28-2-71

MADRAS RECORD OFFICE
Government Records.

Revenue Department

G. O. ~~(Mis).~~

Dated 4 July 1871.

No. 453

No. 30. Read the following despatch from the Right Honourable the Secretary of State for India, (Revenue—Forests,) to His Excellency the Right Honourable the Governor in Council, Fort Saint George, dated India Office, London, 18th May 1871, No. 3 :—

I HAVE considered in Council the despatch from your Excellency in Council, numbered 5, Miscellaneous—Forests, and dated the 20th of December, stating the objections to which you deem the Circular of His Excellency the Governor-General of India in Council of the 1st of September, 1870, on the position of the Inspector-General of India in regard to the local Governments to be open, and trusting that I shall concur with your views on this point.

2. My despatch to the Government of India of the 5th of January, No. 2, (replying to similar objections raised by the Government of Bombay,) of which a copy was enclosed in my despatch to your Excellency in Council of the same date, will have informed you that I did not conceive that the Circular in question was likely to produce the results which you apprehend, while, on the contrary, much benefit might follow from it, not only to the general administration of forests in India, but to the particular forests upon which the Inspector-General will be thus enabled to offer advice, which he could not otherwise do.

3. I have given full consideration to the arguments adduced by your Excellency in Council to support the apprehensions which you entertain in regard to this Resolution, but I regard them as founded on a misunderstanding of the intention of Her Majesty's Government and of the Government of India.

4. Your Excellency in Council will perceive, by the accompanying copy of a further despatch, No. 15, dated 18th May 1871, to His Excellency the Governor-General of India in Council, that my approval of the Resolution is not intended to convey to the Inspector-General of Forests any additional power of directing or controlling operations in the forests of your Presidency, except in so far as the advice which he may offer to your Conservator is approved by your Government; and I observe that, in the reply to the Government of Bombay, the Government of India expressly states that it is desirous to maintain the legitimate authority and responsibility of the local Governments.

5. In this view of the matter I trust that your Excellency in Council will see that there is no intention of weakening your control over this department, or any reason to fear that the interest of the local authorities in its efficient and harmonious working will be at all lessened by the direct correspondence of the Inspector-General of Forests with the Head Forest Officer of your Government.

ENCLOSURE No. 1.

Despatch from the Right Honourable the Secretary of State for India, (Revenue—Forests,) to His Excellency the Right Honourable the Governor-General of India in Council, dated India Office, London, 18th May 1871, No. 15.

I HAVE considered in Council the despatch from your Excellency in Council, numbered 1, Revenue—Forests, and dated the 23rd of January last, with which, in continuation of your despatch

of the 18th of November last, No. 27, forwarding a Circular on the position of the Inspector-General of Forests throughout India, you transmit a remonstrance from the Bombay Government against the supposed tendency of that Circular, and allude to the despatch which I have received to the same purport from the Governor in Council at Madras.

2. You are aware, from my despatch of the 5th of January, numbered 2 of this year, a copy of which was sent to the Governments of Madras and Bombay, that I approved the issue of the Circular on the grounds that, while the power given to the Inspector-General of Forests to correspond freely on forest-matters with the Conservators of Madras and Bombay would be beneficial as well to those Presidencies as to the rest of India, I did not conceive that it would interfere with the independent position of the Governors in Council, or weaken their control over their own officers. Had I apprehended that such results would be likely to follow from the Resolution, I should have felt constrained to refuse my sanction to it; and did I perceive such a danger, I should even now direct you to reconsider the matter.

3. On perusing the remonstrance from His Excellency the Governor in Council at Madras, it seems to me that the apprehensions entertained with respect to the Resolution have arisen from the ambiguous use of words like "general control," "inspection," and "superintendence." But as the distinct declaration was added, that it was not intended to "interfere with the authority of "the Governments of Madras and Bombay, or of the other local Governments and Administra-"tions in forest-matters, or diminish their responsibility in any respect," and that the Inspector-General of Forests would have no authority or "power" in the matter of Forest Administration, and no responsibility save as the adviser in forest-matters of the Government of India and of the other Governments and Administrations, it did not appear to me that the Resolution was open to the objections which were raised against it by the Government of Bombay, and which have since been urged by the Government of Madras.

4. Under the circumstances, however I think it well to repeat my views of the effect of this Resolution. And, first, I should state that I understand the words "general control over forest-matters" to relate only to the necessary control and supervision which is exercised by the Governor-General in Council over the Forest Budget-estimates, which are annually laid before him, and over which it is his function to exercise control and superintendence. But, as I have already informed you, I think it desirable that the Inspector-General of Forests, being the general Adviser to the Government of India in forest-matters, should possess the liberty to correspond direct with the Head Forest Officer, that is, the Conservator, in each Province, in order that he may be fully acquainted with the operations going on in all the forests of India. Such correspondence must, I am of opinion, be advantageous to him and to the Conservators who correspond with him.

