Revenue (1898) Department.

PRESS SERIES.

G.O., No. 305

Dated 25 May.

[Despatch Abstract.]

Timber Transit Rules.

Approving, with remarks, the revised rules for the Kistna district, and ordering their publication in the Fort St. George and the Kistna Dt. Gazette.

BACK PAPERS.

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Government (1898) of Madras.

REVENUE.

Read. } 1898. *Enclosures*

Regd. } *Spare copies*

G.O., No. 305, 25th May 1898.

MAY.

Timber Transit Rules.

Approving, with remarks, the revised — for the Kistna district, and ordering their publication in the Fort St. George and the Kistna District Gazettes.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—again G.O., Mis. No. 3837, Revenue, dated 24th July 1897.

Abstract.—Returning to the Collector of Kistna, through the Board, for reconsideration and revision, if necessary, the draft rules to regulate the transit of timber in the district.

Read—also the following Proceedings of the Board of Revenue (Land Revenue), Forest No. 90, dated 8th March 1898:—

Read—again Proceedings of the Board of Revenue (Land Revenue), Forest Mis. No. 766, dated 3rd August 1897:—

Abstract.—Communicating to the Collector of Kistna, for early report, which should be submitted through the Conservator of Forests, Northern Circle, Government Order returning to the Collector of Kistna through the Board for re-consideration and revision, if necessary, his draft rules to regulate the transport of timber in the district.

Read—also the following letter from R. MORRIS, Esq., Acting Collector of Kistna, to the Secretary to the Commissioners of Land Revenue (through the Conservator of Forests, Northern Circle), dated Masulipatam, 29th October 1897, Dis. No. 1080-Forest:—

With reference to Government Order, Mis. No. 3837, dated 24th July 1897, embodied in Board's Proceedings, Forest Mis. No. 766, dated 3rd August 1897, I have the honour to forward herewith a revised set of rules under sections 35 and 36 of the Forest Act for the control of export, import and transit of timber from, to or in the district.

2. I have adhered as far as possible to the sample rules sanctioned by the Government.

3. It will be noticed that in Board's Proceedings, dated 16th May 1894, Forest No. 314, Mr. Peet strongly advocated the collection of all permits after use. The Conservators of the other circles declared that although this was an object much to be desired, it seemed impracticable. In May 1894, Mr. Lushington suggested to the Acting Collector Mr. Rawson that the collection might be made feasible if village officers were made the collecting officers, instead of issuing officers, of forest permits. He suggested that *any* village head might collect the permits and might utilise the services of any other village officer to help him; that every month a check statement should be sent by the Range officer through the Tahsildar to each village head showing what permits ought to have been collected in his village, and giving him five days in which to complete the collection. As there are upwards of 1,500 villages in the district and on the average about six village offices this arrangement creates 9,000 tannahdars or collecting officers, in the place of 37 ordinary tannahdars as there were before, and affords the greatest possible facility to permit-holders to give up their permits in the proper time. Mr. Rawson expressed his entire approval of the scheme, but ordered it to lie over for the decision of Mr. Atkinson, the permanent Collector then on leave. Mr. Atkinson likewise expressed his entire approval; and a Collector's order to this effect was promulgated under the rules under section 26 of the

Forest Act. This arrangement has therefore been in force now for three and quarter years, and has worked with considerable success; and has therefore been inserted at the end of rule 6 of the Timber Transit Rules now proposed. Between 95 and 96 per cent. of the permits are now collected, and of the balance the greater portion have been reported as lost, and therefore cancelled, within the date of expiry, in accordance with the provision now made. Hardly quarter per cent. of the permits were neither given up nor duly reported as lost and cancelled; and in the circumstances it may be said that the collection of permits after use is quite feasible.

4. The introduction of this regulation into the rules is the principal departure from the sample rules. The area under "Scheduled districts" is therefore larger than in most districts, and comprises the whole of the Government taluks, so as to make any person to select any village head as the officer to whom he will hand up his permit within the prescribed time. Rule 6 also has been modified to meet the requirements of this regulation.

5. At present it is considered unnecessary to have checking stations elsewhere in the district; but it may be found later that such stations are necessary to regulate the import of timber; and the sample rules have been adopted to meet that contingency.

6. The regulation referred to in paragraph 3 obviates the necessity of specifying certain large towns with checking tannahs.

7. It has been deemed advisable to modify the rule relating to the form of Government permits. The ordinary timber or firewood permits will generally meet all requirements without having another special form. When timber taken from the forest has already once been checked, it can be considered as private timber, and can be passed on the private pass (Form II). To prevent undue interference with timber imported by sea (*e.g.*, teak from Burma) to Masulipatam, it has been deemed advisable to allow the bill of lading or ship's manifesto, checked by the Port Officer, to hold good.

Endorsement by A. W. PEET, Esq., Conservator of Forests, Northern Circle, dated Camp, Bangalore, 28th December 1897, Ref. on C. No. 856.

In forwarding I have the honour to remark that I returned the draft sent originally with this letter because it was not very clear. This original draft with its marginal notes is enclosed for information, and a formal draft is sent for orders. It seems to me that this provides for what is wanted in the Kistna district, where village officers and not tannahdars recover permits.

Resolution—Forest No. 90, dated 8th March 1898.

Submitted to Government with reference to Government Order, Mis. No. 3837, dated 24th July 1897.

2. In the above order the Government observed that the rules under sections 35 and 36 of the Forest Act for the Kistna district, submitted with Board's Proceedings, Forest Mis. No. 610, dated 25th June 1897, involved a total departure from the model transit rules sanctioned in Government Order, No. 707, dated 29th October 1895, and desired that a full report in justification of such deviation should be submitted and the rules revised, if necessary. The Collector has now drawn up a set of draft rules revised with reference to the remarks of Government, but the Conservator has again recast them following the model rules as far as local circumstances admit. The Board proceeds to consider the Conservator's draft.

3. The main difference between the proposed rules and the model rules consists in the fact that in the former provision is made in rule 6 for the recovery of all permits by village officers. It is true that, as pointed out by the Collector, the other two Conservators considered this to be impracticable, but in the peculiar circumstances of the Kistna district where a large staff is maintained as issuing officers in connection with the *parcellaire* system of grazing, and where the village officers are utilized as collecting

officers, the difficulty anticipated by the other Conservators is not likely to occur. As a matter of fact the arrangement in question has been in force in the district for upwards of three years in connection with the rules under section 26 of the Forest Act and is said to have proved successful; and there is no reason to suppose that it will not work satisfactorily in connection with the transit rules.

4. It is observed that the Collector considers it unnecessary at present to have checking stations outside the scheduled areas. Provision has, however, been made in the rules empowering the Collector to fix such stations when the necessity to regulate the import of timber arises. There seems to be no objection to this course.

5. The Conservator's proposed rules are open to the following remarks:—

(*a*) In the preamble to the rules the Conservator has omitted to provide for the exemption of timber removed under the concession granted in rule 7 of the general rules under section 26 of the Forest Act. The omission has been supplied by the Board.

(*b*) It is understood that Conservator's rule 1 has been incorrectly copied. It should run thus:—"It shall not be lawful to import timber into or export timber from the Kistna district, except by the routes specified in schedule A appended to these rules and unless accompanied by a permit as specified in rule 4."

(*c*) Conservator's rule 3 is made very general by the inclusion of villages and towns in the scheduled area. It has not been explained how the timber removed into a town is to be checked outside it. The Collector states in paragraph 6 of his letter that provision having been made for the recovery of all permits by village officers there is no necessity for providing large towns with checking tannahs. The Board understands that it is intended to enter in the column of remarks in Form No. I the village (adjoining the town) to the head of which the permit should be handed over. As regards private timber imported into towns the Collector promises in paragraph 5 of his letter to notify checking stations later on. The Board has no objection to the retention of the rule as proposed by the Conservator.

(*d*) The concluding sentence of rule 4 does not find place in the model rules and has been inserted to protect imports by the sea. The forms referred to in this rule have not been submitted by the Conservator. They have been added in the Board's office.

(*e*) In rule 6 the first sub-clause (viz.) "It shall not be lawful to use . . . writing of the District Forest-officer" has been newly added by the Conservator. There is no particular objection to the sub-clause in question and the Conservator has informed the Board that it has been inserted to provide against misunderstandings. For the same reason the Board considers that the sub-clauses 4, 5 and 6 may be retained.

(*f*) The word "removed" in line 2 of rule 7 should be altered into "moved" to correspond with the word used in the model rules and in section 35 of the Forest Act. Form III for the certificate of registration referred to in this rule was not forwarded by the Conservator and the omission has been supplied by the Board.

6. A final draft of the rules revised with reference to the foregoing remarks together with schedules and forms is appended to these Proceedings. The Board requests that the rules may be published in the *Fort St. George Gazette*.

7. It is observed that the list of private lands given in the margin of the Conservator's rule 4 and the note at the foot of his schedule A are obviously not intended to be printed with the rules and the schedules. The Board has accordingly omitted them in the draft as revised by it.

(True Copy and Extract.)

(Signed) R. C. C. CARR,
Secretary.

To the Secretary to Government, Revenue Department,
with Collector's and Conservator's draft rules in original.

Order—No. 305, Revenue, dated 25th May 1898.

Forest No. 89.

The revised timber transit rules for the Kistna district, now submitted, are approved and will be published in the Fort St. George and the Kistna District Gazettes, subject to the following additions and alterations:—

(1) *Preamble.*—In line 2, after the word "India," the words "or Burma" will be inserted.

(2) *Rule* 1.—In the heading of the rule the word "Presidency" will be corrected into "District."

(3) As in the case of the Kurnool rules, the following rule prescribing the time when the new rules shall come into force will be added at the end as rule 10:—

"These rules shall come into force on the expiry of thirty days from the date of their publication in the District Gazette."

(True Extract.)

(Signed) G. S. FORBES,
Ag. Secretary to Government.

To the Board of Revenue (Land Revenue).
„ the Superintendent, Government Press.

Ed. W. D'Most.

40 Copies.

APPENDIX.

Timber Transit Rules, Kistna District.

Preamble.

Under sections 35 and 36 of the Madras Forest Act (V of 1882), His Excellency the Governor in Council is pleased to make the following rules.

