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MADRAS RECORD OFFICE

Government of Madras

Subsidiary

DEPARTMENT

G.O. No.
B.P. No.

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Press
Mis.

Dated

8th June

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GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue, dated 25th March 1885,
No. ⁹⁸⁷ Forest 179 :—

Read—the following letter from J. S. GAMBLE, Esq., Conservator of Forests, Northern Division, to the Secretary to the Board of Revenue, dated Annamaram, 1st March 1885, No. 1980 :—

In reply to the orders conveyed in Board's Proceedings, No. ³⁹⁶⁴ Forest 404, of 20th November 1884, and reminder, dated 10th February 1885, I have the honor to submit letter No. A-8, dated 28th January 1885, from the Collector of Godavari received by me on the 3rd February and merely retained until I should have completed my inspection of the forests of Bhadrachalam and Rekapalle.

2. The Collector's letter fully describes the system and practice of drift-wood collection; and the special points which I need remark on are—

- (a) Major Walker's opinion on the applicability of the Madras Forest Act.
- (b) The expediency of extending that Act to the two taluks as recommended by Dr. Brandis and by the local officers.
- (c) The definition of what drift should or should not be collected.

3. In regard to (a), I confess it is quite a new reading of the Act to me, and I think the reading requires confirmation by official legal opinion, and would suggest that such be obtained. The equivalents of Sections 35 and 56 exist in the Indian and

* Here in camp I regret to say I have a copy of neither to refer to and therefore speak from memory only.

Burma Acts, I believe,* but all the same a chapter has been added to provide for the collection of drift. On this analogy it would seem that some similar law is

requisite in Madras, though there certainly seems to be some reason for the opinion put forward by Major Campbell Walker, who probably looked upon drift as timber in transit but out of control and, therefore, presumably Government property till ownership is proved. It may here be put forward, merely as a suggestion, whether it would not be a good plan to adopt Major Walker's further suggestion and put the Indian Act in force instead of the Madras Act in the Godavari district, so as to allow of the collection of drift under proper authority without an amendment to the Madras Act. It must be remembered that down to about Koinda we are only in possession of one bank of the river, and arrangements above that point ought, I presume, to be made in communication and concurrence with the Government of His Highness the Nizam. Perhaps, however, it will suffice to restrict future drift operations to the portion of the river which is wholly in British territory, and arrange the transit rules to suit timber from Foreign States.

4. In reference to (b), there are other reasons why the Forest Act should be extended to the two taluks, and these I shall explain in my report on their management.

5. As regards (c), I agree with the Collector that no attempt should be made to collect drift fuel or small pieces, and that a limit should be fixed, say 6 feet in length and 3 feet in girth, and only rough pieces be taken, not cut logs or converted timber. I believe the usual rule is that a man is allowed to take as much as he can conveniently unaided, carry away, and my proposal would leave a good margin beyond this.

6. The object of maintaining some well-arranged system of collecting drift timber is merely to assure to Government a proportion of the value of unclaimed wood, but to assist owners in recovering property of theirs which by some mischance may

have gone astray. The Collector's letter shows the importance which the Government of the Central Provinces attach to the stoppage of drift, and it cannot be doubted that good arrangements for salvage will be a great advantage to the many purchasers of timber not only from our own forests but from those of the Bustar State and the territory of Hyderabad, provided those owners take proper steps to mark their property. The salvage rate of two-thirds of the value mentioned in paragraph 9 of the Collector's letter is far too much for owners to pay, and many an owner would probably prefer to lose his property than recover it at a cost of two-thirds its value *plus* whatever fee Government adopts for salvage rates. I believe 25 per cent. is the usual rate paid, and this, I think, should be sufficient.

7. I shall not now do more than briefly indicate what I think ought to be done. A few stations at important points like Dumagudiem, Wudagudiem, Pocharam, Purushothapatnam, Rajahmundry and Dowlaishweram (most of which will be required under the transit rules and would have establishments who can look after drift as well) should be fixed, to which drift timber may be brought. Salvors would receive 25 per cent. *plus* cost of bringing to the station, and once a quarter a list of timber salvaged and its marks would be published and claimants invited. To enable claimants more easily to make good their claims, the marks used by traders should be registered, and all Government timber should itself be marked with a property mark to prevent unscrupulous persons marking, as their own, timber lying stranded. All timber to which claims are made good should be given up, the owner first paying the salvage rates, the transit cost and a small fee to Government; and such as is not properly claimed and made over within three months from notice should be sold for the benefit of Government.

8. I am about to submit a short draft of the simple transit rules I propose for the management of the Godáviri timber traffic and the payment of dues on forest produce, and, if Government desires it, will also submit draft rules under the above sketch provisions for the collection and disposal of drift. But the first question to be settled is the law under which these rules can be made, and on that I would solicit orders. I have made a revised selection of proposed reserved forests in Bhadrachalam and Rékapalle during my tour, and my report will be shortly submitted.

