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SELECTIONS FROM THE RECORDS

OF THE

MADRAS GOVERNMENT.

NEW (REVENUE) SERIES.

No. X.

A COLLECTION OF PAPERS

RELATING TO THE

ADMINISTRATION OF THE FOREST
DEPARTMENT.

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A COLLECTION OF PAPERS

RELATING TO THE

ADMINISTRATION OF THE FOREST DEPARTMENT.

No. X.

I

G.O. No. 1259, Revenue, dated 16th November 1882.

READ—the following paper :—

Report of the Forest Committee, dated 15th May 1882.

* * * * *
*Connection of Civil and Forest
Administration.*

15. These remarks bring us to the consideration of certain further important changes in the organization of the forest administration, which we desire to recommend. The area now placed under the charge of the Conservator is so vast, that it is quite impossible for him to maintain the supervision and control of District Forest-officers, which are necessary to keep them up to their work and to secure energetic administration. The intervals between his tours in any district must, however active he may be, be considerable, and he cannot in existing circumstances obtain the immediate and full knowledge of the forest concerns of each district, which the directing officer, in such a matter as forest administration, ought to possess. The result has been hitherto that the District Forest-officers have been left too much to themselves, and, not feeling at hand the direction and support of a superior officer, have to some extent fallen into a position of isolation which has weakened the working of the department. Isolation of this kind is especially prejudicial to young officers during the early years of their service, in whose case the absence

of official discipline at first may create habits which may mar their usefulness throughout their subsequent career. The forest establishments are not at present in a satisfactory state in all districts,—a fact which has no doubt intensified the evils which we have indicated; but even if the staff were re-organized, these evils would, we think, probably still be felt. Further, it seems to us expedient to strengthen the hands of the local Forest-officers, and to increase their influence, by bringing them into closer connection with the Land Revenue organization. We, therefore, recommend that, subject to the checks hereafter noticed, the District Forest-officers and the staff under them be made directly subordinate to the Collectors.

Former Schemes.

16. The necessity of closely connecting the administration of the forests with that of other Government lands has long been recognized in this Presidency, and attempts have been made at different times to frame an organization under which this object would be attained. By the order of the 24th June 1872, No. 148, Collectors were made Conservators in their districts, the Conservator was appointed Inspector, and his duties were restricted to inspection

and advice. This was found to work badly, and hence, in 1875, a change was made, and by the Order of Government of the 19th November 1875, No. 1662-A, the Inspector was again made Conservator, and certain rules, modelled on those framed in 1870 for the conduct of forest business in Bombay, were sanctioned. Under these rules the control of the forest work is vested in the Conservator, but his orders are communicated to the District Forest-officer through the Collector, to whom certain limited powers of interference are granted.

17. These rules have never perhaps been fully worked, and they have certainly not produced the effects desired. The separation between the Revenue and Forest organizations is still too wide. In the Bombay rules, an attempt was made to divide subjects, so that the District Forest-officer would receive his orders from the Conservator on subjects of a professional and departmental character, while in regard to other matters he would be subordinate to the Collector. This division of subjects and control is, however, artificial, and, if adopted, would, in our opinion, lead to friction and needless complications. In Madras, where the lands which should be placed under forest administration are, in most cases, distributed over the whole of the districts, and are not confined to remote corners, there is especial reason for uniting as closely as possible the Land Revenue and Forest administration. The Collector being on the spot and possessing, or being able at once to obtain full local knowledge, is the fittest man to control the current work connected with forest business in his district; and the Forest-officers will gain much by association with the widely extended organization of which he is the local head, and will cease to be regarded as outsiders and oppressors of the people.

Collectors and Conservator.

18. The problem is to gain for local forest working the strength and vitality which it will derive from being placed under the control of Collectors, and at the same time to take security for continuity of action, for the adoption of correct principles of forestry, for due subordination of local to general working, for the creation and maintenance

of a properly instructed and efficient staff, and for ensuring to the Conservator the position which he ought to occupy as the professional head of the department and the responsible adviser of Government in forest matters. We believe that under our scheme these objects will be attained.

19. First as to the relations between the Collectors and the Conservator. There are two matters which from the nature of the case, as requiring a comprehensive view of all districts, cannot be dealt with by Collectors. These are the finance of the department, and the organization of the staff; and in these the Conservator must have complete authority. Further, in purely professional matters, as to which Collectors cannot be expected to possess adequate knowledge, the Conservator must be in a position to press his views. As to finance, there will, of course, be an annual budget, which will pass through the Board of Revenue and be sanctioned by Government as at present. This will be made up of district budgets; and in close connection with, and, in fact, depending on these budgets will be the annual plans of operations in each district, which will be framed by the District Forest-officer, and discussed, and probably agreed upon by the Collector and Conservator. If they differ as to the budgets and plans of operations, each will have his say, and it will be for the Board of Revenue and Government to decide. This done, the responsibility for the execution will rest with the Collector alone. The existing powers of financial control vested in the Conservator, namely, of making transfers from district to district under "*A—Working Charges*" and "*B—Establishments*," and of sanctioning estimates for works should remain with him; but he should not have power to transfer any allotment from a district without the Collector's assent, or order of Government. If during the year the Collector desires to incur expenditure not provided in the budget, he will have to address the Conservator, who, if he approves and can find the money, will make it available. The Conservator will be able to watch progress; but the responsibility for the due execution of the programme, and for the conduct of all district business will rest with the

Collector, and not with the Conservator. The Collector, however, should not be at liberty to make transfers under "*Working Charges*" in his district without the Conservator's sanction.

20. As to the staff, the scale of establishments will be sanctioned by the Government, and the appointment, posting and promotion of the superior officers rests with them. The appointment, posting and promotion of Forest-Rangers and Foresters should vest in the Conservator, and the appointment, posting and promotion of Forest-guards in the Collector, who will no doubt, in practice, leave these matters to his District Forest-officer. The Collector should have the power to fine and suspend Forest-subordinates, and to dismiss Forest-guards. The dismissal of Rangers and Foresters will rest with the Conservator who appoints them, but he will naturally be guided in his action by the Collectors, who are responsible for the local working and protection of the forests. It is of supreme importance that all Forest-officers, those of the subordinate as well as of the superior staff, shall possess the requisite qualifications and training, and these would not in all cases be secured, nor could the flow of promotion necessary to efficiency in the department be maintained, under a system of local selection by Collectors. In regard to Forest-Rangers and Foresters therefore Collectors must accept the Conservator's decisions, though no doubt that officer will, as far as he can, consult the convenience and wishes of the Collectors in the disposal of the staff.

21. Professional matters will eventually be mainly regulated by working plans prepared for each forest. But such working plans can, as a rule, only be prepared for reserved forests, which have been completely demarcated and settled. Whenever circumstances are sufficiently advanced to justify the preparation of such working plans for any forest, the data will generally be collected and the proposals framed by a specially qualified Forest-officer, working in conjunction with the District Forest-officer and under the control of the Conservator. When completed, such working plans should be concurred in by the Collector, and, if intended to regulate operations during a long series

of years, should be submitted to higher authority for sanction. No deviation from the provisions laid down in such working plans should be permitted without the Conservator's concurrence, and none should be made unless necessitated by unforeseen events.

22. But it will be a long time before the preparation of working plans for the Madras forests can be undertaken on a large scale, and the present organization must, therefore, be framed for the existing state of things. As already explained in paragraph 19, the work in each district will be regulated by annual plans of operations prepared in close connection with the budgets. Wherever working plans have been framed, these annual plans of operations must be based upon the provisions of the working plans. Where no working plans exist and until such plans have been made, the annual plan of operations must be based on the general principles of forest conservancy. These annual plans will prescribe what work is to be done in the demarcation of boundaries, road-making and other communications, fire-protection, closing forests against grazing, cultural operations, thinning and cutting, and will generally indicate all work that should be done during the year in each forest range of the district. The District Forest-officer will, under the Conservator's advice, frame the plan of operations, which, as already explained, must receive the Collector's approval. The responsibility for carrying out the plan of operations will rest entirely with the Collector, but for such deviations as may be necessitated by unforeseen events, the Conservator's consent must first be obtained.

23. In this manner the Conservator will exercise the needful control in professional matters, and maintain that continuity of action which is necessary. But in the present state of forest administration in this Presidency, it must not be expected that the annual plans of operations will be sufficient. There will be many instances in which the Conservator will find it necessary to communicate with the Collector regarding matters of a professional nature which are not provided for in the annual plans. Hence, it is indispensable that the Conservator should be kept fully informed of all that is going on, and

this will enable him at any time to communicate his opinion to the Collector and, if the matter seems of sufficient importance, to address Government or the Board of Revenue. Eventually each Collector will have at hand a professional officer of high qualifications; this will tend to diminish references by and to the Conservator, and there will then be little danger of action in a wrong direction being taken, or of the Conservator's being unable to make his professional influence felt.

Collectors and District Forest-officers.

24. The District Forest-officer and the subordinates under him must be in the fullest manner under the Collector's orders and control, and the former should receive no orders from any other authority. His head-quarters should be as a rule those of the Collector, and, under the control of that officer, he should conduct all the forest business of the district. He will be in the position of Assistant to the Collector in forest matters, and the Collector should give no orders on such matters except through him. On matters of ordinary routine the Collector will authorize the District Forest-officer to issue orders without reference to him, making such arrangements as may be necessary for such orders being reported by means of weekly abstracts. Other matters will be referred to the Collector by means of office notes. The District Forest-officer, being the head of a branch of the Collector's office, should not communicate with the Collector by official letters. He should draw up in his own hand a sufficiently full report or diary of all important business, and send it to the Collector at the close of each week. The Collector, after recording any remarks or instructions he may think fit, should send it on for the Conservator's information, and that officer should return it without delay, noting any remarks or suggestions he may have to offer. It will then go back to the District Forest-officer, the Collector, if he disagrees with the Conservator's remarks or suggestions, informing the District Forest-officer, so as to guard against action being taken of which he disapproves. In such cases he will at once inform the Conservator. When the Conservator is in camp with the

District Forest-officer he will, of course, be at liberty freely to communicate to him his views and suggestions on matters of forest administration; but he should inform the Collector in writing of what passes between them. In this way the Conservator will be kept fully and promptly informed of all that goes on, and will have ample opportunity of impressing his views upon the Collectors and District Forest officers; but all regular official business should be transacted by the Collector, and the District Forest-officer should not accept or carry out any orders which have not emanated from him.

Position of Conservator.

25. We are sanguine that the plan sketched above will be found to work well in practice, and to fulfil the conditions stated in paragraph 18. It will not, if properly understood and carried out, impose an undue burden of work upon the Collectors, who will merely have to supervise and control the work done by their District Forest-officers. On the other hand, it will relieve the Conservator of much detailed office-work, and will enable him to spend, as he should do, at least, six months of every year in the forests with the District Civil and Forest Officers. During the remainder of the year, comprising the time when the budgets, the annual plans of operations, and the annual reports are under preparation, he should be at head-quarters and in constant communication with the Board of Revenue and Government. As the professional adviser of these authorities, his opinion will of course carry great weight in the settlement of the annual schemes, and the adjustment of the several districts on the budget, as well as in all professional questions. The control of the departmental finance and organization, which we propose to reserve to the Conservator, will place him in a sufficiently influential position as head of the department, and this arrangement constitutes an essential difference between our scheme and that adopted in 1872. On the other hand, he will not dictate to Collectors, who will not be in any sense under his orders. In case of difference of opinion, he will endeavour to enforce his views by satisfying the authorities to whom Collectors are

subordinate, that he is in the right,—a course which he will scarcely take except in cases of importance, and when the Collectors are clearly wrong. There will be no division of power or responsibility. The Conservator will have full control and responsibility in matters of finance and organization; and the Collectors, subject to the orders of the Board of Revenue and Government, will have full executive power; the function of the Conservator in regard to the current working being mainly that of advice. We believe that, in fact, differences of opinion between the Collector and Conservator will be rare, and we would urge that it is in no way a necessity that they should take opposite views on forest matters. Hereafter when an efficient staff, consisting of superior and subordinate officers who know their profession, and a complete organization have been formed, and when a good forest law and good rules made under it have been brought into operation, it may be possible to make such changes as further experience may suggest. One practical result may, at any rate, be counted on to follow from our scheme, namely, that it will tend to unite the subordinate Civil and Forest establishments; and if this is accomplished, the administration of forests will no longer be considered as a thing apart from the administration of the other Government lands.

Conclusion.

30. The suggestions submitted in this report relate, first, to the amalgamation of Jungle conservancy with Forest administration, and, second, to the relations of Civil and Forest Officers. In regard to the second point, it may be useful to recapitulate our proposals. Subject to the control of Government, the Collector will carry on the current business of forest administration in his district, and in this he will, as far as practicable, be guided by the advice of the Conservator, who will be held responsible for the formation and maintenance of efficient establishments, and

for all professional and financial matters. The District Forest-officer will receive all his orders from the Collector, and the Conservator will have no authority to issue direct orders to the District Forest-officer. The Conservator will be the adviser both of Government and the Collectors, and certain definite powers will be given to him in regard to those branches of business for which he is held responsible. Accordingly, the Conservator will spend part of his time at the head-quarters of Government, and part on his inspection tours in travelling through the forests with Collectors and District Forest-officers. Throughout the year he will be kept promptly informed of all that goes on in each district by means of the District Forest-officers' weekly reports. While on tour he will embody the result of his inspections in notes or other communications, which will be addressed to the Collector, and which will not necessarily be submitted for orders to the Government or to the Board of Revenue. It is acknowledged on all sides that the system, which has existed for some time, under which no action was taken on the Conservator's inspection reports until they had been considered by the Board of Revenue and Government, has not tended to favour progress in forest administration. As far as the Collector sees fit to do so, he should authorize the District Forest-officer to take action at once on the Conservator's inspection reports and on other communications from that officer, and a reference to higher authority should only be made in those cases in which the Collector and Conservator are unable to reconcile their views. Action must be prompt and continuous, otherwise no progress will be made in the work. There is no reason why these inspection reports should not, if so desired, be sent to Government for information, but, as a rule, and subject to the prescribed course in case of difference of opinion, action should be taken upon them by the Collector, as far as he is competent or sees fit to do so.

Order—No. 1259, Revenue, dated 16th November 1882.

* * *

2. The proposals submitted by the Committee regarding the connection of the Civil and Forest administration, the relations of Civil and Forest Officers and other cognate matters are accepted, and

the necessary steps will be taken by the Board of Revenue and the Conservator of Forests to carry them into effect.

(True Extract.)

E. F. WEBSTER,
Secretary to Government.

II

G.O. No. 275, Revenue, dated 26th February 1883.

READ the following paper :—

Extract from paragraph 1 of letter from Sir D. BRANDIS, Inspector-General of Forests, dated 12th January 1883, No. 65.

I have now the honor to submit my forest administration in the Madras report, containing suggestions regarding Presidency.

ENCLOSURE.

Extract from Sir D. Brandis' report.

Civil and Forest Officers.

272. Regarding the relations between Civil and Forest Officers, reference is invited to the joint report on organization by the Forest Committee, dated the 9th June, which will be found as Appendix III. That report deals with the subject in a comprehensive manner, and it will suffice in the present place to draw attention to a few points. It has been agreed that the District Forest-officer must work under the control of the Collector, and that he will be the Collector's Assistant for forest business.

It is not proposed to revive the system of 1872, under which the Collector was made the Conservator of Forests in his district. There may have been at that time, and there may be now, Collectors who are excellent foresters: nay, indeed, who are better foresters than many Forest Officers in the Madras Presidency; but, as a rule, the State is best served if each of its servants is employed in his own profession. Forestry is the profession of the forester; the Conservator must be a forester, and it must be his duty to maintain continuity of action and to see that the District Forest-officers act in accordance with correct principles. He must also be responsible for the maintenance of an efficient staff of officers who know their profession, both in the superior and subordinate branches, and the control of personal matters must therefore mainly be in his hands.

273. There must be a District Forest-officer in each district, and he must, under the control of the Collector, conduct the whole of the forest business of the district.

He will be the Assistant to the Collector for all forest matters and the head of the Forest Branch of the Collector's office. Under such rules for the conduct of business as may be prescribed, he will issue all orders in the name of the Collector, and the Collector must give no orders on forest matters except through the District Forest-officer. On the other hand, the District Forest-officer will not receive his orders from the Conservator, but from the Collector, to whom the Conservator will submit his views and his wishes. All orders of superior authority on forest matters should be communicated to the Conservator who will

be the adviser of Government in forest matters. The Conservator must be responsible for the efficiency of the staff, both in the superior and subordinate branches, as well as for professional matters and financial results. All important questions relating to establishments, professional and financial matters, must be referred to him, and it must be understood that, unless the Collector has strong grounds for a different opinion, he must, in those matters, act in accordance with the views and wishes submitted to him by the Conservator.

On the other hand, it must be understood that the Conservator cannot dictate to the Collector. He must explain his views and wishes, and, if he fails to obtain the Collector's assent, must submit the question to higher authority.

Annual Plans of Operations and Weekly Reports.

274. Apart from an efficient staff, a complete organization, a good forest law, and good rules made under it, several other arrangements are indispensable in order to make the system here sketched efficient.

An annual plan of operations must be framed every year, and its provisions must be agreed upon by the Conservator, the Collector and the District Forest-officer. And, save in the case of unforeseen events, this plan of operations must be strictly adhered to during the year to which it relates.

Weekly reports of all important business should be sent by the District Forest-officer on every Saturday afternoon to the Conservator. As a rule, these weekly reports should be written on half margin by the District Forest-officer in his own handwriting; they should be returned to him, through the Collector, with remarks and suggestions by the Conservator. If the Collector objects to any remarks or suggestions made by the Conservator, he will inform the District Forest-officer, so as to guard against action being taken in a manner of which he does not approve, and the District Forest-officer will send a copy of the Collector's orders to the Conservator.

In case of conflicting opinion, the District Forest-officer will, as a matter of course, be bound to carry out the Collector's orders. Should any Collector desire that these weekly reports should be submitted to him in the first instance, before being sent to the Conservator, it will rest with him to issue the needful orders. I do not recommend that Government should lay down any rigid rules regarding this or other matters of business routine; these matters must arrange themselves so as to suit the circumstances in each district.

Again, when the Conservator is in camp with the District Forest-officer, he will be at liberty freely to communicate to him his views and suggestions on professional and departmental matters, but he will inform the Collector of what passes between them. It is essential that the District Forest-officer should be thoroughly posted up in the Conservator's views on all points.

In this manner the Conservator will be kept informed promptly of all that goes on, and will have ample opportunities for impressing his views upon the Collector and the District Forest-officer; but all regular official business must go through the Collector, and the District Forest-officer must not be bound by any orders which have not emanated from the Collector.

Functions of Collectors and Conservators.

275. At first sight this plan may appear to lead to divided responsibility; but, in reality, it will be found, that under a proper organization, a sufficient and rational forest law, and, with the exercise of tact and judgment on both sides, differences of opinion will be exceedingly rare. Should such differences occur, they must be referred to higher authority for orders. But, as a rule, Collectors and Conservators will find means for reconciling any difference that may arise between them.

In practice the difficulties in this respect will not be found to be considerable, provided it is borne in mind that the District Forest-officer is entirely under the orders of the Collector. It may be arranged that the Collector's correspondence with the Conservator should be conducted by the District Forest-officer, who would, in this as in all other matters, act in accordance with the Collector's orders and instructions.

Government sanctions the scale of establishments, and the appointment, posting and promotion of the superior officers rests with Government. The Conservator controls the appointment, posting and promotion of Forest-Rangers and Foresters. The appointment, promotion and dismissal of Forest-guards should rest with the District Forest-officer, acting under the Collector's orders. The Collector should have the power to fine and suspend all officers of the subordinate establishment. The dismissal of Rangers and Foresters should rest with the Conservator

who appoints them, but he will naturally as much as possible be guided in his action by the Collector's views and wishes.

The appointment, promotion and dismissal of Sub-Assistant Conservators must rest with superior authority, unless specially delegated to the Conservator.

Professional matters will be regulated by the annual plan of operations and the working plans that must be made for each forest. In the case of unforeseen events reference must be made to the Conservator.

Lastly, in financial matters, the limits within which the year's work must be kept are laid down by the budget orders of Government; but within these limits it rests with the Conservator within the limits of his powers to sanction all outlay which has not been otherwise sanctioned, or which is not provided by the annual plan of operations. Regarding the allotment of the budget grant to divisions and sub-heads, and subsequent transfers, my proposals will be found further on.

276. In practice, differences between Collectors and the Conservator will be very rare, and I submit that it is in no way a necessity that Collectors and Forest Officers should take different views regarding forest matters. As soon as correct principles are fully recognized, Civil and Forest Officers will co-operate for the attainment of the same objects.

The Collector, being on the spot, is the fittest man to control the current work connected with forest business in his district, and in doing so he must allow himself to be guided in departmental, professional and financial matters by the Conservator, who, as head of the department, is the proper officer to maintain continuity of action in accordance with the forest policy decided upon by Government.

Another plan might be suggested, to make a division of subjects, so that the District Forest-officer would receive his orders from the Conservator on subjects of a professional and departmental character, while in regard to other matters he would be subordinate to the Collector. Such a division of subjects and control has been attempted in some Provinces, but it is artificial and will, I fear, lead to friction and needless complications.

In the Madras Presidency, where the lands which must be placed under Forest administration are in most cases distributed over the whole of the district, and are not confined to remote corners, the organization here submitted will, I feel assured, be found to be the most suitable. At present the superior and subordinate forest staff is not in a satisfactory state in all districts, but when the staff has become efficient it will be found easy to work the organization here proposed.

277. Nor will this plan, if properly understood and honestly carried out, impose undue burden of work upon the Collector.

The work will be done by the District Forest-officer in the Collector's name. On matters of ordinary routine the Collector will authorize the District Forest-officer to issue orders without reference to him, reporting such orders by weekly returns. Other matters will be referred to the Collector by means of office notes. The District Forest-officer being the head of a branch of the Collector's office will not communicate by official letters with the Collector. It should be distinctly understood that the Collector will not have a separate Forest-office, distinct from that of the District Forest-officer. All records will be kept in the District Forest office, and all business relating to the forest management of the district will be transacted in that office.

The plan here proposed will relieve the Conservator of much office work, and will enable him to spend a large part of the year in the forests with the District Forest-officers.

The practical result of this system will be that it will tend to unite the subordinate Civil and Forest establishments, and if this is accomplished, the administration of forests will no longer be considered as a thing apart from the administration of other Government lands. The present idea, which I have found only too commonly entertained in many districts of the Madras Presidency, that Forest-officers are regarded by the people as their enemies and oppressors, will then disappear, and it will be recognized that those among them who do their duty are the best friends of the people and among the most powerful promoters of their prosperity.

278. I cannot urge in terms sufficiently strong that all business arrangements, such as those here suggested, cannot at the outset be regulated by a rigid set of rules. The plan proposed here, and in the joint memorandum appended to this report, is to some extent new, and it must first be developed by actual

experience, before rules to regulate this part of the business can be framed.

The main object which should be kept in view is, to promote the growth of a strong staff of Forest Officers, educated in their profession, who have acquired good experience. These officers will carry on the work under the control of the Collectors, but at the same time with the assistance and under the advice of the Conservator of their circle. The Collector is responsible for the current work, while it is the Conservator's duty to maintain continuity of action, in accordance with correct principles and the policy laid down by Government.

279. I am anxious that my proposals for amalgamating the administration of forests with the civil administration of the country should not be misunderstood. My object is to strengthen the hands of Forest-officers and to give them more real power and influence. The professional character of the Forest Department must not be set aside, but must be developed and strengthened. In all countries where a well-organized forest administration exists, Forest-officers must be closely united by the rules and traditions of their service and by their common professional training. And it will be the duty of the two Conservators to foster and to direct the growth of the common professional interest among Forest-officers in this Presidency.

General Administrative Arrangements.

280. I understand that it has been proposed to entrust the control of the Forest administration in the Presidency to a Member of the Board of Revenue, who will exercise such control, either in his own name, or in the name of the Board of Revenue. This plan may secure a healthy and vigorous development of forest conservancy, provided Government delegate sufficient powers to the officer selected.

Order—No. 275, Revenue, dated 26th February 1883.

* * *
8. Mr. Brandis has rightly assumed, in paragraph 280, that the control of Forest Administration will be entrusted as heretofore to the Board of Revenue, to whom powers will be delegated under Section 65 of the Act as soon as suffi-

ent progress has been made in bringing its various provisions into force throughout the Presidency.

(True Extract.)

P. P. HUTCHINS,
Ag. Secretary to Government.

III

G.O. No. 191, Revenue, dated 6th March 1888.

READ—the following paper :—

*Proceedings of the Board of Revenue (Land Revenue) Forest No 181,
dated 25th March 1887.*

Read—the following paper :—

*Letter—from Mr. J. S. GAMBLE, Conservator of Forests, Northern Circle.
To—the Secretary to the Board of Revenue.
Dated—the 12th February 1887.
No.—2669.*

* * *

2. I believe I am correct in thinking that in “reserved forests” it is, in this Presidency, as elsewhere, for the Conservators of Forests to fix the rates of sale of produce, if such sale is not conducted departmentally. Acting on this opinion, I have agreed always, wherever possible, to adopt the rates fixed by Government for forests under section 26 in reserved forests, also as far as possible and especially in those reserved forests of the Nilgiris in which it is yet too soon to arrange for full working departmentally.

* * *

4. The provisions of the Forest Act, section 21, prohibit, among other things, quarrying for stone except—

- (a) 1. Under a rule of Government.
2. Under the written permission of the District Forest-officer.
3. Under the written permission of some officer authorized by him to give that permission.
- (b) In the exercise of a right continued under section 12, or created under section 18.

There is nothing said as to the Collector, nor in any of the orders of Government that I can remember has the Collector been given authority in reserved forests except as being responsible for the carrying out of works for whose initia-

tive the Conservator as Inspecting officer is the arranger. The procedure ordered by Government is that the Conservator makes his recommendations; if the Collector agrees, he arranges to carry them out through the District Forest-officer; if he objects, the matter is referred to the Board as arbiter.

5. In the case of forests under section 26 it is of course different; the rules framed by Government specially give powers to the Collector associating the Conservator of Forests with him in those cases where professional advice is likely to be required.

6. Shortly, therefore, I think I am right in considering that it is the intention of Government that the management of the forests shall rest—

- (1) *Reserved forests* with the Conservator, the Collector having power to object and appeal to the Board except in cases of establishment and finance.
- (2) *Forests under section 26* with the Collector advised by the Conservator wherever so ordered by the rules. And it is, I think, on this basis that the officers of the Board and Government have usually discussed forest questions with myself and the Conservator, Southern Circle. It will be well to have the matter finally set at rest.

Resolution—Forest No. 181, dated 25th March 1887.

Submitted to Government, in reference to G.O. dated 16th December 1886, Mis. No. 7595.

* * *

4. The Conservator raises the question of the control of reserved forests, as opposed to unreserved forests, and gives expression to his opinion that such

forests are, by the mere fact of reservation, transferred from the control of Collectors to that of Conservators. This view is so far from being correct that the Board think it well to lay down, definitely and at once, the exact position in which they consider Collectors and Conservator stand in regard to each other in the matter.

5. The mere fact of a forest being declared “reserved” under section 16 of the Forest Act in no way alters the position of Government or of the Collector of the district, in which it is situated, towards it. The process of forest settlement extinguishes all private rights which may exist in such a forest, or else admits and records them; in the one case, they are got rid of, in the other, they remain, but are demarcated or otherwise defined; but when all is said and done, the forest is only rather more completely the property of the Government, and, as such, the more completely under the control of the Collector of the district than it was before. It does not become a property exclusively vested in an independent department, called the Forest department. The administration of the forests of the Presidency is only a branch of the Revenue department of the Government, and every Collector must understand, therefore, distinctly that when a forest is declared to be “reserved” under section 16 in his district, the only effect of such reservation is to vest it more absolutely in him, as the representative of Government, and that his Forest Assistant, the “District Forest-officer” of the Forest Act, is simply and solely his lieutenant for the purpose of working it, and acts and speaks only by his permission and as his representative and mouthpiece, and not, as the Conservator would appear to think, as the representative and mouthpiece of the Conservator.

6. It is when the reserved forest comes to be worked that the advice of the Conservator becomes valuable; he should then be asked to draw up a “working plan” for it, and when this working plan is drawn up, the Collector’s first duty in regard to it is to see that due provision is made in it for the exercise in the forest of such *free* privileges of grazing, of dead-wood gathering, and of cutting small timber for domestic or agricultural purposes, as, in the absence of available forest outside, the Collector may consider it expedient to continue to the villagers, and for the supply on payment of such grazing and small timber as the local demand may require. The limits laid down to grazing, in particular, in the working plan will require to be scrutinized. It is not in

blocks of dense tree growth that grazing is to be looked for; in such places, as a rule, it does not exist at all; but where tree growth is sparse and in the open glades, grass is often abundant, and it is to such portions of the working plan that the Collector should give his most careful attention. The tendency of working plans is not unlikely to be to reforest such grass areas, and it will be the duty of the Collector, when necessary, to combat this tendency, to determine what portions of the forest shall be permanently reserved for grazing purposes, and by whom, to what extent, and under what conditions the privilege of grazing may be exercised, and to see that a full and complete entry of the fact is actually made on the working plan itself.

7. The working plan, with the Collector’s recommendations, as above, must then be submitted to the Board for approval, and the Board, after making such scrutiny of the Collector’s proposals as may seem to be called for, will pass orders in the matter, and will submit a copy of their proceedings for the information of Government. Once the working plan is approved by the Board, it will have to be strictly adhered to, or, at any rate, not altered without the previous consent of the Conservator and the Board.

8. The instructions which the Board have thus laid down for the guidance of Collectors and Conservators are simply in more detail than those laid down in paragraphs 19, 21 and 22 of the report of the Forest Committee of 1882, and approved by Government in G.O. dated 16th November 1882, No. 1259. Were they not already so laid down and approved by superior authority, the Board would still feel it incumbent on them, in view of the large areas which have been taken up for reservation, and in view of the unsettled condition of the many questions connected with them, and at the same time intimately connected with the convenience of the villagers, to uphold the paramount authority of the Collector over all the forests of his district, in whatever stage of reservation, and to insist on definite provision being made in working plans for the supply locally of produce, whether free or on payment,

sufficient to meet all reasonable local requirements. Forest conservancy in this country must be more or less a compromise, and it was to insure this fact not being lost sight of that the arrange-

ments sanctioned by Government and now repeated were made.

* * *

(True Copies and Extract.)

M. HAMNICK,
Acting Secretary.

Order—No. 191, Revenue, dated 6th March 1888.

The Chairman of the Coonoor Municipality having applied to the Collector of the Nilgiris for permission to collect loose stone in the reserved forests situated within the limits of the municipality, the latter officer sanctioned the collection of stone in the whole of one and part of another reserve. The municipality subsequently addressed Government asking for a general permission to collect stone in seven of the reserves and this request was referred to the Conservator of Forests, Northern Circle, for an expression of his opinion. In his reply Mr. Gamble took occasion to express his disapproval of the Collector's action in sanctioning the collection of the stone at all without first making a reference to the Conservator. In the opinion of Mr. Gamble as soon as a forest is reserved the Collector's position as regards it is changed and its management then rests with the Conservator, the Collector having power to object and appeal to the Board, except in matters of establishment and finance. The Board express their entire dissent from this view and hold that the Collector's authority and powers in forest matters are in no way altered by the act of reservation. They do not consider, therefore, that the Collector of the Nilgiris was under any obligation to consult the Conservator before giving permission to the municipality to collect loose stone.

2. As regards the particular request which has given rise to this discussion, the Government agree with the Conservator and the Board that the Coonoor Municipality must be left to make special arrangements with the department in the same way as any other purchaser of forest produce. No such general permission as that applied for should be given.

3. Turning now to the larger question involved, the Government observe that the relative positions of Collectors,

District Forest-officers, Conservators and the Board are authoritatively laid down in the latter part of section 2 of the Madras Forest Code:—

"The Collector of the Revenue district in which any forest charge is situated, is the head of the department in his district and responsible for the executive management, the District Forest-officer being his assistant in forest matters. The Chief Forest-officer in each circle is the Conservator, a consulting and inspecting officer having authority in matters of finance and establishment. The whole administration of the department is under the control of the Board of Revenue with whom the Conservators correspond direct and from whom they and the Collectors receive their orders and instructions."

It seems necessary to add, however, that, "in purely professional matters, as to which Collectors cannot be expected to possess adequate knowledge, the Conservator must be in a position to press his views" (*Joint Report on the Organization of Forest Business, paragraph 19*), and the same argument obviously holds good in the case of the Board and Conservators. The position then is this. The Collector is solely and entirely responsible for the management of the forests within his district and is in no way, under the orders of the Conservator, but the latter has control in matters of establishment and finance. The Collector issues his orders through his District Forest-officer and in purely professional matters he will generally accept that officer's opinion, but he is not bound to do so.

The Collector may either at once issue his orders, leaving the Conservator to learn of the difference of opinion from the District Forest-officer's diaries, or he may refer the matter for the advice of the Conservator. That officer may in the former case, and will of course in the latter, communicate his views to the Collector and if they are not accepted he may at his discretion request the orders of the Board of Revenue to whom the

Collector is subordinate and whose decision he is bound to accept. The only difference between reserved forests and those of the various other classes is that the former require more purely professional treatment than the latter, and in this respect only the Conservator has more direct concern with them than is the case with reserved lands and scattered trees.

Collector of the Nilgiris was quite within his powers in issuing the order complained of by Mr. Gamble, but at the same time he does not doubt that Mr. Burrows would have reconsidered his order on receiving the Conservator's professional objections to it.

* * *

(True Extract.)

J. F. PRICE,
Secretary to Government.

4. It will be seen from what has been said above that His Excellency the Governor in Council considers that the

IV

G.O. Mis. No. 1558, Revenue, dated 6th March 1888.

READ—the following paper :—

Letter—from Lieut.-Colonel I. CAMPBELL WALKER, Conservator of Forests,
Southern Circle.*To*—the Secretary of the Board in the Land Revenue Department.*Dated*—the 4th May 1887.*No.*—304.

* * *

6. (c) and (d) may conveniently be considered together.

I must respectfully challenge the Board's authority "to lay down definitely and at once the exact position in which . . . Collectors and Conservators stand in regard to each other" in respect to reserved forests.

I submit that it is for Government to do this as reserved forests are constituted, and that it has all along been understood and accepted that, whereas the Collector and Board should, so to speak, be paramount prior to and during selections of areas to be reserved, their authority and interference should cease, or all but cease, in reserved forests legally settled and constituted.

No one has been a more consistent exponent of this view than the present Chief Secretary, who, as Collector and Revenue Secretary, has over and over again told me "get your reserved forests selected, settled and demarcated, concentrate your establishments on them, do what you like in them, subject only to the rights recorded at settlement, and don't show your noses outside!" Those words expressed in the Honorable Mr. Stokes' emphatic language exactly coincide with my own and Mr. Gamble's views, and I believe with those of most Revenue and Forest-officers.