In these rules timber includes all classes of timber as defined in the Madras Forest Act (V of 1882), except timber not grown in India or Burma; timber cut up or fashioned otherwise than is usually or permissibly done before timber is removed from the forest in which it has been felled; timber removed under the concession granted in rule 7 of the general rules under section 26 of the Forest Act, and small wood for fuel in quantities less than one head-load:—

1. *Import and export of timber from and to localities outside the district.*—It shall not be lawful to import timber into or export timber from the Kistna district except by the routes specified in schedule A appended to these rules and unless accompanied by a permit as specified in rule 4.

2. *Transit of timber within specified areas.*—It shall not be lawful to import timber into export timber from or move timber within, the areas specified in schedule B appended without a permit as specified in rule 4.

3. *Import of timber into towns and villages.*—It shall not be lawful to move timber into any of the towns or villages within the areas specified in schedule B unless accompanied by a permit as specified in rule 4; and without reporting it at the station mentioned in the permit.

4. *Forms of Permits.*—In the case of timber from Government land the permit shall be a printed one in form I appended; or in such forms as may be issued from time to time by the Board of Revenue for timber and firewood; in the case of timber from private lands expressly notified by the Collector from time to time in the District Gazette, the permit shall be a printed one in form II appended and supplied by the District Forest-officer free of charge; and in the case of timber from all other private lands and from foreign territory, the permit may be printed or written and shall also be in form II. In the case of timber imported by sea into the port of Masulipatam the Bill of Lading and Manifesto received from the steamer or ship by the Port officer shall serve the purpose of a permit under this rule.

5. *Issue of Permits.*— Permits in form I shall be issued in triplicate except in the case of head-loads of firewood and shall have all the columns filled up by a duly authorized officer who shall sign and date each part, hand over the original to the purchaser, send the duplicate to the officer in charge of the Forest referred to therein, and keep the triplicate attached to the book as a counterfoil for record in his office.

Permits in form II (whether printed or written) shall be in duplicate and shall have the columns filled up by the owner or his authorized agent; the original shall be handed over to the person authorized to move the timber and the duplicate shall be kept as a counterfoil for at least six months from the date of issue and shall be produced for inspection at any time within that period on the application of any Forest officer not under the rank of Forester.

6. *Check of Permits.*—The permits referred to in the preceding rules shall, in the case of imported timber and timber for export, be produced with the timber for examination at any station which may be notified from time to time by the Collector in the District Gazette as a checking station and past which the timber may be taken; and in the case of timber in transit, the permit shall be produced anywhere within the limits of the scheduled areas when demanded by any Revenue, Forest or Police officer or at any of the checking stations notified by the Collector outside the scheduled areas past which the timber is taken, provided that it shall not be lawful to take any timber offered to pass from, any road or river on which a checking station has been placed with intention to evade the production of the timber at a checking station. The quantity of timber under transit must not be greater than that entered in the permit; and if it is less, the same permit must not be used again to cover the deficiency.

It shall not be lawful to use a permit of any description after the date of expiry has elapsed nor to use it more than once within its period of duration, without the permission in writing of the District Forest-officer.

In the case of permits for import or export, or transit completely through the district as soon as the timber has been checked with the permit and found to be correct, the permit shall be endorsed under the signature of the officer checking it with the words "checked and passed" and the endorsement shall be dated, and the permit be handed over to the person producing it to cover the timber during further transit through protected tracts. Whenever possible, the timber may also be marked with a pass hammer-mark.

The checking stations for timber in transit shall not be more than five miles distant from the outer limits of the scheduled areas, except in cases in which it is considered necessary to guard against smuggling from unreserved lands into towns, or in places which afford special facilities for the regulation of traffic, such as the meetings of road and water communication. In these exceptional cases the sanction of the Board must be obtained before the checking station is notified. No demand shall be made for the production of a permit outside the scheduled areas, except at the checking stations.

In the case of timber taken from one to another part of the scheduled areas, the permit shall be given up to the checking officer of the village entered on the permit within the date of expiry; or if the permit is lost that fact must be communicated to the checking officer before the date of expiry; and the checking officer will report the fact to the District Forest-officer for cancellation, to prevent its being used again.

The permit-holder is at liberty to have his timber checked, and permit collected at any village in the scheduled areas, and may have the name of that village inserted on the permit; but, after he has once taken his permit, the name of the village of the checking officer must not be altered without the consent of the District Forest-officer.

The checking officer will ordinarily be the head of the village, but the Collector may, by notification in the District Gazette, appoint any other person to perform the duties of checking officer.

7. *Use of property-marks—Registration of property-marks.*—The ownership of timber imported or exported for trade purposes or moved within protected areas may be indicated by a property-mark. All such property-marks shall be registered at the District Forest office, provided that the District Forest-officer may refuse registration and may cancel the registration of any property-mark if he considers that such property-marks cannot easily be distinguished from a Government mark or from a property-mark used by another person or for other good and sufficient reason which shall in every case be placed upon record by the District Forest-officer and submitted for the approval of the Collector. A certificate of registration in form III appended shall be granted by the District Forest-officer to the person registering.

8. *Date up to which the registration of property-marks has effect.*—Registration and each renewal of registration shall hold good from the date thereof until the 1st April following the date of registration.

9. Any person who moves, exports or imports timber in contravention of Rules 1, 2 or 3; refuses to deliver up a pass when demanded or to subject timber for examination in accordance with the provisions of rule 6; or, being a holder of land within any area described in schedule B, refuses to give or cause to be given a pass to cover timber grown on his land and exported from such area, or gives or causes to be given a pass not containing the prescribed particulars or one not in the form prescribed, or refuses to produce for inspection on the application of a Forest officer not below the rank of a forester, the duplicate of a pass issued in accordance with Rule 5; or neglects, in contravention of Rule 7, to register at the District Forest office any property-mark that he may have adopted shall be liable to imprisonment for a term which may extend to one month or to fine which may extend to Rs. 200 or both.

10. These rules shall come into force on the expiry of thirty days from the date of their publication in the District Gazette.

Appendices.

Schedule A.

Routes—

1. Nizam's State Railway.
2. East Coast Railway.
3. Local Fund road—Munagala-Bezwada *viâ* Garikipad, Sher Mahammedpet, Gavaravaram, Nandigáma, Kanchakacherla, Ketanakonda, Ibrampatam.
4. Local Fund road—Tiruvur-Ibrampatam *viâ* Dasullapalem, Mailavaram and Kondapalli.
5. Local Fund road—Ellore-Bezwada *viâ* Viravalli and Gannavaram.
6. Local Fund road—Pondugal (*alias* Ayyagaripalem), Piduguralla *viâ* Dáchépalle.

Schedule B.

Palnad taluk, Vinukonda taluk, ~~Narsaraopet taluk, Dápatla taluk, Tenali taluk,~~ Guntúr taluk, Sattenapalle taluk, Nandigáma taluk, Bezwada taluk, ~~Gudiváda taluk and Bandur taluk.~~

COUNTERFOIL TO BE RETAINED BY THE ISSUING OFFICER.

Form I.

Permit No.

Under Section 35 *of the Madras Forest Act.*

1. Name and residence of the person to whom the permit is granted.
2. Quantity.
3. Description of timber.
4. Fees paid, if any.
5. Marks, if any, on the timber.
6. From what forest or depôt removed.
7. To what place removed.
8. Route.
9. Time allowed.
10. Remarks.

Date

Camp

Signature of issuing officer.
Designation.

DUPLICATE.

(To be sent to the officer in charge of the Forest.)

Form I.

Permit No.

Under Section 35 *of the Madras Forest Act.*

1. Name and residence of the person to whom the permit is granted.
2. Quantity.
3. Description of timber.
4. Fees paid, if any.
5. Marks, if any, on the timber.
6. From what forest or depôt removed.
7. To what place removed.
8. Route.
9. Time allowed.
10. Remarks.

Date

Camp

Signature of issuing officer.
Designation.

No.

Form I.

Permit No.

Permit for the $\frac{\text{export}}{\text{transport}}$ of timber from Government forests.

Under Section 35 *of the Madras Forest Act.*

Name and residence of the person to whom the permit is granted.	Quantity.	Description of timber.	Fees paid, if any.	Marks, if any, on the timber.	From what forest or depôt removed.	To what place removed.	Route.	Time allowed.	Remarks.
1	2	3	4	5	6	7	8	9	10

Date

Camp

Signature of issuing officer.
Designation.

DUPLICATE TO BE RETAINED BY THE OWNER OR HIS AUTHORISED AGENT.

Form II.

Permit No.

Under section 35 *of the Madras Forest Act.*

1. Name and residence of the person to whom the permit is granted.
2. Quantity.
3. Description of timber.
4. Marks, if any, on the timber.
5. From what forest or land removed.
6. To what place removed.
7. Route.
8. Time allowed.
9. Remarks.

Date

Station

Note.—The time to be entered in column 8 shall not exceed two months except with the special permission of the District Forest-officer or other authorized officer.

Form II.

Permit No.

Permit for the $\frac{\text{import}}{\text{export}}{\text{transport}}$ of timber from private lands or from foreign territory.

Under Section 35 *of the Madras Forest Act.*

Name and residence of the person to whom the permit is granted.	Quantity.	Description of timber.	Marks, if any, on the timber.	From what forest or land removed.	To what place removed.	Route.	Time allowed.	Remarks.
1	2	3	4	5	6	7	8	9

Date

Station

Signature of the person granting the permit.

Note.—The time to be entered in column 8 shall not exceed two months, except with the special permission of the District Forest-officer or other authorized officer.

FORM III.

Certificate of Registration.

Under rule 7 of the rules under section 35 of the Madras Forest Act.

Name of person registering.	Description of device or property-mark.	Date of registration or renewal.	Remarks.
1	2	3	4

CERTIFIED that , residing at

has { registered / renewed } the above device or property-mark for the official year ending 31st March 189 .

District Forest office, } 189 . } District Forest-officer.

(COUNTERFOIL TO BE RETAINED BY THE ISSUING OFFICER.)

FORM III.

Certificate of Registration.

Under rule 7 of the rules under section 35 of the Madras Forest Act.

1. Name of person registering.

2. Description of device or property-mark.

3. Date of registration or renewal.

4. Remarks.

CERTIFIED that , residing at

has { registered / renewed } the above device or property-mark for the official year ending 31st March 189

District Forest office, } 189 . } District Forest-officer.

REVENUE DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 305, REVENUE, DATED 25TH MAY 1898.

