

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	441	Press Mis.
31-32.		
Dated	4-4-1870	19

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Revenue Department,
4th April 1870.*

No. 31. Read the following Proceedings of the Board of Revenue, dated 8th January 1870, No. 143.

Read the following letters :—

From the Collector of North Arcot, to the Acting Secretary to the Board of Revenue, dated Chittoor, 5th November 1869, No. 342.

I HAVE the honour to acknowledge receipt of the Board's Proceedings, dated 23rd September last, No. 7,069, and in reply to state that I am already in correspondence with the Officiating Conservator of Forests regarding the transfer of the Gudiattum jungles to his department as therein directed. I have no intention of disputing the propriety of the Board's orders, but, in justice to myself, I beg respectfully to point out some circumstances in the history of this transaction which will show the Board that I am not myself personally responsible for the inaction which is censured in paragraph 5 of these Proceedings, and that the unsuccessful result of the measures taken in the matter is not *per se* evidence, that the system of forest-management by the Revenue Department is a failure, and should be re-placed by the general transfer of this branch of revenue to Forest Agency.

2. First, as regards the delay in taking action on Major Boddome's letter, dated 12th May 1868, I was absent from the district from the 26th March until the 16th November of that year. The letter in question was received by Mr. VansAgnew on the 16th May 1868, and is embodied in the Board's Proceedings, dated 28th October, No. 7,709, reviewing a reference from that gentleman on the question of transferring a portion of the Gudiattum forests near Amboor to the

* 28th October, No. 7,709.

charge of the Forest Establishment. On receipt of the Board's Proceedings* just quoted, they were communicated by Mr. VansAgnew to Mr. Gibson, who was then in charge of the General Deputy-Collector's Office, with a request that the information called for in paragraphs 2 and 3 of the Order should be furnished at an early date. No immediate action appears to have been taken on this requisition,

† On the 8th December 1868.

‡ 20th November 1868, No. 2,909.

and, about three weeks after my return to the district, my attention was called to the matter by the receipt† of the Government Order‡ referred to in paragraph 2 of the Proceedings under reply.

3. Suriyamurti Pillay had, in the meantime, taken charge of the General Deputy-Collector's division, and I accordingly instructed him in letters, dated 7th

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and 8th December, Nos. 1,118 and 1,157, respectively, to make a minute inquiry into the alleged smuggling in the Amboor neighbourhood, and generally into the whole question of Forest-management in the Gudiattum Talook, and to report results.

4. No other arrangement was at the time practicable, as Mr. Gibson's services could not be spared, and I had myself the Jumnaibundy report of the year and other heavy papers *long overdue* to prepare and submit before the Christmas holidays, and immediately after these the settlement of the past Fusly to attend to.

5. Towards the end of January Iyaloo Naidoo took Suriyamurti Pillay's place, and, on my verbal instructions, set on foot the inquiry which I had directed to be made in my letters of 7th and 8th December already alluded to.

6. The results of those inquiries are described in the voluminous report* No. 140, dated 23rd June 1869, marked A. which I now submit, in original, for the Board's consideration. Thus, owing to a combination of circumstances over which I had no possible control, the inquiry only actually begun in February last.

7. Having thus explained, (as I hope to the Board's satisfaction,) my own personal position with respect to the earlier part of the inquiry, I would most respectfully solicit their patient perusal of paragraphs 4, 5, 6, 7, 8, 18, 20, and 26 of my Deputy's letter herewith enclosed. These and other passages of that letter will show the great difficulty which surrounds the whole question of forest conservancy in that remote corner of the Gudiattum Talook, and will, I believe, satisfy the Board that so far as the two systems of a departmental and a revenue administration of forests have been tested, there is at least in this particular instance very little to choose between them. From paragraphs 18, 20, 21, 22, 26, and 27 of the Deputy-Collector's letter, it will be gathered that depredation was nearly, if not quite, as bold and active in the forest tracts south of the line of Railway which are in the management of the Forest Department, as on the hill-slopes north of it, which form the extreme western barrier between the Gudiattum Talook and the highland plateau of Palmanair and Kangundi.

8. I have admitted† that the system of forest rangers might not be effective in those parts where the line of Railway passes through or near the larger fuel-producing tracts. It will generally happen, as in the present instance, that in these parts the forest conservancy falls into the hands of what is precisely the most ignorant and least influential section of our village establishments, and the fact that the rude and ignorant heads of villages, situated on and at the base of these hill-slopes, have not been able to resist temptation, or assert their authority against the powerful pressure exercised from without, is, I respectfully submit, no proof whatsoever that the existing system does not fairly fulfil its purposes under ordinary conditions, and that it should, therefore, give place to a general departmentalization of all the jungle-tracts and pasture-lands in the district.

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9. Admitting at once, on the result of my own personal inquiries on the spot, that the existing mode of conservancy was not suited to this particular locality, I removed the management of the more woodland parts of the Gudiattum, Palmanair, and Chendragherry Talooks from the village establishments, and placed a small special agency, consisting of a Goonastah on Rupees 15 and two Peons each on Rupees 6, to check the deliveries of fuel at Amboor, which is the only Railway Fuel Depôt in the district. An order was then issued by me to the Tahsildars of Gudiattum, Palmanair, and Chendragherry Talooks, directing that, from 1st March, Moniagar Jungle Agency should be restricted to the supply of petty local wants of a domestic and agricultural nature, but that in all transactions relating to the Railway and General market, licenses should be issued by themselves (Tahsildars) only on special applications, and after agreements had been formally executed by the applicants. In these the applicants were to bind themselves to pay the seigniorage due on the fuel when delivered at the depôt through the Locomotive Agent, who would, in the interim, receive the counterpart of their license through the Collector's Office. The Locomotive Agent, however, when communicated with, declined to be made the medium of payment for the reasons stated in his letters,* dated 16th February and 15th March 1869, Nos. 107 and 174, respectively, and the matter has not been re-opened, as no applications have been made since these inquiries were set on foot.

* Copies enclosed (marked B.)

dated 16th February and 15th March 1869, Nos. 107 and 174, respectively, and the matter has not been re-opened, as no applications have been made since these inquiries were set on foot.

10. Thus, since the discovery of these irregularities at the Amboor Depôt, the principal fuel-tracts of the district are under the most absolute protection, and the revenue derived from this source, as may be seen from the Comparative Statement given below, shows a satisfactory increase. I mention all this in exculpation of the imputation of inactivity made against myself in the Proceedings to which I reply, and not out of any desire to retain under my own management the Gudiattum or any other jungle-tracts the Government may see fit to transfer to the Forest Department:—

Statement of Seigniorage collections from 1st March to 30th September 1869.

Talooks.	Seigniorage from 1st March to 30th September 1869.			Seigniorage from 1st March to 30th September 1868.			Increase.			Decrease.		
	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
Chendragherry	2,108	0	6	2,099	6	3	8	10	3			
Gudiattum	605	6	6	572	11	3	32	11	3			
Palmanair	1,456	15	0	383	5	8	1,073	9	4			
Chittoor	553	8	9	523	1	3	30	7	6			
Total	4,723	14	9	3,578	8	5	1,145	6	4			

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11. I have already very fully explained* my views on the forest-question, and the Board in that same paper have given them their general acceptance.

I see nothing in the break-down of the system at Amboor, which should establish the propriety of a general departmentalization of the forest and jungle throughout the district. Both systems of management alike failed, and the lesson which has been taught will not be lost, whichever be the form hereafter adopted.

12. I still venture with every respect to record my remonstrance against any proposition to departmentalize all the fuel-producing jungles in this or any other district. Such a measure, whether regarded as a question of local finance or of good policy, would, in my humble judgment, be equally objectionable. I impugn its good policy on the ground that it would remove from the cognizance of the

* The Deputy-Collector enumerates twelve of these in paragraph 13 of his letter (marked A.)

† Vide paragraph 7 of Government Order, No. 1,497, dated 27th May 1869, communicated with the Board's Proceedings of the

8th June 1869, No. 4,105, which runs as follows:—

"The tenure of land in Southern India differs vastly from that of those portions of the Continent where the Act is said to have been introduced with success. As observed by the Board, however applicable such an enactment may prove to the large forests of Burmah and other similar localities, it could hardly be introduced into this Presidency, where nearly all the jungles and forests are within village boundaries, and are subject to the prescriptive rights of the villagers, without causing much popular discontent and serious risk of oppression."

Deputy's letter. Indeed, without such restrictions, departmental management means nothing, so far at least as it may be directed to the encouragement of spontaneous vegetation which, in all districts, is the surest and least costly; and in this and some other parts of the country, the sole form which forestry can take with fair chance of success. In many of the more open parts of this district, the only trees which greet the eye, owe their existence to the fact that the seed from which they have sprung has fallen under the friendly protection of prickly-pear or other vegetation inaccessible to cattle.

