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# MADRAS RECORD OFFICE

Government of Madras

*Judicial*

DEPARTMENT

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

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Press  
Mis.

Dated

2<sup>nd</sup> March

1894.

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PROCEEDINGS OF THE BOARD OF REVENUE  
(LAND REVENUE).

From

A. T. ARUNDEL, Esq.,

Acting Fourth Member of the Board of Revenue,

To

THE SECRETARY TO GOVERNMENT,

Revenue Department.

SIR,

I have the honour to submit the report called for in Government Order, No. 874, Revenue, dated 10th October 1893.

2. As directed in the order, I visited the Gódávári district, and at Rajahmundry, on the 17th October, met Mr. Wynne, the Collector and Agent, Mr. Peet, the Conservator of Forests, Northern Circle, Mr. Spencer, the Special Assistant Agent, and Mr. Jackson, the newly arrived District Forest-officer; and with them held a conference at which a good many points were settled as will appear hereafter, and a preliminary draft of rules for the export of timber from Rampa was drawn up and agreed to.

3. A conference with the District officers proved entirely insufficient to enable me to form a clear conception of many of the points at issue. The export of timber from Rampa was inextricably bound up with the general rules under section 26 of the Forest Act in force outside the Rampa country, and these again with the timber transit rules under section 35 for the river Gódávári.

4. I, therefore, judged it necessary to steam up the river, to visit Polavaram on the right bank, the head-quarters of that division of the Agency tracts; thence to inspect Purushottapatnam, Devipatnam and Kachulur, the three chief places on the left bank of the river to which timber is brought from Rampa; thence further up the river to Wadagudiem and Kúnávaram at the junction of the river Saberi with the Gódávári whither timber is brought from Bustar and Jeypore; and finally to Bhadrachalam as the head-quarters of the taluk. An incidental visit was also made to Razugompalle, where the experimental borings for coal are being made by the Gódávári Coal Mining Company and where the question of the supply of firewood on an increasing scale was found to require special attention. I was accompanied throughout by the Conservator, the Special Assistant Agent and the District Forest-officer.

5. After the river inspection was concluded, a short tour was made to Rampa *via* Gokavaram and Chódavaram where we had the advantage of seeing the produce brought into two of the weekly markets and of ascertaining the views of some of the principal muttahdars on the subject of timber export and permits. On our return from Rampa, Mr. Wynne was good enough to meet us again at Rajahmundry for a final discussion.

6. I found that no visit to the Yellavaram division of the Agency tracts was required for the object now in view. Mr. Wynne, the Collector, had been there in company with the Conservator only a few weeks before and had received no complaints, though this may have been due to the weather and the river floods. We were, moreover, entirely agreed as to the course that should be pursued in that tract, and the enquiries and arrangements that will be required for its forest reserves will necessitate a prolonged tour by the Special Assistant Agent and the District Forest-officer as will be explained below (paragraph 13).

Finally, it is desirable that the rules for the control of the forests generally and for the export of timber from Rampa in particular should be sanctioned and brought into operation before the roads are dry enough to admit of regular traffic.

7. I will, now, discuss *seriatim* the various points with which Government has directed that my report should especially deal.

8. *Yellavaram Division* [Government Order, dated 10th October 1893, No. 874, paragraph 4 (1)].—As regards the reserved forests in Yellavaram, seven in number, gazetted under section 16 of the Act, there is no reason why they should not be managed by the Forest Department in the usual way, subject to proviso (iii) in paragraph 6 of the order, that forest orders be issued through and with the approval of the Special Assistant Agent subject to any general or special instructions the Agent may find it convenient to issue regarding matters of detail and routine.

9. Enclosed are copies of two letters that passed between the late District Forest-officer, Mr. P. M. Lushington, and the Special Assistant Agent, Mr. Gillman, relative to the complaints made to the latter of restricted cultivation and exclusion from the reserves. It will be seen that Mr. Gillman, without entering into any detail, states that "complaints were made by almost every village in the division that lands under cultivation had been included in reserves and that insufficient forest, in some cases none at all, had been left for agricultural purposes." As the area covered by reserves finally notified under section 16 is less than that of proposed reserves recently settled and ripe for final notification, it is clear that the complaints must have referred to the latter as well as the former, and that the distinction was not observed by Mr. Gillman. It would appear, however, from paragraph 3 of that officer's letter that notices of exclusion from the forests had been issued by the Forest Department in certain cases, and the desirability of associating the Special Assistant with the active operations of the department as proposed in paragraph 8 above becomes the more apparent.

In the course of the detailed inquiry which, as will be shown below, will be necessary in the case of the settled reserves still to be notified under section 16, it will be desirable to ascertain what concessions, if any, are necessary in the case of the reserves already finally notified and how they can best be carried out.

10. With regard to the minor forest produce of the Yellavaram division, it is found that here as elsewhere the hill-men who collect it sell to middle-men—usually pariah residents—who pay the seigniorage at the time of export. The seigniorage thus falls in the first place on the middle-man and finally on the consumer. The gatherers are not touched or affected by it and the present practice need not be interfered with.

11. Next to be examined is the question "should all the areas which have been notified under section 4 of the Act be constituted reserved forests under section 16?" [Government Order, paragraph 4 (ii)]. There is no doubt that many, probably most of the complaints made to Mr. Gillman, refer to these areas. To arrive at a decision, I sent for the settlement records and took the opportunity to examine the Forest Settlement-officer, Mr. Lever, on the subject and obtain from him the information he was able to furnish. The result makes it clear that if these reserves are constituted as now settled and the ordinary rules rigidly enforced, there will be much hardship in not a few cases. The claims to land under "podu" cultivation in these forests have been almost invariably rejected, and considering the backward condition of the people it is not improbable that other similar claims have not been put forward owing to ignorance. The ground of rejection is that as the villages are leased out annually, neither renter nor cultivator has any right to land within the village for a

longer period than that of the lease, namely, the current year. Thus "podu" cultivation ranging from trifling plots of an acre or two up to areas of as much as 100 and even 200 acres has been disallowed. In a few cases the boundary of the reserve has been altered to exclude the "podus," but the decision ordinarily disallows them, first on the ground of absence of legal right, and next because they are either far within the reserve or else near the edge, and in either case the boundary would be prejudicially affected. In both cases, the result is the same and the cultivator is ousted.

12. Twenty-five such claims were thus disposed of. They were preferred in respect of six out of the seven reserves under section 4 which have been settled and are now ready for notification. No similar claims are recorded regarding the remaining reserves; but as already observed, it is desirable to ascertain whether such claims exist both here and in the finally gazetted reserves and whether claimants have omitted to appear owing to ignorance. It is to be observed that in the twenty-five cases alluded to, the claimants were hill-men in only four. In the remainder, the claimants were Telugas of the plains, who, though not entitled to the same advantages as the Koyas and Reddis, should nevertheless receive favorable consideration. The Forest Settlement-officers, Messrs. Jagannada Row and Lever, while not to blame for adhering to the general instructions for the conduct of settlement in the absence of special orders, would have shown discretion in representing matters of this unusual character to the Collector and requesting his instructions. The strict legal procedure which is applicable elsewhere requires modifications with reference to equity and good policy to render it suitable to the different conditions of the Agency tracts. In most of the cases I have above referred to, it should be ascertained that land is available for the cultivator-claimant elsewhere, if it is found unavoidable to exclude certain of his "podus" from a reserve. In a few cases, however, where the "podus" have been long abandoned and are covered with jungle, there is no ground for going beyond the decision of the Forest Settlement-officer. It must also be seen that there is sufficient land available for extension of cultivation generally.