It is true that, in the "report on organization of forest business" printed as appendix III to Mr. Brandis' suggestions and in his suggestions themselves, nothing definite is laid down with regard to the management and control of reserved forests when constituted. This was done advisedly on the excellent principle that "sufficient for the day is the evil (or good) thereof." We were of opinion (*vide* Mr. Brandis' paragraph 278, page 103), that "all business arrangements . . . cannot at the outset be regulated by a rigid set of rules," and deemed it best

to confine ourselves and our recommendations to the state of things then existing, leaving the question of the management of, and authority in, reserved forests when constituted to be settled by Government later on. But there are numerous passages both in the joint report and Mr. Brandis' suggestions to indicate our and his views with regard to the eventual control of reserved forests. In paragraphs 18 and 19 of the joint report we (the Committee) write of "ensuring to the Conservator the position which he ought to occupy as the professional head of the department and the responsible adviser of Government in forest matters," and that whilst in matters of finance and organization of the staff, the Conservator must have "complete authority," he must also be in a position "to press his views" in purely professional matters as to which Collectors cannot be expected to possess adequate knowledge.

Similarly, Mr. Brandis in paragraph 276 of the suggestions writes of the Collector as the fittest man to control the current work, but adds that "he must allow himself to be guided in departmental, professional and financial matters by the Conservator, who as head of the department is the proper officer to maintain continuity of action in accordance with the forest policy decided on by Government."

The report and suggestions teem with evidence that it was intended to restrict the interference of Collectors in reserved forests at the utmost to the control of current work, and in paragraph 26 of the former it is distinctly stated "that reserved forests should be under the exclusive control of Forest-officers," whilst a perusal of the concluding portion of the same paragraph will show any unbiassed reader that it was contemplated, even at the time the report was written, to invest the Conservator with full control over the forest administration in certain districts or forest divisions,

e.g., Nilambūr where the work is purely of a professional nature.

It has been left for the Board of Revenue in 1887 to interpret the recommendations of the Joint Committee and Mr. Brandis in a manner exactly contrary to what was intended, and to assert that a Collector need not even consult the Conservator before sanctioning the gathering of loose stones in a reserved forest (plantations), an act which, as ably shown by the Conservator, Northern Circle, might cause considerable damage to the soil, apart from the risk of fire and other damage to the forest itself.

7. With regard to "working plans," the Board's proposals or instructions are, if I may be permitted to use the words with all due deference, simply preposterous. The Conservator is to draw up a working plan and submit it to the Collector, who is to see that due provision is made for the exercise of privileges all more or less detrimental to the forests, for he is even to "determine what portions of the forest shall be permanently reserved for grazing purposes" (*vide* paragraph 6 of Proceedings No. 181), and submit it to the Board (a non-professional body) for approval!

I do not think it necessary to demonstrate by argument that the adoption of any such system would render the preparations of working plans at all a work of pure supererogation and even-tuate in the certain ruin of the forests.

If the Board think that highly educated professional officers are to be employed for months in preparing working plans in order that Collectors and the Forest Member may have the pleasure of cutting them to pieces, I opine, with all due respect, that they are very much mistaken.

As an instance of what we might expect under such a system, I can cite no better examples than the utterly erroneous and ruinous line of argument adopted in the Proceedings now under consideration and recent remarks by the Board on Forest Settlement-officers' reports and notifications under section 16 in which they arrive in some mysterious manner at 5 acres per head as the "working plan limit for grazing," and infer that because claims to graze, say 2,000 heads of cattle, were put in

and *rejected*, the whole number had been pastured on the area selected for reservation alone and must be provided for in the working plan!

I am entirely in accord with the Governments of India and Madras that the forest estates must be managed to the best advantage for the welfare of the people at large and not merely from a narrow departmental point of view. At the recent conference of Forest-officers from all Provinces at Dehra Dun, this principle was fully recognized and our resolutions with regard to working plans laid stress on the necessity for considering and giving every effect to "the will of the owner," *i.e.*, Government.

Government may with justice tell us "we do not want you to grow timber (high forest) on this area, but coppice for the supply of poles, etc., to the people."

"You must permit a certain portion of that area to be open for grazing during certain months of the year, etc." We shall, of course, be bound to frame or revise our working plans accordingly.

Again, as regards the financial question, Government would be fully justified in saying "you shall give away all the timber, grazing or other produce in such and such a forest for nothing as we deem it expedient." It would be our duty to obey cheerfully, merely exhibiting the value of the produce so given away in our annual returns.

It is our business to protect and develop the growth and improve the quality of the forest produce without respect to what becomes of it. But this is a very different thing to submitting our working plans to alterations and approval by non-professional officers of another department, for, as I have frequently represented years ago, a Forest-officer will remain a Forest-officer and a Revenue officer a Revenue officer, no matter what subtle arrangements are made on paper.

Let the Collector and Forest Member criticise if they like, but if the Conservator is not to be the authority to decide and control, it must be the Government and no one else with the views of their professional advisers, and suggestions of the Collectors and Board before them.

In the Provinces under the Government of India, the preparation of the working-plans is carried out by local agency under the general or special orders of local Governments; but in order to ensure that the plans are drawn up according to correct principles, the Inspector-General of Forests to the Government of India controls their preparation and afterwards watches their execution. The officers in charge of local working-plans divisions are subordinate to the Conservator, who consults the Inspector-General, who is vested with the powers of a Local Government in all matters relating to the Imperial working plans branch—*vide* Government of India, Forest Department Code, 3rd edition, paragraphs 2 and 63 *et seq.*

The Inspector-General is not the professional adviser of this Government in forest matters, and would find it difficult to check and control our working plans or watch their execution; but I need scarcely say that we would much rather submit them to his professional criticism and strictures than to that of a non-professional Board of Revenue officers, most of whom are naturally quite ignorant of the rudimentary principles of forestry and forest administration. There must sooner or later be a Forest-officer attached to the Government of Madras in an analogous position to that occupied by the Inspector-General to the Government of India with whom, aided by a Board, not of Revenue but Forest-officers of experience in charge of circles, *and subject always to the will of the owner*, the control of working plans should rest. Meanwhile it had better remain with the Conservator of the circle, subject, if deemed necessary, to the approval of Government.

The Board having already deprecated any intention on their part to interfere with the Conservator in such purely professional matters (*vide* Proceedings, Forest No. 363, dated 28th June 1886), I was rather surprised at seeing them now wish to assert their prerogative (which I do not question under the existing organization) to do so.

8. With regard to (e), the position of District Forest-officers towards Collectors, I admit that the existing organization makes no provision for any differ-

once with regard to reserved forests, and that a District Forest-officer is theoretically at least as much under the Collector's and not the Conservator's orders in the management of reserved as in that of unreserved forests. But let us see what the Joint Committee on forest organization, writing before the Forest Act was passed, and Mr. Brandis, had to say on the subject.

The committee, as we have already seen, lay great stress on securing to the Conservator (there was then only one) the position which he ought to occupy as professional head of the department and the responsible adviser of Government, not of the Board of Revenue.

They deal very fully with the relative positions of the Conservator, Collectors and District Forest-officers, the preparation of working plans and annual plans of operations, etc., and state (paragraph 25) that the "Conservator will have full control and responsibility in matters of finance and organizations, and the Collectors subject to the order of the Board of Revenue and Government, will have full executive power"; adding significantly, "thereafter when an efficient staff consisting of superior and subordinate officers who know their profession and a complete organization have been formed and when a good forest law and good rules made under it have been brought into operation, it may be possible to make such changes as further experiences may suggest."

In the next paragraph, as has been already pointed out, they state that "reserved forests should be under the exclusive control of Forest-officers."

Their report was written in June 1882. The Madras Forest Act of the same year makes no mention of the Collector or Revenue Board with regard to reserved forests, but vests certain powers in the District Forest-officer and Government (*vide* chapter II).

9. Since then I maintain and am prepared to prove that a forest staff as efficient as any in India (save as regards numbers) has been created. Range officers and forest guards are our weak points as elsewhere, but that the former at least are as good as, or better than, those in other Provinces is proved by the

high places which rangers and foresters deputed from Madras have taken at the Forest School, Dehra Dun.

The organization of establishments is complete, and only requires a definite field, free from vexatious interruptions and interference, to work in.

The Forest law, though not perfect, is as good or better than elsewhere, and the rules do not apply to reserved forests in which none are required.

I consider, therefore, that the Board have chosen a singularly inopportune time to assert the complete subordination of the District Forest officers and the impotence of the Conservator with regard to the management of the reserved forests.

I am, however, much obliged to them for doing so, as it enables me to ask why should such subordination and impotence continue.

To quote Mr. Brandis (paragraph 272 of his suggestions), "The State is best served if each of its servants is employed in his own profession. Forestry is the profession of the forester. The Conservator must be a forester and it must be his duty to maintain continuity of action and to see that the District Forest-officers act in accordance with correct principles"; and again (paragraph 279), "I am anxious that my proposals for amalgamating the administration of forests with the civil administration of the country should not be misunderstood. My object is to strengthen the hands of Forest-officers and to give them more real power and influence. The professional character of the Forest Department must not be set aside, but must be developed and strengthened. In all countries where a well organized forest administration exists, Forest-officers must be closely united by the rules and traditions of their service and by their common professional training, and it will be the duty of the two Conservators to foster and to direct the growth of the common professional interest among Forest-officers in this presidency."

The Board's proposals, if adopted, would effectually bar anything in the shape of continuity of action, except in the directions of the destruction of forests, whilst it would be useless for the Conservator to inculcate correct

principles, or foster the growth of a common professional interest amongst officers who are to "act and speak only by the Collector's permission and as his representative and mouth-piece, not as the representative and mouth-piece of the Conservator" (*vide* paragraph 5 of Board's Proceedings, No. 181).

The officers of the Madras Forest Department have been called upon to submit to many hardships and have been subjected to many slights during the past five-and-twenty years, and have nobly accepted both in the interests of their profession, but there is a limit to everything, and the Board's idea would certainly prove the last straw and destroy all cohesion and "*esprit de corps*" on which Mr. Brandis rightly, in my opinion, laid so much stress. No professionally trained Forest-officer with proper pride in himself and his profession would voluntarily come to this presidency, under such conditions, and we should only get the worst men sent out by the Secretary of State.

10. The Board in their first Proceedings quoted (Forest No. 597, regarding North Coimbatore) suggest for adoption a plan diametrically opposed to that prescribed by Government and on which the Forest Department throughout India has been proceeding for years.

They propose to "settle the whole area at the disposal of Government as reserved forests and to continue to the villagers over those forests, but under the full control of the Forest Department, and as concessions withdrawable at will, the free privileges which Government may consider it expedient that they should enjoy."

Note.—I am glad to see by a Proceedings just received that Government have not approved of this idea.—Initialled I.C.W.

This would be quite opposed to the spirit and object of Forest legislation throughout India, which aims at a definition and settlement of rights and the reservation and management under proper forest principles of compact areas more or less unencumbered or freed from rights, the exercise of "customary privileges" being conceded in areas left as "unreserved."

In their subsequent Proceedings, the Board appear to go a step further and wish to substitute for "the control of

the Forest Department" the control of the Collector, in whom they assert that it vests absolutely in reserved forests, arguing speciously that the administration of the forests is only a branch of the Revenue Department. The climax is reached in the last Proceedings quoted in which it is stated that "he (the Collector) may himself grow trees or make a reserved forest" and "give it (the produce) to the District Board free of payment!" This is investing the Collector with plenary powers, such as even Government themselves do not claim to enjoy without legislation, or there would have been no necessity for a Forest Act.

11. The idea underlying all this with the originator or advocate of which I happen to be acquainted, is that it is a prerogative of the Civil Service to administer and represent Government, and that no one else is competent to do so. It is indeed a common idea amongst officers of the Revenue Department that they are the only "protectors of the poor," an idea which I do not find shared by the officers of other departments or by the people themselves.

I number amongst my acquaintances and friends almost every member of any standing in the Madras Civil Service and many of the Uncovenanted Deputy Collectors and Tahsildars. I have the greatest respect and admiration for the Civil Service, but whilst quite willing to defer to the Collector as head of his district and the local representative of the Government, I think the day has gone by for him and his assistants to attempt to administer everything, and that they had much better confine themselves to their legitimate duties as Magistrates and Land-revenue officers, in the latter of which at least they will find ample scope for all their energies, in fact a regular Augean stable to cleanse. This is not only my own opinion, but that of every Forest-officer and of very many Collectors who have honored me with an expression of their private opinion.

I take the strongest exception to the view that Forest-officers are ignorant of and blind to the wants and requirements of the people, and inclined to turn a deaf ear to their representations and reasonable requests.

I assert that, as a rule, Forest-officers, both old and young, are quite as much "en rapport" with the people as those of the Revenue Department, that their knowledge of the vernaculars, colloquially at all events, is generally greater, and that they are ever ready to listen to complaints and grievances, and do what is in their power to meet them so far as is consistent with the interests of the public estates entrusted to their charge and the real welfare of the agricultural community themselves. I admit that we are not so much "in touch" with the well-to-do classes who batten on the poor and have the ear of the cutcherry and through them that of the "Pera dorai." This class, including the heads of villages, had formerly to my knowledge the monopoly of the timber trade and made a lucrative thing of it including compulsory collection of minor produce by the half-educated jungle tribes, levying of grazing dues, etc. They naturally view the Forest Department with great disfavor, and immediately its operations became a reality and not a sham, they agitate and collect subscriptions and signatures to represent the grievances of the people (?) to the Collector, Board and Government. Our officers naturally object to the inclination of Revenue officers to lend a too ready ear to such one-sided representations and to the grant of concessions or privileges in the forests being vested, not in them, their custodians, but in the Collector or other Revenue officer. As I have before remarked it is so easy and pleasant to be generous at the expense of another person or department.

What would a Revenue officer say if we put forward a claim to grant land for cultivation outside our forests or to reduce the assessment on such cultivation? In my humble opinion it would be just as reasonable as that of a Revenue officer to grant forest produce or grazing in reserved forests. The Forest-officers have now a say in what land at the disposal of Government should be alienated for cultivation. In the same manner let Revenue officers have a say in what land shall be reserved as forests. Once alienated or reserved let each look after his own business, subject only to his legitimate and competent superiors and "the will of the owner."

The Public Works Department did little good till they were emancipated after a rigorous contest with the Revenue Department. The same may be said of the Police, Survey and Salt. Why should the Forest Department of all others be still held in bondage?

It is perhaps the one of all others requiring the most careful and prolonged professional administration, for a forest may be destroyed in a few years, whilst it takes many to create or restore one.

12. I trust I may not have gone beyond the limits of official subordination and patience in this respectful protest to my superiors. If so, I apologize in advance. I write strongly as I feel strongly.

I may truly say that I have grown grey in the forest service of this Government in which I have served upwards of 22 years.

In view of my approaching departure from India, perhaps for ever, and in the absence of Mr. Gamble, who would, I feel sure, support me were he here, I have ventured on this strong, but I trust not disrespectful, representation of my views with regard to what I

consider the most retrograde and ruinous policy in forest administration enunciated by the Board of Revenue as our controlling authority. I am quite in accord with them when they write (paragraph 8, Proceedings 181) that "forest conservancy in this country (or indeed anywhere) must be more or less a compromise." Such compromise is best effected by securing as reserved forests compact areas free from rights and privileges, and leaving others unreserved in which "customary privileges" may be exercised. This is the policy adopted by the Government throughout India with the approval of the Secretary of State. Whatever privileges or concessions are allowed in the reserved forests must be at the discretion of the Forest, not the Revenue officers, and under the orders of Government, not of the Revenue Board or Land Revenue Member. In unreserved lands the process should be reversed and forest interests be secondary to the convenience and customs of the people.

Note.—I beg that the above letter with copy of my office note of 4th March last (recorded by Board's Proceedings, Forest Miscellaneous No. 174 of 18th idem) may be laid before Government.

Order—Mis. No. 1558, Revenue, dated 6th March 1888.

Recorded, the general question of the control to be exercised by Revenue and Forest officers respectively having been disposed of in G.O. No. 191, dated 6th March 1888.

(True Extract.)

J. F. PRICE,
Secretary to Government.

V

Notes to G.O. Nos. 169-170, Revenue, dated 24th February 1888.

READ—the following papers :—

(i)

Sir Harold Stuart's (Under Secretary) note, dated 15th September 1887.

* * *

25. Another important question which is closely connected with the subject of the foregoing remarks and which may conveniently be considered here is, who is to administer the Forest Department,—the Conservator or the Forest Member of the Board? The immediate cause of the question being raised was the grant by the Collector of Nilgiris of permission to the Coonoor Municipality to collect stone in certain reserved forests (C. No. 2984). Mr. Gamble, the Conservator, considered that he should have been consulted before this permission was given, and he gave it as his opinion that the intention of Government as to the management of forests was as follows :—

- (1) *Reserved Forests* to be managed by the Conservator, the Collector having power to object and appeal to the Board, except in cases of establishment and finance.
- (2) *Forests under Section 26* to be managed by the Collector, advised by the Conservator, wherever so ordered by the rules.

26. The Board considered that this view was “so far from being correct” that they thought it well “to lay down, definitely and at once, the exact position in which they consider Collectors and Conservators stand in regard to each other in the matter.” In their opinion the control vested in the Collector is not in any way affected by the act of reservation, which affects only private rights; the “District Forest-officer” of the Forest Act is simply and solely the Collector’s lieutenant for the purpose of working it, and acts and speaks only by his permission and as his representative and mouth-piece, and not, as Mr. Gamble would appear to think, as the representative and mouth-piece of the Conservator. It is when the reserved forest comes to

be worked that the advice of the Conservator becomes valuable. He will draw up a working plan, which the Collector will proceed to criticise, his duty being to see that sufficient provision is made for the local requirements of fuel and grazing. The Board will then consider the working-plan and the remarks of the Collector, and will issue orders as to how the forest is to be worked.

27. As regards the special question of the Coonoor Reserve, the Board consider that the Collector was under no obligation to consult the Conservator.

28. The next paper on this subject is Board’s Proceedings, dated 31st May 1887, Forest No. 315, (C. No. 4653). The tone of Colonel Campbell Walker’s letter which is recorded therein is most reprehensible, and he should, it is submitted, be severely rebuked for permitting himself to use such language. The Board, however, are nearly as childish and petulant as Colonel Walker, when they say that that officer is a military and not a professional Forest-officer. Colonel Walker has many faults, but he has been a Forest-officer for more than 20 years and, as he is far from lacking in intelligence or energy, it is obvious that this special training entitles his opinion on professional forest matters to quite as much weight as that of the men who have been trained in France or Germany. Colonel Walker too when on leave in 1871, devoted the greater part of a three years’ furlough to the study of forestry in Germany, Austria, and the United Kingdom, and he received the acknowledgments of the Secretary of State for “the zeal and ability with which [he] had worked at professional studies while on furlough.” (G.O., 4th December 1873, No. 1348, Revenue.) Again in 1876, he was deputed to New Zealand as Conservator of State Forests, and was thanked by the Government of that Colony for the satisfactory way in which he had performed his duties. (G.O., 12th September 1878, No. 1494, Revenue.)

It is submitted that this paper (C. No. 4653) may be disposed of separately in the Miscellaneous Series.

29. Turning to the relevant part of the letter, it will be seen that Colonel Campbell Walker, enters “an emphatic and earnest protest” against the line of argument adopted by the Board in the Proceedings last referred to, as also against their contention that provision should be made in working plans for the continuance of customary privileges to ryots. This second point will be dealt with in a separate note. With regard to the relative positions of District Forest-officers and Collectors, Colonel Walker admits “that the existing organization makes no provision for any difference with regard to reserved forest,” but he contends that the Forest Committee, which sat in 1882 under the presidency of Dr. Brandis, never intended that purely professional matters should be dealt with by Collectors and the Board of Revenue. The Board in reply refer to the Forest Code, in which it is laid down that “the Collector of the Revenue “District in which any forest charge is “situated, is the head of the department “in his district, and responsible for the “executive management, the District “Forest-officer being his assistant in “forest matters. The chief Forest-officer in each division [now circle] is “the Conservator, a consulting and inspecting officer, having authority in “matters of finance and establishment. “The whole administration of the department is under the control of the “Board of Revenue, with whom the “Conservators correspond direct, and “from whom they and Collectors receive “their orders and instructions.” (Section 2 of the Forest Code.)

The Board remark that nothing can put the position more distinctly, and Colonel Walker himself admits that this is the position. His argument is that it was never intended. The Board have subsequently withdrawn from their position as regards the method in which working-plans should be prepared and they are now willing to accept the recommendations of Colonel Walker and Mr. Peet (C. No. 4812) that Conservators should be informed *before* they draw up the working-plan what provision the Government desires should be made for the supply of local requirements.

30. To judge from the Report of the Forest Committee of 1882 (printed as Appendix III to Mr. Brandis’ Report) it was intended that the Collector should have full executive control, “the function of the Conservator in regard to current working being mainly that of advice,” (paragraph 25). It was stated (paragraph 22) that it would be a long time before the preparation of working-plans for the Madras forest could be undertaken on a large scale, and that the work in each district must, therefore, be regulated by an annual plan of operations. This plan was to be prepared by the District Forest-officer, under the Conservator’s advice. It must receive the approval of the Collector with whom the responsibility of carrying it out rests. But if the Collector desired any deviations from this plan, he must first obtain the consent of the Conservator. Under this view the action of the Collector of the Nilgiris in sanctioning the taking of stone from the Coonoor Reserve without first consulting Mr. Gamble was irregular, but the direction quoted above has not been embodied in the Forest Code, and does not form one of the rules of the Department.

31. It will be seen that it is not altogether clear from this Report what amount of interference in professional matters on the part of Collectors, and the Board was thought desirable by the Committee, but Mr. Stokes, one of its Members, has informed the undersigned that it was not contemplated that either the Board or Collectors would, as a matter of fact, oppose the professional opinion of the District Forest-officers and Conservators. Be the intentions of the Committee what they may, it seems very desirable that some definite instructions should now be laid down by Government.

32. In paragraph 6 of their Proceedings, dated 31st May last (C. No. 4653), the Board refer to the possibility of forming a Forest Department distinct from the Revenue Department, with a separate Secretary to Government, and state that they believe this is Colonel Campbell Walker’s dream.

The undersigned asked Colonel Walker about this, and that officer sent him the note which is printed and attached to this note.

33. In the first place, Colonel Walker would divide the Presidency into four Circles instead of two, and would place one of the four First Grade Deputy Conservators (of the proposed new scale) in charge of each of these. The advantage of this change is that the size of Circles would be decreased. It will be seen, however, from the following statement, that, compared with other Presidencies, the size of Madras charges is not excessive :—

Name of Province.	Average area of circles. Sq. miles.	Average area of divisions. Sq. miles.
Bengal	11,224	935
North-West Provinces and Oudh ...	1,263	223
Punjab	4,447	371
Central Provinces ...	19,838	1,653
Burma	2,235	497
Assam	9,586	871
Berar	4,342	724
Bombay	4,646	557
Madras, Northern Circle.	4,691	469
Madras, Southern Circle.	6,873	530

At the same time it cannot be doubted that smaller circles would be of great advantage, from the point of view of inspection, and as the reduction is not to involve any extra expense (*vide infra*) no exception need be taken to the scheme on this point.

34. The Senior Conservator would under Colonel Walker's scheme become Inspector-General of Forests, and like the officer of the same name under the Government of India, he would, in addition to being the head of the Forest Department, also assist the Government in disposing of forest business. Until the retirement of Colonel Walker or Mr. Gamble, the latter might be placed in charge of the working-plans and survey work. Afterwards the present second conservatorship might be abolished and the money thus saved utilized in increasing the salaries of the Inspector-General and the four Inspecting Deputies (in reality Conservators).

35. The great feature of Colonel Walker's scheme is the elimination of the Board of Revenue. This, of course, could be done without introducing any other changes in the organization, and it was originally intended, when the reorganization of the Board was being

considered, to place the administration of the Forest Department directly under the Government, but as the control of the collection of all public revenue is vested in the Board by law (Regulation I of 1803) the proposal was abandoned. The law could, however, be altered without any difficulty, and, if the control of the Board is proved to be inadvisable, this objection should not, it is thought, be allowed to stand in the way of a change.

36. Writing in 1883, of the Revenue Settlement and Agricultural Department, Mr. Wilson, the then Director, pointed out the great waste of power and the delay in the despatch of business caused by having two Heads of the Department, viz., himself and the Board. The Government recognized this and transferred the control of the Department to a member of the Board of Revenue. The argument is equally applicable to the Forest Department, with this difference, that the Head of that Department should be an officer having a professional knowledge of forestry.

37. That the elimination of the Board would result in a great saving of time and labour, cannot be doubted for a moment. The number of forest papers which are disposed of by the Board, without a reference to Government, is comparatively small, and the Inspector-General, or the Conservator if no Inspector-General is appointed, could be empowered to deal with all questions, which the Board now settle finally. There would thus be no increase of work in the Government Secretariat.

38. The Board, too, is very slow in its despatch of business. In the case of a considerable number of papers, the Government have recently been obliged to notice great delay on their part. The Forest Budget for the current year, for example, which is due on the 15th September, was not received until the 7th January. It was urgently required by the Financial Department, and had in consequence to be reviewed on a Sunday and hurried through in such a short time that it was extremely difficult to give it that consideration which it deserved. (G.O. 11th January 1887, No. 20). Then again the orders of Government on the budget were not communicated by the Board to

Conservators and Collectors until the 20th May 1887, more than four months after they were passed. Indeed it took five months for the Board's Proceedings to reach Government for, as is now common in the case of papers from the Board, they were not despatched until about a month after the date they bore. Very many instances of this could be given, if Honourable members require them. Attention is also invited to a private letter from Sir Dietrich Brandis to Mr. Rees, dated 31st July 1887, in which, among other things Sir Dietrich says :—"The system proposed by me in 1883, presupposes as a matter of course a good organization of the business of the Board of Revenue." It may here be remarked that it is no part of Colonel Walker's scheme to oust the authority of the Collector. He seems to fully recognize the importance of retaining the co-operation and support of the District Officers, and is on the whole in accord with Sir Dietrich Brandis.

39. The G.O. on the budget affords instructive evidence of the uselessness of the interference of the Board, and in numerous other papers also the Government have had to point out omissions on the Board's part, or have been obliged to dissent from the conclusions arrived at by that authority. The fact is that the Board saves the Government very little work. Take the case of the budget. It is or should be carefully checked and criticised in the Board's Office, but it has to be again checked and criticised in the Secretariat, with the result that not a few errors are discovered. What then is the use of the Board's check? What again is the use of the Board's review of the annual administration report? It has no finality, and the work has all to be done again in the Secretariat.

40. One objection which may be taken to the abolition of the position now occupied by the Board in regard to forest matters is that District Revenue Officers are subordinate to them and these officers will still be required to assist in the working of the Forest Department. But this objection is not insurmountable, for District Officers have many duties in regard to the performance of which they are in no way subordinate to the Board. In the first place there is all the magisterial work. Formerly the Board did interfere in this, so far as the conduct

of officers was concerned. But they have practically divested themselves of that duty, and the Government has divested them of all control over District Officers in the matter of Local and Municipal Government. So also in the case of the Forest Department a *modus operandi* which shall be independent of the Board is perfectly feasible. The Collector will still be the chief Forest-officer of the District, and will remain responsible for the forest administration. He might be permitted to delegate to his District Forest-officer all or any of the powers and authority which he is not required by law or rule to exercise himself. In the case of a difference of opinion between the Collector and District Forest-officer the latter should have the power, similar to that given to Sub-Collectors, of requiring the Collector to make a reference to Government through the Conservator. It is unlikely that such references would be numerous, for there has been very little friction between Collectors and their Forest Officers.

41. As has been stated above, the elimination of the Board from the machinery of forest administration does not involve the adoption of Colonel Campbell Walker's scheme of new circles and an Inspector-General. That scheme has, however, several merits to commend it. The advantages of smaller circles are obvious. It is submitted also that a proposal to create an appointment of Inspector-General is a good one. The Government will shortly have to thin out orders upon a large number of working schemes and working-plans, and it will be very difficult to deal with these matters without professional assistance. The Government of India have recognized this, and they are advised on all forest subjects by the Inspector-General of Forests. Forest papers should of course continue to be disposed of in the Revenue Secretariat, but with the assistance of a professional adviser, when such assistance is found necessary. The saving of time would be very great, for instead of the present procedure, by which a reference is first made to the Board, and by the Board to the Collector, who, after consulting his District Forest-officer, replies through the Conservator, who sends on the letter with his remarks thereon to the Board, by whom in turn it is submitted to Government, the

Inspector-General would, in many cases, be able to supply the information required at once. Moreover, even when further reference should be necessary, the matter would be disposed of with greater despatch than at present, for when an officer

has to deal with only one subject he naturally knows more about it and can supply information with less delay, than if the matter is only one of a multitude which require his consideration and attention.

* * *

(ii)

Sir Frederick Price's (Secretary's) Note, dated 15th November 1887.

Paragraphs 25 et seq. of the Under Secretary's note.—The question here raised is one upon which a definite decision will, ere long, have to be passed. The existing state of things is a source of constant bickering between the Forest Member of the Board and the Conservators, especially Lieut.-Col. Campbell Walker, whose so-called "respectful protests" are by no means calculated to maintain the peace. As regards the tone and language of his letter embodied in Board's Proceedings, Forest, No. 315, dated 31st March 1887, there can hardly be any difference of opinion. They are bad and insubordinate in the extreme and it is within the knowledge of Honourable Members that this is not the first occasion upon which Lieut.-Col. Walker has sinned in this respect. It is to be regretted that the Forest Member of the Board should have been so ill-advised as to write in the stormy and personal manner that he has of Lieut.-Col. Walker and should, without reference to Government, have laid down the Inspector so brusquely and in such decided terms. The officious has been done in Board's Proceedings, Forest No. 181, dated 25th March 1887.

Still this is no excuse for Lieut.-Col. Walker's insubordinate and insolent language and it is submitted that he be severely censured, directed to withdraw his letter and apologize for it and be warned that if he again indulges in such interference, Government will have to seriously consider the question of removing him from his appointment.

Some remark ought, it is submitted, to be made regarding Mr. Garstin's undignified and improper way of writing. The discussion has pretty well passed into a personal quarrel between Lieut.-Col. Walker and him. As far as I can understand the case it is this:

The Conservators wish to have the management of reserved forests to themselves, on the ground that such

management is purely professional. The Board, on the other hand, desire to retain full control with them. It appears that the present system was a makeshift which it was never intended should become permanent and that what Sir D. Brandis and the Forest Committee had in view was, when forests became reserved, placing them practically under the control and direction of the Conservator, acting as adviser, through the District Forest Officer, of the Collector who would merely retain the nominal control over them; forests other than those constituting reserves, continuing to be worked, as they now are, through the Collector advised by the Conservator.

Whether the Board was to continue in its existing position, seems open to question. The present state of affairs appears rather to increase than decrease work, as everything, or almost anything connected with forest seems to come up to Government and the work has to be done over again in the Secretariat. The interposition of the Board is, in very many instances, of little if any use.

I may not have correctly seized the position but it seems to me that a better arrangement than at present exists might, without any considerable difficulty, be arrived at.

The Board do not seem to have exactly appreciated what the meaning of "a working-plan" is.

Mr. Peet has, in paragraph 2 of his letter, embodied in Board's Proceedings No. 342, dated 15th June last, given this.

The definition is that of a specialist and it clearly indicates an operation which has to be carried out by a scientific forester and which the unprofessional official cannot be held competent to criticise or alter. I venture to submit that the proper method of dealing with matters would be something as follows. When any land has become reserved forest, the first step should be to call upon the Collector to definitely state what

concessions as regards grazing, collection of fuel, free supply of timber, or anything else he considers that Government should make within the reserve, that these should be clearly and distinctly specified, subjected to the remarks of, and discussion with, the Conservator and when finally settled, submitted to Government through the Board, if thought necessary for approval. When sanction is accorded, the concessions made should be communicated to the Conservator and he should be told that he has to provide for these and that having done so he may proceed to draw up his working plan, which, after scrutiny to ascertain whether all concessions are duly provided for, might go to the Inspector-General of Forests to the Government of India for approval from the professional point of view, but should not be subjected to any unprofessional criticism.

The plans once passed, there should not, it is thought, be any more interference on the part of the Revenue authorities, beyond keeping a watch to see that the people were not deprived of any of the concessions made to them. The whole of the working of the reserve, and the collection of all revenue derived from it, should be carried on entirely by Forest Officers.

There is no apparent object in the Collector having anything more to do with forests, after being reserved. The ægis of the Revenue Department is not required to protect and help the Forest-officer, as the reserves are the absolute property of Government and the Forest Department in them, practically, reigns supreme. The Department say that they will, and it is believed now do, collect their revenue within these areas, so the help of the Revenue Department in this respect is not wanted.

If it is thought that to maintain the theory that the District Forest-officer is subordinate to the Collector, the latter should nominally continue to control all the forests in his district, let it be so, but with the understanding that he is not, as regards reserved forests, to interfere in any way with their working. It is suggested that, outside the reserved forests, matters should remain as they at present are, but that when the Forest Officers express their readiness

to collect the revenue in such cases on reserved lands, Revenue officers should not be employed for the purpose.

It seems childish to dispute as to what department did the work of settlement or collected the money hitherto and so on. Government servants have to do the best they can for their master and it does not matter a rush, so long as this is done, who have done the work before.

The note which Colonel Walker sent to the Under Secretary was drawn up without my knowledge or assent and I became aware of it only when the Under Secretary's note came to me. I knew that Colonel Walker came to the office and that he saw the Under Secretary but I was under the impression that he had only given information regarding establishment which the Under Secretary could not obtain in the office and which was available with Lieut.-Colonel Walker.

Lieut.-Colonel Walker's note propounds a scheme which it does not seem necessary now to consider, as it appears to be one calculated to meet a more advanced state of things than at present exists, but, if a contrary view is held, it is submitted that it should go to the Conservator, Northern Division, and the Board for their remarks.

It is quite true that there is a considerable waste of time and labour involved in the system now obtaining and it is very possible that Government would get on better if the Board had nothing to do with forests, but the time for severing the connection of this body with the Forest Department does not seem yet to have arrived.

There is one thing, however, which is clear and that is that a stop must be, at once, put to the existing friction which, as already observed, has begun to assume a personal character. So long as the present order of things holds, the Board, it is submitted, must be upheld in their authority, though their asserting it in unseemly language may be repressed, and if Lieut.-Colonel Walker will persist in being insubordinate and insolent the only remedy is to turn him out. Specific orders are requested with regard to Current No. 2984. The Collector appears to have been clearly in

the wrong in not consulting the Conservator. Government have, in the case of the stones for the Vaigai bridge in Madura, held that the forest rates must be paid for it. The circumstances of the two cases differ somewhat but the principle is the same. What Mr. Gamble says appears to be fair and just enough.

(iii)

The Hon'ble Mr. Master's note, dated 28th November 1887.

C[onnemara].

C[onnemara].

As recorded at pages 100—108 and 303—306 of Sir D. Brandis' "Suggestions regarding the Forest Department in the Madras Presidency."

* Paragraph 19 of report, dated 9th June 1882 (page 304).

Paragraphs 25—41, Under Secretary's note.