13. In writing thus, I may appear to argue in favour of departmental management, and I admit, I wish so to be understood, in so far as acknowledging the necessity which the extension of the Railway system has created of setting apart certain fuel-reserves, although earnestly deprecating any more general departmentalization of the ordinary jungle-tracts. When I joined the district towards the end of 1859, the then system of forest-management was most unpopular; but by timely concessions during seasons of difficulty, and a system worked through

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their own establishments, the people have come to recognize that their rights might be respected, whilst at the same time the future local requirements of the country were being secured.

14. Thus much as regards the policy of bringing all the jungle-tracts of the country under control of the Forest Department. But the question is also deserving of very serious consideration in its financial bearing. It must be fresh in the recollection of the Board that the very greatest difficulty has been experienced

* Some 910 miles, exclusive of relief roads, aggregating 661 miles more.

in providing from Local Funds for the mere maintenance of the existing network* of communications, and that if these and other lines opened out, as famine works are ever to be completed and bridged throughout, there will be a drain on local resources which will tax them to the very utmost for at least five years to come.

15. Simultaneously with the operations which have thus burdened the Local Fund, some 513 miles of avenue and numerous plantations in various stages of maturity have been formed. To maintain these and provide for a gradual extension of the system of avenues, the only fund available is that collected as seigniorage in the jungle-tracts under revenue management. With every transfer of jungle to the Forest Department, the power of providing for the comfort of the wayfarer and pilgrim is diminished, and one of the most beneficial (and in its results best appreciated) items of the Local Fund is lost to the district and merges in imperial revenue. I admit that I contemplate with dismay such a result, especially at a time when the whole policy of the Supreme Government is to throw upon each district the burden of providing for its own wants. I may be wrong, but I very greatly question the wisdom of any proposition which involves a surrender of the only funds which can be employed in promoting the comfort and salubrity of a drought-stricken district like this.

16. I must ask the Board's indulgent consideration of the somewhat lengthy remarks I have made on the general question. The object of the digression is to show that there is nothing in the Amboor Exposé which should make it the turning point between the two forms of forest administration, or in any degree influence the decision which Government may ultimately arrive at in respect to the transfer of jungle-tracts in the Forest Department.

17. My remarks thus far have more immediate reference to paragraph 5 and the first part of paragraph 6 of the Proceedings under reply.

18. It now remains for me to supply, as directed in the latter part of paragraph 6 of the paper under reply, the information called for in the Board's Proceedings of the 23rd October 1868, No. 7,709, and to solicit farther instructions for my guidance in giving effect to the orders conveyed in the two last paragraphs of the former of the Proceedings just quoted.

19. I have already observed in the correspondence noted in the margin, "that the jungle-tracts in the Chendragherry and Gudiatum Talooks are the great grazing grounds of the northern, western, and middle sections of the

Proceedings of Board, dated 19th May 1869, No. 3,467, paragraphs 4 and 5 of the Collector's letter reviewed therein.

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"district, and that the people have rights and privileges in them, which can only be known to, and properly protected by, the Revenue Department, working, as under the existing system, through the village establishment."

Speaking, a little further on, of the sparsely populated country along the slopes and base of the Jowadi Range, which has been transferred to the Forest Department, I remark:

"In such tracts the danger of collision with communal rights will naturally be much smaller than in the more populous and civilized parts of the country. On the other hand, in Chendragherry and Gudiatum Talooks, the risk would be over present, as at certain seasons of the year not only are these jungle-tracts the grazing grounds of the adjoining country, but the farm-stock of the more open and remote parts of the district are herded there in vast numbers during the hot months."

These remarks are supported by the two Extracts of correspondence given in the margin, and the circumstance was, I remember, brought to the notice of Mr. William Robinson during his special mission to the district in 1867 and 1868.

Paragraph 15 of Deputy-Collector's letter, enclosed in original, and paragraph 19 of Mr. Comyn's report, embodied in Proceedings of Government, dated 18th February 1868, No. 374.

Paragraph 19.—Pasturage. "Pasture throughout the talook (Gudiatum) is extremely scanty, and this is one of the heaviest afflictions the ryot has to put up with." "Pasturage has become so scarce that the ryots have already begun to drive their cattle to the hills for grazing. This is not generally done until April or May, when the face of the country is not more burnt up and withered than it is now." "The cattle of the villages near the hills are generally driven there for pasturage in the morning, and back to the village at night. But in villages situated at some distance from the hills, the cattle are turned out on the hills to graze by the month together. In ordinary years there is a good supply of straw and forage stored up for cattle in the villages. This year the stock of fodder is extremely small, especially in dry villages, and the sale of bundles of grass as food for cattle, affords a livelihood to a considerable number of poor people. Unless we have some rain shortly, very extensive loss of cattle must be expected to ensue, and this will materially diminish the capital of the country, and affect the prospects of the ryots for years to come."

20. There are no large timber-trees in these jungle tracts, nor have there ever been any since I know the district. Good fuel-reserves might doubtless be formed in some of the more favourably situated gorges; but there is nothing in their present state and capabilities which removes these tracts out of the category of ordinary jungle.

21. I am asked what I consider the best mode of securing existing grazing rights after a transfer is effected.

I have already, in paragraphs 12 and 19, given my reasons for thinking that general department alization is incompatible with the continued recognitions of the traditional and prescriptive privileges of the people.

The Government, in pronouncing against the introduction of the Forest Act, recite (paragraph 4 of Government Order, dated 27th May 1869, No. 1,497,) the Board's opinion that it would be unwise "to place large powers in the hands of ill-paid and irresponsible servants in the Forest Department, and observe further on (paragraph 7) that the Act could hardly be introduced into this Presidency,

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where nearly all the jungles are within village boundaries, and are subject to the prescriptive rights of the villagers, without causing much popular discontent and serious risk of oppression. The Forest Department has no standing in the eyes of the people, and constituted as it is, could not, I am well assured, be safely entrusted with a larger and more independent jurisdiction in respect of the ordinary jungle-tracts of the country.

Major Beddome has stated the case for his department in paragraphs 5 and 6 of the letter, embodied in the Proceedings from which I have just quoted. His views are entitled to every consideration in so far as they apply to the formation of fuel-reserves; but in other respects they do not coincide with my own experience.

It is only, for instance, the other day that I had to reject a proposition from an officer of the department, that head-loads and some petty items of jungle produce should be taxed.

22. The Forest Department could never undertake, with any prospect of success, the formation of any general system of avenues and plantations in this or any other district that I am acquainted with. The formation of avenues failed in this district when attempted by the Department of Public Works. Any effort in this direction can only succeed when associated with authority over the Talook and Revenue Establishments.

23. The Forest Department have always had my cheerful co-operation in any project of plantation, but the only footing they have yet been able to effect in this direction is at Tiruvellam. There the Casuarina plantation, now under their management, was transferred to them completely enclosed and protected from the river with 20,000 thriving young trees on it and large beds of seedlings ready to be transplanted.

The thin end of the wedge in it, is not difficult to speculate upon the consequences.

24. The requisition upon which I was originally called to report related only (as I understood it) to the small tract of jungle, bordering on the Salem District.

The proposition, which I have been combatting throughout this letter, embraces the entire jungles of the Gudiatum Talook; and in the interval of discussion a fresh demand has sprung up, that the Chendragherry woodland tracts should also be placed under departmental management.

If these transfers are completed, it will only remain to bring the Palmanair plateau within compass of the arrangement to complete the departmentalization of the whole jungle-tracts of the district worth calling by the name.

25. In explanation of the points noticed in paragraph 7, I beg to state that, owing to the remoteness of the jungle-tracts in which these depredations have been made, and the confusion of boundary so fully described in paragraphs 26 and 27 of my Deputy's letter, it has been found impossible to determine who were individually responsible.

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The Tahsildar and his Revenue Inspectors are highly blame-worthy for not having discovered long ago the existence of the system of depredation conducted so openly and on so large a scale; but the only persons who have been actually punished are the two Moniagars of Venkatasamudrum and Bairapalli.

The evidence of their complicity was not considered complete, and the Deputy-Collector only suspended them from office for six months.

A severer example is, however, called for, and I have now directed their dismissal from their posts. Under the arrangements described in paragraph 9, all authority has been removed from village agency, and has been concentrated in the Talook establishment.

26. I now beg respectfully to solicit the Board's more explicit instructions respecting the mode in which they desire the orders conveyed in the two concluding paragraphs of their Proceedings under reply, carried out.

27. Two only of the six contractors, fined by the Deputy-Magistrate, appealed to the Sessions Judge. In the order reversing the sentences in these cases, and directing refund of the fines, no direction is given regarding the disposal of the fuel delivered by appellants at the depôt, and at the time under attachment. I am directed by the Board to release and restore the fuel under attachment, but am at the same time required, in communication with the Superintendent of Police, to endeavour to discover whether fresh evidence exists such as would support a Civil Suit.

