M.R.O. 1—2000—16-11-31.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2073-A Press

Dated 2. 12. 1870

Not to be folded or roughly handled

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

REVENUE—FORESTS.

To

CIRCULAR NO. 11 FOREST.

Dated SIMLA, *September* 1, 1870.

Received

Position of the Inspector General of Forests, and his correspondence with Conservators of Forests.

P. W. D. Press—5-9-70—150.

3. On the other hand, His Excellency in Council is of opinion that, to enable the Inspector General of Forests to exercise his functions as the adviser in forest matters of the Government of India and of Local Governments in a satisfactory manner, it is necessary that the Conservators of Forests in the different Provinces should keep him thoroughly informed of all circumstances connected with the forests, and that he should have the right and authority to call for any information, reports, or returns which he may consider requisite for that purpose.

4. Under the existing rules, the Inspector General of Forests is not permitted to correspond officially with the Conservators in Madras, Bombay, Bengal, the North Western Provinces, or the Punjab. In the two last named Provinces it was a short time ago found desirable to modify this rule, and to authorize the Inspector General to correspond direct with the Conservators of Forests; a like authority will now be given in the case of Bengal; and His Excellency in Council is of opinion that, unless the Governments of Madras and Bombay have any weighty objections to offer, the Inspector General may be permitted to correspond directly on all forest matters with the Conservators in those Presidencies, and that the temporary authority given for his corresponding with the Forest Ranger in Sindh should be confirmed permanently.

5. Under existing rules, the direct correspondence between Conservators under Local Administrations and the Inspector General of Forests is limited to matters of a technical and professional character. It appears unnecessary to the Governor General in Council to maintain this limitation, and the Inspector General of Forests should hereafter be at liberty to address all Conservators on any subject relating to forest administration, and Conservators should be encouraged to confer with him on all matters which may not have been specifically reserved by the orders of the Local Government.

6. In case the Inspector General of Forests should deem it expedient to offer suggestions or recommendations to the Conservator, it will rest with the latter to determine how far such suggestions are compatible with the views of his Government, and whether he should carry them out, or decline doing so. If the Conservator does not deem it expedient to carry out such suggestions or recommendations, he should inform the Inspector General of his reasons, and report the correspondence for the orders of his Government. It will, of course, be understood that the Inspector General should abstain from discussing with the local Forest Officers the orders they receive from the Government under which they serve.

7. Abstracts of the correspondence between Conservators and the Inspector General should be 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 Local Government.

8. His Excellency in Council trusts that these arrangements will tend to secure a continued and useful co-operation between the local Forest Officers and the Inspector General of Forests. There are many subjects connected with the internal administration of the forests which are not likely to require the specific orders of the Government of India, or of the Local Government, and which may well be left to be settled between Forest Officers. To arrive at a satisfactory conclusion on most matters of a professional character, it seems essential that a free interchange of opinion should be maintained between Forest Officers, and the direct correspondence now authorized between the Inspector General and Conservators of Forests should everywhere be encouraged.

9. It will probably be convenient that the Inspector General's monthly proceedings should be printed and circulated to the several Local Governments and Administrations, as well as to all Conservators of Forests. Important papers, especially such as relate to professional matters, may be printed at length, others recorded in abstract only. The advantage of this arrangement will be, that Conservators will be kept informed of what is going on in other Provinces, and that many instructive papers will be more widely circulated than would otherwise be practicable, and that Local Governments will thus have a more convenient means of noticing anything in the Inspector General's proceedings that may appear open to objection.

10. In addition to the authority now given for the correspondence between Conservators and the Inspector General of Forests, personal interviews between these Officers should be encouraged as much as possible. As a rule, the Conservator of the Province should accompany the Inspector General of Forests on his tours of inspection; or should this in any special case be impracticable, it will be his duty to arrange with the Inspector General of Forests for the deputation of some other suitable Forest Officer for that purpose. If the Inspector General should consider an interview with any Conservator or other Forest Officer necessary for the purpose of discussing matters connected with the management of the forests, he may, with the approval of the Local Government or Administration, arrange for a conference in such a manner as will not interfere with the work of the Department, and in such cases Forest Officers will be permitted, when the case requires it, to travel on duty beyond the limits of their own Province.

In all matters not affected by these observations, or by the orders of October 1869 regarding the re-organization of the Forest Department, the rules of March 1864 will remain in force.

ORDER.—Ordered, that a copy of this Resolution be forwarded to the Local Governments and Administrations noted in the margin, for information and guidance.

Madras.	Central Provinces.
Bombay.	British Burmah.
Bengal.	Mysore and Coorg.
North Western Provinces.	Hyderabad.
Punjab.	Central India.
Oudh.	Rajpootana.

Ordered also, that a copy be forwarded to the Financial, Foreign and Home Departments, for information.

(Signed) W. A. CROMMELIN, *Colonel, R. E.,*
Secretary to G.
Government of
In charge, P. W. Dept., at the Presidency.

To
The Secy to the Govt of Madras,
Revenue Department.

CIRCULAR No. 11 FOREST.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

REVENUE—FORESTS.

SIMLA, SEPTEMBER 1, 1870.

Position of the Inspector General of Forests, and his correspondence with Conservators of Forests.

