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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue Revenue *dept.* DEPARTMENT

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16TH NOVEMBER 1882, No. 1259, REVENUE.

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

READ—the following Report of the Committee appointed under G.O., No. 511, dated 15th May 1882.

IN the Order of Government, No. 511, dated the 15th May 1882, the undersigned were desired to consider the rules by which the relations of Civil and Forest Officers should, in future, be regulated, and we now submit our views on the subject. In our remarks we shall have to discuss certain important changes which should, in our opinion, be introduced in the administration of forests in this Presidency, in order to place this branch of the public business upon a satisfactory footing.

Jungle Conservancy and Forests.

2. The most necessary reform is the abolition of the double organization now existing, whereby a portion of the forest lands are managed by the Forest Department, and a portion by the Revenue Department under the denomination of Jungle Conservancy. Most of the forests in the hills and a few in the plains and open country are in the charge of Forest-officers, and are subject to one set of rules, while some of the hill forests and the greater portion of the jungles in the plains are under officers of the Jungle Conservancy Fund, and are subject to another set of rules.

3. Thus all forests and jungles in the Nellore and Chingleput Districts, including the forests of Sriharikôta and those on the Kambakam and Nagalapuram hills are under Jungle Conservancy Rules, as are also the jungles of Bellary and Anantapur, whether situated on the hills or in the plains. In other districts, such as Cuddapah, South Arcot and Madura, the jungles in certain taluks are under Forest Rules, and those in others are under Jungle Conservancy Rules. In North Arcot, South Arcot and Trichinopoly the District Forest-officer has charge of both classes of land, which are often contiguous to each other, but are nevertheless managed under separate rules and by separate establishments, although, in some cases, it has been found convenient to place contiguous Forest Reserves and Jungle Conservancy lands under one Forest-ranger or Forester.

4. There is nothing in the character of the two classes of lands to call for different rules and separate establishments, nor is there any difference, except in name and on paper, between the two. If the wood-lands now under Jungle Conservancy Rules are to be preserved and improved, so as to be a benefit to the country, they must be managed, as they are in South Arcot, by professional Forest-officers, and their protection will require the same legal provisions as the protection of the forests. The same principles of forest management apply in both cases, and we are of opinion that in all districts the separation should be done away with, and the administration of the Jungle Conservancy lands transferred to the District Forest-officers.

5. The separation appears to have been in its origin accidental, and to have arisen from the restricted scale on which the Forest Department was first constituted. Its officers were few and confined to a few districts; but the necessity of some measures of conservancy in other places also being felt, the Jungle Conservancy, under the only agency possible, namely, the ordinary district staff, originated. Now, however, that an adequate and efficient forest staff is, it is hoped, about to be organized and maintained, the separation is no longer defensible, and should be put an end to.

6. Apart from general considerations in favor of the abolition of Jungle Conservancy as a separate institution, we think there is ground for the contention that its operations have not been very successful, and that they have done but little to secure the objects in view.

7. In their order of the 23rd January 1879, No. 186, the Government stated that the primary objects of the Jungle Conservancy "are (1) the saving of minor woods in the neighbourhood of villages from the destruction naturally following from unrestricted and ill-advised use; and (2) by proper control effected from the funds raised from the villagers, to secure to the villagers the permanent advantages of an adequate supply of fuel and of wood for building and agricultural purposes in near proximity to their villages."

8. In the South Arcot District a number of tracts of waste and scrub land have been set apart, some of which have been efficiently protected and their condition much improved. Similar work has been done in Chingleput and Nellore; but upon the whole very little has been accomplished to give effect to the intentions of Government in this respect. A portion of the revenue is derived from seigniorage and other payments on account of the produce of natural jungles; but of this revenue a fraction only has been expended upon such jungles in return. The denudation of waste lands and the deterioration of growth upon them goes on as before almost unchecked.

9. Excellent plantations of Casuarina and other trees have been formed in the Nellore and South Arcot Districts from Jungle Conservancy Funds; but, on the other hand, much money has been spent on the planting of topes, mostly of fruit-trees, designed for the convenience of villagers and travellers. Topes of trees are exceedingly useful, particularly in the more arid districts; but this is not what was originally intended, and it appears to be the almost unanimous opinion of the District Officers that much of the money spent on these topes has been wasted; and that the expenditure has been out of proportion to the results achieved. The selection of sites, as regards soil and other conditions, has often been unfortunate, and in many cases the trees have not grown and the topes have been abandoned. In some districts Collectors have recommended that the topes which remain should be sold, although it is acknowledged that they will not fetch more than a fraction of what they have cost. In some districts a large proportion of the topes has already been sold. If the money which has been expended in these efforts had been laid out with system and knowledge towards the formation and improvement of reserves of natural growth, the result, it cannot be doubted, would have been out of all proportion of greater benefit to the country.

10. It has been maintained that the Jungle Conservancy lands are managed for the benefit of the villages, while the forests are managed for the benefit of the Imperial Revenue; and that since the revenue of the Jungle Conservancy is raised from the villagers locally and on account of the use of their village jungles, it ought to be credited to a separate fund and expended on such jungles alone. Under the existing practice the legitimate requirements of the ryots are provided for without payment under the free pass rules and other concessions, and whatever revenue is yielded by village jungles is derived from seigniorage paid by outsiders, or by persons whose requirements are in excess of the legitimate scale. There is no such thing as a limitation of the use of the jungles to particular communities, or recognition of their rights to the exclusion of others. A man who pays seigniorage may cut in the lands of any village, as may be convenient or allowed, and the revenue derived from such payments is clearly at the disposal of the State. The local argument, if valid at all, would require that the localization of the revenue should be carried much further than at present, and that the revenue raised from each jungle should be spent on it and not elsewhere, which is obviously impracticable. The local principle is as much infringed when as now the money goes to a district fund, as it would be if the receipts were merged in the general forest revenue.

11. Besides the seigniorage payments the Jungle Conservancy Fund is credited with tree-tax and rents of fruit-trees and palmyras growing on Government waste

lands, on the ground that they must have been planted by the villagers. When such trees grow in forests or lands managed by the officers of the Forest or Jungle Conservancy Department, the revenue derived from them should be credited to Forests, but, when they grow on other lands, it appears to us a question whether these amounts should not rather be credited to Land Revenue. At any rate, we see no special reason for making this revenue local.

12. There seems ground for believing that the seigniorage dues are largely evaded, and, to whatever head the revenue from the minor jungles is credited, it is advisable to place them under improved administration and conservancy. We believe that properly administered they will pay their cost, and yet be improved and increased in value; and that the best mode of dealing with them is to place them under the officers of the professional department, which, we trust, will ere long be re-organized and placed on a satisfactory footing.

13. It has already been stated that in several districts the Jungle Conservancy lands are in charge of the District Forest-officer, and in one of these districts at least, namely, in South Arcot, this arrangement has had a most beneficial effect.

14. All that is wanted is to extend this system to other districts, but with two important modifications. Under existing arrangements the District Forest-officer, when in charge of Jungle Conservancy operations, submits two sets of accounts and reports, one regarding the Forests to the Conservator, and the other regarding the Jungle Conservancy lands through the Collector to the Board of Revenue. The forms of these two sets of accounts and reports, and even the classification of receipts and charges, are entirely different, and this requires double office establishments, and needlessly takes up the time and attention of the Forest-officer. The result is waste of time and money. Again, the Conservator has control in professional matters over the Imperial Forests only, and when on his tours of inspection he passes by, and has no business in the Jungle Conservancy lands, though they are often contiguous to the Forest lands with the same vegetation and general character. There is no difference, except in name, between these two classes of lands, and they should be managed on one system, by one set of officers, and should both have the advantage of professional supervision by the Conservator.

Connection of Civil and Forest Administration.

15. These remarks bring us to the consideration of certain further important changes in the organization of the forest administration, which we desire to recommend. The area now placed under the charge of the Conservator is so vast, that it is quite impossible for him to maintain the supervision and control of District Forest-officers, which are necessary to keep them up to their work and to secure energetic administration. The intervals between his tours in any district must, however active he may be, be considerable, and he cannot in existing circumstances obtain the immediate and full knowledge of the forest concerns of each district, which the directing officer, in such a matter as forest administration, ought to possess. The result has been hitherto that the District Forest-officers have been left too much to themselves, and, not feeling at hand the direction and support of a superior officer, have to some extent fallen into a position of isolation which has weakened the working of the department. Isolation of this kind is especially prejudicial to young officers during the early years of their service, in whose case the absence of official discipline at first may create habits which may mar their usefulness throughout their subsequent career. The forest establishments are not at present in a satisfactory state in all districts,—a fact which has no doubt intensified the evils which we have indicated; but even if the staff were re-organized, these evils would, we think, probably still be felt. Further, it seems to us expedient to strengthen the hands of the local Forest-officers, and to increase their influence, by bringing them into closer connection with the Land Revenue organization. We, therefore, recommend that, subject to the checks hereafter noticed, the District Forest-officers and the staff under them be made directly subordinate to the Collectors.

