

THE CENTRAL PROVINCES FOREST MANUAL.

COMPILED UNDER AUTHORITY.

SECOND EDITION.



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TABLE OF CONTENTS.

PART I.

CHAP.	PAGE.
I.—The Indian Forest Act, VII of 1873	1
II.—Rules and Notifications framed by the Chief Commissioner under the Forest Act	47

PART II.

ORGANISATION OF THE FOREST DEPARTMENT

III.—Constitution of Administrative Charges	61
IV.—Control, Duties and Responsibilities	66
V.—Establishments—	
The Indian Forest Service	69
The Subordinate Forest Service	68
Office Establishment	70
VI.—Departmental Examinations	71
VII.—Confidential Reports on Work and Qualification of Forest officers—	
A.—Annual Reports on the Work and Capacity of Officers	75
B.—Confidential Reports regarding Fitness for Promotion to the class of Conservator	76
VIII.—Special to Subordinates—	
Punishment of Subordinates: Right of Appeal	78
Proscription	80
Re-employment of Servants dismissed, but not proscribed	81
Employment of Subordinates belonging to another Department	82
Service Books	83
Character rolls	84
Security to be furnished by non-Gazetted Officers	85
Travelling Allowances	86
Carriage of Records	88
Carriage of Provisions	88
Rules regarding employment in ministerial and menial Service in the Central Provinces	88
Knowledge of Hindi	90
Employment of foreigners	90
Use of the English language alone in certain cases	91
IX.—Camp Equipage—	
Tents	91
Carriage of Tents	92
Supplies in Camp	92
X.—Casual Leave	94
XI.—Application for pension	95
XII.—Land-holding by Government Servants and relationship of such servants...	96

PART III.

MANAGEMENT AND WORKING OF THE FORESTS.

CHAP.	PAGE
XIII.—Classification of the Forests	99
XIV.—Demarcation and Survey of Boundaries—	
Demarcation of external Boundaries of State-forests and distribution of its cost	100
Survey of Boundaries	100
Maps to be kept corrected up to date	101
XV.—Working-Plans	101
XVI.—Disposal of Forest Produce—	
Mode of realising Revenue—	
By the use of Forest Stamps	101
Without the use of Forest Stamps	105
Rates of Royalty to be charged in cases of Special Sales of Produce—	
Maxima Rates for sale of wood to Agriculturists	107
Rates for Contractors and the General Public	109
No charge for grass to Troops on the march	10
Transactions with other Government Departments	12
Grazing and Commutation—	
A—Grazing	110
B—Commutation for Nistar, Paidwar and small timber	118
Disposal of Skins, Bones and Horns	127
Licences for Fishing	10
Free grants of Produce	10
XVII.—Protection of Forest from Fire	128
XVIII.—Forest Villages	132
XIX.—Special Industries entrusted to the Management of the Forest Department—	
Tasare Industry	134
The Iron-smelting Industry	135
XX.—Miscellaneous—	
Government Transport Animals	136
Use of Forest Code Form 17	10
Preparation of projects for buildings by the Public Works Department	10
Strict observance of Articles 95 (iii), 97 and 100 of the Forest Department Code	10

PART IV.

XXI.—Cash Accounts—	
Refunds of Revenue	137
Preparation of Monthly Leave Statement submitted by Conservators to the Comptroller	10
Preparation of Code Form 36	10
Purchase of the "Postal Guide"	138
Amount of Voucher how to be entered in Form 35 (Expenditure)	10
Treatment of Money received from Holders of Shooting Permits	10

PART IV.—(Concl'd.)

CHAP.

XXI.—Cash Accounts—(Concl'd.)

PAGE.

Security Deposits of Contractors and Purchasers ...	138
Diet Money of Witnesses ...	ib.
Cash recoveries of Service Payments ...	ib.
Arrangements for safe transmission of Money ...	139
Forest Department not to be charged for Stationery and Printing ...	140
Copy of Account Officer's Objection to accompany References for the Chief Commissioner's Orders ...	ib.
Punctuality in making payments ...	141
Immediate Entry in Accounts of Sales by Lease or Contract ...	ib.
Immediate Entry in Accounts of Recoveries ordered from subordinates for loss suffered through their fault ...	ib.
Some necessary Hints for the Preparation of Form 35 (Expenditure) ...	142
Procedure to be observed when Produce that has not been charged for is entered in Form 7 ...	ib.
Written communications between Divisional Officers and their Head Clerks regarding Accounts to be only in English ...	ib.

PART V.

XXII.—Office Business—

Transfer of Charge—

Conservators and Divisional Officers ...	143
Officers subordinate to Divisional Officers ...	ib.
Copies, not Originals, of correspondences supporting proposals submitted to be sent to Secretariat ...	144

Annual Reports and Budget Estimates—

Necessity for brevity ...	145
Employment of correct Scientific Nomenclature ...	146
Reduction of all quantities to the prescribed denominations ...	ib.
Applications for re-appropriation ...	ib.

Use of Secretariat Press—

Chief Commissioner's sanction when necessary ...	147
Rules to be observed in sending requisitions ...	ib.
Return of proofs ...	148
Printing of vernacular translations of Circular Orders ...	ib.
Necessity of frequent and intimate communication between Heads of Departments and Head of the Administration ...	149
Numbering of telegrams ...	ib.
Chief Commissioner to be kept informed of Conservator's movements ...	ib.

Inspection Reports—

Conservator's Inspections ...	150
Inspections by Divisional Officers ...	ib.

Stationery Forms—

Stationery and Local Forms ...	151
Forest Department Code Forms ...	ib.

Abstract of Conservator's correspondence ...	ib.
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PART VI.

CHAP.	PAGE.
XXIII.—Forest Settlement Procedure	152
XXIV.—Excision, Disforestation and Disposal of Cultural and other lands—	
Excision and Disforestation	159
Disposal of Excised Areas	164
XXV.—Prosecutions—	
Rules for conducting them	166
Prosecution of Juvenile Offenders	16
Prosecution of Official Subordinates	15
Calling for Records of decided Cases	167
Appeals from Acquittals	16
XXVI.—Institution of Civil Suits in which Government is a party	168
XXVII.—Miscellaneous—	
Exemptions and Powers granted to Forest Officers under the Arms Act—	
Exemptions	170
Powers	171
Leave allowances when not attachable by a Court	13
Contracts—	
Powers for Execution	18
• Forest Contracts exempted from Stamp Duty	172
Insertion of a Special Clause in all Contract Deeds for Sale of Firewood and of Minor Produce	18

PART VII.

FOREST AREAS UNDER MALGUZARI AND RYOTWARI SETTLEMENT.

XXVIII.—Malguzari Forests—	
Cleaning of boundary lines where Government Forest adjoins	173
Management of Malguzari Forest Lands	16
Use of Permits or Passes to cover Produce of Malguzari Forests in Transit	176
XXIX.—Muhai-Darakhthan Areas in Ryotwari Villages	177

CONTENTS.

v

APPENDICES.

No.		Page.
1.	Distribution Statement of Permanent Out-door Establishment ...	185
2.	" " of Temporary " " ...	186
3.	List showing the distribution of Permanent Office Establishments among several Forest Divisions ...	187
4.	Report on— for the year — ...	188
5.	List of Officers who joined the Department or were promoted to Gazetted Rank during the year— ...	189
6.	Confidential Report for the year— on— ...	193
7.	Abstract of enquiries held in cases of alleged misconduct of Forest Subordinates ...	194
8.	Detailed Register of deposits made in the Post Office Savings Bank on account of Subordinates and Clerks who are required to furnish Cash Security ...	195
9.	List of amounts to be deposited in the Post Office Savings Bank ...	196
10.	Abstract showing the details of the Security Deposit Accounts of officials ...	197
11.	Register of Casual leave ...	198
12.	Declaration of landed property ...	199
13.	Security Bond to be executed by Sureties of Vendors of Forest Stamps ...	200
14.	Form No. 1—Showing the persons to whom Forest Stamps may be issued on payment, &c. ...	201
15.	Form No. 2—Forest Stamp Indent ...	202
16.	Form No. 3—License Vendor's Stamp Ledger ...	203
17.	Form No. 3 (a)—License Vendor's Monthly Statement of Sales and Receipts ...	204
18.	Form No. 3 (b)—Statement of Receipts and Issues of Forest Stamps ...	205
19.	Form No. 4—Licences for the removal of Forest produce ...	206
20.	Form No. 5—Statement of Revenue realized on Stamped Licences ...	207
21.	(A) Preliminary report of Forest fire ...	208
22.	(B) Fire Report ...	209
23.	Advice list of Money Orders received by Treasury Officer ...	210
24.	Sales by Contract or Lease ...	211
25.	Requisition form for printing required to be done by the Secretariat Press ...	212
26.	Return of Shooting Permits ...	213
27.	Return of Cases compounded ...	214
28.	Procedure to be followed in compounding offences under Section 67 of the Indian Forest Act, 1878 ...	215
29.	List of Reports and Returns ...	221
30.	Dress Regulations ...	224
31.	Rules for the occupation of Forest Rest houses ...	226
32.	Statement I.—Showing percentage of A class Forest Area on total Forest Area including Zamindari area ...	227
33.	Statement II.—Showing percentage of A class Forest Area on total Forest Area excluding Zamindari area ...	228

The Central Provinces Forest Manual.

PART I.

CHAPTER I.

THE INDIAN FOREST ACT.

STATEMENT OF REPEALS AND AMENDMENTS.