Read again :—

Public Works Department Circular No. 4, dated 22nd March 1864.

Despatch from Secretary of State, No. 27, dated 24th November 1868.

Public Works Department letter to the Government of the Punjab, No. 173 F, dated 14th April 1869.

Public Works Department letter to the Government of the North Western Provinces, No. 454 F, dated 27th September 1869.

Despatch from Secretary of State, No. 16, dated 25th August 1869, para. 7.

RESOLUTION.—The Governor General in Council has lately had under consideration the necessity of somewhat modifying the rules for the management

[redacted]

professional subjects with the Conservators of Forests [redacted] Madras and Bombay, and in the Provinces under the Government of India. His Excellency the Governor General in Council hence understands that the intention of the Secretary of State is, that the Inspector General of Forests should be placed in a position in which he can effectually inspect and supervise all forest operations, and freely advise the Administration on all matters relating to forest management (beyond which his interposition would not now be practicable), and believes that this object may be attained without in any way interfering with the authority of the Governments of Madras and Bombay, or of the other Local Governments and Administrations in forest matters, or diminishing their responsibility in this respect.

2. The general control over forest matters will continue to be exercised by the Government of India, and no change of the present practice is contemplated in this respect. Subject to the general control of the Government of India, the administration of the forests in the different Provinces will entirely be in the hands of the Local Governments and Administrations, and all orders to Conservators and other Officers who have a share in the administration of the forests will be issued exclusively by the Executive Governments. The Inspector General of Forests will merely occupy the position of an advising and inspecting Officer, and will have no authority or power in the matter of forest administration, and no responsibility save as the adviser in forest matters of the Government of India, and of the other Governments and Administrations. Accordingly that part of the rules of 1864 which states that Conservators under the Minor Administrations should regard the recommendations of the Inspector General of Forests on matters of a technical and professional character as binding on them, will cease to have effect. The Inspector General of Forests will have no authority to issue orders, or to give instructions of any kind whatever. He may inspect, enquire, and offer suggestions or recommendations, but the question whether his suggestions shall be carried out will rest entirely with the Local Authorities, subject only to the general control of the Government of India.

No. 380A. Read the following Circular from the Government of India, Public Works Department, Revenue Forests, dated Simla, 1st September 1870, No. 11 :—

Position of the Inspector-General of Forests and his correspondence with Conservators of Forests.

Read again :—

Public Works Department Circular, No. 4, dated 22nd March 1864.

Despatch from Secretary of State, No. 27, dated 24th November 1868.

Public Works Department letter to the Government of the Punjab, No. 173-F., dated 14th April 1869.

Public Works Department letter to the Government of the North-Western Provinces, No. 454-F., dated 27th September 1869.

Despatch from Secretary of State, No. 16, dated 25th August 1869, paragraph 7.

RESOLUTION.—The Governor-General in Council has lately had under consideration the necessity of somewhat modifying the rules for the management of forest business, which were adopted in March 1864. On several occasions Her Majesty's Government has directed the attention of the Government of India to the general subject, and has specially noticed the importance of the Inspector General of Forests exercising an efficient general direction and superintendence over the amalgamated Forest Department under the Government of India, and of his being placed in a position in which he can communicate freely on professional subjects with the Conservators of Forests in the Presidencies of Madras and Bombay and in the Provinces under the Government of India. His Excellency the Governor-General in Council hence understands that the intention of the Secretary of State is that the Inspector-General of Forests should be placed in a position in which he can effectually inspect and supervise all forest operations, and freely advise the Administration on all matters relating to forest management (beyond which his interposition would not now be practicable), and believes that this object may be attained without in any way interfering with the authority of the Governments of Madras and Bombay or of the other Local Governments and Administrations in forest matters, or diminishing their responsibility in this respect.

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out will rest entirely with the Local Authorities, subject only to the general control of the Government of India.

3. On the other hand, His Excellency in Council is of opinion that, to enable the Inspector-General of Forests to exercise his functions as the adviser in forest matters of the Government of India and of Local Governments in a satisfactory manner, it is necessary that the Conservators of Forests in the different Provinces should keep him thoroughly informed of all circumstances connected with the forests, and that he should have the right and authority to call for any information, reports, or returns, which he may consider requisite for that purpose.

4. Under the existing rules, the Inspector-General of Forests is not permitted to correspond officially with the Conservators in Madras, Bombay, Bengal, the North-Western Provinces, or the Punjab. In the two last-named Provinces, it was a short time ago found desirable to modify this rule, and to authorize the Inspector-General to correspond direct with the Conservators of Forests; a like authority will now be given in the case of Bengal; and His Excellency in Council is of opinion that, unless the Governments of Madras and Bombay have any weighty objections to offer, the Inspector-General may be permitted to correspond directly on all forest matters with the Conservators in those Presidencies, and that the temporary authority given for his corresponding with the Forest Ranger in Sindh should be confirmed permanently.

5. Under existing rules, the direct correspondence between Conservators under Local Administrations and the Inspector-General of Forests is limited to matters of a technical and professional character. It appears unnecessary to the Governor General in Council to maintain this limitation, and the Inspector-General of Forests should hereafter be at liberty to address all Conservators on any subject relating to forest administration, and Conservators should be encouraged to confer with him on all matters which may not have been specifically reserved by the orders of the Local Government.