Former Schemes.

16. The necessity of closely connecting the administration of the forests with that of other Government lands has long been recognized in this Presidency, and attempts have been made at different times to frame an organization under which this object would be attained. By the Order of the 24th June 1872, No. 148, Collectors were made Conservators in their districts, the Conservator was appointed Inspector, and his duties were restricted to inspection and advice. This was found to work badly, and hence, in 1875, a change was made, and by the Order of Government of the 19th November 1875, No. 1662-A, the Inspector was again made Conservator, and certain rules, modelled on those framed in 1870 for the conduct of forest business in Bombay, were sanctioned. Under these rules the control of the forest work is vested in the Conservator, but his orders are communicated to the District Forest-officer through the Collector, to whom certain limited powers of interference are granted.

17. These rules have never perhaps been fully worked, and they have certainly not produced the effects desired. The separation between the Revenue and Forest organizations is still too wide. In the Bombay rules, an attempt was made to divide subjects, so that the District Forest-officer would receive his orders from the Conservator on subjects of a professional and departmental character, while in regard to other matters he would be subordinate to the Collector. This division of subjects and control is, however, artificial, and, if adopted, would in our opinion lead to friction and needless complications. In Madras, where the lands which should be placed under forest administration are, in most cases, distributed over the whole of the districts, and are not confined to remote corners, there is especial reason for uniting as closely as possible the Land Revenue and Forest Administration. The Collector being on the spot and possessing, or being able at once to obtain full local knowledge, is the fittest man to control the current work connected with forest business in his district; and the Forest-officers will gain much by association with the widely extended organization of which he is the local head, and will cease to be regarded as outsiders and oppressors of the people.

Collectors and Conservator.

18. The problem is to gain for local forest working the strength and vitality which it will derive from being placed under the control of Collectors, and at the same time to take security for continuity of action, for the adoption of correct principles of forestry, for due subordination of local to general working, for the creation and maintenance of a properly instructed and efficient staff, and for ensuring to the Conservator the position which he ought to occupy as the professional head of the department and the responsible adviser of Government in forest matters. We believe that under our scheme these objects will be attained.

19. First as to the relations between the Collectors and the Conservator. There are two matters which from the nature of the case, as requiring a comprehensive view of all districts, cannot be dealt with by Collectors. These are the finance of the Department, and the organization of the staff; and in these the Conservator must have complete authority. Further, in purely professional matters, as to which Collectors cannot be expected to possess adequate knowledge, the Conservator must be in a position to press his views. As to finance, there will, of course, be an annual budget, which will pass through the Board of Revenue and be sanctioned by Government as at present. This will be made up of district budgets; and in close connection with, and, in fact, depending on these budgets will be the annual plans of operations in each district, which will be framed by the District Forest-officer, and discussed, and probably agreed upon by the Collector and Conservator. If they differ as to the budgets and plans of operations, each will have his say, and it will be for the Board of Revenue and Government to decide. This done, the responsibility for the execution will rest with the Collector alone. The existing powers of financial control vested in the Conservator, namely, of making transfers from

district to district under "A—Working Charges" and "B—Establishments," and of sanctioning estimates for works should remain with him; but he should not have power to transfer any allotment from a district without the Collector's assent, or order of Government. If during the year the Collector desires to incur expenditure not provided in the budget, he will have to address the Conservator, who, if he approves and can find the money, will make it available. The Conservator will be kept informed of what is going on in all districts, and will be able to watch progress; but the responsibility for the due execution of the programme, and for the conduct of all district business will rest with the Collector, and not with the Conservator. The Collector, however, should not be at liberty to make transfers under "Working Charges" in his district without the Conservator's sanction.

20. As to the staff, the scale of establishments will be sanctioned by the Government, and the appointment, posting and promotion of the superior officers rests with them. The appointment, posting and promotion of Forest-rangers and Foresters should vest in the Conservator, and the appointment, posting and promotion of Forest-guards in the Collector, who will no doubt, in practice, leave these matters to his District Forest-officer. The Collector should have the power to fine and suspend Forest-subordinates, and to dismiss Forest-guards. The dismissal of Rangers and Foresters will rest with the Conservator who appoints them, but he will naturally be guided in his action by the Collectors, who are responsible for the local working and protection of the forests. It is of supreme importance that all Forest-officers, those of the subordinate as well as of the superior staff, shall possess the requisite qualifications and training, and these would not in all cases be secured, nor could the flow of promotion necessary to efficiency in the department, be maintained under a system of local selection by Collectors. In regard to Forest-rangers and Foresters therefore Collectors must accept the Conservator's decisions, though no doubt that officer will, as far as he can, consult the convenience and wishes of the Collectors in the disposal of the staff.

21. Professional matters will eventually be mainly regulated by working plans prepared for each forest. But such working plans can, as a rule, only be prepared for reserved forests, which have been completely demarcated and settled. Whenever circumstances are sufficiently advanced to justify the preparation of such working plans for any forest, the data will generally be collected and the proposals framed by a specially qualified Forest-officer, working in conjunction with the District Forest-officer and under the control of the Conservator. When completed, such working plans should be concurred in by the Collector, and if intended to regulate operations during a long series of years, they should be submitted to higher authority for sanction. No deviation from the provisions laid down in such working plans should be permitted without the Conservator's concurrence, and none should be made unless necessitated by unforeseen events.

22. But it will be a long time before the preparation of working plans for the Madras forests can be undertaken on a large scale, and the present organization must, therefore, be framed for the existing state of things. As already explained in paragraph 19, the work in each district will be regulated by annual plans of operations prepared in close connection with the budgets. Wherever working plans have been framed, these annual plans of operations must be based upon the provisions of the working plans. Where no working plans exist and until such plans have been made, the annual plan of operations must be based on the general principles of forest conservancy. These annual plans will prescribe what work is to be done in the demarcation of boundaries, road-making and other communications, fire-protection, closing forests against grazing, cultural operations, thinning and cutting, and will generally indicate all work that should be done during the year in each forest range of the district. The District Forest-officer will, under the Conservator's advice, frame the plan of operations, which, as already explained, must receive the Collector's approval. The responsibility for carrying out the plan of operations will rest entirely with the Collector, but for such deviations as may be necessitated by unforeseen events, the Conservator's consent must first be obtained.

23. In this manner the Conservator will exercise the needful control in professional matters, and maintain that continuity of action which is necessary. But in the present state of forest administration in this Presidency, it must not be expected that the annual plans of operations will be sufficient. There will be many instances in which the Conservator will find it necessary to communicate with the Collector regarding matters of a professional nature which are not provided for in the annual plans. Hence, it is indispensable that the Conservator should be kept fully informed of all that is going on, and this will enable him at any time to communicate his opinion to the Collector, and, if the matter seems of sufficient importance, to address Government or the Board of Revenue. Eventually each Collector will have at hand a professional officer of high qualifications: this will tend to diminish references by and to the Conservator, and there will then be little danger of action in a wrong direction being taken, or of the Conservator's being unable to make his professional influence felt.

Collectors and District Forest-officers.

24. The District Forest-officer and the subordinates under him must be in the fullest manner under the Collector's orders and control, and the former should receive no orders from any other authority. His head-quarters should be as a rule those of the Collector, and, under the control of that officer, he should conduct all the forest business of the district. He will be in the position of Assistant to the Collector in forest matters, and the Collector should give no orders on such matters except through him. On matters of ordinary routine the Collector will authorize the District Forest-officer to issue orders without reference to him, making such arrangements as may be necessary for such orders being reported by means of weekly abstracts. Other matters will be referred to the Collector by means of office notes. The District Forest-officer, being the head of a branch of the Collector's office, should not communicate with the Collector by official letters. He should draw up in his own hand a sufficiently full report or diary of all important business, and send it to the Collector at the close of each week. The Collector, after recording any remarks or instructions he may think fit, should send it on for the Conservator's information, and that officer should return it without delay, noting any remarks or suggestions he may have to offer. It will then go back to the District Forest-officer, the Collector, if he disagrees with the Conservator's remarks or suggestions, informing the District Forest-officer, so as to guard against action being taken of which he disapproves. In such cases he will at once inform the Conservator. When the Conservator is in camp with the District Forest-officer he will, of course, be at liberty freely to communicate to him his views and suggestions on matters of forest administration; but he should inform the Collector in writing of what passes between them. In this way the Conservator will be kept fully and promptly informed of all that goes on, and will have ample opportunity of impressing his views upon the Collectors and District Forest-officers; but all regular official business should be transacted by the Collector, and the District Forest-officer should not accept or carry out any orders which have not emanated from him.

