

7. Telangana Protected Forest Rules, 1970*

The Andhra Pradesh Protected Forest Rules, 1970, issued in G.O.Ms.No.356, F & A Department, dated 04.03.1970, published in A.P.Gazette RS to Pt.II, dt:30.04.1970, has been adopted in the State of Telangana vide Notification issued in G.O.Ms.No.22, E.F.S. & T (For.I) Department, dated 13.05.2015.

In exercise of the powers conferred by sub-section (1) of Section 27 read with sub-section (1) of Section 68 of the Andhra Pradesh Forest Act, 1967 (Andhra Pradesh Act 1 of 1967) and in supersession of all existing rules on the subject made under any Act repealed by Section 72 of the Act aforesaid, the Governor of Andhra Pradesh hereby makes the following rules for the regulation or use of natural and forest produce in the protected forests.

1. These rules shall be called the Telangana Protected Forest Rules, 1970.

¹[**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:-

- (a) clearing, ploughing or breaking up of land for cultivation or any other purpose;
- (b) kindling of fire;
- (c) cutting, sawing conversion and removal of trees and timber and collection and removal of natural produce;
- (d) quarrying of stone the boiling of catechu or the burning of the lime or charcoal;
- (e) cutting of grass, or the pasturing of the cattle; and
- (f) hunting, shooting, fishing, poisoning of water and setting of traps or snares.

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

* Vide G.O.Ms.No.356,F& A, dt.4.3.1970, pub.in Andhra Pradesh Gazette RS to Pt.II, dt.30.4.1970.

1. Subs. for Rule 2 vide G.O.Ms.No.77, dt.5.2.1976, pub. in Andhra Pradesh Gazette RS to Pt. II, dt.19.2.1976.

3. Persons belonging 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 ¹[from time to time] on payment of seigniorage fees fixed thereof;

²[(ii) to graze their own cattle in the protected forests without payment of any fee.]

Explanation: - For the purposes of this rule, ³ [x x x]

(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.

4. (i) The Ranger shall be the competent authority to issue the seigniorage permits, on payment of the specified fees, to the ⁴[x x x] tribals:

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

(ii) In case of refusal of permits, an appeal lies to the Divisional Forest Officer, whose decision thereon shall be final.

(iii) The Divisional Forest Officer, on his own motion, may, for sufficient and valid reasons, cancel or revise any permits issued by the Ranger:

1. Inserted by *ibid*.

2. Substituted by G.O.Ms.No.77,F& RD (For.I) dt.5.2.1976, pub. in Andhra Pradesh Gazette, RS to Pt.II, dt.19.2.1976.

3. The words 'for personal purposes by a member of a Scheduled Tribe' were omitted by G.O.Ms.No.77,F& RD (For.I), dt.5.2.1976.

4. The word '*bonafide*' was omitted by *ibid*.

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 or usage having force of law with respect to any protected forest may exercise such rights only after obtaining a recognition from the ¹[Divisional Forest Officer] ²[x x x]:

Provided that the Divisional Forest Officer may by order refuse such ³[recognition], if the claims are not established.

(2) Any person aggrieved by an order of the Divisional 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 ³[recognition] granted by Divisional Forest Officer under sub-rule (1):

Provided that an opportunity is given to the person effected 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.

1. Subs. for 'Divisional Officer' by *ibid*.
2. The words 'who may in case of granting permission, impose suitable conditions with a view to conserve and protect the forest produce' were omitted by *ibid*.
3. Subs. For the words 'permission' by G.O.Ms.No.77, F & RD (For.I), dt: 5.2.1976, pub, in A.P.Gazette, RS to Pt.II, dt: 19.2.1976.