

Index No. R/58 (AD)
Date 21/8/71



GOVERNMENT OF EAST PAKISTAN
CONSERVATOR OF FORESTS DEPARTMENT

THE EAST PAKISTAN FOREST MANUAL

PART II

EXECUTIVE ORDERS AND RULES

Compiled by order of the Government of East Pakistan

By

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Chief Conservator of Forests



Officer on Special Duty, S. & G. A. Deptt.
In-charge, East Pakistan Government Press, Dacca—8
1971





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GOVERNMENT OF EAST PAKISTAN
FOOD AND AGRICULTURE (AGRICULTURE) DEPARTMENT

Forest Branch.

CIRCULAR

No. XII-For. 18R-5/59/92, dated the 11th April, 1960.

SUBJECT—*Revision of the Forest Manual—Revision of Article 25 of the Bengal Presidency Forest Manual, Part II.*

Governments are pleased to accord approval to the procedure suggested by the Chief Conservator of Forests, East Pakistan, in his No. 1254/1B-1, dated 11th March, 1959 for forest settlement in East Pakistan.

The set of instructions suggested may be incorporated in the Forest Manual in substitution of Article 25 of the Bengal Presidency Forest Manual, Part II.

M. HUSSAIN CHOWDHURY,

Section Officer
to the Government of East Pakistan.

No. XII-For. 92/1 (21), dated 11/26th April, 1960.

Copy together with a copy of the instruction forwarded to—

- (1) The Chief Conservator of Forests, East Pakistan.
- (2) All Commissioners of Divisions.
- (3) All District Magistrates and Deputy Commissioners, for information and necessary action.

M. HUSSAIN CHOWDHURY,

Section Officer
to the Government of East Pakistan.

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ART. 25: FOREST SETTLEMENTS

The following instructions are laid down for the guidance of both Forest Settlement Officers and of those whose duty it may be to watch their proceedings on behalf of Government. The observance of these instructions should avert the occurrence of mistakes, sometimes serious in their consequences, that have occasionally arisen through Forest Settlement Officers, imperfectly acquainted with the duties of their office, going beyond their legitimate sphere of action and framing settlements that are at variance with the existing law. Forest settlements would gain in simplicity and value if officers entrusted with their execution get themselves properly acquainted with the provisions of the Forest Act, 1927 (Act XVI of 1927) on this subject.

The purpose of Forest Settlement is to verify the legal title of the state to the property in question and to protect that property from the accrual of other rights than those lawfully existing at the time of settlement. Once this settlement is complete, the Government is free to make the best use of the forest produce therefrom, without waste and without impairing the source of supply.

For this purpose it is necessary to follow a working plan which ensures management on a sustained yield basis and which provides for the requirement of the local population.

A working plan cannot, however, be effectually prepared without full and accurate knowledge of local requirements. It is expected that the Forest Settlement Officer is well qualified by the information acquired in the course of his duties under the Act to indicate the nature and extent of the legitimate requirements of the people in regard to the Forest under settlement by him. Forest Settlement Officers should make enquiries extra-judicially and supply informations in this context; their judicial functions being regulated by the Forest Act, 1927 (Act XVI of 1927).

In this respect their duty is analogous to the duty of a Civil Court, which awards to either party in a suit the portion of the property under litigation which appears justly due. After judgment, the Government cannot encroach upon the share of the property awarded to other claimants, but may deal, as it thinks proper, with the portion awarded to the State.

INSTRUCTIONS

1. The object of a Forest Settlement is, in the first instance, to fix and define the legal status and extent of the proprietary rights of the State in any forest or waste land constituted or declared to be forest within the meaning of the Forest Act, 1927 (Act XVI of 1927) which is the property of the State, or over which the State has proprietary rights, or to the whole or any part of the forest produce of which the State is entitled and consequently to enquire and record to what extent the proprietary rights of the State are limited by legally existing adverse rights of private persons or communities, secondly, to arrange for the exercise or commutation of adverse rights so recorded, in order to allow of the property being managed with the view of obtaining the best possible return, both now and in the future, for the general public.

2. The settlement of a forest, which has resulted in its constitution as a reserve, merely determines the rights of the Government and private persons over the forests, and in no way aims at prescribing the agency by which or the manner in which, the forest is to be administered. The way in which a forest may be managed, or the requirements which it is intended to meet, are in every instance dictated by local circumstances. Thus, a Reserved Forest has not necessarily the object, as is frequently believed, of producing large timber for export or public works, but more often that of supplying the local demands in smaller timber, fuel, grass or any other forest produce. A forest may be said to fulfil its highest function when it produces, in a permanent fashion, the greatest possible quantity of that materials which is most useful to the general public, and at the same time yields the best possible return to the proprietor.

3. The settlement of Forest lands under Chapter II of the Forest Act, 1927 (XVI of 1927) is a step which fixes for ever the respective rights of the Government and private persons over the lands; while the management of the forest is a matter that can be regulated by executive orders at any time, and in accordance to altered requirements and varying demands.

4. Under section 3 of the Forest Act, 1927 (XVI of 1927) it rests with the Government to decide what forests and waste lands, being the property of the State, or over which the State has proprietary rights, or to the whole or any part of the forest produce of which the States entitled, should be constituted a Reserved Forest. There may be forests and wastes so situated as to make it impolitic to proceed with their settlement; others again may be burdened to such an extent by adverse rights of users that the benefits accruing to the State would not compensate for the expensive settlement prescribed by the Forest Act.

It is, however, emphasised that the best possible legal title as prescribed by the Forest Act, 1927 (Act XVI of 1927) to the property, or to such share as it owns, in all forests and waste lands defined in section 3 of the Forest Act, 1927 (Act XVI of 1927) should be secured for Government. With this end in view, the Divisional Forest Officers in consultation with District Officers, should initiate proposals for the settlement of all forests and waste lands, against the reservation of which, in the opinion of the Government, no forcible reasons exist.

These proposals by the Divisional Forest Officers must naturally be of a general character only. They will simply specify the limits of the land in question in such a way that its situation can be easily fixed and understood by interested parties; they should not enter into any discussion which may adversely affect future settlement, and render ineffective the provisions of section 5 of the Act.

5. Whenever the Government is satisfied that no special reasons exist why land, fulfilling the description in section 3 of the Act, should not be constituted a reserve, the notification prescribed in section 4 shall issue, and Forest Settlement Officer be appointed.

6. The procedure of a Forest Settlement Officer may be considered under three separate heads, viz.—

- (1) the procedure previous to the adjudication of claims;
- (2) the adjudication as Civil Court;
- (3) the action taken after the adjudication of claims.

7. Procedure previous to the adjudication of claims—The Forest Settlement Officer is required to—

- (a) Specify the limits of the proposed forest;
- (b) Explain the consequences which will ensue on the reservation of the forest;
- (c) Fix a period during which claims may be preferred, either in writing or in person.

A proclamation is required to ensure that the provisions of section 6 of the Forest Act, 1927 (Act XVI of 1927) are correctly complied with. The draft form A appended herewith may be used for the purpose.

The proclamation should be publicised in the manner prescribed by section 6 of the Forest Act, 1927 (Act XVI of 1927). A translation of the proclamation in the local vernacular in respect of each proposed reserve shall be given to the Forest Settlement Officer for publicity in the neighbourhood of the land concerned.

It is also necessary that it should be on record that the proclamation has been sufficiently publicised to prevent the subsequent proceedings of the Forest Settlement Officer from being attacked on the ground of irregularity. The Forest Settlement Officer may consult the Collector as to the method or places of publication. The Forest Settlement Officer is, however, responsible for the sufficiency of publication of the proclamation.

*A Forest tract proposed to be reserved, frequently includes village land, or lands the ownership of which is at least questionable, and it has been considered inconsistent with section 5 of the Act to permit new clearings, in such lands. The circumstance may result in hardships or militate against reservation. The difficulty can be overcome by excluding these lands by special mention, from the revisions of the preliminary notifications.

8. The adjudication of Forest Settlement Officer as Civil Court—The Forest Settlement Officer, acting as a Civil Court is required to record the substance of all statements regarding claims to rights invited under section 6 of the Act. He is further required to make similar record of any rights of which the existence is ascertained, whether from previous records or by local inquiry.

Claims can be divided into three classes—

- (1) Claims to a right in, or over, land;
- (2) Claims to forest produce, including pasture;
- (3) Claims to right of way or water course.

With respect of class (3), the Forest Settlement Officer has only to satisfy himself of the existence of the ways or water courses in question and to record them as such. Any action in regard to them is ruled by section 25 of the Forest Act, 1927 (Act XVI of 1927).

Referring to classes (1) and (2), the Forest Settlement Officer's first duty is to adjudicate on the evidence and facts before him, to decide whether the rights claimed are legally established or not and to pass an order admitting or rejecting them accordingly in whole or in part. It is clearly the intention of the Act to settle these claims on their legal merits, and not with reference to any special objects which were had in view when it was proposed to constitute the forest a reserve. Claims must be admitted or rejected within the limits to which the right has been substantiated. Government should, as a rule, appoint some person under section 19 of the Forest Act, 1927 (Act XVI of 1927) (who may most suitably be the local Forest Officer) to attend at the enquiry, plead and act on behalf of the State before the Forest Settlement Officer. This Officer will have a proper legal standing, be able to cross-examine witnesses who support claims, produce evidence to rebut claims, comment on any documents or evidence; and if he desires to prefer an appeal against any decision, the Forest Settlement Officer should give him a certified copy of such decision. It is of vital importance that only such rights should be admitted as are legally proved to exist and then only to the extent proved.

There is nothing in the Forest Act, 1927 (Act XVI of 1927) that justifies the Forest Settlement Officer in providing for the prospective wants of non-existing settlers, or for a future and possibly more numerous generation; nothing that permits the concession, by a Forest Settlement Officer, or more extensive rights than those which he finds to exist at the time of settlement. The rights claimed must be actually existing rights, vested in an individual or person, or in a definite body, persons, such as, for instance, a number of co-owners, or a village community. They may be rights in gross, unconnected with the ownership of immovable property (house or land), or they may be rights attached to the ownership of such property. They may be rights enduring only for a certain period or for the life of the person in whom they are vested, or they may be rights which will pass to the heirs of that person, or pass in perpetuity with the property to which they are attached. But they must be existing and vested in some person, or body of persons who can claim them at the time of settlement.

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The Forest Settlement Officer shall not provide for the indefinite prospective wants of an indefinite prospective number of rightholders, otherwise there may be gradual absorption and final extinction of the actually existing right of the State.

heads, viz.—

It is conceivable that a claimant might establish right of such a nature that it would possibly, in course of time, entitle him to larger benefits from a forest than he was entitled to at the time of settlement. For instance, he might show that he was entitled to pasture for all cattle employed by him in the cultivation of this land, and he might be in possession of extensive waste land, which he was gradually bringing under cultivation—a progress which of necessity, would tend to increase the number of his cattle. Here the Forest Settlement Officer, though dealing only with "actually existing rights" would also have to take into account "Prospective wants".

required to—

In such case which could probably only arise when the right in question had been specially conferred by the terms of a former grant, revenue settlement, or sanad, it would seem reasonable to admit the same within a maximum, which should be determined with reference to the rights actually enjoyed by the claimant at the time of making the record, and with due regard to the potential capabilities of the forest.

Act, 1927 (Act be used for the

A prescriptive right, to exist at all, must be proved to have been regularly exercised in the past; and in no case can a prescriptive right over any forest be held to have been acquired by the continuous purchase of its produce from the owner, the element of adverse enjoyment and of enjoyment as of right on which prescription rests being wholly wanting.

rest Act, 1927 each proposed of the land

In regard to rights of class (1) admitted in whole or in part, three courses are open to the Forest Settlement Officer, and these are clearly stated in section 10 of the Forest Act, 1927 (Act XVI of 1927).

ntly published on the ground of places of publication of

With regard to rights of class (2) similarly dealt with under section 12 of the Forest Act, 1927 (Act XVI of 1927) the Forest Settlement Officer is to record, in the manner prescribed in section 13 of the Forest Act, 1927 (Act XVI of 1927) his decision in all cases, whether in favour of the claimant or otherwise; and it would probably be found convenient, if the Settlement Officer briefly entered an epitome of the grounds for his decision, the evidence and finding being, as a matter of course, duly recorded at length in the judicial proceedings.

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The procedure differs in the case of claims relating to the privilege of practising shifting cultivation and other claims which relate to rights. Two different Forms B and C appended to these instructions should be used for recording claims. The use of these forms will facilitate the work and the omission of any material settlement procedure would be apparent at a glance. Form B, or claims to the privilege of practising shifting cultivation complies with requirements of section 10 of the Forest Act, 1927 (Act XVI of 1927) and will constitute a complete record of proceedings. Form C, for claims to rights, complies with requirements of sections 11, 12, 13, 14, 15, 16, 17 and 18 of the Forest Act, 1927 (Act XVI of 1927) and provides for a concise record of the proceedings under settlement and appeal.

lement Officer, claims to rights ights of which

Section 14 of the Act provides for a complete record of the extent of such rights as have been admitted and of the limits within which claims have been established.

of the existence regard to them

9. Procedure after adjudication of claims—The Forest Settlement Officer, before submitting his proceedings, shall prepare a short report and a map of the proposed reserved forest showing the original boundaries and the modifications made in them (if any) during settlement. It would also be convenient if the Forest Settlement Officer prepared a draft notification for publication under section 20 of the Forest Act, 1927 (Act XVI of 1927); such notification should, in accordance with the instructions contained in paragraph 16, contain a complete record of rights subject to which the forest is to be constituted a reserve. The Forest Settlement Officer who has been engaged on the settlement work can best describe the boundaries of the area as finally selected for reservation and ensure that the record of rights is complete. Form D appended herewith should be used by Forest Settlement Officer for this purpose. The preparation of this record brings to a close the duties of Forest Settlement Officer when proceeding as a Civil Court.

ndicate on the d or not and It is clearly to any special

10. The Forest Settlement Officer should now proceed, with due regard for the maintenance of the Forest, to arrange for the continued exercise of the rights to the extent admitted.

Claims must nment should, 1927) (who may of the State able to cross- any documents lement Officer i rights should

Under section 15 of the Forest Act, 1927 (Act XVI of 1927) he is at liberty to adopt one of three courses—

- (a) Transfer the burden of the right to some other conveniently situated and available forest;
- (b) Alter the proposed boundaries, so as to exclude an area of forest sufficient for the exercise of rights admitted, and convenient for the purpose;
- (c) Record an order continuing the exercise of the right to the extent admitted, at such seasons, in such portions of the forests, under such rules, as may, from time to time, be prescribed by the Government.

ttlement Officer / more numer- more extensive est be actually i, for instance, with the owner- ship of such i whom they are etuity with the n, or body of

It is evident that this section is only intended to regulate legally admitted rights; it gives no power to alter or extend such rights.

If the Settlement Officer acts under (a) or (b), the section explains clearly enough what course he should follow.

Under (c), the Forest Settlement Officer must record an order declaring that the claimants of the admitted rights may continue to exercise the rights to the extent admitted (a) at such seasons, (b) within such portions of the proposed forest, and (c) subject to such rules as may, from time to time, be prescribed by the Government in this behalf.

The rules that are here referred to shall not substantially detract from the rights of either the claimant or the State. Such rules are not intended to define the legal status of rights claimed but only to control the exercise of rights admitted, for the power to make such rules is limited, and does not extend to fixing the number of cattle which a rightholder may send into the forest, or the amount of produce he may extract. An order admitting a claim to rights of pasture of forest produce cannot, therefore, be limited or extended by any declaration in rules framed under section 15 (c) of the Forest Act, 1927 (Act XVI of 1927).

The rules might be such as to require, e.g., cattle to be marked, to wear belts, or produce to be removed by certain roads.

In cases where the right admitted and recorded is of such a nature that it would, in course of time, entitle the rightholder to larger benefits from the forest than he enjoyed at the time of settlement, a maximum should be fixed in such a way as to render substantial justice to the claimants and to the State, having due regard for the well-being of the forest, e.g. for a few years immediately preceding settlement the cattle of a village may have been considerably reduced by disease or other causes. It is, in this case, obviously desirable to fix a maximum number of cattle in excess of what exist. Similarly, a village, owing to some calamity has been reduced by the emigration of some of its inhabitants, who, in more settled times, may be expected to return. In such a case it may be necessary to fix the bamboos, etc., at a quantity in excess of actual present requirements.

Section 16 of the Forest Act, 1927 (Act XVI of 1927) provides that if a Reserved Forest cannot be maintained as a forest side by side with the continued exercise of such rights as have been admitted over it, the Forest Settlement Officer may commute such rights as render a proper treatment of the forest impossible, either by cash payment or by the grant of land, or in such other way as he thinks fit. The Government may make a rule in reference to this question, which may prescribe the basis upon which money compensation may be assessed, or land be given in exchange.

11. It is, without doubt, desirable that a professional Forest Officer should be associated with the Forest Settlement Officer to help and advise as to the action the latter may wish to take under sections 15 and 16 of the Forest Act, 1927 (Act XVI of 1927). The question whether forest can be maintained or not under exercise of certain rights, and whether section 15 or section 16 is applicable to the case in point, is one demanding practical experience and professional knowledge; and the advice of the Forest Officer, besides being useful as a means of pointing out what it is practicable to effect with due regard to the maintenance of the forest, should also prove of material assistance in arranging for a settlement of all claims on a simple and stable basis.

The Forest Officer may be usefully consulted in the final selection of boundaries.

12. It is desirable that the Forest Settlement Officer should show his proceedings to the Collector and to the Divisional Forest Officer, and that these officers should after perusing them give the Forest Settlement Officer notes stating that they agreed with the manner in which the rights had been provided for or stating their objections; such notes would be of great practical value to the Government when passing final orders and would assist the Conservator of Forests in making recommendations when he transmits Forest Settlement Officer's proceedings: these notes should, therefore, be submitted with the proceedings to the Government.

The Forest Settlement Officer shall forward the following papers to the officer appointed to hear appeals—

- (a) A copy of notification under section 4 of the Forest Act, 1927 (Act XVI of 1927).
- (b) A copy of the proclamation under section 6 of the Forest Act, 1927 (Act XVI of 1927) in Form A, with a record of the manner in which it was published.
- (c) A record of claims and the manner in which they have been dealt with in Forms B and C.
- (d) A map of the proposed reserve showing the boundary of the area notified under section 4 of the Forest Act, 1927 (Act XVI of 1927) (in red) and the boundary of the area which is finally selected for reservation (in green).
- (e) A draft notification for publication under section 20 of the Forest Act, 1927 (Act XVI of 1927) in Form D.
- (f) The Collector's and Divisional Forest Officer's notes.
- (g) The Forest Settlement Officer's report.

The appellate Officer would retain the papers until the period for appeal is over; he would fill in columns 7 and 8 of Form C, to show what appeals (if any) were made and how they were disposed of; and he would then forward them through the Collector, the Commissioner, the Conservator of Forests to the Government.

The proceedings of the Forest Settlement Officer consisting of (a) to (g) detailed above should be printed and several copies supplied for use of the local officer (Revenue and Forest) and for the Conservator of Forests; these would be valuable records.

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13. This brings the work of the Forest Settlement Officer under the Act to a conclusion, and subject to any orders passed on appeal, secures once for all, sound legal status for the Reserved Forest in question.

14. The management of the forest, with the legal obligations imposed at the time of settlement as a first charge upon it, should now be left to the provisions of a working plan, drawn up by a professional Forest Officer, after full examination of the capabilities of the forest and the demands, local or other, which it can supply, and with careful regard to the orders and rules of the Government under clause (c) of section 15 of the Forest Act, 1927 (Act XVI of 1927).

15. Appellate Courts can only decide on the same lines as those upon which the Forest Settlement Officer had originally passed judgment.

16. At this stage, it becomes the duty of the Government to publish the final notification declaring the forest to be reserved. Such notification must specify definitely the limits of the forest according to boundary marks. As this is intended as a safeguard against encroachments, the boundary statement should be sufficiently accurate to meet this purpose. A mere enumeration of adjacent lands does not fulfil the requirements of the Forest Act, 1927 (Act XVI of 1927). Whenever possible the boundary should be described by definite magnetic bearings, and measurements should be appended to the descriptions of boundaries.

It will probably be found advisable that the notification should also contain a complete record of the rights subject to the exercise of which it is to be constituted a reserve.

17. Under section 22 of the Forest Act, 1927 (Act XVI of 1927) the Government may, within five years, revise any arrangement, rescind or modify any order made under sections 15 and 18 of the Forest Act, 1927 (Act XVI of 1927) including any orders of revision passed by them under the latter section, provided such arrangements or orders are replaced by some others under section 15 or 16 of the Forest Act, 1927 (Act XVI of 1927). No new rights can be admitted under this section.

18. Under section 23 of the Forest Act, 1927 (Act XVI of 1927) no right of any description can be acquired in or over a Reserved Forest, except by succession or under a grant or contract in writing made by or on behalf of the Government, or of some person in whom such rights was vested when the notification under section 20 of the Forest Act, 1927 (Act XVI of 1927) was issued.

FORM A
PROCLAMATION

(See Instruction 7.)

To all persons concerned notice is hereby given—

- (1) That it is proposed to constitute the forest land bounded as below a reserved forest—

North.....
East
South
West

(2) That from the date of this proclamation till the final notification is issued declaring the land bounded as above a reserved forest no right shall be acquired in or over any land within such boundaries, except by succession or under grant or contract in writing made or entered into by, or on behalf of the Government or some persons in whom such right or power to create the same was vested on the date when this proclamation was published. On the land above described no new house shall be built, no plantation formed, no fresh clearing for cultivation or for any other purpose shall be made except in accordance with the rules made by Government.

(3) That the following consequences will ensue when the land as described above has been created a reserved forest, that is to say—

- (a) Rights in respect of which no claim has been preferred to the undersigned Forest Settlement Officer, and of the existence of which no knowledge has been acquired by him, will thereupon be extinguished, unless before the publication of the notification declaring the land to be reserved forest the person claiming them has satisfied the undersigned Forest Settlement Officer that he had sufficient cause for not preferring such claim within the period fixed in paragraph 4 of this proclamation.
- (b) No right of any description will be acquirable in or over the land after it has been declared to be a reserved forest except by succession or under a grant or contract in writing made by, or on behalf of the Government or some person in whom such right, or the power to create such right, was vested when the notification declaring the said land to be reserved forest, published.
- (c) Right to pasture or to forest produce admitted and continued by the Forest Settlement Officer will not be alienable by a way of grant, sale, lease, mortgage, or otherwise without the sanction of the Government. Provided that when any such right is continued for the beneficial enjoyment of any land or house it will be allowable to sell or otherwise alienate it with such land or house without such sanction.
- (d) It will be within the power of any Forest Officer from time to time with the previous sanction of the Government or of any Officer duly authorised in that behalf to stop any public or private way or water course in the reserved forest: Provided that for the way or water course so stopped another way or water course, which in the opinion of Government, is equally convenient, already exists, or has been provided or constructed by such Forest Officer.
- (e) Any person who in the reserved forest—
 - (i) Makes any fresh clearing prohibited by section 5 of the Forest Act, 1927 (Act XVI of 1927) Or,
 - (ii) Sets fire to a reserved forest, or in contravention of any rule made by the Government kindles any fire, or leaves any fire burning, in such manner as to endanger such a forest,
 - (iii) Kindles, keeps or carries any fire, except at such seasons as the Forest Officer may from time to time notify in this behalf,
 - (iv) trespasses or pastures cattle, or permits cattle to trespass,
 - (v) causes any damage by negligence in felling any tree or cutting, or dragging any timber,
 - (vi) fells, girdles lops, taps or burns any tree, or strips off the bark or leaves from or otherwise damages, the same,
 - (vii) quarries stone, burns lime or charcoal, or collects, subject to any manufacturing process, or removes any forest produce.
 - (viii) clears or breaks up any land for cultivation or any other purpose, or,
 - (ix) in contravention of any rules which the Government may from time to time prescribe, kills or catches elephants, hunts, shoots, fishes, poisons water or set traps or snares, shall be punished with imprisonment for a term which may extend to six months, or with fine not exceeding five hundred rupees, or with both in addition to such compensation for damage done to the forest as the convicting court may direct to be paid.

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Nothing in this section shall be deemed to prohibit (a) any act done by permission in writing of the Forest Officer or under any rule made by the Government; or (b) the exercise of any right continued under section 15, clause (c) of the Forest Act, 1927 (Act XVI of 1927) or created by grant or contract in writing made by or on behalf of Government under section 24 of the Forest Act, 1927 (Act XVI of 1927).

Whenever fire is caused wilfully or by gross negligence in a reserved forest, the Government may notwithstanding that any penalty has been inflicted under section 26 of the Forest Act, 1927 (Act XVI of 1927) direct that in such forest or any portion thereof the exercise of all rights of pasture or to forest produce shall be suspended for such period as it thinks fit.

4. That all persons interested in the land as described above, or in any produce thereof, are required to claim any right in or over any land within the above boundaries, or make any claim to practise shifting cultivation within such limits before the.....day of.....
.....19.....; that such claims must be made in writing or in person to the undersigned Settlement Officer; and that they must specify the nature of such right or claim.

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(See Instruction 8.)

(See Instruction 8.)

Statement of claims to privilege of practising shifting cultivation in the proposed Reserved Forest dealt with under section 10 of the Forest Act, 1927 (Act XVI of 1927).

Serial No. of claim.	Claimant's name, father's name, caste, residence and occupation (to be recorded as far as practicable).	Particulars of claim to privilege of practising shifting cultivation in the proposed Reserved Forest.	Local rule or order under which shifting cultivation is allowed or regulated.	Opinion of Forest Settlement Officer whether claim should be permitted or prohibited wholly or in part.	Order by the Government.	Arrangement made by the Forest Settlement Officer (subject to Government sanction) or an exercise of the privilege.
1	2	3	4	5	6	7

FORM C

FORM C

(See Instruction 8.)

Statement of claims to Rights in the.....proposed Reserved Forest.

Serial No. of claim.	Claimant's name, Father's name caste, residence and occupation to be recorded as far as practicable.	Particulars of claim.	Orders by the Forest Settlement Officer admitting or rejecting the claim wholly or in part.	Manner in which provision for the exercise of the right (if admitted) has been made.	Date of order by Forest Settlement Officer.	Date of appeal, if any.	Order passed on appeal and date thereof.
1	2	3	4	5	6	7	8



STATEMENTS OF RIGHTS

.....(proposed) Reserve.

Name of village or right-holder with father's name.	Number of houses.	Population.	Area of cultivation.	Area of village waste.	Number of—					Nature and extent of claim made.	Extent to which claim admitted.	How provi- ded for or disposed of by Forest Settlement Officer.	Orders of Appellate Court.	Orders of revision by Local Government under section 17.	Remarks.
					Camels.	Goats.	Buffaloes.	Cattle.	Sheep.						

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NOTIFICATION

NOTIFICATION

No. dated

In exercise of the power conferred by Section 20 of the Forest Act, 1927 (Act XVI of 1927), the Governor is pleased to declare the land described in the Schedule below to be reserved forest with effect from.....to be known as.....Reserve.

Schedule.

District.	P. S.	Mouza.			Area.	Total.	Remarks.
		J.L. No.	Settlement.	Plot No.			

Art 26: AMENDED DESCRIPTION OF FOREST BOUNDARIES

(Government Circular No. 10F, dated 20th June, 1893)

Cases arise in which it may be desirable to publish, by means of a fresh notification, amended descriptions of the boundaries of Forest Reserves already notified under section 20 of the Forest Act or under other forest enactments. It has been ascertained that there is no legal objection to this course, if the fresh notification merely provides for the substitution of a more exact and definite description of the boundaries for that which was originally notified, and which, though purporting to describe the boundaries as they existed at the time, has subsequently become incorrect or proved to be open to misconstruction. The appended form of notification is considered suitable for such cases, and may be employed whenever necessary. This procedure must not be held to extend to any such alteration of the boundaries, on the ground as would involve either the inclusion of new areas or the exclusion of any lands which have been declared by the previous notification to be Reserved Forests. Such changes require either a new settlement of the additions it is proposed to make, or, in the case of disforestation, the previous sanction of the Government of Pakistan.

NOTIFICATION

With reference to Notification No., dated published under section of the (Forest Act XVI of 1927) at page of the Government Gazette of the declaring the Forest to be a Reserved Forests, is pleased to direct that the following amended and more accurate description of the boundaries of the said forest be substituted for the description contained in the said notification.

ART. 27: DISFORESTATION OF RESERVED FORESTS

The Governor is pleased to direct that a draft notification in the form appended to this memorandum shall, subject to such minor modifications as local circumstances may render expedient or necessary, accompany every application for sanction to disforest.

The Governor is further pleased to direct that in all such applications it should be stated whether or not the local Revenue and Forest Authorities agree to the disforestation proposed. In the event of any difference of opinion between the local Revenue and Forest Authorities the subject shall be discussed between the Conservator of Forests and Commissioner of the Division concerned along with the Revenue and Forest Officers differing in opinion in a conference. The deliberations of the conference shall be recorded for information of the Government for taking necessary decisions.

A map of the tract in question should always be appended to each proposal.

Draft Notification.

In exercise of the powers conferred by section 27 of the Forest Act, 1927 (XVI of 1927) the Governor is pleased to declare that the area specified below, which in notification No....., dated the....., was declared to be Reserved Forests under section..... of that..... shall cease to be Reserved Forest with effect from the.....

Specification of land disforested.

Name of reserve or portion of reserve disforested.	District.	Pargana.	Mauza.	Area in acres.

Boundaries—

Brief description—

Reasons for disforestation—

ART. 27A: INSTRUCTION FOR THE GUIDANCE OF THE FOREST DEPARTMENT IN MATTERS AFFECTING PUBLIC HEALTH

The following instructions should be observed by all concerned in the undertaking of projects and other matter affecting public health :

Instruction 1.

The Department of Public Health should be consulted wherever it is proposed to—

- Deforest an area exceeding 300 acres in any one place.
- Afforest areas within half a mile off human habitation.
- Lease out any land, channel, beel or khal, which involves the construction of embankments, marginal ring or cross and fishing bars.

Instruction 2.

Whenever khals, beels, rivers, tanks and lands are given out on lease a clause should be included in the terms of the lease :—

- That the lessee will not make excavations of any kind without the explicit written permission of the Forest Department.
- That the lessee will be responsible to keep the leased out khals, beels, rivers, tanks, free of rank vegetation.

Instruction 3.

When an application is received by the Forest Department from the lessee of a khal, beel, river, tank or land etc., for carrying out any excavation, before according such permission the Forest Department will consult the Public Health Department in the matter.

(Government of Bengal, Department of Public Health and Local Self-Government, Memorandum No. 151 C. P. H., dated the 5th March, 1943).

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ART. 28 : FOREST VILLAGES

The object of establishing forest villages is to obtain a sufficient and continuous supply of labour for fire protection and other works of improvement, and with this end in view cultivators should as much as possible be encouraged to form forest villages and cultivate service lands in Reserved Forests in return for labour given.

Accordingly the following points should be observed in the execution and record of agreements in East Pakistan Form No. 1685, and Forest Department Non-standard Form No. 29 which have been prescribed for the purpose :—

- (1) A separate series should be allotted to each forest village, and a separate serial number given to the agreements executed by each villager in any one village for record in the register referred to below.

Note—(1) Clause V of the agreement should be cancelled except in those forms executed by village headman.

(2) An agreement should be signed by each house-holder and not by the headman only.

(3) The area defined in the preliminary clause should be the area of the village.

- (2) A register should be maintained in each division for entry of the following, for which separate pages should be allotted.

(a) Description of each village.

(b) Demarcation of its boundaries.

(c) Tracing of the area assigned.

(d) The number of cultivators admitted.

(e) The special objects for which the establishment of village was intended to serve.

- (3) A permit should be issued to each cultivator who enters into such an agreement on which the following details should be recorded;

(a) Name of cultivator and serial number.

(b) Name of village.

(c) Area of land assigned for cultivation.

- (4) No new village should be started without the prior permission of the Conservator being obtained through the District Officer.

- (5) Progress in establishing such villages and results, if any, should be commented upon by each Divisional Officer, in Chapter V of his Annual Report.

ART. 28A : RULES FOR THE GRANT OF ADVANCES TO FOREST VILLAGERS AND JHUMIAS

Advances of money to purchase seed grain and for subsistence may be made to forest villagers and forest jhumias at the discretion of the Divisional Forest Officer subject to the following limitations and conditions :—

- (i) Such advances should ordinarily be given to newly recruited men only and no advance should be made to a man after he has been in the service of the Forest Department for 3 years without the prior sanction of the Conservator of Forests.

- (ii) No advance should exceed Rs. 25 and if a fresh advance be given before the repayment of the previous one, the total amount of the advance including the balance of the previous one shall not exceed Rs. 25 at any time.

- (iii) Advances granted are recoverable within a period of eighteen months from the date of the advance. Recovery should be made either in lump or in instalments at the discretion of the Divisional Forest Officer.

- (iv) The first charge against all moneys due to or earned by a man in the way of rewards for planting or payments for work done by him shall be recovered in whole or part of the outstanding advance against him.

- (v) No interest shall be charged on such advances.

- (vi) Should it be deemed necessary at any time to recover an advance summarily, it shall be within the power of the Divisional Forest Officer to confiscate all growing crops, grain and cattle belonging to the debtor and also all or any forest produce of which he may have become possessed by virtue of being a forest villager or jhumia and to recover the outstanding by the sale of such, the surplus proceeds of the sale, if any, being returned to the owner.

*Note—*Should payment of advances to forest villagers or jhumias be considered necessary at times or under conditions not covered by the above order the facts should be reported to the Conservator of Forests who will sanction or refuse the advance at his discretion.

(Government of Bengal, Revenue Department, Forest Branch letter No. 17741 For, dated the 8th October, 1928).

ART. 29: PROCEDURE FOR COLLECTION AND DISPOSAL OF DRIFT TIMBER

(Government Circular No. 25 For., dated 10th November, 1894).

1. The procedure laid down in the following rules for the collection and disposal of drift timber under the Forest Act, 1927 (Act XVI of 1927) should be uniformly observed:—

- "(a) as regards unmarked waif-timber, which as a rule is presumably ownerless and unclaimable—to sell it where lies stranded, in all cases where it is not sufficiently valuable to be collected and conveyed to a drift depot, although it may be of some value for local use; and
- (b) in the case of drift timber having marks, and which is, therefore, presumably private property and claimable as such but is not worth bringing to a depot to instruct the Forest officials not to collect it."

2. Instructions drawn up by legal Remembrancer, for the guidance of Forest Officers in dealing with drift and stranded timber—

(Government letter No. 4216, dated 31st December, 1900).

- (1) As regards drift or stranded timber of which Government is the undisputed owner, e.g., where the trees are uprooted from a forest of which Government is the proprietor, possession may be taken without reference to the provisions of the Forest Act (Privy Council Judgment, *page 517, last two lines to page 518). But where it cannot be clearly ascertained that the timber comes from Government land and in all cases of doubt or possible dispute, the procedure laid down in Chapter VIII of the Act (sections 45 to 51) should be followed, if the Forest Officers wish to take possession of the timber at all.

(2) The kinds of timber which Forest Officers may collect are those described in section 45.

(3) The first step to be taken is to establish depots, at convenient places, for the reception of drift timber (Section 45).

(4) The next step is to notify such depots and changes in them from time to time (section 45.). A copy of each notification, with the proof of its publication, should be recorded in the Office for future use in the event of litigation.

(5) All drift and stranded timber should be collected and removed to some notified depots (section 45).

"The so-called presumptive ownership of the Government does not exist, save in those cases where the Government collects" and performs its statutory duty as prescribed in the Act (Privy Council Judgment, page 519, and of first paragraph).

(6) The next step enjoined by the Act (section 46) is the publication of notices of all timber collected in the manner described in section 46. Printed forms of notice should be used and a copy of its publication, with names of witnesses, preserved in the office.

(7) Should any claims be preferred within the stated period of not less than two months (section 46) the enquiry prescribed in section 47 should be held. The section is clear and precise and need not be reproduced here.

(8) All unclaimed timbers and all timbers in respect of which any claims preferred have been rejected, by the Forest Officer after due enquiry vests in Government, but not until the expiration of the period of notice and of further three months allowed by section 47 to an unsuccessful claimant for instituting a suit. In the event of a suit, the timber must abide by the result (section 48).

(9) A claimant whose claim is allowed is bound to pay all costs before the timber is delivered to him (section 50).

(10) The rules, if any, framed by the Local Government under section 51 should be followed.

If the above procedure is not followed, that is to say, if drift and stranded timber is not collected and removed to notified depots, and if notices are not duly published and claims invited, heard and adjudged, the Government cannot legally appropriate the timber to itself, unless it happens to be entitled to it by proprietary right like any private owner.

There is nothing in the law to prevent depots being multiplied and established at all convenient places.

Forest Officers should clearly understand that the main object of Chapter VIII of the Act is to prevent disputes and to protect the true owner "against depredations by persons having no title" (Privy Council Judgment, page 513 last paragraph). The object is the regulation of rights (page 515). It is only unclaimable or unclaimed timber that vests in Government, though the onus of proof in all cases lies on the claimant (sections 45 and 69).

*Amriteswari Debti versus Secretary of State, I.L.R. XXIV Cal., page 504.

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ART. 30 : EXECUTION OF CONTRACTS

The orders of Government restricting the execution of contracts to certain officers of the Forest Department and prescribing the limits within which such officers may act are given in Article 22, Part I of this manual.

2. Contracts for work should be in accordance with Article 259-I of the Civil Account Code (Vol. I)

3. Contracts under timber and miscellaneous forest produces sales will ordinarily be executed in the agreement form prescribed (East Pakistan form No. 1650 and 1650(I), as the case may be); these agreements forms will be filled up by Divisional Forest Officers and such of them as are not in the power of the Divisional Forest Officers will be transmitted to the respective Conservator for his necessary actions after execution by the other contracting party.

(Section XII)

No. XII-For-34/60/57, 6th April 1960.—In exercise of the powers conferred by clauses (a) and (d) of section 76 of the Forest Act, 1927 (XVI of 1927), and in supersession of all other notifications made in this behalf, the Governor is pleased to make the following rules for executing the contracts and other instruments, connected with the administration and working of forests, namely:

1. (1) These rules may be called the East Pakistan Forest Officers (Power to Contract) Rules, 1960.

(2) It shall come into force at once.

2. No officer other than those of the classes mentioned in the following rules shall be empowered to enter into a contract on behalf of the Provincial Government in matters connected with the administration and working of forest and with the business of the Forest Department.

3. (1) Any Forest Officer in charge of a Forest Division shall be empowered to enter into and execute contracts and other instruments in matters connected with the administration and working of forests and with the business of the Forest Department within his jurisdiction, including leases of land, but excluding contracts relating to the purchase or sale or permanent acquisition of land, provided that the value of the property to which the contract or instrument relates of the amount of expenditure involved does not exceed Rs. 10,000 (Rupees ten thousand) only or in case of lease of land Rs. 2,000 (Rupees two thousand) only.

(2) Similar powers shall be exercised by Conservators where the value of the property or the amount expenditure involved exceeds Rs. 10,000 (Rupees ten thousand) or in case of a lease of land Rs. 2,000 (Rupees two thousand) but does not exceed Rs. 25,000 (Rupees twenty-five thousand) only.

(3) Similar powers shall be exercised by the Chief Conservator where the value of the property or the amount of expenditure involved exceeds Rs. 25,000 (Rupees twenty-five thousand) but does not exceed Rs. 1,00,000 (Rupees one lakh).

ART. 30A : CONTRACTS AND TENDERS

The following principles are laid down for the guidance of all officers who have to enter into contracts or agreements :—

1. The terms of a contract must be precise and definite, and there must be no room for ambiguity or misconstruction therein.

2. As far as possible, legal and financial advice should be taken in the drafting of contracts and before they are finally entered into.

3. Standard forms of contracts should be adopted wherever possible, the terms to be subject to adequate prior scrutiny.

4. The terms of contract once entered into should not be materially varied without the previous consent of the competent financial authority, and the reasons for the variation should be recorded.

5. No contract involving an uncertain or indefinite liability or any condition of any unusual character should be entered into without the previous consent of competent financial authority.

6. Whenever practicable and advantageous, contracts should be placed only after open tenders or quotations have been invited and in cases where the lowest tender or quotation is not accepted reasons should be recorded.

Note—1. Open tenders should invariably be invited for the supply of articles worth Rs. 2,500 or more in case of purchase covering a period of one year and Rs. 500 or more in any individual case.

Orders of smaller amounts than the limits prescribed should ordinarily be placed by calling for quotations from a number of known and reliable suppliers.

The limit prescribed applies to an article or a collection of articles more or less of one kind or obtain from one source. The use of intermediate general suppliers should be deprecated.

Note 2.—It will be the duty of inspecting officers to subject to close scrutiny the facts of any case in which a tender is rejected in favour of a tender which, on the face of it, is less favourable to the tax-payers' interest.

7. In selecting the tender to be accepted the financial status of the individuals and firms tendering must be taken into consideration in addition to all other relevant factors.

8. Even in cases where a formal written contract is not made, no order for supplies, etc., should be placed without at least a written agreement as to price.

9. Provision must be made in contract for safe-guarding Government property entrusted to a contractor.

10. The Auditor-General and, under his direction, other audit authorities have power to examine contracts and to bring before the Public Accounts Committee any cases where competitive tenders have not been sought or high tenders have been accepted or where other irregularities have come to light.

11. In long term agreements and contracts enduring or likely to endure for a period of more than five years, provision must be made for an unconditional power of revocation or cancellation of such contracts by Government at any time on the expiry of six months' notice to that effect.

(Vide Rule 33 of East Bengal Financial Rule).

ART. 31 : DISPOSAL OF FOREST PRODUCE

Forest produce of all kinds in Bengal will be disposed of in the following manner—

(a) By auction or by sealed tender at rates fixed by competition under conditions contained in sale notices approved of by the Conservator.

Note 1.—All sealed tenders will be treated confidentially until the lots tendered for are sold, and then only the successful tender will cease to become confidential.

Note 2.—Sales from depots will be on a cash basis and purchasers will not be allowed to remove more timber than has been paid for.

(b) By permits at rates fixed by schedule.

(c) By private sale in exceptional cases, subject to the approval of the Conservator when the estimated value according to the schedule of rates in force or current ruling prices exceeds Rs. 250 in any one case.

(d) By special grants free or at favourable rates under competent authority.

ART. 31A : RELEASE OF SECURITY DEPOSIT AFTER COMPLETION OF WORK IN A COUPE

The Range Officers must satisfy themselves by actual check of a coupe that no irregularity has occurred or fraud has been committed and certify to the Divisional Forest Officer or to the Subdivisional Forest Officer, where there is one, accordingly before securities are released and the Divisional Forest Officer or the Subdivisional Forest Officer, as the case may be, must satisfy himself that the Range Officers are exercising due precaution by checking their work.

ART. 32 : PROSECUTION OF CRIMINAL SUITS IN WHICH GOVERNMENT IS A PARTY

(Government of East Pakistan, Food and Agriculture Department No. For. 295, dated the 26th January, 1959).

The following rules have been framed for the guidance of officers of Government and of Government Pleaders in regard to the prosecution of criminal charges before any Court, and for the payment of fees to Government Pleaders for conducting such cases on behalf of Government.

RULES FOR THE PROSECUTION OF CRIMINAL CASES

1. At the headquarters of each district there is a Government Pleader appointed by Government who represents the Government in all cases, civil, revenue and criminal, in which Government is a party. The Government Pleader is *ex-officio* the Public Prosecutor of the district.

2. In some districts, however (see Appendix-A), there is an additional Pleader appointed by Government as Public Prosecutor, and he generally is in charge of all original work, while the Government Pleader conducts all civil and revenue cases.

3. There is no Public Prosecutor appointed by Government in any subdivision. When a Pleader is appointed to conduct a case at a subdivision, he receives a daily fee of Rs. 12, subject to a half-fee for adjournment and for less than half days' hearing.

4. Duties of Public Prosecutors for which no fees are payable—The Public Prosecutor is bound to advise the head of any Government office on any legal matters affecting the interests of Government in connection with the department which such officer represents without the payment of a fee, such service being covered by his general retainer.

5. Cases in which fees are payable—The Public Prosecutor is bound to advise a Government officer consulting him on behalf of a Municipality, District or Local Board Committee, Port Trust or of any public body, over whose proceedings such Government officer is legally vested with powers of supervision or control, on payment of a reasonable fee for his opinion. The amount of such fee shall be noted on the reference, and, if offered to and refused by the Public Prosecutor, shall be fixed by the Legal Remembrancer on reference to him by the officer who makes the tender.

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6. **Duties of Public Prosecutors**—In addition to the duties imposed under the Criminal Procedure Code, the Public Prosecutor is bound to appear in all appeals and revision cases in the Court of Session in which the Magistrate of the district thinks that an appearance on behalf of the State is necessary and directs him to appear. In appeals in Magistrate's Courts, the Public Prosecutor shall also appear on behalf of the State if the Magistrate of the district so desires. No reference to Legal Remembrancer is necessary in these cases. Unless otherwise directed by the Magistrate, the Government Pleader or the Public Prosecutor, as the case may be, should appear in all appeals before the Sessions Judge in which the appellant is represented by a legal practitioner.

7. **Magistrate has the first call on the Public Prosecutor's professional services**—The Magistrate, as the head executive authority in the district, is the representative of Government and has the first call on the Public Prosecutor's professional services both in the Original and Appellate Court. The Public Prosecutor cannot, therefore, accept a brief for the defence, or for an appellant or for an applicant for revision in a criminal case, except with the Magistrate's permission in writing previously obtained.

8. Whenever in any important or serious case or any case in which important question of law or evidence may arise in the headquarters of the district, the Magistrate of the district thinks that the employment of the Public Prosecutor, or in his absence, of any other Pleader is necessary for conducting the prosecution, he will, if there is sufficient time for reference, apply to the Legal Remembrancer for sanction to the employment of the Pleader or will engage him in anticipation of sanction and report his action for the sanction of the Legal Remembrancer.

9. Whenever the Magistrate of the district thinks that in any case in the court of the Subdivisional Magistrate the prosecution should be conducted by a Pleader, he may employ, in consultation with the Subdivisional Officer, one of the members of the local Bar of sufficient experience and ability to represent the State subject to the sanction of the Legal Remembrancer.

10. The Public Prosecutor of the district shall on no occasion be deputed to the mufassal without the previous sanction of the Legal Remembrancer, to whom all the facts of the case should be reported to enable him to pass orders on the subject. He may, if he considers it necessary, refer any case for the orders of Government.

11. Whenever the public prosecutor of the district is not available for the purpose of conducting prosecution in Magistrate's Court, the Magistrate of the district may engage any pleader of sufficient standing at the Bar to take up the duties of the Public Prosecutor subject to the sanction of the Legal Remembrancer who will settle his fees at the recommendation of the district authorities. Such sanction of the Legal Remembrancer is not necessary when the employment of the outside Pleader is made for sessions cases, appeals or revisions at the usual rate of fee.

12. The Magistrate of the district is responsible to Government that Government prosecutions do not fail, because Government is not adequately represented. It is, therefore, incumbent upon him to make the best arrangement so that Government prosecutions are ably and satisfactorily conducted. The sanction of the Legal Remembrancer is necessary only to check the tendency of the district authorities to engage pleaders in unimportant cases.

13. Whenever a public prosecutor desires leave of absence, he shall submit an application to the Magistrate, who will forward his application through the Commissioner, to the Legal Remembrancer for orders, stating his opinion as to whether or not leave should be granted. If the Magistrate considers that the leave should be granted, he will recommend some pleader to fill the absentee's place.

Leave on any ground other than for illness or urgent private affairs should not be allowed without special permission from the Commissioner to be obtained prior to the leave being taken. Permission to practise during leave may be given only in special cases for special reasons to be disclosed.

Public Prosecutors who can make suitable arrangements for conducting cases during their absence may be allowed one month's leave on each year without forfeiture of pay. Leave cannot, however, be granted where it is necessary to appoint a *locum tenens* for the officer on leave. Such leave has no cumulative effect.

FEES

14. **Fees payable to public prosecutor**—When a public prosecutor conducts a case in court he is, subject to any special orders of the Superintendent and Remembrancer of Legal Affairs, entitled to a fee of Rs. 25 or Rs. 32 a day, according to the scale mentioned in Appendix A. When the days' hearing of any case occupies half or less than half a day, or when any case is adjourned, the Public Prosecutor is entitled to a minimum fee of Rs. 16 only.

The public prosecutor is entitled to one minimum fee of Rs. 16 only even when more than one case is adjourned during the day in the same or different courts or when the adjournment is in respect of a case in which a special fee may have been fixed.

