

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	917	Press Mis
257-60 Dated	22-6-1870	12

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
22nd June 1870.*

No. 259. Read the following Proceedings of the Board of Revenue, dated 4th June 1870, No. 3,805 :—

Read the following letters :—

From the Officiating Conservator of Forests, to the Acting Secretary to the Board of Revenue, dated Ootacamund, 18th April 1870, No. 2,060.

With reference to paragraphs 6 and 7 of the Proceedings of the Board, No. 1,735, of the 14th ultimo, I have the honour to inform you that I have had a consultation with the Collector of Coimbatore on the subject of the Contract system as regards firewood, charcoal, and bamboos, and also on the rights of the ryots in his district, and I have arranged with him and Colonel Morgan, the Forest Officer of the district, that licenses and free passes shall be at once distributed to the heads of villages.

2. I forward a letter* from Colonel Morgan on the subject of the Contract system. I do not well see how we can dispense with it as far as these petty

*No. 836, dated 12th April 1870.

collections are concerned, and upon my talking over the matter with the Collector I found he was not opposed to it as long as the rights of the people are not interfered with. The contractor in this case pays a certain sum annually to be allowed to collect the authorized seigniorage upon firewood, charcoal, and bamboos; he fells nothing himself, but simply issues passes and receives the seigniorage and sees that these articles are not removed clandestinely from the jungles. This relieves our establishment of a great deal of troublesome unimportant work, and enables them to give their attention to timber operations and to conserving the jungles, which they could not well do if they had to check all the tickets and passes issued for the articles given on contract. The contractor cannot well attempt to interfere with parties entitled to free passes, as these passes, etc., will now be issued by the Revenue officials or heads of villages; and if he does, by the terms of the contract it could be annulled at once; the Revenue authorities will besides take care that there is no interference.

3. I must add that I am doubtful how far it is expedient to allow an almost indiscriminate issue of free passes such as is now being introduced, and I feel that it may be much abused. I am far from wishing to encroach upon the established privileges of the ryots, but we must guard against the abuse of these privileges. Railroads are utterly altering the features of the country, and privileges hitherto in existence must disappear before them. The demand for timber and fuel in all districts traversed by the rail is already so far beyond what can be looked upon as the permanent supply, that it is becoming an imperative duty on the part of Government to clearly define all rights and introduce stricter conservancy. The welfare and future prosperity of the country demand it; and, although it may cause much opposition and heart-burning at first, it will doubtlessly be to the interests of the people in the long run, and must be introduced sooner or later. My duties for the last thirteen years (or ever since the commencement of railroads) have taken me most constantly into all the jungles of the districts traversed by the Madras Railways, so I speak from experience. Previous to what we may call the era of railroads the demand for wood was probably less than one-quarter

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of the annual re-production; it is now considerably in excess of the annual yield, so without systematically organized planting and a strict conservancy we must in time arrive at a crisis.

ENCLOSURE No. 1.

From Lieutenant-Colonel H. R. MORGAN, Deputy Conservator of Forests, to the Officiating Conservator of Forests, dated Ootacamund, 12th April 1870, No. 836.

I HAVE the honour to inform you that a firewood contractor is of great importance to the department for the following reasons:—

1. It would be impossible for our small staff of Peons to check all the firewood, bamboos, and charcoal licenses, collect the money, and conserve the jungles at the same time.
2. Some two years ago we had no firewood contractor; the consequence was that the jungles were not conserved, and the whole time of the Peons was taken up in collecting seigniorage on firewood, bamboos, and charcoal; the Peons became demoralized, and passed their time in calculating how many Rupees per diem they could embezzle.
3. The contractor pays 900 rupees a year for the privilege of selling firewood, bamboos, and charcoal; he fells no timber, but issues passes and receives the established seigniorage, and sees that firewood, bamboos, and charcoal are not carried out of the jungles without his pass.
4. The contractor cannot interfere with the ryots' free felling, as they are now to be supplied with passes granted by the Revenue authorities, and should he interfere with the ryots in any way by the terms of the contract it can be annulled.
5. The contractor has nothing to do with the felling of building timber; this is immediately under the Forest Department, whether felled by license or departmentally.