ENCLOSURE.

Letter from W. S. FOSTER, Esq., Collector of the Godáviri District, to the Secretary to the Board of Revenue (through the Conservator of Forests), dated Ellore, 28th January 1885, No. A-8.

I have the honor to furnish the information called for in Board's Proceedings, No. ³⁹⁶⁴ Forest 404, dated 20th November 1884.

2. The system in force in the Bhadrachalam taluk of seizing drift-wood is as follows.

3. Timber floating down the river is caught and handed over to Government officials, those catching the timber being remunerated for their trouble. An advertisement is published in the Gazette calling on claimants to appear and establish their right to the logs within a fixed period. Logs to which the right is proved by claimants are handed over to them and the remainder are sold by auction and the proceeds credited to Forest revenue.

4. The above has been the practice since the taluks have been handed over by the Central Provinces.

5. This practice was confined to the Bhadrachalam and Rékapalle taluks till 1883, and in the other taluks drift-wood was seized by private individuals and disposed of by themselves. Often it was appropriated by them.

6. In 1882, the Forest Ranger at Chanda complained that timber belonging to the Government of Central Provinces, which floated down the Godáviri, was seized at Rajahmundry and appropriated by private individuals, and that the State revenue was seriously affected by this practice, and requested that the provisions of Section 45 of the Indian Forest Act of 1875 might be put in force. The Conservator of Forests was consulted on the subject, and he replied as follows:—

"Although there are no special provisions regarding drift or waif wood in the Madras Forest Act, we have ample power to deal with it under the provisions of Chapter V, control of timber in transit, and Section 56 of Chapter VII.

"Unfortunately, however, the Legislative Council, on advice of the Select Committee, have exempted the 'Scheduled Districts' altogether from the conditions of the Act, although I believe it may be extended to these districts by a resolution of the Governor in Council under the provisions of the Scheduled District Act.

"Under these circumstances, I do not know what to recommend for the present, unless the Central Provinces Forest officers can be permitted to fix stations and enforce the provision of the Government of India Forest Act of 1878, Chapter 9, in the scheduled portions to which Madras Act V of 1882 does not apply. In all our southern districts it is customary to claim drift-wood as Government property, pending evidence to the contrary; and I trust that some way may be found out of the difficulty in your district."

7. The Acting Collector observed that the practice in the Bhadrachalam and Rékapalle taluks was in accordance with Section 56 of the Madras Forest Act, and ordered that it should be extended to the rest of the district.

8. At the beginning people complained of this order, and there was also some difficulty in carrying it out. Gradually they became accustomed to it, and when two-thirds of the value of wood was offered to the captors, the scheme began to work fairly.

9. I noticed that the order issued was interpreted to mean that every little bit or scrap of wood was to be collected on behalf of Government, which, I believed, was not intended by Mr. Happell, and therefore ordered that the collection of ordinary drift-wood should not be interfered with and that timber of some value, which it was possible to identify as having been cut by or on behalf of Government or private individuals, should not be appropriated by private individuals; but should be made over to the officers of Government. I also arranged for liberal rewards being made to the captors of such wood. This order seems to have perfectly satisfied the people, as I have received no further complaints on the subject.

10. The Conservator of Forests is now inspecting the forests of the Bhadrachalam taluk, and I have requested him to give his attention to the operations of the Forest Department in connection with the timber traffic of the taluk.

Resolution—dated 25th March 1885, No. ⁹⁸⁷ Forest 179.

Submitted for the orders of Government.

2. No portion of the Madras Forest Act applies to the taluks of Bhadrachalam and Rékapalle, nor, supposing it to be in force in those taluks, could any section thereof be held applicable to the seizure of drift timber except perhaps Clauses "b" to "f," Section 35.

3. Under existing conditions, the stoppage and seizure of drift timber is a pure act of police, the object in view being restoration to the owner; to this end, it is within the competence of Government, by executive order, to issue rules for the regulation of the rate of fees payable to the salvors and for the recovery of the cost of advertising for the owners.

4. Preferable, however, to this solution, and preliminary to the issue of rules to control the seizure and salvage of drift-wood and timber, is the introduction of Sections 35 and 36 of the Forest Act into the taluks of Bhadrachalam and Rékapalle by notification in the *Fort St. George Gazette*, the advisability of which the Board suggest to the consideration of Government.

(True Copies and Extract.)

(Signed) C. F. MacCARTIE,
Acting Sub-Secretary.

To the Secretary to Government, Revenue Department.

Copy to the Conservator of Forests, in charge of Northern Division.

" " Collector of Godáviri.

" " Conservator of Forests, in charge of Southern Division.

" " Deputy Conservator of Forests, in charge of
Central Office of Accounts.