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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 305	Press ~~Mis.~~
Dated [illegible]	1891.

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

29th January 1881, No. 206.

READ THE FOLLOWING PAPER:—

No. 534. Minute by His Grace the Governor, dated 2nd and received 20th December 1880.

In their letter from the Home Department, dated 29th September 1879, No. 783F, the Government of India, in acknowledging the receipt of a Draft Forest Bill forwarded by this Government, proceeded to criticise its provisions both generally and in detail; and now that the Forest Bill has passed the local Legislative Council it seems desirable to place on record a statement of the manner in which the suggestions and objections of the Government of India have been met, and also a brief sketch of the past and present position of Forest matters in this Presidency.

2. It must be borne in mind that the draft Bill forwarded to the Government of India was one drawn up for consideration by a Select Committee, and was not intended to be regarded as the embodiment of the mature views of this Government on matters of detail. The Bill has now been remodelled, and, after very careful consideration in Committee and in the Legislative Council, has been finally passed and forwarded for the approval of the Viceroy. It may, however, be well to notice in some detail the observations of the Government of India upon the original draft.

3. Having observed that difficulty has been experienced in apprehending the purport of the Bill, the Government of India, referring to communal rights of villagers in forest lands in this Presidency, state, in paragraph 4 of their letter, that the terms used by the Madras Government of late years, when discussing these subjects, seem to indicate that there are extensive forest and waste lands which are the property of village communities, and, having quoted in support of this view certain Proceedings of the Madras Board of Revenue, convey the opinion of the Governor-General in Council that the whole question of Communal Forests in this Presidency demands a fuller investigation before Forest legislation can be attempted.

4. In reply to this it will suffice to state that this Government are satisfied that there is no communal proprietorship in forests in this Presidency. All forests in the Presidency may be safely classed under two great divisions, viz., State and Private, although in many portions of forests of both classes villagers or individuals exercise by ancient custom or prescription various privileges.

5. The employment of the term *communal* in Section 59, a purely penal one, of the draft Bill forwarded to the Government of India was accidental, the section having been imported without amendment from a former draft. This and many other needful corrections would naturally have been made when the draft came under revision by the Select Committee.

6. In paragraph 6 of the letter exception is taken to an attempt having been made to define the term *forest*. The word has been removed from the Chapter of definitions: it has, however, been thought necessary to state in the following Chapter that the term "includes" all land now naturally bearing trees.

7. The objection raised in paragraph 7 of the letter has been met by Sections 6 and 8 of the Bill now passed.

8. The classification of all forest as State or Private (Section 5) and that of State Forests in Section 10 under three heads, Reserved, Village, and Protected, and the provisions generally of Chapters II and III of the Bill meet sufficiently the difficulties suggested by paragraph 8 of the letter.

9. With regard to the remarks in paragraphs 9 and 10 it will be seen that customary rights, which by the definition include the right of pasture, are reserved to villagers in village forests by Section 17, and also that the liability of Government to assign forest land for requirements of villagers is qualified by the words "so far as may be" in Section 15.

10. Definite provision has also been made in the Bill (Section 15) regarding the use which villagers are to be allowed to make of forest produce to which they are entitled by immemorial custom. This remark with what has been said above disposes of paragraphs 11 and 12 of the letter.

11. The suggestions made in paragraph 13 have been embodied in Sections 48 and 49, and those in paragraph 14 have also been carried out.

12. It is satisfactory to learn from paragraph 18 that the general character of the measures proposed for dealing with the very important question of control over private forests commends itself to the Government of India. Detailed procedure in this matter is laid down in Chapter VII of the Bill. A clause has been introduced giving the landholder the right to require the Government to make an absolute purchase of the forest area selected.

13. Referring to paragraph 20, it is observed that the provision for preserving forests along the banks of streams has been omitted in the present Bill, and that Sections 34 to 36 of the original draft have now been recast. I think the omission of the restriction of felling forests along the margins of rivers is to be regretted. The preservation of a fringe is important for the protection of the banks from erosion in the larger rivers as well as for shading the beds of the smaller ones. It is a restriction by no means unknown in Forest regulation, and, applied below a defined elevation of, say, 1,500 or 2,000 feet, would neither prejudicially interfere with cultivation nor the full enjoyment of occupation. It would simply preserve that natural growth which has to be re-established at much cost in many instances. The suspension of rights, the omission to provide for which is noticed in paragraph 21, has been provided for in the present Bill.

14. The Bill does not contain a provision giving power to arrest without warrant such as is given in the Government of India Act. Such a power I consider highly inexpedient. Subordinates of the class from which the ordinary Police Constable or Forest Watcher must be taken, cannot be trusted with such a power in places remote from supervision, where the officer and the alleged culprit would be alone. During my government instances have occurred showing that oppression in forest matters is not unknown; that carelessness has allowed officers above the rank referred to, to give incorrect evidence and consign an innocent man to prison; and it must always be recollected that the cases which thus occasionally come to light indicate the existence of the practice rather than its limit, and that it is the unreported cases which never reach the magisterial ear in which oppression or extortion is exercised.

15. It is evident from paragraphs 23 to 26 of the letter that much misapprehension has existed regarding the progress of forest matters in this Presidency. Probably this is due to the fact that no comprehensive statement has been furnished in any of the Conservator's recent reports, and that the return prepared for a particular purpose only, which is quoted at paragraph 25 of the letter under reference, has been misunderstood as giving the entire area of reserves. Steps have lately been taken for affording fuller information to the Government of India upon this subject, and with the letter from this Government, dated 4th October 1880, a statement was forwarded giving the estimated area of State Forests and the estimated or actual area of Reserves, according to the progress of the surveys in this Presidency, whether under the Forest or under the Revenue Department. This statement shows that under the former department 681 square miles have already been demarcated; that reserves occupying an area of 1,673 square miles are in process of formation; and that it is in contemplation to take up 278 square miles in addition to these. Under the Revenue Department (Jungle Conservancy) jungles occupying an area of 2,480 square miles are reserved, while fuel reserves, topes, and channel plantations occupy 61, 18, and 31 square miles respectively.

16. The following is the distribution by districts of the reserves already demarcated:—

	Square Miles.
Coimbatore	20
Nílgiris	2
Salem	17
North Arcot	22
South Arcot	168
Cuddapah	62
Godávari	68
Malabar	322
Total ..	681

17. The area of reserves in process of formation is distributed as follows:—

	Square Miles.
Tinnevelly	286
Madura	20
Coimbatore	162
Nílgiris	37
Trichinopoly	9
Salem	130
North Arcot	90
South Arcot	16
Cuddapah	127
Nellore	36
Kistna	180
Ganjam	330
Canara	250
Total ..	1,673

18. The reserves under contemplation are situated in four districts, viz.:—

	Square Miles.
Tinnevelly	75
Madura	40
Trichinopoly	25
Godávari	138
Total ..	278

19. Thus it appears that the area of forest actually demarcated and reserved on the 1st September last was more than double the extent shown in the statement prepared to show fuel reserves and quoted by the Government of India; and that orders for demarcating some 1,673 square miles in addition have been given, and the work is now in progress. Moreover the preliminary steps have been taken for reserving a further area of 278 square miles. Considerable progress has, therefore, been made by the Forest Department whose operations comprise no less than fifteen districts. In the districts of Ganjam, North Arcot, and Cuddapah selections of tracts to be closely preserved are being now made by three officers, all of whom are thoroughly conversant with the forests where they are employed. Investigations in Ganjam are in regard to the Goomsur and Suradá Forests, and in Cuddapah to those situated in the taluks of Badvél, Sidhout, and Proddutur.

20. The Kistna is to be visited by the Conservator during the present cold season.

21. In Vizagapatam the forests in the Gudem and Golgonda Hills were given up by the Forest Department some years ago, the Conservator being of opinion that there was no probability of their yielding a revenue, and, no market existing, there was no temptation to plunder. It is now, however, proposed that some close reserves should be selected by Mr. Boileau, who made a valuable report upon the forests in the adjacent district of Godávari. When selected these reserves will probably be placed under the same management as those in Bhadráchalam and Rékapalle, regarding which orders were delayed pending the decision of the Government of India upon the

subject of ownership in those taluks which were only recently transferred from the Central Provinces to this Government.

22. In Kurnool, a district the investigation of which, owing to its presenting no pressing need for conservancy, was postponed to the last, selections, with recommendations for the demarcation of certain areas for reserves, have lately been made by the Deputy Conservator, which are now under consideration.

23. But in addition to the work thus described, which is being done by the Forest Department, much has been accomplished, as stated above, by the Revenue Establishments under the head of Jungle Conservancy. The figures given in the statement show nearly 2,500 square miles of jungle reserved or placed under protective restriction, besides 110 square miles of fuel reserves, topes, and other artificial plantations.

24. The distribution of jungles is as follows :—

	Square Miles.
Tinnevelly	4
Madura	4·5
Tanjore	9·7
North Arcot	65·6
South Arcot	100·6
Cuddapah	1·1
Chingleput	19·
Nellore	36 4
Bellary	683·5
Kistna	897·5
Godávari	98 5
Vizagapatam	510·
Total	2,480·4

25. The action of this Government in granting land upon favorable terms for private plantations under the Tope Rules, which have been in force for some years, has begun to bear good fruit. In the district of Chingleput 11,428 acres have thus been planted out, and many thriving plantations, the property of native owners, exist also in Nellore, Kistna, and North Arcot. The development of this system appears to deserve the utmost encouragement: wherever soil is suitable and there is a demand for fuel it is unquestionable that a supply can thus be provided. In two cases which have come under my own notice I found that the inhabitants of small fishing villages had in this way made provision for their own requirements, and I am given to understand that a similar course has been followed elsewhere.

26. In paragraph 27 of the letter the Government of India refer to the financial position of the Forest administration of this Presidency as being in an unsatisfactory condition.

The stationary position of the Forest revenue has long attracted my attention. That, as compared with other provinces, the receipts are comparatively small is in a great measure due to the fact that in Madras the revenue of the Forest Department does not include the proceeds of Jungle Conservancy set apart for special purposes of planting and conservancy, and the stationary character of the Forest receipts is chiefly owing to three causes :—

I.—That in the early years of Forest administration a somewhat fictitious revenue was created by charging other departments of Government for supplies of hard wood at prices exceeding the market rate. This raised unduly the then apparent revenue.

II.—Absence of increased demand of late years. This is owing to the reduced requirements of the Bombay Marine and of Government Departments, and also to the fact that on Railways iron has superseded teak for sleepers and telegraph posts, while the completion of Railway buildings has greatly diminished the demand for that purpose.

III.—Competition of Burma, &c. This has been developed to such an extent that Burma teak now competes with teak grown in this Presidency not only

along the entire coast, but, as was recently proved by tenders for timber required for Government House, can be obtained on cheaper terms for use even at Ootacamund on the Nílgiris than that grown in the Malabar Forest.

The price of teak is also affected by supplies from Cochin, &c., and to some extent at Cocanada by timber brought from Bustar and adjacent territories.

This competition has not only limited the demand for Government teak, but has had the effect of reducing the price generally as shown in the recent report of the operations of the Gun Carriage Factory which gave the rates for Madras teak as Rs. 2-6-9 in 1876 and only Rs. 1-8-0 in 1878, while the price of Pegu teak itself was also tending downwards, having fallen from Rs. 1-15-9 in 1876 to Rs. 1-12-0 in 1878. Competition also exists in other woods, large quantities being supplied from private estates on which no expense for establishment, &c., has to be incurred or borne by the timber sold. This is also the case with bamboos, the rate for which as given in the Forest Administration Reports has fallen from Rs. 9-9-4 in 1875 to Rs. 4-5-9 in 1878.

27. Railway fuel is also largely supplied from private estates often more conveniently situate than Government Forests, that required for the Bangalore Branch line being for the most part furnished from the Kangundi Zemindari. I have myself had but little opportunity of examining the actual reserves, but have personally inspected the jungles of Sríharikót and the plantations (Government and Private) at Dugarázpatnam and elsewhere in the Nellore District. I have crossed the Hill range between Bellary and Hospet and passed through the whole length of the Sandúr State. I have also traversed the extensive forests between Trivandrum and Courtallam, passed along the skirts of the Mudumalai Forest and the Tippakádu. On the Nílgiris I have visited the sholahs of the Koondahs and the Sispára Ghât, and from Melúr on the one side have been able to form some idea of the forests of the slopes to Kodanád on the other. Travelling by day-light I have also had opportunities of noting the general appearance of the jungles in Madura, Cuddapah, and Chingleput, and have passed from Arni to Vellore through the jungles of the Kaniembadi Pass.

28. The price obtainable in this Presidency for the chief items of forest produce (timber, bamboos, and fuel) is a competitive one, many owners of private forests selling to contractors at one time the entire growth of many years. Moreover the demand for timber for building purposes is smaller than in many other parts of India where larger and better houses are erected and more timber used in all. The consumption of fuel, too, is comparatively insignificant, being needed for little else than culinary purposes.

29. The income from what are called the "minor products" of the forests may and will increase as larger areas are reserved and collection is brought under control. But, so long as the competition of Burma continues, it is not to be expected that any important increase of revenue will accrue from the sale of teak, which is the special produce of the forests of this Presidency.

30. The cost of establishment has no doubt become greater, but it has been gradually developed only in the degree necessary to secure due conservancy; and I see no reason why our Forest administration should not for the future be carried on at a profit—although, owing to the causes I have mentioned, not a large one—provided no excessive expenditure upon survey, &c., be incurred, that such work be carried out gradually year by year, and native agency sufficiently utilized. When a forest is to be systematically worked or extensive replanting carried out, European officers of scientific education will be needed to control and direct; but where it is a question only of preservation—keeping out fire, gathering of fruits and minor produce—Native officers, who do not fear the sun or climate, will be found even more efficient. I myself am of opinion that too great an outlay has been made by the Forest Department upon ordinary plantations in parts of the country where there are already extensive forests and sholahs and also upon felling timber in advance of the requirements of the market which has remained on hand deteriorating, while its cost has not been

realised. The Conservator would do well to turn his attention specially henceforward to the protection of closely reserved areas with a view to enabling natural forest to re-establish itself, and to establishment of forest growth in districts where, as in Bellary, it is urgently needed but difficult to raise. I consider that the tendency of the forest management has been to exhaust rather than to conserve; and that both the Anaimalais and Mudumalais have suffered from overfelling. The preservation of forest is necessary both for the supply of timber and fuel as well as for climatic reasons, and the area now existing is doubtless generally ample for both purposes. I consider that for climatic purposes the natural forest untouched by man is the best; that in most cases no other expense than watching to prevent wilful damage is required; the only process should be the gathering of fruit, seeds, gums, &c., by the tribesmen resident in or about them; and that the artificial cultivation of exotic trees is frequently not adapted to the end sought—as, for instance, the planting of the Eucalypti, with their great absorbing powers, to shelter and preserve water-sources: invaluable for reclamation of objectionable swamps, they will absorb the water-sources instead of preserving them; of this there are frequent instances to be observed on the hills. For the requirements of the market, forest carefully thinned, not mown down, will afford the most certain supply at the least cost.

31. In Bellary, of all our districts, there is probably the greatest need for establishment or renewal of forest. Around Bellary and Adóni, ordinary fuel is dear, and the Cotton Presses and other similar machines have created a demand for hard-wood fuel at a price which tempts the destruction even of fruit-bearing trees. The distance from the Cuddapah Forests is too great to admit of supplies being drawn from thence, and the result is that the little jungle remaining in the locality is plundered and an undue strain is put upon the Sandúr Forests. The remedy seems to lie in the establishment of fuel reserves near Bellary by planting and by the restoration and protection of the jungles on hill sides. In passing from Bellary towards Hospet the free growth of the Bábool, as a weed in every uncultivated patch of land, is very marked; in the first fifteen miles from Bellary, shrubs of one, two or three years' growth are everywhere to be seen, while along the roadside the tree attains to a large size, being planted as an avenue tree. The Conservator holds the opinion that it is hopeless to attempt the growth of fuel in this neighborhood, but if the Bábool will spring up as I have noted and attain the size which I observed, a very large amount of fuel could be obtained and profitably grown in closely protected and fenced areas, even although the life of the tree in such soil should not exceed two or three years. Examining with the glass the slopes of the Copper Mountain and adjoining hills, the hollows are seen to contain a low growth, which, if protected from cattle and fire for a few years, would, in all probability, develop into a useful jungle. The slopes of the line of hills next the Thadoor range bear traces of having been formerly covered with jungle if not timber; indeed, I found, in more than one spot near the roadside, roots of what must have been large timber. These hills are already to a great extent, so to speak, fire-traced by large, broad bands of rock reaching from summit to foot. One of the intervening spaces should be fenced against cattle—an easy task owing to the quantity of rough stone on the surface—and sown with some one of the indigenous trees found at corresponding elevation. The color of the grass indicates that there is nothing in the character of the soil inimical to vegetation, and the result of such an experiment would be of great value as showing in the course of four or five years whether its success would warrant its extension. For fuel reserves it would seem well worth while to take up considerable areas even at the sacrifice of land assessment, and possibly the large amount of land left uncultivated since the famine would tend to facilitate the acquisition for this purpose of compact though extensive tracts of sufficiently good land. In the Anantapur portion of the present Bellary District, reports indicate the existence of a large extent of jungle requiring only the close reserve of successive areas to establish a good forest growth without any present inconvenience to the people. In no other district in the Presidency have I noticed the same need as in Bellary, but I am confident that a determined and persistent effort would in a few years overcome the difficulty. For this district I am clear that a Forest Officer, such as the Jungle Daregah of Nellore, should be employed, and by good arrangement could

be paid for by careful collection of minor produce and of dues on fuel or timber for sale.

32. In Chingleput there are many small hills still covered with scrub which enclosed would quickly develop into a good jungle. From discussion with the Collector, with whom I travelled this year for the special purpose of viewing them, I find there will be no difficulty in enclosing areas of reasonable size so as to allow the jungle to grow and trees to rise. Even in the Delta tracts of Trichinopoly and Tanjore a very large amount of fuel and manurial trees may be grown on channel and river banks, roadside margins, spoil pits, &c. The acreage which may be thus planted will be very considerable, and all such being convenient to the people will naturally save the larger jungles and forests.

In North Arcot, and in the Pálghat Hills especially, measures need to be taken to prevent the firing of the jungles. In this matter the hands of the District Officers will be strengthened to the full necessary extent by the recent legislation. There is no need why Kumeri tracts should not continue to be so treated, provided care is taken to prevent the practice being extended to areas not hitherto subject to the practice, and to prevent fire spreading to adjacent forest or jungles. Regarding other districts I do not think any special remarks are necessary. In Cuddapah round Wontimettah there are jungles which, from the residue of the roots, once had fine timber and probably only need careful enclosure of successive areas to do so again. Adjoining the Railway their produce would be valuable for transport as well as for neighbouring villages.

33. In all districts traversed by the Railways there is a very considerable acreage in the strip of land outside the railway fences which has been used for excavation and deposit of spoil. This land might and should be at once utilized for the growth of fuel such as Bábool or even Euphorbia or Cacti where the soil is poor, of manurial trees in better soils, and bamboos in damp localities. This work would probably be carried out from the Jungle Conservancy Funds, but should at first have the benefit of supervision by the Forest Department.

34. In the supply of fuel and wood for agricultural and domestic uses care should be taken to fix a low rate of charge, as a high rate tends to encourage plunder and damage which would more than counterbalance any increase of revenue which might be realised. In the case of a landowner in England, if the supply of firewood at a low rate is insufficient for the people of the villages, his woods and fences are plundered, and so it would be here. The future of our forests will depend very much on the spirit in which their conservancy is carried on. If Forest Conservancy results in an increased supply of fuel and wood for agricultural and domestic purposes being obtained cheaply it will have the support of the people and forest will thrive and those who commit real damage or injury will have no sympathy; but if with the introduction of improved conservancy supplies are restricted and prices enhanced, amounting in fact to an additional assessment, conservancy will be hated and forest plundered.

2nd December 1880. BUCKINGHAM AND CHANDOS.

No. 535. ORDER THEREON, 29th January 1881, No. 206.

Forests, No. 13.

COMMUNICATED to the Board of Revenue and Conservator of Forests.

2. The attention of the latter officer is drawn to the remarks in paragraph 3. Not only on the Anaimalais and in the Mudumalai forests, but generally there has been a tendency to fell in excess of the demand and to the injury of the forests. Measures of conservancy are now of primary importance, and the steps that are being taken to select and protect reserved areas in every district for climatic reasons, the preservation of the water-supply, and in view to future requirements for fuel and timber must be steadily persevered in, and the work proceeded with as rapidly as possible.

3. On the Nīlgiris the reservation of the remaining sholas and patches of ancient forest has been ordered, and care must be taken to regulate and supervise the felling therein by licensed wood-cutters. It is believed that much damage is done by persons provided with licenses, and it is in this direction that the sholas now need protection. The Conservator will consider and report how this may best be secured.

4. The necessity of caution in planting exotic trees is a matter that should engage the Conservator's attention, especially in the case of the *Eucalyptus globulus* which may possibly absorb the moisture it is desired to preserve.

