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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

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Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
19th November 1875.

No. 231A. Read the following Proceedings of the Board of Revenue, dated 14th July 1875, No. 1,962, Forest No. 141 :—

Read the following papers :—

Proceedings of the Madras Government, dated 26th May 1875, No. 822, Revenue Department.

ABSTRACT.—Passing orders on the Memorandum submitted by the Officiating Inspector of Forests regarding the position which the Inspector of Forests should occupy towards Board of Revenue.

From Captain CAMPBELL WALKER, Officiating Inspector of Forests, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Ootacamund, 9th June 1875, No. 172.

IN accordance with the instructions conveyed in G. O., No. 822, dated 26th May, I have the honor to forward a memorandum containing my views as to the organisation of the Forest Department for submission to Government with the Board's remarks.

ENCLOSURE No. 1.

Memorandum on the Organisation of the Forest Department with reference to G. O., No. 313, *dated* 26*th February, and Board's Proceedings, No.* 912-54, *dated* 14*th April* 1875, *by the Officiating Inspector of Forests to the Government of Madras.*

IN their Proceedings quoted above, the Board assume that my memorandum on the control of forest working charges, dated 20th February 1875, "in reality deals with the whole question" of the organisation of this department, and the modifications necessary to render its working efficient and smooth. I am not at all prepared to admit this. The memorandum was written previous to the issue or receipt of the G. O. of the 26th February, and in it I merely express my views regarding what I consider the best mode of action *under existing arrangements*, studiously avoiding any remarks or proposals as to a change of that system on the merits of which I was not at the time called upon to offer an opinion. Now that I am called upon to do so by G. O. of 26th May No. 822, I regret to have to submit that those *existing arrangements* are not at all satisfactory, and that unless important changes and modifications are made, I see no hope of securing efficiency, progress, and a proper system of forest conservancy in this Presidency.

2. On my return from Europe and assuming charge of the Inspector's office, I was particularly asked by a Member of Council (Mr. Sim), who had always evinced much interest in forest matters, and my own professional career as a forester, to give the system, which had been introduced during my absence, a fair trial and not condemn it until I had done so. I can honestly say that I have done so, and have endeavoured in every way to the best of my ability to make it a success, even undertaking work which should properly have been done by others rather than that it should not be done at all, or done badly, and carefully suppressing any professional bias in dealing with Collectors of forest districts. I am glad to see that the Board acknowledge this in their Proceedings, and have to thank them for much consideration and support, although I cannot but record with regret that, wherever a question of importance as between a Collector and myself has arisen, their verdict has been invariably against me, notably in the case of the Forest Progress Reports, their proceedings with reference to which I have deemed it necessary to lay before Government.

3. For the first few months during which I was in charge I was sanguine of success, and believed and hoped that the system of Collector-Conservators, as introduced by G. O., No. 148, of 24th January 1872, might be made to answer, and that those officers and the Board would not resent

expressions of opinion not in accordance with their own, would leave professional matters almost entirely in the hands of the Inspector and the Deputy Conservators, and facilitate rather than repress the free interchange of communications on forest subjects and references to the professional head of the Department. (The Board now remark in paragraph 3 that the Inspector is in no sense the Head of a Department, although in Proceedings, No. 670-19, of 29th April 1873, they expressly allude to him as such). Experience has taught me that I was mistaken, that some Collectors resent any advice or expression of opinion even on purely professional points, and object to the Deputy Conservator having any communication with the Inspector; in fact, that the Inspector, in tendering advice unless specially asked for it, lays himself open to misconstruction, and to being told by the Board that his remarks, made in all good faith in the interests of the Department, are "most objectionable," and that his interference was "justly resented."

4. Finding all this, and after visiting almost every forest division in the Presidency and noting the chaos which prevails, the apathy of some Collectors, and the "meddling and muddling" of others in forest matters, I was reluctantly obliged to tell Mr. Sim, what I now consider it my duty to tell the Board and Government, that the present system is a failure, and that, so far as my judgment goes, it is never likely to be otherwise so long as non-professional Collectors are placed over professional Forest Officers, deadening all departmental zeal on the part of our best officers, and interposing a shield betwixt those who are lazy or inefficient and the legitimate head of their Department, who can neither praise nor condemn without being liable to be accused of undue interference, and "assumption of authority" over the Collector's subordinates.

5. I proceed to note as briefly as possible what I consider the evils of the present system, and how I would propose to remedy them without interfering with the Collector's prerogative of general supervision as head of all the Revenue establishments and general custodian of Government interests in his district.

6. The chief merit claimed for the present system, and which the Board say is "essentially required in the interests of the people," is the amalgamation of the forest with the land revenue administration, or what is generally known as *the* Revenue Department. The Forest Department in this Presidency has always been considered a *branch* of the Revenue Department, and I have invariably endeavoured to maintain this position in dealing with the local Revenue officials and the people in whatever district I have served. The Collector is the district head of this department which comprises the Revenue Survey, Salt, Abkári, &c., and, as such, the District Forest Officer is his subordinate. Any further amalgamation in the strict sense of the word I consider a Utopian idea, and can vouch for it that there is no further amalgamation now than there was three years ago. A Forest Officer of whatever grade is a Forest Officer, as distinct from a Revenue Officer, still, and I should say will ever remain so, unless the Department cease to exist, and a system of local or jungle conservancy with all its abuses replace it. We cannot make a Forest Officer into a Revenue Officer unless we amalgamate the services and invest the former with powers equal to those of the latter. No native will regard a Forest Officer, no matter with what amount of experience and standing in the Department, as a Revenue Officer when he has neither Revenue nor Magisterial powers, and his orders on any subject are liable to be reversed by the Assistant or Deputy Collector of a few months' standing, invested with all the position and powers of a Revenue and Magisterial officer. The same applies to the lower grades. No orders of Government, Proceedings of the Board, or notices of the Collector, will ever make the people regard the Forest Overseer in the same light as a Deputy Tahsildar, any more than they do the Public Works Department Overseer, Inspector of Police, or Surveyor, although they might, and would, if things were properly managed, learn to look upon him as the local or taluq officer to whom they had to look in all matters relating to their timber and fire-wood supply, or grant of forest lands for cultivation, in the same manner as they look to the Public Works Department Overseer to repair the tanks and roads and arrange for the supply of water, the Police Inspector to prevent and detect crime, &c., &c. It must not be supposed either that Forest Officers wish to be

Proceedings of the Madras Government, Revenue Department,
19th November 1875.

considered Revenue Officers in the strict sense of the word. They are, or were, proud of being Forest Officers, and I am sure that any of the trained men from whose ranks the Department is henceforward to be recruited would experience no small amount of chagrin if, on arrival, he were told that he was a *Revenue* and not a *Forest* official. Forest Officers have naturally claimed some power in their forests co-ordinate with those of a Revenue Officer in his fields, but it is far from their wish, and not at all in the interests of the Department as a scientific branch of the service, that they should be made part and parcel of the Revenue Department. Nor is it advisable in the interests of the people; I regard it as quite the contrary. Under the system of Collector-Conservators the people have lost the only safeguard they had against undue restriction of their privileges and oppressive action on the part of the forest subordinates, which, whilst I consider it was much more rare than was represented and supposed, *may* occur on the part of inexperienced or thoughtless employés. Things have been done with regard to the people's rights and privileges since the so-called amalgamation of the Department which, had they been done prior to 1872, would have called forth the just protests of the Collector and the Board, but the former is now *interested* in forest matters, and the Board support their representative at all hazards. Whether the people benefit is, I think, open to question. The very case quoted by the Board; at the conclusion of their Proceedings under consideration is an instance in point, for, as I shall show later on, the villagers are not at all satisfied with Mr. Puckle's forest arrangements in Tinnevelly, and, had they not been the Collector's instead of the Forest Officer's, they would long since have been stigmatised as illegal and oppressive and summarily annulled. Truly, as has been said, the people "find the Collector's little finger thicker than the Conservator's thigh," but whether they like it better for being thicker, or we benefit in the long run, is, in my opinion, doubtful. They bow to the rod for the time as it is the "Collector's hookum," but appeal whenever a new man comes to the district, and the Forest Officer has to cancel his orders, and see his operations often undertaken against his own wish, rendered null and void.

7. It has also been claimed for the existing system that it would save office work, secure the aid and cordial co-operation of the district, taluq, and village officials, and generally facilitate the prompt despatch and execution of forest business. I regret to have to state that I fail to find proof of any of those results having ensued, or being likely to ensue, from the re-organisation of 1872. Forest Officers, one and all, complain of the increase of office work, which a comparison of their office records renders apparent, of the utter want of co-operation on the part of village and taluq officials, and the apathy of the divisional officers. This brings me to one of the most fatal objections to the present system: several Sub-Collectors and divisional officers have represented to me that, whereas formerly they were consulted and took an interest in forest matters in their divisions, now they are not. The Forest Officer comes into their taluqs as the Collector's representative and does what he likes. As one very able officer (a Sub-Collector) recently remarked to me: "I shall continue in complete ignorance of the very rudiments of forestry and forest management until I get a district, when I shall develope into a heaven-born Conservator of Forests and be considered competent to instruct and criticise Forest Officers with the education and experience of years to guide them." No more telling criticism on the existing arrangements could have been uttered by the most violent and biassed adherent of a scientific Forest Department.

8. Forest work and correspondence has certainly not been facilitated by the change of system; on the contrary it is much delayed owing to Forest Officers having to write to the Collector, who refers to the Board, who consult the Inspector by a Proceedings, and, on receipt of his reply, again "proceed." It may readily be imagined what delay and inconvenience results from such a system of circumlocution as compared with direct correspondence betwixt the Forest Officer and the Head of his Department. The duties of both the Board and Collectors are so multifarious that it often takes months before a reference is disposed of. This delay in forest matters is a most serious drawback.

9. As regards the accounts, we have the testimony both of Mr. Lushington and Mr. Lodwick (G. O., No. 413, 13th March 1875) that "the old system is preferable," and I cannot consider the Board's explanation in their Proceedings, No. 73A.-1,159, of 5th May, at all satisfactory, considering that they admit that "there are always about three months' bills instead of one month's in arrears," and that the amount remaining unadjusted is *Rupees* 1,50,000 against an average amount of *Rupees* 30,000 under the old system. There can be no real control or check of expenditure under such a system, and I can testify that there is none. As I have dealt with this subject fully in my memorandum recorded with the Proceedings under consideration, I shall not enter into detail here.

10. In other respects, such as appointments, promotion, and transfer of subordinates, all is confusion, and our employés are everywhere losing heart. There is really no administrative head of the department directly responsible to Government for its working and interior economy; "all is confusion and mismanagement." I do not for a moment suggest that the Board and Collectors do not do their best. I have the greatest respect for the former as a consultative body, and my relations with the latter individually are most cordial; but their duties are already almost overwhelming, and both the Secretary to the Board (Mr. Grose) and many Collectors have confessed to me that they did not understand this forest business and its details, and found there was much more work connected with it than they had imagined.

11. The Board now propose that all the patronage and power should rest with them, and that the Inspector should be "entirely subordinate" to them. As I have already stated, I do not think it possible that a professional officer of experience and standing in the service can continue to perform zealously the duties of *Adviser-General* in forest matters if he has no power or control over operations and expenditure, and can neither sanction nor veto any work, or the appointment of the lowest forest servant, which he sees left in the hands of a non-professional Board and ever-changing Collectors with varying views. A perusal of the District Inspection Reports which I have submitted since assuming charge will show how much requires to be done, and how little has been done with reference to them. I submit respectfully that one cannot go on taking so much trouble and interest in the work with such very poor results, mainly attributable to the want of knowledge on the part of those who are alone in a position to issue the necessary instructions which, throughout the rest of the Empire, is the duty of the Conservator as administrative and professional head of his department.

12. The Board's proposals, I regret to say, appear to me to amount to this: That the Inspector is to do all the real work, inspect, compile returns, advise and suggest, whilst they retain all the power and patronage, and are in no way bound to accept his opinions even in professional matters! I confess that such a position has been and would be to me, and I think to any officer with any self-respect, most unpleasant, if not unbearable, and that I do not think it is one likely to ensure good results, or in which Government would do well to place any officer in whom they repose trust.

A servant is worthy of his hire, and I do not think that the mere salary of the Inspector, which is inadequate, and below that of any other Government officer in a similar position, constitutes all the hire to which he is entitled; power and position, the entire trust of Government in matters which one has made a special study, and is anxious to work out to a successful issue, count for much in my eyes, and I doubt not in those of others.

13. The Board state (paragraph 5) that the position which they would assign to the Inspector would be "somewhat similar" to that assigned to the Inspector-General of Forests, Government of India; but there would be this important difference, that, whereas the latter has to deal with officers of his own department as Conservators, and with the Supreme and Local Governments, the former would have to deal with Collectors, *i.e.*, officers of another service, and be subordinate to a Board of non-professional officers drawn entirely from that service, and who, it is natural to suppose, retain some predilections in favor of that service, however much they may endeavour to repress them, as I am sure they do, in the interests of the State.

Whilst I consider that the head of the Forest Department should work in accordance with the wishes of the Board in all matters of general administration, I should be sorry to see him made their subordinate in all matters. In the same manner I think that both he and the District Forest Officers should be guided by the wishes of the District Collector in initiating and working out all forest conservancy projects which affect in any way the rights, customs, or privileges of the people; but, as regards points of departmental detail, forestry, and interior economy, I think they should be entirely on an independent footing.

14. I do not, therefore, hesitate to recommend that the title of Conservator as applied to Collectors should cease. I can find no good grounds for its ever having been assumed beyond a mere suggestion in paragraph 6 of G.O., No. 148, of 24th January. Collectors have never been gazetted as Conservators, and it is unusual to assume titles not formally granted. The Collector should certainly be the *Conservator* or guardian of the forests in his district, as he is of all State property in it, but the use of the word in its technical or departmental sense is, I think, a mistake. As well might the Collectors be styled Deputy Superintendents of Revenue Survey, District Engineers, or Superintendents of Police! The professional head of the department should be *the* Conservator, and perform the duties of that office subject to the approval and orders of Government and, in some matters, of the Board of Revenue.

15. District Forest Officers should, as regards the Collector and the Conservator, be placed on a footing identical with what has proved so successful in Bombay, and is analogous to that of the District Superintendent of Police with regard to the District Magistracy. Under this system, the District Forest Officer would be entirely subordinate to the Collector as regards the initiation of all forest conservancy operations and their application, wherever or whenever the rights of the people or the general policy of administration is concerned. It would be the duty of Collectors, in communication with the Conservator and Revenue Board, to say what forests should be classed as State reserve, and what communal or village forests should be placed under the charge of the Special Department. When a forest had been constituted a State reserve, or placed under charge of the Department as a communal or unreserved tract, the duties of the Collector should all but cease; but he should be held responsible in the case of the forest officials encroaching on the rights of the inhabitants of neighbouring villages, or sacrificing those rights to individuals, the Forest Officer remaining entirely under his orders in such matters. The Collector would also be authorised, as Head of the Revenue Department in his district, to interfere in cases of gross mismanagement, abuse of power, neglect of duty, &c., on the part of the forest officials, reporting having done so to the Board and Conservator. All correspondence not of a purely professional character betwixt the Conservator and his Deputies should pass through his office, and the bills for establishments and working charge be checked in his District Treasury, and any items which he considered open to objection brought to the Conservator's notice. The District Forest Officers should be responsible for the tracts handed over to their charge to the Conservator alone, and that officer should be held solely responsible for the technical working and interior economy of the Department. All appointments, dismissals, removals, &c., must lie with him as they do with the Inspector-General of Jails or Police. The forest establishments should be at the Collector's disposal, as the Police are at the disposal of the Magistrate, but there should be no interference in professional details, nor meddling with the disposition of the *personel* and material of the Department by the Collector.

16. I would, in short, adopt the system and rules in force in Bombay with certain modifications as to correspondence on purely professional matters, &c., which appear to me necessary and unobjectionable. The rules which I submit are taken from paragraph 10 of Mr. Brandis's report recorded with Resolution Nos. 142-4F, dated 23rd February 1871, of Government of India, Public Works Department, to which I would respectfully request careful attention.

17. By the adoption of some such system only do I think that we shall ensure efficiency and real progress in a Department henceforward to be recruited by trained officers sent out from Europe, who, under the present system, find themselves placed under one non-professional Collector to-day and another to-morrow, and quite cut off from, and kept in ignorance of, the doings of

their departmental *confértes* in other districts and provinces and deprived of the advice and support of the professional head of their Department.

As demarcation, which I hope will soon be commenced on a well-considered system, progresses, their attention will be more and more concentrated on the reserves and their purely professional duties, those of the Collector, with reference to forest matters, decreasing in proportion. Meanwhile, I fully endorse the remarks of the Government of Bombay that "it would not be possible to dispense with his assistance, and that of the numerous class of officials under his control."

As our operations and revenues increase, it will probably be found necessary to have two Conservators in this Presidency as in Bombay. Meanwhile, one with a travelling or inspecting deputy to help him should suffice.

18. In conclusion, I must refer to paragraphs 13 to 15 of the Board's Proceedings of 14th April, in which the Board suggest for adoption a system which has long since recommended itself to Forest Officers in this country, and is indeed the *rule* sanctioned by Government in this Presidency. The difficulty which has been experienced in India as in Europe, is the definition of what are communal or village forests, how can we prevent the interests of the community being sacrificed to that of the individual more awake to his own interests, more unscrupulous, or more powerful than his neighbours, and prevent the communal property being destroyed and recourse rendered necessary to the property of other communities or the State reserves? These questions have only been solved in Germany and France by placing the communal, and, in some instances, even the private forests under State management, and delivering to each community or individual the legitimate yield of the forest each year or term of years. We have not arrived at this yet in India, and, in my opinion, we have still a considerable margin to go upon; but so far from Forest Officers *disliking* such a course, it is one of the crying wants of the Department, with regard to which our best officers from the Himalayas to Cape Comorin have never ceased during the past ten years calling for a definition (*not confiscation*) and settlement on an assured basis. What we do object to is uncertainty and diversity of action, by which a tract is classed as a village or free jungle to-day and a Government Forest to-morrow, and *vice versa*, according to the views of the Government, the Board, the Chief Commissioner, or the Collector of the day.

19. In the instance referred to by the Third Member (Mr. Puckle), I would refer the Board and Government to my Inspection Report of the Tinnevelly District, paragraphs 5—8, recorded with G. O., No. 1,380, of 30th October 1874. I think highly of Mr. Puckle's plan, and am convinced that to him, looking at it through a Collector's eyes, it appeared a success, and that Tahsildars and village officers took pains to make it appear so when the "big gentleman" visited the spot; but his action was illegal, (*i.e.*, not sanctioned by any law or enactment), and was not even the result of any careful inquiry and registration of claims in detail. On a former occasion (1870-71), on his quitting the district, it was completely upset and ignored on account of its illegality by the Sub-Collector in charge of the division, who did not deem *expediency* sufficient to justify him in upholding Mr. Puckle's measures. I can see no reason why the same should not recur to-morrow, if indeed it has not already happened, and I *know* that what Mr. Hayne, a most energetic and painstaking officer, objects to is not the fact that "the area of his charge is reduced" or that he is "restricted to the conservancy and management of strictly reserved tracts," but that Mr. Puckle's orders are not really carried out as he would wish, that the village kavilgars are not attentive to their duties, and that the villagers are no more contented than they were before. To this being the case I can vouch from my personal inspection. I found cases of forest depredations and cattle-grazing far beyond the limits which Mr. Puckle had assigned, and which I consider as a rule too limited. I rarely found the kavilgars at their posts, they complained bitterly of the inadequacy of their salary, and the same villagers who "flocked to the work" of clearing the boundary paths for Mr. Puckle and whom he represents as "quite contented" flocked to me, deeming, erroneously, that I had some power to complain of the restrictions which he had placed upon them, and of the circumscribing of the limits of their pasture and privileges of devastation! I have no doubt that to Mr. Puckle they expressed the "greatest satisfaction" with his measures; to myself and Mr. Hayne in his absence, they expressed quite the contrary opinion.