28. My desire is forthwith to carry out these orders to the letter, but, before doing so, I beg to know whether they apply to the whole of the fuel under attachment; that is, not only to the fuel claimed by the two contractors, whose fines were remitted in appeal, but to the fuel claimed by the four contractors, who either have not appealed or have not the right of appeal to the Sessions Court. Of these four contractors, defendants in the cases, tried by the Deputy-Magistrate, the 3rd, 5th, and 6th, have no right of appeal under Section 411 of the Code of Criminal Procedure, and the 4th has made no appeal up to this time.

29. The quantity and value of the fuel concerned in the case of the two contractors who have appealed, are shown in the margin. The aggregate value of the fuel delivered by the other four contractors is Rupees 1,057-8-0.

30. It is utterly hopeless at this distance of time and under all the disturbing circumstances which surround the case, to look for any further evidence than there already is (albeit unskillfully handed by the Deputy-Magistrate) on the books of the Locomotive and the Revenue Departments.

31. The Government have established a *prima facie* case of property in the confiscated fuel, and from what transpired during the criminal prosecution, it is pretty certain that none of these men have the means of rebutting the evidence of the Revenue and Railway Accounts which can be produced in support of the Government claim, should they venture to make the matter subject of a Civil action. By a surrender of the fuel in the case of the two successful appellants, we, by complication, abandon the position as untenable on existing evidence, and

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could never recover it, even were future inquiries more successful than they are at all likely to be.

32. I therefore venture, before carrying out their orders either for a total or partial surrender of the fuel, respectfully to solicit the Board's re-consideration of the matter, and to ask whether these contractors (two of whom only have yet claimed restoration) should not be challenged to establish their rights in a notice, giving them three months for that purpose, or failing that, declaring that the fuel now under attachment would be disposed of by public auction, and the proceeds credited to the Jungle Conservancy Fund of the district.

33. If the Board are of opinion that the course I now suggest may be adopted, I should have such a notice served upon the parties concerned and published in six issues of the District Gazette.

34. If the above course be adopted there would still be a loss, as shown in the margin, of somewhat less than Rupees 5,000.

Quantity of fuel supplied to Railway Company by Railway Fuel Contractors from 1st January 1867 to 8th February 1869, as per letter from Locomotive Superintendent, dated 16th February 1869. 80,417,445 lbs. or 64,328 cart-loads. Seigniorage at 5 Annas per cart-load (*vide* paragraphs 17 and 18 of Deputy-Collector's letter)... 20,102 8 0

Seigniorage of fuel taken from Government Forests in North Arcot District during the same period as per Statement in paragraph 19 of Deputy-Collector's letter 5,191 5 6

Quantity of fuel supplied to the Railway Company by Railway Fuel Contractors during the same period. Cart-loads 18,000, seigniorage at five Annas each as per paragraph 22 of Deputy-Collector's letter, and as admitted by the proprietors of the two private jungles in North Arcot and Salem districts respectively 5,625 0 0

Value of fuel under confiscation, 28,50,000 lbs., at Rupees 1-8-0 per lb. 1,000, (*vide* paragraph 31 of Deputy-Collector's letter)... 4,275 0 0

Total... 15,091 5 6

Balance... 5,011 2 6

Deduct Magisterial fines collected from three to six defendants and credited to Government 250 0 0

Net balance... 4,761 2 6

* Indicated in blue pencil in the Deputy's rough sketch marked C. with a list marked D.

complete the negotiation now in progress, either on the basis of a *total* or *partial* transfer as the Government may, on review of the Board's Proceedings on this letter, see fit to decide.

35. Meanwhile, in order to strengthen the case for Government in the only way in which it occurs to me, it may be strengthened for the purposes of a Civil Suit if attempted; I have asked the Locomotive Agent to send me a statement showing the quantity of fuel delivered from the so-called "private" jungles from the time that criminal proceedings commenced up to the present date. Such a statement would be a fair criterion of the capabilities of these jungles, and would show pretty nearly what proportion of the suspected fuel was supplied from them during the time these depredations were being made in the surrounding Government jungles.

36. In conclusion, I beg to state that earnestly as I deprecate a general transfer of the Gudiatum jungles, I readily admit that it is now advisable that all the tract* west of Gadamoor Droog (three miles north of the Amboor Station) should be placed under the management of the Forest Officers in Salem, and am ready to

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ENCLOSURE No. 1.

From P. IYALOO NAIDOO, Deputy-Collector, on General Duties, to the Collector of North Arcot,
dated Gudiattum, 23rd June 1869, No. 140.

I HAVE the honour to acknowledge the receipt of your letters noted marginally, and to

1. From Collector to Deputy-Collector, No. 1,149, dated 7th December 1868.
2. From do. to do., No. 1,157, dated 8th December 1868.
- Government Proceedings, No. 2,909, dated 20th November 1868.
- A. Melmancooppem range which has 6 villages, A 1 to A 6.
- B. Vandrautungal range which has no other villages.
- C. Karesamangalum range which has two villages, C 1 and 2.
- D. Panamadungy range which has two villages, D 1 and 2.
- E. Chengeo range which has no other villages.
- F. Kallapara Range which has five villages, F 1 to F 5.
- G. Modicooppum range which has five villages, G 1 to G 5.
- H. Champulli range which has four villages, H 1 to H 4.
- I. Guddarabad range which has seven villages, I 1 to I 7.
- J. Aravatta range which has three villages, J 1 to J 3.
- K. Goondlapulli range which has three villages, K 1 to K 3.
- L. Erakambam Range which has five villages, L 1 to L 5.
- M. Pullakuppum range which has ten villages, M 1 to M 10.
- N. Byrapulli range which has two villages, N 1 to N 2.
- O. Venkatasamudrum range which has three villages, O 1 to O 3.
- P. Karaputta range which has Woodiendrum and five other villages, P 1 to P 5.

Villages attached to Tripattoor Talook that lie on the north side of the Palar River.

- | | |
|----------------------------|------------------------|
| I. Semanthi Cooppum. | VIII. Mandagadapu. |
| II. Vaniambadi Davastanum. | IX. Eledimanipenta. |
| III. Alinji Cotum. | X. Thoombery. |
| IV. Elen Agaram. | XI. Arapadam Cooppum. |
| V. Pallipattu. | XII. Chikanam Cooppum. |
| VI. Mele Cooppum. | XIII. Bealapuram. |
| VII. Mananjary. | XIV. Senkarpoorum. |

Villages attached to Tripattoor Talook that lie on the south side of the Palar River.

- | | |
|---------------------|------------------------|
| XV. Vaniyambady. | XVI. Vellaikooty. |
| 1. Pariyan Cooppum. | 6. Pullykonda. |
| 2. Vellaikal. | 7. Virinjipooram. |
| 3. Puteche Cooppum. | 8. Vellore. |
| 4. Koothumbakum. | 9. Aluailo Mangapuram. |
| 5. Cherry. | |

Villages of Vellore Talook.

submit the following report regarding the jungles of the Gudiattum Talook.

2. A rough sketch A. taken from the district Map is herewith submitted to show the position of the talook; the letters A. to P. and the figures attached to them indicate the situation of its 16 jungle-ranges with the names of their villages.

The Roman figures I. to XVI. refer to the names of the villages of the Tripattoor Talook, Salem District, while numerical figures Nos. 1 to 9 indicate those of the Vellore Talook: all these villages are named

in the margin, and the enclosure B. will give the names of villages in each of the sixteen forest ranges.

3. Gudiattum Talook is bounded by Ponney River on the east, by Palar River on the south, by the same river and Kangundi and the fourteen villages of the Tripattoor Talook on the west, and the Chittoor and Palmanair Talooks and Kangundi Zemindary on the north.

4. The jungles* of the talook run along the hills on the northern bank of the Palar, at the distance of some miles from the river, and do not contain any valuable trees, such as sandal, teak, red sanders, billoo, toomkec, but only ordinary wood which can be used chiefly for fire-wood. Here and there may be found trees of light wood, such as chegara, moostee, tapasec, which can be used for building sheds, huts, and ordinary houses. The amount of seigniorage collected on account of fuel and timber for the last two years is given in the margin.

Statement of Seigniorage collected in Gudiattum Talook, for the years of 1867 and 1868.

Years.	Seigniorage collected for fuel.		Seigniorage collected for timber.		Total Seigniorage.	
	Rs.	A. P.	Rs.	A. P.	Rs.	A. P.
1867	855	0 0	356	0 0	1,211	0 0
1868	663	0 0	424	0 0	1,086	0 0
Total...	1,517	0 0	780	0 0	2,297	0 0

* My distinction between forests and jungles is this:—

1. Forests are such as contain chiefly valuable timber used for buildings and as ornaments and luxuries, like sandal, teak, red sanders, black wood, etc.

2. Jungles are such as that contain chiefly ordinary wood and light timber used for fuel and for building small houses and huts.