6. In case the Inspector-General of Forests should deem it expedient to address any suggestions or recommendations to the Conservator, it will rest with that officer to determine how far such suggestions are compatible with the orders of his Government, and whether he should carry them out, or decline doing so. If the Conservator does not deem it expedient to carry out such suggestions or recommendations, he should inform the Inspector-General of his reasons, and report the correspondence for the orders of his Government. It will, of course, be understood that the Inspector-General should abstain from discussing with the local forest officers the orders they receive from the Government under which they serve.

7. Abstracts of the correspondence between Conservators and the Inspector-General should be 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 Local Government.

8. His Excellency in Council trusts that these arrangements will tend to secure a continued and useful co-operation between the local forest officers and the Inspector-General of Forests. There are many subjects connected with the internal administration of the forests which are not likely to require the specific orders of the Government of India, or of the Local Government, and which may

Proceedings of the Madras Government, Revenue Department,
20th December 1870.

well be left to be settled between forest officers. To arrive at a satisfactory conclusion on most matters of a professional character, it seems essential that a free interchange of opinion should be maintained between forest officers, and the direct correspondence now authorized between the Inspector-General and Conservators of Forests should everywhere be encouraged.

9. It will probably be convenient that the Inspector-General's monthly proceedings should be printed and circulated to the several Local Governments and Administrations, as well as to all Conservators of Forests. Important papers, especially such as relate to professional matters, may be printed at length, others recorded in abstract only. The advantage of this arrangement will be, that Conservators will be kept informed of what is going on in other Provinces, and that many instructive papers will be more widely circulated than would otherwise be practicable, and that Local Governments will thus have a more convenient means of noticing anything in the Inspector-General's proceedings that may appear open to objection.

10. In addition to the authority now given for the correspondence between Conservators and the Inspector-General of Forests, personal interviews between these officers should be encouraged as much as possible. As a rule, the Conservator of the Province should accompany the Inspector-General of Forests on his tours of inspection; or should this, in any special case, be impracticable, it will be his duty to arrange with the Inspector-General of Forests for the deputation of some other suitable forest officer for that purpose. If the Inspector-General should consider an interview with any Conservator or other forest officer necessary for the purpose of discussing matters connected with the management of the forests, he may, with the approval of the Local Government or Administration, arrange for a conference in such a manner as will not interfere with the work of the department, and in such cases forest officers will be permitted, when the case requires it, to travel on duty beyond the limits of their own Province.

In all matters not affected by these observations, or by the orders of October 1869, regarding the re-organization of the Forest Department, the rules of March 1864 will remain in force.

ORDER.—Ordered that a copy of this Resolution be forwarded to the Local Governments and Administrations noted in the margin for information and guidance.

2. Ordered also that a copy be forwarded to the Financial, Foreign, and Home Departments, for information.

Madras.	Central Provinces.
Bombay.	British Burmah.
Bengal.	Mysore and Coorg.
North-Western Provinces.	Hyderabad.
Punjab.	Central India.
Oudh.	Rajpootana.

(Signed) W. A. CROMMELIN, Colonel, R.E.,
Offg. Secretary to the Government of India.

(True Copy.)
(Signed) W. HUDLESTON,
Secretary to Government.

Rgd. F. R. Bantleman.

REVENUE DEPARTMENT.
FORT SAINT GEORGE,
20*th December* 1870.

No. 380 B

No. 2,073.A

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
PUBLIC WORKS DEPARTMENT.

Forests, No. 10.

SIR,—I am directed to acknowledge receipt of Circular No. 11, Forests, dated 1st September 1870, on the "Position of the Inspector-General of Forests and his correspondence with Conservators of Forests," and to submit, for the consideration of the Supreme Government, the following remarks:—

2. It is assumed in this Circular that the opinion expressed by the Secretary of State, that the Inspector-General should be "placed in a position to communicate "freely, on professional subjects, with the Conservators of Forests in the Presidencies "of Madras and Bombay," was intended to convey the desire that he "should be "placed in a position in which he can effectually *inspect* and supervise all forest "operations;" and the Circular accordingly proceeds practically to direct that throughout India he shall "occupy the position of an advising and inspecting "officer" in regard to forests; that "he may inspect, inquire, and offer sugges- "tions;" that "the Conservators of Forests in the different Provinces should keep "him thoroughly informed of all circumstances connected with the forests; and "that he should have the right and authority to call for any information, reports "or returns, which he may consider requisite for that purpose." That to this end he should "be permitted to correspond directly on all forest matters with the "Conservators in Madras and Bombay" without the existing limitation to "matters "of a technical and professional character;" that he "should hereafter be at liberty "to address all Conservators on any subject relating to forest administration, and "Conservators should be encouraged to confer with him on all matters which may "not have been specifically reserved by the orders of the Local Government." That in case the Inspector-General of Forests should deem it expedient to address "any suggestions or recommendations to the Conservators, it will rest with that "officer to determine how far such suggestions are compatible with the orders of "his Government, and whether he should carry them out or decline to do so;" and that, should he not deem it expedient to carry out such suggestions, "he should "report the correspondence for the orders of his Government."