[SUBJECT.—*Kistna Timber Transit Rules.*]

READ—again G.O., Mis. No. 3837, Revenue, dated 24th July 1897.

Read—also Board's Proceedings, No. 90, Forest, dated 8th March 1898.

To Under Secretary—

With its Proceedings No. 610, Forest, dated the 25th June 1897, the Board of Revenue submitted for the approval of Government rules under sections 35 and 36 of the Forest Act (Madras) for the purpose of regulating the transit of timber in the Kistna district. In the order read again above, the Government observed that the rules submitted by the Board involved a total departure from the model transit rules approved in G.O., No. 707, dated 29th October 1895, and desired that a full report in justification of such deviation should be submitted and that the draft rules should be revised if necessary. With reference to the above remarks of Government the Board now submits a revised set of draft rules (printed as an appendix to the Board's Proceedings) and requests that they may receive the sanction of Government.

2. As remarked by both the Collector of Kistna and the Board, the principal difference between the draft rules now submitted and the model rules occurs in rule 6 regarding the check of permits. The draft rule and the model rule are shown side by side below for facility of comparison—

Paragraph 4 of the Collector's letter.
Paragraph 3 of the Board's Proceedings.

Rule 6 of the Draft Rules at pages 5 and 6 of the Board's Proceedings.	*Rule 6 of the Model Rules in G.O., No. 707, dated 29th October 1895.*
(*Clause I*).—The permits referred to in the preceding rules shall, in the case of imported timber and timber for export, be produced with the timber for examination at any station which may be notified from time to time by the Collector in the District Gazette as a checking station and past which the timber may be taken; and in the case of timber in transit the permit shall be produced anywhere within the limits of the scheduled areas when demanded by any Revenue, Forest or Police officer or at any of the checking stations notified by the Collector outside the scheduled areas past which the timber is taken, provided that it shall not be lawful to take any timber off or to pass from any road or river on which a checking station has been placed with intention to evade the production of the timber at a checking station. The quantity of timber under transit must not be greater than that entered in the permit; and if it is less, the same permit must not be used again to cover the deficiency.	(*Clause I*).—Same as in the draft rules.
(*Clause II*).—It shall not be lawful to use a permit of any description after the date of expiry has elapsed nor to use it more than once within its period of duration without the permission in writing of the District Forest officer.	.....

Rule 6 of the Draft Rules at pages 5 and 6 of the Board's Proceedings—cont.	*Rule 6 of the Model Rules in G.O., No. 707, dated 29th October 1895*—cont.
(*Clause III*).—In the case of permits for import or export, or transit completely through the district, as soon as the timber has been checked with the permit and found to be correct, the permit shall be endorsed under the signature of the officer checking it with the words "checked and passed" and the endorsement shall be dated, and the permit be handed over to the person producing it to cover the timber during further transit through protected tracts. Whenever possible, the timber may also be marked with a pass hammer-mark.	(*Clause II*).—As soon as the timber has been checked with the permit and found to be correct, the permit shall be endorsed under the signature of the officer checking it, with the words "checked and passed," and the endorsement shall be dated, and the permit be handed over to the person producing it to cover the timber during further transit through protected tracts. Whenever possible, the timber may also be marked with a pass hammer-mark.
(*Clause IV*).—The checking stations for timber in transit shall not be more than five miles distant from the outer limits of the scheduled areas, except in cases in which it is considered necessary to guard against smuggling from unreserved lands into towns, or in places which afford special facilities for the regulation of traffic, such as the meeting of road and water communication. In these exceptional cases the sanction of the Board must be obtained before the checking station is notified.	(*Clause III*).—Same as clause IV of the draft rule, excluding its last sentence.
No demand shall be made for the production of a permit outside the scheduled areas except at the checking stations.	(*Clause IV*).—Same as the last sentence of clause IV of the draft rule.
(*Clause V*).—In the case of timber taken from one to another part of the scheduled areas the permit shall be given up to the checking officer of the village entered on the permit within the date of expiry; or if the permit is lost that fact must be communicated to the checking officer before the date of expiry; and the checking officer will report the fact to the District Forest officer for cancellation to prevent its being used again.	.....
(*Clause VI*).—The permit-holder is at liberty to have his timber checked and permit collected at any village in the scheduled areas, and may have the name of that village inserted on the permit; but, after he has once taken his permit the name of the village of the checking officer must not be altered without the consent of the District Forest officer.	.....
(*Clause VII*).—The checking officer will ordinarily be the head of the village, but the Collector may, by notification in the District Gazette, appoint any other person to perform the duties of checking officer.	.....

On comparing the draft rule with the model rule it will be observed that the difference between them consists mainly in the fact that in the draft rules provision is made for the recovery of all permits by village officers. With reference to this special provision, it is stated that in 1894 the Conservator of Forests, Northern Circle, strongly advocated the collection of permits after use, but that the Conservators of the two other circles, while admitting that it was an object much to be desired, considered it impracticable. In the peculiar circumstances, however, of the Kistna district where a large staff was maintained as issuing officers in connection with the *parcellaire* system of grazing, the collection of permits by village officers was thought feasible, and as a matter of fact it would seem

Paragraph 3 of the Collector's letter.

that the village officers have been utilised as collecting officers for upwards of three years in connection with the rules under section 26 of the Forest Act. The arrangement in question is reported to have proved successful, and the Collector proposes that the same arrangement may be continued in connection with the transit rules, and has accordingly provided in rule 6 for the check and recovery of permits by village officers (clauses 5, 6 and 7). The Board sees no reason to suppose that the arrangement referred to will not work satisfactorily in connection with the transit rules. It is submitted that the Board's view may be concurred in, and the provision in question approved.

Paragraph 3 of the Board's Proceedings.

The introduction of the special provision referred to above accounts for the fact that the "scheduled" area is much larger, comparatively speaking, than in most of the districts for which transit rules have as yet been passed. All the Government taluks have been scheduled (*vide* schedule B) so as to allow a person to select any village head as the officer to whom he will hand up his permit within the prescribed time. It will also be observed that the Collector * considers it unnecessary at present to have any checking stations outside the scheduled areas. Provision has, however, been adopted (*vide* clauses 1 and 4 of draft rule 6 which correspond with clauses 1, 3 and 4 of the model rule) from the model rules to empower the Collector to fix such stations whenever the necessity to regulate the import of timber arises. As the Board states, there would seem to be no objection to this course.

* Paragraph 5 of his letter.

Paragraph 4 of the Board's Proceedings.

The second clause of draft rule 6 does not occur in the model rules. The Board states that the Conservator has informed it that the clause in question has been inserted to provide against misunderstandings and that it sees no particular objection to its retention. It is, however, submitted that the meaning of the phrase "nor to "use it more than once within its period of duration" is not apparent, at any rate not free from ambiguity. The clause under consideration does not occur in any of the sets of transit rules which have as yet been passed for use in particular districts of the Presidency. It is submitted that there seems to be no clear necessity for the clause but there seems to be no harm in it and under a system of collecting the permits it may perhaps be useful.

G.S.F.

The third clause of draft rule 6 is the same as the second clause of model rule 6 except that the words "in the case of permits for import or export, or transit "completely through the district" which occur at the beginning of the former do not occur in the latter. This is apparently because the case of timber taken from one to another part of the scheduled area is separately provided for in the draft rule (clause 5).

Yes.

G.S.F.

3. In the last paragraph, rule 6 of the draft rules has been compared in detail with the corresponding model rule. The other rules, with the exception of rule 3, do not involve any departure of importance from the model rules.

(*a*) The *preamble and rules* 1, 2, 7, 8 *and* 9 have been reproduced from the model rules and do not call for any remarks except that in the heading of rule 1 the word "district" should be substituted for the word "Presidency."

N.E.M.

(*b*) With reference to *rule* 3, which is made very general by the inclusion of villages and towns within the scheduled area, the Board observes as follows:—

Paragraph 5 (*c*) of the Board's Proceedings.

"It has not been explained how the "timber removed into a town is to be checked outside it. The Collector states in "paragraph 6 of his letter that provision having been made for the recovery of all "permits by village officers there is no necessity for providing large towns with "checking tannahs. The Board understands that it is intended to enter in the "column of remarks in form No. I the village (adjoining the town) to the head of "which the permit should be handed over. As regards private timber imported into

"towns the Collector promises in paragraph 5 of his letter to notify checking stations "later on." The Board has no objection to the retention of the rule. It is submitted that the rule may be allowed to stand.

G.S.F.

(*c*) *Rule* 4.—(i) The words "or in such forms as may be issued from time to "time by the Board of Revenue for timber and firewood" which occur in lines 2 and 3 of this rule do not occur in the corresponding model rule. It is submitted that there seems no objection to the proposed addition.

G.S.F.

(ii) The concluding sentence of this rule, "In the case of timber imported "by sea into the port of Masulipatam the bill of lading and manifesto received from "the steamer or ship by the Port officer shall serve the purpose of a permit under "this rule," does not find a place in the model rule and has been inserted to protect inports by sea. The Collector gives as an instance of such imports, "teak from Burma" (paragraph 7 of his letter); but it is submitted that the instance is not an appropriate one, inasmuch as timber imported from *Burma will rarely or never be timber grown in India*, and as such will be specially exempted by the preamble from the operation of the rules. It is perhaps unnecessary to call the Collector's attention to this point. Coming to the proposed addition itself, it is submitted that the clause is unobjectionable and will serve an useful purpose, and may therefore be allowed to stand.

Is not Burma India?

N.E.M.

It forms part of British India by statute but not "India" proper.

P.N.M.

I would add in the preamble "except timber not grown in India or Burma."

G.S.F.

N.E.M.

G.S.F.

(*d*) *Rule* 5.—The words "except in the case of headloads of firewood" have been inserted in the first clause of *rule* 5. No explanation is furnished for this exception, which is apparently an unimportant one. There would seem to be no objection to the retention of the phrase referred to.

G.S.F.

(*e*) It is submitted that a rule may be added to the draft rules showing the date when they come into force, as has been done in the case of the Kurnool transit rules (*vide* rule 11 at page 6 of G.O., No. 695, dated 4th December 1896).

G.S.F.

P.E.
14–4–98.

P.N.M.
7–5–98.

To Secretary—

The important point for orders is whether Government will accept the principle of draft rule 6 (the collection of all permits). The case is fully stated in paragraph 3 of the Collector's letter and paragraph 3 of the Board's Proceedings, pages 2 and 3 of the current (Board's Proceedings, No. 90, dated 8th March 1898).

