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DECENTRALIZATION COMMITTEE

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FOR THE

ROYAL COMMISSION

ON

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NOTE ON FOREST ADMINISTRATION



BY

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## FOREST ADMINISTRATION.

### *Early history.*

No serious attention appears to have been paid to the forest resources of the country or to their value as a permanent State domain during the first century of British rule. Teak was considered the only timber of any account, and forests generally were treated as waste lands and appanages of the cultivated area, of consequence only for the miscellaneous addition they yielded to the regular land revenue, and liable to be broken up and alienated without restriction to the highest bidder; their preservation depended upon their inaccessibility and the unaided efforts of nature. In comparatively recent times, when schemes for freehold and permanent settlements were in the ascendant, they ran the risk of being transferred to private hands for ever, but, fortunately, wiser counsels prevailed. The first traces of forest administration appear in the appointment in 1806 of a conservator of forests for the management of the teak forests of Malabar. This appointment disappeared after fifteen years and was succeeded in 1847 by a conservator of forests for the Bombay Presidency, and in 1856 for Madras. The example of the Southern Presidencies was followed by Lord Dalhousie, who laid the foundation of scientific forestry in India when, in 1856, he engaged the late Sir Dietrich Brandis and placed him in charge of the recently acquired teak forests of Pegu.

2. Here matters rested till the re-establishment of settled government after the Mutiny. Among the many administrative questions to which that troublous period gave birth was the future treatment of forests and other crown lands. By this time the idea had gained ground that "forest is a thing valuable in itself, and in truth just as essential to the community as wheat, sugar or cotton"; and that "the forests, when set aside as such, should be made to assume a distinct place of their own in the departments producing revenue". Parenthetically it may be observed that the part played by forests in the economy of nature, in the promotion of fertility and the support of agriculture, does not appear to have been appreciated till a much later date and is, perhaps, even now not generally recognized;\* at any rate the original conception

India's Despatch No. 75, dated 1st November 1862.

\* A special enquiry into this question has recently been ordered (Circular letter 38 F.—230, dated 30th October 1907).

of forest conservancy was mainly associated with revenue and powerfully influenced subsequent measures. Practical shape was given to the views referred to by the appointment in 1864 of Sir (then Dr.) D. Brandis as Inspector General of Forests to the Government of India, and the creation of a Forest Department.

3. During the thirty years which followed, great strides were made in the development of the new department. Forest lands were surveyed and demarcated, areas selected for strict conservation, private rights investigated and restricted, laws and rules framed to enforce protection, establishments trained and organized, and systematic exploitation by means of working-plans introduced.

4. In its earlier stages forest administration was carried on under executive rules, but legislation soon followed the establishment of a regular forest department. In 1865 the first forest law, Act VII of 1865, was passed. It extended to the whole of British India except the Southern Presidencies, to which the Local Governments were left to apply it by notification; but they never availed themselves of the power, and Bombay remained without a forest law till 1878 while Madras did not legislate till 1882. The Act provided for the punishment of forest offences, but left the preservation and management of forests to rules which required the confirmation of the Government of India. "It drew no distinction between the forests which required to be closely reserved, even at the cost of more or less interference with private rights, and those which merely needed general control to prevent improvident working." No procedure was provided for settling rights or regulating their exercise; for the levy of duties and many other matters arising in forest administration. To remove these defects it was replaced by a fresh Act in 1878.

5. The Indian Forest Act of 1878 applies to the whole of British India with the exception of Madras and Burma and some of the minor administrations for which separate forest laws have been passed. It provides for the constitution of forest and waste land, whether timbered or not, over which government possesses proprietary rights, into two main classes of forests—"Reserved" and "Protected"—and also for the exercise of control, when necessary in the public interest, or when the owners desire it, over forests and lands which are private property. Before any area is constituted a reserved

*Forest Legislation.*

forest, it is surveyed and demarcated and subjected to a regular settlement, which is carried out by a forest settlement officer (usually deputed from the Revenue department) whose duty it is to investigate and record the existence, nature and extent of any private rights, to arrange for their extinction by exchange, commutation, or compulsory purchase and, if they are maintained, to settle the conditions on which they may be exercised. For this purpose he has the powers of a civil court in the trial of suits and of a Collector under the Land Acquisition Act. His orders are appealable to a special officer or a forest court of three persons, specially appointed and invested with appellate authority, whose decision on appeal is subject only to revision by the Local Government. When all claims have been disposed of and the forest settlement is complete, a notification is issued by the Local Government defining the boundaries and declaring the area to be a reserved forest. Thereafter no further private right can accrue within the forest save by express grant from the State, nor can any admitted private rights be alienated or assigned without the sanction of the Local Government. The settlement, however, does not become final for a period of five years, during which the Local Government may rescind or alter the arrangements made in respect of admitted private rights.

6. The procedure for constituting a protected forest is similar but of a simpler character. Rights are enquired into and recorded but not finally settled, nor is there anything to bar the accrual of further rights; and while the Local Government may absolutely reserve particular classes of trees, and temporarily close portions of the forest, or prohibit certain customary pursuits (such as quarrying, charcoal-burning, grazing); the private rights of user and exploitation continue, subject to such safeguards, and the payment of such dues as the Local Government may impose by rule. Briefly, then, the difference between protected and reserved forests is, that new rights may spring up in the one case but not in the other; the record-of-rights framed for the former is conclusive, while that for the latter only carries a presumption of truth; "in a reserved forest everything is an offence which is not permitted, while in a protected forest nothing is an offence that is not prohibited". The stringency of the protective measures adopted depends upon whether the protected forest is to be ultimately included in the reserved or permanent forest area, or to

be managed chiefly in the interests of the local population.

7. Another class of forests contemplated by the Act is the "village forest," that is, forests owned or enjoyed by village communities, which after settlement as reserved forests, are restored to them, subject to conditions of management and user laid down by the Local Government; these provisions have, however, remained inoperative owing to the reluctance of private owners to bring their forests under professional management. All accessible government forests are now under statutory protection, but in outlying regions (chiefly in Burma and Assam) there are still considerable tracts of forests to which regular forest administration has not yet extended.

8. In order to admit of the application of the law to forests and waste lands which for any reason are left under the management of the district revenue or other authorities, the Act provides that any officer may be invested by the Local Government with all or any of the functions and powers of a forest officer. The powers with which forest officers are or may be invested include the prevention of forest offences, the seizure of property liable to confiscation in connection with such offences, the arrest without a warrant of offenders in certain cases (chiefly affecting reserved forests) and the impounding of trespassing cattle. They may also be invested with power to issue search warrants, hold enquiries and record evidence, but every forest offence is tried by the ordinary criminal courts unless the offender compounds it by payment of a fine or 'compensation' assessed by the forest officer. As a safeguard against the abuse of this power, the law requires that it should not be conferred on officers below the ranger class or drawing less than R100 a month, and the fine may not exceed R50.

9. As already stated, the Indian Forest Act of 1878 is not of general application but all local enactments have been framed more or less on the same lines. Lower Burma was provided with a separate Forest Law in 1881 (Act XIX) and Upper Burma forests were the subject of legislation in 1887, 1890, and 1898. (Regulations VI, VIII, and X). In 1902 a consolidated Forest Act was passed for the whole Province (Act IV). In Madras the general Act was considered unsuitable owing to the extent and complexity of private rights in waste land and jungle. The first attempt at local forest legislation failed to gain the assent of the

Governor General and led to the deputation to Madras of the Inspector General of Forests, the outcome of whose visit was the Madras Forest Act V of 1882, which is an improved edition of the earlier legislation for Burma. A Regulation on the same model was given to Assam in 1891 (Regulation VII). The principal difference between these local enactments and the general law lies in the treatment of unoccupied crown lands not included in reserved forests. No survey or record-of-rights is attempted, nor are they defined and classed as protected forests but are dealt with generally, the Local Governments framing such protective regulations as are considered necessary in each case; and these regulations have the force of law. In Burma all standing teak trees, whether on government or private lands, are declared to be the property of the State.

10. The minor administrations or tracts which have separate forest laws to suit special local conditions are:—

*Ajmer*, where Regulation VI of 1874 provides for the compulsory formation of village waste lands into professionally managed forests and pastures for the exclusive benefit of the villagers, and Regulation I of 1892 which admits of the extension of the same protection to estate-commons at the request of the owners.

*Baluchistan*, where, by Regulation V of 1890, the Chief Commissioner may by the simple issue of a notification "declare any wood-land, permanent grazing ground or other land which is the property of the government to be a State forest" in which no rights adverse to government may be acquired by lapse or otherwise than under a government grant.

*Berar*, where the procedure in the constitution of forests is the same as in Baluchistan (Forest Law of 1886).

*Hazara*, a district of the North-West Frontier Province, where special powers have been taken (Regulation VI of 1893) to prevent the denudation of hill slopes.

*Punjab Sewaliks*, where owing to the debisement of the forests of the Sewalik range and consequent destructive action of the hill torrents, it has been found necessary to assume power by Punjab Act II of 1900 to expropriate (subject to compensation) the owners of areas required for protective purposes.

11. The total area of all lands now under the Forest Department is 233,600 square miles, or about 24 per cent. of the whole area of British India (exclusive of Native States). Of this area, 92,500



square miles are classed as 'reserved', 10,000 as 'protected', and 131,100 square miles (of which 103,014 are in Burma and 28,125 in Eastern Bengal and Assam) are 'unclassed'. The forest revenue in 1905-06 amounted to 267 lakhs, and the expenditure to 143 lakhs; of the surplus of 124 lakhs, 64 lakhs, or over half, was contributed by Burma.

12. The general effect of the activity in forest administration to which reference has been made was an extensive (though to some extent unavoidable) curtailment and interference with ancient and customary rights of the population in forests and waste lands, and a tendency to subordinate other considerations to the development of the forest revenue. In 1894 instances of the serious discontent caused by restrictive forest measures having come under notice, the Government of India issued a definite statement of their forest policy, similar to that which eight years later was promulgated by Lord Curzon's Government on the subject of land revenue assessments. These orders aimed at a more liberal recognition of the claims of village inhabitants to the produce of forests and waste lands in their vicinity for the supply of personal wants, the sustenance of their cattle, and the needs of cultivation, greater attention to local demands generally, and the limitation of stringent protective measures to valuable timber forests.