3. That, in addition to direct correspondence, "personal interviews" between Conservators and the Inspector-General "should be encouraged as much as possible;" "that, as a rule, the Conservator of the Province should accompany "the Inspector-General on his tours of inspection, or should this, in any special "case, be impracticable, it will be his duty to arrange with the Inspector-General "of Forests for the deputation of some other suitable forest-officer for that

"purpose;" and, finally, that "if the Inspector should consider an interview with "any Conservator or other forest-officer necessary for the purpose of discussing "matters connected with the management of the forests, he may, with the approval "of the Local Government, arrange for a conference;" and in such cases "forest-"officers will be permitted, if necessary, to travel on duty beyond the limits of "their own Province."

4. I am directed to express the opinion of this Government that the system laid out, as above extracted from the Circular in question, would, if carried out, prove to be subversive of all due subordination on the part of the Forest Conservancy Department to the Government of their own Presidency; that it is not at all consistent with the intentions expressed on other occasions by the Government of India in regard to their general control over this department in the Presidencies; that it is opposed to the expressed desire of the Secretary of State as to the extent to which that control should be exercised; and that it would be prejudicial to the harmonious and successful working of the Forest Department in this Presidency.

5. In paragraph 3 of his despatch to the Governor-General in Council, 15th August 1863, Revenue, No. 23, the Secretary of State repeated his "desire that the "administration of the forests should be left *as hitherto entirely* to the Local "Government;" and in his despatch to this Government, dated 6th October 1864, No. 42, the Secretary of State remarked that when he "sanctioned the Circular "of the Government of India, dated 22nd March 1864, "it was with the under-"standing that it authorized no interference with the management of the forests "under the control of the Local Governments;" and that he "should consider the "deputation of the Inspector-General, independent of the Local Governments, to "inspect the forests under their control to be a needless interference with the "administration of those forests."

6. It was in reference to this despatch that the Secretary to the Government of India, Department Public Works, in his letter to this department, dated 8th December 1864, stated that he was "directed to observe that it had never been the "intention of the Government of India to reserve the power of deputing the "Inspector-General of Forests to Madras, with a view to supervising the operations "of the Forest Department under the Government of Fort Saint George;" that it had merely been thought that he might usefully visit all forests in India "for the pur-"pose of obtaining and communicating information," and that the previous assent of this Government would be obtained should the Government of India "at any "time desire the Inspector-General to visit the Madras forests;" and that in such visit "the intention above explained will be strictly carried out."

7. It may here be remarked that such visits as are above described have on more than one occasion been made by Dr. Brandis to the forests of this Presidency, and that this Government have invariably caused every facility to be offered to him which might serve to promote the object in view; but there is no resemblance whatever between such visits for the purpose of gathering information and the official tours of inspection and authoritative supervision which the present Circular directs.

8. In his despatch to this Government of 24th December 1864, No. 60, the Secretary of State, while insisting on the importance of maintaining the system of annual Budget-estimates of forest expenditure, repeated his "opinion that the "management of the forests of the subordinate Governments must be left entirely "to the Governments of the Presidencies in which those forests are respectively situated;" and so lately as 24th November 1868 the Secretary of State, in his despatch, No. 27, to the Government of India, while *approving* of free intercommunication between the Inspector-General and the Conservators of Forests in Madras and Bombay, carefully distinguished between such informal correspondence (to which this Government desire to oppose no obstacle whatever) and the full information on "all circumstances connected with the forests," under the Forest Department of the Government of India, which was essential to "the general direction and superintendence" of that restricted range which it was desired he should possess.

9. This Government are of opinion that in the Circular now issued this distinction has practically been lost sight of, and that the effect of the system, which it is designed to introduce, would be to subject all the Conservators of Forests and their establishments throughout India to the direct control of the Inspector-General of Forests under the Government of India, and to supersede the Governments of the Presidencies in which the forests are situated.

10. His Excellency in Council deems it his duty to remonstrate against any such intervention in this Presidency, both because the Inspector-General of the Government of India, however great his merits and acquirements, can scarcely be presumed to have any such knowledge of the local peculiarities of this country and climate, and of the rights and customs of the population of its various Provinces, as to enable him to offer advice that could be practically useful, and also because the interposition of an external agency of the nature contemplated would indubitably weaken the discipline and subordination of the department, and induce the forest subordinates here to look beyond their own Presidency and their own Government for advancement and reward. Moreover, the division of responsibility involved in the proposed scheme could not fail to create dissatisfaction on the part of the local Government, and to produce either a diminution of interest in the management of the forests, or a constant conflict of opinions and orders, prejudicial to the public service. This Government would also respectfully represent that the contemplated assumption of authority in local forest administration would bring a new burden of duties upon the Government of India, which that Government, with the best intentions, might find it difficult to perform with efficiency; while the adoption of such functions would be peculiarly inconsistent and inexpedient at the present conjuncture, when it is believed that the Government of India are themselves convinced that the system of centralization and control has been carried too far, and have spontaneously manifested an inclination not to curtail, but to enlarge the prerogatives of the local Governments.

11. As regards the special department of forests, the experience of this Government has led them to the conclusion that decentralization of the administration is necessary for efficiency even in this Presidency itself, and, at the present moment, they have under consideration a scheme for the re-organization of the Forest Department in such manner as to induce closer co-operation between the local Revenue authorities and the Forest Establishment.

