

(1) Number of pages 18(2) Date of repair 31.3.1962.(3) Initials of the Referencer my
S.M.P.P. 2

MADRAS RECORD OFFICE

Government of Madras

Revenue

DEPARTMENT

G.O. No.

610

Press

B.P. No.

Mis.

Dated

24.6.1887

195

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue (Land Revenue), dated 12th May 1887, Forest No. 268 :—

Read—the following letter from A. PINTO, Esq., Special Deputy Collector on Forest Settlement duty, Chingleput, Madura and Tinnevely districts, to the Collector of Chingleput, dated Saidapet, 31st March 1887, Neg. No. 90-G :—

With reference to Revenue Board's Proceedings, Forest No. 128, dated 3rd March 1887, I have the honor to inquire how the Forest-officer is to authorise his subordinate to represent him, whether by order addressed to the subordinate himself, or by letter addressed to the Forest Settlement-officer, or by duly stamped vakalatnamah.

2. Rule 5 under section 63 (b) of the Forest Act provides for claimants appearing by pleader or agent, but requires stamped authority in such cases. The rules are silent about the Forest-officer appearing by agent or ~~pleader~~. It would be convenient if a rule were added empowering the Forest-officer to appoint an agent or deputy to represent him at the forest inquiries, and prescribing the manner in which such appointment is to be made, i.e., whether by means of an order to the deputy, or letter to the Court, or by stamped authority. I write this because I fear that unless the rule acquires the force of law under section 64 of the Forest Act, it will be open to question by the adverse party.

Endorsement by E. C. JOHNSON, Esq., Acting Collector of Chingleput, dated Pulicat, 14th April 1887, No. 41.

Forwarded, in original, for the orders of the Board of Revenue.

The omission brought to notice by the Forest Settlement-officer seems to call for an addition to the rules, though I do not apprehend any difficulty from adverse parties objecting to the appearance of any Forest-officer whom the Settlement-officer may see fit to give a hearing to.

2. The "Forest-officer" of rule 1 under section 63 (b) is apparently the District Forest-officer, but "the Forest-officer attending the inquiry" (rule 1) can only, I think, be an officer appointed under section 4 of the Forest Act (compare section 14). It seems to me very doubtful whether, under the law or rules as they at present stand, he can delegate his powers as contemplated in Board's Proceedings, Forest No. 128 of 3rd March 1887.

Endorsement by Lieutenant-Colonel I. CAMPBELL WALKER, Conservator of Forests, Southern Circle, dated Ootacamund, 23rd April 1887, No. 256.

Submitted for consideration and orders.

2. The "Forest-officer" of rule 1, section 63 (b), referred to by the Collector, was a misprint for "Forest Settlement-officer," which has been corrected (*vide* Board's Proceedings, dated 30th June 1886, Forest No. 364); the rules in the District Forest office, Chingleput, are evidently not corrected to date, which I find is too commonly the case.

3. I have always held that a District Forest-officer appointed under section 4 of the Forest Act to represent Government at the settlement cannot delegate his powers; but, if he cannot be present, he can, as represented by the Conservator, Northern

Circle, in a marginal note printed with Board's Proceedings, Forest No. 128 of 3rd March 1887, always reduce his objections or arguments to writing and delegate a subordinate to explain matters more fully on the spot to the Forest Settlement-officer if necessary. This course has indeed been frequently adopted in the Southern Circle, notably in cases in which Divisional officers (Revenue Department) were conducting settlement in different localities in the same district at the same time.

4. I deprecate any delegation of powers to any officer below the rank of Sub-Assistant Conservators, but a rule might be framed legalising the deputation of a subordinate in the manner above indicated which would give him a proper legal status before the Forest Settlement-officer.

Resolution—dated 13th May 1887, Forest No. 268.