13. Summarized briefly, the principles laid down in the resolution are as follows:—

- (1) The regulation of rights and the restriction of privileges of user in the forest area which may have been enjoyed by the inhabitants of the immediate neighbourhood are justifiable only when the advantage to be gained by the public is great; and the cardinal principle to be observed is, that the rights and privileges of individuals must be limited, otherwise than for their own benefit, only in such degree as is absolutely necessary to secure that advantage.
- (2) In the application of this principle, forest lands should, with reference to their main features, be broadly classed as—
  - (a) Forests the preservation of which is essential on climatic or physical grounds.

*Declaration of Forest Policy (1894).*

Resolution No. 22-F., dated 18th October 1894. Proceedings December 1894, Nos. 16 to 19.

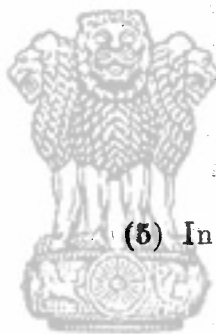
(b) Forests which afford a supply of valuable timbers for commercial purposes.

(c) Minor forests.

(d) Pasture lands.

(3) Forests of class (a) are generally those which are essential to the preservation of hill slopes and the regulation of destructive torrents, and so long as there is a reasonable hope of the restriction being effective they should be strictly protected.

(4) The second class of forests should be managed mainly on commercial lines as valuable properties of, and sources of revenue to, the State; but even here every reasonable facility should be afforded to the people in the neighbourhood for the full and easy satisfaction of their agricultural and domestic requirements, either free or at low and not at competitive rates, it being understood that considerations of forest income are to be subordinated to that satisfaction.



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(5) In the third class of forests, which are useful chiefly as supplying fuel and fodder or grazing for local consumption, the management should be mainly in the interests of the population of the tract which supplies its forest requirements from this source. Where the areas in question afford the only grazing and the only supply of fuel to the villages which lie around or within them, their necessities should be treated as paramount, and satisfied at the most moderate rates and with as little direct official interference as possible. Where villages possess sufficient pastures of their own, a fair revenue should be realized from the nomadic herdsmen and others who utilize the government areas.

(6) In mere pasture lands, grazing grounds, and scattered waste lands owned by the crown but not classed as forests, the same principles apply but with even greater force and they should,

where possible, be managed through the village communities.

- (7) In all cases, but more particularly where important forest interests are not involved, the exercise by subordinate officials of the authority to seize trespassing cattle and compound forest offences should be closely restricted and safeguarded.
- (8) The stricter provisions of the law intended for reserved forests should be applied, as a rule, only to forests of the first and second classes, and if lands falling under the third and fourth classes are placed at all under the Act, they should be maintained permanently as 'protected' forests.
- (9) The claims of cultivation should be recognized as stronger than the claims of forest preservation, and forest lands may be diverted to agricultural purposes by Local Governments at discretion, provided the cultivation is permanent and not shifting, does not 'honey comb' the forests with fields and settlements, or encroach on the minimum forest supply required for general needs; and provided also that the forest is not essential to the preservation of the tract from sterilization.

14. It is difficult to say what actual impression has been made on forest administration by the fair and liberal principles promulgated in 1894, but their influence is not apparent in the statistical returns of the Forest department. While the gross forest revenues show an increase from 160 to 267 lakhs, the estimated value of the produce given away free or at reduced rate to villagers has remained stationary at about 35 lakhs.

15. With the expansion of the professionally managed forest area and of the forest revenues, there has also been a marked and continuous development of forest establishments. In 1869 the superior or controlling staff, exclusive of Madras and Bombay, consisted of 57 officers; in 1884 the number for all India stood at 163; in 1888 at 185, and in 1891 at 196. Meanwhile, the scale of salaries also had been greatly improved. In 1891 the principles advocated by the Public Service Commission were applied to the Forest department and a Provincial

*Organisation of forest establishments.*

or Indian-recruited superior forest service was constituted. By this reorganization, which had for its object the larger employment of Indians in the supervision of forest management, a share, at present fixed at one-fifth, of what are called "major charges", that is, the more important forest divisions, and the whole of the "minor charges," were to be ultimately filled by the Provincial service. In 1896 the Imperial service was temporarily raised to 211 appointments to provide for the increasing demands of Upper Burma. At the present time the controlling staff consists of 202 appointments of conservators and deputy and assistant conservators in the Imperial branch, on salaries ranging from R380 to R2,650 a month; and 139 appointments of extra-deputy and extra-assistant conservators in the Provincial branch, on salaries ranging from R200 to R600 a month.

16. These figures do not indicate much progress in the substitution of indigenous for the more costly imported agency in the controlling staff, but the transfers contemplated in 1891 are still incomplete, and difficulties have arisen owing to the imperfect training and inferior education of candidates offering for the Provincial service. Attention has recently been drawn to this question by the Secretary of State in connection with demands for more Imperial officers, and he has urged the importance of adhering to the general policy which has been deliberately adopted, of creating and developing an indigenous agency in the Forest department, as in other departments of the public service, of assigning to the Provincial service a due proportion of the higher controlling posts, and of relying mainly on the expansion of that service to cope with the increasing work of the department. Prior to the receipt of these instructions, measures had been set on foot to place the recruitment and training of candidates on a more satisfactory footing, and the improvement of the pay and prospects of the Provincial service is now under consideration.

17. Among other recent measures affecting the organization of the department may be mentioned the creation of the post of Chief Conservator in Burma and the Central Provinces, a further increase of the emoluments of the Imperial service, and the substitution for the system of graded appointments of a time scale of pay, that is, a salary rising by annual increments from the first to the twentieth

A Proceedings, March 1907, Nos. 58 and 59  
and Nos. 60 and 61.  
Circular No. 35 F.—388, dated 11th October  
1907.

Proceedings November 1906, Nos. 43 to 49.  
March 1906, Nos. 69 and 70.  
1907, Nos. 78 and 79.

year of service, for all officers of the Imperial service below the rank of conservator. This change, which was made in 1907, does away with the troublesome business of arranging officiating promotions, and it is in contemplation to apply the same system to the Provincial service. Further particulars regarding the constitution of the Imperial and Provincial Services will be found in Appendix II.

18. Executive duties are carried out by rangers, of whom there are 554, and protective duties by deputy rangers, foresters and guards who number about 10,700. All these officials belong to the subordinate service and their remuneration varies. The average pay of rangers is R80, of deputy rangers and foresters R25 and of guards R8 a month. According to the latest returns the annual total cost of the superior or controlling staff amounts to 24 lakhs a year, of the subordinate service 21 lakhs, and of office establishments, etc., 10 lakhs.

19. For purposes of forest administration, the forests of each large Province are divided into circles, divisions, subdivisions or ranges, and beats. The circle, of which there may be one or more in a Province, is in charge of a conservator who is the chief controlling forest officer within his circle. In Provinces possessing extensive forests it has been found necessary to appoint a Chief Conservator\* as head of the Provincial Forest department, who assists the Local Government, as technical adviser, in the conduct of forest administration and the disposal of forest business. In Madras the Forest department is administered by the Board of Revenue†; elsewhere conservators are directly subordinate to the Local Government. "A conservatorship is divided into a number of divisions, each of which is in charge of a member of the controlling staff. As a rule, the more important divisions are in charge of officers of the Imperial service, and the minor ones of officers of the Provincial service. These officers though in many Provinces placed in subordination to the chief civil officers of the district in which their charges are situated, have practically a free hand to carry out their professional work under the control of the conservator. The divisions are again divided into subdivisions or ranges held by either junior officers of the Provincial service, or by rangers and deputy rangers; and in some

\* At present only Burma and the Central Provinces have a Chief Conservator.

† Section 65 of the Madras Forest Act empowers the Local Government to delegate to the Board of Revenue the functions and powers vested in the Local Government under certain provisions of the Act.

cases, owing to an insufficiency of the rangers' staff, still by foresters. The range officer is the executive officer in the tract of forest in his charge, and is directly responsible to the divisional officer for the protection and working of the forest in each detail. In special works he is assisted by foresters. For protective purposes his range is divided into a number of beats in charge of forest guards."

*Recruitment and training.*

"Forestry in British India," page 227.

20. With the exception of the head of the department, the superior forest staff originally consisted of officers without any special training. In 1866, two more trained officers were obtained from Germany and at the same time arrangements were made for the training of selected English candidates in the forest schools of that country and France. At the end of 1875 the professional education was entirely transferred to Nancy. "In 1881, a change in the recruitment for India was for the first time seriously discussed. Difficulties had arisen as regards the continental training in Germany, which led to the abandonment of the recruiting through German forest schools, and it seemed likely that the same might happen in France". In 1884, the establishment of a national forest school in England in connection with Coopers Hill College for engineering was decided upon, and for twenty-two years that college provided all the recruits for the higher ranks of the service. Upon the abolition of Coopers Hill College in 1906, other arrangements had to be made, and probationers for the "Imperial" service are now appointed by the Secretary of State upon the results of a competitive examination conducted by the Civil Service Commissioners. The period of probation extends over three years, two of which are spent at Oxford University which provides a special forest course and diploma, and the third on the Continent. Probationers who successfully pass the course are appointed assistant conservators, and on arrival are posted to their respective Provinces by the Government of India.

21. As regards the training of the portion of the forest establishment recruited in India, a beginning was made in 1869 by placing selected natives under officers who were considered specially qualified to instruct them, but this proved inadequate. "The next attempt was to apprentice a number of young men to forest divisions for a year or two, and thence to send them for a year to the Roorkee or some other engineering college for theoretical instruction. This experiment also

"Forestry in India," page 233.

had not the results desired." In 1878, it was determined to establish a forest school in Dehra Dun, a submontane district of the United Provinces, and to make the neighbouring forests a practical training ground for the students. The director of the school was made conservator of the school forests and, for a short time, the office was also combined with that of Superintendent of forest surveys (then a special branch of the Forest Department, now absorbed in the Survey of India Department). Though open to students from all parts of India, the administrative control of the institution was entrusted to the Provincial Government, the management and course of instruction, however, being controlled by a Board of Inspection of which the Inspector-General of Forests was President.