It is said to have worked well so far as tried, and may be approved.

G.S.F.

Yes.

J.G.

If this principle be accepted the rules may be approved—

(1) the mistake in the heading of rule 1, "Presidency" for "district" being pointed out, and

G.S.F.
J.G.

(2) a rule being added as to the date on which the draft rules are to come into force.

G.S.F.
J.G.
12–5–98.

N. E. MARJORIBANKS.
9–5–98.

To Honourable Member—

G. S. FORBES.
10–5–98.

J. G[ROSE].
12–5–98.

To Under Secretary—

A draft Government order is submitted below. In it an alteration suggested by the Secretary in the preamble (*vide* page 4 of the foregoing note) but not expressly approved by the Honourable Member has been inserted.

P.N.M.
18–5–98.

To Secretary—

N.E.M.
21–5–98.

Issue.

G.S.F.
25–5–98.

Revenue (1898) Department.

CURRENT No. 2555

2

From The Secretary to the Commissioners of Land Revenue Board of Revenue

Order

No. 90

Dated 8 March 98

Received 30 "

Registered 31 "

Enclosures 2

Spare copies

SUBJECT.

Subj, with remarks to Govt with reference G.O. Mis: No. 3837 24-7-97, the Timber Transit Rules for the Kistna Dist.

BACK PAPERS.

G O.	No.	Department.	Date.
Mis	3004	Rev.	24.7.96

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Draft of Proposed Timber Transit Rules, Kistna District

vide GO No for 687 SR 17.12.95

Preamble

Under sections 35 and 36 of the Madras Forest Act (II of 1882) His Excellency the Governor in Council is pleased to make the following rules:—

In these rules timber includes all classes of timber as defined in the Madras Forest Act (II of 1882) except timber not grown in India; timber cut or fashioned otherwise than is usually or permissible done before timber is removed from the forest in which it has been felled; and small wood for fuel in quantities less than one head load.

Import and export of timber from and to localities outside the Presidency

1. It shall not be lawful to import timber into or export timber from the districts specified in Schedule A appended hereto by the routes specified in Schedule C appended hereto and unless accompanied by a permit as specified in rule 4.

NOTE
This rule has since all wrong in view to carrying it shall not be lawful to import timber into or export timber from the districts except by the routes, &c.
(A-WP)

Transit of timber within specified area.

2. It shall not be lawful to import timber into, export timber from, or move timber within the areas specified in Schedule B appended without a permit as specified in rule 4.

Import of timber into Foreign territory

3. [illegible] shall not be lawful to import timber into [illegible] for trade purposes or removed within [illegible] certificate [illegible]

unless accompanied by a permit as specified in rule 4; and without reporting it to the Station mentioned in the permit.

Form of permits

4. In the case of timber from Government land the permit shall be a printed one in form I appended, or in such forms as may be issued from time to time by the Board of Revenue for timber and firewood; in the case of timber from private lands expressly notified by the collector * from time to time in the District Gazette, the permit shall be a printed one in form II appended and supplied by the District Forest officer free of charge; and in the case of timber from all other private lands and from foreign territory, permit may be printed or written and shall also be in form II. In the case of timber imported by sea into the port of Nagapattinam the Bill of Lading and manifesto received from the Steamer or Ship by the Port officer shall serve the purpose of a permit under this rule.

* Private lands to be notified by the Collector

(1) Small private lands outside the districts

(2) Zamindaries

Nuzvid, Challapalli, Mylavaram, Nandigama, Jaggayyapeta, Kodad, Huzurnagar, Mallampalli, Nekarikal, Gudivada, Gudur, Venkatagiri, Kalahasti, Srikalahasti, Karvetnagar, Nagari, Puttur, Punganur, Kalastri, Wallajah, Arcot, Kalastri, Tiruttani, Tiruvallur, Poonamallee, Uthukottai, Sholinghur, Arkonam, Kaveripakkam, Vellore, Gudiyatham, Tirupattur, Vaniyambadi, Ambur, Jolarpet, Krishnagiri, Hosur, Denkanikottai, Rayakottai, Palacode, Pennagaram, Dharmapuri, Karimangalam, Palacode, Tirthamalai, Chengam, Tiruvannamalai, Kilpennathur, Vandavasi, Arni, Cheyyar, Polur, Vandavasi, Gingee, Tindivanam, Wandiwash, Vikravandi, Tirukoilur, Ulundurpet, Kallakurchi, Chinnasalem, Tirukoilur, Ulundurpet, Kallakurchi, Chinnasalem, Attur, Salem, Omalur, Mettur, Erode, Gobichettipalayam, Coimbatore, Pollachi, Udumalpet, Dharapuram, Kangayam, Perundurai, Erode, Gobichettipalayam, Coimbatore, Pollachi, Udumalpet, Dharapuram, Kangayam, Perundurai, Namakkal, Rasipuram, Tiruchengodu, Sankaridrug, Salem, Omalur, Mettur, Namakkal, Rasipuram, Tiruchengodu, Sankaridrug, Karur, Kulittalai, Musiri, Perambalur, Ariyalur, Udayarpalayam, Jayankondam, Karur, Kulittalai, Musiri, Perambalur, Ariyalur, Udayarpalayam, Jayankondam, Tiruchirapalli, Manapparai, Pudukkottai, Tiruchirapalli, Manapparai, Pudukkottai, Srirangam, Thanjavur, Kumbakonam, Srirangam, Thanjavur, Kumbakonam, Mannargudi, Nannilam, Tiruthuraipundi, Mannargudi, Nannilam, Tiruthuraipundi, Nagapattinam, Mayavaram, Tranquebar, Nagapattinam, Mayavaram, Tranquebar, Pattukottai, Peravurani, Pattukottai, Peravurani,

(3) Taluk

Nuzvid, Challapalli, Mylavaram, Nandigama, Jaggayyapeta, Kodad, Huzurnagar, Mallampalli, Nekarikal, Gudivada, Gudur, Venkatagiri, Kalahasti, Srikalahasti, Karvetnagar, Nagari, Puttur, Punganur, Kalastri, Wallajah, Arcot, Kalastri, Tiruttani, Tiruvallur, Poonamallee, Uthukottai, Sholinghur, Arkonam, Kaveripakkam, Vellore, Gudiyatham, Tirupattur, Vaniyambadi, Ambur, Jolarpet, Krishnagiri, Hosur, Denkanikottai, Rayakottai, Palacode, Pennagaram, Dharmapuri, Karimangalam, Palacode, Tirthamalai, Chengam, Tiruvannamalai, Kilpennathur, Vandavasi, Arni, Cheyyar, Polur, Vandavasi, Gingee, Tindivanam, Wandiwash, Vikravandi, Tirukoilur, Ulundurpet, Kallakurchi, Chinnasalem, Tirukoilur, Ulundurpet, Kallakurchi, Chinnasalem, Attur, Salem, Omalur, Mettur, Erode, Gobichettipalayam, Coimbatore, Pollachi, Udumalpet, Dharapuram, Kangayam, Perundurai, Erode, Gobichettipalayam, Coimbatore, Pollachi, Udumalpet, Dharapuram, Kangayam, Perundurai, Namakkal, Rasipuram, Tiruchengodu, Sankaridrug, Salem, Omalur, Mettur, Namakkal, Rasipuram, Tiruchengodu, Sankaridrug, Karur, Kulittalai, Musiri, Perambalur, Ariyalur, Udayarpalayam, Jayankondam, Karur, Kulittalai, Musiri, Perambalur, Ariyalur, Udayarpalayam, Jayankondam, Tiruchirapalli, Manapparai, Pudukkottai, Tiruchirapalli, Manapparai, Pudukkottai, Srirangam, Thanjavur, Kumbakonam, Srirangam, Thanjavur, Kumbakonam, Mannargudi, Nannilam, Tiruthuraipundi, Mannargudi, Nannilam, Tiruthuraipundi, Nagapattinam, Mayavaram, Tranquebar, Nagapattinam, Mayavaram, Tranquebar, Pattukottai, Peravurani, Pattukottai, Peravurani,

(4) Venkatagiri Taluk

Jaggayyapeta, Challapalli, Nandigama, Kodad, Huzurnagar, Mallampalli, Nekarikal, Gudivada, Gudur, Venkatagiri, Kalahasti, Srikalahasti, Karvetnagar, Nagari, Puttur, Punganur, Kalastri, Wallajah, Arcot, Kalastri, Tiruttani, Tiruvallur, Poonamallee, Uthukottai, Sholinghur, Arkonam, Kaveripakkam, Vellore, Gudiyatham, Tirupattur, Vaniyambadi, Ambur, Jolarpet, Krishnagiri, Hosur, Denkanikottai, Rayakottai, Palacode, Pennagaram, Dharmapuri, Karimangalam, Palacode, Tirthamalai, Chengam, Tiruvannamalai, Kilpennathur, Vandavasi, Arni, Cheyyar, Polur, Vandavasi, Gingee, Tindivanam, Wandiwash, Vikravandi, Tirukoilur, Ulundurpet, Kallakurchi, Chinnasalem, Tirukoilur, Ulundurpet, Kallakurchi, Chinnasalem, Attur, Salem, Omalur, Mettur, Erode, Gobichettipalayam, Coimbatore, Pollachi, Udumalpet, Dharapuram, Kangayam, Perundurai, Erode, Gobichettipalayam, Coimbatore, Pollachi, Udumalpet, Dharapuram, Kangayam, Perundurai, Namakkal, Rasipuram, Tiruchengodu, Sankaridrug, Salem, Omalur, Mettur, Namakkal, Rasipuram, Tiruchengodu, Sankaridrug, Karur, Kulittalai, Musiri, Perambalur, Ariyalur, Udayarpalayam, Jayankondam, Karur, Kulittalai, Musiri, Perambalur, Ariyalur, Udayarpalayam, Jayankondam, Tiruchirapalli, Manapparai, Pudukkottai, Tiruchirapalli, Manapparai, Pudukkottai, Srirangam, Thanjavur, Kumbakonam, Srirangam, Thanjavur, Kumbakonam, Mannargudi, Nannilam, Tiruthuraipundi, Mannargudi, Nannilam, Tiruthuraipundi, Nagapattinam, Mayavaram, Tranquebar, Nagapattinam, Mayavaram, Tranquebar, Pattukottai, Peravurani, Pattukottai, Peravurani,

(5) Sattenapalli Taluk

Sattenapalli, Madipad Agraharam, Vinjamuri Agraharam, Chavarai Agraharam, Tirivuravaram Agraharam, Narasingapad Agraharam

(6) Narasaraopet Taluk

Pittanipalem Agraharam, Kopparrakalva Agraharam, Kommalapad Agraharam, Dhumakallu Agraharam, Siddanadlingam Agraharam, Jarisi Agraharam, Jonnalabi Agraharam, Ayyalluri Agraharam

(7) Bezwada Taluk

Kanuparthavaram & Shahabadu (Isolated) Patta Ayyalluravaram

(8) Nandigama Taluk

Jayantipuram Zamindari, Seddavaram Zamindari, Nekadri Zamindari,

5. Permits in form I shall be issued in triplicate except in the case of headloads of firewood and shall have all the columns filled up in by a duly authorized officer who shall sign and date each, and hand over the original to the purchaser, send the duplicate to the officer in charge of the Fees referred

permits in form II (whether printed or written) shall be in duplicate and shall have the columns filled up in by the owner or his authorized agent; original shall be handed over to the person authorized to move the timber and the duplicate shall be kept in a counterfoil for at least six months from the date of issue and shall be produced for inspection at any time within that period on the application of any Forest officer not under the rank of Forester.