5. The Conservator will take immediate steps for carrying out the tentative arrangements advocated especially for Bellary and Chingleput, the reservation and enclosure of the crowns of the isolated hills formerly clothed with jungle being a simple matter for which the Collectors of the districts could easily arrange when the best sites have been determined.

6. The utilization in the manner suggested of the strips of land finally and formally relinquished by the Railway Companies should be at once proceeded with and the work systematically carried out to its conclusion. Jungle Conservancy Funds may properly be employed on this simple and promising experiment.

7. The Government attach great importance to the zealous prosecution of these inexpensive and facile methods for restoring the fuel-supply of the country over a very wide area, and rely with confidence on the best efforts of all Collectors and their subordinates to develope the measure to the utmost and without delay. A brief annual report of progress should be submitted through the Board of Revenue for the information of Government.

8. This Minute and Proceedings will be forwarded to the Government of India and the Secretary of State, with the remark that the observations in the Minute scarcely represent adequately the extent to which protection has been afforded by the Village Jungle Conservancy Rules, and that the attention of Government is constantly directed to ensuring the utilisation of the income arising from them for purposes of reproduction.

9. The general powers taken in the Forest Bill were deemed adequate, at least for the present, for guarding wood along the course of streams, while strong objection was urged not only by private proprietors but by the Forest Department itself to the precise restrictions contemplated by the original draft.

10. Its application, with reference to elevation, is a point to which attention will be directed so soon as the Bill receives the assent of the Governor-General, in whose hands it now rests.

(True Extract.)

(Signed) C. G. MASTER,
Secretary to Government.

To the Board of Revenue.
,, the Conservator of Forests.
,, the Public Works Department.

Exd. W. H. French.

150 Copies.

No. 783 F.

FROM

C. BERNARD, ESQ., C.S.I.,
Offg. Secretary to the Government of India,

To

THE SECRETARY TO THE GOVERNMENT OF MADRAS.

Home, Revenue and
Agricultural Department.
Forests.

SIMLA, *the 29th September* 1879.

SIR,

I AM now directed to acknowledge the receipt of your letter No. 724, dated the 25th March last, giving cover to the Draft of a Forest Bill which formed the subject of your despatch to the Secretary of State No. 8, dated the 16th May 1879; and to communicate the following observations thereon by the Governor General in Council.

2. Considerable difficulty has been experienced in apprehending the purport of the Bill; and much doubt and uncertainty is still felt as to what is really intended in many of its provisions. So much however seems clear from Section 4, that the Bill recognizes the existence of two great classes of Forest land in the Madras Presidency—State Forests (which term is apparently intended to be synonymous with what in another place is designated as Government Forests) and Private Forests.

Section 5 includes under Private Forests those which "are within the limits of zemindaries or other private estates, or which have been at any time granted out by Government." This ultimate clause in the definition would appear to refer to alienations by Government. All other forests are declared to be State Forests, "subject to all rights and easements lawfully enjoyed therein."

3. This classification does not agree with that laid down in the orders of the 17th September 1875, conveying instructions to a Committee appointed for the preparation of a Draft Forest Bill. It was then stated that an Act was required which should deal separately with forests under the head of State Forests, Communal Forests and Proprietary Forests; and in the concluding paragraph of the despatch of the 16th May last, already quoted, the Madras Government state that they are fully aware of the importance of the preservation and conservation of the village jungles in the interests as well of the people as of the State.

4. And the terms used by the Madras Government of late years, when discussing these subjects, seem to indicate that in the opinion of the local authorities there are extensive forest and waste lands which are the property of village communities. In a communication to the Government of India, No. 2149, dated the 23rd December 1876, the Madras Government drew particular attention to the following extracts from the Proceedings of the Board of Revenue, No. 3284, dated the 5th August 1871, as representing the position of the rural population regarding the forests of the Madras Presidency in accordance with the views of Government:—

"There is scarcely a forest in the whole of the Presidency of Madras which is not within the limits of some village, and there is not one in which, so far as the Board can ascertain, the State asserted any rights of property—unless royalties in teak, sandalwood, cardamums, and the like, can be considered as such—until very recently. All of them, without exception, are subject to tribal or communal rights which have existed from time immemorial and which are as difficult to define and value as they are *necessary* to the rural population.

* * * * * * *

Here the forests are, and always have been, common property; no restriction, except that of taxes like the Moturpha and Pulari, was ever imposed on the people till the Forest Department was created, and such taxes no more indicate that the forests belong to the State than the collection of assessment shows that the private holdings in Malabar, Canara and the ryotwari districts belong to it."

5. The Government of India have no means of judging how far these views are borne out by the facts of the case; but if such forests owned by village communities really exist, it is not understood under what provisions of the Bill they would fall. Forests owned by village communities would be public property, for the good management of which the State as the guardian of all public interests is responsible; though, if the views adverted to are correct, the ownership of these lands is not vested in the State, but in the village communities. In any case the efficient protection and good management of such Communal forests is most important for the well-being of the country. Now Section 59 of the Bill, though it mentions Communal forests as distinct from State forests, is the only section of the Act in which the term "Communal forest" occurs, and it occurs there in an incidental manner in connection with the penalty for cattle trespass. It seems strange to the Governor General in Council that in preparing a Forest Act for the Madras Presidency, where the rights of the rural community in forest lands have been so long advocated, the position of the Communal Forests should be almost entirely ignored, and it would appear absolutely necessary that the existence of these supposed Communal forests should first be established by a thorough enquiry, and, if they are really found to exist, that appropriate measures for their protection and good management should be framed. In the opinion of the Governor General in Council, the whole question of Communal forests in the Madras Presidency demands a fuller investigation before forest legislation can be attempted.

6. Section 3 attempts to define "Forest" by its physical characters. This I am directed to say is likely to lead to difficulties, not only by giving rise to questions as to whether a particular tract is or is not forest, within the meaning of the Act, but also by making the legal position of the land dependent on physical features, which may alter from time to time. When lately considering the subject of forest legislation, the Government of India came to the conclusion altogether to abandon the attempt to define the term forest: and on further consideration the Madras Government will perhaps come to the same conclusion.

7. Section 7 provides that, subsequent to the 1st January 1878, no right or easement shall be acquired by prescription in any "forest." As the section is worded, this would apply to Private forests as well as to State forests. The Governor General in Council presumes that the section was drawn in its present general form by an oversight, as it could hardly be intended to apply such a rule to all land owned by private persons when it happened to be covered with trees, bamboos, or jungle.

8. Section 4 has established four classes of State or Government forests—Reserved Forests, Village Forests, Closed Forests, and Protected Forests. Chapter II deals with Reserved Forests. If the provisions of this Chapter are correctly understood, the intention is to constitute reserved forests in those cases only where it is considered essential to maintain a forest perpetually for the maintenance of the water-supply in springs, rivers or tanks, or for other climatic reasons. Apparently it is not intended to constitute reserved forests for the purpose of yielding a supply of timber or other forest produce, but only for the specific objects named in Section 9. It should here be mentioned that ever since forest administration has been attempted in India, the term "reserved forests" has been used in a much wider sense,

and it would be inconvenient if in the Madras Presidency the term were used in a sense entirely different from that in which it is used in all other parts of India. This, however, is a minor matter. The chief difficulty in this Chapter is that it is not clear what the practical effect of constituting any forest a Reserved forest will be.

It is provided that Reserved forests shall be absolutely reserved for perpetual forest; that they shall not be cleared or granted out without the previous sanction of the Government of India; that no timber shall be cut without authority; and that no forest produce shall be gathered and no cattle pastured, save by persons who have recognized customary or other rights in the forest. But, as the Bill stands, it is not clear how the provisions relating to reserved forests can be enforced; the phrase, that they shall be maintained as perpetual forest, seems to have no meaning, and the practical object of the Chapter is not understood.

9. Chapter III relates to Village forests. The wording of Section 20, which applies to "Village forests or State forests," is probably due to a clerical error, the intention being to say "Village forest or other State forest," as in Section 19. In the following remarks it will be assumed that the "Village forests" of the Bill are the property of the State, but that the inhabitants of the village have certain rights of user in those forests. If the purport of this Chapter is correctly understood, it is intended to assign to Government villages a certain area of State forest for the supply of timber and fuel and for leaves and grass. The State, it is presumed, will remain the owner of the forest, and it is only the user of its produce which is assigned to villages. Nothing is said regarding pasture, and it is not understood whether grazing is to be allowed in village forests, and if so, whether it is in any way to be regulated.

Section 15, as worded, would seem to impose upon Government the responsibility of assigning to each village so much forest land "as is deemed sufficient to supply continuously the wants of the village with an additional quantity of one-tenth." This however is probably an error in drafting, for it cannot be otherwise than that a very large proportion of the Government villages in the Madras Presidency is so situated that there is no Government forest in their vicinity, or not a sufficient area of Government forest available to be assigned to them.

10. But even in those cases in which an area of forest is available, which at the time that the assignment is made is deemed to be sufficient, the provisions of the Chapter afford no guarantee whatsoever that the forest thus assigned to the village will be so managed that its productive powers will always be equal to supply continuously the wants of the village.

Section 16 ensures to the villagers for use within the village, the exercise of all customary rights of user, "subject only to such rules and regulations as may from time to time be made for ensuring full exercise of such rights to all concerned, and the due conservation of the forest." No attempt is made to define the quantity of timber, wood and other produce that may be taken from the forest by the right holders within a year or other fixed period. The inhabitants of the village may increase in numbers, they may increase in wealth, and may wish to build larger and better houses. Other contingencies may happen which may increase their requirements, but nevertheless the law demands that the rules and regulations must be so framed as to ensure to all concerned the full exercise of their rights.

Provisions like these, I am directed to state, though they may have the appearance of being generous and liberal on the part of Government, will necessarily defeat their own object. If population and cultivation increase—as in most cases they doubtless will—such arrangements must end in the devastation of the forest and the decrease of the supply which was intended to be continuous and permanent.

11. It is presumed that it was not the intention of the Madras Government to permit the villagers to sell or otherwise to dispose of the produce obtained by the exercise of their rights, but, unless this is distinctly prohibited, difficulties are sure to arise. Again, it is presumed that the Madras Government have duly considered the meaning of the term "forest right." It is a recognized principle of forest legislation and one that appears to the Governor General in Council to be based upon common sense and natural justice, that while the fullest exercise of rights should be allowed so long as the capabilities of the forest admit of it, there should be a power reserved to the forest administration of controlling and limiting the exercise even of the most clearly established rights, when such rights, if fully exercised, must lead to the destruction of the forest or render it incapable of satisfying the claims of the various parties interested in it. The wording of section 16 is objectionable, as it is calculated to suggest the very opposite principle, *viz.*, that no conservancy rules can be made for a forest unless they secure under all circumstances the full exercise of all rights therein.

12. The true and permanent interest of the right holder requires, not the throwing open of forests without any control, but such reasonable prudence and moderation in the exercise of these rights as shall give every part of the forest rest in its turn, and so secure the perpetual continuance of the supply. The first measure which seems to be needed in this direction is to define the quantity of the produce to which the right holders are entitled within a certain period, say within a year. Indeed, unless this is defined it will be quite impossible to say whether a certain area of forest is or is not sufficient to supply continuously the wants of a village. The second measure must be to take power to close such portions of any village forest as may be necessary to maintain the forest in a good state, and to suspend the exercise of all rights in the portion so closed. The object of this periodical closing of village forests is to establish a rough sort of system of rotation, certain portions of the forest being open and closed in turn. Some powers in this direction are proposed to be given under the provisions of Chapter IV, and they will be discussed further on.

13. The provisions contained in Sections 18 to 20, which prescribe the procedure to be followed in the case of injury done to any village forest, are not clearly expressed, and as they stand they are not likely to secure the desired end. What seems to be required is that whenever, in the judgment of Government, the condition of any village forest is unsatisfactory and its productive power is deteriorating, then the Government may direct—

(*a*) the Forest officer to take charge of and manage the forest, the expenses of protection and management being defrayed by fees levied from all right holders;

(*b*) that the exercise of any or all rights shall be suspended in the entire forest or in certain portions.

14. Chapter IV relates to Closed forests. It is not understood in what sense closed forests can be designated as a class of State forests. The provisions relating to them give power, under certain circumstances, to close certain portions of State or (Section 24) of Private forests. The Chapter in question therefore is not descriptive of any particular class of forest, but gives certain powers required for their better protection. If this is correctly understood, then the classification of Section 4 must be modified, and the heading of Chapter IV must be altered.

15. The conditions under which it is proposed to permit any forest to be closed appear to the Governor General in Council to be impracticable. The object in closing portions of Village or other State forests is to give these portions rest so as to allow the forest to grow up sufficiently to furnish the produce required from it when again opened. But the area closed, and the time during which such area must remain closed, will depend upon the circumstances of the case. Where a village forest is chiefly used for grazing,

it may suffice to divide it into two portions—one-half being open for pasture, while the other half is closed and is only open for the cutting of grass. But the length of time during which the closed half should remain closed must depend upon the character of the forest and the circumstances of the case. To fix a limit by law would be inconvenient and impracticable. In some cases it will probably suffice to close portions of a Village forest during the hot season against grazing. Forest which is required for the production of timber must of course remain closed during a much longer period, much exceeding that fixed in the Bill. It should be distinctly recognized in the Bill that the object of periodically closing certain portions of forests is to ensure the maintenance of their productiveness and their improvement, and it should be provided that such proportion of the area may be closed for such period as the Government (or an officer authorized in that behalf) may deem necessary.

16. Chapter V provides that all State forests which are not reserved for the purposes stated in Section 9, which have not been assigned to villages under Section 15, and which have not been closed under Section 21, shall be designated as Protected forests. The intention of the Chapter apparently is to provide for the protection of the forest growth on Government waste and forest lands not included within reserved or village forests, and not closed under Chapter IV. The prohibitions of Section 43 apply to these lands as well as to other State forests, and the prohibition under (*a*) and (*c*) are made specially applicable to what are there designated as "areas reserved under Chapter V." But this probably is a clerical error, as no forests are reserved under Chapter V, which is essentially a residuary chapter.

17. Under Section 43 all acts done in State forests in the exercise of any recorded right are saved, and Section 27 specially saves the exercise of all customary or other recognized rights and privileges, except those to timber, in protected forests. The purport of this Section seems to be further to relax the prohibitions contained in Section 43, but to what extent is not clear.

Section 26 prohibits the clearing of land in protected forests without license, pottah or grant under the Waste Land Rules. But provisions to this effect are, it is supposed, in force in regard to the Government waste-lands in the whole of the Madras Presidency, and no special prohibition in this respect for protected forests seems to be needed. The same section makes the cutting or burning of trees in protected forests a punishable offence, but otherwise it is difficult to understand in what the protection of the so-called "protected forests" will really consist.

[illegible]

18. Chapter VI relates to the control over forests and land not the property of Government. Power is proposed to be given to lease, on payment of an annual sum, any private forest which it is considered essential by Government to reserve as perpetual forest as covering the head-waters of any river. The rent to be paid for the forest shall be fixed by agreement, or, under Section 38, be determined by the Collector, subject to appeal to the Sessions Court.

Civil ?

The general character of this measure commends itself to the Governor General in Council, but it is by no means clear that the protection of the forest thus leased will actually be secured. The different clauses of Section 28 are not consistent, but if their purport is correctly understood, the only act prohibited will be the cutting and removing of timber. In all other respects the owner retains the full and unfettered enjoyment of all his rights and privileges. His people, having recognized customary or other rights, may burn the forest, pasture cattle, make clearances for cultivation or other purposes, provided they do not cut or remove the timber. Obviously this system will not ensure the maintenance of the forests proposed to be leased. These provisions therefore must be reconsidered.

Section 24 would appear properly to belong to this Chapter. If its provisions are correctly understood, it means that Government will assist (in a manner not clearly defined) zemindars or other large forest proprietors to close certain portions of their forests, provided the forest rights of the villagers on those estates have been duly provided for.

19. Chapter VIII contains provisions which purport to govern the settlement of forest rights, but these provisions are not understood. The object of the proceedings prescribed in Sections 34 to 36 is to constitute any waste-land, or land acquired under the Land Acquisition Act as forest, and to declare such lands to be State or Private forest and Reserved or Village forest. An elaborate procedure for the investigation and settlement of rights in such lands is prescribed, the provisions of which are partly taken from Chapter II of the Indian Forest Act.

In lands acquired under the Land Acquisition Act the object of such enquiry and settlement is not clear. Under the process of expropriation all rights and claims have been finally disposed of; the land thus acquired is absolutely at the disposal of Government, and no further investigation and settlement are necessary.

20. In the case of waste lands which it is proposed to constitute forests, the object of the elaborate procedure prescribed is not intelligible. The Bill proposes to invest the term "forest" with certain specific attributes, the chief of which are that no trees are to be cut or burnt within a distance of 50 yards from a river, spring or other source of water, and that no rights or easements shall henceforward be acquired by prescription in a forest.

But the procedure prescribed in Sections 34 to 36 relates to claims to pasture and the user of forest produce, and the object of the Chapter seems rather to be to constitute such land a reserved forest or a village forest, or to close it. But in the case of village forests, the full exercise of all rights is expressly guaranteed, and so is, in the case of reserved forests, the exercise of all rights except to trees and timber; while (under Section 5) State forests are declared to be subject to all rights and easements lawfully enjoyed therein. And as regards closed forests, the closing of these is intended to be a temporary measure of limited duration, for which Sections 37 and 39 propose a separate procedure.

These remarks will suffice to make it clear that the purport and application of Sections 34 to 36 are, to say the least, obscure.

21. Section 37 purports to regulate the procedure to be followed when forests are to be closed. Objections and claims are to be heard, and after enquiry are to be decided by the Collector or a qualified assistant. But it is nowhere provided that, in closed forests, in so far as they are State forests, the exercise of any rights shall be suspended, and hence the necessity of the provisions contained in Section 37 is not apparent.

22. Sections 45 to 58 relating to penalties and procedure are chiefly taken from the Indian Forest Act, and as far as they accord with the provisions of that Act, they are good and will probably be found suitable. Some of the alterations introduced do not commend themselves to the Government of India; but it would lead too far here to set forth all matters of minor importance in regard to which the Madras Bill has been found to be defective.

It must suffice to say that, in the opinion of the Governor General in Council, the Bill as it stands requires material revision throughout.

23. The examination of this Bill has led the Government of India to take a comprehensive view of the present state of forest administration in the Madras Presidency. While it is acknowledged on all sides that the passing of a Forest Act is most desirable, such a measure not only demands a thorough examination of all questions connected therewith, but, in order to be successful, ought to be the result of practical experience in forest administration. In the provinces under the Government of India forest administration has made considerable progress in the right direction, and the Indian Forest Act, passed last year, may be regarded as embodying the result of the practical experience acquired in this business during a considerable number of years. The Governor General in Council has no wish to urge upon His

Grace the acceptance of the Indian Forest Act, but he is anxious to assist the Madras Government in the task of framing a measure which shall be really useful. With this view it has been decided to place at the disposal of the Madras Government, as a temporary measure, the services of Mr. B. H. Baden-Powell, Conservator of Forests in the Punjab, one of the most capable forest officers under the Government of India, who has paid special attention to the question of forest legislation, and as a member of the covenanted civil service of 18 years' standing has had a wide administrative and judicial experience.

24. While on this special duty in the Madras Presidency, this officer will be under the orders of the Madras Government, and will submit his reports direct to that Government. The object of his deputation will be to assist the Madras Government with his advice in the matter of forest legislation and the demarcation of the forests. Both questions are intimately connected and cannot be separated. In most provinces under the Government of India the demarcation of the areas selected to be permanently maintained as reserved forests has made considerable progress. In some provinces it has been nearly completed without the aid of a Forest Act, and it may be said that the Act passed last year could not have been framed in a satisfactory manner without the experience that has been gained in this work. It has been noted from the Proceedings of the Madras Government, No. 812 of the 8th April last, that His Grace in Council has come to the conclusion that the selection and demarcation of reserved forests need not await the passing of an Act, but may be proceeded with under the existing state of the law, and it has also been noticed with satisfaction that a commencement has been made in this work by entrusting it to district committees and by the deputation of Captain Campbell Walker to take the place of the Conservator in these district committees. But the work is of such magnitude that the measures hitherto taken in the Madras Presidency for its accomplishment appear quite inadequate.

25. From the statement of forest tracts and fuel reserves situated in the Madras Presidency, which is appended to the Despatch of the Madras Government to the Secretary of State, No. 8, dated the 16th May last, it is gathered that the approximate area of Government forests on the 31st March 1877 amounted to over 12,000 square miles, and the approximate area of the fuel reserves to 324 square miles; the details entered in the statement quoted being as follows;—

Districts.	Government forests.	Private forests.	Fuel Reserves.
	APPROXIMATE AREA IN SQUARE MILES.		
Ganjam	859	36	...
X Cuddapah	1,379	5	26
Kurnool	1,739	...	...
North Arcot	1,172	672	12
Salem	1,916	171	17
South Arcot	922	120	102
Trichinopoly	203	68	3
Coimbatore	1,276	...	130
Madura	690	1,033	21
Malabar	550	...	6
Nilgiri	202	...	...
South Canara	1,099	113	...
Tinnevelly	241	100	7
GRAND TOTAL, MADRAS PRESIDENCY ...	12,248	2,318	324

This statement, however, cannot be regarded as giving a complete account of the Government forests in the Madras Presidency; for it comprises no entries of the Nellore, Kistna, and Godavery Districts, all of which are understood to contain extensive Government forests. It is not supposed that the

X [illegible] forests in the [illegible] valley of [illegible]
[illegible] the land [illegible]
[illegible]

whole of this large area of Government forests will be available to be demarcated as Reserved forests or village forests, but so much is clear that the work is of vast extent and importance and will occupy some time. The aggregate area of Reserved forests in the provinces under the Government of India amounted to no more than 18,113 square miles on the 1st April 1878, and yet a large forest staff has been employed during the last 15 years upon the demarcation of this area.