C[onnemara].

In regard to the general control of the Department and the extent to which the Board and the Collector should interfere, there has been, I think, a deal of unnecessary writing. Both Col. Campbell Walker and Mr. Garstin have lost their temper but there are indications, that it will be possible to work together after all and the less said about the past perhaps the better. If the existing arrangements as described in the Forest Code and which are based on the suggestions of Sir D. Brandis and the Committee of 1882 are acted upon I really do not see that any more definite instructions are necessary. The Committee clearly * state that "in purely professional matters as to which Collectors cannot be expected to possess adequate knowledge, the Conservator must be in a position to press his views" and this remark is equally applicable to the Board Member in charge of the Department. It really depends on the men themselves. I am convinced that if Mr. Gamble or Mr. Peet had to deal with Mr. Garstin we should soon have more reasonable views recorded. It is this personal element which comes in so inconveniently to stir up departmental discord. The correspondence now circulated shows plainly enough that the Board are open to argument while mere vituperation of course fails in its object. The truth is that until Col. C. Walker realizes the dream of his life and becomes virtually dictator in Forest matters he will never leave off nagging. Now as to that and the suggestions tending thereto in the printed office note I am altogether opposed to any radical change in present arrangements. Its effect may be to smooth the actual working of the machine and expedite disposal of business (which from a Secretariat point of view is of course desirable), but on the other hand the absence of criticism from an independent source would leave too much to the Forest adviser of Government and his word would be apt to become law—just

C[onnemara].

C[onnemara].

C[onnemara].

C[onnemara].

what Col. C. Walker would like. A healthy opposition is always useful and will prevent Government falling into many mistakes. I am opposed to the appointment of an Inspector-General. Sir D. Brandis purposely avoided suggesting such an arrangement. Let things go on as at present, *small* modifications being made from time to time for the avoidance of friction.

Of course Col. C. Walker was wrong in the tone which he has adopted (notably in C. No. 4653 which may be dealt with as suggested in paragraph 28 of the Under Secretary's note). As for rebuke, this has been administered over and over again, I think, but without permanent effect. Whatever his merits are, this reiteration becomes wearisome and the best thing for the Department is for Col. C. Walker to leave it. But mean while I suppose, he must have a final rebuff and Mr. Garstin too should be told that Government regret his want of moderation though they admit the provocation.

VI

G.O. No. 775, Revenue, dated 20th August 1891.

READ—the following paper :—

Letter—from Sir E. C. BUCK, Kt., Secretary to the Government of India,
Revenue and Agricultural Department (Revenue).
To—the Secretary to the Government of Madras.
Dated—Simla, the 25th June 1891.
No.—1450—99.

3. With regard to paragraphs 3 and 4 of the despatch No. 35, dated the 26th March 1891, I am desired to say that, although the question of modifying the constitution of the Board of Revenue is not one which demands any early action, the Government of India would be glad to receive the views of the Madras Government, whenever His Excellency the Governor in Council is prepared to submit them, on the question raised by

Her Majesty's Secretary of State of relieving the Board of Revenue either of the administration of the Forest Department or of any other business which might be conveniently dealt with direct by the Government. I am to suggest that His Lordship appears to be under a misapprehension on the subject of the procedure at present followed in dealing with Local and Municipal affairs, which do not, it is believed, go through the Board.

Order—No. 775, Revenue, dated 20th August 1891.

Communicated to the Commissioner of Revenue Settlement and Director of Land Records and Agriculture.

5. As regards the question of modifying the constitution of the Board of Revenue, which is raised in paragraph 3 of the Government of India letter, dated 25th June, read above, that Government will be informed that this important subject is receiving careful

consideration, and that the conclusions arrived at will be intimated in due course. The Government of India will further be informed that its surmise at the conclusion of the above paragraph is correct.

(True Extract.)

C. A. GALTON,
Secretary to Government.

VII

A.—G.O. Nos. 1017-18, Revenue, dated 27th October 1891.

READ—the following papers :—

(i)

Order—No. 2763, Revenue, dated 6th May 1891.

Read—the following papers :—

*Proceedings of the Board of Revenue (Land Revenue), Forest No. 85,
dated 26th February 1891.*

In the paper read above the Board submits Colonel Campbell Walker's recommendations for filling up the vacancies in the grade of Conservator caused by Mr. Gamble's transfer to Dehra Dun and by his own approaching retirement. Mr. Cherry has already been appointed to act during Mr. Peet's absence on leave and the consideration of the permanent arrangements will, as suggested by the Board, be deferred for the present. It remains to consider the proposals which Colonel Campbell Walker has put forward for improving the administration of the Forest Department. He has not worked out his scheme in detail but the principal change which he suggests is that the Forest Department, instead of being subordinated to the Board of Revenue, should be entrusted to the charge of a Commissioner, who should be a Covenanted Civilian, with a Forest officer as his Secretary and the Conservators as his deputies. Colonel Walker urges the necessity for a personal head of the Forest Department who will identify himself with its interests and remain with it long enough to understand and push them, travelling about and making himself conversant with the work and officers over whom he presides.

2. The Board points out that if the intention is to exercise control by direct communication between the Commissioner and District Forest-officers, it would divorce Forest administration entirely from the Collector of the district, whereas if the proposal merely means that the superior control of the department shall be transferred to a separate Civilian Commissioner instead of remaining with the Board, the existing control of Collectors over the District Forest-officers and the subordinate staff

continuing, the same object would be more cheaply attained by leaving forests as now with the Board and providing a separate Civilian Secretary for the subject.

3. His Excellency the Governor in Council has already, in Government Order, dated 18th November 1890, No. 7064, Mis. (Confidential), referred, for the opinion of the Board of Revenue, the question of the position which the Conservators should occupy and the powers which they should exercise; but the appointment of a third Conservator will cause such an alteration in the relations of these officers to the Board as to necessitate a reconsideration of the organization of the higher grades of the department. His Excellency in Council is opposed to any change in the present organization of district work under Collectors with District Forest-officers as their assistants in forest matters. In the opinion of Government there would be no advantage in transferring the control of the department from the Board of Revenue to a separate Civilian Commissioner whilst the change would involve additional expense.

4. The lines upon which the Government would reorganize the department are briefly indicated below:—

(1) Looking to the close connection which there is between forest conservancy and agricultural improvement the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture should be appointed Commissioner of Forests and declared to be the official head of the Forest Department.

(2) The Commissioner should have a Secretary for forest affairs, who should be a Forest-officer.

(3) The Presidency should be divided into three Circles with headquarters at Waltair, Bellary and Trichinopoly, at each of which places forest offices should be built.

(4) The three office establishments of the two Conservators and of what is now called the central office, should be broken up, the Central office, as such, being abolished. Each Conservator should be given a small office for circuit work, but chiefly for working out and copying survey and working plans. The cost of these three offices is at present about Rs. 2,000 a month. Allowing Rs. 200 a month for each Conservator's office, there would remain Rs. 1,400 a month for the Audit and Secretary's office establishments. This ought to be ample for both purposes, the audit being transferred to the Accountant-General in order to relieve the Secretary to the Commissioner of Forests.

(5) All the work now done in the Central office in connection with tickets and permits should be carried on in the offices of the three Conservators. The Secretary to the Commissioner of Forests should have no concern with the work of the Conservators and should cease to act as their Secretary.

(6) District Forest-officers would, under this system, always address the Commissioner of Forests direct, through their Collectors, on all executive and administrative matters, and would only address the Conservators (also through their Collectors) on professional matters.

The chief duties of Conservators would be constant inspection and professional supervision, especially with reference to forest surveys and settlements and working-plans.

(7) All district budgets would be prepared by District Forest-officers and forwarded, through their Collectors, to their Conservators for remarks and transmission to the Commissioner's office for compilation.

(8) A single annual report (which should be much curtailed) for all three Circles would be drawn up in the Commissioner's office, the statistics being thrown into one set of appendices so as to facilitate perusal and comparison.

5. The above scheme, which, it is believed, would work well, expedite the despatch of business and lessen correspondence, will be referred to the Board of Revenue for very early consideration and report. The question of the powers to be exercised by the Board, Conservators and Collectors, respectively, over Forest subordinates has already been referred for consideration in the order quoted in paragraph 3, to which no reply has as yet been received. It is desired that the Board's reply to this reference may be submitted to Government not later than the end of the current month.

(True Extract.)

C. A. GALTON,
Secretary to Government.

(ii)

*Proceedings of the Board of Revenue (Land Revenue), Forest No. 289,
dated 18th June 1891.*

* * *

4. Lastly, in the Government Order of May 6, 1891, above read, a variety of important questions relating to the organization and administration of the Forest Department are referred for the opinion of the Board. These include the two questions asked in the Government Order of November 18, 1890. The Board will reply to them *seriatim*, but must first express its regret that it has been quite unable to do so by the end of

May, as desired by Government. The questions raised were not only numerous, but important and intricate, and have required not only reference to a large mass of previous correspondence, but prolonged and very careful consideration and consultation.

5. The Government, after stating that it is opposed to any change in the present organization of district work under Collectors with District Forest Officers as their assistants in forest matters, and

that it is of opinion that there would be no advantage in transferring the control of the department from the Board of Revenue to a separate Civilian Commissioner—a change which it considers would involve additional expense—asks the Board's opinion whether, looking to the close connection which there is between forest conservancy and agricultural improvement, the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture should be appointed Commissioner of Forests and be declared to be the official head of the Forest Department. [Paragraph 4 (1) of the Government Order of May 6, 1891.]

6. The transfer of control over the Forest Department from the Land Revenue to the Settlement side of the Board was considered and recommended in 1889 by the Agricultural Committee appointed by Government Order, September 25, 1888, No. 686, Revenue. The Committee held (paragraph 27 of its Report) that the transfer was advisable "considering the intimate connection between Forests and Agriculture, and considering that the former exist primarily for the good of the latter, and are only secondarily sources of revenue."

7. It does not appear whom the Committee consulted on the subject except Mr. Gamble, to whom they put the following questions (letter, No. 16, dated April 10, 1889):—

(1) Whether any substantial disadvantage has resulted to the public from the separation of the department of 'Forests' from that of Agriculture?

(2) Whether any substantial advantage, would, in his opinion, accrue from their closer union?

8. Mr. Gamble, than whom no one has the interests of the Forest Department more at heart, replied to the first question "definitely," and to the second "emphatically," in the negative. He thought that the close union of the two departments might have a disastrous effect on the forests, the fact being that the objects of agriculture and of forestry in respect to the utilization of the products of the soil are different, inasmuch as the one looks to the immediate, the other to the distant, future. He also stated that the arrangements by which, of late years, the French Agricultural

and Forest Departments had been brought into closer relations, had not been found a success from the Forest point of view; and intimated his opinion that, if circumstances required the Forest Department to be subordinated to the Board of Revenue, it should be in its most general, rather than in its most special, branch that forest work should be done, the interests involved not being merely agricultural, but of a much wider scope, commercial, industrial, financial and climatic. A copy of Mr. Gamble's letter is enclosed for the information of Government.

9. Mr. Gamble's arguments appear to have weighed no more with the Committee than the Committee's did with the Government, which was of opinion that the subject was only remotely connected with agriculture and was opposed to the suggested transfer of control. This was less than a year ago (Government Order, July 4, 1890, No. 515, Revenue, paragraphs 13 and 19). The Board is not aware that anything has occurred in the interval to warrant an opposite decision. On the contrary, the scarcity still unhappily subsisting in several districts has emphasized the necessity of not over-loading the Commissioner of Settlement with work and of so arranging the duties committed to his charge that in ordinary times he may have a certain margin of leisure. The additional burden which has, during the past few months, devolved on him in respect to the relief of distress, and to the initiation and supervision of measures for affording means of employment to the poor in those tracts in which last year's rains failed, has already seriously interfered with his conduct of his settlement duties. Should the rains which are now due not fall soon or not be reasonably copious and well-distributed, the Commissioner's anxieties and labours in regard to famine will be indefinitely increased, and it will be obviously impossible that he should undertake fresh responsibilities. Should the coming monsoon, on the other hand, be a good one, and measures for the relief of distress no longer be needed, a very large part of the Commissioner's time must for some time to come be devoted to long over-due visits of inspection to those districts in which settlement is in progress. In neither case, would it be

practicable for him to assume the control of so important and troublesome a department as "Forests" without the gravest risk of injury, not only to the Forest Department itself, but to the other important interests committed to his charge. And this condition must continue so long as settlements are in progress. The margin of leisure which his present work leaves to the Commissioner is more than threatened by the occurrence of even scarcity in any considerable area and would at once be completely submerged by any approach to famine in any part of the Presidency. Four or five years hence, when the work of original settlement is completed, there will be no objection, on the score of over-work, to the transfer of "Forests" to the Settlement Commissioner, if Government should then consider the transfer desirable. But, for the present, the Board is strongly of opinion that the Settlement Commissioner's every-day work should not be more than can somewhat easily be disposed of in ordinary times. If it ordinarily exceeds that quantity, if no allowance whatever is made for the special duties which may at any moment be imposed on the Commissioner by the too frequent accident of a failure of the rains in some part of the Presidency, he will constantly be placed in the unfair position of being unable to attend to Famine without utterly neglecting the other very important subjects with which he deals. Given, however, some small margin in ordinary times, and the additional work and anxieties of extraordinary times may be met without the neglect or dislocation of any one of the somewhat numerous branches of the administration under the control of the Commissioners.

10. For these reasons, the Board is respectfully of opinion that the transfer to the Settlement Commissioner of the control of the Forest Department, suggested by Government, is not advisable, at all events for the present; and considers that, in the absence of a separate Forest Commissioner, the control of the department should remain with the Land Revenue Commissioners. In this connection, a reference is respectfully requested to paragraph 4 of Government Order, February 12, 1887, No. 162, Revenue, in which Government expressed the opinion that "the fewer

subjects calculated to tie him down to office work than the Agricultural Member has, the better." The addition of "Forests" to his subjects would be a very serious increase of his work and would certainly have the effect deprecated by Government.

11. The Board regrets that it is also unable to concur in the next proposal made by Government. [Paragraph 4 (2) of the Government Order of May 6, 1891.] There can be no doubt at all that another Secretary is required in the Land Revenue branch of the Board, for it is not possible that one Secretary should promptly and efficiently dispose of an amount of business which suffices to occupy the full time of two Members. But the Board does not think it advisable that a Forest-officer should be appointed Secretary for the conduct of the Forest Branch of the Board's business only. There are several reasons against such an appointment, the first of which is of itself practically conclusive, namely, that the arrangement would not be an economical one, for the Secretariat work of the Forest Department is by no means sufficient to occupy the full time of a competent Forest-officer, while no Forest-officer would be capable of doing any other part of the Board's work, as an additional Civilian Secretary would be. Putting aside, moreover, purely personal considerations, which should not have weight in such a connection, the probability is strong that the Forest Department will not always supply even one officer who is competent to discharge the duties of a Secretary. The training of Forest-officers is not such as to fit them to discharge such duties, nor is it advisable that it should be. They should rather be practical and energetic men, adepts at all out-door sports, devoted to an out-door life, and familiar with the vernaculars as spoken by the lower classes and by the jungle tribes, than skilful at preparing abstracts, at analyzing reports, at reviewing evidence or at drafting Resolutions. A Forest-officer should be a man to whom a Secretary's life in an office in Madras would be abhorrent. He should be more familiar with the use of his rifle and of his shikar-knife than with the use of his pen. Let it be admitted, however, that a Forest-officer always

will be found, who will be judged competent to conduct the duties of Forest Secretary of the Board. It will be conceded that such an officer is not likely to be more competent, as a Secretary, than any Civilian whom Government would be prepared to appoint to the onerous and important post of Secretary to the Land Revenue Commissioners. What then would be the special use of a Forest Officer as Secretary? What rôle could he fill which a trained Civilian Secretary could not fill? Colonel Campbell Walker does not say so, but it is obvious that he desires the appointment of a Forest Officer as Secretary, so that he may guide the Member in charge in the course in which he should go with reference to the interests of the Forest Department and of its officers. But the Board does not feel the necessity of irresponsible guidance of this kind. It goes without saying that a non-professional person, whether a Member of the Board or of the Government itself, will always welcome the advice and assistance of competent professional persons in all technical matters. It is a special duty of officers of technical departments,—military, medical, engineering, and the like,—to advise their non-professional superiors, but it is by no means universally considered essential that a technical department shall be represented by a professional Secretary in the office of the controlling authority. As time goes on, every Member of the Board certainly, and the Members of Government probably, will be officers who have for years been accustomed, as Collectors, to give personal attention to, and to be responsible for, every sort of forest business that can come up for decision. Their need, therefore, of technical advice should not be great; and, if it be, why should they rely on the Forest Secretary? *Ex-hypothesi*, he will be comparatively a junior officer, certainly junior to the Conservators, who are the persons primarily responsible for the technical working of the department, and on whose reports it will be, in ninety-nine cases out of a hundred, that it will fall to the Board to discuss and decide technical, as distinguished from ordinary administrative, questions. How then in such cases can the Forest Secretary be called on to

advise? Will it be seemly that he should advise the member in charge on the proposals of his professional superiors, and will those superiors be content that he should do so? The Board thinks not. And in the hundredth case in which a technical question arises on the initiative of the Board itself, is it the opinion of the irresponsible Secretary that should be sought and acted on or that of the responsible Conservators? No doubt the latter.

12. In the Board's opinion, therefore, a Forest Officer is not needed as Secretary to the Board in its Forest branch, nor would the services of such an officer be likely to be of value or his employment tend to prevent friction and to promote content with and acquiescence in the Board's disposal of technical subjects. The Conservators are the persons proper to be consulted in such matters and the Board apprehends no difficulty in obtaining their advice and assistance, when required. In ordinary administrative questions, the assistance of the Civilian Secretary to the Land Revenue Commissioners will always be of more value than that of a Forest Officer possibly could be; and this will never be more the case than in the immediate future, when many of the questions coming up for decision will bear on the relation between the department and the agricultural and general public. In such cases, especially, the Board does not desire the assistance of a Forest Secretary. * * *

53. To recapitulate—

(i) The Board would maintain Conservators' powers in regard to the appointment, promotion, etc., of Rangers and Foresters.

(ii) It is opposed to the transfer of control over the Forest Department to the Settlement Commissioner and to the appointment of a Forest Officer as Secretary, though it considers that an additional Secretary is urgently required who would take "Forests" in addition to a certain amount of ordinary Land Revenue work.

(iii) The Board would divide the Presidency into three Circles, with headquarters at Bezvada, Madras and Coimbatore.

(iv) The duty of audit should be transferred, with the Examiner's office, to the Accountant-General.

(v) The "ticket office" should be maintained at head-quarters until general arrangements are made for the supply of all forms used in the mofussil from a central office in Madras.

(vi) The offices which the Board considers necessary are—

Three Conservators' at Rs. 356	...	Rs. 1,968
Board's	...	605
Accountant-General's, about	...	700
Ticket	...	62
Total	...	2,435

(vii) Correspondence should continue to be conducted as at present.

(viii) District budgets and administration reports should not be compiled by Conservators, but should be passed on by them with their remarks for compilation in the Board's office.

(True Extract.)

H. A. SIM,
Acting Secretary.

Order—No. 1017, Revenue, dated 27th October 1891.

8. It now remains to discuss the scheme sketched out in G.O. No. 2763, dated 6th May 1891. The first item of this scheme is the transfer of Forests to the Board's Member in charge of the Department of Revenue Settlement and Agriculture. The Board brings to notice that the Agricultural Committee which sat in 1889 recommended the above transfer and that the Government in G.O. No. 515, dated 4th July 1890 (paragraph 13), declined to sanction it on the ground that forestry was only remotely connected with agriculture. The Board, moreover, urges that the Director of Agriculture must have some time to devote to touring and inspection, especially in seasons like the present when he has to organize measures for the relief of distress, and also quotes from the evidence given by Mr. Gamble before the Agricultural Committee, in which he expressed himself as strongly opposed to the subordination of "Forests" to "Agriculture." It may be noted that there is no question of any such subordination, and it has only to be decided which department of the Board is the best able to undertake the forest work. On reconsideration, His Excellency in Council is of opinion that "Forests" should remain in charge of the Land Revenue Commissioners. Until Forest Settlement has been completed and the State forests have all been demarcated, surveyed, and mapped, forest work will be heavy in the Board's

office, and the time when the above operations will have been brought to a close is still far distant. At present, the Land Revenue Commissioners have undoubtedly more time at their disposal than the Director of Agriculture, and, in the opinion of His Excellency in Council, it would be inadvisable to burden the latter with any additional duties.

9. *Transfer of Forests to Government.*—In connection with this question, the present is a good opportunity for considering the suggestion made in the Secretary of State's Despatch, No. 35, Revenue, dated 26th March last (read in G.O. No. 775, dated 20th August), to the effect that this Government should itself assume the direct control of the Forest Department without the intervention of the Revenue Board. His Excellency the Governor in Council is altogether opposed to such a transfer. The direct administration of any department is not, in the opinion of His Excellency in Council, the function of the Government, which has rather to exercise control over all departments. Moreover, it is physically impossible, having regard to the multifarious nature and daily increasing quantity of the work thrown upon Members of Council, that this additional responsibility should be imposed upon them, and if the transfer were effected, the work could not be satisfactorily disposed of. Further, His Excellency in Council considers that so long as section 4, Regulation I of 1803

remains in force, the general superintendence of forest revenues must vest in the Board of Revenue. For these reasons the Government is of opinion that the administration of the Forest Department should remain with the Land Revenue Commissioners. The question of reducing the number of members of the Board of Revenue is also raised by the Secretary of State in the same despatch, and in the letter addressed to the Government of India under G.O. No. 775, dated 20th August 1891, further consideration of this important subject was promised. The question has been carefully considered in connection with the reorganization of the Forest Department dealt with above, and His Excellency in Council is for the present unable to recommend any reduction in the existing strength of the Board.

10. *Forest Secretary.*—The appointment of an additional Secretary to the

Board for forest work has now to be considered. That the Land Revenue Secretary is unable to cope with the work now assigned to him is admitted on all sides, but the Board objects to the proposal to appoint a Forest Officer to this duty, chiefly because he would be unable to assist the Land Revenue Secretary in other matters, and it would accordingly prefer to have another Civilian Secretary. The Government agrees with the Board in the views expressed upon this point, and resolves to address the Government of India, in view to the appointment of a Civilian Sub-Secretary; a salary of Rs. 1,000 per mensem, rising by five annual increments of Rs. 40 to Rs. 1,200, will be recommended.

(True Extract.)

C. A. GALTON,
Secretary to Government.

Letter—from C. A. Galton, Esq., M.A., C.S., Secretary to the Government of Fort St. George.
To—the Secretary to the Government of India, Revenue and Agricultural Department.
Dated—Fort St. George, the 27th October 1891.
No.—1018, Revenue.

* G.O. No. 1017,
dated 27th October
1891.

I am directed to forward, for the information of His Excellency the Governor General in Council, a copy of the marginally-noted * Proceedings of this Government regarding certain changes in the organization of the Forest Department which it has been decided to carry out.

2. I am to invite special attention to paragraph 10 of the said Proceedings and to paragraphs 11 and 12 of the Board's Proceedings of 18th June 1891, No. 259, in which the appointment of an additional Secretary to the Revenue Board is discussed, and I am to request that the Government of India may be moved to apply for the sanction of the Right Honorable the Secretary of State to the deputation of a Covenanted Civilian on a monthly salary of Rs. 1,000, rising by annual increments of Rs. 40 to Rs. 1,200, for this duty. I am to say

that the work in the Land Revenue Department of the Board's office has largely increased of recent years, and that there is at present more than a single Secretary can cope with. During the currency of the Forest Settlement and until all the reserves have been duly demarcated, surveyed and mapped, the forest work in the Board's office is likely to be very heavy, and it was at first the intention of His Excellency the Governor in Council to recommend the appointment of a Forest-officer to the post of Forest Secretary to the Board. The arguments in favour of the appointment of a Civilian Sub-Secretary, who can relieve the present Secretary of other works besides that connected with the Forest Department, are fully set forth in the paragraphs of the Board's Proceedings above alluded to, and His Excellency in Council agrees with the views of the Land Revenue

Commissioners on this point. In this connection I am directed to invite attention to the Proceedings of this Government, noted in the margin, of which copies are enclosed. The work that has devolved upon the Land Revenue Secretary to the Board is fully discussed in these papers, and I am to say that, in the opinion of His Excellency in Council, the urgent need for the appointment of an additional Secretary has been fully proved. The necessity for some assistance to the Land Revenue Secretary is indeed so urgent, that I am to request that the Government of India will be pleased to move the Secretary of State

G.O. No. 475, dated
20th June 1890.
G.O. No. 769, dated
18th August 1891.

to accord sanction to the creation of the new appointment by wire.

3. I am further to invite attention to paragraph 9 of the Government Order of this date, herewith forwarded, and to say that His Excellency the Governor in Council has devoted his most careful attention to the suggestions made in the Secretary of State's Despatch, No. 35, Revenue, dated 26th March last. I am to say that, for the reasons specified in the above paragraph, His Excellency in Council is unable to accept the proposal that this Government should assume direct control over the Forest Department, and cannot at present recommend any reduction in the existing strength of the Revenue Board.

B.—Notes to G.O. Nos. 1017-18, Revenue, dated 27th October 1891.

Proceedings of the Board of Revenue (Land Revenue), dated 18th and 20th June 1891.

* * *

In connection with this question the present is a good opportunity for considering the suggestion of the Secretary of State that this Government should assume the direct control of the Forest Department itself. If it is given effect to, their Conservator should have exactly the same position and power as I now propose, the Government assuming those which should, in my opinion, be otherwise exercised by the Revenue Board.

As to whether the transfer is feasible, it has to be considered along with the sanction given by the Secretary of State for the temporary appointment of an Assistant to the Commissioner of Land Records and Agriculture to be Director of Revenue Settlement and with the further suggestion that one of the Members of the Revenue Board should be abolished.

In my opinion it is feasible and might be carried into effect simultaneously with the reorganization of the Forest Department or at the end of the present official year. But, if it is done, the fourth membership of the Revenue Board should be abolished and one officer should be appointed as Inspector-General of Forests and Deputy Secretary to Government, Revenue Department. Mr. Douglas could work under him as Assistant to the Inspector-General. If the Deputy Secretary got Rs. 2,000 rising by 5 yearly increments to Rs. 2,500 we might secure a good civilian (say Higgins) who had a great deal of Forest experience and was thought highly of by Dr. Brandis, who could do a good deal of touring and identify himself with the Department, or we might get back Mr. Gamble. But the Civilian Inspector-General with Forest experience would, on the whole, be most useful.

There is, however, an alternative method of disposing of Forests and that is by making one of the three remaining members of the Board, Inspector-General of Forests. This would have to be the Agricultural Member, and if all Settlement and Land Records work was given to his new Assistant he ought then to have leisure to deal with Forests as the Head of the Department, and

relieve the Land Revenue Member of some of his work. The Land Revenue Secretary would then cease to be overworked and an additional one would not be wanted. This plan would be preferable to the other, because, as it is, Members of Council are overwhelmed with work and the transfer of Forests to the Government office *might* increase it. I don't say it *would* but it might. In any case, however, if an Assistant to the Agricultural Commissioner is appointed who is to be Director of Land Records and Revenue Settlement, the fourth membership of the Board may be abolished at once in my opinion, and with Mr. Douglas as his Forest Secretary the Agricultural Commissioner would not find Forest work so heavy a burden as to interfere with his touring extensively as Inspector-General of Forests or Head of the Forest Department.

J. H. G[ARSTIN.]
27-7-1891.

* * *

2. Next I am altogether opposed to the proposal to transfer the direct administration of the Forest Department to the Government office. I think that direct administration of any department is not the function of the Government which is rather to control all departments; and the proposal to appoint a professional Secretary to Government or Deputy Secretary for the purpose is bad in itself. But the strongest objection is that it is physically impossible, having regard to the multifarious nature and daily increasing quantity of the work thrown upon Members of Council that this additional direct responsibility should be put upon them. Either the work would be perfunctorily done or it would be done by the professional Secretary, who would not be an officer of the standing or position desirable in one who would have to control the work of Collectors. Further I think that the general superintendence of the forest revenues cannot be taken from the Board of Revenue as long as section 4, Regulation I of 1803, is in force.

3. Then comes the question which department of the Board should take the Forest administration. The views expressed by Government on the report

of the Agricultural Committee to the effect that there is no such connection between forests and agriculture as to demand that the former should be entrusted to the Agricultural Member were mine and I see no reason to change them. The only question is which department of the Board is best able to undertake the Forest work. At present, so far as Members go, there is no doubt that the Land Revenue Department is so. The period when the Forest work will become light, when forest settlement will be complete and when working-plans will be framed and in operation is still many years distant. The work of the Agricultural Member will not be lightened by the completion of revenue settlement for many years either; and on another paper I have pointed out that the new Assistant Director cannot at all be used to assist the Settlement Commissioner in Secretariat work, and so far from decreasing the appointment is likely to add to his labours as it means that work hitherto not done at all is to be taken up and organized.

4. For the above reasons I am of opinion that the Forest administration should remain with the Land Revenue Commissioners and at present I do not see my way to abolishing one of the Land Revenue Memberships. The necessity of relieving their Secretary is, however, imperative, and I consider that a Sub-Secretary should be given them. A pay of Rs. 1,000 rising to Rs. 1,200 would be suitable. I entirely agree with the Board that he should be a civilian and not a forest officer for the reasons stated by them and further because I think professional Secretaries to controlling authorities are a mistake. Hereafter when this much-to-be-desired period of lighter forest work on the completion of settlement, etc., arrives, it may be found that one Member with two Secretaries can cope with the whole work of the Land Revenue side; till then I would defer the question of the reduction in the number of Members.

H. E. S[TOOKES]—27-8-91.

I have gone carefully into all the points raised, and I am entirely in accord with the note above of the Hon'ble Mr. Stokes.

W[ENLOCK]—10-9-91.

VIII

G.O. Nos. 975-76, Revenue, dated 16th September 1892.

READ—the following papers :—

(i)

Letter—from Sir E. C. BUCK, Kt., C.I.E., (1) Secretary to the Government of India, Revenue and Agricultural Department (Forests).
To—the Secretary to the Government of Madras, Revenue Department.
Dated—Simla, the 27th May 1892.
No.—641-F.

3. In this connection I am desired to request the consideration by His Excellency the Governor in Council of an alternative scheme which has been brought forward by the Inspector-General of Forests, and which the Government of India, as at present advised, are disposed to consider practical, and in many respects preferable to that which has been recently ordered to be introduced. The main features of the plan are briefly, as follows :—

(a) The head-quarters of the three Circles might be located at Madras, but all the Conservators might be allowed to spend a specified portion of the year at Ootacamund; for Conservators, who travel during much of each year in more or less malarious tracts, require a change to the hills more than other officials. This principle has been recognized and acted upon in the North-Western Provinces with considerable advantage to the service.

(b) There should be one Central Forest Office under the immediate charge of an officer of technical training and superior standing and qualifications.

(c) This Forest Office should be divided into three branches corresponding with the Circles, each branch being under a superior head clerk or manager.

(d) The Conservators should meet together at suitable times under the presidency of the Member of the Revenue Board charged with Forest business and discuss matters of general administration. The Board might be empowered to delegate the functions of president to the senior Conservator when such a course was considered advisable.

(e) Questions regarding appointments, promotions, etc., in the grades of Rangers or Extra-Assistant Conservators should be considered for the three

Circles combined and be decided by the Committee.

(f) The Forest-officer in charge of the Central office should be the Personal Assistant and Secretary to the Committee under whose instructions he would prepare annual consolidated Budgets and Reports.

(g) Each Conservator should travel and inspect as much as possible within the limits of his Circle, and the inspections should include those of District Forest offices, but should not comprise the audit of financial accounts, which would be conducted by travelling auditors.

4. If arrangements such as those sketched in the preceding paragraph could be adopted, it seems to follow that the work of auditing Forest accounts might with advantage be transferred to the office of the Accountant-General; that the Board of Revenue would receive Forest questions more fully considered and digested by Conservators than is the case under existing circumstances; and that there would be much reduction of correspondence between the Board and the several Conservators, and a material saving of time and expense in the Board's office.

5. The Government of India have no wish to dictate to the Madras Government in the matter, but desire only to afford the opportunity of a full discussion of the arrangements before they are made permanent. In this view the Government of India will, if His Excellency the Governor in Council should desire it, be glad to depute the Inspector-General of Forests to Madras during the ensuing rainy season to discuss the matter with such officers as may be appointed by the Local Government either at Madras or at Ootacamund.

(ii)

Order—*Mis. No. 3142, Revenue, dated 6th July 1892.*

Referred to the Commissioners of Land Revenue for early remarks.

(True Extract.)

R. H. CAMPBELL,
Ag. Under Secretary to Government.

(iii)

Resolution—*Forest No. 440, dated 12th August 1892.*

The main features of the scheme set forth in Sir Edward Buck's letter, upon which the Board is called to report, are that the three Conservators of Forests should have their head-quarters in Madras; and that they should, in conjunction with the Forest Member of the Board, form a Committee which should be charged with Forest business and discuss matters of general administration, should make appointments in the higher grades of the Provincial Forest Service, and should issue "instructions" for the preparation of the consolidated annual budget and administration report. The three Conservators and the Board would together have one Central Forest office "under the immediate charge of an officer of technical training and superior standing and qualifications," i.e., a senior officer of the Imperial Forest Service, who should be at the same time the Personal Assistant and Secretary to the proposed Committee and "for certain purposes at all events" a Secretary to the Board.

2. Apparently under this scheme the new "Committee" would take the place of the Board of Revenue in respect to those matters which are to fall under its ken, i.e., practically all important administrative and financial questions connected with Forest administration, and a large proportion of the personal questions also. The Board says a proportion only, because Sir Edward Buck's letter is silent as to the questions touching the conduct and promotion of the officers of the Imperial Forest Service, regarding which the Board now addresses Government confidentially, but there seems no reason why, if the other matters above mentioned are to be made over to the Committee, these should not also go with it, and the omission is probably accidental.

3. The Board need hardly point out that under this scheme the control of the department will be transferred from its present responsible head, i.e., the Board's Forest Member, to a Committee in which he would be liable to be constantly out-voted by his *ci-devant* and apparently still nominal subordinates. The Committee proposed is moreover so small that the composition, aims and methods of its governing majority would be liable to continual alteration by the substitution of even one individual for another. The Board need not waste words in pointing out the constant alterations in administrative policy, nay the utter anarchy, which such a measure, substituting as it would the control of an irresponsible because ever varying majority for the present responsible Head of the Department, would bring about. In regard to bodies which are of a merely consultative character, or have only to decide on general questions of principle, the "safety in numbers" may no doubt often outweigh the delay, vacillation and tendency to makeshift compromises which are characteristic of the "cabinet system;" but the Board is not aware of any civilised state in which the direct executive control of a great department has been entrusted, with any degree of success, to a Committee, the presiding member of which has at best only a casting vote.