15. Whenever the prosecution of any case may have involved exceptional labour and ability or when the contest of the case may have been exceptionally severe or when the sitting of the court may have been prolonged considerably beyond the usual hours, the Public Prosecutor may be allowed such special fee varying from Rs. 32 to Rs. 50 per diem as the presiding officer may think reasonable and may specially recommend stating the reasons and the Legal Remembrancer may sanction.

16. The public prosecutor is entitled to only one full day's fee irrespective of the number of cases, motions and appeals heard during the day either in the same or in different Courts. When, however, a large number of appeals is heard on the same day in addition to a sessions case, the Public Prosecutor is entitled to a full day's fee only, unless the Sessions Judge, in consideration of the labour involved and complexity of the case, recommends a special fee subject to the maximum fee of Rs. 50 a day. The Legal Remembrancer will pass such charges as may seem to him proper and reasonable.

17. **Payment of fees to private practitioners**—Whenever a pleader other than the Public Prosecutor of the district is employed in conducting a case on behalf of the State he is paid at the usual rate of Rs. 16 a day. When a case is simply adjourned or no material progress is made therein or when appearance in Court is for less than half a day a half-fee is allowed for the day. The payment of any increased or special fee depends on the specific recommendation of the presiding officer.

18. **Fees for attending Courts in the mufassal and the High Court**—Whenever a Public Prosecutor is deputed to the mufassal within the district for conducting cases on behalf of the State he is allowed a fee of Rs. 50 a day in addition to travelling allowances admissible under the Fundamental and Subsidiary Rules to a second class officer. For work outside the district or for attending the High Court for instructing the State a special rate of fee inclusive of halting allowances is allowed by the Legal Remembrancer in consideration of the circumstances of each case.

19. **Preparation of bills of fees**—At the end of each month the Public Prosecutor will draw up three separate bills for fees, for sessions cases, criminal appeals and cases in Magistrates' Courts in the form shown in Appendix B. All the details therein mentioned require to be given, so that the work rendered may be gathered from the bill itself. The result of the cases must always be mentioned. In cases of appeals and revision cases the column which cannot be filled up with necessary alterations; may be left blank. The submission of work registers is no longer required.

20. **Certificate of attendance by Trying Officer**—After the bills have been drawn up in the form herein before mentioned, they should be submitted in the first instance to the sessions Judge, or to the Magistrate, as the case may be, before whom the pleader appeared in the case for the conducting of which he demands the fees, and that officer shall certify thereon the dates of appearance of the Public Prosecutor in his court in the cases to which the bill relates. In certifying to the dates of appearance; he may also record any observations which he may wish to make in any special case regarding the rate of fee demanded, and may recommend either a reduction of the rate on any ground to be stated therein or a special rate on any of the grounds specified above.

21. **Counter signature by the District Magistrate**—After a certificate has been obtained, as mentioned in Rule 19; the bill shall be submitted to the District Magistrate, or the Deputy Commissioner, to the officer in charge of the headquarters office. This officer shall then satisfy himself as to the correctness of the several entries made in the bill, countersign the same, and forward it to the Legal Remembrancer with any recommendations which he may consider desirable to make regarding the rate or amount of fee charged.

22. **Payment of bills**—No payment will be made on any such bill, unless and until it has been passed by the Legal Remembrancer or by the Deputy Legal Remembrancer.

23. **Increased fee**—No claim for increased fee will be admitted, unless it is supported by the officer before whom the case was conducted.

24. **Fee for hearing judgment delivered**—Ordinarily there is no necessity for the Public Prosecutor to attend court simply for the purpose of hearing a judgment delivered. When a Public Prosecutor is specially directed to attend for that purpose for any particular reason, he is entitled to a fee at not less than the minimum rate.

25. **Period within which bills are to be submitted**—All bills should be submitted once every month not later than ten days from the end of the month to which they relate. Where there is any delay in the submission of a bill for any month, the Government Pleader shall submit with the bill an explanation of the cause of delay, and such explanation, with the remarks of the District Magistrate thereon, shall be forwarded with the bill to the Legal Remembrancer for consideration and orders.

PROCEDURE IN APPEALS AND APPLICATIONS FOR REVISION

26. **Procedure relating to appeals in the High Court**—When an appeal is filed or an application for revision made to the High Court against the conviction and sentence or any order passed by the Lower Court, a copy of the notice sent to the District Magistrate, when such cases are admitted, is invariably sent to the office of the Legal Remembrancer. On receipt of such notice, appearance is entered on behalf of the State in those appeals in which the appellant is represented by a counsel or vakil without any reference to the Magistrate of the district. In case, however, in which the appellant is not represented in the High Court by Counsel or pleader, the State does not appear unless there is some special matter to bring to the notice of the Court. It is important that this should be clearly understood, in order that particular care may be taken to specify the reasons why the Magistrate wishes the state to appear in such case.

27. In the cases of revision, appearance is entered only in such cases in which instructions are received from the district Magistrate asking for the representation of the State.

28. In a capital sentence case the State is represented whether the case is defended or not.

29. Whenever the Magistrate of the district thinks that the State should be represented before the High Court, he shall make the requisition in the form given in Appendix C, stating the reasons for which he thinks an appearance is necessary. No copies of the record need be sent in criminal appeals and in cases submitted to the High Court by the Sessions Judge under section 307, Code of Criminal Procedure, as the brief of such case is made in the High Court under the supervision of the office of the Legal Remembrancer. Copies of the commitment record need not be sent.

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30. In every criminal case before the High Court in revision, in which the Magistrate of the district desires the rule to be opposed an explanation should be submitted to the Registrar. It is not advisable merely to give the Legal Remembrancer a general instruction to oppose a rule without submitting any explanation to the High Court direct.

31. Conversely, it is not sufficient merely to submit an explanation to the High Court in reply to a rule without instructing the Legal Remembrancer to oppose the rule. In every case in which the Magistrate of the district desires that a rule should be opposed, he should give the Legal Remembrancer full instructions.

32. Success in opposing a rule may depend upon the explanation submitted by the District Magistrate and care should, therefore, be taken in drafting the same. The explanation should be as lucid and as concise as possible. It should specifically, separately and completely deal with every ground referred to in the rule, but it should travel outside the grounds referred to in the rule. The explanation should not deal generally with the case unless the rule is general in its terms.

33. In revision cases it is sufficient ordinarily to include in the brief for the Legal Remembrancer's use—

- (1) Copies of the judgments or orders of the First Court and of the Appellate Court;
- (2) a copy of the petition to the High Court;
- (3) a copy of the explanation submitted by the Magistrate to the High Court.

34. Cases reported to the High Court by the Sessions Judge under section 438, Code of Criminal Procedure, 1898, should be dealt with upon the same principles as in revision cases.

35. Employment of counsel or vakil in cases in the High Court—In serious or important cases the question whether Government should be represented or not should not depend on whether a pleader or counsel is employed on the other side, but should be decided by the Legal Remembrancer on the merits of the case itself, and it is his duty to decide, upon the nature and facts of each case, whether to engage the Advocate-General or any other senior counsel. The responsibility of District Magistrate is to point out any facts indicating the special importance or difficulty of any particular case, leaving the subsequent action to ensure the proper presentation of the case in Court of the Legal Remembrancer. In cases which might take more of the Deputy Legal Remembrancer's time than he can afford to give with regard to his other duties, the Legal Remembrancer will exercise the authority vested in him of employing other counsel for vakils to appear for the State.

36. Employment of counsel in mufassal courts—It will also be open to the Magistrate to apply through the Legal Remembrancer for the sanction of Government to the employment of counsel in mufassal cases. In cases, however, where there is no time to refer the matter to Government for sanction, the Legal Remembrancer's sanction will be sufficient.

APPEALS AGAINST ACQUITTAL

37. Whenever the local authorities are of opinion that there has been miscarriage of justice by the order of acquittal passed in any case either by a Magistrate or a Session Judge, the following instructions should be followed in making a reference with a view to an appeal being filed under section 417 of the Code of Criminal Procedure against such order of acquittal.

38. As a general rule, action under section 417 of the Code will not be taken unless the case is of public importance, nor should it be taken in any case unless there has been a miscarriage of justice so grave as would induce the Local Government to move in the matter and unless there are good grounds for anticipating that the High Court will reverse the order. (I. L. R. 22, Cal. 170).

39. No reference should be made for action under section 417, unless a very careful scrutiny of the entire record has led to the conclusion that the acquittal was not justified by the evidence. It is not sufficient to examine only a part of the record. The complete papers should be passed under review, from the complainant or first information to the statements of witnesses before the police (so far as they are relevant), the depositions recorded at the judicial enquiry (if any) and the evidence given at the actual trial, and care should be taken to see whether the witness have given consistent stories throughout, or whether they have contradicted themselves or each other at different stages of the case. Under no circumstances should a reference be made in the absence of the record of the trial itself, this can always be obtained, in the case of a sessions trial, through the Divisional Commissioner (Chapter III, Rules 57, page 97, H.C.C.R. and O., 1910).

40. Every reference when made should be accompanied by the complete records of all the Courts which have had to deal with the case, and also by a clear statement of the circumstances which are considered to justify an appeal against an acquittal, and the point or points upon which it should be preferred. A mere criticism of the final judgment is insufficient and not to the point, and statements of matters not contained in the records should be altogether omitted.

41. When the case is one which has been tried by jury, it should be borne in mind that an appeal will lie only on a question of law (section 418, Cr. P.C. and I.L.R. 10, Cal. 1929) and the probative force or effect of evidence is a question of fact and not of law (6 W.R.Cr. 6). On the other hand, the High Court does not refuse to interfere with an acquittal not based upon the verdict of a jury, when the judgment of the Lower Court is wrong, and the accused should have been convicted (I.L.R. 17 Cal. 487), but in such cases it should be clear that the conclusions drawn from the evidence upon the record, upon which reliance can with safety be placed, are unreasonable and have produced a miscarriage of justice.

42. Any such reference must be submitted through the Divisional Commissioner, who will forward it to the Legal Remembrancer with an expression of his opinion. It must be made as soon after the judgment is delivered as possible, so that the appeal under section 417, Code of Criminal Procedure may be filed in the High Court within three months from the date of the judgment. The statutory period of limitation (Article 157 of the First Schedule to the Indian Limitation Act, IX of 1908), viz. six months is not altered, but it has been decided by Government that an appeal against an acquittal should in practice be filed within three months. If the Legal Remembrancer, after observing the procedure prescribed in Government of Indian Home Department, letter No. 626 of the 1st August 1918, considers that an appeal should be filed, he will report the case to Government for sanction. If in the opinion of the Legal Remembrancer it is not desirable to file an appeal, he will inform the Commissioner accordingly.

43. When the District Magistrate receives intimation that an appeal against acquittal has been admitted, he will at once ascertain whether the accused person is in custody or not. If he is in custody, arrangements must be made for his immediate transfer to the Central Jail.

If he is not in custody, the Magistrate must in cases of poverty, provide him with sufficient funds to enable him to proceed to Dacca and must in either case inform him that unless he desires any other arrangement, the Legal Remembrancer will engage counsel at Government expense to appear on his behalf in the High Court.

RULES FOR PROSECUTIONS BY, OR AGAINST, PUBLIC SERVANTS

44. Procedure for prosecutions by public servants—The following is the procedure to be followed when prosecutions are instituted by public servants. Where the charge is of a cognizable or, though cognizable calls for special arrangements, the officer who prefers the complaint should refer for instructions to the Magistrate of the district, who may, if he thinks fit, either instruct the officer himself to prosecute, or, if the case is of a complicated and difficult nature rendering in his opinion, the employment of the public prosecutor or of some legal practitioner necessary for a proper prosecution, may direct the public prosecutor or some other person to prosecute and report the matter for the sanction of the Legal Remembrancer.

45. Prosecutions against public servants—In all cases of Criminal prosecutions brought against public servants for acts done in the performance of their public duties, public prosecutors are bound to defend them, and are entitled to fees provided that the Local Government has sanctioned the defence being undertaken by Government at its expense. The sanction of Government shall in the first instance, be obtained by the Departmental head of the officer through the Legal Remembrancer before any action is taken in this behalf, unless there be no time for such reference.

46. (1) When a prosecution against a public servant for acts done in the discharge of his public duty is instituted by a public servant, the officer charged will be left to defend himself, but Government will defray his reasonable costs in the event of his being acquitted and it being shown that his conduct throughout had been free from all blames. If though acquitted of the offence charged, his conduct should appear not to be free from blame, he will receive only such portion, if any, of the cost incurred by him as may seem fitting to the Government.

(2) In the case of criminal prosecution instituted by a private person against a public servant for acts done in the discharge of his public duty, the following course will be followed:—

Section 197 of the Criminal Procedure Code lays down a special procedure in regard to criminal prosecution against certain classes of officers. In those cases, there would always be ample time to obtain the orders of Government as to undertaking the defence of the officers, and this should be done. In the case of criminal prosecutions against other classes of public servants, it may ordinarily be impossible to obtain the orders of Government before the commencement of the proceedings before the Court, and when this is so, it must rest with the local officers to decide whether the defence should be undertaken by the Government or not. Whenever it is probable, however, that the orders of the Government can be obtained in time, a full report should be at once submitted to Government through the Legal Remembrancer. If such orders are received before the commencement of the proceedings, they will be acted on, if not, the local officers should themselves decide upon the course to be taken.

(3) Where the accused is discharged or acquitted, the case will be dealt with as is provided under paragraph (1) allowance being made for the expenses or compensation (if any) realisable under the order of the Court.

(4) In cases of enquiry by a commission, whether such commission is appointed under the Public Servant Enquiries Act, or under any other rules or orders, the Public Prosecutor shall ordinarily be engaged to put the case before the commission; if his services are not available, some other pleader may, with the previous sanction of the Legal Remembrancer, be engaged. It will be open to the officer whose conduct is under investigation to be represented by a pleader, but any claim by the officer to be reimbursed the reasonable expenses of his defence will be considered only if he is honourably acquitted of the charge in respect of which the enquiry has been ordered.

(5) It is to be distinctly understood that charges, the payment of which may be applied for under these rules must be moderate, and that the Government does not bind itself to pay unnecessary expenses which the officer concerned may choose to incur. In petty cases an appearance in person will be often quite sufficient, and where this is so, the employment of a pleader is superfluous. In the same way requests for the payment of counsel will be entertained only under very exceptional circumstances, if counsel will not be employed at Government expense on behalf of the defence.

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In the case of enquiry resulting in honourable acquittal, no officer shall be entitled to receive, on account of lawyer's fees, any sum greater than the amount paid by the Government to the public prosecutor or other pleader engaged for his services in putting the case before the commission.

47. **Previous sanction before any action is taken**—But before any action is taken in pursuance of the rules herein before mentioned regarding prosecution by and against a public servant, a public servant considering that a prosecution should be instituted to obtain redress for some wrong which he has suffered in connection with the discharge of his official function should whether he proposes to conduct the prosecution on his own responsibility and at his own cost, or whether he desires that the case should be instituted in his name under the orders and at the cost of the Government, submit through his official superiors a full report on the whole case to the Legal Remembrancer before taking any steps on the matter. On receipt of such report the Legal Remembrancer will submit the case with his remarks for the orders of Government.

48. **Delegation of duty of officer concerned**—When Government undertake the conduct of a case instituted by or against a public servant, the Magistrate may deal with the case in consultation with the officer concerned in accordance with the rules mentioned above or he may, with the sanction of the Legal Remembrancer, delegate his duties to the officer concerned, on condition that the said rules are strictly observed.

49. **Maximum amount to be spent without previous sanction**—When the case is conducted under Rule 48 by the officer concerned, he must do so at a reasonable cost and must not incur expenses exceeding a total of Rs. 250 without the previous sanction of the Legal Remembrancer. No public servant who undertakes the conduct of a case instituted by or against him will be entitled to recover from Government any expenses that he may have incurred for his purpose unless he has complied with these rules.

50. **Sanction to be taken at each stage**—The sanction herein before mentioned should be taken at each stage of the case, e.g., when a case is committed to the Sessions Judge or if there is an appeal to the Sessions Judge or to the High Court.

OFFICE OF THE
LEGAL REMEMBRANCER
BOMBAY

APPENDIX A

District.	Government pleader and public prosecutor.	Remuneration.	
		Monthly retainer.	Daily rate of fees in criminal case.
1	2	3	4
Rajshahi Division.		Rs.	Rs.
Jessore	Government pleader ...	60	32
	Public prosecutor ...	40	32
Khulna	Government pleader ...	45	25
	Public prosecutor ...	30	25
Kushtia (one officer)	Government pleader and public prosecutor.	75	25
Bogra	Government pleader ...	35	25
	Public prosecutor ...	25	25
Dinajpur	Government pleader ...	35	25
	Public prosecutor ...	25	25
Pabna	Government pleader ...	45	25
	Public prosecutor ...	30	25
Rajshahi	Government pleader ...	45	25
	Public prosecutor ...	30	25
Rangpur	Government pleader ...	60	32
	Public prosecutor ...	40	32
Dacca Division			
Dacca	Government pleader ...	100	32
	Public prosecutor ...	75	32
	Additional Government pleader.	25	32
Bakerganj	Government pleader ...	60	32
	Public prosecutor ...	40	32
Faridpur	Government pleader ...	75	25
	Public prosecutor ...	50	25
Mymensingh	Government pleader ...	100	32
	Public prosecutor ...	50	32
Chittagong Division.			
Chittagong	Government pleader ...	100	25
	Public prosecutor ...	50	32
Noakhali	Government pleader ...	50	25
	Public prosecutor ...	25	25
Tippura	Government pleader ...	60	25
	Public prosecutor ...	50	25
Sylhet	Government pleader ...	100	25
	Public prosecutor ...	50	25

APPENDIX B

Bill of Fees due to Mr.

Public Prosecutor of

for Comptroller General of Accounts

Bill of Fees due to Mr. Public Prosecutor of for Conducting Sessions Cases (or Criminal Appeals)
during the Month of 19

[illegible]

I hereby certify that Mr.
Public prosecutor, attended my Court on the.....

Counterigned for Rs.....Only.

Magistrate.

Dated the of 19

Serious Judge.

Signature of the Public Prosecutor



APPENDIX C

FROM.....

TO THE SUPERINTENDENT AND REMEMBRANCER OF LEGAL AFFAIRS,
EAST PAKISTANCriminal Appeal No. of Application No. of
..... Appellant/Petitioner.

Sir,

Please cause appearance to be entered on behalf of the State in the above mentioned case. A short statement of the facts of the case and the reasons for making this requisition are given below:

Precis.

Prescribed forms of requisition by District Officers for causing appearance to be entered on behalf of the State in criminal appeals and motions before the High Court.

Index.

Form of requisition by District Officers for appearance on behalf of the State in criminal appeals and motions before the High Court.

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ART. 33 : EAST PAKISTAN FOREST CADRE

The sanctioned scale of permanent establishment sanctioned for the Forest Directorate in East Pakistan is as follows :—

East Pakistan Senior Forest Service.

Post.	No.
1. Chief Conservator of Forests	1 (Sanctioned in Govt. Circular No. III-4E-4/61/243, dated 24-2-1962.)
2. Conservator of Forests	3 (G.O. No. 9843/For., dated 9-10-1948, No. 341/For., 4-E-42/57-1, dated 12-3-1957, No. For./4E-3/65/137, dated 10-2-1967.)
3. Assistant Chief Conservator of Forests ..	1 (G.O. No. III-4E-4/61/243, dated 24-2-1962.)
4. Deputy and Assistant Conservator of Forests (including 2 posts as leave and training reserve).	17 (G.O. No. 9843/For., dated 9-10-1948, 1-For., dated 1-1-1951, II/For. 4E-81/61/1606, dated 31-10-1961.)

(Notification No. 560-For., dated the 29th May, 1946.)

The following rules regulate the pay of the East Pakistan Senior Forest Service :—

1. (a) Every person appointed to the service shall be on probation. In the case of direct recruits the period of probation shall be two years and in the case of promotees it will be one year.

(b) Every probationer shall be required to pass the prescribed departmental examination before he is confirmed in the service and the period of probation may be extended until such time as he may have passed this examination.

2. The scale of pay of the service shall be :—

Chief Conservator of Forests—Rs.1,700—100—2,100 (No special pay).

Conservator of Forests—Rs.1,600—50—1,700—75—1,850.

East Pakistan Senior Forest Service—Rs.450—40—850—EB—50—1,300.

(Finance Department Implementation Unit Memo. No. F/IU-35/64/III, dated 4-6-1964).

3. An officer drawing a pay of Rs.770 or less per month shall be designated as Assistant Conservator of Forests while an Officer drawing pay above Rs.770 per month in the same scale of pay shall be designated as Deputy Conservator of Forests and if an officer drawing a pay of Rs. 770 per month or less is appointed to hold a major charge, he shall be designated as officiating Deputy Conservator of Forests but shall draw his substantive pay. (Amendment as per Notification No. Sec. II-F-86/67/875, dated 28th October, 1967).

4. Officers shall be graded in the list of Assistant Conservators of Forests according to dates of first appointment. In the case of more than one officer being appointed on the same date on completion of the course of training at the Forest College in Pakistan or elsewhere, their grading shall be determined by the respective position attained by them in the final order of merit at the said course of training.

Subordinate Forest Service.

(Finance Department Implementation Unit Notification No. F/IU-9/63/20, dated 16th April, 1963).

Pay scale.	No.
Senior Forest Ranger—Rs.300—10—350—EB—15—440—20—520.	1 (Sanctioned for Mainimukh Subdivision, Govt. of East Bengal Memo. No. 9843 For., dated the 9th October 1948. He should be treated as Gazetted Officer except for the purpose of audit, vide, Government of Bengal Forest and Excise Department, Forests Branch, Memo. No. 10499 For., dated the 6th August 1943.)
Forest Ranger Grade—I—Rs.200—10—270—EB—15—330.	16 (Government of East Bengal Memo. No. 9843 For., dated 9th October, 1948, 7442-For., dated 25th June 1951, 1564-For. dated 10th February 1951, 467-For., dated 17th January, 1951, 14000-For., dated 26th December, 1950, 12544-For., dated 29th November, 1950, 5217-For., dated 11th June, 1949, 9202-For., dated 17th October, 1949, No. II/For. 4E-81/61/1606, dated 31st October, 1961.)
Forest Ranger Grade II—Rs.130—5—200 ..	29
Deputy Ranger—Rs.110—4—150—EB—5—190	61
Forester—Rs.100—3—145	176

An allotment of Rs.10,000 (Rupees ten thousand) only under the head 10—Forests—B2—Pay of Establishment—“Extra cost on leave vacancies” has been sanctioned to enable the Chief Conservator of Forests East Bengal, to make necessary officiating arrangements which will be governed by the following procedure:

(1) Outsiders may be entertained to fill leave vacancies subject to the condition that the extra cost incurred in such arrangements in respect of the staff as a whole does not exceed Rs.10,000.

(2) No Officiating arrangement will be admissible within the same rank.

✓ (3) No Officiating arrangement will be admissible for periods of leave of less than one month in each case.

(Government of East Bengal, Agriculture, Co-operation and Relief, Forests Branch, Memo. No. 3756-For. 21-4/49, dated the 5th April, 1951).

Forest Guard—Rs.73—1—80—2—100 .. 395 (Government of East Bengal Memo. No. 12071-For., dated the 19th November, 1949, 1564-For., dated 10th February, 1951, 5217-For., dated the 11th June, 1949, 467-For., dated 17th January, 1951, No. 11/For., 4E-81/61/1606, dated 31st October, 1961.)

The sanctioned distribution is as follows:—

	No.
Sundarbans Division	77
Chittagong Hill Tracts (North)	13
Chittagong Hill Tracts(South)	35
Sylhet Division	43
Chittagong Division	81
Cox's Bazar Division	61
Dacca Division	44
Mymensingh Division	36
Silvicultural Research Division	5

Office Establishment.

(1) Office of the Chief Conservator of Forests.

Post.	No.	Scale of Pay.
Head Assistant	1	Rs.270—10—320—15—425.
U. D. Assistants	3	Rs.200—10—270—EB—15—330.
L. D. Assistants	5	Rs.110—5—160—EB—8—240.
Stenographer	1	Rs.200—10—310—EB—15—400
Typist	2	Rs.110—5—160—EB—8—240.
Record supplier-cum-Duplicating operator	1	Rs.75—2—105.
M.L.S.S.	4	Rs.70—1—85—2—95.

Government of East Pakistan, Agriculture Department No. III.4E-4/61/243, dated 24th February, 1962).

(2) Conservators' Offices.

Head Assistant	1	Rs.270—10—320—15—425.
Accountant	1	Rs.260—10—300—15—360.
U. D. Assistants	2	Rs.200—10—270—EB—15—330.
L. D. Assistants	8	Rs.110—5—160—EB—8—240.
Stenographer	1	Rs.200—10—310—EB—15—400.
Typist	1	Rs.110—5—160—EB—8—240.
Draftsman	1	Rs.120—5—145—EB—8—225—EB—10—275.
M.L.S.S.(Peons and Orderlies Duftry, Dakwalla, Durwan.)	8	Rs.70—1—85—2—95.

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Government of East Pakistan, Agriculture, Co-operation and Relief Department, Forest Branch, Memo. No. 9843-For., dated 9th October, 1948, and 12071-For., dated 19th November, 1949).

(3) Divisional Office.

Post.	No.	Pay scale.
Head Clerks	2	Rs.200—10—270—EB—15—330.
Head Clerks	7	Rs.140—5—170—EB—8—250.
Clerk-Typists	63	Rs.110—5—160—EB—8—240.
Draftsman	1	Rs.120—5—145—EB—8—225—EB—10—275.
Peons and Orderlies	26	Rs.70—1—85—2—95.
Darwan and Chawkidar/Night Guard	4	Rs.70—1—85—2—95.
Dakwalla	13	Rs.70—1—85—2—95.

The sanctioned distribution of clerical establishment in Divisional Forest Offices is as follows :—

Division.	Head Clerk.	Clerk-Typist.	Draftsman.
Chittagong	1	11	..
Cox's Bazar	1	9	..
Chittagong Hill Tracts (South)	1	5	..
Chittagong Hill Tracts (North)	..	3	..
Sylhet	1	5	..
Dacca	1	3	..
Mymensingh	..	4	..
Sundarbans	1	16	..
Utilisation Division	1	2	..
Working Plans Division I	1	2	1
Silvicultural Research Division	1	2	..
East Pakistan Forest School, Sylhet	..	1	..
Total	9	63	1

Note—There is no leave reserve in the sanctioned strength of permanent establishment, but officiating arrangements are permitted in leave vacancies, the cost of such arrangements being restricted by a monetary limit of 10 per cent. of pay of the total staff.

(Government of East Bengal Agriculture, Co-operation and Relief Department's Memo. No. 9843-For., dated the 9th October, 1948, 12071-For., dated the 19th November, 1949, 12544-For., dated the 29th November, 1950 and 141-For., dated the 4th January, 1951 and 1-For., dated the 1st January, 1951 and No. 11/For. 4E-81/61/1606, dated 31st October, 1961).

(4) Steamer Establishment.

Post.	No.	Pay scale.
Serangs	9 (2)	Rs.135—5—210.
	(7)	Rs.110—5—170.
Seacunny	6	Rs.85—2—107—3—110.
Tindals	2	Rs.85—2—107—3—110.
Kassub	3	Rs.80—2—100.
Drivers	9 (2)	Rs.135—5—210.
	(7)	Rs.110—5—170.
Stocker Tindals	2	Rs.85—2—107—3—110.
Electric light stocker	2	Rs.85—2—107—3—110.
Firemen and Greasers	6	Rs.85—2—107—3—110.
Engine room Kassub	2	Rs.85—2—107—3—110.
Oilman Greaser	2	Rs.73—1—80—2—100.
Lascars	22	Rs.73—1—80—2—100.

(Government of East Bengal, Agriculture, Co-operation and Relief Department, Forest Branch Memorandum No. 12071-For., dated the 19th November, 1949).

ART. 33A : MAJOR AND MINOR CHARGES

The Major and Minor charges in the Forest Department, East Pakistan are as follows :—

Major charges—11.

- (1) Divisional Forest Officer, Chittagong Division.
- (2) Divisional Forest Officer, Cox's Bazar Division.
- (3) Divisional Forest Officer, Chittagong Hill Tracts (South) Division.
- (4) Divisional Forest Officer, Sylhet Division.
- (5) Divisional Forest Officer, Working Plans Division.
- (6) Divisional Forest Officer, Utilisation Division.
- (7) Divisional Forest Officer, Dacca Division.
- (8) Divisional Forest Officer, Mymensingh Division.
- (9) Divisional Forest Officer, Sundarbans Division.
- (10) Divisional Forest Officer, Silvicultural Research Division.
- (11) Additional Divisional Forest Officer, Sundarbans Division.

Minor charges—4.

- (1) Subdivisional Forest Officer, Chittagong Sadar (North).
- (2) Subdivisional Forest Officer, Chittagong Sadar (South).
- (3) Subdivisional Forest Officer, Cox's Bazar (North).
- (4) Subdivisional Forest Officer, Cox's Bazar (South).

The major charges shall be held by senior members of the East Pakistan Senior Forest Service and the minor charges will be held by junior members of the East Pakistan Senior Forest Service.

(Government of East Bengal, Agriculture, Co-operation and Relief Department, Forest Branch, memorandum No. 9843-For., dated the 9th October, 1948, 180-For., dated the 4th January, 1951, 1-For., dated the 1st January, 1951 and II/For.4E-81/61/1606, dated 31st October, 1961).

ART. 34 : RECRUITMENT OF ESTABLISHMENT

The recruitment of East Pakistan Senior Forest Service (Provincial Forest Services) is regulated by the Forest Department Code.

2. Rules for the recruitment of the East Pakistan Senior Forest Service and for the selection of East Pakistan candidates for deputation to West Pakistan Forest Institute and East Pakistan Forest College respectively will be found under Article 24, Part I of this Manual.

3. The qualifications subject to which appointment to the rank of Ranger and Deputy Ranger may be made by the Conservator will be found under Article 52 of this Manual.

4. (I) **Method of recruitment of foresters.**—90 per cent. of the vacancies are to be filled up by direct recruitment on the results of a competitive examination and 10 per cent. by promotion from the rank of Forest Guards. Selection will be made by the Directorate Selection Board in both the cases.

(II) **Qualifications**—(a) *For Direct recruitment*—Minimum Matriculation or its equivalent. Candidates who have knowledge of surveying and have obtained a certificate of having passed recognised survey course will be preferred for executive appointment. As a special concession to hillman candidates who have passed the School Final Examination at Rangamati High School will be eligible.

(b) *For promotion*—(i) Forest Guards with 15 years' continuous service who have read up to Class VII.

(ii) Forest Guards with 5 years' continuous service who have passed the Matriculation Examination.

(III) **Age**—(a) *For Direct recruitment*—Minimum 18 years and maximum 23 years on the 1st day of July of the year of recruitment.

(b) *For promotion*—No age limit.

(Public Service Commission, East Pakistan's Memo. No. 1E-8/67/1895-PSC, dated 26th April, 1967.)

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ART. 35 : EAST PAKISTAN FOREST SCHOOL RULES.

I. Constitution of the School.

The school, which will be under the administrative control of the Chief Conservator of Forests, East Pakistan, is intended primarily for the instruction of practical forest work of the subordinate Executive Establishment of the East Pakistan below the grade of Forest Ranger. If vacancies exist after the requirements of the above have been satisfied, private students may be admitted at the discretion of the Chief Conservator of Forests and subject to such educational qualifications or practical tests as he may require. Such admissions will carry no stipend nor promise of future employment with them. Any alteration in the course of study or in the rules for admission of students shall be subject to the approval of the Local Government.

2. The Director, East Pakistan Forest School, Sylhet, will be assisted by one Senior Instructor and one Junior Instructor who ordinarily will be Extra Assistant Conservator, of Forests of East Pakistan Junior Forest Service and Forest Ranger respectively of the East Pakistan Forest subordinate service. The Director will be responsible for the supervision of the course of study and the accounts and correspondence connected with the school. The Senior Instructor and Junior Instructor will be responsible to the Director for the discipline of the students and the upkeep of the school buildings and grounds.

II. Rules for Admission.

3. Subject to such increase as may be necessary hereafter, the number of students trained annually shall be 45. To ensure as far as possible that the full number of students actually complete the course, the Chief Conservator of Forests may at his discretion nominate a greater number at the beginning of the course.

4. Nominations of Forest subordinates to studentships shall be made by the Conservator of Forests, Development Circle, Divisional Forest Officers forwarding to him the names of men recommended not later the 15th September in each year. Such recommendations shall be supported by medical certificates of physical fitness of recent date. Divisional Forest Officers shall not recommend men whose educational qualifications are insufficient to enable them to follow the course of instruction profitably. A test in Mathematics and English is recommended.

5. Applications for private students must be submitted through a Deputy Commissioner or a Divisional Forest Officer to the Director.

6. Persons desirous of entering the school as private students must not be less than 18 or more than 25 years of age, and must submit the following certificates :—

- (i) A certificate that the candidate is a Pakistani national.
- (ii) A certificate of age.
- (iii) A health certificate in the form prescribed by article 49 of the Civil Service Regulations, signed by the Civil Surgeon of his district in which the Divisional Forest Officers' duties lie, and testifying to the candidates' sound constitution, good vision and hearing and general physical fitness for a rough outdoor life in the Forest Department.

Note—This certificate should also state that the candidate bears on his body marks of successful vaccination or of Small-pox.

- (iv) A certificate of respectability and good moral character from two or more persons whose social or official position can be accepted as a guarantee of reliability.

7. Forest subordinates deputed to the School will draw the pay of their grade subject to a minimum of Rs. per mensem, and while on tour will draw travelling allowance in accordance with the Civil Service Regulations. In the event of all available studentships not being filled from the subordinate Forest Service men in the temporary establishment may be nominated with the approval of the Chief Conservator of Forests, East Pakistan. Such men will receive not less than Rs.100 per mensem while undergoing the School course. Subordinates deputed to the School whether in the permanent or temporary establishments, will be required to sign an undertaking to remain in Government employment for at least three years after the completion of their training, failing which they may be required to refund the whole or a part of the money, spent on their training. Private students will be required to pay in advance to the Director a further sum of Rs.50 as security for good behaviour, which will be returned at the end of the course if not confiscated in whole or in part, or utilised to compensate for any damage done, or for bills left unpaid by them.

Note—While under training students will not be allowed any kind of leave of absence other than the ordinary school holidays except under very exceptional circumstances.

(Government of Bengal, Forest and Excise Department, Forest Branch, letter No. 9257-For., dated the 19th April, 1937.)

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III. Course of Instruction.

8. The course of instruction will be in English, and will extend from a minimum of 10 months to a maximum of one year; and will commence on the 1st November each year. The first six months from 1st November to the 1st May will be spent in practical instruction in Forests of different Forest Division of East Pakistan as the Conservator of Forests, Development Circle, may direct; during this part of the course simple lectures will be given by the Instructors in order to more fully explain the practical works. The remainder of the course will be at Sylhet with such excursions as may be necessary to the Forest of the Sylhet Forest Division, during this part of the course regular lectures will be given by the Director and by the Instructors. One preliminary examination and one intermediate examination will be held throughout the course including the final examination.

The Intermediate and final examinations will take place at Sylhet during the middle and last part of the course. These examinations will be practical and oral, but written examination to supplement the oral test may, at the discretion of the Conservator of Forests, Development Circle, East Pakistan be ordered in Silviculture, Protection, Utilization, Roads and Bridges, Buildings, Mensuration and Arithmetic, Accounts and Law; they will be held by two officers of Senior Forest Service deputed for the purpose by the Conservator of Forests, Development Circle, with the approval of the Chief Conservator of Forests, East Pakistan, with the assistance of the Director and the Instructors. "Books may be allowed in the written examination in the Forest Law".

9. The subject taught during the course of instruction, which will be chiefly practical, will comprise:

1. Forestry.

(a) Silviculture, including forest management—

(i) General, soil, climate, distribution of forests.

(ii) Artificial regeneration—

(1) Choice of species.

(2) Collection, testing and storage of seeds.

(3) Direct sowing—

(a) Conditions of success.

(b) Season for sowing.

(c) Preparation of soil.

(d) Various methods of sowing.

(4) Planting—

(a) Season for planting.

(b) Brief description of the different kinds of plants as regards, age, size, quality, etc.

(c) Density of planting; distribution and number over the area.

(d) Lifting plants and protection in transit.

(e) Nurseries and their management.

(f) Brief description of the various methods of planting, and conditions under which each method is advisable.

(g) Maintenance operations in plantations, weedings, cleanings and thinnings.

(5) Compilation of plantation felling series files.

(iii) *Natural regeneration*—The Chief Silvicultural system in use in the East Pakistan Forest including the treatment of bamboo forests.

(iv) Maintenance and improvement of forests; Improvement fellings, thinnings, cleanings, climber cuttings, fire protection, fencing.

(v) *Working plans*—Necessity for and simple application of working plans, illustrated from plans in force in the East Pakistan Forest.

(b) Utilization—

(i) Major produce—

Chief timbers and their uses.

Felling, conversion, seasoning, transport, stacking of timber and fuel.

Timber depots and their management.

(ii) Minor produce—

Bamboos, grasses, charcoal, rubber, lac, myrabolans, honey, wax, silk, etc.

II. Forest Engineering.

(a) Survey—

(1) Walking in a straight line.

(2) The construction, use and method of surveying with the prismatic compass, using the three systems, viz., intersection, radiation and interpolation.

(3) The method of determining the error in a compass against the North and South Standard, distinction between true and magnetic north and method of applying correction for magnetic variation.

(4) The use of linen and steel tapes, the optical square, and Gunter's chain, including method of chaining, off-setting and laying out right-angles.

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- (5) Maintenance and form of field book.
- (6) Construction of simple scales.
- (7) Plotting, colouring and printing.
- (8) Reducing, copying and enlarging maps by squares and the proportional compass, with a reference to the pentagraph.
- (9) Calculation of areas by triangles co-ordinates, acre comb and acre square, with a reference to the planimeter.
- (10) Map reading.
- (11) Laying out and checking boundaries, coupes, plantations, etc. by using angles and without the aid of the magnetic north line.
- (12) Use of the Abney level.
- (13) The use of the Plane Table.

Note—(a) No block printing to be done.

(b) Map should not be coloured.

(c) One engineering drawing plate to be done in pencil only on sectional paper and another on ordinary drawing paper and to be inked.

(d) No border lines to be allowed on surveying or engineering plates.

(b) *Buildings*—Materials used in and construction of rest-houses and subordinates' quarters in East Pakistan. Preparation of estimates for the same.

(c) *Roads and Bridges*—Alignment with ghat tracer. Laying out and construction of cart roads, bridle and footpaths. Construction of simple forest bridges.

III. Botany.

Elementary botany—Parts of a plant, methods of growth, reproduction and germination. The collection, mounting and preservation of specimens.

Elementary physiology of the seedling as applied in planting technique.

IV. Accounts.

Instruction in range accounts.

V. Law.

The Forest Act and Rules under the Act.

Also Part III of Explanatory Notes and Forest Law, pages 43-75.

10. The following marks will be allotted for work during the course. The marks for practical work and conduct will be allotted by the Director:—

Group A.

Subject.	Preliminary.	Intermediate.	Final.	Plates.	Working plans.	Total.
Silviculture	75	75	100	25	25	300
Engineering	25	50	75	50	..	200
Surveying	75	75	100	50	..	300
Botany	20	20	50	10	(specimen)	100
Four examination	..	Conduct & discipline.	Suitability as forester.	Attendance & physical fitness.	..	..
Practical work	50	25	25	..	25	125
					Total ..	1,025

Group B.

Protection	25	25	50	..	..	100
Utilisation	20	25	50	..	30 (specimens of economic products & identification of timber 15 plus 15).	125
Accounts	25	25	75	..	..	125
Law	25	25	75	..	..	125
					Total ..	475

Fifty per cent. of the marks for each subject to be allotted in intermediate examinations and 50 per cent. in final examinations.

11. In order to obtain a pass certificate, students must obtain not less than 55 per cent. of the marks in each of the following (Group A) subjects—

Silviculture, Survey, Engineering, Botany and Practical Work and Conduct.

And not less than 50 per cent. of the marks in the following (Group B) subjects—

Protection, Utilisation, Accounts and Law.

Certificates of having passed with honours will be given to students who, in addition to fulfilling the above, obtain 80 per cent. of the total marks for Group A and 75 per cent. of the total marks for Group B. Government students below the rank of Deputy Ranger, who pass with honours shall receive a step in promotion on the occurrence of the next vacancy after they return to ordinary duty, provided that their works and conduct after leaving the school have been satisfactory.

IV. Disciplinary Rules.

12. Except with the special permission of the Director all students shall live in the quarters provided while at Sylhet. Wives and families cannot be accommodated. The Director shall have the powers of a Divisional Forest Officer over all students and in addition shall be empowered to suspend any student for gross misconduct or proved inability to profit by the course of instruction. Every such suspension shall be reported to the Conservator of Forests, Development Circle without delay, who will order the removal of the student from the school should he consider it desirable to do so.

Government students must wear the uniform of their grade while at the school. Other students shall wear such uniforms as may be prescribed by the Director. All students must report themselves to the Instructor at least two days before the opening day of the session. Last pay certificates, service books, etc., should be sent to the Director immediately after the relief of the students from their divisions. Forest subordinates in East Pakistan and students deputed by other provinces and States will receive uniforms from the school during the period of training. The Director will arrange for the supply of uniform to the students and debit the cost to the school. The cost of uniform supplied to students deputed from other provinces or States will subsequently be recovered from the provinces or the States concerned and adjusted under 10—Forests—B—Establishments—Establishment charges recoverable from other Governments—Deduct recoveries from other Governments for training of students. If recovered in a subsequent year, the amount will be adjusted as miscellaneous revenue under article 20(b) of the Forest Account Code.

13. The following outfit is required by each student:—

A small wooden box or steel trunk.

A small durrie.

A thick rug.

A quilt or two more rugs.

A small pillow.

A mosquito-net.

A thin mattress.

Two pairs khaki shorts.

One pair khaki stockings.

One pair khaki putties.

Two pairs boots.

A sweater.

An umbrella or (preferably) a waterproof.

A lantern.

The usual cooking and eating utensils.

No hats are required, as these will form part of uniform.

Instructions for regulating the admission of members of the subordinate Forest Service in East Pakistan as students at the East Pakistan Forest School.

A. Vacancies in the class of Deputy Rangers and lower classes caused by deputations to the school may be filled either by promotions, or by temporary appointments of qualified outsiders.

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All such sub-protem promotions and temporary appointments will be made by the Chief Conservator at his discretion, subject to the following conditions:—

- (1) The maximum cost of replacement shall not exceed Rs.300 per mensem for the men deputed in each year.
- (2) Temporary appointments or promotions shall not be made to a higher post than that of the Officer deputed. (Thus a temporary Deputy Ranger, may not be appointed in place of Forester at School.)

B. Should the Conservator, Development Circle, decide to depute a lesser number of Forest subordinates as students in any one year than is prescribed in the rules for admission to the school, the maximum cost of replacement in the circle will be reduced by Rs.25 for each student below the number fixed.

ART. 36: LEAVE OF ABSENCE IN THE FOREST DEPARTMENT

Leave of absence in Government service is regulated by East Bengal Service Rules, Part I and is sanctioned under procedure as detailed in Appendix 8 to East Bengal Service Rules, Part I. Such Leave may be sanctioned by Officers to whom the power has been delegated under Appendix 3 and 4 of East Bengal Service Rules, Part I.

Note—Except in the case of leave on medical certificate or on urgent private affairs an officer should give at least 3 months notice of intention to apply for leave.

Extract from the East Bengal Service Rules, Part I.

148. Special disability leave may be granted only by Government.

149. Leave admissible under these rules may be granted to a Gazetted Government servant by Government, or subject to rule 148 and to any further conditions which Government think fit to impose by an authority empowered in this behalf by Government.

Note—(1) An authorisation to grant leave under this rule or rule 150 includes the power to grant leave in combination with Sundays, holidays and vacations and subject to any conditions imposed or provision to the contrary in any case, to make the consequent acting arrangements.

Note—(2) A list of authorities empowered under this rule is contained in Appendix No. 3.

150. Subject to rule 148, leave admissible under these rules may be granted to a non-gazetted Government servant by the authority competent to fill his post substantively, or subject to such further restrictions as Government think fit to impose, by such other authority specially empowered in this behalf by Government.

Note—A list of authorities empowered under this rule is contained in Appendix No. 4.



APPENDIX No. 3.

(Rule 149).

Authorities empowered to grant leave to Gazetted Government servants.

Authority.	Conditions.
8. Conservator of Forests ...	Up to three months on average pay to officers subordinate to him, provided local arrangements, involving no enhancement of pay of any other officer can be made for their work.

APPENDIX No. 4.

(Rule 150).

Authorities empowered to grant leave to non-gazetted Government servants.

Class of Officers.	Sanctioning authority and conditions.
(1) Forest Rangers and Lower Division Clerks ...	(1) Officers-in-charge of Forest Divisions may sanction leave to such officers subordinate to them for a period not exceeding four months on average pay provided that no transfer from another Division is involved in making arrangement for the work.

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ARTICLE 37: RULES REGULATING THE GRANT OF CASUAL LEAVE AND OF PERMISSION TO LEAVE A STATION, DISTRICT OR CHARGE DURING GAZETTED HOLIDAY

(Government Circular No. 8257-F., dated the 21st August 1958).

In supersession of all previous orders on the subject of casual leave, Government are pleased to order as follows:—

1. Casual leave is not recognized by the Service Rules and an officer absent on casual leave is not treated as absent from duty. The grant of such leave is, however, subject to the conditions specified in note 2 to rule 195 of the East Bengal Service Rules, Part I. Government will make no arrangement to supply the place of officers absent on such leave. The Officer granting the leave and the officer taking it will be held responsible if the public service suffers in any way from the absence of the officer on casual leave.

2. Grant of casual leave to all Government servants will be subject to a maximum of 20 days during a calendar year.

3. Casual leave shall not be combined with any other kind of leave and may not extend to more than 10 consecutive days at any one time.

4. Government servants may be permitted either to prefix or to affix to closed holidays casual leave admissible to them not more than once in a year. The closed holidays so prefixed or affixed shall not count as part of casual leave (Circular No. SGA/RI/1H-15/65/467, dated the 8th December, 1965).

5. No person on casual leave may proceed further from his headquarters than will permit of his being recalled to and joining his duties within 48 hours. No person may proceed on casual leave outside Pakistan, India and Burma (corrected vide Fin. Note No. 170, dated 8th May, 1961).

6. Casual leave should not be granted in the case of serious illness, particularly infectious or contagious diseases (e.g., small pox) where the possibility of the employees' being recalled to duty during the absence does not exist. However, casual leave may be granted to cover absence due to minor ailments such as ordinary fever, common colds, etc. etc.

7. Casual leave as well as permission to leave headquarters during such leave, will be granted to their subordinate, by authorities empowered to grant regular leave or by such authorities as have been or may be, empowered to do so on their behalf.

8. In the Forest Department Casual leave and permission to leave headquarters may be given by the authority mentioned in column 1 to the officers and other mentioned in the same horizontal line of column 2.

Column 1.

Column 2.

Government of East Pakistan

... Chief Conservator of Forests.

Chief Conservator of Forests ...

1. Conservator of Forests.
2. Such gazetted officers and clerical establishment who may be employed in the office of the Chief Conservator of Forests.

Conservator of Forests ...

1. Divisional Forest Officer.
2. Such gazetted officers who may be employed in the office of Conservator of Forests from time to time.
3. Clerical establishment in the office of the Conservator of Forests.

Divisional Forest Officer ...

1. Gazetted Officers subordinate to Divisional Forest Officer.
2. Executive and clerical establishments subordinate to Divisional Forest Officer.

In cases of emergency Subdivisional Forest Officers and Range Officers may allow any employee subordinate to them to go on casual leave in anticipation of approval of the Divisional Forest Officer.

9. Every authority which grants casual leave shall cause a register of such leave to be maintained in the following form:

Name—

Rank—

Designation—

Serial No.	Date on which leave begins.	Date on which leave ends.	No. of days spent on leave.	Balance casual leave at hand.	Remarks.

One whole page may be maintained for such incumbent. The register should be regularly examined by head of the office.

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ARTICLE 38: (Omitted.)

ARTICLE 39: CHARACTER ROLLS AND CONFIDENTIAL REPORTS

The Character rolls of members of Senior Forest Service should be prepared in the revised form, "Confidential Report Form for Gazetted Officers".

