

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

29th January 1881, No. 206.

READ THE FOLLOWING PAPER:—

No. 534. Minute by His Grace the Governor, dated 2nd and received 20th December 1880.

In their letter from the Home Department, dated 29th September 1879, No. 783F, the Government of India, in acknowledging the receipt of a Draft Forest Bill forwarded by this Government, proceeded to criticise its provisions both generally and in detail; and now that the Forest Bill has passed the local Legislative Council it seems desirable to place on record a statement of the manner in which the suggestions and objections of the Government of India have been met, and also a brief sketch of the past and present position of Forest matters in this Presidency.

2. It must be borne in mind that the draft Bill forwarded to the Government of India was one drawn up for consideration by a Select Committee, and was not intended to be regarded as the embodiment of the mature views of this Government on matters of detail. The Bill has now been remodelled, and, after very careful consideration in Committee and in the Legislative Council, has been finally passed and forwarded for the approval of the Viceroy. It may, however, be well to notice in some detail the observations of the Government of India upon the original draft.

3. Having observed that difficulty has been experienced in apprehending the purport of the Bill, the Government of India, referring to communal rights of villagers in forest lands in this Presidency, state, in paragraph 4 of their letter, that the terms used by the Madras Government of late years, when discussing these subjects, seem to indicate that there are extensive forest and waste lands which are the property of village communities, and, having quoted in support of this view certain Proceedings of the Madras Board of Revenue, convey the opinion of the Governor-General in Council that the whole question of Communal Forests in this Presidency demands a fuller investigation before Forest legislation can be attempted.

4. In reply to this it will suffice to state that this Government are satisfied that there is no communal proprietorship in forests in this Presidency. All forests in the Presidency may be safely classed under two great divisions, viz., State and Private, although in many portions of forests of both classes villagers or individuals exercise by ancient custom or prescription various privileges.

5. The employment of the term *communal* in Section 59, a purely penal one, of the draft Bill forwarded to the Government of India was accidental, the section having been imported without amendment from a former draft. This and many other needful corrections would naturally have been made when the draft came under revision by the Select Committee.

6. In paragraph 6 of the letter exception is taken to an attempt having been made to define the term *forest*. The word has been removed from the Chapter of definitions: it has, however, been thought necessary to state in the following Chapter that the term "includes" all land now naturally bearing trees.

7. The objection raised in paragraph 7 of the letter has been met by Sections 6 and 8 of the Bill now passed.

8. The classification of all forest as State or Private (Section 5) and that of State Forests in Section 10 under three heads, Reserved, Village, and Protected, and the provisions generally of Chapters II and III of the Bill meet sufficiently the difficulties suggested by paragraph 8 of the letter.

9. With regard to the remarks in paragraphs 9 and 10 it will be seen that customary rights, which by the definition include the right of pasture, are reserved to villagers in village forests by Section 17, and also that the liability of Government to assign forest land for requirements of villagers is qualified by the words "so far as may be" in Section 15.

10. Definite provision has also been made in the Bill (Section 15) regarding the use which villagers are to be allowed to make of forest produce to which they are entitled by immemorial custom. This remark with what has been said above disposes of paragraphs 11 and 12 of the letter.

11. The suggestions made in paragraph 13 have been embodied in Sections 48 and 49, and those in paragraph 14 have also been carried out.

12. It is satisfactory to learn from paragraph 18 that the general character of the measures proposed for dealing with the very important question of control over private forests commends itself to the Government of India. Detailed procedure in this matter is laid down in Chapter VII of the Bill. A clause has been introduced giving the landholder the right to require the Government to make an absolute purchase of the forest area selected.

13. Referring to paragraph 20, it is observed that the provision for preserving forests along the banks of streams has been omitted in the present Bill, and that Sections 34 to 36 of the original draft have now been recast. I think the omission of the restriction of felling forests along the margins of rivers is to be regretted. The preservation of a fringe is important for the protection of the banks from erosion in the larger rivers as well as for shading the beds of the smaller ones. It is a restriction by no means unknown in Forest regulation, and, applied below a defined elevation of, say, 1,500 or 2,000 feet, would neither prejudicially interfere with cultivation nor the full enjoyment of occupation. It would simply preserve that natural growth which has to be re-established at much cost in many instances. The suspension of rights, the omission to provide for which is noticed in paragraph 21, has been provided for in the present Bill.