4. But, besides these general objections, the proposed Committee would have a defect peculiar to itself. One of the main reasons, in fact the main reason, for the subordination of the District Forest-officer to the Collector, and of the department generally to a Civilian head, is to prevent the natural zeal of the trained forester for wholesale scientific conservancy being exercised at the expense of other interests and

with too little sympathy for the wants and feelings of an ignorant population. The Committee will consist of three scientific experts and one outside officer whose *raison d'être* is to prevent everything being looked at only from the point of view of "the department." But what more likely than that the three experts, while perhaps differing among themselves on other points as only experts can differ, will combine against "the common enemy" in any matter touching the extension or enhanced severity of forest operations? The safeguards which it has been thought advisable to maintain against an excess of departmental zeal would thus be overthrown, and it would be easier and simpler to make the Forest Department entirely independent of the Land Revenue and place it under a professional head—a development which the Government of India presumably does not intend.

5. If, on the other hand, the decisions of the Committee are to be subject to consideration and revision by the Board, the Committee becomes a superfluity and a cause of delay. The Forest Commissioner can always obtain the opinions of Conservators on matters in which they have a right to speak, and if he dissents from them, it is surely far less invidious and far less liable to give rise to friction that he should act on his own responsibility from the outset, as he now can, than that he should, as representing the Board of Revenue, override the decisions of the Committee in which he had been previously out-voted.

6. Another consideration which has to be taken into account is that during a large portion of the year the Conservators are, or ought to be, simultaneously on tour. Either then they must be recalled, to the detriment of their inspection work, to take part in Committee meetings, or the consideration of important and urgent matters must lie over till they can conveniently return, or the Forest Member must act as "the Committee" during their absence, in which case, of course, the Committee might as well not exist at all.

7. The Board is, therefore, most strongly of opinion that the constitution to the proposed Committee is in every way undesirable.

8. If, however, their presence is not required as Committee members, is there any necessity for the three Conservators being located at Madras? The Board thinks not. As things stand, Conservators have every opportunity of putting their views before the Commissioner, since all correspondence between Collectors and the Board passes through them. Similarly all suggestions made by Government, or initiated by the Board itself, which in any way touch on the province of technical forestry, or which involve local knowledge, are always referred to Conservators for remarks before the Board deals with them, and Conservators can express their views as well, and on the local questions better, when within their own charges than at Madras. There may no doubt be occasions on which personal conference with a Conservator is desirable. But these will not be frequent, and when the necessity arises a Conservator can always be summoned to head-quarters. Again, the Board is not prepared to deny that it may occasionally be advisable that all the Conservators should meet the Commissioner and discuss matters of general interest then pending; indeed the present Commissioner has, for sometime past, intended calling such a conference when there were enough topics to put before it. But the necessity for such general conferences could only arise once or twice a year, and would certainly not justify the permanent retention of the three Conservators at head-quarters.

9. The disadvantages of such a location are obvious. At present each Conservator is constantly in touch with some portion or other of his charge and with the local Revenue officers. Even when he is resting from a long tour at a hill station, the station is a local one, there is probably interesting forest work in the immediate vicinity, and there is a likelihood of his coming into contact with Revenue officers who may have come up like himself to obtain a short respite from heat and exposure. Again, he can always start at a moment's notice for any part of the Circle where his presence may be urgently required. But at Madras the Northern and Southern Conservators would be, for a great part of the year, far removed from any

part of their Circles, to which they would become mere outside visitants instead of denizens, and their work must necessarily suffer by the change. Moreover as, starting from Madras, they would have considerable distances to traverse before arriving at any of their districts, the cost of their tours to the State would be greatly enhanced. The Board does not think that these drawbacks would be in any way compensated for by the fact that there would be easier communication between Conservators and the Commissioner.

10. A pendant to this proposal is the suggestion that each Conservator should be allowed to spend a specified period of the year at Ootacamund. On this point the Board need not dwell long. There is no need to mention names; but the Government is aware that the concession was abused when it existed and it was probably for this reason that in paragraph 11 of Government Order, dated 27th October 1891, No. 1017, His Excellency the Governor in Council even negatived the proposal of the Board that Conservators should be allowed to spend the hot weather at local hill stations, but pointed out that they could halt where they liked within their Circles. If it is granted that Forest-officers "require a change to the hills more than other officials," though Salt officers, whose work is even more trying, have never asked for special concessions on this account, there is still no necessity to take the Conservator away from his charge. Yercaud in the Central Circle and Rāmandrug, Bison Hill or Waltair in the Northern Circle all furnish as pleasant resorts in the hot weather as any reasonable person could desire. Ootacamund, like Kodaikānal, should remain a local sanitarium for the Conservator to whose Circle it belongs.

11. If the location of the three Conservators at Madras is negatived, the proposal for a Central office under an officer of the Imperial Forest Service of course falls with it. But even if the Conservators were at Madras, the Board does not think the plan would work well. The Officer in charge of the Central office would have to serve too many masters. Suppose, for instance, that all the Conservators were out in camp, and

each sent urgent instructions to the "Assistant," as he may be called for the sake of brevity, as to some particular work that he wished him to supervise, while at the same time the Forest Member of the Board wanted his services on some other matter. How could he attend to the calls at one time from all these various sources and simultaneously keep a large office in proper working order? The *raison d'être* of the proposal seems to be the impression of the Government of India that a Conservator's office cannot be efficiently attended to by a head clerk or manager while he is absent on tour. The Board begs in this connection to point out that the work of a Superintending Engineer or Salt Deputy Commissioner is at least as responsible, and his travelling as great, as that of a Conservator. Yet Superintending Engineers' offices are efficiently conducted under the charge of a manager on pay rising from Rs. 160 to Rs. 200. The Board proposed that the head clerkship of a Conservator's office should be held by a Ranger whose pay might go up to Rs. 150; the Government has negatived this proposal and made the post a distinctly clerical one which carries a fixed pay of Rs. 125. The difference, however, between this and the pay of the Superintending Engineer's office is not so great as to call for an entire difference of system, and the Board is not aware that it was ever suggested in the Public Works Department that, in order to facilitate touring on the part of Superintending Engineers, they should be concentrated at Madras, spend the hot weather at Ootacamund, and have a joint Central office under the charge, say, of a first grade Executive Engineer.

12. The Board gathers from paragraph 6 of Sir Edward Buck's letter that the scheme now under discussion is not to interfere with the grant of an Under Secretary or Assistant Secretary to the Land Revenue Commissioners. Otherwise it would have to refer Government to paragraphs 11 and 12 of its Proceedings, dated 18th June 1891, No. 259, in which it was shown to the satisfaction of Government that to invest a Forest-officer with the position of Secretary to the Board in Forest matters would not give the Land Revenue Secretary

the assistance he requires. The remaining objections to this course specified in the Proceedings above mentioned are still valid against the appointment of a departmental Forest Secretary to the Commissioner as he now exists; but would lose their force to a great extent if the Commissioner were swallowed up in a Committee of Conservators. In this case, however, as the Board has endeavoured to point out, the remedy would be far worse than the disease.

13. In conclusion, as it has been left to the Government of Madras to accept or reject the proposals conveyed in Sir

Edward Buck's letter as it may think fit, the Board would respectfully advise that the Government of India be informed that the scheme cannot possibly be worked with advantage in this Presidency, and, with reference to paragraph 5 of Sir Edward Buck's letter, it seems hardly worthwhile that the Inspector-General of Forests should have to spend more of his valuable time in discussing it.

(A true Copy and Extract.)

W. S. MEYER,
Acting Secretary.

Order—No. 975, Revenue, dated 16th September 1892.

The Government of India will be addressed.

(True Extract.)

C. A. GALTON,
Secretary to Government.

Letter—from C. A. Galton, Esq., M.A., C.S., Secretary to the Government of Fort St. George.
To—the Secretary to the Government of India, Revenue and Agricultural Department.
Dated—Ootacamund, the 16th September 1892.
No.—976, Revenue.

I am directed to acknowledge the receipt of your letter, No. 641-F., dated the 27th of May last, and to express, in reply, the regret of His Excellency the Governor in Council that he is unable to accept the alternative scheme brought forward by the Inspector-General of Forests with a view to modifying the changes which have recently been introduced by the Madras Government in regard to the position, duties, and head-quarter stations of Conservators of Forests. Before expressing an opinion on the Inspector-General's proposals, His Excellency the Governor in Council considered it advisable to obtain the opinion of the Board of Revenue which, as the Government of India is aware, is the administrative head of the Forest Department in this Presidency. The Government of India will see from the Board's Resolution on the subject, a copy of which forms an enclosure to this letter, that it is altogether opposed to the scheme. In inviting the attention of the Government of India to the arguments put forward in the Board's

Resolution above alluded to, I am desired by His Excellency the Governor in Council to express his entire concurrence in the Board's views and his conviction that the scheme proposed is, in all material points, utterly unsuited to the circumstances of this Presidency.

2. Adverting to the fifth paragraph of your letter under reply, I am to state that there is, in the opinion of His Excellency the Governor in Council, no occasion for the Government of India to depute the Inspector-General of Forests to Madras to discuss the proposed scheme, as, in view of the decisive opinion as to its unsuitability already expressed, such a deputation will serve no useful purpose. I am at the same time to assure the Government of India that should Mr. Ribbentrop find time to visit this Presidency on a tour of inspection, the Madras Government would be happy to welcome so distinguished a Forest official and to give its mature consideration to any suggestions which his tour might induce him to offer on the working of the forests under its control.

IX

G.O. Nos. 413-414, Revenue, dated 12th June 1894.

READ—the following papers:—

G.O. No. 311, Revenue, dated 20th April 1893.

(i)

Read—the following paper:—

Letter—from Sir E. C. BUCK, Kt., C.S.I., Secretary to the Government of India, Revenue and Agricultural Department (Forests).
To—the Secretary to the Government of Madras, Revenue Department.
Dated—Calcutta, the 2nd March 1893.
No.—292-F.

In continuation of the telegram from this Department, No. 213-F. of the 17th ultimo, I am directed to forward a copy of the despatch noted in the margin, from which it will be seen that Her Majesty's Secretary of State has objected to increase the establishment of the Madras Board of Revenue by the proposed appointment of an additional Assistant Secretary.

2. In communicating this decision, I am to say that the Government of India are not aware of the extent to which the work of the Board of Revenue has been increased either by the subordination to them of the Forest Department, or by the restriction, under the new arrangements, of the powers of Forest Conservators, and are not, therefore, in a position to judge to what extent relief can be afforded to their office by a reversion to the *status quo ante* on the

one hand, or by the conferment of wider authority on the Conservators on the other. But, so far as forest questions are concerned, I am to suggest that the opportunity of the approaching visit of the Inspector-General of Forests to Madras may be taken to permit that officer to submit his views to His Excellency the Governor in Council on matters of detail. Analogous questions have lately arisen in Bombay, and it is understood that Mr. Ribbentrop has had the advantage of discussing them with that Government.

3. As regards work other than that relating to "Forests," the Government of India must leave it to the Government of Madras to consider how far the business in the Board of Revenue can be reduced in such a way as to afford material relief to the Secretary to the Board.

ENCLOSURE.

Despatch—from the Right Honourable Her Majesty's Secretary of State for India.
To—His Excellency the Most Honourable the Governor-General of India in Council.
Dated—India Office, London, the 19th January 1893.
No.—7, Revenue.

I have considered the papers received with and cited in your Excellency's letter No. 304, dated the 9th November 1892, recommending sanction to the appointment of an additional Assistant Secretary to the Madras Revenue Board.

2. I find that there are already attached to the Board—

- 2 Secretaries on Rs. 1,740 each.
- 1 Secretary on Rs. 1,000.
- 1 Assistant Secretary on Rs. 600.
- 1 Uncovenanted Assistant on Rs. 500.
- 1 Assistant Director of Agriculture on Rs. 750 to Rs. 1,000.
- 1 Do. of Land Records on a salary rising to Rs. 1,500.

It is proposed that another Assistant Secretary should be sanctioned on a salary of Rupees 700, rising to Rs. 1,000 if he is a member of the Provincial Service, and on a local allowance of Rs. 350 a month in addition to grade pay if he be a member of the Imperial Service. The new Assistant Secretary would be attached to the Settlement Member of the Board, under whom a Secretary, an Assistant Director of Agriculture and an Assistant Director of Land Records are already employed. The proposal for the additional appointment is based on the large amount of correspondence, too heavy for one Secretary, that comes before the Settlement Member of the Board.

3. I find that my predecessor, Viscount Cross, when sanctioning a recent addition

to the staff of the Madras Revenue Board,* suggested some reduction of the amount of business coming before it (the Madras Revenue Board), and referred to the question of reducing the number of members of the Board. In your present letter you mention that the Madras Government are averse to either of these measures, and that you do not feel justified in pressing such measures upon the Local Government.

4. On full consideration of this matter, I see considerable objections to increasing the establishment of the Madras Board of Revenue by the additional appointment which has been proposed. The monthly Proceedings, both of the Madras Government in the Revenue Department and of the Madras Revenue Board, are extremely voluminous and indicate as was observed in Lord Cross' despatch No. 35, dated the 26th March 1891, that a great deal of work which in other provinces

would be disposed of by a single supervising authority, in some by a Divisional Commissioner, is dealt with in Madras both by the Board of Revenue and by the Executive Government.

5. I consider that it is in this direction and not in an increase of establishment that a remedy is to be sought, and that the Local Government should be instructed to arrange for taking over from the Board of Revenue some one of the departments which now report to the Board. There is no apparent reason why the heads of the Forest Department in Madras should not, as in most of the other provinces, report direct to the Government Secretariat. Orders should also be given in all the departments to curtail the length of official report which now very materially increase the amount of public business with no corresponding advantage to the public service.

Order—No. 311, Revenue, dated 20th April 1893.

The Secretary of State's despatch and the Government of India's letter read above will be referred to the Board of Revenue for remarks. The subject should be dealt with by the Full Board and the question of re-organization should be considered in all its bearings. The results of the appointment of an additional Deputy Director of Land Records and Agriculture under Government Order, dated 20th August 1891, No. 775, should be noticed.

2. The Secretary of State's misapprehension as to the department of the Board of Revenue in which the services of an additional Secretary were applied for has been pointed out to the Government of India in the telegram* embodied in the second of the papers read above. His Excellency the Governor in Council, however, considers it undesirable to press further for the appointment of an additional Secretary to the Board, as the Secretary of State is evidently not prepared to increase the Secretariat

* Not printed.

establishment of the Board of Revenue in any of its departments and any further representations on the subject would therefore be useless.

3. Before taking action in any other direction towards affording relief to the Board's Land Revenue Secretary, the Government deems it advisable to consult the Inspector-General of Forests to the Government of India, as that officer may possibly be able to suggest some practicable method of simplifying forest business and expediting its despatch. The Board of Revenue will accordingly be requested to place itself in communication with Mr. Ribbentrop and to give its careful consideration to any suggestions that he may make on the subject above referred to. Mr. Ribbentrop's proposals should be submitted to Government with the Board's opinion on the same.

(True Extract.)

C. A. GALTON,
Secretary to Government.

(ii)

*Proceedings of the Board of Revenue (Land Revenue), Mis. No. 2850,
dated 9th May 1893.*

The Madras Government Order and the Government of India Proceedings read above will be communicated to the Inspector-General of Forests to the Government of India, with the request that he will favour the Board of Revenue with his remarks with reference to paragraph 3 of the former paper.

(True Extract.)

W. S. MEYER,
Acting Secretary.

(iii)

G.O. Mis. No. 3507, Revenue, dated 22nd September 1893.

Read—the following paper:—

Letter—from the Secretary to the Government of India, Revenue and Agricultural Department.

To—the Secretary to the Government of Madras, Revenue Department.

Dated—Simla, the 14th September 1893.

No.—983-F.

Owing to the fact that frequent cases have been before the Government of India indicating that an imperfect comprehension exists—

- (a) of the conditions under which lands taken up and settled under the Forest Acts may be utilized for other purposes than timber-growing, or may be placed under other management than that of the Forest Department;
- (b) of the relations which should exist between Revenue and Forest officials.

The Government of India have circulated the accompanying draft rules, which embody the system which they are inclined to consider to be most convenient.

2. I am to request that they may be placed before His Excellency the

Governor in Council, and that the Government of India may be informed whether and to what extent they are applicable to the Madras Presidency. It would be convenient if the same main principles were observed throughout India, and I am to suggest that any amendments which present themselves as advisable may be submitted.

3. The rules have been based partly on the practice established and found convenient in some Provinces, and partly on the provisions of the Forest Acts and the Forest Code. It will be observed that the opportunity has been taken to require a schedule to be made of all lands which can be appropriately brought under the Forest Act, with a view to a regular programme being drawn up for the demarcation and settlement of such lands within a definite period.

ENCLOSURE No. 1.

Draft rules regarding the settlement and management of land taken up under the Indian Forest Act, and regulating the position of Revenue and Forest-officers in regard to the administration of such land.

Part A.—Preamble.

1. It is important that all lands in which Government hold or claim a complete or material proprietary interest, which have not been formally demarcated and settled, and which are considered suitable for timber forest, fuel and fodder plantations, grazing reserves and the like, should be demarcated, and the rights therein definitely settled with as little delay as possible.

2. The settlement of such lands need not be immediately followed by the constitution

of timber forest, plantations or grazing reserves. They can, until required for these objects, be utilized for any purpose. What is required is that they should be recorded and settled as Government property, available for any of the objects above described.

3. Although it is not contemplated by the Forest Act that lands primarily destined for agricultural purposes should be brought under the provisions of that Act, there is nothing to prevent lands settled under the Act being

utilized for agriculture, whether they remain under the provisions of the Act or are disforested.

4. In the Act there is no definition of "forest." As in Scotland, the term may be applied to land absolutely destitute of trees. Accordingly, lands taken up under chapter II* of the Indian Forest Act, VII of 1878, and technically constituted "reserved forest," are not required under that or any other law to be planted with trees, or to be maintained for the growth of trees.

Part B.—General Rules.

I. All waste land considered suitable for timber forest, fuel and fodder plantations, grazing reserves and the like (1) which is the property of Government, or (2) over which the Government has proprietary rights and wherein the rights of the Government and of persons other than the Government have not been precisely determined and recorded, shall be taken up, dealt with and settled under the provisions of chapter II of the Indian Forest Act.

II. Lands so settled will be classed under one or more of the following heads:—

- (i) Agricultural lands.
- (ii) Forests proper.
- (iii) Fuel and fodder reserves.
- (iv) Pasture lands.
- (v) Any combination of (ii), (iii) and (iv).
- (vi) Special purposes (e.g., horse-runs).

III. The Collector shall, after consulting the District Forest-officer and the Conservator of Forests, submit for the orders of the Local Government, through the usual channel, proposals indicating for which of the purposes enumerated in rule II it is intended to maintain the areas, when settled, whether in whole or in part.

IV. The Local Government will, when issuing orders on the proposals of the Collector, or as soon as possible thereafter, determine the agency under which each classified area shall be administered; but it may from time to time change such agency.

V. The Collector shall be responsible that all Government lands within his district are brought under settlement.

5. As lands taken up under the Forest Act may be utilized for cultivation, grazing, or any other purpose, so they may be placed under any management, whether (as in the case of cultivated forest land or grazing areas in some provinces) that of Revenue officers, or (as in the case of certain horse-runs, grass-farms, etc.) that of the Military Department, or (as in the case of forests proper, or of areas in which grazing or fuel and fodder reserves require special management and protection) that of the Forest Department.

VI. He shall submit annually to the Land Revenue authorities by whom he is controlled, for the orders of the Local Government, a schedule of unsettled lands with proposals for their settlement.

VII. Lands brought under the Act and classed under rule II (i) may, when required for agricultural purposes, either be retained under the operation of the Forest law or disforested.

VIII. If in the opinion of the Local Government they should be excluded, the previous sanction of the Governor-General in Council must, under section 26† of the Indian Forest Act, be obtained to their exclusion.

IX. The Collector shall be responsible that the records of each settlement in his district are complete, and that they contain the following entries:—

- (a) A correct boundary register.
- (b) Private rights admitted and settled under section 13† *et seq.* of the Indian Forest Act, with such remarks regarding their limitation, commutation and extinction as the case may require.
- (c) Rights granted by the Local Government under section 22 § of the Indian Forest Act, with the necessary particulars as regards duration, limitation, and other conditions.
- (d) Temporary concessions, changeable or terminable at the will of the Local Government, granted under rules made by Government under section 25 || of the Indian Forest Act.
- (e) Standing orders issued under section 25 of the Indian Forest Act for the permission of certain specific acts.

* Chapter II of the Burma Forest Act, 1881.
Chapter II of the Upper Burma Forest Regulation, 1887.
Chapter II of the Madras Forest Act, 1882.
Chapter II of the Assam Forest Regulation, 1891.
Chapter II of the Berar Forest Law, 1886.
Chapter II of the British Baluchistan Forest Regulation, 1890.
† Section 3 *et seq.* of the Ajmere Forest Regulation, 1874.
† Section 29 of the Burma Forest Act, 1881.
† Section 27 of the Upper Burma Forest Regulation, 1887.
Section 24 of the Madras Forest Act, 1882.
Section 28 of the Assam Forest Regulation, 1891.
Section 11 of the Berar Forest Law, 1886.
Section 10 of the British Baluchistan Forest Regulation, 1890.
‡ Section 13 of the Burma Forest Act, 1881.
Section 11 of the Upper Burma Forest Regulation, 1887.
Section 11 of the Madras Forest Act, 1882.

Section 12 of the Assam Forest Regulation, 1891.
Section 10 of the Berar Forest Law, 1886.
Section 9 of the British Baluchistan Regulation, 1890.
Section 4 of the Ajmere Forest Regulation, 1874.
§ Section 22 of the Burma Forest Act, 1881.
Section 20 of the Upper Burma Forest Regulation, 1887.
Section 18 of the Madras Forest Act, 1882.
Section 21 of the Assam Forest Regulation, 1891.
Section 6 of the Berar Forest Law, 1886.
Section 5 of the British Baluchistan Forest Regulation, 1890.
|| Section 27 (a) of the Burma Forest Act, 1881.
Section 25 (b) of the Upper Burma Forest Regulation, 1887.
Section 21 of the Madras Forest Act, 1882.
Section 26 (d) of the Assam Forest Regulation, 1891.
Section 10 (a) of the Berar Forest Law, 1886.
Section 9 (a) of the British Baluchistan Forest Regulation, 1890.

X. The Divisional Forest-officer may, at any stage of the operations, submit to the Collector any proposal or suggestion relating to the classification of land or to settlements.

XI. The Conservator may submit to the Local Government (through the proper channel) a report on the settlements in his circle or in any particular district.

XII. In determining the agency under Rule IV, consideration should be given to the fact that the forest administration forms an integral part of the revenue system of the country and that the forest staff provides the most convenient agency, under the control of the Revenue authorities, for the executive management, not only of forests proper and of fodder and fuel reserves, but also of all Government lands in which these classes are intermixed with pasture lands, as well as, in many cases, of pasture lands which include no forests proper.

XIII. Every settled area must be managed in accordance with a systematic and preconsidered working-plan, deviations from which should take place only under proper sanction.

XIV. The scheme of management of each settled area should, so far as legal and political conditions permit, be based on all facts and influences upon which the most rational and profitable treatment depends. The collection, however, of the necessary data takes

time, and all working-plans will therefore at present be divided into—

- (a) *Regular working-plans*—based on an efficient and methodical enquiry and consideration of all existing facts which may materially influence the manner of treatment.
- (b) *Provisional working-plans*—based on such data as may be available or can be collected without delay.

XV. The regular working-plans must aim at a permanent treatment of the settled areas, and will be framed on a general scheme, which must, otherwise than in exceptional circumstances and for exceptional reasons, be permanently maintained: provided that detailed prescriptions for the intermediate treatment, necessary to bring the land into the ultimate and permanent condition aimed at, may be made for such limited terms of years as may be considered necessary.

Provisional working-plans (which may extend for one or more years) are only intended to be used as "make-shifts" until sufficient data have been collected for the preparation of regular working-plans.

XVI. The Collector will, with reference to rule II, be responsible for the preparation of working-plans in the case of both lands of class (i) and of those lands in classes (ii), (iii), (iv) and (v) which are not under the executive management of the Forest Department. In the case of lands of class (vi), the appropriate special Department is responsible.

Part C.—Special rules relating to lands under the executive management of the Forest Department.

XVII. *Preparation of working-plans.*—The following rules are prescribed for the preparation of working-plans:—

- (a) The Divisional Forest-officer shall submit to the Collector, not later than six months before the beginning of the forest year, a report containing a list of all areas under his control. He shall in his report—
- (1) *As regards those areas for which regular working-plans are in operation*, shortly state what works will be carried out under the prescriptions of such plans in the year following;
- (2) *As regards areas managed according to provisional working-plans*, mention what works are provided for the ensuing year;
- (3) *For areas for which no regular or provisional working-plans are provided for the ensuing year*, make proposals, after due consideration of the possibility and the requirements of each area, for provisional working-plans, which shall contain his recommendations as regards fire-protection, closure

against or regulation of grazing, and works of sylviculture, forest improvement and the like, and the term for which (*i.e.*, whether for one or more years) it shall be in operation.

- (b) The Divisional Forest-officer should either when he forwards the report required by clause (a) of this Rule, or at any other convenient opportunity, submit from time to time, in respect to any areas for which no regular working-plans exist, provisional proposals for the preparation of regular working-plans, stating whether he is in a position to compile the plans himself, and noting the assistance he may require for this purpose, or recommending that the work should be undertaken by special agency.
- (c) The Collector shall, on receipt of the report prescribed under clause (a) above, forward without delay to the Conservator of Forests sections (1) and (2) thereof, indicating the works to be undertaken during the following year under the provisions of existing working-plans. The

Collector may retain section (3) for consideration of the provisional working-plan with special reference to the satisfaction of right-holders in regard to forest-produce; to any proposed closure against grazing; to the withdrawal of privileges which Government may have conceded; or to local wants in forest produce generally. And he may, if he considers such plan open to objection in any of these particulars, return the same with his comments to the officer from whom it was received for alteration in accordance with any directions he may make. In the event of such directions being considered by the Divisional Forest-officer to be beyond the "possibility" of the forest in question, i.e., to be incompatible with its maintenance and improvement, the case will be referred to the Conservator through the Collector. If the Conservator and the Collector, after such consultation as may be necessary, are unable to agree as to the treatment of the forest, the case will be referred to higher authority, and, if necessary, to Government.

- (d) Provisional plans approved by the Collector shall be forwarded, within one month of their receipt, to the Conservator, who may, if he concurs, sanction them. In cases where the Collector and the Conservator differ in regard to the applicability of any provision in a provisional working-plan, and when the difference cannot be removed by mutual references, the question shall be submitted to the higher Revenue authority, who shall endeavour to settle it with the Conservator, and, if unable to do so, lay it before Government for orders, informing the Conservator that he has done so.
- (e) The Collector, on receiving provisional proposals for the preparation of working-plans under clause (b) of this rule, shall submit them with his comments to the higher Revenue authority, who will forward them to the Conservator for further action.
- (f) Except as provided in rule XVI, the Conservator is responsible that regular working-plans are prepared as soon as possible for all reserved forests in his circle. He may either take the initiative in drawing up the plans, or may take action on the provisional proposals submitted by the Divisional-officers as above. In either case he will be responsible for the soundness, on all technical points, of the provisions of the

- working-plans, and for the manner in which they are framed.
- (g) Every working-plan shall, after it has been framed or scrutinized by the Conservator, be finally examined by the Collector with special reference to the satisfaction of right-holders in regard to forest produce; to any proposed closure against grazing; to the withdrawal of privileges which Government may have conceded; and to the requirements of the adjacent population generally. It shall then be submitted, through the superior Revenue authority, to the Local Government for sanction. In cases where the Collector and the Conservator differ in regard to the practicability of any provision in a working-plan, and where consultation or mutual references fail to settle the question, the views of both officers shall be submitted to Government with the opinion of the superior Revenue authority.
- (h) In the Bengal Presidency, all regular working-plans are submitted to the Local Government through the Inspector-General of Forests, who scrutinizes them and lays them before Government with his opinion.

XVIII. *Deviations from working-plans.*—For the regulation of unavoidable or desirable deviations from the prescriptions of working-plans, the following rules are prescribed:—

- (a) The Divisional Forest-officer is responsible that proposals for any unavoidable or suggested deviations from sanctioned working-plans are, as soon as feasible, reported to the Collector, so that the necessary sanction thereto may without delay be given by him, or may be obtained from competent authority. Particulars of such sanction shall be entered in the Control books prescribed under the Forest Code.
- (b) The Collector may sanction, on his own authority, any deviations from working-plans, regular or provisional, which do not involve either utilization* of forest produce in excess of prescription, or diminution in the extent of forest protected from fire, or of forest closed to grazing or browsing. Such deviations require the sanction of the Local Government. He shall report to the Conservator, for information and note, any sanction which he has given under this rule.
- (c) The Collector shall forward any such proposals, which it is not within his own power to sanction, direct to the Conservator if the interests of the people are not materially affected, and through the superior Revenue

- authority to the Conservator if they are so affected.
- (d) In cases where the Divisional Forest-officer has not, on his own motion, submitted proposals for necessary or desirable deviations, the Collector may, if he thinks fit, direct him to submit such proposals.
- (e) The Conservator shall send direct to Government, for sanction, all proposals for deviations from regular working-plans received under clause (c) of this rule in respect to which he agrees with the Revenue authorities. If he differs, he shall forward them, through the Revenue authorities, to the Local Government.
- (f) The Conservator shall return, with his opinion, to the Collector all proposals for deviations from provisional working-plans received direct from the Collector under clause (c) of this rule. If he agrees with the Collector, the proposed deviation may be carried out. If he does not agree the Collector will forward the case to the superior Revenue authority, who, if necessary, will submit it for the orders of Government.
- (g) The Conservator shall forward to the Collector all proposals for deviation from provisional working-plans received through the superior Revenue authority under clause (c). If the Conservator agrees in the proposals, the deviation may be carried out. If he does not agree, the Collector will resubmit the case to the superior authority, who will, if necessary, submit it for the orders of Government.
- (h) Particulars of all sanctioned deviations shall be entered in the Control books both of the Divisional-officer and of the Conservator.

XIX. *Protection.*—To secure the protection of forest, the following rules are prescribed:—

- (a) The Conservator of Forests is charged with the general control of the protection of the forests in his circle against damage by man or beast. He is required to suggest such measures as may be necessary to make protection efficient.
- (b) The Collector or other Revenue officer in independent charge of a subdivision, shall be responsible that the measures ordered for the protection of the forests in his district or subdivision are efficiently carried out, and that the subordinate revenue and police officers of all grades render active assistance. He shall also control the working of the punitive sections of the forest law, and prevent any further interference with the people than is necessary for efficient protection.

- (c) The Divisional Forest-officer, under the orders of the Collector, will be in charge of all works necessary to ensure the efficient protection of the forests.
- (d) The Range-officer is primarily responsible for the protection of the forests in his range, but is also bound to render general assistance in the protection of any forest.
- (e) The Forest-officer in charge of one or more beats is primarily responsible for the protection of forests in his charge, but has also to render general assistance in the protection of any forest.

XX.—*Technical management.*—For the technical management of forests, the following rules are prescribed:—

- (a) The Conservator of Forests shall control all practical "working" including the disposal of forest produce within the prescriptions of a working-plan. For this purpose he will examine the Control forms. If he discovers by these means, or during his tours of inspection, or from the Divisional Forest-officer's journal, any deviation for which sanction has not been obtained, he shall bring the matter to the notice of the Collector for necessary action.
- (b) The Collector shall not, as a rule, interfere in the technical management of the State forests in his district, but shall nevertheless exercise a general supervision, and may address the Conservator on any matters regarding, and suggest any change in, the technical management.
- (c) The Divisional Forest-officer is responsible that all works of sylviculture, forest improvement, exploitation, etc., prescribed by regular working plans or annual plans-of-operations, are carried out completely and in a workmanlike manner; that all orders regarding fire-protection, closure against grazing, etc., are effected in the manner and to the extent laid down in the working-plans and plans-of-operations; that the necessary entries to this effect are made in the Control books; and that any special works, not specified in the plan-of-operations, which he may have been ordered by competent authority to carry out, are carefully executed.
- (d) The Range officer is in direct executive charge of all works of sylviculture improvement, exploitation, and of special works which he may at any time be directed to carry out, or which may be in progress in his range, either under the

* Utilization of produce in any one year over and above the prescription of that year shall not be considered excess utilization if it is covered by unutilized balances from previous years.

prescriptions of working-plans, or under the special orders of the Divisional Forest-officer.

- (e) The Beat-officer is charged with the supervision of works of silviculture, improvement and exploitation, as well as of any special works which he may have been ordered by the Range officer to carry out.

XXI. *Finance*.—The Conservator shall be the controlling authority in all matters of finance; and, subject to the rules contained in the departmental Code, he may address the Local Government direct on such matters.

XXII. *Organization and discipline of establishments*.—As regards organization and discipline of establishments, the following rules are prescribed:—

- (a) The Conservator shall be the controlling authority, subject to the orders of the Local Government, in all matters regarding appointment, promotion, reduction and dismissal in the subordinate branches of the Forest Service in his circle, and in matters of departmental discipline, and may address the Local Government direct on all such matters.
- (b) The Divisional Forest-officer in charge of a forest division is *ex-officio* the Assistant to the Collector, or, as the case may be, to the Assistant Collector in charge of an independent revenue sub-division.

XXIII. The Divisional Forest-officer has, subject to the provisions of the Forest Department Code, entire control of the executive and subordinate forest staff in his division.

The officer in charge of a range is, as a rule, directly subordinate to the Divisional Forest-officer; but the Local Government may direct that he shall in the first instance, be subordinate to an intermediate officer.

In the same way, the officer in charge of a beat is ordinarily directly subordinate to the Range officer; but in cases where the range is exceptionally extensive, the Beat-officer may, under the orders of the Conservator, be subordinate in the first instance to an intermediate officer.

XXIV. *Routine and office work*.—The Conservator of Forests shall correspond direct with the Divisional-officer and issue orders to him on the following subjects:—

- (a) All matters directly relating to accounts and to expenditure and revenue in the forest division.
- (b) All matters of a purely technical nature, such as development of trees; sowing and planting; elaboration of the system of fire-protection; valuation surveys; the collection of technical data required in the preparation of working-plans; the manner of executing thinnings or improvement cuttings; felling;

converting, transport and storing of timber and firewood; the disposal of material available under working-plans; plans-of-operations.

- (c) Such miscellaneous subjects as the purchase of departmental cattle, stores, tools and plant, books, maps, etc.

- (d) Matters of discipline.

XXV. All correspondence with the Divisional Forest-officer on other subjects shall pass through the Collector, from or through whom orders shall emanate.

XXVI. The Collector shall, in respect of such correspondence, ordinarily forward it under flying docket after perusal. But he may, whenever he deems it necessary, record his remarks on any communication addressed to the Conservator by the Divisional Forest-officer; and he may return for reconsideration any instructions addressed by the Conservator to the Divisional Forest-officer, recording the grounds on which he asks for reconsideration.

XXVII. Should any instructions from the Conservator to the Divisional Forest-officer be returned by the Collector, and should the Conservator, on reconsideration, not deem it right to modify his orders, the Conservator will submit the case to the superior revenue authority, who will, if necessary, forward it for the orders of Government.