20. This is but natural, and we shall never, I am convinced, arrive at a satisfactory solution of the difficulty until we proceed to define and settle Communal and State rights systematically and *legally*, and are prepared to uphold such settlement steadfastly. This has been done on the Continent of Europe where the people now appreciate its advantages, and the work is progressing steadily in Bombay and other parts of our Indian Empire. It is the first step towards efficient and thorough forest conservancy, and should be the aim of every Forest Officer in India at the present day.

OOTACAMUND,
8th June 1875.

(Signed) C. WALKER, Captain,
Offg. Inspector of Forests.

ENCLOSURE No. 2.

Draft Rules for the Administration of the Forest Department in the Madras Presidency.

THE Administration of the Forests is a branch of the Revenue Administration, and is placed, subject to the following restrictions, under the control of the Conservator of Forests. The position of the District Forest Officers to the District Collector is analogous to that of the District Police Officer to the District Magistrate.

2. All orders of a professional character relating, for example, to felling, planting, and other operations, will emanate from the Conservator, but are to reach the District Forest Officer through the Collector. If the latter sees any reason to object to them, he can do so, and differences of opinion between him and the Conservator, which cannot otherwise be settled, are to be referred to the Revenue Board, and, if necessary, to Government. The Conservator will be at liberty to communicate direct with District Forest Officers for the collection and dissemination of scientific or professional knowledge.

3. In like manner all correspondence between District Forest Officers and the Conservator, including bills for travelling allowance, periodical reports, estimates, &c., are to be sent through the Collector, who will make such comments as he may deem advisable.

4. The Collector is not as a rule to issue orders to the District Forest Officer direct; but, in the event of his deeming it necessary to order him to proceed to a particular locality, or to take special action in any forest matter, he may do so, taking care to send a copy of such order for the information of the Conservator.

5. The Conservator is to be the controlling authority in all matters of patronage in the subordinate branches, and in all matters of departmental discipline.

6. The control of forest expenditure rests with the Conservator, subject to the approval of the Revenue Board and Government. The Conservator may sanction expenditure on any one work up to Rupees 500 and the Revenue Board up to Rupees 5,000, provided that funds are available in the budget grant. Conservator may make any transfers of funds sanctioned under major head "B, Conservancy and Works," in the budget, intimating the same to Government through the Revenue Board (or Accountant-General).

7. An annual plan of forest operations is to be prepared by each District Forest Officer, and forwarded through the Collector to the Conservator. The Conservator will in like manner submit through the Revenue Board a sketch of proposed operations in the several forest divisions or districts for the information and orders of Government.

8. The Conservator shall submit "tour notes" or "inspection reports" on the forests visited by him. These tour notes shall be addressed to Government, but pass through the District Collector and Revenue Board for any remarks or suggestions which they may have to offer.

N.B.—Pending the definition and settlement of State reserves and communal forests, the question of the relations in which Forest Officers are to stand towards Collectors hardly admits of being defined by precise rules. Much must necessarily be left to the good sense of the officers concerned, and the Government confidently confide the working out of the above rules to the Board of Revenue, District Collectors, and Forest Officers' "good sense" and mutual co-operation.

(Signed) CAMPBELL WALKER, Captain,
Officiating Inspector of Forests.

8th June 1875.

ENCLOSURES Nos. 3 and 4.—Papers connected with re-organisation of Bombay Forest Department.

From Captain CAMPBELL WALKER, Officiating Inspector of Forests, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Ootacamund, 23rd June 1875, No. 205.

WITH reference to Proceedings, No. 98-1,458, of 31st May 1875, (enclosure returned,) calling on me for an expression of opinion "as to the feasibility of allotting hill-side grazing grounds and fire-wood jungles to the villages at the foot of the hills," I have the honor to report that, whilst I consider the definition and settlement of what are State and what are communal forests, and a registration of the people's rights and privileges in both is the first step towards a system of proper forest management, I do not think it is either feasible or advisable to attempt it until we have a forest law, and rules passed thereon, including a complete set laying down the procedure to be followed in selecting, demarcating, and settling the forests of each class.

2. I have already, in my memorandum of the 8th instant, paragraphs 18 to 20, submitted my views as to Mr. Puckle's efforts in this direction in Tinnevelly. I consider the idea excellent in theory, but that in practice it has hitherto proved a failure, mainly because our action is by many considered illegal; we have no power to enforce the restrictions or local rules made, and there is no systematic procedure prescribed or carried out.

3. I enclose, for the Board's information, copy of rules drawn up in 1869 by the Collector of Salem and myself for the demarcation and settlement of boundaries of reserved forests in that district. These rules are based on those in force in Mysore and other Provinces, in which steady progress is being made with regard to the selection and definition of State and communal forests.

4. They were never really acted upon in Salem, partly because I left the district shortly afterwards, but mainly because it was felt that without an Act giving them the force of law, if approved of by the local Government, their provisions could not be legally enforced. The system, however, which they prescribe was ordered to be adhered to in selecting the Gingee fire-wood reserves in the South Arcot District, but I do not believe that Mr. Cadell ever carried it out.

5. In the Madura District in 1870-71 I marked off tracts for free felling, the boundaries of which were published in the District Gazette with the approval of the Acting Collector (Mr. J. R. Arbuthnot), but I do not believe the limits were ever strictly adhered to, and I would not now attempt such a measure unless supported by an Act, and after a most careful settlement and registration of rights and privileges village by village.

6. I think the whole matter should be laid before Government, and that this most important point, and that of the administration and control of the Forest Department generally, might with advantage be referred to a mixed committee or commission of Revenue and Forest Officers for careful inquiry and report. Meanwhile, we cannot be too careful to keep strictly within the law.

ENCLOSURE No. 1.—South Arcot Collector's Draft Forest Rules.

ENCLOSURE No. 2.—Notice regarding demarcation of reserved forests in Salem District.

SUBMITTED to Government, with reference to G. O., dated 26th May 1875, No. 822.

2. The Board have carefully considered Captain Walker's further memorandum on the organisation of the Forest Department. His arguments have been for the most part urged before. They point to the re-establishment of the Forest Department as a distinct one under the control and administration of a separate head; and, under his proposals, direct action of the Revenue Officers in its working would hardly be necessary.

3. The Board admit that theoretical and abstract considerations of great weight can be urged in support of Captain Walker's views. Forest administration requires special knowledge and special training of a kind which justifies its claim to the title of a professional pursuit, and would on this ground be rightly constituted, as other branches of the administration requiring similar knowledge have been, a separate department under a separate head, responsible to Government alone.

4. But administrative action in forest and jungle tracts in the present circumstances of this country comprises much more than mere forest management and working, and it is from the necessities of mere forest management that Captain Walker's arguments derive force. In his view they constitute the more important part of the question; in the Board's view they must, in present circumstances, be subordinated to other considerations.

5. The Board, of course, refer to the fact that important, though indefinite, rights are possessed by the people, and have been exercised for long years in most of the forest tracts; that these rights are of vital interest to their prosperity; and that consequently the Forest Department and administration must be subordinated—at least until due security is obtained that communal and other privileges shall be respected—to the Revenue authorities, who are better acquainted with rights and privileges and with their importance, and who are more likely to treat them with the necessary consideration than Forest Officers. The latter naturally look to revenue, and, in securing this, may be led to overlook other considerations.

6. At present, the Forest Department proposes to deal with all, or almost all, tracts of forest and jungle in the plain country, and to control and restrict felling over wide areas, encumbered in every direction with communal rights. Their peons and tannadars are ubiquitous, and legitimate forestry is but a small portion of what is expected of the Forest Officers. Such control and regulation of rights as it is necessary or advisable to exercise in the plain country or in the immediate vicinity of habitation and cultivation must be in the hands of Collectors; and, until provision is made for the definition of the area to be confided to Forest Officers, it will be premature to entertain proposals for the separation of the two departments.

7. The Board would gladly see the separate department reconstituted and entirely freed from external control, if the tracts with which it was to deal were defined and demarcated for reservation as State forests. But until this process is completed, which it cannot be until systematic operations have been carried on for a considerable period in every district, the Board are decidedly of opinion that the reconstitution of the separate department would be inexpedient.

8. Captain Walker allows that the co-operation of the Revenue Officers is indispensable in the very difficult and tedious work of demarcation of forests and definition of forest rights. This, as he truly says, is the first requisite of forest conservancy in this Presidency. The principle of the arrangements made last year in Tinnevelly is that for which Captain Walker contends; and, though there may be a difference of opinion as to the details of the arrangements made, the Board are convinced that it is sound, and that it must be carried out in practice under the immediate control of Collectors.

9. The Board are, therefore, of opinion that until forest tracts are demarcated and forest rights are defined, the District Forest Administration should remain with the Collectors, who have the aid of the District Forest Officers for forest working properly so called. They have admitted that change is necessary in the central administration with a view to give coherence and uniformity to the system, to regulate promotion among the subordinates, and to utilise the knowledge, professional and practical, of the Inspector of Forests. It is probably unnecessary for the Board to disclaim desire to obtain for themselves the patronage of the subordinate grades ; this is one of the matters which, under the scheme they have proposed in their previous Proceedings, would be practically left to the Inspector. Captain Walker's arguments are directed against the system as it is, and not against the remedies which the Board have proposed for evils admitted to exist. The Board are of opinion that there is no alternative between the reconstitution of the Forest Department as a separate department and its subordination to the Revenue Department ; and, for the reasons stated, they prefer for the present the latter course, under the arrangements already suggested by them in Proceedings, No. 129-1,844, dated 3rd July 1875.

10. In paragraph 9 of his memorandum, Captain Walker cites the opinions of Messrs. Lushington and Lodwick, Accountants-General, that the old system was preferable as regards accounts. But this refers merely to a point of detail, *viz.*, whether Forest Officers are to be supplied with funds for working expenses by means of permanent advances or by credits, and has nothing whatever to do with the organisation of the department

11. Captain Walker suggests that the question of forest demarcation in this Presidency should be referred to a specially constituted Committee for report. The Board approve this suggestion and recommend that it be carried out, and that the question of the organisation of the department be referred to the Committee for consideration at the same time. The two questions are, in the Board's opinion, intimately connected.

(A true Copy and Extract.)
(Signed) H. E. STOKES,
Acting Secretary.

Proceedings of the Madras Government, Revenue Department,
19th November 1875.

No. 231B. MINUTE BY THE HON. W. HUDLESTON.

As Secretary to the Board of Revenue and Revenue Secretary to Government, I have been intimately connected with the discussion of this forest question from the time that Dr. Cleghorn suggested rules to Mr. E. B. Thomas, as Collector of Coimbatore, down to the re-organisation of the Forest Department in 1871-72, for which change I was, in great measure, responsible, having framed the proceedings and urged their adoption under a very strong impression of the mischievous manner in which forest matters generally were drifting, the rights of the people utterly ignored in favor of departmental considerations, and close supervision of local operations become impracticable.

I must, however, confess that I am not now disposed to contend for maintaining in its integrity the system that was then introduced ; for I cannot but perceive that, while the scientific administration of our Indian forests is becoming rapidly more and more a matter of State importance, the result of the 1871 reform has been to subordinate science in many instances to hobbies and generally to comparative ignorance of the special subject, while I am by no means satisfied that the rights of the people cannot be as well guarded under a system which shall be worked by the specially-trained officers as they are under the present one.

In the G. O. of 26th February 1875, No. 313, Revenue Department, the Board of Revenue were requested to prepare a set of rules on the basis of those set forth in paragraph 10 of the Bombay Forest Re-organisation Resolution, dated 6th August 1870, No. 3,757, Revenue, and in the Minutes of His Excellency the late Lord Hobart and of His Excellency Sir F. Haines on the subject, attention was desired to be particularly drawn to Nos. 2, 4, and 5 of the Rules therein prescribed.

I briefly quote the purport of the Bombay Rules :—

(1.) Subject to following restrictions District Forest Officers subordinated to Collectors in all forest matters.

(2.) *Conservator* to issue to District Forest Officers *through* Collector all orders of a technical character, as, *e.g.*, felling, planting, &c., Conservator responsible for economy of working. Differences of opinion between Conservator and Collector on above orders may be submitted to Government through (Revenue Board) Commissioner.

(3.) All correspondence between District Forest Officer and Conservator, including travelling allowance bills, periodical reports, estimates, &c., to be sent through Collector who may comment.

(4.) Collector *not* to issue orders direct to District Forest Officer on forest management, but may send to particular locality, informing Conservator.

(5.) Conservator to control patronage in subordinate branches and departmental discipline.

(6.) District Forest Officer to prepare and submit, through Collector, to Conservator annual plan of forest operations. Conservator in turn to submit to Government through Board (Commissioner).

(7.) Existing rules maintained for—
Providing funds.
Obtaining sanction.
Rendering accounts.

In disposing of the Bombay proposals, the Government of India observed that the Conservator should be kept regularly informed of all orders on forest matters issued by Government, the Revenue Board, and Collectors ; should be made acquainted with all business passing between Collectors and District Forest Officers ; and should be consulted on all forest business coming before Government or the Revenue Board.

I need scarcely say that at present in this Presidency the Conservator occupies a very different position from that contemplated by the Bombay Rules or the Government of India order on them.

I may, however, also note that before our re-organisation in 1871, he was in an equally different position but in the opposite extreme.

Formerly, he was practically uncontrolled in the administration of forest matters (and his subordinates were equally so, for he could not supervise them in detail).

Now he is almost absolutely severed from the administration of forest matters (and the District Forest Officers have a local master in every Collector).

The fact is we have gone from one extreme to the other.

Formerly departmental considerations were alone regarded.

Now I suspect they are almost ignored.

I do not think that the Board's present proposals will suffice to set the balance right.

The Draft Rules which they have submitted in reply to the G. O. of February last prescribe that—

The administration of the forests shall be in the hands of the Collectors, subject to the Board of Revenue, and the District Forest Officers shall receive orders from the Collectors alone.

The Inspector of Forests shall be subordinate to the Board of Revenue, and regulate his tours under their orders, his functions being mainly inspection and advice. For collection and dissemination of professional information he may communicate direct with District Forest Officers, and, in purely professional matters, may issue instructions to them through the Collectors, who, however, shall be at liberty to suspend their communication pending reference back to the Inspector, or, if necessary, to the Board.

All periodical reports of Collectors shall reach the Board through the Inspector.

When on tour in a district the District Forest Officer shall be placed by the Collector at disposal of Inspector, who may give instructions to him on the spot, which shall be entered in "Tour Notes" and communicated to the Collector through Board; but if involving immediate action shall be communicated direct to Collector, who shall have power to countermand them as above.

Collectors shall frame annual plans of operations for disposal by Board in consultation with Inspector.

Financial control and audit shall rest with Board; Collectors responsible for departmental discipline.

Subordinate patronage shall rest with Board.

In his memoranda of 17th September 1874 and 20th February 1875 on the forest finance question, Captain C. Walker has pointed out that the Government of India's Resolution on the Draft Forest Manual (G. O., 18th August 1874, not in the papers circulated) lays down that the Conservator should have full control over the outlay for conservancy and working, the audit of expenditure being in other hands.

But in G. O., 17th October 1874, this Government observe that accounts of working expenses and proposals for such expenditure should pass through his hands between the District Forest Officers and Collectors and the Board, and that accounts involving fluctuating rates and the like should go to him for "check and remark."

Captain C. Walker on this remarks that the Inspector has not yet been subordinated to the Board; that he has no power of *check* which involves sanction or disallowance of charges; and that an officer in this position can scarcely be expected to continue offering *remarks* which carry no weight.

He states his opinion that Collectors have neither the time nor the knowledge requisite to enable them to check forest expenditure and sanction or disallow forest estimates.

And he proposes to meet the difficulty under the present system by transferring the Inspector with his office to the Board and making him their representative in forest matters. He gives details of the proposed arrangement, which he does not consider would hamper inspection.

The Board, while cordially acknowledging the assistance they have constantly received from Captain Walker and his interest in forest matters, object to his proposal as being tantamount to placing the District Forest Officers and Collectors in forest matters under his orders, and so reconstituting the old special department and intensifying its evils.

They admit, however, that at present there is a want of system and coherence in forest administration and of central control under the direction of special knowledge, but they are entirely averse to any change which would tend to again sever the forest administration from the general revenue administration of the country.

The remedy for acknowledged evils can, they think, best be attained by making the Inspector entirely subordinate to the Board and discontinuing his direct relations with Government.

His memoranda on important questions would be recorded in the Board's Proceedings, but all orders would issue under signature of the Board's Secretary.

His tours would be arranged under instructions from the Board, to whom he would report results, sending the report through the Collector of the district concerned for transmission to the Board with his own remarks, the Board reserving the option of submitting these reports to Government or not.

On purely professional matters, as regulation of working and felling, measures of protection in reserved forests, preparation of timber for market, formation of depôts, care and management of plantations, the Inspector might issue instructions through the Collectors, who should have discretion as to issuing them without reference to the Board.

On tour, Inspector might give instructions under limitations as in Draft Rule.

And for collection and dissemination of professional information might communicate direct with District Forest Officers.

Financial control should remain with Board, who would avail themselves, when necessary, of Inspector's professional knowledge.

On 9th June 1875 Captain Walker submitted to Government his remarks on these Proceedings of the Board, premising that his previous suggestions had, for their object, to make the best of the present system, and not at all as indicating the system which he thinks best.

He states that after loyally endeavoring to make the best of the present system, he is forced to the conclusion that it is a failure;

that it entirely fails to secure any closer amalgamation of forest with revenue administration than the former system did, and that it is by no means advisable that the amalgamation should be so close as to practically annul the privilege of appeal to the Collector;

that it has resulted in great increase of office-work;

that it has deprived *divisional* Revenue-officers of interest or power of co-operation in forest matters;

that it has been accompanied by utter want of co-operation on the part of village and taluq officials (who, I suppose, now assume that they have no concern in what is administered by the Collector through his District Forest Officer);

that it has entailed great delay and circumlocution in the disposal of forest questions;

that under it there is no real control or check over expenditure, and can be none; and that matters of appointments, promotion, and transfers, are in utter confusion to the great discouragement of the employés, there being really no administrative head of the department.

As regards the Board's proposal, he submits that it would make the position of any professionally-qualified officer of standing and experience intolerable and unworthy of an officer deserving of trust; and he refers to his district inspection reports as showing how much there is needing to be done and how little is or can be done under the present system.

He proposes that Collectors should no longer be considered or styled Conservators, except in the sense of guardian of forests as of other State property;

that the professional head of the department should again be styled and regarded as Conservator in the technical sense;

that District Forest Officers should, as regards the Collector and Conservator, be placed on the footing which works so well in Bombay, and which is analogous to that of the District Superintendent of Police with regard to the district magistracy (I do not think this analogy is quite borne out); and he submits draft of rules based on those in force in Bombay,

modified as regards correspondence on purely professional matters, and which appear to have been drawn by Dr. Brandis, and recorded with a Resolution of Government of India in Public Works Department, dated 23rd February 1871.