14. The Bill does not contain a provision giving power to arrest without warrant such as is given in the Government of India Act. Such a power I consider highly inexpedient. Subordinates of the class from which the ordinary Police Constable or Forest Watcher must be taken, cannot be trusted with such a power in places remote from supervision, where the officer and the alleged culprit would be alone. During my government instances have occurred showing that oppression in forest matters is not unknown; that carelessness has allowed officers above the rank referred to, to give incorrect evidence and consign an innocent man to prison; and it must always be recollected that the cases which thus occasionally come to light indicate the existence of the practice rather than its limit, and that it is the unreported cases which never reach the magisterial ear in which oppression or extortion is exercised.

15. It is evident from paragraphs 23 to 26 of the letter that much misapprehension has existed regarding the progress of forest matters in this Presidency. Probably this is due to the fact that no comprehensive statement has been furnished in any of the Conservator's recent reports, and that the return prepared for a particular purpose only, which is quoted at paragraph 25 of the letter under reference, has been misunderstood as giving the entire area of reserves. Steps have lately been taken for affording fuller information to the Government of India upon this subject, and with the letter from this Government, dated 4th October 1880, a statement was forwarded giving the estimated area of State Forests and the estimated or actual area of Reserves, according to the progress of the surveys in this Presidency, whether under the Forest or under the Revenue Department. This statement shows that under the former department 681 square miles have already been demarcated; that reserves occupying an area of 1,673 square miles are in process of formation; and that it is in contemplation to take up 278 square miles in addition to these. Under the Revenue Department (Jungle Conservancy) jungles occupying an area of 2,480 square miles are reserved, while fuel reserves, topes, and channel plantations occupy 61, 18, and 31 square miles respectively.

16. The following is the distribution by districts of the reserves already demarcated:—

	Square Miles.							
Coimbatore	..	..	..	..	..	..	..	20
Nilgiris	..	..	..	..	..	..	..	2
Salem	..	..	..	..	..	..	..	17
North Arcot	..	..	..	..	..	..	..	22
South Arcot	..	..	..	..	..	..	..	168
Cuddapah	..	..	..	..	..	..	..	62
Godavari	..	..	..	..	..	..	..	68
Malabar	..	..	..	..	..	..	..	322
Total	..	..	..	..	..	..	..	681

17. The area of reserves in process of formation is distributed as follows:—

	Square Miles.							
Tinnevely	..	..	..	..	..	..	..	286
Madura	..	..	..	..	..	..	..	20
Coimbatore	..	..	..	..	..	..	..	162
Nilgiris	..	..	..	..	..	..	..	37
Trichinopoly	..	..	..	..	..	..	..	9
Salem	..	..	..	..	..	..	..	130
North Arcot	..	..	..	..	..	..	..	90
South Arcot	..	..	..	..	..	..	..	16
Cuddapah	..	..	..	..	..	..	..	127
Nellore	..	..	..	..	..	..	..	36
Kistna	..	..	..	..	..	..	..	180
Ganjam	..	..	..	..	..	..	..	330
Canara	..	..	..	..	..	..	..	250
Total	..	..	..	..	..	..	..	1,673

18. The reserves under contemplation are situated in four districts, viz.:—

	Square Miles.							
Tinnevely	..	..	..	..	..	..	..	75
Madura	..	..	..	..	..	..	..	40
Trichinopoly	..	..	..	..	..	..	..	25
Godavari	..	..	..	..	..	..	..	138
Total	..	..	..	..	..	..	..	278

19. Thus it appears that the area of forest actually demarcated and reserved on the 1st September last was more than double the extent shown in the statement prepared to show fuel reserves and quoted by the Government of India; and that orders for demarcating some 1,673 square miles in addition have been given, and the work is now in progress. Moreover the preliminary steps have been taken for reserving a further area of 278 square miles. Considerable progress has, therefore, been made by the Forest Department whose operations comprise no less than fifteen districts. In the districts of Ganjam, North Arcot, and Cuddapah selections of tracts to be closely preserved are being now made by three officers, all of whom are thoroughly conversant with the forests where they are employed. Investigations in Ganjam are in regard to the Goomsur and Surad Forests, and in Cuddapah to those situated in the taluks of Badvel, Sidhout, and Proddutur.

