

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 3837

DATED 24th July

[Despatch Abstract.]

Referring to the Collector of ^{District} ~~Araxa~~ ^{Araxa} who
the Board ^{for ~~revenue~~ revenue} has draft rules to regulate the
transit of timber in the district

BACK PAPERS.

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C. No. 2555 of 98 to 305 25-5/98							



Revenue (1897) Department.

CURRENT No. 5454

From

The Board of Revenue, Land Revenue
Madras

Order

Forest No. 610 Misc.

Dated 25th June 1897

Received 1-7-97

Registered 3-7-97

Enclosures

Spare copies

SUBJECT.

to
Submitting Government with remarks
for approval and publication in
the Port Saint George Gazette draft
rules to regulate ~~timber~~ the transit
of timber in the Kistna District.

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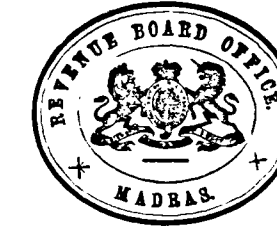
BACK PAPERS.

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3,000
10-12-96.



Proceedings of the Board of Revenue

(Land Revenue)

Forest NO 610 Misc, dated 25th June 1897.

Read again Board's Proceedings Forest NO 415 Rout., dated 29-7-96, informing the Collector of Kistna that the rules under sections 55 and 56 of the Madras Forest Act approved in B.P F.NO 687 of 17-12-95 are only draft ones on the model of which rules should be framed for particular localities and requesting him to submit the draft rules for his District at an early date.

Read again Board's Proceedings Forest NO 152 Misc, dated 16th February 1897, considering that Timber Transit Rules for Kistna District under section 55 of the Madras Forest Act are necessary and requesting the Collector of that District to submit a draft of the rules at an early date.

Read endorsement of the Conservator of Forests Northern Circle, forwarding the following letter from the Collector of Kistna, dated 18th April 1897, Cur.NO 2715, to the Secretary to the Commissioners of Land Revenue, Madras.

With reference to Board's Proceedings Forest NO 152 Misc, dated 16th February 1897, I have the honor to forward herewith a draft set of timber transit rules for the approval of the Board.

It was already explained in this office Dis NO 1737 dated 7th January 1897 to the Board that no restrictions relative to import and export were necessary; but what is absolutely necessary is the rules to enforce the recovery of Government Forest permits.

The true copy of the District Forest Officer's note accompanying, explains how the sample rules of the Board (please vide Proceedings Forest NOs. 752/30-11-94 and 415/29-7-96) have been departed from.

Resolution

Resolution.

In his letter disposed of in the Progs. of the 29th July 1896 read again above, the Collector of Kistna enquired whether the timber transit rules framed under sections 35 and 36 of the Madras Forest Act and approved in Government Order NO 707 dated 29th October 1895/ should be given effect to at once. The Board pointed out that the rules referred to were only model rules with reference to which rules were to be framed for particular localities and submitted for the approval of Government as already directed in para 2 of the G.O. With his letter embodied in the Board's Proceedings of the 16th February last the Collector forwarded a copy of his order under rule 10 of the rules under section 36 of the Forest Act and stated that with a slight modification the order in question would suit the circumstances of his District as no restrictions were called for in regard to import and export of timber to and from the Presidency or District or private lands. The Collector was informed that as his "order" applied only to lands at the disposal of Government not included in Reserved Forests transit rules under section 35 are necessary, and he was accordingly requested to submit a draft which he forwarded with the letter last read above.

The proposed rules are accompanied by a note from the District Forest Officer showing how far they vary from the model rules. The rules have as observed by the Conservator evidently been drafted with the view of avoiding as much inconvenience to the public as possible. They are, however, subject to the following remarks:-

(a) It is not clear why the sub-clause to the preamble of the model rules, defining the term, "timber" for the purposes of these rules has been omitted in the Collector's proposed rules. The proposed rules seem to have been taken from the draft submitted to Government with B.P. F. NO 753, dated 30th November 1894 which does not contain the sub-clause. The Board considers that it must be inserted.

(b) "Or Reserved Lands" must be struck out of the Collector's Rule 1. All Reserved Lands will eventually be Reserved Forests and in the meantime there must be many cases in which the boundaries of Reserved Lands are not well known.