[S. & G. A. Deptt. Memo. No. OM(1)-IF-5/64-14-145(52), dated Dacca the 11th March, 1964, S. & G. A. Deptt. memo No. G.A-IV-Con. 3/63-558C, dated Dacca the 6th July, 1964, S. & G. A. Deptt. memo. No. GAIV-Con-95/64 Pt II-628(100)-C, dated the 13th July 1964, S. & G. A. Deptt. memo. No. GAIV-Con. 165/64-855(100)-C, dated Dacca the 16th September 1964, S. & G. A. Deptt. memo. No. OM (1)-IR-2/64-405 (52), dated Dacca the 18th August 1964].

The rolls of officers in independent charge of Forest Division should be filled by the Conservator and these officers in turn should fill in the rolls of their Gazetted subordinates in duplicate. The rolls of the Conservators and gazetted subordinates in the Chief Conservator's office should be filled by Chief Conservator in duplicate. The rolls should be written on each calendar year and submitted to the Government not later than the 28th February of each year after keeping a copy for record in the Chief Conservator's office.

All adverse remarks whether remediable or irremediable should be communicated by the Chief Conservator in writing to the officer reported upon and copy of the communication placed in the dossier. A confidential report containing adverse remarks should not be taken into consideration until they have been communicated in writing to the officer concerned and a decision taken or his representation if any. The character roll of the officer concerned should be submitted to Government in original in a confidential cover.

2. Confidential character rolls (East Pakistan Form No. 290B) for Senior Forest Rangers, Rangers, Deputy Rangers, Foresters and clerks should be written by Divisional Forest Officers in duplicate and should be submitted by them to the Conservator on each calendar year not later than the 1st week of January in duplicate. The Conservator of Forests will submit the same to the Administrative Officer, Forest Directorate by name not later than the 10th January.

No confidential character rolls will be kept in Divisional Forest Offices.

ARTICLE 40: RULES FOR THE GRANT OF MEDICAL CERTIFICATES

(Government Order No. 4463, dated the 23rd October, 1914).

The duty of granting medical certificates and of counter-signing certificates, under Articles 833 and 834 of the Civil Service Regulations shall be performed by the Civil Surgeon of the districts who will examine or countersign certificates relating to persons of all departments who belong to, or are employed in his district. He shall on no account examine or countersign a certificate for a person attached to another district, except under the circumstances described in Rule V. In Dacca such duties shall be performed by the medical officer to whom the department to which the applicant belongs is allotted for the purpose.

Note—Under the orders contained in Government Resolution No. 1096 Medl., dated the 23rd July 1910, the counter-signature of medical certificates by a Presidency Surgeon has been dispensed with in cases of certificates given by the medical practitioners whose names appear in the list of qualified medical practitioners in East Pakistan. The list of qualified medical practitioners will shortly be replaced by the register of medical practitioners to be maintained under the Medical Act, 1914 (Bengal Act III of 1914).

2. An officer of Government, gazetted or non-gazetted, who is desirous of obtaining a medical certificate recommending leave, extension of leave or retirement, must apply with the cognizance of the head of his office, or if he is himself the head of his office, of the head of his department, to the Civil Surgeon of the district in which he is employed or, in the case of railway employees, to the Chief Medical Officer of the line. The certificate shall be granted whether the officer is gazetted or non-gazetted in the form prescribed by Article 828 of the Civil Service Regulations in the case of leave or extension of leave, and by Article 447 in the case of retirement. In the case of leave or extension of leave, the Civil Surgeon or Chief Medical Officer may, if the patient is unable to travel to headquarters, call upon one of the medical officers under him to certify, but must himself countersign the certificate if satisfied that it is correct. If the officer is employed in Dacca, he must apply to the Medical Officer to whom the department in which he is employed is allotted.

3. Medical Officers should be very careful to see that sick certificates are not granted until they are fully acquainted with the reasons that have caused the applicant to report sick, and that in no case is such a certificate granted, until an application has been received from the head of the patient's department or office, or the patient can produce an order from the head of his department or office to obtain and submit a certificate.

4. When applicants are reported by their departmental superiors as having reasons other than or in addition to illness for applying for sick leave, they should be kept under close observation to enable the medical officer to satisfy himself whether or not leave is absolutely necessary, and his final decision should be based on the result of such observation.

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5. Officers on leave who, while at a station other than that from which they went on leave, are desirous of obtaining an extension of leave on medical certificate, must apply, if in Dacca to the medical officer to whom the department in which they are employed or the department of the Secretariat to which they are immediately subordinate is allotted, and if in the mufassal, to the Civil Surgeon of the district. In very such case it shall be the duty of the medical officer, before he grants a certificate, to ascertain particulars regarding the applicant's previous medical history, as well as whether he is really on leave, and the district to which he belongs, and the fact that this has been done shall be mentioned in the medical certificate.

6. Candidates selected for Government service and sent for medical examination by the head of the Department or office for which they have been selected shall be examined free of charge. Such medical examination must be made by the Civil Surgeon or Chief Medical Officer himself. In Dacca such examination shall be performed by the medical officer to whom the department has been allotted.

7. Medical certificates granted to selected candidates for employment in Government service will ordinarily be in the form prescribed by Article 49 of the Civil Service Regulations. In the case of candidates for the Provincial Service and in special cases, when required by the head of the department, the certificates shall be granted in the sub-joined form:—

I,....., do hereby certify that I have examined,....., a candidate for employment in His age is by his own statement..... years and by appearance..... years.

(a) General conformation—

(b) Vision—

(c) Hearing—

(d) Lungs—

(e) Heart—

(f) Liver—

(g) Spleen—

(h) Hernia, present or absent—

(i) Hydrocele, present or absent— +

(k) Glycosuria, present or absent— +

(l) Albuminuria, present or absent— +

(m) Distinguishing marks—

I consider that he is of sound health and good physique and capable of bearing fatigue and exposure, and that he is fit to enter the service of Government. +

I consider him unfit to enter the service of Government for the reason given at +

Place.....

Date.....

(*Designation of Medical Officer.

+Strike out "present" or absent" in (h), (i), (k) and (l) and whichever of the concluding sentences does not apply).

8. In every case, if the opinion of the medical officer is unfavourable to the applicant, an appeal shall lie to a Medical Board and the decision of the Board shall be final.

Note—Appeal to the Medical Board under this rule must be made within 15 days from the date of the communication to the examinee of the result of the medical examination.

ARTICLE 41: CIVIL SUITS BY OR AGAINST PUBLIC SERVANTS

(Vide The Legal Remembrancer's Manual, 1960, Government of East Pakistan.)

3. Report before bringing suits—A public servant considering that a suit should be instituted to obtain redress for some wrong which he has suffered in connection with the discharge of his official functions should, whether he proposes to institute the suit on his own responsibility and at his own cost, or whether he desires that the suit should be instituted in his name under the orders and at the cost of the Government, submit, through his official superiors, a full report on the whole case to the Legal Remembrancer who will submit the case with his remarks for the orders of Government.

4. **Suit without notice**—A public servant against whom a suit is instituted in respect to anything purporting to have been done by him in his official capacity without the notice referred by section 80, Civil Procedure Code, having been duly served on him, should as a rule, move the Court to dismiss the suit, on the ground that it has been instituted contrary to the provisions of that section.

5. **Procedure on receipt of notice**—When notice of an intention to institute such a suit is received by a public servant under section 80, Civil Procedure Code, he should, whether he proposes to deal with the matter on his own responsibility and at his own cost or whether he desires that it should be taken up in his name under the orders and at the cost of Government submit a full report of the case with a statement of the action he proposes to take to his superior officer who will submit the case for the orders of the Government through the Legal Remembrancer and before the receipt of such orders he shall, if possible avoid taking any steps in the matter. Nothing in this rule, however, shall prevent him from entering into an arrangement for the amicable settlement of the case, provided that such arrangement is made subject to the sanction of Government.

6. **Assistance of Government Pleader**—An officer preparing a report under Rule 3 or Rule 5 or presenting an application under Rule 4 shall be entitled to the assistance of the Government Pleader.

7. **Procedure**—When Government undertakes the conduct of a case instituted by or against a public servant, the Collector may deal with the suit in consultation with the officer concerned in accordance with the rules for conduct of suits by or against Government or he may, with the sanction of the Legal Remembrancer, delegate his duties to the officer concerned on condition that the said rules are strictly observed.

8. When the case is conducted under this rule by the officer concerned, he must do so at a reasonable cost and must not incur expenses exceeding a total of Rs. 250 without the previous sanction of the Legal Remembrancer. No public servant who undertakes the conduct of a suit instituted by or against him will be entitled to recover from Government any expenses that he may have incurred for this purpose unless he has complied with these rules.

8. (a) **Charges to be moderate**—It is to be distinctly understood that charges, the payment of which may be applied for under these rules, must be moderate, and that the Government does not bind itself to pay unnecessary expenses which the officer concerned may choose to incur, for petty cases an appearance in person will be quite sufficient, and, where this is so, the employment of a pleader is superfluous. In the same way requests for the payment of counsel will be entertained only under very exceptional circumstances. If counsel is not engaged on the other side, ordinarily counsel will not be employed at Government expense on behalf of the public servant.

(b) If the officer wins the case and costs or damages or compensation are awarded to him, the expenditure incurred by Government up to the limit of such costs, damages or compensation shall be refunded by him.

(c) The following general principle are laid down for the guidance of superior officers in scrutinising the claims of Government servant for the cost of their defence in civil suits brought by or against them for acts done in connection with the discharge of duties.

Civil Proceedings.

(i) **In suits before a Munsif or a Subordinate Judge**—One pleader at a fee not exceeding that ordinarily allowed to the Government pleader of the district, and, in addition, in exceptionally heavy cases, one junior pleader both in accordance with the rules in this Manual.

(ii) **In appeals**—One senior pleader as above.

Incidental Expenses.

(i) Actual travelling and diet expenses of defence witnesses.

(ii) Actual and necessary travelling expenses and necessary charges for board and lodging limited to daily allowance of the officers concerned, whether on duty, leave or under suspension.

(iii) Reasonable charges on account of pleader's clerk's remuneration, cost of certified copies, Court-fees, etc.

(iv) Reasonable charges in connection with applications for transfer, provided the departmental head has been previously consulted and has approved of the course adopted by the officer concerned.

9. **In appeal**—The sanction hereinbefore mentioned should be taken at each stage of the case, e.g., when there is an appeal.

ART. 42: REMOVAL, DISMISAL, AND PUNISHMENT OF GOVERNMENT SERVANTS

[Published in the "Dacca Gazette," Part I, dated the 24th March, 1960].

GOVERNMENT OF EAST PAKISTAN

FINANCE DEPARTMENT

Audit

Leave and Allowance Section.

NOTIFICATION

No. F.(L.A.)/IS-35/60/82—16th March, 1960—In exercise of the powers conferred by sub-clause (b) of clause (2) of Article 182 of the late Constitution, read with clause (1) of Article 6 of the Laws (Continuance in Force) Order, 1958, the Governor is pleased to make the following Rules, namely:

1. **Short title, application and commencement**—(1) These Rules may be called the East Pakistan Government Servants (Efficiency and Discipline) Rules, 1960.

(2) These rules apply to every person who is a member of the Provincial Services or who is serving in connection with the affairs of the Province.

(3) They shall come into force at once.

2. **Definitions**—In these rules, unless there is anything repugnant in the subject or context,—

(1) "authority" means the Governor or an Officer or authority designated by him to exercise the powers of the authority under these rules, or a person or authority deemed to be an authority designated.

(2) "misconduct" means conduct prejudicial to good order or service discipline or unbecoming an officer and gentleman.

(3) "penalty" means a penalty which may be imposed under these rules.

3. **Grounds for penalty**—Where a Government servant in the opinion of the authority—

(a) is inefficient, or has ceased to be efficient, whether by reason of infirmity of mind or body or otherwise and is not likely to recover his efficiency; or

(b) is guilty of misconduct; or

(c) is corrupt, or may reasonably be considered corrupt because—

(i) he is, or any of his dependents or any other person through him or on his behalf is in possession (for which he cannot reasonably account) of pecuniary resources or of property disproportionate to his known sources of income; or

(ii) he has assumed a style of living beyond his ostensible means; or

(d) is engaged or is reasonably suspected of being engaged, in subversive activities, or who is reasonably suspected of being associated with others engaged in subversive activities and whose retention in service is therefore considered prejudicial to national security—

the authority may subject to the provision of sub-rule (4) of rule 4, impose on him one or more penalties.

4. **Penalties**—(1) The following are the minor penalties—

(a) censure,

(b) the withholding of increment or promotion including stoppage at efficiency bar for a specified period,

and the following are the major penalties—

(c) recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach of orders;

(d) reduction to a lower post or time-scale or to a lower stage in a time-scale;

(e) compulsory retirement;

(f) removal from service; and;

(g) dismissal from service.

(2) Removal does not but dismissal does, disqualify from future employment.

(3) For misconduct any penalty in sub-rule (1) may be imposed, but the penalties to be ordinarily imposed for inefficiency shall be those set out in clause (b), (c), (d) or (e) of that sub-rule and for corruption or subversion those set out in clause (c) (f) or (g) of the sub-rule.

(4) No authority subordinate to that by which a Government servant was appointed shall be competent to impose on him any penalty set out in clause (d), (e), (f) or (g) of sub-rule (1).

Explanation—The discharge—

- (a) of a person appointed on probation during the period of probation,
 - (b) of a person appointed otherwise than under contract to hold a temporary appointment, on the expiration of the period of the appointment,
 - (c) of a person engaged under contract in accordance with the term of his contract,
- does not amount to removal or dismissal within the meaning of this rule.

5. Inquiry procedure in cases of subversion—(1) When a Government servant is to be proceeded against under clause (d) of rule 3, the authority—

- (a) may, by order in writing require the Government servant concerned to proceed on such leave as may be admissible to him and from such date as may be specified in the order;
- (b) shall, by order in writing inform him of the action proposed to be taken in regard to him and the grounds of that action; and
- (c) shall give him a reasonable opportunity of showing cause against that action before an Inquiry Committee to be constituted under clause (2) to inquire into the charge;

Provided that no such opportunity shall be given where the Governor satisfied that in the interests of the security of Pakistan or any part thereof, it is not expedient to give such opportunity.

(2) Where an Inquiry Committee is to be constituted in pursuance of clause (c) of sub-rule (1)—

- (a) the Governor shall constitute it of three Secretaries to Government;
- (b) the Committee shall inquire into the charge and submit its findings to the Governor; and
- (c) the Governor shall not be required to consult the East Pakistan Public Service Commission before passing such orders on the findings as he may think fit.

6. Inquiry procedure in cases of inefficiency, misconduct and corruption—(1) When a Government servant is to be proceeded against under clause (a) (b) or (c) of rule 3, the procedure in the following sub-rule shall be observed.

(2) The authority may, if it thinks fit, appoint an officer of the Department or Office to which the Government servant (hereinafter called the accused) belongs to examine and report on the allegations against him to enable the authority to decide whether a formal inquiry should be held and the officer may also informally examine the accused.

(3) If the authority decides that a formal inquiry should be held it shall decide further whether the allegations, if established would call for a minor or a major penalty.

(4) (a) In cases calling for a minor penalty, the authority or such officer as may be appointed by it in that behalf, shall frame a charge and in making it known to the accused shall call upon him to answer it within a specified time, which shall not be less than seven days nor more than fourteen days, and to state, together with his answer, whether he desires to be heard in person or to lead evidence in defence.

(b) On receiving the answer the authority, or the said officer, shall if satisfied that there is a *prima facie* case, and if the accused has so desired, give him the opportunity to be heard in person and to lead evidence in defence:

Provided that the authority or the said officer may, for reasons to be recorded refuse to call a particular witness or to summon or admit particular evidence.

(c) If the accused fails to answer within the specified time, or having answered fails to appear or absents himself from the proceedings, the authority or the said officer may proceed with the inquiry and record a finding.

(5) (a) In cases calling for a major penalty the authority having power to impose the penalty shall frame a charge and communicate it to the accused together with a statement of the allegations on which it is based and of any other circumstances which the authority proposes to take into consideration when passing orders on the case.

(b) The authority shall require the accused within a reasonable time, which shall not be less than seven days nor more than fourteen days from the day the charge has been communicated to him, to put in a written defence, stating at the same time whether he desires to be heard in person.

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(c) If the accused so desires or if the authority concerned so directs, an Inquiry Officer to be appointed under rule 8 shall hold an oral inquiry at which oral evidence shall be heard as to such of the allegations as are not admitted, and the accused shall be entitled to cross-examine the witnesses against him, to give evidence in person and to have such witnesses called for the defence as he may wish, provided that the Inquiry Officer may, for reason to be recorded in writing, refuse to call a particular witness or to summon or admit particular evidence.

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(d) The proceedings shall contain a sufficient record of the evidence and the Inquiry Officer's report of his findings and the grounds thereof.

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(e) When the authority, having considered the report, has arrived at a provisional conclusion as to the penalty to be imposed, it shall so inform the accused and supply him with a copy of the report and call upon him to show cause within a reasonable time, which shall not be less than seven days nor more than fourteen days, why the penalty proposed should not be imposed. The authority shall take into consideration any cause shown by the accused before passing orders.

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(6) Nothing in the preceding sub-rule shall apply—

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(i) Where the accused is dismissed or removed from service, or reduced in rank, on the ground of conduct which has led to imprisonment on a criminal charge, or his conviction, entailing No. RIII/15-148/65/153, dated 19th May 1966.

Inquiry

(ii) Where the authority competent to dismiss or remove a person or to reduce him in rank is satisfied that for reasons to be recorded by that authority, it is not reasonably practicable to give the accused an opportunity of showing cause.

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7. Power to order medical examination as to mental or bodily infirmity—(1) Where it is proposed to proceed against a Government servant on the ground of inefficiency by reason of infirmity of mind or body the authority may at any stage, whether or not an officer has been appointed in pursuance of sub-rule (1) of rule 6 to examine and report, require the Government servant to undergo a medical examination by a Medical Board or a Civil Surgeon as the authority may direct and the report of the Board or the Civil Surgeon shall form part of the proceedings.

1)—

(2) If a Government servant refuses to undergo such examination his refusal may, subject to the consideration of any grounds he may give in support of it, be taken into consideration against him as showing that he had reason to believe that the result of the examination would prove unfavourable to him.

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8. Appointment and procedure of Inquiry Officer—(1) Where a Government servant is proceeded against under clause (a) or clause (b) or clause (c) of rule 3 and the authority has decided that the case calls for a major penalty the authority shall appoint an officer, being senior in rank to the person, proceeded against, to be Inquiry Officer and to conduct the proceedings.

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(2) The Inquiry Officer shall hear the case from day-to-day and no adjournment shall be given except for reasons to be recorded in writing. Every adjournment, with reasons therefore, shall be reported forthwith to the authority. No adjournment shall be given for more than a week.

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(3) If the Inquiry Officer is satisfied that the Government servant proceeded against is hampering or attempting to hamper the progress of the inquiry he shall administer a warning, and if thereafter he is satisfied that the accused is acting in disregard of the warning, he shall record a finding to that effect and proceed to complete the inquiry in such manner as he thinks best fitted to do substantial justice.

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(4) The Inquiry Officer shall, within ten days of the conclusion of the proceedings, or such longer period as may be allowed by the Governor, submit his findings and the grounds thereof to the authority.

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9. Reference to the East Pakistan Public Service Commission—(1) Subject to any regulations made by the Governor providing for matters on which consultation with the East Pakistan Public Service Commissions shall not be required and subject to the provisions of clause (c) of sub-rule (2) of rule 5, all proceedings under these Rules in which any penalty is proposed to be imposed on a Government servant shall be forwarded to the Commission, with a statement of the grounds and the penalty proposed.

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(2) The Commission shall tender its advice within twenty days or such longer period as may be allowed by the Governor, and the authority shall take the advice into consideration before passing orders.

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10. Suspension—A Government servant against whom action is proposed to be taken under clause (b) or (c) of rule 3 may be placed under suspension if, in the opinion of the authority, suspension is necessary or expedient:

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Provided that the authority may, if it considers it more expedient, instead of placing such Government servant under suspension, by order in writing require him to proceed on such leave as may be admissible to him from such date as may be specified in the order. (Notification No. F.No. 5/1/63-D1, dated 22nd July 1963—Presidents' Secretariat, Establishment Division).

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11. Compensation pension, gratuity, etc. of Government servant compulsorily retired, removed or dismissed—(1) Subject to any order of the Governor as to the amount of compensation pension or gratuity to be paid, a Government servant compulsorily retired shall, except as hereinafter provided, be entitled to such compensation pension or gratuity or provident fund benefits as would have been admissible to him on the date of the retirement under the Rules applicable to his service or post if he had been discharged from service on account of the abolition of his post without alternative suitable employment being provided.

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(2) Subjects to any order of the Governor made on compassionate grounds, a Government servant who is removed or dismissed shall not be entitled to any compensation pension, gratuity or benefits accruing from Government contribution to a contributory provident fund.

12. **Reinstatement**—(1) If a Government servant proceeding on leave in pursuance of an order under clause (a) of sub-rule (1) of rule 5 is not dismissed, removed, reduced in rank or compulsorily retired, he shall be reinstated in service or as the case may be restored to his rank or given an equivalent rank, and the period of such leave shall be treated as duty on full pay.

(2) Reinstatement after suspension shall be governed by the East Bengal Service Rules.

13. **Appeal**—A person on whom a penalty is imposed shall have such right of appeal as may be prescribed under Part XIII of the Civil Services (Classification, Control and Appeal) Rules or under Part III of the Bengal Subordinate Service (Discipline and Appeal) Rules, 1936, as the case may be:

Provided that where the penalty is imposed by order of the Governor there shall be no appeal but the person concerned may apply for a review of the order.

14. **Exemption**—Nothing in clause (c) of sub-rule (1) or in sub-rule (2) of rule 5, in clause (5) of rule 6 or in rule 8 and rule 9 shall operate to regulate any proceedings under these Rules where the authority is the Chief Justice of the High Court.

15. **Repeal**—(1) The following Rules in their application to the Government servants to whom these rules apply are hereby repealed—

(a) Part XII of the Civil Services (Classification, Control and Appeals) Rules.

(b) Part II of the Bengal Subordinate Services (Discipline and Appeal) Rules, 1936.

(c) The East Pakistan Government Servants (Discipline and Efficiency) Rules, 1959.

(2) Any person or authority or the successor of the same, authorised to exercise powers in virtue of a delegation made under Part XII of the Rules mentioned in clause (a) of sub-rule (1) of Part II of the Rules mentioned in clause (b) of sub-rule (1) or any other rules made correction made under S. and G.A. Department No. RIII/IS-74/62/327, dated 11th August 1965, and subsisting immediately before the commencement of these Rules, shall to the extent of the powers delegated and so far as is not inconsistent with these Rules, be deemed to be an authority designated under these Rules.

By order of the Governor,

V.A. JAFAREY,

Secretary.

Copy forwarded to (all Dep'ts. All Directorates/All District Offices/A.G. E.P./P.S.C., E.P., etc.), for information.

Q. J. AHMAD,

Deputy Secretary to the Government
of East Pakistan.

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The 16th March, 1960.

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NOTIFICATION

No. 16572-Misc.—20th December, 1929.—The following revised instructions framed by the Government of Bengal to regulate the submission, receipt and transmission of petitions and other papers of the same class to the Local Government are published for general information in supersession of all instructions on the subject issued from time to time.

ART. 43: INSTRUCTIONS REGARDING THE SUBMISSION OF PETITIONS TO THE LOCAL GOVERNMENT

General explanations.

These instructions apply, so far as may be, to all memorials, letters and applications, etc., addressed to the Local Government.

2. These instructions do not apply to cases covered by the rules regulating appeals issued by the Secretary of State under section 96B(2) of the Government of India Act or by the Local Government in exercise of the powers delegated to it under those rules.

Section I—As to the submission of petitions to the Local Government by private persons or public bodies.

Every petition to the Local Government should ordinarily be forwarded through the District Officer or local representative of the department of Government concerned, with the subject matter of the petition.

2. A petition may be in manuscript or typed or in print, but must, with all accompanying documents, be properly authenticated by the signature of the petitioner, or when the petitioners are numerous by signature of one or more of them, and it must conclude with a specific prayer.

3. Every petition should be accompanied by a letter addressed to the officer concerned requesting its transmission to the Local Government and when any order is appealed against, by a copy of that order as well as of any orders passed in the case by subordinate authorities.

4. Communications on matters connected with Bills before the local Legislature may be in the form of a petition to the local Government and must be forwarded to the Secretary to Government in the administrative department concerned.

Section II—As to the submission of petitions by officers in civil employ.*

5. Every Officer in civil employ wishing to petition the local Government should do so separately.

Provided that nothing in this instruction shall apply to representations submitted by recognised associations of Government servants in accordance with such rules as may from time to time be prescribed by the Local Government.

6. Every petition from an officer in civil employ should be submitted through the head of the office or department to which the petitioner belongs or belonged, and should be forwarded by him through the usual official channel.

7. No officer in civil employ may submit a petition in respect of any matter connected with his official position unless he has some personal interest in the matter.

8. No notice will be taken of petition relating to any matter connected with the official prospects or position of an officer in civil employ unless it is submitted by the officer himself.

Section III—As to the transmission or withholding of petitions addressed to the Local Government.

9. Save as provided by Rule 11 every petition to the Local Government shall be forwarded by the officer concerned with a concise statement of the material facts and (unless there are special reasons for not doing so) an expression of opinion.

10. When the petition is not in English, the officer concerned should transmit a translation with it.

11. District Officers, Commissioners of Divisions and heads of departments are vested with discretionary power to withhold petitions addressed to the Local Government in the following cases:—

- (1) When a petition is illegible or unintelligible or contains language which, in the opinion of the officer concerned, is disloyal, disrespectful or improper.
- (2) When a previous petition has been disposed of by the Local Government and the petition discloses no new facts or circumstances which afford grounds for a reconsideration of the case.
- (3) When a petition is a mere application for relief, pecuniary or otherwise, which is presented by a person manifestly possessing no claim or advancing a claim of an obviously unsubstantial character, or is so belated that its consideration is clearly impossible.

*Note (1)—The term "civil employ" includes employment by a local authority.

Note (2)—For the purposes of this section a petitioner is considered to be an "officer in civil employ" if he has been previously in civil employ and if his petition relates to any matter connected with his position while in such employ or the circumstances in which he left it.

(4) When a petition is an application for employment from a person not in the service of Government or is a request for exemption from the provisions of any law or rules prescribing the qualifications to be possessed by persons in the service of Government or by persons engaging in any profession or employment.

(5) When a petition is an appeal from a judicial decision with which the executive has no legal power of interference.

Note—In the following cases, namely:—

(a) when a petition is an appeal from a judicial decision in a case in which the Government has reserved any discretion of interference, or

(b) when a petition is an appeal from a judicial decision in a suit to which the Government was a party, or

(c) when a petition is practically a prayer for mercy or pardon, or contains such a prayer,

the petition must be transmitted to the Local Government unless it falls under clause (10) of this rule, or unless it is a petition of the kind referred to in clause (c) and the case is one which the officer concerned is competent to dispose of on its own responsibility.

(6) When a petition is an appeal against a decision which by any law or rule having the force of law is declared to be final.

(7) When a petition is addressed by an officer still in the public service and has reference to his prospective claim for pension, except as provided in Article 915 of the Civil Service Regulations.

(8) When a petition is a representation against the non-exercise by a subordinate authority of a discretion vested in it by law or rule.

(9) When a petition is an application in a case of which the law provides a different or specific remedy, or in regard to which the time limited by law for making the application has been exceeded.

(10) When a petition relates to a subject on which a Commissioner, District Officer, or head of a department is competent to pass orders and no previous application for redress has been made to him.

(11) When the petition refers to matters in which the petitioner has not a direct personal interest, unless it is a petition of the kind described in the note to clause (5).

(12) When a petition is a representation against an order which under the appeal rules published by the Government of East Pakistan, no appeal lies.

(13) If a petition is withheld, the petitioner should be informed of the fact, and the reason for it.

(14) "Government is to be informed at the time any petition or memorial is withheld by a subordinate authority".

(Government of Bengal, Revenue Department, Miscellaneous Notification No. 27564-Misc., dated the 23rd December, 1938.)

(Form referred to in Rule 14 above)

Statement of petitions addressed to the.....withheld by
the.....during the quarter ending.....19.....

No.	Name and residence of petitioner.	Date of petition.	Authority addressed.	Subject of petition.	Rule under which withheld.	Number and date of previous order passed.	Remarks.
1	2	3	4	5	6	7	8

Note—(1) These rules do not apply to clerks attached to the Civil Courts nor to officers of the Police Department other than the clerks of that department. The appointment, punishment and removal of the former class of officers are regulated by the provisions of Chapter VI of the Bengal, North-West Province and Assam Civil Courts Act, 1887 while separate rules have been framed for officers of the Police Department other than clerical officers.

Note—(2) These rules apply to public servants, whether in permanent or temporary employ.

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ART. 44: OFFICE ESTABLISHMENT

The appointment and promotion of the members of the staff will be made according to the following table and their reduction in rank, dismissal and removal, etc., will be governed by the East Pakistan Subordinate Services (Discipline and Appeal) Rules, 1936. The resignation of the staff will be accepted by the authority empowered to appoint.

TABLE

Title of service or post.	Authority empowered to appoint.	Limits and restrictions (if any).
Forest Ranger Service ..	Chief Conservator of Forests.	Selection will be made by the Directorate Selection Board.
Deputy Ranger Service ..	Divisional Forest Officers	Selection of suitable persons for appointment by promotion from the members of the Forester Service will be made by the Chief Conservator of Forests.
Foresters Service ..	Ditto	Qualified candidates under the Forest Department Recruitment Rules will be allotted by the Chief Conservator of Forests. Selection for substantive appointment will be made by the Chief Conservator of Forests and allotted to the Divisional Forest Officers according to the availability of vacancies.
Forest Guard Service ..	Ditto	Directorate Selection Board.
Clerk-Typists Service in Divisional Offices and Offices subordinate to them.	Ditto	(As under Forester Service).
Head Clerks in Divisional Offices ..	Chief Conservator of Forests.	Ditto.
Class IV staff in Divisional Offices and Offices subordinate to them.	Divisional Forest Officers	Ditto.
All non-gazetted staff and Lower Subordinate staff in Chief Conservator of Forests and Conservator of Forests' Office.	Chief Conservator of Forests	Ditto.
All mechanical staff employed in connection with Timber Extraction, Saw-milling, etc., Launch and Steamer Establishments, Jeep and Truck Drivers under the Divisional Offices and Offices Subordinate to them.	Divisional Forest Officers	Ditto.

N.B.—The residuary power will be with the Chief Conservator of Forests who may delegate the power to the Divisional Forest Officers where necessary.

(Government of East Pakistan, Food and Agriculture Department (Forest Branch) No. 1011/-For. 18R-2/55, dated 27th July, 1956.)

ART. 45: CONFIRMATION OF SUBORDINATES

(Conservator's Circular No. 126, dated the 19th July, 1901.)

No subordinate officer, whether on probation or officiating, may be allowed to remain unconfirmed in the Forest Department after having completed a term of two years' service in any capacity. Divisional Officers will report on any probationer serving in their division as soon as his service reaches six months as to whether (1) his services should be retained, (2) he should be allowed an extension of probationary service, or (3) his services should be dispensed with.

ART. 46: LIMIT OF TENURE OF APPOINTMENT (CLERKS)

(Bengal Government circular No. 10F., dated the 26th August, 1899.)

No clerk holding a responsible position and dealing with accounts and money is to be allowed to hold his appointment uninterruptedly for an indefinite time. After holding it for seven years, he must either be transferred to another appointment, either in the same or another office or department, or be required to go on leave for a period of at least three months.

ART. 47: TRANSFER OF SUBORDINATES

(Indian Government Circular No. 8-F., dated the 17th May, 1907.)

Transfer of officials from the permanent to a temporary establishment either in the public interest or in order to give promotion to deserving individuals should not be made.

(Bengal Government Circular No. 26-F., dated the 21st July, 1910.)

2. It is the duty of a Government officer who wishes to transfer his services to a different Government office or department to obtain the consent of the authority which appoints to his existing post before taking up the new employment. If he takes up the new employment without such consent, he commits a breach of discipline and is liable to be punished, in the last resource, by dismissal from his former post and subsequent loss of pensionable service. Resignation of his former appointment will not, it should be noted, protect him from this penalty.

In granting or withholding consent to the acceptance by a subordinate of other Government employment, the head of an office or department must consider whether the transfer will be consistent with the interests of the public service. Permission should not be refused, however, without strong reasons, which should be recorded in writing.

The head of an office or department shall not employ either temporarily or permanently, an officer whom he knows or has reason to believe to belong to another establishment without the previous consent of the head of the office or department in which he is employed. In the rare cases in which, for reasons which are satisfactory to the new employer, an officer cannot obtain the required consent before taking up the new appointment, the employment may be made conditional on consent being obtained at the earliest opportunity.

The foregoing instructions apply equally to officers on leave, whether with or without allowances. All leave allowances must *ipso facto* cease on the taking up of new employment, other than work of a purely casual nature.

ART. 48: SPECIAL REVENUE STATION OFFICERS IN SUNDARBANS DIVISION

(Bengal Government letters No. 2343-T.R., dated the 10th October, 1907, 96T.-For., dated the 26th September, 1934, and 751-For., dated the 21st January, 1924.)

This is a non-pensionable establishment and consists of ten appointments, each on Rs.40 rising by yearly increments of Rs.3 to Rs.100 and thereafter of Rs.5 to Rs.125 a month with an efficiency bar at Rs.70. The members of this establishment, besides getting privilege leave like members of the permanent staff, will be entitled to furlough and medical leave under the rules of the Civil Service Regulations which apply to permanent officials of a corresponding class. Absence on furlough or on medical leave will count as service for increments. The rate of pay allowable during such absence will be half the pay drawn at the time of departure, or the balance available after providing for the pay of a suitable substitute, whichever is less. These officers will be required to contribute to a Provident Fund at the rate of 12½ per cent. of their pay. The amount to the credit of each officer in the fund will be regarded as a security deposit, which will not, however, necessary be sequestrated when a man's services are dispensed with. The contribution of Government to the Provident Fund will not exceed compound interest at the rate of 4 per cent. The Accounts of this Special Provident Fund will be kept by the Accountant-General.

ART. 49: UNIFORMS

Rules for the wearing of Uniforms by Subordinate Forest Officers.

(Approved in Government Order No. 1737T.-R., dated the 30th September, 1910.)

All subordinates in the East Pakistan Subordinate Forest Service are required to wear a uniform when on duty according to their rank.

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2. The uniforms worn shall consist of the following:—

(a) For Rangers.

Cap—Round, khaki coloured cap, with the letter "R" in centre worked in green silk thread with a leaf worked on either side.

Tunic—Of khaki drill (khaki serge in winter if preferred) with silver thread, round the collar and cuffs, and flat, silverplated buttons with "F.R."

Riding breeches or knicker-bockers.—Of khaki drill. Plain belt with small, silverplated clasps. Putties or brown leather gaiters should be worn.

(b) Deputy Rangers.

Cap—Round, black cap with letters "D.R." in white metal.

Tunic—Khaki drill or khaki serge, with red worsted thread round collar and cuffs, with flat brass buttons with letters "D.R."

Knicker-bockers—Of khaki drill with putties.

Belt—Leather, with brass clasps.

(c) Foresters.

Same as above, with the letter "F" instead of "D.R."

(d) (i) Overseers, Revenue Collectors, Checking Officers and Muhsarrifs.

Same as above, but without the letter "F".

(d) (ii) Revenue Station Officers.

Plain khaki drill suit and trousers, and plain leather belt.

Note—A sun helmet of the pigsticker type covered with green shikar cloth may be worn as a protection against the sun by such of the above establishment as are willing to provide it at their own expense.

(e) Forest Guards.

In the plains—Khaki cloth pugrees with green fringe at either end or khaki serge cap with a large green knob on top.

Tunic—Khaki drill with green worsted thread round collar and cuffs, and letters "F.G." in white metal on the collar. Plain flat white metal buttons.

Knicker-bockers or shorts—Of khaki drill, or khaki-coloured dhoti and khaki-coloured putties.

Belt—Of brown leather with Forest Department and name of division on the badge.

In the hills—Khaki serge cap with a large green knob on top. In summer a khaki drill tunic, and in winter a khaki serge tunic, knickers or shorts and khaki-coloured putties.

Arms—Forest Guards will be supplied with a 'khukri'.

(f) Watchers, malis, orderlies and office peons.

Uniforms similar to that of Forest Guard, but without letters "F.G." on colour.

(g) Chaukidars, dak-wallas and fire patrols.

Pugree same as that of Forest Guard. Plain khaki drill or cotton jumper and belt.

(h) Scale of uniforms for crews of Government steam launches.

The following scale of uniforms and equipment has been recommended by Government for adoption:—

Scale of kit.						Rs. a.
Uniforms to be supplied annually—						
2	Dungaree suits at Rs.4-3 each	...	...	...	...	6 8
1	Woollen jersey	...	...	...	...	1 0
1	Woollen cap (on indent from Departmental store)	...	...	...	...	0 5
1	Name ribbon for cap (on indent from Departmental store)	...	...	...	...	0 5
Total						8 2

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Equipment to be supplied once in four years—

	Rs.	a.
1 knife, for serangs, whistle instead	0	13
1 Lanyard	0	1
1 Leather belt	1	0
Total	1	14

Total cost per annum Rs.8-9-6 for each man.

(Government Marine Department No. 946 Mnc., dated the 17th April, 1917.)

The following is the scale of articles of uniforms for the steamer crews of the Sundarbans Forest Division:—

- (1) Two blue dungaree suits for all lascar crews once per year, at Rs.9 for two suits.
- (2) One red fez for serangs and engine drivers, once every two years, at Rs.3-8 each.
- (3) One set of badges of rank for serangs and engine drivers, once per year, at Rs.1-4 per set.
- (4) One knife for serangs, once every four years, at Re.1-4 each.
- (5) One lanyard for all crews, once every four years, at annas 4 each.
- (6) One leather belt for all lascar crews, once every four years, at Rs.3 each.
- (7) One woollen jersey for all lascar crew, once every three years, at Rs.4-8 each.
- (8) Name ribbon for cap for all lascars crews once every two years, at Rs.2 each.
- (9) Blue stocking cap for all lascar crews except serangs and engine drivers once every two years, at Re. 1 each.
- (10) Great coat for serang, sukhani and lascar on duty once every four years, at Rs.18 each.
- (11) Waterproof coat for serang, sukhani and lascar on duty, once every four years, at Rs.10-8 each.

(Government of Bengal, Revenue Department letter No. 8171 For., dated the 15th July, 1930).

(i) Mahouts and grass-cutters.

Uniform similar to that of Forest Guards.

(Government Order No. 1499T.T., dated the 14th September, 1916.)

(j) Boatmen.

One khaki drill coat and one khaki drill half pant for the Boatmen in the Sundarbans, Chittagong, and Chittagong Hill Tracts Divisions.

(Government Order Nos. 132-For., dated the 7th March, 1934, and 10969-For., dated the 11th June, 1938).

3. Uniform will be supplied once annually at the cost of Government to all Forest officials up to the rank of Foresters. In the hills serge and khaki drill suits will be supplied in alternate years.

(Government of East Bengal, Agriculture, Co-operation and Relief Department, Forests Branch No. 6026-For., IU-1/51, dated the 30th May, 1951.)

4. In order to control the cost of uniforms supplied, it is ruled that uniforms will only be supplied once a year in October or November, and the cost should not exceed the following:—

Suits including buttons.

Deputy Rangers, Foresters, Overseers, Revenue Collectors, Checking Officers and Muharrirs.

	Rs.	a.
Khaki serge	12	0
Khaki drill	7	0

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6. To prevent impersonation of Forest officials, all subordinates quitting the service will leave or send their uniforms to the Divisional Officer. In the case of uniforms in good condition which are private property endeavours will be made to dispose of them at a fair price to probationers, etc., crediting the same to the owners.

(Government of Bengal, Forest and Excise Department, Forest Branch Memo. No. 2141 For., dated the 2nd December, 1942.)

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The undersigned is directed to say that in supersession of the rules incorporated in Article 50 of the Bengal Presidency Forest Manual, Part II, by correction slip No. 34, Government are pleased to prescribe the following rules to regulate the realisation of security from officers of the Subordinate Forest Service (both executive and ministerial) and Class IV employees whether they are in permanent, temporary or officiating employ.

Rules for taking security from the non-gazetted staff of the Forest Directorate.

1. All officers in the Subordinate Forest Service both executive and ministerial and Class IV employees are required to furnish security according to the scale given below, irrespective of whether public money passes through their hands or not:—

Officers.	Amount of security.
	Rs.
Forest Rangers	2,000
Deputy Rangers, Foresters and other subordinate establishment of identical rank ..	1,000
Clerks	500
Motor Drivers and Tractor Drivers	200
Class IV employees	100

Provided that the Conservator of Forests may, for reasons to be recorded in writing, excuse any individual Class IV employees or in general any section of Class IV employees serving in any particular Division from the necessity to furnish the security required by these rules.

2. Security shall be furnished in the form of Post Office Savings Bank deposits or National Saving Certificates pledged to Divisional Forest Officer or Conservator of Forests, as the case may be.

3. An officer of the Subordinate Forest Service (both executive and ministerial) and a Class IV employee shall be required to pay the security deposit by monthly instalments to be deducted from his pay, in the proportion relevant to his rank or position, from time to time, except that a Forest Ranger recruited direct shall be required to contribute an initial deposit of Rs.150 and the balance by monthly instalments in the proportion laid down for his rank:—

Rank.	Proportion of pay to be deduc- ted monthly.
Forest Rangers	1/2
Deputy Rangers, Foresters and other subordinates of identical rank ..	1/2
Clerks and Clerk-Typists	1/12
Motor Drivers and Tractor Drivers	1/12
All Class IV employees	1/12

Note—The security deducted should be rounded off to the nearest whole rupee, eight annas counting as the next higher rupee.

4. House or land property shall not be accepted as security.

5. Every member of subordinate service and Class IV establishment required under these rules to furnish security deposit shall, before taking up his appointment, be required to execute a personal bond in the form annexed hereto, and, further, shall furnish two personal sureties in the form provided for that purpose, which is also annexed hereto. In the latter case, it shall be incumbent on the part of the individual Government servant to report immediately to the Divisional Forest Officer the death or bankruptcy of his surety or sureties, should such occur, or inability from any cause of his surety and sureties to meet their liability at any time, and in the event of any such happening the individual Government servant shall, if so required furnish fresh personal sureties. These bonds shall be registered and sent to the Inspector-General of Registrations, East Pakistan, for safe custody.

6. Security deposits shall not be returned until after six months from the date of vacation of the office or appointment, provided that the Conservator of Forests may in his discretion by general or particular order permit the return at an earlier date of the security deposited by a Forest Guard, or other Class IV employees or a member of the subordinate service who has only held an officiating or temporary post.

7. Security bonds need not ordinarily be retained for more than 3 years after the death, retirement or retrenchment of the officer concerned.

8. The security bonds of all officers are to be sent for safe custody to the Inspector-General of Registrations. They should be sent in registered covers, and copies on plain paper should be retained in the Forest Office for reference, whenever necessary.

9. This has the concurrence of the Finance Department. [Vide Memo. No. 2038, dated 3rd October, 1959 from the Assistant Secretary to the Government of East Pakistan, Food and Agriculture (Agri.) Department (Forest Branch) to the Special Officer, Forest Directorate, East Pakistan.]

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Method of dealing with security deposits.

(Comptroller and Auditor-General's No. 2377F., dated the 14th December, 1910, and Accountant-General, Bengal's No. 1491F., dated the 7th December, 1906.)

Amounts received from the Forest Subordinates as security deposits should not appear in the divisional cash-book at all but should be placed in the Government Post Office Savings Banks in the name of the Divisional Forest Officer to whom the securities are pledged in accordance with the Savings Banks Rules.

A Register of Security Deposits, distinct from and outside the regular accounts, should be kept in every Divisional Office. In this register should be posted all deposits in the Savings Banks and all withdrawals therefrom for the purchase of Government securities in favour of the parties concerned, as well as the amounts remitted to Comptroller-General and balances received back from him after purchase of securities.

The balance as shown in the pass-book, exclusive of interests should be verified periodically with those in the Security Deposit Register.

Care should be taken not to post the interest realised on Government securities in the above register.

(Comptroller-General's No. 3478, dated the 12th November, 1898.)

All transactions connected with the payment of interest on Government promissory notes should appear in the accounts. On receipt of the warrants authorising payment of interest, the amounts thereof should be entered in the Divisional cash-book under the head "Suspense" and payments made to the subordinates to whom the interest is due should be charged to the same head, each such charge being supported by a voucher in the prescribed form.

Rules for adjusting security deposits payable into the Post Office Savings Bank for Subordinates by monthly deductions from salaries.

(Conservator of Forests' Circular No. 104-423, dated the 6th May, 1911.)

1. The Post Office Savings Bank books of all subordinates furnishing security to be kept in the Divisional Forest Office and to be for accounts kept with the Post Office at the headquarters station (any such accounts at present open with other Post Offices to be transferred to the Post Office at the headquarters station).

2. As early as possible in the first week of each month, a list showing the sums payable out of salary for the previous month to be deposited in each Savings Bank book to be made out by the Divisional Forest Officer will then draw a Forest cheque in favour of the Postmaster (not by name) at the headquarters station in the local treasury or sub-treasury for the total amount shown in the list, the cheque, list, and Savings Bank books to be sent together to the Post Office at the headquarters station for entry and return to the Forest Office, where the entries in the Savings Bank books will be checked.

Entry to be made in the Divisional cash-book as follows:—

"By paid part pay of permanent subordinate Forest Establishment for (month) 19..... being deduction from salary paid into Post Office Savings Bank as security deposit Rs....."

The entries in the salary bill books will give the details required. When security is taken from subordinates other than permanent Subordinate Forest Establishment, similar but separate entries must be made according to vouchers and different budget sub-heads of expenditure.

Disbursing Officers will be previously instructed to disburse the net amount of salary to each subordinate, and to show in column 4 of Code Form 27 the amount of security deducted as withheld pay: ordinarily the full pay of each subordinate will be shown in the Divisional Salary Bills Book, as part will be disbursed by the Divisional Forest Officer (security deposit paid to Post Office Savings Bank) and the balance will be disbursed by the Range Officer or other disbursing officer in the same month, but in case of disbursing officers' accounts not being received in time, the part disbursed by the Divisional Forest Officer will be so shown and the balance will be shown in column 4 as held over for future payment.

3. When payments have to be made while the Divisional Forest Officer is absent from headquarters the Savings Bank books can be kept in the custody of the Head Clerk: the Divisional Forest Officer should verify entries in the Savings Bank books made during such absence at his next return to headquarters.

Government Promissory notes tendered as security.

(Government of India No. 3096A., dated the 30th May, 1905. Bengal Government Circular No. 13-T.F., dated the 10th July, 1905.)

Government promissory notes should not be accepted as security by Government officers unless they have been encased for payment of interest at the treasuries in which they are to be deposited. It would also be desirable, where there is any doubt about the regularity of endorsements on the note, to require the depositor to obtain a renewal of it in his name.

But the officer who accepts the security should exercise his discretion, and need not require enforcement in petty cases of temporary deposit, or where the depositor is thoroughly trustworthy and substantial, unless he has reason to suspect the authenticity of the promissory note or the depositors' title thereto.

(Government of India Resolution No. 4579A., dated the 29th April, 1903.)

1. When deposited for a period not exceeding twelve months, the notes shall remain in the name of the depositor and shall not be endorsed by him to any officer of Government.

2. The Government officer receiving the deposit will see that the notes stand in the name of the depositor, and that the contract or other document executed by the depositor conveys authority to Government to appropriate or cancel the notes if the contract is not fulfilled.

3. After satisfying himself on these points, the Government Officer receiving the deposit will lodge the notes for safe custody in the nearest civil treasury, except in the Presidency towns. In Calcutta, the notes will be deposited with the Comptroller-General, the Accountant-General, East Pakistan, the Comptroller, Post Offices, as the case may be. The Comptroller-General, will issue subsidiary rules regulating the procedure at the treasuries.

✓ The depositor may, draw interest on the notes by tendering receipts in the usual form, countersigned by the officer with whom he deposited the notes.

5. When notes are deposited for more than twelve months, and it is not desired to draw interest thereon during the period of deposit, they shall remain in the name of the depositor, and the Government Officer receiving them will simply forward them to the Comptroller-General (or the Comptroller, Post Offices, or the Accountant-General, East Pakistan, as the case may be) through the Accounts Officer concerned.