The Conservator shall be kept regularly informed of all orders issued on forest matters by the Collector and the superior Revenue authority, and shall be consulted by them previous to the submission of important questions for the orders of Government.

XXVIII. All orders to the executive and subordinate staff in a forest division must emanate from the Divisional Forest-officer, or at least pass through, and be issued by, him.

XXIX. The Divisional Forest-officer may, under the authority of the Collector, address letters and orders to subordinate revenue and police officers in matters in connection with which the Collector considers it convenient that the Forest-officer shall act without his intervention.

XXX. All orders shall ordinarily reach the Range officer from or through the Divisional Forest-officer. Should a superior officer give verbal instructions or orders to a Range officer and the Divisional Forest-officer not be present, the substance of the orders shall be communicated to the latter officer in writing. The Range officer shall make his reports and submit his accounts to the Divisional Forest-officer.

XXXI. Similarly, all orders shall ordinarily reach the Beat-officer through the Range officer. Should a superior officer give verbal instructions or orders to a Beat-officer, and should the Range officer be absent, the substance of the orders shall be communicated to the Range officer in writing. The Beat-officer

shall make his reports and submit his accounts to the Range officer.

XXXII. *Diaries*.—The Range officer shall, on such dates and for such periods (which under no circumstances should exceed half a month, as may be prescribed by the Divisional Forest-officer) draw up in his own hand a sufficiently full report or diary of all his movements and of all business of material interest or importance transacted by him during such period, and shall submit it to the Divisional Forest-officer.

XXXIII. The Divisional Forest-officer shall, on the 1st and 16th of each month, draw up in his own hand a short but sufficiently full report or diary of all his movements, and of all business of material importance transacted by him during the preceding half month. This diary shall include the substance of the more important facts recorded in the most recent diaries received from the Range officers, and shall be submitted to the Collector.

XXXIV. The Collector shall forward, without delay, to the Conservator the Divisional Forest officer's fortnightly journal, making such remarks thereon as he may think fit.

XXXV. *Inspections and inspection notes*.—The Conservator may, from time to time, after inspecting the forests of any district in his circle, forward an inspection note to the Collector, adverting more particularly to the following questions:—

Surveys and Settlements made or in progress in his district; their cost; extent to which still required; nature and adequacy of maps and settlement records prepared; results of working under the settlements in force.

Working-plans, already made or in progress; their cost; extent to which still required; results of working-plans in force.

Demarcation, nature and state of repair of boundary marks; demarcation work in progress, its cost; work still to be done.

Roads, buildings and other similar works in existence or under construction; their cost; state of repair; new roads, buildings or other works required.

Executive and protective staff, efficiency, state of discipline, etc.

Condition of the forests, methods of treatment employed; natural reproduction, causes which interfere with it, etc.

Protection of the forests from injury, by man, by cattle, by fires, etc.; breaches of forest rules, their frequency and causes.

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.

Methods of working and management in force, advantages or otherwise of methods; expenditure incurred; outturn of forests; financial results.

Timber depots, situation and adequacy; condition in which maintained; state of records, etc.

A copy of every such note should be submitted to the Local Government by the Conservator.

XXXVI. *Transfer to Conservator of Collector's powers and duties*.—In compact forest areas, by the management of which the surrounding population is not appreciably affected, the Local Government may transfer to the Conservator by a general order any or all powers and duties of the Collector under these rules.

Order—Mis. No. 3507, Revenue, dated 22nd September 1893.

Referred to the Commissioners of Land Revenue for remarks.

(True Extract.)

E. GIBSON,
Ag. Secretary to Government.

(iv)

Proceedings of the Board of Revenue (Land Revenue), Forest No. 203, dated
30th March 1894.

Read—the following paper:—

Letter—from B. RIBBENTROP, Esq., C.I.E., Inspector-General of Forests to the Government of India.

To—The Secretary to the Board of Revenue, Madras.

Dated—Simla, the 26th September 1893.

No.—1063.

In reply to the Board of Revenue Proceedings, No. 2850, dated 9th May, and in continuation of my demi-official letter, No. 737, dated 28th July last,

I have now the honour to lay before the Board of Revenue the following note.

2. The draft rules to which I referred in my demi-official letter, and copy of

which I enclose, have been sent to the Government of Madras under cover of letter from the Government of India in the Revenue and Agricultural Department, No. 983 F., dated 14th September 1893. The rules traverse the whole of the organization of the department, and fix the work to be done and the authority to be exercised by each member thereof, as it recommends itself to me. I am in hopes that if adopted, subject to such alterations as the Board of Revenue and the Government of Madras may deem necessary in view of local conditions, they will greatly reduce the work of the Board in connection with the Forest Department, without in the least impairing the power either of the Board or of the Revenue authorities subordinate to them, in the control of forest administration in so far as such control is useful and necessary.

3. You will observe that the main principle adopted as regards the relation between the Revenue and Forest administration is that, whilst the latter shall be entirely subordinate to the former and that whilst the Collector shall have his full say in the preparation of all schemes (permanent or provisional) prepared for the working of the lands under the care of the Forest Department, as little interference as possible shall be

exercised by them as regards the subsequent executive and technical management. This seems to me reasonable, practical and right.

4. As regards the financial control of the departmental administration, including the disposal of produce, I am convinced that this should rest with the Conservator, subject to such limitation as the Board and the Government may consider necessary. Further decentralization in this respect does not seem practical, as the various little centres created thereby might lead to injurious competition.

I think it also advisable that Conservators should exercise as great a power as possible in matters of departmental organization and discipline.

5. I may add that the rules originally proposed by me have undergone a detailed scrutiny by the Government of India, and now contain, subject to reconsideration on receipt of the replies from Local Governments, the policy of the Supreme Government.

In my opinion, it will be a great step in advance if, so far as local conditions permit of this, a general policy can be agreed upon in all Presidencies.

ENCLOSURE No. 1—Draft Rules.

Resolution—Forest No. 203, dated 30th March 1894.

The question of the re-organization of the office of the Land Revenue Commissioners so as to afford additional assistance to the Secretary has been separately disposed of in Board's Proceedings Mis. No. 794 (Confidential), dated 17th February 1894, while measures for curtailing the length of official reports and for the delegation to Collectors of some of the powers now exercised by the Board are under consideration with reference to Government Order, dated 22nd January 1894, No. 49.

2. In paragraph 5 of his Despatch read in Government Order, No. 311, Revenue, dated 20th April 1893, the Secretary of State observes that "there is no apparent reason why the heads of the Forest Department in Madras should not, as in most other provinces, report direct to the Government Secretariat." In reply, the Board would remark that

the Land Revenue Commissioner in charge of Forests is the official head of the department, and as such corresponds direct with Government. If, however, the Secretary of State here means that the executive control of the Forest Department should be administered by Government, the Board would observe that this proposal has already been carefully considered by Government on a previous suggestion by the Secretary of State and emphatically negatived. The reasons for this decision are given in paragraph 9 of Government Order No. 1017, Revenue, dated 27th October 1891. Briefly they are—that the direct administration of any department is not the function of Government but rather the exercise of control over all departments; that it would be physically impossible, having regard to the multifarious nature and daily increasing

quantity of work thrown upon Members of Council to impose this additional responsibility upon them; and, finally, that by section 4, Regulation I of 1803, the general superintendence of forest revenues must vest in the Board of Revenue.

3. The Government of India in its letter read in Government Order, No. 3507, dated 22nd September 1893, explains that the issue of the draft rules framed by the Inspector-General of Forests, Mr. Ribbentrop, was suggested by the fact "that an imperfect comprehension exists—

(a) of the conditions under which lands taken up and settled under the Forest Acts may be utilized for other purposes than timber-growing or may be placed under other management than that of the Forest Department;

(b) of the relations which should exist between Revenue and Forest officials," and the Government of India desires to know whether, and to what extent, the rules are applicable to the Madras Presidency.

4. In his letter No. 1063, dated 26th September 1893, forwarding the draft rules, Mr. Ribbentrop states that they "have undergone a detailed scrutiny by the Government of India and now contain, subject to reconsideration on receipt of replies from Local Governments, the policy of the Supreme Government." Mr. Ribbentrop points out that the rules traverse the whole organization of the department and fix the work to be done and the authority to be exercised by each member thereof, as it recommends itself to him, and he hopes that the rules altered, as the Board of Revenue and the Government of Madras finds necessary, will greatly reduce the work of the Board in connection with the Forest Department without in the least impairing the power of either the Board or of the Revenue authorities subordinate to them in the control of forest administration. Mr. Ribbentrop further desires to ensure that, while the Collector is fully consulted in the preparation of all forest schemes, the latter officer should interfere as little as possible in subsequent executive and technical management. Finally, Mr. Ribbentrop would entrust the financial control of the departmental administration, including the disposal of

produce, to the Conservator, who should also exercise as great a power as possible in matters of departmental organization and discipline.

5. Before examining in detail the rules thus introduced and their applicability to Madras, it will be expedient to note the system and organization which are at present in force in the Madras Presidency and are carrying into effect the provisions of the Madras Forest Act V of 1882. The policy of Government for the selection and settlement of reserves under the Forest Act is discussed in Government Order, No. 844,

Revenue, dated 29th October 1890.* It is there laid down that all Government forests, together with sufficient land for the requirements of the country in fuel, fodder and pasturage, should be eventually settled and reserved. In pursuance of this policy, proposals were called for from every district, except Godavari, Bellary, Salem and South Malabar, for which final schemes had been already sanctioned (Board's Proceedings, dated 3rd October 1893, Forest No. 698) in regard to the area to be reserved. These have been received from Collectors in six cases and in respect of three districts the proposals have been approved by the Board and Government, subject to such changes as may be found necessary when the formal scheme for each reserve is submitted. Thus the information referred to by the Government of India in the last paragraph of its letter read above is already being made available approximately and will gradually become known with accuracy. Care is taken to select for reserves lands that will form convenient blocks of timber, fuel, fodder or pasture, and as a general rule no

areas of less than 300 acres* are now selected except for special reasons. Provision is made where necessary to leave unreserved sufficient waste arable lands for the needs of the community. The detailed method of selection and settlement and all the steps, legal and administrative, necessary thereto will be found in the Forest Settlement Standing Order in Board's Proceedings No. 442, dated 10th June 1893.

Board's Proceedings No. 546, dated 21st November 1892.

6. The departmental organization for administering the forests is based upon the lines laid down by the Committee of 1882, which was presided over by Mr. (now Sir) D. Brandis, and it has since received such modifications as time and experience have shown to be necessary. The head of the department is the Board of Revenue as represented by its Forest Member. He is responsible to Government for the administration and finance of the department, and it is on his recommendation that orders are passed by Government as to the appointment, transfer promotion or punishment of gazetted officers. The three Conservators among whom the Presidency is apportioned are subordinate to him just as Collectors are subordinate to the Land Revenue Members of the Board. The administration of forest affairs in the district rests with the Collector, the District Forest-officer being his Assistant and nominally as much under his authority as any of his Divisional officers.

The Conservators are the advisers of the Board and of Collectors in regard to forest matters generally and more particularly with regard to technical forestry, finance, accounts and establishments. All letters from Collectors to the Board on forest subjects pass through the Conservator, who adds such remarks and suggestions as he thinks proper. All proposals by Government or by the Board which trench on technical forestry are referred for his opinion and Collectors are entitled to obtain his advice whenever necessary. He periodically inspects every district and his reports are noted on by Collectors and finally reviewed by the Board. He appoints,

transfers and may reduce or dismiss subject to appeal to the Board, Forest Rangers and Foresters, and can, within his circle, post and transfer Extra Assistant Conservators who are not in charge of a district. He checks and comments on the annual district budgets before forwarding them to the Board, he allots funds for works not included in a district budget, and he submits a brief annual administration report for his circle dealing with the important events of the year, the general progress of forest operations and the work of individual District Forest-officers. Lastly, he corresponds direct with District Forest-officers both demiofficially and officially on technical and account matters and by remarks on the diaries which are sent to him. To sum up—in the words of Government Order, dated 22nd September 1892, No. 996, paragraph 1—“the Collector exercises in this Presidency all the executive powers which the Conservator has elsewhere, while the Conservator has at the same time every opportunity of pressing his views as controlling and advising officer in matters of finance (and the Board would add, of technical forestry) and is also vested with independent authority in the matter of the appointment, transfer and punishment of forest subordinates of certain grades.”

7. The Board will now proceed to examine the draft rules forwarded by Mr. Ribbentrop in some detail and discuss their applicability to the conditions of this Presidency.

Part A.—Preamble.

Rule 1.—This has been the policy of the Madras Government for the last three years.

Rules 2 and 3.—It is not desirable in this Presidency that land should be taken up for forest reserves which is not intended to be utilized at once for forest, fuel, fodder, grazing or plantation. In particular it is objectionable that land fit and required for agriculture should be so taken up, and the assessment or rent thereof, when the land is cultivated, transferred from land revenue to forests. The Board, however,

is not certain whether this result is intended by the proposed rule.

Rule 4.—This is well understood in the Madras Presidency.

Rule 5.—By section 21, Act V of 1882, no cultivation or grazing is lawful within a reserved forest except under a rule made by Government, or with the written permission of the District Forest-officer, or of an officer authorized by him to grant such permission. It is doubtful whether Government by a rule, or the District Forest-officer by an order under this section, could legally

transfer the control of a forest reserve to the Military or Revenue department, and it is certainly not desirable that this should be done in the Madras Presidency. This view has already been accepted by the Government of India as

far as Madras is concerned, although the legal objection to any other course is not admitted (paragraph 9 of Government of India letter read in G.O. No. 3277, Revenue, dated 19th July 1892).

Part B.—General Rules.

Rules I and V.—The first of these rules declares that all waste land suitable for reserves shall be taken up and settled under Chapter II of the Indian Forest Act, which corresponds to Chapter II of the Madras Forest Act.

Rule V—goes much further and holds the Collector responsible for bringing “all Government lands within his district” under settlement. Had it not been for the Inspector-General’s statement that the rules “have undergone a detailed scrutiny by the Government of India” (paragraph 5 of his letter), the Board would have supposed that there was some mistake in the wording and that the expression should have been limited to the lands referred to in rule I. The wording, as it stands, however, receives support from the declaration in rule 3 of the preamble as to the inclusion of arable lands in reserves, and the effect will be to require Collectors to bring all waste arable land under settlement as forest reserves. Moreover all arable land may be regarded as suitable for fodder reserves, as under reservation it soon becomes covered with a growth of grass, and it would therefore be reserved under rule I. However this may be, the Board considers that neither rule I nor rule V can be accepted if the policy of this Government is to be maintained as laid down in the Government Order referred to in paragraph 5 above. The two rules, if strictly enforced, would require the reservation of every acre of Government land of every description and would cover the face of the country with innumerable so-called reserves, varying from the largest forest blocks down to trifles of an acre or less. No department, least of all the undermanned Forest department, could undertake to demarcate, fence and control the numberless insignificant units, and if they were left to themselves, the force and utility of the settlement would speedily vanish. This was long ago foreseen by

Sir D. Brandis, who, in his report quoted in paragraph 13 of the same Government Order, wrote: “a glance at the area statement appended to the present report and at the forecast of annual forest revenue . . . will show that it will be quite impossible for the State to provide the means for the protection and improvement of the whole of the waste lands at its disposal.” There would be no hope that a forest settlement carried out on the greatly enlarged scale now indicated would be completed without an indefinite prolongation of time and a corresponding increase of expense. So far is the Board from accepting the position laid down by Mr. Ribbentrop and apparently endorsed by the Government of India that it considers there are districts and portions of districts where it would be unjust and impolitic besides being financially unwise to absorb into forest reserves the waste lands legitimately needed for the extension of cultivation by a growing population—a step that one of these rules would permit and the other would require. The absorption of all waste arable land into forest reserves would moreover permit the abrogation of the settlement rates of assessment should such land come under cultivation, as section 21 of the Madras Forest Act empowers the District Forest-officer to pass what orders he thinks fit as to cultivation as well as to many other matters within a reserved forest.

The Board would further observe that political considerations also preclude rules so far-reaching and rigid as the two under reference. It has little hesitation in saying that were they carried out in the Rampa tract of Gōdāvari, for instance, military operations for the suppression of an insurrection among the hill tribes would be the speedy sequel. The two rules in question indicate a new and startling development of forest policy and the Board begs leave to draw the attention

of Government to the grave import of the issues involved.

Rule II.—As already observed, the Board is of opinion that agricultural lands should, as far as possible, be excluded from forest reserves. The special purpose instanced in (vi), viz., horse-runs, would seem to fall naturally under (iv) Pasture lands.

Rule III.—This does not express the relation between the Collector and his District Forest-officer in this Presidency. The object of each reserve is stated when the proposal is forwarded for the sanction of Government.

Rule IV.—There is only one legal agency in this Presidency, namely, the Forest department.

Rule VI.—As stated in paragraph 5 above, a scheme for each district is required, which is gradually worked up to. No annual statement in any way accurate could be given in detail of blocks not yet selected and gazetted under section 4 of Act V of 1882.

Rule VII.—Lands required for agricultural purposes should not be taken up for reserves, but if this has accidentally or intentionally been done they should ordinarily be disforested.

Rule VIII.—It seems needless to pass a rule merely to quote a well-known requirement of the law.

Rule IX.—These provisions are in force.

Rule X.—This follows from the fact that the District Forest-officer is the Collector's assistant.

Rule XI.—The Conservator in this Presidency reports to the Board, not to Government.

Rule XII.—As already observed under Rule A-5 and B-IV, there is only one legal agency in this Presidency for the management of forest reserves, viz., the Forest Department.

Rule XIII.—This is a counsel of perfection which can only very gradually be attained. For years to come the working-plans of reserves will be under consideration and preparation, and for many of the reserves in isolated and undeveloped tracts the dependent conditions are too little known as yet to allow any working plan to be prepared with the necessary accuracy of forecast.

Rule XVI.—All forest reserves in this Presidency are under the executive management of the Forest Department by section 21 of the Forest Act. For the preparation of working-plans the Collector must rely on the technical knowledge of his District Forest-officer aided by the advice of the Conservator.

Part C.—The Board observes that the rules in Part C are elaborated with a fulness of detail, which, considering the wide divergencies of different provinces, should be left to the local Governments, and that the interference of the Supreme Government in such minor questions and details is anomalous and likely to be disadvantageous to efficient administration. In particular this is noticeable in rules XIX (d) (e), XX (d) (e), XXIII, paragraphs 2 and 3. Many of the matters are of such a character that they may well be left even by the local Government to the head of the department, as for instance, rules XXIV, XXVI, XXVIII, XXX, etc. In rule XXVI it is even proposed to lay down when a Collector should make use of a flying docket in disposing of his correspondence.

Rule XVII, clauses (c) to (g).—These detailed instructions seem unnecessary. The Collector now submits a yearly programme of forest operations to the Board, through the Conservator, for approval. Working-plans require the sanction of Government before final adoption. Clause (d) is inapplicable to this Presidency where the Conservator is subordinate to the Board.

Rule XVIII (b).—For "local Government" read "Board to which the Conservator should forward them with his remarks."

(c) The procedure is inapplicable to this Presidency.

(d) This is superfluous, as the District Forest-officer is the Collector's subordinate and assistant.

(e) to (g) Inapplicable to this Presidency where the Board is head of the department and the Conservator does not correspond direct with Government.

Rule XIX (a).—In this Presidency the Collector, through his District Forest-officer, is responsible.

(b) The Collector does not control the Police or the Magistracy.

Rule XX.—In this Presidency the Collector, and not the Conservator, must be primarily responsible for the practical working of the forest reserves in his district. He acts, however, in this matter through his professional assistant, the District Forest-officer, with whom he is no more likely to interfere in technical matters of forestry than he is likely to interfere with his subordinate, the Local Fund Engineer, in the details of the foundations, arches or girders of a bridge.

Rules XXI and XXII.—These are inapplicable to the Madras Presidency. As already observed in paragraph 6 *supra*, the three Conservators are subordinate to the Board which is the head of the department.

Rule XXIII.—The District Forest-officer is subject to the general control of the Collector.

(b) For "Local Government" read "Collector."

(c) For "Conservator" read "Collector."

Rules XXIV to XXVI.—The Board prefers the existing rules on this subject. They are not widely different from those in the rules, but it is unnecessary to go further into such minute details.

Rule XXXV.—In this Presidency precise rules already exist requiring Conservators to submit to the Board inspection-notes on the districts they visit. These inspection-notes are forwarded to the Collector for his comments and explanations and are finally reviewed and disposed of by the Board. No change is desirable.

Rule XXXVI.—This intermingling of the powers and duties of Collectors and Conservators would seem undesirable even if the rules were otherwise suitable to this Presidency.

8. The Board, after a careful consideration and examination of the draft rules, is unhesitatingly of opinion that they cannot with any advantage be made applicable to this Presidency. One of them (preamble, rule 5), if not illegal, involves an application of the law that was not contemplated by the legislature; two of them (rules I and V) require a great and extensive increase of establishment and would indefinitely delay completion of selection and settlement of reserves, and they involve also a wide departure from the policy hitherto pursued in this Presidency. If carried into effect they would in many cases be oppressive and would probably give rise to political danger. The effect of a considerable number of the rules will be to destroy the existing system of administration under which the Board of Revenue is the head of the department and to substitute for it a triple-headed department of the three Conservators under the direct executive control of the Government. Finally the effect of the proposals now made would be to hamper the Local Government with an elaborate series of rules relating to details of administration which are the especial province of the Local Government and which may even be delegated by the latter to the head of the department. The Board fails to see why details of this description should be prescribed in the case of the Forest Department, any more than in the case of the Revenue, Salt, Excise or Police Departments which, all like the first, have local legislative enactments by which they are guided and which it is their duty to carry out.

(True Copies and Extract.)

L. M. WYNCH,
Secretary.

Order—No. 413, Revenue, dated 12th June 1894.

The Proceedings read above contains the Board's criticisms on the draft rules for the settlement and management of forest areas and for the general administration of the Forest Department, which were forwarded with Sir E. Buck's letter, No. 988 F., dated 14th September

1893, and which were referred to the Commissioners of Land Revenue for remarks. The Board, after a careful and detailed review of these rules expresses itself as "unhesitatingly of opinion that they cannot with any advantage be made applicable to this Presidency."

2. His Excellency the Governor in Council fully concurs with the Board in all the objections, raised in the above Proceedings, to the adoption of these rules. In paragraphs 5 and 6 of its Proceedings the Board gives a correct summary of the policy that has governed the administration of the Madras Forests in the past, and of the details of departmental organization. To this summary the Government can add nothing, and it is observed that the policy enunciated in G.O. No. 844, dated 29th October 1890, received the entire approval of the Supreme Government (*vide* Sir E. Buck's letter, printed in G.O. No. 172, dated 7th March 1891), and that in a later communication the Madras Government was congratulated upon the strong lead taken by it on the general question of the management of State lands (*vide* Sir E. Buck's letter contained in G.O. No. 3277, dated 19th July 1892). It is clearly demonstrated in the Board's Proceedings, now under disposal, that the rules proposed by the Government of India would involve the complete abandonment of the aforesaid policy, and the inauguration of a system of wholesale reservation of Government lands, which is entirely opposed to the requirements of public utility and cannot, in the opinion of His Excellency in Council, be justified on the grounds of Forest conservancy. It may for instance be noted that the adoption of rule V would render it necessary for all darkhast applications to be submitted for the orders of Government.

*Letter—from the Hon'ble Mr. E. GIBSON, I.C.S., Acting Secretary to the Government of Fort St. George.
To—the Secretary to the Government of India, Revenue and Agricultural Department.
Dated—Ootacamund, the 12th June 1894.
No.—412, Revenue.*

In accordance with the request contained in your letter of the 14th September last, No. 983 F., I am directed to forward, for the information of His Excellency the Governor-General in Council, a copy of the marginally noted Proceedings* of this Government, in which is embodied a report from the Board of Revenue on the question of the applicability to this Presidency of the draft

* G.O., dated 12th June 1894, No. 413.

3. The proposal to place the Forest Department under the direct control of the Government has, as the Board points out, already been considered, and the Government sees no reason to depart from the position assumed in G.O. No. 1017, Revenue, dated 27th October 1891.

4. The detailed instructions, embodied in the draft rules, for the regulation of forest business and for the general control of the administration are in some cases similar to the rules already laid down by the Madras Forest Code. This Code is now under revision, and although the existing system, on which the business of the department has been conducted during the last nine years, has proved to be free from any grave objections, experience has brought to light various minor defects which the revised Code is intended to remedy. The details of the Government of India rules are, however, often inapplicable to the peculiar conditions of this Presidency, and His Excellency in Council concurs with the Board in deprecating the adoption of rules which would hamper the local authorities in matters over which their control should be undivided.

5. The following letter will be despatched to the Government of India.

(True Extract.)

E. GIBSON,
Ag. Secretary to Government.

rules for the general control over Forest administration, contained in your letter under reply.

2. It will be seen that the Board of Revenue raises very grave objections to the adoption of these rules in the Madras Presidency, and I am to say that His Excellency the Governor in Council fully endorses the opinions expressed by the Board. The Board's Proceedings in question contains a detailed and careful review of the draft rules, and I am to

invite attention thereto and to the orders of this Government now forwarded.

3. I am more particularly to point out that the adoption of the rules in question would involve a complete abandonment of the policy, hitherto followed in this

† Communicated to the Government of India in endorsement No. 7349-A, dated 25th November 1890, copy now forwarded for reference.

Presidency and enunciated in the Proceedings of this Government, No. 844,† dated 29th October 1890. I am further to invite attention to your letter No. 119 F., dated 23th

January 1891, and to circular No. 16-83, dated 20th May 1892, in which the Supreme Government expressed its entire approval of the general principles and policy involved in the said orders, and congratulated His Excellency the Governor in Council upon the strong lead taken by him on the general question of the management of State lands. I am to say that His Excellency in Council desires to adhere to the aforesaid policy and would deprecate any action which would involve a departure therefrom and which would tend to nullify the efforts that have been made in the past to place the administration of the Madras Forests upon a satisfactory basis.

4. The primary objection to the draft rules is that they contemplate the reservation of all Government waste lands, including those areas which are suitable for cultivation. The arguments against the adoption of such a policy of universal reservation are forcibly stated by the Board, and I am to say that, in the opinion of His Excellency the Governor in Council, the scheme is wholly impracticable in Madras. The enormous expenditure, which the settlement of such vast areas would involve, would of itself prohibit the adoption of the scheme, and the State would be quite unable to protect, much less to improve, the land thus nominally brought under its control. The privileges enjoyed by the public on areas, now allotted for their unrestricted use, would of necessity be curtailed, and under the provisions of section 18 of the Madras Forest Act (V of 1882) every application for the assignment of land for cultivation would have to be referred for the orders of Government. It is of course a well-known fact that thousands of such appli-

cations are made annually to the District officers, and the disposal by Government of these matters alone would be a physical impossibility. Moreover, the enhanced powers given to Forest-officers of all grades by this most extensive reservation would render the Forest law even more unpopular than it is at present, and would be the signal for open disaffection in many parts of the country, resulting very possibly in bloodshed. The general administration would be disorganized, and public business would come to a standstill.

5. His Excellency the Governor in Council has no doubt that the Supreme Government does not intend to advocate the adoption of measures that would involve such deplorable results as those above indicated, but the strict enforcement of the draft rules, referred to this Government for consideration, could not fail to bring about many evils that have hitherto been carefully avoided. The scheme of forest reservation outlined in the orders of this Government of October 1890, already quoted, was the outcome of prolonged discussion and mature deliberation, and steps have since been taken to carry this scheme into effect. In several districts the areas which it is intended to reserve have already been finally decided upon and the work of forest settlement is being pushed on as rapidly as possible. The principle advocated in rule VI of requiring the submission of a schedule of unsettled lands has therefore been practically adopted in Madras, the chief difference being that, whereas the above rule declares that an *annual* schedule is necessary, the Madras Government has called for definite proposals, stating once for all what land is required for reservation.

6. Turning now to the question of control, I am to say that the principles adopted in this Presidency, as regards the relation between the Revenue and Forest administration, are based upon the suggestions of Sir D. Brandis, the then Inspector-General of Forests, who was deputed to confer with this Government on the whole subject of Forest administration in Madras, as well as upon the joint report of the Committee (of which Sir D. Brandis was a member) appointed in 1882 to consider the

organization of forest business. The Madras Forest Code which was issued in 1885 was drawn up on the lines indicated by the above authorities, and although a revised edition of this Code is now under preparation, no great alterations will be made in the general system of control, which has been found, after an experience of more than nine years, to be free from any grave objections.

7. The rules now proposed would, as the Board points out, destroy their system of administration and substitute for it "a triple-headed department of the three Conservators under the direct executive control of the Government." In this connection I am to invite attention to Mr. Galton's letter No. 1018, Revenue, dated 27th October 1891, and to the Proceedings of this Government forwarded therewith. It will be observed that the question of the Government itself assuming the control over the Forest Department was then negatived after most careful consideration, and I am to state that the Madras Government, as at present advised, sees no reason to differ from the above decision; the reasons upon which it was based are fully stated in paragraph 9 of the order of October 1891 above alluded to, and the ever-increasing quantity of work, which falls to the lot of each member of Government, renders the second of those reasons more cogent now than in the past.

As regards the relative position of Collectors and Conservators in this Presidency, I am to say that the matter has frequently engaged the attention of this Government in recent years, and His Excellency in Council would most strongly deprecate any vital alterations

of the system now in force. As already observed, this matter is at present under consideration in connection with the revision of the Forest Code, but it is probable that the position assumed in 1885 will in the main be adhered to. The position is well stated in paragraph 4 of the Board's Proceedings printed on page 23 of Government Order, dated 29th October 1890, No. 844,* to which I am to invite attention.

9. The rules which propose to regulate the details of administration and of office business have been dealt with *seriatim* by the Board, and I am to express the concurrence of His Excellency the Governor in Council with the Board's conclusions. The Government would most certainly deprecate the adoption of "an elaborate series of rules relating to the details of administration which are within the special province of the Local Government and which may even be delegated by the latter to the head of the department." I am further to state that these matters are fully dealt with in the Madras Forest Code, which, as already observed, is now under revision. The second edition of the Code will conform, as far as possible, with the latest edition of the India Forest Code, with such divergences therefrom as local peculiarities render necessary.

10. In conclusion, I am to say that His Excellency in Council fully recognizes the advantages of securing uniformity of procedure in matters of this nature, but would at the same time strongly advocate the continuance of the present Madras system of Forest administration.

* Communicated to the Government of India under endorsement, dated 28th November 1890, No. 7349 A.

X

G.O. No. 268, Revenue, dated 16th June 1896.

READ—the following paper:—

Letter—from F. G. SLY, Esq., C.S., Officiating Secretary to the Government of India
Department of Revenue and Agriculture (Land Revenue).
To—the Secretary to the Government of Madras, Revenue Department.
Dated—Calcutta, the 24th March 1896.
No.—809—117-2.

2. With reference to paragraph 2 of the Secretary of State's despatch, I am to point out that in paragraph 8 of Mr. Ibbetson's letter No. 332—159-3 of the 5th February last, the Government of Madras were asked to submit a report on the question of reducing the number of the Members of the Board of Revenue on the completion of the initial settle-

ment operations which it is understood will be effected in 1896-97. The Secretary of State now desires that this question, as well as that of reducing the volume of official correspondence of the Board, should be considered without further avoidable delay, and I am therefore to request the Government of Madras to submit a full and complete report at an early date.

ENCLOSURE.

Despatch from the Right Honourable the Secretary of State for India, No. 15, dated 13th February 1896.

2. This particular question of providing an additional Assistant to the Madras Board of Revenue is, however, only one and by no means the most important, of the questions which have during the last few years engaged the attention of my predecessors, in connection with that institution. I find that, in 1891, Lord Cross drew the attention of the Government of the Marquis of Lansdowne to the expediency of reducing the number of Members of the Board, and of relieving the Board from Forest, Municipal and Local Board work, and requiring those branches of public business to be dealt with by the Government direct, and without the intervention of the Revenue Board. This, I understand, was the system in force when the departments in question were first established, and it is the system in force in some of the other Provinces.

3. I am aware that this matter is now under the consideration of your Excellency in Council, as stated in the third paragraph of the despatch to which I am now replying; but looking to the fact that nearly five years have

elapsed since the attention of your Government was first drawn to the subject in Lord Cross's despatch above referred to, I trust that no further avoidable delay will occur in furnishing me with clear and definite information as to what can be done to reduce the cost of the Madras Board of Revenue, and also in the matter of reducing the volume of official correspondence in that Presidency, with reference to Lord Kimberley's despatch of the 19th January 1893. I cannot regard it as a sufficient answer to the suggestion that the Forest Department should be removed from the control of the Board of Revenue, to say, as the Board say, in their Resolution of the 17th February 1894, that "it must be a cardinal principle of any practical scheme for simplifying forest business and expediting its despatch that the Board should retain the control of the Forest Department." I feel sure that your Excellency in Council, and also the Government of Madras will agree with me, that a mere assertion of this kind is not a suitable reply to a suggestion for reform emanating from the Secretary of State in Council.

Order—No. 268, Revenue, dated 16th June 1896.

The papers read above will be communicated to the Board of Revenue for report upon the following matter:—

(1) The possibility of reducing the number of the Members of the Board of Revenue (a) by amalgamating the office of the Commissioner of Revenue Settlement with that of the Deputy Commissioner to be placed in charge of the

Survey Department as reorganized and entrusting that department with the duty of conducting re-settlements, as well as maintaining land records, (b) by transferring the forest work of the Board to the Government office.

(2) The possibility of reducing the volume of the Board's official correspondence.

(3) The future employment of Mr. G. P. Clerk.

2. The Government desires further that the Board should at the same time discuss the advisability of appointing, as Commissioner of Salt and Abkārī Revenue, a younger officer on lower salary and without a seat on the Board. In this connection it should be considered whether the Separate Revenue Secretary should be a Covenanted Civilian or an officer of the Salt and Abkārī Department, and whether, in the event of the Commissioner's ceasing to hold a seat on the Board, it is necessary that any portion of his references to Government should be submitted through the Board.

3. It should also be reported whether the standing and pay of the Land Revenue Secretary are sufficiently high.

4. All these matters should be discussed by the Full Board and a reply should be submitted as early as possible. It is observed that item No. (2) in paragraph 1 *supra* has already formed the subject of report by the Board; it will therefore suffice to note any fresh methods of reducing correspondence which suggest themselves.

(True Extract.)

A. T. ARUNDEL,
Ag. Secretary to Government.

XI

A.—G.O. No. 419, Revenue, dated 20th August 1896.

(i)

Read—the following paper :—

G.O. Mis. No. 2346, Revenue, dated 12th June 1895.

His Excellency the Governor in Council observes that it is frequently urged as an objection against the present system of forest administration that its tendency has been to divest Conservators of executive and financial responsibility and to confine their functions to inspection and advice; while at the same time, their efficiency as advising officers has been curtailed by the fact that the Forest Member of the Board of Revenue is not in close communication with them, and has, in the great majority of cases, to come to a decision without the advantage of professional opinion, except in the form of a brief forwarding endorsement.