5. He is to exercise no powers of controlling or directing any of the operations of these officers; and precautions, as I understand the Resolution, are taken to keep the Governments fully informed of all that passes of an official nature between the Inspector-General and their officers, which will give to the Governments the opportunity of at once representing to your Excellency in Council any case in which the Inspector-General may exceed the limits prescribed to him.

6. I have already intimated that he must be careful not to call for reports which may prove burthensome to the departments of the Conservators. His arrangements for visiting the forests must be made with a like degree of consideration, and notice of his intention will always be previously given to the Government concerned.

7. So long as the power of correspondence is thus limited, and extends only to the Head Forest Officers, I am of opinion that by diffusing useful information and promoting a free interchange of opinion amongst experienced officers, it will tend to improve the administration of the forests of India.

8. A copy of this despatch will be forwarded to the Governors in Council at Madras and Bombay.

No. 31. ORDER THEREON, 4th July 1871, No. 1,153.

Forests, No. 1.

To Government of India, 20th December 1870, No. 2,073A.
To Secretary of State, 20th December 1870, No. 5, Miscellaneous, Forests.
From Government of India to Bombay Government, 5th December 1870, No. 747F, in G. O., 26th January 1871, No. 175.
From Secretary of State, 5th January, No. 1, in G. O., 3rd February 1871, No. 235.

ORDERED that the Circular from the Government of India, dated 1st September 1870, No. 11, Public Works Department, Revenue—Forests, together with the correspondence as marginally noted, which has taken place in reference thereto, and the despatch of the Secretary of State of 18th May 1871, above recorded with its enclosure, be communicated to the Conservator of Forests for information and guidance.

(True Extract.)
(Signed) D. F. CARMICHAEL,
Acting Secretary to Government.

To the Conservator of Forests.

India Office,
London, 18th May 1871.

Revenue (Forests),
No. 15.

To His Excellency The Right Honourable The Governor General of India in Council.

My Lord,

Para 1. I have considered in Council the Despatch from your Excellency in Council, numbered 1, Revenue, Forests, and dated the 23rd of January last, with which, in continuation of your Despatch of the 18th of November last, No. 27, forwarding a Circular on the position of the Inspector General of Forests throughout India, you transmit a remonstrance from the Bombay Government against the supposed tendency of that Circular, and allude to the Despatch which I have received to the same purport from the Governor in Council at Madras.

2. You are aware, from my Despatch of the 5th of January, numbered 2 of this year, a copy of which was sent to the Governments of Madras and Bombay, that I approved the issue of the Circular on the grounds that, while the power given to the Inspector General of Forests to correspond freely on Forest matters with the Conservators of Madras and Bombay would be beneficial, as well to those Presidencies as to the rest of India, I did not conceive that it would interfere with the independent position of the Governors in Council, or weaken their control over their own officers. Had I apprehended that such results would be likely to follow from the Resolution, I should have felt constrained to refuse my sanction to it; and did I perceive such a danger I should even now direct you to reconsider the matter.

3. On perusing the remonstrance from His Excellency the Governor in Council at Madras, it seems to me that the apprehensions entertained with respect to the Resolution have arisen from the ambiguous use of words like "general control," "inspection," and "superintendence." But as the distinct declaration was added, that it was not intended to "interfere with the authority of the Governments of Madras and "Bombay, or of the other local Governments and Administrations in "Forest matters, or diminish their responsibility in any respect," and that the Inspector General of Forests would have no authority or "power" in the matter of Forest Administration, and no responsibility save as the Adviser in Forest matters of the Government of India, and of the other Governments and Administrations, it did not appear to me that the Resolution was open to the objections which were raised against it by the Government of Bombay, and which have since been urged by the Government of Madras.

4. Under the circumstances, however, I think it well to repeat my views of the effect of this Resolution. And, first, I should state that I understand the words "general control over Forest matters" to relate only to the necessary control and supervision which is exercised by the

Governor General in Council over the Forest Budget Estimates, which are annually laid before him, and over which it is his function to exercise control and superintendence. But, as I have already informed you, I think it desirable that the Inspector General of Forests, being the general Adviser to the Government of India in Forest matters, should possess the liberty to correspond direct with the Head Forest Officer, that is the Conservator, in each Province, in order that he may be fully acquainted with the operations going on in all the Forests of India. Such correspondence must, I am of opinion, be advantageous to him and to the Conservators who correspond with him.