Position of Conservator.

25. We are sanguine that the plan sketched above will be found to work well in practice, and to fulfil the conditions stated in paragraph 18. It will not, if properly understood and carried out, impose an undue burden of work upon the Collectors, who will merely have to supervise and control the work done by their District Forest-officers. On the other hand, it will relieve the Conservator of much detailed office-work, and will enable him to spend, as he should do, at least six months of every year in the forests with the District Civil and Forest Officers. During the remainder of the year, comprising the time when the budgets, the annual plans of operations, and the annual reports are under preparation, he should be at head-quarters and in constant communication with the Board of Revenue and Government. As the professional adviser of these authorities, his opinion

will of course carry great weight in the settlement of the annual schemes, and the adjustment of the claims of the several districts on the budget, as well as in all professional questions. The control of the departmental finance and organization, which we propose to reserve to the Conservator, will place him in a sufficiently influential position as head of the department; and this arrangement constitutes an essential difference between our scheme and that adopted in 1872. On the other hand, he will not dictate to Collectors, who will not be in any sense under his orders. In case of difference of opinion, he will endeavour to enforce his views by satisfying the authorities to whom Collectors are subordinate that he is in the right,—a course which he will scarcely take except in cases of importance, and when the Collectors are clearly wrong. There will be no division of power or responsibility. The Conservator will have full control and responsibility in matters of finance and organization; and the Collectors, subject to the orders of the Board of Revenue and Government, will have full executive power; the function of the Conservator in regard to the current working being mainly that of advice. We believe that, in fact, differences of opinion between the Collectors and Conservator will be rare, and we would urge that it is in no way a necessity that they should take opposite views on forest matters. Hereafter when an efficient staff, consisting of superior and subordinate officers who know their profession, and a complete organization have been formed, and when a good forest law and good rules made under it have been brought into operation, it may be possible to make such changes as further experience may suggest. One practical result may, at any rate, be counted on to follow from our scheme, namely, that it will tend to unite the subordinate Civil and Forest Establishments; and if this is accomplished, the administration of forests will no longer be considered as a thing apart from the administration of the other Government lands.

Subordinate Officers.

26. We have hitherto said nothing as to the relations between the subordinates of the Revenue and Forest Departments, nor as to the position, in regard to forest administration, which should be assigned to Divisional Officers, that is, Sub-Collectors and Assistants. We do not think it possible or desirable to lay down any definite rules on these subjects, as we are of opinion that it is better to leave them to the discretion of the Collector, who will be responsible for the executive work of forests in his district, and who may be trusted to make the best use he can of the whole agency under his orders. As to Divisional Officers, it is the practice for Collectors to keep them informed of all matters relating to their divisions; and if any Divisional Officer shows particular aptitude or liking for, or desire to co-operate in, forest work, the Collector will no doubt be only too glad to make such arrangements as will admit of his assistance being utilized to the full. As regards Tahsildars and Forest-rangers, we think no definite rule can be laid down. We would only say that reserved forests should be under the exclusive control of Forest-officers; and that the latter should have a voice in regard to the grant for cultivation of any land under Conservancy. The alienation on patta of land which, as provided in the Forest Bill, is to be declared reserved, is forbidden; but temporary occupation of such land on lease is permitted, and as regards such leases Forest-officers should have a voice, under such arrangements as the Collector may make. Land not reserved, but to which rules under the Act will be made applicable, may be granted on patta, and we think that darkhasts for these lands (which will be defined and known in all cases) should go to the Tahsildars through the Forest-rangers; and if these officers differ, through the District Forest-officer to the Collector or Divisional Officer, as may be prescribed. Cultivation without darkhast in any land under conservancy should be strictly prohibited; and Village Officers should be held responsible for preventing it, and for bringing it to notice if it occurs. As regards the enforcement of the Conservancy Rules, of course, all officers of Government will co-operate; but no doubt special obligations in this matter will attach to forest-subordinates.

There may be some districts in which it may not be expedient to introduce the system here proposed, and in which it may be preferable to invest the Conservator

with full control over the forest administration. These, however, will be special and exceptional cases. As a rule, and in most districts the plan here suggested should be introduced.

Prosecutions for Forest-offences.

27. Only one other point we think calls for notice. Under the orders of Government quoted in the margin, it has, for some time past, been the practice to report all forest-offences to the Collector, and to obtain his sanction before prosecutions are instituted. Assuming that the Forest Bill now submitted becomes law in the shape in which it has been drafted, it will probably not be any longer necessary to retain these orders in force. In most districts the Forest-officer has hitherto occupied a position apart from the district authorities. It was necessary, therefore, that his proceedings in instituting prosecutions should be supervised; but when the Forest Act is in force and the District Forest-officer becomes, as it is proposed he shall become, the Collector's Assistant for forest matters, it will no longer be expedient that this procedure should be continued.

28. Under the Bill as drafted, the District Forest-officer has a defined position in regard to forest-offences. He will, if he is authorized by Government to do so, be able to hold preliminary enquiries, and to exercise his discretion as to whether he will prosecute an offender, or will accept compensation for the offence and release him, or withdraw any charge which may already have been brought before a Magistrate. If the Collector does not place sufficient confidence in his District Forest-officer to allow him to act in these matters without supervision, it will be open to him to require a report before prosecutions are instituted, but ordinarily it will probably be sufficient if the District Forest-officer's proceedings are reported to the Collector in weekly abstracts.

29. Moreover, when the procedure for dealing with forest-offences has been laid down by law, and the punishments which may be inflicted are clearly defined, it will, it is submitted, be unnecessary even for the District Forest-officer to interfere except in cases of importance. In ordinary cases of a trivial character it will suffice, if subject to the control of the District Forest-officer over his subordinates, and that of the District Magistrate over the Subordinate Magistrates and Police, the law be allowed to take its course.

Conclusion.

30. The suggestions submitted in this report relate, *first*, to the amalgamation of Jungle Conservancy with Forest Administration, and, *second*, to the relations of Civil and Forest Officers. In regard to the second point, it may be useful to recapitulate our proposals. Subject to the control of Government, the Collector will carry on the current business of forest administration in his district, and in this he will, as far as practicable, be guided by the advice of the Conservator, who will be held responsible for the formation and maintenance of efficient establishments, and for all professional and financial matters. The District Forest-officer will receive all his orders from the Collector, and the Conservator will have no authority to issue direct orders to the District Forest-officer. The Conservator will be the adviser both of Government and the Collectors, and certain definite powers will be given to him in regard to those branches of business for which he is held responsible. Accordingly, the Conservator will spend part of his time at the head-quarters of Government, and part on his inspection tours in travelling through the forests with Collectors and District Forest-officers. Throughout the year he will be kept promptly informed of all that goes on in each district by means of the District Forest-officers' weekly reports. While on tour he will embody the result of his inspections in notes or other communications, which will be addressed to the Collector, and which will not necessarily be submitted for orders to the Government or to the Board of Revenue. It is acknowledged on all sides that the system, which has existed for some time, under which no action was taken on the

Conservator's inspection reports until they had been considered by the Board of Revenue and Government, has not tended to favor progress in forest administration. As far as the Collector sees fit to do so, he should authorize the District Forest-officer to take action at once on the Conservator's inspection reports and on other communications from that officer, and a reference to higher authority should only be made in those cases in which the Collector and Conservator are unable to reconcile their views. Action must be prompt and continuous, otherwise no progress will be made in the work. There is no reason why these inspection reports should not, if so desired, be sent to Government for information; but, as a rule, and subject to the prescribed course in case of difference of opinion, action should be taken upon them by the Collector, as far as he is competent or sees fit to do so.

31. If the suggestions here submitted are accepted, and if the Forest Act is passed as proposed, it will be found that there will be no uncertainty regarding the relative functions of Government, the Board of Revenue, the Collector, the Conservator and the District Forest-officer. They are clearly defined by the provisions of the Bill, by the existing rules regarding sanction of establishment and expenditure generally, and by the suggestions of the present report.