26. In the opinion of the Governor General in Council the first duty which Mr. Baden-Powell should undertake will be to visit each collectorate, and to examine some of the more important forests in company with the forest officers and the Collector, or other civil officer specially deputed by the Government. In communication with the Collector and the Conservator or Captain Campbell Walker, it will then be Mr. Baden-Powell's duty to submit proposals to the Madras Government regarding the demarcation of reserved and village forests, and the organization of forest business generally in each district. Having in this manner, in communication with the local officers, brought his district enquiries to a conclusion, he will be in a position to advise the Madras Government in a useful manner regarding the Forest Bill. It is not desirable that Mr. Baden-Powell should be asked to advise upon the subject of forest legislation in the Madras Presidency before he has had an opportunity of making himself thoroughly acquainted with the circumstances and requirements of each district, and with the experience gained by civil and forest officers in the matter of forest protection and the views entertained by them regarding the legal provisions needed to facilitate such protection. It is only by such preliminary investigations that the object in view will be attained in the most satisfactory manner; and His Excellency in Council feels assured that the assistance which it is now proposed to give in this matter will be welcomed not only by the Madras Government, but also by the Collectors and other civil officers as a timely measure which will place at their disposal the results of lengthened experience in this Department in other parts of India.

27. His Grace in Council is aware that, apart from the questions of forest legislation and demarcation, there are other questions connected with forest administration in regard to which the Government of India is not satisfied that the action taken by the Madras Government has of late years been in the right direction. The Governor General in Council does not desire on the present occasion to enter into all these matters, some of which would alone be of sufficient importance to demand a special enquiry. But he is constrained to observe that the financial position of forest administration in the Madras Presidency is unsatisfactory to such an extent, as by itself to justify the adoption of the measure now proposed by the Government of India. The revenues of the Government forests in the Madras Presidency have remained stationary during the last ten years, while the expenditure on establishments has increased steadily. The result has been that, if the indirect charges are taken into account, the forest department in Madras has shown a deficit almost every year since 1872-73; and as matters stand at present, there seems no prospect of obtaining a surplus revenue.

28. To mention one point only, it has been noticed from the Proceedings of the Madras Government that on several occasions the Conservator has urged that arrangements be made for the Departmental collection of forest produce, similar to that which has been so eminently successful, financially and otherwise, in the southern districts of the Bombay Presidency. Hitherto the Madras Government have seen insuperable objections to these proposals, and it has been noticed from the Proceedings of the Madras Government No. 1010 of the 7th May last, that the question raised as to the revenue from cardamums on the Pulney hills and the collection of gall-nuts is to await disposal under the new forest law. Admitting that there may be difficulties in the way of increasing the revenue from this source, it seems most unlikely that these difficulties could not be overcome. This is comparatively a small matter, but there are many other questions relating to the development of forest revenue in the Madras Presidency, the solution of which His Excellency in Council trusts will be furthered by the special enquiry into the working and organization of the forests in each District now proposed to be instituted.

29. In the provinces under this Government it has been found by actual experience that the demarcation and efficient protection of the Reserved forests has been followed by a considerable and steady increase of forest revenue; and the Government of India have on several occasions represented to the Government of Madras that the anxiety felt by them in regard to the financial prospects of forest administration in that Presidency is due to the fact that there is no evidence of satisfactory progress in the demarcation and improvement of the public estates which are to be permanently maintained as forests, and that there is no proof to show that with certain exceptions, notably the admirable teak plantations of Nilambur, the results of forest administration in the Madras Presidency are commensurate with the large outlay on establishments. The demarcation of the forests, the financial results of their working, and forest legislation are intimately connected; and the proposed deputation of an officer experienced in forest administration, as it has been carried on in the provinces under the Government of India, will, His Excellency in Council feels assured, prove of great help towards placing all these branches of forest administration in the Madras Presidency upon a permanently satisfactory footing.

30. I am directed to request that the present letter may be regarded as a preliminary announcement of the intentions of the Government of India, the details of which will be communicated hereafter.

I have the honour to be,

Sir,

Your most obedient Servant,

C. Bernard

Offg. Secretary to the Government of India.

Revenue Deptt.

No. 2613 of 1879. No. 8948.

GOVERNMENT OF INDIA.

HOME, REVENUE AND
AGRICULTURAL DEPARTMENT.

Mis. No. 2767

C. Ref. 8948 of 1879.
" 6433 of 1880
" 6465 " "
" 6836 " "
" 6956 " "

Lodged with reference to Mis. F.O. dated 22nd November 1880, No. 3876.

10 October 1881.

FORESTS.

To

THE SECY. TO THE GOVT. OF MADRAS.

No. 783 F.

Dated Simla, the 29th September 1879.

SUBJECT.

FOREST administration in the Madras Presidency, and deputation of Mr. Baden-Powell to submit proposals for the preparation of a Forest Bill.

Govt. Central Branch Press, Simla.—No. 398, H., R. & A. D.—30-9-79—60.

Mis. No. 2767 d/10 October 1881

With an order,

C. 23/12/80 R. 27/12/80
C. 10-10-79
C. 3-11-79
C. 18/12/79.

REVENUE DEPARTMENT.

No. 0/2613 9/79.

From Govt. of India

Dated Septr. 29th 1879. No. 783 F.

FOR ORDERS.

In the above letter the Govt. of India criticize in a somewhat hostile manner the draft Forest Bill submitted by them in March last and state that, as it stands, it requires material revision throughout. They then announce that it has been decided to place the services of Mr Baden Powell at the disposal of the Madras Govt. to aid them in framing a measure which shall be really useful. He is also to assist the Madras Govt. with his advice in the matter of forest demarcation. It is pointed out that his first duty will be to visit each Collectorate & examine some of the

The addl. [illegible] proposed for Forest Staff in view to accelerating the determination of Forest Reserves will probably form the subject of a separate despatch. But I do not think we need Mr. Baden Powell to help us to legislate on the subject of Forest Administration. The Bill was hastily and in point of the form which such a measure was designed to assume, this was to undergo revision by a Select Com. of the Legis. Council. I have given much time and attention to the subject and have collected much material for a matured fit for submission more important forests in company with the forest officers & the Collector. ~~[illegible]~~ He is to submit proposals in commun. with the Conservator or Capt. Campbell Walker & the Colr. regarding the demarcation of reserved & village forests ~~& the organization~~ of forest business generally in each Dist.

He is not to be asked to advise upon forest legislation in this Presid. before he has had an opportunity of making himself thoroughly acquainted with the circumstances & requirements of each district & with the experience gained by the civil & forest officers in the matter of forest protection & the views entertained by them regarding the legislation which is necessary to facilitate such protection.

18/12/79

In the Legis. Council as soon as our return to Madras enables me to recast the Bill in Committee - then I think most of the G. I. objections will be met. I think the postponement of legislation until the forest settling business is completed, is unnecessary & inexpedient. I would proceed with this matter without [illegible]

[illegible] to advise [illegible] legislating [illegible] amount to [illegible] we [illegible]

[illegible] an order

The adoption of the course proposed by the Govt. of India is justified by that Govt. on the ground of the unsatisfactory condition of the forest revenue of the Madras Presid.

The details of the intentions of the Govt. of India are promised to be communicated hereafter.

10/10/79

C [illegible]

FOR ORDERS.

Dr Baden Powell's Deputation to Madras

Returned to Office by order of His Excy the Viceroy -

A.C. 4/12/[illegible]

C 10-10 77

Hon W. Hudleston
D. F. Carmichael

This despatch is based on wrong data which are I think probably the result of our mode of communication on Forest matters & not having sent any collated statement.

The word Commercial in the Dept letter has been I find inadvertently left by me from a copy of clause in an old draft which clause was in conformity with existing views of

the end — & therefore all
the few of I argument founded
on this one assertion of this
end which is not to be
found in the definitions or
the be facts —

The first of I assume ~~that~~
As a second decade is being
absorbed in other provinces in
demarcation — that our
arrangements are wholly
insufficient — assuming
~~that~~ nothing has been done

but what are the facts —
In this Presidency the matter
c 10 has been so fully gone into by
officers fully experienced in

18

all those conditions of the district

~~That~~ in Tinnevelly
Boundaries of all Govt. forests have been
ascertained by survey of cultivated or
assessed lands — below — & by the
demarcation of Travancore boundary
above which is now all dam[illegible]
[illegible] cut — except some 8 or 10 miles
at [illegible] point —

That the boundary of grazing limits
i.e. of ground interdicted from cattle
has been ~~cut~~ cut for ~~demarcated~~ some [illegible]
30 miles — ~~& that~~
That the broad lines of reservations have
been selected — as well in Zemindaris
as in Govt. — and that the only work
remaining is to ascertain & dispose
of rights of grazing claimed over Govt. forest —
and the boundaries of the Zemindari
tracts —

That in Madura — The upper line of forest
& territory has been thoroughly demarcated

That the Gal forests have
been practically reserved
for many years — There there
is one unsettled ~~claim~~ boundary
with Zemindars —

The Seeamullay forests have
been demarcated throughout
The Kannoor mullays boundaries
determined —

Tylur all demarcated —

Pulneys — boundaries all
settled & demarcated by stone marks
Reserves ~~copied~~ recommended fully
reported on & ready for declaration
subject to some details

S. Coimbatore — Anamullay forests defined
reserves settled & being demarcated

N. Coimbatore — awaiting decision on appeal
in Attapadi suit

Canara demarcation commenced

Malabar — Whole Teak & Nellambur forests reserved &
demarcated —

Salem

100 Square miles of reserve
now being demarcated
& the whole of the forests systematically
worked under the Dept for more
than 12 years —

N. Arcot —
Mr Sheffield now examining
the areas selected for reserves
as indicated by the Conservator the best
and ascertaining the
boundaries —
~~While the question of the Govt~~
~~[illegible]~~

S. Arcot —
all demarcated &
reserves settled

Cuddapah all useful forest is under Dept.
52 square miles close reserves
are demarcated & surveyed
and Conservator is prepared
to indicate at once the further
close reserves for [illegible]

Godavery – reports fully &
Minute recorded ~~and~~ inquiry
the reserves in these forests which
are only just handed over –

Vizagapatam
All Zem except Palconda &
Golconda – the latter it is
proposed to put under
charge of same officer as taking
~~&c~~ of Godavery – these forests
were given up by Dept. some
years since – no market being
obtainable for timber &

Ganjam The Surada & Mahupalconda
are worked by the Dept. & the
Cons.r a person we have been
well concerned but – no market

for timber – ~~the~~ Forest officer
is now ~~[illegible]~~ marking out the
areas proposed by Cons.r to be
close reserves in these forests
& investigating the ~~for~~ suggested
boundaries –
Then a very large portion of the
work is done –

---

it would simply be waste of
time to spend a year or two
in investigating what has already
been done & I believe well done –
& I should anticipate that within
~~that~~ – 2 years should complete
the definition of such forests &
necessary close reserves ~~throughout~~ –
I would I think say by

Telegraph Secy of S.

despatch appears to proceed on an erroneous impression of state of progress — ~~that~~ a very large extent of work is done — requiring only ~~the~~ act to complete it — ~~that~~ ~~the~~ remaining work is so far prepared ~~that~~ but little time comparatively needed — would be if not interrupted completed before the proposed new ministry alone would be — and request they will await despatch now being prepared setting forth exact state of matters before any action taken

29/10.79.

I am willing to apply to G.O. as suggested by Telegr.

I had Brodie up this morning who confirms me as to state of matters — I have not gone fully into detail. It now [illegible] but the Revenue matter can also be fully explained

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The Hon'ble Head [illegible] with Tab. statement Summary & suggested outline of Dft. to India

As I am sure the Secy of S despatch is based on a misapprehension of the present state of Forest matters here I have completed a final Statement in a form which I have kept for my own use — and which I annex — with a summary —

The latter shows —

Sq. m. 534	Reserves established & demarcated
411	Fuel reserves. Do. Do under Reserve
51.	Topes
1016	besides 3000 acres of Channel & Tank bund plantations & nurseries — and 309 miles of Channel planted
592 -	Reserves ordered & demarcation commenced
278 -	under consideration
1886	

Most of the figures are
taken from our printed
proceedings — a very few
being corrected, in
discussion with Webbe
& from various notes of
my own —
I think it would be
well to send the
tabular statement to
India — & if you
concur it might be
at once put in type —
as it will take a little
time & I will send a
minute to cover it
~~[illegible]~~ I also
enclose an outline of
a reply to Gov. of I.
despatch which I

had sketched — the figures
need some little consideration
yet — as I omitted the
tabular statement. ~~since~~ —
I should add that I kept
the statement hoping to
be able to add authentically
the extent of planting
under the rules — but
the data do not exist
generally. I annex
Chingleput which Price
has with some trouble
completed — which shows
a large extent —
If you concur in general
in the general ~~[illegible]~~
~~[illegible]~~ tenor of draft it
can be completed on
my return by when
the tabular statement

It would be printed —

12/12.79

I concur in Yr. Grace's proposal & send the Tabr. Stat. & G.O. with a letter in the Times sketched by Yr. Grace
I have no further remarks on the Stat. & the draft.

14/12

The Opposition [illegible]
Spirit [illegible]
Statement [illegible]
notion [illegible]
of letter [illegible]
further
Amendments [illegible]
the notes [illegible] –79.

Withdrawn by H. G. in Council
Substituted. [illegible]

[illegible]

incompatible with the powers in State [illegible]

The 2 Statements have been sent to the Press.
The papers are returned as requested –
J.H.G.
19/12/79

I am to acknowledge your letter dated 29th September and received on the 9th October.

I am in reply to observe with reference to paragraphs 3, 4, and 5, that His Grace in Council is satisfied that no communal ownership of property in Forest in the Presidency exists, & that all Forests may be safely classed under two great classes State and

Private, although in over many portions of both these classes the community have [illegible] various rights which have been improperly described as tribal or communal. The word communal, ~~which occurs in the draft bill~~, ~~only in a penal clause~~, appears to have been inadvertently left in ~~one~~ penal clause of the sketch Forest Bill incorporated from a former draft.

The various points raised in paragraphs 6 to 22 would, in

all

I think this is so. but I cannot think the [illegible] [illegible] [illegible] [illegible] [illegible]
G. [illegible] 29th [illegible]

all probability have been satisfactorily disposed of if the Government of India had not prohibited this Government from proceeding with the bill during the last six months, and thus prevented the measure from receiving the consideration and revision of the Select Committee, appointed by the Legislative Council and comprising native gentlemen especially qualified to consider the details of such a measure.

This Government are glad to find that the general character of the measures proposed ~~of~~ for dealing with the very important question of control over private forests commends itself to the Government of India, ~~and~~ This Government now propose to proceed at once with to the consideration of the measure by the Select Committee by whom the various points mooted will receive full consideration ~~and that it will~~ ~~pursuance~~ ~~submit the revised bill for the information of the Government of India~~.

Para. 17

With respect to the remarks in paragraphs 23-26 and the procedure proposed therein, it seems evident that the Government of India are under a misapprehension as to the present state of progress in Forest matters in this Presidency, arising poſsibly from no comprehensive statements having been submitted by this Government, and also from a statement prepared for a special purpose, ~~as~~ contained in despatch No 8 referred to, having been read as giving the entire area of fuel reserves, &c.

I am therefore to state that while in the statement above referred to, having reference to Railway fuel reserves, the total area is entered as 324 Square miles, the total area of reserves about [illegible] is ~~three~~ nearly 5 times that extent, as will appear from the following particulars.

Forest reserves (have been) completely demarcated

? S.M.

30	in Madura	~~30~~
10	Trichinopoly	14
30	Salem	32
19	North Arcot	19
~~77~~	South Arcot	91
52	Cuddapa	52
322	Malabar	150
	[illegible]	400

540

Forest reserves
(have been) selected
and decided on (where) es-
timated ~~at~~ areas (are)

in Coimbatore 76 76
Madura 70 40
Salem 40 0 130
S. Arcot ~~46~~ 16
Canara 250 250
542 512

[illegible] the demarcation
of 426 square miles -
(of which) viz. in Coimbatore, Salem and
Canara 250 is in
progress.

Reserves are also
proposed, the localities, but not
the extent of areas

to be reserved having ~~being~~
selected by the Conservator in the ~~[illegible]~~: District

Forests of The undermentioned ~~Forests~~:
Tinnevelly
in Madura - ~~the Sirumaly~~
and High Wavy
~~-the Cumbum Valley~~
slopes & Pulneys

Coimbatore - the Bawani,
subject to the decision in Attapadi
suit.

Trichinopoly - the Patchemalays.

~~South Arcot - the Tirikalore~~

~~Cuddapah~~ {~~Budwail~~ Sidhout ~~Prodatoor~~} ~~Forests~~:
Budrachellum
138 Godavery - Burdachellum
: Rakapilly.

Which after making allowance
for adjustment of boundaries
(Making some reductions) by
will equal not less
than 450 square
miles —

While the selection
of the areas to be
proposed as close reserves in

Ganjam - {Goomsur
& Surada forests

North Arcot - Generally -

Cuddapah {Budwail
Sidhout
Prodatoor is

is now in progress by 3 different officers, ~~who are~~ each thoroughly conversant with the forests and their circumstances.

The Kistna is to be visited and reported on by the Conservator this cold weather. ~~In~~ Vizagapatam, the forests in the Gudem and Golconda hills were given up by the Forest Department some years ago (since), there being no possibility in the opinion of the Conservator of obtaining revenue, and no market open to tempt plunder; but it is proposed that some close ~~such~~ reserves as are necessary shall be selected by Mr. Boileau, ~~after his return~~ [illegible] ~~[illegible]~~, who ~~has~~ made a valuable report on the ~~adjacent~~ forest Godaveri and [illegible] placed under the same management as the forests in Badrachellum and Rakapilly. The orders

The forests will probably be [illegible] [illegible]

the

as to which have been recently under consideration of this Government — the matter having been necessarily in suspense until the decision of Government of India was received respecting the future ownership. ~~as the state question raised~~

In addition to the Forest reserves above ennumerated there are the fuel and village reserves which have been formed and managed

under 278
592
554
411
57
1886
278
1608

554
411
57
1016

1016
416
116
1548

managed by the Revenue authorities amounting to about ~~340~~ square miles, as in margin ~~border~~. Thus the reserves at present selected amount to about ~~424~~ ~~500~~ 1608 ~~1886~~ square miles of which

1016 ~~540~~ ~~411~~ are demarcated ~~being~~ 534 under forest and ~~343~~ 462, ~~reserves~~ under Revenue Department ~~the greater part completely demarcated~~.

~~512~~ ~~420~~ 416 in course of demarcation

116 undemarcated

1305 square miles.

The reserves are distributed

over 17 districts out of the 20 in the Presidency

1- Canara
2- Malabar
3- Tinnavelly
4- Madura
5- Coimbatore
6- Nilgiris
7- Trichinopoly
8- Tanjore
9- South Arcot
10- North Arcot
11- Salem
12- Chingeput
13- Bellary
14- Cuddapa
15- Nellore
16- Kistna
17- Godavery.

Those omitted being

Kurnul
Vizagapatam
Ganjam

The two latter have been before referred to - The Kurnul Forests have been left by the conservator to be dealt with last, there being in his opinion no such immediate urgency for reservation owing to the extent of Government forest - the absence of conflicting claimants and sparse population -

A

A statement in Tabular form of the present state of Forest matters in greater detail in each district is also transmitted herewith for information -

In paragraph 27 you refer to the question of the financial position of the Forest administration of the Presidency as being unsatisfactory. The stationary position of this revenue has long since attracted the

the attention of His Grace the Governor. The apparently unsatisfactory or stationary position ~~for~~ of the Forest revenue ~~from timber is~~ is due as regards timber, in His Grace's opinion ~~due~~ principally to three causes.

{The comparatively small amount of Revenue in the Forest ~~St. Preston~~ in comparison with other provinces. it is affected by the separation to Madras of the Forest of Jungle Conservancy [illegible].}

1st. That in the early years of Forest Administration a somewhat fictitious revenue was created by charging other departments for their supplies of hard wood at prices

prices above the market price. This unduly raised the then apparent revenue.

2nd. (Diminution in) demand of late years ~~by~~ ~~[illegible]~~ This is due to the reduced demands of Bombay Marine and of ~~the Gun Carriage Factory~~ Government ~~and Public Works~~ Departments ~~as also by~~ and the Railways (whereon in [illegible]) iron has been introduced to replace teak for ~~as~~ sleepers and ~~for~~ telegraph posts.

and (on which also)
the consumption
for building purposes has largely
diminished
with the ~~[illegible]~~ completion
of ~~stations &~~ the works Railway Buildings.