12. The Governor in Council regrets to be placed in a position of antagonism to the sentiments of the Government of India in a matter of this nature, and to be compelled to an expression of dissent when the conclusions of that Government have been already circulated in an official form, but the opportunity of recording an opinion was not opened to this Government at an earlier stage. They were not aware that the question was under the consideration of the Governor-

Presidency

General in Council, until the views of the Supreme Government had been definitely formed and expressed.

13. A copy of this letter has been transmitted separately to the Secretary of State.

I have the honour to be,
Sir,
Your most obedient servant,
(Signed) W. HUDLESTON,
Secretary to Government.

Public Works 1870 Department.

[ ]

From Government of
Fort St. George.

Dated 20th December. } No. 2,073A
R. } Enclosures.
6 spare copies.

D. No. Progs. { D. / No.
L. No.

Ack 9/2/75

ACKNOWLEDGING receipt of Circular relating to the position of the Inspector-General of Forests and his correspondence with Conservator of Forests, and submitting remarks thereon for the consideration of the Supreme Government.

R.D.

Memo for orders on 2799

In 1863 Major Beddome proceeded privately a Code of proposed Madras Forest Rules to Dr. Cleghorn then in Bengal. Thereupon Dr. Cleghorn & Brandis prepared a Memo pointing out certain objections to the Rules which the Govt of India forwarded to this Govt for certain information

2. In reply, this Govt in their letter, dated 3rd Feb. 1864, pointed out that ignorance of the wants and peculiarities of this Providency

I think that the creature of the Govt of India & exercise inspection and superintendence with the Local officers of this Presidency inspection of the Govt of Madras by the Inspector General of the Supreme Govt is a proposal that should not therefore be entertained by the Govt in the present state of affairs.

1. That the Inspector general of Forests can hardly be presumed to have any such knowledge of the local

Presidency had led these gentlemen into many errors in their Memo. As to Dr. Bramdis' proposal that the rules he had framed for the Central Provinces might be with advantage adopted in Madras, they observed that considering the physical differences of the two countries, and the fact that D. Brandis had never been in office, the mere proposal indicated a dangerous tendency to generalize on insufficient premises.

3. In conclusion they observed: "The proposal in "paragraph 8, viz, the depu- "tation of one or two experienced and

[illegible] Circle of the country [illegible] enable him to offer any advice that can be practically useful

2. That the interference of an external agency of the nature alluded to would interfere with the descipline & subordination of the Dept. and undermine the influence which the Head of the Dept. here & elsewhere ought to own Presidency & their Govt. for advancement & reward.

3. That the division of responsibility [illegible] interest thus introduced would not fail to create dissatisfaction in this Govt. and produce either a diminution of interest in the administration of the Forests or a similar conflict of opinion

[illegible] and undue prejudicial to the public service.

4. That the proposed interference in local Forest affairs would throw more work upon the Govt. of India which could not be performed at the very moment when it is earnestly hoped & expected that admitted by the Govts of India that it is desirable to decentralize the administration of the country and relegate to the local Govts the management of details about the supreme Govt. can deal with with advantage.

5. That the Govt.

"and confidential officers" to "visit the forests, if intended "to apply to this Presidency, is "quite uncalled for. The officers "of the Forest Department here "are all experienced in their "work and are under close "supervision.

"The Govt. have been much "struck by the apparent as- "sumption throughout the Note "that effective forest adminis- "tration requires the direct "interference of the Supreme "Govt. This system of centrali- "zation has been tried in "several departments and so "far as this Presidency is "concerned has undoubtedly "failed. The extension to the "Forest Dept. would inevitably

also

"also prove a failure. Any
"such step this Govt would
"earnestly deprecate. They sub-
"mit that it is not the province
"of the Imperial Govt to under-
"take such a duty as the
"Conservancy of forests all over
"India, and that there is no
"reason for attempting such
"a duty in the case of forests
"more than of any other source
"of Revenue. No single officer
"could possibly supervise the
"operations of the Dept through-
"out India, and the interven-
"tion of such an officer be-
"tween the local Govts and
"their subordinates could
"not but be mischievous.
"The latter would look
"beyond their own Govt
"for the reward of their
exertions

of Madras has
under their consideration
a project for
the reorganization
of the Forest Dept
which contemplates
some degree of
decentralization
in this Presidency
itself — the
direct correspondence
between the local
Revenue authorities
and the Forest
Establishments.

N

I entirely concur
and would ad-
opt an identical
Minute to that of the
Govt of India in the former matter.

A.J.D.

In Govt of India 7th Dec: 1862,
No 2582.

"experience, and would necessa-
"rily feel that the control over
"their proceedings would be
"less stringent because more
"distant. The arguments which
"the Govt used in the letter
"marginally noted regarding
"the Directorship of the Post
"Office apply with equal
"force to the Forest Dept,
"and the Govt trust that
"so injurious and expensive
"a measure will finally be
"contemplated by the Supreme
"Government"

4. A letter from the Govt of India dated 26th Jan 1863, No 122, crossed this letter from Madras. In it the Governor General informed the Madras Govt that Mr Blyth & Mr Brandis had been appointed

Commissioners

Commissioners of Forests for one year, but that "no "interference whatever with "the Forests of the Madras "Presidency" was contemplated.