2. To secure to the Conservators a more effective position as the "professional heads of the department," it has been suggested that their powers should be revised, especially as regards financial control. For example, the power of sanctioning minor estimates might be entrusted to Conservators, and the limit of sanction might be raised. The

Conservator might be given further powers, as regards allotments and transfers of funds, and in the way of regulating the rates to be charged of timber, fuel and fodder.

3. To bring the Board more in touch with Conservators, the suggestion has been made that the senior Conservator might be made *ex-officio* Forest Secretary to the Board, his own charge being reduced to the districts of (say), Chingleput, Nellore, and North and South Arcot; the Land Revenue Secretariat disposing during his absence on inspection duty of all routine papers, the more important files standing over till his return.

4. The Board is requested to report on the desirability of the above proposals after taking the opinions of the Conservators on the subject.

(True Extract.)

G. S. FORBES,
Ag. Secretary to Government.

(ii)

Proceedings of the Board of Revenue (Land Revenue), Forest, No. 79, dated 19th February 1896.

Read—the following paper :—

Proceedings of the Board of Revenue (Land Revenue), Forest, Mis. No. 839, dated 14th June 1895.

Communicated to Conservators of Forests for early remarks.

2. The Board is distinctly of opinion that the limitation of the powers of control entrusted to Conservators is a weak point in the present system of forest administration. It is no doubt to some extent a necessary consequence of the conditions prevailing in the Presidency which make it imperative in the interests of forest administration no less than in the interests of the people, that the ultimate control of the Forest Department shall rest with the authority responsible for the ordinary land

revenue administration of the country, but the limitation seems in practice to have been carried unnecessarily far. This can be remedied by a revision of existing orders in the direction suggested in the order of Government and any arrangement which will have the effect of bringing the Conservators into closer association with the administrative head of the department will no doubt minimise any disadvantages which may attend such limitation of Conservator's powers as are found to be absolutely necessary under the conditions above noted.

3. The settlement of the very important questions involved in the present reference would be facilitated by a personal conference, and the Forest Member of the Board will meet the three Conservators on the 13th proximo if they can arrange to come to Madras on that date. The Conservators'

remarks on the Government Order now communicated should reach the Board's office on or before July 6.

(True Copy and Extract.)

R. C. C. CARR,
Top Secretary.

Resolution—Forest No. 79, dated 19th February 1896.

In its order, Mis. No. 2346, dated 12th June 1895, Government communicated for the consideration of the Board certain proposals made in view to counteract the tendency of the present system of forest administration to divest Conservators of executive and financial responsibility and to confine their functions to inspection and advice.

2. While prepared to admit that the present system might, with advantage, be amended in the direction proposed, the Board considers that the existing position is hardly correctly described in the Government Order under reference. It is alleged that the Forest Member of the Board of Revenue is not in close communication with Conservators, and that he has, in the great majority of cases, to come to a decision without the advantage of professional opinion, except in the form of a brief forwarding endorsement. As a matter of fact all correspondence on forest subjects between Collectors and the Board passes through the Conservators, and in forwarding the papers the Conservators are at liberty to make whatever remarks they consider necessary and at any length they please. No important matters affecting the whole Presidency are dealt with without giving all three Conservators an opportunity of expressing their views fully. The headquarters of the Conservator, Central Circle, are located in the Board's office and the Forest Member can and frequently does consult him. In his tours he comes into personal contact with each Conservator in turn and confers with him on matters of general policy; while in regard to appointments and transfers of officers in the controlling staff, Conservators are almost always consulted demi-officially. This system was described in paragraph 6 of Board's Proceedings No. 203, dated 30th March

1894, and Government remarked thereon in G.O. No. 413, Revenue, dated 12th June 1894, that the existing system had proved to be free from any grave objections.

The Forest Member has thus ample means already of maintaining touch with the Conservators, but there is no doubt that some advantage would attend any arrangement under which the Conservator at head-quarters could be more closely and definitely associated with the head of the Forest Department.

3. The Board will now proceed to deal with the proposals made by Government.

These proposals are—

(1) To render the position of Conservators as professional heads of the department more effective by revising their powers, especially in the direction of financial control.

(2) To make the senior Conservator *ex-officio* Forest Secretary, his own charge being reduced in consequence, to afford him time to attend to his Secretariat duties.

The Board has obtained and considered the opinions of the three Conservators on the above suggestions which were further discussed at a conference held on the 13th July last.

4. The transfer from the Conservators to the Board of the duty of compiling the budget and administration report and the curtailment of the Conservators' powers of sanction carried out at (and subsequent to) the re-organization of 1891 * admittedly weakened the responsibility of Conservators; and the Board is fully prepared to recommend such amendments in the Forest Code as will place the Conservators on a footing

more suitable to the position they should hold as professional heads of the department.

5. The revised code was discussed at the meeting and certain suggestions originated by Mr. Popert were considered.

The following amendments were unanimously agreed to and are now submitted for the approval of Government:—

(a) Section 83.—The modification of clause 1 so as to empower the Conservator to call for the annual plan of operations at such time as he may prescribe. These annual plans are not required in the Board's office.

(b) Section 109.—To substitute the word "Conservator" for "Collector" throughout. Under the code as drafted in 1885 the Conservator was the officer specified as finally responsible for writing off timber, forest produce, stores, etc., and the amendment of late years followed the alteration in the general powers of sanction, which it is now proposed to revise.

(c) Sections 148 and 149.—These are the most important sections in respect of the present enquiry. The present system as embodied in them

was the outcome of the Government Order * of September 1892 which took away from Conservators all powers of sanctioning estimates and imposed the duty on Collectors within certain limits. The Board and Conservators consider that the position should be identical (so far as may be possible) with that assumed under the India Code and with this object section 148 should be recast so as to restore to Conservators the control over estimates formerly entrusted to them.

Adopting the limits of sanction prescribed by the India Code, † Conservators will have the power of sanctioning capital expenditure up to Rs. 2,000—except in the case of live-stock and tents in which the limit will be Rs. 500—and ordinary expenditure without limit provided the budget grant is not exceeded. Section 149.—This section was inserted as a compromise between the two systems. It may now

be struck out altogether, section 153 of the India Code taking its place to avoid the necessity for renumbering the subsequent sections.

(d) Sections 154 and 155.—Corresponding amendments must be made in these sections.

(e) Section 159.—The power of sanctioning refunds of which Conservators were deprived in December 1892 ‡ should be restored to them.

(f) Section 126.—The Conservator should be empowered to transfer allotments from any budget head to another head within his circle in consultation with the Collectors concerned, provided that as at present transfers between the main heads A and B are sanctioned by the Board. The code as it stands makes no provision for transfer under head B by Conservators. The new position is that given by the India Code. An addition has accordingly to be made to section 8 to enable Conservators to transfer establishments from one district to another and to make the requisite transfers of allotment under the appropriate budget head or sub-head.

6. In preparing the budget for the current year an attempt was made to give effect to the wishes of Government. The district budgets were sent to the Conservators as hitherto, but instead of forwarding each to the Board as disposed of, the Conservators were requested to deal with all the budgets for their circles together and to forward a consolidated abstract to the Board with explanatory notes for large variations.

In the light of the experience thus gained the Board proposes to substitute for sections 120, 122, 129, 131 and Appendix X the corresponding sections and appendix annexed to these proceedings.

It is unnecessary to discuss the alterations made in detail. When reviewing the budget proposals for 1896-97 (G.O. No. 808, Revenue, dated 12th December 1895), Government deferred passing orders on certain proposals made by the Board in view of the alterations in the positions to be occupied henceforth by the Board and Conservators pending the receipt of the present report.

* G.O. No. 896, Revenue, dated 22nd September 1892.

† India Code, sections 153 and 155.

* G.O. No. 1017, dated 27th October 1891.

Under the old system the budget was compiled by the Board from the district budgets, variations were explained in lengthy memoranda and the whole was reviewed by Government.

Now that the responsibility of preparing the budgets for their circles is to be transferred to the Conservators, it will be the duty of the Board to review the budgets as a whole, the memoranda prepared for each circle by the Conservators being printed and forwarded as accompaniments to the Board's review, with an explanation of any alterations or amendments made by it. Government has ordered in its review this year that the detailed memorandum of variations should be amplified by the addition of columns to show the variations between the actuals of the previous year and the revised estimates for the current year. The Board would respectfully urge a reconsideration of this order. The actuals of past years and of the current year so far as available are carefully considered by Conservators and again by the Board under each head and sub-head, and alterations in the sanctioned budget made as a result of this scrutiny are explained in the memoranda as now furnished. It seems unnecessary therefore to encumber them with more columns and explanations.

7. Section 253.—The Board's annual administration report was dealt with this year in its entirety by the Conservator, Central Circle, with the help of the Board's office establishment, instead of by the Land Revenue Secretary. The only alterations required in section 258 of the code are the amendment of clause (3) by the addition of the following sentence:—

"To enable the Board to complete the work in time, duplicate copies of the returns alluded to in clause (1) must be submitted to the Board's office by the 15th August;"

and the substitution of the following for the last clause:—

"The Board's general report will be drawn up by the Conservator, Central Circle, and will, after approval by the Forest Member, be submitted so as to reach Government by the 15th November."

8. As regards the second proposal that the Senior Conservator should be relieved of some of his districts and made *ex-officio* secretary to the Forest Member, the Conservators generally are

in favour of it; but the objections which in paragraph 11 of Board's Proceedings Forest No. 259, dated 18th June 1891, were shown to attend the proposal to have a professional Forest Secretary are not entirely disposed of by substituting a senior for a junior officer, and the scheme, as put forward by Government, is open to the further objection that if fitness for Secretariat work were to be allowed weight in making promotion to the post of senior Conservator, a great deal of heart-burning and discontent would be caused amongst men who might be better Forest officers, but lack the facility for Secretariat work.

Again, the three Conservators are in their respective circles co-ordinate officers. The designations Senior and Junior Conservators were ordered to be discontinued in G.O. No. 1411, dated 19th December 1884, and to invest one of them with what would be practically considerable powers of control over the other two might easily create a want of harmony in forest administration which would be productive of greater evils than those which it is sought to remedy. The Conservator, First Grade, is not invariably the Conservator of the Central Circle, and the Board is not prepared to recommend a scheme which would necessitate his being made so. The most important forest districts are situated in the Southern Circle, while the changes now contemplated will make the Northern Circle far the largest of the three.

For these reasons the Board would prefer that the bulk of the Forest Secretariat work should be done by the Land Revenue Secretary as at present, the Conservator, Central Circle, being however made *ex-officio* Joint Secretary. This would ensure his having an opportunity of seeing and if necessary commenting on every paper which passes through the office, while the Board would have the advantage of being able to utilize his services as Secretary in the preparation of the annual budget and report and other professional or technical subjects. By this arrangement it would also be possible to select the man best fitted to be Secretary without interfering with the claims of any of the Conservators to promotion. The possibility of

friction consequent upon the position of Joint Secretary being held by a second or third grade Conservator will have to be faced; but the Forest Member must be relied upon to secure harmonious working. If this proposal is approved, the second sentence of section 4 of the code will be amplified by the addition of the words "for which the Conservator, Central Circle, will be *ex-officio* Joint Secretary."

9. The first question to be determined in considering how this scheme can best be given effect to is what districts should be transferred from the Central Circle.

As Joint Secretary, the Conservator, Central Circle, would not need to be relieved of as many districts as if the whole of the Secretariat work were to be imposed upon him. The Board would therefore suggest the transfer of the Cuddapah and Nellore districts to the Northern Circle.

It was proposed at the conference that Cuddapah should be transferred to the Northern Circle and Tanjore and Trichinopoly to the Southern Circle. The Conservator of the Southern Circle, however, maintains that his charge is quite large enough already and that he has quite as much work as he can do. The increased power of sanction now to be accorded will swell the volume of work considerably as all estimates, with few exceptions, will have to go to the Conservator. On the other hand, the Nellore and Cuddapah forests march together all along the Eastern Ghats,

and it was for this reason * that the two districts were included in the

Central Circle. The transfer of Cuddapah alone would leave only one purely Telugu district in the Central Circle and this might cause difficulties in dealing with subordinate establishments. Moreover, the East Coast Railway is now in course of construction and its completion will considerably facilitate the work of inspection of the Nellore district by the Conservator of the Northern Circle.

10. From the statement appended (annexure II) it will be seen however

that the Northern Circle, as thus enlarged, will comprise a much greater forest area than did the old Northern Circle prior to the re-organization, with an annual revenue and expenditure of Rs. 8,73,000 and Rs. 4,85,000 as against Rs. 6,06,000 and Rupees 3,94,000, respectively. Only once during the past five years have all the districts in the present Northern Circle been visited during the year; and the addition of two more districts will probably make it difficult for the Conservator to comply with the requirement of the Code, section 247, and make a detailed inspection of every district once in two years.

11. However, the proposal to take over Cuddapah and Nellore emanated from the present Conservator of the Northern Circle and Mr. Hooper, who, while acting as Conservator, was consulted on the point, was of opinion that the circle would not be too large for one man to manage provided his establishment was adequately increased. The Board is therefore willing to give the proposal a trial.

12. Secondly, as regards establishment, it has been found impossible to arrange for the carrying out of the proposals now made without increased establishment. No addition will be necessary in the Central Circle, but the reduction of work consequent upon the transfer of two districts will, it is anticipated, merely compensate for the increase that will accrue owing to the transfer of powers from Collectors to the Conservator. In the Southern Circle the Board considers that it will be sufficient to restore the clerk on Rs. 25, abolished at the re-organization of 1891, and raise the pay of the manager from Rs. 100 to Rs. 125.

In the Northern Circle the manager's pay should be refixed at Rs. 125, and at least two clerks on Rs. 30 and 25 will be necessary. To meet the additional cost (Rs. 130 per mensem) entailed by these proposals, the Board has effected a saving of Rs. 30 per mensem in its own office.†

It has carefully considered also the possibility of abolishing the Tanjore

* Paragraph 14 of Board's Proceedings Forest No. 259, dated 18th June 1891.

† Vide paragraph 3 of Board's Proceedings No. 332 (Land Revenue), dated 10th September 1895, in G.O. No. 667, Revenue, dated 12th October 1895.

* Board's Proceedings, Forest No. 614, dated 28th October 1895.

Forest office, but it has been decided * that this course is impracticable; since under the latest ruling† regarding the control of unreserved lands all revenue from trees (excepting tree-pattas) is to be credited to forest, some forest establishment must be retained in the Collector's office.

† Board's Proceedings, Forest No. 594, dated 8th October 1895.

The forest revenue of the Presidency is steadily expanding, and in order to secure an important administrative reform the Board has no hesitation in asking Government to sanction the additional establishment now applied for.

13. Lastly, it remains to consider the position that the Conservator would occupy as Joint Secretary.

The Board would leave it to experience to determine what the exact division of the work between the Secretaries

should be. As already stated the Conservator would of course be at liberty to see all papers passing through the office, and would have access to all the Board's records. Papers relating to forest settlement and all ordinary routine work would be dealt with by the Land Revenue Secretary. Subjects of a technical nature, on the other hand, would go to the Forest Member through the Conservator. Appointments, promotions and transfers as well as appeals from punishment orders would fall to the share of the Land Revenue Secretary. As already noted, the Forest Member has ample means of ascertaining the views of Conservators on these questions, and they seem to the Board to be the matters in connection with which there is most danger of the friction which is apparently feared by the Conservators of both the Northern and Southern Circles.

(True Copies and Extracts.)

L. M. WYNCH,
Secretary.

Order—No. 419, Revenue, dated 25th August 1896.

The two principal matters dealt with in the papers read above which require a decision are; *firstly*, whether the powers of Conservators in this Presidency should be increased and, if so, in what manner; and *secondly*, whether the Conservator of the Central Circle should be relieved of part of his present charge and made an *ex-officio* Joint Forest Secretary to the Board of Revenue.

2. As regards the first question, the Government is in agreement with the Board as to the desirability of enlarging the powers and responsibilities of Conservators. The specific proposals which the Board makes with reference to this matter are contained in paragraphs 5-7 of its Resolution, dated 19th February 1896, No. 79.

Paragraph 5 deals with the amendment of the Forest Code, in the marginally noted sections of which alterations are suggested with a view to empowering Conservators—

(i, to call for the annual plan of operations,

- (ii) to write off the accounts timber, forest produce, stores, plant, etc., up to a specified limit in value,
- (iii) to sanction, within specified limits, estimates for special works and capital expenditure thereon,
- (iv) to sanction refunds of forest revenue, and
- (v) to transfer allotments from one budget head to another within their respective circles.

These changes all meet with the approval of Government and the necessary list of corrections and amendments in the Forest Code should be submitted for formal sanction. It is observed, however, that the alterations proposed have the effect of transferring to Conservators powers which have hitherto been exercised by District Collectors and that the Board has not dealt with one question which was raised in the correspondence which took place regarding the respective powers of these officers in 1892, namely, whether the Conservator's authority to sanction

estimates, transfers, etc., should imply power to veto a Collector's proposals. The Government considers it desirable that this point should be definitely settled and that the most suitable solution of the difficulty is to require the Board itself to pass final orders in cases where the Conservator and the Collector disagree.

3. Paragraph 6 of the Board's Resolution deals with the method in which the annual department budget is prepared. The Government agrees with the Board in considering that Conservators should have fuller powers in regard to the budgets relating to their respective circles and accordingly approves the proposal to transfer the responsibility of preparing the budgets for each circle to the Conservator in charge of it. The function of the Board will thus be confined to the consolidation and review of the three circle budgets and the submission of a consolidated budget to Government together with an explanation of any alterations or amendments made in the Conservators' proposals. The necessary corrections in sections 120, 122, 129 and 131 and in Appendix X of the Forest Code, which are shown in annexure I to the Board's Resolution, will be sanctioned.

In this connection the Board urges the desirability of reconsidering paragraph 3 of G.O. No. 808, Revenue, dated 12th December 1895, which directed the addition to the explanatory memorandum accompanying the budget of two columns explaining the variations between the actuals of the previous year and the revised estimate for the current year. This direction was given for the purpose of enabling Government to exercise a fuller scrutiny over the details of the revised estimate. On reconsideration the Government accepts the Board's assurance that variations between the actuals of the previous year and the revised estimate for the current year receive sufficient consideration at the hands of the Conservators and the Board, and resolves to dispense with the additional columns called for in the Government Order quoted above.

4. In paragraph 7 of the Resolution the Board suggests alterations in section 258 of the Forest Code which are

designed to secure that the annual administration report of the Forest Department shall invariably be drawn up by the Conservator of the Central Circle. It appears to Government preferable to give the Board the option of selecting any one of the three Conservators for this purpose and the alteration of the final clause of section 258 should accordingly take the following form:—

"The draft of the Board's general report will be drawn up by one of the Conservators selected for this purpose by the Board, and will, after approval by the Forest Member, be submitted so as to reach Government by the 15th November."

5. The Government has now to consider the proposal to constitute the Conservator of the Central Circle *ex-officio* Joint Secretary to the Board for forest affairs. The arguments which have been brought forward in support of this proposal are, *firstly*, the want of continuity in administration which is ascribed to recurring changes in the personality of the Forest Member of the Board, and the absence of permanent and adequate professional advice at head-quarters; and *secondly*, the alleged existence of a feeling of discontent among Forest-officers on the ground that they have no officer of their own department with the Board or Government to represent them. As regards the first of these reasons the Government observes that changes in the personality of the Conservator in charge of a particular circle are hardly less frequent than in the Forest Membership of the Board and that the appointment of a senior Conservator or the Conservator in charge of a particular circle as Forest Secretary to the Board would in itself be no guarantee of continuity in the Board's forest policy. Again, though there have undoubtedly been changes of policy in the past, they were for the most part the result of the orders of His Excellency the Governor in Council or of the Government of India, and were inseparable from the inception and growth of a new department. Further it must be remembered that many of the most vital forest questions, such as forest settlement, and the claims, rights and privileges of the ryot population, are intimately bound up with the land revenue administration

and have little or no concern with technical forestry. Moreover the methods of forest management necessarily require material modification with reference to the varying nature and conditions of different parts of the Presidency. These considerations lead Government to the conclusion that the Forest Member of the Board aided by the advice of the three Conservators, who are consulted in all matters of a technical nature, is in a better position to arrive at a sound decision in regard to the methods of forest administration than if a single Conservator were at his side as Secretary.

The second reason which is urged in favour of the appointment of a professional Forest Secretary is counter-balanced by the consideration dwelt upon in paragraph 8 of the Board's Resolution, namely, the possibility of friction consequent on the position of Secretary being held by a junior Conservator. It by no means follows that the senior Conservator will always be fitted for Secretariat duties, and the appointment of a junior officer would, as the Board remarks, inevitably cause "heart-burning and discontent amongst men who might be better Forest officers but lack the facility for Secretariat work."

A further and greater objection to the proposal made is that it involves the addition of two districts to the charge of the Conservator of the Northern Circle. This officer's charge is already so extensive and heavy that it is even now a matter of great difficulty for him to satisfy the requirements of the Forest Code as to inspections; and if two more districts were added, it would hardly be possible for him to perform the requisite biennial inspections of each district in his circle. From the second of the Proceedings read above, it would further appear that the Board agrees with Mr. Peet in considering that the extension of the limits of his circle

would justify an additional expenditure of a hundred rupees a month in the pay of his office establishment. In these circumstances the Government is of opinion that the proposed increase in the size of the Northern Circle would be a serious change for the worse and should not be made without the strongest reasons.

6. After a careful consideration of all the arguments advanced in favour of the proposal to constitute one of the Conservators *ex-officio* Joint Secretary to the Board, the Government has therefore come to the conclusion that sufficient cause has not been shown for the dislocation of the administrative machinery which this measure would involve, and that the objections to which it is undeniably open outweigh the advantages which might possibly be derived from its introduction.

7. There remains only one matter which calls for orders; namely, the changes in establishment that will be necessitated by the increased powers which will in future be exercised by Conservators. This matter will be remitted to the Board for reconsideration in view of the decision to negative the appointment of a professional Forest Secretary and the proposal to change the limits of the Northern and Central Circles. It will, however, be observed that in the opinion of Government no increase in office establishment should be necessary as the orders passed will merely result in transfers of work and not in any actual increase in business. It would therefore seem possible to meet the cost of such additions as may be necessary to the establishment of Conservators by effecting a corresponding reduction in the offices of the Board and the District Collectors.

(True Extract.)

A. T. ARUNDEL,
Ag. Secretary to Government.

B.—Notes to G.O. No. 419, Revenue, dated 25th August 1896.

Note on Forest Administration.

1. The following note upon various questions connected with the administration of the Forest Department in Madras has been drawn up in accordance with instructions received from His Excellency the Governor. The note first details the circumstances that have brought about the present position of "Forests" in Madras and endeavours to point out some of its defects. The systems adopted in other parts of India are then touched upon, and, in conclusion, I have ventured to submit some suggestions for bettering the existing state of affairs, which is not, I fear, altogether satisfactory.

2. It must be premised that the matters discussed below have already been carefully considered by Government in recent years, as well as at an earlier date when forest conservancy was in its infancy. It is therefore necessary to travel over a good deal of ground that has already been well trodden, but the repetition of facts, which have been recognized in previous papers, will save tedious references to those papers themselves and will, it is hoped, tend to elucidate a somewhat intricate subject.

3. The main question which, as I understand, His Excellency desires to have answered is this: why is it necessary that the Forest department should in Madras be administered by the Board of Revenue, whereas in other provinces the necessary control is exercised by the Local Government direct? The intervention of the Board involves a very large expenditure of labour, which, to some extent, may be said to be wasted, since the decision on any question, other than one of a purely routine nature, calls into play the machinery of two controlling bodies, and requires that both should do a great deal of work which might fairly be performed by one alone. This waste of power carries with it an unavoidable delay in disposal, and must tend to hamper the administration. Why then is the system peculiarly necessary for Madras, and is it a fact that local circumstances preclude the adoption of a system that has been found to answer well elsewhere?

4. It will be remembered that the questions framed above were raised by the Secretary of State in 1891. The

appointment of a second Deputy Director in the Land Record and Agricultural Department was then under discussion, and, in connection with this subject, the possibility of reducing the number of Members of the Board of Revenue was mooted. Lord Cross in a despatch, dated 26th March 1891, suggested the desirability of considering whether it was necessary for forest affairs to come before the Board at all, and the Government of India then enquired whether such business might not be conveniently dealt with by the Government direct. It happened that, when the above papers were received, the Government had under its consideration certain minor changes in the organization and working of the Forest department, of which the creation of a third circle for a third Conservator, then newly appointed, was one. The suggested transfer of control was therefore dealt with at the same time, and in G.O. No. 1017, dated 27th October 1891, the Government expressed itself as altogether opposed to such a change. This opinion was based upon the following note by Sir H. E. Stokes, who said :—

“I am altogether opposed to the proposal to transfer the direct administration of the Forest department to the Government office. I think that direct administration of any department is not the function of the Government which is rather to control all departments; and the proposal to appoint a professional Secretary to Government (or Deputy Secretary) for the purpose is bad in itself. But the strongest objection is that it is physically impossible, having regard to the multifarious nature and daily increasing quantity of the work thrown upon Members of Council that this additional direct responsibility should be put upon them. Either the work would be perfunctorily done or it would be done by the professional Secretary, who would not be an officer of the standing or position desirable in one who would have to control the work of Collectors. Further, I think that the general superintendence of the Forest revenues cannot be taken from the Board of Revenue as long as Regulation I of 1803 is in force.”

5. In the above view His Excellency Lord Wenlock concurred, but the Hon'ble Mr. Garstin held a contrary opinion and was no party to the order then issued. The Honourable Member said that he considered the transfer of forests to Government to be feasible, and suggested the appointment of a Deputy Secretary to Government for this purpose, the fourth Membership of the

Board of Revenue being at the same time abolished; this plan, he calculated, would effect a saving of about Rs. 15,000 *per annum*, on the supposition that the Deputy Secretary (who would also be styled the Inspector-General of Forests) received Rs. 2,000—100—2,500 *per mensem*, and the Honourable Member was doubtful whether the change would increase the work devolving upon Members of Government. The above suggestion was made tentatively, various alternative schemes being also sketched out, and was never fully elaborated as the majority of Government voted against any transfer at all.

6. The question was again raised in connection with the proposed appointment of an Assistant to the Land Revenue Secretary to the Board. Lord Kimberley, who was then Secretary of State, said in his despatch of 19th January 1893, that “there was no apparent reason why the heads of the Forest Department in Madras should not, as in most of the other provinces, report direct to the Government Secretariat.” His Lordship negatived the proposed appointment of an Assistant Secretary, and pointed out that relief should be afforded to the over-worked Land Revenue Secretary by curtailing the work imposed upon him. The despatch of March 1891, already quoted in this note, was referred to, and Lord Kimberley repeated his predecessor's assertion that “a great deal of business which in other provinces would be disposed of by a single supervising authority, in some by a Divisional Commissioner, is dealt with in Madras both by the Board of Revenue and by the executive Government.”

7. This despatch was regarded by the Hon'ble Mr. Garstin as “the first nail in the Board's coffin,” and the Honourable Member hinted that much time and labour would be saved if the entire Board were absorbed into the Government office. The Supreme Government had, however, suggested that Mr. Ribbentrop, the Inspector-General of Forests under the Government of India, who was about to visit Madras, should be consulted in view to the simplification of forest business, and the Government accordingly awaited that officer's arrival before taking any definite action. The

results of the Board's conference with Mr. Ribbentrop are embodied in the papers printed with G.O. No. 413, dated 12th June 1894, it will be remembered that both the Board and Government rejected Mr. Ribbentrop's scheme *in toto*, and in addressing the Government of India, the opinion that the Government could not, and should not, assume the direct control of forests was reiterated.

8. The foregoing paragraphs show how the suggested transfer of control over the Forest Department has been viewed by Government in recent years, but under His Excellency's instructions the question is now to be re-opened. The transfer itself is merely an item in the general scheme of forest administration, and no decision can be arrived at on this one point without duly considering the vital questions of the position of Conservators. So much has been written in the past on this somewhat difficult subject, and the views expressed from time to time by Honourable Members of Government have varied so considerably, that it is no easy matter to analyse the position briefly. The following extract from the "Joint Report on the organization of Forest Business," drawn up by the Forest Bill Committee in 1882, gives the simplest and clearest definition of the relation between Conservators and Collectors. This Committee consisted of three senior Civilians—Messrs. Whiteside and Logan and Sir H. E. Stokes—and two leading Forest officers—Sir D. Brandis, then Inspector-General of Forests under India, and Colonel Campbell Walker, the Conservator for the whole of the Madras Presidency. The position assigned to Conservators was, accordingly to Sir H. E. Stokes, "entirely the outcome of Sir D. Brandis' views", than whom the Honourable Member added, "there is no more competent authority." The report says (paragraph 18)—

"The problem is to gain for local forest working the strength and vitality which it will derive from being placed under the control of Collectors, and at the same time to take security for continuity of action, for the adoption of correct principles of forestry, for due subordination of local to general working, for the creation and maintenance of a properly instructed and efficient staff, and for ensuring to the Conservator the position which

he ought to occupy as the professional head of the department and the responsible adviser of Government in forest matters. We believe that under our scheme these objects will be attained."

9. The scheme which the Committee then proceeded to elaborate was afterwards (in 1885) embodied in the first edition of the Madras Forest Code, and the organization worked so smoothly that after six years the Board was able in 1891 to report that only one case of friction had been brought to notice. The second edition of the Code (1894) has effected no material alteration in the general position, though an endeavour has been made to ensure to the Conservator a fairer share of the control over the technical portions of the district programmes. The position assigned by the Code to District Forest-officers as Assistants to the Collectors in forest matters is admittedly a good one, and although in working the system a certain degree of elasticity of rule is necessary, no radical change has ever been suggested. The question is thus narrowed down to the consideration of the position of the professional controlling officers.

10. The Committee's joint report of 1882 was written when there was only one Conservator, and the subsequent division of the Presidency into three circles and the appointment of three Conservators have, to some extent, altered the question, but, as noted by Sir H. E. Stokes in 1891, the difference is not great. The three Conservators should therefore occupy positions as "professional heads of the department and responsible advisers of Government in forest matters." From this it follows that each Conservator should have due control over his circle, both in the matter of its general working and finance and in regard to the forest staff. The necessary control over the staff is given by the Code, as now revised, but the general working and finance are practically under the direct control of the Board, the Conservators being merely inspecting and advising officers.

11. It is the action taken both by the Board and by Government in respect to the control over these matters that has caused Forest officers so much heart-burning in recent years and has made the Madras Forest service so unpopular.

The gist of the Board's policy has been to divest Conservators of all executive responsibility, and to confine their functions to inspection and advice. This was the avowed intention of the Hon'ble Mr. Garstin, who was, for several years, Forest Member of the Board, and who afterwards followed the same policy as the Member of Government in charge of the Revenue Department. It may perhaps have been going too far to say (as Sir H. E. Stokes once did) that the Honourable Member desired to make non-entities of the Conservators, but if his proposals had been fully carried out, these officers would undoubtedly have become so. The majority of Government eventually ruled against any material alteration in the position assigned to Conservators in 1882, and the changes effected in 1891 were merely intended to place the district management on a more satisfactory footing, while reducing the office work required of Conservators. In so far they were good, but I venture to submit that a too strict interpretation of the rule, which places the executive district working in the hands of the Collector, has greatly weakened the Conservator's power and has needlessly "subordinated science to a comparative ignorance of the special subject." This was the contingency against which the Government Order of 1875 (G.O. No. 1162-A, dated 19th November 1875) was intended to guard and was the mistake of the Hon'ble Mr. J. D. Sim's scheme of 1872, when the Conservator of Forests (then called Inspector) was made into an inspecting and advising officer and each Collector was called the Conservator of his district. It is, however, unnecessary to repeat the history of the early years of the department. A short resumé is given in the note for orders under G.O. No. 7064, dated 18th November 1890, and the order of 1875 is merely quoted here in order to show that the policy of taking all executive functions out of the hands of the professional heads of the department was then condemned after the system had been accorded a brief trial. The more recent orders of Government avowedly uphold the Conservator's authority, but in reality his position is that of an adviser without sufficient control and therefore *without responsibility*.

12. The following examples will illustrate my meaning. The Government Order of September 1892, No. 996, withdrew from Conservators all power of sanctioning estimates. Under this order, the Collector alone was responsible, through his Forest Assistant, for all minor estimates, and the Conservator was not even to be consulted unless the Collector saw fit. Major estimates passed with the ordinary circumlocution from the District Forest-officer and his Collector to the Board of Revenue through the Conservator, but here again the "Professional head of the department" merely had the privilege of advising the Board. The new Code has to some extent bettered the position by requiring that *all* estimates shall go direct from the District Forest-officer to the Conservator before the formal sanction of the Board or the Collector is accorded. But even this arrangement is indefensible. The Collector cannot, by the nature of the case, know anything at all about a technical piece of forest work, yet he is required to sign scores of estimates for such work. Surely the executive management of the district forests can be secured to the Collector without going through the above farce! The sanction of the Board is required to the major estimates for financial reasons, but the control of district finance should be in the Conservators' hands and not in the Collector's, and I submit, with due respect, that the sanction of the minor estimates should rest, as before, with the Conservator.

13. Again the present scheme for the preparation of the annual reports and budgets practically takes away from Conservators all powers of control. To take the budget first—The district figures are forwarded to the Board through the Conservator who has to send on each budget as received without waiting for those of other districts. The Conservator is not therefore in a position to frame any consolidated figures for his circle, and is not called upon to do so, a consolidated budget being prepared in the Board's office. The Conservator's duty is "to criticise the administrative programmes put forward by Collectors and to say how far he agrees therewith and accepts their figures, works, etc." [Board's memorandum under G.O. No. 1017,

dated 27th October 1891.] He adds in a separate column his own estimates of the district figures, but he can only frame these figures on each budget as it stands by itself. The arithmetical checking of figures is indeed taken from the Conservator's shoulders, but at the same time he is almost entirely deprived of financial control over his circle. The figures of one district are meaningless without the corresponding figures of all the remaining districts, and a Conservator can merely criticise the works themselves. This arrangement was proposed by Government and accepted by the Board on the ground that the Presidency budget "must be based on the original estimates and notes of Collectors." This implies that the Conservator's figures for their circles cannot be relied upon, but as Mr. Gamble says in his letter to me, surely if it is worthwhile to pay the Conservators high salaries, it is advisable to trust them a little. The budget system was devised to save work generally, and it has possibly done so, but the control over the circle figures has in effect been given to the Forest Assistant in the Board's office on Rs. 250 *per mensem*. This assertion is, of course, made without any intention of implying a want of scrutiny by the Forest Member or the Secretary, but it is a matter of common knowledge that the latter is overworked, and it would be a physical impossibility for him to *compile* the budget himself: this is done in the office and then checked by the Secretary and Forest Member, but the figures for each circle as well as for the whole Presidency are framed by the Forest Assistant, and are *never shown to the Conservators* until after the whole budget has been passed by the Board. The original idea of Government was that the consolidated budget should be prepared in the Board's office "with the aid of the Conservators and their establishments" [please see G.O. No. 7664, dated 18th November 1890]; but it is not clear how this could be effected and in the later order of May 1891, No. 2763, this proviso is left out.