3rd Competition
of Burma &c - This
has been developed ~~to in~~ to
such an extent
that Burma Teak
now competes with
Madras grown teak
not only along the
coasts but as was
recently proved by
tenders for some timber for Govt. House
~~can~~

can be obtained ~~supplied~~
on cheaper terms
for use even at Ootacamund on the Nilgiris
than the teak of
the Malabar forests.

~~Other hand~~
The (Supply) Price of teak is
also affected by the
supplies from Cochin &c
and to some extent at
Cocanada by timbers
from ~~the~~ Bustar &
adjacent territories -
This competition has
not only limited the
demand for Govt teak
but has reduced the
price generally as is
shown in the [illegible]

of the operations of
the gun carriage factory
which showed that
the rate details at Madras had fallen
from 2. 6. 9 in 1876
to 1. 8. 0 in 1878
while the price of Pegu
teak itself was also
tending downward having
fallen from 1.15.9 in 1876
to 1.12.0 in 1878

Competition also exists
in other woods – ~~from~~
the produce of private
Estates – on which no
expense for establishment
&c has to be incurred maintained
or borne by the timber
sold – and this also applies
to Bamboos – and to
Railway fuel –

for each year – & rates –

English price received
adjudged in Dockyard
for Anamullay teak
on ~~sale~~ last year's consignment

Forest output & [illegible]

and price paid for
Bamboos – in market for
Metal company – each
year with rates obtained by Forest ~~prices~~ ordinarily
~~obtained~~ and prices asked
by Forest D. from ordinary
[illegible] Metal supply –

in proceedings

From Home – or reports

Forest receipts &
expenditure
Madras
for years 1875-6-
6-7
7-8
9-0

contrasting – ~~Teak sales~~
~~as~~ principal items
Such as Teak
Bamboos
Sandalwood

[illegible]
[illegible] – [illegible]
[illegible] – [illegible]
[illegible] – 372492
[illegible] – 343779
[illegible] – [illegible]

Estates – on which
expense for establishment
has to be maintained
or borne by the timber
sold – and this also applies
to Bamboos & and to
Railway fuel –

[illegible]

No. 210.

From Ootacamund,
„ Ag. Rev. Secy. to Govt.

To Simla,
„ Government of India, Home Department.

Your letter of 29th September, No. 783-F. Action proposed evidently based on erroneous impression of present state and recent progress and preparation. Proposed course would impede instead of accelerating progress.

Please delay action until statement now being completed showing exact present Forest state reaches you. Present arrangements will need no long time to complete and demarcate all necessary reserves, if Act passed. Explanations as to Forest revenue matters also accompanies. Reduced demand and Burma competition principal check to timber revenue.

(Signed) J. H. GARSTIN,
Acting Secretary to Government.

OOTACAMUND,
31st October 1879.

Exd. W. H. French.

No. 656F.

FROM

THE HONOURABLE C. GRANT, C.S.,
Offg. Secretary to the Government of India,

To

THE SECRETARY TO THE GOVERNMENT OF MADRAS.

Home, Revenue and
Agricultural Department.
Forests.

SIMLA, *the 12th October* 1880.

SIR,

IN the letter from this Department, No. 783F., dated the 29th September 1879, the Government of India communicated remarks on the subject of forest administration, and intimated the proposed deputation of Mr. B. H. Baden-Powell, of the Bengal Civil Service, to the Madras Presidency.

2. With reference to paragraph 30 of that letter, stating that the details of the measure would be communicated hereafter, and to the correspondence ending with your letter No. 2476, dated the 22nd July last, relating to the Madras Forest Bill, I am directed to say that Mr. Baden-Powell, who is now acting as Commissioner of the Umballa Division, will shortly be available for the duty assigned to him, and that he may be expected to arrive in the Madras Presidency early in November next.

3. If His Grace the Governor in Council has no objection, it might be convenient that Colonel Beddome, the Conservator of Forests, and Major Campbell-Walker, the Officer in charge of Forest Demarcation Work, should be placed at once in communication with Mr. Baden-Powell, so as to arrange with him, under such orders as the Government of Madras may issue, the programme of his tour through the different districts which it is necessary for him to visit. It has been suggested to the Governor General in Council that it would be desirable to commence operations in the Bellary District. In paragraph 11 of the Despatch from the Government of Madras to Her Majesty's Secretary of State, No. 17, dated the 9th December last, it was stated that the Government of Madras intended to have an inspection made of that district in order to ascertain whether any portion of its area is suited for forest conservation. Possibly some of the extensive waste lands, believed to exist in the Bellary District, might with advantage be demarcated and protected in the same manner as has been done on the hills of Ajmere and Merwara, and in some of the inland districts of the Bombay Presidency, with the view of increasing the supply of fuel and cattle fodder, and of improving the water-supply in the vicinity of those areas. At the same time, if the Madras Government considers that any other plan of operations would be more suitable and convenient than that here proposed, the Governor General in Council would not desire to question the propriety of their decision.

4. The main object in placing the services of Mr. Baden-Powell at the disposal of the Government of Madras is to give them the best available assistance in forest legislation. But his experience in other parts of India may also be found useful in questions of forest administration, and more particularly in the matter of demarcating forests and of settling rights in demarcated forests. While employed on this duty Mr. Baden-Powell will submit his reports direct to the Government of Madras.

5. I am to suggest that the Board of Revenue and the several Collectors may be informed of Mr. Baden-Powell's deputation, and that they may be instructed to afford him all needful information and assistance. With the permission of His Grace in Council it might be arranged to provide him, in each district which he visits, with the best and most recent maps of the district, and with such forest maps as may be available. His Grace the Governor in Council will perhaps permit Mr. Baden-Powell, while in the Madras Presidency, to correspond informally with the Inspector General of Forests to the Government of India, and seek his advice whenever necessary.

6. While employed on special duty in the Madras Presidency, Mr. Baden-Powell's allowances will be as follows :—

		Rs.
Pay ...	... ...	1,600
Personal allowance	... ...	400
Consolidated travelling allowance	... ...	300
Total	...	2,300 per mensem.

A sum of Rs. 25,000 has been sanctioned to meet these charges in paragraph 9 of the orders* of the Government of India on the forest estimates of the Madras Presidency for 1880-81, and I am to request that the needful provision may be made on this account in the estimates for 1881-82.

I have the honour to be,

Sir,

Your most obedient Servant,

Offg. Secretary to the Government of India.

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* Nos. 19-21F., dated the 8th January 1880.

Sd 22-7-80 Nos 2475. 2476 Rev
- 12-2-80 - 97-98

Revenue 1880 Deptt
R.D.
21 OCT 80
[illegible]

1880

GOVERNMENT OF INDIA.

HOME, REVENUE AND
AGRICULTURAL DEPARTMENT.

FORESTS.

To

THE GOVERNMENT OF MADRAS.

No. 656F.

Dated Simla, the 12th October 1880.

SUBJECT.

Details connected with the deputation of Mr. B. H. Baden-Powell, B.C.S., to the Madras Presidency, to assist in re-organizing the forest administration and to advise in forest legislation.

G. C. B. Press, Simla.—No. 605, H., R. & A. D.—14-10-80.—107.

C. ... R. to
C. 23/12/80 R 27/12/80

No 659 F

From

C. L. Tupper Esqr. C.S.
Offg Under Secy to the Govt of India
Home, Reve and Agri Departt.

To

The Secretary to the
Government of Madras.

Simla, the 12 October 1880.

Forests. Sir

In continuation of the letter from this Department No 656 F dated the 12th instant, regarding the deputation of Mr B. H. Baden Powell, B.C.S, to the Madras Presidency, I am directed to request that, with the permission of His Grace the Governor in Council, you will be good enough to cause the following books and papers to be supplied to Mr Baden-Powell on his arrival, for reference by him during the time of his deputation:-

Volumes of the Proceedings of the Government of Madras in the Revenue Department (Forests) for 1879 and 1880, and subsequent Proceedings from time to time.

Hand-books for the following districts:-

Cuddapah.
Nellore.
South Arcot.
Madura.
Bellary.

25/10

Standing information regarding Forest Administration in the Madras Presidency.

Madras Civil List.

I have the honour to be,
Sir,
Your most Obedt Servt,
C. L. Tupper
Offg Under Secy to the Govt of Ind

Revenue 1880 Dept
No. 4465. 37

From
The Govt of India R&Agl
No. 159 F.

D/12th } October.
R/25th

Requesting to cause the books and papers mentioned within to be supplied to Mr Baden Powell on his arrival for reference.

C. 23/12/80 R 27/12/80

No.

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the [illegible] 1870

READ the following

[illegible]

Letter from the Govt of India Dept of Home Revenue and Agricultural [illegible] 8/12 October 1870, No. 3 F. Regarding Mr Baden-Powell's requisition.

[illegible]

Communicated to the Board of Revenue, Collectors of Districts and the Conservator of Forests for information and guidance.

2 The Board will arrange in communication with the Superintendent, Revenue Survey, for the supply to Mr Baden-Powell of the [illegible] in paragraph 5.

3 Colonel Beddome will take action on paragraph [illegible]

4 The Conservator's report on Wellaway- (Board's Procs: of 1st Instant No. 34) is now under the consideration of Govt.

Govt

To
The Board of Rev:
& Acctt Genl:
All Collectors
Conservator of Forests
Baden Henry Baden-Powell

[illegible]

I shd. write in any
reference to the
Inquiry of [illegible]
with [illegible]
shown by the state
duties [illegible] of the

[illegible]

[illegible]

Hon Mr Hudleston

To
THE SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT.

W.C.

Special

REVENUE DEPARTMENT.

2 H.E. the Governor

	Recd.	Retd.
THE MOST NOBLE ~~THE~~ GOVERNOR.		
H. ~~E. THE COMR. IN~~ CHIEF.		
1 THE HON. W. HUDLESTON. WC		
~~THE HON. D. F.~~ CARMICHAEL.		

3 Hon. D. B. Carmichael

Special.

[illegible] deputation

[illegible]

No. 162.

From Ootacamund, | To Simla,
,, Rev. Secy. to Govt. | ,, Home.

Your letter, 12th October, Number 656, Forest. This Government much surprised at delegation. Statement sent with my letter, fourth instant, 1299, shows the great progress made in establishment and demarcation reserves, meanwhile Forest Bill fully considered and about to be sent for Governor-General's sanction. Statement shows reserves selected all districts but Kurnool District. Officers actively engaged completing investigations. No need for services of other officers than those of the establishment. Letter follows.

(Signed) C. G. MASTER,
Secretary to Government.

Ootacamund,
29th October 1880.

Exd. W. H. French.

[illegible] note the

[illegible] of the [illegible]

[illegible]

[illegible]

The Secretary to the
Government of India
Home Rev. & Agri
Deptt

Sir,

I am directed in continuation of the annexed telegram despatched with reference to your letter d/ 12 Oct 80 No 656 T. to request that you will express to H. E. the G. G. in C. the regret with which His Grac the G. in C. has read your communicatio

The delegation of Mr Baden-Powell would not in his opinion tend to the accomplishmen of any good purpose while it must necessarily involve considerable expend

– at the cost of the Madras Forest Revenue......

The Statement which accompanied my letter of 4th Oct. No 1299 shews that the selection of Forest Reserves is well advanced. The investigations for the further determination of reserves, & the rights involved, in Districts still unsettled, are making steady progress....

In regard to Forest Legislation the Bill long since introduced has been carefully discussed in the Legislative Council and will shortly be passed and transmitted for the usual approval of H.E. the Governor General.

Such being the case H.G. in C. feels that it is inopportune to set on foot an enquiry of the kind proposed in your letter especially while he has at his disposal experienced officers who are thoroughly acquainted with the Madras Forests and their wants and will be able to carry into effect the measures dependent on the provisions of the Bill soon, it is hoped, to become law.

REVENUE DEPARTMENT.

No. 6836

Telegram

From Govt of India

Dated 14 Nov 1880.

FOR ORDERS.

[illegible]

His Grace &
Council

[illegible]

13/11/80.

C 15/11/80 R.23/11/80

---

e Form C.

Class. 5	INDIAN TELEGRAPH.	Local No. 77

To (Station) Ms

From (Station) Simla

Words.	Day.	Hour.	Minute.	Official Instructions.
42/5	13	14	53	40

To (Person) madras Revenue

From (Person) Home

1 Your	2 telegram	3 29
4 October	5 promised	6 letter
7 not	8 received	9 president
10 in	11 council	12 regrets
13 that	14 × further	15 delay
16 is	17 not	18 possible
19 mr	20 Bader	21 powells
22 services	23 have	24 been
25 placed	26 at	27 the
28 disposal	29 of	30 madras
31 will	32 proceed	33 to
34 Bellary	35 and	36 await
37 further	38 orders	39
40	41	42
43	44 × further	45
46	47	48
49	50	51
52	53	54

(P. I. L.)—Govt. Tel. Press,—No. 531,—19-11-79,—1-00000.

Recd. from L. N.
At Hrs. Mts., By

Sent to L. N.
At Hrs. Mts., By

Date

Telegraph Master.

MADRAS 13-11-80

reporting that
about to be
submitted

Rev: 1880: Dept
No. 1836
Telegram from
The Govt. of India
Home Dept.

Dated 11 Nov./80.
Received 11 — do —

Intimating with remark that Mr. Bada Soorshe's services have been placed at the disposal of the Madras Govt. and that he will proceed to Bellary & await furt

23/12/80
15/11/80. R. 23/11/80

7.

Grant C.S.
ry to the Govt. of

D.O. 11th Oct 1880

My dear Master

I enclose a telegram fr: Mr Bal
Powell, kindly let me know if Govt. wish [illegible]
[illegible]
such [illegible]
may wish [illegible]
I do not know
that he [illegible]
[illegible]
the [illegible]
being of [illegible]

[illegible]
reporting that
about to be
submitted

G

Description

As no intimation of his arrival was rec^d when the Budget for 80/81 went in I allow [illegible] regular estimate for his Deputation from 2500 to 10000 which will be adequate for this year, but if he is to stay on beyond 1st March 81, Govt should apply for extra grant to the Govt of India before final

7.

Grant C.S.
ry to the Govt of
nic, Revenue and
[illegible]

ades are passed in the Budget for 81/82 –

I am quite in the dark as to what Baden Powell is to do, or what he wants to see, whether I am to plan his tour, or whether he [illegible] arrange it [illegible] me –

Yrs [illegible]

iden Powell's
g out that great
n made in the
demarcation
reporting that
about to be
submitted

From Col Beddome

Rec 20/11/80

I propose to tell Col. B. that the matter of Mr Baden Powell's visit is under the further consideration of the Govt of India & that until he hears from this Govt he need take no action towards meeting Mr B.P.

20/11

Approved

W.S. 20.11

No 7537.

From
The Hon'ble C. Grant C.S.
Offg. Secretary to the Govt. of
India, Home, Revenue and
Agricultural Deptt.

To
The Secretary to the Govt. of
Madras.

Forests.

Simla, the 13th Novr. 1880

Sir,

In my letter No 656 F. dated
the 12th ultimo, were communica-
-ted to you the orders of the Govt
of India regarding the deputation
of Mr. Baden-Powell to the Madras
Presidency. On the 29th idem, a
telegram was received expressing
the surprise of the Government of
Madras at Mr. Baden-Powell's
delegation; pointing out that grea
progress had been made in the
Establishment and demarcation
of Reserves; and reporting that
the Forest Bill was about to be
submitted

submitted for His Excellency the Governor General's Sanction. It was further promised that a letter should follow.

2. In deference to the views of the Madras Government, the promised letter has been awaited as long as possible. It has not, however, been received; and the interests at stake are so important that the Govt. of India consider it inexpedient to incur further delay in carrying out a measure deliberately determined by them; approved by the Secretary of State; and formally communicated to the Madras Government both by the Governor General in Council[+] and by the Secretary of State[x]. Moreover although the President in Council readily believes that much has been done during the year to improve forest administration in Madras, the information before him does not show that circumstances have so rapidly and entirely changed as to justify abandonment of the measures hitherto thought necessary. The services of Mr. Baden-Powell have therefore been at the disposal of the Madras Government in accordance with the plan of operations already settled; and you have been informed by telegraph.

3. A copy of the Forest Bill which is mentioned in the Telegram, should be communicated to Mr Baden-Powell, but as explained in paragraph 26 of the letter quoted, it is not considered desirable that he should be required to submit any opinion upon the subject of forest legislation in the Madras Presidency, before he has had an opportunity of

[+] No 837 of 29 Sep: 79

[x] Des: No 17 of the 10th March 78

of making himself thoroughly acquainted with the circumstances and requirements of each district.

4. Mr Baden-Powell has been directed in the first instance to proceed to Bellary and I am to suggest that while awaiting the orders of the Madras Govermt. he should commence his enquiries in that district, so as not to lose any part of the present season. I am further directed to invite attention to my letter of the 12th ultimo and to express a hope that the Conservator will meet Mr Baden-Powell at an early date, and that the Collectors of the districts which may be visited by him will be instructed to furnish Mr Baden-Powell with such information and give him such assistance as he may require.

I have the honor to be
Sir,
Your most Obt. Servant
(Sd) C. L. Tupper
For Offg. Secretary to the
Govt of India

Exd. Al

Revenue (Forests) Deptt

No. 6956.

From

Govt of India
H. R. and Agri

9/12 13/19 } Novr
No 7537.

Placing the services of Mr Baden Powell at the disposal of the Madras Govt in connection with the estabt and demarcation of Forest Reserves and requesting arrangements to be made with Local Authorities to assist him in the discharge of his work.

c. 23/12/80. R. 27/12/80.

No. 7547.

Government of India, Home
Revl and Agri: Departt.
Simla, the 13th Novr. 80

Forests.

Notification.

The Services of Mr. B. H. Baden-Powell, Bengal Civil Service, are placed at the disposal of the Govt. of Madras.

(Sd) C. L. Tupper.
for Offg. Secry. to the Govt of India

No. 7557

Copy forwarded to the Government of Madras for information.

(By order)
(Sd) C. L. Tupper
Offg. Under Secry. to the Govt. of India

Rev. 1880 Dept.

No 6957.

From Govt of India
H. R. Agl Dept.

Dated 13 }
Recd. 19 } Nov/80. No 7557

[illegible]

Forwarding for information copy of its Notification placing the services of Mr Baden-Powell at the disposal of the Madras Govt, in connection with the demarcation of Forest Reserves.

No 7547

Government of India
Home, Reve and Agri Departt
Simla, the 13 Novr 1880

Forests Notification

The services of Mr B. H. Baden-Powell, Bengal Civil service, are placed at the disposal of the Government of Madras.

sd/ C L Tupper
for Offg Secy to the Govt of India

No 7557

Copy forwarded to the Government of Madras for information

By order
C L Tupper
for Offg Under Secy to the Govt of India

Revenue (1880) Deptt.

No 6957

From Govt of India
H. R. and Agri.

Dated 13th }
Recd. 19th } November

Also 22/11

Nov 557.

Mis No 3903

Lodged. Rev 69—

23 Nov 80

Forwarding for information copy of notification placing the Services of Mr. Baden-Powell at the disposal of the Madras Govt, in connection with the demarcation of Forest Reserves.

With annexures

INDIAN TELEGRAPH. Local No. 2031

Traffic Code Form O. P. 1.—G. T. Press,—No. 304,—7-8-79,—200000.

To (Station) Madras	From (Station) Simla
Words. 21 Day. 19 Hour. 16 Minute. 7	Official Instructions.
To (Person) Madras	From (Person) Home

A9115

1 Please	2 return	3 our
4 letter	5 dated	6 Thirteenth
7 Instant	8 regarding	9 deputation
10 of	11 mr	12 baden
13 powell	14 matter	15 is
16 under	17 further	18 consideration

Recd. from L. N. At Hrs. Mts., By

Sent L. N. At Hrs. Mts., By

Date MADRAS 19-11-8

Telegraph

52

No.

HOME, REV. & AGRI. DEPARTMENT.
INDIA

Post copy of Service Message.

FROM Simla. Dated 19th November 1881.

FROM Home

To Madras

To The Secy. to the Govt. of Madras.

Please return our letter dated 15th instant regarding deputation of Mr Baden-Powell. Matter is under further consideration.

C. Sampson
for Offg. Under Secy to the Govt. of India.

Compared with
the original tele-
-gram and found
to be correct.

C.C.
30.11

Revenue (Forest) Dept.

No 6968.

Telegram.

From

Govt of India
H. R. and Agri:

d/ 19"
r/ 19" } Nov
Des[illegible]
20/11

Requesting to return their letter about the delegation of Mr Baden-Powell, as the matter is under a further consideration: With an order:

Fmis No 3876

The letter from the Home, Revenue, & Agricultural Dept. d/ 13th Nov. 80 No 753 F. will accordingly be returned to the Govt of India –

22 Nov. 80

c. 20/11.

Rd. 29/11/80

To Public [illegible] Special [illegible]

When the Duke's Minute on Forests as finally 5th revised is printed, will [illegible] kindly send a copy on here to H. E. in [illegible] of [illegible]

To Office

Memo.

Since this was put in type some additions have been made wh. require to be inserted - Then circulate -

R.G.