SECTION 2 AMENDED	...	...	...	Act V of 1890, s. 2.
SECTION 4 DO.	...	...	...	Ditto s. 3.
SECTION 5 DO.	...	...	...	Ditto s. 4.
SECTION 6 DO.	...	...	...	Ditto s. 2.
SECTION 25 DO.	...	...	...	Ditto s. 7.
SECTION 32 DO.	...	...	...	Act V of 1901, s. 2.
SECTION 33 DO.	...	...	...	Ditto s. 3.
HEADING TO CHAP. VII AMENDED	...	...	...	Act V of 1890, s. 8 (3).
SECTION 39 AMENDED	...	...	...	Ditto s. 8 (2).
SECTION 41 DO.	...	...	...	Ditto s. 8 (3) and (4).
SECTION 41 (c) DO.	...	...	...	Act XII of 1891, Sect. II.
SECTION 47 DO.	...	...	...	Act V of 1890, s. 9.
SECTION 49 DO.	...	...	...	Ditto s. 10.
SECTION 56 DO.	...	...	...	Ditto s. 11.
SECTION 61 DO.	...	...	...	Ditto s. 12.
SECTION 78 DO.	...	...	...	Act V of 1901, s. 4.
SECTION 84 ADDED	...	...	...	Act V of 1890, s. 14.
SECTION 93 INSERTED	...	...	...	Ditto s. 6.
NEW SECTION 67 SUBSTITUTED	...	...	...	Ditto s. 13.
SECTION 25 (i) AND SECTION 31 (j) REPEALED IN PART LOCALLY	...	...	...	Act VI of 1879, s. 2.

The following changes have been made in reprinting :—

- (1) amendments have been inserted in their proper places, with explanatory footnotes ;
- (2) references to repealed Acts have not been altered, but footnotes have been inserted directing attention to the Act now in force ;
- (3) the number and year of Acts referred to in the text have been noted in the inner margin ;
- (4) section-numbers occurring in the text have been printed in figures instead of in words ;
- (5) sections have sometimes been divided into paragraphs ;
- (6) the headings to the pages have been amplified ;
- (7) some other footnotes have been inserted for convenience of reference.

CONTENTS.

PREAMBLE.

CHAPTER I.

PRELIMINARY.

SECTIONS.

1. Short title.
Commencement.
Extension.
Repeal of enactments.
2. Interpretation-clause.

CHAPTER II.

OF RESERVED FORESTS.

3. Power to reserve forests.
4. Notification by Local Government
5. Bar of accrual of forest-rights.
6. Proclamation by Forest-Settlement-Officer.
7. Inquiry by Forest-Settlement-Officer.
8. Powers of Forest-Settlement-Officer.
9. Extinction of rights.
- 9A. Treatment of claims relating to practice of shifting cultivation.
10. Power to acquire land over which right is claimed.
11. Order on claims to rights of pasture or to forest-produce.
12. Record to be made by Forest-Settlement-Officer.
13. Record where he admits claim.
14. Exercise of rights admitted.
15. Commutation of rights.
16. Appeal from order passed under section 10, 11, 14 or 15.
17. Appeal under section 16.
18. Pleadings.
19. Notification declaring forest reserved.
20. Publication of translation of such notification in neighbourhood of forest.
21. Power to revise arrangement made under section 14 or 17.
22. No right acquired over reserved forest, except as here provided.
23. Rights not to be alienated without sanction.
24. Power to stop ways and water-courses in reserved forests.
25. Acts prohibited in such forests.
26. Power to declare forest no longer reserved.

CHAPTER III.

OF VILLAGE-FORESTS.

SECTIONS.

27. Formation of village-forests.

CHAPTER IV.

OF PROTECTED FORESTS.

28. "Protected forests."
29. Power to issue notification—
 (a) reserving trees,
 (b) closing forest,
 (c) prohibiting collection of forest-produce, etc., and
 breaking up or clearing of land.
30. Publication of translation of such notification in
 neighbourhood.
31. Power to make rules for protected forests.
32. Penalties for acts in contravention of notification
 under section 29.
33. Nothing in this Chapter to prohibit acts done in
 certain cases.

CHAPTER V.

FORESTS UNDER CONSERVANCY-ADMINISTRATION WHEN THIS ACT
COMES INTO FORCE.

34. Forests under conservancy-administration when this
Act comes into force.

CHAPTER VI.

OF THE CONTROL OVER FORESTS AND LANDS NOT BEING THE
PROPERTY OF GOVERNMENT.

35. Protection of forests for special purposes.
36. Power to assume management of forests.
37. Expropriation of forests in certain cases.
38. Protection of forests at request of owners.

CHAPTER VII.

OF THE DUTY ON TIMBER AND OTHER FOREST-PRODUCE.

39. Power to impose duty on timber and other forest
 produce.
 Power to fix value for *ad valorem* duty.
40. Limit not to apply to purchase-money or royalty.

CHAPTER VIII.

OF THE CONTROL OF TIMBER AND OTHER FOREST-PRODUCE IN
TRANSIT.

SECTIONS.

41. Power to make rules to regulate transit of forest-produce.
42. Penalty for breach of rules made under section 41.
43. Government and Forest-Officers not liable for damage to forest-produce at depôt.
44. All persons bound to aid in case of accident at depôt.

CHAPTER IX.

OF THE COLLECTION OF DRIFT AND STRANDED TIMBER.

45. Certain kinds of timber to be deemed property of Government until title thereto proved and may be collected accordingly.
46. Notice to claimants of drift-timber.
47. Procedure on claim preferred to such timber.
On rejection of claim to such timber, claimant may institute suit.
48. Disposal of unclaimed timber.
49. Government and its officers not liable for damage to such timber.
50. Payments to be made by claimant before timber is delivered to him.
51. Power to make rules and prescribe penalties.

CHAPTER X.

PENALTIES AND PROCEDURE.

52. Seizure of property liable to confiscation. Application for confiscation.
53. Procedure thereupon.
54. Forest-produce, tools, etc., when liable to confiscation.
55. Disposal, on conclusion of trial for forest-offence, of produce in respect of which it was committed.
56. Procedure when offender not known, or cannot be found.
57. Procedure as to perishable property seized under section 52.
58. Appeal from orders under sections 54, 55 and 56.
59. Property when to vest in Government.
60. Saving of power to release property seized.
61. Punishment for wrongful seizure.
62. Penalty for counterfeiting or defacing marks on trees and timber and for altering boundary-marks.

SECTIONS.

- 63. Power to arrest without warrant.
- 64. Power to prevent commission of offence.
- 65. Power to try offences summarily.
- 66. Operation of other laws not barred.
- 67. Power to compound offences.
- 68. Presumption that forest-produce belongs to Government.

CHAPTER XI.

CATTLE-TRESPASS.

- 69. Cattle-Trespass Act, 1871, to apply.
- 70. Power to alter fines fixed by that Act.

CHAPTER XII.

OF FOREST-OFFICERS.

- 71. Local Government may invest Forest-Officers with certain powers.
- 72. Forest-Officers deemed public servants.
- 73. Indemnity for acts done in good faith.
- 74. Forest-Officers not to trade.

CHAPTER XIII.

SUSIDIARY RULES.

- 75. Additional powers to make rules.
- 76. Penalties for breach of rules.
- 77. Rules when to have force of law.

CHAPTER XIV.

MISCELLANEOUS.

- 78. Persons bound to assist Forest-Officers and Police-Officers.
- 79. Management of forests the joint property of Government and other persons.
- 80. Failure to perform service for which a share in produce of Government forest is enjoyed.
- 81. Recovery of money due to Government.
- 82. Lien on forest-produce for such money.
Power to sell such produce.
- 83. Land required under this Act to be deemed to be needed for a public purpose under Land Acquisition Act, 1870.
- 84. Recovery of penalties due under bond.

SCHEDULE.—ENACTMENTS REPEALED.

PART I.

Amendments to the Central Provinces Forest Manual.

(2ND EDITION).

No. 52, dated Nagpur, the 22nd December 1911.

Page 1.—For the words "As modified up to the 30th June 1905" substitute the words "As modified up to the 18th September 1911."

ACT No. VII OF 1878¹.

PART I.
Chap. I.
THE ACT.

[8th March, 1878.]

An Act to amend the law relating to forests,
the transit of forest-produce and the duty

Page 7. —Above the preamble of the Indian Forest Act, for
the words " [As modified up to the 30th June 1905] " substitute the
words " [As modified up to the 18th September 1911] ."

WHEREAS it is expedient to amend the law relating to forests, the transit of forest-produce and the duty leviable on timber; It is hereby enacted as follows:—

Preamble.

CHAPTER I.

PRELIMINARY.

1. This Act may be called the Indian Forest Act, 1878.

Short title.

It shall come into force at once in the territories respectively administered by the Governor of Bombay in Council, the Lieutenant-Governors of the Lower Provinces, the North-Western Provinces, and the Punjab (except the district of Hazara),² and

Commence-
ment.

¹ For Statement of Objects and Reasons, see Gazette of India, 1877, Pt. V, p. 11; for the first Report of the Select Committee, see *ibid.* Pt. V, p. 400; for Proceedings in Council, see *ibid.* Supplement, pp. 86, 121, 274, and *ibid.*, 1878, pp. 326 and 437.

Act VII of 1878 has been declared in force in the Sonthal Parganas by Reg. III of 1872, s. 3, as amended by the Sonthal Parganas Justice and Laws Regulation, 1899 (III of 1899) [for Reg. III of 1872, see Bengal Code]; in Angul and the Khondmals by the Angul District Regulation, 1894 (Reg. I of 1894), s. 3, and in the Chittagong Hill Tracts by the Chittagong Hill Tracts Regulation, 1900 (I of 1900).

