M.R.O. 14—18,000—27-3-34

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1214 Press ~~Misc.~~

1890-95

Dated 12-7-- ~~18~~ 1894

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 12th July 1864.

No. 194. Proceedings of the Governor General of India in Council, Public Works Department, (Revenue—Forests), dated Fort William, 22nd March 1864, Circular No. 4:—

Rules for the management of Forest Business.

Read the following papers:—

Despatches to the Secretary of State—
No. 29, (Public), dated 21st May 1862.
„ 75 (Agricultural—Forests), dated 1st November 1862.
Despatch from Secretary of State—
No. 5, (Revenue), dated 25th February 1863.
Despatches to Secretary of State—
No. 15A, (Agricultural—Forests), dated 2nd February 1863.
„ 3 „ „ 2nd June „
„ 4 „ „ „ „
Despatch from Secretary of State—
No. 23 (Revenue), dated 5th August 1863.

Resolution.—The Governor General in Council having had under consideration the measures required to regulate the transaction of Forest business by the Government of India, desires that the following rules may be observed in dealing with this branch of business.

1. The executive management of all Forest business will rest with the Local Governments and Administrations, on the same footing as that on which they conduct other branches of the Civil administration.

2. The orders of the Government of India on Forest business will be issued from the Office of the Public Works Secretary, and the correspondence of the Local Governments and Administrations with the Government of India will be addressed to the same Office.

3. The Forest business of the Government of India, the Local Governments and Administrations, will be recorded under a separate head "Revenue—Forests;" and the proceedings, or abstracts of proceedings under this head will be recorded and submitted distinctly from those of all the other Departments, and, when printed, will be kept in separate volumes. The practice of recording Forest proceedings under the head "Agricultural—Forests" in the Public Works Department is to be discontinued.

4. The Local Governments and Administrations will transact their Forest business in whatever branch of the Secretariat offices they think fit, and it will be understood that though their correspondence with the Government of India on this subject is conducted through the Office of the Secretary to the Government of India, in the Public Works Department, there is no connexion implied between the Public Works and the Forest Administrations, and that the Rules and Regulations of the former branch of the service are not applicable to the latter.

5. An Officer to be called Inspector General of Forests will be appointed to assist the Government of India in dealing with the Forest business that comes before it. For the present, this officer will be attached to the Secretariat of the Public Works Department.

6. The local chief Forest officers will be termed Conservators, the Executive Officers under them being styled Deputy and Assistant Conservators.

7. The Forest administration in the Madras and Bombay Presidencies and in the three Lieutenant Governorships will be conducted entirely under the orders of the Local Governments. They will send up their Forest proceedings to the Government of India in the usual manner as described in paragraph 3, and will submit, as occasion requires, the usual annual financial and administrative reports and statements for the information or orders of the Government of India.

8. In making appointments and promotions, the system in force in the other Civil Departments under the local Governments and Administrations respectively will be followed in the Forest Department.

9. In the Provinces directly under the Government of India, the administrations will be conducted according to the following rules:—

I. The general control of the Government of India over the Forest administration will be commonly restricted to requiring the submission of the usual financial returns, and reports of contemplated operations for the coming year, and of actual operations for the past year, on which needful orders will be issued. Such further instructions however will from time to time be given as the Government of India may think necessary on matters relating to general policy or principles of management, the retention or alienation of Forest lands; the framing of Forest rules, and other like subjects. All such instructions will be given through the Public Works Secretariat to the Chief Commissioner or the head of the Local Administration in the ordinary manner.

II. The Conservators and the Inspector General may correspond directly on matters of a technical and professional character; abstracts of the correspondence being submitted periodically in the usual form, on the one hand to the Government of India by the Inspector General, and on the other by the Conservator to the Chief Commissioner, under such rules as each Chief Commissioner may think suitable for keeping himself informed of what passes between the Conservator and the Inspector General.

III. As a rule, the Conservators should regard the recommendations of the Inspector General on matters of a technical and professional character as binding on them, but in any case a Chief Commissioner may, if he thinks fit, authorize the Conservator to defer acting on such recommendations, pending, a reference to the Government of India.

IV. The Conservators will submit to the Inspector General such reports and returns illustrative of the forest operations and finance under their direction, as from time to time may be ordered by the Government of India.

V. The Chief Commissioners will use their discretion in addressing the Inspector General on any subject they think fit to refer to him for his opinion, and the Inspector General will give due attention to all such calls.

10. The Inspector General will be at liberty to offer suggestions on any subject connected with forest administration to any of the Local Governments or Administrations, but it will entirely rest with those Governments and Administrations to act on such suggestions or not as they may think proper.

11. The Inspector General will be at liberty to submit to the Government of India any reports or proposals having reference to the forest administration that seem to him to call for the orders of the Government of India.