From the Officiating Conservator of Forests, to the Acting Secretary to the Board of Revenue, dated Ootacamund, 19th April 1870, No. 2,072.

WITH reference to the Proceedings of the Board of Revenue, No. 1,626, of the 9th ultimo, and to the Government Order, No. 456, of the 6th instant, I have

the honour to forward a letter* of explanation from Lieutenant Walker, who was

till very lately the Forest Officer in charge of South Arcot.

2. Some of Mr. Lister's statements appear to have been made without correct information of the facts of the case or of the working of our department. This would not have occurred if he had taken the trouble to consult with our officers, or if all complaints had been referred to our department for explanation. I, however, quite agree with the Acting Head Assistant that our department is from its paucity not in an efficient state in this district, and I have lately been urging upon Government the necessity of appointing a separate officer to the charge of South Arcot. Our work in Salem has so much increased lately that it is impossible for the Forest Officer of that range to give much attention to South Arcot. I trust, therefore, that the Board will urge Government to sanction this arrangement, and I feel sure that if we had a young officer in charge of the range and under the Collector's orders in all matters relating to the ryots' rights, etc., that matters could immediately be arranged to the satisfaction of the Collector. Mr. Cadell, who relieved Lieutenant Walker in charge of this range, was about to proceed to South Arcot in October last to consult with the Collector on forest matters; but more important work in the Salem range, with reference to the railway fuel supply, obliged

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me to detain him in Salem. He subsequently fell ill, and the charge of the range has devolved temporarily on one of the Assistant Collectors of the Salem District.

3. In my letter to the Board, No. 2,060, of the 18th instant, I have already explained that I do not think it would be wise to attempt to do away with contractors as far as firewood, charcoal, and bamboos are concerned; it is the duty of these men to see that these articles are not removed without seigniorage payments. If this devolved on our Peons it would occupy the whole of their time to the detriment of any conservancy operations; they would have great opportunities of extortion, and would be always taking bribes, and they must to a certain extent become money-collectors, as small sums like 3 pies could not always be paid into a Treasury. Mr. Lister's argument against the system is the only one that can be advanced, namely, that the contractors and their agents will do their best to annoy the people. This might, however, be equally advanced against any arrangement for a department collection of seigniorage or checking of passes. From my own experience I am sure that the ignorant villagers would be more likely to stand in awe of, and submit to extortion from, our belted Peons than they would from contractors who are known not to be Government agents. Little or none of this would be attempted, or, if attempted, escape detection, if we had an active Forest Officer in charge of each range, and acting under the Collector's orders on all these matters, and in constant communication with the Revenue authorities. It was from long experience in these matters that I urged upon Government the necessity of placing our officers more under Collectors with reference to the open forests, and of giving us more of the support and assistance of the Revenue officials. Lieutenant Walker's precautions to guard the inhabitants against any extortions on the side of the contractors appear to me to have been sufficient. He explains that the contract was merely for the collection of a seigniorage (in no case to exceed that authorized by Government) on firewood and charcoal cut for sale, and that the contractor was bound, under penalty of a forfeiture of his contract and security, etc., to certain rules, amongst which was the following:—

"In no way to interfere with the rights of ryots and villagers to cut head-loads of firewood free and without permission, and bandyloads of firewood, agricultural implements, etc., on free passes issued by the Divisional and Talook Officers."

These rules were published in the *District Gazette*, copies sent to all Tahsildars and many Village Officers, and every means taken to make them generally known. After these precautions it is hard that our department should be blamed if ignorant villagers choose to submit to extortion from contractors and never in the first instance refer the matter to us or to the Revenue authorities; but, as I have already stated, this would not be likely to occur with an active Forest Officer in charge of each range.

4. I have not seen the petition alluded to, but I cannot make out from Mr. Lister's letter that the ryots of the Trinomaly Talook have anything like a substantial grievance.

5. Charcoal is not by any Government Order given free to ryots or others; they can bring firewood out of the jungles and convert it into charcoal at their own houses if they like; but, unless we had the speedy destruction of the jungles

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in view, it would never do to allow the indiscriminate preparation of charcoal inside the jungles by the inhabitants. There can, I believe, be no two opinions on this subject.