14. I submit that this system is vitally opposed to the principles enunciated by the Forest Bill Committee. They said (paragraph 19):—"There are two matters which from the nature of the case

The Collector frames his budget in consultation with the D.F.O. and Conservator—or he should do.

G. S. FORBES.

as requiring a comprehensive view of all districts," cannot be dealt with by Collectors. These are the finance of the department and the organization of the staff, and *in these the Conservator must have "complete authority."* As shown above the Conservator has nothing whatever to do with framing the budget of his circle, beyond making a few cursory remarks on the individual district budgets, and can in no way be said to have "complete authority" over matters of finance. When the budget figures have been threshed out in the offices of the Board, of the Madras Government and of the Government of India, and when final figures have been sanctioned, the Conservator has then very considerable powers in the matter of reallocation of grants during the year, but in framing the proposed grants for ensuing years he has practically no voice at all.

15. Similar arguments apply to the present system of preparing the annual report. The Conservator has merely to forward the district reports one by one as they come in, making such notes thereon as he may think fit, and a consolidated report for the whole Presidency is then compiled in the Board's office. It is true that under recent orders the duty of drafting the technical portion of the general report is now entrusted to the senior Conservator, but even this plan is open to serious objections. Each section of the report is inseparably connected with other sections, and it is impossible to review the report piecemeal. Moreover, the central reviewing authority is placed at a great disadvantage, because he is unacquainted with the special technical and professional questions of other circles, and is thus unable to gauge the merits of statements made in the various district reports. These reports have, it is true, passed through the Conservator of the circle, but this officer has merely been allowed to note upon them *en passant*, and is very liable to overlook points that arise when a general survey of the whole circle is taken. The Board has recently ordered all District Forest-officers to prepare two copies of their annual reports, one for the Board and the other for the Conservator, and the latter is, in future, to prepare a fuller report for the whole

circle, but this system will throw a large amount of work on to the District Forest offices, which are already too weak for the duties required of them. In consultation with Mr. Popert and the Board, I refrained from inserting these new orders in the Forest Code. Our earnest endeavour throughout the revision of the Code was to reduce the District office work, and the preparation of two complete fair copies of the bulky annual report with all its statements would, in my humble opinion, be a step in the wrong direction.

16. The above examples have been given to prove that the Conservator is gradually being shorn of all responsibility in the executive work of his circle. That Collectors are not in a position to control the financial portion of district schemes or the more technical details of works was pointed out by the Bill Committee, and it follows that all control in these matters is thus becoming centralized in the Board's office. The Forest Member is, and is intended to be, the true head of the Forest Department, but under the present system there is no guarantee that the Board's policy will be continuous. During the last four or five years there have been at least six different Forest Members and the office of Land Revenue Secretary has been held by five different officers. None of these officers, except perhaps Mr. Sim, have possessed any special knowledge of forestry, and it is not unnatural that the professional heads of the department complain of the frequent change of masters: it is also not to be wondered at, if Forest-officers assert amongst themselves that the real head of the department, to all practical intents and purposes, is the Forest Assistant in the Board's office.

17. But although it is easy to find fault with the existing system, it is very difficult to build up any new scheme that will not have similar or worse defects in its structure. The main question with which this note is intended to deal is the transfer of forests to Government, but the general position of Conservators has been discussed, because it would be practically impossible for Government to assume direct charge of the department on its present basis.

Before attempting any suggestions as to the future working of the department, I will briefly sketch out the position in

other parts of India so far as it can be ascertained.

The statement appended to this note shows the areas under control of the Forest Department in the Bombay Presidency and in the provinces under the Government of India, the total area of each province and the revenue and expenditure under forests. The figures are for 1893 as the more recent statistics are not in all cases available. It will be seen that Madras with 17,000 square miles of forest (the figures for 1894 show 18,000) comes third in respect of size, Upper Burma showing 27,000 square miles and the Central Provinces 20,000. Bombay comes next with 14,500 square miles and Bengal Proper follows with 12,800.

These figures afford only a partial clue to the amount of forest work involved, as numerous other factors come into the calculation, and the fallacy of comparisons between land revenue systems, recently demonstrated by the Board in connection with the wild proposals put forward by Mr. Rogers, late of the Bombay Civil Service, might to some extent be urged in the matter of forest management.

For instance, the Burma forests are for the most part composed of high timber in large blocks and are not as in Madras scattered broadcast amongst populous villages; the system of control is thus vitally different in the two provinces. Again the forests of the Central Provinces are, I understand, of a similar character to those in Upper Burma. In the North-Western Provinces and Oudh, however, a large portion of the country appears to be somewhat similar to Madras. The Administration Report says that, with the exception of the hills, Bhábar, Dúns, and Tarai, and a few other hilly districts, the provinces are scantily wooded and there are no forests, properly so called [Page 7, North-Western Provinces Administration Report, 1892-93].

18. The following notes have been extracted from the Administration Report for 1892-93, which contain "red letter chapters," but the information available is not so full as might be desired:—

To take first the Bombay Presidency.— The vital difference which meets us at the outset is that in Bombay there is no Board of Revenue. The Presidency is divided into revenue divisions, each in

charge of a separate Commissioner, and for purposes of forest administration four circles have been formed corresponding to the four revenue divisions. Two of these circles are in charge of Conservators and two of Deputy Conservators. As in Madras the management of forests is treated as a branch of the general administration, and as a necessary consequence.

"The central authority in forest matters is the Revenue Commissioner of the division, subject to the general orders of Government. *All Forest-officers are under his authority.* Forest-officers in charge of circles have full powers in all professional operations of technical forestry, but in all other matters, such as those of rights and privileges of the people in forests, local supply of grass, grazing and fodder, and generally as regards the relation of the department with the people, control vests in the local revenue officers, and the Forest-officers are subordinate to them for these purposes and act as consultative officers only."

19. From this it will be seen that in Bombay the general system is practically identical with that existing in Madras. The Commissioner stands in the position of the Madras Revenue Board in so far as his division is concerned, and all Forest-officers, including the Conservator, are under his authority. The Bombay system differs in making a distinction between the treatment of technical forest subjects and of other matters in which forestry is only a component part. The Conservator reports direct to Government and has full powers in professional operation, but he is otherwise in the same position as his brother officers in Madras. The relations between forest and revenue officers have, from time to time, been carefully considered in Bombay and "rules under the Forest Act have been framed limiting and defining their respective powers and duties." The rules so framed prior to 1882 were, however, discussed by the Madras Bill Committee, and it was decided that the arrangement was not altogether a happy one. "The division of subjects and control," said the joint report, "is artificial, and if adopted (in Madras) would lead to friction and needless complications" (paragraph 17). "In Madras," the same paper added, "where the lands which should be placed under forest administration are, in most cases, distributed over the whole of the districts and are not confined to remote corners, there is especial reason for uniting as closely as possible

the Land Revenue and forest administration." The Bombay rules have recently been revised in consultation with the Inspector-General of Forests. I have heard that the former rules did not work smoothly, but I am unable to quote chapter and verse for this assertion. The Bombay Government has adopted the India Forest Code and does not possess a separate Code such as that in force in Madras. The powers exercised by Conservators in Bombay must therefore be the same as those delegated to their brother officers in provinces directly under India.

20. In the North-Western Provinces and Oudh forests are under the Government of India, and are therefore under the supervision of the Inspector-General of Forests. The Local Government exercises direct control over the three Conservators. "Immediately subordinate to Government," says the Administration Report, "are the various heads of departments, who are its advisers in their particular departments, for the efficient administration of which they are responsible. . . . In the case of forests, the executive work is carried out by a special staff immediately under the orders of the departmental head," i.e., the Conservator. How far the district work is subordinated to the Revenue officers is not clear, but from what Mr. Gamble told me in a letter, which has been circulated to Hon'ble Members, a Collector never dreams of interfering in technical matters and is not very ready to trouble himself about less professional subjects on which he is consulted. The Conservators of course report direct to Government and the finance of their Circles is entirely in their hands, an annual budget being in the ordinary course submitted to the Lieutenant-Governor for approval. The Board of Revenue, which consists of two Members assisted by two Secretaries and a Joint Secretary, does not apparently have anything to do with forest.

But has not the Commissioner of the division anything to do with the forests?
G. S. FORBES—5-4-95.

21. In Burma "the Forest Department is administered by 4 Conservators assisted by 21 Deputy Conservators and 28 Assistant and Extra Assistant Conservators." There is no Board, and the control is exercised by the Chief Commissioner, but details of district working

are not given in the Administration Reports. Mr. Popert who has served in Burma tells me that each Conservator has undivided charge of his Circle subject to the orders of the Chief Commissioner.

22. The *Central Provinces* have two Conservators who are looked upon as the Provincial Heads of the Forest Department. Their work must, however, be subject to the control of the Revenue Commissioners of Divisions, for the Administration Report declares that each Deputy Commissioner is the "Conservator of his district forests;" the Deputy Commissioner is an officer in the position of a Madras Collector, and it follows that district forest work is practically subordinated to the local Revenue officers.

23. Other Administration Reports do not give details of the control exercised in the matter of forests, but the above extracts show that, with some exceptions, the district working is not very different in other parts of India to that adopted in Madras. The main difference in the method of Forest Administration lies in the system of control at headquarters. In all other Provinces the Conservator is the officer responsible for the efficient administration of his Circle: his control is to some extent exercised under the orders of the Revenue Commissioner, but in matters of finance and establishment he is only subject to the supervision of the Local Government and the Inspector-General of Forests: he reports direct to Government and is the true head of the Forest Department in his Circle. From the joint report of the Committee of 1882, already freely quoted in this note, it is clear that it was the original intention that the Madras Conservator should hold a co-ordinate position. I submit that under the existing orders he does not do so.

24. It is not known whether His Excellency the Governor or the Hon'ble Members would be prepared to sanction any radical changes in the present system of working, and it is a matter of course that, if any changes at all are contemplated, the Forest Member of the Board and the Conservators should first be consulted. I venture, however, to submit a few suggestions as to the manner in which the system may be improved.

I have always thought that Conservators were allowed to deal far too perfunctorily with the papers passing through them. They should be instructed to note fully on every proposal transmitted to them.

G. S. FORBES—5-4-95.

The gist of the complaints against the present system, formulated in the preceding paragraphs of this note, is that the Conservators are not vested with proper responsibility in the matter of managing the Circles under their charge. As a consequence control is too much centralized in the Board's office, while at the same time the Board's machinery is not so constructed as to enable it to exercise adequate control over a professional department. What then should be done to place matters on a more satisfactory basis?

25. The most important defect in the present system seems to be the amateur control exercised at head-quarters over what is in reality a scientific department. The Forest Member can, and frequently does, consult the Senior Conservator, whose office is in the same building as the Board's; but the great mass of work is done by the Forest Member and the Secretary at first hand. It is true that all correspondence passes through the Conservators and the Board has the advantage of their opinions, whenever they think it necessary to record them. In practice, however, the Conservator merely puts a forwarding endorsement on many of the letters that pass through his office, and the Board is left to decide the matter without assistance. The proposal to appoint a Forest Secretary to the Board was condemned in 1891 for various reasons, but the idea then put forward was to employ a comparatively Junior Forest-officer for this purpose. Another plan has now been suggested by Mr. Peet and has a great deal to recommend it: the proposal has not been made officially, but the Board's Secretary has allowed me to see some office-notes from which I gather that Mr. Peet is in favour of the following changes. The Forest Member should have a separate Forest Secretary, but this officer should be the Senior Conservator himself. The Central Circle would be reduced in size to say four districts—Chingleput, Nellore, North and South Arcot—while the other four districts now under his charge would be divided between the Northern and Southern Circles. The Senior Conservator could then take over the duties of Secretary to the Forest Member in addition to those of Conservator of the Central Circle.

During his absence on inspection duty, the Land Revenue Secretary could, as before, dispose of all routine papers, but the more important files would await the return of Senior Conservator. Having only four districts to supervise the periods of absence from head-quarters need not exceed, say, two or three months in the year. In the North-Western Provinces the Conservator of the School Circle has a small executive charge, and is able to manage the school as well. The arguments used in 1891 against the employment of a Junior Forest-officer for this duty could not be urged against the most senior officer of the Forest service: the Forest Member would, of course, remain the head of the department, but his work would be served up to him by a professional man and all Forest officers would know that the centre of control was in the hands of their own departmental chief.

I think this is an arrangement which should be tried.

In the Government of India the Inspector-General of Forests is practically an Under Secretary in the department which deals with forests (in my time the Home department): and his records are part of the office records of the department. His note goes up to the Secretary (through the official Under Secretary who as a rule contents himself with merely initialling it and sending it on). The Secretary deals with it and takes the orders of the Honourable Member.

If a similar plan were adopted with the Senior Conservator and the Board, the Senior Conservator's note should formally go through the Board Secretary so as to keep him *au courant* with what is going on. When the Inspector-General (India) is on tour, important papers follow him and he sends them with his note back to the office: urgent and unimportant papers being dealt with by the Under Secretary and the Forest Branch of the office.

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26. The above plan is doubtless open to some objections. It may be said that a great deal of petty work would come before an officer who as Senior Conservator should be relieved of such duties. But after all the Land Revenue Secretary is very nearly as highly paid an officer as the Senior Conservator, and the drudgery of routine now falls to his lot. Difficulties might arise if the Forest Member differed from the Senior Conservator on many points. All such differences could, however, be referred to Government, and as Secretary the Senior Conservator would, as a matter of course, act on the opinion of the Forest Member: as Conservator of the Central Circle, he would have the right to place his own views on record. On the other hand the system would relieve the over-worked Land Revenue Secretary of a very considerable portion of his present daily task. On all subjects in which the general interests of administration were concerned, the papers might be marked by the Forest Secretary for the Land Revenue Secretary for counter-initials before they were submitted to the Member for orders, but with the major part of the forest work the Land Revenue Secretary would have no concern. At present the Forest Member has perforce to take most of the Settlement papers at first hand, because the Secretary has no time to devote to them.

The District Forest-officer does not correspond direct with the Conservator and all estimates would, unless a rule was made to the contrary, pass through the hands of the Collector. Probably Collectors would, for the most part, be willing to forego this check and allow the District Forest-officer to send estimates direct. The real control should be exercised over the budget and annual plan of operations: estimates merely embody proposals already sanctioned in the budget.

R. C. C. CARR.

I am inclined to think that estimates should go through the Collector. There are many extravagances and useless proposals which he can check from his local knowledge.

G. S. FORBES—5-4-95.

27. The change of Secretaries should also be accompanied by a revision of the powers delegated to Conservators. This matter cannot be fully dealt with in this note which is merely intended to put forward certain suggestions for possible improvement. I have already submitted in paragraph 12 *supra* that the section of estimates should be given back to Conservators. The limit of sanction might also be raised. The Collector's limit in Madras is Rs. 500 in the case of "capital works" and Rs. 2,000 in the case of "ordinary works," but the Conservator might fairly be allowed to exercise powers similar to those given to his brother officers elsewhere. Under the India Code a Conservator's limit is Rs. 2,000 for "capital expenditure," and under the head of "ordinary expenditure" he may sanction any usual charges, provided the budget allotment is not exceeded. This change would of itself vastly improve the Conservator's position and would save work. Other similar alterations might also be made in the matter of allotments of funds and transfers, and the Board's work could be largely reduced. The question of rates is a big one, but if the Conservator is to control the finance of his circle, he should, I submit, have some control over the rates charged for timber, fuel and fodder: maximum seigniorage rates must be sanctioned by Government as under the existing rules, but any alterations within these limits should by rights be made by the Conservator in consultation with the Collectors concerned. At present a Collector is at liberty to reduce the rates as he chooses, and a Conservator has to submit to a sudden alteration of prices in any district at the Collector's discretion. No budget can, of course, be framed by an officer who has no definite means of estimating the value of his revenue.

28. The question of transferring forests to Government and eliminating the Board has now to be touched upon. The plan of making the Senior Conservator into a Joint Secretary to Government might possibly be tried, but in this case he would have to assume the position of a Local Inspector-General; for the Revenue Secretary to Government could not devote the same amount of attention to forests as the Forest Member of the

He only makes a cold weather tour, visiting the various provinces directly under him, in turn.

G. S. FORBES—5-4-95.

Board. It is absolutely necessary for the Government to have some officer whom it can depute, as occasion arises, to visit any particular district or locality and this could not be done by the Revenue Secretary. The Senior Conservator could probably undertake such inspections from time to time, but the executive work of four districts and the Secretariat work for the whole Presidency would not leave him much leisure. It is not known how such inspections are managed in other parts of India, though I presume the Inspector-General of Forests is the officer ordinarily selected for this duty.

29. But it is submitted that the transfer of forests to Government is not feasible while the work of Forest Settlement is in progress, and in this respect Madras stands in a different position to the rest of India. From Mr. Ribbentrop's last general review it is clear that, with the exception of Burma, very little work of this nature is being carried on elsewhere. The reports do not show how the very considerable areas already classed as reserved forests in other Provinces have been settled in the past, but from the Inspector-General's remarks in several reviews, it appears, that the quality of the Madras Settlement work is very much better than that turned out elsewhere, and it is probable that a more rough and ready method has been employed. This view is confirmed by a sentence in the annual review of the North-Western Provinces and Oudh for 1893, which says that "His Honor the Lieutenant-Governor has reviewed all previous settlements and passed such orders as seemed called for with a view to placing the reserves on an unassailable legal basis." In Madras the legal basis is ensured at the Forest Settlement-officer's enquiry, and the interference of the Board and Government is confined to the scrutiny of boundaries and the recognition of such rights as the position of the reserve appears to render necessary. The preliminaries of Forest Settlement are, however, somewhat tedious, and the exercise of the necessary check over notifications involves a large amount of work in both the head-quarter offices. The Board of Revenue has a special establishment employed exclusively on this duty, and the time devoted by the

What gives us the pull is that our Revenue Surveys enable us to ear-mark our land with little or no difficulty.

G. S. FORBES—5-4-95.

If the standard area is raised to a square mile for all ordinary cases, Forest Settlement will proceed rapidly to completion.

G. S. FORBES—5-4-95.

Forest Member to this work alone is very considerable. The work of Forest Settlement can hardly be concluded for some five or six years to come, if the present Madras policy is upheld: the total area still remaining for Settlement according to the present proposals exceeds 11,000 square miles and the annual rate of settlement is about 1,700 square miles. The recent change of front on the part of the supreme Government is hardly likely to reduce this work, for even if it is pushed to its logical conclusion in this Presidency, the services of the Forest Settlement-officers will be required for undoing much that have been done in the past, and the process will probably be more difficult than the original formation of reserves. The statement in Sir H. E. Stokes' note, already quoted, to the effect that it is physically impossible for the Government to assume this additional responsibility, would therefore seem to be unassailable, and it has only to be considered in what way the Board's control can be placed on a more satisfactory basis.

30. I regret that this note has extended to such a length, but the questions dealt with are admittedly difficult ones and I have endeavoured to give a clear outline of the position of Forest administration in this Presidency as compared with the system prevailing in other parts of India. It is the common cry of the public press that forests in Madras are mismanaged, and the *Indian Forester*, which is published under the ægis of the Director of the Forest School, Dehra Dûn, has not been backward in sounding the same note. The present system is undoubtedly open to criticism on several points, and I have attempted in the above note to indicate in some small measure what are the weak points of the organization and how they may be strengthened.

R. C. C. CARR—4-2-95.

COMPARATIVE statement showing the results of the working of forests in the several Provinces of India.

Provinces.	Total area in square miles.	Area of forests on 30th June 1893 in square miles.	Receipts during 1892-93 in Rupees.	Expenditure during 1892-93 in Rupees.
Bengal	150,727	12,808	7,44,880	3,81,610
North-Western Provinces and Oudh	107,441	3,886	16,52,540	9,28,540
The Panjab	106,613	6,052	8,12,630	6,56,270
The Central Provinces	86,501	20,014	12,30,850	8,51,400
Burma (Lower)	87,220	5,790	35,83,370	13,63,250
Burma (Upper)	77,296	27,009	20,76,630	4,41,750
Assam	45,350	10,766	3,82,830	2,64,070
Coorg	1,583	893	1,80,680	73,090
Ajmere	2,711	147	14,890	15,000
Baluchistan	...	106	19,030	55,620
The Andamans	1,989	1,956	3,60,490	2,31,210
Berar	17,711	4,236	4,31,020	2,29,230
Madras	86,380	17,187	15,77,210	13,30,390
Bombay	124,352	14,510	32,69,550	19,04,970

Note.—In the figures of expenditure for the Provinces directly under the control of the Government of India (except Berar), the cost on account of Imperial Service and of Forest Surveys is not included.

R. C. C. CARR—4-2-95.

Honourable Member—

I have made a few marginal remarks.

G. S. FORBES—28-4-95.

The main question discussed in this very able and comprehensive note is whether the Board of Revenue should be divested of its share in the control of the Forest Department. The reasons for doing so are—

(1) That such a control is not exercised in other Provinces.

(2) That labour is wasted because work has to be done twice over, first by the Board and afterwards by Government, and that delay is thus caused.

(3) That the Board's control makes the Forest Department discontented and Forest service unpopular.

I will notice these points *seriatim*—

(1) The chief reasons why the Board has control in Madras are the existence of a law which gives them that control, and the desirability of limiting forest requisitions with reference to the rights and privileges of the people. Section V, Regulation I of 1803, and section IX, Regulation II of 1803, give Collectors (under the orders of the Board of Revenue) authority to control all persons employed in the executive

administration of the revenue. I don't see how, whilst the law remains as it is, we could take away this authority. The point is brought to notice in paragraph 2 of the Board's Proceedings read in G.O. No. 413 Rev., dated 12th June 1894. I have looked through the codes of other Provinces and find that, though the chief controlling authority in matters connected with land revenue is given to the Boards, etc., no such general authority *over all persons employed in the executive administration of the public revenue* is given to them as in Madras. It would require new legislation to take away this authority. I doubt the expediency of an attempt at legislation. We could not try it without announcing our object and the Government of India, who have recently declared our policy of subordinating Forests to Land Revenue (G.O. No. 888, dated 19th December 1894) and the elected members of the Legislative Council, who would probably believe that our Forest policy would be made harsher for the people if control over it is taken from the Board of Revenue, would object; nor do I think we could prove that the change is expedient. It is admitted, even by Mr. Gamble, that the control of forests in districts should be under the District Collectors. This is needed to give "strength and vitality" to the Forest Department and it implies that some authority must be given to the Board.

(2) It is only true to a very small extent that Forest work is done twice over by the Board and Government. On examining the Board's volume for December I find that the Forest papers disposed of by them up to the end of that month were—

Miscellaneous	1,713
Routine	842
Printed	807
	3,362

In the Government office there were 359 printed Government Orders. The number of Miscellaneous or unprinted Government Orders cannot be ascertained easily, but they must be very few. I am aware of no routine Forest orders. The Forest notifications under sections 4 and 16 of the Act must come to Government for final sanction, but they must be first thoroughly discussed by the Board in communication with the local

authorities. The Board has a temporary establishment of four clerks (from Rs. 75 to Rs. 20) for this work alone. The preliminaries take up much time and are very tedious. We have seldom to do more than sanction such notifications without remark, and most of the other Forest papers that come to us are simply recorded. The additional work that would be thrown on Government if the work now done by the Board were transferred to it may be estimated from the fact that the Board's work now occupies (and, as I have seen, fully occupies) the time of an Assistant on Rs. 250 and nine clerks, whilst in the Government office one clerk can do it all in a comparatively small portion of his time. When I was in charge of Forests I found the work took up on the average two hours a day. It would be impossible for me to give this time to the work now. I agree with Sir H. Stokes that it would be physically impossible for so much additional work to be taken by the Government office and the Revenue Member of Council. I agree also with Sir H. Stokes that the work would be done perfunctorily or left almost entirely to the Joint Secretary for Forests (which, by the way, is what Mr. Gamble wants, but which is impracticable in this Presidency where most of the Forest questions involve questions as to the rights and privileges of the people and Forest officers, attaching supreme importance to Forest revenue, are continually devising measures which trench on those rights and privileges). I don't believe the transfer would obviate much, if any, waste of labour or delay, and I entirely agree with what is said in paragraph 29 of the note that "the transfer of Forests to Government is not feasible" at all events now "while the work of Forest Settlement is in progress."

(3) There can be no doubt but that the control of the Board of Revenue makes the Forest Department discontented. Two reasons are given for this: first that the Forest Department having to go through the Board of Revenue to Government is not *immediately* under Government, and second that a professional department is headed by an unprofessional man in such a way that there is no continuity of policy and that the real head is the Board's Assistant on Rs. 250. It is clear from the papers that

the Forest Department would be satisfied if there were a Forest Board (consisting of the three Conservators) between them and Government, in which case they would be removed from *immediate* subjection to Government as far as they are now, so the first objection is of no weight. The second objection will be palliated, if not altogether removed, if some arrangement like that advocated in paragraph 25 of the note (and which I will refer to below) is adopted. Conservators change as of tenas Forest Members; so there would be no better guarantee of continuity of policy if the control were taken from the Board. The idea that the real head of the Forest Department is the Board's Assistant is a very common one and is applied to all departments. For instance, in districts there are always some people who say that the real head of the district is not the Collector but the Sarishtadar.

I am convinced that the control over the Forest Department should not be taken from the Board, but I agree with the Under Secretary that it is desirable to place the Forest Department under professional supervision and that more use should be made of the Conservators, who should be the "professional heads of the department" as well as "the responsible advisers of Government in Forest matters." They ought to have more power over the budgets and administration reports. The Under Secretary shows that the power to criticize the separate district budgets and reports of the circle, one by one, is not sufficient. However, before this power is given there must be an increase in establishments which is out of the question at present. In the meantime I think the Conservators should have more power to sanction estimates, etc., as suggested in paragraphs 12 and 27 of the note. Conservators are by no means destitute of power now (*vide* paragraph 6 of Board's Proceedings read in G.O. No. 413, Revenue, dated 4th June 1894. The second edition of the code has given them more power still. If the additions suggested in the note are given, the position of Conservators will be greatly improved and they will be made much more useful. The idea that the Senior Conservator should be made Forest Secretary to the Forest Member seems to me to be feasible and likely to allay the discontent which is now felt by

the Forest Department. Of course, it implies a loss of the time of a professional officer engaged in the petty work of an office, but the gain will be greater than the loss. I think we should refer this question and the question how far the powers of Conservators can be safely enhanced to the Forest Member, who will of course take the opinion of the Conservators on the subject.

J. G[ROSE]—29-4-95.

I agree.

H. B[LISS]—15-5-95.

I also agree as to proposed reference.

S. W[ENLOCK]—17-5-95.

G.O. Mis. No. 2346, Revenue, dated 19th June 1895.

*Proceedings of the Board of Revenue (Land Revenue), Forest No. 79, dated
19th February 1896.*

See my note at end and a few comments on
the Under Secretary's note.

A. T. ARUNDEL.

In G.O. No. 2346, Revenue, dated 12th June 1895, the Board was requested to report on two suggestions made by Government for the purpose of remedying certain defects in the present system of Forest administration. The proposals were—

(1) To increase the powers of Conservators, especially as regards financial control, in order to give them a more effective position as the "professional heads of their departments."

(2) To make the Senior Conservator an *ex-officio* Forest Secretary to the Board in order that the Board might be brought more into touch with Conservators.

2. These suggestions were the result of an enquiry started by Lord Wenlock as to the reasons why the Forest Department in this Province was administered by the Board of Revenue instead of by Government as in other Provinces. A very full and clear note on the subject was written by Mr. R. C. C. Carr, then Under Secretary to Government in the Revenue Department, and is to be found under G.O. No. 2346 already quoted. Mr. Carr points out that on

two previous occasions the same question was raised, and on both occasions it had been decided that Forest management could not and should not be transferred from the Board to Government (G.Os. No. 1017, Revenue, dated 27th October 1891, paragraph 9, and No. 413, dated 12th June 1894, paragraph 3). The really vital point for consideration was the position held by Conservators. The Forest Bill Committee of 1882 recognized the fact that to ensure Conservators being the professional heads of their department and responsible advisers to Government they should be given proper powers of control over their staff and the general working and finance of their circles. In the Forest Code of 1885, however, which was based on the Committee's recommendations and in the revised Code of 1894, while Conservators were invested with the necessary control over their staff, the general working and finance of the department remained with the Board and the tendency to divest Conservators of responsibility in these matters had been gradually increasing.

* Conservators merely had the privilege
of advising.

3. This was especially exemplified in the sanctioning of estimates and the preparation of the forest report and budget. In the former, the final authorities* were the Collector or the Board, neither of whom could be expected to possess the technical knowledge required for checking such estimates, while in the matter of budgets, though the Conservators had the power of criticising the budgets of the individual districts in their charge, they had little or no say in the preparation of the consolidated budget, which was drawn up in the Board's office by the Forest Assistant and never shown to Conservators until passed by the Board. To remedy these and other defects Mr. Carr made the suggestions referred to in paragraph 1 above.

4. The Board after having consulted the Conservators, whose views are printed *in extenso* in the current, now submits its report on the Government's suggestions. It considers that the view taken by Government of the Conservator's position is not an altogether correct one and states that there is closer communication between Conservators and the Forest Member than Government

seems to suppose. At the same time it is fully prepared to recommend such amendments of the Forest Code as will ensure to Conservators a footing more suitable to the position they should hold as professional heads of their department. A list of the amendments proposed is given in paragraph 5 of the Board's Proceedings. These were unanimously agreed to by the Forest Member and the three Conservators at a meeting held on July 13 last, and by them the following changes will be effected:—

(a) Conservators will be empowered to call for the annual plan of operations whenever they require it. Under section 83 of the Code, the plan is now submitted to the Board through the Conservators with the budget estimates. The plan is not required by the Board.

(b) Section 109 is to be altered so that Conservators, instead of Collectors, are made responsible for writing off forest produce, timber, stores, etc., up to a limit of Rs. 500. This was so in the Code of 1885 (section 103).

(c) It is proposed that Conservators should have the same control over estimates and expenditure as they had under the Code of 1885. These powers were taken from Conservators and given to Collectors by G.O. No. 996, dated 22nd September 1892. If this change is effected, Conservators will have the power of sanctioning capital expenditure up to Rs. 2,000, except in the case of livestock and tents where the limit will be Rs. 500, and ordinary expenditure without limit, provided the budget grant is not exceeded. Section 149 will now be unnecessary and is to be replaced by section 153 of the India Code.

(d) Consequential changes will have then to be made in sections 154 and 155 in reference to intimation of change in the district schedule of rates, intimation of sanctions to the Accountant-General and the checking and submission of completion reports. These duties will devolve on Conservators instead of Collectors.

(e) Section 159.—It is proposed to restore to Conservators the power of sanctioning refunds that they had formerly (section 121 of the Code of 1885).

(f) Conservators are to be empowered to transfer allotments from any

Section 76 of the Code of 1885.

Each Conservator ought to have a copy of it, and to obtain any information he desires as to how it is being carried out.

A. T. ARUNDEL.

So far as I remember it is a long document with numerous statements. If so the work of preparing copies would be serious.

J. G[ROSE].

Section 126 of the present Code.

budget head to another within their circles, in consultation with Collectors subject to the proviso that transfers between main heads (a) and (b) are to be subject to the sanction of the Board as at present. This will also necessitate an addition to section 8 in order to enable Conservator to transfer establishments from one district to another.

All the foregoing changes may be approved. The policy of 1892 as to the position of Conservators seems to require modification.

A. T. ARUNDEL.

J. G[ROSE].

5. With reference to these changes, attention is invited to G.O. No. 996, dated 22nd September 1892, and the Board's Proceedings printed in it. In these papers, the position of Conservators was fully gone into and Government ruled that "as long as the Forest Department in this Presidency continued to be incorporated with the Revenue Department Conservators should not be given the powers in matters of finance conferred on them by the India Forest Code, and must be content to occupy the position of inspecting and advising officers, with limited authority in matters of establishment and power of control in matters of finance" and again that "no power of sanction of estimates, even for ordinary expenditure, should be vested in Conservators." It is thought, however, that, as the Government and the Board are agreed that the time has come for investing Conservators with fuller powers, the views expressed in 1892 need not bar the changes now proposed. One of the points raised in 1892 was whether the Conservator's authority to sanction also implied a power to veto Collector's proposals. This question has not been touched on by the Board. It is suggested that it would be well if the matter were clearly settled. It was suggested in the notes under G.O. No. 996 that where Conservators and Collectors disagreed, final orders should be passed by the Board.

6. The Board also agrees with Government that Conservators should have fuller powers in reference to the budgets of their circles. Hitherto Conservators have only dealt with the individual budgets of the districts in their circles. In the current year, however, they were requested to deal with their circles as a whole, and submit consolidated budgets with explanatory notes for large variations. The Board proposes to continue this scheme, and to that effect has framed a set of rules and

This will meet the difficulty.

A. T. ARUNDEL.

Yes.

J. G[ROSE].

A very salutary change.

A. T. ARUNDEL.

an appendix to be substituted for sections 120, 129, 131 and appendix 10 of the present Code. The rules are printed *in extenso* at the end of the current. It is submitted that they may be approved.

The Board will review the consolidated budgets, and will forward to Government with its review the explanatory notes or memoranda of the Conservators and explanations for any alterations or amendments made by it.

In this connection the Board asks for a reconsideration of an order passed by Government in its review this year (paragraph 3, G.O. No. 808, dated 12th December 1895) that two columns should be added to the explanatory memorandum of variations, explaining variations between actuals of the previous year and the revised estimates of the current year. Actuals of past years and the current year as far as available under each head and sub-heads are carefully considered both by Conservators and the Board and alterations in the sanctioned budget made as a result of this scrutiny are explained in the memorandum submitted. It is submitted, therefore, that the additional columns are unnecessary and need not be insisted upon.

A. T. ARUNDEL.

I would say "The draft of the Board's general report will be drawn up by one of the Conservators selected for this purpose by the Board and will, after approval by the Forest Member, be submitted so as to reach Government by the 15th November." This modification is consequential on the suggestion in my note below, that the proposal to employ the Conservator, Central Circle, should not be carried out. In any case it would seem desirable to let the Board select the best of the three Conservators for drafting the budget.

A. T. ARUNDEL.

This will be necessary if the Joint Secretary's proposal is not approved.

J. G. [ROSE].

7. As regards the administration report, hitherto the technical portion only has been dealt with by the senior Conservator. It is now proposed that he should deal with the report in its entirety, and to this end two small alterations will have to be made in section 258 (*vide* paragraph 7 of the current). It is submitted that the alterations may be approved.

8. The Board on the whole agrees to the proposal to make the senior Conservator an *ex-officio* Joint Secretary to the Board, but proposes to utilize his services only in the preparation of the annual budget and report and other technical and professional matters, leaving the bulk of the Forest work, including routine, forest settlement, appointments, promotions, transfers and appeals still with the Land Revenue Secretary. The Conservator would, however, be at liberty to see and comment on all papers connected with forest matters.