6. When the notes are deposited for more than twelve months, and it is desired to draw interest thereon during the period of deposit, they shall be endorsed by the depositor to the Comptroller-General (or the Comptroller, Post Offices or the Accountant-General, East Pakistan, as the case may be) and sent to that officer through the Accounts Officer concerned.

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Form No. 27
(Vide rule 5.)

FOREST DEPARTMENT, EAST PAKISTAN

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me in accordance with the rules and orders of the said Department appear due to be paid by me to
the GOVERNOR OF THE PROVINCE OF EAST PAKISTAN his successors in office or assigns for
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NOR OF THE PROVINCE OF EAST PAKISTAN in part against all loss or damage which he may
in any way suffer by reason of any neglect, default or dishonesty of the said.....
in the discharge of such duties as aforesaid the said..... in consideration of
his said appointment has deposited Rs..... (Rupees.....)
and has further agreed and undertaken to deposit by monthly instalments of one-fifth or a less portion
of his pay or such further sums as may from time to time be required in accordance with the rules
and orders of the said Department affecting the said..... with reference to his rank,
standing and responsibilities from time to time. All of which sums deposited initial and subsequent are
to be credited to an account in the Post Office Savings Bank by way of security deposit pledged to
the Divisional Forest Officer or the Conservator of Forests for and on behalf of the GOVERNOR OF
THE PROVINCE OF EAST PAKISTAN subject to the proviso that should the amount of the accrued in-
terest hereon together with the principal exceed at any time the required security and such excess
amount may be paid to the said..... And whereas the said.....
has further agreed that if the GOVERNOR OF THE PROVINCE OF EAST PAKISTAN suffers a
any time any loss or damage by reason of any neglect, default or dishonesty on the part of the said
..... in the discharge of the duties so entrusted to him as
aforesaid whether he is or is not discharged or dismissed from his said service under the GOVERNOR
OF THE PROVINCE OF EAST PAKISTAN on account thereof the sum so deposited by him (includ-
ing such portion of the interest accruing thereon as shall be necessary to make up the required secu-
rity) or any securities that may be substituted therefor or such portion thereof as may be equal to the
amount that in accordance with the rules and orders of the said Department appears due from the said
..... on account of such neglect, default or dishonesty shall at once be
forfeited and paid by the Post Office Savings Bank authorities to the said Divisional Forest Officer or
the Conservator of Forests for and on behalf of the GOVERNOR OF THE PROVINCE OF EAST
PAKISTAN and whereas the said..... has further agreed
that on the vacation by him of his said appointment in the usual course the sum so deposited by him
shall not be returned to him at once but shall remain with the Post Office Savings Bank authorities
for a term of six months thereafter as security against any loss or damage which may have been
incurred by the GOVERNOR OF THE PROVINCE OF EAST PAKISTAN owing to any neglect,
default or dishonesty on the part of the said..... and which may not
have been discovered until after the vacation of his appointment and whereas the said.....
..... has further agreed that in any event the sum so deposited by him including the interest accrued
thereon shall not be payable to him by the Post Office Savings Bank authorities unless and until he
shall produce to such authorities the express written sanction of the said Divisional Forest Officer or
the Conservator of Forests for payment of the same provided always that the return at any time of
the sum so deposited by him or any part thereof shall not be deemed to affect the right of the
GOVERNOR OF THE PROVINCE OF EAST PAKISTAN to take proceedings upon the said Bond against

him in case any breach of conditions of the said Bond or any liability thereunder shall be discovered after the return of the sums so deposited. Now the condition of the above written Bond is such that if the said.....shall whilst he shall continue in the said appointment discharge all duties entrusted to him in accordance with the rules and orders of the said Department without neglect, default or dishonesty and shall at all times hereafter keep the GOVERNOR OF THE PROVINCE OF EAST PAKISTAN effectually indemnified against all loss or damage which he may in any way suffer by reason of any neglect, default or dishonesty of the said.....in the discharge of such duties then this obligation shall be void and of no effect otherwise the same shall remain in full force and operation.

Signed, sealed and delivered by the above named in the presence of—

Whereas the above bounded.....is required by the rules and orders of the Government Forest Department in the PROVINCE OF EAST PAKISTAN to furnish sureties for the purpose of securing and indemnifying the GOVERNOR OF THE PROVINCE OF EAST PAKISTAN in part against all loss or damage which he may in any way suffer by reason of neglect, default or dishonesty of the said.....

Now we (i).....son of..... of village....., thana....., district....., and (ii)....., son of..... of village....., thana....., district..... in consideration of the said.....being appointed to be a Forest Officer/Clerk/ Contractor..... in the Government Forest Department in the PROVINCE OF EAST PAKISTAN do hereby jointly and severally and so as to bind or respective heirs, executors, administrators and representatives bind ourselves as sureties for the due payment of such sums as may at any time be required of us to complete the full security deposit required to be furnished by the said.....in accordance with the rules and orders of the said Department affecting the said.....which may at the time of such requisition remain uncovered by the moneys deposited by the said.....and we do hereby further agree that all such sums as may be due by us in this behalf may be recovered from us in any such manner as may be deemed fit by the GOVERNOR OF THE PROVINCE OF EAST PAKISTAN.

Dated this.....day of19 .

Witness to the signature of the said

(Signature of.....)

Witness to the signature of the said

(Signature of.....)

A register of securities shall be kept in the following form in every Forest Office:—

SECURITY STATEMENT FOR THE FOREST SUBORDINATES FOR THE YEAR.

ART. 50A: AWARD OF CHEVRONS TO FOREST SUBORDINATES

(Government of Bengal, Revenue Department, Forest Branch, letter No. 3998-For., dated the 18th November, 1892, and Forest and Excise Department, Forest Branch letter No. 7667-For., dated the 12th August, 1941.)

For every five years of approved service in the Department, Foresters and officers of lower rank with the previous sanction of the Conservator of Forests will be conceded the privilege of wearing one chevron of green braid on the left forearm, subject to maximum of three chevrons.

The cost of the chevrons will be borne by Government.

(Conservator's Circular No. 140M., dated the 9th December, 1892.)

Divisional Forest Officers are requested to submit not later than the 22nd December, each year a list of their officers whom they may consider deserving of the distinction. Each name must be supported by the service record of the officer, and full justificatory reason for his selection.

(Conservator's memo. No. 6724(12)/2M-165, dated 27th August, 1941.)

The drawal of increment should be considered *prima facie* evidence of approved service.

While recommending for the award of chevrons Divisional Forest Officers should state whether the men recommended have drawn increments regularly without stoppage, at any stage.

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ART.51: OB

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CHAPTER III

PROVINCIAL COMPANION TO THE FOREST DEPARTMENT CODE, 7TH EDITION.

ART.51: ORDERS AND INSTRUCTIONS UNDER THE FOREST DEPARTMENT CODE, 7TH EDITION.

Article 5 (i) in Forest Department Code referred to.

Orders and instructions—Subdivisions, Ranges and other executive charges will be held in East Pakistan by officers of the East Pakistan Senior Forest Service, Forest Rangers, Deputy Rangers and Foresters. Beats or protective charges will be held by Deputy Rangers, Foresters or Forest Guards.

Explanation—Occasionally ranges have to be entrusted to Foresters (temporarily in the case of important ranges and more permanently in the case of small and unimportant ranges). Occasionally Deputy Rangers are posted to the charge of important beats.

Article 6 (iii) in Forest Department Code referred to.

Orders and instructions—In East Pakistan "labour" includes all bonafide manual labour (including coolies, mates) employed casually or for short periods on—

- (a) The reaping, collection, fashioning, removal, transport and sale of forest produce.
- (b) The feed and keep of cattle (including elephants).
- (c) The construction, maintenance, and transport of tools and plant.
- (d) The construction and maintenance of communication, buildings (including compounds and their fences), camping grounds, wells, tanks and other means of water supply.
- (e) The demarcation, improvement, extension and protection of forests (including, subject to the Chief Conservator of Forests and Conservator's sanction, surveyors and draftsmen employed on a defined piece of work).
- (f) Tent khulasis, letter carriers and punkha coolies.

Note (1)—Crews of permanently maintained tressers and boats, house guards and sweepers for permanent buildings and persons entertained for any clerical works are not included under "labour"; and wherever experience shows that posts held under "labour", will probably be required uninterruptedly for periods exceeding three months, Divisional Forest Officers should take steps to obtain sanction to such posts on temporary establishment.

Note (2)—Divisional Officers and the Conservator are personally responsible that "labour" is not retained for a longer period than is actually required.

The pay of labour will be charged to the appropriate sub-heads of expenditure as classified in Appendix X, Forest Department Code, 7th Edition.

Articles 7 (ii) and 7 (ii) (c) in Forest Department Code referred to.

Orders and instructions—See statement of powers delegated to Chief Conservator of Forests and Conservator of Forests.

Article 9 in Forest Department Code referred to.

Orders and instructions—It will be the duty of the Conservator to furnish the Superintending Engineer of the Circle with a list of the buildings for which rent should be charged, and with such other information as will enable him to fix the amount payable by the officers concerned.

The following are extracts from the rules in the Public Works Department Code, Supplement, Article 9, Forest Department Code, 7th Edition:

"1049. As a theatre is peculiarly liable to fire, no Government building in which stores or other Government property are kept should be used for theatrical purposes.

"1050. Insurances of Government buildings are not to be effected.

* * * * *

"1054. Municipal taxes on Public Works buildings other than military buildings, or buildings occupied as residences, are payable by the department occupying them, and are debitable to that department. In the case of buildings occupied as residences such taxes should be paid by the tenant during the term of his occupancy if this is the local rule or custom, even though he be entitled to quarters rent-free. If by local rule or custom the tax is chargeable to the owner, it will be payable by Government and will be ordinarily adjusted as part of the cost of maintenance.

* * * * *

"1060. Public buildings let to private individuals shall not be altered or enlarged at Government expense to suit the tenant, and persons occupying public buildings on rent are prohibited from making any alterations, even at their own expense, unless with the express concurrence of the Executive Engineer. The fact of any additions or alterations being made by the tenant confers no right of ownership on him, nor can the fact of the occupant having made additions or alterations at his own expense be considered as giving him any claim to a setoff against, or diminution of, rent. These conditions should be entered in the agreement or lease.

"1067. The incumbent, whether permanent or temporary, of an appointment for whose benefit a house has been constructed or purchased or leased by Government will be held responsible for the prescribed rent during his tenure of the appointment.

"Local Governments or Administrations may sanction exceptions to this rule in the following cases:

- (a) When an officer is acting in such an appointment, but is discharging the duties thereof in addition to those of his substantive appointment and already pays rent for a house;
- (b) When he has been promoted or transferred to the appointment in the same station and it is not considered necessary that he should change his residence;
- (c) Omitted.

"1068. For the purpose of the following rules Government buildings intended for occupation as residences by Government officials and others will be divided into two classes:—

Class I—Buildings from the rentals of which an adequate return is expected on the capital cost, that is, buildings which will ordinarily be occupied by tenants whose rent will be fixed in accordance with the following Rules I and II".

Class II—Buildings from the rentals of which an adequate return on the capital cost is not expected, that is, buildings which will ordinarily be occupied by officials who are entitled to accommodation rent-free or at reduced rents, the amounts of which are determined otherwise than in accordance with the following Rules I and II".

Note—The fact that a building of Class I is occasionally occupied by a tenant who is entitled to accommodation rent-free, or at reduced rents, will not justify its removal from Class I to Class II, and vice versa, a building in Class II should not be transferred to Class I whenever it is occupied by a tenant who may be required to pay rent in accordance with the following Rules I and II. Buildings should be transferred from one class to the other only when there is a permanent change in the conditions under which they will ordinarily be rented. Transfers should be made only under the orders of the Local Government and should have effect in all cases from the commencement of a financial year.

Basis of assessment for buildings in Class I.

1. The rent for each building in Class I will be fixed by the Local Government or Administration subject to the following conditions:—

- (a) The aggregate of the full annual rentals fixed for all buildings in this class shall not be less than a sum which will cover interest at 3½ per cent. on the capital cost of the buildings which belong to Government, plus the estimated average annual charges for maintenance and repairs, with which should be included the amounts annually payable to the lessors of all buildings held on lease.
- (b) The rent charged for any building occupied by a Government official shall not exceed 10 per cent. on the salary and local allowance of the officer in actual occupation.
- (c) For the purpose of this rule the capital cost of a building shall, unless specially reduced under clause (g), be taken as the cost of building and its site without addition of any percentages on account of establishment or tools and plant. If the house was constructed on land purchased by Government, the value of the site will be the price paid for it by Government, if this can be ascertained; if not, it will be the value at the time that these rules are first applied. If the house was built on land the property of Government, the actual outlay incurred by the State on such land should be included in the capital cost of the building for the purpose of assessing rent; but if no such outlay has been incurred the value of the site should not be included in the capital cost of the building.
- (d) In the case of houses purchased by Government, the capital cost will be the price actually paid for the property, together with the amount of the works outlay incurred by Government in altering, restoring or improving the building. When there is no record of the actual price paid by Government for any building, its present value should be estimated by the Executive Engineer of the Division and approved by the Superintending Engineer and this estimate should be taken as the capital cost.
- (e) The average annual cost of maintenance and repairs will consist of two parts special and ordinary charges—
 - (i) Special charges will be those incurred in the renewal of floors or roofs or on other special repairs or replacements occurring at long intervals. Provision for such charges should be made in the form of a percentage on the capital cost of each building, which will vary for different classes of buildings, and will, in the first instance, be fixed for each class by the Chief Engineer.

Note—The cost of replacement or additions which really represent an increase in the value of a building will, to the extent of such increase, be chargeable to the capital cost of the building, the balance only being chargeable to special repairs.

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- (ii) Ordinary charges will include the cost of ordinary annual repairs; together with a proportional share of the expenditure that may be required quadrennially or at other short intervals. The amount of these charges will be estimated by the Executive Engineer of the Division and approved by the Superintending Engineer. In the case of houses held on lease the ordinary charges will also include the amounts payable annually to the lessors and in the case of houses in respect of which Government is liable to pay municipal taxes assessable on owners, the amount of such taxes. Municipal taxes which by local rule or custom are levied on the occupant will be payable by the occupant under paragraph 1054, in addition to the rent payable to Government under these rules.

In estimating the average annual charges for maintenance, no percentages will be added on account of establishment or tools and plant.

Note—The estimated annual cost of maintenance of buildings will be subject to reconsideration when necessary.

- (f) When a building is occupied partly as a residence and partly as an office for which no rent is paid the capital value of the portion occupied as a residence should be separately estimated for the purpose of this rule. The cost of maintenance of the residential portion should also be separately estimated and accounted for.
- (g) When the capital cost of a building as defined in clauses (c) and (d), is in the opinion of the Local Government greatly in excess of its real value, so as to involve the assessment of a rental far above the value of the accommodation provided, application may be made to the Government of East Pakistan for sanction to write off a portion of the capital cost. When such applications are submitted, they should be accompanied by a statement giving the information required by Rule VII and the reasons for the excessive cost should as far as possible, be explained.
- (h) Renewals of a building necessitated by the occurrence of fire, flood, earthquake or other calamity will be chargeable to the capital cost but on completion the Local Government or Administration should decide what amount should be written off the original capital cost and report the decision and the reasons for it to the Government of East Pakistan.

II. Local Governments are authorised to sanction a reduction or remission of the rents otherwise chargeable under Rule I—

- (a) When a building in Class I is occupied by an official who under a special or general order of the Government of East Pakistan is entitled to accommodation rent-free, or at rents assessed otherwise than as provided in Rule I the rent of the building may be remitted or reduced to the amount prescribed by rule for the official concerned, as the case may be.
- (b) Remission of rents due for the occupation of Government building may be sanctioned when the building is rendered uninhabitable by reason of extensive repairs being in progress or from any other cause, provided that if the occupier finds that the house has become uninhabitable from any cause, he shall at once report the matter to the Executive Engineer in charge of the building, who will immediately inspect it and forward a report on the subject to the Superintending Engineer, who will take such steps in the matter as he considers necessary reporting his action to the Local Government who will then decide whether remission of rent is to be allowed, and, if so, whether partial or total. No remission of rent can be allowed for any period anterior to the date on which the occupier reported to the Executive Engineer that the house was uninhabitable, whether he left it before then or not.
- (c) At stations where, owing to excess of accommodation or to other special circumstances, rent must unavoidably be assessed with reference solely to prevailing rates, special assessments may be made by the Local Government, except in the case of buildings which have been constructed, purchased or leased as residences for officers holding particular appointments, and which are occupied by the incumbents of such appointments. In the case of such buildings reduced assessment can be made only with the sanction of the Government of East Pakistan, as provided in Rule I (g).

III. No officers of Government are allowed residences, free of rent unless under the sanction of some general regulation or order of Government.

IV. In the case of Government servants drawing not more than Rs.150 a month, who, for the convenience of their work, are practically compelled to occupy certain houses, Local Governments and Administrations are authorised to determine the rents to be paid, subject to the following restrictions:—

- (a) When the salaries drawn do not exceed Rs.75 a month, any rent considered suitable may be charged, or rent may be entirely remitted, according to the circumstances of each case.
- (b) When the salaries exceed Rs.75 but do not exceed Rs.150 a month and where rents are not already charged under any special rule of the Government of East Pakistan any rent considered suitable may be charged, subject to a minimum of 3.5 per cent. on the salary and local allowance of the occupant of the house, provided that the amount charged shall not exceed the rental of the building occupied, if assessed in accordance with Rules I and II.

Note—(1) Forest subordinate and clerks in receipt of salary not exceeding Rs.75 a month as also Ranger of all grades, Deputy Rangers and Foresters shall be exempt from the payment of rents.

Note—(2) Free accommodation or house rent allowance shall not be admissible to the subordinate Forest Executive Officers, who live in towns.

Note—(3) Forest subordinates who live in towns and also clerks shall pay rent at Rs. 3.5 per cent. of their pay when their salaries do not exceed Rs.150 a month.

(Correction Slip No. 130, dated 10th May, 1947 and Food and Agriculture Department, Forest Branch Memo. No. 346/For/2M-4/56, dated 2nd April, 1956.)

V. The following principles should be followed in providing accommodation to Forest Clerks in towns, who unlike the clerks of other departments, are liable to frequent transfers—

I. In places where Government quarters are already in existence for clerks, the latter will be allowed to occupy them on the existing terms, i.e., rent will be realized from them at the rates laid down in Government Order No. 9062-For., dated the 14th September, 1914.

II. Forest Divisional Headquarters may be divided into two categories—

(a) Places where residential quarters are easily available for clerks, viz.—

(i) Omitted.

(ii) Dacca—Headquarters of the Dacca Forest Division.

(b) Places where residential quarters are not easily available, viz.—

(i) Khulna.

(ii) Chittagong.

(iii) Cox's Bazar.

(iv) Rangamati—Headquarters of the Chittagong Hill Tracts Divisions.

No house accommodation at the expense of Government should be provided for the clerks of the Forest Department in places mentioned in Group II (a) where house are easily available on hire and where no concessions are given at present. No houses for clerks should be built at these places.

House accommodation at the expense of Government may, however, be provided for the clerks of the Forest Department in places mentioned in Group II (b) and they should be allowed to enjoy the concession of rent allowed in this department orders No. 1003, dated the 24th February, 1905, No. 2104T-R., dated the 4th August 1905, No. 9062 For., dated the 14th September 1914, as subsequently amended by Government Order No. 10542-For., dated the 28th September 1926.

(East Pakistan Government, Revenue Department, Forests Branch letter No. 14183-84-For., dated the 4th December, 1930.)

VI. Local Governments must irrespective of the fund from which the cost of the building was met, obtain the Special sanction of the Govt. of East Pakistan if they desire to assess, reduce or remit the rent of a Government building otherwise than in accordance with the foregoing rules.

VII. All applications for sanction to reduce the rents of Government buildings occupied as residences, below the amounts which should be charged under these rules, must be accompanied by a tabular form in which will be shown the undermentioned particulars—

(1) Value of building and site.

(2) Average annual charges for maintenance—(i) Special and (ii) Ordinary.

(3) Rent according to rules.

(4) Proportion of total area occupied by office (if any).

(5) Deduction on account of office rent (if any).

(6) Rent that should be paid by occupant.

(7) Rent that is proposed.

(8) Average salary of occupant.

(9) Market rate for similar accommodation in the same station (to be given as far as practicable).

(10) Average rent chargeable under these rules for other Government buildings, with as nearly as may be, similar accommodation (to be given as far as practicable).

VIII. In all cases in which it is proposed to exempt an officer from the payment of rent, the undermentioned particulars should invariably accompany the application—

(a) Actual or estimated value of the house and site.

(b) Rent chargeable under the rules.

(c) Salary (including allowances) of official recommended for the grant of free quarters.

(d) Date from which it is proposed to grant the privilege of free quarters.

(e) Specific grounds on which the concession is recommended.

XII. The practice of allowing public officers and others to occupy Government buildings rent-free on condition of keeping them in repair, is prohibited. A rent fixed with reference to the value of the property shall in all cases be demanded and the repairs shall be made by the agency of the department.

XIII. When any Government building is, under proper authority, let to a private person, rent shall be regularly recovered for the same at the rates prevailing in the locality for similar accommodation belonging to private owners, but, without the special permission of the Local Government, the rent charged for the buildings thus let in any station shall not be less than would result from the application to them of Rule I (a).

1069. When private buildings are under proper authority hired for the accommodation of Government officials, the charge for rent shall be subject to the maximum laid down in paragraph 1068, Rule I (b).

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Article 17 in Forest Department Code referred to.

Orders and instructions—See statements of powers delegated to Chief Conservator of Forests, Conservators and to Divisional Forest Officers.

Article 29 in Forest Department Code referred to.

Orders and instructions—It is the duty of the Chief Conservator of Forests and Conservators of Forests in East Pakistan to make frequent tour of inspection and to visit once a year as many of the forests under his control as possible. During these tours the following points should receive particular attention, and if necessary, be specially reported on to the Local Government—

- (1) Surveys and settlement made or in progress and their cost, extent to which they are still required; nature and adequacy of the maps and settlement records prepared, results of working under the settlements in force.
- (2) Working plans already made or in progress and their cost, extent to which plans are still required, results of working of plans in force.
- (3) Forest boundaries, their nature and state of repair, demarcation work in progress and its cost, demarcation work still to be done.
- (4) Roads, buildings, and other similar works in existence or under construction, their cost state of repair, new roads, buildings, or other works required.
- (5) Executive and protective staff, efficiency, state of discipline, etc.
- (6) Condition of the forests, the methods of treatment employed, natural reproduction, causes which interfere with it, etc.
- (7) Protection of the forests from injury by man, by cattle, by fires, etc., breaches of the Forest Rules, their frequency and causes.
- (8) Works of reproduction and cultural improvements, extent, condition, and cost of plantations made, condition of nurseries, new sowings or plantings required, thinnings, creeper-cutting, etc., extent to which carried on and required.
- (9) Method of working and management in force, advantages or otherwise of these methods, expenditure incurred on them, outturn of the forests, and financial results.
- (10) Timber deposits, their situation and adequacy, condition in which kept, state of the records kept up in connection with them, etc.

The Chief Conservator of Forests and Conservators of Forests should further see that all money transactions are conducted in accordance with the rules in force; and that he should examine the cost of current works, as well as of those which have been spread over several years. He should also ascertain that the Divisional Officer and other members of the controlling staff are conversant with their duties, that discipline is maintained, and that work is properly supervised.

Article 33 in Forest Department Code referred to.

Orders and instructions—See statement of powers delegated to Chief Conservator of Forests and Conservators and to Divisional Forest Officers.

Article 37 in Forest Department Code referred to.

Orders and instructions—See statements of powers delegated to Chief Conservator of Forests and Conservators of Forests and to Divisional Forest Officers.

Article 40 in Forest Department Code referred to.

Orders and instructions—Bengali is the "principal" language for the purpose of Article 40, Forest Department Code (7th Edition), in all Forest Divisions in East Pakistan.

Article 41 in Forest Department Code referred to.

The following rules have been promulgated by the Government of East Pakistan under Article 41 of the Forest Department Code (7th Edition).

RULES

(1) The examination will be conducted under the direction and control of the East Pakistan Public Service Commission, Dacca, as provided for in the departmental examination rules. Special papers will, however, be prepared for Forest Officers in which technical judicial terms will be avoided, and such terms substituted as bear directly on forest work.

Note—The first half-yearly examination will ordinarily be held for four days commencing on the first Monday in May, and the second for four commencing on the third Monday in November.

(2) A Forest Officer passing the above examination will be considered to have fulfilled the condition as regards examination in languages laid down in Article 40 of the Forest Department Code for the purpose of promotion to the higher grades.

(3) For the purposes of the departmental examination of Forests Officers, Bengali will be regarded as "principal" language in the East Pakistan. The following statement shows the language held to be "principal" in each Forest Division—

Forest Division
All Forest Divisions in
East Pakistan.

Principal language.
Bengali.

(4) Forest Officers desiring to qualify for reward under Article 43 of the Forest Department Code will be allowed to present themselves for examination by both the Lower and Higher Standards at the same time with the permission of the Chief Conservator of Forests, an officer who passes in either of the papers will be held to have qualified for the Lower Standard, but passing marks must be obtained in both sets of papers to qualify for the Higher Standard.

(5) Candidates in the language examination will be expected to possess a fair degree of facility in reading a through colloquial knowledge of the language.

(6) The following are the prescribed tests for the two grades of examination. There will be no prescribed text-books—

The Higher Standard.

(a) A written translation from the vernacular into English.

The paper will contain passages from an unseen official document.

(b) Viva voce examination in vernacular—

(i) The candidate will be tested in conversation with several Pakistanis of various classes in such a manner as to satisfy the examiners of his power of marking himself understood by them and of explaining himself with clearness and sufficient propriety in the vernacular in an argument or topic of some difficulty.

(ii) The examinee will be called upon to read with fair fluency, and explain in English to the examiners, papers written by different persons in a plain running hand.

The maximum and pass marks assigned to each branch of the examination and the time allowed for the papers are subjoined—

Subject of examination.	Maximum marks.	Pass marks.	Time.
1	2	3	4
Translation from vernacular	20	10	H. M. 2 0
Viva voce Examination, Part I	20	10	{ 0 15
Viva voce Examination, Part II	10	5	

The Lower Standard.

The test shall be the same as above, but the papers shall be less difficult. The proportion of marks to be obtained in order to pass and the time allowed for the papers shall be the same as for the Higher Standard above described. The principle object to this examination shall be to test the proficiency for practical purposes of the examinee in the vernacular in which he is examined.

(7) No Pakistani officer (these rules notwithstanding) shall be liable to examination in a language which is his own vernacular.

The Chief Conservator of Forests, in submitting the list of intending examinees, will consider each case, and on satisfying himself may exempt the candidate from examination in such language, reporting his reason for doing so to Government.

(8) The examination in the Land Revenue Systems of East Pakistan, in Forest Law and in Forest Procedure and Accounts will be written. One paper containing not less than twelve questions will be set in each subject by the East Pakistan Public Service Commission in communication with the Chief Conservator of Forests, East Pakistan. The maximum and the pass marks and the time allowed in each subject are sub joined:—

Subjects of examination.	Maximum marks.	Pass marks.	Time allowed.
1	2	3	4
Land Revenue Systems of Bengal (without books)	200	120	Hours. 3
Forest Law (without books)	200	120	3
Forest Procedure and Accounts (with books)	200	120	3

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No oral examinations are held.

A total of 120 marks in any paper will entitle the examinee to a certificate to having passed in that subject.

The written examination in Land Revenue will comprise not less than six questions on the laws and subjects discussed in Baden Powell's "Short Account of the Land Revenue and its Administration in British India," and officers presenting themselves for examination should be acquainted generally with the contents of the work, and are expected to have acquired a detailed knowledge of them so far as they relate to this province.

Officers will also be expected to have an up-to-date knowledge of Revenue Administration in East Pakistan which may not be obtainable from Baden Powell's small text-book prescribed, but questions which deal with matters not discussed in the text-book will be restricted to subjects in Land Revenue having a practical relation to the work of Forest Officers.

The questions in the examination in Forest Law will be based on the Forest Act Rules made in East Pakistan under the Forest Act and the Manual of Forest Law* compiled for the use of students at the Pakistan Forest Institution, Peshawar and Chittagong.

The examination in Procedure and Accounts will embrace the Forest Department Code, the East Pakistan Forest Manual, the Civil Service Regulations, the Civil Account Code, the Fundamental and Subsidiary Rules, the Account Code Volume III, the Audit Manual, the East Bengal Service Rules, the East Pakistan Financial Rules, also introduction to Government Accounts and Audit (1930).

(Correction Slip No. 117, dated the 26th July, 1944.)

*Note—The latest edition of the Manual is entitled "Explanatory Notes on Forest Law."

(9) The above rules will also apply to Forest Rangers who are permitted at their option (but subject to the sanction of the Chief Conservator of Forests) to appear at the examination mentioned in Article 40 of the Forest Department Code.

(Government of Bengal, Revenue Department, Forest Branch, memorandum No. 9550-For., dated the 23rd August 1933.)

Rules for the Encouragement of the study of the tribal languages in East Pakistan.

1. Examination will be conducted in the following tribal languages—

I	...	...	...	...	...	Santhali.
II	...	...	...	...	...	Tibetan.
III	...	...	...	...	...	Nepali.
IV	...	...	...	...	...	Tippera.
V	...	...	...	...	...	Maghi.

2. Officers of the following classes, whether European or Pakistani shall be eligible to appear at these examination and draw the rewards stated—

Class I.

Deputy Assistant and Extra Assistant Conservators of Forests, East Pakistan.

The rewards for officers of Class I are as follows:—

Rs.1,000 in the case of all the languages specified except Nepali for passing in which the reward will be Rs.500 only. In the case of Tibetan the reward will be Rs.500 for passing the first examination as in Rule 6, and Rs.1,000 for passing the second as in Rule 7.

3. An officer desiring permission to appear at an examination shall apply for permission to the Commissioner of the Division in which he is serving. The Commissioner may grant permission to appear at an examination in Santhali, Tibetan or Nepali, provided that he can certify that the language is spoken within the district where the officer is employed at the time, or by tribes contiguous to it with whom he has official relations. Permission to appear at an examination in Maghi only to an officer who is employed in the Chittagong Hill Tracts or in the Cox's Bazar subdivision of the Chittagong district and Permission to appear at an examination in Tippera may be granted only to an officer who is employed in the Chittagong Hill Tracts.

Provided that an officer who has fulfilled the above conditions and is subsequently transferred may be permitted to present himself for examination on applying within one year from the date of such transfer, the Commissioner of the Division from which he was transferred granting the necessary certificate.

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4. No reward will be given to a Pakistani officer for passing an examination in any language with which, from his birth or education, he is naturally familiar or which is closely allied to his vernacular language, provided that such officers may be permitted to present themselves for examination.

5. The examination will be conducted under the control of the Commissioners of the Rajshahi and Chittagong Divisions, as noted below, by local committees convened by the respective Commissioners—

Commissioner of Rajshahi	{ Tibetan. Santhali Nepali.
Commissioner of Chittagong	{ Tippera Maghi.

The examination in Tibetan Santhali and Nepali will be held twice a year only, viz., in the months of June and December, and the dates will be fixed by the Commissioner of the Rajshahi Division.

Applications for permission to appear at these examinations should reach the Commissioner by the 15th December in the case of the June examination and by the 15th June in the case of the December examination.

6. The tests which a candidate must undergo are as follows:—

- He must be able to converse freely with the people of the tribe in whose vernacular he may wish to qualify, to understand and to make himself understood by them.
- He must write down sentences spoken in the tribal language by one of the tribe, or a conversation held between two of them, and must explain the sentences or the conversation correctly in English.
- He must, without assistance, translate from English or his mother-tongue into the tribal language sentences not of a more difficult nature than those described in clause (b).

The translation must be substantially correct and intelligible to a native in whose language it is written.

Note—The writing prescribed in clauses (b) and (c) must be in the character of the tribal language. If the language has no written character of its own, the English, Bengali or Hindi character shall be used, but in the case of santhali the Roman Character must be used.

- He must transliterate and translate (into English) a paper in the current written (not printed) character of the language. (This test will be enforced only in the cases of those language which have written characters of their own.)

7. There will be a second examination in the Tibetan language. This examination will consist of—

- a much more severe conversational test than in Rule 6 (a).
- writing letters in Tibetan, and
- translating Tibetan letters.

An officer must have passed the first examination before he can present himself for the second examination.

8. In order to qualify for the prescribed reward, an examinee must obtain not less than two-thirds of the marks allotted to each branch of the examination and three-fourths of the aggregate number.

9. The Commissioner conducting the examination will report to Government the names of officers declared by the examining committee to have passed the prescribed standard for the grant of reward.

(Government of Bengal, Appointment Department. Notification No. 5429A., dated the 14th April, 1924.)

Article 47 (i) in Forest Department Code referred to.

Omitted.

(Government of Bengal, Revenue Department, Forests Branch, letter No. 810-T.R., dated the 24th September, 1929.

Article 48 in Forest Department Code referred to.

(Bengal Government letter No. 484-T.R., dated the 13th June, 1899.)

Orders and Instructions—Before a working plan is submitted to the Conservator of Forests, for transmission to the Chief Conservator of Forests to the Government of East Pakistan, the Forests Officer who prepares it must invariably show it in draft to the Collector or Deputy Commissioner of the district concerned with a view to allow him an opportunity of recording his opinion on it and offering his advice.

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Article 53 (ii) in Forest Department Code referred to.

Orders and instructions—See statement of powers delegated to Chief Conservator of Forests and Conservator of Forests.

Article 53 (iii) in Forest Department Code referred to.

Orders and instructions—Correction slips to the Working Plans not involving general alterations of policy should be issued by the Chief Conservator of Forests, East Pakistan, without reference to Government. (Government of Bengal, Forest and Excise Department, Forest Branch letter No. 6823-For., dated the 16th June 1939.)

Orders and instructions—The Conservator of Forest is authorised to make allotment of bamboo coupes to the Pakistan Industrial Development Corporation for Chandraghona Paper Mills without making any reference to Government.

(Government of East Bengal, Department of Agriculture, Co-operation and Relief, Forest Branch, No. 7517/For. 6M—103/51, dated 6th August 1953.)

Article 54 (iv) in Forest Department Code referred to.

Orders and instructions—The maps showing the results of fire protection will be prepared in the manner indicated by the Chief Conservator of Forests.

In addition, maps showing the progress of fellings or girdlings, of reproduction, both artificial and natural and of silvicultural operations will be maintained where considered necessary.

Article 58 (ii) in Forest Department Code referred to.

Orders and instructions—See statement of powers delegated to Chief Conservator of Forests, Conservator of Forests, and Divisional Forest Officers.

Article 61 (ii) in Forest Department Code referred to.

Orders and instructions—See statement of powers to be delegated to Divisional Forest Officers.

Article 62 (1) in Forest Department Code referred to.

Orders and instructions—See statement of powers delegated to Divisional Forest Officers.

Article 63 in Forest Department Code referred to.

Orders and instructions—See statements of powers delegated to Chief Conservator of Forests, Conservator of Forests and to Divisional Forest Officers.

Article 66 in Forest Department Code referred to.

Orders and instructions—See statement of powers delegated to Divisional Forest Officers.

Article 67 in Forest Department Code referred to.

Orders and instructions—"Ordinary" expenditure comprises the cost of all operations which are necessary:—

(a) to produce revenue (e.g., cost of timber operations).

(b) for the maintenance of the Forest property (e.g., keep and feed of cattle); ordinary repairs to tools, furniture, roads, bridges, buildings, wells, tanks, boundaries, surveys, working plan; maintenance of plantations Provided for by a working plan and cultural operations, fire-protection, climber cutting, cleanings, law charges (except pleaders' fees which are regulated by Article 66 of the Forest Department Code, 7th edition), uniforms (when prescribed).

"Extraordinary" expenditure comprises charges of a capital nature which do not recur annually.

Article 68 in Forest Department Code referred to.

Orders and instructions—See statement of powers delegated to Divisional Forest Officers.

Article 69 (iii) in Forest Department Code referred to.

Orders and instructions—See statement of powers delegated to Chief Conservator of Forests and Conservator of Forests.

Article 69 (iv) in Forest Department Code referred to.

Orders and instructions—See statement of powers delegated to Divisional Forest Officers.

Divisional Forest Budget Estimates.

The following rules should be observed by Divisional Forest Officers when preparing budget estimates.

(Conservator's Circular No. 188 of the 1st October, 1910).

(1) The revised estimates should be kept quite separate from the budget estimate so that they can be dealt with separately in Chief Conservator's office.

(2) Revised estimates should be prepared according to the following example—

Revised Estimate for 1910-1911.

The following columns should be filled in—

Budget sub-head.	Actuals, 1909-10.	Sanctioned estimate 1910-11.	Revised estimate, 1910-11	Actuals of first five months, 1910-11.
1	2	3	4	5

(3) Column 4 should not ordinarily differ from column 3 under any budget sub-head; and when this is the case, no further explanation is required. If the allotments originally proposed in the budget estimate for any project have been materially altered; the revised allotment for each project should be entered in the explanatory note accompanying the statement of revised estimates.

(4) When column 4 exceeds column 3 under any sub-head, the reason of the excess should be clearly explained under this sub-head in the attached note, and if a transfer is proposed from another sub-head the details of reduction may be entered under that sub-head.

(5) The greater part of expenditure B is made out for the whole circle in the Conservator's office and a Divisional Officer is not justified in transferring amounts allotted in his division from B to A in his revised estimate without previous sanction.

(6) If for any reason an officer anticipates any excess expenditure under any sub-head which cannot easily be met from any other sub-head in his division, he should apply for an extra grant to meet this expenditure.

Budget Estimate.

The budget figures for the succeeding year should be kept separate from the revised figures. The following statement should accompany the budget estimates—

Budget sub-head.	Actuals, 1908-9.	Actuals, 1909-10.	Revised estimate, 1910-11.	Budget estimate, 1911-12.
1	2	3	4	5

All projects will be entered in such detail as will enable the Conservator to check them. A note being made in the case of projects which require Conservator's sanction, that sanction will be subsequently applied for except in cases in which administrative sanction has already been accorded to any projects or scheme. Any considerable deviations from the figures in the last three columns will be explained.

(b) A list of the permanent controlling subordinate and office establishments.

(c) (i) Temporary establishment charges—

Budget sub-head.	Actuals, 1909-10.	Revised estimate, 1910-11.	Budget estimate, 1911-12.
1	2	3	4

(ii) Detailed list of temporary establishment:—

Budget sub-head.	Description.	Period required.	Rate of pay.	Total cost.
1	2	3	4	5
			Rs.	Rs.

✓ Appropriation statement.

On receipt of the sanctioned estimate figures from Government, the Chief Conservator of Forests will prepare an appropriation statement showing the distribution of the grants to different Circles and Forests Divisions subordinate to him and transmit a copy to the Accountant-General, East Pakistan.

The reappropriations sanctioned by the Chief Conservator of Forests and Conservator at the time of distributing the budget grants will be shown in East Pakistan Financial Rule Form No. 24 and intimated to Government and the Accountant-General, East Pakistan.

(Bengal Government Agriculture and Industries Department, Forest Branch, letter No. 191-For., dated the 17th January, 1936.)

Article 75 in Forest Department Code referred to.

Orders and instructions—See statement of powers delegated to Chief Conservator of Forests and Conservator of Forests.

Article 77(III) in Forest Department Code referred to.

(Inspector General of Forests' Circular No. 1010, dated the 9th November, 1897).

Orders and instructions—Forests maps are to be appended to all Provincial Forest Administration Reports once in every five years, with effect from the quinquennial period commencing with the year 1898-99.

Appendix III, Rule 11(i), Forest Department Code.

Orders and instructions—See statement of powers delegated to Chief Conservator of Forests and Conservator of Forests.

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ARTICLE 52 : STATEMENT OF POWERS DELEGATED TO THE CONSERVATOR OF FORESTS,
EAST PAKISTAN, UNDER THE FOREST DEPARTMENT CODE, 7TH EDITION.

Article under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).
1	2	3
7(ii)(b) --	Power to distribute the total amounts sanctioned for the pay of the permanent subordinate Forest Service and for the pay of the permanent office establishment respectively.	
	Power to transfer appointments in the Subordinate Forest Service between divisions and appointments in the clerical establishments between Divisional Forest Officers.	Not as regards transfers affecting the Conservator's office.
7(ii)(c) --	Power to sanction such temporary establishments as are required from time to time within the limit of the budget allotment on this account.	No appointments other than those noted in the statement below, or on pay exceeding the maximum rate as laid down in that statement for each class of establishment to be created without the sanction of Government.

Sub-head.	Designation.	Rate of pay.	Remarks.
1	2	3	4
		Rs.	
A.I.a. --	Overseers --	13 to 40	Men employed to carry out duties, such as is done by the permanent staff, and are ordinarily performed by Foresters or men of higher ranks.
	Watchers --	Up to 12	Men employed to carry out duties, such as depot chaukidars, or on duties connected with departmental works, such as are ordinarily performed by Forest Guards.
A.I.c. --	Overseers --	Up to 25	Performing similar duties to Overseers under A.I.a.
	Watchers --	Up to 12	These men perform duties similar to Watchers under A.I.a.
A.II. --	Revenue Station Officers --	13 to 40	Duties similar to those performed by Forest Guards, Foresters and Deputy Rangers (For all divisions except Sundarbans.)
	Checking Officers --	13 to 30	For checking timber extracted from forests by purchasers.
	Overseers --	13 to 40	For marking and controlling fellings by purchasers, which if performed by a member of the permanent staff, would ordinarily be performed by a Forester or man of higher rank.
	Moharris --	Up to 25	Performing similar duties to Foresters.
	Watchers --	8 to 12	For works in connection with exploitations of a kind which Forest Guards are ordinarily competent to perform.
	Orderlies --	8 to 10	They are employed for attendance on Overseers, Revenue Station Officers, etc.
	Coolies --	Up to 10	For labour on shore, assisting on marking line, cutting, etc.

Sub-head.	Designation.	Rate of pay.	Remarks.
1	2	3	4
		Rs.	
	For boats—		
	Manjhis	Up to 15	In addition to provision allowance of Rs. 2 per month when employed on patrol work or in coupes.
	Boatmen	Up to 12	
	Carpenters	30	For building and repairing boats.
	Caulkers	15	Caulkers are practically carpenters under a different designation.
A.III.	Drift Overseers or Muharrirs.	20	For supervising drift collecting operations.
		8 to 10	For supervising drift collecting operations.
	Drift Watchers ..	8 to 15	For supervising drift collecting operations during the drift season from June till October.
A.VI.b.	Mahouts	Up to 16	
	Grass-cutters ..	Up to 11	
A.VII.b.	Chaukidars	Up to 10	For care of bungalows, includes sweepers chaukidars and mali chaukidars.
A.VIII.c.	Surveyors	Up to 40	They are generally employed on duties similar to Deputy Rangers.
A.VIII.d.	Enumerators	Up to 40	
	Orderlies	Up to 10	These posts have been sanctioned in connection with the revision of the working plan. They are now included in the general list so that sanction to such post in future may be accorded, when necessary, without reference to Government.
	Dak runners	Up to 10	
A.VIII.e.	Malis	Up to 10	
A.VIII.f.	Fire Watchers ..	Up to 10	
A.VIII.g.	Shikaries	Up to 15	
B.I.c.	Foresters	Up to 30	
	Forest Guards ..	Up to 12	
B.I.d.	Clerks (copyist) ..	Up to 35	These men really being to an office establishment and their pay should be charged to B.I.d.
	Draftsman	Up to 50	
	Duftries	Up to 12	
	Peons	Up to 10	Same remarks as against Orderlies under A.II., but men employed for attendance on gazetted and Range Officers.
	Orderlies	Up to 10	
B.III.b.	Khalasis	Up to 10	
	Dak runners	Up to 10	
B.III.f.	Allowance for doctor ..	Up to 20	
	Chaukidars	Up to 10	Men employed to look after offices.
	Malis	Up to 10	
	Sweepers	Up to 12	
	Passed compunders ..	20—1—30	In place of the compunder on pay up to Rs. 20.
	Orderly	Up to 10	
	Punkha coolies	Up to 6	

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Addendum No. 32.

Article under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).
1	2	3
9	Power to sanction remission of rent of Forest Department buildings, up to Rs. 5,000 in a year.	When the total amount of remission exceeds Rs.1,500 in a year a report is to be submitted to Government.

(Forest and Excise Department, Forests Branch, letter No. 56T.-For., dated the 25th April, 1940.)

(Government of Bengal, Revenue Department, Forests Branch, letter No. 3033, dated the 25th March, 1918, No. 7100-For., dated the 21st August, 1920, No. 6407-For., dated the 3rd August, 1920, and No. 886-For., dated the 22nd January, 1925.)

Article under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).
1	2	3

17 ... Power to appoint Rangers

... Subject to qualifications as noted below:—

To the Class of Forest Rangers:

- (i) Deputy Rangers of not less than eight year's total service and tried ability and probity, irrespective of the educational certificates, they may hold.
- (ii) Candidates who have obtained the Honours certificate or the Higher Standard Certificate after passing through the two years' Rangers Course at the Forest College.
- (iii) Candidates who have obtained the Lower Standard Certificate after passing through the abovementioned course at the Forest College, and who have rendered thereafter not less than one year's satisfactory service in the class of Deputy Ranger.
- (iv) Deputy Rangers or Foresters who have passed through the Forest School Course with credit and who have rendered thereafter in the case of Deputy Rangers not less than one year and in the case of foresters not less than two years' satisfactory service in the class of Deputy Ranger.
- (v) Deputy Rangers or Foresters who have passed through the Forest School Course successfully and who have rendered thereafter in the case of Deputy Rangers not less than two years and in the case of Foresters not less than four years' satisfactory service in the class of Deputy Ranger or Forester or both combined. (Notification No. 244-For., dated the 7th January, 1922.)

33 ... Powers to post and transfer officers of the Gazetted services and to transfer members of the Subordinate Forest Services from one Division to another.

The concurrence of Government is required to the posting of Gazetted officers of substantive rank. The Conservator of Forests may transfer probationary officers of the Gazetted rank subject to Government approval.

Article under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).	Article power
1	2	3	
		Rs.	75
37.	... Power to suspend officers of the Provincial Forest Service.		
	Power to promote from grade to grade, to reduce, to remove, to dismiss and to accept the resignation of Rangers.		
	Power to sanction the criminal prosecution of members of the Subordinate Forest Service.		
53(ii)	... Power to sanction excess and deficit felling in deviation from prescriptions of a working plan.		
54(ii)(c)	... Power to write off the arrears of exploitation prescribed in the working plan.		Appendi
58(ii)	... Power to make grants of timber or other forest produce for a specific purpose free or at favourable rates.	Up to the value of Rs.1,000 in any one case subject to the Executive orders contained in Article 53B in this Manual.	
63	... Power to sanction refund of revenue ...	Up to Rs.1,000 in each case.	
69(ii)	✓ Power to purchase elephants ...	Up to Rs.3,000 for each elephant. Government has sanctioned a total establishment of 14 elephants for the Forest Department, East Pakistan, as per distribution shown below: This scale should in no case be exceeded without the previous sanction of Government :—	ARTICLE EAS SUE
		No. of elephants	(a) 1
	(1) Conservator of Forests ...	3	(b) 1
	(2) ...	...	(c) 2
	(3) ...	...	(d) 1
	(4) ...	...	(e) 7
	(5) ...	...	(f) 1
	(6) ...	...	(g) 7
	(7) ...	...	(h) 1
	(8) Divisional Forest Officer, Chittagong, for—		(i) C
	(i) North of Karnafuli ...	2	
	(ii) Karnafuli-Matamori ...	2	Note : purchased
	(iii) Matamori-Bagkhali ...	2	
	(iv) South of Bagkhali ...	2	Note : paragraph
	(9) Divisional Forest Officer, Chittagong Hill Tracts.	3	
	Total ...	14	[(Govern

Note.—Conservator of Forest is competent to transfer elephants from one Forest Division to another according to necessity subject to the proviso that any extra expenditure involved in the transfer of elephants will be met from the normal budget grant placed at his disposal. (Government of Bengal, Forest and Excise Department, Forest Branch letters Nos. 8476-For. and 8477-For., dated the 7th April, 1937, and 22176-For., dated the 14th December 1937).