Proceedings, September 1878, Nos. 22 to 30

22. In 1884, the school was transferred to the direct control of the Government of India and the director-conservator, in his capacity of director, was placed under the orders of the Inspector-General of Forests who was given the powers of a "Local Government" in respect of the school; but as forest conservator, he continued under the Provincial Government. This arrangement lasted till 1906 when a complete reorganization was carried out. The institution was converted into a centre of scientific forest research as well as of higher forest education, and its designation was altered to Imperial Forest Research Institute and College; at the same time the director was relieved of his forest charge which was retransferred to the western circle of the United Provinces. The staff at present consists of a principal (who ordinarily holds the rank of conservator) and five officers of the Imperial service selected as experts in various branches of science applicable to forestry. In addition to their research work these officers deliver lectures on their special subjects at the college and take part in the training of the students, and they are assisted in their educational duties by assistant instructors drawn from the Provincial service.

Proceedings, June 1884, Nos. 12 to 31.

Proceedings, May 1905, No. 57.  
 Proceedings, January 1906, Nos. 18 to 20.  
 Proceedings, July 1906, Nos. 16 and 17.

23. The Dehra institution was intended to be a training school not only for officers of the executive branch of the Forest department, but to be gradually developed so as to educate officers also for the controlling staff. For many years, however, no serious attempt was made to give effect to this policy and instruction was confined to two courses, one in English for rangers, and another in vernacular for foresters; nor was any change made on the creation of the Provincial service

Proceedings, November 1906, Nos. 5 to 18.  
 Proceedings, September 1907, Nos. 37 to 40.

in 1891 to meet the altered conditions, as the ranger class, with an initial pay of R40 or R50 a month, was made the sole avenue for entering that service. Ultimately it came to be realized that owing to the poor prospects offered, the system had failed to secure a suitable class of candidates for the Provincial service, and that in the efforts to fit students for the higher duties of the controlling staff, to which some of them might aspire eventually rise, the standard of instruction had gone beyond their intellectual capacity to assimilate. To remedy these defects the rules of recruitment were altered in 1906 and the course of instruction revised. The vernacular class was abolished, the training of the subordinate service below the rank of ranger was left to Local Governments, who are now establishing local forest schools or taking other measures of instruction for this purpose,\* and a third year's course (the nature of which has not yet been definitely settled) was introduced for candidates nominated for direct appointment to the Provincial service, to whom Local Governments were also authorized to grant a higher rate of stipends while undergoing training. Under this arrangement it is left to Local Governments to recruit their Provincial service either by promotion of deserving rangers or by direct nomination of candidates who must undergo a three years' course of training followed by a probationary period of service.

*Relations between forest and revenue officers*

Despatch No. 5, dated 25th February 1863.

24. In 1861, the forest business coming up to the Government of India from the Provinces included in the Bengal Presidency was transferred to the Department of Public Works, and on the constitution of a Forest department in 1864, it was decided to retain it in that branch of the Imperial Secretariat. The arrangement was, however, strongly objected to by the Secretary of State, who desired that forests should be administered in the Revenue Department with which the subject was naturally connected, and in reference to a suggestion that forest conservancy might suffer at the hands of revenue officers he observed "now that the forests are considered by Government to be a product of the soil to be fostered like any other crop, I do not think a Collector would be eager, as you apprehend, to sacrifice forest to cultivation." Ultimately a reluctant consent was obtained to the

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\*In Burma, a forest school for the training of Burmans had been in existence for some years when these changes took place and a special concession has been allowed permitting Burman candidates for the Provincial service to undergo the rangers' course at the local school and the special third year's course at Dehra.



Government of India's arrangement, on the assurance that the connection between public works and forest business would be merely nominal, and in view of the fact that the revenue work of the Government of India was, at the time, dealt with in more than one department. The Secretary of State insisted, however, that "the new Forest department should be strictly enjoined to act in concert with the Revenue department." The administration of forest business continued with the Public Works Department till 1871, when it was transferred to the newly created Revenue Secretariat, and with the exception of a period of five years (1881-1886) during which it was controlled in the Home Department it has, ever since in the Government of India, been associated with land revenue administration. But its earlier association with the Public Works Department, notwithstanding its avowedly nominal character, has probably exercised a considerable influence in shaping the organization of the Forest department, and the centralized system of control which it has assumed. A similar arrangement was not insisted on in the case of Local Governments and Administrations, who were left to transact their forest business in whatever branch of their Secretariat offices they thought fit.

25. No general pronouncement appears to have been made by the Government of India, either then or subsequently, defining the position of revenue officers in forest management, nor (except in Madras) are any duties and functions assigned to them under the forest laws, though, as already observed, they may be invested with all or any of the legal powers of a forest officer, and forest settlements are carried out by them. The occurrence of friction between the two departments has, however, led Local Governments at various times to prescribe by rule the relations between revenue and forest officers. In the Southern Presidencies the strong indication given by the Secretary of State that forests should form a branch of land revenue administration, combined probably with the closer connection between their forests and cultivation, appear to have borne fruit in Madras in the subordination of forest management and establishments to the Board of Revenue and in Bombay to Commissioners and Collectors. The question of removing the Forest department in Madras from the control of the Board of Revenue and placing it directly under the Government has been raised more than once and has always been strongly opposed by the Government of Madras. It was

last considered in July 1907 when the Government of India were convinced by the arguments urged by the Local Government against any change, and recognized that "the liberal forest policy pursued in that Presidency is largely due to the subordination of the Forest to the District Officer, and to the close control of forest administration by the Revenue authorities". In the Provinces of the Bengal Presidency and in Burma the authority of revenue officers in forest matters has remained little more than nominal. This is clearly apparent from a comparison of the Bombay and Bengal rules in Appendix III. Further information on the subject will be found in the "Note on Commissioners".

26. The general position in each Province in 1900 was summarized in the following extract, and has not materially altered since :—

"Proposals for giving effect to this (the association of revenue officers in forest management) were put forward by Mr. Brandis, late Inspector General of Forests, to the Government of India, when submitting a scheme for a reorganization of the Bombay forest staff in 1870. The plan there adopted consists of the appointment of a "District Forest Officer" to each district or collectorate, who is in charge of all forest matters in the district, and entirely subordinate to the Collector, through whom he corresponds with the conservator. The next step in this direction was taken by the Chief Commissioner of the Central Provinces, who introduced in 1877 a modified system according to which the conservator and his assistants remain in independent charge of all reserved forests, while the district forest officers are subordinate to the Deputy Commissioners regarding all unreserved forests. A further modification was introduced by the Government of the North Western Provinces and Oudh in 1880, by which the district forest officer is made subordinate to the Collector, his correspondence being arranged in two classes ; that referring to accounts, establishments and a few other subjects is sent direct to the conservator of forests, while that on all other subjects is submitted by the district forest officer to the Collector, who forwards it to the conservator. The same system was introduced into Assam on the 1st January 1882, and a similar arrangement has been in force in Burma since 1880. In Bengal the subject was under consideration for a number of years, and arrangements were finally made to establish the

connection between the civil and forest administration in most districts. The system has, however, been modified in some parts of the country, by placing a senior deputy conservator of forests under the orders of the Commissioner of the Division, instead of under those of the District Officer. In the Hazara and Rawalpindi Districts of the Punjab, the forest officers have for many years past been nominally subordinate to the Deputy Commissioners. In 1881, proposals were submitted to make the system general in the Province, and this has since been done. In Madras a system similar to that adopted in Bombay has been in force for some time, but the arrangements were somewhat modified, and the conservator is only an inspecting officer with powers of finance and establishments."

27. The position and duties of the Inspector General of Forests were laid down in the resolution, dated the 22nd March 1864, creating the appointment, extracts from which will be found in Appendix IV. In accordance with the injunctions of the Secretary of State, these instructions left the forest administration in the Madras and Bombay Presidencies and in the three Lieutenant-Governorships then existing (Bengal, the North Western Provinces and the Punjab) "entirely under the orders of the Local Governments," but the Inspector General could be deputed to examine the condition of any forests and submit proposals and suggestions regarding forest administration to the Government of India and Local Governments. Only in the case of the Provinces directly administered by the Government of India was the Inspector General given any power of direct interference in forest management. The inclusion of Madras in the inspecting jurisdiction of the Inspector General was objected to by the Madras Government, who had long enjoyed complete independence in forest matters, and it was ruled by the Secretary of State that such inspections would be a needless interference and contrary to his previous orders, which required that the forests of the subordinate Presidencies should be left altogether to the management of their respective Governors.

28. The increasing interest in forests brought about a change of opinion in favour of more centralized methods, and in 1870 further orders were issued with the object of placing the Inspector General "in a position in which he can effectually inspect and supervise all forest operations and freely advise the administration in

*The Inspector General of Forests, his functions and duties.*

Resolution No. 3, dated 25th February 1875.

all matters relating to forest management." The orders of 1870, which applied to Madras and Bombay, were protested against by the Governments of those Presidencies who were, however, overruled by the Secretary of State. But they appear to have led to unsatisfactory results and friction, and were withdrawn in 1875, fresh instructions being issued which restored Madras and Bombay to the independent position they occupied in 1864, and defined the position of the Inspector General, as an inspecting and advisory officer, as analogous to that of the Inspector General of Irrigation. Extracts from these instructions will also be found in Appendix IV. In 1884, a central office was established under the Inspector General to scrutinize and pass all forest working-plans and watch their execution by means of "control forms." By this measure the Inspector General, whose assistant (an officer of the Imperial service) was made Superintendent of working-plans, practically became responsible for the proper exploitation of every forest, outside the Madras and Bombay Presidencies, brought under a regular working-plan or scheme of operations for maintaining or improving the yield.\* The system has been more than once in danger of breaking down under its own weight, and the responsibility for the detailed examination and check of control forms has now been transferred to conservators. The central working-plans office has also been placed under a special officer, who is a member of the expert and educational staff of the Forest Research Institute and College. He carries out the duties of examination and criticism hitherto performed by the Assistant Inspector General of Forests, but the approval of the Inspector General continues to be necessary to all working-plans.

29. As they now stand, the duties and functions of the Inspector General have been summarized as follows:—

**I. General Inspection.**—The Inspector General may make inspection tours and submit to a Local Government reports or notes on the forests visited, either direct or through the Government of India. He may inspect conservators' and divisional offices and submit reports on them to the Local Government, the Comptroller and Auditor General, and the Government of India.

\* See rules 85 to 94 of the Forest Department Code abstracted in Appendix I.

