation is proposed and protect or extinguish the same after proper examination and enquiry 1[and after giving a reasonable opportunity of making a representation to the person affected].

9. Claimants may employ a legal practitioner or other person to appear on their behalf. In such cases, the Forest Settlement Officer shall require the Production of the usual stamped authority.

10. The Forest Settlement Officer shall examine the claimants and witnesses upon oath or solemn affirmation. Process fee according to the scale laid down in the Civil Rules of Practice and circular orders shall be required from claimants, but not from the Forest Officer attending the enquiry, if application is made to the Forest Settlement Officer to compel the attendance of witnesses or production of documents.

11. The Forest Officer attending the inquiry shall have [2][rights and responsibilities] similar to those of a defendant in a civil suit. He may cross examine the witnesses who support claims; and produce evidence to rebut claims and may comment on any documents produced. He may peruse and take copies of any documents or evidence and no Court-fess shall be required for him. If the claimant desires to prefer an appeal against any decision, the Settlement Officer shall give him a duly stamped and certified copy of such decision and shall meet the cost from the contingencies of the Forest Settlement Officer.

12. The Divisional Forest Officer shall normally attend the inquiry, if he is unable to attend the inquiry before the Forest Settlement Officer, he may forward to the Forest Settlement Officer any statement he may wish to make in writing along with any documents he may decide to put in. The Divisional Forest Officer may, in such cases, if he so wishes, depute a subordinate to explain, if necessary, the statement submitted by him. In cases the Officer so deputed shall not be below the rank of Ranger.

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1. Added by G.O.Ms.No.52, F & RD (For.I) Dept., dt.7.1.1978.

2. Subs. For 'powers' by G.O.Ms.No.52, F & RD (For.I) Dept., dt.7.1.1978.

13. The Forest Settlement Officer shall, at all times afford the Forest Officer attending the inquiry all reasonable information regarding the posting of claims for hearing as far as is convenient to meet the wishes of the Forest Officer in adjourning inquiries to give time for him to consult the Collector or the Conservator of Forests, [1][the Forest Settlement Officer shall inform the date of hearing to the parties concerned also and may for sufficient reasons, grant adjournments].

14. The views of the Collector in cases regarding land the claims to which are being investigated under Section 10, or of the Conservator of Forests, in any other question which may arise, shall be placed before the Forest Settlement Officer by a Written note. Such written note shall be read aloud and shall form part of the record and shall be explained to the claimants in their vernacular language if they do not understand English.

15 (1) The Forest Settlement Officer shall keep a diary of this day-to-day proceedings which shall be clearly written up and shall be initialled by himself every evening as magisterial diaries are kept.

(2) The claims on which he has to adjudicate shall usually be of two classes:

1. Claims of land
2. Claims to rights of the nature of easements specified in Section 10 of the Act [2][xxx]

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1. Added by G.O.Ms.No.52 F& RD (For.I) dt.7.1.1978.

2. For the words "by the Forest Officer" omitted by G.O.Ms.No.52, F & RD (For.I),dt.7.1.1978, pub.in A.P. Gazette (EO) RS to PT.II, dt.26.1.1978.

(3) [1][He shall] maintain two registers "A" and "B" in Forms 1 and 2 and shall enter in the former, all claims as they are received and in the latter, all claims as they are disposed of. Register "B" or a fair typed copy thereof shall be forwarded to the Government for incorporation in the notifications under Section 15 of the Act.

(4) Where a claim comes partly under Section 10 and partly under Section 11, the Forest Settlement Officer shall separate those parts of it [2][xxx] and shall enter them in his registers as [3] [separate] claims.

(5) In cases in which appeals are preferred against his decision, the Forest Settlement Officer shall obtain copies of the [4][decisions of Appellate court] which shall form part of the Forest Settlement record. A brief abstract of each appellate [5][decision] shall also be prepared and entered in the appropriate

column of register "B" , reference being made in the remarks column to the number and date of such[5][decision].

[6][16. Where a claim is admitted by the Forests Settlement Officer, the concerned Conservator of Forests may indicate to the Forest Settlement Officer the Course under clause (a) of sub-section (2) of Section 10 of the Act which the Forest Department desires to be followed. The Forest Settlement Officer shall give an opportunity of being heard to the claimant whose claim has been admitted before deciding the course of action he will take in the matter.]