Article under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).
1	2	3
75	Power to reappropriate savings in budget grants.	Full power of reappropriation within the total grants under the control of the Conservator provided that savings under "salaries" are not reappropriated to other class of expenditure and that savings on non-recurring expenditure under "Supplies and Services", "Contingencies", and other detailed heads are not reappropriated to provide for additional recurring expenditure under "salaries", "Establishment", or on any other account. (Government of Bengal, Finance Department, Finance Order No. 71T-For., dated the 30th April, 1919).
Appendix III, Rule II(i)	Power to sanction temporary advances to Gazetted Forest Officers from the sums at their credit in the General Provident Fund.	Upto a limit of three months' pay and in accordance with the spirit of the rules.

ARTICLE. 52A : STATEMENT SHOWING THE FINANCIAL POWER OF CONSERVATOR OF FORESTS, EAST PAKISTAN TO SANCTION THE PURCHASES OF STORE FOR THE PUBLIC SERVICE, SUBJECT TO BUDGET PROVISION AND ANY SPECIAL ORDERS ON THE SUBJECTS.

LIMITS

Conservator of Forests, East Pakistan.

- (a) Elephants up to Rs. 3,000 for each item.
- (b) Live-stock (other than elephants) stores, tools and plant, including rest-house furniture up to Rs. 5,000 for each item.
- (c) Mathematical instruments up to Rs. 1,000 for each item.
- (d) Iron safes up to Rs. 500 for each item.
- (e) Type writer without limit.
- (f) Duplicators up to Rs. 500 for each item.
- (g) Tents up to Rs. 1,000 for each item.
- (h) Boats up to Rs. 2,000 for each item.
- (i) Other items of stores up to Rs. 10,000 for each item.

Note 1—The expression "for each item" wherever it occurs signifies for any one article or any number of similar articles purchased at one time.

Note 2—The terms 'Stores' includes any and every article of store except items of Special contingencies mentioned in paragraphs 116 and 116-A, Bengal Audit Manual, unless they are specifically included in the statement above.

[(Government of Bengal, Finance Department, Audit Branch, letter No. 2965F., dated the 22nd March, 1937.) and Correction slip No. 137 dated 10th May, 1947.]

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ARTICLE 52A: POWERS DELEGATED TO THE CONSERVATOR OF FORESTS, EAST PAKISTAN UNDER THE DEVOLUTION RULES.

Rules under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).
1	2	3
Rule 38(i)(b) of the Devolution Rules.	Power to sanction, without previous reference either to the Finance Department or to the administrative department concerned, reappropriations within the appropriations under a grant which are placed at the disposal, subject to the conditions noted in column 3.	(i) That the grant as a whole is not likely to be exceeded. (ii) That a reappropriation from a 'charged' to a 'voted' head or <i>vice versa</i> is not involved. (iii) That the expenditure which will be met by the reappropriation does not involve the under taking of a new unapproved recurring liability. <i>Explanation</i>—Savings that become available as a result of the postponement whether deliberate or unavoidable of expenditure for which specific provision exists in the budget may be reappropriated to accelerate the implementation of any approved scheme already in progress because even should such acceleration involve an immediate temporary increase in Government recurring liabilities, Government will not be assuming a new unapproved (ultimate) recurring liability. (iv) That the savings are known in sufficient time to permit of their being spent to good purpose and that the expenditure is not incurred merely to prevent savings lapsing. (v) That a reappropriation sanctioning the under taking of a 'new service' is not involved. N.B.—NO satisfactory definition of new service has been evolved but the general purport of the term is reasonably clear. When there is any doubt the case should be referred to Finance Department. (vi) That funds may not be reappropriated to meet an item of expenditure which has not been sanctioned by proper authority. Orders sanctioning reappropriations under these powers will issue from the Conservator concerned to the Accountant-General. A copy of every such order must be sent forthwith to the Finance Department and to the administrative department of Government concerned. (Government of Bengal, Finance Department, Budget Order No. 22200-F. B., dated the 24th September, 1945 and Correction slip No. 134, dated the 10th May, 1947.) Power to regularise excess over appropriations after the close of the year up to a limit of Rs.500 on each item, under Article 738 of the Audit Code. (i) The excesses could have been met from savings under some detailed heads under the same minor head. (ii) If the year had been current, the sanctioning authority could have met the excesses by reappropriation within his power of sanction. (iii) Orders to be addressed to the Accountant-General, East Pakistan. (Bengal Government, Finance Department, Circular No. 7250F.B., dated the 28th September, 1929).

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ART. 52A: POWERS DELEGATED TO THE CONSERVATOR OF FORESTS, EAST PAKISTAN UNDER THE DEVOLUTION RULES.

Rules under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).
1	2	3
Rule 37(e) of the Devolution Rules.	Power of sanctioning ⁷ reappropriation between non-voted heads subordinate to a minor head.	(i) Funds must not be reappropriated to meet an item of expenditure which has not been sanctioned by proper authority. (ii) No reappropriation shall be made to meet expenditure which is likely to involve further outlay in a future financial year. (iii) No reappropriation shall be made from savings under "Pay" or "Salaries". (iv) All appropriations made shall be in respect of the appropriation placed at the disposal of the Conservator of Forests. (v) Orders sanctioning appropriations should be addressed to the Accountant-General, East Pakistan and copies should be communicated immediately to the Finance Department through the Administrative Department (Revenue Department). (Bengal Government, Finance Department Circular No. 18T-F.B., dated the 12th May, 1930).

ARTICLE 52B: STATEMENT SHOWING THE FINANCIAL POWERS OF EACH CONSERVATOR OF FORESTS, EAST PAKISTAN TO SANCTION CAPITAL EXPENDITURE ON ITEMS OTHER THAN THOSE REFERRED TO IN ARTICLE 52A, SUBJECT TO BUDGET PROVISION AND ANY SPECIAL ORDERS ON THE SUBJECT.

Nature of power delegated.	Monetary limits.
(i) Power to sanction capital expenditure on construction of residential buildings mentioned in Article 64.	Up to the limit prescribed in Article 64; as amended by correction slip No. 138 in each case.
(ii) Power to sanction capital expenditure on original works including roads and bridges and buildings other than those residential building referred to in item (i) above.	Up to Rs. 20,000 only in each case.
(iii) Power to sanction expenditure on account of sanitary, water supply and electrifications in Government buildings, including residential quarters, without intervention of the Works and Buildings Department as required by rule 283 of Bengal Financial Rules read with paragraph 3 of Appendix 3 thereto, but subject to the condition that the work of electric installations is to be done by a registered electric company or firm.	Up to Rs. 10,000 only in each case.
(iv) Power to sanction expenditure on account of sanitary, water supply and electric installations in Government buildings other than residential quarters, when the work is not to be carried out through the agency of the Works and Buildings Department.	Up to Rs. 20,000 only in each case.

(Government of Bengal, Department of Agriculture, Forests and Fisheries, Forest Branch, Memorandum No. 827-For., dated the 21st September, 1946 and Correction slip No. 139, dated the 10th May, 1947).

ARTICLE 53: STATEMENT OF POWERS DELEGATED TO DIVISIONAL FOREST OFFICERS IN EAST PAKISTAN UNDER THE FOREST DEPARTMENT CODE, 7TH EDITION.

Article under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).	Article power
1	2	3	
7(ii)(c) ..	Power to sanction temporary establishments as are required from time to time within the limit of the budget allotment on this account for each charge subject to the limit prescribed in Article 52 of the East Pakistan Forest Manual, Part II.	Officers of the Senior Forest Services drawing Rs. 850 a month and upwards and holding charge of a Forest Division are authorised to exercise this power in respect of appointments mentioned in Article 52 of this Manual and within the maximum rates mentioned therein. (Correction slip No. 81, dated 16th September, 1942).	61(ii) 62(i)
17 ..	Power to appoint foresters and Forest Guards.	To fill vacancies in these classes in the Forest Division concerned except in the case of vacancies caused by deputation for training at Sylhet Forest School when orders of the Conservator are required.	63 66 68
	Power to appoint Deputy Rangers ..	To the class of Deputy Ranger— (i) Foresters of not less than four years' total service and tried ability and probity, irrespective of the educational certificates they may hold. (ii) Candidates who have obtained the Lower Standard Certificate after passing through the two years' Rangers' course at the Forest College, Chittagong. (iii) Foresters or candidates who have passed through the Sylhet Forest School course with credit. (iv) Foresters or candidates who have passed through the Sylhet Forest School Course successfully and who have rendered thereafter not less than one years' satisfactory service in the class of Forester. (Notification No. 245-For., dated the 7th January, 1922).	ARTICLE SANC GET I (a) Str (b) Of (c) Ms (d) Ire (e) Otl Note 1— purchased at Note 2— in paragraph
53 ..	Power to post and to transfer members of the Subordinate Forest Service.	Within the limits of the Forest Division concerned.	(Governme)
37 ..	Power to suspend members of the Subordinate Forest Service serving in the Division concerned.		(Governme)
	Power to promote Forest Guards and Foresters from grade to grade and to promote Forest Guards to the class of Forester to fill vacancies in the division concerned.	Except in the case of vacancies caused by deputation for training at Sylhet Forest School when orders of the Conservator are required.	
	Power to accept the resignation and to reduce, remove or dismiss Forest Guards and Foresters and Deputy Rangers serving in the division concerned.		ARTICLE OFFIC REFER ORDE
	Power to punish members of the Subordinate Forest Service serving in the division concerned by fine to the extent of one months' pay.	Fines inflicted on Rangers or Deputy Rangers require previous sanction of the Conservator.	
58(ii) ..	Power to make grants of timber or other forest produce for specific purpose free or at favourable rates.	Up to the value of Rs. 250 in any one case subject to the Executive orders contained in Article 53C of this Manual.	(i) Power t other (Governmet)

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Article under which power is delegated.	Nature of power delegated.	Limits and restrictions (if any).
1	2	3
		(Government of Bengal, Forest and Excise Department, Forests Branch letter No. 11808-For., dated the 18th December, 1940 and Correction slip No. 63).
61(ii)	.. Power to write off irrecoverable revenue	Up to Rs. 25 in each case.
62(i)	.. Power to write off stores, tools and plant, livestock, timber or other stock.	Up to a value of Rs. 250 in each case.
63	.. Power to sanction refund of revenue	Up to Rs. 200 in each case.
66	.. Power to sanction expenditure on pleader's fees in criminal prosecutions.	Up to Rs. 100 and subject to the rules prescribed in Bengal Government Order No. 186J., dated the 19th January, 1916.
68	.. Power to sanction all usual payments on account of items of revenue expenditure.	Provided budget allotments are in no case exceeded.

ARTICLE 53A : STATEMENT SHOWING THE FINANCIAL POWERS OF FOREST OFFICERS TO SANCTION THE PURCHASE OF STORES FOR THE PUBLIC SERVICE SUBJECT TO BUDGET PROVISION AND ANY SPECIAL ORDERS ON THE SUBJECT.

LIMITS.

Divisional Forest Officers and Working Plan Officer.

- (a) Stores, tools and plant up to Rs. 1,000 for each item.
- (b) Office and rest-house furniture up to Rs. 250 for each item.
- (c) Mathematical instruments up to Rs. 250 for each item.
- (d) Iron safes up to Rs. 100 for each item.
- (e) Other items of stores (excluding live-stock) up to Rs. 2,000 for each item.

Note 1—The expression "for each item" wherever it occurs signifies for any one article or any number of similar article purchased at one time.

Note 2—The term "Stores" includes any and every article of store except items of "Special contingencies" mentioned in paragraph 116 and 116-A, Bengal Audit Manual, unless they are specifically included in the statement above.

(Government of Bengal, Finance Department, Audit, letter No. 2935-F., dated the 30th March, 1938 and Correction slip No. 21.)

(Government of Bengal, Finance Department, Audit Branch, letter No. 2965-F., dated the 22nd March, 1937).

ARTICLE 53B : STATEMENT SHOWING THE FINANCIAL POWERS OF DIVISIONAL FOREST OFFICERS TO SANCTION CAPITAL EXPENDITURE ON ITEMS OTHER THAN THOSE REFERRED TO IN ARTICLE 53A, SUBJECT TO BUDGET PROVISIONS AND ANY SPECIAL ORDERS ON THE SUBJECT.

Nature of power delegated.	Monetary limits.
1	2
(i) Power to sanction capital expenditure on original works other than residences.	Rs. 2,000 only for each item.

(Government of Bengal, Department of Forests and Excise, Forest Branch, letter No. 227T/For., dated the 1st June, 1940 and Correction slip No. 131, dated the 10th May, 1947.)

ARTICLE 53C: EXECUTIVE ORDERS RELATING TO THE GRANT OF TIMBER OR OTHER FOREST PRODUCE FREE OR AT CONCESSIONAL RATES.

In supersession of all previous orders on the subject the following orders and instructions are issued for the guidance of Divisional Forest Officers in making grants of timber or other forest produce free or at concessional rates within the limits of powers delegated to them under Article 58 of East Pakistan Forest Manual, Volume II, read with Article 58(ii) of the Forest Department Code:—

1. **General principles**—Grants of timber or other forest produce at free or concessional rates will not normally be made, for the reason that such grants take the form of concealed subsidies at Government expense, which cannot be properly exhibited in public accounts and cannot, therefore, be brought to the notice of the Legislature.

If any Government assistance is needed in any case in such matters, it should be afforded in the form of a grant-in-aid to the institution.

Grants of timber or forest produce at free or concessional rates will not in future be sanctioned to educational institutions for the construction of or repairs to buildings, to the Public Works Department, District or Local Boards for the construction of or repairs to bridges, etc., except as provided for in paragraph 2(b) of these orders.

2. **Exceptions**—(a) **Communities dwelling near forest tracts**—It is the policy of Government to give special consideration to communities dwelling on the margin of forest tracts in matters relating to grants of timber or other forest produce free or at concessional rates, in accordance with the principles stated in paragraph 5 of Appendix V to the Forest Department Code, 7th Edition.

The rates of royalty on forest produce for the normal needs of cultivating classes dwelling on the margins of forest tracts are low and in ordinary circumstances there is no hardship in insisting of these classes of the population paying for forest produce.

Nevertheless cases occasionally occur where through fire, flood or other calamities a villagers' capacity to repair damage to his house is reduced. In circumstances such as these and also in the case where the grant is to be used for the benefit of the public or sections of the community in their collective capacity, a grant of timber or other forest produce free or at concessional rates may be made, after due enquiry under instructions of and report to the Divisional Forest Officer. All such grants should be recorded in Form 12 submitted with the monthly Timber Forms to Conservator of Forests.

(b) **Communications of importance to the Forest Department**—In cases where the only feasible line of export is through a sea garden or over other private road a grant of forest produce free or at concessional rates may be sanctioned provided facilities for export of forest produce or access to State Forests are obtained as a *quid pro quo*.

Similarly, where a bridge on a Public Works Department, District or Local Board road has not been constructed or maintained in good repair through lack of funds, a grant of timber or other forest produce may be sanctioned, if it is necessary in the interests of the Forests Department to maintain such line of export open.

3. A return shall be submitted annually at the close of the financial year in Form 12 to Conservator of Forests and Accountant-General, East Pakistan of all quantities of timber or forest produce referred to under Exceptions 2(a) and (b).

N.B.—In this return columns 8 and 9 of Form No. 12 should be modified to read "Value at concessional rates" as column (8), "Normal value" as column (9) and "Remarks" as column (10).

(Approved by Government in their letter No. 11808-For., dated the 18th December, 1940 and Correction slip No. 64.)

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CHAPTER IV

Accounts.

(Note—This chapter deals only with account matters not contained in the Civil Account Code and the Forest Department Code, 7th Edition.)

ART. 54: ACCOUNTS OF TIMBER AND OTHER STOCK OF STORES, TOOLS AND PLANT AND LIVESTOCK.

Note—Throughout this article the forms referred to are such as were prescribed under the 6th edition of the Forest Department Code, specimens will be found at the end of the article.

1. (i) The produce of all fellings must appear either in Form No. 5, or No. 10 or No. 12.

(ii) The "gross yield" of a forest is the total volume (in cubic feet solid) or quantity of all produce felled or cut, whether removed and utilized or not. The "outturn" or net yield comprises such portion of the gross yield as has been or will be utilized.

(iii) The gross yield of all fellings by Government agency must appear in Forms Nos. 5 and 7. Wastage or other unutilizable material will be written off in Form Nos. 6 and 7. The outturn of illicit felling shown in Form No. 17 should be shown in Form No. 5 when the produce lapses to Government. The outturn of all other fellings must appear in Form No. 10 or No. 12.

2. Under the system of Government working, two classes of depots will be established.

(i) Forest depots.

(ii) Sale depots.

It will rest with the Conservator to decide what localities shall be forest depots* and which sale depots.

3. All timber and forest produce on reaching a forest depot will be shown in the Register of Receipts (Form No. 5), and on its despatch or disposal in the Register of Disposal (Form No. 6).

4. In each sale depot will be kept Registers of Receipts (Form No. 5), in which will be entered all stock as it arrives, and Registers of Disposal (Form No. 6) showing all stock sold or otherwise disposed of. Separate registers will be kept for—

(a) Timber, including drift and waif wood.

(b) Bamboos, fuel and other forest produce.

5. (i) All logs and scantlings on reaching a sale depot will be measured and marked. The number, or measurement, or both, as the case may be, of the logs and scantlings must be entered daily in the Register of Receipts as they are taken charge of.

(ii) Logs and scantlings, when sold, will be marked with the sale-mark.

6. (i) The following returns will be submitted monthly from each forest and sale depot to the Divisional Officer :—

Form No. 7—Receipts and issues of timber and other produce.

Form No. 8—Sales of timber and other produce, including drift and waif wood.

(ii) A summary will be prepared from the returns submitted in Form No. 7 from each depot in the division. Each description of produce will be grouped together, and the numbers and quantities will be totalled separately. The receipts and issues of forest depots will be shown separately from those of sale depots.

(Conservator's Circular No. 268, dated the 1st December, 1903).

Note—All transactions shown in Form No. 7 necessitating payments should appear in Form No. 60-P, Civil Account Code, of the same month and *vice versa*. Should the transaction be shown in Forms Nos. 7 and 60-P, Civil Account Code, for different months a note should be made in the "Remarks" column of the form in which the transaction has been entered, showing the months in which the entry appears in the other form. When the entries made in both forms do not tally, the discrepancy should be explained against the entry in Form No. 7.

7. (i) Form No. 8 will show the sales the proceeds of which are credited under Revenue head I, and of so much under head III as is obtained by the sale of drift and waif wood and confiscated forest produce collected by Government Agency.

(ii) The entries in this form will consequently comprise all disposals by sale of timber and other produce shown in Form No. 7, the totals for forest depots and sale depots being shown separately.

8. From divisions where drift timber operations are of sufficient importance, a return in Form No. 9 will be submitted to the Conservator. All items entered in the column "Transferred to Government Account" will appear in Form No. 5 in the same way as other Government timber.

*In some cases, special plots will be set aside as "for at depots in others the areas where the fellings have been made will be considered as "forest depots".

9. (i) For all timber or other forest produce sold otherwise than from depot, a permit must be given before any of the aforesaid produce can be removed by the purchaser. This permit or license will be issued under such rules and in such forms as the Local Government may from time to time prescribe. Permit or license forms shall be kept in triplicate in bound books, and bear printed serial numbers and the words "original", "duplicate" and "triplicate". Each permit or license issued shall be filled in by the officer issuing it and shall be made with pen carbon paper. All amounts of produce, as well as of money, shall be written in words, as well as in figures.

(ii) In the case of prepaid licenses, the officer issuing the license may receive either cash or a treasury challan as proof of payment. The Original license shall be given to the licensee, the duplicate shall be attached to the monthly accounts, and the triplicate be kept by the issuing officer.

(iii) In cases where, under the conditions of the permit, timber is marked with a Government sale-hammer on passing revenue stations, or where forest produce is otherwise allowed to leave the limits of the forests, the officer marking such timber or passing such forest produce shall collect the original licenses, and the purchase certificates which may have been granted on the strength of such licenses and forward them to the Divisional Officer under whose signature or authority they were issued. They should be pasted into the book of licenses, each against its counterfoil.

(iv) In the case of unpaid licenses, or purchase certificates granted thereunder, the original shall be given to the licensee, and the duplicate be sent to the officer empowered to mark or pass the produce on payment of the revenue due when the payment has been effected, which may be done by cash or treasury challan. The officer receiving it shall at once return the duplicate, entering thereon any purchase certificates which may have been granted on the strength of such license. These should be pasted into the license book of the issuing officer, each against its counterfoil. The original should be submitted as a revenue voucher to the accounts of the passing officer.

"(v) The books of licenses should be periodically examined. The Divisional Forest Officers assisted by their attached Gazetted Officers and Subdivisional Forest Officers should check at least 1 per cent. of counterfoils of permits in the Range or Beat Offices (if permits are issued from them) during inspections and in the Divisional Offices on receipt of the used up permit books provided that during the percentage check the returned licenses are checked with the counterfoils and with the entries of the amounts realised on their account in the cash book. An explanation should be called for as regards any licenses missing or unduly delayed from the officer who issued the same."

(Government of Bengal, Forest and Excise Department, Forest Branch, letter No. 25220-For., dated the 2nd December, 1938, Memorandum No. 2730-For., dated the 10th March, 1942, and Revenue Department, Forests Branch, letter No. 501T-For., dated the 30th October, 1940.)

10. The stock at each sale depot must be counted periodically at such intervals as the Conservator may direct, the depot books being balanced at the time of counting. A special report of each taking of stock must be submitted to the Conservator.

11. (i) A bill book (Form No. 13) must be used for lists of timber and other produce sold from depots. On each transaction taking place, the bill may be given to the purchaser, while a copy is forwarded to the Divisional Officer, and the counterfoil will form the depot copy.

(ii) A receipt book (Form No. 14) must also be used for receipts of price paid to be given to purchasers.

12. (i) All timber or other produce cut, collected, and removed from the forests by consumers and purchasers will be entered in a monthly statement prepared in Form No. 10.

(ii) Form No. 10 will show the sales the proceeds of which are credited under Revenue head II, arranged and totalled in horizontal lines according to sub-heads, and so much of the revenue under head III as is obtained by the sale of drift and waif wood and confiscated forest produce collected and removed by consumers or purchasers.

(iii) When leases are granted for certain fixed periods to collect produce, and the revenue is payable in instalments, an estimate should, when practicable, be made of the quantity of produce removed and the total estimated quantity should be shown in Form No. 10 once only, when the last instalment of revenue due is entered in that form as having been received.

(iv) When the price of the produce entered in column 6 is only partially realized, or not realized, at all, the number and date of the Conservator's sanction for deferring realization should be noted in the column provided for this purpose.

(Conservator's Circular No. 39, dated the 24th April, 1907.)

Note (f)—Any entry in Form No. 8 or Form 10, in which the rate differs from the sanctioned schedule of rates, should be initialed by the Divisional Forest Officer in the "Remarks" column to show that the rate has been adopted under his orders.

(Conservator's Circular No. 7-1A-38, dated the 17th March, 1920.)

Note (g)—Entries in Form 10 must be made as shown in the sample form on page 86 of this Manual.

13. (i) All items of revenue, including those shown in Form Nos. 8 and 10, which are not fully realized during the month, will be entered in detail in Form No. 11 (outstandings on account of revenue). The return for June in each year will be accompanied by a brief explanation of the circumstances under which each item of revenue that has been outstanding for twelve months remains unadjusted.

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(ii) If any outstanding revenue becomes irrecoverable, sanction should be obtained to the writing off the net loss to Government in the transaction and when the sanction is received, the amount shown as outstanding in Form No. 11 should be entered, in red ink, in the column "Recoveries during the month" of the form, a cross-reference being made to the instalment register and to the sanction under which the net loss to Government was written off, saying that it includes the outstanding revenue.

✓ When a person who has contracted to purchase a lot fails to complete the contract and to pay the full sale price, the loss of forest revenue to be written off should be calculated by deducting from the original sale price of the lot, (i) the amount already received from the contractor as price of timber removed from the Forests, (ii) the amount of security deposit forfeited to Government on his failure to fulfil his contract, (iii) the amount realized by the sale of the unremoved felled trees, if any and (iv) the value of unfelled trees in the lot as assessed.

(Government of Bengal, Agriculture and Industries Department, Forests Branch, letters Nos. 1,076-For., dated the 12th September, 1935 and 70T-For., dated the 21st October, 1935.)

Divisional Forest Officers are authorised to sanction the writing off of irrecoverable revenue up to Rs. 25 in each case and the Conservator to his authorized to sanction the writing off of irrecoverable revenue up to Rs. 500 in each case; for amounts exceeding these limits, the sanction of the Local Government must be obtained.

(iii) All free grants will be entered in a Register (Form No. 12).

14. An account of the stores, tools and plant in each Division will be kept in East Pakistan Form No. 1681. It will not be submitted to the Conservator of Forests by Divisional Officers but all stores, tools and plant will be checked with the books by the Divisional Forest Officer in September of each year and a certificate of the check forwarded to the Conservator by the 1st October.

The Conservator of Forests will scrutinize this check at the time of his inspection of the Divisional Office.

(Government of Bengal, Forest and Excise Department, Forests Branch, letter No. 17632-For., dated the 2nd September, 1938.)

15. (i) In those divisions where Government elephants or other cattle are kept, returns of live stock, together with a statement of the cost of keep and of the work on which they have been employed, will be submitted to the Conservator in such forms and at such times as may be prescribed.

(ii) Returns of elephants should show name, sex, age, height and condition of the animals.

16. A return (Form No. 17) of forest produce and other property seized and disposed of otherwise than under section 67 of the Forest Act or under corresponding sections in other forest laws during the month, in accordance with the Forest Law or Rules in force, will be submitted monthly by Range Officers to the Divisional Officers. An abstract of these returns, in the same form, will be forwarded monthly by the Divisional Officer to the Conservator.

17. The monthly timber and sale returns received from Divisional Officers will be scrutinized in the Conservator's office and the entries compared with the transactions shown in Form No. 60-P., Civil Accounts Code, the opening and closing balances carefully checked and the Divisional Officers addressed regarding any discrepancies which may be noticed.

18. For ready reference specimens of Form Nos. 5 to 17, as were prescribed under the 6th Edition of the Forest Department Code, are here given:—



FORM No. 5

FOREST DEPARTMENT, EAST PAKISTAN, CHITTAGONG HILL TRACTS (NORTH) DIVISION

Register of Receipts in the Kalarghat Depot.

[illegible]

FORM No. 6 -
(See Article 54)

(Form No. 6) Depot Register of Disposal of Timber, etc.

(Form No. 6) Depot Register of
Disposals of Timber, etc.

FORM No. 6

(See Article 54)

FOREST DEPARTMENT, EAST PAKISTAN, CHITTAGONG HILL TRACTS (NORTH) DIVISION

Register of disposals from the Kalurghat Depot.

No. of bill or pass.	Date.	How disposed of—	Description of produce.	Depot No. of log, etc.	Marks.	Number or quantity.	Measurements.			Selling rate.		Amount.	Remarks.
							Length.	Girth or scantling.	Cubic feet.	At.	Per.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14

FOREST DEPARTMENT.....DIVISION

Receipts and issues of Timber and other produce in Depots during the month of.....19 ..

Name of Depot.	Description of produce.	On hand 1st.....19 ..		Received during the month.			Total.		Disposed of during the month.			Balance on.....19 ..		Remarks.
		No. or quantity.	Cubic feet.	Whence received.	No. or quantity.	Cubic feet.	No. or quantity.	Cubic feet.	How disposed of.	No. or quantity.	Cubic feet.	No. or quantity.	Cubic feet.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Dated.....

The.....19 ..

Deputy Conservator of Forests,

.....Division.

FORM No. 7

FOREST DEPARTMENT, _____

DIVISION _____

Receipts and Issues of Timber, etc., in Depots

during _____ 19 _____

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Sales of timber, etc. cut and collected by Government Agency.
(Form No. 8).

FORM No. 8

(See Article 54.)

FOREST DEPARTMENT, EAST PAKISTAN, CHITTAGONG HILL TRACTS (NORTH) DIVISION

Sales during the month of June, 1967 of timber and other produce, cut and collected by Government Agency.

Place of sale.	Budget sub-head.	Description of produce.	Number or quantity.	Cubic feet.	Rate.	Total amount of sale.	Amount actually paid.	Number of logs and pieces, etc., removed.	Numbers sold but remaining unre-moved.	Remarks.
1	2	3	4	5	6	7	8	9	10	11

Dated.....
The.....19....

Deputy Conservator of Forests,
Chittagong Hill Tracts (North) Division.

FORM No. 10
(See Article 54.)

Drift Timber Operations.
(Form No. 9).

FORM No. 9

(See Article 54.)

FOREST DEPARTMENT, EAST PAKISTAN, CHITTAGONG DIVISION

Account of Drift Timber Operations during the month of June, 1967.

Depot.	Description of timber.	Balance on 1st June.	Salved during the month.	Total.	Made over to claimants.	Transferred to Govt. Account.	Balance on 30th June.	Remarks.
1	2	3	4	5	6	7	8	9

Revenue on produce removed from
Forests by purchasers (Form No. 10).

Revenue on produce removed from
Forests by purchasers (Form No.10).

FORM No. 10

(See Article 54.)

FOREST DEPARTMENT, EAST PAKISTAN, CHITTAGONG HILL TRACTS (NORTH) DIVISION

Revenue from timber and other produce cut, collected and removed from the Forest by contractors or purchasers, including pasture, during the month of June, 1967.

Forest range or unit.	Forest or locality.	Produce removed.		Rate.	Amount of revenue.	Amount actually realised during the month.	Realised under each budget sub-head.		Number and date of Chief Conservator's sanction deferring realization of full revenue due.	Remarks.
		Description	No. or quantity.				Amount.	Sub-head.		
1	2	3	4	5	6	7	8	9	10	11

Dated.....
The.....19.....

Deputy Conservator of Forests,
Chittagong Hill Tracts (North) Division.

Outstandings on account of revenue.
(Form No. 11).

FORM No. 11

(See Article 54.)

FOREST DEPARTMENT, EAST PAKISTAN, CHITTAGONG HILL TRACTS (NORTH) DIVISION.

Outstanding on account of revenue for the month of June, 1967.

Names.	Particulars.	Outstanding on 1st June, 1967.	Items on which the revenue is not fully realised during the month.	Total.	Recoveries during the month.		Balance due to department on 20th June, 1967.	Budget sub-head.	Remarks.
					No. of items in cash book.	Amount.			
1	2	3	4	5	6	7	8	9	10

Dated.....
The.....19....

Deputy Conservator of Forests,
Chittagong Hill Tracts (North) Division.

FORM NO. 13.

Register of Free Grants of Forest Produce.
(Form No. 12).

FORM No. 12

(See Article 54.)

FOREST DEPARTMENT, EAST PAKISTAN

Register of free grants of Forest Produce in the Chittagong Hill Tracts (North) Division.

Authority under which granted.	Range.	Locality.	Name of grantee.	Purpose for which granted.	Produce granted.			Normal value.	Remarks.
					Description.	No. or quantity.	Value at concessional rates.		
1	2	3	4	5	6	7	8	9	10

Bill form or Depot use.

FORM NO. 13.

Bill form or Depot use.

FORM No. 13.

Bill No. 6 of 1967-68.

(See Article 54.)

FOREST DEPARTMENT, EAST PAKISTAN, CHITTAGONG
HILL TRACTS (NORTH) DIVISION.

List of timber or other produce sold to J. Jones, Esq., from the
Chittagong Hill Tracts (North) Depot.

Depot No.	Description of timber or produce.	Measurement.			Rate.	Amount.
		L.	G.	Cft.		
1	2	3	4	5	6	7

FORM No. 13.

Bill No. 6 of 1967-68.

(See Article 54.)

FOREST DEPARTMENT, EAST PAKISTAN, CHITTAGONG
HILL TRACTS (NORTH) DIVISION.

List of timber or other produce sold to J. Jones, Esq., from the
Chittagong Hill Tracts (North) Depot.

Depot No.	Description of timber or produce.	Measurement.			Rate.	Amount.
		L.	G.	Cft.		
1	2	3	4	5	6	7

FORM No. 13.

Bill No. 6 of 1967-68.

(See Article 54.)

FOREST DEPARTMENT, EAST PAKISTAN, CHITTAGONG
HILL TRACTS (NORTH) DIVISION.

List of timber or other produce sold to J. Jones, Esq., from the
Chittagong Hill Tracts (North) Depot.

Depot No.	Description of timber or produce.	Measurement.			Rate.	Amount.
		L.	G.	Cft.		
1	2	3	4	5	6	7

Dated, the.....19 ..

Forester in-Charge.

Dated, the.....19 ..

Forester in-Charge.

Dated, the.....19 ..

Forester in-Charge.

Receipt for price of timber, etc., sold (Form No. 14).

FORM No. 14. No. 14 of 1967-68.

(See Article 54.)

FOREST DEPARTMENT, EAST PAKISTAN,
CHITTAGONG HILL TRACTS (NORTH)
DIVISION.

Chittagong Hill Tracts (North) Depot.

Received from J. Jones, Esq., the sum of rupees one hundred and twenty-five only, being price of firewood brought by him, as detailed in Bill No. 6 of 1967-68 in part payment.

No. Cft.

Logs. at Rs.

Sleepers. at Rs.

Firewood (500 mds.) at Rs. 25 per cent. ...
Rs. 125

Total - 125

Forester in-Charge of Depot.

Dated, the19..

FORM No. 14. No.14 of 1967-68.

(See Article 54.)

FOREST DEPARTMENT, EAST PAKISTAN,
CHITTAGONG HILL TRACTS (NORTH)
DIVISION.

Chittagong Hill Tracts (North) Depot.

Received from J. Jones, Esq., the sum of rupees one hundred and twenty-five only, being price of firewood brought by him, as detailed in Bill No. 6 of 1967-68 in part payment.

No. Cft.

Logs. at Rs.

Sleepers. at Rs.

Firewood (500 mds.) at Rs. 25 per cent. ...
Rs. 125

Total - 125

Forester in-Charge of Depot.

Dated, the19..

Permits (Form No. 15.)

ORIGINAL

Permits (Form No. 15.)

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No. 6Rs.
125

Depot.

Permits. (Form No. 15.)

ORIGINAL

FORM No. 15*.

(See Article 54.)

FOREST DEPARTMENT, EAST PAKISTAN, CHITTAGONG HILL TRACTS (NORTH) DIVISION

Permit No. 1057.

No. 51 of 1967-68.

Name—Ram Bux.

Residence—Jor Bungalow.

Forest.	Date of expiry of grant.	Description of timber or other produce.	Number or quantity.	Rate.	Amount.	Remarks.
1	2	3	4	5	6	7
				Rs.	Rs.	
Mahallia block ..	4th July	Champa tree	1	20	20	..

.....Forester,
Chittagong Hill Tracts (North) Division.

Dated, the19....

*This form should be printed in triplicate.

Permits. (Form No. 15.)

FORM No. 15*.

(See Article 54.)

FOREST DEPARTMENT, EAST PAKISTAN, CHITTAGONG HILL TRACTS (NORTH) DIVISION

Permit No. 1057.

No. 51 of 1967-68.

Name—Ram Bux.

Residence—Jor Bungalow.

Forest.	Date of expiry of grant.	Description of timber or other produce.	Number or quantity.	Rate.	Amount.	Remarks.
1	2	3	4	5	6	7
				Rs.	Rs.	
Mahallia block ..	4th July	Champa tree	1	20	20	..

.....Forester,
Chittagong Hill Tracts (North) Division.

Dated, the19....

*This form should be printed in triplicate.



FORM No. 17.

(See Article 54.)

Forest produce and other property seized and disposed of during the month (to be kept up by Range Officers).

Forest produce or other property seized.		Locality where stored or person to whom entrusted.	Property released.	Property made over to third parties.	Property confiscated to Government by order of court.	Property brought on to Form No. 5 or other Government stock returns.	Date or dates on which action was taken under columns 4, 5, 6 or 7.	Not disposed of during the month.	Remarks.
Date.	Description.								
1	2	3	4	5	6	7	8	9*	10
(1) 5th April ..	5 carts .. 50 sal poles.	Kachighata ..	..	..	5 carts	5 carts .. 50 sal poles.	..	..	Court case No., dated 8th April.
(2) 10th April ..	10 teak scantlings	Removed to depot	..	..	..	10 teak scantlings	..	..	..
(3) 10th April ..	100 maunds Kumbi leaves. 3 pans Miscellaneous leaves.	Ditto ..	3 Pans miscellaneous leaves.	..	..	100 maunds Kumbi leaves.	..	..	Case No., dated
(4) 12th April ..	100 logs sal .. 3 boats.	Kaliskair check station.	..	..	100 logs sal 3 boats.	100 logs sal 3 boats.	..	..	Court case No., dated
(5) 20th April ..	50 teak logs	Rajendrapur ..	..	50 teak logs ..	..	..	..	..	Court case No., dated
(6) 26th April ..	50 teak squares .. 10 carts.	Salna Forest ..	..	..	..	..	..	10 carts	

* Necessary particulars of items in column 9 will be brought forward in the next month's form and shown in red ink in columns 1, 2 and 3.

FORM No. 17.

EXPLANATION OF ENTRIES

Entry No. 1—Seized on the 5th April, 5 carts (private property) and 50 sal poles (Government property). Court decides case on 8th April confiscates the carts to Government, and Forest Officer, takes over poles. Carts are brought on to stock account for sale and the poles on to Form No.17.

Entry No. 2—Seized on the 10th April, ten teak scantlings (Government property), in respect of which offence is suspected. Offender not known scantlings brought direct on to Form No. 17.

Entry No. 3—One hundred maunds Kumbi leaves and 3 pans miscellaneous leaves seized on 10th April, 3 pans miscellaneous leaves released under section 53 of the Forest Act, 1927. Kumbi leaves brought on to Form No.17.

Entry No. 4—The first instalment of price has been paid on 100 logs sal to be brought out and covered by pass. Offender runs past revenue station at night to avoid payment of second instalment. Court orders confiscation of property, which is brought on to stock returns.

Entry No. 5—Fifty teak logs, without chalan, received on 20th April, case brought into court. Property marks prove logs belong to third person, to whom the court gives the timber.

Entry No. 6—Fifty teak squares and ten carts, in respect of which an offence is believed to have occurred seized on 25th April. Case reported to Magistrate, but undisposed of at close of month.

Art. 54 A: PROCEDURE RELATING TO THE REALISATION OF MONTHLY FIXED DEMANDS IN THE FOREST DEPARTMENT.

(a) Divisional Forest Officers will maintain in book form a Fixed Demand Register in Form No.49 of the Public Works Account Code for monthly demands only. The heading of the column "assessment" under each month in the Fixed Demand Register in Public Works Account Code Form No.49 should be altered in manuscript to "Debit item No."

(b) The realisation and outstandings in respect of fixed demands will not be audited in the office of the Conservator of Forests, East Pakistan.

(c) In submitting the monthly Form Nos. 8, 10, 11 and 14 to the Conservator of Forests, Divisional Forest Officers will furnish a certificate to the effect that the total realisations for the month recorded in Form Nos. 10 and 14 agree with the total recoveries in Public Works Department Form No.49, and the total outstanding in Public Works Department Form No. 49 have been correctly entered in Form No. 11.

(d) Conservator of Forests should make a test check of the Register of Fixed Demands at the time of inspecting Divisional Forest Offices.

(e) An abstract of the Fixed Demand Register in so far as rents of Government buildings are concerned should be submitted at the close of the year to the Accountant-General, East Pakistan, with the Capital Account of Residence (E. P. Form Nos. 4756 and 4756A).

(Vide Correction No. 97, dated 8th March, 1943.)

Art. 55: EXPLANATORY ORDERS RELATING TO BUDGET AND REVISED ESTIMATES

(Government of India, Resolution No.2162-Ex., dated the 30th April, 1904.)

1. It must be remembered that for the increasing of expenditure two conditions must be present *independently*—

(a) The expenditure must be within the limits of the originally sanctioned budget estimate, or of some "extra grant" sanctioned by competent authority in addition to the original estimate.

(b) The expenditure must have been sanctioned, as expenditure by superior authority, unless it is within the sanctioning powers of the expending officer.

Neither of these two conditions implies the other, and it is the duty of the expending officer to satisfy himself that both are present.

Although it is sometimes, in occasional extraordinary circumstances, necessary for an expending officer to disburse money, or to engage to do so, in the absence of one or both of these conditions, he must remember that he is taking upon himself a responsibility for which he has to give a due account, and he is bound at once to report his action for regularization.

(Government of India, Circular No.5F., dated the 21st March, 1895.)

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2. The budget estimates are passed and sanctioned before the commencement of the year to which they apply. They provide for expenditure within certain limits, and Local Governments have power, subject to well-known rules, to regulate their expenditure within these limits. Outside these limits no expenditure of any sort whatever can properly be incurred, unless a special additional grant to cover it has been applied for and sanctioned by the Government of East Pakistan.

The revised estimates (not revised budget estimates, as they are often improperly called) make no provision for any expenditure whatever they are accepted by the Government of East Pakistan; and no entry in them carries with it any authority for expenditure of any kind. They do not even provide for, or authorise, the expenditure of charges already entered in the budget estimates; for these latter alone possess authority. The revised estimate are not budgets or appropriations of money, nor do they supersede the budget estimates as the basis for the regulation of expenditure. They are estimates pure and simple prepared for information, in order to indicate to Government how far the expenditure already sanctioned (in the budget estimates and in subsequent additional grants, if any) will be worked up to. If the figures for expenditure in the revised estimates exceed the total of the budget estimates, and of special grants already made or applied for, they clearly must be wrong, and will be corrected accordingly by the Government of East Pakistan; for no expenditure can be incurred that has not been sanctioned, and, if it had become apparent, before the preparation of the revised estimates, that expenditure in excess of existing sanction would be necessary, additional sanction would, under standing rules, have been applied for at once.

The rule is that sanction to all expenditure in excess of budget provision must be applied for as soon as it becomes apparent that such expenditure will be necessary. When, however, the excess expenditure under individual heads is small, it may happen that the general review of the year's requirements which is made for the purposes of the revised estimates discloses for the first time the necessity for such expenditure. When that is the case, the application for an additional grant must be made at once, separately, and in a complete form, so that it may be disposed of quite apart from the revised estimates. It has, indeed, no connection with those estimates; for the making of the application is a condition precedent to the inclusion of the sum applied for in the estimates; in short, the estimates depend on the grant, not the grant upon the estimates.

As soon, then, as it appears that expenditure in excess of budget sanction will be necessary, an application for an additional grant should be made at once. It must be shown—

- (a) that the expenditure is necessary and unavoidable, or at least in the highest degree advisable;
- (b) that it could not have been foreseen when the budget estimates were prepared; or if it could have been, it must be explained why the necessary provision was not made;
- (c) that it cannot be met by reappropriation within the budget grant for forest expenditure; and
- (d) that it cannot be met by reappropriation from the budget grants under other major heads of expenditure which are controlled by the Local Government.

In an organization such as the Forest Department, extra expenditure may occasionally be highly advisable, though not absolutely unavoidable. For instance, expenditure which produces revenue may have to be increased in the course of the year; and if a demand should spring up for certain forest produce, it must be met at once, or the revenue may be altogether lost. But in all cases the necessity for the proposed excess expenditure must be fully explained and justified in detail, mere general references to a probable increase in the receipts are insufficient.

(Government of India, Resolution No.2225A., dated the 18th May, 1897).

3. The revised estimates of any year are a mere forecast, as accurate as possible, of what the actual results of the year are likely to be, independently of the question whether there is, or is not, authority for the expenditure included in those estimates, and that the figures adopted for them are useful only for administrative purposes and cannot be used for purposes either of budget control or of audit. The acceptance of the revised estimates does not warrant any departure from the rules for controlling and limiting expenditure by budget provision, and the figures of the revised estimates should not be taken as in any way superseding, for purposes of control of expenditure, the budget estimates passed by the Government of East Pakistan.

The authorized grants made in the letters which convey orders on the budget estimates and any additional grants or reappropriation made under proper sanction and authority, and not the figures in the revised estimates, should, therefore, always be made the basis of applications for any necessary additional grants as soon as it becomes apparent that expenditure in excess of the budget grant will be necessary under any head and cannot be avoided, an application for an additional grant should be made, unless it is within the power of the Local Government to sanction the grant itself; full explanation of the particular items to which the excess is due and of the reasons for incurring the expenditure should be given, and specific reappropriations of budget grants should be proposed, or if it is necessary to go beyond the limits of budget grants, specific additional grants should be proposed; nor should the explanations required in these cases refer in anyway to the revised estimates. It is not convenient that the revised estimates should be in anyway connected with such applications, as their acceptance does not imply any sanction to the expenditure included in them.

It is also necessary to point out that additional grants for any year cannot be sanctioned after the close of the year; and that proposals for such grants as well as for reappropriations of existing grants should, therefore, always be submitted in time to admit of orders on them being passed before the close of the year.

The Governor in Council has decided to introduce the following changes in the method in which the annual estimates of receipts and charges are prepared in district and departmental offices for submission to the Accountant-General, East Pakistan.

(1) In future the budget estimates of expenditure prepared in district and departmental offices should be rigidly confined to ordinary charges and charges which, although not yet being incurred, have been finally sanctioned for introduction in the ensuing financial year. They should not include provision for any new unsanctioned schemes which it is desired to introduce in the ensuing financial year.

Proposals for new expenditure on such schemes should be separately submitted by the Administrative Departments to the Local Government in the Finance Department in Schedules, the preparation of which will be governed by the instructions in the Memorandum accompanying this letter. This instruction does not apply to budget estimates under central heads, in which proposals for new expenditure may be included with a note pointing out that the expenditure is new. No separate schedules need be submitted for such new expenditure under central heads.

In order to relieve district and departmental officers of a certain amount of routine work in the preparation of budgets, the budget estimate of the cost of all permanently sanctioned establishment was prepared by the office of the Accountant-General, East Pakistan, (Bengal for 1921-22,) in accordance with this department circular Nos. 524-651-T-F., dated the 22nd June, 1920. Experience, however, has proved that this procedure is not suitable, and it has, therefore, been decided to revert to the old system, under which all budgeting officers had to give details of such establishments to the Accountant-General.

2. In future revised as well as budget estimates should be submitted by all offices and departments.

Detailed instructions regarding the preparation of the estimates submitted to the Accountant-General, East Pakistan, embodying these changes are contained in the Memorandum accompanying this letter. I am to request that all heads of departments and offices will give their personal attention to seeing that these instructions are correctly followed in the preparation of the estimates this year, and will refer to Government in good time any point on which they feel any doubt.

MEMORANDUM

The preparation of the revised and budget estimates.

A—GENERAL.

The estimates of receipts and of ordinary charges prepared in districts and departmental offices in 2nd week of October are checked and, if necessary, consolidated in the office of the Accountant-General, East Pakistan. They are then considered by the Secretariat by 1st week of March. In March the Provincial Government settle the programme of recurring and non-recurring expenditure which they desire to incur on new schemes in the ensuing financial year, the amounts being determined by a review of the funds available and of the proposals either initiated in the Secretariat or put forward by heads of departments in their Schedules of new expenditure and lists of new major works together with the estimates of the minor works grants.

2. Some of the dates given in the preceding paragraph are subject to slight alterations, but the principle stages in the preparation of the estimates do not alter year by year and no deviation from them is feasible. It is, therefore, of the utmost importance that all officers should transmit their estimates on the prescribed dates which allow only the minimum period necessary for scrutiny in the various controlling offices. The prescribed dates are given in Appendix A* to this Memorandum.

B—ESTIMATES OF REVENUE AND RECEIPTS

3. (a) The estimates should be prepared in triplicate. One copy should be kept for record in the office of origin, and the duplicate and triplicate copies should be sent simultaneously to the Accountant-General, East Pakistan and the Finance Department to the Government of East Pakistan respectively.

(b) The dates on which the various estimates should be transmitted to the Accountant-General, East Pakistan, and the Finance Department are given in Appendix A*.

(1) Revised estimates.

4. These estimates are forecasts, as accurate as it is possible to make at the time, of what the actual receipts of the current year will be, and the most important guide to their preparation will, therefore, ordinarily be found in the actual receipts of those months of the year which have already elapsed. If an officer observes that the actual receipts from a particular source or revenue reveal a growth or a diminution compared with those of the corresponding period of the previous year, he will, *ceteris paribus*, be justified in assuming a continuance of the growth or decline at the same rate during the remaining months the proportionate estimate based on this assumption should, however, be corrected by a consideration of the other materials which are available for the formation of a sound forecast; either collection of revenue, for instance, or the anticipation of agriculture or commercial depression may suggest that the rate of growth or decline will be retarded or accelerated, and the proportion estimate should, therefore, only be used by the estimating officer as one among a number of factors which influence his

*The prescribed date for the Conservator of Forests, East Pakistan is 15th January.