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5. The Palar divides the Vellore Talook from Gudiattum, and forms the northern boundary of the former and southern boundary of the latter. Their jungles are situated at a distance from each other. Those of Vellore lie on the southern bank of the river, and are unconnected with those of Gudiattum, which, as has been already observed, lie on the northern bank at a considerable distance. No fuel can, without detection, be taken from the former on the licenses granted by the Moniagar Rangers of the latter.

6. Besides the Palar River, there are the Railway and the public road running from east to west, between the said talooks, and it may be safely asserted that the jungles of the two talooks are unconnected with each other and lie at proper distances, which will not permit any smuggling or incommode the operations of the Forest Department.

7. Although the Palar forms the north-western boundary of the Gudiattum Talook and divides it from the Salem District, yet there are fourteen villages of the latter district, which are interspersed among those of Gudiattum, and are situated on the northern bank of the river.

8. These villages are I. to XIV. in the Map A., of which Nos. I., II., III., XIII., and XIV., have no forests or jungles, and Nos. IV. and V. have a scrub jungle, while Nos. VI. to XII. have ordinary jungles; of these seven villages, Nos. X., XI., and XII., lie on the side of Kangundi which borders on the north and north-west. To these four or seven villages of Salem, and the adjoining jungle of Gudiattum, Major Beddome must have alluded, when he said in his letter, No. 735, dated 12th May 1868, embodied in the Government Proceedings, No. 2,909, dated 20th November 1868, that "there is still a portion of the Gudiattum forests near Amboor, under your Jungle Conservancy, that I consider should at once be placed under the North Arcot Forest Establishment; this tract remaining under the Jungle Conservancy prevents the Salem and North Arcot Forest Establishment from joining, and my Assistants in Salem and North Arcot both report that it gives an easy opening to much smuggling, and makes Conservancy difficult."

9. The Major could have meant no other jungles, for, as already observed, the Vellore forests are far from the Gudiattum ones, and no fuel can, without easy detection, be taken from the former unlawfully on licenses granted by rangers of the Gudiattum jungles near Amboor, the Railway Station.

10. The mere circumstance of the four or seven Tripattoor villages adjoining Gudiattum Talook in its western extremity as already shown will in no manner afford sufficient ground for transferring the whole or a portion* of the Gudiattum jungles to the charge of Forest Department. No fuel is cut in the said jungle for delivery into the Amboor Rail Depot, owing

* Forest Range.
Karappattoo, Woodiendrum, and four other villages.

to the distance of 15 or 12 miles, and to the non-existence of sufficient facilities for carriage. Although Vaniembady is nearer and has a Railway Fuel Depot, no carts can pass to that place from the said jungle, consequent on the non-existence of a proper pathway; some head-loads of fuel and of timber for building purposes are, however, taken from the jungle to Vaniembady weekly and occasionally to some adjacent villages in the Gudiattum Talook; but the recent inquiries made by me under your orders, lead me to believe that no smuggling is carried on in that part. In fact, there is no temptation for the unlawful act. Head-loads of fuel are free from seigniorage. The profits expected from the smuggling of the timber are not commensurate with the labour and risk attending the illicit removal. The timber is not of that description which can fetch a high price. Even supposing that timber is smuggled, I am convinced that it can be easily detected by the employment of a Tannah near Woodiendrum, paragraph 5.

11. I have visited this village and other places in the direction, and made inquiries. No bandy-paths but foot-paths exist. I have directed that one of the village officers should keep watch in the foot-path, and take an account of fuel and timber-loads that are taken from the jungle with

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or without licenses. This measure appears to me to be sufficient for the present to prevent smuggling of timber if at all it exists in that side of the talook.

12. The transfer, if effected, of one portion will gradually, or little after a little, necessitate the transfer of the adjoining portions, until the whole jungles of the talook and those of the neighbouring talooks of Chittoor and Palmanair are made over to the Forest Department. Such a measure will greatly interfere with the vested interests of the people, and with the agricultural operations of the district, and may tend to increase crime.

13. The following are the advantages now enjoyed by ryots and the poorer class from the jungles or forests under the Revenue Department :—

By Ryots.

1. Grazing cattle.
2. Taking fuel for domestic use.
3. Taking light timber for agricultural implements.
4. Taking leaves for manuring fields.
5. Taking leaves and branches for hedging fields.
6. Taking leaves and fibres for building huts and sheds.
7. Taking leaves for placing their meals while eating.
8. Taking the fruits of trees in the jungles.

By the poorer class.

9. Taking head-loads of fuel for selling.
10. Taking leaves for selling.
11. Taking wild fruits for eating or selling.
12. Cutting grass for selling.

14. I need not show whether the non-mirassy or non-hereditary and ill-paid agency employed by the Forest Department will or will not molest the people in the continuance of the enjoyment of these advantages. Government may take precautions by publishing stringent rules to punish those that will prevent ryots and the poor from enjoying the privileges, but I fear that in most cases they cannot realize their intentions. A poor man who gains his bread by his daily labour that can fetch him 2 or 3 Annas, or a ryot that has to attend his cattle or farm daily, will, when interfered with by a Forest Officer, never be able to leave his avocations to go to complain to the authorities at a great loss to himself and to his family dependant on him, especially when his place of avocation is situated at a great distance. Woodiendrum, P. 5, is about 30 miles from Gudiatum. Rather than going to such a distance and incurring the loss of his wages, and the risk of damaging his farm or starving himself and his family, he will tamely submit to any imposition or to any ill-treatment, and try to purchase what is withheld from them unlawfully.

15. Having given an account of the character of the jungles, I beg to state that they are frequented by large herds of cattle for pasture, and that, in my humble opinion, the best mode of securing existing grazing rights is to keep it

Second paragraph of the Board's Proceedings, dated 28th October 1863, No. 7,703.

under the charge of the Revenue Department, which, having equal interest in the improvement of the agricultural operations, and in the well-being of the forests, will look both with a jealous eye; and on the one hand, will never tolerate the wanton destruction of the latter, and on the other, will avoid laying down Rules calculated to affect the efficiency of the former.

16. The petty officers of the Forest Department can naturally have no sympathy with the agricultural body, and no complete idea of their vested interests, and will only look to the financial

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improvement of the jungle conservancy working at the sacrifice of the prescriptive rights of the people generally.

17. Adverting to the 3rd paragraph of the Board's Proceedings already alluded to, it is to be submitted that so large a quantity as 80,417,445 lbs. has been supplied to the Fuel Depot at Amboor of the Railway Company by their contractors from 1st January 1867 to 8th February 1869, as shown below, according to the letter of Mr. Collinson, the Locomotive Superintendent of the Company, No. 107, dated 16th February 1869 :—

Stations.	Quantity.	Rate per 1,000 lbs.	Amount paid.	Names of Contractors.
	lbs.	RS. A. P.	RS. A. P.	
Melputty ...	2,187,989	1 9 0	3,418 11 8	Guffur Saib.
Do. ...	5,397,889		8,434 3 1	Madar Saib.
Do. ...	260,433	1 6 0	358 1 4	Do.
Do. ...	581,832	1 9 0	909 1 9	Vittaraina Mudaly.
Do. ...	12,787,518	1 10 0	20,779 13 8	Cawder Saib.
Amboor... ..	1,077,902	1 7 0	1,549 7 5	Do.
Do. ...	18,379,913	1 10 0	29,867 5 1	Mahomed Saib.
Do. ...	1,410,005	1 7 0	2,026 14 0	Do.
Do. ...	9,480,703	1 10 0	15,406 1 9	Abboobakar Saib.
Do. ...	849,591	1 7 0	1,221 4 1	Do.
Do. ...	2,270,867	1 10 0	3,690 2 6	Govindu Reddy.
Do. ...	58,833	1 7 0	84 9 2	Do.
Do. ...	9,043,787	1 10 0	14,696 2 2	Jalaldeem.
Do. ...	764,237	1 7 0	1,098 9 3	Do.
Do. ...	1,909,273	1 10 0	3,102 9 0	Tackojee Row.
Do. ...	14,166	1 7 0	20 5 9	Do.
Do. ...	12,416,471	1 10 0	20,176 12 0	Monojee Row.
Do. ...	957,804	1 7 0	1,376 13 2	Do.
Do. ...	511,899	1 10 0	831 13 4	Hazcemiah Saib.
Do. ...	56,333	1 7 0	80 15 7	Do.
Total...	80,417,445		1,29,129 11 9	

18. Inquiries were made to ascertain whether seigniorage was paid on the whole quantity, and the result shows that nearly half the quantity was smuggled by the contractors or the carters that sold fuel to them, and that the smuggling has apparently been carried on more extensively in the Vellore forest than in the Gudiatum jungle

* Vellaikal, No. 2, in the Map A.
Vellaikooty, No. XVI. in the Map.

on the colour of licenses obtained from the proprietors of private* jungles that adjoin the Government ones.