Under this system, wherever or whenever the rights of the people or the general policy of administration are concerned, the District Forest Officer would be entirely subordinate to the Collector as regards the initiation of conservancy operations and their application.

It would be the duty of Collectors, in communication with the Conservator and Revenue Board, to decide what forests should be classed as State reserves, and what communal or village forests should be managed by the Forest Department. The duties of the Collector in connection with such tracts would cease, except in so far as regards maintenance of communal rights, in respect of which the District Forest Officer would remain entirely under his orders. He would also retain power of direct interference in cases of gross mismanagement, abuse of authority, neglect of duty, and such like *laches* on the part of the District Forest Officer and subordinates notifying his proceedings to the Board and Conservator. All correspondence between the Conservator and the District Forest Officers, not on purely professional matters, would pass through the Collector's Office, and establishment and working charges would be checked by his Treasury Deputy, objectionable items being brought to the Conservator's notice.

The District Forest Officers would be responsible to the Conservator alone for all tracts entrusted to their administration, and the Conservator alone would be responsible for the technical working and interior economy of the department.

Departmental patronage, including appointments, removals, transfers, promotions, would rest with him.

By some such system only does Captain Walker consider that a department which is gradually coming to be constituted of professionally-trained officers sent out from England can be satisfactorily worked.

The rules themselves prescribe as follows :—

The administrations of the forests is a branch of the Revenue Administration, and is placed under the control of the Conservator of Forests subject to the following restrictions. District Forest Officer's position relative to Collectors of districts will be analogous to that of District Police Superintendent to District Magistrate.

All technical instructions will emanate from Conservator, but reach District Forest Officer through Collector who can, at pleasure, object and refer to Board of Revenue.

Conservator may communicate direct with District Forest Officer for collection, &c., of professional knowledge.

All correspondence between District Forest Officer and Conservator, including travelling allowance bills, estimates, periodical reports, will pass through Collector who is at liberty to comment.

As a rule, Collector is not to issue orders direct to District Forest Officer, but if necessary may direct to proceed to particular locality or to take special action in any forest matter, sending copy of order to Conservator.

Conservator shall control subordinate patronage and departmental discipline.

Conservator shall also control forest expenditure subject to approval of Revenue Board and Government.

District Forest Officer shall prepare annual scheme of operations, and forward through Collector to Conservator, who will submit general scheme for whole Presidency through Revenue Board to Government.

Conservator's Inspection Reports shall be submitted to Government through Collectors and Board of Revenue, who can comment.

A note provides that, pending definition of State reserve and communal forests, relation of District Forest Officer to Collector must, in great measure, be left to the good sense of the officers concerned; but that Government rely on the spirit of the rules being maintained.

The Board of Revenue observe on these rules and memorandum that, though much may be urged in their favor, they are unable to support them, because they conceive that until due security is obtained for the proper maintenance of communal and other privileges in forest tracts, the Forest Department and forest administration must be subordinated to the Revenue Authorities, who are more likely to treat these rights and privileges with due consideration than are forest officers "who naturally look to revenue."

There is a medium in all things.

From a paper given me by Captain Walker, I find that the finance question before and since re-organisation stood thus :—

	Before Re-organisation, total of 3 years 1869-70 to 1871-72.	Since Re-organisation, total of 3 years 1872-73 to 1874-75.
	Rs.	Rs.
Receipts	12,54,433	12,32,634
Charges	9,27,267	12,29,203
Balance	327,166	3,431
Or yearly average ...	1,09,055	1,143

From Board's Proceedings, dated 19th August 1875, it appears that in 1874-75 the results were—

	Rs.
Charges	3,97,872
Receipts	3,41,189
Deficit	56,663

There have been considerable additional charges for purchase of land and increased establishment, and there has been some extension of working. Still a decrease from one lakh to one thousand Rupees as the yearly excess of receipts over charges is noteworthy, and is not likely to remain long unnoticed if it continues.

The Board proceed to say that were State reserves in existence, they would gladly see the Forest Department reconstituted and freed from external control, so far as their administration was concerned; but that must be a work of time, and that, meanwhile, the Forest Department proposes to deal with almost all tracts of forest and jungle on the plain country and to control and restrict felling over wide areas, encumbered in every direction with communal rights. The control and regulation of these rights must be in the hands of Collectors, and until they are defined and forest reserves, &c., demarcated, the Board consider that District Forest Administration should remain with the Collectors, their District Forest Officers being available for "forest working" properly so called. They are of opinion that there is no alternative between the reconstitution of the Forest Department as a separate department and its subordination to the Revenue Department, and, for the reasons stated, they prefer the latter course modified as proposed by them.

Captain Walker has suggested that the question of forest demarcation and of the administration and control of the Forest Department generally be referred to a mixed Committee or Commission of Revenue and Forest Officers for careful inquiry and report, and the Board approve this suggestion and recommend that it be carried out.

I confess that I do not see what such a Committee could tell Government on the organisation question with which they are not already acquainted.

Nor do I agree with the Board in thinking that there is no alternative between complete subordination of the Forest Department to the Revenue Authorities or complete separation from them.

I think the Bombay Rules, which are said to have worked well, offer an alternative, and I observe that Captain Walker's Rules, which somewhat add to the subordination of Forest to Revenue, are almost identical with them.

I confess, as does Captain Walker in his postscript, that until demarcation has been completed and State reserves formed, there will be some uncertainty as to the relative position of District Forest Officers and the Revenue Authorities; but it is evident that the completion of such demarcation must be a work of very considerable time, and I see no reason why the rules should not work fairly well in the interval. I think it very undesirable to prolong the present state of things unnecessarily.

The draft rules submitted by Captain Walker maintain a very close connection between the Revenue Authorities and the District Forest Officer in each district, and, in my opinion, they promise to secure the objects aimed at by Government in the re-organisation of 1872, more certainly than the present system has succeeded in doing (see paragraphs 6 and 21, G. O., dated 24th January 1872).

At present it appears to me that the professional head of the Forest Department is powerless "for giving impulse and activity" to the system, "for impressing it with uniformity," "for directing effort, and promoting experiments."

While the Collectors are far from being "guided by his advice in matters constituting the mystery of the craft," but follow their own lights on the subject.

The "ultimate financial and economical results of the change" have been that we are landed in a deficit of half a lakh instead of a yearly average *net* income of about a one lakh, that the collection of forest-products so far from being developed has, in great measure, disappeared.

And that no one is in a position to say what the economical resources and capabilities of the Presidency in regard to forest and timber-supply really are.

I would at once, and without further hesitation, reconstitute the Conservator of Forests as professional head of the department and introduce Captain Walker's Draft Rules.

I would call on the Conservator, in communication with the Board, to submit detailed proposals for immediate action in the matter of demarcating State reserves, naming the members of the Commission to consider the subject if such be thought the best method, (for my own part I think District Committees composed of the Conservator, the Collector, the District Forest Officer and such Revenue District Officers as the Board might approve would be preferable), and impress on all concerned that, pending their definition and the distinct allotment of a special field for State operations in the Forest Department, the Government confidently rely on all concerned to labor for harmonious action.

The sooner we get this thing out of hand the better.

19*th September* 1875. (Signed) W. HUDLESTON.

No. 231C.

MINUTE BY HIS EXCELLENCY THE GOVERNOR.

I MUST express my entire concurrence with the views expressed in Mr. Hudleston's Note. I hope he will consent to make this Note a Minute as the basis of our Proceedings; it is exhaustive, ablé, and conclusive, the best paper on the subject I have ever read.

2. I have vacilated a good deal in this matter, because, while disapproving of the principle of the change in 1872, I have been willing to give it a trial, and to postpone changes which it was alleged would be likely to disturb the fairness of that trial.

3. I think that failure has developed itself sufficiently to justify immediate modification of that plan at least to the extent which Mr. Hudleston indicates; and I would let the Government Order go out at once in order to serve as a guide to our Forest Law Committee.

4. On the subject of the proper action of Government in reserving forests, &c., I personally hold that the presumption of law is exactly the reverse of what we are inclined to assert, *viz.*, that in India the entire area within the village-limits—or without them if subject to communal use or acts of ownership as shown by immemorial usage—is the *absolute property* of the community, not a mere something over which the villages have some "important, though indefinite,

rights." I hold that these rights cannot be invaded by the Government, except under law—statute or customary—and that the *onus probandi* of right to do so lies with those who seek to establish new rights *ab externo*.

5. On the other hand, the paramount power may have some "important and indefinite right," which it behoves us to study and assert by law if necessary, but we are not justified in acting in anticipation of law as we are now doing too extensively.

28*th September* 1875. (Signed) W. ROBINSON.

No. 231D. MINUTE BY THE HON. R. S. ELLIS, C.B.

I ENTIRELY agree in the view expressed by Mr. Hudleston as to the immediate necessity of placing the Conservator of Forests in a position in which he can exercise control, and give both impulse and uniformity to forest operations. We have had sufficient experience of the present system which has proved a failure. I would have no Committee, but adopt Captain Walker's Rules. The sooner we get our Forest Law framed the better.

(Signed) R. S. ELLIS.

No. 231E. ORDER THEREON, 19th November 1875, No. 1662 A.

Forests, No. 7A.

IN their Order of the 24th of January 1872, No. 148, the Government briefly reviewed the history of the Forest Department in this Presidency, and finding that, as then constituted, it was wanting in influence and "in that intimate sympathy with the people which is so essentially necessary for successful forest conservancy," and that a certain clashing of interests had grown up, they resolved to seek a remedy in a change of system. The Forest Department was accordingly constituted a branch of the Revenue Department. The head of the department, then styled Conservator, was made Inspector of Forests; all control over its operations was removed from him, and his duties ceased to be executive, and consisted mainly of inspection and advice.

2. This system, which came into force on the 1st of October 1872, has now been three years in working, and His Excellency in Council cannot but perceive that while it has failed to secure that scientific administration of the forests which is rapidly becoming more and more a matter of State importance, the security for the rights of the people is not complete, as the opportunity for appeal is lost. It is evident that the Inspector, in his present position, is destitute of that authority which alone can enable him to give, as was hoped, impulse and activity to the system and to impress it with some uniformity, while, from the figures noted in the margin, it will be seen that the "ultimate financial and economical results of the change" cannot be considered satisfactory.

	Receipts.	Expenditure.
	RS.	RS.
1869-70	4,95,789	2,86,691
1870-71	3,39,762	2,94,860
1871-72	4,18,882	3,45,716
1872-73	4,18,767	4,78,310
1873-74	4,49,541	3,53,184
1874-75	3,41,189	3,97,872

3. The Government are aware that for much of the increased expenditure the new system is not responsible, as it was absolutely required for the efficient working

—	Purchase of Land.	Plantations.
	Rs.	Rs.
1872-73	1,00,000	...
1873-74	.....	69,915
1874-75	21,000[a]	.....

[a] G. O., 8th October 1874, Mis. No. 53.

of the department in any case, and, indeed, began while the old system was still in force; and they note that large sums have been spent on the purchase of land and the extension of plantations, but the recent falling off of receipts, though possibly due in part to the decreased seigniorage * on fire-wood, is very remarkable, and they cannot but think that better results would be obtained if the entire operations in the Presidency were directed and controlled by a responsible head, possessing the necessary qualifications of local experience and scientific knowledge.

* G. O., 31st October 1873, No. 1,225.

His Excellency in Council has, therefore, for some time had in view the advisability of a modification of the system introduced in 1872, and in the papers above recorded he is placed in possession of the views of the Board of Revenue and Acting Inspector of Forests on this subject.

4. The Board, in their Proceedings of the 14th April 1875, No. 912, deprecate a return to the former state of things and the reconstitution of the separate department "in the interests of the people," and advance certain suggestions for modifying the system; but as these consist mainly in making the Inspector entirely subordinate to the Board, in limiting "the object of his tours to advice and inspection," and in leaving the financial control with the Board, it is difficult to see how they meet the present evils which the Board themselves admit to be "a want of system and coherence in the administration and of central control more under the direction of special knowledge."

5. The Acting Inspector of Forests, on the other hand, would again establish an administrative and professional head of the department, to be styled Conservator as before, who "should work in accordance with the wishes of the Board in all matters of general administration," but not be subordinate to them. He would have the authority of Collectors over forest officers cease, would confine their interference to "cases of gross mismanagement, abuse of power, neglect of duty, &c.," and asserts, not without reason, that as Collectors are now directly interested in forest matters "the people have lost the only safe-guard they had against undue restriction of their privileges."

6. The Board, in criticising Captain Walker's suggestions, "admit that theoretical and abstract considerations of great weight can be urged in support of" his views. They remark that they "would gladly see the separate department reconstituted and entirely freed from external control if the tracts with which it was to deal were defined and demarcated for reservation as State Forests;" but they consider that there is no alternative between such reconstitution and the subordination of the forest to the Revenue Department, and they prefer the latter, "until due security is obtained that communal and other privileges shall be respected," as the revenue authorities are better acquainted with them, and "are more likely to treat them with the necessary consideration."

7. The Government have already taken steps for the preparation of a Forest Law suited to the peculiar circumstances of this Presidency, but much time must necessarily

lapse before its completion and introduction; and they consider it very undesirable that the present admittedly faulty arrangements should be unnecessarily prolonged. They do not see any advantage in a more complete subordination of the Inspector and the Forest Department to the revenue authorities, and they do not agree with the Board in thinking that there is no alternative between such a subordination or a complete separation of the departments.

8. His Excellency in Council is of opinion that the rules in force in Bombay, which he understands work well, offer an alternative; and he observes that those proposed by Captain Walker, while somewhat adding to the subordination of the Forest to the Revenue Department, are almost identical with them.

These rules, slightly modified, promise to secure the objects aimed at by the Government in the reorganisation of 1872, as noticed above, more certainly than the present system has succeeded in doing; and His Excellency resolves, therefore, to direct their immediate introduction in the form appended to this Resolution, and to reconstitute the Conservator of Forests the professional head of the department.

9. Early steps must be taken for the demarcation of State reserves, and detailed proposals for immediate action in the matter be submitted. The best results will probably be attained through the agency of District Committees, composed of the Collector, Conservator, a District Forest Officer, and such Revenue-officers of the district as the Board may approve.

10. The forest establishment and the Assistant attached to the Board's Office will be retransferred to the Conservator, who will report, through the Board of Revenue, whether the services of the hands whose temporary employment was sanctioned in the orders quoted in the margin cannot now be dispensed with.

G. O., 21st July 1874, No. 901.
" 22nd Oct. 1875, " 1,519.

11. His Excellency desires, in conclusion, to impress on all concerned that until the definition of reserves and the distinct allotment of a special field for State operations in the Forest Department the Government confidently rely on all their officers to labor for harmonious action.

These Proceedings will be communicated specially to the Government of India.

(Signed) D. F. CARMICHAEL,
Secretary to Government.

Draft Rules for the Administration of the Forest Department in the Madras Presidency.

The administration of the forests is a branch of the Revenue Administration of the Presidency. Subject to the following restrictions it is placed under the direction of the Conservator of Forests.

The relative position of the District Forest Officers to the District Collector is analogous to that of the District Police Officer to the District Magistrate. In all forest matters the District Forest Officer is to be subordinate to the Collectors, subject to the following restrictions.

II. All orders of a professional character relating, for example, to felling, planting, and other operations, will emanate from the Conservator, but are to reach the District Forest Officer through the Collector. If the latter sees any reason to object to them, he can do so; and differences of opinion between him and the Conservator, which cannot otherwise be settled, are to be referred to the Revenue Board and, if necessary, to Government. The Conservator will be held specially responsible for the economical working of the department.

The Conservator will be at liberty to communicate direct with District Forest Officers for the collection and dissemination of scientific or professional knowledge.

III. In like manner, all correspondence between District Forest Officers and the Conservator, including bills for travelling allowance, periodical reports, estimates, &c., are to be sent through the Collector, who will make such comments as he may deem advisable.

IV. The Collector is not, as a rule, to issue orders to the District Forest Officer direct; but, in the event of his deeming it necessary to order him to proceed to a particular locality, or to take special action in any forest matter, he may do so, taking care to send a copy of such order for the information of the Conservator.

V. The Conservator is to be the controlling authority in all matters of promotion in the subordinate branches and in all matters of departmental discipline.

VI. The control of forest expenditure rests with the Conservator, subject to the approval of the Revenue Board and Government. The Conservator may sanction expenditure on any one work up to Rs. 500, and the Revenue Board up to Rs. 5,000, provided that funds are available in the budget grant. The Conservator may make any transfers of funds sanctioned under major head "B, Conservancy and Works" in the budget, intimating the same to Government through the Revenue Board (or Accountant-General). In all other respects, existing arrangements regarding provision of funds and rendering of accounts will be adhered to.

VII. An annual plan of forest operations is to be prepared by each District Forest Officer, and forwarded, through the Collector, to the Conservator. The Conservator will, in like manner, submit, through the Revenue Board, a sketch of proposed operations in the several forest divisions or districts for the information and orders of Government.

VIII. The Conservator shall submit "tour notes" or "inspection reports" on the forests visited by him. Those tour notes shall be transmitted to the Secretary to Government, Revenue Department, through the District Collector and Revenue Board for any remarks or suggestions which they may have to offer.

Exd. F. R. Bantleman.

10-10-90
5-3-91
1-7-91

14-2-87
22-2-96

Govt. of India.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated Kamptee, 19th December, 1875.

Read.

G. O. No. 1945 November 1875, No. 1,662A.

Read.

NOVEMBER.
Nos. 231A—231E.

Forest Department.—Reviewing the results of the operations of the — under the system introduced in 1872; considering the advisability of its modification; resolving to introduce the rules appended and to constitute the Conservator of Forests the professional head of the department.

REVENUE DEPARTMENT,
FORT ST. GEORGE,
19*th November* 1875.

12

No. 1,662B.

No. 231F.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
DEPARTMENT OF REVENUE,
AGRICULTURE, AND COMMERCE.

Forests, No. 7B.

SIR,—In 1872* the Government finding that the Forest Department, as then constituted, was wanting in influence and in that intimate sympathy with the people, which is so essentially necessary for successful forest conservancy, and that a certain clashing of interests had grown up, resolved to seek a remedy in a change of system. The Forest Department was accordingly constituted a branch of the Revenue Department. The head of the department then styled Conservator was made Inspector of Forests; all control over its operations was removed from him, and his duties ceased to be executive, and consisted mainly of inspection and advice.

* To Government of India, 24th January 1872, No. 149.

2. This system which came into force on the 1st October 1872 has now been three years in working, but the results are far from satisfactory.

3. The Government have, for some time, had in view the advisability of a change; and the resolution they have come to on the subject is recorded in Proceedings of 19th November 1875, No. 1,662A, copy of which is herewith forwarded for the information of the Government of India.

4. It will be seen that the Conservator of Forests has been reconstituted the professional head of the Department, and that, subject to certain restrictions specified in the Rules appended to the Proceedings now forwarded, the administration of the forests has been placed under that officer's direction.

I have the honor to be,
Sir,
Your most obedient servant,
(Signed) D. F. CARMICHAEL,
Secretary to Government.