5. In March 1864 the Govt of India prescribed rules for the management of Forest business, but in para 7 of the Resolution of that date explained that the Superintendence of Madras would be conducted entirely under the orders of the Local Govt. None of the rules, however, contemplated the deputation of the Inspector Genl to examine personally into the condition of the Forests or the various previous

3

6. To this rule the Govt of Madras at once objected in their letter dated 12th July 1864, & 12th. They observed as follows.

"Of all the methods in "which the Imperial Govt "can exercise its supremacy, "the one which is most re- "pugnant to the legitimate "authority of a Local Govt, "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 control, and whose "duty necessarily involves "interference, in manner "and degree wholly inconsistent

with

"with the position and in-
"dependence of a Government
"I am also to point out
"that this arrangement
"goes very far beyond the
"wishes expressed by H.M.
"Secretary of State, in his
"Despatch to the Gov.-Gen.
"in Council, dated 19th Aug.
"1862, Rev. No 23. In para-
"graph 3 of that Despatch,
"the Secy. of State repeats
"his desire that the ad-
"ministration of the Forests
"should be left as hitherto
"entirely to the Local Govts,
"the Supreme Govt being
"furnished with such
"statements showing the
"receipts and Expenditure,
"past, present, and pros-
"pective, as may enable"

the

"the Gov.-Gen.-in Council
"to see, and notice, if necessary,
"the state of the Forest Revenue
"of each Presidency

"I am to submit that
"the appointment of an In-
"spector Genl "to examine
"personally into the condition
"of the Madras Forests is
"inconsistent with the prin-
"ciples of administration which
"this Govt 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 Secy
"of State"

7. The Madras Govt
also addressed a despatch
to the Secy. of State on the

same

same subject dated 12th July 1864 No 17.

8. In reply to this Despatch Sir Charles Wood addressed the Madras Govt under date 6th Octr 1864 No 42, to the following effect.

"In reply I have to inform you, that when I sanctioned the Circular in question it was with the understanding that it authorized no interference with the management of the forests under the control of the Local Govts, and that it should confine the deputation of the Insp. Genl in dependance of the Local Govts to inspect the forests under their control to be a needless

"needless interference with the administration of those forests."

9. In reference to this despatch the Govt of India in their letter dated 4th Decr 1864 No 208 wrote as follows.

"I saw at the same time to observe that it never had been the intention of the Govt of India to reserve the power of deputing the Insp. Genl of Forests to Madras with a view to supervising the operations of the Forest Dept under the Govt of Fort St George.

"But it was thought that visits might be usefully made by the Insp. Genl to forests in all parts of India, for the purpose of

"of obtaining and commu-
"nicating information as
"to the practical operations
"of the Forests in different
"localities and climates.
"Should the Govt of India at
"any time desire the Insp.r
"Genl to visit the Madras
"Forests, the previous assent
"of the Madras Govt will
"be obtained before such
"a visit is undertaken,
"and if made, the re-
"striction above explained
"will be strictly carried out."

10. The entire control of the Madras Forest Dept has accordingly been left to the local Govt during the last six years, and in submitting proposals to the Home Govt for assuming a closer control over Forest operations in 1864, the Govt of India "under all "the circumstances came to "the conclusion that it would "be better at the outset to "limit the new organization "to the Bengal Presidency, "and not to disturb the "arrangements already "established in Madras & "Bombay"

11. In reply the Sec.y of State in his despatch dated 25th Nov.r 1868, N.o 37, printed in Madras Pub.s dated 7th May 1869, N.o 1269, approved of this determination, and sanctioned a similar improvement of the scale of Forest Salaries &ca for Madras as had been sanctioned for the Bengal Presidency

In

12. In the Resolution of the Govt of India now under consideration, the Rules of 1864 are modified. A belief is expressed that the Secy: of State desires that the Inspr Genl of Forests shall be placed in such a position that he may be able effectually to inspect and supervise all forest operations. It is accordingly resolved that though the administration of Forests in the different provinces shall be in the hands of the Local Govts, the Inspector Genl shall occupy the position of advising and inspecting officer. He will have no authority to give orders, but he will be allowed to inspect, enquire and offer suggestions.

13. In order to enable him to do this in para 3 of the Resolution he is authorized to correspond direct with Forest officers and to call for any information, reports or returns, unless the Govts of Madras and Bombay have any weighty objections to offer.

14. In para 5 of the Resolution, the Conservators are directed to be managed to confer with the Inspector General on all matters not specifically reserved by the order of the Local Govt, and in para 6 it is laid down that the Conservator will determine how far the

the Inspector Genl's suggestions are compatible with the orders of his own Govt.

15. It is submitted that this Resolution is in direct opposition to the orders of the Secy: of State as issued in 1864, and so far as this Govt is aware those orders have not been modified. It is further submitted that the scheme proposed will not only produce expenditure, but will cause serious administrative inconvenience and lead to a constant clashing of authority. It would be far better that the Local Govt should be relieved of all charge of the Forests, as they are of Finance & Post office, than that the system proposed should be adopted.