Form of permits

6. The permits referred to in the preceding rule shall, in the case of imported timber and timber for export, be produced with the timber for examination at any station which may be notified from time to time by the Collector in the District Gazette as a checking station and past which the timber may be taken; and in the case of timber in transit the permit shall be produced anywhere within the limits of the scheduled areas when demanded by any Forest, Revenue or Police officers or at any of the checking stations notified by the Collector outside the scheduled areas past which the timber is taken; provided that it shall not be lawful to take any timber off or to pass from, any road or river on which a checking station has been fixed with the intention to evade the production at a checking station [illegible]

than that entered in the permit, and if it is less, the same permit must not be used again to cover the deficiency.

It shall not be lawful to use a permit of any description after the date of expiry has elapsed, nor to use it more than once within its period of duration, without the permission in writing of the District Forest Officer.

In the case of permits for import or export, or transit completely through the district as soon as the timber has been checked with the permit and found to be correct, the permit shall be endorsed under the signature of the officer checking it with the words "checked and passed" and the endorsement shall be dated, and the permit be handed over to the person producing it to cover the timber during further transit through protected tracts. Whenever possible, the timber may also be marked with a Cary hammer-mark.

The checking stations for timber in transit shall not be more than five miles distant from the outer limits of the scheduled areas, except in cases in which it is considered necessary to round spurious bunding from unreserved lands into towns, or in places which afford special facilities for the regulation of traffic, such as the meeting of land and water communication. On the exp-

No demand shall be made for the production of permits outside the scheduled areas, except at the checking stations.

In the case of timber taken from one to another of the scheduled areas, the permit shall be given to the checking officer of the village entered on the permit within the date of expiry; or if the permit be lost that fact must be communicated to the checking officer before the date of expiry; and the checking officer will report the fact to the District Forest Officer for cancellation, to prevent its being used again.

The permit holder is at liberty to have his timber checked, and permit collected at any village in the scheduled areas, and may have the name of that village inserted on the permit; but after he has once taken his permit, the name of the village of the checking office must not be altered without the consent of the District Forest Officer.

The checking officer will ordinarily be the Village Munsiff; but the Collector may by notification in the District Gazette appoint any other person to perform the duties of checking officer.

Use of shorter measure.

Registration of import, &c.

7. The ownership of timber imported or exported for trade purposes or removed within protected lim-

the District Forest office, provided that the District Forest officer may refuse registration and may cancel the registration of any property-mark if he considers that such property-marks cannot be distinguished from a government mark or from a property-mark used by another person or for other good and sufficient reason which shall in every case be placed upon record by the District Forest officer and communicated for the information of the declarant. A certificate of registration in form III appended shall be granted by the District Forest officer to the person registering.

Date of the said registration
& property-marks &c.

8. Registration and each renewal of registration shall hold good from the date thereof until the 15th April following the date of registration.

9. Any person who moves exports or imports timber in contravention of Rules 1, 2 or 3; refuses to deliver up a pass when demanded or to subject timber for examination in accordance with the provisions of Rule 6; or, being a holder of land within any area described in Schedule B, refuses to give or cause to be given a pass to

not containing the required particulars or not in the form required, or refuses to produce for inspection on the application of a Forest officer not below the rank of a Forester the duplicate of a pass issued in accordance with Rule 5; or neglects, in contravention of Rule 7, to register at the District Forest office any property-mark that he may have adopted shall be liable to imprisonment for a term which may extend to one month or to fine which may extend to Rs 200 or both.

Sd/- Illegible
for ag Collector.

Appendices

Schedule A

Routes — 1. Nizams State Railway
2. East Coast Railway
3. Local Fund Road. Munagala - Bezwada via Garikipad, Sher Mahammedpet, Gavanavaram, Nandigama, Kanchakacherla, Ketanakonda, Ibramputnam.
4. L. F. Road - Timmur - Ibramputnam via Jasullakalva, Mailavaram, Nandigalli.
5. Local Fund Road - Ellore - Bezwada via Veeravalli, Gannavaram
6. Local Fund Road - Pondugal (alias Ayyapuralu) Pidugurallu — Duplicate Register

Schedule B

Palmad Taluk – Vinukonda Taluk,

Varadapet Taluk – Bapatla Taluk,

Tenali Taluk – Guntoor Taluk,

Sattenapalli Taluk – Nandigama Taluk,

Bezwada Taluk – Gudivada Taluk,

Bandar Taluk –

M. Sullivan
for ag Collector.

Draft of Timber Transit Rules as drawn up by Government.

In exercise of the powers conferred by sections 35 and 36 of the Madras Forest Act (V of 1882) His excellency the Governor in Council is pleased to make the following rules:-

1. In these rules timber, includes all classes of trees as defined in the Madras Forest Act (V of 1882), except timber not grown in India; timber cut up or fashioned otherwise than is usually or permissibly done before timber is removed from the Forest in which it has been felled; and small wood for fuel in quantities less than one head load.

2. It shall not be lawful to import timber into, or export timber from, the districts specified in Schedule A appended to these rules except by the routes therein prescribed and unless [illegible] (which pass) is in duplicate [illegible] strictly

companied by a permit
Specified in Rule 4.

It shall not be lawful to import timber into
port timber from, or move
bers within, the areas Spe-
ified in the Schedule B
ppended, without a permit
Specified in Rule 4.

3. It shall not be lawful
to move timber into any of
the towns Specified in Sched-
ule C unless accompanied
by a permit as Specified
in rule 4. and without re-
porting it for examination
at one of the checking Sta-
tions Specified in Schedule D
and adjoining the town in
question.

4. In the case of timber
from Government land the
it shall be a printed or
appended (2) in the

Import of timber into Towns & villages.

the Collector from time to
time in the District Gazette,
the permit shall be a printed
one in form II appended
and supplied by the District
Forest Officer free of charge;
and in the case of timber
from all other private lands
and from foreign territory,
the permit may be printed
or written and shall also be
in form II.

5. Permits in form I shall be
issued in triplicate and
shall have all the columns
filled up by a duly autho-
rized Officer who shall sign
and date each part, hand
over the original to the pur-
chaser, send the duplicate
to the Officer in charge of the
Forest referred to therein,
and keep the triplicate
attached to the book as a
Counterfoil for record in his
Office.

Permits in form II (when
printed or written) shall be
in duplicate, the first

have the columns filled up by the owner or his authorized agent: the originals shall be handed over to the person authorized to move the timber and the duplicate shall be kept as a counterfoil for at least six months from the date of issue and shall be produced for inspection at any time within that period on the application of any Forest Officer not under the rank of Forester.

6. The Permits referred to in the preceding Rules shall in the case of imported timber and timber for export, be produced with the timber for examination at any Station which may be notified from time to time by the Collector in the District Gazette as a Checking Station and past which the timber may be taken; and in the case of timber in transit, the permit produced anywhere within the limits of the Scheduled areas when demanded by any Revenue, Forest or Police Officer or at any of the Checking Stations notified by the Collector outside the Scheduled areas past which the timber is taken, provided that it shall not be lawful to take any timber off or to pass from any road or river on which a checking Station has been placed, with intention to evade the production of the timber at a checking Station. The quantity of timber in transit must not be greater than that entered in the permit; and if it is less, the same permit must not be used again to cover the deficiency.

As soon as the timber has been checked with the permit and found to be correct the permit shall be endorsed under the signature of the O.C. checking it with

the words "Checked and passed" and the endorsement shall be dated, and the permit be handed over to the person producing it to cover the timber during further transit through protected ~~areas~~ tracts. Whenever possible, the timber may also be marked with a pass-hammer-mark.

The checking stations for timber in transit shall not be more than five miles distant from the outer limits of the scheduled areas, except in cases in which it is considered necessary to guard against smuggling from unreserved lands into towns or in places which afford special facilities for the regulation of traffic, such as the meetings of road and water communication. In these exceptional cases the sanction of the Board must be obtained before the checking station is notified.

No demand shall be made for the production of a permit outside the scheduled areas except at the checking stations.

7 The ownership of timber imported or exported for trade purposes or removed within protected areas or may be indicated by a property mark. All such property marks shall be registered at the District Forest Office provided that the District Forest Officer may refuse registration and may cancel the registration of any property mark if he considers that such property marks cannot easily be distinguished from a Government mark or from a property mark used by another person or for other good and sufficient reason which shall in every case be placed upon record by the District

Forest Officer and submitted for the approval of the Collector. A certificate of registration in form III appended shall be granted by the District Forest Officer to the person registering.

8 Registration and each renewal of registration shall hold good from the date thereof until the 1st April following the date of registration.

9 Any person who moves exports or imports timber in contravention of Rules 1, 2, or 3; refuses to deliver up a pass when demanded or to subject timber for examination in accordance with the provisions of Rule 6; or being a holder of land within any area described in Schedule B, refuses to give or cause to

be given a pass to convey timber grown on his land and extracted from such area, or gives or causes to be given a pass not containing the prescribed particulars or one not in the form prescribed or refuses to produce for inspection on the application of a forest officer not below the rank of a forester the duplicate of a pass issued in accordance with Rule 5; or neglects in contravention of Rule 7 to register at the District Forest Office any property mark that he may have adopted shall be liable to imprisonment for a term which may extend to one month or to fine which may extend to Rs 200 or both.