The Act has been declared, by notification under s. 3 (a) of the Scheduled Districts Act, 1874 (XIV of 1874), to be in force in the following Scheduled Districts in the Chota Nagpore Division, namely: the Districts of Hazaribagh, Lohardaga and Manbhum and Pargana Bhailbhum and the Kolhan in the District of Singhbhum—see Gazette of India, 1881, Pt. I, p. 504. The District of Lohardaga included at that time the present District of Palamau, separated in 1894. It is now called the Ranchi District—see Calcutta Gazette, 1890, Pt. I, p. 44.

² For the forest law in force in the Hazara District, see the Hazara Forest Regulation, 1893 (VI of 1893). Printed, Punjab Code, Ed. 1903, p. 434.

PART I
Chap. I
THE ACT.

the Chief Commissioners of Oudh, the Central Provinces and Assam¹.

Extension.

And any other Local Government may from time to time, with the previous sanction of the Governor General in Council, extend² by notification in the local official Gazette, this Act to all or any of the territories for the time being under its administration.

Repeal of enactments.

On and from the date on which this Act comes into force in any of the said territories, the enactments mentioned in the schedule hereto annexed shall be repealed in such territories. But all rules made under or validated by any of the said enactments and in force at the date of such repeal shall, so far as they are consistent with this Act, be deemed to have been made and published hereunder.

Interpretation-clause.

2. In this Act, unless there be something repugnant in the subject or context,—

“Forest-Officer” means any person whom the Governor-General in Council, or the Local Government or any officer empowered by the Governor-General in Council or the Local Government in this behalf³, may from time to time appoint by name, or as holding an office, to carry out all or any of the

¹ Act VII of 1878 was repealed in Assam from the first April, 1892—see the Assam Forest Regulation 1891 (VII of 1891), ss. 1 (5) and 2 (1), printed, Assam Code, Ed. 1897, p. 298.

² Act VII of 1878 has been extended under this power to the Province of Coorg—see Coorg District Gazette, 1887, Pt. I, p. 640.

For Madras, Ajmere-Merwara, Burma, British Baluchistan and Assam there are special forest laws—see Madras Forest Act, 1882 (V of 1882), printed, Madras Code, Ed. 1902, p. 373; the Ajmere Forest Regulation, 1874 (VI of 1874), printed, Ajmere Code, Ed. 1893, p. 149; the Burma Forest Act, 1902 (IV of 1902); the British Baluchistan Forest Regulation, 1890 (V of 1890), printed, Baluchistan Code, Ed. 1900, p. 67; the Assam Forest Regulation, 1891 (VII of 1891), printed, Assam Code, Ed. 1897, p. 298.

In the Punjab, the Land Preservation (Chow) Act, 1900 (Punjab Act II of 1900), is to be read with and taken as part of this Act—see Punjab Code, Ed. 1903, pp. 492 and 500. For rules for the conservancy of forests and jungles in the hill districts of the Punjab territories, see Appendix to Punjab Code, p. 529. These rules are also in force in the North-West Frontier Province, see s. 4 and second schedule to Reg. VII of 1901, Punjab Code, pp. 551 and 582.

³ For notification appointing Forest-Officers for the Sonthal Parganas and empowering them to compound for offences mentioned in s. 67 within certain specified areas, see Calcutta Gazette, 1901, Pt. I, p. 28; in the North-West Frontier Province for certain specified forests for all purposes of Act, see Gazette of India, 1904, Pt. II, p. 113.

purposes of this Act, or to do anything required by this Act or any rule made under this Act to be done by a Forest-Officer:

¹ "tree" includes palms, bamboos, stumps, brushwood and canes:

² "timber" includes trees when they have fallen or have been felled, and all wood, whether cut up or fashioned or hollowed out for any purpose or not:

³ "forest-produce" includes—

(a) the following, whether found in, or brought from, a forest or not, that is to say:—

2. In Section 2 of the said Act in sub-clause (a) of the definition of "forest produce" after the words "mahua flowers" insert the words "mahua seeds."

and

(b) the following when found in, or brought from, a forest, that is to say:—

(i) trees and leaves, flowers and fruits, and all other parts or produce not hereinbefore mentioned of trees,

(ii) plants not being trees (including grass, creepers, reeds and moss), and all parts or produce of such plants,

(iii) wild animals and skins, tusks, horns, bones, silk, cocoons, honey and wax, and all other parts or produce of animals, and

(iv) peat, surface soil, rock and minerals (including limestone, laterite, mineral oils, and all products of mines or quarries):

"forest-offence" means an offence punishable under this Act, or under any rule made under this Act:

¹ This definition of "tree" was substituted for the original by the Forest Act, 1890 (V of 1890), s. 2 (4). The original clause only referred to bamboos, stumps and brushwood.

² These definitions of "timber" and "forest produce" were substituted for the original definitions by the Forest Act, 1890 (V of 1890), s. 2 (2), and (3), respectively. For Act V, see General Acts, Vol. V, Ed. 1898.

¹ "cattle" includes elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids:

"river" includes streams, canals, creeks and other channels, natural or artificial.

CHAPTER II.

OF RESERVED FORESTS².

Power to
reserve
forests.

3. The Local Government may from time to time constitute any forest-land or waste-land which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest-produce of which the Government is entitled, a reserved forest in the manner hereinafter provided.

Notification
by Local
Government.

4. Whenever it is proposed to constitute any land a reserved forest, the Local Government may publish a notification in the local official Gazette—

(a) declaring that it is proposed to constitute such land a reserved forest;

³ (b) specifying, as nearly as possible, the situation and limits of such land; and

(c) appointing an officer (hereinafter called "the Forest-Settlement-Officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within such limits, or in or over any forest-produce, and to deal with the same as provided in this Chapter.

¹ See similar definition in Cattle-Trespass Act, 1871 (1 of 1871), General Acts, Vol. II.

² As to the application of provisions relating to reserved forests (1) to village-forest, see s. 27, last paragraph; (2) to forests and lands not the property of the Government, see ss. 36, 38; (3) to forests, waste-land, or produce the joint property of the Government and other persons, see s. 79 *infra*.

³ This clause was substituted for the original cl. (b) by the Forest Act, 1890 (V of 1890), s. 3. Printed, General Acts Vol. V. The original clause ran as follows:—"(b) specifying the limits of such forest; and"

Explanation.—For the purpose of clause (b) of this section, it shall be sufficient to describe the limits of the forest by roads, rivers, ridges or other well-known or readily intelligible boundaries.

The officer appointed under clause (c) of this section shall ordinarily be a person not holding any forest-office except that of Forest-Settlement-Officer.

Nothing in this section shall prevent the Local Government from appointing any number of officers not exceeding three, not more than one of whom shall be a person holding any forest-office except as aforesaid, to perform the duties of a Forest-Settlement-Officer under this Act.

5. During the interval between the publication of such notification and the date fixed by the notification under section 19, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in writing made or entered into by or on behalf of Government or some person in whom such right was vested when the former notification was issued; and no fresh clearings for cultivation or for any other purpose shall be made in such land [except in accordance with rules prescribed by the Local Government].

Bar of
accrual of
forest-rights.

6. When a notification has been issued under section 4, the Forest-Settlement-Officer shall publish in the language of the country, in every town and village in the neighbourhood of the land comprised therein, a proclamation—

Proclamation
by Forest-
Settlement-
Officer.

¹(a) specifying, as nearly as possible, the situation and limits of the proposed forest;

(b) explaining the consequences which, as herein-after provided, will ensue on the reservation of such forest; and

¹ These words were added by the Forest Act, 1890 (V of 1890), s. 4 Printed, General Acts, Vol. V.

² This clause was substituted for the original cl. (a) by Act V of 1890, s. 5. The clause ran:—“(a) specifying the limits of the proposed forest.”

PART I.
Chap. I.
THE ACT.

(c) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right mentioned in section 4 or 5 either to present to such officer within such period a written notice specifying, or to appear before him and state, the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.

Inquiry by
Forest-
Settlement-
Officer.

7. The Forest-Settlement-Officer shall take down in writing all statements made under section 6, and shall, at some convenient place, inquire into all claims duly preferred under that section, and the existence of any rights mentioned in section 4 or 5 and not claimed under section 6 so far as the same may be ascertainable from the records of Government and the evidence of any persons likely to be acquainted with the same.

Powers of
Forest
Settlement-
Officer.

8. For the purpose of such inquiry, the Forest-Settlement-Officer may exercise the following powers, that is to say :—

- (a) power to enter, by himself or any officer authorized by him for the purpose, upon any land, and to survey, demarcate and make a map of the same; and
- (b) the powers of a Civil Court in the trial of suits.

Extinction of
rights.

9. Rights in respect of which no claim has been preferred under section 6, and of the existence of which no knowledge has been acquired by inquiry under section 7, shall be extinguished, unless, before the notification under section 19 is published, the person claiming them satisfies the Forest-Settlement-Officer that he had sufficient cause for not preferring such claim within the period fixed under section 6.

Treatment
of claims
relating to
practice of
shifting
cultivation.

¹ 9A (1) In the case of a claim relating to the practice of shifting cultivation, the Forest-Settlement-Officer shall record a statement setting forth the

¹ S. 9A was inserted by Act V of 1890, s. 6. Printed, General Acts, Vol. V.

particulars of the claim and of any local rule or order under which the practice is allowed or regulated, and submit the statement to the Local Government, together with his opinion as to whether the practice should be permitted or prohibited wholly or in part.

(2) On receipt of the statement and opinion the Local Government may make an order permitting or prohibiting the practice wholly or in part.

(3) If such practice is permitted wholly or in part, the Forest-Settlement-Officer may arrange for its exercise—

- (a) by altering the limits of the land under settlement so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimants, or
- (b) by causing certain portions of the land under settlement to be separately demarcated, and giving permission to the claimants to practise shifting cultivation therein under such conditions as he may prescribe.