13. For the foregoing reasons, it is not advisable to accept the settlements of the proposed reserves as they stand. The Special Assistant Agent will shortly take up the jamabandi of the Yellavaram division, and it is desirable that, in conjunction with District Forest-officer, he should make careful inquiry into the matter and see that equitable claims apart from the strictly legal claims already decided are reasonably satisfied, by the assignment of other land outside the reserve if this can be done, or by reducing the size of the reserve or modifying its boundary. These officers should, at the same time, see that a sufficient area is excluded from reservation around each hill village—if any—within the proposed reserves. No hard and fast line can be laid down for such area nor for the area required for extensions of cultivation. Much must depend on the circumstances of each village, its population, proximity of available land in adjoining villages, &c., but eight times the existing area under cultivation may be laid down as a maximum which will be amply sufficient. The Forest Settlement-officer's presence will probably be required throughout, and he will, after inspection, have to modify the boundaries of the reserves or admit enclosures within them, as may be decided.

14. The third point is whether "any extension of reservation is needed in this division for grazing purposes or for the supply of fuel." [Government Order, paragraph 4 (iii)]. So far as information is at present available this question must be answered in the negative. It is, however, necessary to ascertain whether there is any likelihood of the grazing areas being acquired on a large scale by a few speculators with a view of levying high fees from cattle-owners for the privilege of grazing. This process is said to be going on in the Polavaram division and, if necessary, it should be anticipated by the reservation of the lands for grazing purposes by Government. It is also possible that in a few cases blocks of fine timber which were accidentally omitted at the original selections may be advantageously secured as additions to or extensions of the reserves. These matters can readily be ascertained and reported on by the Special Assistant and the District Forest-officer during their tour.

15. *Pólavaram Division.*—Reserved forests gazetted under section 16.—There are none.

16. *Reserves gazetted under section 4.*—Of these there are ten. Sixteen claims for "podu," old or new, were preferred in four of them, and in six cases the claimants were hill-men—Koyas. In all these claims, the Forest Settlement-officer has recorded that sufficient land is available for "podu" and cultivation outside the reserves, and all the old clearings had been abandoned and were overgrown with jungle. No complaints appear to have been made to Mr. Gillman or to any other officer about these reserves and they may be gazetted under section 16, when the settlement has been closed.

17. *Further reservations proposed.*—From the Deputy Tahsildar of Pólavaram I ascertained that these newly proposed reservations selected by the Ranger are much objected to by the villagers. It is, however, in this division that large blocks of grazing land are said to be acquired by speculators to secure an income by levying high fees from cattle-owners. There may also be a few blocks of good forest accidentally omitted which may be worth reserving as additions to the accepted reserves. It will be sufficient if the District Forest-officer visits these tracts, and in communication with the Special Assistant Agent reports on the advisability of reserving any tracts for the reasons above given.

18. In the Pólavaram division, as in Yellavaram, the control of the Forest Department should be exercised subject to the concurrence of the Special Assistant Agent. The Deputy Tahsildar of Pólavaram informed me that certain prosecutions had been instituted for new "podu" clearings outside the proposed reserves. Such a course would stultify the decisions of the Forest Settlement-officer who has rejected certain claims within the reserves, because there is available forest land outside, and further indicates the necessity for associating the Special Assistant Agent with the working of the Forest Department.

19. *Rampa.*—In paragraph 5 of its order, the Government notes its adherence to the order of February 3rd, 1890, No. 103, that it is not prepared to place the control of these forests under the Forest Department. For the present, arrangements can be made, and are detailed below, by which timber can be felled in and removed from Rampa without the presence of any Forest-officer within that country. In the course of time, however, and after the lapse of some years, it will become necessary to exercise supervision as to the areas to be felled over in order to prevent complete denudation of the country bordering on the plains.

20. In order to exercise any legal control over the felling and export of timber from Rampa, it is essential that certain provisions of the Forest Act be made applicable within it. Mr. Wynne, in his letter [No. Ex.C., 1, dated 19th September] a copy of which is forwarded, has pointed out the legal difficulties that bar the way to the method proposed in Board's Proceedings, No. 1132, dated 9th September, paragraph 8, of meeting the wishes of Government, and it is useless to formulate a system which will break down the first time a prosecution is instituted for breach of rules. The case stands thus: If the felling of timber in Rampa and its removal over the border is permitted, how can the person in charge be guilty of an offence under the Forest Act or the Penal Code for conveying such timber along the roads outside Rampa? And if any offence under the Penal Code be committed in such case, would not the acceptance of seigniorage in lieu of prosecution be an unlawful compounding of such offence? The difficulty of regulating timber traffic from Rampa without the aid of the Forest Act is further enhanced by the fact that Rampa is bounded on the south and south-west by zemindaris through which all timber from Rampa must pass to the river Gódáviri. It would be impossible to check such timber during or after its passage through the zemindari without a proper system of permits and check.

21. To avoid these obstacles, the Forest Act should, with the sanction of the Government of India, be extended to the Rampa territory, including the Guditeru and Dutsarti muttaha, that is, to the whole of the scheduled area in the Gódáviri district to which it does not already apply. The next step will be for Government, under section 1 of the Act, by notification in the *Fort St. George Gazette*, to exclude the

Rampa country from the operation of the whole Act except chapter I, section 26 of chapter III, and chapters V, VII, IX and X. Chapter I is preliminary and contains the definitions as well as section 1 just referred to. Section 26 provides for the making of rules to regulate the use of timber, &c., in forests, &c., belonging to Government which are not reserved. Chapter V consists of sections 35 and 36 which are for the control of timber in transit. Chapter VII provides penalties and procedure and is necessary for the disposal of forest offences that may have been committed in respect of Rampa timber, although, as will be seen from the rules proposed below, no forest subordinate will need to enter the country, and although forest subordinates should by departmental order be ordinarily excluded from it. Chapter IX fixes the status of forest officers, their legal privileges and liabilities. Chapter X contains miscellaneous provisions which may, from time to time, be required.

22. Before giving the draft rules proposed under sections 26, 35 and 36, I will explain the conditions of the tract of country to which they will apply and the grounds upon which the rules are based.