6. The fact of the contract selling at far less than it was worth is probably correct; but it was the first instance of such contract being given, and it naturally sold low. Competition would soon bring it to its market value, and contracts of this nature can always be put up at an upset price, or advertised for by tenders over and above a stated sum.

7. In forwarding this letter to Government I request that the Board will also submit my letter, No. 2,060, of the 18th instant, as bearing upon the case in question, and also Lieutenant Walker's letter herewith forwarded, by which it will be seen that his views on the subject of contractors, with reference to what may be called our petty collections, are the same as Colonel Morgan's and my own.

8. Captain Gosling will be assuming charge of the Salem and South Arcot Ranges very shortly if a separate officer is not appointed for South Arcot. I shall direct him to take the earliest opportunity of meeting and conferring with the Collector of the district.

ENCLOSURE No. 1.

From Lieutenant C. S. WALKER, Deputy Conservator of Forests, Madura and Tinnevely, to the Officiating Conservator of Forests, Ootacamund, dated Kodakaud, 13th April 1870, No. 24.

With reference to your letter, No. 2,027, dated 4th instant, calling on me for report on the system of contracts in South Arcot and Mr. Lister's remarks, recorded in Board's Proceedings, No. 1,626, of 9th March, I have the honour to state that the contracts given by me were merely for the "collection of a seigniorage, in no case to exceed that formerly levied by Government on landloads of firewood brought for sale and charcoal, or for the sale of those from depôts at rates fixed by this department;" the tracts where felling of firewood and burning of charcoal might be carried on being fixed by us from time to time, and the contractors bound under penalty of forfeiture of contract and security, in addition to such other punishments as the law would permit, to certain conditions, amongst which were the following:—

(1.) In no way to interfere with the rights of ryots and villagers to cut headloads of firewood free and without permission, and bandloads of firewood, agricultural implements, etc., etc., on free passes issued by the Divisional and Talook Officers.

(2.) On no account to raise the scale of charges by sale from their depôts above the rates fixed by the Forest Officer, (which was done in consultation with the Talook Tahsildars, and as nearly as possible represented the average rate charged before such contracts were given).

(3.) On no account to refuse to issue a ticket or pass entitling an applicant to fell on payment of a seigniorage identical with that which had formerly been levied by Government. (This gave parties the option of either *buying* the article they required, or obtaining the same themselves from the tracts laid down in the forest or jungle on payment of the seigniorage authorized by Government.)

The above conditions were published in the *District Gazette*, copies sent to all Tahsildars and many Village Officers, and every means taken to make them generally known, and after these precautions I really do not see how we are to blame if people submit to exactions on the part of the contractors when they have the means of redress in their own hands, viz., a complaint to the Forest Department or Divisional Officer, and a criminal charge before the Magistracy. As regards charcoal in particular I am not aware of any rule or order of Government which grants it to the people *free of seigniorage*, and am inclined to think that they are not entitled to it as the quantity of firewood consumed in its manufacture is very large, and great damage is done by its

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indiscriminate preparations. I should not, however, have maintained this view if the Collector had expressed any wish or opinion to the contrary, or if the people had *claimed* it as a right, in which case I should have been guided entirely by the Collector's opinion, reporting the matter for the information of the Board.

2. I am glad to see that the Collector does me full justice in this respect in paragraph 6 of his letter, and I am certain that any abuses had only to be ~~brought~~ to notice to be redressed if valid cause of complaint was found to exist. I cannot, therefore, agree with the Board that "abuses cannot be kept in check under the conditions which Mr. Lister describes," as ample provision was made for their prevention and punishment.