All arrangements made under this sub-section shall be subject to the previous sanction of the Local Government.

(4) The practice of shifting cultivation shall in all cases be deemed a privilege subject to control, restriction and abolition by the Local Government.

10. In the case of a claim to a right in or over any land, other than a right of way or pasture, or to forest-produce or a water-course, the Forest-Settlement-Officer shall pass an order admitting or rejecting the same in whole or in part.

Power to
acquire land
over which
right is
claimed.

If such claim is admitted in whole or in part, the Forest-Settlement-Officer shall either (1) exclude such land from the limits of the proposed forest; or (2) come to an agreement with the owner thereof for the surrender of his rights; or (3) proceed to

PART I.
Chap. I.
THE ACT.

acquire such land in the manner provided by the Land Acquisition Act, 1870¹.

For the purpose of so acquiring such land —

- (a) the Forest-Settlement-Officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1870¹; 1 of 1870.
- (b) the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under section 9 of that Act²;
- (c) the provisions of the preceding sections of that Act shall be deemed to have been complied with; and
- (d) the Collector, with the consent of the claimant, or the Court, with the consent of both parties, may award compensation in land, or partly in land and partly in money.

Order on
claims to
rights of
pasture or
to forest-
produce.

11. In the case of a claim to rights of pasture or to forest-produce, the Forest-Settlement-Officer shall pass an order admitting or rejecting the same in whole or in part.

Record to be
made by
Forest-
Settlement-
Officer.

12. The Forest-Settlement-Officer, when passing any order under section 11, shall record, so far as may be practicable,—

- (a) the name, father's name, caste, residence and occupation of the person claiming the right;
- (b) the designation, position and area of all fields or groups of fields (if any) and the designation and position of all buildings (if any) in respect of which the exercise of such rights is claimed.

Record
where he
admits
claim.

13. If the Forest-Settlement-Officer admits in whole or in part any claim under section 11, he shall also record the extent to which the claim is so admitted, specifying the number and description of the cattle which the claimant is from time to time

¹ See now the Land Acquisition Act, 1894 (1 of 1894) General Acts, Vol. VI.

² This reference to s. 9 of Act X of 1870 should now be read as referring to s. 9 of Act I of 1894—see s. 2 of the latter Act.

entitled to graze in the forest, the season during which such pasture is permitted, the quantity of timber and other forest-produce which he is from time to time authorized to take or receive, or such other particulars as the case may require. He shall also record whether the timber or other forest-produce obtained by the exercise of the rights claimed may be sold or bartered.

14. After making such record, the Forest-Settlement-Officer shall, to the best of his ability, and having due regard to the maintenance of the reserved forest in respect of which the claim is made, pass such orders as will ensure the continued exercise of the rights so admitted. For this purpose the Forest-Settlement-Officer may—

Exercise of
rights
admitted.

- (a) set out some other forest-tract of sufficient extent, and in a locality reasonably convenient, for the purposes of such claimants, and record an order conferring upon them a right of pasture or to forest-produce (as the case may be) to the extent so admitted; or
- (b) so alter the limits of the proposed forest as to exclude forest-land of sufficient extent, and in a locality reasonably convenient, for the purposes of the claimants; or
- (c) record an order, conferring to such claimants a right of pasture or to forest-produce (as the case may be) to the extent so admitted, at such seasons, within such portions of the proposed forest and under such rules, as may from time to time be prescribed by the Local Government.

15. In case the Forest-Settlement-Officer finds it impossible, having due regard to the maintenance of the reserved forest, to make such settlement under section 14 as shall ensure the continued exercise of the said rights to the extent so admitted, he shall (subject to such rules as the Local Government may from time to time prescribe in this

Commuta-
tion of
rights.

PART I.
Chap. I.
THE ACT.

behalf) commute such rights, either by the payment to such persons of a sum of money in lieu thereof, or by the grant of land, or in such other manner as he thinks fit.

Appeal from
order passed
under sec-
tion 10, 11,
14 or 15.

16. Any person who has made a claim under this Act, or any Forest-Officer or other person generally or specially empowered by the Local Government in this behalf, may, within three months from the date of the order passed on such claim by the Forest-Settlement-Officer under section 10, 11, 14 or 15, present an appeal from such order to such officer of the Revenue Department, of rank not lower than that of a Collector or Deputy Commissioner, as the Local Government may from time to time, by notification in the local official Gazette, appoint by name, or as holding an office, to hear appeals from such orders:

Note.—For the present Commissioners of Divisions have been appointed to hear appeals under this section (Notification No. 1641, dated the 10th April, 1901).

Provided that, if the Local Government establishes (as it is hereby empowered to do) a Court (hereinafter called the Forest Court) composed of three persons to be appointed by the Local Government, such appeals shall be presented to such Court.

Appeal
under
section 16.

17. Every appeal under section 16 shall be made by petition in writing, and may be delivered to the Forest-Settlement-Officer, who shall forward it without delay to the authority competent to hear the same.

If the appeal be to an officer appointed under section 16, it shall be heard in the manner prescribed for the time being for the hearing of appeals in matters relating to land-revenue.

If the appeal be to the Forest Court, the Court shall fix a day and a convenient place in the neighbourhood of the proposed forest for hearing the appeal, and shall give notice thereof to the parties, and shall hear such appeal accordingly.

The order passed thereon by such officer or Court, or by the majority of the members of such Court, shall be final, subject to revision by the Local Government.

18. The Local Government, or any person who has made a claim under this Act, may appoint any person to appear, plead and act on its or his behalf before the Forest-Settlement-Officer, or the appellate officer, or Court, in the course of any inquiry or appeal under this Act.

19. When the following events have occurred (namely) :—

- (a) the period fixed under section 6 for preferring claims has elapsed, and all claims (if any) made within such period have been disposed of by the Forest-Settlement-Officer; and
- (b) if such claims have been made, and the period limited by section 16 for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the appellate officer or Court; and
- (c) all lands (if any) to be included in the proposed forest, which the Forest-Settlement-Officer has, under section 10, elected to acquire under the Land Acquisition Act, 1870¹, have become vested in the Government under section 16 of that Act,

1 of 1870.

the Local Government may publish a notification in the local official Gazette, specifying definitely, according to boundary-marks erected or otherwise, the limits of the forest which it is intended to reserve, and declaring the same to be reserved from a date fixed by such notification.

From the date so fixed such forest shall be deemed to be a reserved forest.

20. The Forest-Officer shall, before the date fixed by such notification, cause a translation thereof into the language of the country to be published in every town and village in the neighbourhood of the forest.

Note.—No such translation should be published in the neighbouring villages until after the notifications under sections 4 and 19 of this Act have appeared in English in the *C. P. Gazette*, (Rev. Sectt. letter Nos. 1440-43, dated the 24th March 1901.)

¹Read now the Land Acquisition Act, 1894 (1 of 1894), s. 2. Printed, General Acts, Vol. VI.

Pleaders.

Notification
declaring
forest
reserved.

Publication
of translation
of such
notification
in neighbour-
hood of
forest.

PART I.
Chap. I.
THE ACT.

Power to
revise
arrangement
made under
section 14 or
17.

21. The Local Government may, within five years from the publication of any notification under section 19, revise any arrangement made under section 14 or 17, and may, for this purpose, rescind or modify any order made under section 14 or 17, and direct that any one of the proceedings specified in section 14 be taken in lieu of any other of such proceedings, or that the rights admitted under section 11 be commuted under section 15.

No right
acquired over
reserved
forest, except
as here
provided.

22. No right of any description shall be acquired in or over a reserved forest, except by succession or under a grant or contract in writing made by or on behalf of the Government or of some person in whom such right was vested when the notification under section 19 was issued.

Rights not to
be alienated
without
sanction.

23. Notwithstanding anything contained in section 22, no right continued under section 14, clause (c), shall be alienated by way of grant, sale, lease, mortgage or otherwise, without the sanction of the Local Government :

Provided that, when any such right is appendant to any land or house, it may be sold or otherwise alienated with such land or house.

No timber or other forest-produce obtained in exercise of any such right shall be sold or bartered except to such extent as may have been admitted in the order recorded under section 13.

Power to stop
ways and
water-courses
in reserved
forests.

24. The Forest-Officer may, from time to time, with the previous sanction of the Local Government or of any officer duly authorized in that behalf, stop any public or private way or water-course in a reserved forest :

Provided that a substitute for the way or water-course so stopped, which the Local Government deems to be reasonably convenient, already exists, or has been provided or constructed by the Forest-Officer in lieu thereof.

Acts
prohibited in
such forests.

25. Any person who—

(a) makes any fresh clearing prohibited by section 5, or

- ¹ [(b) sets fire to a reserved forest, or, in contravention of any rules² made by the Local Government, kindles any fire, or leaves any fire burning, in such manner as to endanger such a forest;]

or who, in a reserved forest,—

- (c) kindles, keeps or carries any fire except at such seasons as the Forest-Officer may from time to time notify in this behalf;
- (d) trespasses or pastures cattle, or permits cattle to trespass;
- (e) causes any damage by negligence in felling any tree or cutting or dragging any timber;
- (f) fells, girdles, lops, taps or burns any tree, or strips off the bark or leaves from, or otherwise damages, the same;
- (g) quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest-produce;
- (h) clears or breaks up any land for cultivation or any other purpose; or,
- ³ (i) in contravention of any rules which the Local Government may from time to time prescribe, [⁴ kills or catches elephants,] hunts, shoots, fishes, poisons water or sets traps or snares,

¹ This clause was substituted for the original cl. (b) by the Forest Act, 1890 (V of 1890), s. 7. For Act V, see General Acts, Vol. V.