20/12

[illegible] 20/12

(bottom of p. 1:) ÷

The Bill has now been remodelled and after very careful consideration in Committee and in the Legislative Council, has been finally passed and forwarded for the approval of the ~~Gov General~~ Viceroy. It may however be well to state in some detail the observations of the Govt of India upon the original draft.

3. Having observed

1.

[illegible]

Memo:

In this letter from the Home Department of 29th Sept. 1879 No 783 F. the Govt. of India in acknowledging the receipt of a Draft Forest Bill forwarded by this Govt. proceeded to criticise its provisions both generally & in detail. And [illegible] that the ~~purport of the Bill the Govt. of India~~ referring to communal rights of villagers in forest lands in this Presidency ~~the Govt. of India~~ state in ~~para 4~~ of their letter that the terms used by the Madras Govt. of late years, when discussing these subjects seem to indicate that there are extensive forest & waste lands wh: are the property of village communities.

Forest Bill has passed the local Legislative Council it seems desirable to place on record a statement of the manner in wh. the suggestions ~~of~~ and objections of the Govt. of India have been met, and also a brief sketch of the past & present position of Forest matters in this Presidency.

2. It must be borne in mind that the draft bill forwarded to the Govt. of India was one roughly drawn up for consideration by a Select Committee, and so was not intended to be ~~taken~~ would as the embodiment of the mature views of this Govt. on matters of detail &c. The Bill

2. Having observed that difficulty has been experienced in apprehending the

having quoted in support of this
view certain proceedings of the [illegible]
Board of Revenue, conveying the
opinion of the Governor General
in Council that the whole
question of Communal Forests
in this Presidency demands a
fuller investigation before
final legislation can be
attempted.

4. In reply to this it will
suffice to state ~~that no Com-~~
~~munal property in~~ Forests exists in this Pres.
that the Govt. are satisfied
that there is no communal
proprietorship.
~~It is incompatible with the~~
~~power of the State to regulate~~
~~& control it. Such communal~~
~~rights as exist are not definitely~~
~~in character & have been~~
~~properly called,~~ described as ~~which are~~
~~communal.~~ All forests in
the Presidency may be safely
classed under two great

See page 3. † 6. In para 6 of the letter exception
is taken to an attempt having been
made to define the term Forest.
The suggestion that the attempt
be abandoned has been adopted
and the word has been removed
from the Chapter of definitions:
it has however been thought fit
[illegible] to state in the following Chapter
that the term "includes" etc. land
not naturally bearing trees.

5. The objection raised in para 7
of the letter has been met by Sections
6 & 8 of the Bill now revised.

8. The classification of all Forests
as State or Private (s. 5) and

That ~~classification~~ of State Forests in
s. 10 under three heads Reserved,
Village & Protected, and the
provisions generally of Chapters II
& III of the Bill meet sufficiently
the difficulties suggested by para 8
of the letter.

7. With regard to the remarks in para
9 it will be seen that customary
rights are by the definition in the

the right of pasture are secured to villagers in village forests by s. 17. And also that the liability of Govt. to assign forest land for requirements of villagers is qualified by the words "so far as may be" in s. 15.

Definite provision has also been made in the Bill (s. 15) regarding the use which villagers are to be allowed to make of forest produce to which they are entitled by immemorial custom ~~by prescriptive right~~ - This remark with what has been said above disposes of para 11 & 12 of the letter.

The suggestions made in para 13 have been embodied in s. 48 & 49, and those in para 14 have also been carried out -

It is satisfactory to learn from para 18 that the general character of the measures proposed for dealing with the very important question of control over private forests commends itself to the Government of India - Detailed procedure in this matter is laid down in Chapter VII of the Bill.

A clause has been introduced giving the landholder the right to require the Govt. to make an absolute purchase of the forest area selected -

In Referring to para 20 it is observed that the provision for preserving trees along the banks of streams has been omitted in the present Bill and that s. 34 & 36 of the original draft have now been recast -

I think the omission of the restriction of felling forests along the margins of rivers is to be regretted - The preservation of a fringe is important for the preservation of the banks from erosion in the larger rivers, as well as for shading the beds of the smaller ones - It is a restriction long [illegible] in French regulation & applied [illegible] before a defined elevation would neither interfere with cultivation or the full engagement of occupation -

The suspension of rights, the omission to provide for which is noticed in para 21, has been provided for in the present Bill.

The Bill does not contain a provision giving power to arrest without warrant such as is given in the Govt. of India Act. Such a power I consider [illegible] inspectors - Subordinates of the class from which the ordinary Police Constable or Forest watcher must be taken cannot be trusted with such a power in places remote from supervision where the officer & the alleged culprit would be alone. During my government instances have occurred showing that oppression in forest matters is not unknown; that zealousness has allowed officers above the rank referred to to give incorrect evidence and cause an innocent man to prison. And it must always be recollected that the cases which thus occasionally come to light indicate the existence of the practice rather than its limits; and that it is the unreported cases which never reach the magisterial ear in which oppression or extortion is exercised –

5

division of State & Private although in ~~many~~ portions of forests of both classes ~~[illegible]~~ ~~[illegible]~~ exercise various ~~[illegible]~~ privileges –

villagers [illegible]

5. The employment of the term Communal in S. 59 of the draft bill forwarded to the Govt. of India was ~~of~~ accidental ~~[illegible]~~, ~~unintentional~~, the section having been ~~inadvertently~~ imported from a former draft. This and many other needful corrections would naturally have been made when the draft came under review by the select Committee. It is unnecessary, however, here to discuss in detail the various objections and suggestions of the Govt. of India as the Forest Bill has been very ~~fully discussed~~ with regard to them carefully considered by the Legislative Council and

the section

The section was framed on

+

is finally passed is about ~~to be forwarded for the approval of the Governor General in Council -~~

15. It is evident from paras. 25 & 26 of the letter ~~from~~ the Govt of India that much misapprehension exists regarding the progress of Forest matters in this Presidency - Probably this is due to the fact that no comprehensive statement has been furnished ~~by the~~ in any of the Conservator's recent reports
prepared for a particular purpose only & it is
~~Govt.~~ and that the return quoted at para. 25 of the letter under reference has been misunderstood as giving the entire area of reserves - Steps have lately been taken for affording fuller information to the Govt of India

India upon this subject and with the letter from this Govt. of 4 Oct 1880, a statement was forwarded giving the estimated area of State Forests and the estimated or actual area of Reserves, according to the progress of the surveys in this Presidency, whether under the Forest or under the Revenue Department - This statement shows that under the former Department 681 square miles have already been demarcated. State Reserves occupying an area of 1573 square miles are in process of formation, and that it is in contemplation to take up 278 square miles in addition to these - Under the Revenue Department -

[illegible] Presidency [illegible] occupying an area of 2480 square miles are reserves, while fuel reserves, Topes & channel plantations occupy 61 - 18 & 1 square miles respectively.-

The following is the distribution by Districts of the reserves already demarcated: 45.

	sq. miles
Coimbatore	20 ~~miles~~
Nilgiris	2
Salem	17
N. Arcot	22
S. Arcot	168
Cuddapah	62
Godavari	68
Malabar	322
	681 sq. mil.

The area of reserves in process of formation is distributed as follows: 46.

	sq. miles
Tinnevelly	286
Madura	20
Coimbatore	162
Nilgiris	37
Trichinopoly	9
Salem	130
N. Arcot	90
S. Arcot	16.
Cuddapah	727
Nellore	36
Kistna	180
Ganjam	330
Canara	250
	1673 sq. miles.

47. The reserves under contemplation are situated in four Districts as follows:

	sq. miles
Tinnevelly	75
Madura	40
Trichinopoly	25
Godavari	138
	278 sq. miles

48. This ~~statement~~ therefore ~~the statements~~
~~before the Govt of India~~
the

time the letter under reference was despatched showed only 324 square miles as reserved for fuel supply; Thus it appears ~~from the progress statement~~ that the area of forest actually demarcated and reserved on the 1st Sept last was more than double the ~~extent~~, extent shown in the statement prepared to show fuel reservation & quoted by the Govt of India and ~~amounted to~~ 681 square miles. ~~While~~ Then orders for demarcating some 1700 have ~~actually~~ been given, and the work is now in progress. Moreover the preliminary steps have been taken for reserving a further area of 278 square miles. Considerable progress has thus been made by the Forest Department. The operations comprise no less than 15 Districts. In the districts of Ganjam, N. Arcot & Cuddapah f selections of tracts to be closed & preserved

are being now made by three officers, all of whom are thoroughly conversant with the forests where they are employed. Investigations in Ganjam are in regard to the Goomsur & Surada Forests and in Cuddapah to those situated in the Taluqs of Badvel, Sidhout & Proddatur.

The Kistna is to be visited by the Conservator during the present cold season.

In Vizagapatam the forests in the Gudem & Golconda hills were given up by the Forest Dept some years ago, the Conservator being of opinion that there was no probability of their yielding a revenue, and, no market existing there was no temptation to plunder. It is now, however, proposed that some close reserves should be selected by Mr. Boileau who made a valuable report upon the forests in the adjacent District of Godavari. When selected these for reserves will probably be placed under the same management as those in Badrachellam & Rekapilly regarding which orders have been delayed pending the decision of the Govt. of India upon the subject of ownership in those Taluqs which were recently transferred from the Central Provinces to this Govt.

21. 22. In Kurnool, a district the conservation of which owing to its presenting no pressing need for conservancy was postponed to the last, selections have lately been made by the Dy. Conservator with recommendations for the demarcation of certain areas for reserves, which are now under consideration.

22. 23. But in addition to the work thus described which is being done by the Forest Department

Ditto p. 11.

The action of this Govt. in granting land upon favourable terms for private plantations under the Tope Rules which have been in force for some years has begun to bear good fruit. In the District of Chingleput 11428 acres have thus been planted out and many thriving plantations the property of native owners exist also in Nellore District & North Arcot. The development of this system appears to deserve the utmost encouragement: wherever soil is suitable & there is a demand for fuel it is unquestionable that a supply can thus be provided. In two cases which have come under my own notice I found that the inhabitants of 2 small fishing villages had in this way made provision for their own requirements, and I am given I understand that a similar course has been followed elsewhere.

which has been accomplished, as stated above, by the Forest establishments under the head of Jungle Conservancy. The figures given in the statement show nearly 2500 sq. miles of* Jungle reserves, besides 110 sq. miles of Teak Reserves, Topes & other artificial plantations.

* probably not complete

reserved or placed under protection & restriction.

23. The distribution of jungles is as follows:

	sq. miles
Tinnevelly	34
Madura	24.5
Tanjore	9.7
N. Arcot	65.6
S. Arcot	100.6
Cuddapah	1.1
Chingleput	19.
Nellore	36.4
Bellary	683.5
Kistna Godavery	897.5
	38.5
Vizagapatam	570.
sq. miles	2480.4

24. The collection [illegible]

In para 27 of the letter the Govt. of India refer to the financial position of the Forest administration of this Presidency as being in an unsatisfactory condition.

The stationary position of the Forest revenue has long since attracted the attention of this Govt. Then as compared with other provinces the receipts are comparatively small doubtless due to the fact that in this Presidency ~~Forest receipts~~ the revenue of the Forest Dept. does not include the proceeds of ~~[illegible]~~ Jungle Conservancy ~~Fund~~ set apart for the special purposes of planting & conservancy — and the stationary ~~[illegible]~~ of the receipts is chiefly owing to three causes —

1. That in the early years of Forest administration a somewhat fictitious revenue was created by charging other Departments of

of Govt. for supplies of hard wood at prices exceeding the market rate — This raised unduly the then apparent revenue —

2. Absence of increased demand of late years — This is owing to the reduced requirements of the Bombay Marine and of Govt. Departments and also to the fact that on Railways iron has superseded teak for sleepers and telegraph posts — while the completion of Railway building has ~~reduced~~ ~~[illegible]~~ greatly diminished the demand for that purpose.

3. Competition of Burma teak — This has been developed to such an extent that Burma teak now competes with teak grown in this Presidency not only along the Coast, but, as was recently proved by tenders for timber required for Govt. House, can be obtained on cheaper terms

for use even at Ootacamund on the Nilgiris than those grown in the Malabar Forests. The price of teak is also affected by supplies from Cochin and to some extent at Cocanada by timber brought from Bastar and adjacent territories. This competition has not only limited the demand for Govt. teak but has had the effect of reducing the price generally as shown in the recent report of the operations of the gun-carriage factory wh. gave the rates for Madras teak as Rs 2.6.9 in 1876 and of 1.8.0 in 1878, while the price of Pegu teak itself was also tending downwards having fallen from 1876 to 1.15.6 in 1878. 1.5.0 in

15. Competition also exists in other woods – large quantities being supplied from private estates on wh. no expense for establishment has to be incurred or borne by the timber sold. This is shown by the case with bamboos the rate for wh. has fallen from Rs 9.9.4 in 1875 to Rs 4.5.9 in 1878.

As given in the Forest Admn. Report.

16. Railway fuel is also largely supplied from private estates that required for the Bangalore Branch has been for the most part furnished ~~by~~ from the Jungles of Zemindaris. I have had myself had but little opportunity of Forest Admin. the actual working but have personally inspected the jungles of Sriharikota and the plantations (Govt. & Private) at [illegible] elsewhere in the Nellore District. I have crossed the hill range between Bellary & Hospet & passing through the [illegible]

length of the Southern Zemindari. I have also traversed the extensive forests between Trivandrum and Courtallam, passed along the ~~skirts~~ skirts of the Mundanthurai Forest & through the Tippecadu jungles. On the Nilgiris I have visited the sholahs of the Koondahs and the Sispara Ghât and travelled to [illegible] on the one side to Kodanad on the other. Travelling by daylight I have also had opportunities of seeing the general appearance of the jungles & some reserves in Madras, Cuddapah & Chingleput & S. Arcot, and have passed from here to Vellore through the jungles & inspected the Mamandur casuarina & other plantations in North Arcot, the Kaunambakkam pass.

Walliar reserves ~~[illegible]~~ the Malabar I have seen the Forests of the South Wynaad — as well as those [illegible] of those in Coorg between Fraserpet & Mercara

in which latter district I have also closely examined many of the plantations

28. The price obtainable in this Presidency for the chief items of Forest produce (Timber, Bamboos & Fuel) is a competitive one; many owners of private forests selling to contractors at one time the entire growth of many years. Moreover the demand

demand for timber for building purposes is smaller than in many other parts of India where larger & better houses are erected. The consumption of fuel too is comparatively insignificant, being needed for little else than culinary purposes.

& probably 1 lb per head of the population is a sufficient estimate for the domestic consumption

29. The income from what are called the "minor products" of the forests may and will increase as larger areas are reserved and collection is brought under control. But so long as the ~~competition~~ competition of private continues it is not to be expected that any important increase of revenue will accrue from the sale of Teak wh. is the special produce of the forests of this Presidency.

30. The cost of establishment has no doubt become greater, but it has been gradually developed as has been deemed necessary to secure due conservancy — and I see

no reason why our Forest administration should not for the future be carried on at a profit – altho' owing to the causes I have mentioned not a large one – provided no extravagant expenditure upon Surveys be allowed but that such work be carried out gradually year by year – I myself am of opinion that too great an outlay has been made by the Forest Department upon plantations in parts of the country where there are already extensive forests and sholahs and also upon felling timber in advance of the requirements of the markets which has remained on hand deteriorating while its cost has not been realized – The Commissioner would do well to turn his attention specially henceforward to the protection of closed reserved areas with a view to enabling

and the establishment of Fuel forests in districts where, as in Bellary, it is urgently needed but difficult to raise –

natural forest to reestablish itself. I consider that the tendency of the Forest management has been to exhaust rather than to conserve, that both the Anamalais & Tinnevelly have suffered from overfelling – The preservation of Forest is necessary both for the supply of timber to the markets as well as for climatic reasons, and the area now existing is hardly ample for both purposes – I consider that for climatic purposes the natural forest untouched by man is the best and that the artificial ~~outplanting~~ cultivation of exotic trees is not adapted to the end sought; & that for the ~~supply~~ requirements of the market forest carefully thinned, not mown down will afford the most certain supply at the least cost –

30. In Bellary of all our districts there is probably the greatest need

for establishment or renewal of Forests – Ordinary fuel is dear & the Cotton Presses & other similar Institutions have created a demand for hard-wood fuel at a price which tempts the destruction even of fruit-bearing trees – The distance from the Cuddapah Forests is too great to admit of supplies being drawn from thence and the result is that the little jungle remaining in the locality is plundered with an [illegible] [illegible] is [illegible] upon the Sandur ~~[illegible]~~ forests. The remedy ~~seems~~ to lie in the establishment of fuel reserves near Bellary by planting and by the restoration & protection of the jungles on hill-sides. In passing from Bellary toward Hospet the free growth of the Bâbool as a weed in every uncultivated patch of land,

is very marked: in the first fifteen miles from Bellary ~~plants~~ shrubs of one, two or three years growth are everywhere to be seen, while along the road-side the tree attains to a large size, being planted as an avenue tree. The Collector holds the opinion that it is hopeless to attempt ~~fuel~~ the growth of fuel in this neighbourhood, but if the ~~Bâbul~~ bâbool will attain the size wh. I observed, a very large amount of fuel could be obtained & profitably grown in closely protected and fenced areas, even although the life of the tree in such soil should not exceed two or three years. Examining with the glass the slopes of the Copper Mountain & adjoining hills, the hollows are seen to contain a low growth, wh. if protected from cattle & fire for a few years would in all probability develop into a useful jungle - The slopes of the line of hills west of the Gundoor range bear traces of having been formerly covered with jungle ~~and~~ if not timber; indeed I found, in more than one spot near the road-side, roots of what must have been large timber - These hills are already to a great extent, so to speak, fire-traced by large, broad bands of rock reaching from summit to foot - One of the intervening spaces should be fenced against cattle - an easy task owing to the quantity of rough stone on the surface - and sown with some one of the indigenous trees found in

corresponding elevation - The colour of the grass indicates that there is nothing in the character of the soil inimical to vegetation and the results of such an experiment would be of great value as showing in the course of ~~a~~ 4 or 5 years whether the success would warrant its extension - For fuel-reserves it would seem well worth while to take up considerable areas even at the sacrifice of land assessment, and possibly the large amount of land left uncultivated since the Famine would tend to facilitate the acquisition for this purpose of compact tho' extensive tracts of sufficiently good land - In the Anantapur portion of the former Bellary District reports indicate the existence of a large extent of jungle region, only the close

reserve of succession areas to establish a good forest growth without any serious inconvenience to the people. In no other District in the Presidency have I noticed the same need as in Bellary, but I am confident that a determined and persistent effort would in a few years overcome the difficulty. (In 32
this and in all districts traversed by the Railways there is a very considerable acreage in the strip of land outside the railway fences wh. has been used for excavation and deposit of spoil. This land might & should be at once utilized for the growth of fuel such as babool or even Euphorbia or cacti where the soil is poor, or of manurial trees in better soils

and of bamboos in damp localities. This work would probably be carried out from the Jungle Conservancy Funds, but should at first have the benefit of supervision by the Forest Department.

33. In the supply of fuel and wood care should be taken to fix a low rate of charge, as a high rate tends to encourage plunder & damage wh. would more than counterbalance any increase of revenue wh. might be realized. In the case of a land owner in England, if the supply of firewood at a low rate is insufficient, his woods & fences are plundered and so it would be here. If Forest Conservancy results in an increased supply of fuel & wood for agricultural & domestic purposes being obtained cheaply it will have the happiest

The future of our Forests will depend very much on the spirit in which their conservancy is carried on

of the people and Forest and those who commit real damage in injury will
will thrive; but if with the Leave no sympathy — on side
introduction of improved Con-
servancy supplies are restricted
and prices enhanced ~~infinite~~ —
Amounting in fact to an addi-
tional assessment — Conservancy
will be hated and forests
plundered —

Breaking Mind of Germany —

The feelings of the people
at large must be enlisted
by their interest — in
support of Forest economy.

Its first aim must be the
securing the climatic conditions: by
the Second the liberal & most economical
according to the varying custom
supply of the domestic
& agricultural need of
the population —
Its 2d. the revenue of
the State by a careful
~~economic~~ management
& judicious cropping of the
timber —

remaining untouched the
supply consumer a the
mineral fuel.

Print

Transmit [illegible]

[illegible]

Minute by His Grace the GOVERNOR.

[illegible] 26 Dec 1880

In their letter from the Home Department, dated 29th September 1879, No. 783-F, the Government of India, in acknowledging the receipt of a Draft Forest Bill forwarded by this Government, proceeded to criticise its provisions both generally and in detail; and now that the Forest Bill has passed the local Legislative Council it seems desirable to place on record a statement of the manner in which the suggestions and objections of the Government of India have been met, and also a brief sketch of the past and present position of Forest matters in this Presidency.

2. It must be borne in mind that the draft Bill forwarded to the Government of India was one drawn up for consideration by a Select Committee, and was not intended to be regarded as the embodiment of the mature views of this Government on matters of detail. The Bill has now been remodelled, and, after very careful consideration in Committee and in the Legislative Council, has been finally passed and forwarded for the approval of the Viceroy. It may, however, be well to notice in some detail the observations of the Government of India upon the original draft.