Revenue
Forests
Land & Forest

4 Copies Despd 21

No 2073A 20 October 70

To The Secretary to the Govt of India
Public Works Deptt

Sir, I am directed to acknowledge receipt of
your Circular No 11, Forests, dated
1st Sep 1870 on the "Functions
of the Inspr Genl of Forests"
& his correspondence with
Conservators of Forests and
to submit for the con-
sideration of the Supreme
Govt the following remarks

2. It is assumed in this
Circular that the opinions
expressed by the Secy of State
that the Inspr Genl should
be "placed in a position
"to communicate freely
"on professional subjects
with

Submitted

with the Conservator of Forests
in the Presidencies of Madras
& Bombay" was intended
to convey the desire that
he "should be placed in a
position in which he can
effectually inspect and
supervise all forest operations,
and the circular accord-
ingly proceeds practically
to direct that throughout
India he shall "occupy
the position of an adviser
& inspecting officer" in regard
to forests that he may
inspect, enquire, & offer
suggestions that the
Conservators of Forests in
the different Provinces
should keep him thoroughly
informed of all circum-
stances connected with
the Forests, and that
he

had should have the right
and authority to call for
any information, reports
or returns which he may
consider requisite for that
purpose." That to this end
he should be permitted to
correspond directly on all
forest matters with the Conservators
in Madras & Bombay, subject
to the existing limitation to
"matters of a technical &
professional character"
that he "should hereafter
be at liberty to address
all Conservators on any
subject relating to forest ad-
ministration, & Conservators
should be encouraged to
confer with him on all
matters which may not
have been specifically
reserved by the orders of the
Local Govt. that in case
the Inspr. Genl of Forests
should

should deem it expedient "
to address any suggestions "
or recommendations to the "
Conservator, I will post "
with that officer to deter- "
mine how far such sug- "
gestions are compatible "
with the orders of his post "
& whether he should "
carry them out or decline "
to do so, and that should "
he not deem it expedient "
to carry out such sug- "
gestions "he should report "
the circumstances for "
the orders of his post. "

3. That in addition to
direct correspondence
& personal interviews
with the Inspector should
be encouraged as much as
possible "that are not
the Conservator should
accompany the Inspector on
his tours & the Inspector should
where any personal conflict can

"the Inspector General of Forests
"for the deputation of some
"other suitable Forest officer
"for that purpose," and
finally that "if the
Inspector should consider
"an interview with any
"Conservator or other Forest
"officer necessary for the
"purpose of discussing
"matters connected with
"the management of the
"Forests, he may with the
"approval of the local
"Govt. arrange for a
conference" and in such
cases "Forest officers will
"be permitted if necessary

to

to travel on duty beyond the "
limits of their own Provinces.

4. I am directed to express the opinion of this Govt that the system laid out, as above extracted from the Circular in question will be subversive of all due subordination on the part of the Forest Conservancy Dept: to the Govt of their own Presidency – that it is not at all consistent with the intentions expressed on other occasions by the Govt of India in regard to their general control over this department in the Presidencies – that it is (best) [illegible] subversive of

would be prejudicial

& unacceptable

deure of the Secy of State, as to the extent to which that control should be exercised – and that it would be prejudicial to the harmonious and successful working of the Forest department in this Presidency.

5. In para 3 of his Despatch to the Governor General in Council 15 Augt 1862 (Rev. No 23) the Secy of State repeated his "desire that the administration "of the Forests should be left "as hitherto entirely to the "Local Govt", and in his Despatch to this Govt dated 6th October 1864, No 42, the Secretary of State remark- -ed that when he "sanction- -ed the circular (of the

Govt

Govt of India dated 22d
March 1864) "it was with
the understanding that al-
though no interference
with the management of
the forests under the control
of the Local Governments
and that he should consider
the deputation of the Inspector
General independent of the
Local Govts to inspect the
forests under their control,
to be needless interference
with the administration of
those forests"

6. It was in reference
to this despatch that the
Secretary to the Govt of India
D.O.W. on his letter to

this

this department dated 8th
Decbr 1864 stated that he
was "directed to observe
" that it had never been
" the intention of the Govt
" of India to reserve the
" power of deputing the
" Inspector General of Forests
" to Madras with a view
" to supervising the operations
" of the Forest department
" under the Government
" of Fort Saint George"
that it had merely been
thought that he might
usefully visit all forests
in India "for the purpose
" of obtaining & communicating

information

information" and that the previous assent of this Govt would be obtained should the Govt of India at any time desire the Inspector General to visit the Madras forces" and that in such visit "the intention above explained will be strictly carried out."