1.The words "He shall record the evidence and decide on the claim in each case in the manner laid down by the Code of Civil Procedures for adoption in appellate cases. He shall also" substituted by *ibid*.

2.The words 'which fall under Section 10 from those which fall under Section 11'were omitted by G.O.Ms.No.52, F& RD (For.I) dt. 7.1.1978, pub. in A.P. Gazette (EO) RS to Pt.II, dt. 26.1.1978.

3.Subs. For 'distinct' by ibid.

4.Subs. For 'appellate decisions 'by *ibid*.

5.Subs. For the word 'judgment' by *ibid*.

6.Subs. For original Rule 16 by ibid.

17. If the Forest Settlement Officer, chooses to grant any land in exchange of the rights admitted under Section 10, he shall consult the Chief Conservator of Forests, if the land proposed to be granted in exchange is a [1][protected forest or is proposed to be constituted as a reserved forest and the Collector if it is any other land.]

18. Where the Forest Settlement Officer acts under sub-section (4) of Section 11 and commutes a right of pasture or to forest produce by grant of money or land, such commutation shall ordinarily be calculated as follows:-

(a)If paid in money, at 20 years purchase of the annual value of the right, as ascertained by the Forest settlement officer; and

(b)If paid by grant of any other land in exchange, the assessment of the land shall be equal to the annual value of the commuted right, as estimated by the Forest Settlement Officer.

19. When the settlement is concluded and the notification under Section 15 is published, the Forest Settlement Officer shall deliver to the Forest Officer a statement of all rights finally admitted within the reserved forest specifying their nature and extent.

20. [2][xxx]

21. [2][xxx]

1.Subs. For 'protected forest and the Collector if it is Government land' by *ibid*.

FORM – 1

(See Rule 15)

Register 'A' of claims to lands, rights to forest produce or easements in the proposed reserved forests

Number	Names of Claimants	Date of presentation of	Nature and extent of claims	Remarks
1	2	3	4	5

FORM – 2

(See Rule 15)

Register "B" of claims to lands, rights to forest produce or easements in the proposed reserved forests

No.	Names of claimants	Date of presentation of claims	Nature and extent of claims preferred	Brief summary of evidence adduced in support of claims	Brief summary of Divisional Forest Officer's arguments and evidence produced by him	Brief abstract decision and final disposal act of the claims, by the Forests Settlement Officer	Brief abstract of decision if any, of court of final appeal and settlement
1	2	3	4	5	6	7	8

Form – 3

1 {(See Rule 2-A)]

Form of proclamation under sub-section (2) section 6

Whereas by a notification published under Section 4 of the Telangana Forest Act, 1967 (Act 1 of 1967) at page .....of the Telangana Gazette, dated the ..... (here enter date) it is proposed to constitute as reserved forest all the block of land comprised within the following limits ..... (herein enter the limits of the proposed reserved forest). It is hereby notified for general information that during the interval between the date of publication of the said notification in the Telangana Gazette and the date fixed by the notification under Section 15 of the said Act.

(1) No right shall be acquired by any person in or over the land included in the notification under Section 4 except by succession or under a grant of contract in writing made or entered into by or on behalf of the government or any person in whom such right was vested before the publication of the notification under section 4;

(2) No new house shall be built or plantation formed, no fresh clearing for cultivation or for any other purpose shall be made on such land and no trees shall be cut from such land for the purpose of trade or manufacture unless permission in writing is obtained from the Forest Settlement Officer.

(3) No person shall set fire or kindle or leave burning any fire in such manner as to endanger or damage such land or forest produce; and

(4) No patta in such land shall be granted.

2. All persons, therefore, claiming any right in the said land are hereby require to state to the undersigned either personally or by a written statement within six months from the date of *[publishing this proclamation at the headquarters of the taluk] produce all documents in support thereof.

3. All rights in respect of which no claim is preferred within the above stated six months period shall subject to the provisions of Section 16 of the Act stand extinguished on the publication of notification under section 15.

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1. Subs. By G.O.Ms.No.52, F&RD, (For.I), dt.7.1.1978.

2. For the words ‘publication of this proclamation in the district Gazette’ substituted by G.O.Ms.No.123, F&RD (For.I) dt.8.2.1978, pub.in A.P. Gazettee, RS to Pt.IIdt.6.4.1978.