II. *General correspondence.*—He may correspond officially with conservators on professional subjects, including the preparation of working-plans, and on any other matters which do not involve questions of administrative or general policy, but except as regards working-plans, no *instructions* may be issued by him in the course of such correspondence. He may write to a Local Government with reference to any professional matter. In addition to the circulation of his monthly proceedings, copies of letters on important matters are, whenever necessary, forwarded at once to the Government of India or to the Local Government as the case may be.

III. *Working-plans.*—When a working-plan is to be prepared the conservator submits a preliminary report to the Inspector General, who communicates his remarks thereon to the conservator, and the latter officer is expected to consult the Inspector General on all important technical points connected with the elaboration of the plan. The Inspector General may issue directions regarding the technical part of the preparation of working-plans; but as regards other matters, he addresses the Local Government with a view to the issue of such orders as may appear advisable. When a working-plan has been drawn up, the conservator submits it to the Inspector General who forwards it, with his opinion and remarks, to the Local Government for orders. To provide that the prescriptions of a working-plan are adhered to, conservators submit abstracts of their control books to the Inspector General who, if he notices any deviations from the orders sanctioning the working-plan, draws the attention of the conservator for explanation, or, when necessary, that he may obtain the Local Government's orders.

30. In 1905, the Government of India addressed the Madras and Bombay Gov-

Proceedings, May 1905, No. 23.  
Proceedings, February 1906, Nos. 14 to 16.

ernments with the object of inducing them to accept the professional advice of the Inspector General in bringing forest administration in those Presidencies into line with forest administration in other Provinces, and it has been arranged that the Inspector General shall, when the Madras and Bombay Governments so desire, inspect and report upon their forests and criticize their working-plans.

Circular No. 3—151-3, dated 11th January 1907.

31. Apart from his inspecting and advisory duties, and control of working-plans, the Inspector General was, until recently, in charge of forest surveys, which were carried out by an establishment distinct from the Imperial survey department, but which, as already stated, have now been made over to the latter department. He has also under his immediate control the central Forest College and Research Institute at Dehra and its staff, and in matters relating to the expenditure and non-gazetted establishment of that institution, he possesses most of the powers of a Local Government under the financial rules. In the administration of the college he is assisted by a Board of which he is the president, and conservators are *ex-officio* members. The Board assembles annually to examine the students and advise on the course of instruction, and its remarks and proposals are submitted to the Government of India for orders by the Inspector General. As research officers, the members of the college staff correspond independently with the Inspector General, whose sanction is required to the investigations and tours to be undertaken, and the publication of the results.

Proceedings, June 1907, Nos. 41 to 43.

32. The position accorded in practice to the Inspector General of Forests in his relations with the Government of India are of a much more intimate character than those of other heads of departments under the Revenue and Agricultural Secretariat. His own office is manned by the Secretariat staff, all Secretariat cases in the Forest branch (of which he is in charge) are submitted through him, and he is permitted to pass orders on some minor cases. He is thus, for all practical purposes (though not constitutionally or in name), a Deputy Secretary for Forests to the Government of India. And in addition to the influence which he exercises directly and through the Government of India over Provincial forest management (outside Madras and Bombay) by his inspections, advice, and control of working-plans, the selection of officers for the post of conservator or head of the Provincial forest department (which rests with the

Government of India) is largely guided by his recommendations. In 1887, as a matter of Secretariat convenience and to meet the susceptibilities of Local Governments, the Inspector General was required to address the Government of India officially when questions affecting large matters of policy or matters involving a difference of opinion between him and a Local Government were concerned: also, on all questions concerning the position and pay of forest officers employed under the Supreme Government; but, in practice this procedure is rarely resorted to.

33. Control over forest administration by the Government of India, apart from the references necessitated by general financial rules, is exercised through five distinct channels; viz., (1) the Inspector General of Forests, (2) the Forest College and Research Institute, (3) the appointment of the chief controlling forest officers, (4) the provisions of the forest laws, and (5) the orders embodied in the "Indian Forest Department Code." The two first have already been dealt with. By means of the Inspector General's tours and inspections, the Government of India are kept informed of the condition of the forests in the various Provinces, and it is to his initiative that many of the schemes and orders emanating from the Secretariat are due. Through him also the working or exploitation of each important forest is subjected to detailed examination and approval. Through the Forest College and Research Institute the Government of India are able to control the organization and education of the Provincial and executive forest services, as well as to direct all scientific research connected with forest management and production.

34. Appendix II shows the system on which the Imperial service is divided into India and Provincial lists for purposes of appointment and promotion. The patronage of appointment on the India list is reserved to the Government of India, and it includes all chief conservators and conservators outside the Madras and Bombay Presidencies. By reserving to themselves the power to nominate the officer to hold charge of each forest circle, the Government of India are enabled to exercise a strong and direct influence over Provincial forest administration. The suggestion was put forward in 1905 that the extension of the system to Madras and Bombay would be of advantage to forest interests in those Presidencies by enlarging the fields of experience and selection. The Local

Proceedings General, September 1887,  
No. 2.

*Control exercised by the Government of  
India over forest administration.*

A Pros., Feby. 1906, Nos. 14 to 16.

Governments were however opposed to the proposal. In the Southern Presidencies, as already observed, forests are not looked upon as a purely technical department which ought to be managed on some more or less uniform system devised by the Inspector General of Forests, and which should result in a conservator being able to take charge of circle anywhere in India. The policy there is to hold "that forests ought to be a branch, though no doubt a *quasi*-technical branch, of the Land Revenue department, and that it is essential that a forest officer should be in a position to comprehend the language and the prejudices of the people as well as the local administrative system, lest his professional zeal should hurry him into action which would be impolitic in regard to considerations which are of greater importance than technical forestry."\*

35. In the forest laws the previous sanction of the Government of India has been made necessary to action or orders under various provisions. These provisions are summarized in Appendix V. Foremost amongst them is the exclusion of any land from an area which has once been declared a reserved forest. This occurs in all forest laws. A Local Government may permit cultivation in a reserved forest, but cannot alter its classification or boundaries without the Supreme Government's authority. Changes in the boundaries of reserved forests, often of a petty character, are frequently required either in the interests of forest management or of cultivation, and this restriction results in numerous references to the Government of India. It has therefore been agreed that the law should be amended so as to permit Local Governments to sanction exclusions, with the general or specific sanction of the Governor General in Council.

36. Under the Indian Forest Act, rules for "protected" forests (including rules for hunting and fishing in them) require the approval of the Government of India, but the corresponding rules framed under local Acts (except in Berar and Baluchistan) do not require such sanction. The Governments of Madras and Burma have therefore power to issue rules which the Governments of Bombay, Bengal, the United Provinces and Punjab must sub-

File No. 386 of 1907.

\*These observations were recorded by the President of the Decentralization Committee, and concurred in by the members, upon a reference to the Committee of a note by the Inspector General re-opening the question of the appointment of conservators in Madras and Bombay, and urging the subjection of forest management in those Provinces to the same technical control as elsewhere.



mit for the approval of the Government of India. Rules for the management of village forests require the approval of the Supreme Government under the Indian Forest Act, but not under the Assam Forest Regulation. In regard to the levy of duty on imported timber, etc., and the regulation of the transit of forest produce, the same dissimilarity occurs between the procedure prescribed in the general and local forest laws. These differences may be due to differences in local conditions, and also, probably, to the fact that when the local enactments were passed forest administration has assumed a more settled form.

37. The Forest Department Code is a volume of rules binding on all Local Governments, except Madras and Bombay, which not only embody any general instructions issued from time to time by the Government of India, but lay down detailed instructions regarding establishments, the management and working of forests and forest accounts, and the conduct of business in forest offices. In addition to the Code, each Province has its own manual of forest rules. A summary of the provisions of the Code which define and limit the powers of Local Governments and controlling forest officers is given in Appendix I. During the past three years the power of Local Governments to make grants of forest produce has been increased, and the authority of forest officers in regard to establishments and expenditure has been considerably enlarged; the audit of forest accounts, hitherto concentrated in the office of the Comptroller and Auditor General, has also been decentralized, and the procedure in dealing with forest budget estimates simplified; but the Code has retained its character of a manual of executive instructions such as, in other branches of administration, are issued by Local Governments or under their authority.

38. It will be apparent from what has preceded that, except in the Southern Presidencies where the Forest department is on the same footing, and is as much under the unfettered control of the Local Governments as any other branch of ordinary civil administration, the direction of forest management has come to be largely centralized in the Government of India. That this was not the original intention is clear from the earlier despatches of the Secretary of State, and the terms of the resolution issued in 1864 when the Forest department was formed. The tendency to centralized direction appears to have developed as the profes-

sional side of forestry grew in importance and dwarfed the other aspects of forest administration, till the department came to be viewed as a purely technical one demanding imperial organization and guidance. The presence, too, of a professional adviser with the Government of India, who was originally, and for some time afterwards, almost the only expert in the department, has not been without its influence in promoting and maintaining a close control over Provincial forest affairs. It is interesting to note that in revenue settlements as well as in forest administration the active intervention of the Government of India dates from the creation of special agencies at the Imperial head-quarters to deal with these subjects, and, in fact, the control exercised over revenue settlements was cited at the time in support of the system under which all forest working-plans were made subject to the approval of the Government of India's forest adviser. In both cases a stage has eventually been reached when the necessity for some devolutionary measures to ease the excessive burden of work caused by centralized control has forced itself into notice. But the measures hitherto adopted have not, in the case of the Forest department, been sufficiently comprehensive to materially affect the position; and notwithstanding the multiplication of administrative forest appointments in the Provinces, the settlement of all important principles of forest conservancy, and the concession to Local Governments of an equal interest with the Government of India in the growth of forest revenues, there has, except in minor matters, been no appreciable relaxation in the nature and extent of the control exercised by the Supreme Government over Provincial Forest administration outside Madras and Bombay.