3. Having observed that difficulty has been experienced in apprehending the purport of the Bill, the Government of India, referring to communal rights of villagers in forest lands in this Presidency, state, in paragraph 4 of their letter, that the terms used by the Madras Government of late years, when discussing these subjects, seem to indicate that there are extensive forest and waste lands which are the property of village communities, and, having quoted in support of this view certain Proceedings of the Madras Board of Revenue, convey the opinion of the Governor-General in Council that the whole question of Communal Forests in this Presidency demands a fuller investigation before Forest legislation can be attempted.

4. In reply to this it will suffice to state that this Government are satisfied that there is no communal proprietorship in

forests in this Presidency. All forests in the Presidency may be safely classed under two great divisions, viz., State and Private, although in many portions of forests of both classes villagers or individuals exercise by ancient custom or prescription various privileges.

5. The employment of the term communal in Section 59, a purely penal one of the draft Bill forwarded to the Government of India was accidental, the section having been imported without amendment from a former draft. This and many other needful corrections would naturally have been made when the draft came under revision by the Select Committee.

6. In paragraph 6 of the letter exception is taken to an attempt having been made to define the term forest. The word has been removed from the Chapter of definitions: it has, however, been thought necessary to state in the following Chapter that the term "includes" all land now naturally bearing trees.

7. The objection raised in paragraph 7 of the letter has been met by Sections 6 and 8 of the Bill now passed.

8. The classification of all forest as State or Private (Section 5) and that of State Forests in Section 10 under three heads, Reserved, Village, and Protected, and the provisions generally of Chapters II and III of the Bill meet sufficiently the difficulties suggested by paragraph 8 of the letter.

9. With regard to the remarks in paragraphs 9 and 10 it will be seen that customary rights, which by the definition include the right of pasture, are reserved to villagers in village forests by Section 17, and also that the liability of Government to assign forest land for requirements of villagers is qualified by the words "so far as may be" in Section 15.

10. Definite provision has also been made in the Bill (Section 15) regarding the use which villagers are to be allowed to make of forest produce to which they are entitled by immemorial custom. This remark with what has been said above disposes of paragraphs 11 and 12 of the letter.

11. The suggestions made in paragraph 13 have been embodied in Sections 48 and 49, and those in paragraph 14 have also been carried out.

12. It is satisfactory to learn from paragraph 18 that the general character of the measures proposed for dealing with the

very important question of control over private forests commends itself to the Government of India. Detailed procedure in this matter is laid down in Chapter VII of the Bill. A clause has been introduced giving the landholder the right to require the Government to make an absolute purchase of the forest area selected.

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26. In paragraph 27 of the letter the Government of India refer to the financial position of the Forest administration of this Presidency as being in an unsatisfactory condition.

The stationary position of the Forest revenue has long attracted my attention. That, as compared with other provinces, the receipts are comparatively small is in a great measure due to the fact that in Madras the revenue of the Forest Department does not include the proceeds of Jungle Conservancy set apart for special purposes of planting and conservancy, and the stationary character of the Forest receipts is chiefly owing to three causes:—

I.—That in the early years of Forest administration a somewhat fictitious revenue was created by charging other departments of Government for supplies of hard wood at prices exceeding the market rate. This raised unduly the then apparent revenue.

II.—Absence of increased demand of late years. This is owing to the reduced requirements of the Bombay Marine and of Government Departments, and also to the fact that on Railways iron has superseded teak for sleepers and telegraph posts, while the completion of Railway buildings has greatly diminished the demand for that purpose.

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The price of teak is also affected by supplies from Cochin, &c., and to some extent at Cocanada by timber brought from Bustar and adjacent territories.

This competition has not only limited the demand for Government teak, but has had the effect of reducing the price generally as shown in the recent report of the operations of the Gun Carriage Factory which gave the rates for Madras teak as Rs. 2-6-9 in 1876 and only Rs. 1-8-0 in 1878, while the price of Pegu teak itself was also tending downwards, having fallen from Rs. 1-15-9 in 1876 to Rs. 1-12-0 in 1878. Competition also exists in other woods, large quantities being supplied from private estates on which no expense for establishment, &c., has to be incurred or borne by the timber sold. This is also the case with bamboos, the rate for which

as given in the Forest Administration Reports has fallen from Rs. 9-9-4 in 1875 to Rs. 4-5-9 in 1878.

27. Railway fuel is also largely supplied from private estates often more conveniently situate than Government Forests, that required for the Bangalore Branch line being for the most part furnished from the Kangundi Zemindari. I have myself had but little opportunity of examining the actual reserves, but have personally inspected the jungles of Sríharikót and the plantations (Government and Private) at Dugarázpatnam and elsewhere in the Nellore District. I have crossed the Hill range between Bellary and Hospet and passed through the whole length of the Sandúr State. I have also traversed the extensive forests between Trivandrum and Courtallam, passed along the skirts of the Mudumalai Forest and the Tippakádu. On the Nílgiris I have visited the sholahs of the Koondahs and the Sispára Ghât, and from Melúr on the one side have been able to form some idea of the forests of the slopes to Kodanád on the other. Travelling by day-light I have also had opportunities of noting the general appearance of the jungles in Madura, Cuddapah, and Chingleput, and have passed from Arni to Vellore through the jungles of the Kaniembadi Pass.

28. The price obtainable in this Presidency for the chief items of forest produce (timber, bamboos, and fuel) is a competitive one, many owners of private forests selling to contractors at one time the entire growth of many years. Moreover the demand for timber for building purposes is smaller than in many other parts of India where larger and better houses are erected and more timber used in all. The consumption of fuel, too, is comparatively insignificant, being needed for little else than culinary purposes.

29. The income from what are called the "minor products" of the forests may and will increase as larger areas are reserved and collection is brought under control. But, so long as the competition of Burma continues, it is not to be expected that any important increase of revenue will accrue from the sale of teak, which is the special produce of the forests of this Presidency.

30. The cost of establishment has no doubt become greater, but it has been gradually developed only in the degree necessary to secure due conservancy; and I see no reason why our Forest administration should not for the future be carried on at a profit—although, owing to the causes I have mentioned, not a large one—provided no excessive expenditure upon survey, &c., be incurred, that such work be carried out gradually year by year, and native agency sufficiently utilized. When a forest is to be systematically worked or extensive replanting carried out, European officers of scientific education will be needed to control and direct; but where it is a question only of preservation—keeping out fire, gathering of fruits and minor produce—Native officers, who do not fear the sun or climate, will be found even more efficient. I myself am of opinion that too great an outlay has been made by the Forest Department upon ordinary plantations in parts of the country where there are already extensive forests and sholahs and also upon felling timber in advance of the requirements of the market which has remained on hand deteriorating, while its cost has not been realised. The Conservator would do well to turn his attention specially henceforward to the protection of closely reserved areas with a view to enabling natural forest to re-establish itself, and to establishment of forest growth in districts where, as in Bellary, it is urgently needed but difficult to raise. I consider that the tendency of the forest management has been to exhaust rather than to conserve; and that both the Anaimalais and Mudumalais have suffered from overfelling. The preservation of forest is necessary both for the supply of timber and fuel as well as for climatic reasons, and the area now existing is doubtless generally ample for both purposes. I consider that for climatic purposes the natural forest untouched by man is the best; that in most cases no other expense than watching to prevent wilful damage is required; ~~and~~ the only process should be the gathering of fruit, seeds, gums, &c., by the tribesmen resident in or about them; and that the artificial cultivation of exotic trees is frequently—as, for instance, the planting of the Eucalypti, with their great absorbing powers, to shelter and preserve water-sources. Invaluable for reclamation of objectionable swamps, they will absorb the water-sources instead of preserving them; Of this there are frequent instances to be observed on the hills ~~not adapted to the end sought; and that~~ for the requirements of the market, forest carefully thinned, not mown down, will afford the most certain supply at the least cost.

31. In Bellary, of all our districts, there is probably the greatest need for establishment or renewal of forest. Around Bellary and Adóni, ordinary fuel is dear, and the Cotton Presses and other similar machines have created a demand for hard-wood fuel at a price which tempts the destruction even of fruit-bearing trees. The distance from the Cuddapah Forests is too great to admit of supplies being drawn from thence, and the result is that the little jungle remaining in the locality is plundered and an undue strain is put upon the Sandúr Forests. The remedy seems to lie in the establishment of fuel reserves near Bellary by planting and by the restoration and protection of the jungles on hill sides. In passing from Bellary towards Hospet the free growth of the Bábool, as a weed in every uncultivated patch of land, is very marked; in the first fifteen miles from Bellary, shrubs of one, two or three years growth are everywhere to be seen, while along the roadside the tree attains to a large size, being planted as an avenue tree. The Conservator holds the opinion that it is hopeless to attempt the growth of fuel in this neighborhood, but if the Bábool will spring up as I have noted and attain the size which I observed, a very large amount of fuel could be obtained and profitably grown in closely protected and fenced areas, even although the life of the tree in such soil should not exceed two or three years. Examining with the glass the slopes of the Copper Mountain and adjoining hills, the hollows are seen to contain a low growth, which, if protected from cattle and fire for a few years, would, in all probability, develop into a useful jungle. The slopes of the line of hills next the Thadoor range bear traces of having been formerly covered with jungle if not timber; indeed, I found, in more than one spot near the roadside, roots of what must have been large timber. These hills are already to a great extent, so to speak, fire-traced by large, broad bands of rock reaching from summit to foot. One of the intervening spaces should be fenced against cattle—an easy task owing to the quantity of rough stone on the surface—and sown with some one of the indigenous trees found at corresponding elevation. The color of the grass indicates that there is nothing in the character of the soil inimical to vegetation, and the result of such an experiment would be of great value as showing in the course of four or five years whether its success would warrant its extension. For fuel reserves it would seem well worth while to take up considerable areas even at the sacrifice of land assessment, and possibly the large amount of land left uncultivated since the famine would tend to facilitate the acquisition for this purpose of compact though extensive tracts of sufficiently good land. In the Anantapur portion of the present Bellary District, reports indicate the existence of a large extent of jungle requiring only the close reserve of successive areas to establish a good forest growth without any present inconvenience to the people. In no other district in the Presidency have I noticed the same need as in Bellary, but I am confident that a determined and persistent effort would in a few years overcome the difficulty. For this district I am clear that a Forest Officer, such as the Jungle Darogah of Nellore, should be employed, and by good arrangement could be paid for by careful collection of minor produce and of dues on fuel or timber for sale.

32. In Chingleput there are many small hills still covered with scrub which enclosed would quickly develop into a good jungle. From discussion with the Collector, with whom I travelled this year for the special purpose of viewing them, I find there will be no difficulty in enclosing areas of reasonable size so as to allow the jungle to grow and trees to rise. Even in the Delta tracts of Trichinopoly and Tanjore a very large amount of fuel and manurial trees may be grown on channel and river banks, roadside margins, spoil pits, &c. The acreage which may be thus planted will be very considerable, and all such being convenient to the people will naturally save the larger jungles and forests.

In North Arcot, and in the Pálghat Hills especially, measures need to be taken to prevent the firing of the jungles. In this matter the hands of the District Officers will be strengthend to the full necessary extent by the recent legislation. There is no need why Kumeri tracts should not continue to be so treated, provided care is taken to prevent the practice being extended to areas not hitherto subject to the practice, and to prevent fire spreading to adjacent forest or jungles. Regarding other districts I do not think any special remarks are necessary. In Cuddapah round Wontimettah there are jungles which, from the residue of the roots, once had fine timber and proba-

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bly only need careful enclosure of successive areas to do so again. Adjoining the Railway their produce would be valuable for transport as well as for neighbouring villages.

33. In all districts traversed by the Railways there is a very considerable acreage in the strip of land outside the railway fences which has been used for excavation and deposit of spoil. This land might and should be at once utilized for the growth of fuel such as Bábool or even Euphorbia or Cacti where the soil is poor, of manurial trees in better soils, and bamboos in damp localities. This work would probably be carried out from the Jungle Conservancy Funds, but should at first have the benefit of supervision by the Forest Department.

34. In the supply of fuel and wood for agricultural and domestic uses care should be taken to fix a low rate of charge, as a high rate tends to encourage plunder and damage which would more than counterbalance any increase of revenue which might be realised. In the case of a landowner in England, if the supply of firewood at a low rate is insufficient for the people of the villages, his woods and fences are plundered, and so it would be here. The future of our forests will depend very much on the spirit in which their conservancy is carried on. If Forest Conservancy results in an increased supply of fuel and wood for agricultural and domestic purposes being obtained cheaply it will have the support of the people and forest will thrive and those who commit real damage or injury will have no sympathy; but if with the introduction of improved conservancy supplies are restricted and prices enhanced, amounting in fact to an additional assessment, conservancy will be hated and forest plundered.

BUCKINGHAM AND CHANDOS.

For alterations required in paras 5, 6, & 20.

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Minute by His Grace the **GOVERNOR.**

In their letters from the Home Department, dated 29th September 1879, No. 783-F, the Government of India, in acknowledging the receipt of a Draft Forest Bill forwarded by this Government, proceeded to criticise its provisions both generally and in detail; and now that the Forest Bill has passed the local Legislative Council it seems desirable to place on record a statement of the manner in which the suggestions and objections of the Government of India have been met, and also a brief sketch of the past and present position of Forest matters in this Presidency.

2. It must be borne in mind that the draft Bill forwarded to the Government of India was one ~~roughly~~ drawn up for consideration by a Select Committee, and was not intended to be regarded as the embodiment of the mature views of this Government on matters of detail. The Bill has now been remodelled, and, after very careful consideration in Committee and in the Legislative Council, has been finally passed and forwarded for the approval of the Viceroy. It may, however, be well to notice in some detail the observations of the Government of India upon the original draft.

3. Having observed that difficulty has been experienced in apprehending the purport of the Bill, the Government of India, referring to communal rights of villagers in forest lands in this Presidency, state, in paragraph 4 of their letter, that the terms used by the Madras Government of late years, when discussing these subjects, seem to indicate that there are extensive forest and waste lands which are the property of village communities, and, having quoted in support of this view certain Proceedings of the Madras Board of Revenue, convey the opinion of the Governor-General in Council that the whole question of Communal Forests in this Presidency demands a fuller investigation before Forest legislation can be attempted.

4. In reply to this it will suffice to state that this Government are satisfied that there is no communal proprietorship in forests in this Presidency. All forests in the Presidency may be safely classed

under two great divisions, viz., State and Private, although in many portions of forests of both classes villagers or individuals exercise various prescriptive privileges.

by ancient custom or prescription

5. The employment of the term communal in Section 59 of the draft Bill forwarded to the Government of India was accidental, the section having been without amendments imported from a former draft. ~~The section was purely a penal one.~~ This and many other needful corrections would naturally have been made when the draft came under revision by the Select Committee.

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6. In paragraph 6 of the letter exception is taken to an attempt having been made to define the term forest. The ~~suggestion that the attempt be abandoned has been adopted and the~~ word has been removed from the Chapter of definitions: it has, however, been thought necessary to state in the following Chapter that the term "includes" all land now naturally bearing trees.

7. The objection raised in paragraph 7 of the letter has been met by Sections 6 and 8 of the Bill now passed.

8. The classification of all forest as State or Private (Section 5) and that of State Forests in Section 10 under three heads, Reserved, Village, and Protected, and the provisions generally of Chapters II and III of the Bill meet sufficiently the difficulties suggested by paragraph 8 of the letter.

9. With regard to the remarks in paragraphs 9 and 10 it will be seen that customary rights, which by the definition include the right of pasture, are reserved to villagers in village forests by Section 17, and also that the liability of Government to assign forest land for requirements of villagers is qualified by the words "so far as may be" in Section 15.

10. Definite provision has also been made in the Bill (Section 15) regarding the use which villagers are to be allowed to make of forest produce to which they are entitled by immemorial custom. This remark with what has been said above disposes of paragraphs 11 and 12 of the letter.

11. The suggestions made in paragraph 13 have been embodied in Sections 48 and 49, and those in paragraph 14 have also been carried out.

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the measures proposed for dealing with the very important question of control over private forests commends itself to the Government of India. Detailed procedure in this matter is laid down in Chapter VII of the Bill. A clause has been introduced giving the landholder the right to require the Government to make an absolute purchase of the forest area selected.

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29. The income from what are called the "minor products" of the forests may and will increase as larger areas are reserved and collection is brought under control. But so long as the competition of Burma continues, it is not to be expected that any important increase of revenue will accrue from the sale of teak which is the special produce of the forests of this Presidency.

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Slate
skirts of the

from [illegible] form

Add para 30.

A As for instance the planting of the ~~water absorbing~~ Eucalyptus. ~~with~~ them great-absorbing powers - ~~to shelter~~ shelter & preserve water sources - invaluable for reclamation of objectionable swamps - they are absorb. the water sources - ~~[illegible]~~ instead of preserving them - of this there are frequent instances to be observed on the hills -

85

expensive

and Native agency sufficiently utilized

Where a forest is to be systematically worked or extensive replanting carried out. European officers of scientific education will be needed to control & direct. but where it is a question only of conservation - keeping out fire - gathering of fruits & minor produce - native officers - who do not fear the sun or climate - will be found ~~the economic~~ sufficient

That in most cases no more expense than watching to prevent wilful damage is required - & the only work sh'd be the gathering of fruits, seeds, gums, &c. by the tribes men resident in or about them

on at a profit—although, owing to the causes I have mentioned, not a large one—provided no extravagant expenditure upon Survey, &c., be incurred, ~~but~~ that such work be carried out gradually year by year. I myself am of opinion that too great an outlay has been made by the Forest Department upon ordinary plantations in parts of the country where there are already extensive forests and sholahs and also upon felling timber in advance of the requirements of the market which has remained on hand deteriorating, while its cost has not been realized. The Conservator would do well to turn his attention specially henceforward to the protection of closely reserved areas with a view to enabling natural forest to re-establish itself, and to establishment of forest growth in districts where, as in Bellary, it is urgently needed but difficult to raise. I consider that the tendency of the forest management has been to exhaust rather than to conserve; and that both the Anaimalais and Mudumalais have suffered from overfelling. The preservation of forest is necessary both for the supply of timber to the markets as well as for climatic reasons, and the area now existing is doubtless ample for both purposes. I consider that for climatic purposes the natural forest untouched by man is the best, and that the artificial cultivation of exotic trees is not adapted to the end sought; and that for the requirements of the market forest carefully thinned, not mown down, will afford the most certain supply at the least cost.

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growth are everywhere to be seen, while along the road-side the tree attains to a large size, being planted as an avenue tree. The Conservator holds the opinion that it is hopeless to attempt the growth of fuel in this neighbourhood, but if the Bábool will attain the size which I observed, a very large amount of fuel could be obtained and profitably grown in closely protected and fenced areas, even although the life of the tree in such soil should not exceed two or three years. Examining with the glass the slopes of the Copper Mountain and adjoining hills, the hollows are seen to contain a low growth, which, if protected from cattle and fire for a few years, would, in all probability, develop into a useful jungle. The slopes of the line of hills next the Thadoor range bear traces of having been formerly covered with jungle if not timber; indeed, I found, in more than one spot near the road-side, roots of what must have been large timber. These hills are already to a great extent, so to speak, fire-traced by large, broad bands of rock reaching from summit to foot. One of the intervening spaces should be fenced against cattle—an easy task owing to the quantity of rough stone on the surface—and sown with some one of the indigenous trees found at corresponding elevation. The color of the grass indicates that there is nothing in the character of the soil inimical to vegetation, and the result of such an experiment would be of great value as showing in the course of four or five years whether its success would warrant its extension. For fuel reserves it would seem well worth while to take up considerable areas even at the sacrifice of land assessment, and possibly the large amount of land left uncultivated since the famine would tend to facilitate the acquisition for this purpose of compact though extensive tracts of sufficiently good land. In the Anantapur portion of the present Bellary District, reports indicate the existence of a large extent of jungle requiring only the close reserve of successive areas to establish a good forest growth without any present inconvenience to the people. In no other district in the Presidency have I noticed the same need as in Bellary, but I am confident that a determined and persistent effort would in a few years overcome the difficulty.

For this district I am clear that a Forest ~~Officer~~ Officer - such as Jungle Darogah or Sullar should be employed - or by good arrangement could be paid for by careful collection of certain produce [illegible] [illegible] [illegible] [illegible]

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In Chingleput ~~there are~~ many small hills - still covered with scrub which inclosure would quickly develop into a good jungle — ~~from~~ From discussion with the Collector with whom I travelled this year for the purpose of viewing them I find there will be no difficulty in inclosing ~~[illegible]~~ areas of reasonable size so as to allow the jungle to grow or trees to rise —

In ~~[illegible]~~ [illegible] the Delta tracts of Godavery & Tanjore a very large amount of fuel & manurial trees may be grown ~~by~~ on channel river banks, road sides, margins of pools and [illegible] pits &c — and all such [illegible] the acreage which may be [illegible] [illegible] ~~[illegible]~~ convenient to the people will materially save the larger jungles & forests —

~~[illegible]~~ In South Arcot & the ~~[illegible]~~ Pâlghat hills especially measures [illegible] to be taken [illegible] [illegible]

the firing of the jungles in ^The^ this matter
the hands of the ^District^ officer will be
~~[illegible]~~ strengthened to the full necessary
extent by the recent legislation —
~~[illegible]~~ There is no need,
why ~~[illegible]~~ ^Kumeri^ ~~tracts~~ should not continue
to be so treated — provided care is taken
to prevent the practice being extended
to areas not hitherto subject to the
practice — and to prevent fire spreading
to adjacent Forests or jungles — Regarding
other Districts I do not think any special remarks
are necessary. In Cuddapah towards Ontimetta
there are jungles which, from the residue of the roots, once held
fine timber, and probably only need careful enclosure by
successive areas to do so again — adjoining the Railway their
produce would be valuable for transport as well as for
neighbouring villages —

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the railway fences which has been used for excavation and deposit of spoil. This land might and should be at once utilized for the growth of fuel such as Bábool or even Euphorbia or Cacti where the soil is poor, or of manurial trees in better soils, and of bamboos in damp localities. This work would probably be carried out from the Jungle Conservancy Funds, but should at first have the benefit of supervision by the Forest Department.