The Board resolve to ask Government to sanction a new rule 7 (c) to the rules for the guidance of Forest Settlement-officers, viz., 7 (a) "If the District Forest-officer is unable to attend the inquiry before the Forest Settlement-officer, he may forward to the Forest Settlement-officer any statement he may wish to make in writing, with any documents he may desire to put in. The District Forest-officer may, in such cases, if he wishes, depute a subordinate to explain, if necessary, the statement submitted by him. In such cases the officer so deputed should not be below the rank of a Sub-Assistant Conservator."

(A true Copy and Extract.)

(Signed) M. HAMMICK,
Acting Secretary.

To the Secretary to Government, Revenue Department.

Copy to the Conservator of Forests, Southern Circle.
" " Collector of Chingleput.
" " Conservator of Forests, Northern Circle.
" " Examiner of Forest Accounts.

READ—also the following Proceedings of the Board of Revenue (Land Revenue), dated 13th June 1887, Forest No. 340:—

Read—the following letter from the Conservator of Forests, Southern Circle, to the Secretary to the Commissioners of Land Revenue, dated 4th June 1887, No. 580:—

Referring to Proceedings, Forest No. 268 of 13th May, I have the honor to represent that the last part of the Board's proposed rule, restricting the deputation of a subordinate to the class of Sub-Assistant Conservator, would render the rule virtually inoperative, as the number of officers in that class is very limited and several of them are at present in charge of forest divisions.

2. The Board would appear to have misinterpreted my meaning which was that whilst I deprecated the delegation of the powers of a District Forest-officer representing Government at settlement to an officer below the rank of Sub-Assistant Conservator, any competent subordinate conversant with the circumstances and localities might be deputed to attend and explain the District Forest-officer's note and wishes if required to do so by the Forest Settlement-officer.

3. I would therefore suggest that the words "in such cases the officer so deputed should not be below the rank of a Sub-Assistant Conservator" be omitted from the proposed rule as unnecessary and inexpedient.

Resolution—dated 13th June 1887, Forest No. 340.

Submitted to Government with reference to Board's Proceedings, dated 13th May 1887, Forest No. 268. The Board misunderstood Colonel Campbell Walker's proposal in the first instance.

2. At the same time they think that if the District Forest-officer is himself unable to attend the Forest Settlement-officer's court he should send a subordinate of as high a grade as possible to represent him. A Sub-Assistant Conservator may not always be available as the Conservator points out, but a ranger should in that case be sent. The Board think therefore that the last sentence of the proposed new rule may run thus:—"In such cases the officer so deputed should be a competent subordinate, conversant with the locality and not below the rank of a Sub-Assistant Conservator or Ranger."

3. The deputation should be by letter addressed to the Forest Settlement-officer.

(A true Copy and Extract.)

(Signed) M. HAMMICK,
Acting Secretary.

To the Secretary to Government, Revenue Department.

ORDER—dated 24th June 1887, No. 610, Revenue.

Forest, No. 85.

The proposed new rule is approved subject to the substitution of "Forest-officer" for "District Forest-officer" and

will be notified in the *Port St. George Gazette*.

2. It is to be understood that the Forest-officer appointed to represent Government should always endeavour to attend the inquiry before the Settlement-officer in person, and that this authority to delegate his powers should be exercised only on very special and exceptional occasions.

(True Extract.)

(Signed) J. F. PRICE,
Ag. Secretary to Government.

To the Commissioners of Land Revenue,
the Superintendent, Government Press.

NOTIFICATION.

His Excellency the Governor in Council is pleased to direct the following addition to the rules issued under section 63 of the Madras Forest Act (V of 1882):—

Rule 7 (a).—If the Forest-officer is unable to attend the inquiry before the Forest Settlement-officer he may forward to the Forest Settlement-officer any statement he may wish to make in writing with any documents he may desire to put in. The Forest-officer may, in such cases, if he wishes, depute a subordinate to explain, if necessary, the statement submitted by him. In such cases the officer so deputed should not be below the rank of a ranger.

Exd. W

50 Copies.

Original
Govt. of (1887) Madras
REVENUE.