B. Nullan
for a Collector

Stationery
26.
28-7-98.

REVENUE DEPARTMENT.

1898.

Board of Revenue

(Land Revenue),

MADRAS.

Printed March th.

Proceedings, Forest No. 90, 8th March 1898.

MARCH.

Submitting, with remarks, to Government with reference to Government Order, Mis. N 3837, dated 24th July 1897, the Timber Transit Rules for the Kistna district.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

READ—again Proceedings of the Board of Revenue (Land Revenue), Forest Mis. No. 766, dated 3rd August 1897 :—

ABSTRACT.—Communicating to the Collector of Kistna, for early report, which should be submitted through the Conservator of Forests, Northern Circle, Government Order returning to the Collector of Kistna through the Board for re-consideration and revision, if necessary, his draft rules to regulate the transport of timber in the district.

READ—the following letter from R. MORRIS, Esq., Acting Collector of Kistna, to the Secretary to the Commissioners of Land Revenue (through the Conservator of Forests, Northern Circle), dated Masulipatam, 29th October 1897, Dis. No. 1080-Forest :—

With reference to Government Order, Mis. No. 3837, dated 24th July 1897, embodied in Board's Proceedings, Forest Mis. No. 766, dated 3rd August 1897, I have the honour to forward herewith a revised set of rules under sections 35 and 36 of the Forest Act for the control of export, import and transit of timber from, to or in the district.

2. I have adhered as far as possible to the sample rules sanctioned by the Government.

3. It will be noticed that in Board's Proceedings, dated 16th May 1894, Forest No. 314, Mr. Peet strongly advocated the collection of all permits after use. The Conservators of the other circles declared that although this was an object much to be desired, it seemed impracticable. In May 1891, Mr. Lushington suggested to the Acting Collector Mr. Rawson that the collection might be made feasible if village officers were made the collecting officers, instead of issuing officers, of forest permits. He suggested that *any* village head might collect the permits and might utilise the services of any other village officer to help him ; that every month a check statement should be sent by the Range officer through the Tahsildar to each village head showing what permits ought to have been collected in his village, and giving him five days in which to complete the collection. As there are upwards of 1,500 villages in the district and on the average about six village offices this arrangement creates 9,000 tannahdars or collecting officers, in the place of 37 ordinary tannahdars as there were before, and affords the greatest possible facility to permit-holders to give up their permits in the proper time. Mr. Rawson expressed his entire approval of the scheme, but ordered it to lie over for the decision of Mr. Atkinson, the permanent Collector then on leave. Mr. Atkinson likewise expressed his entire approval; and a Collector's order to this effect was promulgated under the rules under section 26 of the Forest Act. This arrangement has therefore been in force now for three and quarter years, and has worked with considerable success; and has therefore been inserted at the end of rule 6 of the Timber Transit Rules now proposed. Between 95 and 96 per cent. of the permits are now collected, and of the balance the greater portion have been reported as lost, and therefore cancelled, within the date of expiry, in accordance with the provision now made. Hardly quarter per cent. of the permits were neither given up nor duly reported as lost and cancelled; and in the circumstances it may be said that the collection of permits after use is quite feasible.

4. The introduction of this regulation into the rules is the principal departure from the sample rules. The area under "Scheduled districts" is therefore larger than in most districts, and comprises the whole of the Government taluks, so as to make any person to select any village head as the officer to whom he will hand up his permit within the prescribed time. Rule 6 also has been modified to meet the requirements of this regulation.

5. At present it is considered unnecessary to have checking stations elsewhere in the district; but it may be found later that such stations are necessary to regulate the import of timber; and the sample rules have been adopted to meet that contingency.

6. The regulation referred to in paragraph 3 obviates the necessity of specifying certain large towns with checking tannahs.

7. It has been deemed advisable to modify the rule relating to the form of Government permits. The ordinary timber or firewood permits will generally meet all requirements without having another special form. When timber taken from the forest has already once been checked, it can be considered as private timber, and can be passed on the private pass (Form II). To prevent undue interference with timber imported by sea (*e.g.*, teak from Burma) to Masulipatam, it has been deemed advisable to allow the bill of lading or ship's manifesto, checked by the Port Officer, to hold good.

Endorsement by A. W. PEET, Esq., Conservator of Forests, Northern Circle, dated Camp, Bangalore, 28th December 1897, Ref. on C. No. 856.

In forwarding I have the honour to remark that I returned the draft sent originally with this letter because it was not very clear. This original draft with its marginal notes is enclosed for information, and a formal draft is sent for orders. It seems to me that this provides for what is wanted in the Kistna district, where village officers and not tannahdars recover permits.

RESOLUTION—Forest No. 90, dated 8th March 1898.

Submitted to Government with reference to Government Order, Mis. No. 3837, dated 24th July 1897.

2. In the above order the Government observed that the rules under sections 35 and 36 of the Forest Act for the Kistna district, submitted with Board's Proceedings, Forest Mis. No. 610, dated 25th June 1897, involved a total departure from the model transit rules sanctioned in Government Order, No. 707, dated 29th October 1895, and desired that a full report in justification of such deviation should be submitted and the rules revised, if necessary. The Collector has now drawn up a set of draft rules revised with reference to the remarks of Government, but the Conservator has again recast them following the model rules as far as local circumstances admit. The Board proceeds to consider the Conservator's draft.

3. The main difference between the proposed rules and the model rules consists in the fact that in the former provision is made in rule 6 for the recovery of all permits by village officers. It is true that, as pointed out by the Collector, the other two Conservators considered this to be impracticable, but in the peculiar circumstances of the Kistna district where a large staff is maintained as issuing officers in connection with the *parcellaire* system of grazing, and where the village officers are utilized as collecting officers, the difficulty anticipated by the other Conservators is not likely to occur. As a matter of fact the arrangement in question has been in force in the district for upwards of three years in connection with the rules under section 26 of the Forest Act and is said to have proved successful; and there is no reason to suppose that it will not work satisfactorily in connection with the transit rules.

4. It is observed that the Collector considers it unnecessary at present to have checking stations outside the scheduled areas. Provision has, however, been made in the rules empowering the Collector to fix such stations when the necessity to regulate the import of timber arises. There seems to be no objection to this course.

5. The Conservator's proposed rules are open to the following remarks:—

(*a*) In the preamble to the rules the Conservator has omitted to provide for the exemption of timber removed under the concession granted in rule 7 of the general rules under section 26 of the Forest Act. The omission has been supplied by the Board.

(*b*) It is understood that Conservator's rule 1 has been incorrectly copied. It should run thus:—"It shall not be lawful to import timber into or export timber from the Kistna district, except by the routes specified in schedule A appended to these rules and unless accompanied by a permit as specified in rule 4."

(*c*) Conservator's rule 3 is made very general by the inclusion of villages and towns in the scheduled area. It has not been explained how the timber removed into a town is to be checked outside it. The Collector states in paragraph 6 of his letter that provision having been made for the recovery of all permits by village officers there is no necessity for providing large towns with checking tannahs. The Board understands that it is intended to enter in the column of remarks in Form No. I the village (adjoining the town) to the head of which the permit should be handed over. As regards private timber imported into towns the Collector promises in paragraph 5 of his letter to notify checking stations later on. The Board has no objection to the retention of the rule as proposed by the Conservator.

(*d*) The concluding sentence of rule 4 does not find place in the model rules and has been inserted to protect imports by the sea. The forms referred to in this rule have not been submitted by the Conservator. They have been added in the Board's office.

(*e*) In rule 6 the first sub-clause (viz.) "It shall not be lawful to use . . . writing of the District Forest-officer" has been newly added by the Conservator. There is no particular objection to the sub-clause in question and the Conservator has informed the Board that it has been inserted to provide against misunderstandings. For the same reason the Board considers that the sub-clauses 4, 5 and 6 may be retained.

(*f*) The word "removed" in line 2 of rule 7 should be altered into "moved" to correspond with the word used in the model rules and in section 35 of the Forest Act. Form III for the certificate of registration referred to in this rule was not forwarded by the Conservator and the omission has been supplied by the Board.

6. A final draft of the rules revised with reference to the foregoing remarks together with schedules and forms is appended to these Proceedings. The Board requests that the rules may be published in the *Fort St. George Gazette*.

7. It is observed that the list of private lands given in the margin of the Conservator's rule 4 and the note at the foot of his schedule A are obviously not intended to be printed with the rules and the schedules. The Board has accordingly omitted them in the draft as revised by it.

(True Copy and Extract.)

Secretary.

To the Secretary to Government, Revenue Department,
with Collector's and Conservator's draft rules in original.

APPENDIX.

DRAFT OF PROPOSED TIMBER TRANSIT RULES, KISTNA DISTRICT.

Preamble.

Under sections 35 and 36 of the Madras Forest Act (V of 1882), His Excellency the Governor in Council is pleased to make the following rules.

In these rules timber includes all classes of timber as defined in the Madras Forest Act (V of 1882), except timber not grown in India; timber cut up or fashioned otherwise than is usually or permissibly done before timber is removed from the forest in which it has been felled; timber removed under the concession granted in rule 7 of the general rules under section 26 of the Forest Act, and small wood for fuel in quantities less than one head-load:—

1. *Import and export of timber from and to localities outside the ~~Presidency~~.*—It shall not be lawful to import timber into or export timber from the Kistna district except by the routes specified in schedule A appended to these rules and unless accompanied by a permit as specified in rule 4.

2. *Transit of timber within specified areas.*—It shall not be lawful to import timber into, export timber from or move timber within, the areas specified in schedule B appended without a permit as specified in rule 4.

3. *Import of timber into towns and villages.*—It shall not be lawful to move timber into any of the towns or villages within the area specified in schedule B unless accompanied by a permit as specified in rule 4; and without reporting it to the station mentioned in the permit.

