

Revenue (1896) Department.

MISCELLANEOUS SERIES.

G.O., No. 4102

DATED 13th October 1896.

[Despatch Abstract.]

Recording with remark H. P. passing orders
on the question raised by the Cal. of Godanail
in respect of the power of commanding forest
offences by the Forest officers.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Revenue (1896) Department.

CURRENT No. 6792

DEPARTMENT

600
13/10



The Hon Mr. G. S. C. I. E.

41028/13 October 1896
Order nisi
11/10/96

From The Board of Revenue
Land Revenue
Forest Branch

Recorded

2. The Board's
presumption in
para 2 of its Pro.
read above is
correct.

No. 391

Dated 27 August 1896

Received 21.9.96

Registered 21.9.96

Enclosures

Spare copies

To the Board L.R. 17-10

SUBJECT.

The sentence referred in the original draft about the question raised by the the K. S. (W. Camp) who was probably Coll. of Godavari in whose name the notification having respect of the power of the force of law decided the matter to Compound forest offence by the forest officers.

can 21/9/96

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BOARD OF REVENUE (LAND REVENUE), FOREST No. 391, 27TH AUGUST 1896.

READ—the following letter from V. A. BRODIF, Esq., Collector of Godávári, to the Secretary to the Commissioners of Land Revenue (through the Conservator of Forests, Northern Circle), dated Cocanada, 30th July 1896, R. C. No. 1286 :—

I have the honour to call your attention to a sentence under paragraph 13, Forest offences, of Government Order, Forest No. 5, dated 22nd January 1895, communicated in Board's Proceedings, Forest No. 113, dated 26th February 1895. The sentence runs as follows :—

"Government observes that in no instance was the power of compounding exercised by an officer below the rank of a District Forest-officer, and desires that this practice should not be departed from in the future."

2. From records in this office there appears to be reason to doubt the universal correctness of the first part of the sentence, as Mr. Ward has had the power of compounding offences within his sub-division of Bhadrachalam since the time that he assumed charge ; I therefore request to be informed whether in light of the concluding portion of the sentence the present practice should be at once abandoned or not. If the present system is abolished, the Sub-Divisional officer will have to forward his proposals for compounding offences to the District Forest-officer and await his approval before taking action, the delay may be considerable as the postal communication with Bhadrachalam, especially during the monsoon months, is most indifferent. I submit that offences if compounded at all, should be compounded with as little delay as possible, as they are usually trivial, a lapse of a fortnight or more precludes summary action and the benefit which the petty offender thereby derives.

3. Any way I would suggest, as a special case, that the present Sub-Divisional officer retains his power of composition until further orders, as apart from the above considerations, Mr. Ward has a thorough knowledge of the country and the people of Bhádrachalam and would appear to be in the best position to decide whether an offence should be compounded or not.

Endorsement by A. W. PEET, Esq., Conservator of Forests, Northern Circle, dated Madgole, 15th August 1896, R. C. No. 375.

In forwarding, I would very strongly recommend that an exception be made in the case of Mr. Ward, who is a very reliable and experienced officer, and knows more about the conditions of Bhádrachalam than any one else.

RESOLUTION—Forest No. 391, dated 27th August 1896.

The classes of officers empowered to compound offences under section 55 of the Forest Act (V of 1882) are specified in the Notification issued by Government on 27th August 1884—*vide* Board's Proceedings, No. 3401-Forest No. 307, dated 26th September 1884. This notification is still in force and may be acted upon. By a notification issued under Government Order, No. 1016, dated 3rd October 1892, it was extended to Extra Assistant Conservators.

2. BOARD OF REVENUE (LAND REVENUE), FOREST No. 391, 27TH AUGUST 1896.

2. The Board believes that the remark in paragraph 13 of Government Order, No. 31, Revenue, dated 22nd January 1895, reviewing the Administration Report for 1893-94 was not intended to over-ride the notifications of August 1884 and October 1892 which have the force of law. It is desirable that Rangers and other subordinates should not be entrusted with this power, but the same objections do not apply to officers of the controlling staff.

(True Copy and Extract.)

Reccan
Acting Secretary.

To all Collectors and Conservators.

Copy to the Secretary to Government, Revenue Department.

REVENUE DEPARTMENT.

1896.

Board of Revenue

(Land Revenue),

MADRAS.

Printed September 15.

Proceedings, Forest No. 391, 27th
August 1896.

Passing orders on the question raised by the
Collector of Godavari in respect of the power of
compounding forest offences by the Forest officers.

When given for copying _____
When copied _____
When examined _____
When signed _____

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READ AGAIN G.O., No.
189

DATED

ENCLOSURES TO O. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILLED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

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