33. In the supply of fuel and wood care should be taken to fix a low rate of charge, as a high rate tends to encourage plunder and damage which would more than counterbalance any increase of revenue which might be realized. In the case of a land-owner in England, if the supply of firewood at a low rate is insufficient, his woods and fences are plundered, and so it would be here. The future of our forests will depend very much on the spirit in which their conservancy is carried on. If Forest Conservancy results in an increased supply of fuel and wood for agricultural and domestic purposes being obtained cheaply it will have the support of the people and forest will thrive and those who commit real damage or injury will have no sympathy; but if with the introduction of improved conservancy supplies are restricted and prices enhanced, amounting in fact to an additional assessment, conservancy will be hated and forest plundered.

BUCKINGHAM AND CHANDOS.

Minute on Forest Conservancy

Draft

[illegible]

[illegible] E.P. 4/12/80

Minute by His Grace the GOVERNOR.

In their letter from the Home Department, dated 29th September 1879, No. 783-F, the Government of India, in acknowledging the receipt of a Draft Forest Bill forwarded by this Government, proceeded to criticise its provisions both generally and in detail; and now that the Forest Bill has passed the local Legislative Council it seems desirable to place on record a statement of the manner in which the suggestions and objections of the Government of India have been met, and also a brief sketch of the past and present position of Forest matters in this Presidency.

2. It must be borne in mind that the draft Bill forwarded to the Government of India was one drawn up for consideration by a Select Committee, and was not intended to be regarded as the embodiment of the mature views of this Government on matters of detail. The Bill has now been remodelled, and, after very careful consideration in Committee and in the Legislative Council, has been finally passed and forwarded for the approval of the Viceroy. It may, however, be well to notice in some detail the observations of the Government of India upon the original draft.

3. Having observed that difficulty has been experienced in apprehending the purport of the Bill, the Government of India, referring to communal rights of villagers in forest lands in this Presidency, state, in paragraph 4 of their letter, that the terms used by the Madras Government of late years, when discussing these subjects, seem to indicate that there are extensive forest and waste lands which are the property of village communities, and, having quoted in support of this view certain Proceedings of the Madras Board of Revenue, convey the opinion of the Governor-General in Council that the whole question of Communal Forests in this Presidency demands a fuller investigation before Forest legislation can be attempted.

4. In reply to this it will suffice to state that this Government are satisfied that there is no communal proprietorship in

forests in this Presidency. All forests in the Presidency may be safely classed under two great divisions, viz., State and Private, although in many portions of forests of both classes villagers or individuals exercise by ancient custom or prescription various privileges.

5. The employment of the term *communal* in Section 59, a purely penal one, of the draft Bill forwarded to the Government of India was accidental, the section having been imported without amendment from a former draft. This and many other needful corrections would naturally have been made when the draft came under revision by the Select Committee.

6. In paragraph 6 of the letter exception is taken to an attempt having been made to define the term *forest* The word has been removed from the Chapter of definitions: it has, however, been thought necessary to state in the following Chapter that the term "includes" all land now naturally bearing trees.

7. The objection raised in paragraph 7 of the letter has been met by Sections 6 and 8 of the Bill now passed.

8. The classification of all forest as State or Private (Section 5) and that of State Forests in Section 10 under three heads, Reserved, Village, and Protected, and the provisions generally of Chapters II and III of the Bill meet sufficiently the difficulties suggested by paragraph 8 of the letter.

9. With regard to the remarks in paragraphs 9 and 10 it will be seen that customary rights, which by the definition include the right of pasture, are reserved to villagers in village forests by Section 17, and also that the liability of Government to assign forest land for requirements of villagers is qualified by the words "so far as may be" in Section 15.

10. Definite provision has also been made in the Bill (Section 15) regarding the use which villagers are to be allowed to make of forest produce to which they are entitled by immemorial custom. This remark with what has been said above disposes of paragraphs 11 and 12 of the letter.

11. The suggestions made in paragraph 13 have been embodied in Sections 48 and 49, and those in paragraph 14 have also been carried out.

12. It is satisfactory to learn from paragraph 18 that the general character of the measures proposed for dealing with the

very important question of control over private forests commends itself to the Government of India. Detailed procedure in this matter is laid down in Chapter VII of the Bill. A clause has been introduced giving the landholder the right to require the Government to make an absolute purchase of the forest area selected.

13. Referring to paragraph 20, it is observed that the provision for preserving forests along the banks of streams has been omitted in the present Bill, and that Sections 34 to 36 of the original draft have now been recast. I think the omission of the restriction of felling forests along the margins of rivers is to be regretted. The preservation of a fringe is important for the protection of the banks from erosion in the larger rivers as well as for shading the beds of the smaller ones. It is a restriction by no means unknown in Forest regulation, and, applied below a defined elevation of, say, 1,500 or 2,000 feet, would neither prejudicially interfere with cultivation nor the full enjoyment of occupation. It would simply preserve that natural growth which has to be re-established at much cost in many instances. The suspension of rights, the omission to provide for which is noticed in paragraph 21, has been provided for in the present Bill.

14. The Bill does not contain a provision giving power to arrest without warrant such as is given in the Government of India Act. Such a power I consider highly inexpedient. Subordinates of the class from which the ordinary Police Constable or Forest Watcher must be taken, cannot be trusted with such a power in places remote from supervision, where the officer and the alleged culprit would be alone. During my government instances have occurred showing that oppression in forest matters is not unknown; that carelessness has allowed officers above the rank referred to, to give incorrect evidence and consign an innocent man to prison; and it must always be recollected that the cases which thus occasionally come to light indicate the existence of the practice rather than its limit, and that it is the unreported cases which never reach the magisterial ear in which oppression or extortion is exercised.

15. It is evident from paragraphs 23 to 26 of the letter that much misapprehension has existed regarding the progress of forest matters in this Presidency. Probably this is due to the fact that no com-

prehensive statement has been furnished in any of the Conservator's recent reports, and that the return prepared for a particular purpose only, which is quoted at paragraph 25 of the letter under reference, has been misunderstood as giving the entire area of reserves. Steps have lately been taken for affording fuller information to the Government of India upon this subject, and with the letter from this Government, dated 4th October 1880, a statement was forwarded giving the estimated area of State Forests and the estimated or actual area of Reserves, according to the progress of the surveys in this Presidency, whether under the Forest or under the Revenue Department. This statement shows that under the former department 681 square miles have already been demarcated; that reserves occupying an area of 1,673 square miles are in process of formation; and that it is in contemplation to take up 278 square miles in addition to these. Under the Revenue Department (Jungle Conservancy) jungles occupying an area of 2,480 square miles are reserved, while fuel reserves, topes, and channel plantations occupy 61, 18, and 31 square miles respectively.

16. The following is the distribution by districts of the reserves already demarcated:—

	Square Miles.
Coimbatore	20
Nílgiris	2
Salem	17
North Arcot	22
South Arcot	168
Cuddapah	62
Godávari	68
Malabar	322
Total ..	681

17. The area of reserves in process of formation is distributed as follows:—

	Square Miles.
Tinnevelly	286
Madura	20
Coimbatore	162
Nílgiris	37
Trichinopoly	9
Salem	130
North Arcot	90
South Arcot	16
Cuddapah	127
Nellore	36
Kistna	180
Ganjam	330
Canara	250
Total ..	1,673

18. The reserves under contemplation are situated in four districts, viz.:—

	Square Miles.
Tinnevelly	75
Madura	40
Trichinopoly	25
Godávari	138
Total ..	278

19. Thus it appears that the area of forest actually demarcated and reserved on the 1st September last was more than double the extent shown in the statement prepared to show fuel reserves and quoted by the Government of India; and that orders for demarcating some 1673 square miles in addition have been given, and the work is now in progress. Moreover the preliminary steps have been taken for reserving a further area of 278 square miles. Considerable progress has, therefore, been made by the Forest Department whose operations comprise no less than fifteen districts. In the districts of Ganjam, North Arcot, and Cuddapah selections of tracts to be closely preserved are being now made by three officers, all of whom are thoroughly conversant with the forests where they are employed. Investigations in Ganjam are in regard to the Goomsur and Suradá Forests, and in Cuddapah to those situated in the taluks of Badvél, Sidhout, and Proddutur.

20. The Kistna is to be visited by the Conservator during the present cold season.

21. In Vizagapatam the forests in the Gudem and Golgonda Hills were given up by the Forest Department some years ago, the Conservator being of opinion that there was no probability of their yielding a revenue, and, no market existing, there was no temptation to plunder. It is now, however, proposed that some close reserves should be selected by Mr. Boileau, who made a valuable report upon the forests in the adjacent district of Godávari. When selected these reserves will probably be placed under the same management as those in Bhadráchalam and Rékapalle, regarding which orders were delayed pending the decision of the Government of India upon the subject of ownership in those taluks which were only recently transferred from the Central Provinces to this Government.

22. In Kurnool, a district the investigation of which, owing to its presenting no pressing need for conservancy, was postponed to the last, selections, with

recommendations for the demarcation of certain areas for reserves, have lately been made by the Deputy Conservator, which are now under consideration.

23. But in addition to the work thus described, which is being done by the Forest Department, much has been accomplished, as stated above, by the Revenue Establishments under the head of Jungle Conservancy. The figures given in the statement show nearly 2,500 square miles of jungle reserved or placed under protective restriction, besides 110 square miles of fuel reserves, topes, and other artificial plantations.

24. The distribution of jungles is as follows:—

	Square Miles.
Tinnevelly	34
Madura	24·5
Tanjore	9·7
North Arcot	65·6
South Arcot	100·6
Cuddapah	1·1
Chingleput	19·
Nellore	36·4
Bellary	683·5
Kistna	897·5
Godávari	98·5
Vizagapatam	510·
Total ..	2,480·4

25. The action of this Government in granting land upon favorable terms for private plantations under the Tope Rules, which have been in force for some years, has begun to bear good fruit. In the district of Chingleput 11,428 acres have thus been planted out, and many thriving plantations, the property of native owners, exist also in Nellore, Kistna, and North Arcot. The development of this system appears to deserve the utmost encouragement: wherever soil is suitable and there is a demand for fuel it is unquestionable that a supply can thus be provided. In two cases which have come under my own notice I found that the inhabitants of small fishing villages had in this way made provision for their own requirements, and I am given to understand that a similar course has been followed elsewhere.

26. In paragraph 27 of the letter the Government of India refer to the financial position of the Forest administration of this Presidency as being in an unsatisfactory condition.

The stationary position of the Forest revenue has long attracted my attention. That, as compared with other provinces, the receipts are comparatively small is in a great measure due to the fact that in Madras the revenue of the Forest Department does not include the proceeds of Jungle Conservancy set apart for special purposes of planting and conservancy, and the stationary character of the Forest receipts is chiefly owing to three causes:—

I.—That in the early years of Forest administration a somewhat fictitious revenue was created by charging other departments of Government for supplies of hard wood at prices exceeding the market rate. This raised unduly the then apparent revenue.

II.—Absence of increased demand of late years. This is owing to the reduced requirements of the Bombay Marine and of Government Departments, and also to the fact that on Railways iron has superseded teak for sleepers and telegraph posts, while the completion of Railway buildings has greatly diminished the demand for that purpose.

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27. Railway fuel is also largely supplied from private estates often more conveniently situate than Government Forests, that required for the Bangalore Branch line being for the most part furnished from the Kangundi Zemindari. I have myself had but little opportunity of examining the actual reserves, but have personally inspected the jungles of Srīharikót and the plantations (Government and Private) at Dugarázpatnam and elsewhere in the Nellore District. I have crossed the Hill range between Bellary and Hospet and passed through the whole length of the Sandúr State. I have also traversed the extensive forests between Trivandrum and Courtallam, passed along the skirts of the Mudumalai Forest and the Tippakádu. On the Nīlgiris I have visited the sholahs of the Koondahs and the Sispára Ghât, and from Melúr on the one side have been able to form some idea of the forests of the slopes to Kodanád on the other. Travelling by day-light I have also had opportunities of noting the general appearance of the jungles in Madura, Cuddapah, and Chingleput, and have passed from Arni to Vellore through the jungles of the Kaniembadi Pass.

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30. The cost of establishment has no doubt become greater, but it has been gradually developed only in the degree necessary to secure due conservancy; and I see no reason why our Forest administration should not for the future be carried on at a profit—although, owing to the causes I have mentioned, not a large one—provided no excessive expenditure upon survey, &c., be incurred, that such work be carried out gradually year by year, and native agency sufficiently utilized. When a forest is to be systematically worked or extensive replanting carried out, European officers of scientific education will be needed to control and direct; but where it is a question only of preservation—keeping out fire, gathering of fruits and minor produce—Native officers, who do not fear the sun or climate, will be found even more efficient. I myself am of opinion that too great an outlay has been made by the Forest Department upon ordinary plantations in parts of the country where there are already extensive forests and sholahs and also upon felling timber in advance of the requirements of the market which has remained on hand deteriorating, while its cost has not been realised. The Conservator would do well to turn his attention specially henceforward to the protection of closely reserved areas with a view to enabling natural forest to re-establish itself, and to establishment of forest growth in districts where, as in Bellary, it is urgently needed but difficult to raise. I consider that the tendency of the forest management has been to exhaust rather than to conserve; and that both the Anaimalais and Mudumalais have suffered from overfelling. The preservation of forest is necessary both for the supply of timber and fuel as well as for climatic reasons, and the area now existing is doubtless generally ample for both purposes. I consider that for climatic purposes the natural forest untouched by man is the best; that in most cases no other expense than watching to prevent wilful damage is required; the only process should be the gathering of fruit, seeds, gums, &c., by the tribesmen resident in or about them; and that the artificial cultivation of exotic trees is frequently—as, for instance, the planting of the Eucalypti, with their great absorbing powers, to shelter and preserve water-sources ~~inexpedient.~~ Invaluable for reclamation of objectionable swamps, they will absorb the water-sources instead of preserving them; of this there are frequent instances to be observed on the hills. For the requirements of the market, forest carefully thinned, not mown down, will afford the most certain supply at the least cost.

Not adapted to the end sought

31. In Bellary, of all our districts, there is probably the greatest need for establishment or renewal of forest. Around Bellary and Adóni, ordinary fuel is dear, and the Cotton Presses and other similar machines have created a demand for hard-wood fuel at a price which tempts the destruction even of fruit-bearing trees. The distance from the Cuddapah Forests is too great to admit of supplies being drawn from thence, and the result is that the little jungle remaining in the locality is plundered and an undue strain is put upon the Sandúr Forests. The remedy seems to lie in the establishment of fuel reserves near Bellary by planting and by the restoration and protection of the jungles on hill sides. In passing from Bellary towards Hospet the free growth of the Bábool, as a weed in every uncultivated patch of land, is very marked; in the first fifteen miles from Bellary, shrubs of one, two or three years growth are everywhere to be seen, while along the roadside the tree attains to a large size, being planted as an avenue tree. The Conservator holds the opinion that it is hopeless to attempt the growth of fuel in this neighborhood, but if the Bábool will spring up as I have noted and attain the size which I observed, a very large amount of fuel could be obtained and profitably grown in closely protected and fenced areas, even although the life of the tree in such soil should not exceed two or three years. Examining with the glass the slopes of the Copper Mountain and adjoining hills, the hollows are seen to contain a low growth, which, if protected from cattle and fire for a few years, would, in all probability, develop into a useful jungle. The slopes of the line of hills next the Thadoor range bear traces of having been formerly covered with jungle if not timber; indeed, I found, in more than one spot near the roadside, roots of what must have been large timber. These hills are already to a great extent, so to speak, fire-traced by large, broad bands of rock reaching from summit to foot. One of the intervening spaces should be fenced against cattle—an easy task owing to the quantity of rough stone on the surface—and sown with some one of the indigenous trees found at corresponding elevation. The color of the grass indicates that there is nothing in the character of the soil inimical to vegetation, and the result of such an experiment would be of great value as showing in the course of four or five years whether its success would warrant its extension. For fuel reserves it would seem well worth while to take up considerable areas even at the sacrifice of land assessment, and possibly the large amount of land left uncultivated since the famine would tend to facilitate the acquisition for this purpose of compact though extensive tracts of sufficiently good land. In the Anantapur portion of the present Bellary District, reports indicate the existence of a large extent of jungle requiring only the close reserve of successive areas to establish a good forest growth without any present inconvenience to the people. In no other district in the Presidency have I noticed the same need as in Bellary, but I am confident that a determined and persistent effort would in a few years overcome the difficulty. For this district I am clear that a Forest Officer, such as the Jungle Darogah of Nellore, should be employed, and by good arrangement could be paid for by careful collection of minor produce and of dues on fuel or timber for sale.

32. In Chingleput there are many small hills still covered with scrub which enclosed would quickly develop into a good jungle. From discussion with the Collector, with whom I travelled this year for the special purpose of viewing them, I find there will be no difficulty in enclosing areas of reasonable size so as to allow the jungle to grow and trees to rise. Even in the Delta tracts of Trichinopoly and Tanjore a very large amount of fuel and manurial trees may be grown on channel and river banks, roadside margins, spoil pits, &c. The acreage which may be thus planted will be very considerable, and all such being convenient to the people will naturally save the larger jungles and forests.

In North Arcot, and in the Pálghat Hills especially, measures need to be taken to prevent the firing of the jungles. In this matter the hands of the District Officers will be strengthend to the full necessary extent by the recent legislation. There is no need why Kumeri tracts should not continue to be so treated, provided care is taken to prevent the practice being extended to areas not hitherto subject to the practice, and to prevent fire spreading to adjacent forest or jungles. Regarding other districts I do not think any special remarks are necessary. In Cuddapah round Wontimettah there are jungles which, from the residue of the roots, once had fine timber and proba-

bly only need careful enclosure of successive areas to do so again. Adjoining the Railway their produce would be valuable for transport as well as for neighbouring villages.

33. In all districts traversed by the Railways there is a very considerable acreage in the strip of land outside the railway fences which has been used for excavation and deposit of spoil. This land might and should be at once utilized for the growth of fuel such as Bábool or even Euphorbia or Cacti where the soil is poor, of manurial trees in better soils, and bamboos in damp localities. This work would probably be carried out from the Jungle Conservancy Funds, but should at first have the benefit of supervision by the Forest Department.

34. In the supply of fuel and wood for agricultural and domestic uses care should be taken to fix a low rate of charge, as a high rate tends to encourage plunder and damage which would more than counterbalance any increase of revenue which might be realised. In the case of a landowner in England, if the supply of firewood at a low rate is insufficient for the people of the villages, his woods and fences are plundered, and so it would be here. The future of our forests will depend very much on the spirit in which their conservancy is carried on. If Forest Conservancy results in an increased supply of fuel and wood for agricultural and domestic purposes being obtained cheaply it will have the support of the people and forest will thrive and those who commit real damage or injury will have no sympathy; but if with the introduction of improved conservancy supplies are restricted and prices enhanced, amounting in fact to an additional assessment, conservancy will be hated and forest plundered.

BUCKINGHAM AND CHANDOS.

2nd December 1880.

[illegible]

Minute by His Grace the GOVERNOR.

Received 20th December 1880.

In their letter from the Home Department, dated 29th September 1879, No. 783-F, the Government of India, in acknowledging the receipt of a Draft Forest Bill forwarded by this Government, proceeded to criticise its provisions both generally and in detail; and now that the Forest Bill has passed the local Legislative Council it seems desirable to place on record a statement of the manner in which the suggestions and objections of the Government of India have been met, and also a brief sketch of the past and present position of Forest matters in this Presidency.

2. It must be borne in mind that the draft Bill forwarded to the Government of India was one drawn up for consideration by a Select Committee, and was not intended to be regarded as the embodiment of the mature views of this Government on matters of detail. The Bill has now been remodelled, and, after very careful consideration in Committee and in the Legislative Council, has been finally passed and forwarded for the approval of the Viceroy. It may, however, be well to notice in some detail the observations of the Government of India upon the original draft.

3. Having observed that difficulty has been experienced in apprehending the purport of the Bill, the Government of India, referring to communal rights of villagers in forest lands in this Presidency, state, in paragraph 4 of their letter, that the terms used by the Madras Government of late years, when discussing these subjects, seem to indicate that there are extensive forest and waste lands which are the property of village communities, and, having quoted in support of this view certain Proceedings of the Madras Board of Revenue, convey the opinion of the Governor-General in Council that the whole question of Communal Forests in this Presidency demands a fuller investigation before Forest legislation can be attempted.