Issued

Recd.

Encl.

G.O., 24th June 1887, No. 610.

JUNE.

Rules for the guidance of Forest
Settlement-officers.

The proposed rule 7 (a) to the —, approved
and ordered to be notified in the Port St. George
Gazette.

BOARD OF REVENUE (LAND REVENUE), 13TH MAY 1887, FOREST No. 268.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

READ—the following letter from A. PINTO, Esq., Special Deputy Collector on Forest Settlement duty, Chingleput, Madura and Tinnevely districts, to the Collector of Chingleput, dated Saidapet, 31st March 1887, Reg. No. 90-G.:

With reference to Revenue Board's Proceedings, Forest No. 128, dated 3rd March 1887, I have the honor to inquire how the Forest-officer is to authorize his subordinate to represent him, whether by order addressed to the subordinate himself, or by letter addressed to the Forest Settlement-officer or by duly stamped vakalatnamah.

2. Rule 5 under section 63 (b) of the Forest Act provides for claimants appearing by pleader or agent, but requires stamped authority in such cases. The rules are silent about the Forest-officer appearing by agent or deputy. It would be convenient if a rule were added empowering the Forest-officer to appoint an agent or deputy to represent him at the forest inquiries, and prescribing the manner in which such appointment is to be made, i.e., whether by means of an order to the deputy, or letter to the court, or by stamped authority. I write this because I fear that unless the rule acquires the force of law under section 64 of the Forest Act, it will be open to question by the adverse party.

Endorsement by E. C. JOHNSON, Esq., Acting Collector of Chingleput, dated Pulicat, 14th April 1887, No. 41.

Forwarded, in original, for the orders of the Board of Revenue.

The omission brought to notice by the Forest Settlement-officer seems to call for an addition to the rules, though I do not apprehend any difficulty from adverse parties objecting to the appearance of any Forest-officer whom the Settlement-officer may see fit to give a hearing to.

2. The "Forest-officer" of rule 1 under section 63 (b) is apparently the District Forest-officer, but "the Forest-officer attending the inquiry" (rule 7) can only, I think, be an officer appointed under section 4 of the Forest Act (compare section 14). It seems to me very doubtful whether, under the law or rules as they at present stand, he can delegate his powers as contemplated in Board's Proceedings, Forest No. 128, of 3rd March 1887.

Endorsement by Lieutenant-Colonel I. CAMPBELL WALKER, Conservator of Forests, Southern Circle, dated Ootacamund, 23rd April 1887, No. 256.

Submitted for consideration and orders.

2. The "Forest-officer" of rule 1, section 63 (b), referred to by the Collector, was a misprint for "Forest Settlement-officer," which has been corrected (*vide* Board's Proceedings, dated 30th June 1886, Forest No. 364); the rules in the District Forest office, Chingleput, are evidently not corrected up to date, which I find is too commonly the case.

3. I have always held that a District Forest-officer appointed under section 4 of the Forest Act to represent Government at the settlement cannot delegate his powers; but, if he cannot be present, he can, as represented by the Conservator, Northern Circle, in a marginal note printed with Board's Proceedings, Forest No. 128, of 3rd

March 1887, always reduce his objections or arguments to writing and delegate a subordinate to explain matters more fully on the spot to the Forest Settlement-officer if necessary. This course has indeed been frequently adopted in the Southern Circle, notably in cases in which Divisional officers (Revenue department) were considering settlement in different localities in the same district at the same time.

4. I deprecate any delegation of powers to any officer below the rank of Sub-Assistant Conservators, but a rule might be framed legalizing the deputation of a subordinate in the manner above indicated which would give him a proper legal status before the Forest Settlement-officer.

Resolution—dated 13th May 1887, Forest No. 268.