Exd. F. R. Bantleman.

Agriculture {1875} Department

Government of Fort St. George.

Dated 19th November 1875. | No. 1,662B.
Received | Enclosures. 5 spare copies.

D. No. Progs.
L. No. No.

1 2317

FORWARDING, for information, copy of Proceedings reviewing the operations of the Forest Department under the system introduced in 1872, and introducing a change in its future administration.

13

13

REVENUE DEPARTMENT.

MINUTE BY THE HON. W. HUDLESTON.

As Secretary to the Board of Revenue and Revenue Secretary to Government, I have been intimately connected with the discussion of this forest question from the time that Dr. Cleghorn suggested rules to Mr. E. B. Thomas, as Collector of Coimbatore, down to the re-organisation of the Forest Department in 1871-72, for which change I was, in great measure, responsible, having framed the proceedings and urged their adoption under a very strong impression of the mischievous manner in which forest matters generally were drifting, the rights of the people utterly ignored in favor of departmental considerations, and close supervision of local operations become impracticable.

I must, however, confess that I am not now disposed to contend for maintaining in its integrity the system that was then introduced; for I cannot but perceive that, while the scientific administration of our Indian forests is becoming rapidly more and more a matter of State importance, the result of the 1871 reform has been to subordinate science in many instances to hobbies and generally to comparative ignorance of the special subject, while I am by no means satisfied that the rights of the people cannot be as well guarded under a system which shall be worked by the specially-trained officers as they are under the present one.

In the G. O. of 26th February 1875, No. 313, Revenue Department, the Board of Revenue were requested to prepare a set of rules on the basis of those set forth in paragraph 10 of the Bombay Forest Re-organisation Resolution, dated 6th August 1870, No. 3,757, Revenue, and in the Minutes of His Excellency the late Lord Hobart and of His Excellency Sir F. Haines on the subject, attention was desired to be particularly drawn to Nos. 2, 4, and 5 of the Rules therein prescribed.

I briefly quote the purport of the Bombay Rules:—

(1.) Subject to following restrictions District Forest Officers subordinated to Collectors in all forest matters.

(2.) *Conservator* to issue to District Forest Officers *through* Collector all orders of a technical character, as, *e.g.*, felling, planting, &c., Conservator responsible for economy of working. Differences of opinion between Conservator and Collector on above orders may be submitted to Government through (Revenue Board) Commissioner.

(3.) All correspondence between District Forest Officer and Conservator, including travelling allowance bills, periodical reports, estimates, &c., to be sent through Collector who may comment.

(4.) Collector *not* to issue orders direct to District Forest Officer on forest management, but may send to particular locality, informing Conservator.

(5.) Conservator to control patronage in subordinate branches and departmental discipline.

(6.) District Forest Officer to prepare and submit, through Collector, to Conservator annual plan of forest operations. Conservator in turn to submit to Government through Board (Commissioner).

(7.) Existing rules maintained for—
Providing funds.
Obtaining sanction.
Rendering accounts.

In disposing of the Bombay proposals, the Government of India observed that the Conservator should be kept regularly informed of all orders on forest matters issued by Government, the Revenue Board, and Collectors; should be made acquainted with all business passing between Collectors and District Forest Officers; and should be consulted on all forest business coming before Government or the Revenue Board.

I need scarcely say that at present in this Presidency the Conservator occupies a very different position from that contemplated by the Bombay Rules or the Government of India order on them.

I may, however, also note that before our re-organisation in 1871, he was in an equally different position but in the opposite extreme.

Formerly, he was practically uncontrolled in the administration of forest matters (and his subordinates were equally so, for he could not supervise them in detail).

Now he is almost absolutely severed from the administration of forest matters (and the District Forest Officers have a local master in every Collector).

The fact is we have gone from one extreme to the other.

Formerly departmental considerations were alone regarded.

Now I suspect they are almost ignored.

I do not think that the Board's present proposals will suffice to set the balance right.

The Draft Rules which they have submitted in reply to the G. O. of February last prescribe that—

The administration of the forests shall be in the hands of the Collectors, subject to the Board of Revenue, and the District Forest Officers shall receive orders from the Collectors alone.

The Inspector of Forests shall be subordinate to the Board of Revenue, and regulate his tours under their orders, his functions being mainly inspection and advice. For collection and dissemination of professional information he may communicate direct with District Forest Officers, and, in purely professional matters, may issue instructions to them through the Collectors, who, however, shall be at liberty to suspend their communication pending reference back to the Inspector, or, if necessary, to the Board.

All periodical reports of Collectors shall reach the Board through the Inspector.

When on tour in a district the District Forest Officer shall be placed by the Collector at disposal of Inspector, who may give instructions to him on the spot, which shall be entered in "Tour Notes" and communicated to the Collector through Board; but if involving immediate action shall be communicated direct to Collector, who shall have power to countermand them as above.

Collectors shall frame annual plans of operations for disposal by Board in consultation with Inspector.

Financial control and audit shall rest with Board; Collectors responsible for departmental discipline.

Subordinate patronage shall rest with Board.

In his memoranda of 17th September 1874 and 20th February 1875 on the forest finance question, Captain C. Walker has pointed out that the Government of India's Resolution on the Draft Forest Manual (G. O., 18th August 1874, nor in the papers circulated) lays down that the Conservator should have full control over the outlay for conservancy and working, the audit of expenditure being in other hands.

But in G. O., 17th October 1874, this Government observe that accounts of working expenses and proposals for such expenditure should pass through his hands between the District Forest Officers and Collectors and the Board, and that accounts involving fluctuating rates and the like should go to him for "check and remark."

Captain C. Walker on this remarks that the Inspector has not yet been subordinated to the Board; that he has no power of *check* which involves sanction or disallowance of charges; and that an officer in this position can scarcely be expected to continue offering *remarks* which carry no weight.

He states his opinion that Collectors have neither the time nor the knowledge requisite to enable them to check forest expenditure and sanction or disallow forest estimates.

And he proposes to meet the difficulty under the present system by transferring the Inspector with his office to the Board and making him their representative in forest matters.

He gives details of the proposed arrangement, which he does not consider would hamper inspection.

The Board, while cordially acknowledging the assistance they have constantly received from Captain Walker and his interest in forest matters, object to his proposal as being tantamount to placing the District Forest Officers and Collectors in forest matters under his orders, and so reconstituting the old special department and intensifying its evils.

They admit, however, that at present there is a want of system and coherence in forest administration and of central control under the direction of special knowledge, but they are entirely averse to any change which would tend to again sever the forest administration from the general revenue administration of the country.

The remedy for acknowledged evils can, they think, best be attained by making the Inspector entirely subordinate to the Board and discontinuing his direct relations with Government.

His memoranda on important questions would be recorded in the Board's Proceedings, but all orders would issue under signature of the Board's Secretary.

His tours would be arranged under instructions from the Board, to whom he would report results, sending the report through the Collector of the district concerned for transmission to the Board with his own remarks, the Board reserving the option of submitting these reports to Government or not.

On purely professional matters, as regulation of working and felling, measures of protection in reserved forests, preparation of timber for market, formation of depôts, care and management of plantations, the Inspector might issue instructions through the Collectors, who should have discretion as to issuing them without reference to the Board.

On tour, Inspector might give instructions under limitations as in Draft Rule.

And for collection and dissemination of professional information might communicate direct with District Forest Officers.

Financial control should remain with Board, who would avail themselves, when necessary, of Inspector's professional knowledge.

On 9th June 1875 Captain Walker submitted to Government his remarks on these Proceedings of the Board, premising that his previous suggestions had, for their object, to make the best of the present system, and not at all as indicating the system which he thinks best.

He states that after loyally endeavoring to make the best of the present system, he is forced to the conclusion that it is a failure;

that it entirely fails to secure any closer amalgamation of forest with revenue administration than the former system did, and that it is by no means advisable that the amalgamation should be so close as to practically annul the privilege of appeal to the Collector;

that it has resulted in great increase of office-work;

that it has deprived *divisional* Revenue-officers of interest or power of co-operation in forest matters;

that it has been accompanied by utter want of co-operation on the part of village and taluq officials (who, I suppose, now assume that they have no concern in what is administered by the Collector through his District Forest Officer);

that it has entailed great delay and circumlocution in the disposal of forest questions;

that under it there is no real control or check over expenditure, and can be none; and that matters of appointments, promotion, and transfers, are in utter confusion to the great discouragement of the employés, there being really no administrative head of the department.

As regards the Board's proposal, he submits that it would make the position of any professionally-qualified officer of standing and experience intolerable and unworthy of an officer deserving of trust; and he refers to his district inspection reports as showing how much there is needing to be done and how little is or can be done under the present system.

He proposes that Collectors should no longer be considered or styled Conservators, except in the sense of guardian of forests as of other State property;

that the professional head of the department should again be styled and regarded as Conservator in the technical sense ;

that District Forest Officers should, as regards the Collector and Conservator, be placed on the footing which works so well in Bombay, and which is analogous to that of the District Superintendent of Police with regard to the district magistracy (I do not think this analogy is quite borne out) ; and he submits draft of rules based on those in force in Bombay, modified as regards correspondence on purely professional matters, and which appear to have been drawn by Dr. Brandis, and recorded with a Resolution of Government of India in Public Works Department, dated 23rd February 1871.

Under this system, wherever or whenever the rights of the people or the general policy of administration are concerned, the District Forest Officer would be entirely subordinate to the Collector as regards the initiation of conservancy operations and their application.

It would be the duty of Collectors, in communication with the Conservator and Revenue Board, to decide what forests should be classed as State reserves, and what communal or village forests should be managed by the Forest Department. The duties of the Collector in connection with such tracts would cease, except in so far as regards maintenance of communal rights, in respect of which the District Forest Officer would remain entirely under his orders. He would also retain power of direct interference in cases of gross mismanagement, abuse of authority, neglect of duty, and such like *laches* on the part of the District Forest Officer and subordinates notifying his proceedings to the Board and Conservator. All correspondence between the Conservator and the District Forest Officers, not on purely professional matters, would pass through the Collector's Office, and establishment and working charges would be checked by his Treasury Deputy, objectionable items being brought to the Conservator's notice.

The District Forest Officers would be responsible to the Conservator alone for all tracts entrusted to their administration, and the Conservator alone would be responsible for the technical working and interior economy of the department.

Departmental patronage, including appointments, removals, transfers, promotions, would rest with him.

By some such system only does Captain Walker consider that a department which is gradually coming to be constituted of professionally-trained officers sent out from England can be satisfactorily worked.

The rules themselves prescribe as follows :—

The administrations of the forests is a branch of the Revenue Administration, and is placed under the control of the Conservator of Forests subject to the following restrictions. District Forest Officer's position relative to Collectors of districts will be analogous to that of District Police Superintendent to District Magistrate.

All technical instructions will emanate from Conservator, but reach District Forest Officer through Collector who can, at pleasure, object and refer to Board of Revenue.

Conservator may communicate direct with District Forest Officer for collection, &c., of professional knowledge.

All correspondence between District Forest Officer and Conservator, including travelling allowance bills, estimates, periodical reports, will pass through Collector who is at liberty to comment.

As a rule, Collector is not to issue orders direct to District Forest Officer, but if necessary may direct to proceed to particular locality or to take special action in any forest matter, sending copy of order to Conservator.

Conservator shall control subordinate patronage and departmental discipline.

Conservator shall also control forest expenditure subject to approval of Revenue Board and Government.

15

District Forest Officer shall prepare annual scheme of operations, and forward through Collector to Conservator, who will submit general scheme for whole Presidency through Revenue Board to Government.

Conservator's Inspection Reports shall be submitted to Government through Collectors and Board of Revenue, who can comment.

A note provides that, pending definition of State reserve and communal forests, relation of District Forest Officer to Collector must, in great measure, be left to the good sense of the officers concerned ; but that Government rely on the spirit of the rules being maintained.

The Board of Revenue observe on these rules and memorandum that, though much may be urged in their favor, they are unable to support them, because they conceive that until due security is obtained for the proper maintenance of communal and other privileges in forest tracts, the Forest Department and forest administration must be subordinated to the Revenue Authorities, who are more likely to treat these rights and privileges with due consideration than are forest officers "who naturally look to revenue."

There is a medium in all things.

From a paper given me by Captain Walker, I find that the finance question before and since re-organisation stood thus :—

	Before Re-organisation, total of 3 years 1869-70 to 1871-72.	Since Re-organisation, total of 3 years 1872-73 to 1874-75.
	Rs.	Rs.
Receipts	12,54,433	12,32,634
Charges	9,27,267	12,29,203
Balance	327,166	3,431
Or yearly average ...	1,09,055	1,143

From Board's Proceedings, dated 19th August 1875, it appears that in 1874-75 the results were—

	Rs.
Charges	3,97,872
Receipts	3,41,189
Deficit	56,663

There have been considerable additional charges for purchase of land and increased establishment, and there has been some extension of working. Still a decrease from one lakh to one thousand Rupees as the yearly excess of receipts over charges is noteworthy, and is not likely to remain long unnoticed if it continues.

The Board proceed to say that were State reserves in existence, they would gladly see the Forest Department reconstituted and freed from external control, so far as their administration was concerned ; but that must be a work of time, and that, meanwhile, the Forest Department proposes to deal with almost all tracts of forest and jungle on the plain country and to control and restrict felling over wide areas, encumbered in every direction with communal rights. The control and regulation of these rights must be in the hands of Collectors, and until they are defined and forest reserves, &c., demarcated, the Board consider that District Forest Administration should remain with the Collectors, their District Forest Officers being available for "forest working" properly so called. They are of opinion that there is no alternative between the reconstitution of the Forest Department as a separate department and its subordination to the Revenue Department, and, for the reasons stated, they prefer the latter course modified as proposed by them.

Captain Walker has suggested that the question of forest demarcation and of the administration and control of the Forest Department generally be referred to a mixed Committee

or Commission of Revenue and Forest Officers for careful inquiry and report, and the Board approve this suggestion and recommend that it be carried out.

I confess that I do not see what such a Committee could tell Government on the organisation question with which they are not already acquainted.

Nor do I agree with the Board in thinking that there is no alternative between complete subordination of the Forest Department to the Revenue Authorities or complete separation from them.

I think the Bombay Rules, which are said to have worked well, offer an alternative, and I observe that Captain Walker's Rules, which somewhat add to the subordination of Forest to Revenue, are almost identical with them.

I confess, as does Captain Walker in his postscript, that until demarcation has been completed and State reserves formed, there will be some uncertainty as to the relative position of District Forest Officers and the Revenue Authorities; but it is evident that the completion of such demarcation must be a work of very considerable time, and I see no reason why the rules should not work fairly well in the interval. I think it very undesirable to prolong the present state of things unnecessarily.

The draft rules submitted by Captain Walker maintain a very close connection between the Revenue Authorities and the District Forest Officer in each district, and, in my opinion, they promise to secure the objects aimed at by Government in the re-organisation of 1872, more certainly than the present system has succeeded in doing (see paragraphs 6 and 21, G. O., dated 24th January 1872).

At present it appears to me that the professional head of the Forest Department is powerless "for giving impulse and activity" to the system, "for impressing it with uniformity," "for directing effort, and promoting experiments."

While the Collectors are far from being "guided by his advice in matters constituting the mystery of the craft," but follow their own lights on the subject.

The "ultimate financial and economical results of the change" have been that we are landed in a deficit of half a lakh instead of a yearly average *net* income of about a one lakh, that the collection of forest-products so far from being developed has, in great measure, disappeared.

And that no one is in a position to say what the economical resources and capabilities of the Presidency in regard to forest and timber-supply really are.

I would at once, and without further hesitation, reconstitute the Conservator of Forests as professional head of the department and introduce Captain Walker's Draft Rules.

I would call on the Conservator, in communication with the Board, to submit detailed proposals for immediate action in the matter of demarcating State reserves, naming the members of the Commission to consider the subject if such be thought the best method, (for my own part I think District Committees composed of the Conservator, the Collector, the District Forest Officer and such Revenue District Officers as the Board might approve would be preferable), and impress on all concerned that, pending their definition and the distinct allotment of a special field for State operations in the Forest Department, the Government confidently rely on all concerned to labor for harmonious action.

The sooner we get this thing out of hand the better.

19*th September* 1875. (Signed) W. HUDLESTON.

16

Draft Rules for the Administration of the Forest Department in the Madras Presidency.

THE administration of the forests is a branch of the Revenue Administration of the Presidency. Subject to the following restrictions, it is placed under the direction of the Conservator of Forests.

The relative position of the District Forest Officers to the District Collector is analogous to that of the District Police Officer to the District Magistrate. In all forest matters the District Forest Officer is to be subordinate to the Collectors, subject to the following restrictions.

II. All orders of a professional character relating, for example, to felling, planting, and other operations, will emanate from the Conservator, but are to reach the District Forest Officer through the Collector. If the latter sees any reason to object to them, he can do so; and differences of opinion between him and the Conservator, which cannot otherwise be settled, are to be referred to the Revenue Board and, if necessary, to Government. The Conservator will be held specially responsible for the economical working of the department.

The Conservator will be at liberty to communicate direct with District Forest Officers for the collection and dissemination of scientific or professional knowledge.

III. In like manner, all correspondence between District Forest Officers and the Conservator, including bills for travelling allowance, periodical reports, estimates, &c., are to be sent through the Collector, who will make such comments as he may deem advisable.

IV. The Collector is not, as a rule, to issue orders to the District Forest Officer direct; but, in the event of his deeming it necessary to order him to proceed to a particular locality, or to take special action in any forest matter, he may do so, taking care to send a copy of such order for the information of the Conservator.

V. The Conservator is to be the controlling authority in all matters of promotion in the subordinate branches and in all matters of departmental discipline.

VI. The control of forest expenditure rests with the Conservator, subject to the approval of the Revenue Board and Government. The Conservator may sanction expenditure on any one work up to Rs. 500, and the Revenue Board up to Rs. 5,000, provided that funds are available in the budget grant. The Conservator may make any transfers of funds sanctioned under major head "A, Conservancy and Works" in the budget, intimating the same to Government through the Revenue Board (or Accountant-General). In all other respects, existing arrangements regarding provision of funds and rendering of accounts will be adhered to.

VII. An annual plan of forest operations is to be prepared by each District Forest Officer and forwarded, through the Collector, to the Conservator. The Conservator will, in like manner, submit, through the Revenue Board, a sketch of proposed operations in the several forest divisions or districts for the information and orders of Government.

VIII. The Conservator shall submit "tour notes" or "inspection reports" on the forests visited by him. Those tour notes shall be transmitted to the Secretary to Government, Revenue Department, through the District Collector and Revenue Board for any remarks or suggestions which they may have to offer.

Reference to
Recommendations of Govt
7/19 November/1875 No 1162 A

Proof.

17

REVENUE DEPARTMENT,

MINUTE BY THE HON. R. S. ELLIS, C.B.

I ENTIRELY agree in the view expressed by Mr. Hudleston as to the immediate necessity of placing the Conservator of Forests in a position in which he can exercise control, and give both impulse and uniformity to forest operations. We have had sufficient experience of the present system which has proved a failure. I would have no Committee, but adopt Captain Walker's Rules. The sooner we get our Forest Law framed the better.

(Signed) R. S. ELLIS.

Revised Proof for approval

18

REVENUE DEPARTMENT.

MINUTE BY HIS EXCELLENCY THE GOVERNOR.