We have considered whether we should append a set of rules to this report, but have decided not to do so. The plan submitted by us for the consideration of Government must first be worked out and developed by actual experience, before an attempt can be made to regulate business by a rigid set of rules. The chief point which we desire to urge is, that Collectors and the Conservator should cordially co-operate in the matter of forest administration. If this point is fully understood and acted upon, Collectors and the Conservator will find no difficulty in adapting their action to the requirements of the case. We are of opinion that at the outset the system must be elastic. Rigid rules prematurely introduced will rather impede business if found inapplicable. After the system has been perfected by actual experience, it will then be possible and most useful to draw up a set of rules.

W. S. WHITESIDE, *Collector of North Arcot.*

W. LOGAN, *Collector of Malabar.*

H. E. STOKES, *Collector of Salem.*

D. BRANDIS, *Inspector-General of Forests, on Special Duty.*

J. CAMPBELL-WALKER, *Major, Conservator of Forests.*

READ—the following letter from the Secretary to the Government of Madras, to the Secretary to the Government of India, No. 1014, dated 23rd September 1882:—

I am directed to submit, for the information of His Excellency the Governor-

Forest, No. 74.

Enclosure I—

Report on organization of Forest Business.

Enclosure II—

Note on Financial aspect of amalgamation of Forests with Jungle Conservancy.

General in Council, copy of a report on the organization of Forest Business, drawn up by the Committee appointed by G.Os., 24th March and 2nd May 1882, Nos. 333 and 446, respectively, of which Mr. Brandis was President, together with a note by him, on the financial aspect of the proposed amalgamation of Forests with Jungle Conservancy.

2. The recommendations of the Committee relate first to the amalgamation of Forests with Jungle Conservancy and, secondly, to the relative position of Forest and Civil Officers. Both these proposals have the concurrence of this Government, and in regard to the latter they propose to take action shortly. The former, however, it is necessary to refer for the consideration and final orders of the Government of India in consequence of the important financial question involved.

3. The Right Honorable the Governor in Council concurs with Mr. Brandis in thinking that the present establishment must be numerically strengthened in order to place the Forest Department on a satisfactory basis, and in view to give effect to this and other proposals of the Inspector-General, has decided that the amalgamation of the two funds, which have hitherto been separately administered, is essential.

4. The receipts of the Jungle Conservancy Fund for the last five years have averaged Rs. 2,06,000, and in 1880-81 reached Rs. 2,35,691; the Forest revenue of the same year being Rs. 4,86,716, and the average Forest revenue for the last five years not exceeding Rs. 4,11,127. A surplus of nearly 3½ lakhs now stands to the credit of the former fund, which is classed in the public accounts as entirely "Local"; Forests (Revenue and Expenditure) being half Imperial and half Provincial. Mr. Brandis has reported as the result of his inquiries, that if the demarcation of reserves and their more efficient protection and management be carried out as provided by the Forest Act, there will be no surplus available for many years to come even in the event of the two funds being amalgamated, and in this view of the case the Government concurs. Without the relief which the proposed measure is calculated to afford, it is evident that Forest administration must result in a considerable deficit so that the question of its expediency may be considered as disposed of, and it only remains to decide how it may best be given effect to. In consultation with Mr. Brandis, the Government have come to the conclusion that, in consideration of the large amount of revenue to be surrendered from "Local", and in view to simplification of accounts and efficiency of administration, the entire provincialisation of the amalgamated receipts and charges would be an equitable and satisfactory arrangement, and as the utmost that can be hoped for for some years to come is the maintenance of a bare equilibrium, it is thought that the proposal will commend itself to the favorable consideration of the Government of India.

5. The Inspector-General of Forests is at present engaged in preparing a scheme for the reorganization of the superior and subordinate staff of the Forest Department, but, as some little time must elapse before it can be submitted by this Government and sanctioned by the Government of India, immediate sanction is solicited, at the urgent instance of Mr. Brandis, for the temporary employment of two Madras Civil Servants on the pay and allowances shown in the margin, and in anticipation of sanction, Mr. Higgins of the Civil Service has already been gazetted to the charge of the Cuddapah Forest Division.

(Signed) E. F. WEBSTER,
Secretary to Government.

READ—the following letter from R. LOGAN, Esq., Officiating Under Secretary to the Government of India, Department of Finance and Commerce, to the Chief Secretary to the Government of Madras, dated Simla, 24th October 1882, No. 4464:—

I am directed to acknowledge the receipt of Mr. Webster's letter, No. 1014, dated the 23rd ultimo, forwarding copy of a report on the organization of Forest Business, Madras, drawn up by a Committee, of which Mr. Brandis, Inspector-General of Forests, was President, together with a note by him on the financial aspect of the proposed amalgamation of Forests with Jungle Conservancy.

2. In reply, I am to say that the Government of India have no objection to the proposed amalgamation of the revenue and expenditure of the Jungle Conservancy Fund with the Provincial Finances, and that the amalgamation may take effect from the beginning of the current financial year.

The other proposals are—

- (a) the provincialisation (after amalgamation) of all Forest revenue and expenditure which is now Imperial, and
- (b) the temporary appointment of two passed Civilians as District Forest officers on Rs. 900 each per mensem with a consolidated travelling allowance of Rs. 150 a-month.

As regards (a) the Governor-General in Council sanctions the whole of the Forest revenue and expenditure being provincialised, with effect from the beginning of the current year. The arrangement will continue until the present provincial contract with the local Government comes to an end.

The appointment of two passed Civilians to the Forest Department on the terms proposed, is also sanctioned in anticipation of the approval of the Secretary of State.

Endorsement.

Copy, with copy of the letter to which it is a reply, forwarded to the Home Department and the Accountant-General, Madras.

(Signed) R. LOGAN,
Offg. Under Secy. to the Govt. of India.

ORDER—dated 16th November 1882, No. 1259, Revenue.

Forest, No. 89.

The foregoing papers will be communicated to the Board of Revenue, the Accountant-General and the Conservator of Forests, who will arrange forthwith to give effect to the sanction accorded for the amalgamation of Forests with Jungle Conservancy and the provincialisation of the whole of Forest revenue and expenditure, with effect from the beginning of the current financial year.

2. The proposals submitted by the Committee regarding the connection of the Civil and Forest Administration, the relations of Civil and Forest Officers and other cognate matters are accepted, and the necessary steps will be taken by the Board of Revenue and the Conservator of Forests to carry them into effect.

3. The Forest Budget for 1883-84 and the actuals of the current year will need revision, and the Conservator is directed to forward a fresh budget framed with reference to Mr. Brandis' financial forecast, dated the 9th September 1882.

(True Extract.)

Secretary to Government.

To the Board of Revenue, with two enclosures.
" Accountant-General, with two enclosures.
" Conservator of Forests, with two enclosures.
" Financial Department.

Exd. W. H. French.

100 Copies.

Govt. of (1882) Madras.
REVENUE.

Issued

Recd.

Encl.

G.O., 16th November 1882, No. 1259.

NOVEMBER.

96 Ores
15/1/83.

Forest and Jungle Conservancy.

Passing orders on papers regarding amalga-
tion of — and future relations of Civil and Forest
Officers.

BOARD'S GOVERNMENT NO. 1199 OF 1882

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:-

1. Report of the Committee ap-
-pointed under G.O. No. 511, dated 15th May 1882
2. Letter from the Secretary to the
Govt. of Madras to the Secretary to the
Govt. of India, No. 1014, dated 23rd Septem-
-ber 1882
3. Letter from the Secretary to
the Govt. of India, Department of Fi-
-nance and Commerce, No. 4464, dated
24th October 1882

I am directed to acknowledge
the receipt of Mr. Webster's letter No. 1014, dated
the 23rd ultimo, forwarding copy of a report
on the Organization of Forest Business
Madras, drawn up by a Committee, of which
Mr. Brandis, Inspector General of Forests,
was President, together with a note by him
on the financial aspect of the proposed
amalgamation of forests with Jungle Con-
servancy.

2. I reply, I am to say that

The Government of Andhra have no objection to the proposed amalgamation of the revenue and expenditure of the Jungle Conservancy Fund with the Provincial finances, and that the amalgamation may take effect from the beginning of the current financial year.

The other proposals are:-

- (a) the provincialization (after amalgamation) of all Forest Revenue and expenditure which is now Imperial, and
- (b) the temporary appointment of two passed Civilians as District Forest Officers on Rs 900 each per mensem with a consolidated travelling allowance of Rs 150 a month.