23. The Government was under the apprehension that the issue of permits for felling timber in Rampa or for transport therefrom involved an interference with the hill-people which might prove mischievous, and, in its telegram to the Collector of Gódáviri, dated 4th September 1893, it forbade the issue of permits altogether. The result of this prohibition is unexpected and shows how thoroughly the permit system is understood and appreciated by all parties concerned. At our visit to the river-side villages of Purushottapatnam, Devipatnam and Kachulur, whither timber is brought from Rampa, there was universal complaint at the stopping of the "chits" or permits, and I was informed that in many cases the people refused to avail themselves of the opportunity of obtaining timber without permit, fearing that a prosecution or other mishap would ensue. In Rampa itself the muttadars at our visit assured us that permits were absolutely necessary for their security and they were much concerned at the prospect of a cessation of the system. They informed us that they themselves never traded in timber, apparently as it was beneath their dignity or their capabilities, but that all the merchants came from the low country and employed the hill-people for the felling. A fee, usually one rupee per tree, was paid to the muttadars which they had agreed to forego in lieu of the annual payment approved by Government in Government Order, No. 1280, dated 21st December 1892, and with respect to this agreement their desire was to have prompt payment as proof that the matter was really concluded. They urged that if free felling were permitted without payment, the timber merchants would speedily destroy the trees most valuable for produce, such as the tamarind, cassia, soapnut and gallnut, and they desired that permits should in all cases be issued with a prohibition against the felling of certain trees, of which a list has been made out and is embodied in the draft rules.

24. I need hardly point out that the course desired by the muttadars is precisely that which best accords with the interests of Government and which will gradually lead to the more extended control that must follow when in the course of time the denudation of the forests of Rampa may be apprehended. It is also clear that, however much the muttadars may at present held aloof from the timber trade, they will before long discover that it is greatly to their interest to engage in it and they will then accept as part of the natural order of things the same permit system which they now desire for their own protection.

25. There is one exception which must be made to the foregoing remarks. The Koyas and other cultivators are in the habit of cutting head-loads of timber and fashioning it into rice-pounders, ploughs, yokes and the frame-work of rude cots. These are carried to the weekly markets at Gokavaram outside Rampa, and at the time of sale, the seigniorage, amounting to one-and-a-half anna or three annas (according to the timber) per head-load of seven or eight rice-pounders, and the same in proportion for the cot-frames &c., is paid by the purchaser. No complaints were

made and the system is thoroughly understood. Were it abolished, it would be difficult to prevent the illicit removal of bamboos and other light timber of various kinds.

26. No seigniorage is levied on minor produce exported from Rampa, and, although the system of purchase by middle-men prevails there as elsewhere in the Agency division, it is not necessary or advisable to make any change.

27. The following draft rules for Rampa under section 26 of the Forest Act are only three in number and are extremely simple. The first rule allows the hill-people to cut any timber free of charge for their own use except the kinds they themselves desire to protect. The Collector and Agent is empowered to prohibit the felling of any other kinds. The permission to fell free of charge is limited to the hill-people and does not extend to immigrants, temporary or permanent. It will be observed that no penalty is provided for cutting and felling timber by others than hill-men for their local use and probably none will be required till the social conditions of the region are greatly changed. Similarly there is no provision for levying seigniorage in such cases. The revenue involved would be infinitesimal and could not be collected without the presence of forest subordinates in Rampa. Meanwhile, the limits of the privilege allowed by Government are made known. The second rule disallows the removal from Rampa of any prohibited timber and requires any person desiring to fell and remove other kinds of timber to pay the fees and take out a previous permit at a revenue station which will be outside Rampa. Provision is also made for the export of head-loads. The third rule provides penalties for the breach of the second.

*Draft Rules under Section 26 of the Forest Act.*

Under the authority vested in him by section 26 of the Forest Act V of 1882, His Excellency the Governor in Council is pleased to make the following rules under section 26 (c), (g) and (h) within the Rampa territory of the Górávari district including Guditeru and Dutsarti muttals:—

(1) It shall be lawful for any *Koya* or *Reddi* inhabitant of the said territory to cut and fell free of charge for his own use within the said territory any trees or timber except the following:—

|             |     |                          |
|-------------|-----|--------------------------|
| Tamarind    | ... | Tamarindus Indica.       |
| Jack        | ... | Artocarpus integrifolia. |
| Ippa        | ... | Bassia latifolia.        |
| Soapnut     | ... | Sapindus emarginata.     |
| Gallnut     | ... | Terminalia chebula.      |
| Mango       | ... | Mangifera Indica.        |
| Charapuppos | ... | Buchanania latifolia.    |

The Collector and Agent may by notice in the District Gazette prohibit the cutting and felling of any other kind or kinds of trees or timber.

(2) Any person desiring to fell and remove any timber, other than the kinds prohibited in rule 1, beyond the limits of Rampa, shall apply to one of the revenue stations appointed by the Collector and Agent and on paying the fees prescribed by Government from time to time for the Górávari district under the general rules under section 26 of the Forest Act shall receive a permit in a form prescribed by the Collector and Agent, entitling him to fell and remove such timber beyond the limits of the said territory. Provided that the Agent may authorize the export without permits of head-loads of such timber as he may specify, subject to payment of seigniorage at the place and time of sale.

(3) Any person removing timber beyond such territory without paying the prescribed fees or without such permit, or removing any timber of the prohibited kind, shall be liable to imprisonment which may extend to one month or fine which may extend to Rs. 200 or both, and also to the penalties laid down in Chapter VII of the Act.

28. The next step is to frame rules for the transport of the timber after it leaves Rampa. As noted above the problem is complicated by the belt of zemindari land that borders Rampa on the south and south-west. On the south-west too these rules must work in with the river-transit rules (*infra* paragraph 33). In the zemindari border land it may be found necessary to plant tannahs for watchmen or guards as near the Rampa boundary as the jungle and other conditions will allow, besides checking and revenue stations at convenient villages below.

29. To secure the efficient working of the transit rules it is necessary to provide a sufficient belt around the accessible border of Rampa to allow of the establishment of checking, revenue-collecting and permit-issuing stations. Were this all, a belt might be formed by a line drawn from point to point on the map through certain specified villages. But transit rules are equally required for the forests of the Yella-varam division and it has been represented to me by the Conservator that much illicit removal of timber from these forests to the railway and the canal is now rife. It is, therefore, desirable to widen the belt sufficiently to embrace all these forests and a sufficient area beyond, and at the same time to adopt a boundary which shall be easily recognizable, and not an imaginary line drawn from village to village regarding which disputes would almost certainly arise. For this purpose it was agreed in discussion to take the river Górávari as the boundary on the west and the high road from Rajahmundry to Tuni on the south.

30. The objection to any belt at all and to a wide belt more especially is the interference with the legitimate occupation of private persons within it. If the rules require that all timber in transit shall be conveyed for check by specified routes within such belt, it follows that a ryot cutting a tree or a pole in his field and taking it home must obtain a permit and carry the timber, possibly many miles, to be checked at a tannah, instead of perhaps a few hundred yards to his house. But whenever wheeled traffic is practicable off the main roads it is obviously useless to restrict the transit rules to the main roads alone, as the illicit traffic which it is the object of the rules to prevent would carefully avoid such roads. The only way to meet this difficulty is to allow the Collector and Agent the amplest discretion to relax the rules in places where no fraud is likely to take place, so that he may free any private proprietor or any village or group of villages from the action of the rules, or empower village munsifs to issue permits for the local transport of timber within their own village limits so long as no improper advantage is taken of these concessions. Mr. Wynne's only objection to the draft rules that follow is that the provisos for exception and for relaxation in rules 1 and 5 will throw on him considerable additional labour and the responsibility of seeing that the rules involve no needless hardship to the people. This, however, is unavoidable and no other alternative is forthcoming. The Collector and Agent will have to avail himself largely of the discretion given to him and must also take care that no needless prosecutions are sanctioned. A report on the working of the rules with any suggestions for their amendment that may be found desirable should be sent in after six months' experience.