5. He is to exercise no powers of controlling or directing any of the operations of these Officers; and precautions, as I understand the Resolution, are taken to keep the Governments fully informed of all that passes of an official nature between the Inspector General and their Officers, which will give to the Governments the opportunity of at once representing to your Excellency in Council any case in which the Inspector General may exceed the limits prescribed to him.

6. I have already intimated that he must be careful not to call for reports which may prove burthensome to the Departments of the Conservators. His arrangements for visiting the Forests must be made with a like degree of consideration, and notice of his intention will always be previously given to the Government concerned.

7. So long as the power of correspondence is thus limited, and extends only to the Head Forest Officers, I am of opinion that by diffusing useful information and promoting a free interchange of opinion amongst experienced Officers, it will tend to improve the administration of the Forests of India.

8. A copy of this Despatch will be forwarded to the Governors in Council at Madras and Bombay.

I have the honour to be,
My Lord,
Your Lordship's most obedient humble Servant,
(Signed) ARGYLL.

No 12

Copy Revenue (Forests) Despatch to the Government of India, No 15, dated 18th May 1871.

Referred to in Revenue (Forests) Letter to Madras, No 3, dated 18th May 1871 Para 4

Rec'd 4 July 71 Ind. B. 15 30

30

India Office,

London, 18th May 1871.

Revenue (Forests),

No.

To His Excellency The Right Honourable The Governor in Council, Fort St. George.

My Lord,

Para. 1. I have considered in Council the Despatch from your Excellency in Council, numbered 5, Miscellaneous, Forests, and dated the 20th of December, stating the objections to which you deem the Circular of His Excellency the Governor General of India in Council of the 1st of September 1870, on the position of the Inspector General of India in regard to the Local Governments, to be open, and trusting that I shall concur with your views on this point.

2. My Despatch to the Government of India of the 5th of January, No. 2 (replying to similar objections raised by the Government of Bombay), of which a copy was enclosed in my Despatch to your Excellency in Council of the same date, will have informed you that I did not conceive that the Circular in question was likely to produce the results which you apprehend, while, on the contrary, much benefit might follow from it, not only to the general administration of Forests in India, but to the particular Forests upon which the Inspector General will be thus enabled to offer advice, which he could not otherwise do.

3. I have given full consideration to the arguments adduced by your Excellency in Council to support the apprehensions which you entertain in regard to this Resolution, but I regard them as founded on a misunderstanding of the intention of Her Majesty's Government and of the Government of India.

4. Your Excellency in Council will perceive, by the accompanying copy of a further Despatch to His Excellency the Governor General of India in Council, that my approval of the Resolution is not intended to convey to the Inspector General of Forests any additional power of directing or controlling operations in the Forests of your Presidency, except in so far as the advice which he may offer to your Conservator is approved by your Government, and I observe that, in the reply to the Government of Bombay, the Government of India expressly states that it is desirous to maintain the legitimate authority and responsibility of the Local Governments.

5. In this view of the matter, I trust that your Excellency in Council will see that there is no intention of weakening your control over this Department, or any reason to fear that the interest of the local authorities in its efficient and harmonious working will be at all lessened by the direct correspondence of the Inspector General of Forests with the Head Forest Officer of your Government.

I have the honour to be,

My Lord,

Your Lordship's most obedient humble Servant,

12732

No 1153.

Proceedings of the Madras Government
Under Date the 4th July 1871.

Ordered that
Circular from the G
of India dated
September 1870 f
to Pub. Works Dep
Revenue Secretary, to
to G. of India 20 Dec 1870 No 2073 & then with the corr
to Sec. of State 20 Dec No 5 Mis. Ter.
from G of India to Bombay pendence on subj
G.M. 5 Dec 1870 No 747
in G.O. 28th Jany 1871 No 170 duly noted subject
from Secy of State 5 July No taken place in Re
in G.O. 3rd Feb 1871 No 235 - case sheets and

&c

Forwarded
18th Feby 1871

The
Letter to Secy of State
No 2

No 1153 - 4 July 71

Sent for Consideration

* You, invite all the correspondence
Council 27/6/71

Replying to despatch from
the Governor of Madras stating
the objections which the Circulars of
the Govt. of India, on the position
of the Inspr. Genl. of Irrigation in India
in regard to the Local Govts, is of no

Read 11th June 1871 in Bombay

Despatch of the
Secretary of State
of 18 May 1871 abse
-nceded to the Com=
-missioner of Forests
for information and
guidance

F.

with Enclosure

18 Letter Conservancy of Forests with 6 Encls
Decl 5

1830-31