3. Turning to Mr. Lister's letter, whilst I agree with much that he says, particularly as to the paucity of our establishment, which have been repeatedly brought to notice, and which I have no hesitation in affirming is most prejudicial to the interests of Government both in a financial and conservancy light, I cannot agree with him that the "Ryots of Trinomaly have a substantial grievance," or that if they have "we can never guard against such an event whilst needy irresponsible persons of the position of these sub-contractors have the sole power of granting passes for an agricultural necessity." I confess to be utterly unable to see the necessity or advantage of his divergence from the particular subject referred to him for report in order to indulge in rhetorical flourishes about "paper blockades" and calculations of the area to be looked after by each forest Peon, which are neither requisite nor accurate, being based on the premises that—

1st.—There are seven Peons for Trinomaly Talook alone, whilst there are really only that number in the two talooks of Trinomaly and Kullacuchy.

2nd.—That the whole area of the talook is forest or jungle, whereas, of course, there is not one-hundredth part which can be classed as either.

3rd.—That the forest Peons are supposed to work *unaided*, whereas every Policeman and Revenue servant should be their colleagues, and their duties mainly consist in supervising the felling, etc., in the forests; the contract system recommending itself, *particularly* as it allows of this being more generally carried out.

4. As the original petition has not been forwarded to me, I am unable to understand clearly whether the complaint is two-fold, i.e., has reference both to timber for agricultural purposes and charcoal, or only for the latter and the wood required for its manufacture. With regard to the former (agricultural implements) it is only necessary to refer to Mr. Lister's own words at the close of paragraph 13, viz., "A ryot can obtain a free pass at any time" to show that there could be no substantial grievance in this respect.

As to the latter (charcoal) I have stated that I do not think that the ryots are entitled to it free of seigniorage, but if they are there could have been no objection to its being included in the free passes issued by the land revenue officers as well as ourselves, as *required for agricultural purposes*. With regard to the levying of a fixed rate of one Anna *per plough*, I consider that, although the contractor or sub-contractor had no right to levy such a tax, and might have forfeited his contract by doing so, it is after all *very moderate*, being the seigniorage authorized by Government for each headload of charcoal, and only 3 pie greater than that recently authorized by the Board for jungles under local conservancy, and levied as a rule on *all* headloads of firewood brought into the towns and larger villages from such jungles, whereas at least six such headloads would be consumed in order to prepare one headload of charcoal.

5. As to the prices paid for the contracts and rates at which they were sublet, whilst I do not see that it exactly affects the question, I may mention that, being the first year in which such contracts were given in South Arcot, they naturally sold low, and that, although I do not approve of sub-letting of contracts as a rule, it is well known that it is very difficult to prevent it, and I therefore did not deem it expedient to forbid it at least at first. The rates realized by the sales must be compared with the sums realized by us in former years, as well as with those for which they were sub-let, and as Mr. Reade says it cannot be expected that we should inquire into the character of each person who takes a public contract. Year by year there would be more competition as shown in Salem, and assuredly the State would not be a loser, whilst the interests

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of the people need in no way be affected. I allow that the first of Mr. Lister's alternatives in paragraph 4, viz., that the Forest Department was unable to collect the charcoal seigniorage, is *literally* correct; but in the first place we do not collect this or any other seigniorage, and the only reason why we could not detect and put a stop to the illegal burning and removing of charcoal and many similar cases of forest theft, mischief, etc., was, first, the paucity of our establishment, which I admit was insufficient; second, the connivance and support of the Nauttamgars generally with the depredators, as already noticed in my letter, recorded in Government Order, No. 3,203, dated 17th December 1869; and, third, the apathy of Mr. Lister and his Tahsildars in the matter; for whilst I (when in charge) made a point of asking his opinion and requesting his assistance and support, I cannot remember a single instance in which he vouchsafed an expression of the former, or in any but a negative manner gave us the benefit of the latter.

6. The only real cause of dissatisfaction or complaint is in fact stated in paragraph 10 of Mr. Lister's letter under consideration, "*they don't like paying for what they have hitherto had for nothing.*" Very true and very natural, but why blame the Forest Department.