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decision. It is also rarely suitable for use in estimating land revenue and other receipts, for which a fixed demand is formulated, or income, such as that from the sale of land and houses, which necessarily fluctuates widely from year to year.

5. In all cases and especially in dealing with important revenue estimates the reasons, which have determined the officer through whose hands the estimates pass to adopt the figures which they propose, should be briefly but clearly explained. This explanation should recount the particular circumstances which have, in their opinion, led to a recorded increase or decrease in the revenue of the earlier months and the grounds on which they expect to obtain the balance of the estimates in the latter part of the year; it should not be merely mechanical. A statement, for instance, that the revised estimate is based on the income to date that *plus* anticipated during the remaining months of the year is merely an arithmetical explanation and is of no assistance to controlling officers in deciding whether the estimate is reasonable.

6. The sanctioned budget estimate should not be used in the place of past actuals as a guide to the revised estimate; a comparison of two guesses, of which the first is out of date, is rarely a profitable proceeding.

(2) Budget estimates.

7. The actuals of previous years and the revised estimates ordinarily afford the best guide in framing the budget estimates, and a continuance of any growth or decline in income indicated by them may, in the absence of definite reasons to the contrary, properly be assumed in all cases in which the proportionate estimate can be usefully employed.

8. The reasons which have led to the adoption of the figures proposed for the budget estimates should be briefly and clearly explained with reference to the remarks in paragraph 5 of this Memorandum.

C—ESTIMATES OF EXPENDITURE

9. The dates on which the estimates should be submitted to the Accountant-General and the Finance Department are given in Appendix A*.

10. The reasons which have led to the adoption of the figures proposed for the revised estimates, and the budget estimates of ordinary expenditure, should be briefly and clearly explained with reference to paragraphs 5 and 6 of this Memorandum.

(1) Revised estimates.

11. The revised estimates of expenditure are merely forecasts, based on later information, of what the actual outlay of the year will be; they do not operate either to increase or to reduce the grants which have been placed at the disposal of officers in the sanctioned budget. This is as true of revised estimates of Public Works expenditure as of those of the expenditure of other departments.

12. There should ordinarily be little difficulty in arriving at an accurate estimate of the expenditure of the year, when the experience of the earlier months is available as a guide; and as in the case of the revenue estimates, it can generally be assumed, in default of reasons to the contrary; that any increase or decrease exhibited by the actuals of the months which have elapsed, compared with those of the corresponding period of the previous year, will continue proportionately throughout the year.

(2) Budget estimates.

13. These estimates serve two purposes—

(a) Their primary function is to forecast the expenditure of the ensuing year, and thus to enable Government to make the necessary arrangements for financing the charges which it will be called upon to meet.

(b) As finally passed, they fix the allotment at the disposal of officers for expenditure in the ensuing year.

An overestimate of expenditure reduces the amount which can be treated as available for new schemes, while an under estimate of expenditure or the omission of items of outlay which are likely to be incurred can only be remedied by the postponement of other schemes for which provision has been made. It is consequently of great importance that expenditure estimates should be accurately framed, that programmes involving new expenditure should be carefully worked out before the budget estimates are forwarded, and that no charges which are likely to be incurred should be omitted.

14. In the preliminary stages, with which heads of offices and of departments are concerned, the expenditure estimates are divided into two parts, viz.—

(a) the estimates of ordinary charges which are transmitted to the Accountant-General, and the Finance Department on prescribed forms; and

(b) the estimates of new expenditure;

The reason for this division is explained in the first paragraph of this Memorandum.

(c) In framing estimates for the ensuing year all voted and non-voted expenditure should be carefully classified.

*The prescribed date for the Conservator of Forests, East Pakistan, is 15th January.

- (i) Salaries of person appointed by, or with the approval, of Governor or by the Secretary. Salaries of officers, however, who have been promoted from lower ranks with the approval of the Chief Secretary of East Pakistan to a service ordinarily filled by appointment by the Chief Secretary of East Pakistan would still be voted, e.g., the salaries of members of the East Pakistan Educational Service or of the Pakistan Police Service are non-voted, but salaries of officers, promoted to these services by the Local Government are voted.
- (ii) Salaries of the Judges of the High Court and of the Advocate-General.
- (iii) All expenditure of which the amount is prescribed by, or under, any law. Prescription under any law should be considered to include all cases in which an authority is empowered to fix the sum which shall be expended upon a particular object and that authority proceeds to declare the particular amount which shall be so expended.
- (iv) All charges on the administration of the district of Chittagong Hill Tracts.

(a) Estimates of ordinary charges.

15. Provision is made in these estimates only for—

- (1) Permanently sanctioned charges; and

Note.—In justification of the estimates under "Salaries" and "Establishment" full details of the number of officers and their salaries, together with the pay of the permanent and temporary establishments and menials, should be separately supplied with the estimates. In the case of temporary establishment the last Government order should also be quoted.

- (2) new charges which have been finally sanctioned for introduction in the ensuing year.

16. (a) The budget estimate of charges, such as travelling allowance or the diet money of witnesses, the amount of which tends to vary from year to year, should be based on the actuals of previous years and the revised estimate; and in default of reasons to the contrary, it is ordinarily advisable to assume a continuance of any growth or decline which is revealed by these figures.

(b) The estimates of ordinary charges should exclude the value of stores proposed to be obtained from Europe for which an indent has already been submitted to the Local Government.

(b) Estimates of new expenditure.

17. (a) For convenience these estimates are also, in the preliminary stages of the budget, divided into two parts, viz.—

- (1) expenditure on new major works (i.e., above Rs.10,000) to be carried out by the Public Works Department; and
- (2) other new expenditure, including minor public works.

(b) The attention of all officers is drawn to the provisions of Rule 37 (g) (iii) as regards both reserved and transferred subjects and Rule 27 (i) as regards transferred subjects of the Devolution Rules which have been republished in the *Caleutta Gazette* of the 22nd December, 1920.

(1) Estimates of new expenditure on public works.

18. These estimates are submitted by the administrative departments in lists of major works, the form for which is given in Appendix B of this Memorandum. They should reach the Local Government in the Finance Department not later than the 30th December in each year, and the orders with regard to their preparation are as follows:—

- (1) The lists should be submitted in duplicate.
- (2) These lists should be sent to Dacca.
- (3) No work should be included in the list for which provision has been made in the Public Works Department's budget under "41—Civil works" for the current year, even if construction has not begun at the time of the submission of the list or is not likely to be taken in hand during the year. Provision for such works will be made, if necessary, by the Public Works Department in their estimates as for works in progress.
- (4) No projects should be included in the lists of major works which have not received administrative sanction.
- (5) No important projects should be included in the lists of major works unless detailed plans and estimates have already been technically sanctioned in the Public Works Department, or are so far advanced as to ensure that they will be technically sanctioned before the commencement of the next financial year.

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(6) No proposals regarding a major work, which has not been included in the list of major works submitted by the 15th December, or which does not fulfil either or both of the conditions under paragraphs 4 and 5, will be accepted after the 15th December in each year, unless it is shown that the work is of such extreme urgency that it cannot possibly wait for inclusion in the subsequent year's budget.

(7) Care should be taken to see that all major works are entered in order of urgency. In determining the projects to which the available funds will be allotted, the Local Government will be guided by the recommendations of heads of departments in this matter, provided there is a reasonable probability of the projects being commenced in the ensuing financial year.

(II) Estimates of other new expenditure.

19. These estimates are submitted in Schedules of new expenditure in the form given in Appendix C in accordance with the following orders:

(1) The Schedules are submitted in duplicate by the administrative departments to the Local Government in the Finance Department not later than the 15th December in each year. They contain all new charges for which it is desired to provide funds in the ensuing year, other than those entered in the list of major public works. The entries in the Schedules should be confined to measures which have after examination by the Finance Department been approved by Government, and no scheme should be entered, unless proposals for its introduction have been sent to Government in the administrative department in good time to enable them to send in their recommendations to the Finance Department for examination prior to the 15th December.

(2) No proposal for new expenditure, which has not been included in the Schedule of new expenditure, will be accepted after the 15th December in each year unless it is shown that the scheme is of such importance that it cannot possibly wait for inclusion in the subsequent year's budget.

(3) The Schedules are prepared in the forms given in Appendix C of this Memorandum. The items should be entered in order of urgency, and in the last column of the form a reference should invariably be given to the number and date of the latest communication to or from Government relating to the proposal.

Note—Examples of new charges which should be shown in the Schedule are additions to the pay or numbers of existing establishments not covered by the order in paragraph 15(2) of this circular, increases to contract contingent grants, improvement of court libraries, etc.

20. No Schedules need be prepared for individual minor works for which lump provisions are made in the Public Works Department budget. If an administrative department is of opinion that the lump sum allotted each year for minor works is inadequate, a Schedule in Form C, showing the proposed increase in the lump provision, should be sent to the Finance Department not later than the 15th December each year.

(Government of Bengal, Finance Department, Finance Nos. 277-410-F.B., dated the 20th January, 1926.)

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(b) Clear, but brief, explanation should be given in the "Remarks" column for classifying any expenditure as non-voted (Government of Bengal, Finance Department, Finance No. 1144SF, dated the 22nd July, 1921.)

BUDGET CALENDAR

(Finance Department Memorandum No. F(R) 2D-12/61/389, dated 28th October, 1961).

Name of return, etc. 1	Latest date of posting by Divisional Offices.												Remarks. 14
	January. 2	February. 3	March. 4	April. 5	May. 6	June. 7	July. 8	August. 9	September. 10	October. 11	November. 12	December. 13	
Distribution of Budget forms to Local Officers ..	..	..	..	..	..	..	2nd week	..	..	..	..	..	Memorandum No. F(R) 2D-12/61/389, dated 28-10-1961.
Receipt of Schedule of New Expenditure ..	..	..	..	..	..	..	..	Last week	..	..	..	..	Do.
Reminder to defaulters for the schedule ..	..	..	..	..	..	..	..	..	1st week	..	..	..	Do.
Receipt of Local Officers Budget estimates ..	..	..	..	..	..	..	..	..	..	2nd week	..	..	Do.
Receipts of estimates under Central heads from Local Officers ..	..	..	..	..	..	..	..	..	..	3rd week	..	..	Do.
Reminder to defaulting Local Officers for Budget estimates ..	..	..	..	..	..	..	..	..	..	Do.	..	..	Do.
Reminder to defaulters for Central estimates ..	..	..	..	..	..	..	..	..	..	4th week	..	..	Do.
Receipt of High Commissioners' estimates ..	..	..	..	..	..	..	..	..	..	Do.	..	..	Do.
Completion of Schedule and Printing of the same ..	..	..	..	..	..	..	..	..	..	..	1st week	..	Do.
Receipt of consolidated estimates from the Accountant-General, East Pakistan, with 3 months' Actuals.	..	..	..	..	..	..	..	..	..	..	Do.	..	Do.
Submission of estimates under Central heads by Finance Department (including loans).	..	..	..	..	..	..	..	..	..	..	..	1st week	Do.
Preparation of the 1st edition of the Budget estimates ..	1st week	..	..	..	..	..	..	..	..	..	..	..	Do.
Receipt of Revised estimates from Local Officers ..	2nd week	..	..	..	..	..	..	..	..	..	..	..	Do.
Circulation of the 1st edition of the Budget and discussion with the Departments.	Do.	..	..	..	..	..	..	..	..	..	..	..	Do.
Reminder to defaulters for Revised estimates ..	3rd week	..	..	..	..	..	..	..	..	..	..	..	Do.
Receipt of Revised Estimate along with 6 months' Actuals ..	..	1st week	..	..	..	..	..	..	..	..	..	..	Do.

BUDGET CALENDAR—Contd.

(Finance Department Memorandum No. F(R) 2D-12/61/389, dated 28th October, 1961).

BUDGET CALENDAR—Contd.

(Finance Department Memorandum No. F(R) 2D-12/61/389, dated 28th October, 1961).

Name of return, etc. 1	Latest date of posting by Divisional Office.												Remarks. 14
	January. 2	February. 3	March. 4	April. 5	May. 6	June. 7	July. 8	August. 9	September. 10	October. 11	November. 12	December. 13	
Preparation of Revised estimates	..	..	1st week	..	..	..	..	..	..	..	..	..	Memorandum No. F(R) 2D-12/61/389, dated 28-10-1961.
Circulation and discussion of the Revised estimates with the Departments.	..	..	2nd week	..	..	..	..	..	..	..	..	..	Do.
Despatch of 1st edition of the Civil estimate to press.	..	..	..	1st week	..	..	..	..	..	..	..	..	Do.
Receipt of 1st proof of Civil estimate	..	..	..	2nd week	..	..	..	..	..	..	..	..	Do.
Consideration and approval of the Budget in the Secre- tary's Meeting by Governor.	..	..	..	..	1st week	..	..	..	..	..	..	..	Do.
Preparation of Red Book	..	..	..	..	2nd and 3rd week	..	..	..	..	..	..	..	Do.
Despatch to Press for final edition of the Budget for proof.	..	..	..	..	2nd week	..	..	..	..	..	..	..	Do.
Despatch of Red Book to Press	..	..	..	..	3rd week	..	..	..	..	..	..	..	Do.
Receipt of proof of final edition of Budget ..	..	..	..	..	Do.	..	..	..	..	..	..	..	Do.
Preparation and despatch other Budget publications to press.	..	..	..	..	4th week	..	..	..	..	..	..	..	Do.
Return of proof to Press for final printing of the Budget.	..	..	..	..	..	1st week	..	..	..	..	..	..	Do.
Receipt of Civil estimate and other Budget publications from Press after final printing.	..	..	..	..	..	2nd week	..	..	..	..	..	..	Do.

ART. 56 : STATEMENT OF REVENUE AND EXPENDITURE TO END OF MARCH AND FORECAST FOR APRIL, MAY AND JUNE

A comparative statement of revenue and expenditure should be submitted not later than the 1st January each year in order that savings towards the close of the year in certain divisions may be utilised in others and the budget figures sanctioned by Government may be worked up to.

Full explanations of the variations between the original grants and estimated expenditure should be submitted sub-head by sub-head.

(Government of Bengal, Revenue Department (Forests), Memorandum No. 3279-For., dated the 11th March, 1930.)

ART. 57 : APPROPRIATION REPORT OF THE RECEIPTS AND EXPENDITURE OF THE FOREST DEPARTMENT

Under Article 1459 of the Civil Account Code, each Accountant-General is required to prepare and submit to the Comptroller and Auditor-General an Annual Appropriation Report of the Receipts and Expenditure of the Forest Department, setting forth the results of the comparison of the actuals with the estimated figures of the year, and detailing the causes of difference. Accordingly, not later than the 1st December a statement containing the following figures should be submitted by Chief Conservator to the Accountant-General, East Pakistan :—

- A—Actuals of previous year.
- B—Budget of year in question.
- C—Revised estimate of year in question.
- D—Actuals of year in question.

The figures will be classified under the following heads for each circle as a whole :—

Receipts.

- I—Timber and other produce removed by Government agency.
- II—Timber and other produce removed by consumers or purchasers.
- III—Other receipts (i.e. the total of the figures under all other service heads).
- Total.

Expenditure.

- Conservancy and works.—
- Timber and other produce removed from the forest by Government agency.
- Timber and other produce removed from the forest by consumers or purchasers.
- Other charges (i.e., the total of the figures under all other service heads under "Conservancy and Works").
- Establishments.
- Total.

The figures of the budget and revised estimates should be those sanctioned by the Government.

An explanation should be given of differences between B and D, detailing the cause in each case. If the revised estimate differs in any marked degree from the final actuals, an explanation should be recorded of the circumstances under which it did not more exactly correspond with the actuals.

A note should be made explaining any note worthy difference between the actuals of the year of estimate and those of the preceding year.

Every excess of actual expenditure over budget figures should be carefully explained, and, if it is more than a petty amount, it should be shown how and why the budget check failed and when the matter was reported to Government.

The most important explanations required are those which relate to the differences between B and D, i.e., between the original budget and the actuals of the year in question, and they should be fully stated.

As regards differences between A and D, i.e., between the actuals of the two years, attention need be drawn only to the leading features of the differences, without very detailed remarks.

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ART. 58: RULES FOR THE REMITTANCE OF FOREST REVENUE TO TREASURIES AND OF ADVANCES TO DISBURSERS THROUGH POST OFFICES.

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(Approved in Government Order No. 2597-For., dated the 21st July, 1893, and No. 1069-For., dated the 27th February, 1896.)

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1. Divisional Forest Officers should provide their Range and other Revenue Remitting Officers with ordinary inland money-order forms in books with counterfoils, such as are obtainable at all post-offices, and these alone should be used, all particulars of the remittance being noted on the counterfoil.

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2. The remitter should make out a money-order on one of these forms, filling in the name of the most convenient post office and other particulars, and making it payable to the officer-in-charge of the treasury and should send it with the cash to the post office. He should note briefly on the coupon particulars of the remittance sufficient for the Treasury Officers' information.

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3. The Treasury Officer, on receipt from the post office of the money-order, will sign and date the money-order and return it to the post-office after cutting off the strip containing the coupon and acknowledgment. He will forward to the Divisional Forest Officer the advice list prescribed in the rules published in the notification of the 11th May, 1888, together with corresponding strips consisting of the coupons and acknowledgments of all money orders received during the day.

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4. The entry in the remitters' accounts will be supported by the receipt given to the remitter by the post-office when the money-order was issued.

5. The commission paid on money-orders will be charged to sub-head of "Service B III (f)" in the Forest Department Accounts.

6. Remittance of advances to disbursers, the same procedure as that prescribed in Rules 1 and 5 above should be followed; but the amount of the money-order and the commission may be paid into the post-office either in cash or, where the post-office is at a treasury or sub-treasury station, by a cheque drawn in favour of the postmaster on such treasury or sub-treasury. The latter course can only be adopted when the remitter has a banking account with the treasury or sub-treasury concerned.

7. The money order will be treated by the post-office as an ordinary inland money-order, and acknowledgment sent to the remitter in due course. The remitters' accounts will be supported by the acknowledgment, as well as the receipt referred to in Rule 4 above.

ART. 59: ADJUSTMENT OF REVENUE REMITTANCES IN CONSOLIDATED TREASURY RECEIPTS

(Comptroller and Auditor-Generals' No. 1353-F., dated the 23rd July, 1902.)

Great difficulty is experienced in checking the revenue remittances with the treasury schedules owing to the last column of the consolidated treasury receipts, which accompany Form No. 60-Q., Civil Account Code, not being properly filled in by some of the Divisional Forest Officers. In some cases the column is left entirely blank, while in others the number of the items and the date of entry in forest accounts entered therein do not correspond with the number of the items or of the chalang and the dates of remittances shown in Form No. 60-Q., Civil Account Code. As these particulars are required for the agreement of the remittances debited in the forest accounts with those credited in the treasury accounts, Divisional Forest Officers are required to fill in the last column of the consolidated treasury receipt regularly and correctly.

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In some divisions a large number of items of treasury credits remain unadjusted for a considerable length of time, although all items should be charged off to remittances directly they are remitted to treasury. In the case of Subdivisional and Range Accounts which are closed before the expiry of the month, remittances made between the closing of the accounts and the last day of the month can always be adjusted in the next months' accounts.

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The Divisional Forest Officers should pay special attention to the adjustment of remittances. On receipt of a consolidated treasury receipt, they should carefully check the entries in it with those in their accounts, and if there is any discrepancy, they should at once enter into correspondence with the Treasury Officer concerned.

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ART. 60: REVENUE RECEIVED IN ADVANCE

(Conservators' Circular No. 165-A., dated the 3rd December, 1894.)

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Revenue received in advance should in no case be left unadjusted for a longer period than three months from the date of its receipt. Should circumstances render this impracticable, the matter should be specially reported for Conservators' orders.

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ART. 61 : EARNEST MONEY

(Comptroller Generals' No. 1804, dated the 12th July, 1899.)

Earnest money deposits tendered by contractors should not be entered in forest accounts, but should be paid direct into the treasury for credit to "Deposits" by the contractors themselves.

ART. 62 : WORN AND DEFECTIVE COINS

The following procedure has been laid down in regard to the receipt in revenue of worn and defective coins :—

- (1) When coins are reduced by fair wear and tear they should be received by the Treasury Officer at their nominal value, and not cut and returned to the tenderer. Instances in which these orders have not been observed should be reported to the Comptroller-General, to whom the coin, or coins, should be forwarded by registered post for inspection and orders.

(Comptroller and Auditor-Generals' letter No. 2512, dated the 6th September, 1898).

- (2) In all cases in which coins have been fraudulently reduced in weight the collecting officer must bear the loss. But such instances ought to be the exception, as with ordinary care coins fraudulently treated ought to be detected, as they bear marks on their face of such treatment and are very light, and short of the proper weight by 10 grains or even more.

ART. 63 : PROHIBITION AGAINST CLERKS RECEIVING APPLICATIONS OR PAYMENTS FOR FOREST PRODUCE.

1. Members of the office establishment should not be entrusted with Government money, nor should they be authorised to receive payment for forest produce.

2. Applications for forest produce should be received by the Divisional Forest Officer or other executive officer especially authorised, and not by members of the office establishment. When the officer so authorised is not at headquarters, the application should be sent to him accompanied by the treasury chalan, on receipt of which he can issue the necessary licence.

ART. 64 : MAXIMA COST OF CONSTRUCTION OF FOREST BUILDINGS

The cost of buildings constructed for use as residences for the undermentioned classes of subordinates in the Directorate of Forests should not, without the special sanction of Government, exceed the respective amounts noted against each :—

	Rs.
(1) Attached Officers (gazetted) and Subdivisional Forest Officers	20,000
(2) Forest Rangers	7,500
(3) Deputy Rangers and Saw Mill Crew drawing Rs. 45 per month and over.	3,750
(4) Foresters, Overseers and other Saw Mill Crew on Rs. 30 to Rs. 40 per month.	3,125
(5) Forest Guards, Watchers, Peons, Mails, Chokidars, etc. ..	1,125
(6) Head Clerks	6,250
(7) Clerks and Typists	3,125

Note.—The maxima laid down include the value of timber used for the construction of the buildings. It should be clearly understood that the limits are maxima and should in no circumstances be exceeded. The cost should be kept down as low as possible and it should not be necessary in all cases to go up as high as the scales laid down.

(Government of Bengal, Department of Agriculture, Forest and Fisheries, Forests Branch, Memorandum No. 128-For., dated the 13th February, 1946 read with their that department, said Branch Memorandum No. 827-For., dated the 21st September, 1946 and Correction slip No. 138, dated 10th May, 1947).

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ART. 64A : RATE OF DEPRECIATION TO BE ALLOWED IN DETERMINING THE VALUE OF BUILDINGS IN THE FOREST DEPARTMENT FOR THE PURPOSES OF WRITING THEM OFF THE BOOKS

(Government of Bengal, Forest and Excise Department, Forest Branch, letter No. 7907-For., dated the 19th July, 1939.)

In writing off the book value of buildings in the Forest Department, the value should be determined after allowing a depreciation at the rates shown below :—

	Per cent.
(1) Pucca masonry or ferro-concrete building with terraced or ferro-concrete roof.	2
(2) Semi-pucca building with corrugated iron or tiled roof with wooden beams.	3
(3) Wooden building with corrugated iron, tiled or asbestos roofing ..	3½
(4) Wooden building with thatch or bamboo tarja roof	4½
(5) Wooden building with bamboo matting walls and thatch or bamboo tarja roof.	6½

(Government of Bengal, Forest and Excise Department, Forest Branch, memorandum No. 2027-For., dated the 11th February, 1943 and Correction slip No. 99, dated 27th April, 1943.)

ART. 65 : HIRE OF BUILDINGS FOR OFFICE ACCOMMODATION

When necessary, the Conservator may rent ordinary office accommodation within the following limits:—

- (1) When the accommodation is provided in a separate building Rs. 100 a month.
(Bengal Government Resolution No. 1540-Ex., dated 14th March, 1908).
- (2) When the accommodation is provided in a building partly used as a private residence one-half the total rent, subject to a maximum of Rs. 45 a month.

ART. 66 : HIRE OF GOVERNMENT ELEPHANTS USED BY OFFICERS

Elephant hire is payable in accordance with note 4(a) to subsidiary Rule 175 of the Fundamental and Subsidiary Rules. A charge of annas 8 per day shall be paid by an officer while travelling on duty on Government elephants. No charge shall be imposed in cases where an officer travels on duty in areas which are inaccessible to other means of transport.

In the cases mentioned above, Government officers are exempted from payment for carrying private property on Government elephants.

(Government of Bengal, Revenue Department, letter No. 11669-For., dated the 26th September, 1930.)

ART. 66A : MAINTENANCE OF DEPARTMENTAL ELEPHANTS

1. The Officer in whose jurisdiction the elephant is kept shall be in-charge of the elephant and shall be responsible for the proper maintenance and custody of the animal, he should, however, see that the mahut and the grass-cutter employed for the individual elephant shall carry out the following instructions:

- (a) Each elephant shall be given per day 5 seers of paddy while working and 3 seers at rest, 1 pon of gur (molasses) and 1 ch. stick of salt.
- (b) The elephant shall have easy casing and any disorder in bowels or other disturbances in the stomach or any other ailment should be properly watched and at once be reported to the officer, who will at once make arrangement for the treatment of the animal.
- (c) Besides, the normal fodder and water; viz., green leave, banana trees, bamboos, etc., shall as usual be given.
- (d) The mahut and the grass-cutter must be in close watch and see that the elephant shall not escape in any circumstances while grazing or otherwise. During the mating and breeding period of the elephants the ordinary chain, belt, etc., should be replaced by stronger ones.
- (e) Each elephant shall be examined by the local veterinary or Animal Husbandry Officer once in in every three months who will issue certificate for health and soundness of the animal.

2. The Officer-in-charge shall maintain a diary recording the daily duties of the mahut and the grass-cutter; and the instruction given to them, the movement of the elephant, and ailment and treatment of the animal, etc.; i.e., all the day, works and the animals whereabouts shall be noted therein and also the handing over the charge of the animal to the officer next in rank whenever the Officer-in-charge has occasion to leave the station for any particular job outside.

3. A note-book shall be maintained by the mahut, which will contain the descriptions of the elephant, the age, height distinguishable mark on the body, etc., and also accessories and stores, and the departure to and arrival at any place duly endorsed by the concerned officer.

4. The infringement of any of the instructions laid down in para 1 shall be seriously dealt with and shall entail the dismissal of the mahut and the grass-cutter from service.

(Food and Agriculture (Forest) Department No. 1/For. 3F-2/53, dated the 7th January, 1957.)

(Correction slip No. 34, dated 27th February, 1957.)

ART. 67 : RULES FOR THE EXHIBITION OF LOSSES IN THE GOVERNMENT ACCOUNTS AND IN THE APPROPRIATION ACCOUNTS

Report of losses.—With the exceptions noted below, any defalcation or loss of public money, departmental revenue or receipts, stamps, opium, stores or other property, discovered in a Government treasury or other office or department, which is under the audit of the Accountant-General, should be immediately reported to the Accountant-General, even when such loss has been made good by the person responsible for it. It will usually be sufficient if the officer reporting the defalcation or loss to higher authority sends to the Accountant-General either a copy of his report or such relevant extracts from it as are sufficient to explain the exact nature of the defalcation or loss and the circumstances which made it possible. When the matter has been fully investigated, a further and complete report should be submitted of the nature and extent of the loss, showing the errors or neglect of rules by which such loss was rendered possible, and the prospects of effecting a recovery. The submission of such report does not debar the local authorities from taking any further action which may be deemed necessary.

Exception 1.—In the case of Customs revenue, (a) mistakes in assessments which are discovered too late to permit of a supplementary claim being made, and (b) under assessments which are due to the interpretation of the law by the local Customs authority being overruled by higher authority more than three months after the assessment was made need not be reported to the audit officer. Such cases should, however, be examined by the audit officer at the time of audit.

Exception 2.—Petty cases, that is cases involving losses not exceeding Rs. 200 each, need not be reported to the Accountant-General unless there are, in any case, important features which merit detailed investigation and consideration.

Note 1.—Losses or deficiencies concerning buildings, lands, stores and equipment should be written off any value or commercial account that may be maintained.

Note 2.—In the case of departments where accounts have been separated from audit, a special procedure for report of losses to Accounts and Audit Officers may be prescribed by departmental authority after consultation with the Auditor-General.

(Bengal Government, Finance Department, Finance, Circular Memo. No. 440-562-T.—F., dated the 29th September, 1932.)

ART. 68 : COMPLETION REPORTS ON SANCTIONED WORKS

(Conservators' Circular No. 71-112, dated the 15th May, 1912.)

When reporting completion of sanctioned works Divisional Forest Officers will note whether the work was done in accordance with sanctioned plans, estimates, and specifications and if these have been deviated from, details of the deviations should be stated and the reasons for such deviations should be explained.

The date of completion of the work should be stated and in the case of residential buildings and offices the date of occupation should also be reported.

ART. 69 : GRANT OF REWARDS IN FOREST OFFENCE CASES

The following rules to regulate the grant of rewards have been framed by Government :—

The Governor directs that in supersession of all existing rules, the following rules shall regulate the grant of rewards for the prevention and detection of offences under the Forest Act (Act XVI of 1927):—

1. **Persons eligible for rewards.**—All non-gazetted Government Officers and persons not in the employ of Government are eligible for rewards under these rules.

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2. **Rewards by whom granted**—Rewards for the prevention and detection of offences under the Forest Act, 1927, may be granted by Divisional Forest Officers and Conservators of Forests or, in the case of forests under the management of the Civil Department by District Officers.

3. **Information of cases, etc., to the Forest Officer or District Officer**—The District Officer shall arrange that information regarding prosecutions and convictions under the Forest Act and the imposition and realisation of fines and confiscations thereunder shall be conveyed promptly by all Magistrates and Courts to the Forest Officer or the District Officer within whose jurisdiction the offence is committed.

4. **Limitations of powers to grant regards**—Subject to budget provision, a Forest Officer or a District Officer may, in accordance with the instructions below, grant regards to persons instrumental in the detection of an offence, the seizure of articles or the capture of offenders:—

(1) **Powers when fine is imposed and realised**—In a case in which a fine is imposed or property is confiscated the Forest Officer or the District Officer having jurisdiction may grant to a non-official or non-gazetted officer a reward not exceeding the amount of fine realised together with the sale proceeds of confiscated property.

(2) **Powers when fine is not imposed or realised**—When the offender on conviction is sentenced to imprisonment and no fine is imposed upon him, or if a fine is imposed, but the amount of fine imposed or the amount realised, is in the opinion of the Forest Officer or the District Officer inadequate as a reward, or if a fine is set aside on appeal, or no value of confiscated property is realised, and if the Forest Officer or the District Officer considers that the case is sufficiently important to justify the grant of regards subject to budget provision rewards may be given to any non-gazetted Government officer or to any person not in the employ of Government who may have contributed to the detection of the offence or the discovery of the offender; but in such cases rewards, up to the limit specified below, shall be disbursed only under the sanction of the Chief Conservator of Forests and shall be distributed in such proportions as he may think fit among the persons eligible for regard:—

(a) In the case of non-officials up to a limit of Rs. 200 in each forest offence case.

(b) In the case of non-gazetted Government servants up to a limit of Rs. 50 in each forest offence case.

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Divisional Forest Officers and District Officers are not empowered to sanction rewards in such cases. Rewards to non-officials exceeding Rs. 200 in any single forest offence case or rewards to non-gazetted Government servants exceeding Rs. 50 in any one case require the previous sanction of Government.

(3) **Payment of rewards out of compensation realised under section 68 of the Forest Act, 1927**—In cases where under section 68 of the Forest Act, 1927 a Forest Officer has accepted a sum of money as compensation for any damage which has been committed, the Chief Conservator of Forests may authorise the payment of a portion of the amount realised as a reward to any person who may have contributed to the discovery of the offender. In the case of forests under the management of the Civil Department, the District Officer in charge of the forest is authorised to pay similar rewards out of the money realised as compensation for any damage committed.

5. **Period of appeal to be awaited**—In a case in which an appeal lies against the order of the first Court, no reward shall be disbursed to Government Officers, and no reward exceeding Rs. 100 shall be disbursed to private persons till the period of appeal is over or, if an appeal be made, till the result of such appeal is known.

In the event of the conviction being reversed on appeal, any amount paid in rewards shall not be recovered from a person to whom it has been disbursed unless it shall appear that he has acted fraudulently.

6. **Prompt payment of rewards**—Rewards granted and ordered to be disbursed shall be paid promptly. Every endeavour shall be made by the Forest Officer or the District Officer, as the case may be, to disburse rewards granted up to 31st May before the close of the financial year.

7. **Rule governing payment**—The payment of rewards is dependent in all cases on the existence of the necessary budget provision; but, if a reward has been sanctioned by a competent authority rules 315 and 316 of the East Pakistan Financial Rules become applicable and it must be disbursed without delay.

8. **Account instructions**—Fines and confiscations under the Forest Law are on realisation credited (1) to "Law and Justice" when imposed and realised by Judicial Officers, or when imposed by Forest and realised by Judicial Officers (should such cases occur), and (2) to Forest Revenue when imposed and realised by Forest Officers, or when imposed by Judicial and realised by Forest Officers. Rewards are, however, charged to the department ordering the payment.

(Bengal Government, Forest and Excise Department, Forest, Memo. No. 10786-For./15R-5/41, dated the 16th/23rd June, 1944.)

Correction Slip No. 125, dated the 23rd November, 1944.

ART. 70. List of Provincial Officers under Administrative Control of the Revenue (Forest) Department and their allowances as classified under the Fundamental Rules.

No.	Name and designation of officers.	Forest Deptt.	Amount of allowan- ces.	Kind of allowances before the introduc- tion of the Funda- mental Rules.	Dates of order granting allowances and reason for the grant.	Category of allowances according to the new classification under the Fundamental Rules.	Reasons for such classi- fication.
1	2	3	4	5	6	7	8
1	Extra Asstt. Conservators holding charge of a major Division.	Forest Deptt.	Rs. 50	Duty allowance ..	Government of India letter No. 379-F. 65-2, dated the 13th March, 1907. Granted for holding charge of a major division.	Special pay ..	Fundamental Rules 9(25) (b).
2	Divisional Forest Officers serving in the Sundarbans Division.	Ditto.	75	Local allowance	Secretary of State's despatch No. 25-Rev., dated the 19th February, 1909. Granted for special disadvantage of service.	Half compensatory allow- ance Rs. 37-8. Special pay Rs. 37-8.	Fundamental Rules 9(5) and 9(25) (a)*
3	Each attached gazetted Officer in the Sundarbans Division.	Ditto ..	25 per cent. of pay subject to maximum of Rs. 75.	Ditto ..	Secretary of State's despatch No. 25-Rev., dated the 19th February 1909. Granted for special disadvantage of service.	Half compensatory allow- ance. Half special pay.	Fundamental Rules 9(5) and 9(25) (a).
4	Divisional Forest Officers servicing in the Chittagong Hill Tracts Division.	Ditto ..	80 ..	Ditto ..	Secretary of State's despatch No. 93-Rev., dated the 21st October, 1910. Granted for disadvantages of service.	Compensatory allowance Rs. 40. Special pay Rs. 40.	Fundamental Rules 9(5) and 9(25) (a).
5	Gazetted Officers attached to Forest Division in Chittagong Hill Tracts, if pay is Rs. 350 and above.	Ditto ..	50	Ditto ..	Secretary of State's despatch No. 93-Rev., dated the 21st October, 1910. Granted for disadvantages of service.	Compensatory allowance Rs. 25. Special pay Rs. 25.	Ditto.
6	Officers of the Provincial Forest Service on pay of Rs. 250 and upwards, but below Rs. 350 in Chittagong Hill Tracts Division.	Ditto ..	40	Ditto ..	Secretary of State's despatch No. 93-Rev., dated the 21st October, 1910. Granted for disadvantages of service.	Compensatory allowance Rs. 20. Special pay Rs. 20.	Ditto.
7	Probationary Extra Asstt. Conservator of Forests in Chittagong Hill Tracts Division.	Ditto ..	15 per cent. of the pay drawn.	Ditto ..	Secretary of State's despatch No. 93-Rev., dated the 21st October, 1910. Granted for disadvantages of service.	Half compensatory allow- ance. Half special pay.	Ditto.
8	Divisional Forest Officer in Charge of the Buxa and Jalpaiguri Division.	Omitted.					
9	Imperial Forest Officers attached to the Jalpaiguri and Buxa Divisions drawing Rs. 350 per mensem or upwards.	Omitted.					
10	Provincial Forest Service Officers attached to the Buxa and Jalpaiguri Divisions.	Omitted.					
11	Instructor, Bengal Forest School ..	Omitted.					
12	Director, Bengal Forest School ..	Omitted.					
13	Divisional Forest Officer, Darjeeling Division	Omitted.					

ART. 70A.—Statement showing special pays and compensatory allowances admissible to the Officers of the East Pakistan Senior Forest Service.

No.	Designation of officers.	Amount of allowances.	Reason for the grant of the allowances.	Classification of the allowances.
1	2	3	4	5
1	Divisional Forest Officers, Sundarbans and Chittagong Hill Tracts Divisions.	25 per cent. of pay subject to a maximum of Rs. 75 per month.	Granted for special disadvantages of service and unhealthiness of locality.	Half special pay under Bengal Service Rules 5(33)(c) and half compensatory allowance under Bengal Service Rules 5(9).
2	(i) Attached and other Gazetted Officers, Sundarbans and Chittagong Hill Tracts Divisions on pay of Rs. 350 per month.	Rs. 50 per month ..	Ditto	Ditto.
	(ii) Temporary Assistant Conservator of Forests posted to Sundarbans and Chittagong Hill Tracts Divisions.	Rs. 40 per month ..	Ditto.	Ditto.
3	Divisional Forest Officer, Buxa and Jalpaiguri Divisions ..	Omitted.		
4	(i) Attached and other Gazetted Officers, Buxa and Jalpaiguri Divisions on pay of Rs. 350 and above.	Omitted.		
	(ii) Probationary Assistant Conservator of Forests posted to Buxa and Jalpaiguri Divisions.	Omitted.		
5	Divisional Forest Officer, Darjeeling Division, for management of the Birch Hill Park and Lebong Woods.	Omitted.		

Note—The special pay of more than Rs. 25 per month granted on account of unhealthiness of locality will, as the present be reduced by 15 per cent. subject to a minimum of Rs. 25 while the compensatory allowance of more than Rs. 10 per month will be reduced by 10 per cent. subject to a minimum of Rs. 10.

(Government of Bengal, Department of Agriculture, Forest and Fisheries, Forest Branch, Memorandum No. 958-For., dated the 19th November, 1946 and Correction slip No. 140, dated the 10th May, 1947 and E.B. 21, dated 15th January, 1955).

ART: 70B. Statement showing local allowance sanctioned in Bengal

(Vide Correction Slip No. 103, dated 30-7-43.)

Forest Division.	Officers concerned.	Amount of local allowance or percentage.	Reference to orders under which the allowance is drawn.	Classification of the allowances.
1	2	3	4	5
Silvicultural Division ..	One Forest Ranger	Rs. 15 per mensem ..	Government of Bengal Forest and Excise Department, Forest Branch, letter No. 2669-For., dated the 3rd March, 1939.	Special pay (vide Correction slip No. 15).
	Two Deputy Rangers	Rs. 12-8 each per mensem...		
	Two Foresters	Rs. 10 each per mensem ..		
Chittagong Hill Tracts ..	Forest Guards employed in the Chittagong Hill Tracts, Forest Division.	Rs. 2 each per mensem ..	Government of Bengal, Forest and Excise Department, Forest Branch, letter No. 9737-For., dated the 21st May, 1938.	Half special pay. Half compensatory allowance.
Chittagong ..	Forest Guards employed in Sungoo and Matamori Ranges.	Rs. 2 each per mensem ..	Board of Revenue, Bengal, letter No. 6396-E.A., dated the 1st June, 1940.	Half special pay. Half compensatory allowance (vide Correction slip No. 38).
Chittagong Hill Tracts ..	Senior Forest Ranger in charge of the Mainimukh Forest Subdivision.	Rs. 20	Board of Revenue, Bengal, Excluded Area Branch No. 13217-E.A., dated the 30th December, 1943.	Half special on account of unhealthiness of the Tracts. Half compensatory allowance for expensiveness of living (vide Correction slip No. 110).
Sunderbans Division ..	Each Forest Guard employed in the coupes or on the performance of other active duties in the forest.	Rs. 6	Secretary of State's Despatch No. 25-Rev., dated the 19th February, 1909.	Half special pay and the other half compensatory allowance (vide Correction slip No. 111).
Chittagong Hill Tracts ..	Clerical staff of the Forest Office at Rangamati	30 per cent. of their pay Subject to a maximum of Rs. 20 per mensem.	Bengal Government No. 10278F., dated the 17th July, 1922.	Local allowance.
Cox's Bazar ..	Forest Officers posted to the Matamori Reserve	As in Chittagong Hill tracts	Government of Bengal, Revenue Department, Forests Branch, Letter No. 7285 For., dated the 30th August, 1920.	Ditto.

ART. 70B. Statement showing Local Allowance sanctioned in Bengal (vide Correction slip No. 103, dated 30-7-43).

Forest Division.	Officers concerned.	Amount of local allowances (or percentage).	Reference to orders under which the allowance is drawn.	Classification of the allowances.
1	2	3	4	5
Director and Darjeeling	Omitted.			
Director	Draftsman of Conservator's office	25 per cent. of their salaries.	Bengal Govt. No. 11697, dated the 12th December, 1914.	Local Allowance.
Darjeeling, Kalimpong and Kurseong.	Omitted.			
Kalimpong	Omitted.			
Kurseong	Omitted.			
Ditto	Omitted.			
Jalpaiguri	Omitted.			
Buxa	Omitted.			
Ditto	Omitted.			
Buxa	Omitted.			
Ditto	Omitted.			
Sandarban	(1) Each Forest Ranger employed in the coupes or on the performance of other active duties in the forest.	25 per cent. of pay.	Secretary of State's Despatch No. 25-Rev., dated the 19th February, 1909.	Local allowance.
	(2) Each Deputy Ranger similarly employed ..	Rs. 18 ..	Ditto	Ditto.
	(3) Each Forester similarly employed and each Deputy Ranger, Forester or temporary Revenue Station Officer employed as coupe clerk.	Rs. 12 ..	Ditto	Ditto.
Chittagong Hill Tracts ..	Officers of the Subordinate Forest Service serving in the Chittagong Hill Tracts.	Local allowance at the same rates as have been sanctioned for Forest Officers serving in	Secretary of State's Despatch No. 91-Rev., dated the 21st October, 1910. Bengal Govt. No. 348 of the 13th December, 1915.	Local allowance.
Utilisation and Research Division.	One Forest Ranger	Rs. 15 per mensem ..	Government of East Bengal, Department of Agriculture Co-operation and Relief (Forest Branch) Memo. Nos. 9802-For, 4-P-4/49, dated 7-11-49 and 769/For, 4-P-9/50, dated 27-1-51.	Special pay.
	One Deputy Ranger	Rs. 10 per mensem ..		

(Government of East Bengal, Department of Agriculture, Co-operation and Relief, Forest Branch Memo. No. 2113-For, 4P-9/50, dated 20th February, 1951).

Special pay sanctioned under "63-B-Dev.-E-Forests".

Name of officer.	Special pay.	G.O. No.
1	2	3
1. Divisional Forest Officer, Coastal Division ..	at Rs. 150 p.m.	XI/For.26/67/883, dated 17-11-67.
2. Forest Ranger, Grade I, Coastal Division ..	at Rs. 50 p.m.	
3. Deputy Ranger, Coastal Division ..	at Rs. 25 p.m.	
4. Forester, Coastal Division ..	at Rs. 25 p.m.	
5. Forest Guard, Coastal Division ..	at Rs. 15 p.m.	
1. Director, Forest College ..	at Rs. 220 p.m. and free accommodation.	Under 10—Forests :G.O. No. Sec. II,F-24/67/675, dated 15-7-68.
2. Professor, Forest College ..	at Rs.110 p.m.	
3. Lecturer (Sr. Forest Ranger), Forest College ..	at Rs. 50 p.m.	G.O. No. Sec. II-F-24/67/674, dated 15-7-68.
4. Demonstrator (Sr. Forest Ranger), Forest College ..	at Rs. 50 p.m.	
5. Curator (Sr. Forest Ranger), Forest College ..	at Rs. 50 p.m.	
1. Divisional Forest Officer, Extension Division ..	at Rs. 220 p.m.	G.O. No. VII-For. (D)-II/68/1112, dated 20-8-68.
2. Senior Forest Ranger, Extension Division ..	at Rs. 60 p.m.	
3. Forest Ranger, Grade I, Extension Division ..	at Rs. 35 p.m.	
1. Curator, Botanical Garden ..	at Rs. 220 p.m.	G.O. No. VII/For. (D)-15/68/1008, dated 5-8-68.
2. Superintendent (Forest Ranger, Grade I), Botanical Garden.	at Rs. 60 p.m.	
1. Planning Officer, Studies and Survey ..	at Rs. 150 p.m.	G.O. No. XI/For.23/67/636, dated 4-9-67.
2. Senior Forest Ranger, Studies and Survey ..	at Rs. 50 p.m.	
3. Forest Ranger, Grade I, Studies and Survey ..	at Rs. 25 p.m.	
1. Divisional Forest Officer, Working Plan Division (II) ..	at Rs. 110 p.m.	VII-For. (D)-5/68/640, dated 8-6-68.
2. Asstt. Conservator of Forests, Working Plan Division(II) ..	at Rs. 85 p.m.	
3. Forest Ranger, Grade I, Working Plan Division (II) ..	at Rs. 35 p.m.	
4. Orderlies and Dakwala, Working Plan Division ..	at Rs. 7 p.m.	
1. Director, Forest Research Institute ..	at Rs. 200 p.m. and free accommodation.	Sec. II-F.12/67/679, dated 15-7-68.
2. Accountants, Forest Research Institute ..	at Rs. 30 p.m.	Sec. II-F.12/67/678, dated 15-7-68.
3. Steno-typist, Forest Research Institute ..	at Rs. 25 p.m.	
4. Cashier, Forest Research Institute ..	at Rs. 25 p.m.	
1. Asstt. Chief Conservator of Forests ..	20 per cent. of pay subject to a maximum of Rs.145 p.m. and subsequently raised to Rs. 160 p.m.	G.O. No. III-4/61/243, dated 24-2-62 and Finance Deptt. No. F/1U-35/64/111, dated 4-6-64.
1. Asstt. Conservator of Forests, Silviculture Division ..	at Rs. 100 p.m.	G.O.No.86-Res. (For.)-5/65, dated 10-2-68.
2. Forest Ranger, Grade I, Silviculture Division ..	20 per cent. of pay subject to a maximum of Rs. 50 p.m.	
3. Forester, Silviculture Division ..	at Rs. 20 p.m.	
"10—Forests".		
1. Divisional Forest Officer, Silviculture Division ..	at Rs. 60 p.m.	G.O. No. II-4E-122/63/357, dated 24-4-63 and Finance Deptt. No. F/1U-35/64/111, dated 4-6-64, Finance Deptt. Notification No. F/1U-24/63/283, dated 21-12-63 and Finance Deptt. Notification No. F/1U-24/63/3, dated 7-1-65.
2. Forest Ranger, Silviculture Division ..	at Rs. 20 p.m.	
3. Deputy Ranger, Silviculture Division ..	at Rs. 15 p.m.	
4. Forester, Silviculture Division ..	at Rs. 10 p.m.	
5. Forest Guards, Silviculture Division ..	at Rs. 4 p.m.	

7609/For., 4-P-9/50, dated 27-1-51.

Ra. 10 per month

One Deputy Ranger

(Government of East Bengal, Department of Agriculture, Co-operation and Relief, Forest Branch Memo No. 2113-For., 4P-9/50, dated 20th February, 1951).

ART. 70C: ACCOUNTS RULES OF THE FOREST DEPARTMENT*

1. **Classifications of Revenue and expenditure**—All revenue and expenditure will be classified in accordance with the arrangement of Form No. 24 of the Forest Code and with the instructions contained in Part III, Chapter V of the Account Code, Vol. III.

1A. **General rule for incurring expenditure**—Expenditure may only be incurred on a work or other object on the conditions laid down in rule 318 of the Bengal Finance Rules.

2. **Progress reports**—Monthly reports on progress of revenue and expenditure will be furnished to Conservators by the Accountant-General in Form No. 5 of the Forest Department Code, 7th Edition. An annual summary will also be furnished in Form No. 24 on the 7th August, every year.