19. The forests of Vellore, Gudiatum, and a portion of the Palmanair Talooks are at proper distances, from which fuel can be ordinarily taken to the Amboor Railway station. The seigniorage collected in those three talooks from 1st January 1867 to 8th February 1869, is inserted below with the quantity of fuel taken. This statement was prepared from the information collected from the accounts kept in the talooks, according to which only 16,410 cart-loads of fuel were taken from those jungles, while the statement from Mr. Collinson shows that 80,417,445 lbs. were received in the Melputty and Amboor Fuel Depot, which at 50 Madras maunds or 1,250 lbs. per cart-load gives 61,328 cart-loads :—

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Statement of fuel taken from Government Forests on Licenses.

Name of Talooks.	FUEL TAKEN DURING 1867.				FUEL TAKEN DURING 1868.				FUEL TAKEN FROM 1ST JANUARY 1867 TO 31ST FEBRUARY 1869.				TOTAL.				Remarks.
	Bandy loads.	Seigniorage.	Head-loads Bullock-loads.	Seigniorage.	Bandy loads.	Seigniorage.	Head-loads Bullock-loads.	Seigniorage.	Bandy loads.	Seigniorage.	Head-loads Bullock-loads.	Seigniorage.	Bandy loads.	Seigniorage.	Head-loads Bullock-loads.	Seigniorage.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Gudiatum Talook.	2,722	530 10 0	217	4 7 0	2,074	613 2 0	753	13 12 3	211	65 15 0	---	---	5,007	1,564 11 10	975	13 3 3	This is for the entire talook
Vellore Talook.	4,912	1,535 3 3	1,185	21 7 6	4,983	1,556 14 0	654	20 7 0	1,463	457 3 0	3	0 1 6	11,357	3,549 4 3	1,813	43 0 0	Do.
Charagalla Range in the Palmanair Talook.	45	14 1 0	---	---	10	3 2 0	---	---	---	---	---	---	55	17 3 0	---	---	This is for that portion from which fuel can be taken to Amboor.
	7,679	2,339 14 3	1,402	25 14 6	7,063	2,203 2 0	1,412	34 3 3	1,674	523 2 0	3	0 1 6	16,419	5,131 2 2	2,817	60 3 3	

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* Cart-loads..... 61,328 Railway Account.
Deduct 16,419 Talook Account.
Difference ... 47,009

† 1. Palmanair.
2. Gudiatum.
3. Vellore.

‡ No. 2, in the Map A.

§ No. XVI. in do.

20. The difference* between the said two accounts is great. The contractors, on being examined, allege that they obtained their supply partly on licenses from Government forests of the three talooks† already named, and partly from private jungles of Vellaikal‡ and Vellaikooty,§ besides from purchases made of carters who used to take licenses on their own account and sold the fuel to any one that offered a good price.

21. The fuel contractors did not produce any accounts, licenses, or other vouchers to show the quantity obtained from the respective sources, but merely said that they had not kept any account regarding their transactions with the Cart-owners, Forest Rangers, or the Railway Company; that they have taken no fuel from Government Forests without paying seigniorage, and have learnt from carters who sold fuel to them that seigniorage was duly paid by them on it.

22. The Moniagars of the private jungles (Vellaikal) in the Vellore Talook and Vellaikooty, a Jaghire village in the Tripattoor Talook, Salem District, were examined, and admit that some cart-owners and some of the contractors took fuel from their forests, but produce no accounts or other vouchers to show the quantity taken by each of them; on a rough estimate made by them it appears that not more than 2,000 cart-loads from the former (Vellaikal) and 16,000 cart-loads from the latter (Vellaikooty) could have been removed during the two years of 1867 and 1868. The fuel taken from these two private sources amount thus to so large a quantity as 18,000 cart-

|| According to the report of the Revenue Inspector who was deputed to inspect these forests, Vellaikal has 350 cawies of jungle. Vellaikooty has 24 square miles of jungle.

loads, which, considering the extent|| of the forest, appears too large, but in the absence of rebutting accounts or records, I am compelled to view it as admissible. This sum of 18,000 when

added to the quantity taken from the Government forests, viz., 16,419 cart-loads as already stated, make an aggregate of 34,419 cart-loads. Deducting this from the supply made to the Railway Company, viz., 64,328 cart-loads, there remain 29,909 cart-loads, which require explanation.

23. The only explanation that can be found is that the fuel was smuggled and removed from Government jungles without paying seigniorage, amounting nearly to 10,000 rupees.

24. The contractors would not now pay this sum, and say that they have obtained the fuel through lawful means. There is now no means to ascertain what portion of the quantity supplied was smuggled; for they have no accounts to show how much and from whom they have purchased, and how much they took on licenses from private forest and Government forests respectively. Neither can the Revenue accounts furnish such information. Therefore the demand against each contractor for seigniorage cannot be made out. Even supposing that it could be made out, there is no law under which payment can be enforced after such a lapse of time, unless recourse be had to the Civil Tribunals by means of regular suits, the result of which, after incurring the heavy charges for stamp, etc., and exposing Government as plaintiff against their subjects, will be uncertain, owing to the absence of sufficient evidence, to establish that so much fuel was smuggled by each contractor.

25. Under these circumstances, I beg to submit that it is not practicable to take measures to compel the unwilling contractors to pay the amount of seigniorage due on the 29,909 cart-loads of fuel, which, as already shown, appears to have been removed from Government forests without the payment of seigniorage.

26. It is not possible to find out what portion of the quantity was smuggled from the Vellore forests, and what quantity from those of Gudiatum. The private forests from which some contractors say that they had drawn a portion of their supply are situated in the Vellaikal village and Vellaikooty Jaghire, of which the Map A. will show the former marked No. 2 is situated in the

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Vellore Talook and surrounded by its forests, and the latter marked No. XVI. adjoins Vellore forests, and neither of which is near the Gudiattum forests. It is easier, therefore, to smuggle fuel from Vellore forests and pass it off under the passes or licenses obtained from the owners of the private forests, than to smuggle it from Gudiattum forests with any chance of immunity; for the road from Vellaikal and Vellaikootty to the fuel depôt runs in the Vellore Talook and at a distance from the Gudiattum forests, etc.; no plea of having felled the fuel in the private jungle can be set up when smuggled fuel is detected during its transmission from the Gudiattum forest to the Amboor station.

27. I may therefore safely say that a very large quantity was smuggled from the jungle in the Vellore Talook under the charge of the Forest Department. During my stay at Amboor in connection with the inquiry, I had cognizance of a few instances in which the Tannah Peon employed by the Forest Department had intentionally or unintentionally absented himself from his post, and thereby let off some cart-loads without "checking," that is, entering them on the back of the licenses granted by the Forest Department. This omission could have enabled the license-holder to take a similar quantity of fuel again from the forest, had it not been for the entry made and intimation given by the Talook Revenue Goomastah located in the depôt at present.

28. I will by no means acquit the Rangers or Moniagars of all blame in the matter. I have reasons to think that some of them have combined with the contractors and aided the latter in the illicit removal of fuel from their Forest Ranges. I may mention the cases of the Rangers of Venkatasamudrum and Bairapallee, against whom there being found strong suspicion of combination, I have punished them with suspension from duty for six months, as shown in the accompanying copies of orders C. and D.

29. No fuel Depôts exist in the Railway stations named in the margin. The only depôt between Arcunum and Vaniembady is the one at Amboor, which belongs to Vellore Talook, and to which fuel can be taken both from Vellore and Gudiattum forests, and from the private ones of Vellaikal and Vellaikootty. To guard against illicit removal from Gudiattum jungle to the Railway station, I think that the permanent location at the depôt of a Clerk* and three Peons,† is necessary. One of these Peons will be present with the Clerk always, and the other two will have to itinerate into the bordering tracts of Gudiattum jungles with the assistance of a Village Officer, as well as to watch the fuel under attachment, and to perform such other minor duties at some distance from the Clerk.

30. The forest tract of Vellaikal is small, and situated in the midst of the Vellore jungles. The Jaghire tract of Vellaikootty is not very far from the former, and is adjoined by Vellore forest.

The path to and from the Jaghire to Amboor runs through or near the Vellaikal forest; a trustworthy Peon located at the limits of the Jaghire to watch the Government forests can visit the two private jungles twice a day, or once in the morning and once in the evening, in order to prevent or discover smuggling; the Moniagars of the villages in which the forests adjoining the Jaghire and Vellaikal lie must be likewise held responsible for any unauthorized cutting made on the colour of passes or licenses granted by the private jungle-holders.

31. It is said that there is a Peon employed by the Forest Department to watch the carts going to the Amboor Depôt; he can be made to visit the private jungles as proposed, but he has apparently other duties to perform, and therefore will not be able to devote his entire attention to the special duty alluded to. I therefore think that a Tannah Peon must be employed specially for that purpose.