The Board resolve to ask Government to sanction a new rule 7 (a) to the rules for the guidance of Forest Settlement-officers, viz., 7 (b) "If the District Forest-officer is unable to attend the inquiry before the Forest Settlement-officer, he may forward to the Forest Settlement-officer any statement he may wish to make in writing, with any documents he may desire to put in. The District Forest-officer may, in such cases, if he wishes, depute a subordinate to explain, if necessary, the statement submitted by him. In such cases the officer so deputed should not be below the rank of Sub-Assistant Conservator."

(A true Copy and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department.

Copy to the Conservator of Forests, Southern Circle.

" " Collector of Chingput.

" " Conservator of Forests, Northern Circle.

" " Examiner of Forest Accounts.

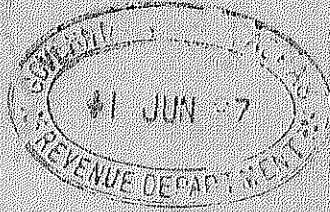
REVENUE DEPARTMENT.

1887.

Board of Revenue

(Land Revenue),

MADRAS.



Printed May 11th.

Rd. = June

Proceedings, dated 13th May 1887,
Forest No. 268.

Requesting Government to sanction the proposed rule 7 (a) to the rules for the guidance of Forest Settlement-officers.

BOARD OF REVENUE, (LAND REVENUE), 13TH JUNE 1887, FOREST No. 340.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

J. H. GARSTIN, Esq., C.S.I.

READ—the following letter from Lieutenant Colonel I. CAMPBELL WALKER, Conservator of Forests, Southern Circle, to the Secretary to the Commissioners of Land Revenue, dated Ootacamund, 4th June 1887, No. 580:—

Referring to Proceedings, Forest No. 268, of 13th May, I have the honor to represent that the last part of the Board's proposed rule restricting the deputation of a subordinate to the class of Sub-Assistant Conservator would render the rule virtually inoperative, as the number of officers in that class is very limited and several of them are at present in charge of forest divisions.

2. The Board would appear to have misinterpreted my meaning which was that whilst I deprecated the delegation of the powers of a District Forest-officer representing Government at settlement to an officer below the rank of Sub-Assistant Conservator, any competent subordinate conversant with the circumstances and localities might be deputed to attend and explain the District Forest-officer's note and wishes if required to do so by the Forest Settlement-officer.

3. I would therefore suggest that the words "in such cases the officer so deputed should not be below the rank of a Sub-Assistant Conservator" be omitted from the proposed rule as unnecessary and inexpedient.

RESOLUTION—dated 13th June 1887, Forest No. 340.

Submitted to Government, with reference to Board's Proceedings, dated 13th May 1887, Forest No. 268. The Board misunderstood Colonel Campbell Walker's proposal in the first instance.

2. At the same time they think that if the District Forest-officer is himself unable to attend the Forest Settlement-officer's court he should send a subordinate of as high a grade as possible to represent him. A Sub-Assistant Conservator may not always be available as the Conservator points out, but a Ranger should in that case be sent. The Board think therefore that the last sentence of the proposed new rule may run thus—"In such cases the officer so deputed should be a competent subordinate conversant with the locality and not below the rank of a Sub-Assistant Conservator or Ranger".

3. The deputation should be by letter addressed to the Forest Settlement-officer".

(A true Copy and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department.

Copy to the Conservator of Forests, Southern Circle.
" " Collector of Chingleput.
" " Conservator of Forests, Northern Circle.
" " Examiner of Forest Accounts.

Exd. A. Aubert.

Order no. 11/6
The proposed new rule is approved, subject to the substitution of 'Forest Officer' for 'District Forest Officer', and will be notified in the Fort St. George Gazette.

2. It is to be understood that the Forest Officer appointed to represent Govt. should always endeavour to attend the inquiry before the Settlement Officer in person, and that the authority to delegate his powers should be exercised only on very special and exceptional occasions.

1/11/87
The Council of Land Revenue
1st Supdt. Fort St. George
50/4

No. 4275

REVENUE DEPARTMENT.

1887.

Board of Revenue

(Land Revenue)

MADRAS.