3. **Irrecoverable revenue.**

(i) Conservators are authorised to sanction the writing off of irrecoverable revenue up to Rs. 1,000 in each case. For amounts above Rs. 1,000 the sanction of the Provincial Government must be obtained.

(ii) Officers in charge of a Forest Division are empowered to write off sums of irrecoverable revenue up to Rs. 25 in each case.

4. **Powers to write off stores, etc.**—No stores tools and plant excepting petty articles, and no Live-stock, nor any timber or other stock may be written off the accounts of Divisional Officers without the Conservators sanction when the value of the stores, tools and plant, animals or timber exceeds Rs. 250 or without the sanction of Provincial Government when the value exceeds Rs. 1,000.

5. **Refunds of revenue**—Refunds of revenue up to Rs. 200 may be sanctioned by Officers in-Charge of Forest Divisions, and up to Rs. 1,000 by Conservators of Forests.

6. **Sales of forest produce, stores, tools or plant**—(i) No timber or other forest produce and no livestock stores, tools or plant may be sold except on receipt of cash payment in full at the time of delivery. The Conservator may, however, authorise Forest Officers of an above the rank of Ranger, in exceptional cases and under such conditions regarding time of payment as he may lay down, to effect sales without payment in full at the time of delivery. Every such transaction, if the value exceeds Rs. 5,000 should be reported to the Conservator; if the value exceeds Rs. 25,000 the previous sanction of the Provincial Government should be obtained.

(ii) Sales to public departments with whom the accounts are adjusted by book transfer are exempted from this rule. Exceptions may also be authorised by Provincial Government in the case of special transactions with other purchasers.

7. **Rent for houses or land**—For all regularly recurring expenditure of the nature of rent for houses or land, the sanction of the Conservator is required; and if such rent exceeds in any one instance Rs. 50 per mensem, or exceeds for the whole circle an aggregate of Rs. 500 per mensem, the sanction of the Provincial Government is necessary.

8. **Pleaders' fees in criminal prosecutions**—The prosecution of criminal cases, the payment of fees to the Public Prosecutors, the procedure for appeals and applications for revision and prosecution by or against public servants should be governed by the rules contained in Chapter II (item 6), VII—X of the Legal Remembrancer's Manual, Vol. I.

9. **Advances of pay**—(i) Conservators may authorise an advance to the extent of one month's pay to the following classes of non-gazetted officers on the permanent establishment serving under their orders:—

(a) Officers on the executive establishment.

(b) Clerks employed in range offices elsewhere than at the headquarters of Divisional Offices.

(c) Clerks and inferior staff who are required to accompany gazetted officers on continuous tour likely to last for more than a month.

The scope of such advances should be limited to cases where the need for it arises out of the peculiar circumstances of service in the Forest Department, for instance advances may be granted for the following purposes:—

(i) To meet expenses in connection with equipment and purchase of provisions before proceeding or while on tour.

(ii) To meet expenses incurred on account of purchase of paddy or other grain, in localities where supplies are not readily available.

(iii) To meet expenses incurred on the purchase of articles and clothing on account of theft of property if the theft occurs on tour.

*Inserted by correction Slip No. 129, dated 12th January, 1945 and incorporated in Govt. of Bengal, Forest (Excise) Dept., Forest Branch, Memo. No. 3760-For., dated 13-3-45.

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(2) Advances of pay should be recovered in three equal instalments, beginning with the month following that in which advance is made.

10. **Revenue expenditure**—Conservators and Officers in-charge of Forest Division are authorised to sanction all usual payments on account of items of Revenue expenditure, provided the budget allotments are in no case exceeded.

11. As regards capital expenditure powers of sanction are delegated within the following limits:—

Nature of power.	Limits and restriction (if any).
(i) To Conservators—	
(a) Power to purchase elephants	Up to Rs. 3,000 for each elephant. Government have sanctioned a total establishment of 14 elephants.
(b) Power to purchase livestock other than elephants, stores, tools and plant including office and rest house furniture for each item.	Rs. 5,000
(c) Mathematical instrument for each item	1,000
(d) Iron safe	500
(e) Typewriter for each item	Without limit.
(f) Duplicator for each item	500
(g) Purchase of tents	500
(h) Other items	10,000
(ii) To Divisional Forest Officers and Working Plan Officers—	
(a) Power to purchase stores, tools and plant for each item	1,000
(b) Office and rest house furniture for each item	250
(c) Mathematical instruments for each item	250
(d) Iron safe for each item	100
(e) Other items of expenditure (excluding live stock) for each item	2,000

Note 1—The expression "for each item" wherever it occurs signifies "for any one article or any member of similar article purchased at one time".

Note 2—The term "stores" includes any and every article of store except items of "special contingencies" mentioned in paragraphs 432 and 433, East Pakistan Audit Manual, unless they are specifically included above.

Note 3—In respect of an enterprise to be spread over a number of years all expenditure to which Government is inevitably committed must be included in determining the cost for the purpose of sanction. But expenditure on work which it is desired to defer and is not a necessary consequence of or essential for making productive work already under taken need not be so included. Thus if a plantation can be planned out in block can be treated as a separate scheme for the purpose of sanction.

12. **Purchase of stores, tools and plant in small lots**—Nothing in rule 11 shall be construed into a permission to purchase stores, tools and plant in small lots, or to carry out in portions any work alteration or repairs, of which the cost in the aggregate would exceed the maximum amounts therein fixed.

13. **Advances to Contractors**—Advances not exceeding Rs.1,000 to Contractors may be given in exceptional cases only when no other arrangements can be made for carrying on the work. An advance can be made only under the orders of the Divisional Forest Officer and security must be taken for its summary recovery in the event of its not being adjusted by work done.

14. **Irrecoverable advances**—In the event of advance or a portion of it proving irrecoverable, it may be written off—(i) Under the orders of Chief Conservator of Forests concerned if the amount does not exceed Rs.250 in each case; (ii) under the sanction of the Provincial Government if the amount exceeds Rs.250.

15. **Inspection of disbursers' offices**—All disbursers' offices should be inspected by Divisional Officers at least once a year and a written report made of such inspection.

Note—At the time of making advances to contractors it should generally be seen that the advances made are covered by the work done by them.

16. **Inspection of Divisional Offices**—Each Divisional Forest Office will, if possible be inspected at least once a year by the Conservator; such inspection should extend to records, returns, the inspection reports under rule 15, and the other matters enumerated in Circular No. 1-F, dated 17th January, 1891. A detailed report of each inspection will be made to the Provincial Government and to the Accountant-General, in such form as the Provincial Government may prescribe. All references to matters other than accounts and prescribed returns should be omitted from the copy of the report which has to be submitted to the Accountant-General.

17. **Annual Budget Estimates**—All matters connected with the preparation, consideration and submission of the budget estimates are governed by the provisions of the Bengal Financial Rules, and it rests with Provincial Government to issue the necessary instructions for the guidance of Forest Officers subordinate to them.

18. **Classification of Forest Revenue and Expenditure**—A list of major and minor heads of accounts of Forest Receipts and Disbursements is appended.

CLASSIFICATION OF FOREST REVENUE AND EXPENDITURE

X—FOREST REVENUE

R.I. Timber and other produce removed from the forests by Government Agency.

R.I.a. Timber—Revenue on timber of all kinds cut or collected in or removed from the forests by Government agency, or purchased by Government, and the expenses of cutting, collecting, removing or purchasing which are charged to A.I.a. and A.IV.d.

Examples—Payments under contract agreements for lost, missing or burnt logs, sleepers or other timber (see R.V.a.)

R.I.b. Firewood and Charcoal—Revenue on all firewood and charcoal cut or collected or manufactured in or removed from the forests by Government agency, or purchased by Government, and the expenses of cutting, collecting, removing or purchasing which are charged to A.I.b. and A.IV.d.

Example—Payments under contract agreements for lost, missing or burnt firewood and charcoal (see R.V.a.).

R.I.c. Bamboos—Revenue on all bamboos cut or collected or removed from the forest by Government agency or purchased by Government and the expenses of cutting, collecting, removing or purchasing which are charged to A.I.c.

Example—Payments under contract agreements for lost, missing or burnt bamboos (see R.V.a.).

R.I.d. Grass and other produce—Revenue on all produce other than timber, firewood, charcoal or bamboos, cut or collected in or removed from the forests by Government agency, or purchased by Government and the expenses of cutting, removing or purchasing which are charged to A.I.d.

Example—Payments under contract agreements for lost, missing or burnt grass or other minor produce (see R.V.a.).

Sale-proceeds of silk cocoons.

Sale-proceeds of resin and products thereof.

(3) D.F.O.

Sale-proceeds of hay, etc.

R.I.e. Sandal wood—All revenue from sandal wood.

R. II. Timber and other produce removed from the forests by consumers or purchasers.

R. II. a. Timber—Revenue on timber of all kinds removed from the forests by consumers or purchasers, and the expenses of cutting, collecting and removing which are defrayed by them. (Should any incidental expenses for marking or girdling or temporary revenue collecting establishments, be incurred by Government on such timber, they would be charged to B.II.) (see that head.)

Example—Payments for the valuation of timber on land applied for cultivation.

R. II. b. Firewood and charcoal—Revenue on firewood and charcoal removed from the forests by consumers or purchasers and the expenses of cutting, collecting and removing which are defrayed by them. (Should any incidental expenses for marking or girdling be incurred by Government on such firewood and charcoal, they would be charged to B. II) (see that head.)

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Example—Sale-proceeds of firewood and brushwood sold to contractors from the plains RAKHS. Sale-proceeds of firewood and brushwood sold standing on forest or waste land sold, granted or leased for cultivation.

R.II.c. Bamboos—Revenue on bamboos removed from the forest by consumers or purchasers, and the expenses of cutting, collecting and removing which are defrayed by them. (Should any incidental expenses be incurred by Government on such bamboos, they would be charged to B.II.) (see that head.)

R.II.d.—Grazing and fodder grass—Revenue on grazing and fodder grass removed from the forests by consumers or purchasers and the expenses of cutting, collecting and removing which are defrayed by them. (Should any incidental expenses be incurred by Government on such grazing and fodder grass, they would be charged to B.II.) (see that head.)

Examples—Sale-proceeds of grazing leases, and of grazing and grass cutting permits.

Share of TIRNI revenue credited in District Accounts.

R.II.e. Other minor produce—Revenue on all produce other than timber, firewood, charcoal, bamboos, grazing and fodder grass removed from the forests by consumers or purchasers, and the expenses of cutting, collecting and removing which are defrayed by them. (Should any incidental expenses be incurred by Government on such produce, they would be charged to A.II.) (see that head.)

Examples—Sale-proceeds of cardamom leases. Sale-proceeds of skins, horns and manure.

R.II.f. Commutation fees—Receipts under the commutation system, by which several kinds of produce may be removed from the forests on payment of lump sum, will, where this system is in force, be entered under this sub-head.

R.II.g. Other items—All items which cannot be classified under one or other of the above sub-heads or under Forest stamps.

R.II.h. Forest stamps—Revenue on Forest stamps.

R.III. Drift and waif wood and confiscated forest produce.

Revenues on all drift and waif timber and on confiscated timber and produce of all kinds, whether transferred to Government account or not.

R.IV. Revenue from forests not managed by Government.

R.IV. a. Duty on foreign timber and other forest produce.

R.IV. b. Revenue from shared and private forests—Revenue from forests not managed by Government but in which Government has a share or has certain other rights.

Examples—Seigniorage on trees felled in the GUZARAS of Hazara.

Share of revenue from the jagir forests of Kangra.

R.V. Miscellaneous.

R.V. a. Fines and forfeitures—Fines—Realisation by fines indicated under a Magistrate's order when credited to Forest Revenue.

Forfeitures—Of deposits for non-fulfilment of agreement. By securities for non-fulfilment of agreement.

All payments for non-fulfilment of agreement other than those mentioned under R.I.a., .c., d.

R.V.b. Other sources—All revenue which does not fall under any other head.

All sums accepted as compensation for offences compounded by Forest Officers. All such sums should be classified as revenue of the forest damaged, since such receipt is not a fine but the recovery of the cost of specific damage done and should be treated accordingly.

Refund by the payees of sums previously disbursed by the Department...

Examples—

- Rent of land under temporary cultivation.
- Rent of wells, water-courses, water-mills, depots, shops.
- Fees on registration of property marks.
- Fees on rafting timber.
- Fees on duplicate permits.

Pass and removal permit fees.

Sale-proceeds of fishing contractors or leases.

Sale-proceeds of licenses to catch hawks.

Sale-proceeds of hunting and shooting permits.

Sale-proceeds of condemned tents, furniture and other stores; also of condemned livestock, tools and plant.

Sale-proceeds of confiscated implements and other articles which are not "forest produce" (see R. III.).

Cost of delivering timber at railway stations when separately charged.

Price of stores lost and paid for by workmen, contractors or establishment.

Sale of boiler ashes.

R.V.c. Receipts (including rent) realised from works—Rent of houses occupied by Forest Officers.

R.V.d. Sales of forest produce purchased from the trade—Receipt from other Government or Department, etc., of the value of timber, etc., purchased for them in previous year (see B. VIII).

R. VI. Receipts in England.

R. VII. Loss or gain by exchange.

R. VIII. Deduct—Refunds of forest revenue to be adjusted by deduction from receipts.

10—FOREST EXPENDITURE

A—General Direction.

B1 A.1—Conservancy and works—

B A.1(1)—Timber and other produce removed from the forests by Government agency—

- (a) Timber.
- (b) Firewood and charcoal.
- (c) Bamboos.
- (d) Sandal wood.
- (e) Grass and other minor produce.

Total A.1 (1)

B2 A.1(2)—Timber and other produce removed from the forests by consumers or purchasers—

- (a) Timber.
- (b) Customs duty on imported stores.

Total A.1 (2)

B3 A.1 (3)—Construction, purchase, maintenance, etc.—

- (a) Cattle.
- (b) Feed and upkeep of cattle.
- (c) Stores, tools and plant.
- (d) Roads and bridges.
- (e) Buildings.
- (f) Other works.
- (g) Customs duty on imported stores.
- (h) Compensation for land and rights.

Total A.1 (3)

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A.1(4)

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A.1(5)

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A.2(5)—G

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A.2 (10)—

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A.1 (4)—Conservancy and Works—

- (a) Maintenance of boundaries.
- (b) Regeneration.
- (c) Fire protection.
- (d) Other works.
- (e) Survey.
- (f) Customs duty on imported stores.
- (g) Compensation for land and rights.

Total A.1 (4).

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A.1 (5)—Miscellaneous—

- (a) Drift and waif wood and confiscated forest produce.
- (b) Revenue from forests not managed by 2 Government leases.
- (c) Rent of forests and payments to shareholders in forest managed by Government.
- (d) Law charges.
- (e) Clothings.
- (f) Other charges.
- (g) Working plans.
- (h) Customs duty on imported stores.
- (i) Purchase of forest produce from trade or from purchasers of standing trees.

2
A.2(1)—Pay of Officers.

A.2(2)—Pay of Establishment.

A.2(3)—Allowances, honoraria, etc.

- (a) Travelling allowance.
- (b) House-rent and other allowances.
- (c) Dearness allowance.
- (d) Recreation allowance.
- (e) Medical charges.

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A.2(4)—Contingencies—

- (a) Stationery.
- (b) Carriage of tents and records.
- (c) Rents, rates and taxes.
- (d) Official postage.
- (e) Sundries.
- (f) Purchase of books.

2.5
A.2(5)—Grants in-aid, contributions, etc.

A.2(7)—Add—Establishment charges payable to other Governments, Departments, etc.

A.2 (10)—Deduct—Establishment charges recoverable from other Government Departments.

10—FORESTS EXPENDITURE

B—Conservancy and Works.

B.I.a. Timber—All charges for work connected with the cutting or collecting of timber in and removal of timber from the forests by Government agency.

Examples—Marking, felling, logging, sawing, measuring, moving, extracting by paths, slides or otherwise launching, catching, landing, classifying, stacking, guarding and preserving timber.

Blasting or otherwise clearing river-beds for the extraction of timber.

Commission to coolie-chowdries in connection with any such work.

Making and repair of boats used on timber works.

Construction and repair of temporary buildings in connection with timber works.

Construction and repair of temporary roads, slides and tramways for extracting timber.

Clearing and fencing timber depots.

Advertisements and notices of timber sales.

Compensation on account of land temporarily taken up for timber works.

Compensation on account of damage done by timber works.

Thinning and cutting out of inferior species, where the operation forms part of the main exploitation prescribed and yields principally timber (see B.I.b. and B. IV. d.).

Cutting out of burnt trees where the operation is a profitable one and yields principally timber (see B.I.b. and IV.d.).

Pay, travelling allowance and dearness allowance of temporary establishment employed on timber works.

Expenses in connection with accidents to workmen and others.

Repairs of tools, stores and plant used on timber works.

Carriage of tools, stores and plant used on timber works, otherwise than on first receipt or on transfer from one Division to another (see R.V.g.).

Watching timber supposed to be stolen.

B.I.b. Firewood and charcoal—All charges for work connected with the cutting or collecting of firewood, the manufacturing of charcoal, or the removal of fire wood and charcoal from the forests by Government agency.

Examples—As under B.I.a., but for fuel and charcoal instead of for timber.

Weighment of fuel and charcoal, also cost of bags, baskets, etc., for the storage or transport of the same.

Thinning and cutting out of inferior species, where the operations form part of the main exploitation prescribed and yield principally firewood and charcoal (see B.I.a. and B.IV.d.).

Cutting out of burnt trees and shrubs or brushwood, where the operation is a profitable one and yields principally firewood and charcoal (see B.I.a. and B.IV.d.).

B.I.c. Bamboos—All charges for work connected with the cutting or collecting or the removal of bamboos from the forests by Government agency.

Examples—As under B.I.a., but for bamboos instead of for timber.

B.I.d.—Grass and other minor produce—All charges for work connected with the collection in or removal from the forests by Government agency of grass and of produce other than timber, firewood, charcoal and bamboos.

Examples—As under B.I.a., but for grass and minor produce instead of timber.

Collection of myrobolans.

Collection of stage's horns.

Weighment of minor produce.

Rearing of lac.

Rearing of silkworms and sale of cocoons.

Extraction of resin and preparation of products therefrom.

Watching produce supposed to be stolen.

B.I.e. Sandal wood—All charges for sandal wood.

B.I.f. Customs duty on imported stores—Customs duty on imported stores the price of which is debitable to B.1.

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B. 2. Timber and other produce removed from the forests by consumers or purchasers.

All charges incurred in connection with produce given free or under privileges or to right-holders.

Examples—Marking trees or other produce for removal.

Marking out areas from which produce may be removed. Pay, travelling allowance and dearness allowance or temporary establishment employed to supervise removals, issue permits or to guard grass preserves, as well as incidental charges connected with the formation of the preserves.

Erection and repair of temporary huts for such establishment.

Construction and repair of temporary roads, bridges or other works, when used solely or mainly for the removal of produce by purchasers.

Grazing lease of canal bank at Changa Manga.

Commission paid for collecting revenue classified under B. 2.

Payment of fees to lambardars and others for collecting grazing dues.

Payment of Tahsil establishments entertained for keeping account of grazing dues collected.

Cost of lamp-oil at Revenue chaukis.

Payment for assistance by seizing and impounding cattle.

B. 3. Construction, Purchase, Maintenance, Repairs, etc.

B. 3. a.—Cattle—Examples—Purchase of elephants, buffaloes, bullocks, mules and well-cattle.

B. 3. b. Feed and keep of cattle—Examples—Feed and keep of elephants, buffaloes, bullocks, mules, and well-cattle.

Medicines and veterinary charges.

Pay and dearness allowance of establishment in charge of livestock.

Rent of ground for stabling elephants and other animals, Ferry-hire for elephants and elephant gear.

B. 3. c.—Stores, tools and plant—Purchase (but not repair) of tools, stores and plant of all kinds and for whatever purpose obtained. (Charges for carriage on first receipt or on transfer from one Division to another to be debited to B.5.g., other charges for carriage to be debited to works) (See instructions under other heads.)

Purchase of petty stores such as paint, ironmongery, etc., should be charged to the work concerned.

Examples—Carts, mining tools, crow-bars, spades, pickaxes, phowrahs, saw, files, saw-sets, badges, axes, hammers, marking hammers and other marking implements.

Surveying and mathematical instruments, measurers.

Elephants gear.

Arms and accoutrements.

Tents and apparatus belonging thereto, such as ropes and salectas.

Furniture for rest-houses.

Office furniture including tables, chairs, almirahs, boxes, carpets, locks, keys, weighing-machines.

B. 3. d. Roads and bridges—Construction and repair of permanent and semi-permanent roads, paths, bridges, tramways, and timber slides, i.e., of such as are not classed as "temporary" and charged to works—(see B.1, B. 2 and B. 4. b.).

Example—Cutting and clearing of interior lines where they are used mainly as roads or paths (see B. 4. b., B. 4. c. and B. 4. d.—In many cases cleared lines serve as boundary lines, fire-protection lines and export or inspection roads. The cost of clearing or maintaining such lines should be charged under B. 3. d., B. 4. a. or B. 4. according to circumstances, but the entire cost should be charged under one head only).

Pay, travelling allowance and dearness allowance of temporary establishment employed on these works.

Repairs of tools, stores and plant used on these works.

Carriage of tools, stores and plant used on these works, otherwise than on first receipt or on transfer from one Division to another (see B. 5. g.).

B. 3. e.—Buildings—Construction and repair of permanent and semi-permanent buildings, i.e., of such as are not classed as "temporary" and charged to work (see B.1., B.2. and B.4. b.).

Examples—Purchase and carriage of materials.

Pay, travelling allowance and dearness allowance of establishment employed on these works.

Repair of tools, stores and plant used on these works.

Carriage of tools, stores and plant used in these works, other wise than on first receipt or on transfer from one Division to another (see B.5. g.).

B. 3. f. Other works—Works other than those to be charged under B.3. a., b., c., d., e., g., and h.

Examples—Clearing snow from buildings.

Closing and securing unoccupied buildings.

Construction and repair of wells, tanks and bunds or anicuts.

Laying out and keeping in order office or rest-house compounds and camping grounds.

Pay, travelling allowance and dearness allowance of temporary establishment employed on these works.

Repair of tools, stores and plant used on these works.

Carriage of tools, stores and plant used on these works, otherwise than on first receipt or on transfer from one Division to another (see B.5. g.).

B. 3. g. Customs duty on imported stores—Customs duty on imported stores; the price of which is debitable to B. 3.

B. 3. h. Compensation for land and rights—Purchase of or compensation for land taken up for permanent or semi-permanent roads, paths, buildings, wells or tanks, etc.

B. 4. Conservancy and Regeneration.

B. 4. a. Maintenance of boundaries—All charges connected with the demarcation of forest boundaries and the erection and repairs of boundary marks also the maintenance of outer boundaries, except where they are specially cleared for fire-protection, etc.

Examples—Digging trenches, erecting fences, cutting and clearing lines, erecting and numbering pillars when done on an outer boundary.

Laying down and checking outer boundaries when not done as a part of a survey.

Pay, travelling allowance and dearness allowance of temporary establishment employed on these works.

Repair of tools, stores and plant used on these works. Carriage of tools, stores and plant used on these works, otherwise than on their first receipt or on transfer from one Division to another (see B.5. g.).

B. 4. b. Regeneration—All charges in connection with nurseries, plantations and other works connected with artificial reproduction but not including the cost of fire-protection.

Examples—Laying out and preparing nurseries, manuring, sowing, watering, weeding, tending, fencing construction and repair of temporary roads, paths and bridges, construction and repair of temporary buildings, clearing nurseries or plantations, rooting up khas grass.

Digging holes and patches, transplanting seedlings, shading seedlings, counting seedlings, import or export of seedlings, freeing suppressed seedlings, purchase of seedlings.

Collection of seed, purchase of seed, drying, preparing, storing and preserving of seed-bags, import or export of seed.

Weeding, cleaning, pruning, climber-cutting and thinning in plantations, provided the thinning is not profitable (see B.1. a. and B.1. b.).

Purchase or making of perishable articles such as baskets, pots and mashaks.

Making (not purchase) of khurpas or other tools.

Cutting back of injured plants in nurseries or plantations.

Clearing and cutting of lines when done in connection with nurseries or plantations (see B. 3. d.; B.4. c. and B. 4. d.).

Pay, travelling allowance and dearness allowance of temporary establishment employed on nurseries or plantations.

Repairing tools, stores and plant used on these works. Carriage of tools, stores and plant used on these works; otherwise than on first receipt or on transfer from one Division to another (see B.5. g.).

B. 4. c. Fire-protection—Cost of all measures for protecting forests, including nurseries and plantations, from fire.

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Examples—Cutting and clearing of lines made and maintained solely or principally for purposes of protection from fire (see B.3.e., B.4.a, B.4.b and B.4.d.).

Sweeping up of dead leaves.

Laying out and keeping in order travellers camping grounds in fire-protected forests.

Extinguishing fires, including rewards to villagers.

Measuring up burnt areas.

Pay, travelling allowance and dearness allowance of temporary establishment employed on fire-protection, also pay of watchers employed as daily labourers.

Repair of tools, stores and plant used in fire-protection.

Carriage of tools, stores and plant used in fire-protection; otherwise on first receipt or on transfer from one Division to another (see B.5. g.).

B.4.d. Other works—Works connected with demarcation, improvement and extension of forests, other than those ordered to be charged to other heads under B.4.

Examples—Fencing except in connection with nurseries or plantations (see B.IV. b.).

Cutting and clearing of interior lines where not required solely or principally as roads or paths (B.4. a.) or for plantations (B.4. b.) or for fire-protection (B.4. C.).

Cutting creepers.

Pruning.

Clearing or collecting debris after fellings.

Cutting or burning undergrowth, collecting or burning debris or breaking up the soil to promote natural reproduction.

Artificially filling blanks to aid natural reproduction.

Thinning and cutting out of inferior species when these operations are distinct from the main exploitation prescribed.

Cutting back of burnt trees, poles, saplings or coppice where the operation is not a profitable one (see B.I.a & B.I.b).

Destruction of injurious animals.

B.4. e. Survey—All charges connected with surveys undertaken by the Survey of Pakistan or with topographical surveys by local officers, and all charges connected with maps, whether originally prepared or copied but not purchased (see C.4.f). Surveys in connection with and subsidiary to other works such as demarcation, settlements, roads, buildings, exploitation, etc., will be charged to the sub-head concerned.

Examples—Pay, travelling allowance and dearness allowance of temporary establishment employed on surveys.

Laying out and clearing of compartment lines for surveys.

Carriage of tools, stores and plant used on these works, otherwise than on first receipt or on transfer from one Division to another (see B.5. g.).

All contingent charges incurred in connection with regularly constituted survey parties.

B.4.f. Customs duty on imported stores—Customs duty on imported stores, the price of which is debitable to B.4.

B.4. g. Compensation for land and rights—Purchase of or compensation for land taken up for conservancy and regeneration.

B. 5. Miscellaneous.

B.5.a. Drift and waif wood and confiscated forest produce—Charges in connection with drift and waif timber, including amounts paid for salving, collecting, moving, storing and disposing of such timber.

Charges in connection with confiscated forest produce of all kinds.

Examples—Pay, travelling allowance and dearness allowance of temporary establishment employed on drift timber works.

Repair of tools, stores and plant used on such works.

Carriage of tools, stores and plant used on such works, otherwise than on first receipt or on transfer from one Division to another (see B. III.c.).

Watching produce supposed to be stolen.

Carriage of confiscated produce.

B.5.b. Revenue from forest not managed by Government, leased—Charges relating to Revenue sub-head 4.b in connection with revenue derived from forests not managed by Government but in which Government has a share or has certain other rights.

Examples—Expenses, if any, in connection with the realisation of seigniorage on trees felled in the guzaras of Hazara or of share of revenue from the jagir forests of Kangra.

✓ *B.5.c. Rent of forests and payments or share holders in forest managed by Government*—

Examples—Payments for leased or shared forests.

Seigniorage on trees felled in Government forests in Hazara.

Share of revenue of certain belas on the Chenab payable to Diwan Thakur Das.

Payments, under settlement orders, of share of gross income from Kangra Forests.

Payment of cess for the Bhowal Forest.

B.5.d. Law charges—All charges connected with legal business.

Examples—Pleaders' fees.

Witnesses' expenses.

Printing charge-sheets.

Copying judgments.

Stamps.

All other costs connected with the institution or defence of cases in Court.

B.5.e. Grain compensation allowance—Grain compensation allowance, dearness allowance and supplementary dearness allowance except those of the establishment intended for general supervision (see C.3.d.). Such allowances of the work-charged establishment are, however, debitable to the head to which their pay is debited.

✓ *B.5.f. Clothing*—All expenditure under "B—Conservancy and Works" not chargeable under other heads.

B.5.g. Other Charges—All expenditure under "B—Conservancy and works" not chargeable under other heads.

Examples—Repair of tools, stores and plant not otherwise chargeable.

Repair of rest-house furniture.

Carriage of tools, stores and plant on first receipt or on transfer from one Division to another.

Collection, preparation and carriage of museum and herbarium specimens and of produce for Forest Schools, Museums, Exhibitions, etc.

Rewards to establishment or other persons when duly authorised except in connection with fires (B.4.c).

Charges in connection with chemical analyses and experiments.

Charges in connection with meteorological observations.

B.5.h. Working Plans—All charges connected with Working Plans.

Examples—As under B.4.e., but for Working Plans instead of for surveys.

B.5.i. Customs duty on imported stores—Customs duty on imported stores, the price of which is debitable to B.5.

B.5.j. Purchase of forest produce from the trade or purchasers of standing trees—All charges in connection with the supply of timber, firewood, charcoal, etc., to the Defence Department of the Government of Pakistan and others by purchase from the trade.

B. 6. Suspense.

Work advance.

Advances of money to forest villagers and forest Jhumias for the purchase of seed grain, etc.

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B. 7. Charges on account of East Pakistan Forest School.

All charges under "B—Conservancy and Works" connected with the East Pakistan Forest School.

B. 8. Deduct—Amount recoverable from other Government Departments etc.

Receipts from the Defence Department or others on account of the supply of timber, firewood, charcoal etc., by purchase from the trade—if the expenditure is incurred during the year of receipt an amount equivalent to the expenditure is adjustable under this head and the surplus is creditable to a.R.V.d.—if the expenditure is incurred in the year previous to that of the year of receipt the entire amount is creditable to R.V.d.

C. Establishment.

C.1. Pay of officers.

C.1.a. *Conservator*—Salary (including acting allowances) of Conservators.

C.1.b. *Superior officers*—Salaries (including acting allowances) of superior officers, i.e., Deputy Conservators, Assistant Conservators, etc., including salary of the Personal Assistant to the Conservators of Forests.

Deduct—Recoveries on account of family allotment of officers.

Recoveries made from the salaries of officers for payment to their families from the Home Treasuries.

C.2. Pay of establishment.

C.2.a. *Subordinate Forest and Depot establishment*—Pay (including acting allowances) of permanent Forest and Depot establishments, i.e., of Rangers, Foresters, Guards, etc.

C.2.b. *Office Establishment*—Pay (including acting allowances) of permanent office establishment i.e., of clerks, peons, etc.

C.2.c. *Temporary establishment*—Pay of temporary establishment intended for general supervision excluding pay of temporary staff for Central Government Timber Depot (see C.2.g.).

C.2.d. *Leave allowance*—Leave allowance of permanent establishment and also of temporary establishment intended for general supervision. Leave allowances of the staff for Central Government, Timber Depot are, however, debit to C.2.g.

C.2.e. *Sub-Assistant Surgeon*—Pay of Sub-Assistant Surgeon.

✓ C.2.f. *Extra cost in leave vacancies*—Extra cost involved owing to appointment of substitutes in leave vacancies.

C.2.g. *Temporary staff for Central Government Timber Depot*—Pay of the staff temporarily deputed or sanctioned for the Central Government Timber Depot, the expenditure of which is recoverable at the end of the year and adjustable under C. 9.

✓ C. 3. Allowances and Honoraria, etc.

C.3.a. *Travelling allowance*—Travelling allowances of gazetted and non-gazetted officers and establishment, the salaries of whom are debited to C.1.a., C.1.b., C.2.a., C.2.b., C.2.c. and C.2.e. but not to C.2.g.

C.3.b. *Other allowances*—Allowances other than travelling allowances and dearness allowances of gazetted and non-gazetted officers and establishment, the salaries of whom debited to C.1. and C.2. except C.2.g.

C.3.c. *Recreation allowance.*

C.3.d. *Dearness allowance*—Dearness allowance granted to subordinates and clerks other than those serving in the Central Timber Depot (see C.3.e.).

C.3.e. *Medical charges.*C.3.f. *Ad-hoc relief*

C. 4. Contingencies.

C.4.a. *Stationery*—Charges for stationery of kinds not supplied by the Deputy Controller of Stationery whatever worth the stationery may be required.

Examples—Pens, ink and pencils for office use.

Country paper, tape, etc.

Gum, thread.	C. 4
Carriage of stationery for all purposes.	C. 1
Cost of typewriters.	Exc
Binding and preserving books and office records.	Cot
✓ C. 4. b. Carriage of tents and records—Examples—Half cost of carriage of Government tents other than those occupied by chaprasis and police guards.	
Entire cost of carriage of tents occupied by chaprasis and police guards. Cost of carriage of office tent-furniture such as tables and chairs.	All
Carriage of boxes containing office books and papers.	
Pay of tent-pitchers or postal runners on temporary establishment.	Exc
✓ Carriage of dak.	C. 1
C. 4. c. Rents, rates and taxes—Rents, rates and taxes on account of office or other buildings used for Government purposes.	C. 5
Examples—Rents of offices, godowns and depots when not hired temporarily and charged to works.	C. 1
C. 4. d. Official postage—Official postage, including cost of State telegrams, registration and insurance of letters and parcels and payments on "bearing" letters and parcels. (but not carriage of parcels conveyed otherwise than by post) (see C. 4. e.).	Recd Departm
C. 4. e. Sundries—All expenditure under "C. Establishment" not chargeable under other heads.	
Examples—Repair of tents and apparatus belonging thereto and of camp office furniture.	
Repair of office furniture.	G1.-
Repair of stores, tools and plant for office use.	G2.-
Carriage of parcels otherwise than by post and when not chargeable to other heads.	G3.-
Fuel for office use.	G4.-
✓ Lighting office.	G5.-
Sweeping office.	
Dusters for office use.	
Making and pulling punkhas.	Pay c
Purchasing and watering tattis.	Pay c
Mounting maps.	Allow
Bastas for vernacular records.	Conti
Printed forms.	Work
Permit books and forms for the removal of produce by consumers or purchasers.	
Tin map cases.	
Carriage of furniture to rest-house.	Organ
Repair of arms and accoutrements.	Comm
Rubber stamps.	Livest.
Seals.	
Purchase of mats and chicks for office and rest-houses.	
Trestles for storing tents.	
Uniform for office chaprasis.	
Medicines.	
Commission on money orders.	
✓ Stipend and travelling allowance in connection with students deputed for training at the Forest School, Sylhet.	
C. 4. f. Purchase of books—Cost of law and other books, maps (see B. IV. e and publications, etc.).	

C.4.g. Contingent establishment.

C. 5. Grants-in-aid, contribution, etc., contribution for passage of officers transferred from other Governments and Departments.

Examples—Contribution towards the cost of the Forest Map Office.

Contribution for passage of officers transferred from other Governments and Departments.

C. 6. Charges on account of the East Pakistan Forest School.

All expenditure (under C.—Establishment) connected with the East Pakistan Forest School.

C. 7. Establishment charges payable to other Governments and Departments, etc.

Examples—Tuition fees for students deputed to the East Pakistan Forest School, Sylhet.

C. 8. Establishment charges incurred in connection with supply of Forest produce to firms, companies, etc.

C. 9. Deduct—Establishment charges recoverable from firms, companies, etc., for supply of Forest produce.

C. 10 Deduct—Establishment charges recoverable from other Governments, Departments, etc.

Recoveries, made during the year of expenditure incurred on behalf of other Governments and Departments, etc., including Shooting and Fishing Club or Association.

D. INTEREST ON CAPITAL

G. FOREST RESEARCH INSTITUTE

G1.—Pay of officers.

G2.—Pay of establishment.

G3.—Allowances, honoraria, etc.

G4.—Contingencies.

G5.—Construction, purchase and maintenance.

63-B—DEV—E—FORESTS.

Pay of officers.

Pay of establishment.

Allowances and honoraria.

Contingencies.

Works.

65-A—CAPITAL OUTLAY on FORESTS.

Organisation, Improvement and Extension of Forests.

Communication and Buildings.

Livestock, Stores, Tools and Plant.

CHAPTER V

Office Business other than Accounts.

*Note.—In Articles 71 to 74 the forms marked with an asterisk are such as were prescribed under the 6th Edition of the Forest Department Code. Specimens will be found under Article 75.

ART. 71: GENERAL

1. Office work should be conducted in such a manner that, while a sufficient record of every transaction is preserved, the bulk of documents may be kept as small as possible and arranged as best calculated to facilitate reference.

2. Long letters and reports are to be divided into numbered paragraphs, and if they are of great length, a brief marginal abstract of each paragraph may usefully be added.

3. A group of documents relating to one subject is called a "case". A group of cases referring to one head or division of work may be collected in a "file".

4. Each will be kept in a case cover (East Pakistan Adopted Forest Form No. 10), on which the case number and subject of the case and the name of the file will be entered.

5. The files may be as various as the requirements of each office necessitate.

6. A register of cases will be kept (Form No. 44)* with a series of numbers commencing on the opening of each calendar year. These numbers and the name of the file will be entered on the case cover.

7. To facilitate the keeping of each case complete in itself, no two subjects should, as a rule, be included in one letter or docket.

8. Government and Account Department general orders and circulars will be filed separately, according to number and date, in a "circular file". If they are received in duplicate, one copy will be placed with the case to which it relates. If only one copy be available and it has special reference to any case, a memorandum of its contents will be filed therewith.

9. (i) In each office a register of books (Form No. 45)* must be kept up: The current number of the register and the date of receipt should be entered on each copy. The column of "Remarks" is intended to explain what has become of any copies which may have been lost or otherwise disposed of. The entries in this column should be dated and initialled by the officer to whose office the books belong.

(ii) A separate register for maps will be kept in the same form.

10. All accounts, books, maps, records, and papers of a Forest Office are Government property, and the officer in whose charge they are will make them over to his successor on being relieved of charge, or to his departmental superior whenever they may be demanded.

11. (i) Telegrams should be numbered and when replying by telegram the number and date of the reference should be quoted. Post copy of service telegrams should be sent (East Pakistan Adopted Forest Form No. 9).

(Government of India, Circular No. 941, dated the 18th June, 1964.)

(ii) Telegraphic communications regarding applications for leave of absence and for appointment should not be sent at public expense. An officer seeking leave or applying for an appointment should pre-pay his reply. No one communicating with Government is entitled to a reply by telegram.

(Bengal Government Circular No. 937-P, dated the 19th March, 1904.)

12. (a) Covers containing official correspondence which is not of a confidential nature should be addressed to the officer for whom they are intended by his official designation only and without the addition of his name.

(b) Confidential papers should be placed in double covers, the inner cover being marked "Confidential" and superscribed with the name only of the addressee, the outer cover being addressed in the manner prescribed at (a) above.

(Bengal Government Circular No. 5, dated the 28th February, 1895.)

13. In referring to an officer mentioned in communications to Government, he should be referred to by name as well as by his official designation.

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ART. 72: OFFICES OF DIVISIONAL OFFICERS AND THEIR SUBORDINATES

1. Registers of receipts and issues of correspondence will be kept in the same book (Form No. 46).*

A new series of numbers will be commenced in each register book at the opening of each calendar year. Circulars are to be entered in red ink.

2. All letters will be opened by the officer to whom they are addressed or by some one duly authorised by him, the date of receipt will be recorded on each document and it will then be entered in the register. The register number and the number of the case to which they belong will be entered on each document.

3. Every year the Divisional Officer and his clerks will sort the cases that have been closed for three full years, with a view to destroy those documents which may be considered of no further use. A large bulk of the correspondence may be got rid of by destroying forwarding dockets, enquiries and reminders. Many of the letters relating to questions which have been settled for three full years can also be destroyed, provided the register books contain all that may be necessary to ascertain regarding them.

The original accounts rendered to the Divisional Officer by Subdivisional Officers and subordinates, and which have been filed in his office for three full years, should be similarly set aside for destruction.

Such documents as annual or special reports, correspondence relating to boundary questions, to rights and privileges of other persons in the forests, to working plans and annual plans of operations, and to all subjects affecting the general management and history of the forests included in the division, as well as all orders of Government and circulars on important subjects, should be carefully preserved.

Records in Civil Account Code Forms Nos. 60-E, 60-F, 60-H, 60-I and 60-N should be preserved for the period specified, viz.—

Form No. 60-E 6 years

Form No. 60-F 6 "

Form No. 60-H 25 "

Form No. 60-I 25 "

Form No. 60-N 25 "

The Register of Reserved Forests (Forest Department Code, 7th Edition, Form No. 1) is an important document and should be continuously retained. Forest Department Code, 7th Edition, Forms Nos. 2, 3 and 4 should be preserved until a working plan or other report, embodying a complete account of the history and statistics during any period considered has been prepared or revised for the forests in question. As a general rule, when monthly or annual returns have been reproduced or adequately summarized in printed working plans or administration reports, the original manuscript forms, if they have been retained for at least three full years in all, may be destroyed.

(Government Circular No. 2F, dated the 2nd February, 1906.)

Service books of officers dismissed from the service of Government should be preserved for a period of twelve years.

"The Dacca Gazette supplied to Divisional Forest offices should be preserved for 12 years, only Part II and Appendices being removed for disposal at the end of three years and sold as waste paper".

4. The above rules apply, as far as practicable, to subordinate officers also.

Officers who are not provided with clerks will confirm, as nearly as possible, to the above rules. They may, under ordinary circumstances, dispense with copying letters, but will in that case make fuller entries of their contents in the register books.

ART. 73: CONSERVATOR'S OFFICE

1. Registers of receipts and issues of documents (Form No. 46)* must be kept as ordered for divisional offices. There may be as many register books as will suit the requirements of the office.

2. The rules regarding registry of correspondence apply generally to Conservator's office.

3. A register of the distribution of books, circulars, etc., will be kept (Form No. 47).*

4. When the Conservator is absent on tour, a list (Form No. 48)* of all documents received in and issued from the office will be sent to him daily, or as frequently as he may direct with all letters that cannot be answered without reference to him, and all reports and papers that it is desirable he should see. The Conservator will return the list with his orders.

Should the Conservator, while on tour, carry on any official correspondence which has not passed through his office, he will send there the original letters received and copies of those written by him. He will keep a camp register book for the latter, the entries being numbered consecutively as in the case of other register books.

5. Conservator's sanction will be obtained before documents belonging to his office are destroyed.

ART. 74: TRANSFER OF CHARGE.

1. On the occasion of a transfer of charge, the outgoing officer must give the relieving officer a self-contained detailed note, and arrangements must also be made by the two officers concerned so that the relieving officer is placed in such a position as will enable him to carry on the duties of which he has taken charge in an efficient manner, and with as complete a knowledge of the property entrusted to his charge the works in progress, and all arrangements made in connection with them, as the circumstances of the case admit.

(Government of Bengal, Department of Agriculture, Forests and Fisheries, Forest Branch, Memorandum No. 1054-For., dated the 21st December, 1946.)

2. A transfer report, signed by the relieved and relieving officers, will, on the day of transfer, be submitted to the Conservator in the case of a transfer between two Divisional Officers, and to the Local Government in the case of the transfer of the Conservator's Office; intimation will also be made by telegram. The relieved officer will report the transfer of divisional charge to the officers in charge of the treasuries on which he holds letters of credit, and will, at foot of the report, send a specimen of the relieving officer's usual signature, in order that the treasury officers may satisfy themselves as to the validity of the cheques presented by the relieving officer.

3. The relieving officer must see that all office books are posted up-to-date, and, in the case of cash and stock accounts, that the needful vouchers of receipts and issues belonging to the accounts of the current month are made over to him. The relieving officer will make himself acquainted with all outstandings and liabilities on account of the department, and state that he has done so.

The cash book will be closed, and the cash balance will be counted, in the presence of both officers, who will then sign the book.

A certificate (Form No. 50)* will be made out in duplicate and signed by both officers. These certificates will be forwarded to the Conservator or to the Local Government, and the original will be submitted to the Accountant-General.

4. In the case of transfer between two Divisional Officers, the relieving officer will take over charge of all timber, bamboos, and other forest produce, for which a certificate will be submitted.

Besides cash, timber and forest produce, the following are the main classes of property which ordinarily form the subject of transfer between Divisional Officers:—

- (1) Demarcated reserves.
- (2) Timber depots and revenue stations.
- (3) Buildings, roads and bridges.
- (4) Plantations.
- (5) Livestock.
- (6) Machinery, stores, instruments and tools.
- (7) Books and maps.
- (8) Office records.
- (9) Office furniture.

In the transfer report, the relieving officer should state by what means he has satisfied himself of the nature and condition of the different classes of property of which he has taken charge.

Live and dead-stock and other articles which may be at headquarters, as well as books and maps, office records, and office furniture, should, as a rule, be personally inspected by the relieving officer at the time of transfer, and the fact of this having been done should be stated.

In the case of property at a distance from headquarters, the registers and other documents in which they are described should be examined.

5. In the case of transfer of charge between officers subordinate to a Divisional Forest Officer, certificate of transfer will be submitted to the Divisional Forest Office only. Intimation will be given by the Divisional Forest Officers to the Conservator of the dates on which Gazetted Forest Officers assume or relinquish charge and the dates on which subordinate make over or take over charge and the dates on another division or on proceeding on or returning from leave (except in the case of leave granted by the Divisional Forest Officer) should be promptly reported to the Conservator for entry in the change or leave statements for the month.

Note—Intimations of dates should state whether the transfer was effected on the fore or afternoon of the day concerned.

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6th Editi

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ART. 75: FORMS

For ready reference specimens of Forms No. 44 to 48 and No. 50 as were prescribed under the 6th Edition of the Forest Department Code are here given:—

FORM No. 44

(See Article 71.)

FOREST DEPARTMENT, EAST PAKISTAN, CHITTAGONG DIVISION

Register of Cases for the year 1967-68.

No. of case.	Name of file.	Subject of case.	Date of close of case.
1	2	3	4
1	Permanent establishments	... Pay of establishments (Subordinate).	
2	Stores, tools and plant	... Purchase of carts.	
3	Station fuel supply ...	... Indents from residents.	
4	Permanent establishment	... Pay of Deputy Conservator.	
5	Stores, tools and plant	... Indent for Prismatic Compass.	

FORM No. 45

(See Article 71.)

Register of Books/Maps in the Office of the Chittagong Division, Forest Department, East Pakistan.

No.	Date of receipt.	No. of copies.	Title or designation.	Remarks.
1	2	3	4	5

FORM No. 46.

(See Articles 72 and 73.)

Register of Receipts and Issues of Documents in the Office of the Chittagong Forest Division, East Pakistan, for 1967-68.

Register No. 1	Case No. 2	Name of file. 3	From or to whom. 4	Receipts.		Issue.		Subject. 9	Reference.	
				No. 5	Date. 6	No. 7	Date. 8		Back. 10	Forward. 11

Register of Distribution of Books, Circulars, etc., from the Office of the Chief Conservator of Forests, East Pakistan, during 1967-68.

Date.	Whence received.	Description.	No. received.	How disposed of—		
				Conservator Western Circle.	Conservator, Development Circle.	Conservator, Eastern Circle.
1	2	3	4	5	6	7

How disposed of—

Director, Forest Research Institute.	Dacca Division.	Mymensingh Division.	Central Division.	Coastal Division, Barisal.	Botanical Garden Division.	Extension (North) Division.	Extension (South) Division.	Khulna Division.
8	9	10	11	12	13	14	15	16

How disposed of—

Tangail Division.	Working Plan I Division.	Working Plan II Division.	Silviculture Division.	Utilisation Division.	Director, Forest College Division.	Director, Forest School Division.	Cox's Bazar Division.	Chittagong Division.
17	18	19	20	21	22	23	24	25

How disposed of—

Coastal Division, Chittagong.	Comilla Division.	Coastal Division, Noakhali.	Sylhet Division.	Chittagong Hill Tracts (North) Division.	Chittagong Hill Tracts (South) Division.	Jhoom Control Division.	Total No. disposed of—	Remarks.
26	27	28	29	30	31	32	33	34

List of Documents received and issued from the Office of the Conservator of Forests, East Pakistan, on the last June, 1967.