A. R. TUCKER,—28-11-1907.

## APPENDIX I.

*Provisions in the Forest Department Code defining or restricting the powers of Local Governments and conservators.*

- Articles. The classes of officers who may be placed in charge of divisions, sub-divisions, ranges and beats are prescribed by the Code, but Local Governments may temporarily deviate from the rule, and empower conservators to do so in the case of sub-divisions.
- 6
- 8 The powers of Local Governments as regards expenditure on forest establishments are regulated by Article 283 of the Civil Account Code. A Local Government may delegate to conservators the power to distribute the total amounts sanctioned for the pay of the permanent subordinate forest service and for the pay of the permanent office establishments respectively, and more particularly it may delegate to these officers the power to transfer appointments in the clerical establishments between divisional offices, but not as regards transfers affecting their own offices.
- 8 A. Local Governments administering expenditure on forests wholly chargeable to Imperial funds have power to sanction within the budget grant, temporary establishments for a fixed period not exceeding twelve months, subject to a monthly maximum pay of ₹100 to any individual.
20. The following officers are borne on the "India List" of the Imperial forest service:—the Inspector General, all conservators, the Assistant Inspector General, the officers attached to the Imperial Forest Research Institute and College at Dehra Dun, and those on deputation to foreign service.
- All other officers are borne on their respective "Provincial Lists."
- The appointment of the officers who hold charge of the forests in Ajmer, Baluchistan and the Andamans rests with the Government of India; in Coorg with the Government of Madras.
- 21(ii). The Local Government may, when a working-plan has been approved and accepted, sanction to any officer who may have been in charge of such plan a remuneration which shall not exceed ₹100 per mensem for the time during which he has been at work on such plan.
24. Four personal allowances of ₹50 each are granted to extra-assistant conservators (outside Madras and Bombay) who are placed in charge of forest division.

*General.*

*Constitution of the Forest service.*

These allowances are sanctioned by the Government of India on the recommendations of Local Governments.

The selection and appointment of candidates for the Provincial and Subordinate services (down to the grade of deputy ranger) and the grant of stipends to nominated candidates who are sent to the forest college or schools for training, rest with Local Governments subject to the rules and limitations laid down in these articles. Appointments are restricted to the promotion of deserving officers of lower rank, and to candidates who have successfully passed the training course. Conservators in Burma may be empowered to appoint probationary deputy rangers on certain conditions.

30, 32 and  
33.

Permanent and officiating appointments to the class of forester in any grade may be granted, subject to such rules as may be prescribed by the Local Government, by the conservator, or by any selected officer or class of officer in charge of a forest division empowered to this effect by the Local Government.

34.

Appointments to the class of forest guard on a salary below ₹15 per mensem may be made by the divisional forest officer.

Promotions to and on the India List, whether permanent or temporary, as well as the selection of officers for foreign service, are made by the Government of India. In order to fill vacancies on the India List, officers may be selected from any Provincial List. To enable the Government of India to select officers for promotion to the class of conservator, Local Governments submit, by the 1st July in each year, confidential reports on the qualifications of officers of fifteen years' service and upwards.

35.

Promotions in the classes of assistant and deputy conservator in the Imperial service and in all grades in the Provincial service are made by Local Governments, subject to certain restrictions laid down in these articles as to passing examinations, etc.

38 to 46.

The promotion of rangers and deputy rangers from grade to grade are made by the Local Government which may delegate its powers to the chief conservator or conservators.

48.

The promotion of forest guards from grade to grade and that of other subordinate officials whose pay is less than ₹15 per mensem, is ordinarily made by divisional officers. The following promotions are made by conservators :—

49.

(a) Forest guards to the class of foresters.

- (b) Foresters from grade to grade.  
 (c) Other subordinates, not being deputy rangers or rangers whose pay is R15 per mensem or more.

But the powers of promotion exercised by conservators may be delegated to any selected officer or class of officer in charge of a forest division by the Local Government.

55. The suspension, reduction to a lower class, stoppage of increments of pay, or removal from the service, of conservators, and other officers on the India list rests with the Government of India. *Suspension, reduction, dismissal—*  
 (1) *Imperial service.*
56. In cases of misconduct, Local Governments may suspend deputy or assistant conservators, reduce deputy conservators to the class of assistant conservators, or stop the increments of pay admissible, but the removal of these officers from the service rests with the Government of India.
57. A Local Government or Administration is authorised to stop the incremental rise of pay of any officer whose work in its opinion is not of a satisfactory nature.
58. Any member of the Provincial forest service may be suspended by order of the conservator. The reduction or dismissal of extra-assistant and extra-deputy conservators rests with the Local Government. (2) *Provincial service.*
59. Any member of the subordinate forest service may be suspended by the divisional officer. The reduction or dismissal of rangers requires the orders of the Local Government, or of the Chief Conservator; while that of deputy rangers, foresters and of other subordinates on R15 per mensem and upwards may be ordered by the conservator whose powers, save those of reduction or dismissal of deputy rangers may, however, be delegated to any selected officer or class of officers in charge of a forest division by the Local Government. The reduction or dismissal of guards and of other subordinates whose pay is less than R15 per mensem, may be ordered by the divisional officer. (3) *Subordinate service.*
60. Divisional officers have the power to fine, to the extent of one month's salary, any member of the subordinate forest service serving under them; but fines inflicted on rangers and deputy rangers require the previous sanction of the conservator.
61. Criminal prosecutions of officers of the Provincial and subordinate forest services may be instituted only by the orders of those authorities who have the powers of

reduction and dismissal; but in the case of forest guards a report must be submitted for the orders of the conservator before such proceedings are instituted.

*Resignation.*

The Government of India alone have the power to accept the resignation of officers of the Imperial forest service.

The resignation of officers in the Provincial forest service may be accepted by Local Governments.

The resignation of rangers is ordinarily accepted by Local Governments, who may, however, empower conservators to accept such resignations. The resignation of all other officers of the subordinate forest service may be accepted by conservators (or by any selected officer or class of officer in charge of a forest division when so empowered by the Local Government) in the case of those whose pay is R15 per mensem and upwards, and by divisional officers when the pay is less than R15 per mensem.

*Transfers.*

Transfers of officers on the India list are regulated by the Government of India, save that in a Province in which there is a Chief Conservator, the posting and transfers of conservators within the Province may be made by the Local Government or Administration. Transfers of gazetted officers below the rank of conservator from one Province to another are only made in exceptional cases; but the Government of India reserve to themselves the right of transferring officers from one Province to another.

Postings and transfers within a province of deputy and assistant conservators and extra deputy and extra-assistant conservators are made by the Local Government. Similar postings and transfers of officers of the subordinate forest service are made by the conservator; or so far as the conservator may delegate the power, and subject to his control, by divisional officers within the limits of their respective divisions.

*Leave of absence.*

Leave of absence to officers on the India list is granted by the Government of India alone. Their applications for leave are submitted to the Government of India through the Local Governments, Foreign States, or Colonies under whom they may be serving.

Leave of absence may be granted by Local Governments to officers of the Imperial service on the Provincial list under the rules applicable to the branch of the service to which such officers belong, and to extra deputy and extra assistant conservators. Similar leave may be

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68, 69.

granted to members of the subordinate forest service as follows :—

- (i) If the pay of the officer be R15 per mensem or less; by the divisional officer.
- (ii) If the pay of the officer be more than R15 per mensem by the conservator or, in the case of an officer below the rank of deputy ranger by any selected officer or class of officers in charge of a forest division when so empowered by the Local Government.

Local Governments are authorised to grant examination leave to assistant and extra-assistant conservators subject to certain restrictions.

71. The appointment, transfer, promotion, reduction or dismissal of members of office establishments, as well as the grant of leave to such officers, are regulated as follows :—

*Office establishments.*

- (a) If the pay of the officer is less than R15 a month; by the divisional officer.
- (b) If the pay of the officer is R15 a month or more; by the Conservator or, if the pay of the officer does not exceed R60—4—80 per mensem in Burma and R30 per mensem in other Provinces, by any selected officer or class of officer in charge of a forest division when so empowered by the Local Government.

Divisional officers have the power to reprimand, or exact additional work from, or suspend any member of the clerical establishment serving under them. They may also enter misdemeanours in service books, and submit for the Conservator's orders any cases which, in their opinion, justify postponement of increment of pay, stoppage of promotion, reduction of existing pay, or dismissal from the service of Government.

72. Extensions of service to conservators (permanent or officiating), on attaining the age of 55 years, can only be granted by the Government of India.

*Extensions of service.*

- 74, 75. Examining boards are appointed by the Local Government but must include a forest officer, and the examination rules require the previous sanction of the Government of India.

*Examinations.*

- 85, 86. The preliminary proposals and principles on which each forest working-plan is framed require the Inspector

*Working-Plans.*

General's approval, and any difference of opinion between him and the Local Government is decided by the Government of India.

Completed working-plans are submitted by conservators or Chief Conservators to the Local Government through the Inspector General. Exploitation in deficit of a working-plan may be permitted by conservators. Continuous or considerable deviations from the sanctioned plan, and all exploitations in excess, require the Local Government's sanction. All orders affecting working-plans are communicated to the Inspector General.

Conservators or Chief Conservators are responsible for the checking of the annual control returns which compare the prescriptions of working-plans and the results of actual operations.

*Accounts of timber and other stock.*

Local Governments may sanction the writing off of irrecoverable items of forest revenue, subject to a report to the Government of India when the amount involved exceeds R10,000. Chief Conservators have power to write off sums up to R1,000 in each case and conservators up to R200. Any selected officer or class of officers in charge of a forest division may be empowered by the Local Government to write off irrecoverable sums up to R25 in each case.

Special grants of timber or other forest produce, free or at favourable rates, for specific purposes, require the sanction of the Government of India if they exceed the following values:—

- (a) For the construction of large works of public utility, such as railways, tramways, and the like—R10,000.
- (b) To village communities, public bodies, Departments of Government, or sections of the community in their collective capacity, R1,000.
- (c) In other cases—R500.

Within these limits, and subject to the principles laid down in Circular No. 8-F., dated 21st May 1895, such grants may be sanctioned by the Local Government; but all concessions of whatever value made under (a) for the construction of railways or tramways, must be reported at once to the Government of India. The Local Government may delegate to the conservator the power of sanction (subject to the above limits) up to the value of R1,000 in any one case, and to any selected officer or class of officer in charge of a forest division up to a limit of R250 in any one case.