4. *Forms of Permits.*—In the case of timber from Government land the permit shall be a printed one in form I appended; or in such forms as may be issued from time to time by the Board of Revenue for timber and firewood; in the case of timber from private lands expressly notified by the Collector from time to time in the District Gazette, the permit shall be a printed one in form II appended and supplied by the District Forest-officer free of charge; and in the case of timber from all other private lands and from foreign territory, the permit may be printed or written and shall also be in form II. In the case of timber imported by sea into the port of Masulipatam the Bill of Lading and Manifesto received from the steamer or ship by the Port officer shall serve the purpose of a permit under this rule.

5. *Issue of Permits.*—Permits in form I shall be issued in triplicate except in the case of head-loads of firewood and shall have all the columns filled up by a duly authorized officer who shall sign and date each part, hand over the original to the purchaser, send the duplicate to the officer in charge of the Forest referred to therein, and keep the triplicate attached to the book as a counterfoil for record in his office.

Permits in form II (whether printed or written) shall be in duplicate and shall have the columns filled up by the owner or his authorized agent; the original shall be handed over to the person authorized to move the timber and the duplicate shall be kept as a counterfoil for at least six months from the date of issue and shall be produced for inspection at any time within that period on the application of any Forest officer not under the rank of Forester.

6. *Check of Permits.*—The permits referred to in the preceding rules shall, in the case of imported timber and timber for export, be produced with the timber for examination at any station which may be notified from time to time by the Collector in the District Gazette as a checking station and past which the timber may be taken; and in the case of timber in transit, the permit shall be produced anywhere within the limits of the scheduled areas when demanded by any Revenue, Forest or Police officer or at any of the checking stations notified by the Collector outside the scheduled areas past which the timber is taken, provided that it shall not be lawful to take any timber off, or to pass from, any road or river on which a checking station has been placed with intention to evade the production of the timber at a checking station. The quantity of timber under transit must not be greater than that entered in the permit; and if it is less, the same permit must not be used again to cover the deficiency.

It shall not be lawful to use a permit of any description after the date of expiry has elapsed nor to use it more than once within its period of duration, without the permission in writing of the District Forest-officer.

In the case of permits for import or export, or transit completely through the district, as soon as the timber has been checked with the permit and found to be correct, the permit shall be endorsed under the signature of the officer checking it with the words "checked and passed" and the endorsement shall be dated, and the permit be handed over to the person producing it to cover the timber during further transit through protected tracts. Whenever possible, the timber may also be marked with a pass hammer-mark.

The checking stations for timber in transit shall not be more than five miles distant from the outer limits of the scheduled areas, except in cases in which it is considered necessary to guard against smuggling from unreserved lands into towns, or in places which afford special facilities for the regulation of traffic, such as the meetings of road and water communication. In these exceptional cases the sanction of the Board must be obtained before the checking station is notified. No demand shall be made for the production of a permit outside the scheduled areas, except at the checking stations.

In the case of timber taken from one to another part of the scheduled areas, the permit shall be given up to the checking officer of the village entered on the permit within the date of expiry; or if the permit is lost that fact must be communicated to the checking officer before the date of expiry; and the checking officer will report the fact to the District Forest-officer for cancellation, to prevent its being used again.

The permit-holder is at liberty to have his timber checked, and permit collected at any village in the scheduled areas, and may have the name of that village inserted on the permit; but, after he has once taken his permit, the name of the village of the checking officer must not be altered without the consent of the District Forest-officer.

The checking officer will ordinarily be the head of the village, but the Collector may, by notification in the District Gazette, appoint any other person to perform the duties of checking officer.

7. *Use of property-marks—Registration of property-marks.*—The ownership of timber imported or exported for trade purposes or moved within protected areas may be indicated by a property-mark. All such property-marks shall be registered at the District Forest office, provided that the District Forest-officer may refuse registration and may cancel the registration of any property-mark if he considers that such property-marks cannot easily be distinguished from a Government mark or from a property-mark used by another person or for other good and sufficient reason which shall in every case be placed upon record by the District Forest-officer and submitted for the approval of the Collector. A certificate of registration in form III appended shall be granted by the District Forest-officer to the person registering.

8. *Date up to which the registration of property-marks has effect.*—Registration and each renewal of registration shall hold good from the date thereof until the 1st April following the date of registration.

9. Any person who moves, exports or imports timber in contravention of Rules 1, 2 or 3; refuses to deliver up a pass when demanded or to subject timber for examination in accordance with the provisions of rule 6; or, being a holder of land within any area described in schedule B, refuses to give or cause to be given a pass to cover timber grown on his land and exported from such area, or gives or causes to be given a pass not containing the prescribed particulars or one not in the form prescribed, or refuses to produce for inspection on the application of a Forest officer not below the rank of a forester, the duplicate of a pass issued in accordance with Rule 5; or neglects, in contravention of Rule 7, to register at the District Forest office any property-mark that he may have adopted shall be liable to imprisonment for a term which may extend to one month or to fine which may extend to Rs. 200 or both."

10

APPENDICES.

Schedule A.

Routes—

1. Nizam's State Railway.
2. East Coast Railway.
3. Local Fund road—Munagala-Bezwada *viâ* Garikipad, Sher Mahammedpet, Gavaravaram, Nandigáma, Kanchakacherla, Ketanakonda, Ibrampatam.
4. Local Fund road—Tiruvur-Ibrampatam *viâ* Dasullapalem, Mailavaram and Kondapalli.
5. Local Fund road—Ellore-Bezwada *viâ* Viravalli and Gannavaram.
6. Local Fund road—Pondugal (*alias* Ayyagaripalem), Piduguralla *viâ* Dáchépalle.

Schedule B.

Palnad taluk, Vinukonda taluk, Narsaraopet taluk, Bápatla taluk, Tenali taluk, Guntúr taluk, Sattenapalle taluk, Nandigáma taluk, Bezwada taluk, Gudiváda taluk and Bandur taluk.

These rules shall come into force on the expiry of 30 days from the date of their publication in the District Gazette

FORM I.

No.

PERMIT for the export / transport of timber from Government forests.

Under Section 35 of the Madras Forest Act.

Name and residence of the person to whom the permit is granted. 1	Quantity. 2	Description of timber. 3	Fees paid, if any. 4	Marks, if any, on the timber. 5	From what forest or depôt removed. 6	To what place removed. 7	Route. 8	Time allowed. 9	Remarks. 10

Date

Camp

Signature of issuing officer.
Designation.

DUPLICATE.

(To be sent to the officer in charge of the Forest.)

FORM I.

Permit No.

Under Section 35 of the Madras Forest Act.

1. Name and residence of the person to whom the permit is granted.
2. Quantity.
3. Description of timber.
4. Fees paid, if any.
5. Marks, if any, on the timber.
6. From what forest or depôt removed.
7. To what place removed.
8. Route.
9. Time allowed.
10. Remarks.

Date

Camp

Signature of issuing officer.
Designation.

COUNTERFOIL TO BE RETAINED BY THE ISSUING OFFICER.

FORM I.

Permit No.

Under Section 35 of the Madras Forest Act.

1. Name and residence of the person to whom the permit is granted.
2. Quantity.
3. Description of timber.
4. Fees paid, if any.
5. Marks, if any, on the timber.
6. From what forest or depôt removed.
7. To what place removed.
8. Route.
9. Time allowed.
10. Remarks.

Date

Camp

Signature of issuing officer.
Designation.

DUPLICATE TO BE RETAINED BY THE OWNER OR HIS AUTHORISED AGENT.

FORM II.

Permit No.

Under section 35 of the Madras Forest Act.

1. Name and residence of the person to whom the permit is granted.
2. Quantity.
3. Description of timber.
4. Marks, if any, on the timber.
5. From what forest or land removed.
6. To what place removed.
7. Route.
8. Time allowed.
9. Remarks.

Date

Station

Note.—The time to be entered in column 8 shall not exceed two months except with the special permission of the District Forest-officer or other authorized officer.

FORM II.

Permit No.

PERMIT for the import / export / transport of timber from private lands or from foreign territory.

Under Section 35 of the Madras Forest Act.

Name and residence of the person to whom the permit is granted.	Quantity.	Description of timber.	Marks, if any, on the timber.	From what forest or land removed.	To what place removed.	Route.	Time allowed.	Remarks.
1	2	3	4	5	6	7	8	9

Date

Station

Signature of the person granting the permit.

Note.—The time to be entered in column 8 shall not exceed two months, except with the special permission of the District Forest-officer or other authorized officer.

(COUNTERFOIL TO BE RETAINED BY THE ISSUING OFFICER.)

FORM III.

Certificate of Registration.

Under rule 7 of the rules under section 35 of the Madras Forest Act.

1. Name of person registering.
2. Description of device or property-mark.
3. Date of registration or renewal.
4. Remarks.

CERTIFIED that , residing at

has { registered / renewed } the above device or property-mark for the official year ending 31st March 189

District Forest office, 189 .

District Forest-officer.

FORM III.

Certificate of Registration.

Under rule 7 of the rules under section 35 of the Madras Forest Act.

Name of person registering.	Description of device or property-mark.	Date of registration or renewal.	Remarks.
1	2	3	4

CERTIFIED that , residing at

has { registered / renewed } the above device or property-mark for the official year ending 31st March 189 .

District Forest office, 189 .

District Forest-officer.

Read again G.O. 3837 Mis...
d. 24-7-97.
Read also B.P. No: 90 Forest
d. 8-3-98. [C.No: 2555/98.]

Note.

With its Proceedings No: 614 Forest d. the 25th June 1897 the Board of Revenue submitted for the approval of Govt. rules under sections 35 and 36 of the Forest Act (Madras) for the purpose of regulating the transit of timber in the Kistna district. In the order read again above the Govt. observed that the rules submitted by the Board involved a total departure from the model transit rules approved in G.O. No: 707 d 29-10-95, and desired that a full report in justification of such deviation sho

A 24

be revised if necessary. With reference to the above remarks of Govt. the Board now submits a revised set of draft rules (printed as an appendix to the Circular) and requests that they may receive the sanction of Govt.

2. As remarked by both the Collector of ~~the~~ Krishna and the Board, the principal difference between the draft rules now submitted and the model rules occurs in rule 6 regarding the check of permits. The draft rule and the model rule are shown side by side for facility of comparison [on the sheet marked A attached] as appended to the Collector's remarks. On comparing the draft

Here insert A

Rule 6 of the Draft Rules at pp. 5 & 6 of the Circular.