(c) The words "or other produce" occurring in Rule 2 of the Collector's rules should be deleted as the rules relate to transit of - the same rule the word "sections" should be substituted

For "paras".

(d) In rules 7, 8 & 9 for "produce" the word "timber" should be substituted for the reasons explained in the preceding item.

(e) The words "issuing officer" in the heading of the Form referred to in the draft Rule 3 should be replaced by the words "owner or his authorised agent" (vide G.O. NO 206 dated 26th March 1897). It is not known whether the omission in the Collector's Form 1, of the foot-note entered in the model Form 11, regarding the currency of the Permit is intentional or otherwise. The Collector's ~~xx~~ attention will be drawn to it and the Board ^{would} ~~will~~ leave it optional with him to insert it.

5 A fresh draft of the rules revised with reference to the foregoing remarks will be submitted to Government for approval and publication in the Fort Saint George Gazette.

(True ^{copy} Extract)

M. K. Reddy

Acting Secretary

To the Secretary to Government, P.D. with (Collector's rules and D.F.O.'s Office note) and Board's draft rules and Form. (~~to be returned~~)
To the Collector of Kistna thro' the Conservator, N.C.

The Hon: Mr. Goss C. 22.

Done
24/7/97

22/7/97

22/7/97

22/7/97

Read C. no 5454 of 97

Order misc. no. 3837 of 24th July 97

The Govt observes
that the D.F.O's criticisms
on which the Collector's pro-
posals are based ^{have} ~~were~~ made
on the ^{which is erroneous} ~~very~~ supposition
that it ^{the Govt} ~~had~~ accepted the draft
model rules submitted by the
Board of Rev. with its Progs
for no 732 of 30th Nov: 1896
These rules ^{have} ~~had been~~ carefully
revised and everything that
^{might possibly} ~~was considered~~ to work hard-
ship on the people ^{which} ~~assisted~~
therefrom before they were ac-
cepted by Govt. In the case of
the draft ^{now} rules submitted,
the Conservator himself does
^{appear to doubt that they will} ~~not appear to be quite sure~~
^{of their success} ~~of their being successfully worked~~
and in any case, the Govt
does not consider that ^{at present} ~~the~~
^{the} ~~great~~ reasons ^{now put before it are insufficient} ~~have been adduced~~
^{to justify} ~~for~~ such a total departure from
the model rules ~~being made~~
as ^{that} ~~is~~ now proposed by the Collector
The intention of Govt, however,
is

is not that the model rules should be conformed to in all particulars but that they should as far as possible be adapted to the special requirements of each district, full and satisfactory reasons being assigned for all deviations therefrom.

The Collector should accordingly be directed to ^{report more fully} ~~revises~~ the rules ^{if necessary} with reference to the foregoing remarks and to ^{submit them} ~~submit them~~ to Govt at an early date.

Wm
17.7.97

The Board of Rev: & and Rev: ^{with lines}
note

The proposed rules are altogether different from the model rules which after very long deliberation ^{were} ~~was~~ issued by Govt in Oct 1895. Neither the D.O nor the Collector seems to have been aware of the existence of the latter. As it is, it is submitted, no comparison can

It may be that in the peculiar circumstances of the Kistna District considerable deviation from the model rule, with justified but full reasons should be given

submit revised rules

C & D

can be instituted ~~to~~ between the two sets of rules. Draft rule 3 is inconsistent with the orders contained in para 11C of G.O. no 707 Rev: of 29th Nov: 1895. There does not further seem to be any objection to allowing the provisions of the model rules in regard to the registration of property marks (rule 7 on page 22 of the G.O.) being embodied in the new rules. The Board's draft rule was no doubt objectionable as it required the payment by the person who wanted to register his property mark to pay a heavy fee, but this was not accepted by Govt.

Wm
17.7.97

The rules proposed by the District do away with any restriction ^{as to contents} as to contents. As the Commissioner in his ~~last~~ remarks has fully placed confidence in the provincial staff. But the District bases his rules on some objection to draft rules which the Govt did not sanction. He does not report on the change of policy which the proposed rules involve

Wm
17.7.97

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

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READ AGAIN G.O., No.
 189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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