The Board points out that the objections raised by it in paragraph 11 of its Proceedings, dated 18th June 1891, No. 259 (in G.O. No. 1017-18 of 1891) to the appointment of a junior Forest-officer as Secretary, are not entirely obviated by the appointment of a senior. Besides the Conservator, Central Circle, will not always be the first-grade (or senior) Conservator, nor is the Board prepared to recommend that it should be so. The three Conservators are co-ordinate in their own circles, and to place one in practical control of the other two might lead to friction, the chances of which would be enhanced if the Central Conservator were second or third grade. The Board, however, relies on the Forest Member to secure harmony and is ready to face the possibility of friction.

The Central Conservator will have to be relieved of part of his charge, and the Board proposes to do so by adding Nellore and Cuddapah to the Northern Circle. This will make the circle larger than it was before the re-organization and it will be very difficult for the Conservator in charge to comply with the requirements of section 247 of the Code and visit his whole charge once a year making detailed inspection once in two years. Mr. Hooper, however, thinks that with an increased establishment the work might be done. The Board, therefore, proposes to increase the manager's pay from Rs. 100 to Rs. 125 and add two extra clerks on Rs. 20 and Rs. 25 to the circle.

On account of the increase of work following the Conservator's increased powers of sanction, the Southern Circle establishment will also need strengthening. The Board proposes to raise the manager's pay from Rs. 100 to Rs. 125 and restore the clerk on Rs. 25, abolished at the re-organization of 1891.

There will be no change in the central office, for though the circle is reduced the work will be increased as in the case of the other circles.

Against this increase of Rs. 120 per mensem the Board has effected a saving of Rs. 30 in its own office.

These arrangements appear to be necessary and it is submitted that they may be approved.

A. L. HANNAY—20-4-91.

This is a very serious drawback to the proposal. See note below.

A. T. ARUNDEL.

See note below.

A. T. ARUNDEL.

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The two chief matters for decision are:—

(1) whether the powers of Conservators shall be increased, and

(2) whether the Conservator, Central Circle, shall be relieved of part of his circle and part of his ordinary duties, and in effect be a Joint Forest Secretary for professional matters to the Board.

1. The first question attracted my attention when I was Forest Member of the Board from August 1892 up to the end of 1893, and I should have made specific proposals for enlarging the powers and responsibilities of Conservators if I had remained in charge of the department. The functions of the Conservators were and still are "to inspect and advise." Inspections which result in little more than a report and advice that need not (though it probably may be) followed are not likely to excite much enthusiasm, and it appeared to me that the experience and professional knowledge of the Conservators were to a very great extent wasted. The present proposals are, I submit, entirely in the right direction and I think it should be recognized that, as time goes on, the powers of the Conservators in executive matters and in control over the District Forest-officers should and will be increased. This, however, should come about in the natural development of the department. For the present any premature severance of the District Forest-officer from the Collector would be bad both for the department and for the people of the country.

2. Please see paragraph 11 of Board's Proceedings No. 259 of 1891 at page 8 in G.O. No. 1017, dated 27th October 1891. The Board's Proceedings supporting the proposal to make the Conservator, Central Circle, Joint Forest Secretary to the Board in professional matters disclose reasons against it which seem to me to be fatal. The reasons for the change are (1) to do away with what Mr. Carr calls (paragraph 25 of his note) "the amateur control exercised at headquarters over what is in reality a scientific department," and (2) to eliminate a certain departmental jealousy or suspicion against the Forest Assistant in Board's office, a native subordinate on Rs. 250 a month (paragraphs 13 and 16 *ad finem*).

I don't think a "severance" will ever be good.

J. G. [ROSE].

(1) The first reason is based on the allegation (paragraph 16 of the note) that "there is no guarantee that the Board's policy will be continuous," because there have been frequent changes of Forest Member and because the Secretary with rare exceptions has no special knowledge of forestry. The Hon'ble Mr. Grose has observed that "Conservators change as often as Forest Members." Moreover Mr. Carr has nowhere given any instances of a vacillating policy in Forest administration due to the cause he has assigned. I know of none myself, and unless the allegation can be shown to be something more than an assumption—namely a proved fact—the reason falls to the ground. Changes of policy there undoubtedly have been, but they were ordered by this Government or by the Government of India, and were inseparable from the inception and growth of a new department. It is, I think, an error to speak of the control of successive Members of the Board as "amateur," when it is exercised by men who have passed the bulk of their service in acquiring land revenue experience with which some of the most vital of forest questions are intertwined, and when the Member for the time being is aided by the Board's Secretary and by a competent office to maintain the accepted methods of official administration. Precisely similar objections might be raised to the control of the Revenue Settlement Department which also puts forward claims to a scientific method.

I also demur to Mr. Carr's description of the Forest Department as "in reality a scientific department." "As remarked above, some of the most vital of forest questions, such, for instance, as forest settlement, and the claims, rights and privileges of the people, are intimately bound up with the land revenue administration, and have no concern at all with technical forestry. Technical forestry itself cannot be transplanted direct from the French or German Forest schools but must be built upon accumulated experience as to the nature and conditions of the various parts of the Presidency. The Forest Member aided by the advice of three Conservators is, I submit, in a better position for coming to a sound conclusion than if a single Conservator were at his side as Secretary. In my forest tours I was much struck by the

Still, as Mr. Popert says, Forest-officers are undoubtedly discontented, because they feel they have no officer of their own service with the Board or Government to represent them.

J. G[ROSE].

wide divergence of opinion between experienced Forest-officers as to the proper methods of conserving and working the same tracts of forest.

The Board in the second clause of paragraph 8 of its Proceedings points out that "the three Conservators are in their respective circles co-ordinate officers, and to invest one of them with what would be practically considerable powers of control over the other two might easily create a want of harmony in forest administration which would be productive of greater evils than those which it is sought to remedy. . . . The possibility of friction consequent on the position of Joint Secretary being held by a second or third-grade Conservator will have to be faced; but the Forest Member must be relied on to secure harmonious working." Considering the reason which admittedly prompts the change the Board's conclusion appears to be antagonistic to its premises. It is surely better to face an evil which we know the extent of than exchange it for another of which all that can be said is that "the Forest Member must be relied on to secure harmonious working." I question whether the proposal to appoint the Conservator, Central Circle, as Forest Secretary would ever have been made but for the accident that the present holder of the post, Mr. Popert, is an extremely capable man and *longo intervallo* the best of the three Conservators. It could not have been put forward, for instance, if Mr. Cherry had held the post, for he would be quite incapable of doing Secretary's work. If Mr. Popert were to leave, the most capable man to succeed him—I mean for Secretariat work—would be Mr. Hooper, who would be an Acting Conservator of the lowest grade "invested with considerable powers of control over the other two," and the Forest Member would find himself confronted by the very difficulty he foresees.

Again, difficulties would in all probability arise from having the same officer employed in executive and in Secretariat work. It would, in practice, be impossible for the Conservator-Secretary to avoid pushing forward his own executive plans with special emphasis or for the Forest Member to weigh these plans with the same detached and

This is not all that can be said. It will certainly diminish the discontent of the Forest-officers.

J. G[ROSE].

impartial judgment that would be given to plans of the other two Conservators. If it were necessary to comment adversely on any act of the Forest Secretary in his executive capacity, the Forest Member would be in a position more difficult still.

But further difficulties have to be considered. The Secretariat work would involve the removal of two districts from Mr. Popert's Circle and their addition to the Northern Circle. But the Northern Circle is already so large and so heavy a charge that the requirements of the Forest Code as to inspection by the Conservator can hardly be complied with. If two more districts are added it is admitted by the Board that the detailed inspection of each district every two years is not likely to be carried out. The circle in short would be too large for one Conservator to manage.

Finally there is the financial difficulty. The increase to the powers of the Conservators will involve an additional clerk on Rs. 25 to the Northern and to the Southern Circles, and the Board also recommends an addition of Rs. 25 to the pay of the two managers, making it Rs. 125.

But in C. 3012 the Board forwards with support a proposal of the Northern Circle Conservator, Mr. Peet, to raise the pay of his office establishment from Rs. 225 to Rs. 325 per month, if his circle is enlarged by two additional districts. Against this the Board offers a saving of Rs. 30 in its own office.

The proposed increase to the size of the Northern Circle is a very serious change for the worse and ought not to be made, I submit, without the strongest reasons.

It may be noted here that since Mr. Carr wrote his note the Land Revenue Secretary to the Board has been relieved of much of the strain on his energies by the appointment of an Assistant Secretary and has therefore more time to devote to forest questions.

2. The departmental jealousy or suspicion—namely, that the Board's Forest Assistant on Rs. 250 has too much influence—which is one of the two reasons for the proposed change, has been discussed by the Hon'ble Mr. Grose in his note (G.O. No. 2346, dated

Secretaries can be and sometimes are disagreed with.

J. G[ROSE].

This increase in the size of the Northern Division is a great objection. Mr. Cherry says in his letter printed in the current that he considers any addition to the Northern and Southern Divisions impossible, but at the conference all three conservators (including two who knew the Northern Division well) agreed that Nellore and Cuddapah might be added to it.

J. G[ROSE].

The Board ought to be able to show a saving of more than Rs. 30 in its own office. This can be considered afterwards.

J. G[ROSE].

Hardly as an "admitted" fact. Mr. Carr says that the assertion by Forest Officers is not to be wondered at

J. G[ROSE.]

12th June 1895). Mr. Carr speaks of it as an admitted fact, but this, I think, is a matter of some doubt. Mr. Sim, when District Forest-officer, knew nothing of it. If it exists, it is, so far as my experience goes, baseless and absurd. No instances have been put forward to justify it. During my tenure of office any remarks on the conduct of gazetted officers—a matter in which personal feeling must be aroused—were invariably written, so far as I am aware, by the Secretary or myself, and were always most carefully considered. A similar absurd suspicion does exist in some other departments. The Hon'ble Mr. Grose has mentioned the supposed sway of the Sarishtadar over the Collector. In the Salt and Abkari Department it is supposed that the Assistant Secretary, Mr. Millett, is the *deus ex machina*. A high officer in that department once wrote to me privately on this matter and mentioned a certain Board's Proceedings which must have been dictated by the Assistant Secretary. On examination I found the Assistant Secretary had nothing to do with it and that it was entirely my own.

I submit that no Forest-officer, whatever his position has any right to go behind a Board's Proceedings any more than behind a Government Order and ask who wrote or originated it. As to the Board having no professional expert in forest matters the same objection would apply to Government. There is no expert for instance, in the secretariat to aid in disposing of questions from the Marine Department and the Chief Secretary is not aided by a barrister to draft notes or orders in the Judicial Department. There are already three experts in the Forest Department, one of whose special functions is to advise the Board, and as noted by Mr. Forbes (paragraph 25 of Mr. Carr's note) they constantly forward papers with a merely perfunctory remark. It may be that this is partly due to their being kept too much "on the shelf" and that with enlarged powers they will improve. The department has, however, at the present time ample means and opportunities of laying before the Board all technical and professional matters that come under review.

I have seen many papers which they should not have been content to "forward" without remark as they have done.

J. G[ROSE.]

To dislocate the administrative machinery for any but the most convincing reasons would be a grave blunder and such reasons are, I submit, wanting to the present proposal.

If the authority of Conservators is enlarged and if they are rendered content by fuller powers and responsibilities, I believe that nothing more will be needed.

I am sorry my note has run to such length, but the subject is important and it seemed desirable that Honourable Members should be put in possession of all that can be said against as well as for it.

A. T. ARUNDEL—22-6-96.

Certainly.

W. H. B[LISS].

It is admitted on all hands that the powers of Conservators should be increased and I think the Board's proposals should be accepted. Much of the experience and professional knowledge of Conservators is not utilized now. The powers which it is proposed to transfer to them from Collectors will not weaken the position of Collectors as the controlling officers of their districts. It must be laid down, however, that Conservators have not the power to "veto" any proposal of a Collector. If they finally think a "veto" is necessary a reference must be made to the Board.

As regards letting the Conservator of the Central Division act as Joint Secretary to the Board and giving him the position the Board describe there is more reason to doubt; but I think on the whole that the Board's proposal should be accepted and tried. This will diminish the discontent now felt by our Forest-officers, which is doing us harm, and is attracting attention in other parts of India. The objections to this measure are strongly urged by the Secretary; but I do not think as he does, that they are fatal. (See notes below.)

Even if the Board's proposal is not accepted, I agree with the Secretary that the compilation of the Budget and the Administration report should be entrusted to a Conservator selected by the Board.

The financial question need not be considered now. I agree about it with the Under Secretary.

J. G[ROSE.]—15-7-96.

I agree with the Secretary that there are grave objections to marking the Conservator, Central Division, Joint Secretary to the Board. In fact I don't think the scheme could possibly work. Anyway it will be much safer to begin by simply giving the Conservators the proposed additional powers and responsibilities and I would not go farther at present.

H. W. B[LISS].

I. I agree with the Secretary and the Hon'ble Mr. Bliss.

* What has become of the Secretary of State's proposal to transfer the control of the Forest Department from the Board to the Government?

A. E. H[AVELOCK]—11-8-96.

* A report has been called for from the Board but has not yet been submitted. Please see G.O. No. 268, dated 16th June 1896. A reminder received from the Government of India was forwarded to the Board on the 3rd August.

L. D[AVIDSON]—12-8-96.

A. T. A[RUNDEL]—12-8-96.

XII

G.O. Nos. 59-60, Revenue, dated 30th January 1897.

READ—the following papers:—

(i)

*Proceedings of the Board of Revenue (Land Revenue), No. 294
(Confdl. No. 96), dated 3rd August 1896.*

The Board begs to submit the report * G.O., No. 268, Rev., called for in the dated 16th June 1896. above * Government Order. The matter has been discussed by the Full Board.

8. Turning now to the second question raised in the Government order under reply, the Board is asked to report upon the feasibility of transferring to the Government office "the Forest work of the Board"; in other words, the Government (at the instance of the Secretary of State) moots again the question of itself assuming the direct control over the Forest Department. The Board would, in the first place, explain the remarks in its Proceedings No. 794, dated 17th February 1894, to which the Secretary of State takes objection. The Board then said: "It must be a cardinal principle of any practicable scheme for simplifying forest business and expediting its despatch that the Board should retain the control of the Forest Department." The Secretary of State very naturally declares that this bare assertion is no answer to His Lordship's suggestion for reform. The Board would respectfully point out that it had no intention of meeting the Secretary of State's proposals by the above assertion. The matter then under consideration was the appointment of an Assistant to the Land Revenue Secretary who was admittedly overworked, and, under instructions from the Government, the Board was submitting for approval a scheme for the reorganization of its office establishment. The general question of the control of Forest administration was dealt with in a later proceedings (Board's Proceedings, No. 203, dated 30th March 1894), and the proposal to transfer the work to the Government office was then negatived on the grounds indicated by the Government itself in its Order No. 1017, Revenue of 27th October 1891. The Board regrets that its proceedings of February 1894 was worded in such a manner as to give ground for the

supposition that a suggestion emanating from the Secretary of State was met by a mere assertion of the negative, and begs to report that it had no intention of treating His Lordship's orders so curtly.

9. The suggested transfer of control over the Forest administration of the Presidency was duly dealt with in the later proceedings already quoted, and the views taken by the Government in 1891 were relied upon. The objections to such a transfer were tabulated under the following heads:—

- (1) that the direct administration of any department is not the function of Government, but rather the exercise of control over all departments;
- (2) that it would be physically impossible for Government to undertake the extra work; and
- (3) that, by section 4 of Regulation I of 1803, the general superintendence of Forest revenues must vest in the Board of Revenue.

These reasons appear to the Board to have the same force as in 1891, but as it appears that the Secretary of State is not satisfied that the transfer is thereby shown to be impracticable, the Board will endeavour to supplement the previous defence of the present system.

10. The transfer of the direct control over the Forest Department from the Board to Government is merely an item in the general scheme of forest organization, and, in order to deal with the question fully, it is necessary to review briefly the position of Conservators and District Forest Officers. This subject has been discussed at considerable length on various occasions in recent years, and arguments for and against the present system have been urged with great vigour; but, although these discussions have swelled the monthly volumes of proceedings of the Board and Government and have doubtless added to the general information on the subject, the

statement of the case given in the *Joint Report on the Organization of Forest Business*, dated 9th June 1882, contains the simplest and clearest definition of the relations between the Forest Department and the Land Revenue administration. The committee which decided upon this report consisted of three senior Civilians (Messrs. Whiteside and Logan and Sir H. E. Stokes) and two leading Forest Officers (Sir D. Brandis, then Inspector-General of Forests under the Government of India, and Colonel Campbell Walker, the Conservator of the Madras Forests). The connection between the Civil and Forest administration is thus indicated in the report:

"15. *Connection of Civil and Forest Administration.*—These remarks bring us to the consideration of certain further important changes in the organization of the Forest administration, which we desire to recommend. The area now placed under the charge of the Conservator is so vast that it is quite impossible for him to maintain the supervision and control of District Forest Officers, which are necessary to keep them up to their work and to secure energetic administration. The intervals between his tours in any district must, however active he may be, be considerable, and he cannot in existing circumstances obtain the immediate and full knowledge of the forest concerns of each district, which the directing officer, in such a matter as Forest administration, ought to possess. The result has been hitherto that the District Forest Officers have been left too much to themselves and, not feeling at hand the direction and support of a superior officer, have to some extent fallen into a position of isolation which has weakened the working of the department. Isolation of this kind is especially prejudicial to young officers during the early years of their service, in whose case the absence of official discipline at first may create habits which may mar their usefulness throughout their subsequent career. The forest establishments are not at present in a satisfactory state in all districts,—a fact which has no doubt intensified the evils which we have indicated; but, even if the staff were reorganized, these evils would, we think, probably still be felt. Further, it seems to us expedient to strengthen the hands of the local Forest Officers and to increase their influence by bringing them into closer connection with the Land Revenue organization. We, therefore, recommend that, subject to the checks hereafter noticed, the District Forest Officers and the staff under them be made directly subordinate to the Collectors."

The policy formerly adopted was then briefly referred to and the scheme formulated by the committee was indicated:

"16. The necessity of closely connecting the administration of the forests with that of other Government lands has long been recognized in the Presidency, and attempts have been made at different times to frame an organization under which this object would be attained. By the order of the 24th June 1872, No. 148, Collectors were made Conservators in their districts, the Conservator was appointed Inspector, and his duties were restricted to inspection and advice. This was found to work badly, and hence, in 1875, a change was made, and by the order of Government of the 19th November 1875, No. 1662-A, the Inspector was again made Conservator, and certain rules, modelled on those framed in 1870 for the conduct of forest business in Bombay, were sanctioned. Under these rules the control of the forest work is vested in the Conservator, but his orders are communicated to the District Forest Officer through the Collector, to whom certain limited powers of interference are granted."

"17. These rules have never perhaps been fully worked, and they have certainly not produced the effects desired. The separation between the Revenue and Forest organizations is still too wide. In the Bombay rules, an attempt was made to divide subjects, so that the District Forest Officer would receive his orders from the Conservator on subjects of a professional and departmental character, while in regard to other matters he would be subordinate to the Collector. This division of subjects and control is however artificial, and, if adopted, would in our opinion lead to friction and needless complications. In Madras, where the lands which should be placed under Forest administration, are in most cases, distributed over the whole of the districts, and are not confined to remote corners, there is especial reason for uniting as closely as possible the Land Revenue and Forest administration. The Collector being on the spot and possessing, or being able at once to obtain full local knowledge, is the fittest man to control the current work connected with forest business in his district; and the Forest Officers will gain much by association with the widely extended organization of which he is the local head and will cease to be regarded as outsiders and oppressors of the people."

"18. *Collectors and Conservator.*—The problem is to gain for local forest working the strength and vitality which it will derive from being placed under the control of Collectors and at the same time to take security for continuity of action, for the adoption of correct principles of forestry, for due subordination of local to general working, for the creation and maintenance of a properly instructed and efficient staff, and for ensuring to the Conservator the position which he ought to occupy as the professional head of the department and the responsible adviser of Government in forest matters. We

believe that under our scheme these objects will be attained."

The scheme which the committee then proceeded to elaborate was afterwards (in 1885) embodied in the first edition of the Madras Forest Code, and the organization worked so smoothly that, after six years, the Board was able in 1891 to report that only one case of friction had been brought to notice. The second edition of the Code (1894) has effected no material alteration in the general position, though an endeavour has been made to ensure to the Conservator a fairer share of the control over the technical portions of the district programmes. The position assigned by the Code to District Forest-officers as assistants to the Collectors in forest matters is admittedly a good one, and, although in working the system a certain degree of elasticity of rule is necessary, no radical change has ever been suggested.

11. As indicated in the extracts given above from the Forest Committee's report, the administration of the Government forests in Madras is inextricably mixed up with the administration of the land. It has been pointed out by the present senior Conservator that the management of grazing areas will, in his circle, at any rate, be the most important question for some time to come. The grazing revenue was until recently an item of Land Revenue and was collected by Revenue Officers. The efficiency of pasture lands is always a matter for consideration by the Land Revenue Officers and the interest of the special department must give place to the welfare of the general public. These principles have been reaffirmed in the Government of India Resolution of October 1894 on forest policy and are more fully understood now than when the Forest Department was first organized. Each year tends to bring the Land Revenue and the Forest Department into closer connection, and each year must therefore make it more necessary that the supervising authority of both departments should be the same.

12. But apart from questions of principle, it is very desirable that the working of the Madras Forest Department as a whole should come under the

supervision of a controlling authority of varied experience in general administration, who can afford time to deal with it in some detail and whose official standing is such that his orders will be readily deferred to by Collectors who are the district heads of the Forest Department. As matters now stand, the Forest Member can occupy this position, and, as the Government is aware, he can, and frequently does, make a personal inspection of any district or tract where his presence is specially required. Moreover the Government should have at hand some officer of standing whom it can depute to make such local inspections as occasion arises. If the forests were transferred to Government, no such officer would be available, and it is almost certain that the Revenue Secretary would not have sufficient leisure to devote his attention to forest questions in the same manner as the Forest Member of the Board.

13. Again the work of forest settlement is in itself a stumbling block in the way of the suggested transfer of control, and in this respect the Madras Presidency appears to stand in a different position to the rest of India. The Board believes that, with the exception of Burma, very little work of this nature is being carried on elsewhere. The reports do not show how the very considerable areas already classed as reserved forests in other provinces have been settled in the past, but, from the Inspector-General's remarks in several reviews, it appears that the quality of the Madras settlement work is very much better than that turned out in other provinces, where it is probable that a more rough and ready method has been employed. In Madras the legal basis is ensured at the Forest Settlement Officer's inquiry, and the interference of the Board and Government is confined to the scrutiny of boundaries and the recognition of such rights as the position of the reserve appears to render necessary. The preliminaries of forest settlement are, however, somewhat tedious, and the exercise of the necessary check over notifications involves a large amount of work in both the head-quarter offices. The Board of Revenue has a specially trained establishment employed

exclusively on this duty, and the time devoted by the Forest Member to this work alone is very considerable.

14. For the reasons above set forth the Board is of opinion that the transfer of direct control over the Forest

Department from the Board to Government is not at present feasible, and would respectfully deprecate any action being taken in this direction.

* * *

Order—No. 59, Revenue, dated 30th January 1897.

The Proceedings read above form the Board's reply to G.O. No. 268, Revenue, dated 16th June 1896. The main question referred for report was the possibility of reducing the number of the Members of the Board of Revenue, and the Board was requested to devote special consideration to two expedients suggested by the Government of India and the Secretary of State with a view to the attainment of that object, namely—

(i) the amalgamation of the Departments of Revenue Settlement, Survey and Land Records and the transfer of their control to a Director holding no seat on the Board, and

(ii) the transfer of the direct control of the Forest Department from the Board to the Government.

4. The feasibility of transferring the direct control of the Forest Department to Government is the next subject which.

calls for consideration. The reasons which render such a measure in the highest degree inexpedient, if not absolutely impracticable, are admirably set out in paragraphs 9 to 13 of the Board's Proceedings, which, in the opinion of Government, contain an unanswerable statement of the case against the proposed change. The Board's arguments will accordingly be transmitted to the Government of India with the fullest expression of concurrence on the part of this Government.

Paragraph 8 of the Board's reply satisfactorily explains the Secretary of State's unfortunate misapprehension of the remark made in its Proceedings No. 794, dated 17th February 1894, and the explanation will be duly submitted for His Lordship's information.

(True Extract).

G. STOKES,

Ag. Secretary to Government.

*Letter—from the Hon'ble Mr. G. STOKES, I.C.S., Acting Secretary to the Government of Madras, Revenue Department.
To—the Secretary to the Government of India, Department of Revenue and Agriculture.
Dated—Fort St. George, the 30th January 1897.
No.—60, Revenue.*

- (1) Paragraph 2 of Mr. Sly's letter No. 809-117-2, dated 24th March 1896;
- (2) Paragraph 8 of Mr. Ibbetson's letter No. 332-189-3, dated 5th February 1896; and
- (3) Mr. Ibbetson's letter, No. 933-159-1, dated 15th April 1896.

to which the Government of India has called for information.

9. I am now to discuss the question whether it is possible to effect a reduction in the number of the Members of the Board of Revenue. The first expedient which has been suggested for the attainment of this end is the transfer to the Government office of

Forest, Municipal and Local Board work.* It has already been explained that Local and Municipal business has been dealt with by the Government direct and without the intervention of the Revenue Board for over twelve years, and His Excellency the Governor

* Paragraph 2 of the Secretary of State's despatch No. 15, Revenue, dated 13th February 1896.

in Council has on two previous occasions given reasons for his conviction that the direct control of forest affairs cannot be transferred from the Board of Revenue to the Government. As, however, His Lordship the Secretary of State desires a further consideration of the subject, I am directed to set out at length the views of His Excellency in Council. It is unnecessary to repeat in detail the reasons which will be found in the Proceedings of this Government,* quoted at foot of the page and His Excellency in Council considers that he cannot better state the case against the proposed transfer than by quoting in *extenso* the arguments which the Board of Revenue has advanced when reporting on the Secretary of State's despatch now under consideration.

* * *

10. His Excellency the Governor in Council entirely concurs in the foregoing expression of the Board's views and considers that the arguments advanced embody unanswerable reasons for the continuance of the existing system of control over the Forest Department.

In particular His Excellency in Council feels that he cannot lay too great stress on the paramount importance of connecting the administration of the forests in this Presidency with the general land revenue administration; it is his firm conviction that any departure from this position would be a grave error in policy. The direct control of the land revenue administration vests in the Board of Revenue and for this reason, if for no other, it appears essential that the same authority should retain the management of the Forest Department. While putting prominently forward this aspect of the question, His Excellency the Governor in Council desires, however, that it should be clearly understood that he adheres fully to the views expressed by the Madras Government in October 1891 and June 1894, when the principal reasons assigned for the continuance of the existing system were the impossibility of imposing additional responsibilities on the Members of the Executive Council and the grave objections on grounds of principle to requiring a Local Government to undertake the direct control of the administration of any department.

* G.O. No. 1017, Revenue, dated 27th October 1891 (paragraph 9). Letter No. 1018, Revenue, dated 27th October 1891 (paragraph 3). G.O. No. 418, Revenue, dated 12th June 1894 (paragraph 7), with paragraphs 2 and 8 of the Board's Proceedings read therein. Letter No. 414, Revenue, dated 12th June 1894 (paragraph 7).

B. Notes to G.O. Nos. 59-60, Revenue, dated 30th January 1897.

9. In paragraphs 8 to 14 the Board discusses the feasibility of transferring to the Government office the forest work now dealt with by the Board. It is first explained that the remark to which the Secretary of State took objection was not intended as a reply to His Lordship's suggestion, but was made with reference to another matter then under consideration, namely, the proposal to appoint an Assistant Secretary on the Land Revenue side of the Board's office. From Lord George Hamilton's despatch it would appear that His Lordship interpreted the Board's remark as referring to Lord Cross's despatch of March 1891. This was not the case, for, as has already been explained above, that despatch was dealt with by Government direct without reference to the Board and the consideration of it was completed by October 1891—*vide* G.O. No. 1017, dated 27th October 1891. The same suggestion was, however, reiterated in Lord Kimberley's despatch of 19th January 1889, which was referred to the Board of Revenue and reported upon in Board's Proceedings No. 203, dated 30th March 1894, and disposed of in G.O. No. 413, dated 12th June 1894. The Board now expresses its regret that its Proceedings of the 17th February 1894* were worded in such a manner as to mislead the Secretary of State. His Lordship's mistake is not altogether unnatural and it is unfortunate that the Board should in February 1894 have expressed so positive an opinion upon a subject which had been referred to it for consideration in G.O. No. 311, dated 20th April 1893, and regarding which its detailed opinions were not submitted until March 1894.† The Proceedings of the latter month do not however appear to have been transmitted by the Government of India to the Secretary of State and hence His Lordship's mistake.

10. In paragraph 9 the Board reiterates the objections taken to the proposed transfer of the forest work in 1891, which were adhered to by Government when the subject was revived in 1894.

11. Paragraph 10 refers to the special report upon the reorganization of the Forest Department which was drawn up

* *Vide* G.O. No. 681, Revenue, dated 21st September 1894.

† *Vide* B.P. in G.O. No. 413, Revenue, dated 12th June 1894.

in 1882 by Messrs. Whiteside, Logan and H. E. Stokes in consultation with Sir D. Brandis (the Inspector-General of Forests), and Colonel Campbell Walker (the Conservator of the Madras Forests). This report dwells upon the necessity of closely connecting the administration of the forests in this Presidency with that of other Government lands and lays emphasis on the expediency of entrusting the control of current forest work to the District Collector as being on the spot and possessing or being able at once to obtain full local knowledge. It was this report which ultimately resulted in placing District Forest officers in the position of assistants to the several District Collectors. The system has in practice been found to work well and the Board deprecates any change. Granting the intimate connection between the land revenue and forest administration and the desirability of maintaining the existing relations between Collectors and the District Forest officers, it would seem to be a necessary corollary that the Board of Revenue which is the controlling authority in respect of land revenue administration should occupy the same position in regard to the operations of the Forest Department.

12. Another obstacle to the change proposed is pointed out in paragraph 12 of the current. The Forest Member of the Board has frequent occasions to make local inspections throughout the Presidency either because of the intrinsic importance of the forest matters in issue or to satisfy himself as to the proper policy to be pursued in cases where Collectors and Conservators disagree. If forest business were dealt with direct by the Government office, the Revenue Secretary would certainly be unable to make such local inspections and Government would be compelled either to depute a special officer to make the necessary inspection or to rely on the opinion of either the Collector or the Conservator. In the first case the deputation of a special officer would involve administrative inconvenience, and it seems probable that no officer could be selected so well fitted to form an opinion upon matters in issue as the Forest Member of the Board of Revenue who is habituated to dealing with forest questions. In the second case if the Government accepted the opinion of the Collector,

there would be some risk of friction between that officer and the Conservator, and the same consequence might ensue if the Conservator's opinion prevailed. Under the present system there is less risk of friction, for the Board's Forest Member has the opportunity of discussing matters in person with both Collector and Conservator and of himself making a local inspection if necessary. He is in a superior position to both officers and is more likely to take a wider view of the questions raised than either of them.

13. In paragraph 13 the Board dwells on the way* in which the forest settlement is conducted in this Presidency as contrasted with other provinces. It is the case that the annual reviews of the Government of India have on more than one occasion drawn attention to the high quality of settlement work turned out in this Presidency, but, as the Board remarks, there is no doubt that this feature of the local administration involves a large amount of work in both the head-quarter offices. The preparation of draft notifications under section 16 of the Madras Forest Act V of 1882 and the necessity of making a careful judicial enquiry into all claims presented during the settlement of forest blocks cause an immense amount of labour, more especially in the Board's office. When the papers come to Government they are, as a rule, printed and the draft notifications call for but few remarks. But in the Board's office all communications come up in manuscript and the scrutiny of the registers showing the way in which claims were disposed of in settlement very frequently results in further references to the District Officials. This involves an immense amount of work which is not such as to require the attention of Government and there is, it is submitted, no reason why matters of this description should, in the Forest Department alone, be dealt with in the Government office. Experience, however, shows that District Collectors frequently fail to deal with these matters to the satisfaction of the Board of Revenue and Government, and it would be inexpedient to transfer the powers now exercised by the Board of Revenue to Conservators, partly because of the risk of friction and partly because such officers are likely to regard the

*It has just been held up as a model to other provinces—*vide* Government of India's Circular No. 15-F./216-1, dated 31st August 1896.

L.D.—5-10-96.

Yes. I would strongly deprecate any measure calculated to alter the position assigned to District Forest-officers as *Assistants to the Collectors in forest matters*.

A. E. H[AVELOCK]—9-1-97.

It will always be undesirable.

J. G[ROSE].

I should say impossible. I certainly can't get through any more work than falls to me. If my Honourable Colleague's work is such as to permit him to use the word "undesirable," perhaps he will let me send him some of mine!

H. W. B[LISS].

questions in issue from the narrow point of view of the forest expert. For these reasons it therefore seems necessary that some authority intermediate between Government on the one hand and the Collectors and Conservators on the other should continue to deal with forest settlement work until the stage when final draft notifications under section 16 of the Madras Forest Act can be submitted to Government in a proper form. If this view is accepted, it would seem that Government should adhere to the position taken up in October 1891 and reaffirmed in July 1894, namely, that any transfer of forest business from the office of the Board to Government is for the present, at least, highly undesirable.

* * *

L. DAVIDSON—30-9-93.

J. G[ROSE].

I submit that a point of policy of very great importance is involved in the proposal that Government should take the direct administration of the Forest Department. There can be no question, I think, that in the highest controlling body careful deliberation, stability and consistency rather than promptitude, of action is what is wanted. When the former is wanted a consultative body is necessary. When it is the latter, an individual. I submit, therefore, that Government should strongly oppose any effort to thrust on it direct executive control. I know from my experience as a Collector that every artifice and trick is used to convert the direct connection of Government with Local and Municipal matters into a means of discrediting the Government with the general masses. The iniquities of the Forest Department will also be laid at its door. As pointed out by the Board it is physically impossible for Members of Council to exercise real executive control. Apart from the work falling to them to successfully carry out measures, personal touch with the ruled is often necessary which, in such a case, is practically impossible. It may be said that the success of the portfolio system cuts largely into these arguments, but I submit this is not the case. That success is due merely to the recognition of the fact that all the work in a department is not of equi-

J. G [ROSE]. | complexity and importance. The position of an officer who can turn to others of equal experience and standing with himself for aid and advice is inexpressibly better than that of a man who stands alone. The practical result of the direct control by Government will be that those duties which are only well discharged by a responsible officer who is a visible head of the department will be discharged by an officer without responsibility shielded by the ægis of Government. We have the best possible position at present, and this persistent

தமிழ்நாடு ஆவணக்காப்பக நூலகம்,
எழும்பு, சென்னை-600 008.

தவணைத்தாள்.

கேச எண் :

ப. எண் :

Most essential. Don't let us move an
from this position.

A. E. H[AVELOC

It is perfectly impossible. As it is, the
is more than one can get through pro
At least, that is my experience.

H. W. B[LISS]—2-11.

Yes, but in so far as this would w
the control of the Collectors over I
matters, the change would, I am su
detrimental.

A. E. H[AVELOCK]—6-12.

[illegible]