32. In my opinion the management of forest by any other department than that of the Collector will be always attended with difficulties, which may open a wide door for smuggling, while the double department of Conservancy, as is now the case, will often be productive of

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conflicting interests and of facilities for smuggling and squabbling. A few remarks that I have on this point will be submitted shortly in another place, but I may be permitted here to mention one instance in which facility was, perhaps unintentionally, afforded for smuggling.

See paragraphs 40 to 57.

33. Lately a fuel contractor carted one day some quantity into Amboor Depôt under a license granted by the Forest Depôt. The Peon of that department was not present to enter the number of carts on the back of the license. The Revenue Goomastah located there entered the number of carts in his account and on the back of that license. Had it not been for this entry, a similar number of cart-loads of fuel might be taken in for the second time on the strength of the same license; the precaution used by the Revenue Clerk not only prevented the excessive quantity being carried away, but also proved the absence of the Tannah Peon from his post, and thereby his negligence. This circumstance the Tannah Peon appears to have learnt subsequently and reported to some Overseer, Forest Department, who happened to visit Amboor soon after, and told the Revenue Clerk that he had no business to check, licenses of Forest Department by entering on its back the number of cart-loads taken in for each time. Ever since the Clerk uses to make the necessary entry in his own register, but does not make any record on the back of the licenses of Forest Department. The Peon and Overseer may not have, by the above act, intended to facilitate smuggling, and may have attempted to preserve departmental distinction. But no evidence is needed to prove that the act is quite sufficient to permit smuggling, and I mention it here as it was reported to me by the Revenue Clerk, merely as an instance of collision between two departments that may facilitate illicit removal.

34. During the progress of the inquiry, it was found out that a large quantity of fuel was in the possession of some contractors and lying in the Amboor Depôt unsold to the Railway Company. I inspected the fuel which lay in irregular heaps, unsawed, untacked, and unsorted. A very rough estimate could alone be made of the quantity. It was done accordingly, and is given in the margin, with the names of the possessors.

35. These men were called upon to produce evidence to prove its acquisition by lawful means, but failed to do so. The failure has necessitated their being criminally prosecuted for "mischief" punishable under Section 426 or 427 Indian Penal Code, and being punished

Names of the Contractors.	Number of the case in which he was prosecuted.	Quantity of fuel in lbs.	Conversion of the quantity into cart-loads at 1,250 lbs. per cart.
Terkattee Mahomed Sah.	Defdt. Cal. No. 24 of 1869.	1,402,500	1,122
Hajee Meyah's Agent, Mahomed Woosman.	Do. 25	742,500	594
Jelabdeen ...	Do. 26	120,000	96
Manojee Row ...	Do. 27	330,000	264
Abboobackar Sah ...	Do. 29	127,500	102
Bangy Kader Patcha, Sub-Contractor under Abboobackar Sah.	Do. 30	127,500	102
.....		2,850,000	2,280

with fine or imprisonment in six cases, copies of the Calendars in which, are submitted for perusal.

Calendar No.	Names of Defendants.	Punishment.	Remarks.
24	Terkattee Mahomed Sah ...	500 Rs. or 3 months' simple imprisonment.	Fine collected.
25	Mahomed Woosman ...	Do. ...	Fine not collected.
26	Jelabdeen ...	50 Rs. or 20 days' simple imprisonment.	Fine collected.
27	Manojee Row ...	100 Rs. or one month's simple imprisonment.	Do.
29	Abboobackar Sah ...	50 Rs. or 20 days' simple imprisonment.	Do.
30	Bangy Kader Patcha ...	Do. ...	Do.

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36. The fuel has been placed under attachment and a Talook Peon is watching it. If you don't consider it necessary to wait until the expiration of the appeal time in the Criminal Cases with which it is connected, instructions are solicited for their being sold to the Railway Company according to the rates given in the list that accompanied Mr. Collinson's letter, * No 107, dated

* Herewith sent for reference and return.

16th February last, already alluded to, and for the proceeds being carried to the credit of Government or held in deposit until the disposal of appeal which I believe has been made by some of the contractors concerned.

37. Most of the fuel has been sawed and tacked now and only one man named Abboobackar, defendant in Calendar No. 29, has omitted to arrange his fuel, because he seems to know now, that the fuel will be sold and the proceeds taken to the credit of Government. It is necessary to saw and tack his fuel in order to find out exact quantity prior to sale, and I request your permission to have it arranged properly at public expense, the amount of which can be eventually recovered from the proceeds of its sale.

38. When I last visited the Depot in April, I found a portion of the attached fuel had been properly arranged, and on examining found it far below the quantity entered in the list of attachment given in paragraph 34. So the actuals will differ from the rough estimate, and may present a diminution of one-third, if not one-half. This difference is attributable to the difficulty that existed at the time of making the estimate, owing to the very rough state and the sundry and irregular heaps in which the fuel lay unsawed, unsorted, and untacked, and owing to the exaggerated account given by the owners who were present at the time of making the estimate, and who seem to have been impelled to the exaggeration by a false notion that it will not be subjected to inquiry, but will be treated in the same light as fuel already sold and be let off easily, and that an exaggerated account would benefit themselves, in the event of the seigniorage being ordered to be collected henceforward from the Railway Company directly—a measure ordered by the Board to be introduced in respect of future supply of fuel to the Company.

39. The subject of the Report brings me to the question as to the department that ought to have the charge of forests and jungles, in order to derive, as fully as possible, all the advantages dependent on an efficient working of the Conservancy Rules, without affecting the interests of the agricultural population, whose prosperity, in a great degree, depends on the freedom they may have to use the jungles for their advantage. I had not hitherto any opportunity of submitting my humble views on the subject, and will therefore embrace this opportunity to state them here.

40. In so doing, I will first enumerate the grounds that may be brought forward to oppose the placing of the forests under the control of the Collector. They are as follows:—

I. Collector has no time to regulate and supervise the operations of Forest Conservancy without neglecting his more important duties as a Collector and a District Magistrate.

II. Collector will require additional establishment for Conservancy purposes.

III. Imperial Revenue will diminish.

IV. It is not good policy to add to the already overwhelming powers possessed by him in his Revenue and Magisterial capacities.

V. The undivided attention of a professional and experienced officer and of an efficient staff is necessary for the preservation and improvements of forests and jungles, and for preventing the indiscriminate or illicit removal of timber and fuel. The Collector and his staff do not possess these qualifications.

VI. The nature of the Collector's duties and of those of his staff is such as disable them to acquire the above qualifications even for the future.

VII. In cases of fuel-smuggling brought for trial before the Collector and Magistrate who is entrusted with the conservancy, he cannot be viewed as such an unbiased Judge as when it is under a separate department. The anomalous position of a prosecutor and Judge combined together in the person of a single officer cannot be avoided so long as Collector is Conservator of forests and jungles.

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VIII. A Collector will naturally sympathise with the wants and necessities of the people in whose welfare he is much interested, and this sympathy will facilitate fuel smuggling and deforestation to some extent.

41. I cannot find more grounds than the above for relieving the Collector from the management of forests; a few remarks will therefore be offered on each of the grounds to show that the apparent objections have no value.

42. In respect of the first ground, it is to be observed that a Collector is the representative of the people or tax-payers, of whom the agricultural portion preponderates over the rest. A Collector must therefore be able to afford much aid to his ryots, and he cannot afford this aid if he be not ready to give them lands to cultivate timber, to build their habitations and implements of farm, pasture-ground for feeding their cattle, leaves, etc., for manuring their fields, and water to irrigate their lands. It is therefore necessary that he should have full control over lands, forests, and irrigation works.

43. By some administrative arrangement, he can be relieved of some of the minor duties, such as making Jumma-bundys personally and trying magisterial cases originally; the time gained by such exemption can afford him additional leisure and enable him to oversee the operations of Forest Conservancy and to attend to more important duties. Circumstances nearly similar to those which necessitated the investment of Collectors with magisterial powers do exist for making him Conservator of Forests.

44. In respect of the second ground, I will submit that the additional establishment he may require cannot be so extensive as that of the Forest Department. The hereditary Village Officers, when regulated by some well-selected superior officers, will work very well and several times better than the ill-paid and non-mirassy agency now employed by the Forest Department. An Uncovenanted Officer of the grade of First or Second-Class Deputy-Collector with a few Clerks, Peons, and Overseers, will be able, under the Collector's orders, to utilize satisfactorily the services of the Village staff in preserving, maintaining, or improving forests and irrigation works.

45. Adverting to the third ground, some alterations in the financial arrangement may avoid the diminution of Imperial Revenue. The forest receipts may be divided between the Imperial and Local Funds, or can be made to contribute 30 or 40 per cent. to one or the other source of the revenue. Properly speaking, the receipts from forests will go to the Imperial Revenue, and those from jungle should be taken to the credit of Local Funds.

46. With regard to the fourth ground of objection, I must observe that the Collector is the receiver and custodian of public revenue derived from all sources, and occupies a high position. The addition of conservancy powers can be safely made to his present authority, when magisterial powers have been given him without hesitation. There can be no fear or apprehension that he will abuse the powers thus accorded, while more onerous, responsible, and tempting trusts are satisfactorily discharged.