113. Stores, live-stock, timber, etc., may be written off the accounts by conservators when the value does not exceed R1,000; above that amount, the sanction of the Local Government or Chief Conservator is required. Selected divisional officers specially empowered, may write off stores, etc., to the value of R250. When the value of stock written off exceeds R10,000 a report to the Government of India is required.
114. Except to public departments, no forest produce can be sold on credit without the permission of the conservator, who reports to the Local Government when the value exceeds R5,000 and obtains previous sanction when it exceeds R10,000.
124. Forest Budget estimates are dealt with by Local Governments in the same way as those relating to other heads of revenue and expenditure, subject to the general rules laid down in the Code for the preparation of the estimates and the enforcing of Budget rules. Any departure from prescribed procedure involving important points of principle require the sanction of the Government of India.
- 28, 129. The Government of India, Finance Department, pass the totals of forest estimates and the distribution among detailed budget heads rests with the Local Governments. Subsequent transfers of funds from one forest division to another within the total amount sanctioned under each budget head for each circle may be made by the conservator; all other transfers require the previous sanction of the Local Governments, who may, however, empower conservators and deputy conservators to make re-appropriations under the head "A—Conservancy and Works," subject to a limit of R2,000 in each case, and authorize selected divisional forest officers to make any re-appropriations within the estimates of a division that a conservator can make in the estimates of a circle.
130. Whenever a proposed additional grant will be more than covered by a corresponding increase of revenue, to earn which the grant is required, the Local Government may sanction the grant and the corresponding addition to the estimates of revenue without previous reference to the Government of India in the Finance Department, reporting the amounts and the circumstances to that Department. The power conferred can only be exercised when the expenditure and revenue fall within the same financial year. In all other circumstances the previous sanction of the Government of India is necessary where no specific re-appropriation is made by a Local Government in exercise of its general powers under Article 295, Civil Account Code.

*Budget Estimates.*

*Expenditure.*

Advances of tour expenses or of a month's pay may be granted by conservators, and up to R50 by any specially empowered divisional officer, to non-gazetted officers, and to any officer under transfer. 155.

Chief Conservators may sanction recurring charges of the nature of rent up to R100 in each case; the limit for conservators is R50 in each case and R500 for the circle. 156.

Pleaders' fees for criminal prosecutions may be sanctioned by Chief Conservators up to R500 in each case, by conservators up to R250, and specially empowered divisional officers up to R100. 157.

Subject to Budget provision, items of ordinary expenditure up to any amount may be sanctioned by conservators and specially empowered divisional officers, and unusual items up to R100. 158, 159.

Chief Conservators have power to sanction items of capital expenditure as follows: (1) elephants R4,000; (2) other live stock, stores, tools and plant, etc., R1,000; (3) other items R5,000. In Burma the Local Government may empower a conservator to purchase elephants up to R4,000, and elsewhere up to R3,000. Under heads (2) and (3) conservators have powers up to R1,000 and R2,000 respectively, and specially empowered divisional officers up to R500 and R1,000. The powers of sanction by Local Governments in the case of capital expenditure are limited to R10,000 for major Provinces (including the Central Provinces) and R5,000 for minor administrations. 160.

Refunds of forest revenue may be sanctioned by Local Governments up to R10,000, by Chief Conservators up to R3,000, and by specially empowered conservators and divisional officers up to R1,000 and R200 in each case. 168.

Conservators may prescribe the amount up to which, and the circumstances under which, advances may be made to contractors without his previous sanction. Irrecoverable advances to contractors may be written off up to R5,000 by Local Governments and R250 by Chief Conservators and conservators. 208, 211.

*Suits and prosecutions.*

The Local Government's sanction is required to the institution or defence of civil suits, and the conservator's sanction to the engagement of a pleader for criminal prosecutions; but this latter power may be delegated by the Local Governments to selected divisional officers. 246, 247.

*Records.*

The authority of the conservator is required to the destruction of useless records of divisional offices, but it may be delegated by the Local Governments to selected divisional officers. 251.

## APPENDIX II.

*Constitution of the Imperial and Provincial Forest services.*

The Imperial forest service comprises the following appointments :—

	R
Inspector General of Forests . . .	2,650 a month.
Chief Conservators, (Burma and Central Provinces) . . .	2,150 "
Conservators, in three grades . . .	1,900 "
	1,700 } ,, respectively.
	1,500 }
Deputy Conservators	R380 a month, rising by annual increments of R40 a month to R700 a month; thereafter by annual increments of R50 a month to R1,250 a month, in the twentieth year of service.
Assistant Conservators	
Assistant Inspector General of Forests.	Pay according to rank in the India or Provincial lists.
Principal of the Forest College.	
Five officers employed at the Forest Research Institute and College.	
Foreign Service appointments (five plus four temporary).	

Whilst drawing pay up to and including R540 a month, an officer is styled "assistant conservator" and when drawing pay at R580 per mensem and upwards, he ranks as "deputy conservator."

In addition to the salaries above shown local allowances are attached to various appointments.

2. The ultimate strength of the service has not yet been settled, proposals for further increases in several Provinces being still under consideration, nor has the transfer of upper controlling posts to the Provincial service been fully carried out; but subject to these reservations the sub-joined table shows the distribution of the Imperial service cadre after transfer of the posts allotted to the Provincial service.

PROVINCES.	PROVINCIAL LISTS.		INDIA LIST.		TOTAL.
	Assistant and Deputy Conservators.	Conservators.	Conservators and Chief Conservators.	Others.	
1	2	3	4	5	6
1. Madras (with Coorg).	26	3	...	3	32
2. Bombay and Sindh.	22	3	...	3	28
3. Bengal (with Andamans).	10	...	1	1	12
4. Eastern Bengal and Assam.	12	...	1	2	15
5. United Provinces (with Ajmer).	12	...	2	2	16
6. Punjab (with North-West Frontier Province and Baluchistan).	10	...	1	1	12
Central Provinces.	17	...	4	2	23
7. Burma . . .	56	...	5	7	68
TOTAL . . .	165	6	14	21	206

There is one Chief Conservator in Burma and another in the Central Provinces.

*Imperial Service.*

3. The Madras and Bombay lists are distinct and independent and the postings, promotions, transfers, leave, etc., of all officers recruited for those Provinces up to and including the class of conservator are made by the Local Governments without reference to the Government of India. Elsewhere Local Governments have the same power in respect of assistant and deputy conservators, while the appointment, promotion, leave, transfer, etc., of chief conservators and conservators rests with the Government of India, with one exception, *viz.* :—in Burma and the Central Provinces the Local Government may transfer conservators from one post to another within the Province. The appointment of the chief forest officers of the minor administrations of Ajmer, Baluchistan and the Andamans (who are below the rank of conservator) are also made by the Government of India. Coorg is officered from the Madras list by the Government of Madras.

4. A vacant conservatorship may be filled from any of the Provincial lists numbered 3 to 7 by the Government of India, and the fitness of officers for the post is determined on confidential reports received annually from Local Governments. The Government of India also reserve the power to make transfers of officers of lower rank from one Provincial list to another (outside Madras and Bombay) in case of necessity.

5. The Punjab and Central Provinces are borne on one list under an arrangement made before the cadre of the service reached its present dimensions. The Provinces concerned arrange postings, etc., in communication with one another.

6. Column 5 includes 17 appointments directly under the Government of India *plus* an allowance of 25 per cent. for leave and training for which provision has been or is proposed to be made on the Provincial lists (including Madras and Bombay). These 17 appointments are :—The Inspector General of Forests, the Assistant Inspector General of Forests, the Principal of the Forest College, 5 research officers attached to that institution, and 9 appointments specially added to the cadre to meet demands from the colonies and Native States for the loan of forest officers. To fill these 17 appointments officers may, under the proposals referred to, be taken from any Provincial list, though the intention is to adhere as closely as possible to the distribution shown in column 5.

7. The Provincial forest service consists of— Provincial Service.

*Extra-deputy conservators.*

	R
1st grade . . . . .	600
2nd „ . . . . .	550
3rd „ . . . . .	500
4th „ . . . . .	450

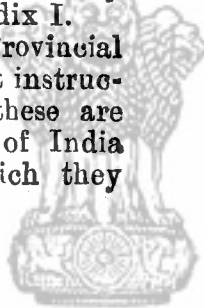
*Extra-assistant conservators.*

	R
1st grade . . . . .	350
2nd „ . . . . .	300
3rd „ . . . . .	250
4th „ . . . . .	200

8. As stated in the Memorandum proposals are under consideration for substituting a time scale of pay in, and improving the emoluments of, the Provincial service.

9. Each of the major Provinces has its own independent staff of Provincial service officers whose appointment, promotion, etc., rests entirely with the Local Government, subject in the case of Provinces other than Madras and Bombay to the rules referred to in Appendix I.

10. Four officers of the Provincial service are employed as assistant instructors at the Forest College, and these are appointed by the Government of India from the Provincial lists, on which they are seconded.



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## APPENDIX III.

*Rules defining the relations between  
Revenue and Forest officers.*

## BOMBAY.

1. Forest administration, as a branch of land revenue administration, is under the chief controlling authority which, by section 4 of the Bombay Land Revenue Code, 1879, is vested in the Commissioner, subject to the Governor in Council. All forest officers, as well as revenue officers, who are concerned in the management of forests, are therefore subject in all matters relating to forest administration to the Commissioner.

2. The Collector of each district, in subordination to the Commissioner and subject to the orders of Government, is responsible for the due management of the forests therein; and for this purpose all forest officers within the district shall be subject to the orders of the Collector. Divisional forest officers will be assistants to the Collector for forest purposes.

All Divisional forest officers and their subordinates shall in all but purely technical matters be subordinate to the Collector of the district in which they are serving.

3. The duties and powers of Assistant and Deputy Collectors in charge of talukás in respect of forest matters shall be regulated by the same provisions which are laid down in section 10 of the Bombay Land Revenue Code, 1879, in respect of revenue administration generally.

4. Subject to the other provisions of these rules, each conservator of forests in his own circle, or deputy conservator in independent charge of a circle, is invested with the direction of all professional operations of technical forestry.

\* \* \* \*

6. Divisional forest officers shall, in the posting and distribution of the subordinate forest establishment, comply with any orders they may receive from the Collector.

7. No appointments to offices higher than that of round guard shall be made by the conservator or other forest officer without consulting and obtaining the consent thereto of the Collector of the district.

8. In all matters relating to local supply, including that of grass and grazing or the rights and privileges of the people in or in respect of forests, orders shall be issued by the Collector alone and

not by any forest officer, and such orders shall be communicated to those concerned through the ordinary revenue channels.

This rule applies also to pastures and fodder reserves, the management and control of which is vested exclusively in the Collector, subject to the orders of the Commissioner and of Government, and with respect to which the conservator of forests is to act in the capacity of consultative officer only, advising and giving his opinion on all questions of a professional or technical character referred to him by any of the said authorities.