² For rules made under this clause for—

- (1) Bombay, see pp. 166 and 167 of the Bombay List of Local Rules and Orders, Ed. 1896;
- (2) Central Provinces, see p. 24 of the Central Provinces List of Local Rules and Orders, Ed. 1896; and
- (3) United Provinces, see p. 59 of the North-Western Provinces and Oudh List of Local Rules and Orders, Ed. 1894.

³ For notification prohibiting the killing, injuring or capturing of any rhinoceros in reserved forests in the Jalpaiguri and Darjiling Districts, see Calcutta Gazette, 1899, Pt. I, p. 1368.

For rules under this clause in conjunction with s. 75 (d) as to hunting, shooting, fishing, etc., in reserved forests in the United Provinces, see United Provinces Gazette, 1905, Pt. I, p. 420; *ibid.* for Central Provinces, see C. P. Gazette, 1905, Pt. III, p. 471.

⁴ These words are repealed in the United Provinces, the Central Provinces and Coorg, and in local areas to which the Elephants Preservation Act, 1879 (VI of 1879), is extended—see s. 2, General Acts, Vol. III.

PART I.
Chap. I.
THE ACT.

shall be punished with imprisonment for a term which may extend to six months, or with fine not exceeding five hundred rupees, or with both, in addition to such compensation for damage done to the forest as the convicting Court may direct to be paid.

Nothing in this section shall be deemed to prohibit (a) any act done by permission in writing of the Forest-Officer, or under any rule made by the Local Government; or (b) the exercise of any right continued under section 14, clause (c), or created by grant or contract in writing made by or on behalf of Government under section 22.

Whenever fire is caused wilfully or by gross negligence in a reserved forest, the Local Government may (notwithstanding that any penalty has been inflicted under this section) direct that in such forest or any portion thereof the exercise of all rights of pasture or to forest produce shall be suspended for such period as it thinks fit.

3. In Section 26 of the said Act, for the words "with the previous sanction" substitute the words "subject to the control." he in te,

direct that, from a date fixed by such notification, any forest or any portion thereof reserved under this Act shall cease to be a reserved forest.

From the date so fixed, such forest or portion shall cease to be reserved; but the rights (if any) which have been extinguished therein shall not revive in consequence of such cessation.

CHAPTER III.

OF VILLAGE-FORESTS.

Formation
of village-
forests.

27. The Local Government may from time to time assign to any village-community the rights of Government to or over any land which has been constituted a reserved forest, and may cancel such assignment. All forests so assigned shall be called village-forests.

The Local Government may from time to time make rules for regulating the management of village-forests, prescribing the conditions under which the community to which any such assignment is made may be provided with timber or other forest-produce or pasture, and their duties for the protection and improvement of such forest.

All provisions of this Act relating to reserved forest shall (so far as they are consistent with the rules so made) apply to village-forests.

CHAPTER IV.

OF PROTECTED FORESTS¹.

28. The Local Government may from time to time, by notification in the local official Gazette, declare the provisions of this Chapter applicable to any forest-land or waste-land which is not included in a reserved forest, but which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest-produce of which the Government is entitled.

The forest-land and waste-lands comprised in any such notification shall be called a "protected forest."

No such notification shall be made unless the nature and extent of the rights of Government and of private persons in or over the forest-land or waste-land comprised therein have been inquired into and recorded at a survey or settlement, or in such other manner as the Local Government thinks sufficient.

Every such record shall be presumed to be correct until the contrary is proved :

Provided that, if in the case of any forest-land or waste-land, the Local Government thinks that such

¹ As to the application of provisions relating to protected forests (1) to land not the property of the Government, see s. 38 ; (2) to forests, waste-land or produce the joint property of the Government and other persons, see s. 39, *infra*.

PART I.
Chap. I.
THE ACT.

inquiry and record are necessary, but that they will occupy such length of time as that the rights of Government will, in the meantime, be endangered, the Local Government may (pending such inquiry and record) declare such land to be a protected forest, but so as not to abridge or affect any existing rights of individuals or communities.

Power to
issue noti-
fication—

29. The Local Government may from time to time, by notification in the local official Gazette,—

reserving
trees,

(a) declare any class of trees in a protected forest, or any trees in any such forest, to be reserved from a date fixed by such notification ;

closing
forest,

(b) declare that a portion of such forest be closed for such term, not exceeding twenty years, as the Local Government thinks fit, and that the rights of private persons (if any) over such portion shall be suspended during such term : Provided that the remainder of such forest be sufficient, and in a locality reasonably convenient, for the due exercise of the rights suspended in the portion so closed ;

prohibiting
collection
of forest-
produce, etc.,

(c) prohibit, from a date fixed as aforesaid, the quarrying of stone, or the burning of lime or charcoal, or the collection or subjection to any manufacturing process, or removal, of any forest-produce, in any such forest, and the breaking up or clearing for cultivation, for building, for herding cattle or for any other purpose, any land in any such forest ; and

and breaking
up or clearing
of land.

(d) alter or cancel such declaration or prohibition.

Publication
of translation
of such
notification
in neighbour-
hood.

30. The Collector or Deputy Commissioner of the district shall cause a translation into the language of the district, of every notification issued under section 29, to be affixed in a conspicuous place in every town and village in the neighbourhood of the forest comprised in the notification.

4. In Section 31 of the said Act, *after* the words "from time to time" *insert* the words "and subject to the control of the Governor-General in Council."

matters:—

regulate the following

which to
make rules
for protected
forests.

- (a) the cutting, sawing, conversion and removal of trees and timber, and the collection, manufacture and removal of forest-produce, from protected forests;
- (b) the granting of licenses to the inhabitants of towns and villages in the vicinity of protected forest to take trees, timber or other forest-produce for their own use, and the production and return of such licenses by such persons;
- (c) the granting of licenses to persons felling or removing trees or timber or other forest produce from such forests for the purposes of trade, and the production and return of such licenses by such persons;
- (d) the payments (if any) to be made by the persons mentioned in clauses (b) and (c) of this section, for permission to cut such trees, or to collect and remove such timber or other forest-produce;
- (e) the other payments, if any, to be made by them in respect of such trees, timber and produce, and the places where such payment shall be made;
- (f) the examination of forest-produce passing out of such forests;
- (g) the clearing and breaking up of land for cultivation or other purposes in such forests;

¹ For rules under this section for—

- (1) Bombay, see pp. 167, 171, and 174 of the Bombay List of Local Rules and Orders, Ed. 1896;
 - (2) protected Forests of Nani Tal, Ranikhet and Lalitpur, see p. 62 of the North-Western Provinces and Oudh List of Local Rules and Orders, Ed. 1891;
 - (3) protected Forests in the Punjab, see Punjab Government Gazette, 1904, Pt. I, p. 76.
- For rules made by the Government of Bengal under this section and s. 41 for the protected Forests in the Santal Parganas, see Calcutta Gazette, 1901, Pt. I, p. 571; in the Santerchans, see Calcutta Gazette, 1902, Pt. I, p. 403; *ibid* 1900, Pt. I, p. 1433; in the Angul protected Forests, see Calcutta Gazette, 1901, Pt. I, p. 879.

- (h) the protection from fire of timber lying in such forests and of trees reserved under section 29;
- (i) the cutting of grass and pasturing of cattle in such forests;
- (j) [the killing or catching elephants,] hunting, shooting, fishing, poisoning water and setting traps or snares in such forests;
- (k) the protection and management of any portion of a forest closed under section 29;
- (l) the exercise of rights referred to in section 28.

Penalties for
acts in con-
travention of
notification
under section
29.

32. Any person who commits any of the following offences:—

- (a) fells, girdles, lops, taps or burns any tree reserved under section 29, or strips off the bark or leaves from, or otherwise damages, any such tree;
- (b) contrary to any prohibition under section 29, quarries any stone, or burns any lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest-produce;
- (c) contrary to any prohibition under section 29, breaks up or clears for cultivation or any other purpose any land in any protected forest;
- (d) sets fire to such forest, or kindles a fire without taking all reasonable precautions to prevent its spreading to any trees reserved under section 29, whether standing, fallen or felled, or to any closed portion of such forest;
- (e) leaves burning any fire kindled by him in the vicinity of any such trees or closed portion;
- (f) fells any tree or drags any timber so as to damage any tree reserved as aforesaid;

¹ These words are repealed in the United Provinces, the Central Provinces and Oorag, and in local areas to which the Elephants Preservation Act, 1879, is extended—see Act VI of 1879, s. 2. Printed in General Acts, Vol. III.

(g) permits cattle to damage any such tree;

(h) infringes any rule made under section 31; shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

[Whenever fire is caused wilfully or by gross negligence in a protected forest, the Local Government may (notwithstanding that any penalty has been inflicted under this section) direct that in such forest or any portion thereof the exercise of any right of pasture or to forest-produce shall be suspended for such period as it thinks fit.]

33. Nothing in this Chapter shall be deemed to prohibit any act done with the permission in writing of the Forest-Officer, or in accordance with rules made under section 31, or (except as regards any portion of a forest closed under section 29)² [or any rights the exercise of which has been suspended under section 32] in the exercise of any right recorded under section 28.

Nothing in this Chapter to prohibit acts done in certain cases.

CHAPTER V.

FORESTS UNDER CONSERVANCY-ADMINISTRATION WHEN THIS ACT COMES INTO FORCE.

34. Within twelve months from the date on which this Act comes into force in the territories administered by any Local Government, such Government shall, after consideration of the rights of the Government and private persons in all forest-lands or waste-lands then under its executive control for purposes of forest-conservancy, determine which of such lands [if any] can, according to justice, equity and good conscience, be classed as reserved forests or protected forests under this Act, and declare, by notification in the local official Gazette,

Forests under conservancy-administration when this Act comes into force.