*Draft Rules under Sections 35 and 36 of the Forest Act V of 1882.*

31. Under the authority conferred on him by sections 35 and 36 of the Forest Act V of 1882, His Excellency the Governor in Council is pleased to make the following rules to regulate the transport of timber from the Rampa territory including Guditeru and Dutsarti and within the tract of country lying between the said territory and the following boundary: The southern side of the road from Tuni *via* Jaggammampeta to Rajahmundry, thence the left bank of the river Górávari to the boundary of the Bhadrachalam taluk:—

(1) No person shall transport timber from the said Rampa territory, or from any Government forest or land or from any private or proprietary lands within the aforesaid boundary, except along the routes and through the tannahs prescribed by the Collector. Provided that the Collector may, from time to time, exempt from this rule any private or proprietary lands not adjacent to Government forests if, in his opinion, no fraud with respect to the timber of any Government forest is likely to result from such relaxation, and may cancel such exemption.

(2) Any person desiring to transport timber from Rampa, or from any Government forest or land exclusive of forests reserved under section 16 of the Act, within the aforesaid boundary, shall apply at one of the tannahs referred to in rule 1 which may be appointed by the Collector for the receipt of revenue, and after paying the fees prescribed by Government from time to time for the Górávari district under the general rules under section 26 shall receive a permit in a form to be prescribed by the Collector.

In the case of reserved forest under section 16 of the Act, the timber shall be cut under such rules for the working of the forest as may be ordered by the District Forest-officer.

Nothing in these rules shall prevent the Collector from restricting or forbidding the cutting of any or all timber in any Government forests or lands except Rampa.

Nothing in these rules shall prevent, with the sanction of the Collector, the transport from Rampa without permit of head-loads of such timber as the Collector may specify, subject to payment of the prescribed seigniorage at the place and time of sale.

(3) Subject to the proviso at the close of rule 2, the person in charge of any timber therein referred to, whether coming from Rampa or from any other Government forests of lands, shall produce such timber together with his permit at the tannah named therein. The officer in charge of the tannah shall retain the duplicate of the permit, shall return the original with his counter-signature or a way-permit to the person in charge of the timber, and shall mark all such timber other than bamboos and brush-wood with a pass hammer. The person in charge of the timber may then take the timber to its destination. He shall preserve the countersigned counterfoil or way-permit for six months, and shall show it when required to any officer authorized by the Collector to demand it.

(4) If the timber be from private or proprietary land outside Rampa, it shall not pass the tannah free unless accompanied by a printed pass duly filled up and signed by or on behalf of the owner of the land.

Such passes shall be on forms which will be provided at cost price by the District Forest-officer and shall be in duplicate; the original shall accompany the timber and the duplicate shall be kept by the owner for six months from the date of issue and shall be liable at any time within those six months to inspection by any officer appointed by the Collector to demand it. In default of such pass the timber will be liable to be detained until the fees at the rates in force as prescribed under the general rules under section 26 of the Forest Act, have been paid at the nearest revenue station and in default of payment will be liable to be seized and to be dealt with as prescribed in Chapter VII of the Act. Provided that the Collector may from time to time publish in the District Gazette the names of villages within which timber from private and proprietary lands may be transported without permit or subject to such permit as he may prescribe and may modify or cancel such notification.

(5) Any person transporting or attempting to transport timber from the Rampa territory or within the boundary as aforesaid except in conformity with these rules shall be liable to imprisonment which may extend to one month, or fine which may extend to Rs. 200 or both, and to the penalties prescribed in Chapter VII.

32. It remains to provide rules to regulate the transit of timber from Rampa along the river Gódávri. It is proposed to effect this by a few alterations in the rules published at page 148 of the *Fort St. George Gazette*, dated 25th February 1890. In the first place the scope of the rules, which are now restricted to the Gódávri river above the boundary of the Bhadrachalam and Rékapalle taluks (now the Bhadrachalam taluk), should be extended to include the river above the anicut at Dowlaishwaram. If the road transit rules extend to Rajahmundry, the river transit rules should extend at least as far, and by including the river as far as Dowlaishwaram, it may prove feasible to check timber and permits for that town or for the canals, on arrival there, without the trouble of an intermediate halt for this purpose. As almost all timber transported by river is destined for Rajahmundry or the canals, it is desirable to have checking stations at these important points rather than to compel timber to be brought in from mid-stream at Pólavaram or Purushottapatnam. Moreover if the rules be not extended as far at least as Rajahmundry, timber from Rampa may be surreptitiously slipped through the zemindari land to the river to the south of Purushottapatnam. The other alterations to these rules are verbal and do not need special discussion.

*Draft of amended Rules under Sections 35 and 36 for Timber Transit on the river Gódávri, &c.*

33. In modification of the rules published at pages 148 and 938 of the *Fort St. George Gazette*, Part I, dated 25th February 1890, and 15th September 1891, respectively, His Excellency the Governor in Council is pleased to make the following rules under sections 35 and 36 of the said Act to regulate the transit of timber along the rivers Gódávri and Saberi above the anicut over the river Gódávri at Dowlaishwaram:—

1. All timber brought in log or by boat or in raft or otherwise along the rivers Gódávri and Saberi will be stopped for examination and for the check of permits or the payment of dues leviable thereon in the manner laid down in the rules under section 26 of the Forest Act for the Gódávri district generally and for Bhadrachalam taluk, respectively, at such tannahs as the Collector of Gódávri may fix from time to time.

2. Any person bringing timber from a reserved forest, or the wood of reserved trees from the forest to which the rules under section 26 apply, shall be bound to produce his permit at such tannah as may be prescribed. The officer

in charge of that tannah will examine the permit and the timber, and if both are found to be correct, will mark the timber with the pass hammer and allow it to proceed. If found to be incorrect, the timber will be seized and either retained until all dues in full have been paid according to the schedule of rates in force, or treated in the manner prescribed in chapter VII of the Forest Act.

3. No timber purporting to come from private or proprietary lands to the river above the said anicut shall be allowed to pass the prescribed tannah free unless accompanied by a printed pass duly filled up and signed by or on behalf of the owner of the land.

Timber from the proprietary lands.

Such passes shall be on forms which will be provided by the District Forest-officer at cost price and shall be in duplicate, the original shall accompany the timber and the duplicate shall be kept by the owner for six months from the date of issue and shall be open, upon demand at any time, within those six months, to inspection by any Forest-officer not under the rank of Forest Ranger. In default of such passes, the timber will be liable to be taxed at the rates in force as prescribed under the rules under section 26 of the Forest Act; and in default of payment will be liable to seizure and treatment as prescribed in rule 2.