9. No forest compartment shall be closed, whether for planting or reboisement or for punitive purposes, except under the order or with the approval of the Collector.

This rule does not apply to the closure of compartments which have been recently felled in strict accordance with a duly sanctioned working-plan.

10. Subject to any instructions which may be given by the Commissioner, orders issued by a conservator to any Divisional forest officer and correspondence between the conservator and any such officer shall be forwarded through the Collector, who will record such remarks, thereon or, in matters other than such as are described in rule 4, give such directions with regard thereto as he thinks fit.

In the event of a difference of opinion between a Collector and the conservator of forests, either officer may refer the matter to the Commissioner, who will either dispose of the reference himself, or, if he thinks it necessary, obtain the orders of Government.

11. In matters relating to departmental finance or to appointment, transfer, or leave of establishment, in which the orders of Government are required, a conservator may report to Government direct.

12. Every Divisional forest officer shall prepare and submit, before the end of June or middle of July in each year, the provisional plan of operations which he proposes to carry out in the ensuing year in the area under his official charge, to the Collector of the district.

\* \* \*

14. The Collector shall forward to the conservator of the circle such plans as meet with his approval.

15. Before the commencement of each season, information as to the principal operations to be carried out in each dis-

trict shall be communicated to the Collector thereof.

\* \* \*

18. It shall be the duty of the Collector and his assistants from time to time to inspect the offices and accounts of all rangers within their charge, taking care that range officers are not withdrawn from important outdoor duties to attend inspections.

\* \* \*

28. Subject to the orders of Government—

- (a) the Commissioner in Sind shall have the direction, regulation and general control of all matters other than financial connected with forest administration in that Province;
- (b) the Commissioners of the Northern, Central and Southern Divisions shall be responsible for the entire executive administration of forest affairs within their respective divisions, and shall for the purpose of such administration—



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- (a) issue orders and instructions to Collectors, conservators and deputy conservators in independent charge of circles;
- (b) interpret the orders of Government whenever doubts may arise in applying such orders;
- (c) settle all matters in which any difference of opinion arises between the Forest department and any other Department;
- (d) promote generally the harmonious working of the Revenue and Forest departments; and
- (e) except in matters relating to departmental finance and to appointment, leave or transfer of establishment, in which the orders of Government are required, receive, consider and with their own views in each case, when such reference is necessary, refer to Government all reports respecting forest matters submitted to them whether from the Revenue or from the Forest department.



## BENGAL.

The Divisional forest officer is regarded as the assistant of the District officer in forest matters, and all correspondence between him and the conservator on "general and administrative subjects connected with forest management" passes through the District officer, who may record his remarks on the Divisional officer's communications, and direct that officer to suspend action on the conservator's orders or return the orders for re-consideration. When no agreement can be come to between the District officer and conservator the case is referred to the Commissioner, and if he and the conservator do not agree it is sent up to Government.

2. The annual plan of operations is sent to the conservator through the District officer for the latter's remarks and approval, and differences are settled as above.

3. The conservator has to be kept informed of orders issued by the District officer to the Divisional forest officer.

4. Proposals of importance for the formation of new forests, or affecting the use of forests and waste lands by the surrounding population, have to be submitted by the conservator through the Commissioner after consultation with the District officer.

5. The "protected" forests of the Sonthal Parganas, Angul, Khurda and Palamau are administered by the District officer or his assistants who have been appointed "Forest officers" under the Indian Forest Act.

## APPENDIX IV.

*Orders laying down the functions and duties of the Inspector General of Forests.*

[Extract from Government of India's (Public Works Department) Circular Resolution No. 4, dated the 22nd March 1864.]

"5. An officer, to be called Inspector General of Forests, will be appointed to assist the Government of India in dealing with the forest business that comes before it. For the present, this officer will be attached to the Secretariat of the Public Works Department.

"6. The local chief forest officers will be termed conservators, the executive under them being styled deputy and assistant conservators.

"7. The forest administration in the Madras and Bombay Presidencies, and in the three Lieutenant-Governorships, will be conducted entirely under the orders of the Local Governments. They will send up their forest proceedings to the Government of India in the usual manner as described in paragraph 3, and will submit, as occasion requires, the usual annual financial and administrative reports and statements for the information or orders of the Government of India.

"8. In making appointments and promotions, the system in force in the other Civil Departments under the Local Governments and Administrations respectively will be followed in the Forest department.

"9. In the Provinces directly under the Government of India, the administration will be conducted according to the following rules:—

"I.—The general control of the Government of India over the forest administration will be commonly restricted to requiring the submission of the usual financial returns, and reports of contemplated operations for the coming year, and of actual operations for the past year, on which needful orders will be issued. Such further instructions, however, will, from time to time, be given as the Government of India may think necessary on matters relating to general policy or principles of management, the retention or alienation of forest lands, the

framing of forest rules, and other like subjects. All such instructions will be given through the Public Works Secretariat to the Chief Commissioner, or the head of the Local Administration in the ordinary manner.

“II.—The conservators and the Inspector General may correspond directly on matters of a technical and professional character; abstracts of the correspondence being submitted periodically in the usual form on the one hand to the Government of India by the Inspector General, and on the other by the conservator to the Chief Commissioner, under such rules as each Chief Commissioner may think suitable for keeping himself informed of what passes between the conservator and the Inspector General.



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“III.—As a rule, the conservator should regard the recommendations of the Inspector General on matters of a technical and professional character as binding on them, but in any case a Chief Commissioner may, if he thinks fit, authorize the conservator to defer acting on such recommendations, pending a reference to the Government of India.

“IV.—The conservators will submit to the Inspector General such reports and returns illustrative of the forest operations and finance under their direction, as from time to time may be ordered by the Government of India.

“V.—The Chief Commissioners will use their discretion in addressing the Inspector General on any subject they think fit to refer to him for his opinion, and the Inspector General will give due attention to all such calls.

“10. The Inspector General will be at liberty to offer suggestions on any subject connected with forest administration to any of the Local Governments or Administrations, but it will entirely rest with those Governments and Administrations to act on such suggestions or not as they may think proper.

"11. The Inspector General will be at liberty to submit to the Government of India any reports or proposals having reference to the forest administration that seem to him to call for the orders of the Government of India.

"12. The Inspector General may be deputed, from time to time, by the Government of India to examine, personally, into the condition of the forests in the various Provinces. When so deputed, the Inspector General will report the results of his inspection to the Government of India, sending at the same time a copy of his report to the Local Government or Administration."

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(Extract from Resolution No. 3, dated 25th February 1875.)

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"5. (a) *Correspondence with Conservators.*—The Inspector General may correspond officially and freely with Conservators (who are entirely subordinate to the Local Governments and Administrations responsible for their work) on matters of purely professional detail, and on any other matters which do not involve questions of administration or general policy, such as the restriction of the peoples' rights in the forests, and the like.

"The only restriction on such correspondence should be that no instructions should be issued in this form, and that the Inspector General should at once forward the drafts, or a copy of his letters to Conservators, to this Department (*i.e.*, the Department of Revenue and Agriculture) for information and record and copies to the Local Government or Administration under whom the Conservator is serving, for information.

"The Governor General in Council trusts to the Inspector General to use a wise discretion in not throwing on Conservators, whose first duty is the execution of the orders of the Governments to which they are subordinate, the burden of too much correspondence.

"The practice of issuing 'private circulars' to Conservators will be discontinued, as the matters treated in them can be treated in the Inspector General's official communications to Conservators.

"(b) *Correspondence with Local Governments or Administrations.*—The Inspector General when on tour—the occasion can hardly arise otherwise—may write direct to a Local Government or Administration with reference to any professional matter concerning the forests; the draft, or a copy being forwarded at the time to this Department for information and record.

"6. But in the case of all important matters, the Inspector General of Forests should follow the procedure of the Inspector General of Irrigation, who is precisely in an analogous position. He should make "tour notes" on each Province visited, and these notes, signed by himself, will afterwards be sent, if deemed necessary, to the Local Governments or Administrations concerned by the Government of India for consideration or report, or for such action as the case may seem to require.

"7. In matters other than those occurring on tour, the Inspector General will submit to the Government of India a note under his own signature. Whenever this note involves matters of professional or other detail, it will, if approved by Government, be sent, just as the notes of the Inspector General of Irrigation are, under the Inspector General's signature, and with an endorsement or resolution of the Government of India, for the consideration of the Local Government or Administration, or will be dealt with in such manner as approves itself to the Government of India.

"8. The above instructions do not apply to correspondence with the Governments of Madras and Bombay, or with their Conservators. Ordinarily, communications on forest matters in those Presidencies will be made by, or through, the Government of India. When occasion arises the Inspector General will be specially authorized to put himself in communication with those Governments."

## APPENDIX V.

*Matters requiring the sanction or control of the Government of India under Forest Laws.**(A).—The Indian Forest Act VII of 1878.*

1. Section 26.—The disforestation or exclusion of any area included in a reserved forest (previous sanction).

2. Section 27.—Rules for the management of village forests (previous sanction).

3. Section 31.—Rules for protected forests including hunting, shooting and fishing therein, and the extraction of forest produce (previous sanction).

4. Section 39.—Levy of duty on timber or other forest produce (previous sanction).

5. Section 41.—Rules to regulate the transit of forest produce (previous sanction).

*(B).—Burma Forest Act IV of 1902.*

6. Section 23.—Grant of any rights in reserved forests (previous sanction).

7. Section 29.—Disforestation of any portion of a reserved forest (previous sanction).

8. Section 35.—Levy of duty on imported forest produce (previous sanction).

*(C).—Madras Forest Act V of 1882.*

9. Section 24.—Exclusion (disforestation) of any area once included within a reserved forest (previous sanction).

*(D).—The Garo Hills (Assam Regulation I of 1882).*

10. Section 2.—The regulation of hunting and collection of forest produce by other than natives of the Garo Hills (control).

*(E).—Assam Forest Regulation VII of 1891.*

11. Section 28.—Disforestation of any portion of a reserved forest (previous sanction).

12. Section 37.—Levy of duty on imported forest produce (previous sanction).

*(F).—Ajmer Forest Regulation VI of 1874.*

(G).—*Ajmer and Merwara Private Forests Preservation Regulation I of 1892.*

*Nil.*

(H).—*British Baluchistan Forest Regulation V of 1890.*

13. *Section 9.*—Rules for the extraction of forest produce from, and hunting and fishing in State forests, and the levy of fees, royalties on timber, etc. (previous sanction).