47. In regard to the fifth and sixth grounds, it may be observed that the present staff of the Forest Department cannot prove so efficient as the hereditary Village Officers under the Collector. In preserving jungles and preventing and detecting smuggling, the latter have the very great advantage of local influence, knowledge, and experience over the former, who, with some exceptions, can have no interest in the matter, other than what their pay or private views may dictate.

48. Collector can afford to devote a portion of his time to the consideration of principles and arrangements of the conservancy system, and to lay out rules for its satisfactory management. The additional hands to be employed under him for the purpose will be the executives, and can be trained in the same way as the forest officers are at present. No scientific knowledge of a high degree, such as may not be acquired by a practical man with a small amount of labour, is necessary for the preservation, improvement, or growth of forests. The requisite qualifications may be found in the generality of Revenue Officers, after a few weeks' teaching, and a few months' experience.

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49. Referring to the seventh ground of objection, I may be permitted to remark that the reasons which dictated the necessity for constituting the Collector as prosecutor and Judge in cases of embezzlement, etc., falling under Regulation IX. of 1822, and in those of misappropriation of office emoluments falling under Regulation VI. of 1831, do operate for entrusting him with the double power in cases of fuel and timber smuggling. Experience shows that the power already entrusted to him was not abused by him or by his subordinates. All the cases under notice will be generally prosecuted by an officer of one department before that of another. Although both are subordinate to the Collector, there is nothing to bias the opinion of the deciding officer. The Criminal Law provides further safeguard in laying out rules for enabling the injured to make appeals from sentences affecting them.

50. With regard to the last and eighth ground of objection, it is necessary to state that the absence of co-operation of the Village Revenue Officers, with the Forest Department, and the position of the latter officers which cannot command so much influence as that of the Collector's, which is armed with magisterial powers, will afford greater facilities for fuel smuggling.

51. The same sympathy which a Collector has for the feelings and wants of his ryots has given him a great influence over them, which can be used with advantage in preventing infringements of Forest Laws and Rules. His influence is pervading throughout the district; and his endeavours to prevent smuggling will receive sufficient support from villagers and be attended with success, while similar endeavours on the part of the Forest Officers rarely prove effectual. No further arguments will be necessary to show that a Collector is better fitted to preserve and improve jungle and prevent deforestation and smuggling.

52. Having thus attempted to meet or explain the objections that may be brought forward to the placing of the forests under the charge of the Collector, I now venture to state the grounds which, in my opinion, clearly prove the necessity that exists for placing them under his management. These grounds may be briefly recited as follows:—

(1.) Collector, by the nature of his office, is a Provincial Administrator, head of the *quasi* Municipalities existing all over the district, Curator and Custodian of Public Revenues and Property, and the connecting link between Government and people.

(2.) He is responsible for the well-being of the people, especially the agricultural population, from whom a greater portion of the revenue is derived.

(3.) The healthy condition of the agricultural operations depend in a good degree on the judicious operation of the Forest Conservancy Rules.

(4.) In jungles and forests, villagers have municipal, communal, and prescriptive rights, which must be respected by Government, but which cannot be properly protected by any other than the Revenue Department.

(5.) The danger of corruption is always great in the working out of the Conservancy Rules; but it is less with the hereditary village staff than it is with the small and inefficiently controlled stipendiary establishment of a separate department.

(6.) The expense of collection of Forest Revenue will be smaller when under the Collector's management than under any others.

(7.) The expense of preserving and improving jungles and forests is less under the Collector's management than under a separate department.

(8.) Facilities to prevent and detect the smuggling of fuel and timber are greater with the Collector who can command the co-operation of villagers and his hereditary staff which have a permanent interest in the jungles and forests, than with the Forest Department who can have but a small inefficiently controlled stipendiary establishment, which can have no moral check over them or any other interest than what their pay and private views may dictate.

(9.) The forest management under Collector is attended with less amount of annoyance to the people especially to the agricultural population, than under the Forest Department whose stipendiary establishment cannot understand so well what the people's prescriptive right or privileges are, and are not capable of showing so much consideration or respect for the privileges and feelings of the people as the village hereditary staff whose brotherhood in the village corporation

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on the one hand and the dread of removal from mirassy and position on the other hand, are admirably calculated, with a few exceptions, to operate as a good incentive to balance their acts and keep them under proper bounds or restrictions.

(10.) The collections made by Forest Department are now viewed as Imperial Revenue, but properly belong to the *quasi*-municipalities, within whose boundaries the forests lie, and whose joint labour and attention have in some way contributed to the growth and preservation of their respective forests. The revenue thus derived forms therefore a portion of the Local Fund, and ought to be, partly if not entirely, devoted to the local improvements such as roads, avenues, village topes and forests.

(11.) The separation of forest conservancy from the Collector's management will weaken his hands, lessen his influence, affect his prestige and high position, and deter people from continuing to have that high respect for, and confidence in, him, which they used to have up to this time.

53. The foregoing statement of grounds or arguments will, I trust, require no illustration, excepting perhaps the fourth and last, of which I may add a few lines in support.

54. The boundary disputes that often arise between village corporations, claims frequently set to hereditary rights to mirassy, or property in the soil, suits instituted now and then for the exclusive privilege of using pasture-grounds, fisheries, etc., the unpaid labour and aid which from time immemorial, villages have readily and cheerfully rendered in growing up topes and avenues, in making or preserving village roads and irrigation works, the system of Panchayet, to which the natives so eagerly resort for the adjudication of their Civil disputes; all these facts go to establish beyond doubt the existence of Municipalities or Village Corporations all over this part of the country.

55. Although the policy of British Government has, by taking upon themselves what people would perform without reluctance, tended in a great degree to undermine the ancient institution of such corporations, yet enough remains to show that they existed once in full vigour and worked for the benefit of the people and the country.

56. The above will explain the fourth ground, and in respect to the last there is no need to say much. If a Collector can grant remission of thousands of Rupees for failure of crops, and spend large sums for feeding the poor and giving them employment during famine and other similar occasions, without, or in anticipation of, sanction of higher authorities, people will naturally look to him for minor aids on other occasions. They will expect that he can assist them with timber and wood free of tax when applied for, for building Village School, re-building an accidentally destroyed village, and the like. If he had no such power, which will be the case when Forest Department is no longer under his control, if that department do not obey his orders, and if he was to tell the applicants that he cannot comply with their request without the sanction of Government, he will fall in the estimation of the people; they will hesitate to believe him, and cannot form an idea of his position and prestige. Such a state of things will slacken in their respect towards him gradually and ought not to be allowed to come into existence.

57. On a careful consideration of all the circumstances, it is my humble opinion that anything that will cripple his power and lower him in the estimation of the people must be avoided. I would rather advocate that his territorial jurisdiction be diminished, than introduce any other power that owes no subordination to the Collector in the Forest Conservancy.

58. The original letters noted in the margin are submitted herewith for reference and return.

ENCLOSURE No. 2.
From Acting Locomotive Superintendent, Madras Railway, to the Collector of North Arcot, dated 16th February 1869, No. 107.

With reference to your letter, No. 2, dated 9th February 1869, enclosing copy of the Proceedings of the Madras Government, No. 2,909, dated 20th November 1868, I have the honour

1 Letter from Locomotive Superintendent, Madras Railway, to the Collector, No. 107, dated 16th February 1869.
1 Letter from do. do., No. 174, dated 15th March 1869.
1 Do. from Deputy-Conservator of Forests, to the Collector, No. 316, dated 20th March 1869.

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to offer the following observations, and to forward the accompanying statement which shows the quantity of wood received from each Contractor at Melpatti and Amboor stations from the 1st of January 1867 to the 8th of the current month; the rates per 1,000 lbs. and the total amount which we have paid for the same. We do not know the addresses of the contractors, nor do we receive wood at the other stations you name.

2. We have not hitherto collected any seigniorage for wood supplied at Melpatti or Amboor, because we have always been informed that the wood was supplied from private jungles. To a considerable extent there is no doubt this is so. I do not therefore see how I can legally "withhold any sums which may have or will become due to the several contractors," nor how I can "henceforth" deduct "seigniorage at 5 Annas per 1,000 lbs. for fuel delivered by contractors at the above-mentioned stations."

3. Contractors supplying fuel from Government jungles in the Salem and Cuddapah Districts have licenses issued to them by the Conservancy Department and sign agreements which entitle us to deduct seigniorage from their bills, and I think it would be as well if the same system were adopted with the contractor's supplying from Government jungles at Amboor and Melpatti.

4. I shall be glad to assist you, as far as possible, with reference to the supply of fire-wood at these stations, but unless some such measures as those described above are adopted, I fear it will be impossible to check the contractors' pilfering or prevent the loss of seigniorage which now appears to occur.