7. As to the Contract system generally, whilst it requires careful supervision by the Forest Officer, and the co-operation of the Divisional Officer and his Assistants to see that the contractors do not exceed the limits and conditions under which alone the contracts are given, I can say that after some experience, and taking the interests of the people as much into consideration as the revenue to the State for the collection of petty revenue on firewood, charcoal, etc., it is the *best and most effectual plan*; the tracts where felling, etc., is to take place, the rates to be levied, and other conditions being invariably clearly laid down. The people would soon learn not to pay more than they (the contractors) were authorized to demand, and a few convictions by the Magistracy and enforcement of the conditions of the contract by the Forest Officer, would prevent any attempt at such extortion on the part of the latter; whilst we are able to dispense with the system of Tannah Peons, (Government) who we have every reason to suppose adopt the same means to add to their miserably inadequate salaries, and doubtless succeed even better than the sub-contractors, being avowedly Government servants and armed with that symbol of authority—*a belt*.

8. I cannot conclude this report without availing myself of the opportunity of calling your attention to the manner in which such petitions and reports with regard to this department are taken up and made much of, whereas they could in most cases be settled with ease by the Collector and Forest Officer; reference only being required if the latter refused to attend to a complaint, or redress a grievance, or on the other hand if the Collector's orders were considered inconsistent with the good of this department. In a somewhat similar case to that under report, recorded in Board's Proceedings, No. 1,735, dated 14th March, complaints appear to have been sent up by the Collector without even calling on the Forest Officer for report. I believe that such a course would not be adopted with any other department, and it is certainly not etiquette, or commonly just with reference to a branch of the Revenue Department itself, and acting avowedly in conjunction and in accordance with the wishes of the Collector. It is impossible for any department to work smoothly and efficiently if this course is pursued, and I might with equal justice send up through you to the Board or Government complaints (which I have often received and which were doubtless in some cases true in a greater or less degree) regarding the working of the Village Jungle Conservancy or Land Revenue Department, instead of merely transferring them to the officer in charge for disposal as is customary. Were the latter course adopted with regard to complaints such as that under report (as I must say is done in this division) it would, I think, save much trouble, whilst there would still be ample means of redress, and room for reference if our officers failed to attend to the petitions, etc. It is impossible that we can either do our work well, or take an interest in it if any one dissatisfied is encouraged to seek redress at the hands of another officer without even bringing his grievance, in the first instance, to our notice.

9. A more direct and immediate application to us should be encouraged, which could not but result in our officers and subordinates having a more practical knowledge of the rights and

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requirements of the people, which there is no reason to suppose they wish to disregard, whilst the people would obtain more speedy redress if *bonâ fide* cause of complaint was shown to exist, failing which they would still have an appeal to the Collector or the Board.

10. I feel convinced that this would tend to a better feeling and the cessation of frivolous complaints, whilst it is really only fair to our officers and adopted with reference to every other department. I have, therefore, taken the liberty of bringing the subject to your notice.

REFERRED to the Collectors of Coimbatore and South Arcot for their remarks.

2. The Contract system as it is intended to be is probably as good a system as can be devised, but it is evidently open to great abuse and requires careful watching.

No. 260.

ORDER THEREON, 22nd June 1870, No. 917.

Forests, No. 13.

THE replies of the Collectors of Coimbatore and South Arcot should be submitted to Government, with the Board's further observations on the Acting Conservator's letter.

(True Extract.)

(Signed) R. S. ELLIS,
Chief Secretary.

To the Board of Revenue.

Exd. E. C. Shunker.

Revenue Department

No. 317.

Proceedings of the Madras Government
Under date the 22 June 1870.

Read the following
Proceedings of the Board
of Revenue.

Referring to Collectors of
South Arcot & Coimbatore for their
observations, letter from Cons.
of Forests, forwarding, with his
remarks, correspondence regarding
system of forest contracts of
those Districts.

(H.C. 4th June/70 No. 3805)

The replies of
the Collectors of
Coimbatore and South
Arcot should be
submitted

Govt. of 1870, 31st Dec.

REVENUE.

THE BOARD OF REVENUE.

Dated June, 22nd.

Recd.

Encl.

G. O., 22nd June, 1870, No. 917.

JUNE

105. 255. 386.

Forest Contracts.—Replies of Collectors of
Coimbatore and South Arcot to be submitted on
the Acting Conservator's letter on this subject.

submitted to Government,
with the Board's further
observations on the Acting
Conservator's letter.

14. To the Secy of War. Sept 27.

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Edw. Hall