4. All persons bringing timber from the territories under the Chief Commissioner of the Central Provinces or from those of His Highness the Nizam of Hyderabad, either by land or by the Gódávri river, will be bound to produce

Foreign timber.

a pass at the prescribed tannah, and, if from the Upper Gódávri, at the tannah at the Duma-gudiem lock. The officer in charge of the tannah will countersign the pass so as to prevent its use a second time and will furnish the persons in charge of the timber with a ticket similar to those furnished to persons exporting timber from the Bhadrachalam forests, and furnished with this ticket, they will proceed to the tannah appointed for the collection of revenue.

Similarly all persons bringing timber down the Saberi river from the Jeypore or Bustar zemindaris will be required to take out a ticket (for which no charge will be made) at the tannah at Koleru.

On their reaching the prescribed tannah, the officer in charge will mark all the timber and pieces of wood with a pass hammer and grant a way-permit. The timber can then be released and pass on.

To be marked and granted way-permit at collecting station.

5. Any breach or infringement of these rules will render the offender liable, on conviction to imprisonment for a term which may extend to one month or fine which may extend to Rs. 200, or both.

Penalty clause.

34. The rules already in force under section 26 for the Bhadrachalam taluk which now includes Rékapalle also (pages 146 to 148 of the *Fort St. George Gazette*, dated 25th February 1890) have been found to require some alteration. In particular it is desirable in Bhadrachalam as in Rampa that the seigniorage fees should be paid beforehand in the case of timber intended for export. Although it is not laid down by the rules, a practice already prevails of collecting half the fees in advance, and the collection of the full amount should now be legalized to ensure correspondence with the rules for Rampa. For this purpose rule 2 has been recast. Rule 3 has been slightly altered to make it clear that others than Koyas and Reddis must take out a previous permit for timber, &c., required for their own consumption. Rule 4 has been amended with reference to the recasting of rule 2. In rule 9 rates per cartload for timber have been entered to correspond with the rates per cubic foot which are intended for raft measurement and charges for green firewood have been added.

*Draft of amended Rules under Section 26 for the Bhadrachalam Taluk, Gódávri District.*

The following rules are promulgated in modification of those published at pages 146 to 148 of the *Fort St. George Gazette*, Part I, dated 25th February 1890:—

Under section 26 of the Madras Forest Act (Act V of 1882), His Excellency the Governor of Madras in Council is pleased to make the following rules for the cutting in, and removal of forest produce from, the forests situated on land to which this section applies, in the taluk of

10 BOARD OF REVENUE (LAND REVENUE), 15TH NOVEMBER 1893, FOREST No. 780.

Bhadrachalam in the Gódvári district, other than those which have been, or may from time to time be, notified as reserved forests under the provisions of chapter II of the said Act:—

Reserved trees.

1. The following are reserved trees and may only be cut on the special previously-obtained permit of the District Forest-officer:—

|                              |     |             |
|------------------------------|-----|-------------|
| 1. Tectona grandis ...       | ... | Teak.       |
| 2. Dalbergia latifolia ...   | ... | Jitygeishi. |
| 3. Hardwickia binata ...     | ... | Yepi.       |
| 4. Terminalia chebula ...    | ... | Karakai.    |
| 5. Diospyros melanoxylon ... | ... | Ebony.      |
| 6. Mangifera indica ...      | ... | Mango.      |
| 7. Tamarindus indica ...     | ... | Tamarind.   |
| 8. Terminalia Arjuna ...     | ... | Erramaddi.  |
| 9. Anogeissus acuminata ...  | ... | Pasi.       |

The permits for reserved trees will indicate the locality in which such trees may be cut and the restrictions as to size and other matters which it may be desirable to specify; and the rates to be paid will be fixed from time to time by the Collector on a consideration of those ruling in the market.

2. The cutting of all other trees herein called unreserved trees, as well as of bamboos, for export requires a previous permit for which the estimated amount due according to the rates in force must be prepaid, the balance will be adjusted at the revenue tannah when the timber is brought there. The seigniorage on minor produce must be paid for at the time of export.

3. No restriction will be placed on the cutting, free of charge and without permit, by Koya or Reddi villagers of all produce, including reserved trees, that they may require for home consumption, nor on the grazing of their cattle. Other persons, not being Koya or Reddi villagers, but inhabiting the taluks to which these rules refer, must take out a previous permit and pay the fees prescribed in the schedule of rates for all timber and other produce they desire to remove for their own consumption or for sale within the taluk, as well as for the grazing of cattle.

4. Timber which has been cut on permit under rule 2 shall be brought to one of the tannahs on the Gódvári or Saberi river, and the person in charge will, if the tannah is not one appointed for the receipt of revenue, inform the officer in charge and receive from him a numbered ticket with which he can proceed onwards and which he must produce at a tannah appointed for the receipt of revenue payments.

5. On arrival at that revenue tannah, the person in charge will produce his ticket, or, if he comes direct from the forests, announce his arrival, and the officer in charge will proceed to measure the timber or other forest produce to assess the amount payable to Government under the rates in force. The person in charge will then be called upon to pay the balance still due.

6. Until payment in full has been made to the officer in charge of the revenue tannah, the person in charge may not remove the produce brought down, and in case of failure to pay within one month, the produce will be confiscated and sold on behalf of Government.

7. On completion of payment in full by the person in charge, the officer in charge of the revenue tannah will grant a receipt in the prescribed form and will mark all logs or timber pieces with the departmental sale hammer after which the timber or produce may be removed.

BOARD OF REVENUE (LAND REVENUE), 15TH NOVEMBER 1893, FOREST No. 780. 11

8. Should it be found that the boats or rafts brought to the revenue tannah contain wood or forest produce of a size or description prohibited in the schedule of rates, such timber or produce will be seized and dealt with as prescribed in chapter VII of the Act.

9. Any breach or infringement of these rules will render the offender liable, on conviction, to imprisonment of either description as defined in the Indian Penal Code, which may extend to one month or to fine which may extend to Rs. 200, or to both.