7. It may here be remarked that such visits as are above described have on more than one occasion been made by Dr Brandis to the forests of this Presidency and

I would omit this what is called for by

and that this Govt have invariably caused every facility to be offered to him which might serve to promote the object in view, but there is no precedence whatever between such visits for the purpose of gathering information (from a consideration of ~~such~~ ~~former standing~~ ~~and experience in the present subject than~~ ~~that under his own control~~) and the official tours of inspection

and

and authoritative paper
wherein the present
Circular (~~approved and~~)
directs.

omit M

8. In his Despatch to
the Govt. of 24th Decr. 1864,
No. 66, the Secy. of State
while insisting on the im-
portance of maintaining
the existence of annual
Budget Estimates of Forest
Expenditure, repeated his
opinion that the manage-
ment of the forests of the
subordinate Governments
must be left entirely
to the Governments of

the

the Presidencies in which
those forests are respect-
ively situated" and so
lately as 24th November
1868 the Secretary of
State in his Despatch
No. 24 to the Govern-
ment of India, while
approving of free
intercommunication
between the Inspector
General and the
Conservators of Forests
in Madras, and
Bombay, carefully

distinguished

distinguished be-
tween such uniform-
al correspondence
(to which this Govern-
ment desire to oppose
no obstacle whatever)
and the full uniformi-
ty of all circum-
stances connected
with the forests under
the Forest department
of the Government of
India which was
essential

essential to "the general
direction and superintendence"
of that restricted range
which it was desired he
should possess.

9. His Govt are of
opinion that as the cir-
cular now issued, this dis-
tinction has practically
been altogether neglected
and that the effect of the
system which it is designed
to introduce would be to
subject all the conservators
of Forests and their esta-
blishments throughout
India to the direct

control

control of the Inspector
General of Forests under the
Govt of India and to super-
-sede the Govts of the Presi-
-dencies in which the forests
are situated -
10. ~~The Govt~~ I would say deem it their
duty to ~~protect themselves~~ against
any such interference in this
~~Dept~~ because the Insp. Genl
of the Govt of India can
hardly be presumed to have
any such knowledge of the
local peculiarities of this country
and the rights and customs of the
villagers as to enable him
to offer any advice that could
be practically useful, while
because the interference of an
external agency of the nature
contemplated is greater the ob-
-struction & condemnation of the Dept.
& evidence the Insp. Genl would
look beyond that now Govt & their
own Govt for encouragement & reward
-ment for services performed by

I would say "both because the Inspector Genl of the Govt of India, however great his merits and acquirements can scarcely be presumed to have

the rights & customs of the villagers in various provinces"

I would say "and the rights & customs of the population of the various provinces" N.

I would strongly say remarkable

his merits and acquirements

N.

X I substitute a conflict of opinions for collisions and embarrassments

involved in the proposed scheme could not fail to create dissatisfaction on the part of the local Govt and to produce either a diminution of interest in the ~~Service~~ management ~~duties~~ of the forests or a constant conflict of opinions & orders prejudicial to the public service and ~~of the Govt~~ to the projected interference in local forest affairs would thereupon arise on the part of India which could scarcely be efficiently performed, at the very moment when it is commonly believed & asserted & admitted by the Govt of India itself that it is desirable to

I would make a new balance as follows

"This Government would establish & represent that the contemplated assumption of authority in local & forest administration would bring a new burden of duties upon the Government of India which that Government with the best intentions may find it difficult to perform with efficiency while the adoption of local frontiers would be precarious, inconvenient and unprecedented at the present conjuncture

to

to decentralise the administration of the country and relinquish to the local Govts the management of details which the Govt of India cannot conduct as the advantage

As regards the Special dept of Forests, the experience of the Govt has led them to the conclusion that decentralisation of the administration is necessary for efficiency even as that Province, itself, and at the present moment they have under consideration evidence for the reorganisation of the Forest dept as such measures as to evidence divergence therefrom between the Local

when it is found that the Government of India are convinced that the system of centralisation & control has been carried too far and manifested an indisposition are disposed to enlarge the limits to enlarge the powers of the local Governments

Local Authorities & the Forest Dept.

12. The Governor in Council regrets to be placed in a position of antagonism to the sentiments of the Govt of India in a matter of this nature and to be compelled to an expression of dissent when the conclusions of that Govt have been already circulated in an official form, but the opportunity of recording an opinion was not opened to this Govt at an earlier stage. They were not aware that the question was under the consideration of the Governor General in Council

until

until the news of the Supreme Govt had been officially announced & expressed.

13. A copy of this letter has been transmitted separately to the Secretary of State.

Local Revenue authorities

Should not here

the Govt &c. the principle of which is directly opposed to any measures which would tend to reduce to a minimum all considerations for local peculiarities & requirements and to induce a provincial uniformity throughout India in the teeth of facts which appear more than any other intimately connected with the comfort of the community & need to be carefully moulded & accord with them necessities. See our former 12 para

Should omit the latter part of this para. which reiterates in a rather irritating strain the reasons which is converged above. N.

13 Sy. A copy of this letter has been transmitted separately to the Secy of State

Should omit for a copy of the letter has been transmitted separately to the Secretary of State N.

For Judge Pratt
Portion of the Supreme Court Records

Supreme Court

her majesty's consent as a
separate Dana 12
in the Same manner
by Mr Lee in the margin
of the letter to the
Secretary of State.

Sent this

Dana 12. The Governor in Council
regrets to be placed in
a position of antagonism
to the sentiments of the
Government of India in
matters of this nature
and to be compelled to an
act to be compelled to an
exercise of power taken
from the enactments of that
Law the enactments of which
Law has been already
communicated with a request
from, but the opportunity
of recording in the Crown
of the Queen was not opened
to the Govt. at an earlier
stage. They were not aware
that the question was
under the consideration of
the Governor-General in Council
until they received
the news of the
Supreme Govt to have
been definitely formed
and carried into