20. The Kistna is to be visited by the Conservator during the present cold season.

21. In Vizagapatam the forests in the Gudem and Golconda Hills were given up by the Forest Department some years ago, the Conservator being of opinion that there was no probability of their yielding a revenue, and, no market existing, there was no temptation to plunder. It is now, however, proposed that some close reserves should be selected by Mr. Boileau, who made a valuable report upon the forests in the adjacent district of Godavari. When selected these reserves will probably be placed under the same management as those in Bhadrachalam and Rekapalle, regarding which orders were delayed pending the decision of the Government of India upon the

subject of ownership in those taluks which were only recently transferred from the Central Provinces to this Government.

22. In Kurnool, a district the investigation of which, owing to its presenting no pressing need for conservancy, was postponed to the last, selections, with recommendations for the demarcation of certain areas for reserves, have lately been made by the Deputy Conservator, which are now under consideration.

23. But in addition to the work thus described, which is being done by the Forest Department, much has been accomplished, as stated above, by the Revenue Establishments under the head of Jungle Conservancy. The figures given in the statement show nearly 2,500 square miles of jungle reserved or placed under protective restriction, besides 110 square miles of fuel reserves, topes, and other artificial plantations.

24. The distribution of jungles is as follows:—

	Square Miles.
Tinnevely	34
Madura	24.5
Tanjore	9.7
North Arcot	65.6
South Arcot	100.6
Cuddapah	1.1
Chingleput	19
Nellore	36.4
Bellary	683.5
Kistna	897.5
Godavari	98.5
Vizagapatam	510
Total	2,480.4

25. The action of this Government in granting land upon favorable terms for private plantations under the Tope Rules, which have been in force for some years, has begun to bear good fruit. In the district of Chingleput 11,428 acres have thus been planted out, and many thriving plantations, the property of native owners, exist also in Nellore, Kistna, and North Arcot. The development of this system appears to deserve the utmost encouragement: wherever soil is suitable and there is a demand for fuel it is unquestionable that a supply can thus be provided. In two cases which have come under my own notice I found that the inhabitants of small fishing villages had in this way made provision for their own requirements, and I am given to understand that a similar course has been followed elsewhere.

26. In paragraph 27 of the letter the Government of India refer to the financial position of the Forest administration of this Presidency as being in an unsatisfactory condition.

The stationary position of the Forest revenue has long attracted my attention. That, as compared with other provinces, the receipts are comparatively small is in a great measure due to the fact that in Madras the revenue of the Forest Department does not include the proceeds of Jungle Conservancy set apart for special purposes of planting and conservancy, and the stationary character of the Forest receipts is chiefly owing to three causes:—

- I.—That in the early years of Forest administration a somewhat fictitious revenue was created by charging other departments of Government for supplies of hard wood at prices exceeding the market rate. This raised unduly the then apparent revenue.
- II.—Absence of increased demand of late years. This is owing to the reduced requirements of the Bombay Marine and of Government Departments, and also to the fact that on Railways iron has superseded teak for sleepers and telegraph posts, while the completion of Railway buildings has greatly diminished the demand for that purpose.
- III.—Competition of Burma, &c. This has been developed to such an extent that Burma teak now competes with teak grown in this Presidency not only

along the entire coast, but, as was recently proved by tenders for timber required for Government House, can be obtained on cheaper terms for use even at Ootacamund on the Nilgiris than that grown in the Malabar Forest.

The price of teak is also affected by supplies from Cochin, &c., and to some extent at Cocanada by timber brought from Bustar and adjacent territories.

This competition has not only limited the demand for Government teak, but has had the effect of reducing the price generally as shown in the recent report of the operations of the Gun Carriage Factory which gave the rates for Madras teak as Rs. 2-6-9 in 1876 and only Rs. 1-8-0 in 1878, while the price of Pegu teak itself was also tending downwards, having fallen from Rs. 1-15-9 in 1876 to Rs. 1-12-0 in 1878. Competition also exists in other woods, large quantities being supplied from private estates on which no expense for establishment, &c., has to be incurred or borne by the timber sold. This is also the case with bamboos, the rate for which as given in the Forest Administration Reports has fallen from Rs. 9-9-4 in 1875 to Rs. 4-5-9 in 1878.