As regards (a), the Governor General in Council sanctions the whole of the Forest Revenue and expenditure being provincialised with effect from the beginning of the current year. The arrangement will continue until the present provincial contract with the local Government comes to an end.

The appointment of two passed Civilians to the Forest Department on the terms proposed.

- sanctioned in anticipation of the ap.
- approval of the Secretary of State.

Order thereon, 16th November 1882, C.V. 1259.

The foregoing papers will be communicated to the Board of Revenue, the Accountant General, and the Conservator of Forests, who will arrange forthwith to give effect to the sanction accorded for the amalgamation of Forests with Jungle Conservancy and the provincialisation of the whole of Forest Revenue and expenditure, with effect from the beginning of the current financial year.

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cial forecast, dated the 9th
September 1882.

(one extract.)

M. A. H.
ag. Reg. to fort.

The Board of Revenue

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From Govt.

BOARD'S GOV. REG. NO. 4316 OF 1882

No.

Dated 16th Nov/82

Received *H. Cur*

Enclosures 2

SUBJECT.

*Comm: papers relative to the
amalgamation of Forests into
Jungle Conservancy and the
provincialization of the whole
Forest Revenue Expenditure*

For Member

*To be substituted for that of the same number
and date and the old copy to be returned*

16TH NOVEMBER 1882, No. 1259, REVENUE.

BOARD'S GOV. REG. NO. 4316 OF 1882

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Report of the Committee appointed under G.O., No. 511, dated 15th May 1882.

In the Order of Government, No. 511, dated the 15th May 1882, the undersigned were desired to consider the rules by which the relations of Civil and Forest Officers should, in future, be regulated, and we now submit our views on the subject. In our remarks we shall have to discuss certain important changes which should, in our opinion, be introduced in the administration of forests in this Presidency, in order to place this branch of the public business upon a satisfactory footing.

Jungle Conservancy and Forests.

2. The most necessary reform is the abolition of the double organization now existing, whereby a portion of the forest lands are managed by the Forest Department, and a portion by the Revenue Department under the denomination of Jungle Conservancy. Most of the forests in the hills and a few in the plains and open country are in the charge of Forest-officers, and are subject to one set of rules, while some of the hill forests and the greater portion of the jungles in the plains are under officers of the Jungle Conservancy Fund, and are subject to another set of rules.

3. Thus all forests and jungles in the Nellore and Chingleput Districts, including the forests of Sriharikōta and those on the Kambakam and Nagalapuram hills are under Jungle Conservancy Rules, as are also the jungles of Bellary and Anantapur, whether situated on the hills or in the plains. In other districts, such as Cuddapah, South Arcot and Madura, the jungles in certain taluks are under Forest Rules, and those in others are under Jungle Conservancy Rules. In North Arcot, South Arcot and Trichinopoly the District Forest-officer has charge of both classes of land, which are often contiguous to each other, but are nevertheless managed under separate rules and by separate establishments, although, in some cases, it has been found convenient to place contiguous Forest Reserves and Jungle Conservancy lands under one Forest-ranger or Forester.

4. There is nothing in the character of the two classes of lands to call for different rules and separate establishments, nor is there any difference, except in name and on paper, between the two. If the wood-lands now under Jungle Conservancy Rules are to be preserved and improved, so as to be a benefit to the country, they must be managed, as they are in South Arcot, by professional Forest-officers, and their protection will require the same legal provisions as the protection of the forests. The same principles of forest management apply in both cases, and we are of opinion that in all districts the separation should be done away with, and the administration of the Jungle Conservancy lands transferred to the District Forest-officers.

5. The separation appears to have been in its origin accidental, and to have arisen from the restricted scale on which the Forest Department was first constituted. Its officers were few and confined to a few districts; but the necessity of some measures of conservancy in other places also being felt, the Jungle Conservancy, under the only agency possible, namely, the ordinary district staff, originated. Now, however, that an adequate and efficient forest staff is, it is hoped, about to be organized and maintained, the separation is no longer defensible, and should be put an end to.

6. Apart from general considerations in favor of the abolition of Jungle Conservancy as a separate institution, we think there is ground for the contention that its operations have not been very successful, and that they have done but little to secure the objects in view.

7. In their order of the 23rd January 1879, No. 186, the Government stated that the primary objects of the Jungle Conservancy "are (1) the saving of minor woods in the neighbourhood of villages from the destruction naturally following from unrestricted and ill-advised use; and (2) by proper control effected from the funds raised from the villagers, to secure to the villagers the permanent advantages of an adequate supply of fuel and of wood for building and agricultural purposes in near proximity to their villages."

8. In the South Arcot District a number of tracts of waste and scrub land have been set apart, some of which have been efficiently protected and their condition much improved. Similar work has been done in Chingleput and Nellore; but upon the whole very little has been accomplished to give effect to the intentions of Government in this respect. A portion of the revenue is derived from seigniorage and other payments on account of the produce of natural jungles; but of this revenue a fraction only has been expended upon such jungles in return. The denudation of waste lands and the deterioration of growth upon them goes on as before almost unchecked.

9. Excellent plantations of Casuarina and other trees have been formed in the Nellore and South Arcot Districts from Jungle Conservancy Funds; but, on the other hand, much money has been spent on the planting of topes, mostly of fruit-trees, designed for the convenience of villagers and travellers. Topes of trees are exceedingly useful, particularly in the more arid districts; but this is not what was originally intended, and it appears to be the almost unanimous opinion of the District Officers that much of the money spent on these topes has been wasted, and that the expenditure has been out of proportion to the results achieved. The selection of sites, as regards soil and other conditions, has often been unfortunate, and in many cases the trees have not grown and the topes have been abandoned. In some districts Collectors have recommended that the topes which remain should be sold, although it is acknowledged that they will not fetch more than a fraction of what they have cost. In some districts a large proportion of the topes has already been sold. If the money which has been expended in these efforts had been laid out with system and knowledge towards the formation and improvement of reserves of natural growth, the result, it cannot be doubted, would have been out of all proportion of greater benefit to the country.

10. It has been maintained that the Jungle Conservancy lands are managed for the benefit of the villages, while the forests are managed for the benefit of the Imperial Revenue; and that since the revenue of the Jungle Conservancy is raised from the villagers locally and on account of the use of their village jungles, it ought to be credited to a separate fund and expended on such jungles alone. Under the existing practice the legitimate requirements of the ryots are provided for without payment under the free pass rules and other concessions, and whatever revenue is yielded by village jungles is derived from seigniorage paid by outsiders, or by persons whose requirements are in excess of the legitimate scale. There is no such thing as a limitation of the use of the jungles to particular communities, or recognition of their rights to the exclusion of others. A man who pays seigniorage may cut in the lands of any village, as may be convenient or allowed, and the revenue derived from such payments is clearly at the disposal of the State. The local argument, if valid at all, would require that the localization of the revenue should be carried much further than at present, and that the revenue raised from each jungle should be spent on it and not elsewhere, which is obviously impracticable. The local principle is as much infringed when as now the money goes to a district fund, as it would be if the receipts were merged in the general forest revenue.

11. Besides the seigniorage payments the Jungle Conservancy Fund is credited with tree-tax and rents of fruit-trees and palmyras growing on Government waste

lands, on the ground that they must have been planted by the villagers. When such trees grow in forests or lands managed by the officers of the Forest or Jungle Conservancy Department, the revenue derived from them should be credited to Forests, but, when they grow on other lands, it appears to us a question whether these amounts should not rather be credited to Land Revenue. At any rate, we see no special reason for making this revenue local.

12. There seems ground for believing that the seigniorage dues are largely evaded, and, to whatever head the revenue from the minor jungles is credited, it is advisable to place them under improved administration and conservancy. We believe that properly administered they will pay their cost, and yet be improved and increased in value; and that the best mode of dealing with them is to place them under the officers of the professional department, which, we trust, will ere long be re-organized and placed on a satisfactory footing.

13. It has already been stated that in several districts the Jungle Conservancy lands are in charge of the District Forest-officer, and in one of these districts at least, namely, in South Arcot, this arrangement has had a most beneficial effect.

14. All that is wanted is to extend this system to other districts, but with two important modifications. Under existing arrangements the District Forest-officer, when in charge of Jungle Conservancy operations, submits two sets of accounts and reports, one regarding the Forests to the Conservator, and the other regarding the Jungle Conservancy lands through the Collector to the Board of Revenue. The forms of these two sets of accounts and reports, and even the classification of receipts and charges, are entirely different, and this requires double office establishments, and needlessly takes up the time and attention of the Forest-officer. The result is waste of time and money. Again, the Conservator has control in professional matters over the Imperial Forests only, and when on his tours of inspection he passes by, and has no business in the Jungle Conservancy lands, though they are often contiguous to the Forest lands with the same vegetation and general character. There is no difference, except in name, between these two classes of lands, and they should be managed on one system, by one set of officers, and should both have the advantage of professional supervision by the Conservator.

