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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

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N^o 156.

Office of Conservator of Forests
Madras 4th February 1876

From

Lth Colonel R. H. Beddome
Conservator of Forests

To,

The Honorable L. J. Carmichael
Secretary to Government
R. L.

Sir,

I observe that the Supreme Government call for an early reply to their Circular N^o 1285 of the 11th December 1875 communicated to me in the Government Order N^o 26 of the 10th January 1876. I have the honor, therefore, to submit the following remarks -

2. - With reference to para 5, I consider that all rights in Forests should be enquired into by 1 or more settlement

officers

officers appointed from the Revenue Department by Government, and that such should be notified in the district gazettes and by proclamation in the villages in the neighbourhood of the forests concerned, and that 1 month after the date of the proclamation the claims should be enquired into and decided, the interests of Government being represented by the Forest Officer of the District, and that any appeals against the decisions should be preferred to the Civil Court.

3. With reference to para 6 of the Circular and to para 22 of Mr. Brandis' Memo, I anticipate no difficulty in ascertaining what rights or privileges exist but the

the greatest difficulty in ^{2/3}deciding which are rights and which privileges, very few Revenue Officers would agree on these points and none of them are, I think, competent to decide, this can only be done by Government by the Law Officers, and I think the question demands the immediate consideration of Government.

1. The pasture of cattle is undoubtedly a right, cattle have been grazed from time immemorial and must be grazed, but grazing free of any payment is I consider a privilege as certain rents for the same have been and now are charged in many parts of the presidency, the regulating of the grazing ground must rest with the Forest

Forest Department under the supervision of the Collector of the district otherwise we can never hope for any systematic Conservancy, certain tracts must be closed and opened periodically and certain rules enforced to ensure a minimum of damage to saplings and young trees.

ii. The setting fire to grass is I consider a privilege not a right, and even if it were a right Government are authorized to place it under control to ensure a minimum of damage when so many interests are at stake, in some localities (our Teak forests for instance) it occasions enormous loss, in others such as open grass tracts on mountains between sholas or tracts of moist forest there

may be no damage from the practice.

iii. The cutting and removal of timber, wood, bamboo and brushwood, including fuel charcoal and material for fencing may be a right, but the doing so without any payment for seigniorage is only a privilege except as far as concerns agricultural timber and fuel for domestic use and this only under certain restrictions as to the kinds to be or not to be cut.

iv. Cutting leaves and branches for manure, is not a practice very generally in use, though it prevails in some parts and is never, as far as I know, interfered with by this Department, but it might be necessary to place

place it under certain restrictions and supervision.

v. - Making Catechu is only carried on to any extent in South Canara, and all timber cut for this purpose is regularly taxed. The collection of hill produce free of any tax may be said to be a privilege of some of the hill tribes, but not a right, as in several districts it has been regularly rented out within my recollection.

4. - If we demarcate certain tracts as Communal Forests and hand them over to village communities, they must, I think, be to a certain extent under the management and supervision of the Forest Department, otherwise there will be no guarantee that they will not be

gradually cleared away, ^{V. 2} this management must be paid for, and would amount to a small tax on all timber for whatever purpose it may be required, and if there must be this tax I do not see why Government should not go somewhat further and undertake the entire management of these tracts under some such scheme as the following.

Government acknowledge the people's rights of user and they demarcate certain tracts for them, they however do not allow them to enter these and hew, hack and burn as each man may fancy, but they work them by the agency of their Forest Department, depôts are established, and all timber whether for ploughs.

or other purposes is brought into these depôts and the people are charged with cost of felling and carriage plus a small percentage for cost of supervision, if this system could be introduced we should have no indiscriminate felling except in fields and hedge rows, & in such scattered tracts as would not be worth Conservation and which might be allowed to disappear.

5. With reference to para 8 of the Circular and to Chapters III and IV of Mr. Baden-Powell's draft Act, I think it very important as I have already mentioned that Government should come to some decision as to the distinction between Rights and Privileges and how they are to be treated, as some clear



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clear understanding on these points will greatly aid any Settlement Officer, Collectors of Districts or Forest Officers in work that will shortly be cut out for them.

6. Alluding to paras 9, 10, & 11 of the Circular I consider that it is necessary that Government should be authorized to levy duty on timber and bamboo which are the produce of Private forests, for example, Government has lately given up very large tracts of Forests to certain Zemindars in Tinnevely, their claim to these unexplored and hitherto uncared for tracts of mountain forests lying between Tinnevely and Travancore might well be challenged and

and if admitted should I think certainly be subject to certain conditions, Government ryots living in their vicinity have enjoyed certain rights or privileges on the outskirts of these tracts in common with the Zemindar's ryots and both these rights are likely to be entirely disallowed unless they are legislated for; again these tracts should not be destroyed and denuded without reference to Conservancy, climatic considerations and the water supply of the plains &c., and if they are the proper Conservancy of all Government forests adjoining will be rendered very difficult as we shall be undersold on all sides and there will be

no

no Revenue to provide for Conservancy, the only way effectually to stop this, is to levy certain duties on all timber imported into our limits from such tracts.

It will not, I think, be necessary to levy any duty on minor forest products from private forests.

It will be necessary, I think, to levy a duty on both timber and other forest products, (such as Cardamoms) imported from foreign States, such as Travancore, if we do not we may be under sold and find ourselves minus the revenue necessary to keep up Conservancy establishments. Travancore already treat some of their timbers, such as Teak and some hill products such as Cardamoms

momms

=mons as a royalty and if we sent
any such produce into their territory
we should be obliged to sell it to their
Government at certain fixed rates which
include a per centage for a duty or
tax.

These are my opinions arrived at
solely because I do not see the possi-
-bility of working our Forests at any-
-thing but a loss in some districts -
under any other plan, or of our being
able in the face of Railways to place
a check upon the indiscriminate fell-
-ing of certain mountain forests which
it is necessary to preserve for the welfare
of the country; it might be better to
lease such tracts if we could, but this
as a rule appears impracticable, the
owners

^{1/200}
owners object to parting with their
lands and in most cases would rather
suffer great pecuniary loss than do so,
these views are opposed to free trade
and would consequently be violently
attacked in some quarters, they have
however the support of many.

7. The chief reason that our Forest
Revenue is so small is that of smuggling
without a clear definition of rights and
proper laws relating to the transit
of timber, which we have never yet
had, it is and ever will be impossible
to keep this in check.

I have the honor to be,
Sir,
Your Most Obedt. Servt.
R. S. Seddons. ^{14th Nov}
Conservator of Forests.

Sp 108 Aug 17 1874 - 55

No 222

Ordered to be overhauled
the submission of a draft bill by
the Forest committee appointed by
Sb 17 Sept 1875 No 1371.

16 February 1876

208-206

And copy to the Commissioner of Forests Dec 16 Feb
21 B Copies Dec 20 21

CR. 14-276

Received 1876 Dec 16

Joseph W. H. H. H.

From the Conservator of

the Secretary to the

Forest

Re 19

March 4th February 1876

Received 5

No 156

Enclosure from
Sb 222-16 of February 1876

to Mr. H. H. H.

Submits containing re

marks on the Circular No 1285

of 11th December 1875 from

the Supreme Court Comm-

inclosed in Sb 15-26 of 10 January

1876 - with notes