I MUST express my entire concurrence with the views expressed in Mr. Hudleston's Note. I hope he will consent to make this Note a Minute as the basis of our Proceedings; it is exhaustive, able, and conclusive, the best paper on the subject I have ever read.

2. I have vacilated a good deal in this matter, because, while disapproving of the principle of the change in 1872, I have been willing to give it a trial, and to postpone changes which it was alleged would be likely to disturb the fairness of that trial.

3. I think that failure has developed itself sufficiently to justify immediate modification of that plan at least to the extent which Mr. Hudleston indicates; and I would let the Government Order go out at once in order to serve as a guide to our Forest Law Committee.

4. On the subject of the proper action of Government in reserving forests, &c., I personally hold that the presumption of law is exactly the reverse of what we are inclined to assert, *viz.*, that in India the entire area within a village limit or subject communal use or acts of ownership as shown by immemorial usage, is the *absolute property* of the community, not a mere something over which the villages have some "important, though indefinite, rights." I hold that these rights cannot be invaded except under law—statute or customary—by the Government, and that the *onus probandi* of right to do so lies with those who seek to establish new rights *ab externo*.

5. On the other hand, the paramount power may have some "important and indefinite right," which it behoves us to study and assert by law if necessary, but we are not justified in acting in anticipation of law as we are now doing too extensively.

28*th September* 1875. (Signed) W. ROBINSON.

Encl. to Letter

Sc 1652 A, & 19 Nov 1875

FOREST No. 141.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 14th July 1875, No. 1,962.

Read the following letters:—

Read the following Proceedings of the Madras Government, dated 26th May 1875, No. 822, Revenue Department:—

ABSTRACT.—Passing orders on the Memorandum submitted by the Officiating Inspector of Forests regarding the position which the Inspector of Forests should occupy towards Board of Revenue.

From Captain CAMPBELL WALKER, Officiating Inspector of Forests, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Ootacamund, 9th June 1875, No. 172.

IN accordance with the instructions conveyed in G.O., No. 822, dated 26th May, I have the honor to forward a memorandum containing my views as to the organization of the Forest Department for submission to Government with the Board's remarks.

ENCLOSURE No. 1.

Memorandum on the Organization of the Forest Department with reference to G. O., No. 313, dated 26th February, and Board's Proceedings, No. 912-54, dated 14th April 1875, by the Officiating Inspector of Forests to the Government of Madras.

IN their Proceedings quoted above, the Board assume that my memorandum on the control of forest working charges, dated 20th February 1875, "in reality deals with the whole question" of the organization of this department, and the modifications necessary to render its working efficient and smooth. I am not at all prepared to admit this. The memorandum was written previous to the issue or receipt of the G. O. of the 26th February, and in it I merely express my views regarding what I consider the best mode of action *under existing arrangements*, studiously avoiding any remarks or proposals as to a change of that system on the merits of which I was not at the time called upon to offer an opinion. Now that I am called upon to do so by G. O. of 26th May No. 822, I regret to have to submit that those *existing arrangements* are not at all satisfactory, and that unless important changes and modifications are made, I see no hope of securing efficiency, progress, and a proper system of forest conservancy in this Presidency.

2. On my return from Europe and assuming charge of the Inspector's office, I was particularly asked by a Member of Council (Mr. Sim), who had always evinced much interest in forest matters, and my own professional career as a forester, to give the system, which had been introduced during my absence, a fair trial and not condemn it until I had done so. I can honestly say that I have done so, and have endeavoured in every way to the best of my ability to make it a success, even undertaking work which should properly have been done by others rather than that it should not be done at all, or done badly, and carefully suppressing any professional bias in dealing with Collectors of forest districts. I am glad to see that the Board acknowledge this in their Proceedings, and have to thank them for much consideration and support, although I cannot but record with regret that, wherever a question of importance as between a Collector and myself has arisen, their verdict has been invariably against me, notably in the case of the Forest Progress Reports, their proceedings with reference to which I have deemed it necessary to lay before Government.

3. For the first few months during which I was in charge I was sanguine of success, and believed and hoped that the system of Collector-Conservators, as introduced by G. O., 148, of 24th January 1872, might be made to answer, and that those officers and the Board would not resent

expressions of opinion not in accordance with their own, would leave professional matters almost entirely in the hands of the Inspector and the Deputy Conservators, and facilitate rather than repress the free interchange of communications on forest subjects and references to the professional head of the Department. (The Board now remark in paragraph 3 that the Inspector is in no sense the Head of a Department, although in Proceedings, 670-19, of 29th April 1873, they expressly allude to him as such). Experience has taught me that I was mistaken, that some Collectors resent any advice or expression of opinion even on purely professional points, and object to the Deputy Conservator having any communication with the Inspector; in fact, that the Inspector, in tendering advice unless specially asked for it, lays himself open to misconstruction, and to being told by the Board that his remarks, made in all good faith in the interests of the Department, are "most objectionable," and that his interference was "justly resented."

4. Finding all this, and after visiting almost every forest division in the Presidency and noting the chaos which prevails, the apathy of some Collectors, and the "meddling and muddling" of others in forest matters, I was reluctantly obliged to tell Mr. Sim, what I now consider it my duty to tell the Board and Government, that the present system is a failure, and that, so far as my judgment goes, it is never likely to be otherwise so long as non-professional Collectors are placed over professional Forest Officers, deadening all departmental zeal on the part of our best officers, and interposing a shield betwixt those who are lazy or inefficient and the legitimate head of their Department, who can neither praise nor condemn without being liable to be accused of undue interference, and "assumption of authority" over the Collector's subordinates.

5. I proceed to note as briefly as possible what I consider the evils of the present system, and how I would propose to remedy them without interfering with the Collector's prerogative of general supervision as head of all the Revenue establishments and general custodian of Government interests in his district.

6. The chief merit claimed for the present system, and which the Board say is "essentially required in the interests of the people," is the amalgamation of the forest with the land revenue administration, or what is generally known as *the* Revenue Department. The Forest Department in this Presidency has always been considered a *branch* of the Revenue Department, and I have invariably endeavoured to maintain this position in dealing with the local Revenue officials and the people in whatever district I have served. The Collector is the district head of this department which comprises the Revenue Survey, Salt, Abkári, &c., and, as such, the District Forest Officer is his subordinate. Any further amalgamation in the strict sense of the word I consider a Utopian idea, and can vouch for it that there is no further amalgamation now than there was three years ago. A Forest Officer of whatever grade is a Forest Officer, as distinct from a Revenue Officer, still, and I should say will ever remain so, unless the Department cease to exist, and a system of local or jungle conservancy with all its abuses replace it. We cannot make a Forest Officer into a Revenue Officer unless we amalgamate the services and invest the former with powers equal to those of the latter. No native will regard a Forest Officer, no matter with what amount of experience and standing in the Department, as a Revenue Officer when he has neither Revenue nor Magisterial powers, and his orders on any subject are liable to be reversed by the Assistant or Deputy Collector of a few months' standing, invested with all the position and powers of a Revenue and Magisterial officer. The same applies to the lower grades. No orders of Government, Proceedings of the Board, or notices of the Collector, will ever make the people regard the Forest Overseer in the same light as a Deputy Tahsildar, any more than they do the Public Works Department Overseer, Inspector of Police, or Surveyor, although they might, and would, if things were properly managed, learn to look upon him as the local or taluq officer to whom they had to look in all matters relating to their timber and firewood supply, or grant of forest lands for cultivation, in the same manner as they look to the Public Works Department Overseer to repair the tanks and roads and arrange for the supply of water, the Police Inspector to prevent and detect crime, &c., &c. It must not be supposed either that Forest Officers wish to be

20

considered Revenue Officers in the strict sense of the word. They are, or were, proud of being Forest Officers, and I am sure that any of the trained men from whose ranks the Department is henceforward to be recruited would experience no small amount of chagrin if, on arrival, he were told that he was a *Revenue* and not a *Forest* official. Forest Officers have naturally claimed some power in their forests co-ordinate with those of a Revenue Officer in his fields, but it is far from their wish, and not at all in the interests of the Department as a scientific branch of the service, that they should be made part and parcel of the Revenue Department. Nor is it advisable in the interests of the people; I regard it as quite the contrary. Under the system of Collector-Conservators the people have lost the only safeguard they had against undue restriction of their privileges and oppressive action on the part of the forest subordinates, which, whilst I consider it was much more rare than was represented and supposed, *may* occur on the part of inexperienced or thoughtless employés. Things have been done with regard to the people's rights and privileges since the so-called amalgamation of the Department which, had they been done prior to 1872, would have called forth the just protests of the Collector and the Board, but the former is now *interested* in forest matters, and the Board support their representative at all hazards. Whether the people benefit is, I think, open to question. The very case quoted by the Board; at the conclusion of their Proceedings under consideration is an instance in point, for, as I shall show later on, the villagers are not at all satisfied with Mr. Puckle's forest arrangements in Tinnevelly, and, had they not been the Collector's instead of the Forest Officer's, they would long since have been stigmatized as illegal and oppressive and summarily annulled. Truly, as has been said, the people "find the Collector's little finger thicker than the Conservator's thigh," but whether they *like* it better for being thicker, or we benefit in the long run, is, in my opinion, doubtful. They bow to the rod for the time as it is the "Collector's hookum," but appeal whenever a new man comes to the district, and the Forest Officer has to cancel his orders, and see his operations, often undertaken against his own wish, rendered null and void.

7. It has also been claimed for the existing system that it would save office work, secure the aid and cordial co-operation of the district, taluq, and village officials, and generally facilitate the prompt despatch and execution of forest business. I regret to have to state that I fail to find proof of any of those results having ensued, or being likely to ensue, from the re-organization of 1872. Forest Officers, one and all, complain of the increase of office work, which a comparison of their office records renders apparent, of the utter want of co-operation on the part of village and taluq officials, and the apathy of the divisional officers. This brings me to one of the most fatal objections to the present system: several Sub-Collectors and divisional officers have represented to me that, whereas formerly they were consulted and took an interest in forest matters in their divisions, now they are not. The Forest Officer comes into their taluqs as the Collector's representative and does what he likes. As one very able officer (a Sub-Collector) recently remarked to me: "I shall continue in complete ignorance of the very rudiments of forestry and forest management until I get a district, when I shall develope into a heaven-born Conservator of Forests and be considered competent to instruct and criticise Forest Officers with the education and experience of years to guide them". No more telling criticism on the existing arrangements could have been uttered by the most violent and biassed adherent of a scientific Forest Department.

8. Forest work and correspondence has certainly not been facilitated by the change of system; on the contrary it is much delayed owing to Forest Officers having to write to the Collector, who refers to the Board, who consult the Inspector by a Proceedings, and, on receipt of his reply, again "proceed." It may readily be imagined what delay and inconvenience results from such a system of circumlocution as compared with direct correspondence betwixt the Forest Officer and the Head of his Department. The duties of both the Board and Collectors are so multifarious that it often takes months before a reference is disposed of. This delay in forest matters is a most serious drawback.

9. As regards the accounts, we have the testimony both of Mr. Lushington and Mr. Lodwick (G. O., No. 413, 13th March 1875) that "the old system is preferable," and I cannot consider the Board's explanation in their Proceedings, No. 73 A.-1,159, of 5th May, at all satisfactory, considering that they admit that "there are always about three months' bills instead of one month's in arrears," and that the amount remaining unadjusted is *Rupees* 1,50,000 against an average amount of *Rupees* 30,000 under the old system. There can be no real control or check of expenditure under such a system, and I can testify that there is none. As I have dealt with this subject fully in my memorandum recorded with the Proceedings under consideration, I shall not enter into detail here.

10. In other respects, such as appointments, promotion, and transfer of subordinates, all is confusion, and our employés are every where losing heart. There is really no administrative head of the Department directly responsible to Government for its working and interior economy; "all is confusion and mismanagement." I do not for a moment suggest that the Board and Collectors do not do their best. I have the greatest respect for the former as a consultative body, and my relations with the latter individually are most cordial; but their duties are already almost overwhelming, and both the Secretary to the Board (Mr. Grose) and many Collectors have confessed to me that they did not understand this forest business and its details, and found there was much more work connected with it than they had imagined.

11. The Board now propose that all the patronage and power should rest with them, and that the Inspector should be "entirely subordinate" to them. As I have already stated, I do not think it possible that a professional officer of experience and standing in the service can continue to perform zealously the duties of *Adviser-General* in forest matters if he has no power or control over operations and expenditure, and can neither sanction nor veto any work, or the appointment of the lowest forest servant, which he sees left in the hands of a non-professional Board and ever-changing Collectors with varying views. A perusal of the District Inspection Reports, which I have submitted since assuming charge, will show how much requires to be done, and how little has been done with reference to them. I submit respectfully that one cannot go on taking so much trouble and interest in the work with such very poor results, mainly attributable to the want of knowledge on the part of those who are alone in a position to issue the necessary instructions which, throughout the rest of the Empire, is the duty of the Conservator as administrative and professional head of his department.

12. The Board's proposals, I regret to say, appear to me to amount to this: That the Inspector is to do all the real work, inspect, compile returns, advise and suggest, whilst they retain all the power and patronage, and are in no way bound to accept his opinions even in professional matters! I confess that such a position has been and would be to me, and I think to any officer with any self-respect, most unpleasant, if not unbearable, and that I do not think it is one likely to ensure good results, or in which Government would do well to place any officer in whom they repose trust.

A servant is worthy of his hire, and I do not think that the mere salary of the Inspector, which is inadequate, and below that of any other Government officer in a similar position, constitutes all the hire to which he is entitled; power and position, the entire trust of Government in matters which one has made a special study, and is anxious to work out to a successful issue, count for much in my eyes, and I doubt not in those of others.

13. The Board state (paragraph 5) that the position which they would assign to the Inspector would be "somewhat similar" to that assigned to the Inspector-General of Forests, Government of India, but there would be this important difference, that, whereas the latter has to deal with officers of his own department as Conservators, and with the Supreme and local Governments, the former would have to deal with Collectors, *i. e.*, officers of another service, and be subordinate to a Board of non-professional officers drawn entirely from that service, and who, it is natural to suppose, retain some predilections in favor of that service, however much they may endeavour to repress them, as I am sure they do, in the interests of the State.

Whilst I consider that the head of the Forest Department should work in accordance with the wishes of the Board in all matters of general administration, I should be sorry to see him made their subordinate in all matters. In the same manner I think that both he and the District Forest Officers should be guided by the wishes of the District Collector in initiating and working out all forest conservancy projects which affect in any way the rights, customs, or privileges of the people; but, as regards points of departmental detail, forestry, and interior economy, I think they should be entirely on an independent footing.

14. I do not, therefore, hesitate to recommend that the title of Conservator as applied to Collectors should cease. I can find no good grounds for its ever having been assumed beyond a mere suggestion in paragraph 6 of G. O, No. 148, of 24th January. Collectors have never been gazetted as Conservators, and it is unusual to assume titles not formally granted. The Collector should certainly be the *Conservator* or guardian of the forests in his district, as he is of all State property in it, but the use of the word in its technical or departmental sense is, I think, a mistake. As well might the Collectors be styled Deputy Superintendents of Revenue Survey, District Engineers, or Superintendents of Police! The professional head of the department should be *the* Conservator, and perform the duties of that office subject to the approval and orders of Government and, in some matters, of the Board of Revenue.

15. District Forest Officers should, as regards the Collector and the Conservator, be placed on a footing identical with what has proved so successful in Bombay, and is analogous to that of the District Superintendent of Police with regard to the District Magistracy. Under this system, the District Forest Officer would be entirely subordinate to the Collector as regards the initiation of all forest conservancy operations and their application, wherever or whenever the rights of the people or the general policy of administration is concerned. It would be the duty of Collectors, in communication with the Conservator and Revenue Board, to say what forests should be classed as State reserve, and what communal or village forests should be placed under the charge of the Special Department. When a forest had been constituted a State reserve, or placed under charge of the Department as a communal or unreserved tract, the duties of the Collector should all but cease; but he should be held responsible in the case of the forest officials encroaching on the rights of the inhabitants of neighbouring villages, or sacrificing those rights to individuals, the Forest Officer remaining entirely under his orders in such matters. The Collector would also be authorized, as Head of the Revenue Department in his district, to interfere in cases of gross mismanagement, abuse of power, neglect of duty, &c., on the part of the forest officials, reporting having done so to the Board and Conservator. All correspondence not of a purely professional character betwixt the Conservator and his Deputies should pass through his office, and the bills for establishments and working charge be checked in his District Treasury, and any items which he considered open to objection brought to the Conservator's notice. The District Forest Officers should be responsible for the tracts handed over to their charge to the Conservator alone, and that officer should be held solely responsible for the technical working and interior economy of the Department. All appointments, dismissals, removals, &c., must lie with him as they do with the Inspector-General of Jails or Police. The forest establishments should be at the Collector's disposal, as the Police are at the disposal of the Magistrate, but there should be no interference in professional details, nor meddling with the disposition of the *personel* and material of the Department by the Collector.

16. I would, in short, adopt the system and rules in force in Bombay with certain modifications as to correspondence on purely professional matters, &c., which appear to me necessary and unobjectionable. The rules which I submit are taken from paragraph 10 of Mr. Brandis' report recorded with Resolution Nos. 142-4F, dated 23rd February 1871, of Government of India, Public Works Department, to which I would respectfully request careful attention.

17. By the adoption of some such system only do I think that we shall ensure efficiency and real progress in a Department henceforward to be recruited by trained officers sent out from Europe, who, under the present system, find themselves placed under one non-professional Collector to-day and another tomorrow, and quite cut off from, and kept in ignorance of, the doings of their departmental *confères* in other districts and provinces and deprived of the advice and support of the professional head of their Department.

As demarcation, which I hope will soon be commenced on a well-considered system, progresses, their attention will be more and more concentrated on the reserves and their purely professional duties, those of the Collector, with reference to forest matters, decreasing in proportion. Meanwhile, I fully endorse the remarks of the Government of Bombay that "it would not be possible to dispense with his assistance, and that of the numerous class of officials under his control."

As our operations and revenues increase, it will probably be found necessary to have two Conservators in this Presidency as in Bombay. Meanwhile, one with a travelling or inspecting deputy to help him should suffice.

18. In conclusion, I must refer to paragraphs 13 to 15 of the Board's Proceedings of 14th April, in which the Board suggest for adoption a system which has long since recommended itself to Forest Officers in this country, and is indeed the *rule* sanctioned by Government in this Presidency. The difficulty which has been experienced in India as in Europe, is the definition of what are communal or village forests, how can we prevent the interests of the community being sacrificed to that of the individual more awake to his own interests, more unscrupulous, or more powerful than his neighbours, and prevent the communal property being destroyed and recourse rendered necessary to the property of other communities or the State reserves? These questions have only been solved in Germany and France by placing the communal, and, in some instances, even the private forests under State management, and delivering to each community or individual the legitimate yield of the forest each year or term of years. We have not arrived at this yet in India, and, in my opinion, we have still a considerable margin to go upon; but, so far from Forest Officers *disliking* such a course, it is one of the crying wants of the Department, with regard to which our best officers from the Himalayas to Cape Comorin have never ceased during the past ten years calling for a definition (*not confiscation*) and settlement on an assured basis. What we do object to is uncertainty and diversity of action, by which a tract is classed as a village or free jungle to-day and a Government Forest to-morrow, and *vice versa*, according to the views of the Government, the Board, the Chief Commissioner, or the Collector of the day.