Connection of Civil and Forest Administration.

15. These remarks bring us to the consideration of certain further important changes in the organization of the forest administration, which we desire to recommend. The area now placed under the charge of the Conservator is so vast, that it is quite impossible for him to maintain the supervision and control of District Forest-officers, which are necessary to keep them up to their work and to secure energetic administration. The intervals between his tours in any district must, however active he may be, be considerable, and he cannot in existing circumstances obtain the immediate and full knowledge of the forest concerns of each district, which the directing officer, in such a matter as forest administration, ought to possess. The result has been hitherto that the District Forest-officers have been left too much to themselves, and, not feeling at hand the direction and support of a superior officer, have to some extent fallen into a position of isolation which has weakened the working of the department. Isolation of this kind is especially prejudicial to young officers during the early years of their service, in whose case the absence of official discipline at first may create habits which may mar their usefulness throughout their subsequent career. The forest establishments are not at present in a satisfactory state in all districts,—a fact which has no doubt intensified the evils which we have indicated; but even if the staff were re-organized, these evils would, we think, probably still be felt. Further, it seems to us expedient to strengthen the hands of the local Forest-officers, and to increase their influence, by bringing them into closer connection with the Land Revenue organization. We, therefore, recommend that, subject to the checks hereafter noticed, the District Forest-officers and the staff under them be made directly subordinate to the Collectors.

Former Schemes.

16. The necessity of closely connecting the administration of the forests with that of other Government lands has long been recognized in this Presidency, and attempts have been made at different times to frame an organization under which this object would be attained. By the Order of the 24th June 1872, No. 148, Collectors were made Conservators in their districts, the Conservator was appointed Inspector, and his duties were restricted to inspection and advice. This was found to work badly, and hence, in 1875, a change was made, and by the Order of Government of the 19th November 1875, No. 1062-A, the Inspector was again made Conservator, and certain rules, modelled on those framed in 1870 for the conduct of forest business in Bombay, were sanctioned. Under these rules the control of the forest work is vested in the Conservator, but his orders are communicated to the District Forest-officer through the Collector, to whom certain limited powers of interference are granted.

17. These rules have never perhaps been fully worked, and they have certainly not produced the effects desired. The separation between the Revenue and Forest organizations is still too wide. In the Bombay rules, an attempt was made to divide subjects, so that the District Forest-officer would receive his orders from the Conservator on subjects of a professional and departmental character, while in regard to other matters he would be subordinate to the Collector. This division of subjects and control is, however, artificial, and, if adopted, would in our opinion lead to friction and needless complications. In Madras, where the lands which should be placed under forest administration are, in most cases, distributed over the whole of the districts, and are not confined to remote corners, there is especial reason for uniting as closely as possible the Land Revenue and Forest Administration. The Collector being on the spot and possessing, or being able at once to obtain full local knowledge, is the fittest man to control the current work connected with forest business in his district; and the Forest-officers will gain much by association with the widely extended organization of which he is the local head, and will cease to be regarded as outsiders and oppressors of the people.

Collectors and Conservator.

18. The problem is to gain for local forest working the strength and vitality which it will derive from being placed under the control of Collectors, and at the same time to take security for continuity of action, for the adoption of correct principles of forestry, for due subordination of local to general working, for the creation and maintenance of a properly instructed and efficient staff, and for ensuring to the Conservator the position which he ought to occupy as the professional head of the department and the responsible adviser of Government in forest matters. We believe that under our scheme these objects will be attained.

19. First as to the relations between the Collectors and the Conservator. There are two matters which from the nature of the case, as requiring a comprehensive view of all districts, cannot be dealt with by Collectors. These are the finance of the Department, and the organization of the staff; and in these the Conservator must have complete authority. Further, in purely professional matters, as to which Collectors cannot be expected to possess adequate knowledge, the Conservator must be in a position to press his views. As to finance, there will, of course, be an annual budget, which will pass through the Board of Revenue and be sanctioned by Government as at present. This will be made up of district budgets; and in close connection with, and, in fact, depending on these budgets will be the annual plans of operations in each district, which will be framed by the District Forest-officer, and discussed, and probably agreed upon by the Collector and Conservator. If they differ as to the budgets and plans of operations, each will have his say, and it will be for the Board of Revenue and Government to decide. This done, the responsibility for the execution will rest with the Collector alone. The existing powers of financial control vested in the Conservator, namely, of making transfers from

district to district under "A—Working Charges" and "B—Establishments," and of sanctioning estimates for works should remain with him; but he should not have power to transfer any allotment from a district without the Collector's assent, or order of Government. If during the year the Collector desires to incur expenditure not provided in the budget, he will have to address the Conservator, who, if he approves and can find the money, will make it available. The Conservator will be kept informed of what is going on in all districts, and will be able to watch progress; but the responsibility for the due execution of the programme, and for the conduct of all district business will rest with the Collector, and not with the Conservator. The Collector, however, should not be at liberty to make transfers under "Working Charges" in his district without the Conservator's sanction.

20. As to the staff, the scale of establishments will be sanctioned by the Government, and the appointment, posting and promotion of the superior officers rests with them. The appointment, posting and promotion of Forest-rangers and Foresters should vest in the Conservator, and the appointment, posting and promotion of Forest-guards in the Collector, who will not doubt, in practice, leave these matters to his District Forest-officer. The Collector should have the power to fine and suspend Forest-subordinates, and to dismiss Forest-guards. The dismissal of Rangers and Foresters will rest with the Conservator who appoints them, but he will naturally be guided in his action by the Collectors, who are responsible for the local working and protection of the forests. It is of supreme importance that all Forest-officers, those of the subordinate as well as of the superior staff, shall possess the requisite qualifications and training, and these would not in all cases be secured, nor could the flow of promotion necessary to efficiency in the department, be maintained under a system of local selection by Collectors. In regard to Forest-rangers and Foresters therefore Collectors must accept the Conservator's decisions, though no doubt that officer will, as far as he can, consult the convenience and wishes of the Collectors in the disposal of the staff.

21. Professional matters will eventually be mainly regulated by working plans prepared for each forest. But such working plans can, as a rule, only be prepared for reserved forests, which have been completely demarcated and settled. Whenever circumstances are sufficiently advanced to justify the preparation of such working plans for any forest, the data will generally be collected and the proposals framed by a specially qualified Forest-officer, working in conjunction with the District Forest-officer and under the control of the Conservator. When completed, such working plans should be concurred in by the Collector, and if intended to regulate operations during a long series of years, they should be submitted to higher authority for sanction. No deviation from the provisions laid down in such working plans should be permitted without the Conservator's concurrence, and none should be made unless necessitated by unforeseen events.

22. But it will be a long time before the preparation of working plans for the Madras forests can be undertaken on a large scale, and the present organization must, therefore, be framed for the existing state of things. As already explained in paragraph 19, the work in each district will be regulated by annual plans of operations prepared in close connection with the budgets. Wherever working plans have been framed, these annual plans of operations must be based upon the provisions of the working plans. Where no working plans exist and until such plans have been made, the annual plan of operations must be based on the general principles of forest conservancy. These annual plans will prescribe what work is to be done in the demarcation of boundaries, road-making and other communications, fire-protection, closing forests against grazing, cultural operations, thinning and cutting, and will generally indicate all work that should be done during the year in each forest range of the district. The District Forest-officer will, under the Conservator's advice, frame the plan of operations, which, as already explained, must receive the Collector's approval. The responsibility for carrying out the plan of operations will rest entirely with the Collector, but for such deviations as may be necessitated by unforeseen events, the Conservator's consent must first be obtained.

23. In this manner the Conservator will exercise the needful control in professional matters, and maintain that continuity of action which is necessary. But in the present state of forest administration in this Presidency, it must not be expected that the annual plans of operations will be sufficient. There will be many instances in which the Conservator will find it necessary to communicate with the Collector regarding matters of a professional nature which are not provided for in the annual plans. Hence, it is indispensable that the Conservator should be kept fully informed of all that is going on, and this will enable him at any time to communicate his opinion to the Collector, and, if the matter seems of sufficient importance, to address Government or the Board of Revenue. Eventually each Collector will have at hand a professional officer of high qualifications: this will tend to diminish references by and to the Conservator, and there will then be little danger of action in a wrong direction being taken, or of the Conservator's being unable to make his professional influence felt.