¹ This clause was added to the section by s. 2 of the Indian Forest (Amendment) Act, 1901 (V of 1901).

² These words were inserted by s. 3 of Act V of 1901.

any lands so classed to be reserved or protected forests, as the case may be :

Provided that such declaration shall not affect any rights of the Government or private persons to or over any land or forest-produce in any such forest, which have, previous to the date of such declaration, been inquired into, settled and recorded in a manner which the Local Government thinks sufficient :

Provided also that if any such rights have not on such date been so inquired into, settled and recorded, the Local Government shall direct that the same shall be inquired into, settled and recorded in the manner provided by this Act for reserved or protected forests, as the case may be ; and, until such inquiry, settlement and record have been completed, no such declaration shall abridge or affect such rights.

CHAPTER VI.

OF THE CONTROL OVER FORESTS AND LANDS NOT BEING THE PROPERTY OF GOVERNMENT.

Protection of
forests for
special
purposes.

35. The Local Government may from time to time, by notification in the local official Gazette, regulate or prohibit in any forest or waste-land—

- (a) the breaking up or clearing of land for cultivation ;
- (b) the pasturing of cattle ;
- (c) the firing or clearing of the vegetation ;

when such regulation or prohibition appears necessary for any of the following purposes :—

first, for protection against storms, winds, rolling stones, floods and avalanches ;

second, for the preservation of the soil on the ridges and slopes and in the valleys of hilly tracts, the prevention of landslips and of the formation of ravines and torrents, and the protection of land against erosion, or the deposit thereon of sand, stones or gravel ;

third, for the maintenance of a water-supply in springs, rivers and tanks ;

fourth, for the protection of roads, bridges, railways and other lines of communication ;

fifth, for the preservation of the public health ; and may alter or cancel such notification.

The Local Government may, for any such purpose, construct at its own expense, in or upon any forest or waste-land, such work as it thinks fit:

Provided that no such notification shall be made or work begun until after the issue of a notice to the owner of such forest or land, calling on him to show cause, within a reasonable period to be specified in such notice, why such notification should not be made or work constructed, and until his objections (if any) and any evidence he may produce in support of the same have been heard by an officer duly appointed in that behalf and have been considered by the Local Government.

36. In case of neglect of, or wilful disobedience to, any regulation or prohibition under section 35, or if the purposes of any work to be constructed under that section so require, the Local Government may, after notice in writing to the owner of such forest or land and after considering his objections (if any), place the same under the control of a Forest-Officer, and may declare that all or any of the provisions of this Act relating to reserved forests shall apply to such forest or land.

Power to assume management of forests.

The net profits (if any) arising from the management of such forest or land shall be paid to the said proprietor.

37. In any case under this Chapter in which the Local Government considers that, in lieu of placing the forest or land under the control of a Forest-Officer, the same should be acquired for public purposes, the Local Government may proceed to

Expropriation of forests in certain cases.

PART I.
Chap. I.
THE ACT.

acquire it in the manner prescribed by the Land Acquisition Act, 1870¹.

The owner of any forest or land comprised in any notification under section 35 may, at any time not less than three or more than twelve years from the date thereof, require that such forest or land shall be acquired for public purposes, and the Local Government shall acquire such forest or land accordingly.

Protection of
forests at
request of
owners.

38. The owner of any land or, if there be more than one owner thereof, the owners of shares therein amounting in the aggregate to at least two-thirds thereof may, with a view to the formation or conservation of forests thereon, represent in writing to the Collector or Deputy Commissioner their desire—

- (a) that such land be managed on their behalf by the Forest-Officer as a reserved or a protected forest on such terms as may be mutually agreed upon; or
- (b) that all or any of the provisions of this Act be applied to such land.

In either case, the Local Government may, by notification in the local official Gazette, apply to such land such provisions of this Act as it thinks suitable to the circumstances thereof and as may be desired by the applicants.

Any such notification may be altered or cancelled by a like notification.

5. In Section 39 of the said Act (a) for the words "with the previous sanction" substitute the words "subject to the control," (b) after sub-clause (b) insert the following proviso "Provided that a notification directing the levy of a duty, in the case of timber and other forest produce brought from any place beyond the frontier of British India, which is not under the control of the Local Government, shall not be issued without the previous sanction of the Governor-General in Council, (c) for the words "with the like sanction" substitute the words "subject to the like control or sanction, respectively."

6. In Section 77 of the said Act delete the proviso.

K. L. B. HAMILTON,

Under Secretary to the Chief Commissioner,

Central Provinces.

such rates as it may from time to time prescribe by notification in the local official Gazette on all timber [¹ or other forest-produce]—

- (a) which is produced in British India, and in respect of which the Government has any right;
- (b) which is brought from any place beyond the frontier of British India.

In every case in which such duty is directed to be levied *ad valorem*, the Local Government may, with the like sanction, from time to time fix by like notification, the value on which such duty shall be assessed. Power to fix value for *ad valorem* duty.

All duties on timber [¹ or other forest-produce] which, at the time when this Act comes into force in any territory, are levied therein under the authority of the Local Government, shall be deemed to be and to have been duly levied under the provisions of this Act.

40. Nothing in this Chapter shall be deemed to limit the amount (if any) chargeable as purchase-money or royalty on any timber or other forest-produce, although the same is levied on such timber or produce while in transit, in the same manner as duty is levied. Limit not to apply to purchase-money or royalty.

CHAPTER VIII.

OF THE CONTROL OF TIMBER AND OTHER FOREST-PRODUCE IN TRANSIT.

41. The control of all rivers and their banks as regards the floating of timber, as well as the control of all timber and other forest-produce in transit by land or water, is vested in the Local Government, and it may from time to time make rules to regulate the transit of all timber and other forest-produce. Power to make rules to regulate transit of forest produce.

¹ These words were inserted by the Forest Act, 1890 (V of 1890), s. 8 (2), General Acts, Vol. V.

Such rules may (among other matters)—

- (a) Prescribe the routes by which alone timber [¹ or other] forest-produce may be imported, exported or moved, into, from or within, British India;
- (b) prohibit the import and export or moving of such timber or other produce without a pass from an officer duly authorized to issue the same, or otherwise than in accordance with the conditions of such pass;
- (c) provide for the issue, production and return of such passes and for the payment of fees therefor;
- (d) provide for the stoppage, reporting, examination and marking of timber or other forest-produce in transit, in respect of which there is reason to believe that any money is payable to Government on account of the price thereof, or on account of any duty, fee, royalty or charge due thereon, or to which it is desirable for the purposes of this Act to affix a mark;
- (e) provide for the establishment and regulation of depôts to which such timber or other produce shall be taken by those in charge of it for examination, or for the payment of such money, or in order that such marks may be

¹ For rules made under this section for—

(1) Bombay, see list on p. lix of the Bombay List of Local Rules and Orders;

(2) Central Provinces, see p. 28 of the Central Provinces List of Local Rules and Orders, Ed. 1890;

(3) United Provinces, see North-Western Provinces and Oudh List of Local Rules and Orders, Ed. 1894, p. 66.

For Rules made by the Government of Bengal to regulate the touch of timber on the Gandak River so far as it flows within the jurisdiction of that Government, see Calcutta Gazette, 1898, Pt. I, p. 141.

For rules made for the Sonthal Parganas as to the management of protected forest under this section in conjunction with s. 31, see Calcutta Gazette, 1901, Pt. I, p. 67.

For River rules for the Chittagong Hill Tracts, see Calcutta Gazette, 1881, Pt. I, p. 830; *ibid.* 1882, Pt. I, p. 667; *ibid.* 1885, Pt. I, p. 941; *ibid.* 1898, Pt. I, p. 896; *ibid.* 1901, Pt. I, p. 964.

For rules to regulate import of timber and other Forest-produce into Simla, see Punjab Gazette, 1904, Pt. I, p. 315.

² These words were substituted for the words, "and other" by the Forest Act, 1890 (V of 1890), s. 8(3). Printed General Acts, Vol. V.

affixed to it; and the conditions under which such timber or other produce shall be brought to, stored at and removed from such [depôts];

- (f) prohibit the closing up or obstructing of the channel or banks of any river used for the transit of timber or other forest-produce, and the throwing of grass, brushwood, branches and leaves into any such river or any act which may cause such river to be closed or obstructed;
- (g) provide for the prevention and removal of any obstruction of the channel or banks of any such river, and for recovering the cost of such prevention or removal from the person whose acts or negligence necessitated the same;
- (h) prohibit absolutely or subject to conditions, within specified local limits, the establishment of saw-pits, the converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same, and the possession or carrying of marking hammers or other implements used for marking timber;
- (i) regulate the use of property-marks for timber, and the registration of such marks; prescribe the time for which such registration shall hold good; limit the number of such marks that may be registered by any one person, and provide for the levy of fees for such registration.

[² The Local Government may direct that any rule made under this section shall not apply to any specified class of timber or other forest-produce or to any specified local area.]

42. The Local Government may, by such rules, prescribe as penalties for the infringement thereof imprisonment for a term which may extend to six

Penalty for
breach of
rules made
under section
41.

¹ "Depôts" was substituted for "depôt" by the Repealing and Amending Act, 1891 (XII of 1891), General Acts, Vol. VI.

² This paragraph was added by the Forest Act, 1890 (V of 1890), s. 8 (3). Printed, General Acts, Vol. V.

PART I.
Chap. I.
THE ACT.

months, or fine which may extend to five hundred rupees, or both.