19. In the instance referred to by the Third Member (Mr. Puckle), I would refer the Board and Government to my Inspection Report of the Tinnevelly District, paragraphs 5—8, recorded with G.O., No. 1,380, of 30th October 1874. I think highly of Mr. Puckle's plan, and am convinced that to him, looking at it through a Collector's eyes, it appeared a success, and that Tahsildars and village officers took pains to make it appear so when the "big gentleman" visited the spot; but his action was illegal, (*i.e.*, not sanctioned by any law or enactment), and was not even the result of any careful inquiry and registration of claims in detail. On a former occasion (1870-71), on his quitting the district, it was completely upset and ignored on account of its illegality by the Sub-Collector in charge of the division, who did not deem *expediency* sufficient to justify him in upholding Mr. Puckle's measures. I can see no reason why the same should not recur to-morrow, if indeed it has not already happened, and I *know* that what Mr. Hayne, a most energetic and and painstaking officer, objects to is not the fact that "the area of his charge is reduced" or that he is "restricted to the conservancy and management of strictly reserved tracts," but that Mr. Puckle's orders are not really carried out as he would wish, that the village kavilgars are not attentive to their duties, and that the villagers are no more contented than they were before. To this being the case I can vouch from my personal inspection. I found cases of forest depredations and cattle-grazing far beyond the limits which Mr. Puckle had assigned, and which I consider as a rule too limited. I rarely found the kavilgars at their posts, they complained bitterly of the inadequacy of their salary, and the same villagers who "flocked to the work" of clearing the boundary paths for Mr. Puckle and whom he represents as "quite contented" flocked to me, deeming, erroneously, that I had some power to complain of the restrictions which he had placed upon them, and of the circumscribing of the limits of their pasture and privileges of devastation! I have no doubt that to Mr. Puckle they expressed the "greatest satisfaction" with his measures; to myself and Mr. Hayne, in his absence, they expressed quite the contrary opinion.

20. This is but natural, and we shall never, I am convinced, arrive at a satisfactory solution of the difficulty until we proceed to define and settle Communal and State rights systematically and *legally*, and are prepared to uphold such settlement steadfastly. This has been done on the Continent of Europe where the people now appreciate its advantages, and the work is progressing steadily in Bombay and other parts of our Indian Empire. It is the first step towards efficient and thorough forest conservancy, and should be the aim of every Forest Officer in India at the present day.

(Signed) C. WALKER, Captain,
Offg. Inspector of Forests.

OOTACAMUND,
8th June 1875.

ENCLOSURE No. 2.

Draft Rules for the Administration of the Forest Department in the Madras Presidency.

THE Administration of the Forests is a branch of the Revenue Administration, and is placed, subject to the following restrictions, under the control of the Conservator of Forests. The position of the District Forest Officers to the District Collector is analogous to that of the District Police Officer to the District Magistrate.

2. All orders of a professional character relating, for example, to felling, planting, and other operations, will emanate from the Conservator, but are to reach the District Forest Officer through the Collector. If the latter sees any reason to object to them, he can do so, and differences of opinion between him and the Conservator, which cannot otherwise be settled, are to be referred to the Revenue Board, and, if necessary, to Government. The Conservator will be at liberty to communicate direct with District Forest Officers for the collection and dissemination of scientific or professional knowledge.

3. In like manner all correspondence between District Forest Officers and the Conservator, including bills for travelling allowance, periodical reports, estimates, &c., are to be sent through the Collector, who will make such comments as he may deem advisable.

4. The Collector is not as a rule to issue orders to the District Forest Officer direct; but, in the event of his deeming it necessary to order him to proceed to a particular locality, or to take special action in any forest matter, he may do so, taking care to send a copy of such order for the information of the Conservator.

5. The Conservator is to be the controlling authority in all matters of patronage in the subordinate branches, and in all matters of departmental discipline.

6. The control of forest expenditure rests with the Conservator, subject to the approval of the Revenue Board and Government. The Conservator may sanction expenditure on any one work up to Rupees 500 and the Revenue Board up to Rupees 5,000, provided that funds are available in the budget grant. The Conservator may make any transfers of funds sanctioned under major head "B, Conservancy and Works," in the budget, intimating the same to Government through the Revenue Board (or Accountant-General).

7. An annual plan of forest operations is to be prepared by each District Forest Officer, and forwarded through the Collector to the Conservator. The Conservator will in like manner submit through the Revenue Board a sketch of proposed operations in the several forest divisions or districts for the information and orders of Government.

8. The Conservator shall submit "tour notes" or "Inspection reports" on the forests visited by him. Those tour notes shall be addressed to Government, but pass through the District Collector and Revenue Board for any remarks or suggestions which they may have to offer.

N.B.—Pending the definition and settlement of State reserves and communal forests, the question of the relations in which Forest Officers are to stand towards Collectors hardly admits of being defined by precise rules. Much must necessarily be left to the good sense of the officers concerned, and the Government confidently confide the working out of the above rules to the Board of Revenue, District Collectors, and Forest Officers' "good sense" and mutual co-operation.

(Signed) CAMPBELL WALKER, Captain,
Officiating Inspector of Forests.

8th June 1875.

Enclosures Nos. 3 and 4.—Papers connected with re-organization of Bombay Forest Department.

From Captain CAMPBELL WALKER, Officiating Inspector of Forests, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Ootacamund, 23rd June 1875, No. 205.

With reference to Proceedings, No. 98-1,458, of 31st May 1875, (enclosure returned,) calling on me for an expression of opinion "as to the feasibility of allotting hill-side grazing grounds and firewood jungles to the villages at the foot of the hills," I have the honor to report that, whilst I consider the definition and settlement of what are State and what are communal forests, and a registration of the people's rights and privileges in both is the first step towards a system of proper forest management, I do not think it is either feasible or advisable to attempt it until we have a forest law, and rules passed thereon, including a complete set laying down the procedure to be followed in selecting, demarcating, and settling the forests of each class.

2. I have already, in my memorandum of the 8th instant, paragraphs 18 to 20, submitted my views as to Mr. Puckle's efforts in this direction in Tinnevelly. I consider the idea excellent in theory, but that in practice it has hitherto proved a failure, mainly because our action is by many considered illegal; we have no power to enforce the restrictions or local rules made, and there is no systematic procedure prescribed or carried out.

3. I enclose, for the Board's information, copy of rules drawn up in 1869 by the Collector of Salem and myself for the demarcation and settlement of boundaries of reserved forests in that district. These rules are based on those in force in Mysore and other Provinces, in which steady progress is being made with regard to the selection and definition of State and communal forests.

4. They were never really acted upon in Salem, partly because I left the district shortly afterwards, but mainly because it was felt that without an Act giving them the force of law, if approved of by the Local Government, their provisions could not be legally enforced. The system, however, which they prescribe was ordered to be adhered to in selecting the Gingee firewood reserves in the South Arcot District, but I do not believe that Mr. Cadell ever carried it out.

5. In the Madura District in 1870-71 I marked off tracts for free felling, the boundaries of which were published in the District Gazette with the approval of the Acting Collector (Mr. J. R. Arbuthnot), but I do not believe the limits were ever strictly adhered to, and I would not now attempt such a measure unless supported by an Act, and after a most careful settlement and registration of rights and privileges village by village.

6. I think the whole matter should be laid before Government, and that this most important point, and that of the administration and control of the Forest Department generally, might with advantage be referred to a mixed committee or commission of Revenue and Forest Officers for careful inquiry and report. Meanwhile, we cannot be too careful to keep strictly within the law.

Enclosure No. 1.—South Arcot Collector's Draft Forest Rules.

Enclosure No. 2.—Notice regarding demarcation of reserved forests in Salem District.

Submitted to Government, with reference to G. O., dated 26th May 1875, No. 822.

2. The Board have carefully considered Captain Walker's further memorandum on the organization of the Forest Department. His arguments have been for the most part urged before. They point to the re-establishment of the Forest Department as a distinct one under the control and administration of a separate head; and, under his proposals, direct action of the Revenue Officers in its working would hardly be necessary.

3. The Board admit that theoretical and abstract considerations of great weight can be urged in support of Captain Walker's views. Forest administration requires special knowledge and special training of a kind which justifies its claim to the title of a professional pursuit, and would on this ground be rightly constituted, as other branches of the administration requiring similar knowledge have been, a separate department under a separate head, responsible to Government alone.

4. But administrative action in forest and jungle tracts in the present circumstances of this country comprises much more than mere forest management and working, and it is from the necessities of mere forest management that Captain Walker's arguments derive force. In his view they constitute the more important part of the question; in the Board's view they must, in present circumstances, be subordinated to other considerations.

5. The Board, of course, refer to the fact that important, though indefinite, rights are possessed by the people, and have been exercised for long years in most of the forest tracts; that these rights are of vital interest to their prosperity; and that consequently the Forest Department and administration must be subordinated—at least until due security is obtained that communal and other privileges shall be respected—to the Revenue authorities, who are better acquainted with rights and privileges and with their importance, and who are more likely to treat them with the necessary consideration than Forest Officers. The latter naturally look to revenue, and, in securing this, may be led to overlook other considerations.

6. At present, the Forest Department proposes to deal with all, or almost all, tracts of forest and jungle in the plain country, and to control and restrict felling over wide areas, encumbered in every direction with communal rights. Their peons and tannadars are ubiquitous, and legitimate forestry is but a small portion of what is expected of the Forest Officers. Such control and regulation of rights as it is necessary or advisable to exercise in the plain country or in the immediate vicinity of habitation and cultivation must be in the hands of Collectors; and, until provision is made for the definition of the area to be confided to Forest Officers, it will be premature to entertain proposals for the separation of the two departments.

7. The Board would gladly see the separate department reconstituted and entirely freed from external control, if the tracts with which it was to deal were defined and demarcated for reservation as State forests. But until this process is completed, which it cannot be until systematic operations have been carried on for a considerable period in every district, the Board are decidedly of opinion that the reconstitution of the separate department would be inexpedient.

8. Captain Walker allows that the co-operation of the Revenue Officers is indispensable in the very difficult and tedious work of demarcation of forests and definition of forest rights. This, as he truly says, is the first requisite of forest conservancy in this Presidency. The principle of the arrangements made last year in Tinnevelly is that for which Captain Walker contends; and, though there may be a difference of opinion as to the details of the arrangements made, the Board are convinced that it is sound, and that it must be carried out in practice under the immediate control of Collectors.

9. The Board are therefore of opinion that until forest tracts are demarcated and forest rights are defined, the District Forest Administration should remain with the Collectors, who have the aid of the District Forest Officers for forest working properly so called. They have admitted that change is necessary in the central administration with a view to give coherence and uniformity to the system, to regulate promotion among the subordinates, and to utilize the knowledge, professional and practical, of the Inspector of Forests. It is probably unnecessary for the Board to disclaim desire to obtain for themselves the patronage of the subordinate grades; this is one of the matters which, under the scheme they have proposed in their previous Proceedings, would be practically left to the Inspector. Captain Walker's arguments are directed against the system as it is, and not against the remedies which the Board have proposed for evils admitted to exist. The Board are of opinion that there is no alternative between the reconstitution of the Forest Department as a separate department and its subordination to the Revenue Department; and, for the reasons stated, they prefer for the present the latter course, under the arrangements already suggested by them in Proceedings No. 129-1,844, dated 3rd July 1875.

10. In paragraph 9 of his memorandum, Captain Walker cites the opinions of Messrs. Lushington and Lodwick, Accountants-General, that the old system was preferable as regards accounts. But this refers merely to a point of detail, *viz.*, whether Forest Officers are to be supplied with funds for working expenses by means of permanent advances or by credits, and has nothing whatever to do with the organization of the department.

11. Captain Walker suggests that the question of forest demarcation in this Presidency should be referred to a specially constituted committee for report. The Board approve this suggestion and recommend that it be carried out, and that the question of the organization of the department be referred to the committee for consideration at the same time. The two questions are, in the Board's opinion, intimately connected.

(A true Copy and Extract.)

Acting Secretary.

To the Acting Secretary to Government, Revenue Department,
with four enclosures, to be returned.

Copy to the Inspector of Forests.
,, to all Collectors of Forest Districts, with copy of G. O.,
dated 26th May 1875, No. 822.

Erd. W. J. Lewis.

Rev: (975 Dept
No 2842

1875.

Board of Revenue,

MADRAS.

PROCEEDINGS, 14TH JULY 1875, No. 1,962.

Dept. July 1875

Encl. Order
of Govt. No. 1882 dt. 19 Nov. 1875
Received 22nd July

JULY.

Forest No. 141.

Forest Department.—Memorandum from Inspector of Forests on reorganization of —, submitted to Government with remarks.—Suggestion of Inspector that the question of forest demarcation should be referred to a special committee, approved, and recommendation made that this and the question of organizing the department be referred to the committee.

F-231

Revenue Department.

Proceedings of the Board of Revenue
Dated 14th July 1875.

Read Proceedings of the Madras Govern-
ment, Revenue Department, dated 26th May
1875, No. 822, passing orders on the Memo-
randum submitted by the Officiating
Inspector of Forests regarding the position
which he should occupy towards the Board

Read also letter from the Officiating
Inspector of Forests, dated 9th June 1875,
No. 172, forwarding a Memorandum
containing views as to the organization
of the Forest Department.

Read also letter from the same
Officer dated 23rd June 1875, No. 205, ex-
pressing his opinion as to the feasibility
of allotting hill side grazing grounds

and

and firewood jungles to the villages at the foot of the hills.

Submitted to Government with reference to Government Order, 26 May 1875, No 822.

2. The Board have carefully considered Captain Walker's further memorandum on the organization of the Forest Department. His arguments have been for the most part urged before. They point to the re-establishment of the Forest Department as a distinct one, under the control and administration of a separate head; and under his proposals direct action of the revenue officers in its working would hardly

be necessary.

3. The Board admit that theoretical and abstract considerations of great weight can be urged in support of Captain Walker's views. Forest administration requires special knowledge and special training of a kind which justifies its claim to the title of a professional pursuit; and would on this ground be rightly constituted as other branches of the administration requiring similar knowledge have been a separate department under a separate head responsible to Government alone.

4. But administrative action in

Forest

forest and jungle tracts in the present circumstances of this country comprises much more than mere forest management and working; and it is from the necessities of mere forest management that Captain Walker's arguments derive force. In his view they constitute the more important part of the question; in the Board's view they must, in present circumstances, be subordinated to other considerations.

5. The Board, of course, refer to the fact that important, though indefinite rights are possessed by the people and have been exercised for long years in most of the forest tracts; that these rights are of vital interest to their prosperity; and that consequently the forest department and administration must be subordinated at least until due security is obtained that communal and other privileges shall be respected - to the revenue authorities, who are better acquainted with rights and privileges and with their importance, and who are more likely to treat them with the necessary consideration than forest officers. The latter naturally look to revenue and in securing this may be led to overlook other considerations.

6. At present, the Forest Department, professes

professes to deal with all or almost all tracts of forest and jungle in the plain country, and to control and restrict felling over wide areas, encumbered in every direction with communal rights. Their peons and hamaadars are ubiquitous, and legitimate forestry is but a small portion of what is expected of the forest officers. Such control and regulation of rights as it is necessary or advisable to exercise in the plain country or in the immediate vicinity of habitation and cultivation must be in the hands of Collectors; and until provision is made for the definition

of the area to be confided to forest officers, it will be premature to entertain proposals for the separation of the two departments.

7. The Board would gladly see the separate department reconstituted and entirely freed from external control, if the tracts with which it was to deal were defined, and demarcated for reservation as State Forests. But until this process is completed which it cannot be until systematic operations have been carried on for a considerable period in every district, the Board are decidedly of opinion that the reconstitution of the separate department would be inexpedient.

Captain

8. Captain Walker allows that the cooperation of the revenue officers is indispensable in the very difficult and tedious work of demarcation of forests and definition of forest rights. This as he truly says is the first requisite of forest conservancy in this Presidency. The principle of the arrangements made last year in Tinnevelly is that for which Captain Walker contends and though there may be a difference of opinion as to the details of the arrangements made the Board are convinced that it is sound and that it must be carried out in practice under the immediate control

of Collectors.

9. The Board are therefore of opinion that until forest tracts are demarcated and forest rights are defined the district forest administration should remain with the Collectors who have the aid of the district forest officers for forest working properly so called. They have admitted that change is necessary in the central administration with a view to give coherence and uniformity to the system, to regulate promotions among the subordinates, and to utilize the knowledge professional and practical of the Inspector of Forests. It is probably unnecessary for the Board to disclaim desire to obtain for themselves the patronage

patronage of the subordinate grades; this is one of the matters which under the scheme they have proposed in their previous proceedings would be practically left to the Inspector. Captain Walker's arguments are directed against the system as it is, and not against the remedies which the Board have proposed for evils admitted to exist. The Board are of opinion that there is no alternative between the reconstitution of the Forest Department as a separate department, and its subordination to the Revenue Department; and for the reasons stated, they prefer for the present, the

latter course under the arrangements already suggested by them in Proceedings, No. 129/1844, dated 3rd July 1875.

10. In para 9 of his Memorandum Captain Walker cites the opinions of Messrs Lushington and Lodwick, Accountants General, that the old system was preferable as regards accounts. But this refers merely to a point of detail, viz; whether forest officers are to be supplied with funds for working expenses by means of permanent advances or by credits; and have nothing whatever to do with the organization of the department.

11. Captain Walker suggests that the questions

question of forest demarcation in this Presidency should be referred to a Specially constituted Committee for report. The Board approve this suggestion and recommend that it be carried out and that the question of the organization of the department be referred to the Committee for consideration at the same time - The two questions are in the Board's opinion intimately connected.

/True Extract/

H Ellis

Ag Secretary

To

The Secretary to Government
Revenue Department
with 4 Enclosures to be returned
and copies of letters from the
Offg Inspector of Forests.

Copy

Rev: 1875: D. No: 2842

Proceedings of the
Board of Revenue

Read 14: 7 July 1875
Rec'd 22: 7 July 1875
Issued 14: 8 July 1875

Subject of Forests on the Nilgiris

Extract of — and Bill for Lieuts
Anderson and Walker's services in laying
off a separate head, submitted to
Govt with remarks. — Suggestion
of Inspector for that question of
Forest demarcation &c
&c returned to a special
Committee, appointed to
consult, & report on & recommend their
views to the Board

Copy of the
Proceedings of the
Board of Revenue

Madras

Dated 14th July 1875

Read 22nd July 1875

Issued 22nd July 1875

Rec'd 23rd July 1875

Copied 28th July 1875

Office of Inspector of Forests
Ootacamund 23rd June 1875

No 205

32

From

Captain Campbell Walker
Officiating Inspector of Forests.

To,

The Secretary to the
Board of Revenue
Madras

Sir,

With reference to Proceedings
No 98/1458 of 31st May 1875 (Enclosures
returned) calling on me for an expres-
sion of opinion "as to the feasibility
of allotting hill side grazing grounds
and firewood jungles to the villages at
the foot of the hills", I have the
honor to report that, whilst I con-
sider the definition and settlement
of what are state and what are com-
munal forests, and a registration
of the peoples rights and privileges in
both

both, is the first step towards a system of proper forest management. I do not think it is either feasible or advisable to attempt it until we have a forest law, and rules passed thereon, including a complete set laying down the procedure to be followed in selecting, demarcating, and settling the forests of each class.