Collectors and District Forest-officers.

24. The District Forest-officer and the subordinates under him must be in the fullest manner under the Collector's orders and control, and the former should receive no orders from any other authority. His head-quarters should be as a rule those of the Collector, and, under the control of that officer, he should conduct all the forest business of the district. He will be in the position of Assistant to the Collector in forest matters, and the Collector should give no orders on such matters except through him. On matters of ordinary routine the Collector will authorize the District Forest-officer to issue orders without reference to him, making such arrangements as may be necessary for such orders being reported by means of weekly abstracts. Other matters will be referred to the Collector by means of office notes. The District Forest-officer, being the head of a branch of the Collector's office, should not communicate with the Collector by official letters. He should draw up in his own hand a sufficiently full report or diary of all important business, and send it to the Collector at the close of each week. The Collector, after recording any remarks or instructions he may think fit, should send it on for the Conservator's information, and that officer should return it without delay, noting any remarks or suggestions he may have to offer. It will then go back to the District Forest-officer, the Collector, if he disagrees with the Conservator's remarks or suggestions, informing the District Forest-officer, so as to guard against action being taken of which he disapproves. In such cases he will at once inform the Conservator. When the Conservator is in camp with the District Forest-officer he will, of course, be at liberty freely to communicate to him his views and suggestions on matters of forest administration; but he should inform the Collector in writing of what passes between them. In this way the Conservator will be kept fully and promptly informed of all that goes on, and will have ample opportunity of impressing his views upon the Collectors and District Forest-officers; but all regular official business should be transacted by the Collector, and the District Forest-officer should not accept or carry out any orders which have not emanated from him.

Position of Conservator.

25. We are sanguine that the plan sketched above will be found to work well in practice, and to fulfil the conditions stated in paragraph 18. It will not, if properly understood and carried out, impose an undue burden of work upon the Collectors, who will merely have to supervise and control the work done by their District Forest-officers. On the other hand, it will relieve the Conservator of much detailed office-work, and will enable him to spend, as he should do, at least six months of every year in the forests with the District Civil and Forest Officers. During the remainder of the year, comprising the time when the budgets, the annual plans of operations, and the annual reports are under preparation, he should be at head-quarters and in constant communication with the Board of Revenue and Government. As the professional adviser of these authorities, his opinion

will of course carry great weight in the settlement of the annual schemes, and the adjustment of the claims of the several districts on the budget, as well as in all professional questions. The control of the departmental finance and organization, which we propose to reserve to the Conservator, will place him in a sufficiently influential position as head of the department; and this arrangement constitutes an essential difference between our scheme and that adopted in 1872. On the other hand, he will not dictate to Collectors, who will not be in any sense under his orders. In case of difference of opinion, he will endeavour to enforce his views by satisfying the authorities to whom Collectors are subordinate that he is in the right,—a course which he will scarcely take except in cases of importance, and when the Collectors are clearly wrong. There will be no division of power or responsibility. The Conservator will have full control and responsibility in matters of finance and organization; and the Collectors, subject to the orders of the Board of Revenue and Government, will have full executive power; the function of the Conservator in regard to the current working being mainly that of advice. We believe that, in fact, differences of opinion between the Collectors and Conservator will be rare, and we would urge that it is in no way a necessity that they should take opposite views on forest matters. Hereafter when an efficient staff, consisting of superior and subordinate officers who know their profession, and a complete organization have been formed, and when a good forest law and good rules made under it have been brought into operation, it may be possible to make such changes as further experience may suggest. One practical result may, at any rate, be counted on to follow from our scheme, namely, that it will tend to unite the subordinate Civil and Forest Establishments; and if this is accomplished, the administration of forests will no longer be considered as a thing apart from the administration of the other Government lands.

Subordinate Officers.

26. We have hitherto said nothing as to the relations between the subordinates of the Revenue and Forest Departments, nor as to the position, in regard to forest administration, which should be assigned to Divisional Officers, that is, Sub-Collectors and Assistants. We do not think it possible or desirable to lay down any definite rules on these subjects, as we are of opinion that it is better to leave them to the discretion of the Collector, who will be responsible for the executive work of forests in his district, and who may be trusted to make the best use he can of the whole agency under his orders. As to Divisional Officers, it is the practice for Collectors to keep them informed of all matters relating to their divisions; and if any Divisional Officer shows particular aptitude or liking for, or desire to co-operate in, forest work, the Collector will no doubt be only too glad to make such arrangements as will admit of his assistance being utilized to the full. As regards Tahsildars and Forest-rangers, we think no definite rule can be laid down. We would only say that reserved forests should be under the exclusive control of Forest-officers; and that the latter should have a voice in regard to the grant for cultivation of any land under Conservancy. The alienation on patta of land which, as provided in the Forest Bill, is to be declared reserved, is forbidden; but temporary occupation of such land on lease is permitted, and as regards such leases Forest-officers should have a voice, under such arrangements as the Collector may make. Land not reserved, but to which rules under the Act will be made applicable, may be granted on patta, and we think that darkhasts for these lands (which will be defined and known in all cases) should go to the Tahsildars through the Forest-rangers; and if these officers differ, through the District Forest-officer to the Collector or Divisional Officer, as may be prescribed. Cultivation without darkhast in any land under conservancy should be strictly prohibited; and Village Officers should be held responsible for preventing it, and for bringing it to notice if it occurs. As regards the enforcement of the Conservancy Rules, of course, all officers of Government will co-operate; but no doubt special obligations in this matter will attach to forest-subordinates.

There may be some districts in which it may not be expedient to introduce the system here proposed, and in which it may be preferable to invest the Conservator

with full control over the forest administration. These, however, will be special and exceptional cases. As a rule, and in most districts the plan here suggested should be introduced.

Prosecutions for Forest-offences.

27. Only one other point we think calls for notice. Under the orders of Gov-
G.O., No. 1148, dated the 3rd June 1878. ernment quoted in the margin, it has, for
" " 528, " the 12th March 1881. some time past, been the practice to report
" " 1663, " the 13th Aug. " all forest-offences to the Collector, and
to obtain his sanction before prosecutions
are instituted. Assuming that the Forest Bill now submitted becomes law in the
shape in which it has been drafted, it will probably not be any longer necessary
to retain these orders in force. In most districts the Forest-officer has hitherto
occupied a position apart from the district authorities. It was necessary, therefore,
that his proceedings in instituting prosecutions should be supervised; but when the
Forest Act is in force and the District Forest-officer becomes, as it is proposed he
shall become, the Collector's Assistant for forest matters, it will no longer be
expedient that this procedure should be continued.

28. Under the Bill as drafted, the District Forest-officer has a defined position
in regard to forest-offences. He will, if he is authorized by Government to do so,
be able to hold preliminary enquiries, and to exercise his discretion as to whether
he will prosecute an offender, or will accept compensation for the offence and release
him, or withdraw any charge which may already have been brought before a Magis-
trate. If the Collector does not place sufficient confidence in his District Forest-
officer to allow him to act in these matters without supervision, it will be open to
him to require a report before prosecutions are instituted, but ordinarily it will
probably be sufficient if the District Forest-officer's proceedings are reported to
the Collector in weekly abstracts.

29. Moreover, when the procedure for dealing with forest-offences has been
laid down by law, and the punishments which may be inflicted are clearly defined,
it will, it is submitted, be unnecessary even for the District Forest-officer to inter-
fere except in cases of importance. In ordinary cases of a trivial character it will
suffice, if subject to the control of the District Forest-officer over his subordinates,
and that of the District Magistrate over the Subordinate Magistrates and Police,
the law be allowed to take its course.

Conclusion.