5. I will instruct Mr. Reade to render every assistance in his power, and, if possible, ascertain the address of the contractors.

B.

From the Acting Locomotive Superintendent, Madras Railway, to the Collector of North Arcot, dated 15th March 1869, No. 174-B.

In acknowledging receipt of your notice, dated 10th March, regarding the conditions upon which fire-wood for the Railway may after this date be obtained from the Government jungles in the talooks of Goodiattum, Palmanair, and Chendraghiri, I beg to offer the following observations.

2. If I am correctly informed, a very large portion of the wood supplied to this department at Amboor is from private jungles, with the proprietors of which some of our contractors have arrangements for periods which will not expire for some time to come, and which necessitate their continuing to cut from these jungles.

3. Since my last, (No. 107 of the 16th ultimo,) I have seen most of our contractors, and they all expressed their willingness to draw their supplies exclusively from Government jungles as soon as the above-mentioned arrangements have expired. But are the Government jungles sufficiently extensive and well stocked to supply our wants? You will perceive that this is a most important question to this department, and I should be glad to be favoured with your opinion on the subject.

4. There is also another difficulty which we have to get over before the arrangement you contemplate can be satisfactorily carried out. Until our supplies are derived exclusively from Government jungles, I do not see how we are to ascertain what wood is liable to seigniorage, and what is not, unless you send us a Certificate monthly, bearing the Contractor's signature, specifying the quantity liable for seigniorage.

5. I think these and several other points requiring attention would be better settled at an interview than by correspondence, and I therefore beg to inform you that I shall be happy to meet you on an early day at one of the Stations on our Railway, say Gudiattum or Vellore, or at any other which may be more convenient to you.

6. Since writing the above, I have received a letter* (copy attached) from P. Iyaloo Naidoo, the Deputy-Collector, which affords additional reason for the interview I propose, and an early settlement of the question.

* No. 59, 12th March.

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From P. IYALOO NAIDOO, Acting Deputy-Collector, on General Duties, North Arcot, to the Acting Locomotive Superintendent, Madras Railway Company, dated Gudiattum, 12th March 1869, No. 59.

I HAVE the honour to enclose a Proclamation issued by me, declaring the fuel lying unsold at Amboor Railway Station to be under attachment pending further inquiries; and beg the fuel be not purchased by the Company from the contractors until you hear from me again. A Peon will be placed at the Railway gate to prevent the removal of the fuel by the contractors from the place where they now lie.

ENCLOSURE No. 3.—Statement.

ENCLOSURE No. 4.—Sketch.

From the Collector of North Arcot, to the Acting Secretary to the Board of Revenue, dated Chittoor, 29th November 1869, No. 370.

WITH reference to paragraphs 26 to 29 of my letter, No. 342, dated 5th instant, I have the honour to enclose copy of the Proceedings of the High Court of Judicature, Madras, dated 17th instant, No. 2,258, confirming the decision of the Session Court on the appeal preferred by certain of the fuel contractors who were fined by the Deputy-Magistrate Iyaloo Naidoo. As no direction is made in these Proceedings or in the decision of the Session Court reversing the Deputy-Magistrate's sentences of fine respecting the disposal of the fuel as contemplated in Sections 132A and 132B of Amendment Act VIII. of 1869, I have not accepted these Proceedings as requiring me to surrender the fuel still under attachment until definitely instructed by the Board to release it on the reference now before them.

ENCLOSURE No. 1.
No. 2,258.

Proceedings of the High Court of Judicature at Madras, 17th November 1869.
Read letters dated the 31st August 1869, Nos. 32 to 35, from the Acting Session Judge of Chittoor, referring for the orders of the High Court, under Section 434 of the Code of Criminal Procedure, the Proceedings of the Deputy-Magistrate of North Arcot in Cases Nos. 26, 27, 29, and 30 of 1869, as contrary to law.

In these cases the Deputy-Magistrate convicted the accused persons of mischief under Sections 426 and 427 of the Penal Code for being found in possession of fire-wood without being able to produce licenses from the Forest Department. No witnesses were examined for the prosecution, and there was no evidence of any other kind. In Case No. 26 the plea for the defence was, that part of the wood was cut in Government forests for which licenses were produced, part in private forests and evidence was produced in the support of the plea. In Case No. 27 the accused pleaded not guilty, but offered no evidence in his defence. In Case No. 28 the accused pleaded that part of the wood was obtained on licenses and part purchased. He supported his plea by evidence. In Case No. 30 the accused pleaded that he had purchased the fuel and produced evidence to that effect. The Deputy-Magistrate drew the same inference of guilt in each case.

The Session Judge referred the cases on the ground that there was no evidence of any offence having been committed.

2. The High Court are clearly of opinion that the sentences of the Deputy-Magistrate must be reversed. There is absolutely no evidence on the record that any wood was cut from the Government forests in excess of the licenses granted, nor that these defendants cut any wood that they were not authorized to cut. The practice of seizing fuel at the Railway Stations and calling

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on the contractors to prove how they obtained it all, and in default treating them as criminals, may be regarded by the Revenue authorities as a convenient substitute for better arrangements, but it certainly is not legal. The fines levied in these cases must be refunded.

SUBMITTED to Government (together with a copy of Board's Proceedings, dated 23rd September, 1869, No. 7,069,) with reference to their Order, dated 10th November 1869, No. 2,915.

2. In the foregoing letter Mr. Robinson submits some personal explanation relative to the depredations in the forests of North Arcot recently brought to light, and animadverted on in Board's Proceedings, dated 23rd September. These irregularities took place during the latter end of 1867-68, and were put a stop to early in 1869.

3. Mr. Robinson was, he explains, absent in England during the greater part of 1868, and on his return some changes in the divisional establishment and other circumstances over which he had no control deferred attention to this important matter. But Mr. Robinson has failed to explain the obvious dereliction of duty on the part of the Tahsildars and the other subordinate officers of the talooks, who could scarcely have remained ignorant of so extensive a system of fraud. Two Moniagars, against whom the proof of complicity was strongest, have been dismissed.

4. The Board are constrained to observe that justice has not been met by the punishment of two subordinate officers of the village establishment; but, possibly, under the circumstances, guilt cannot be brought home to others. The Collector will inform the Tahsildar and Revenue Inspector that the Board take a serious view of their shortcomings in this matter.

5. In paragraph 26 of his letter the Collector asks for further instructions as to carrying out the order to withdraw the attachment of the suspected timber, now lying at the Railway Station.

6. No fresh evidence has been obtained, and the Board are of opinion that it would be impossible to sustain an order for confiscation on the case for Government, as it now stands.

7. The Collector must therefore carry out the instructions of the Board, already communicated to him, by giving up the whole of the wood.

8. After communicating with the Railway authorities, the Collector will be good enough to report what arrangement can be made for the payment of scigniorage through them.

9. Much of the Collector's letter is devoted to argument against making over the forests of the district to the Forest Department, and the report of the Deputy-Collector, dated 23rd June, is likewise deprecatory of this measure. As the whole subject is now before the Board with reference to the proposed Forest Bill, this part of the letter will be taken into consideration with these papers.

No. 32. ORDER THEREON, 4th April 1870, No. 441.

Forests, No. 7.

THE Right Honourable the Governor
in Council approves of the foregoing
Proceedings of the Board of Revenue.

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2. The question of the transfer of the Gudiatum jungles to the Forest Department will go over until the Board's Proceedings, dated 18th January 1870, No. 353 on the general question, which are now under the consideration of Government are disposed of.

(True Extract.)

(Signed)

R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.
the Officiating Conservator of Forests.

Exd. F. R. Bantleman.

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 1st March 1870.

Read the following. Proceedings of

the Board of Revenue

M.E. 8: Jan'y. 1870. No 143.

Submitting, with remarks,
correspondence regarding illicit
felling of timber in forest tracts
in North Arcot Distt, and transfer
of Gudialattam Forest to Forest
Department.

1. The Right Honble
the Governor in Council ap-
proves of the foregoing
Proceedings of the Board
of Revenue.

2. The question of
the transfer of the Gudialattam
Jungles

R.
A.P.

Govt. of 1870

REVENUE.

THE BOARD OF REVENUE.

Dated April 1870.

G. O., 4th April 1870, No. 411.

APRIL.
Nos. 31-32.

Illicit felling of timber in North Arcot.
Proceedings of the Board of Revenue in connec-
tion with this subject, approved. The question of
transferring the Gudialattam jungles to the Forest
Department to be over, pending the disposal of the
general question.

Jungles to the Forest Dept.
 will be disposed of with the — lie over until
 Board's Proceedings, dated
 18th Jan 1870, Oct 353 on
 the general question, which
 are now under the con-
 sideration of Govt — are dis. board of.

I propose the above
 slight alterations
 as it is not desirable
 to mix up the two
 subjects

N. M.

14 To the O.D. of Dec. with enclosure, 5 April.
 13 - The Off. of a new water of Forests

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S. J. H. & Co.