(Clause i) - The permits referred to in the preceding rules shall, in the case of imported timber and timber for export, be produced with the timber for examination at any station which may be notified from time to time by the Collector in the District Gazette as a checking station and past which the timber may be taken; and in the case of timber in transit the permit shall be produced anywhere within the limits of the scheduled areas when demanded by any Revenue, Forest or Police officer or at any of the checking stations notified by the Collector outside the scheduled areas past which the timber is taken, provided that it shall not be lawful to take any timber off or to pass from any road or river on which a checking station has been placed with intention to evade the production of the timber at a checking station. The quantity of timber under transit must not be greater than that entered in the permit; and if it is less, the same permit must not be used again to cover the deficiency.

(Clause ii) - It shall not be lawful to use a permit of any description after the date of expiry has elapsed nor to use it more than once within its period of duration, without the permission in writing of the district forest officer.

(Clause iii) - In the case of permits for import or export, or transit completely through the district, as soon as the timber has been checked with the permit and found to be correct, the permit shall be endorsed under the signature of the officer checking it with the words "checked and passed" and the endorsement shall be dated, and the permit be handed over to the person producing it to cover the timber during further transit through protected tracts. Whenever possible, the timber may also be marked with a pass hammer-mark.

(Clause iv)- The checking stations for timber in transit shall not be more than five miles distant from the outer limits of the sceduled areas, except in cases in which it is considered necessary to guard against smuggling from unreserved lands into towns, or in places which afford special facilities for the regulation of traffic, such as the neighbourhood of railway and [illegible]

Rule 6 of the Model Rules in G.O. 707 29.10.95

(Clause i)- Same as in the draft rules.

.....

(Clause ii). As soon as the timber has been checked with the permit and found to be correct, the permit shall be endorsed under the signature of the officer checking it, with the words "checked and passed", and the endorsement shall be dated, and the permit be handed over to the person producing it to cover the timber during further transit through protected tracts. Whenever possible, the timber may also be marked with a pass hammer-mark.

(Clause iii). Same as Clause iv of the Draft Rules, Excluding its last Sentence.

[illegible] 1/9/[illegible]

Rule 6 of the draft Rules	Rule 6 of the Model rule.
permit outside the sceduled areas except at the checking stations.	
(Clause v) - In the case of timber taken from one to another part of the scheduled areas the permit shall be given up to the checking officer of the village entered on the permit within the date of expiry; or if the permit is lost that fact must be communicated to the checking officer before the date of expiry; and the checking officer will report the fact to the District Forest Officer for cancellation to prevent its being used again.	.....
(Clause vi) - The permit-holder is at liberty to have his timber checked and permit collected at any village in the sceduled areas, and may have the name of that village inserted ~~in~~ on the permit; but, after he has once taken his permit the name of the village of the checking officer must not be altered without the consent of the District Forest officer	.....
(Clause vii) - The checking officer will ordinarily be the head of the village , but the Collector may, by notification in the District Gazette, appoint any other person to perform the duties of checking officer.	.....

(5)

that the difference between them consists mainly in the fact that in the ~~former~~ draft provision is made for the recovery of all permits ~~collected~~ by village officers. With reference to this special provision, it is stated that in 1894 the Conservator of Forests, Northern Circle, strongly advocated the collection of permits after use, but that the Conservators of the two other circles, while admitting that it was an object much to be desired, considered it impracticable. In the peculiar circumstances, however, of the Nilgiris district where a large staff was maintained as rising officers in connection with the

it is against s into rd spe-

of permits by village officers was brought feasible, and as a matter of fact it would seem that the village officers have been utilised as collecting officers for upwards of three years in connection with the rules under section 26 of the Forest Act. The arrangement in question is reported to have proved ~~successful~~ successful, and the Collector ~~recommends~~ proposes that the same arrangement may be continued in connection with the transit rules, and has accordingly provided in rule 6 for the check and recovery of permits by village officers (clause 5, b, 3). The Board sees no reason to suppose that the arrangement

with the transit rules. It is submitted that the Board's view may be concurred in, and the provision in question approved.

The introduction of the special provision referred to above accounts for the fact that the "scheduled" area is much larger, comparatively speaking, than in most of the districts for which transit rules have as yet been passed. All the Sirsi talukas have been scheduled (vide schedule B) so as to allow a person to select any village head as the officer to whom he will hand up his permit within the prescribed time. It will also be observed that the Collector considers it unnecessary at present to have any checking sta-

tions outside the

however, been adopted (vide clauses 1 and 4 of draft rule 6 which correspond with clauses 1, 3 and 4 of the model rules) from the model rules to empower the Collector to fix such stations whenever the necessity to regulate the import of timber arises. As the Board states, there would seem to be no objection to this course.

The second clause of draft rule 6 does not occur in the model rules. The Board states that the Conservator has informed it that the clause in question has been inserted to provide against misunderstandings and that it sees no particular objection to its retention. It is, however, submitted that the meaning of the words "no to clause [illegible] will not work

but there seems to be no harm in it and under a system of collecting the permits it may perhaps be useful.

"within its period of "duration" is not apparent, at any rate, not free from ambiguity. The clause under consideration does not occur in ~~the~~ any of the sets of transit rules which have as yet been passed for use in particular districts of the Presidency. It is submitted that there seems to be no clear necessity for the clause, ~~and that it may accordingly be omitted~~.

The third clause of draft rule 6 is the same as the second clause of model rule 6 except that the words "in the case of "permits for import or "export, or transit completely through "the district" which occur at the beginning of the former do not occur in the latter. It is also

No 279, dated

of timber taken from one ~~to~~ to another part of the scheduled area is separately provided for in the draft rule (clause 5).

3. In the last paragraph rule 6 of the draft rules has been compared in detail with the corresponding model rule. The other rules, with the exception of rule 3, do not involve any departure of importance from the model rules.

(a) The preamble and rules 1, 2, 7, 8 and 9 have been reproduced from the model rules and do not call for any remarks except that in the heading of rule 1 the word "district" should be substituted for the word "Presidency".

(b) With reference to rule 3, which is made very general [illegible] village

of

scheduled area, the Board observes as follows:- "It has not been "explained how the "timber removed into a "town is to be checked "outside it. The Collector "states in paragraph 6 "of his letter that pro- "vision having been made "for the recovery of all "permits by village officers "there is no necessity for "providing large towns "with checking tannahs. "The Board understands "that it is intended to "enter in the column of "remarks in form No: I "the village adjoining "the town to the head of "which the permit should "be changed over. As "regards private timber "imported into towns the "Collector promises in "paragraph 5 of his letter

[illegible]

No 2/9, Jore

sections later on". The Board has no objection to the retention of the rule. It is submitted that the rule may be allowed to stand.

(c) Rule 4

i: The words "or in such "forms as may be issued "from time to time by "the Board of Revenue for "timber and firewood" which occur in lines 2 and 3 of this rule do not occur in the corresponding model rule. It is submitted that there seems no objection to the proposed addition.

ii: The concluding sentence of this rule "In the case "of timber imported by "sea into the port of "exportation the Bill "which sea and manifest "shall be evidence that "the timber was so "cleared" is not very

"shall serve the purpose "of a permit under this "rule", does not find a place in the model rule and has been inserted to protect imports by sea. The Collector gives as an instance of such imports, "teak from Burma" (para 7 of his letter); but it is submitted that the instance is not an appropriate one inasmuch as timber imported from Burma will rarely or never be timber grown in India and as such will be specially exempted by the preamble from the operation of the rules. It is perhaps unnecessary to call the Collector's attention to this point. Coming to the proposed addition itself, it is submitted that the clause is unobjectionable and will serve an useful purpose and

Is not Burma India? (In former part of draft India was defined but not "British India" for purposes)

Should add in the preamble "except timber not grown in India or Burma."

S/2

2 Nov 1919

Rule 5

(d) The words "except in the case of headloads of firewood" have been inserted in the first clause of rule 5. No explanation is furnished for this exception, which is apparently an unimportant one. There seems to be no objection to the retention of the phrase referred to.

(e) It is submitted that a rule may be added to the draft rules showing the date when these ~~shall~~ come into force, as has been done in the case of the Sherwood transit rules. (Vide rule 11 at p. 6 of Go. 6 95 of 4-12-96).

7/5/98

To Secy

The important point for orders is whether Govt will accept the principle of Draft Rule 6 (the collection [illegible]). The [illegible] inserted the words "except" [illegible] clause "save as to

It is said to have worked well so far as tried, & may be approved

Yes

12/5/98

letter & para 3 of the B.P. fp. 1 & 2 of the current (B.P. No. 90 & 8 pp.) If this principle is accepted the 11 rules may be approved

(1) the mistake in the heading of Rule 1 "Residency" for "District" being pointed out and

(2) a rule being added as to the date when the draft rules are to come into force.

11/5/98

To Hon. Secy 10/5/98

Note

A draft G.O. is submitted below. In it an alteration suggested by the Secy in the preamble (viz. page 11 of the foregoing note) but not expressly approved by the Hon. Member [illegible]

No. 279, dated [illegible]

Copy 2nd read

Read: agam G.O. misc. no 3837 Rev: dy 24th July 1897.
" also B.P. no 90 For: dy 8.8.98 (encl. 2555 of 98)

Order No 3057 25th May 1898.

The revised transit rules for the Kistna district, now submitted, are approved and will be published in the Fort St. George Gazette and the Kistna Dist. Gazette, subject to the following additions and alterations

(1) Preamble. In line 2 after the word "India", the words "Or Burma" will be inserted

(2) Rule 1. In the heading of the rule the word "Presidency" will be corrected into "District"

(3) As in the case of the Kurnool rules, the following rule shall prescribing the time when the new rules

Dt. Gazette

No 2 dated 6.6.98

"These rules shall come into force on the expiry of 30 days from the date of their publication in the District Gazette."

Ully
21.V.98

8/24/5/98

To

The Board of Rev. C.B. } Dft'd 18.6.98
Supdt. Govt. Press.

(Revised rules to be printed as appx to the GO.

40/3

Typed
19.V.98

First copy sent to Press by 110y

Returned for signature.

Despatched in print.

Read again G.O., No. 150 Date 1898

Consent No.

Enclosure to G. No.

Order of Government

Letter of Government

Statement with date.

Does not legend but a note must for drafting for Govt.

Ans. Dft. as fair.
Dft. Retd. for approval.
Dft. Returned for Govt. only.
Dft. Returned for Govt. only.

Oh. Gazette

Rules to be published in the Gazette