Printed June 14.

Proceedings, dated 13th June 1887,
Forest No. 340.

gobind 24 8 87

Submitting to Government, with remarks,
letter from the Conservator of Forests, Southern
Circle, suggesting certain alteration in the pro-
posed rule 7 (a) of the rules for the guidance
of Forest Settlement-officers.

Revenue 1887. Sept
Board of Revenue.
MADRAS.
(Land Revenue).



To The Secretary Government
Revenue Department

Proceedings, dated 13th June 1887.
Forest No. 340

Subject.

Subm. to Government
with remarks. Letter from
the Conservator of Forests,
S.B. suggesting certain
alteration in the proposed
rule 7(a) of the Rules for the
guidance of Forest
Settlement Officers.

For orders.

Submitted that this modi-
fication of the proposed new
rule may be accepted.
This paper may be read with
Ch. 4243 the order on which
has already been passed.
The words "Sub Assistant Con-
servator or" are unnecessary
as a Ranger is of lower rank

Notification.

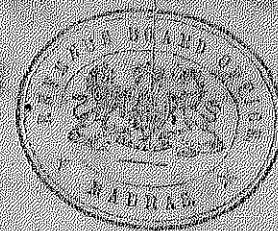
4-5. The Secretary in Council
is pleased to direct the
following addition to the
rules issued under Act 68 of
the Madras Forest Act (1882).

Rule 7(a). If the District Forest
officer is unable to attend the
inquiry before the Forest Settlement
officer, he may forward to the
Forest Settlement officer any
statement he may wish to
make in writing with any
documents he may desire to
put in. The Forest officer
may, in such cases, if he wishes
defer a subordinate to
explain, if necessary, the
statement submitted by him.
In such cases the officer

1
to disputed should not be below
the rank of a ^{Junior} Sub-Assistant
Conservation?

W.S.

Notification.



Proceedings of the Board of Revenue (Land Revenue)
(Land Revenue).

Dated 13th June 1887.

Forest No. 340.

READ the following letter from the Conservator of Forests,
Southern Circle, to the Secretary to the Commission
of Land Revenue, dated 4th June 1887, at 5.

Referring to Proceedings Forest No. 268 of
13th May I have the honor to represent that the last
part of the Board's proposed rule restricting
the deputation of a subordinate to the class
of Sub-Assistant Conservator would render the
rule virtually inoperative as the number of
Officers in that class is very limited and
several of them are at present in charge of

Forest Divisions

2. The Board would appear to have
misinterpreted my meaning which was that
whilst I deprecated the delegation of the
powers

powers of a District Forest Officer represent-
ing Government at Settlement to an
Officer below the rank of Sub-Assistant
Conservator, any competent subordinate
conversant with the circumstances and
localities might be deputed to attend
and explain the District Forest Officer's
note and wishes if required to do so
by the Forest Settlement Officer.

3. I would therefore suggest that the
words "In such cases the Officer so deputed
should not be below the rank of a sub-
assistant conservator" be omitted from the
proposed rule as unnecessary and in-
expedient.

Resolution:

Submitted to Government
with reference to Board's Proceedings, dated
19th May 1897; Forest No. 268. The Board
misunderstood Col. Campbell Walker's proposal
in the first instance.

2. At the same time they think that
if the District Forest Officer is himself
unable to attend the Forest Settlement
Officer's Court he should send a subordinate
of as high a grade as possible to represent
him. A sub-assistant conservator may
not always be available as the conservator
points out, but a Ranger should in that
case be sent. The Board think
therefore that the last sentence of
the proposed new rule may run thus:
"In such cases the Officer so deputed
should be a competent subordinate,
conversant with the locality and not
below the rank of a sub-assistant
conservator or Ranger."

3. The deputation should be
by letter addressed to the

of Forest

Direct Settlement Officer

(True copy & contract)

Acting Secretary

To, The Secretary to Government,
Revenue Department

De.

De.

De.

De.