27. Railway fuel is also largely supplied from private estates often more conveniently situated than Government Forests, that required for the Bangalore Branch line being for the most part furnished from the Kangundi Zemindari. I have myself had but little opportunity of examining the actual reserves, but have personally inspected the jungles of Srīharikót and the plantations (Government and Private) at Dugarápatnam and elsewhere in the Nellore District. I have crossed the Hill range between Bellary and Hospet and passed through the whole length of the Sandūr State. I have also traversed the extensive forests between Trivandrum and Courtallam, passed along the skirts of the Mudumalai Forest and the Tippakádu. On the Nilgiris I have visited the sholahs of the Koondahs and the Sispára Ghât, and from Melúr on the one side have been able to form some idea of the forests of the slopes to Kodanád on the other. Travelling by day-light I have also had opportunities of noting the general appearance of the jungles in Madura, Cuddapah, and Chingleput, and have passed from Arni to Vellore through the jungles of the Kaniembadi Pass.

28. The price obtainable in this Presidency for the chief items of forest produce (timber, bamboos, and fuel) is a competitive one, many owners of private forests selling to contractors at one time the entire growth of many years. Moreover the demand for timber for building purposes is smaller than in many other parts of India where larger and better houses are erected and more timber used in all. The consumption of fuel, too, is comparatively insignificant, being needed for little else than culinary purposes.

29. The income from what are called the "minor products" of the forests may and will increase as larger areas are reserved and collection is brought under control. But, so long as the competition of Burma continues, it is not to be expected that any important increase of revenue will accrue from the sale of teak, which is the special produce of the forests of this Presidency.

30. The cost of establishment has no doubt become greater, but it has been gradually developed only in the degree necessary to secure due conservancy; and I see no reason why our Forest administration should not for the future be carried on at a profit—although, owing to the causes I have mentioned, not a large one—provided no excessive expenditure upon survey, &c., be incurred, that such work be carried out gradually year by year, and native agency sufficiently utilized. When a forest is to be systematically worked or extensive replanting carried out, European officers of scientific education will be needed to control and direct; but where it is a question only of preservation—keeping out fire, gathering of fruits and minor produce—Native officers, who do not fear the sun or climate, will be found even more efficient. I myself am of opinion that too great an outlay has been made by the Forest Department upon ordinary plantations in parts of the country where there are already extensive forests and sholahs and also upon felling timber in advance of the requirements of the market which has remained on hand deteriorating, while its cost has not been

realised. The Conservator would do well to turn his attention specially henceforward to the protection of closely reserved areas with a view to enabling natural forest to re-establish itself, and to establishment of forest growth in districts where, as in Bellary, it is urgently needed but difficult to raise. I consider that the tendency of the forest management has been to exhaust rather than to conserve; and that both the Anaimalais and Mudumalais have suffered from overfelling. The preservation of forest is necessary both for the supply of timber and fuel as well as for climatic reasons, and the area now existing is doubtless generally ample for both purposes. I consider that for climatic purposes the natural forest untouched by man is the best; that in most cases no other expense than watching to prevent wilful damage is required; the only process should be the gathering of fruit, seeds, gums, &c., by the tribesmen resident in or about them; and that the artificial cultivation of exotic trees is frequently not adapted to the end sought—as, for instance, the planting of the Eucalypti, with their great absorbing powers, to shelter and preserve water-sources: invaluable for reclamation of objectionable swamps, they will absorb the water-sources instead of preserving them; of this there are frequent instances to be observed on the hills. For the requirements of the market, forest carefully thinned, not mown down, will afford the most certain supply at the least cost.