The following is the schedule of rates fixed under these rules:—

| Botanical names.                         | English and Vernacular names. | Rate of seigniorage.                                                                                                                                             |
|------------------------------------------|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Class I.</i>                          |                               |                                                                                                                                                                  |
| 1. Pterocarpus marsupium ... ..          | Yegiahi ... ..                | } Only trees above 4 feet in girth may be cut.<br>Rate.—Annas 3 per cubic foot.<br>Rupees 3-12-0 per cart-load.                                                  |
| 2. Xylia dolabriformis ... ..            | Konda Tangedu ... ..          |                                                                                                                                                                  |
| 3. Bassia latifolia ... ..               | Ippa ... ..                   |                                                                                                                                                                  |
| 4. Chloroxylon swietenia ... ..          | Billu ... ..                  |                                                                                                                                                                  |
| 5. Soymida febrifuga ... ..              | Somi ... ..                   |                                                                                                                                                                  |
| 6. Adina cordifolia ... ..               | Bandaru ... ..                |                                                                                                                                                                  |
| 7. Schleicheria trijuga ... ..           | Busi ... ..                   |                                                                                                                                                                  |
| <i>Class II.</i>                         |                               |                                                                                                                                                                  |
| 1. Terminalia tomentosa ... ..           | Maddi ... ..                  | } Trees of any girth may be cut.<br>Rate.—Log timber, 2 annas per cubic foot.<br>Poles, under 2 feet in girth only, 8 annas each.<br>Rupees 2-8-0 per cart-load. |
| 2. Anogeissus latifolia ... ..           | Chirimanu ... ..              |                                                                                                                                                                  |
| 3. Acacia catechu, suma and leucophloea. | Sundra ... ..                 |                                                                                                                                                                  |
| 4. Eugenia Jambolana ... ..              | Neredu ... ..                 |                                                                                                                                                                  |
| 5. Lagerstroemia parviflora ... ..       | Chinangi ... ..               |                                                                                                                                                                  |
| <i>Class III.</i>                        |                               |                                                                                                                                                                  |
| All others ... ..                        | .....                         | Trees of any girth may be cut.<br>Rate.—Log timber, 1 anna per cubic foot.<br>Poles, under 2 feet in girth, 4 annas.<br>Rupees 1-1-0 per cart-load.              |

Squared timber 50 per cent. in addition.

Firewood—

|                                                                    |   |   |   |
|--------------------------------------------------------------------|---|---|---|
| Deadwood per ton of 70 cubic feet stacked or in boats or rafts ... | 0 | 4 | 0 |
| Greenwood do. do. do. ...                                          | 1 | 0 | 0 |

Fruit trees and others that it may be necessary to protect from time to time will be specially exempted from cutting by order of the Collector.

Charcoal—

|                                                                                                 |   |   |   |
|-------------------------------------------------------------------------------------------------|---|---|---|
| Per 70 cubic feet measurement ...                                                               | 2 | 0 | 0 |
| (to be made only where specially allowed and of other kinds than reserved or classified trees.) |   |   |   |

Bamboos—

|                                           |   |   |   |
|-------------------------------------------|---|---|---|
| Large, per 100 cubic feet measurement ... | 0 | 8 | 0 |
| Small, per 100 do. do. ...                | 0 | 4 | 0 |

Bamboos under one year of age not to be cut.

Minor produce, 10 per cent. *ad valorem*, the rates to be fixed quarterly by the Collector with reference to the market value of the produce at Rajahmundry.

55. The land transport rules have not been extended to the Pólavaram division in the present arrangements. The division at present contains no reserved forests

under section 16, and it seems desirable to see how the new rules answer on the other side of the river. They can be extended without difficulty and a suitable belt can be fixed by the Collector.

36. If the foregoing proposals and rules receive the approval of Government, it will be necessary for the Collector to draw up a list of checking and revenue tannahs for the efficient working of the rules. On the land side the latter will include Yeleswaram and Gokavaram, and on the river Devipatnam, Pólavaram, Rajahmundry and the head of the main canal and of the Samalkota canal at Dowlaiswaram. In Bhadrachalam taluk stations will remain at Dumagudicm lock and at Kunavaram, the junction of the Saberi and the Gódávari.

37. As regards the exclusion of the Forest Department from Rampa, it should, I consider, be ordered that excepting only the Conservator, no forest-officer should enter the territory without the permission of the Agent. It may be necessary from time to time for the District Forest-officer or Extra Assistant Conservator, Mr. Ward, to inspect the fellings within Rampa especially on the zamindari frontier, to ascertain whether the quantities removed correspond with the permits issued. For this and for any other suitable purpose the Agent's permission can be obtained. The Extra Assistant Conservator, Mr. Ward, is an officer who, from his knowledge of the language and his friendly relations with the people, is remarkably well fitted for any work of this kind.

38. In connection with the whole subject the urgent need of roads into Rampa has been forcibly impressed upon me by my tour. It appears to me that work of the kind required can only be carried out by the employment of a competent subordinate of the supervisor type to work under the immediate orders of the Special Assistant Agent.

39. Draft notifications for the extension of the Forest Act to Rampa and for the exclusion of all but specified portions thereof are enclosed.

I have the honour to be,

Sir,

Your obedient servant,

(Signed) A. T. ARUNDEL,  
Acting Fourth Member,  
Board of Revenue.

To the Secretary to Government, Revenue Department,  
with a copy of the Agent's letter, Ex. C-1, dated 19th September 1893, and  
copies of correspondence between the Special Assistant Agent, and the late  
District Forest-officer, Mr. P. M. Lushington, with a map to be returned.

ENCLOSURE No. I.

Draft Notification.

No. I.

In exercise of the power conferred by section 5 of Act XIV of 1874 (the Scheduled Districts Act), the Governor of Madras in Council is pleased, with the previous sanction of the Governor-General in Council, to extend Act V of 1882 (the Madras Forest Act) to the Rampa country including the Guditeru and the Dutarti muttahs in the Gódávari district.

No. II.

Under the power vested in him by section I of Madras Act V of 1882, the Governor of Madras in Council is pleased to exempt the Rampa country including the Guditeru and the Dutarti muttahs in the Gódávari district from the operation of the following portions of the Act (Madras Act V of 1882) chapters II, III except section 28, IV, VI and VIII.

Exd. A. Grubert.

REVENUE DEPARTMENT.  
1893.  
Board of Revenue  
(Land Revenue),  
MADRAS.

Printed December 8th.

Proceedings, dated 15th November 1893,  
Forest No. 780.

PP-1120 Inci

Submitting the report called for by Govern-  
ment on the reservation and administration of  
forests in the Agency tracts of the Godavari  
district.

E Head Clerk, Secy. H.  
NOTE FOR THE CHIEF SECRETARY.

Please state whether the  
draft letter to Govt of India  
on the subject of the  
Forest Act into Ramba  
has been passed by the  
Hore: Committee, as the  
fact has to be noted in  
the Disposal list

6/6/94  
2/3/94  
Mangalore Bureau  
Please answer

The note for orders was not  
not the letter

MM 2/3

## PROCEEDINGS OF THE MADRAS GOVERNMENT.

Copy attached.

Read, Proceedings of the Board of

Revenue (Land Rev.) of 15<sup>th</sup> November 1893 No 780  
Forests.Order thereon 10<sup>th</sup> February 1894. No 108.

The Proceedings of the Board of Revenue read above contains a report from Mr. Arundel on the general subject of the forests situated in the agency tracts of Godavari, which was called for in para 3 of G. O. dated 10<sup>th</sup> October 1893 No 874.

2. H. E. the Governor in Council desires in the first place, to congratulate Mr. Arundel on having planned out so satisfactory a scheme for the management of these agency forests, and to convey to him the thanks of Government for the very clear and able report in which the whole case has been presented for orders. The report on this subject, which had previously been received from the Conservators and the District Officers, failed to supply any reliable information, upon which a final decision could be reached regarding the various questions raised.

raised could be based, and it was accordingly necessary that the Commissioner should himself make a tour through the district and enquire into the whole matter personally.