12. The Inspector General may be deputed from time to time by the Government of India to examine, personally, into the condition of the forests in the various Provinces. When so deputed, the Inspector General will report the results of his inspection to the Government of India, sending at the same time a copy of his Report to the Local Government or Administration.

Madras.	Oudh.
Bombay.	Central Provinces.
Bengal.	British Burmah.
N. W. Provinces.	Mysore.
Punjab	Hyderabad.
G G's Agent, Central India.	

Ordered that the above Resolution be forwarded to the Local Governments and Administrations noted in the margin for guidance.

(Signed) R. STRACHEY, Colonel, R. E.,
Secy. to the Govt. of India.

To the Secretary to the Government of Madras, Public Works Department.

(True Copy.)

(Signed) C. G. MASTER,
Deputy Secretary to Government.

Ed. S. T. Augustin.

REVENUE DEPARTMENT.
FORT SAINT GEORGE,
12th July 1864.

No. 1,214.

No. 195.

From

J. D. SIM, ESQ.,
Secretary to the Government of Fort Saint George,

To

The Secretary to the Government of India.

SIR,

Forests

1. I am directed to acknowledge the receipt of your Circular No. 4 of 1864, Forest, communicating the Rules prescribed by the Governor General in Council for the transaction of Forest business.

2. With reference to paragraph 3, I am to state that a file of the correspondence of this Government on the subject of Forests will be duly transmitted to you.

3. With reference to paragraph 4, I am to state that the Forest business of this Government will continue to be transacted in the Revenue Department, and to request that communications on the subject may accordingly be addressed to me.

4. The Government fully appreciate the liberal spirit in which these Rules have been framed; but there is one of them, No. XII, which I am directed to request that His Excellency the Governor General in Council may be moved to re-consider.

5. It was only on the 26th January last that this Government were assured that by the *temporary* employment for one year of Drs. Cleghorn and Brandis as Commissioners, for Forests to the Government of India, "no *interference whatever* with the management of the Forests in the Madras Presidency is contemplated." In the present Resolution not only is an Officer with the significant title of "Inspector General of Forests" *permanently* appointed, but the Government of India state their intention of deputing him from time to time to examine *personally* into the condition of the Forests in the various Provinces. Of all the methods in which the Imperial Government can exercise its supremacy, the one which is most subversive of the legitimate authority of a Local Government, which lowers it most in the estimation of the public, and of its own officers, and is most prejudicial to the public interests, is the placing over it an Officer whose very title implies mistrust, and whose duty necessarily involves interference, in manner and degree wholly inconsistent with the position and independence of a Government.

6. I am also to point out that this arrangement goes very far beyond the wishes expressed by Her Majesty's Secretary of State, in his Despatch to the Governor General in Council, dated 15th August 1863, Revenue, No. 25. In paragraph 3 of that Despatch, the Secretary of State repeats his "desire that the administration of the Forests should be left *as hitherto entirely* to the Local Governments," the Supreme Government being furnished "with such Statements showing the receipts and expenditure, past, present, and prospective, as may enable" the Governor General in Council "to see, and notice, if necessary, the state of the Forest Revenue of each Presidency."

7. I am to submit that the appointment of an Inspector General "to examine personally into the condition" of the Madras Forests is inconsistent with the freedom of administration which this Government have *hitherto* enjoyed, and contemplates a mode of direct interference to which they have not hitherto been subject, and which is evidently beyond the intentions of the Secretary of State.

8. The Government have always readily afforded the fullest information on every matter connected with their Forests, their proceedings and correspondence are regularly forwarded to the Supreme Government, and their administration of the Department has elicited the repeated approval of the Secretary of State. They are wholly at a loss to discover the necessity of the proposed check on their management, or its utility, if as Rule X states they are to be at perfect

liberty to accept or reject the suggestions of the Inspector General; but they feel very strongly the mistrust which the measure implies, and its tendency to more active interference hereafter.

9. I am to request that the Governor General in Council will, for the reasons above stated, be pleased to limit the action of the Inspector General in the capacity which the title of his office implies, so that it may not extend to the Forests under the management of this Government.

I have the honor to be,
Sir,
Your most obedient servant,

(Signed) J. D. SIM,
Secretary to Government.

Exd S. T. Augustin.

Revenue depart

No. 1214 — 12th July 1864.

To
The Secretary to the
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Jan. 1st. Service of

Copy in a letter to Comp.
d/- 12th July 1864 No 17- Mis

3-2-64 : Nos 49-50
24-2-64 : 328-29
28-2-63 : in No 436

A. 1794 & 1795.

a Letter 1864 - Dep.
Sec. of Govt for India

12th

To
The Secretary to the
Govt of India.
d/ 12th July 64.
from the Secy to Govt of India
with Ps. W. Dept. Dated 28th Dec 64
& P 3357 - 26 Aug 65 No 104.

Requesting the Govt of
India to reconsider No XII
of the Rules for transacting
of Forest business so relating
to the appointment of an
Inspector General.