31. In Bellary, of all our districts, there is probably the greatest need for establishment or renewal of forest. Around Bellary and Adóni, ordinary fuel is dear, and the Cotton Presses and other similar machines have created a demand for hard-wood fuel at a price which tempts the destruction even of fruit-bearing trees. The distance from the Cuddapah Forests is too great to admit of supplies being drawn from thence, and the result is that the little jungle remaining in the locality is plundered and an undue strain is put upon the Sandúr Forests. The remedy seems to lie in the establishment of fuel reserves near Bellary by planting and by the restoration and protection of the jungles on hill sides. In passing from Bellary towards Hospet the free growth of the Bábool, as a weed in every uncultivated patch of land, is very marked; in the first fifteen miles from Bellary, shrubs of one, two or three years' growth are everywhere to be seen, while along the roadside the tree attains to a large size, being planted as an avenue tree. The Conservator holds the opinion that it is hopeless to attempt the growth of fuel in this neighborhood, but if the Bábool will spring up as I have noted and attain the size which I observed, a very large amount of fuel could be obtained and profitably grown in closely protected and fenced areas, even although the life of the tree in such soil should not exceed two or three years. Examining with the glass the slopes of the Copper Mountain and adjoining hills, the hollows are seen to contain a low growth, which, if protected from cattle and fire for a few years, would, in all probability, develop into a useful jungle. The slopes of the line of hills next the Thadoor range bear traces of having been formerly covered with jungle if not timber; indeed, I found, in more than one spot near the roadside, roots of what must have been large timber. These hills are already to a great extent, so to speak, fire-traced by large, broad bands of rock reaching from summit to foot. One of the intervening spaces should be fenced against cattle—an easy task owing to the quantity of rough stone on the surface—and sown with some one of the indigenous trees found at corresponding elevation. The color of the grass indicates that there is nothing in the character of the soil inimical to vegetation, and the result of such an experiment would be of great value as showing in the course of four or five years whether its success would warrant its extension. For fuel reserves it would seem well worth while to take up considerable areas even at the sacrifice of land assessment, and possibly the large amount of land left uncultivated since the famine would tend to facilitate the acquisition for this purpose of compact though extensive tracts of sufficiently good land. In the Anantapur portion of the present Bellary District, reports indicate the existence of a large extent of jungle requiring only the close reserve of successive areas to establish a good forest growth without any present inconvenience to the people. In no other district in the Presidency have I noticed the same need as in Bellary, but I am confident that a determined and persistent effort would in a few years overcome the difficulty. For this district I am clear that a Forest Officer, such as the Jungle Darogah of Nellore, should be employed, and by good arrangement could

be paid for by careful collection of minor produce and of dues on fuel or timber for sale.

32. In Chingleput there are many small hills still covered with scrub which enclosed would quickly develop into a good jungle. From discussion with the Collector, with whom I travelled this year for the special purpose of viewing them, I find there will be no difficulty in enclosing areas of reasonable size so as to allow the jungle to grow and trees to rise. Even in the Delta tracts of Trichinopoly and Tanjore a very large amount of fuel and manurial trees may be grown on channel and river banks, roads' margins, spoil pits, &c. The acreage which may be thus planted will be very considerable, and all such being convenient to the people will naturally save the larger jungles and forests.

In North Arcot, and in the Pálghat Hills especially, measures need to be taken to prevent the firing of the jungles. In this matter the hands of the District Officers will be strengthened to the full necessary extent by the recent legislation. There is no need why Kumeri tracts should not continue to be so treated, provided care is taken to prevent the practice being extended to areas not hitherto subject to the practice, and to prevent fire spreading to adjacent forest or jungles. Regarding other districts I do not think any special remarks are necessary. In Cuddapah round Wontimettah there are jungles which, from the residue of the roots, once had fine timber and probably only need careful enclosure of successive areas to do so again. Adjoining the Railway their produce would be valuable for transport as well as for neighbouring villages.

33. In all districts traversed by the Railways there is a very considerable acreage in the strip of land outside the railway fences which has been used for excavation and deposit of spoil. This land might and should be at once utilized for the growth of fuel such as Bábool or even Euphorbia or Cacti where the soil is poor, of manurial trees in better soils, and bamboos in damp localities. This work would probably be carried out from the Jungle Conservancy Funds, but should at first have the benefit of supervision by the Forest Department.