14. *Section 10.*—Disforestation of any area included in a reserved forest (previous sanction).

(I). *Baluchistan Agency Forest Law, 1890.*

15. *Section 9.*—Identical with section 9 of Regulation V of 1890.

16. *Section 10.*—Identical with section 10 of Regulation V of 1890.

(J). *Berar Forest Law, 1886.*

17. *Section 10.*—Rules for the extraction of forest produce from, and hunting and fishing in State forests, and the levy of fees and royalties on timber, etc. (previous sanction).

18. *Section 11.*—Disforestation of any area included in a reserved forest (previous sanction).

(K). *Hazara Forest Regulation VI of 1883.*

19. *Section 9.*—Disforestation of any portion of a reserved forest (previous sanction).

20. *Section 25.*—Revised rates of seigniorage fees (previous sanction).

(L). *Punjab Land Preservation (Chos) Act (Punjab Act II of 1900).*

*Nil.*

## NOTE ON FOREST ADMINISTRATION.

## PART II.

*Suggestions.*

In no branch of Provincial administration dealt with in the Department of Revenue and Agriculture does the Government of India exercise such close and detailed control as in the Forest Department. The Agricultural and Civil Veterinary Departments afford no parallel, for these Departments are still in the infancy of organization, nor do they find a place among the "departments producing Revenue". Opium, Customs and Salt are instances of imperialized revenue producing departments, but here again the conditions are dissimilar. These Departments obviously demand an imperial organization; they do not, as the Forest department does, come into intimate contact with ordinary district administration, nor have Local Governments any financial interest in them. A closer analogy might be drawn between the Forest and the Irrigation department, but in the case of the latter the Government of India have to provide the funds for capital expenditure, whereas this justification for centralized control does not exist in the case of the former. On the other hand, except in the *quasi*-technical character of the management, there are many points of similarity between Forests and Land Revenue. Both are assets of the land, and both have an intimate bearing on the wants and welfare of the agricultural population; they are interdependent on one another in many administrative details; they equally require careful adjustment to diversified local conditions for which local knowledge and experience is essential, and Local Governments are as much interested, financially and administratively, in the successful and sympathetic management of the one as of the other.

2. The natural connection between forest and revenue administration was recognized at an early period of forest department history; but while the intervention of the central Government in the details of revenue administration is gradually being reduced to the prescription of general principles, forests continue to be administered on the lines of an imperialized department. Thirty or forty years ago when the value of forests was imperfectly appreciated and the department was in process of organization, this



was perhaps necessary, though the example of the Southern Presidencies might be cited in support of an opposite conclusion. But now, with a settled forest policy and strong staff in each major Province to ensure effective professional management, the same necessity for centralized control can hardly be said to exist, and it is for consideration whether, in the case of such Provinces, the administration of State forest property might not be left more completely in the hands of their Local Governments.

The specific measures of decentralization suggested are as follows:—

#### I.—THE ABOLITION OF THE FOREST DEPARTMENT CODE.

3. It has been pointed out in the Memorandum that this code consists of a mass of detailed rules and instructions which, in other departments of Provincial administration, would be issued by or with the authority of Local Governments. The Government of India does not compile or enforce similar codes for Revenue, Police, Stamps or other branches of public affairs entrusted to Provincial management, nor does it seem to be the proper function of the Supreme Government to provide manuals of detailed instructions for the guidance of local officers. The convenience of uniformity might be urged in favour of a general code if Forest officers were liable to frequent transfer from one Province to another, but this is not now the case. Moreover, each Local Government already possesses its own separate manual of local rules and orders, and some of them have special forest laws, so that the advantage of uniformity is not completely attained even under the present system. There seems to be no reason why each local manual should not be complete in itself and embody such general rulings and regulations of the Government of India as may be applicable to the Province. In the matter of accounts and returns uniformity is no doubt necessary, but the Accounts officers may be trusted to secure this. The audit of forest accounts has already been decentralized and, as in the case of other civil departments, the control of the system of forest accounts might now be left to the Accounts department and Local Governments. Some portions of the Forest Code cover the same ground as the financial codes, but the latter only are authoritative. Such being the case, it would seem advisable to allow the financial codes to operate of their own force

and not to import into the forest rules matters in respect of which they have no validity. The abolition of the code as an imperial compilation would not affect the general control of the Government of India over forest administration, while it would relieve the Secretariat of a good deal of troublesome detailed work.

II.—THE REMOVAL OF CHIEF CONSERVATORS' AND CONSERVATORS' APPOINTMENTS FROM THE "INDIA" LIST.

4. The patronage of these appointments (outside Madras and Bombay) appears to have been retained by the Government of India for three reasons, *viz*:—

- (a) the smallness of the Provincial list;
- (b) as a means of controlling forest management; and
- (c) to ensure the selection of officers with the best professional attainments and with varied experience.

5. As regards the first, the position has been altered by the introduction of a time scale of pay for Assistant and Deputy Conservators which does away with questions of unequal promotion in those classes, while an examination of the number of appointments in the several Provincial lists shows that, numerically, the chances of promotion to conservatorships are about the same in each. It does not therefore appear that the Imperial service would be either better or worse off if promotions to the appointment of Conservator (in which term Chief Conservator is included) were made independently in each Provincial list.

6. Against the second reason it may be urged that if the Government of India desire that Local Governments should be invested with full responsibility for the forests within their jurisdiction, no measure is calculated to make this plainer than the concession to them of the right to select their chief controlling forest officers. They have the authority to do so in the case of much more responsible appointments, and it seems anomalous that in the case of their Forest department they should be compelled to accept an officer independently selected by the Government of India who may, moreover, be an absolute stranger to the Province.

7. As regards the third reason, there is now a sufficient number of officers in each Provincial list to afford a field for selection by Local Governments, and if

in any case a Local Government considered that none of its officers were fit for appointment as Conservator, it would be easy enough to arrange through the Government of India for the appointment of a competent officer from the list of some other Province.

8. The advantages of putting an officer who has gained his experience in the forests of one Province in charge of the forests of another Province may be too highly estimated. As pointed out by the Decentralization Committee when the question was referred to them, an essential qualification of the head of a Provincial Forest department is, that he should be in a position to comprehend the language and prejudices of the people as well as the local administrative system, and this can only be possessed by officers who have been trained in the Province by a long course of service. If experience in another Province is a desirable thing (though it has not been found necessary to provide for it in the case of the Civil service) it would be better secured in the earlier years of an officer's service when he is more susceptible to impressions. But this element is or ought to be supplied by the Inspector General of Forests, whose duty it is to tour and inspect throughout the Provinces and make the varied experience and information thus acquired generally available.

### III.—DECENTRALIZATION OF FOREST WORKING-PLANS.

9. The control exercised over forest working-plans has been compared with that exercised over land revenue settlements. If the analogy holds good, the time would appear to be ripe for considering whether increased responsibility and freedom of action should not be given to Local Governments in the management of their forests, such as it has elsewhere been urged should be allowed them in the assessment of the land revenue. But in the former case the argument for decentralization gains additional strength from the fact that the approving authority is really, so far as working-plans are concerned, the Inspector General and not the Government of India. Twenty-five years ago when the systematic exploitation of forests was in its infancy, central control over working-plans was no doubt necessary; it was never contemplated however that the system should be continued indefinitely: and with the ever increasing area under working-plans, the task, it is thought, must sooner or later become an

impossible one. The preparation of working-plans is now well understood, they are drawn up by or under the instruction of trained officers well acquainted with local conditions, and it seems an unnecessary proceeding to subject them to the closet criticisms of a Superintendent of working-plans, of probably no higher professional attainments, and with no personal knowledge of the forests concerned or local interests involved. Such a system must, it is thought, tend to weaken local responsibility in forest management. The Inspector General should of course have every opportunity of recording an opinion either on the submission of the completed plans to the Government of India or during his inspections, but beyond this, the Government of India should not, it is submitted, attempt to interfere with their preparation or subsequent execution.

#### IV.—ABOLITION OF THE INSPECTOR GENERAL'S "PROCEEDINGS."

10. As a supplement to the third suggestion it is for consideration whether any real necessity exists for recording, in the same elaborate form as the Government of India does its own proceedings, the correspondence of the Inspector General, and circulating it to Local Governments. This practice is not followed by any other inspecting or advisory officer under the Department of Revenue and Agriculture, and since the Inspector General is required to communicate to Local Governments a copy of all important letters issuing from his office to their subordinate forest officers, the circulation of a printed volume, much of the correspondence recorded in which is of a routine character, would seem to be superfluous. The discontinuance of the practice would greatly reduce clerical labour and save some expense.

#### V. REDUCTION OF CONTROL UNDER FOREST LAWS.

11. Lastly, attention is invited to the provisions in the forest laws requiring the previous sanction of the Government of India, a schedule of which is given in Appendix V. The Department has already decided that Local Governments should be allowed some latitude in sanctioning exclusions from reserved forests. It is suggested that the previous sanction of the Government of India might also be dispensed with in all the other cases mentioned in the schedule, except perhaps the levy of duty on imported forest

produce. If the sanction of the Government of India is not required to rules for the non-reserved forest areas and the transit of forest produce in Madras, Burma and Assam, there would *prima facie* seem to be no necessity for it in the case of Provinces to which the Indian Forest Act applies. These as well as the other matters in question appear to be well within the competence of Local Governments to deal with.

12. The foregoing suggestions, it will be observed, would have the effect of placing Local Governments generally on much the same footing in respect of forest administration as the Governments of Madras and Bombay; and if the Inspector General's functions were confined to inspection and advice, there would probably be no objection to bringing Madras and Bombay within his jurisdiction as in the case of other Inspectors General.

*P.S.*—I find that the statement made in paragraph 25 of the Memorandum, on the authority of the Forest Branch, that the Government of India have not dealt with the general question of the relations which should subsist between Forest and Revenue officers, is not quite correct. In 1893 the Government of India circulated a draft of rules on the subject drawn up by the Inspector General; they were objected to by Local Governments, and the subject was dropped.

Proceedings, September 1893, Nos. 16 to 18.  
Proceedings, January 1896, Nos. 16 to 26.

A. R. TUCKER. नयने