2. I have already, in my Memorandum of the 8th Instant paras 18-20, submitted my views as to Mr Pickles' efforts in this direction in Tinnevelly. I consider the idea excellent in theory, but that in practice it has hitherto proved a failure, mainly because

our action is by many considered illegal, we have no power to enforce the restrictions or local rules made, and there is no systematic procedure prescribed or carried out.

3. I enclose, for the Board's information copy of rules drawn up in 1869 by the Collector of Salem and myself for the demarcation and settlement of boundaries of reserved forests in that District. These rules are based on those in force in Mysore and other Provinces in which steady progress is being made with regard to the selection and definition of State and communal forests.

They

4. They were never really acted upon in Salem, partly because I left the District shortly afterwards, but mainly because it was felt that, without an Act giving them the force of law if approved of by the Local Government, their provisions could not be legally enforced. The system, however, which they prescribe was ordered to be adhered to in selecting the Ginjee firewood reserves in the South Arcot District, but I do not believe that Mr Cadell ever carried it out.

5. In the Madura District in 1870-71 I marked off tracts for free felling the boundaries of which were

were published in the District Gazette with the approval of the Acting Collector (Mr J.R. Arbuthnot) but I do not believe the limits were ever strictly adhered to, and I would not now attempt such a measure unless supported by an Act, and after a most careful settlement and registration of rights and privileges village by village.

6. I think the whole matter should be laid before Government, and that this most important point, and that of the administration and control of the Forest Department generally might, with advantage, be referred to a mixed Committee or Commission of Revenue and forest

forest Officers for careful enquiry and reports. Meanwhile we cannot be too careful to keep strictly within the law.

I have &c.

(Signed). Campbell Walker Capt.

C.F.S. Inspector of Forests.

(True Copy)

A. Elkins

A.S. Secretary

Sec. L.

C.F.S.

Office of Inspector of Forests
Ootacamund, 9th June 1875.

36

No 172

From,
Captain Campbell Walker
Asst Inspector of Forests
Ootacamund

To,
H. E. Stokes Esqre,
Secretary, Board of Revenue
Madras

Sir,

In accordance with the instructions conveyed in G. O. No 822 dated 26th May I have the honor to forward a Memorandum containing my views as to the organization of the Forest Department for submission to Government with the Board's remarks.

I have &c
(Signed) Campbell Walker Capn
Asst Inspector of Forests.

(True Copy) H Stokes
As Secretary

C Walker
A I C

Enclosure in Proceedings of the Board of Revenue to the Secretary to Government dated 14th July 1875.

Copy of Letter from Asst Inspector of Forests dated 23rd June 1875 No 205.

Read 24/7/75
Rev 5
2842/75

Enclosure with Rev. Dept. No. 1 of the Board's Proceedings dated the 21st August 1875.

Copy of letter from the Officiating Secretary to Government, Forests Department, No. 172, dated Ootacamund, the 9th June 1875.

Rev 1 / 28542 / 75

No 2

38

Draft rules for the Administration of the Forest Department in the Madras Presidency.

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1. The administration of the forests is a branch of the Revenue administration and is placed, subject to the following restrictions under the control of the Conservator of Forests. The position of the District forest officers to the District Collector is analagous to that of the District police officers to the District Magistrate.

2. All orders of a professional character relating for example, to felling, planting, and other operations will emanate from the Conservator, but are to reach the District forest officer through

through the Collector. If the latter sees any reason to object to them, he can do so, and differences of opinion between him and the Conservator which cannot otherwise be settled are to be referred to the Revenue Board, and, if necessary, to Government. The Conservator will be at liberty to communicate direct with District Forest officers for the collection and dissemination of scientific or professional knowledge.

3. In like manner all correspondence between District forest officers and the Conservator, including bills for travelling allowances, periodical reports, estimates &c. are to be sent through the Collector, who will make such

such comments as he may deem advisable.

4. The Collector is not as a rule to issue orders to the District forest officer direct, but, in the event of his deeming it necessary to order him to proceed to a particular locality, or to take special action in any forest matter, he may do so, taking care to send a copy of such order for the information of the Conservator.

5. The Conservator is to be the Controlling authority in all matters of patronage in the subordinate branches, and in all matters of departmental descipline.

6. The control of forest expenditure rests

rests with the Conservator subject to the approval of the Revenue Board and Government. The Conservator may sanction expenditure on any one work upto Rs 500, and the Revenue Board upto Rs 5,000, provided that funds are available in the Budget grant. The Conservator may make any transfers of funds sanc-
-tioned under Major head "B - Conservancy & Works" in the Budget, intimating the same to Government through the Revenue Board - (or Accountant General?)

7. An annual plan of forest operations is to be prepared by each District forest officer and forwarded, through the Collector,

to the Conservator. The Conservator will in like manner submit, through the Revenue Board, a sketch of proposed operations in the several forest divisions or districts for the information and orders of Government.

8. The Conservator shall submit "tour notes" or "inspection reports" on the forests visited by him. Those tour notes shall be addressed to Government, but pass through the District Collector and Revenue Board, for any remarks or suggestions which they may have to offer.

N.B. Pending the definition and settlement of State reserves, and

communal

communal forests, the question
of the relation in which forest
officers are to stand towards Collector
hardly admits of being defined by
precise rules. Much must neces-
sarily be left to the good sense
of the officers concerned, and the
Government confidently confide
the working out of the above rules to
the Board of Revenue, District Collectors
and Forest officers "good sense"
and Mutual co-operation.

8th June 1875. } (Signed) Campbell Walker Capt.
C.S.I. Inspector of Forests.

(True Copy)

H Waters
Asst Secretary

C.H.G.
C.B.W.

Revenue Department

REVENUE DEPARTMENT.

No. 2842

Dated 14 June 187[illegible]

FOR ORDERS.

Enclosure in a letter
No 172 dated 9 June 1875
from the Offg Conservator
of Forests to the Secretary
Board of Revenue.

Rev 741/75

Rev 2/2842/75

the principle of the claim — & the
Jury willing to give it a trial &
Plaintiff willing & prepared that
was always the object & desire
the fairness of that trial
I think that failure has
developed to a sufficiency to
justify immediate withdrawal
at least to the extent that
Mr Kupferle indicates —
and direct the Jury as
above & in the course as
a guide for their Govt case
Counsel — As the Subject of action
of fact in dispute Counsel
personally hold that the

presumption of law in favor
the reverse of what we are in-
clined to assert — by that in
India the entire area is a
village limit — & the absolute
property of the Community — but
a mere Domestic over that the
villages have some "important
this indefinite "right" that it
cannot be invaded except
under law — Statute or
Customary — & the Govt of the
Crown Dominions has at
those who seek to establish
rights at expense —
As the Plaintiff has
paramount power may

Recd Nov 7/75

FOR ORDERS.

have some "important and indisputable rights" but it behoves us to modify & assert the laws of necessity but not in anticipation of law as we are now doing too extensively

28/9 W. Robinson

I entirely agree in the view expressed by Mr. Huddleston, as to the immediate necessity of placing the Conservator of Forests in a position in which he can exercise control, & give both impulse & uniformity to Forest operations. We have had sufficient experience of the present system which has proved a failure — I would have no Committee but adopt Captain Walkers Rules. The sooner we get our Forest Law framed the better —

RK

No. 231 C&D

Rev Pro. 19-11-75 No 231

"Forest Organis:"

Note

I concur this into a Minute as desired by my Hon colleagues is I understand

LK

Note on Hd. Bd: 14 April and 14 July 75.

44

Ref. to the Bd's Res. & Rev. Sec. Dfst.

I have been intimately connected with the discussion of this Forest question from the time that Dr. Cleghorn suggested rules & Mr. E.B. Thomas as Col. [illegible] down to the reorganisation of the Forest Dept in 71/2 [illegible] changes & was in great measure responsible having framed the proceedings [illegible] their adoption under a very strong impression of the mischievous manner in which Forest matters generally were directing the rights of the people utterly ignored in favour of departmental considerations. Whose supervision of local operations became impracticable.

I must however confess that I cannot now dispose to contend for maintaining in its integrity the system that was then introduced for I cannot but perceive that with the scientific administration of our Indian forests is becoming of [illegible] more [illegible] of the [illegible] importance. The results of the 71. Reform [illegible] & subordinate [illegible] in many instances [illegible] & generally [illegible] ignorance of the special subject.

While I am by no means satisfied that the rights of the people cannot be well guarded under a system

[illegible] pass thro the [illegible] office — establ. &

Dr. Clarke invited by the Specially trained Officers - as visitors to Stay and under the following terms

Lieut. S.D. of 26 Fd. Bde R.A. 3/3. LD. The Bd. of Ld. have requested Surgeon Captain Mahon the Director of Medical Services at Bombay to form a Port Bombay Protection Organisation for Ch. Shipping of Rs. 3707 Sup. on the Principles of the Port of London Protection Organisation for Commercial Shipping in the event of War.

The Bombay Protection Organisation will be under the control of the Commodore Indian Ocean Station, and will consist of the following Units:-

1. Subject to the Restrictions of Para 2 Surgeon Commander Mahon I.M.S. will be in charge of the Organisation and Control of all Units in matters of Medical Policy.

2. Commodore Indian Ocean Station will be responsible for all matters of a Naval character, as regards Defence, Planting &c. Ensuring the smooth & economy working of the Organisation.

3. All communications between Commodore Indian Ocean Station and Surgeon Commander Mahon I.M.S. will be addressed to the Secretary Admiralty.

4. Colonel Commandant Royal Artillery Bombay will be responsible for the Land Defences of Bombay, and will be in charge of the Examination Service.

5. Lieutenant Commander Royal Indian Marine will be responsible for the Control of the Examination Vessels, Boats, Signal Stations, Mine Fields, Mine Sweeping Operations, Patrols, Wireless Stations, Examination Vessels, Boats, Signal Stations, Mine Fields, Mine Sweeping Operations, Patrols, Wireless

6. A.F.O. 2 Surgeon Captains Indian Medical Service Surgeon Commander Mahon I.M.S. Lieutenant Commander Royal Indian Marine

7. Disbursements maintained from Working Funds. Standing Orders Ending Accounts.

In the passing of the Bombay Defence Scheme the Commodore Indian Ocean Station has specially interested himself in the Protection Scheme and has made acquainted with all Business passing between Colonel Commandant Royal Artillery Bombay and Surgeon Commander Mahon I.M.S. and has consulted with all Protection Officers coming before Government of the Port Bombay.

I would therefore suggest that at this Meeting the Commodore Indian Ocean Station should be present as any difference of opinion from that contemplated by the Bombay Rules or the Orders in them.

Many Lessons also will be learnt from the Organisation in Bombay in the event of War, and it would be desirable that the Commodore Indian Ocean Station should be present during the Operations

Memo.

It would be very desirable to
arrange to collect in the administration
of the matters (of this subordinate
Dept) equally as far as could be done
them in detail.

That it is always to be borne in mind
from the administration of Excise matters
by the S.T.O. that a local character in
every Collector.

The Justices be taken from the
Revenue & the Navy

Generally departmental considerations
to be always regarded

That Inspectors may be always
ignored.

Observed that the Bd. cannot
prosecute with success but at the Balance
Office.

The Draftsmen &c. they have not in
explicit the S.O. of 30 Oct. provides
that

the administration of the Excise shall be
in the hands of the Colls subject to the Bd of Rev.
& the S.T.O. which receive orders from the Colls alone.

the Inspection of Excise shall be subordinate
to the Colls. regulate their times and their
orders. their functions being mainly inspection
& advice. the collection & dissemination of
professional information be very communicative to
Surveyors.

2.

Directs the S.T.O. on purely professional
matters may correct instructions from the
Colls. the former shall be at liberty to
suspend their communications pending appl.
back to the Insp. or if necessary to the Bd.
All periodical reports of Colls shall reach the Bd thro'
the Inspectors.

That on Lic. in appl. to S.T.O. shall be placed by the
Coll. at disposal of Insp. Surveyor give instructions
to him on the spot. Insp. shall be entitled in "Journeys"
& time on the spot. Insp. shall be entitled to "Journeys"
expenses & to Coll. thro' Bd. but if involving immediate
action shall be comm. direct to Coll. & shall have
power to countermand them as above.

Colls. shall frame annual plans of operations for
disposal by Bd. in concert with Insp.

Financial control & audit shall be thro' Bd.

Colls. responsible for depart. discipline
& strictness of patronage shall be thro' Bd.

In his Memorandum of 17 Sept. 74. & 20 Feb. 75. on the Inst. Finance question. Capt. Waller has pointed out that the Q.L. Excise in the Draft Instructions (Sec. 18 Aug. 74. not in the papers circ.) lay down that the Conservator shall have full control over the outlay for Conservancy & working - & audit of expenditure being in their hands.

In his Memo. 19 Oct. 74 this Off. observes that the working & purchase of lands & premises for such purposes shall pass thro' this Board between the D.T.O. & the Bd - & that accounts involving fluctuating rates & the like shall go thro' "check & remark" Capt. W. in his remarks that the Insp. should get two

matters of pass thro' the Colls. Office - & that &

subordinate to the Bd. - that he has no power of check Bd in votes sanctions or disallowances of charges. & that no officer in the position can scarcely be expected to entertain strong remarks Bd carry no weight.

He states his opinion that Gold. Law neither the time nor the sanitary Equipment to enable them to check Forest Expenditure or disallow Forest Estimates.

And he proposes to put the Dispensation under the Conservator by transf. the Inspector & his office to the Bd making them his representative in Forest matters. He gives details of the proposed arrang. Bd. presents an idea of Lumpsum inspection

The Bd while cordially acknowledg the assistance from Capt W. & his assistant in Forest matters - object of his proposal being entertainment & planning the S.T.O. & Gold. in Forest matters under his orders. & recommending Special Department in anticipating the rule

They admit however that at present there is a want of system & economy in Forest admin. & of central control under the direction of special knowledge but they entertain grave doubt & dislike again given the Forest administ. from the general Revenue admin. of the country.

The remedy for acknowl. evils can they think be attained by making the Inspector entirely subordinate to the Bd & discontinuing his direct relations to the Govt.

This Memorandum raises important questions & is recorded in the Bd Fin. to call orders Govt

issue under signature of the Bd. &c. 47

This time to be arranged under instructions from the Bd. & then to be referred to - sending the report to the Gold. of the D. concerned for transmission to the Bd with his own remarks. the Bd. deciding the question of sending the report to Govt. or not.

As purely professional matters as regul. of working & felling - measures of protection in reserved forests - preparation of timber for market - formation of roads & care & management of plantations - the Gold. might issue instructions to the Gold. thereon as to issuing them without reference to the Bd

As these Gold. might give instructions under limits as in draft rule.

And for collection & discernment of proposed information might communicate direct with D.F.O.

Financial control will remain to the Bd & Govt. until timbers & necessary of Govt. perfect knowledge.

As 9 June 75. Capt Walker to Bd & Govt. his remarks on these Proc. of the Bd. premising that his former suggestions had for their object to make the best of the present system - & that all considering the system Bd to think best.

He states that after loyally endeavouring to make the best of the present system he is forced to the conclusion that it is a failure

that it certainly fails to secure any closer amalgamation of Forest with Rev. administration than the former system did - & that it is by no means advisable that the amalgam. should be closer as practically annul the privilege of appeal to the Gold.

- that it has resulted in great increase

matters &c. pass this the Gold. office - to establ. &

of office work -

that it has deprived Divisional Officers of initiative or privilege co-operation in Forest matters

that it has been accompanied by a total want of co-operation of the part of village & taluk officials (who I suppose now assume that they have overcome in that is administered by the Collr. than in D.F.O.)

that it has entailed great delay & circumlocution in the disposal of Forest Questions.

that under it there is no real control or check over Expenditure over leaves

and - that matters of appointt. promotion - & transfers are in other conditions & the great discouragement of the employees - there being really no administrative head of the Dept.

As regards the 3d proposal - I submit that it would be possible of any professionally qualified officer of standing & experience intelligence & energy & power of work & direction & his D. the question & spots as showing how much time is wasting & the work - & how it might be done under the Executive Officer.

I propose that Coll. shd. no longer be considered or styled Conservators - except in the case of Guardians of Forests as of the State present

that the professional head of the Dept. shd again be styled Conservator in the technical sense

that D.F.O. shd as regards the Coll. & Conservator

be placed on the footing of Coll. of Works & Police in Bombay &c. is analogous & that of the Supt of Police & with regard to the Dist. Magistracy I do not think this analogy is quite borne out and the subsidiary Dept. Rules - based on those in force in Bombay - modified as regards conspicuous professional matters - &c. appear to have been drawn by Mr. Brandis & recorded in a Resol. of Govt. in F.D. of 23 Feb. 71.

Under the system - whatever or whenever the ideas of the people or the general policy of administration are concerned - the D.F.O. & subordinates are subject to the Coll. as regards the initiation of concurrency & their application.

If shd be the duty of Coll. in communication with the Conservator & decide what Forests shd be classed as State Forests & what communal or village forests shd be reserved & what communal or village forests shd be handed over by the Forest Dept. The duties of the Coll. in connection with such tracts of land - & exceptional cases as regards maintenance of communal rights &c. in respect of which the D.F.O. shd remain entirely under his orders. The Coll. also ascertain powers of direct interference in cases of gross mismanagement - abuse of authority - neglect of duty or such like lapses on the part of the D.F.O. & subordinates not giving his proceedings to the Coll. & Conservator. All correspondence between the Conservator & the D.F.O. on purely professional matters shd pass thro' the Coll. office - & not be

working charges &c to be checked by this Treasury Dept. objectionable items being brought to the Governor's notice.

The D.F.O. &c to be responsible to the Conservator alone &c to be responsible for the internal working & interior economy of the Dept.

Departmental patronage – including appts. promotions transfers – punishments. &c. &c. to rest with him.

By some such system only does Capt Walker consider that a Department &c is gradually raising to the constitution of perfection also trained officers sent out from England – can be satisfactorily worked.

The rules hereunto presently appended.

The Admty of the Forest is a branch of the Lds. Admiss & is placed under the control of the Comrs of F. subject to the following restrictions. D.F.O. position relative to Govr of Bs with the analogous case of S. Africa Govt & Dr Govt

All technical instructions will emanate from Comrs but each D.F.O. thro' Colonial Govt as a channel of communication with Govt of Bs.

Comrs may communicate direct with D.F.O. for the purpose of professional knowledge.

All correspce between D.F.O. & Comrs in all things thro' Govr alone. Estimates. finance &c &c. with Govr thro' Colonial Govt is at liberty to communicate.

Assistant Colonial Govt is not to interfere with orders direct to D.F.O. but if

necessary may direct & prescribe to particular localities or take special action in any great matter touching economy & Govt

Conservator shall control subordinate patronage & departmental discipline

Conservator shall also control Forest Expenditure subject to approval of Govr Bs of Govt

D.F.O. shall prepare annual scheme of operations & forward thro' Colonial Govt Conservator – shall also submit general scheme for whole period thro' Govr Bs & Govt.

Conservators Inspection Reports shall be submitted to Govt thro' Colonial Govt of Bs of Govt thro' Colonial Govt

49

Whether provided that pending definition of State reserves & Communal forests relations of D.F.O. & Govt must in great measure be left to the good sense of the officers concerned – but that Govt rely on the spirit of the rules being maintained

The Govt of Govr observe on these Rules & Regulations that no doubt may be urged in their favor. they are made to support them because they confine that matter due security is obtained for the proper

maintenance of communal & other privileges in Forest tracts. the Forest Department & Forest administration must be subordinated to the Revenue authorities. Govt. must carefully protect these rights & privileges of the cultivators under Forest officers "Encroachments to be severely dealt with & removed"

Fencing is a necessity in all these cases.