34. In the supply of fuel and wood for agricultural and domestic uses care should be taken to fix a low rate of charge, as a high rate tends to encourage plunder and damage which would more than counterbalance any increase of revenue which might be realised. In the case of a landowner in England, if the supply of firewood at a low rate is insufficient for the people of the villages, his woods and fences are plundered, and so it would be here. The future of our forests will depend very much on the spirit in which their conservancy is carried on. If Forest Conservancy results in an increased supply of fuel and wood for agricultural and domestic purposes being obtained cheaply it will have the support of the people and forest will thrive and those who commit real damage or injury will have no sympathy; but if with the introduction of improved conservancy supplies are restricted and prices enhanced, amounting in fact to an additional assessment, conservancy will be hated and forest plundered.

2nd December 1880.

BUCKINGHAM AND CHANDOS.

No. 535.

ORDER THEREON, 29th January 1881, No. 206.

Forests, No. 13.

COMMUNICATED to the Board of Revenue and Conservator of Forests.

2. The attention of the latter officer is drawn to the remarks in paragraph 3. Not only on the Anaimalais and in the Mudumalai forests, but generally there has been a tendency to fell in excess of the demand and to the injury of the forests. Measures of conservancy are now of primary importance, and the steps that are being taken to select and protect reserved areas in every district for climatic reasons, the preservation of the water-supply, and in view of future requirements for fuel and timber must be steadily persevered in, and the work proceeded with as rapidly as possible.

3. On the Nilgiris the reservation of the remaining sholas and patches of ancient forest has been ordered, and care must be taken to regulate and supervise the felling therein by licensed wood-cutters. It is believed that much damage is done by persons provided with licenses, and it is in this direction that the sholas now need protection. The Conservator will consider and report how this may best be secured.

4. The necessity of caution in planting exotic trees is a matter that should engage the Conservator's attention, especially in the case of the *Eucalyptus globulus* which may possibly absorb the moisture it is desired to preserve.

5. The Conservator will take immediate steps for carrying out the tentative arrangements advocated especially for Bellary and Chingleput, the reservation and enclosure of the crowns of the isolated hills formerly clothed with jungle being a simple matter for which the Collectors of the districts could easily arrange when the best sites have been determined.

6. The utilization in the manner suggested of the strips of land finally and formally relinquished by the Railway Companies should be at once proceeded with and the work systematically carried out to its conclusion. Jungle Conservancy Funds may properly be employed on this simple and promising experiment.

7. The Government attach great importance to the zealous prosecution of these inexpensive and facile methods for restoring the fuel-supply of the country over a very wide area, and rely with confidence on the best efforts of all Collectors and their subordinates to develop the measure to the utmost and without delay. A brief annual report of progress should be submitted through the Board of Revenue for the information of Government.

8. This Minute and Proceedings will be forwarded to the Government of India and the Secretary of State, with the remark that the observations in the Minute scarcely represent adequately the extent to which protection has been afforded by the Village Jungle Conservancy Rules, and that the attention of Government is constantly directed to ensuring the utilisation of the income arising from them for purposes of reproduction.

9. The general powers taken in the Forest Bill were deemed adequate, at least for the present, for guarding wood along the course of streams, while strong objection was urged not only by private proprietors but by the Forest Department itself to the precise restrictions contemplated by the original draft.

10. Its application, with reference to elevation, is a point to which attention will be directed so soon as the Bill receives the assent of the Governor-General, in whose hands it now rests.

(True Extract.)

Master
Secretary to Government.

To the Board of Revenue.
" the Conservator of Forests.
" the Public Works Department.

Exd. W. H. French.

150 Copies.

N.C. 1152
20. S.C.

Govt. of (1881) ~~30~~ 31
REVENUE.

THE BOARD OF REVENUE,
To
Secy, Secy, Secy,

Dated January 29th.

Printed February 7th.

Recd. 13'

G.O., 29th January 1881, No. 206.

JANUARY.
Nos. 534-535.

Forest Reserve, &c.—Communicating, with
certain remarks, to the Board of Revenue and
Conservator Minute by His Grace the Governor
on the subject of —.

No 535 Wap 25 Feb/81
Communicated
to the officers of the
Public Works Dept.

Drup

420, + 421

S.E. ✓
Sup. of Wks ✓
C & F. ✓
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