3. The Godavari Agency is comprised of the following 4 divisions—

1. The Bhadrachellam Taluk including Rekapalle

2. The Yellaveram Division

3. The Polaveram Division, and

4. The Chodavaram Division, commonly known as Rampa.

The natural conditions of these Divisions demand different treatment, and apparently forest management in the first of these tracts viz. Bhadrachellam, is not attended with much difficulty. For this Taluk, Rules under Sections 26, 25, and 36 of the Forest Act were finally prescribed in February 1890, (G.O. 7 February 1890, No. 115), and although Mr. Arundel now proposes to modify the rules already framed under section 26, the suggested alterations are of minor importance and the existing rules seem to have hitherto been worked without friction. A draft of the amended rules is given in para 34 of the report and is approved.

4. Mr. Gillman's report of April 1893 printed in

10  
of 4<sup>th</sup> August 1893 No. 707, which gave rise to the present enquiry, related mainly to Divisions 2 and 3, i.e. Yellaveram and Polaveram, and the orders issued by Government in G.O. dated 4<sup>th</sup> August 1893 No. 707, and 10<sup>th</sup> October 1893 No. 874, also dealt principally with these tracts.

5. The last Division, viz. Chodavaram or Rampa, has always been considered apart from the rest of the Agency. In February 1890 (G.O. 3<sup>rd</sup> February 1890, No. 103) the Government declared that the forests in Rampa were, state property, but declined to allow the Forest Department to manage them. This prohibition was reaffirmed in the recent orders of October last, quoted above, but Mr. Arundel was requested to report what arrangements he would propose for controlling the export of timber from Rampa and for securing the revenue that should be raised on such export. It must further be noted that the Forest Act has not as yet been extended to Rampa.

6. In G.O. dated 10<sup>th</sup> October 1893 No. 874. (para 4) three questions were formulated:—

1. Assuming that the forest areas in the Yellaveram

Gellaveram Division, which have already been gazetted as Reserved Forests under section 16 of the Act, must remain so. What is the best method of managing and supervising them?

11. Should all the areas which have been notified for reservation under Section 4 be constituted Reserved Forests under Section 16?

12. Should any of the areas coloured yellow on Mr. Peet's map in the Gellaveram Division be reserved?

In other words, is any extension of reservation needed in this Division for grazing purposes or for the supply of fuel?

The same questions were also to be answered for Palaveram. Finally a fourth question was put viz. how much land should be secluded from reservation round each hill village.

7. Mr. Arundel deals with these questions separately in paras 8 et seq of his report and his recommendations have the general approval of Government. In regard to the Gellaveram Division the reply to question (1) is that reserved forests must be managed in the usual manner, subject to the proviso that all forest orders are to be issued through the Agent or his Special

assistant, and with their approval. In regard to the areas already notified under section 4. (Question 11) Mr. Arundel would reopen the settlement, that has already been carried out, and order the allotment of sufficient land for the extension of cultivation, the final arrangements should be considered by the Special Assistant Agent in conjunction with the District Forest Officer and the Forest Settlement Officer, and all equitable claims put forward by former holders of 'podus' (clearings for cultivation) should be reasonably satisfied. In these views the Government concurred.

In this connection Mr. Arundel answers the fourth question about the seclusion of land round hill villages. He says: "No hard and fast rule can be laid down, and the decision must vary according to circumstances, but 'eight times the existing area under cultivation may be laid down as a maximum which will be amply sufficient.' This suggestion is also approved.

To question 12 the answer is primarily in the negative, but subject to report by the Special Assistant Agent and the District Forest Officer. It is

however

12  
However, reported that in the Polaveram Division  
grazing areas are likely to be taken up by Specu-  
lators with a view of levying high fees from Cattle  
owners; and if there is any chance of this contingency,  
either in Polaveram or Gellavaram, the Government  
considers that early steps should be taken to prevent  
such rack renting. The special attention of all  
Officers concerned is drawn to this matter.

Applying the questions given above to the  
Polaveram Division, it is pointed out that there are  
at present no Reserved Forests in this tract, and  
no complaints having been made in regard to the  
blocks notified under Section 4, the settlement  
may be proceeded with in the ordinary course. The  
question of further reservation should be suggested  
by Mr. Arnold be duly reported upon by the  
Special Assistant Agent and the District Forest  
Officer after they have visited the locality. Special  
attention should however be paid to the matter  
of speculative grazing Contracts noted above.

9- The report next deals with the Rampa  
forests and the most important item in the present  
proposals

proposals is that the Forest Act should be extended to  
Rampa. The position is clearly stated in paras 19-21 of  
the report and the Government concurs in the views therein  
expressed. The sanction of the Government of India for the  
extension of the Act under Section 5 of the Scheduled Districts  
Act (XII of 1874) will accordingly be requested in the  
Judicial Department. It must be distinctly understood,  
that no Forest Officer, except the Conservator himself, is  
to enter the Rampa Country without permission from  
the Agent.

10- The draft rules under section 26 of the Act proposed  
for Rampa are approved subject to the following  
modifications.

Between the words "Section 26 (c) (g) and (h)" and  
"within Rampa territory" occurring in the preamble  
the words "to take effect" should be inserted.

The words "beyond the limits of Rampa" occur-  
ring in line 2 of Rule 2 should be inserted between the  
words "remove" and "any timber" occurring in line 1  
of the rule.

In the same rule, the word "at" should be substi-  
tuted for the word "to" prefixed to the words "one of  
the

the revenue stations" in line 2 of the rule.

In Rule 3, for the word "the" occurring before the words "prohibited kind" read "a".

11. The Government is also pleased to approve the draft rules submitted in paras 31 and 33 of the report. The rules contained in the former para (para 31) are to be made applicable to a very wide belt of country outside the limits of Rampa; the necessity for this course is explained in para 29 of the report, and the Government agrees with Mr. Arundel in thinking that the Collector and Agent should be allowed the amplest discretion to relax these rules in places where no fraud is likely to take place. These rules, as well as those dealt with in para 14 ~~supra~~, cannot of course be brought into force until the Forest Act has been extended to Rampa, but the Collector should take early steps to draw up a list of stations for checking timber under the proposed rules. The following verbal correction should be made in the fifth line of the preamble to the draft rules contained in para 33. of the Board's Proceedings - for "Over" read "across".

2. In conclusion Mr. Arundel brings to notice the great want of roads into Rampa and suggests the

employment of a professional subordinate for this purpose. The Board is requested to state what class of subordinate is wanted, and to report whether funds are available to defray the cost of his entertainment. Mr. Arundel moreover urges that the proposed rules for the general management of these Agency forests should if possible, be brought into force before the roads that do already exist, are dry enough to admit of regular traffic, and the Government of India will accordingly be requested to sanction the extension of the Forest Act to Rampa at an early date.