Form a paper given me by Capt. W. which shows the finance question in Forest Lines very clearly.

	Sirsa & Georgia Tahsils of 3 years	Hissar Tahsil of 3 years
	Rs.	Rs.
Receipts	1254433	1232634
Charges	927267	1229203
Balance	327166	3431
Expenditure on Forest improvements	107055	1143

Thus have been credited to Forest Charges for purchase of land, increased establishments has been made for fencing & working &c. & decrease from Rs. 1 thousand Rs. as the yearly Excess of Receipts over Charges is not worthy - this last should remain long unnoticed if it continues -

Mr. B. proceeded to say that the State Forests as a whole could not be worked otherwise than at a loss for many years to come. The Forest Department must be a work of time & the measures the Forest D. proposed to take about all tracts of forest & jungle in the plains country & the control over it fitting our Civil areas. encumbered in every direction with the communal rights. the control & regulation of these rights must be kept in the hands of officers connected with agriculture & demarcation. the considered that the Forest admin. did not pertain to the Govt. - their duties being available for "forest working" (as they so called). they are of opinion that there is no alternative between the reconstitution of the Forest Dept: as a separate department. its subordination to the Rev: dept. or the for the reasons stated they prefer the latter course modified as proposed by them -

Capt. W. has suggested that the question of demarcation & the administration & control of the Forest Dept generally be referred to a mixed committee or Commission of the Rev. & Forest officers for an exhaustive enquiry & report - & Mr. B approves this suggestion & recommends that it be carried out.

Jenkins Sub Division Rohtak

commit the crucial tech. Govt. on the organisation question - to wh. they are extraordy ignorant -

How do I agree with the B.P. in thinking that there is no alternative between complete subordination of the Forest Dept. & the Rev. authorities or complete separation from them.

I think the working rules. Sir D. Brandis has worked well. Upon an alternative and between that & Capt. W's rules Sir D. thinks that add to the subordination of Forest & Rev. are almost identical with them.

I suppose. as does Capt W. is in Sir D's that until demarcation has been completed & final leases formed, there will be some uncertainty as to the relative position of D.F.O's & the Rev. authorities. but it is evident that the completion of such demarcation must be a work of very considerable time - & I do not see why the rules shd. not work fairly well in the interval I think it very undesirable to prolong the present state of things unnecessarily.

The draft rules sent by Capt W. maintain a very close connection between the Rev. authorities & the D.F.O. in each district. & in my opinion they

provide means the objects aimed at by Govt. in the Re-organisation of 72 - more certainly than the present system has succeeded in doing. (See paras 6. & 21. G.O. 26 Jan 7. 72)

51

At present it appears & must that the professional head of the F.D. is powerless "for giving impulse & activity" & the system - "for inspecting it's uniformity" - "for directing effort & promoting Experiments".

Which the Colr. are far from being "guided by his advice in matters constituting the mystery of the craft". but follow their own lights on the subject.

The "ultimate financial & economical results of the change" have been that we are landed in a deficit instead of a yearly surplus retirement of about a crore. but the collection of Forest produce so far from being developed has in great measure disappeared.

and that more is in a position to say that the economical resources & capabilities of the Bombay is beyond Forest & Timber supply. analysis.

I should at once write to you further

Rec'd 19 Feb/75

16

Invitation recommending the Conservator of Forests as professional head of the department. Introduces Capt. Walker's draft rules.

Ask. call on the Conservator to submit detailed proposals for immediate action in the matter of demarcating State Forests - naming the members of the Committee to consider the subject of which the Govt. at the last meeting. For my own part I think the Committee composed of the Conservator, the Collr. the D.F.O. and such Revenue Officers as the Govt might appoint would be preferable & impress on all concerned that pending their definition & the distinct allotment of a special field for State purchases in the Forest D. the Govt confidently rely on all concerned taking forbearing & cautious action.

Endorse & get the thing out of hand. The letter.

19 Sept. 75.

Rec. 19 Feby/75.

h: 231 B. 6 + D.

[illegible]

Rec'd 24 Feb/75

Copies sent to Beng. & Bom.

Revenue Department

No 1662 B

52

To,

The Secretary to the Govt. of India
Department of Rev: Agri: & Commce

Sir

In 1872, the Government finding that the Forest Department as then constituted, was wanting in influence, and in that intimate sympathy with the people which is so essentially necessary for successful forest conservancy, and that a certain clashing of interests had grown up, resolved to seek a remedy in a change of system. The Forest Department was accordingly constituted a branch of the Revenue Dept.

The head of the Dept. then styled Conservator,

read

To Govt of India 24 January 1872 No 149.

was made Inspector of Forests; all control over its operations was removed from him, and his duties ceased to be executive, and consisted mainly of inspection and advice.

This system which came into force on the 1st October 1872, has now been three years in working, but the results are far from satisfactory.

The Government, have, for some time, had in view the advisability of a change; and the resolution they have come to on the subject, is recorded in Proceedings of 19th Novr 1875 No. 1662 A, copy of which is herewith forwarded, for

for the information of the Government of India.

It will be seen, that the Conservator of Forests has been re-constituted the professional head of the Department; and that, subject to certain restrictions specified in the Rules appended to the Proceedings now forwarded, the administration of Forests has been placed under that officers direction.

Secd
for inform
19th Nov 1875.

To A of Order

Reporting change in the system of Forest Administration

Rules for the Administration of the Forest Department in the Bombay Presidency

1st. — Subject to the following restrictions, the District Forest Officer is to be subordinate to the Collector in all Forest matters.

2nd. — All orders of a professional character, relating, for example, to felling, planting and other operations will emanate from the Conservator, but are to reach the District Officer through the Collector. If the latter Officer sees any reason to object to them, he can do so; and differences of opinion between him and the Conservator, which cannot be otherwise settled, are to be referred to the Revenue Commissioner

and, if necessary, to Govern-
ment. The Conservator will
be held specially responsible
for the economical working of
the Department.

3rd.— In like manner, all
correspondence between
the District Officer and
the Conservator, including
bills for travelling allowance,
periodical reports, estimates,
&c., are to be sent through
the Collector, who will
make such comments
as he may deem advisable.

4th.— The Collector is not to
issue orders to the District
Officer affecting Forest
management direct;
but in the event of his
deeming it necessary to
order him to proceed to
a particular locality,
he can do so, taking
care to send a copy of

such order for the information
of the Conservator. 55

5th.— The Conservator is to be
the controlling authority
in all matters of patronage
in the Subordinate branches,
and in all matters of
Departmental discipline.

6th.— An annual plan of
Forest operations is to be
prepared by the District
Officer and submitted,
through the Collector,
to the Conservator in
the manner indicated
by Dr. Brandis. The
Conservators will, in turn,
submit through the
Revenue Commissioner,
a sketch of the proposed
operations in their Divisions
for the information of
Government.

The

7th Cl. — The existing arrangements regarding the provision of funds, power of sanction, and the rendering of accounts, are to be adhered to.

Bombay
Forest Dep^t. Rule.

10th Ext. from Capt. Waller

56

The financial results of the Dep^t since the "Reorganisation" are not satisfactory: the following figures show that whilst the expenditure is steadily increasing the revenue shows a tendency to decline

Receipts & Expenditure from 69 to 72 being the last 3 years under the convention.

	Receipts	Expenditure
1869-70	4,95,789	2,86,691
70-71	3,39,762	2,94,860
71-72	4,18,882	3,45,716
Av^e	12,54,433	9,27,267
Deduct		9,27,267
Net profit Av^e 3 years	3,27,166	
Av^e	1,09,055 per annum.	

Receipts & Exp^e from 72 to 75 - i.e. since the reorganisation

	Receipts	Expenditure
1872-73	4,18,767	4,78,147
73-74	4,49,541	3,53,184
74-75	3,64,326	3,97,872
Av^e	12,32,634	12,29,203
Deduct		12,29,203
Net profit Av^e 3 years	3,431	
Av^e	1143 per annum.	

Stock 72-73 3,98368
73-74 3,74,264
Decrease Av^e 24,104
74-75 Net decrease

Increased establ^t purchase of land & extension

of planting & of wood Recent operations
will account in the main for the increase
of expenditure but the revenue is not so
elastic as it might & should be and it is feared
that there is great waste, want of economy,
and failure to develop resources of under
the present system —
The Board in their last proceedings on
the subject of the organization of the Dept
have their argument almost entirely on the idea
that Forest Officers must be ignorant
of the rights & privileges of the people &
conspire to confiscate them but I main-
tain & always have consistently upheld
that it is not so - Forest Officers as a rule soon
learn the privileges & customs of the people
with whom they are brought into immediate
contact and are generally anxious to
conciliate & be liberal & those really deserving

of consideration. a perusal of the reports
of our Officers will afford abundant proofs
of this but as stated in my memorandum
one of the great drawbacks to the present
system is that it deprives the people
of the safeguard of an appeal in case of
need to the Collector as Chief Rev. Officer of
the Dist. & Commissioner & Chief Officer
for the Collector is a Commissioner & Chief Officer
Forest Officer is responsible for his details -

Capt. Walker Inv Depn

38

Draft Rules for the Administration of the Forest Department in the Madras Residency

I approve these as worthy of first attention
for final action
Date

Para

The Administration of the Forests is a branch of the Revenue Administration, ~~and is placed~~, subject to the following restrictions, it is placed under the ~~Collector~~ Director of the Conservator of Forests. The position of the District Forest officers to the District Collector is analogous to that of the District Police officer to the District Magistrate; in matters the

2. All orders of a professional character relating, for example, to fellings, plantings, and other operations, will emanate from the Conservator, but are to reach the District Forest officer through the Collector. If the latter sees any reason to object to them, he can do so, and differences of opinion between him and the Conservator, which cannot otherwise be settled, are to be referred to the Revenue Board, and, if necessary, to Government.

The

The Conservator will be held primarily responsible for the economical working of his Circle.

The Conservator will be at liberty to communicate direct with District Forest Officers for the collection and dissemination of scientific or professional knowledge.

3. In like manner all correspondence between District Forest Officers and the Conservator including bills for travelling allowance, periodical reports, estimates, &c are to be sent through the Collector, who will make such comments as he may deem advisable.

4. The Collector is not as a rule to issue orders to the District Forest Officer direct; but, in the event of his deeming it necessary to order him to proceed to a particular locality, or to take special action in any forest matter, he may do so, taking care to send a copy of such order for the information of the Conservator.

5. The Conservator is to be the controlling authority in all matters of patronage in the subordinate branches, and in all matters of departmental discipline.

6. The control of forest expenditure rests with the Conservator, subject to the approval of the Revenue Board & Government. The Conservator may sanction expenditure

59 ₹ 14

expenditure on any one work up to Rs. 500 and the Revenue Board up to Rs. 5,000, provided that funds are available in the budget grant. The Conservator may make any transfers of funds sanctioned under major head "B. Conservancy and works," in the budget, intimating the same to Govt. through the Revenue Board (or Accountant-General).

In all other respects existing arrangements regarding provision of funds, procuring of establishments, will continue as at present.

7. An annual plan of forest operations is to be prepared by each District Forest Officer, and forwarded through the Collector to the Conservator. The Conservator will in like manner submit through the Revenue Board a sketch of proposed operations in the several Forest Divisions or Districts for the information and orders of Government.

8. The Conservator shall submit "tour notes" or "Inspection reports" on the forests visited by him. Those tour notes shall be addressed to Govt. through the District Collector & Revenue Board for any remarks or suggestions which they may have to offer.

Rs. applies here & is sanctioned in G.O.

N.B. Pending the definition and settlement of State reserves & Communal forests, the question of the relations in which Forest Officers are to stand towards Collectors hardly admits of being defined by precise rules. Much must necessarily be left to the good sense of the officers concerned & the Govt. confidently confide the working out of the above rules to the Bd. of Revenue, Collrs. & Forest Officers' "good sense" & mutual cooperation.

Revenue Department

No. 1662 A

60

Proceedings of the Madras Government

Under date the 19th Novr. 1875.

Read the following Report

of the Board of Revenue

Subject, with printed memorandum from the Inspector of Forests on reorganization of Forest Department &c.

(R.C. 14 July 1875. No. 1962)

3 Memos to the printed copies of Proceedings

Nos. * * * *

of Govt. Order thereon, Dated 1875, &c.

In their order of the 24 of January 1872, No. 148, the Government briefly reviewed the history of the Forest Department in this Presidency and finding that, as then constituted, it was wanting in influence and in that intimate sympathy with the

the people which is so
spentially necessary for
successful Forest Conservancy
and that a certain clash-
ing of interests had grown
up they resolved to
seek a remedy in a
change of system. The
Forest Dept. was accord-
ingly constituted a branch
of the Revenue Dept.
The head of the Dept.
then styled Conservator
was made Inspector
of Forests, all control
over its operations was
removed from him,
and his duties ceased
to be Executive and
consisted mainly of
Inspection and advice.

2

2. This system which
came into force on the
1st of October 1872 has now
been three years in working
and H.E. in Council can-
not but perceive that
while it has failed to
secure that scientific
administration of the forests
which is rapidly becoming
more and more a matter
of State importance, the
security for the
rights of the people are
complete as it is
not ~~in the march~~. It is
opportune for appeal is lost.
evident that the Inspector
in his present position
is destitute of that
authority which alone
can enable him to fur-
ther as was hoped, impulse
and activity to the system

and

and to impress it with some uniformity while from the figures noted in the margin it will be seen that the "ultimate financial and economical results of the change" cannot be considered satisfactory.

3. The Govt are aware that for most of the increased expenditure the new system is not responsible ~~in any manner~~ as it was absolutely required for the efficient working of the Dept, and indeed began while the old system was still in force, and they note that large sums have been spent on the purchase of land and the extension of plantations,

but

	Receipts	Expenditure
	Rs	Rs
1869-70	4,95,789	2,86,691
1870-71	3,39,762	2,94,860
1871-72	4,18,882	3,45,716
1872-73	4,18,767	4,78,310
1873-74	4,49,541	3,53,184
1874-75	3,41,189	3,97,872

	Purchase of land. Rs	Plantations Rs
1872-73	1,05,000	
1873-74	"	69,915
1874-75	21,000	

T/O. 8th Oct 74 No: 1104 No 53

+ f.o. 31st Oct 73 No: 1225

Note This amount is stated to have had an effect but the amount is apparently deducted

62

but the recent falling off of receipts though possibly due in part to the decreased + seignorage on firewood is very remarkable and they cannot but think that better results would be obtained if the entire operations in the Presidency were directed and controlled by a responsible head possessing the necessary qualification of local experience and scientific knowledge.

His Excellency in Council has therefore

for

for some time had
in view the advisability
of a modification of
the system introduced
in 1872, and in the
papers above recorded
he is placed in pos-
session of the views
of the Board of Rev-
enue and acting In-
spector of Forests
on this subject.

The

4. The Board in
their Proceedings of the 14
April 1875 No 912 de-
precate a return to
the former state of
things and the recon
stitution of the separa
Department "in the
interests of the people
and advance certain
suggestions for modify
ing the system, but
as these consist main

in making the Inspector entirely subordinate to the Board, in limiting "the object of his tours to advice and inspection", and in leaving the financial control with the Board, it is difficult to see how they meet the present evils which the Board themselves admit to be "a want of system and coherence in the administration + of central control more under the direction of special Knowledge".

He

5. The acting Inspector of Forests on the other hand would again establish an administrative and professional head of the Department, to be styled Conservator as before, who "should work in accordance with the wishes of the Board in all matters of general administration" but not be subordinate to them. He would have the authority of Collectors over forest officers ceased, would confine their interference

interference to "cases of
gross mismanagement,
abuse of power, neglect
of duty, etc." and asserts,
not without reason,
that as Collectors are
now directly interested
in forest matters, "the
people have lost the
only safeguard they
had against undue
restriction of their
privileges".

6. The Board in
criticising Captain Walker's
suggestions

suggestions admit
that theoretical and
abstract considerations
of great weight can be
urged in support of
his views. They remark
that they "would gladly
see the separate departments
reconstituted and entirely
freed from external control,
if the tracts, with which
it was to deal, were defined
and demarcated for reservation
as State forests", but they
consider that there is no
alternative between such
reconstitution and the
subordination

subordination of the Forest to
the Rev: Departt:; and they
prefer the latter "until due
security is obtained that
communal & other privileges
shall be respected" as the
Rev: authorities are better
acquainted with them and
"are more likely to treat them
with the necessary consideration".

7. The Government have
already taken steps for the
preparation of a Forest
Law suitable to the
peculiar circumstances
of this Presidency but
much time must
necessarily elapse.

Upon

before its completion an
introduction and they con
:sider it very undesirab
that the present admitte
:ly faulty arrangement
should be unnecessarily
prolonged. They do not
see any advantage in
a more complete subor
:nation of the Inspecto
and the forest depart
:ment to the Revenue
Authorities

authorities and they
do not agree with the
Board in thinking that
there is no alternative
between such a subordi=
=nation or a complete
separation of the de=
=partments.

8. His Excellency
in Council is of opinion
that the rules in force
in Bombay which he
understands

understands work well,
offer an alternative
and he observes that
those proposed by Capt.ⁿ
Walker, while somewhat
adding to the subordina=
=tion of the Forest
to the Revenue Dep.ᵗ,
are almost identical
with them.
These rules, with some modification, promise
to secure the objects
aimed

aimed at by the
Govt in the reorgani=
=zation of 1872, as
noticed above, more
certainly than the
present system has
succeeded in doing.

4 His Excellency
resolves therefore to
~~sanction~~ direct their immne=
=diate introduction
in the form appended to this Resolution
and to reconstitute
the

the Conservator of
Forests as professional
head of the depart=
=ment.

9. Early steps
must be taken for
the demarcation of
state reserves and
detailed proposals
for immediate action
in the matter be
submitted

submitted - The
best results will
probably be attained
through the agency of
district Committees
composed of the Collector,
Conservator, a district
Forest Officer, & such
Revenue Officers of the
District as the Board
may approve..

His

69 His Excell.
desires in conclusion
to impress on all
concerned that until
the definition of these
reserves & the distinct
allotment of a special
field for state operations in the Forest
Dep^te the Gov^t
confidently rely on
all

their officers to

labor for harmonious

action.

Sat

Rev Prof. Litchfield
Comm. Specialty &
Ex. Sect. Pol. Econ.

Kill Pres. & Sec.
Mr. Off. & Secretary Dr.
Mr. Healy R

60/4

1 0

Memo from Supt of Treas &c
- Organization of Treas Dept &c

71

11

Seal

20th 1777

Scott & Hamilton & Hd. Ths from 22 Jan/75. to 24 Jan/75
B.C 19 Jan/75. to 22 Jan/75
C. 12 Jan/75. to 19 Jan/75

[0 / 14]
3,000—5-10-04.

MISCELLANEOUS SERIES.

REVENUE DEPARTMENT.
G.O., DATED 19th NOV.
No. 1662 A 1875.

22-2-96
11-6-08
14-9-11

When given for copying.

[Despatch Abstract.]

Passing orders on certain points connected with the Forest Admn. of Madras