Double penalties may be inflicted in cases where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful authority, or if the offender has been previously convicted of a like offence.

Government
and Forest-
Officers not
liable for
damage to
forest-
produce at
depôt.

43. The Government shall not be responsible for any loss or damage which may occur in respect of any timber or other forest-produce while at a depôt established under a rule made under section 41, or while detained elsewhere for the purposes of this Act; and no Forest-Officer shall be responsible for any such loss or damage unless he causes such loss or damage negligently, maliciously or fraudulently.

All persons
bound to aid
in case of
accident at
depôt.

44. In case of any accident or emergency involving danger to any property at any such depôt, every person employed at such depôt, whether by the Government or by any private person, shall render assistance to any Forest-Officer or Police-Officer demanding his aid in averting such danger and securing such property from damage or loss.

CHAPTER IX.

OF THE COLLECTION OF DRIFT AND STRANDED TIMBER.

Certain
kinds of
timber to
be deemed
property of
Government
until title
thereto
proved,
and may
be collected
accordingly.

45. All timber found adrift, beached, stranded, or sunk;

all wood or timber bearing marks which have not been registered under section 41, or on which the marks have been obliterated, altered or defaced by fire or otherwise, and,

in such areas as the Local Government directs¹, all unmarked wood and timber,

shall be deemed to be the property of Government unless and until any person establishes his right and title thereto, as provided in this Chapter.

¹ For rules made under this section for—

(1) Central Provinces, see Central Provinces List of Local Rules and Orders, Ed. 1896, p. 39;

(2) United Provinces, see North-Western Provinces and Oudh List of Local Rules and Orders, Ed. 1894, p. 46;

(3) Punjab, see Punjab Gazette, 1902, Pt. I, p. 400.

Such timber may be collected by any Forest-Officer or other person entitled to collect the same by virtue of any rule made under section 51, and may be brought to such depôts as the Forest-Officer may from time to time notify as depôts for the reception of drift timber.

The Local Government may, by notification in the local official Gazette, exempt any class of timber from the provisions of this section, and withdraw such exemption.

46. Public notice shall from time to time be given by the Forest-Officer of timber collected under section 45. Such notice shall contain a description of the timber, and shall require any person claiming the same to present to such officer, within a period not less than two months from the date of such notice, a written statement of such claim.

Notice to claimants of drift-timber.

47. When any such statement is presented as aforesaid, the Forest-Officer may, after making such inquiry as he thinks fit, either reject the claim after recording his reasons for so doing, or deliver the timber to the claimant.

Procedure on claim preferred to such timber.

If such timber is claimed by more than one person, the Forest-Officer may either deliver the same to any of such persons whom he deems entitled thereto, or may refer the claimants to the Civil Courts, and retain the timber pending the receipt of an order from any such Court for its disposal.

Any person whose claim has been rejected under this section may, [within three months] from the date of such rejection, institute a suit to recover possession of the timber claimed by him; but no person shall recover any compensation or costs against the Government, or against any Forest-Officer, on account of such rejection, or the detention or removal of any timber, or the delivery thereof to any other person under this section.

On rejection of claim to such timber, claimant may institute suit.

¹ These words were substituted for the words "within two months" by the Forest Act, 1899 (V of 1899), s. 9. Printed, General Acts, Vol. V.

No such timber shall be subject to process of any Civil, Criminal or Revenue Court until it has been delivered, or a suit has been brought, as provided in this section.

Disposal of
unclaimed
timber.

48. If no such statement is presented as aforesaid, or if the claimant omits to prefer his claim in the manner and within the period prescribed by the notice issued under section 46, or on such claim having been so preferred by him and having been rejected, omits to institute a suit to recover possession of such timber within the further period limited by section 47, the ownership of such timber shall vest in the Government, or, when such timber has been delivered to another person under section 47, in such other person free from all encumbrances [not created by him].

Government
and its
officers not
liable for
damage to
such timber.

49. The Government shall not be responsible for any loss or damage which may occur in respect of any timber collected under section 45, and no Forest-Officer shall be responsible for any such loss or damage unless he causes such loss or damage negligently, maliciously or fraudulently.

Payments to
be made by
claimant
before timber
is delivered
to him.

50. No person shall be entitled to recover possession of any timber collected or delivered as aforesaid until he has paid to the Forest-Officer or other person entitled to receive it such sum on account thereof as may be due under any rule made in pursuance of section 51.

Power to
make rules,
and prescribe
penalties.

51. The Local Government may from time to time make rules¹ to regulate the following matters (namely):—

(a) the salving, collection and disposal of all timber mentioned in section 45;

¹ These words were added by Act V of 1890, s. 70.

² For rules made under this section for—

- (1) Bombay, see pp. 191 and 192 of the Bombay List of Local Rules and Orders, Ed. 1896, Vol. I;
- (2) Central Provinces, see p. 30 of the Central Provinces List of Local Rules and Orders, Ed. 1896;
- (3) United Provinces, see United Provinces Gazette, 1902, Pt. I, p. 795;
- (4) Bengal, for the Jalpaiguri and Darjeeling Districts, see Calcutta Gazette, 1901, Pt. I, p. 23;
- (5) Sindh, see Bombay Government Gazette, 1902, Pt. I, p. 297.

- (b) the use and registration of boats used in salving and collecting timber;
- (c) the amounts to be paid for salving, collecting, moving, storing and disposing of such timber;
- (d) the use and registration of hammers and other instruments to be used for marking such timber.

The Local Government may from time to time prescribe, as penalties for the infringement of any rules made under this section, imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

CHAPTER X.

PENALTIES AND PROCEDURE.

52. When there is reason to believe that a forest-offence has been committed in respect of any forest-produce, such produce, together with all tools, boats, carts and cattle used in committing any such offence, may be seized by any * Forest-Officer or Police-Officer.

Seizure of
property
liable to
confiscation.

Every officer seizing any property under this section shall place on such property a mark indicating that the same has been so seized, and shall, as soon as may be, make a report of such seizure to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made:

Application
for confisca-
tion.

Provided that, when the forest-produce with respect to which such offence is believed to have been

* The following extract from the Central Provinces Secretariat letter No. 588-B, dated the 25th January 1932 (Revenue Department), explains the duty of such officer:—

"When property is seized under Section 52 of the Forest Act, an inquiry must be held by a responsible forest official under Rule 4 of Notification No. 5050, dated the 18th December 1900, as speedily as possible, or within a month at the outside. If the case is compounded, the seizure is reported to the Deputy Commissioner in the monthly statement of forest offences compounded. If prosecution is ordered it is reported on receipt of the papers by the Forest Divisional Officer to a Magistrate. If a prosecution is not ordered and the offence is not compounded, the Forest Divisional Officer in passing his order under Rule 8 of Notification No. 5050, dated the 18th December 1900, would make the report required by the second clause of section 52 of the Forest Act."

PART I.
Chap. I.
THE ACT.

committed is the property of Government, and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

Procedure thereupon.

53. Upon the receipt of any such report, the Magistrate shall, with all convenient despatch, take such measures as may be necessary for the arrest and trial of the offender and the disposal of the property according to law.

Forest-produce, tools, etc., when liable to confiscation.

54. All timber or forest-produce which is not the property of Government and in respect of which a forest-offence has been committed, and all tools, boats, carts and cattle used in committing any forest-offence, shall be liable to confiscation.

Such confiscation may be in addition to any other punishment prescribed for such offence.

Disposal on conclusion of trial for forest-offence, of produce in respect of which it was committed.

55. When the trial of any forest-offence is concluded, any forest-produce in respect of which such offence has been committed shall, if it is the property of Government or has been confiscated, be taken charge of by a Forest-Officer and in any other case may be disposed of in such manner as the Court may direct.

Procedure when offender not known, or cannot be found.

56. When the offender is not known, or cannot be found, the Magistrate may, if he finds that an offence has been committed, order the property in respect of which the offence has been committed to be confiscated and taken charge of by the Forest-Officer, or to be made over to the person [whom the Magistrate deems to be entitled to the same]:

Provided that no such order shall be made until the expiration of one month from the date of seizing such property, or without hearing the person (if any) claiming any right thereto, and the evidence (if any) which he may produce in support of his claim.

Procedure as to perishable property seized under section 52.

57. The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any

¹ These words were substituted for the words "whom he deems to be entitled to the same" by the Forest Act, 1890 (V of 1890), s. 11. General Acts, Vol. V.

property seized under section 52 and subject to speedy and natural decay, and may deal with the proceeds as he would have dealt with such property if it had not been sold.

58. The officer who made the seizure under section 52, or any of his official superiors, or any person claiming to be interested in the property so seized, may, within one month from the date of any order passed under section 54, 55 or 56, appeal therefrom to the Court to which orders made by such Magistrate are ordinarily appealable, and the order passed on such appeal shall be final.

Appeal from orders under sections 54, 55 and 56.

59. When an order for the confiscation of any property has been passed under section 54 or 56, as the case may be, and the period limited by section 58 for an appeal from such order has elapsed and no such appeal has been preferred, or when, on such an appeal being preferred, the Appellate Court confirms such order in respect of the whole or a portion of such property, such property or such portion thereof, as the case may be, shall vest in the Government free from all incumbrances.

Property when to vest in Government.

60. Nothing hereinbefore contained shall be deemed to prevent any officer* empowered in this behalf by the Local Government from directing at any time the immediate release of any property seized under section 52.

Saving of power to release property seized.

61. Any Forest-Officer or Police-Officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Punishment for wrongful seizure.

62. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code¹,

Penalty for counterfeiting or defacing marks on trees and timber and for altering boundary marks.

*All Deputy Commissioners and Divisional Forest Officers are given the powers described in this section (Notification No. 406-D, dated the 29th January 1902).