13. H. E. The Governor in Council desires to call the attention of all officers concerned in the administration of these tracts, to the urgent need for caution in dealing with the privileges hitherto exercised by the hill people. The rules under section 26, proposed in para 27. of Mr. Arundel's report, are of a simple nature, but in enforcing the their provisions the greatest care should be taken to interfere as little as possible with any long-standing customs, and the agency officers should endeavour to enlist the sympathies of the local tribes in preserving the forests from wanton

want on dis buction

(Mr. Eschsch)

Letter  
Secretary to Govt.

To

The Commissioners of Land Revenue

(with map)

Judicial Dept.

(with draft letter to India)

100-4-2-1893  
**Judicial Department**  
**Govt. of Madras.**  
**REVENUE.**

110: 14-1-94  
 648: 27-3-93-  
 169: 23-1-93-  
 229: 4-2-92-  
 2440: 30-11-91-  
 242: 26-2-90-  
 622: 24-9-89-  
 928: 18-10-87-  
 57+57A: 16-1-85-  
 & Rem. Papers.

To  
 The Judicial Department

Dated  
 Recd. 13-2-94  
 13-2-94  
 2 Encl.

G.O. No. 108  
 13 FEB 1904

SUBJECT.

Passing order on Mr. Arnold's  
 report called for by Government  
 on the reservation and administration  
 of forests in the Agency tracts of the  
 Godavari districts addressing  
 the Govt. of India in the Judicial  
 Dept. for the extension of the  
 Forest Act into Rampur

22/2

22/2

wo

To  
 The Secretary to the Government of India  
 Revenue & Agricultural Department.  
 with B2 Pro: No 780 dt 15/1/93  
 " Rev: Pro: No 108 dt 11/1/94  
 with draft letterhead  
 DESPATCHED  
 6 MAR 94

Sir,  
 I am directed to request that  
 the sanction of the Government of India may  
 be accorded under Sec. 5 of the Scheduled District  
 Act, 1874, to the extension of the Madras Forest  
 Act (V of 1882) to the Rampa territory, and  
 to the Guditem and Dutsarti Muttahs, that  
 is to the whole of the Scheduled area in the Godavari  
 District, to which the said act does not already  
 apply.

2. I am to explain that in  
 consequence of certain complaints in regard  
 to the general management of the forests,  
 situated in the Agency Tracts of the Godavari  
 District, Mr. Arnold, who was at that time  
 the member of the Board of Revenue in charge  
 of the Forest Department, was directed to visit  
 the locality and after a personal inspection  
 to submit proposals for placing the ad-  
 ministration of the forests on a more satis-  
 factory basis. Mr. Arnold's report and  
 the

The proceedings of the Government thereon  
no 108 of 10 February <sup>1894</sup> are forwarded herewith,  
for the information of the Government of  
India, and I am to invite attention to  
paras 19 to 21 of the report in which the  
necessity for the Extension of the Forest Act  
to the tracts in question, is explained.

3. It will be observed that  
unless the Forest Act is formally extended,  
as now proposed, there are legal difficulties  
in the way of regulating the timber traffic  
outside Rampa, and that the main object  
of declaring that the said act is in force  
in the Rampa territory, is to enable this  
Government to enact rules for the control  
of this traffic. It is not intended that all  
the provisions of the act should for the  
present be enforced within this territory,  
and in the event of the sanction now asked  
for being granted, the Madras Govern-  
ment will, under S. 1. of the act itself,  
limit the operation of its provisions to  
Chap I S. 26 of Chap III, and Chaps V  
VII, IX and X. The powers given by the  
portions of the act, above mentioned, will  
legalise the issue of a set of simple rules  
under S. 26 to restrict the cutting, by the  
hill people, of certain reserved trees,  
and to regulate the removal from Rampa

of unreserved timber. These powers will  
also legalise the issue of rules under Sects  
35 and 36 to control timber in transit out-  
side Rampa and along the Godavari river.  
The rules which Mr. Arundel has drafted for  
the above purposes are given in paras 27,  
31 and 33 of the report now forwarded, and  
have with some slight modifications been  
accepted by His Excellency the Governor in  
Council. I am to request that early  
orders may be passed on the present  
reference, as it is desirable that the  
new transport rules should, if possible,  
be introduced before the roads are dry  
enough for regular traffic.

4. I am further to point  
out that although under the definition  
of the word "Enactment", given by the  
Honourable Mr. Hobhouse in the debate  
on the Scheduled Districts Bill in the  
Legislative Council (on page 224, ab-  
stract of the Proceedings of the Council of  
the Governor General of India for the  
purpose of making laws and regulations  
1874 Vol XIII.), it would apparently be  
within the power of the Government of  
India to declare under S. 5 of the act  
(XIV of 1874), that certain portions of the  
Madras Forest Act should alone apply

to the Rampa territory, His Excellency in Council considers it advisable to request sanction for the extension of the whole act to the tract in question. The portions of the act specified in the last paragraph are for the present sufficient for the administration of the forests, but it may hereafter be found that other sections of the act should be applied, and the course now suggested will obviate the necessity for a further reference.

5. I am, in conclusion, to add that the Madras Government fully recognizes the fact that these hill regions containing a sparse and uncivilized population require most careful treatment, and that orders have already been issued to all officers concerned to exercise the greatest caution in dealing with the forests under their charge and to avoid, as far as possible, interfering with the privileges hitherto enjoyed by the people.

6. A draft of the notification which His Excellency the Governor in Council proposes to issue appears as an appendix to this letter.

Appendix

## Appendix.

In exercise of the power conferred by Section 5 of the Schedules Districts Act 1874, and with the previous sanction of the Governor General in Council, the Governor of Fort St. George in Council is pleased to extend the Madras Forest Act, 1882, to the Rampa Country and to the Duts and Guditem Muttaks in the Gorgona Hills, being Schedules districts in the Godavari District.

I have &c.

LP 1/3/96  
26/2

Gazetted 22/5

22/5

BOOK PAPER, No. 110: 19-1994

6 of 18

OTHER PAPER, No. (2394.794) OF 18

$$(2168794 = \frac{1050}{315794})$$
$$2394/94 = \frac{1201/2}{19.5=94}$$

3233/94 1652-6-7

3352/94 1708-12

6923/94 g R. 103.9.  
15-1-

15-1-

*[Faint handwritten notes and markings]*

**N.B.—**

A - Copy in full

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Enclos: A. - 2.

[G  
11  
2,000]

ORDINARY, MS.

*Journal* DEPARTMENT.  
G.O., DATED 2-3-56  
No. 520

INDEXED.

When given for copying.

[Despatch Abstract.]

Requesting that inasmuch  
the East of India may be re-  
moved under Section 5 of  
Scheduled Districts Act, 1874  
to the extension of the main  
Forest Act (V of 1882) to the  
Rampa territory & to the  
Andaman & Nicobar Islands  
that it to the whole of the  
Scheduled area in the Govt.  
were desired to which the  
said Act does not seem  
apply.

20-8-12

25-9-13

7-7-0

18-8-20

18-5-26

7-7-28

9-9-33

15-8-38

16-7-49