4. In reply to this it will suffice to state that this Government are satisfied that there is no communal proprietorship in

forests in this Presidency. All forests in the Presidency may be safely classed under two great divisions, viz., State and Private, although in many portions of forests of both classes villagers or individuals exercise by ancient custom or prescription various privileges.

5. The employment of the term *communal* in Section 59, a purely penal one, of the draft Bill forwarded to the Government of India was accidental, the section having been imported without amendment from a former draft. This and many other needful corrections would naturally have been made when the draft came under revision by the Select Committee.

6. In paragraph 6 of the letter exception is taken to an attempt having been made to define the term *forest* The word has been removed from the Chapter of definitions: it has, however, been thought necessary to state in the following Chapter that the term "includes" all land now naturally bearing trees.

7. The objection raised in paragraph 7 of the letter has been met by Sections 6 and 8 of the Bill now passed.

8. The classification of all forest as State or Private (Section 5) and that of State Forests in Section 10 under three heads, Reserved, Village, and Protected, and the provisions generally of Chapters II and III of the Bill meet sufficiently the difficulties suggested by paragraph 8 of the letter.

9. With regard to the remarks in paragraphs 9 and 10 it will be seen that customary rights, which by the definition include the right of pasture, are reserved to villagers in village forests by Section 17, and also that the liability of Government to assign forest land for requirements of villagers is qualified by the words "so far as may be" in Section 15.

10. Definite provision has also been made in the Bill (Section 15) regarding the use which villagers are to be allowed to make of forest produce to which they are entitled by immemorial custom. This remark with what has been said above disposes of paragraphs 11 and 12 of the letter.

11. The suggestions made in paragraph 13 have been embodied in Sections 48 and 49, and those in paragraph 14 have also been carried out.

12. It is satisfactory to learn from paragraph 18 that the general character of the measures proposed for dealing with the very important question of control over private forests commends itself to the Government of India. Detailed procedure in this matter is laid down in Chapter VII of the Bill. A clause has been introduced giving the landholder the right to require the Government to make an absolute purchase of the forest area selected.

13. Referring to paragraph 20, it is observed that the provision for preserving forests along the banks of streams has been omitted in the present Bill, and that Sections 34 to 36 of the original draft have now been recast. I think the omission of the restriction of felling forests along the margins of rivers is to be regretted. The preservation of a fringe is important for the protection of the banks from erosion in the larger rivers as well as for shading the beds of the smaller ones. It is a restriction by no means unknown in Forest regulation, and, applied below a defined elevation of, say, 1,500 or 2,000 feet, would neither prejudicially interfere with cultivation nor the full enjoyment of occupation. It would simply preserve that natural growth which has to be re-established at much cost in many instances. The suspension of rights, the omission to provide for which is noticed in paragraph 21, has been provided for in the present Bill.

14. The Bill does not contain a provision giving power to arrest without warrant such as is given in the Government of India Act. Such a power I consider highly inexpedient. Subordinates of the class from which the ordinary Police Constable or Forest Watcher must be taken, cannot be trusted with such a power in places remote from supervision, where the officer and the alleged culprit would be alone. During my government instances have occurred showing that oppression in forest matters is not unknown; that carelessness has allowed officers above the rank referred to, to give incorrect evidence and consign an innocent man to prison; and it must always be recollected that the cases which thus occasionally come to light indicate the existence of the practice rather than its limit, and that it is the unreported cases which never reach the magisterial ear in which oppression or extortion is exercised.

15. It is evident from paragraphs 23 to 26 of the letter that much misapprehension has existed regarding the progress of forest matters in this Presidency. Probably this is due to the fact that no com-

prehensive statement has been furnished in any of the Conservator's recent reports, and that the return prepared for a particular purpose only, which is quoted at paragraph 25 of the letter under reference, has been misunderstood as giving the entire area of reserves. Steps have lately been taken for affording fuller information to the Government of India upon this subject, and with the letter from this Government, dated 4th October 1880, a statement was forwarded giving the estimated area of State Forests and the estimated or actual area of Reserves, according to the progress of the surveys in this Presidency, whether under the Forest or under the Revenue Department. This statement shows that under the former department 681 square miles have already been demarcated; that reserves occupying an area of 1,673 square miles are in process of formation; and that it is in contemplation to take up 278 square miles in addition to these. Under the Revenue Department (Jungle Conservancy) jungles occupying an area of 2,480 square miles are reserved, while fuel reserves, topes, and channel plantations occupy 61, 18, and 31 square miles respectively.

16. The following is the distribution by districts of the reserves already demarcated:—

	Square Miles.
Coimbatore	20
Nilgiris	2
Salem	17
North Arcot	22
South Arcot	168
Cuddapah	62
Godávari	68
Malabar	322
Total ..	681

17. The area of reserves in process of formation is distributed as follows:—

	Square Miles.
Tinnevelly	286
Madura	20
Coimbatore	162
Nilgiris	37
Trichinopoly	9
Salem	130
North Arcot	90
South Arcot	16
Cuddapah	127
Nellore	36
Kistna	180
Ganjam	330
Canara	250
Total ..	1,673

18. The reserves under contemplation are situated in four districts, viz.:—

	Square Miles.
Tinnevelly	75
Madura	40
Trichinopoly	25
Godávari	138
Total ..	278

19. Thus it appears that the area of forest actually demarcated and reserved on the 1st September last was more than double the extent shown in the statement prepared to show fuel reserves and quoted by the Government of India; and that orders for demarcating some 1673 square miles in addition have been given, and the work is now in progress. Moreover the preliminary steps have been taken for reserving a further area of 278 square miles. Considerable progress has, therefore, been made by the Forest Department whose operations comprise no less than fifteen districts. In the districts of Ganjam, North Arcot, and Cuddapah selections of tracts to be closely preserved are being now made by three officers, all of whom are thoroughly conversant with the forests where they are employed. Investigations in Ganjam are in regard to the Goomsur and Suradá Forests, and in Cuddapah to those situated in the taluks of Badvél, Sidhout, and Proddutur.

20. The Kistna is to be visited by the Conservator during the present cold season.

21. In Vizagapatam the forests in the Gudem and Golgonda Hills were given up by the Forest Department some years ago, the Conservator being of opinion that there was no probability of their yielding a revenue, and, no market existing, there was no temptation to plunder. It is now, however, proposed that some close reserves should be selected by Mr. Boileau, who made a valuable report upon the forests in the adjacent district of Godávari. When selected these reserves will probably be placed under the same management as those in Bhadráchalam and Rékapalle, regarding which orders were delayed pending the decision of the Government of India upon the subject of ownership in those taluks which were only recently transferred from the Central Provinces to this Government.

22. In Kurnool, a district the investigation of which, owing to its presenting no pressing need for conservancy, was postponed to the last, selections, with

recommendations for the demarcation of certain areas for reserves, have lately been made by the Deputy Conservator, which are now under consideration.

23. But in addition to the work thus described, which is being done by the Forest Department, much has been accomplished, as stated above, by the Revenue Establishments under the head of Jungle Conservancy. The figures given in the statement show nearly 2,500 square miles of jungle reserved or placed under protective restriction, besides 110 square miles of fuel reserves, topes, and other artificial plantations.

24. The distribution of jungles is as follows:—

			Square Miles.
Tinnevelly	..	..	34
Madura	..	..	24·5
Tanjore	..	..	9·7
North Arcot	..	..	65·6
South Arcot	..	..	100·6
Cuddapah	..	..	1·1
Chingleput	..	..	19·
Nellore	..	..	36·4
Bellary	..	..	683·5
Kistna	..	..	897·5
Godávari	..	..	98·5
Vizagapatam	..	..	510·
	Total	..	2,480·4

25. The action of this Government in granting land upon favorable terms for private plantations under the Tope Rules, which have been in force for some years, has begun to bear good fruit. In the district of Chingleput 11,428 acres have thus been planted out, and many thriving plantations, the property of native owners, exist also in Nellore, Kistna, and North Arcot. The development of this system appears to deserve the utmost encouragement: wherever soil is suitable and there is a demand for fuel it is unquestionable that a supply can thus be provided. In two cases which have come under my own notice I found that the inhabitants of small fishing villages had in this way made provision for their own requirements, and I am given to understand that a similar course has been followed elsewhere.

26. In paragraph 27 of the letter the Government of India refer to the financial position of the Forest administration of this Presidency as being in an unsatisfactory condition.

The stationary position of the Forest revenue has long attracted my attention. That, as compared with other provinces, the receipts are comparatively small is in a great measure due to the fact that in Madras the revenue of the Forest Department does not include the proceeds of Jungle Conservancy set apart for special purposes of planting and conservancy, and the stationary character of the Forest receipts is chiefly owing to three causes:—

I.—That in the early years of Forest administration a somewhat fictitious revenue was created by charging other departments of Government for supplies of hard wood at prices exceeding the market rate. This raised unduly the then apparent revenue.

II.—Absence of increased demand of late years. This is owing to the reduced requirements of the Bombay Marine and of Government Departments, and also to the fact that on Railways iron has superseded teak for sleepers and telegraph posts, while the completion of Railway buildings has greatly diminished the demand for that purpose.

III.—Competition of Burma, &c. This has been developed to such an extent that Burma teak now competes with teak grown in this Presidency not only along the entire coast, but, as was recently proved by tenders for timber required for Government House, can be obtained on cheaper terms for use even at Ootacamund on the Nílgiris than that grown in the Malabar Forest.

The price of teak is also affected by supplies from Cochin, &c., and to some extent at Cocanada by timber brought from Bustar and adjacent territories.

This competition has not only limited the demand for Government teak, but has had the effect of reducing the price generally as shown in the recent report of the operations of the Gun Carriage Factory which gave the rates for Madras teak as Rs. 2-6-9 in 1876 and only Rs. 1-8-0 in 1878, while the price of Pegu teak itself was also tending downwards, having fallen from Rs. 1-15-9 in 1876 to Rs. 1-12-0 in 1878. Competition also exists in other woods, large quantities being supplied from private estates on which no expense for establishment, &c., has to be incurred or borne by the timber sold. This is also the case with bamboos, the rate for which

as given in the Forest Administration Reports has fallen from Rs. 9-9-4 in 1875 to Rs. 4-5-9 in 1878.

27. Railway fuel is also largely supplied from private estates often more conveniently situate than Government Forests, that required for the Bangalore Branch line being for the most part furnished from the Kangundi Zemindari. I have myself had but little opportunity of examining the actual reserves, but have personally inspected the jungles of Srílharikót and the plantations (Government and Private) at Dugarázpatnam and elsewhere in the Nellore District. I have crossed the Hill range between Bellary and Hospet and passed through the whole length of the Sandúr State. I have also traversed the extensive forests between Trivandrum and Courtallam, passed along the skirts of the Mudumalai Forest and the Tippakádu. On the Nílgiris I have visited the sholahs of the Koondahs and the Sispára Ghât, and from Melúr on the one side have been able to form some idea of the forests of the slopes to Kodanád on the other. Travelling by day-light I have also had opportunities of noting the general appearance of the jungles in Madura, Cuddapah, and Chingleput, and have passed from Arni to Vellore through the jungles of the Kaniembadi Pass.

28. The price obtainable in this Presidency for the chief items of forest produce (timber, bamboos, and fuel) is a competitive one, many owners of private forests selling to contractors at one time the entire growth of many years. Moreover the demand for timber for building purposes is smaller than in many other parts of India where larger and better houses are erected and more timber used in all. The consumption of fuel, too, is comparatively insignificant, being needed for little else than culinary purposes.

29. The income from what are called the "minor products" of the forests may and will increase as larger areas are reserved and collection is brought under control. But, so long as the competition of Burma continues, it is not to be expected that any important increase of revenue will accrue from the sale of teak, which is the special produce of the forests of this Presidency.

30. The cost of establishment has no doubt become greater, but it has been gradually developed only in the degree necessary to secure due conservancy; and I see no reason why our Forest administration should not for the future be carried on at a profit—although, owing to the causes I have mentioned, not a large one—provided no excessive expenditure upon survey, &c., be incurred, that such work be carried out gradually year by year, and native agency sufficiently utilized. When a forest is to be systematically worked or extensive replanting carried out, European officers of scientific education will be needed to control and direct; but where it is a question only of preservation—keeping out fire, gathering of fruits and minor produce—Native officers, who do not fear the sun or climate, will be found even more efficient. I myself am of opinion that too great an outlay has been made by the Forest Department upon ordinary plantations in parts of the country where there are already extensive forests and sholahs and also upon felling timber in advance of the requirements of the market which has remained on hand deteriorating, while its cost has not been realised. The Conservator would do well to turn his attention specially henceforward to the protection of closely reserved areas with a view to enabling natural forest to re-establish itself, and to establishment of forest growth in districts where, as in Bellary, it is urgently needed but difficult to raise. I consider that the tendency of the forest management has been to exhaust rather than to conserve; and that both the Anaimalais and Mudumalais have suffered from overfelling. The preservation of forest is necessary both for the supply of timber and fuel as well as for climatic reasons, and the area now existing is doubtless generally ample for both purposes. I consider that for climatic purposes the natural forest untouched by man is the best; that in most cases no other expense than watching to prevent wilful damage is required; the only process should be the gathering of fruit, seeds, gums, &c., by the tribesmen resident in or about them; and that the artificial cultivation of exotic trees is frequently not adapted to the end sought—as, for instance, the planting of the Eucalypti, with their great absorbing powers, to shelter and preserve water-sources: invaluable for reclamation of objectionable swamps, they will absorb the water-sources instead of preserving them; of this there are frequent instances to be observed on the hills. For the requirements of the market, forest carefully thinned, not mown down, will afford the most certain supply at the least cost.

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BUCKINGHAM AND CHANDOS.

2nd December 1880.

REVENUE (188/) DEPARTMENT.

No. 456

From Minute by His Excellency the Governor

Dated 23 } December 1880.
Recd. 20 }.

No. [illegible]

SUBJECT.

Recording Minute on the subject of Forest Conservancy &c.

[illegible] No 206 of 29 [illegible] 1881

[illegible]

Revenue Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date December 1880.

Minute by His Grace the Governor dated 2nd and received 20th December 1880.

The Collector [illegible] [illegible] [illegible] [illegible] [illegible] itself [illegible] carrying out [illegible] [illegible] of the [illegible] information [illegible] indicate the [illegible] present profitability of [illegible] as some [illegible] assessment special allotment should also be calling [illegible] tenders

1. Communicated to the Board of Revenue and Conservator of Forests with instructions to the latter to submit with the least possible delay his matured proposals for giving effect to the views expressed in paras 31 to the end — attention being especially directed ~~to the speedy sowing~~ with Babool and similar trees of the relinquished strips of land along the lines of rail which should be undertaken systematically

and proceeded with to conclusion uninterruptedly. He should communicate with Collectors in view to Village Jungle Conservancy Surplus funds being employed for this simple and very promising experiment.

2. The Conservator should also take immediate steps for carrying out the tentative arrangements advocated especially for Bellary and Chingleput — the reservation and enclosure of the crowns of the isolated hills formerly clothed with jungle, being a simple matter for which the Collectors of the Districts could easily arrange

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x [illegible] in the Bd. 2nd [illegible] and [illegible] Grace [illegible] [illegible] Rev.

REVENUE DEPARTMENT.

No.

From Minute by His Grace the Governor Received 20 Dec 1880 —

Dated 188

FOR ORDERS.

The Note shd. be dated (Recd. 20 Decr. 80) and shd be communicated to the Bd! of Rev. & Consr. of Fs. with instructions to the latter to intimate with the least possible delay his matured proposals for giving effect to the views expressed in paras 31 to the end — attention being especially directed to the speedy sowing with Babool & similar trees of the relinquished strips of land along the lines of rail. Wk. shd be undertaken systematically & proceeded with to conclusion uninterruptedly. He shd. comt. with Colrs. in view to V.J.C. surplus funds being employed

On the original of this His Grace wrote "for circulation" but probably better printed first for facility of reading. It has accordingly been printed & is now circulated with the correspondence.

for this simple & very
promising Experiment.

2 Recom^d. Sh^d. also take
immediate steps ~~for~~
carrying out the tentative
arrang^t. advocated
especially for Bellary
& [illegible]. the reservation
& enclosure of the
crowns of the isolated
hills formerly clothed
with jungle being a
simple matter for w^h.
the Coll^rs. of the D^ts. could
easily arrange when
the best sites have been
determined.

Add that the Gov^t.
attach great importance
to the zealous prosecution
of these inexpensive &
facile methods for
restoring the fuel supply
of the country over so
very wide area. &
rely with confidence

[illegible]

on the hearty support of all
Coll^rs. & their subordinates
to develope the measures
to the utmost & without
delay. A brief annual
report of progress sh^d.
be submitted thro' the
B^d. of Rev: for the inform^n.
of Gov^t.

4 Then send copy of
the minute & Pro: with Gov^t.
[illegible] with the
remark that the
observ^ns. in the note
scarcely represent
adequately the extent
to w^h. protection has
been afforded by
the [illegible] & that
the attention of Gov^t.
is constantly directed
to ensuring the utiliz^n.
of the income arising
from these forests to
forest purposes [illegible]

that the general powers
taken in the Forest
Bill were deemed
adequate & [illegible] for
the present for guarding
forest along the course
of streams. [illegible]
objection was urged not
only by [illegible] proprietors
but by the Forest Dept
itself & the [illegible]
restrictions contemplated
by the original draft.
The application with
reference to elevation
to a point [illegible] attention
will be directed to [illegible]
as the Bill receives the
assent of the Govr Genl.
in [illegible] [illegible]
[illegible] 26/1/81

FOR ORDERS.

Proceedings [illegible]

G.O. No 206 of 29-1-81

[illegible]

[illegible] the printed order

[illegible] 27/12 [illegible]

Revenue Department

No 206

Proceedings of the Madras Government
Under date the 29 January 1881.

Minute by His Grace
the Governor dated 9th and
received 20th December 1880.

1 Communicated to the
Board of Revenue and Conservator
of Forests.

2 The attention of the latter
Officer is drawn to the remarks
in para 3. not only on
the Anamallais and in the
Mudumalay forests but
generally there has been a
tendency to fell in excess of
the demand and to the injury
of the Forests. Measures of
Conservancy

Conservancy are now of primary importance and the steps that are being taken to select and protect reserve areas in every district for climatic reasons; ~~and~~ the preservation of the water supply and in view to future requirements for fuel and timber must be steadily persevered in, and the work proceeded with as rapidly as possible.

3 On the Nilgiris the reservation of the remaining sholas and patches of ancient forest has been ordered and care must be taken to regulate and supervise the felling therein by licensed wood cutters. It is believed that much damage is done by persons provided with licenses and it is in this direction that the sholas now need protection. The Conservator will consider and report how this may best be secured.

4 The necessity of caution in planting exotic trees is a matter that should engage the Conservator's attention especially in the case of the Eucalyptus Globulus which may possibly absorb the moisture it is desired to preserve.

The

Notes

I have [illegible] this over [illegible] on the [illegible].

[illegible]

5. The Conservator will take immediate steps for carrying out the tentative arrangements advocated especially for Bellary and Chingleput, the reservation and enclosure of the crowns of the isolated hills formerly clothed with jungle being a simple matter for which the Collectors of the Districts could easily arrange, when the best sites have been determined.

6. The utilization in the manner suggested of the strips of land finally and formally relinquished by the Railway Companies should be at once proceeded with and the work systematically carried out to its conclusion.

Jungle Conservancy funds may properly be employed on this simple & promising experiment.

+ [illegible]

7. The Government attach great importance to the zealous prosecution of these inexpensive and facile methods for restoring the fuel supply of the country over a very wide area and rely with confidence on the best efforts of all Collectors and their subordinates to develope the measure to the utmost and without delay. A brief annual report of progress should be submitted through the Board of Revenue for the information of Government.

8. This Minute and Proceedings will be forwarded to the Government of India and the Secy.

Secretary of State with the remark that the observations in the minute scarcely represent adequately the extent to which protection has been afforded by the Village Jungle Conservancy rules and that the attention of Government is constantly directed to ensuring the utilisation of the income arising from them for purposes of reproduction.

9. The general powers taken in the Forest Bill were deemed adequate, at least for the present, for guarding wood along the course of streams while strong objection was urged not only by private proprietors but by the Forest Department

itself

itself to the precise restrictions contemplated by the original draft.

10. Its application with reference to elevation is a point to which attention will be directed so soon as the Bill receives the assent of the Governor General in whose hands it now rests.

No 64 To the Board of Rev. ✓ } Despd
21 – Consr of Forests } 21/2/81
21 – P.W. Dept }

[illegible]

PRINT
25/1

Original

Govt. of (1881) Madras.

REVENUE.

To

The Board of Revenue,

&c., &c., &c.

Dated January 2[illegible]th.

Dated February 7th.

Recd. E

G.O., 2[illegible]th January 1881, No. [illegible]

JANUARY,
Nos. 531-535.

Fuel Reserves, &c.—Communicating, with certain remarks, to the Board of Revenue and Conservator Minute by His Grace the Governor on the subject of —.

21-9-04
11-10-38 II

Vide cus 3172/81