30. The suggestions submitted in this report relate, *first*, to the amalgamation
of Jungle Conservancy with Forest Administration, and, *second*, to the relations of
Civil and Forest Officers. In regard to the second point, it may be useful to
recapitulate our proposals. Subject to the control of Government, the Collector
will carry on the current business of forest administration in his district, and
in this he will, as far as practicable, be guided by the advice of the Conservator,
who will be held responsible for the formation and maintenance of efficient establish-
ments, and for all professional and financial matters. The District Forest-officer
will receive all his orders from the Collector, and the Conservator will have no
authority to issue direct orders to the District Forest-officer. The Conservator
will be the adviser both of Government and the Collectors, and certain definite
powers will be given to him in regard to those branches of business for which he
is held responsible. Accordingly, the Conservator will spend part of his time at the
head-quarters of Government, and part on his inspection tours in travelling through
the forests with Collectors and District Forest-officers. Throughout the year he
will be kept promptly informed of all that goes on in each district by means of
the District Forest-officers' weekly reports. While on tour he will embody the
result of his inspections in notes or other communications, which will be addressed
to the Collector, and which will not necessarily be submitted for orders to the
Government or to the Board of Revenue. It is acknowledged on all sides that the
system, which has existed for some time, under which no action was taken on the

Conservator's inspection reports until they had been considered by the Board of
Revenue and Government, has not tended to favor progress in forest administration.
As far as the Collector sees fit to do so, he should authorize the District Forest-
officer to take action at once on the Conservator's inspection reports and on other
communications from that officer, and a reference to higher authority should only
be made in those cases in which the Collector and Conservator are unable to recon-
cile their views. Action must be prompt and continuous, otherwise no progress will
be made in the work. There is no reason why these inspection reports should not,
if so desired, be sent to Government for information; but, as a rule, and subject to
the prescribed course in case of difference of opinion, action should be taken upon
them by the Collector, as far as he is competent or sees fit to do so.

31. If the suggestions here submitted are accepted, and if the Forest Act is
passed as proposed, it will be found that there will be no uncertainty regarding the
relative functions of Government, the Board of Revenue, the Collector, the Conser-
vator and the District Forest-officer. They are clearly defined by the provisions
of the Bill, by the existing rules regarding sanction of establishment and expendi-
ture generally, and by the suggestions of the present report.

We have considered whether we should append a set of rules to this report, but
have decided not to do so. The plan submitted by us for the consideration of
Government must first be worked out and developed by actual experience, before an
attempt can be made to regulate business by a rigid set of rules. The chief point
which we desire to urge is, that Collectors and the Conservator should cordially
co-operate in the matter of forest administration. If this point is fully understood
and acted upon, Collectors and the Conservator will find no difficulty in adapting
their action to the requirements of the case. We are of opinion that at the outset
the system must be elastic. Rigid rules prematurely introduced will rather impede
business if found inapplicable. After the system has been perfected by actual
experience, it will then be possible and most useful to draw up a set of rules.

W. S. WHITESIDE, *Collector of North Arcot.*

W. LOGAN, *Collector of Malabar.*

H. E. STOKES, *Collector of Salem.*

D. BRANDIS, *Inspector-General of Forests, on Special Duty.*

J. CAMPBELL-WALKER, *Major, Conservator of Forests.*

READ—the following letter from the Secretary to the Government of Madras, to the
Secretary to the Government of India, No. 1014, dated 23rd September
1882:—

I am directed to submit, for the information of His Excellency the Governor-
General in Council, copy of a report on
the organization of Forest Business,
drawn up by the Committee appointed
by G.Os. 24th March and 2nd May
1882, Nos. 333 and 446, respectively,
in which Mr. Brandis was President,
together with a note by him, on the
financial aspect of the proposed amalga-
mation of Forests with Jungle Conser-
vancy.

Forest, No. 74.

Enclosure I—

Report on organization of Forest Business.

Enclosure II—

Note on Financial aspect of amalgamation of
Forests with Jungle Conservancy.

2. The recommendations of the Committee relate first to the amalgamation of
Forests with Jungle Conservancy and, secondly, to the relative position of Forest
and Civil Officers. Both these proposals have the concurrence of this Government,
and in regard to the latter they propose to take action shortly. The former,
however, it is necessary to refer for the consideration and final orders of the
Government of India in consequence of the important financial question involved.

3. The Right Honorable the Governor in Council concurs with Mr. Brandis in thinking that the present establishment must be numerically strengthened in order to place the Forest Department on a satisfactory basis, and in view to give effect to this and other proposals of the Inspector-General, has decided that the amalgamation of the two funds, which have hitherto been separately administered, is essential.

4. The receipts of the Jungle Conservancy Fund for the last five years have averaged Rs. 2,06,000, and in 1880-81 reached Rs. 2,35,691; the Forest revenue of the same year being Rs. 4,86,716, and the average Forest revenue for the last five years not exceeding Rs. 4,11,127. A surplus of nearly 3½ lakhs now stands to the credit of the former fund, which is classed in the public accounts as entirely "Local"; Forests (Revenue and Expenditure) being half Imperial and half Provincial. Mr. Brandis has reported as the result of his inquiries, that if the demarcation of reserves and their more efficient protection and management be carried out as provided by the Forest Act, there will be no surplus available for many years to come even in the event of the two funds being amalgamated, and in this view of the case the Government concurs. Without the relief which the proposed measure is calculated to afford, it is evident that Forest administration must result in a considerable deficit so that the question of its expediency may be considered as disposed of, and it only remains to decide how it may best be given effect to. In consultation with Mr. Brandis, the Government have come to the conclusion that, in consideration of the large amount of revenue to be surrendered from "Local", and in view to simplification of accounts and efficiency of administration, the entire provincialisation of the amalgamated receipts and charges would be an equitable and satisfactory arrangement, and as the utmost that can be hoped for for some years to come is the maintenance of a bare equilibrium, it is thought that the proposal will commend itself to the favorable consideration of the Government of India.

5. The Inspector-General of Forests is at present engaged in preparing a scheme for the reorganization of the superior and subordinate staff of the Forest Department, but, as some little time may elapse before it can be submitted by this Government of India, immediate sanction is solicited, at the urgent instance of Mr. Brandis, for the temporary employment of two Madras Civil Servants on the pay and allowances shown in the margin.

Pay	...	...	...	Rs.
Travelling Allowance	...	...	...	900
				150

(Signed) E. F. WEBSTER,
Secretary to Government.

READ—the following letter from R. LOGAN, Esq., Officiating Under Secretary to the Government of India, Department of Finance and Commerce, to the Chief Secretary to the Government of Madras, dated Simla, 24th October 1882, No. 4464:—

I am directed to acknowledge the receipt of Mr. Webster's letter, No. 1014, dated the 23rd ultimo, forwarding copy of a report on the organization of Forest Business, Madras, drawn up by a Committee, of which Mr. Brandis, Inspector-General of Forests, was President, together with a note by him on the financial aspect of the proposed amalgamation of Forests with Jungle Conservancy.

2. In reply, I am to say that the Government of India have no objection to the proposed amalgamation of the revenue and expenditure of the Jungle Conservancy Fund with the Provincial Finances, and that the amalgamation may take effect from the beginning of the current financial year. X

The other proposals are—

- (a) the provincialisation (after amalgamation) of all Forest revenue and expenditure which is now Imperial, and
- (b) the temporary appointment of two passed Civilians as District Forest officers on Rs. 900 each per mensem with a consolidated travelling allowance of Rs. 150 a-month.

As regards (a) the Governor-General in Council sanctions the whole of the Forest revenue and expenditure being provincialised, with effect from the beginning of the current year. The arrangement will continue until the present provincial contract with the local Government comes to an end.

The appointment of two passed Civilians to the Forest Department on the terms proposed, is also sanctioned in anticipation of the approval of the Secretary of State.

Endorsement.

Copy, with copy of the letter to which it is a reply, forwarded to the Home Department and the Accountant-General, Madras.

(Signed) R. LOGAN,
Offg. Under Secy. to the Govt. of India.

ORDER—dated 16th November 1882, No. 1259, Revenue.

Forest, No. 89.

The foregoing papers will be communicated to the Board of Revenue, the Accountant-General and the Conservator of Forests, who will arrange forthwith to give effect to the sanction accorded for the amalgamation of Forests with Jungle Conservancy and the provincialisation of the whole of Forest revenue and expenditure, with effect from the beginning of the current financial year.

2. The proposals submitted by the Civil and Forest Administration, the other cognate matters are accepted, and the Board of Revenue and the Conservator of Forests are directed to take the necessary steps to carry them into effect.

3. The Forest Budget for 1883-84 at the actuals of the current year will need revision, and the Conservator is directed to forward a fresh budget framed with reference to Mr. Brandis' financial forecast, dated the 9th September 1882.

(True Extract.)

M. M. Thiruv.
Secretary to Government.

To the Board of Revenue, with two enclosures.
" Accountant-General, with two enclosures.
" Conservator of Forests, with two enclosures.
" Financial Department.

Erd. W. H. French.

100 Copies.

Gobt. of (1882) Madras.
REVENUE.

BOARD'S GOV. REG. NO. 43/6 OF 1882

Issued

Recd.

Encl.

G.O., 16th November 1882, No. 1259.

*recd 31 Dec
1882*

NOVEMBER.