Date of receipt or issue.	Documents received or issued.		From or to whom.	Subject.	How disposed of.	Conservator's orders.
	No.	Date.				
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FOREST DEPARTMENT, EAST PAKISTAN

Certificate of Transfer of charge of the Office of Deputy Conservator of Forests, Chittagong Division.

Chittagong.
1st June, 1967.

I certify that I received charge of the (Chittagong Division) from Mr.....(Deputy) Conservator, on the forenoon of this 1st day of June, 1967.

I received the sum of rupees one hundred only, the cash balance, as shown by the cash book on this date.

I have examined all the office books and found them posted up-to-date.

I have received the needful vouchers belonging to the accounts of the current month, and have made myself acquainted with all outstandings and liabilities on account of the department.

I have examined the live and dead-stock, as well as the books, maps, office records, and office furniture at headquarters, and have examined the depot registers, which I have found posted up-to-date.

I have received one cheque book No. 44, unused, as well as cheque book No. 43, containing cheque Nos. 1056 to 1075. The counterfoils of the previous cheques have been written up.

Countersigned.....
..... Conservator of Forests.

.....
Conservator
of Forests.

Relieved Officer.

Relieving Officer.

ART. 76: OFFICIAL RELATIONS BETWEEN FOREST AND DISTRICT OFFICERS

Rules to regulate the official relations between Forest and District Officers.

(Bengal Government letter No. 20-For., dated the 21st September, 1891.)

The Divisional Forest Officer shall be regarded as the Assistant to the District Officer in respect of all forest matters pertaining to his division, retaining at the same time his subordination to the Conservator of Forests; all operations in the protected and reserved forests shall be placed under his (the Divisional Forest Officer's) control, and all correspondence on general and administrative subjects connected with forest management between him and the Conservator shall pass through the District Officer, who shall have power to direct him to suspend action on any orders that may be passed thereon by the Conservator. When the District Officer directs such suspension he shall report the fact of his having done so to the Conservator and to the Commissioner, giving his reasons for the course taken by him.

2. For the purpose of Rule 1, the Officer-in-Charge of the Sundarbans Forest Division will be the Assistant in all forest matters to the Collector of Khulna.

3. All orders shall be conveyed from, and reference made to, the Conservator of Forests on the following principles:—

(a) All correspondence on the subjects mentioned in the annexed Schedule shall be carried on direct between the Conservator and the Divisional Forest Officer and *vice versa*.

(b) All correspondence on subjects not mentioned in the annexed Schedule shall pass under flying docket, addressed from the Conservator, through the District Officer, to the Divisional Forest Officer and *vice versa*.

4. Ordinarily the District Officer, in the case of correspondence not included in the Schedule, shall, after perusal, simply record his signature under the word "forwarded" on the flying docket. He may, however, when he deems it necessary, record his remarks on any communication addressed to the Conservator by his departmental subordinates, and he may return to the Conservator for reconsideration any instructions addressed by the latter to the Forest Divisional Officer, recording the grounds on which he solicits such reconsideration.

5. In the event of the District Officer and the Conservator differing on any matter in connection with correspondence passing through the office of the former, should the difference not be removed by mutual references, the point, with the correspondence out of which it arose, should be submitted to the Commissioner, who shall endeavour to settle it with the Conservator, and if unable to do so, lay it before Government for orders, informing the Conservator.

6. The Conservator shall be the controlling authority in all matters of patronage in the subordinate branches of the Forest Service and in all matters of departmental discipline.

7. The annual plans of operations prescribed in section 84 of the Forest Department Code, shall be submitted for the Conservator's sanction on the 1st September in each year, through the District Officer, who will record thereon his approval or disapproval (stating his reasons) of the contemplated operations. In the event of a difference of opinion between the District Officer and the Conservator in respect of any proposal contained in the plan, the matter must either be dropped or referred to the Commissioner, and dealt with as laid down in Rule 5. After final approval of the annual plan of operations, no deviation therefrom and nothing omitted from that plan at the time of final approval, shall be permitted without the consent of all parties who agreed to its provisions in the first instance. The responsibility for carrying out the provisions of annual plans of operations will rest entirely with the Divisional Forest Officer.

8. The arrangements regarding the provision of funds, power of sanction, and the rendering of accounts shall be those in force, or as modified from time to time, under the orders of Government.

9. The responsibility of the Conservator shall remain unimpaired. He shall be kept regularly informed of all orders issued on forest matters by District Officers, Commissioners, and Government; he shall be made acquainted with all business which passes between District Officers and Divisional Forest Officers, and he shall, as a rule, be consulted on all forest matters to be submitted to Government.

10. The District Officer shall see that the subordinate Revenue Officers of all grades not only render the same assistance as heretofore in the management of Government waste lands, and specially in the assessment and collection of Government dues, but also that these officials render assistance in the management of all forests. All distinctions and practices which are likely to encourage the impression that forest work lies outside the ordinary duties of Land Revenue officials should be gradually eliminated. The District Officer shall also authorise the Divisional Forest Officer to address orders to the latter officials direct in matters in connection with which it may be convenient that he should, in ordinary cases, act without the intervention of the District Officer.

11. The Divisional Forest Officer shall, by the first week of each month, draw up in his own hand a sufficiently full report or diary of all his movements and of all business transacted by him during the previous month, and submit a copy of the same to the District Officer and another to the Conservator direct (G. O. No. For. 6M-187/58/1791, dated 11th November, 1958).

Government of Bengal, Forest and Excise Department, Forest Branch Memo. No. 11313-For., dated the 4th December, 1941 and Correction slip No. 74, dated 20th January, 1942.)

12. (a) The offices of Divisional Forest Officers shall so far as possible, be located in or in the immediate vicinity of the District Officer's office.

(b) Formal official correspondence between the District Officer and the Divisional Forest Officer concerning matters dealt with by these rules should be avoided as far as possible, written communications, when necessary, being carried on by the transmission of original files and cases, under the same rules as apply to the transaction of business between a District Officer and his Revenue Assistant.

(c) The District Officer may direct the Divisional Forest Officer to file in the District Record office such of the Forest records as relate to forest settlements or revenue leases or other matters affecting the use of forests and waste lands by the surrounding population.

13. Proposals of importance for the formation of new forests, or affecting the use of forests and waste lands by the surrounding population, shall, after consulting the District Officer, be addressed by the Conservator to the Commissioner for submission to Government.

SCHEDULE

List of subjects in respect to which correspondence may be carried on direct between the Conservator and the Divisional Forest Officer.

1. All subjects directly relating to the Divisional Forest Accounts and to the expenditure and revenue of the Forest Division.

2. All subjects of a purely technical nature, such as correspondence relating to the development of trees, to sowing and planting, to valuation surveys, to the collection of data required in the preparation of working plans, to the manner of felling and thinning trees, cutting, converting and storing timber and firewood, etc.

3. Miscellaneous subjects having no direct or indirect bearing on the welfare of the people, such as stationery, the purchase and keep of departmental cattle, stores, tools and plant, books and map, etc.

ART. 77: FOREST FIRE REPORTS

1. On receipt of a report from the Range Officer on the occurrence of a fire, it should be entered in the Divisional Register of Fires.

2. The record should show whether the forest is reserved, protected or unclassed, and whether the area is "specially protected" or "unprotected", and if there be any case of forest fire which the Divisional Forest Officer thinks should be reported for special reasons to the authorities, he will send a report in the usual form to the Conservator of Forests, East Pakistan *Bangladesh*.

3. The report should be accompanied by a map and the area entered therein should be expressed in acres only omitting fractions.

(Government of Bengal, Agriculture and Industries Deptt., Forests Branch, letter No. 1184-For., dated the 17th October, 1935).

4. Forest subordinates who have been concerned in firing unintentionally, extinguishing or obtaining labour to extinguish fires, should be mentioned by name as well as official designation in the report.

5. When offenders concerned in fire cases are detected, they should ordinarily be prosecuted. But in very exceptional circumstances it may be desirable to compound such cases or let the offenders off with warnings, and in such circumstances cases may be so disposed of, provided the District Officer approves and any compensation fixed is realised by the Divisional Officer or by a subordinate who is competent to compound cases. As a rule, when it is not desirable to prosecute, warning offenders is preferable to compounding, due precaution being of course taken to make the offenders understand that they are being leniently dealt with and the circumstances of all cases disposed of by warning or compounding should be reported to the Conservator.

ART. 78: STATIONERY.

The supply of stationery is regulated by a book credit which is fixed by Government from time to time. In the case of non-voted divisions, the allotment to each division is fixed by Government. A lump allotment is sanctioned in the case of voted divisions and this is distributed by the consolidating officer.

The indents for stationery should be carefully prepared in accordance with rules and orders and submitted punctually so as to reach the Conservator's Office on or before the 1st of May.

(Government of Bengal, Finance Deptt., Miscellaneous, Memorandum No. 1440-Misc., dated the 8th March 1933.)

Supplementary indents should rarely be necessary and should be accompanied by an explanation.

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(Government of India's Resolution No. 4075-S. R., dated the 18th September 1893.)

2. Chubb's locks should be obtained through the Stationery Office and included in the general stationery indent.

Note—The use of Chubb's locks should be restricted to treasure chests receptacles for documents of extreme importance (Bengal Government Resolution No. 471-T. Misc., dated the 26th May, 1911).

(Bengal Government Circular No. 16-F., dated the 26th March, 1908).

3. The Conservator is empowered to sanction the supply of typewriters by the Stationery Department for use in all offices of his circle.

Banuladeh

ART. 79: EAST PAKISTAN PRINTED FORMS

1. Printed Forms will be supplied by the Press and Forms Manager, East Pakistan, on indents signed by Divisional Forest Officers and countersigned by the Chief Conservator or Conservator of Forests.

Indents are of three kinds—

- (a) Annual indents.
- (b) Supplementary indents.
- (c) Emergent indents.

Annual indents should be for a supply of all the Forms contained in the printed list of each department, sufficient to meet the full requirements of one year, and not more than one annual indent must be submitted from each office for any class of forms.

Supplementary and emergent indents may be due to under-estimate in the annual indent, the accidental loss of forms; the revision of existing or the introduction of new forms; or to an unforeseen demand. Their submission causes considerable inconvenience to the Forms Department; and every care, as far as possible, should be taken, by the exercise of forethought at the time of submission of the annual indent, to prevent the necessity for them arising. When supplementary and emergent indents, however, are unavoidable, satisfactory explanations must be furnished of the circumstances under which they are required, and the supply of forms indented for should be sufficient, taken with any stock in hand, to last up to the end of the period fixed for the annual indent.

Indents should be prepared in duplicate, one copy being retained in the indenting office, and the other being submitted to the Press and Forms Manager, East Pakistan. Accompanying the latter copy an invoice sheet (Form No. 4, Appendix I) will invariably be sent, which will be returned to the indenting officer with the forms, when supplied, for his signature and return again to the Forms Department as his receipt for the forms.

Instructions for the preparation of indents are given in foot notes on the forms of the indent. Where it is impossible to comply with them, explanations should be entered. A correct indent can only be based on an exact knowledge of the stock of forms in hand and an intelligent forecast of future requirements. Stock-taking and the custody of forms are dealt with below. The officer in immediate custody of the forms should be held directly responsible, under the indenting officer, for the careful preparation of the indents.

The punctual submission of all indents is essential. Forest Department indents for the following calendar year are due in the Chief Conservators' office by the 1st June and in the Forms office by the 1st July; the forms are due for supply by the 31st December.

Custody of Printed Forms in Indenting Offices and Stock-taking.

2. In every indenting office an officer should be specially deputed by the head of the office to have the custody of all printed forms; for which he will be personally responsible. A special English-knowing clerical officer to keep the accounts of the receipt and consumption of forms should similarly be nominated by the head of the office.

Packages containing forms should be opened and examined as soon after arrival as possible, in the presence of the officer deputed under the preceding rule; who will be required to certify as to the condition in which their contents were received, and to compare them with the invoice sheet accompanying. Any differences either in kind or quantity between the forms mentioned in the invoice sheet and those actually received must be stated in detail below the printed form of receipt, which must be signed and despatched to the Press and Forms Manager, East Pakistan immediately after the examination is completed. The nature and extent of any damage to the packages or the contents should be clearly stated.

Space should be specially set apart for the storage of forms, and on receipt they should be arranged in it under lock and key. It is essential that the general office staff should not be able to have access to the forms without the knowledge of the Officer in-Charge.

Indenting officers should, by standing order, prescribe the procedure under which forms shall be issued from store for consumption in their offices. The essential conditions to be ensured are that no forms shall be issued without immediate entry in the accounts mentioned in the succeeding rule, that no forms shall be issued except under proper authority, and that no supply of forms of any one kind in excess of the anticipated requirements of one* month shall be issued at one time. The practice of making over at one time to the department or clerks concerned the whole supply estimated for the consumption of the year is prohibited. It effectually defeats the maintenance of any efficient check over the consumption of forms.

* A shorter period may be fixed if convenient.

An account in English shall be kept of all forms received and issued. As all forms come into or leave the store, their receipt and issue shall be promptly recorded in this account, and the forms of each description in hand shall be balanced at the end of each quarter.

In addition to the entry of forms received under annual, emergent or supplementary indent, it is essential to record the receipt and issue of the same forms if obtained from other sources. It is known that forms are occasionally borrowed from subordinate or neighbouring offices; similarly, they are some times, on emergency, printed locally or cyclostyled. Such practices are irregular, and as an alternative the submission of supplementary or emergent indents, are absolutely forbidden. If forms are exhausted, the only course recognised is to indent upon the Press and Forms Manager, East Pakistan, for a fresh supply and with the exercise of proper foresight it should be possible to obtain them in time to prevent the stoppage of work. When, however, recourse is had to them in instances of such unusual urgency, the unauthorised supplies thus obtained must be shown in red ink in the Register of receipts and issues; otherwise that register, as a record of the consumption of forms in the office, becomes incomplete and misleading.

Stock shall be taken of each roll of the forms in each section once a year. The counting of all forms shall be done by the clerk in charge of the Register of Receipts and Issues of Forms, and the Officer in-Charge shall check not less than 10 per cent. of the entries. The register shall then be corrected to show the actual verified balance in hand, and the orders of the indenting officer taken as to any discrepancies discovered.

In order to reduce labour and to minimise the possibility of mistakes, stock-taking should be done when stock is at its lowest, that is, for each section, in the course of the month immediately preceding the receipt of the fresh supply of the forms of the section from the Press and Forms Manager, East Pakistan.

Introduction of New and Revised Forms.

3. The date for the introduction of revised and newly prescribed forms should ordinarily coincide with, or be after, the time fixed for the receipt of the annual supply of the section concerned, in order that the Press and Forms Manager, East Pakistan, may have each form printed with the other form for the annual supply. In cases where the immediate revision of an old, or the introduction of a new form is found necessary, the revising officer should obtain a specific order of Government to the effect that the revision or introduction cannot be postponed till the usual time for printing for that particular section. Where no such order is obtained, the Press and Forms Manager, East Pakistan, will not treat the order as urgent, but will comply with it when the next supply of forms is issued.

Hasty and unnecessary revision of standing forms should be avoided. The revising authority must in all cases pass orders for the disposal of the stock in hand of the old form which has been rendered useless by the introduction of the new.

Samples of newly authorised forms are to be forwarded by heads of departments to the Press and Forms Manager, East Pakistan, with an order of printing and an estimate of the probable consumption of one year. Such working samples should reach the Press and Forms Manager, East Pakistan before the dates on which the submission to him of the annual indents is due, so as to allow ample time for the printing of the stock required.

ART. 80: FOREST DEPARTMENT PUBLICATIONS

Rules for the Printing, Illustration and issue of Forest Department Publications.

(Inspector-General of Forests' Circular No. 9-260-1, dated the 30th May 1908.)

1. The responsibility of the issue of forest publications rests with the President, Pakistan Forest Research Institute, who will either himself conduct all necessary correspondence therewith connected, or depute one of his staff for that purpose.

2. The procedure will be as follows:—

(a) When any person desires to publish a Forest Memoir, Records, or Bulletin, he should send the manuscript and illustrations for reproduction direct to the President of the Pakistan Forest Research Institute at Peshawar stating his wishes with regard to the form in which it should be published.

(b) The President may edit publications to the extent of correcting clerical errors and making minor alterations, but he will not alter the sense or main ideas conveyed in the manuscript. He will not be entitled to use the designation of "Editor" nor will his name appear as such in the publication.

(Governor)

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- (c) The President will transmit the manuscript to the Chief Conservator of Forests with his recommendations, and the latter will return it to the President with his orders.
- (d) The President will then take the necessary steps for the publications of the manuscript. The first proof will be forwarded by him to the author in duplicate for correction. The final proof will be sent to the President for inspection, who may, at his discretion, forward it to the author for final check. It will then be submitted by the President to the Chief Conservator of Forests and with his approval will be printed off.

ART. 81: SEEDING OF BAMBOOS, ETC.

(Government of India No. 261-F./74-1, dated the 1st March, 1899, and Inspector-General of Forests' Circular No. 29, dated the 1st October, 1893).

Whenever, a seeding year (which should be watched for) of any species save the commonest (*Dendrocalamus strictus* and *Hamiltout* and *Bambusa arundinacea* occurs, at least 10 lbs. of the seed should be collected, and intimation of this having been done sent to the Chief Conservator of Forests, who will advise the Conservator concerned how to dispose of the seed and, if necessary, give instructions for the collection of a further quantity.

The occurrence of a good seed year of any of the more important kind of trees or bamboos in every Forest Division should be reported to the Editor of the Pakistan Forest Journal.

ART. 82. ARMS AND AMMUNITION

1. Registers of Government arms and ammunition, in the forms attached, shall be maintained Divisional and subordinate forest offices. Entries must be made in the appropriate registers at the time of receipts and issues of arms or ammunition. Receipts in writing shall be given and taken when issue or transfer of any arms or ammunition from one forest officer to another is made.

2. All arms and ammunition shall be kept under lock and key except when in use.

3. The Divisional Forest Officer shall be responsible for the care of Government arms and ammunition allotted to his division and for their distribution to his subordinates.

4. Arms and ammunition shall be issued only under the orders of the Divisional Forest Officer to forest officers in his division either by name or to the incumbent of a particular post.

5. Officers in-Charge of arms shall be responsible that they are kept clean and in good order. Arms must be cleaned at least once a week and on each occasion they are used, as soon as possible after firing. Officers shall be responsible for the safe custody of all arms and ammunition in their charge.

6. Without the written order or permission of the Divisional Forest Officer, an officer to whom a firearm has been issued shall not lend or transfer it or any of the ammunition issued to him, to any one else's custody.

7. In the event of any firearm or ammunition being destroyed or lost, a full report must be submitted to the Divisional Forest Officer by the Officer concerned. After enquiry, the Divisional Forest Officer shall submit a report with his findings to the Conservator of his circle.

8. All officers supplied with ammunition shall be responsible for the return of the empty cases.

9. An annual statement showing the distribution of firearms shall be submitted to the Conservator by the Divisional Forest Officer with the annual return of stores and tools and plant.

10. Subordinate offices will submit a monthly verification report to the Divisional Office of the quantities of ammunition in hand.

11. The Government of East Pakistan having sanctioned the supply of Martini-Henry Rifles to the Divisional Forest Officer, Sundarbans Division, for distribution amongst the subordinates working in the forest as a protection against the man-eating tigers, the following additional rules are prescribed for the Sundarbans Division:—

(a) A monthly return of ammunition in the attached (amended) East Pakistan Form No. 1725 shall be submitted to the Divisional Office by subordinate offices together with a certificate of verification.

(b) Empty cases of ball cartridges for Martini-Henry Rifles will be returned by the Divisional Forest Officer to the Ordinance Officer, in multiples of 600; empty cases of blank cartridges for Martini-Henry Rifles may be returned in any number.

(c) No rifles shall be lent to wood-cutters, traders or other persons working in the forest.

Serial No. of gun—

Maker's No. on barrel—

Maker's name—

Description (single or double barrel, bore or barrel, breech or muzzle loading)—

Whence received and No. and date of relating document.	Cost.	Initial of Receiving Officer.	Date of issue.	To whom issued.	Initial of recipient or No. and date of acknowledgment.	Condition.

N.B.—One firearm per page.

RETURN OF GUNS, RIFLES AND AMMUNITIONS AT RANGE/BEAT/PATROL PO : THE MONTH OF 19.....

RETURN OF GUNS, RIFLES AND AMMUNITIONS AT.....RANGE/BEAT/PATROL FO : THE MONTH OF.....19 ..

Gun No. and rifle No. in hand on.	Receipt.			Issue.			Gun No. and rifle No. in hand at the close of the month.	Condition of gun and rifle.	Where kept.	Remarks.
	No. of each gun and rifle received during the month.	Whence re- ceived.	Date of receipt.	No. of each gun and rifle issued during the month.	To whom issued.	Date of issue.				

Dated

The19

Officer in-Charge.

Range/Beat/Patrol.



RETURN OF AMMUNITION FOR.....19

Particulars.	Ball			Buck shot.			Shots.			Blanks.			Details of firing.	Remarks.
	Loaded.	Empties.	Total.	Loaded.	Empties.	Total.	Loaded.	Empties.	Total.	Loaded.	Empties.	Total.		
Opening balance ..														
Receipt during the month ..														
Total ..														
Fire during the month ..														
Issued during the month ..														
Balance ..														

N.B.—In case of ammunition for M.L. guns change the headings to head ball, lead shots, gun powder and caps.

Dated

The

Officer in Charge,
Range/Beat/Patrol.

Receipts.			Loaded.				Issues.			Balance.		
Date.	Whence received.	No. and date of relating document.	Quantity.	Rate.	Value.	Empties.	Loaded.	Empties.	Initial of recipient or	Loaded.	Empties.	Balance.

Receipts.			Loaded.				Issues.			Balance.		
Date.	Whence received.	No. and date of relating document.	Quantity.	Rate.	Value.	Empties.	Loaded.	Empties.	Initial of recipient or No. and date of acknowledgment.	Loaded.	Empties.	Remarks.

N.B.—One kind of ammunition per page.

ART. 83: CALENDAR STATEMENT SHOWING THE RETURNS, ETC., TO BE SUBMITTED BY OFFICERS IN-CHARGE OF FOREST DIVISION.—Contd.

Name of return, etc.	Latest date of posting by Divisional Officer.												Remarks.
	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	
Application for temporary establishment ..	1st	..	..	..	..	..	..	..	..	..	..	..	Article 7, Forest Department Code, 7th Edition.
Certificate of check of stores ..	1st	..	..	..	..	..	..	..	..	..	..	..	(Vide Rule 14 of Article 54 of this Manual).
Diaries of Divisional Officers, Tour Diaries of Division Officers.	1st	1st	1st	1st	1st	1st	1st	1st	1st	1st	1st	1st	Conservator's Circular No. 92M., dated the 16th October, 1891 and C.C.F.'s memo. No. CCF(G)/1C-1/57/697 (3)/1(30), dated 25-4-68.
	7th	7th	7th	7th	7th	7th	7th	7th	7th	7th	7th	7th	
Monthly accounts ..	5th	5th	5th	5th	5th	5th	5th	5th	5th	5th	5th	5th	Articles 448A and 55, Civil Account Code, 7th Edition (Reprint) and Article 54, East Pakistan Forest Manual.
Return of changes and leave granted to subordinate.	31st	28th	31st	30th	31st	30th	31st	31st	30th	31st	30th	31st	Articles 448A and 32, Civil Account Code, 7th Edition (Reprint). Should be sent direct to the Accountant-General, East Pakistan.
Departmental Examination of Forest Officers ..	..	1st	..	..	..	..	..	5th	..	..	..	..	Conservator's Circular No. 23-267, dated the 3rd March, 1913.
Statement showing the particulars of articles purchased in Pakistan in respect of which price preference has been given.	..	..	..	..	..	15th	..	..	..	..	..	..	Conservator's No. 10915-24/58-27, dated the 15th September, 1936.
Statement of revenue and expenditure to end of March and forecast for April, May and June.	..	..	..	1st	..	..	..	..	..	..	..	..	Government of Bengal, Revenue Department (Forests), memorandum No. 3279-For., dated the 11th March, 1930, and Conservator's No. 773-82/28-20, dated the 22nd January, 1935.

ART. 83: CALENDAR STATEMENT SHOWING THE RETURNS, ETC., TO BE SUBMITTED BY OFFICERS IN-CHARGE OF FOREST DIVISION.—Contd.

Name of return, etc.	Latest date of posting by Divisional Officers.												Remarks.
	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	

ART. 83: CALENDAR STATEMENT SHOWING THE RETURNS, ETC., TO BE SUBMITTED BY OFFICERS IN-CHARGE OF FOREST DIVISION.—Contd.

Name of return, etc.	Latest date of posting by Divisional Officers.												Remarks.
	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	
Annual forecasts for estimates of stores required from England.	..	..	..	..	..	1st	..	..	..	..	..	..	Government of Bengal, Commerce Department, Commerce No. 2807-2871 Com., dated the 1st May 1924, and Conservator's No. 2799/2M-49, dated the 24th May, 1924.
Register of fixed demands	..	..	..	1st	..	..	..	..	..	..	..	..	Conservator's Circular No. 18A-51, dated the 22nd April, 1897.
Return of immovable property held by gazetted officers.	..	15th	..	..	..	..	..	..	..	..	..	..	Government of Bengal, Revenue Department, Miscellaneous, No. 910T.-R., dated the 23rd September, 1926, and Conservator's memorandum No. 5316-1R-54, dated the 23rd October, 1926.
Annual report on game preservation in E.P.	..	..	..	..	..	1st	..	..	..	..	..	..	Conservator's No. 13161-72/IB-92, dated the 7th November, 1935.
Detailed statement of permanent establishment	..	..	..	1st	..	..	..	..	..	..	..	..	Article 55, Civil Account Code, 7th Edition (Reprint) (Discontinued, vide S.ri. No. (R-IV)/1P-186/86/126, dated 27th May, 1967.
Indent for envelopes	..	..	..	15th	..	..	..	..	..	..	..	..	Conservator's Circular No. 12, dated the 15th April, 1910.
Statement showing the employment of Mahummas in clerical appointments.	..	..	..	..	..	..	..	..	..	..	..	..	Inapplicable.
Return of immovable property held by Non-gazetted Officers.	..	..	1st	..	..	..	..	..	..	..	..	..	Government of Bengal, Revenue Department, Miscellaneous, No. 910T.-R., dated the 23rd September, 1926, and Conservator's memorandum No. 5316-1R-54, dated the 23rd October, 1926.

ART. 83: CALENDAR STATEMENT SHOWING THE RETURNS, ETC., TO BE SUBMITTED BY OFFICERS IN-CHARGE OF FOREST DIVISION.—Contd.

Name of return, etc.	Latest date of posting by Divisional Officers.												Remarks.
	January.	February.	March.	April.	May.	June.	July.	Aug.	Sep.	Oct.	Nov.	Dec.	
Indent for medicines	..	..	..	..	15th	..	..	..	..	..	..	..	Conservator's Circular No. 23-11-5, dated the 27th January, 1923.
Return of expenditure on stores in financial year ..	..	..	..	..	15th	..	..	..	..	..	..	..	Government of India's Order No. 10892-10905-36, dated the 9th October, 1914 and Conservator's No. 672-208, dated the 18th December, 1914.
Indent for East Pakistan Adopted Forms ..	..	..	..	..	..	1st	..	..	..	..	..	..	
Return of enrolment of Government officers in the Army of India Reserve of Officers.	..	..	..	..	..	..	..	..	..	..	..	..	Inapplicable.
Indent for Forest Department Code Forms ..	..	..	..	..	..	1st	..	..	..	..	..	..	Government of India, Circular No. 18-F., 237-1, dated the 29th July, 1913, and Conservator's No. 1871-616, dated the 2nd September, 1913.
Classified list of officers	..	..	..	..	..	15th	..	..	..	..	..	..	Government of Bengal, Revenue Department, Forests Branch, letter No., 9748 For., dated the 8th October, 1923, and Conservator's No. 5626-2E-338, dated the 31st October, 1923.
Report on research work	..	..	..	..	1st	..	..	..	..	..	..	..	Conservator's No. 4385-96/2E-73, dated the 23rd March, 1935.
Statement showing the names of Indian Forest Service officers of 15 years' service and over desirous of going on leave during the following 12 months together with the period and dates of leave proposed.	..	..	..	..	..	..	..	..	..	..	..	..	Inapplicable.

ART. 83: CALENDAR STATEMENT SHOWING THE RETURNS, ETC., TO BE SUBMITTED BY OFFICERS IN-CHARGE OF FOREST DIVISION.—Contd.

Latest date of posting by Divisional Officers.

ART. 13: CALENDAR STATEMENT SHOWING THE RETURNS, ETC., TO BE SUBMITTED BY OFFICERS IN-CHARGE OF FOREST DIVISION—Contd.

Name of return, etc.	Latest date of posting by Divisional Officers.												Remarks.
	January.	February.	March.	April.	May.	June.	July.	August.	Sept.	Oct.	Nov.	Dec.	
Indent for stationery	..	..	..	..	..	1st	..	..	..	..	..	..	Government of Bengal, Finance Department (Miscellaneous), Memo. No. 8013 Misc. dated the 9th October, 1933 and Conservator's No. 6057-66/48-8, dated the 22nd May, 1934.
Consumption of sulphate of quinine ..	15th	..	..	..	..	..	..	..	..	..	..	..	Conservator's No. 3642-51/2M-22, dated the 6th March, 1935.
Confidential reports on gazetted officers ..	..	31st	..	..	..	..	..	..	..	..	..	..	Conservator's letter No. 2973-2E-256, dated the 9th June, 1922, Memo. No. S & G A, Department Circular No. GA IV-Con-166/64-980-C, dated the 6th November, 1964.
Confidential reports on subordinates ..	31st	..	..	..	..	..	..	..	..	..	..	..	Conservator's No. 487-98/2E-74, dated the 17th January, 1936, Memo. No. S & G A, Deptt. Circular No. GA-IV-Con-166/64-980-C, dated the 6th November, 1964.
Information for the annual report on forest botany for the Board of Scientific Advice.	..	..	..	..	1st	..	..	..	..	..	..	..	Conservator's No. 2016/1R-16, dated the 26th April, 1922.
List of Foresters and Deputy Rangers of all grades fit for promotion.	..	..	..	..	..	1st	..	..	..	..	..	1st	Conservator's No. 6444-2P-3, dated the 24th November, 1922.
Annual reports and returns	..	..	..	..	..	..	..	..	1st	..	..	..	Article 76, Forest Department Code, 7th Edition and Conservator's Circular No. 72-95, dated the 14th June, 1913.



ART. 83: CALENDAR STATEMENT SHOWING THE RETURNS ETC., TO BE SUBMITTED BY OFFICERS IN-CHARGE OF FOREST DIVISION—Contd.

Name of return, etc.	Latest date of posting by Divisional Officer.												Remarks.
	January.	February.	March.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	
New entries in the register of reserved and protected forests.	..	..	..	..	..	1st	..	..	..	..	..	..	Article, 76, Forest Department Code, 7th Edition and Conservator's Circular No. 72-95, dated the 14th June, 1913.
Reports of stock-taking	..	..	..	..	..	..	..	1st	..	..	..	..	Conservator's Circular No. 95, dated the 4th August, 1899.
Statement showing the names of officers who are likely to be on leave or deputation during the ensuing year and the second half of the year of report.	..	..	..	..	..	..	..	1st	..	..	..	..	Government of Bengal Finance Department, Finance Nos. 14517-14586F, dated the 5th September, 1921 and Nos. 1499-1568T-F., dated the 29th September, 1923.
Control forms:	..	..	..	..	..	..	1st	..	..	..	..	..	Article 53(i), Forest Department Code, 7th Edition, vide Government of East Bengal, Department of Agriculture, Co-operative and Relief (Forest Branch), Memo. No. 8032 For-9F-1/50, dated the 30th August, 1950.
(a) Sylhet	..	..	..	..	..	..	..	..	..	..	..	..	
(b) Dacca, Mymensingh and Chittagong Hill Tracts.	..	..	..	..	..	..	15th	..	..	..	..	..	
(c) Sundarbans and Chittagong ..	..	..	..	..	..	..	..	1st	..	..	..	..	
Annual Plan of operations	..	..	..	..	..	..	..	1st	..	..	..	..	Article 47(i) of the Forest Department Code, 7th Edition and Government of Bengal, Revenue Department, Forests Branch letter No. 810T-R., dated the 24th September, 1929.
List of temporary staff	1st	..	..	..	..	..	1st	..	..	..	..	..	Conservator's No. 8033-38/2E-272, dated the 6th December, 1929.
Budget estimates	..	..	..	..	..	..	..	..	1st	..	..	..	Article 71, Forest Department Code, 7th Edition and Conservator's No. 2026-672, dated the 28th August, 1912.
Certificate of check of stores, tools and plant.	..	..	..	..	..	..	..	..	..	1st	..	..	Bengal Government, Revenue Department letter No. 478T-R., dated the 21st May, 1930.

ART. 83: CALENDAR STATEMENT SHOWING THE RETURNS, ETC., TO BE SUBMITTED BY OFFICERS IN-CHARGE OF FOREST DIVISION—Contd.

Latest date of posting by Divisional Officers.

Certificate of check of stores, tools and
plant.

Bengal Government, Revenue Department letter No.
478T.R., dated the 21st May, 1930.

ART. 83: CALENDAR STATEMENT SHOWING THE RETURNS, ETC., TO BE SUBMITTED BY OFFICERS IN-CHARGE OF FOREST DIVISION—*Contd.*

Name of return, etc.	Latest date of posting by Divisional Officers.												Remarks.
	January.	February.	March.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	
Sylhet School nomination	..	..	..	..	..	..	..	..	15th	..	..	..	Rule 4 of the Forest School Rules.
Chevrons Recommendation for the award of ..	..	..	..	..	..	..	..	..	..	..	..	22nd	Conservator's Circular No. 140M., dated the 9th December, 1892.
Capital and revenue accounts of residences ..	..	..	..	..	1st	..	..	..	..	..	..	..	Conservator's No. 3585/3B-25, dated the 15th August, 1925 and Accountant-General, Bengal's Circular No. 9T-M/T.A.D., dated the 3rd July, 1925.
Submission of statement showing extra statutory remission of revenue, etc.	..	..	..	..	1st	..	..	..	..	..	..	..	Vide Conservator's No. 7916-25/2B-44, dated the 20th June, 1935.
Return showing the amount of fees sanctioned or honorarium granted.	..	..	..	30th	..	..	..	..	..	..	..	..	Vide Conservator's No. 7396-408/2P-4, dated the 21st June, 1934 and Government letter No. 221-F., dated the 8th January, 1934.
Schedule of new expenditure	..	..	..	..	1st	..	..	..	..	..	..	..	Government of Bengal Finance Department, Finance Nos. 277-410F. B., dated the 20th January, 1926 and Conservator's No. 1727-2-B-11, dated the 16th April, 1926.
Grant of land, assignment of revenues, etc.	..	..	..	7th	..	..	..	..	..	..	..	..	Rule 329 of the Bengal Financial Rules as amended by correction slip No. 447 and correction slip No. 84, dated the 8th December, 1942.
Fortnightly return of production of disposal of kumbi leaves.	1st	1st	1st	1st	1st	1st	1st	1st	1st	1st	1st	1st	As per clause 17 of the agreement.
	16th	16th	16th	16th	16th	16th	16th	16th	16th	16th	16th	16th	

ART. 84: POWERS DELEGATED TO THE CONSERVATOR OF FORESTS, EAST PAKISTAN UNDER THE CIVIL SERVICE REGULATIONS (5TH EDITION)—Contd.

Articles under which power is delegated.	Government Order delegating power.	Nature of power delegated.	Limits and restrictions (if any).	ART. 1 Articles power
1	2	3	4	
57, 68A, 86, 160A, 161, 178, 446, 467, 811, 814, 957, 959 (a) and 1138A.	No. 8898F., dated the 27th November, 1917.	Full powers.		841(c)
55, 89, 144(b), 167, 203A, 230, 253, 254, 411, 459(a), 514(a), 918, 1059 and 1085.	Ditto	Powers as limited in the note to each article.		
53 and 478(a)	Ditto	Powers to relax the provisions of these articles.	Subject to the limitations noted in Rule 1 under Article 53 and note 1 to Article 478(a) respectively.	
520	Ditto	Powers as limited in clause III of the article.		
73	No. 9858F., dated the 2nd November, 1918.	Power to sanction rewards not exceeding Rs.250 in any case, for the arrest of a criminal or for information or special services in connection with the enforcement of law in cases where the authority is not competent to exercise higher powers under the provisions of law or statutory rules or of any authorised code.		945 957, 959
95	Circular No. 2T-F., dated the 26th April, 1910.	Power to assign to an officer placed in-charge of the current duties of an office a charge of allowance less than the amount admissible and on the other hand, if he thinks the amount too small to grant for specially recorded reasons the full acting allowance.		1000, 1001
147(iii)	No. 41F., dated the 11th August, 1913.	Power to grant to an officer without substantive appointment who officiates in an appointment the pay of which is less than Rs.100 a month allowance in excess of half pay of the appointment without any reduction in the absentee's leave allowances to which he might otherwise be subject under Article 147(iii), Civil Service Regulations.		1010 1056
166	Circular No. 3T-F., dated the 26th April, 1910.	Power to grant the local allowance attached to an office to an officer placed in-charge of the current duties of that office.		1061
168	Ditto	Power to appoint one officer to hold substantively, as a temporary measure, or to officiate in, two or more independent appointments at one time and to regulate the allowances within the prescribed limits.	As detailed in Article 168(i), (ii), (iii), Civil Service Regulations.	
230, 253, 254	Circular No. 55F., dated the 26th November, 1906.	Power to exempt an officer from loss of appointment for overstay of leave and to remit the penalty of interruption of duty for overstay of privilege leave, leave joining time and examination.		
422, 423	Circular No. 45F., dated the 22nd September, 1908 and No. 417 of the 13th January 1915.	Power to condone interruptions in service. Power to condone deficiency in qualifying service.	Up to two months under Article 422(i), Civil Service Regulations. Up to six months under Article 422(ii), Civil Service Regulations. Up to two months under Article 423, Civil Service Regulations.	ART. 85 Articles as power is
459	Circular No. 10A, dated the 18th August, 1890, and Circular No. 1A., dated the 14th February, 1895 and Circular No. 3T-F., dated the 26th April, 1910.	Power to grant extensions of service to non-gazetted officers on attaining the age of 55 and up to 60 and to compel such officers to retire between these ages.	Extensions of service not to exceed one year at a time.	S.R. 200(b) Appendix I:

ART. 84: POWERS DELEGATED TO THE CONSERVATOR OF FORESTS, EAST PAKISTAN UNDER THE CIVIL SERVICE REGULATIONS (5TH EDITION)—*concl.*

Articles under which power is delegated.	Government Order delegating power.	Nature of power delegated.	Limits and restrictions (if any).
1	2	3	4
841(c)	No. 657T.-R., dated the 1st June, 1911.	Power to grant privilege leave up to three months to all gazetted Forest Officers subordinate to him.	Provided that the necessary arrangements to carry on the absentee's duties can be made by him without reference to Government, and provided no enhancement of the pay of any officer deputed to carry on such duties is involved. The Audit Officers report on the application for leave will be sent direct to the Conservator and the order notifying the leave which will be sent direct to the Superintendent, Government Printing, will appear over Conservator's name in the (Official Gazette).
945	No. 417, dated the 13th January, 1915.	Power to exempt a pensioner from personal appearance upon production of a life certificate.	
957, 959	No. 2359F., dated the 16th April, 1908 and No. 569T.-F., dated the 30th May, 1905.	Power to sanction payment of arrears of pension. Power to sanction payment of arrears of pension due to deceased pensioners to their heirs.	
1000, 1001	Circular No. 30T.-F., dated the 2nd October, 1913, as amended by Finance Department letter No. 19F., dated the 6th January, 1914.	Power to sanction recovery of actual cost of freight by rail or by steamer for horses, bicycle and camp equipment on tour.	Conservator—Two horses, 1 bicycle and 20 maunds. Divisional Forest Officers—Two horses, 1 bicycle and 20 maunds. Assistant Conservators and Officers of the Provincial Forest Service when not in-charge of Forest Division—1 horse, 1 bicycle and 10 maunds.
1010	Circular No. 3T.-F., dated the 26th April, 1910.	Power to grant the travelling allowance attached to an office to an officer placed in-charge of the current duties of that office.	
1056	No. 17T.-F., dated the 8th October, 1909.	Power to exempt Forest Officers subordinate to him from loss of travelling allowance during halts exceeding ten days.	Limit 30 days in each case; subject to the conditions of Article 1056, Civil Service Regulations.
1061	Circular No. 3T.-F., dated 26th April, 1910.	Power to allow an officer compelled, on a sudden emergency, to leave his camp and proceed rapidly on duty to a place more than 20 miles distant, to draw the actual expenses of maintaining such camp not exceeding the daily allowance in addition to the allowance admissible under Chapter III, Civil Service Regulations, where there the camp is moved or not.	

ART. 85: POWER DELEGATED TO DIVISIONAL FOREST OFFICERS UNDER THE FUNDAMENTAL AND SUBSIDIARY RULES (FIRST EDITION REPRINT).

Articles under which power is delegated.	Government Order delegating power.	Nature of power delegated.	Limits and restrictions (if any).
1	2	3	4
S.R. 200(b) Appendix 17	G.O. No. 43T.-Fec., dated the 30th May, 1934.	Power to grant leave on average pay admissible up to a maximum of 4 months to Forest Rangers serving in their divisions. Power to countersign travelling allowance bills of non-gazetted officers and establishment including executive, protective and office staff subordinate to a Divisional Forest Officers.	On condition that no extra expenditure is incurred nor the transfer of a subordinate from another division is involved.

ART. 86: POWERS DELEGATED TO THE CONSERVATOR OF FORESTS, EAST PAKISTAN UNDER THE CIVIL ACCOUNT CODE (FIRST EDITION).

Articles under which power is delegated.	Government Order delegating power.	Nature of power delegated.	Limits and restrictions (if any).
1	2	3	4
5(c)	Circular No. 34T-F., dated the 14th September, 1910.	Power to direct Accounts Officers to investigate claims to arrears of pay or allowances or increments which have been allowed to remain in abeyance for a period exceeding two years.	
55(D)(b)	Revenue Department Misc. No. 417, dated 13th January, 1915 and Finance Department, Finance Resolution No. 5538F., dated the 15th November, 1927.	Power to sanction alterations in the date of birth recorded in service books.	The declaration of age, made at the time of, or for the purpose of entry into Govt. service should be deemed absolutely conclusive and no revision of such a declaration should be allowed to be made at a later period for any purpose whatsoever.
841	Circular No. 9F., dated the 24th February, 1910.	Power to remit the demand for leave allowance irregularly drawn by applicants for pension.	In all cases in which leave allowances have been irregularly drawn by applicants for pension it is left to the Accounts Officer to refer the question of the recovery of overpayments to the Conservator (Article 841, Civil Account Code). If both officers agree that recovery should be made, the decision will be given effect to by the Accounts Officer; If the Conservator, however, does not agree he is empowered to remit the demand without restriction up to three months' pay. But if he is of opinion that a remission should be allowed in excess of three months' pay, the matter should be referred to the Local Government for orders.
Appendix BBBB(e)	No. 469, dated the 28th January, 1915 and No. 2380, dated the 7th June, 1915.	Power to purchase books, newspapers and periodicals at Government expense.	Subject to the condition that all charges incurred are within budget allotment sanctioned for the purpose; no addition may be made to this by reappropriation from any other source without the previous sanction of the Local Government.
Rule 7 of the Manual of Rules for the supply of Articles for the Public Service.	Govt. of Bengal Revenue Department, Forest Branch, letter No. 8694 For., dated the 25th July, 1930.	Power to purchase replacements of spare parts of saw mill plant and logging machinery direct from the manufacturers or dealers in foreign countries or their agents in Pakistan.	Limits Rs.3,000 for any one item. Transaction above Rs. 1,500 is to be reported to Govt. after the event.
Appendix BBBB(f)	No. 1833F., dated the 26th March, 1908.	Power to sanction local purchases of stationery (including rubber stamps and ink for them usually supplied by the Stationery Office).	Limit Rs.20 in each case.
Appendix BBBB(k), Rule 13.	Circular No. 16T-G., dated the 4th November, 1908.	Power to sanction purchase of articles of European manufacture (except those which should be indented for from the Stationery Office).	Limit Rs.250 in each case.
Appendix BBBB(v)	Circular No. 16F., dated the 26th March, 1908.	Power to sanction the supply of typewriters and duplicating machines for office use.	
	No. 599T-F., dated the 28th May, 1913.	Power to sanction the establishment of and the annual rent charges for telephonic connections between public offices and the public exchange.	

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ART. 87: POWERS DELEGATED TO DIVISIONAL FOREST OFFICERS UNDER THE CIVIL ACCOUNT CODE (7TH EDITION).

Articles under which power is delegated.	Government Order delegating power.	Nature of power delegated.	Limits and restrictions (if any).
1	2	3	4
Appendix BBBB(k), Rule 13(a)(i).	Finance Department Misc. Branch No. 3943 Misc. dated the 11th July, 1916.	Power to purchase medicines locally for treatment of elephants, etc., in case of emergency.	Rs.50 in each case, provided that there is budget provision to cover the cost.

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ART. 88: TREATMENT OF FOREST SUBORDINATES IN THE JALPAIGURI AND BUXA DIVISION BY DISTRICT BOARD DOCTORS.

Omitted.

ART. 89: In accordance with the Note to Rule 11 of Appendix IV to the Bengal Financial Rules, the Forest Department should charge the Public Works and other Departments of Government for Forest produce removed from reserved forest lands which have been transferred to those Departments for specific purposes.

(Government of Bengal, Revenue Department, Forest Branch, letter No. 813T-R., dated the 24th September, 1929.)

ART. 90: A fee of annas 6 shall be levied from candidates for appointment in the Forest Department who are allowed to sit for the entrance examination

The examiner who corrects the papers will be given annas 6 a paper for correcting the papers of such candidates.

(Government of Bengal, Revenue Department, Forest Branch, letter No. 4875-For., dated the 21st April, 1933.)

ART. 91: RULES FOR THE OCCUPATION OF REST-HOUSES BY THE SUBORDINATES OF THE FOREST DEPARTMENT.

Forest subordinates may occupy rest-houses free of rent provided that, if they occupy for more than ten days, they shall pay rent for every day over ten days, if they are drawing daily allowance.

(Government of Bengal, Revenue Department, Forest Branch, letter No. 21T-R., dated the 17th May, 1933.)

ART. 92 : RULES PRESCRIBING THE PROCEDURE TO BE FOLLOWED IN CASE OF FIRING BY FOREST OFFICERS.

(Bengal Government letter No.1297 For., dated the 3rd February, 1940.)

If in the course of his official duties a forest officer, in the exercise of his right of private defence of person or property, has been compelled to resort to the use of firearms, the following procedure shall be adopted :—

- (1) The wounded must be given first-aid. The wounded and the dead, if any, must be removed as quickly as possible to the nearest hospital.
- (2) As soon as this has been done, the senior forest officer present at the firing shall draw up a full report of the occurrence, stating :—

- (a) the place of occurrence,
- (b) the names of the forest officers present,
- (c) the number of rounds fired,
- (d) the number and the names of the persons killed and/or wounded,
- (e) the measures taken to render first-aid and the hospital to which the casualties have been sent,
- (f) an account of the events preceding and leading to the firing including an explanation of the reasons for the resort to firearms, and
- (g) any other relevant details.

(3) This report should be taken by the reporting officer to the nearest Range Officer who will immediately forward it in original to the officer-in-charge of the police-station within the jurisdiction of which the firing took place and shall also send a copy to the Divisional Forest Officer and to the District Magistrate.

(4) On receipt of his copy of the report the District Magistrate shall if injuries have been inflicted as a result of the firing, depute a Magistrate to make a full enquiry to ascertain whether the firing was justified. This enquiry shall be executive or quasi-departmental and not a judicial enquiry. It should be independent of enquiries made by the Police or Magistrate under section 174 or 176 or other sections of the Criminal Procedure Code, but the evidence recorded in such enquiries may be used. The report described in rule 1 shall be laid before the enquiring officer without delay to assist him in his enquiry. The representation of parties by pleaders or other legal practitioners shall not be allowed, but officers whose conduct is at issue in the enquiry, shall be allowed to examine or cross-examine witnesses and submit statements. On completion of the enquiry a report shall at once be sent to Government by the enquiring officer through the usual channel and a copy made over to the Divisional Forest Officer for submission to the Conservator of Forests.

(5) The Divisional Forest Officer shall attend the enquiry and assist the enquiring officer.