¹ See now the revised edition of the Code as modified up to 1st April 1903.

PART I.
Chap. I.
THE ACT.

- (a) knowingly counterfeits upon any timber or standing tree a mark used by Forest-Officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person; or
- (b) alters, defaces or obliterates any such mark placed on a tree or on timber by or under the authority of a Forest-Officer; or
- (c) alters, moves, destroys or defaces any boundary mark of any forest or waste-land to which the provisions of this Act are applied,

shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

Power to
arrest
without
warrant.

63. Any Forest-Officer or Police-Officer may, without orders from a Magistrate and without a warrant, arrest any person against whom a reasonable suspicion exists of his having been concerned in any forest offence punishable with imprisonment for one month or upwards.

Every officer making an arrest under this section shall without unnecessary delay take or send the person arrested before the Magistrate having jurisdiction in the case, [¹ or to the officer in charge of the nearest Police-station].

Nothing in this section shall be deemed to authorize such arrest for any act which is an offence under Chapter IV of this Act, unless such act has been prohibited under section 29, clause (c).

Power to
prevent
commission
of offence.

64. Every Forest-Officer and Police-Officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest offence.

Power to try
offences
summarily.

65. The Magistrate of the district² and any Magistrate of the first class specially empowered

¹ These words were added by the Forest Act, 1890 (V of 1890), s. 12, General Acts, Vol. V.

² Now District Magistrate,--see the Code of Criminal Procedure, 1898 (Act V of 1898), s. 3, General Acts, Vol. VI: see now the revised edition of the Code as modified up to 1st April 1903.

in this behalf by the Local Government may try summarily under the Code of Criminal Procedure¹ any forest offence punishable only with imprisonment for a term not exceeding six months or fine not exceeding five hundred rupees, or both.

66. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Act or the rules made under it, or from being liable under such other law to any higher punishment or penalty than that provided by the rules made under this Act: Operation of other laws not barred.

Provided that no person shall be punished twice for the same offence.

²67. (1) The Local Government may from time to time, by notification in the official Gazette, empower a Forest-Officer by name, or as holding an office,— Power to compound offences.

(a) to accept from any person against whom a reasonable suspicion exists that he has committed any forest-offence, other than an offence specified in section 61 or section 62, a sum of money by way of compensation for the offence which such person is suspected to have committed, and,

(b) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer.

(2) On the payment of such sum of money, or such value, or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged, the property, if any, seized shall be

¹ The reference should now be taken as being made to Act V of 1898.

² This section was substituted for the original s. 67, by the Forest Act, 1890 (V of 1890), s. 13. Printed, General Acts, Vol. V.

released, and no further proceeding shall be taken against such person or property.*

(3) A Forest-Officer shall not be empowered under this section unless he is a Forest-Officer of a rank not inferior to that of a Ranger and is in receipt of a monthly salary amounting to at least one hundred rupees, and the sum of money accepted as compensation under sub-section (1), clause (a), shall in no case exceed the sum of fifty rupees.

Presumption
that forest-
produce
belongs to
Government.

68. When in any proceedings taken under this Act, or in consequence of anything done under this Act, a question arises as to whether any forest-produce is the property of the Government, such produce shall be presumed to be the property of the Government until the contrary is proved.

CHAPTER XI.

CATTLE-TRESPASS.

Cattle
Trespass
Act, 1871,
to apply.

69. Cattle trespassing in a reserved forest or in any portion of a protected forest which has been lawfully closed to grazing shall be deemed to be cattle doing damage to a public plantation within the meaning of the 11th section of the Cattle Trespass Act, 1871¹, and may be seized and impounded as such by any Forest Officer or Police Officer.

1 of 1871.

* The full bearing of clauses (3) and (2) is explained in the following extract from Revenue Secretariat letter No. 5522, dated the 12th December 1894—18th March 1895:—

2. I am to point out that a distinction must be drawn between (a) forest-produce, the property of Government which forms the subject-matter of the offence, and (b) forest-produce, tools, etc., used in committing the offence.

To take a concrete case.—

A brings 30 poles out of the jungle without a license. The cart and poles are seized. The former is liable to confiscation, but the poles are as they were before, Government property (vide section 68 of the Forest Act).

Under section 67 (1) (a) the Forest Divisional Officer accepts a sum of money as compensation for the offence. He either retains the poles, or, in addition, realizes the license fees due on them. Under section 67 (2) * * * he may release the cart or under section 67 (1) (b) he may demand its value.

¹ See now the revised edition of the Act, as modified up to 1st April 1901.

70. The Local Government may from time to time, by notification in the local official Gazette, direct that in lieu of the fines fixed by the 12th section of the Act last aforesaid, there shall be levied for each head of cattle impounded under section 69 of this Act such fines as it thinks fit, but not exceeding the following, that is to say:—

For each elephant	...	ten rupees.
For each buffalo or camel	...	two
For each horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer	...	one rupee.
For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid	...	eight annas.

Power to
alter fines
fixed by that
Act.

CHAPTER XII.

OF FOREST-OFFICERS.

71. The Local Government may invest any Forest-Officer by name, or as holding an office, with the following powers, that is to say:—

Local
Government
may invest
Forest-
Officers with
certain
powers.

- (a) power to enter upon any land and to survey, demarcate and make a map of the same;
- (b) the powers of a Civil Court to compel the attendance of witnesses and the production of documents;
- (c) power to issue a search-warrant under the Code of Criminal Procedure¹;
- (d) power to hold an inquiry into forest-offences, and, in the course of such inquiry, to receive and record evidence.

X of 1872

Any evidence recorded under clause (d) of this section shall be admissible in any subsequent trial before a Magistrate, provided that it has been taken in the presence of the accused person.

72. All Forest-Officers shall be deemed to be public servants within the meaning of the Indian Penal Code².

XLV of 180

Forest-
Officers
deemed
public
servants.

¹ Read now the Code of Criminal Procedure, 1898 (Act V of 1898). See now the revised edition of the Act, as modified up to 1st April 1903.

² See now the revised edition of the Code, as modified up to 1st April 1903.

PART I.

Chap. I.

THE ACT.

Indemnity
for acts done
in good
faith

73. No suit shall lie against any public servant for anything done by him in good faith under this Act.

Forest-
Officers not
to trade.

74. Except with the permission in writing of the Local Government, no Forest-Officer shall, as principal or agent, trade in timber or other forest-produce, or be or become interested in any lease of any forest or in any contract for working any forest, whether in British or Foreign territory.

CHAPTER XIII.

SUBSIDIARY RULES.

Additional
powers to
make rules.

75. The Local Government may from time to time make rules¹—

- (a) to prescribe and limit the powers and duties of any Forest-Officer under this Act²;
- (b) to regulate the rewards to be paid to officers and informers out of the proceeds of fines and confiscations under this Act;
- (c) for the preservation, reproduction and disposal of trees and timber belonging to Government, but grown on lands belonging to or in the occupation of private persons; and,
- (d) generally, to carry out the provisions of this Act.

Penalties for
breach of
rules.

76. Any person breaking any rule under this Act, for the breach of which no special penalty is provided, shall be punished with imprisonment for a term which may extend to one month, or fine which may extend to five hundred rupees, or both.

¹ For rules made under this section for—

(1) Bombay, see pp. 195 to 200 of the Bombay List of Local Rules and Orders, Vol. I, Ed. 1896;

(2) Central Provinces, see pp. 31 to 34 of the Central Provinces List of Local Rules and Orders, Ed. 1896, and Central Provinces Gazette, 1900, Pt. I, p. 254;

(3) United Provinces, see pp. 68 to 70 of the North-Western Provinces and Oudh List of Local Rules and Orders, Ed. 1894; see also North-Western Provinces and Oudh Gazette, 1899, Pt. I, p. 494; *ibid.* 1900, Pt. I, p. 491;

(4) Punjab, see Punjab Gazette, 1899, Pt. I, p. 748.

² For notification declaring that certain officers shall exercise the powers of Forest-Officers under certain sections, see Calcutta Gazette, 1901, Pt. I, p. 28.

77. All rules made by the Local Government under this Act shall be published in the local official Gazette, and shall thereupon, so far as they are consistent with this Act, have the force of law.

Rules when
to have force
of law.

Provided that no rule made under section 27, 31 or 41 shall be so published without the previous sanction of the Governor-General in Council.

CHAPTER XIV.

MISCELLANEOUS.

78. Every* person who exercises any right in a reserved or protected forest, or who is permitted to take any forest-produce from, or to cut and remove timber or to pasture cattle in, such forest, and

Persons
bound to
assist Forest-
Officers and
Police-
Officers.

every person who is employed by any such person in such forest, and

every person in any village contiguous to such forest who is employed by the Government, or who receives emoluments from the Government for services to be performed to the community,

shall be bound to furnish without unnecessary delay to the nearest Forest-Officer or Police-Officer any information he may possess respecting the commission of, or intention to commit, any forest offence, and shall assist any Forest-Officer or Police-Officer*** 2—

- (a) in extinguishing any fire occurring in such forest;
- (b) in preventing any fire which may occur in the vicinity of such forest from spreading to such forest [and shall assist any Forest-Officer or Police-Officer demanding his aid²];
- (c) in preventing the commission in such forest of any forest offence; and

*Excepting all labourers or employees actively engaged on Railway work (C. P. Sect. letter No. C-198, dated the 16th June 1901).

¹ See also s. 23 of the General Clauses Act, 1897 (X of 1897). Printed, General Acts, Vol. VI.

² The words "demanding his aid" were omitted and the words at the end of clause (b) inserted by s. 4 of the Indian Forest (Amendment) Act, 1901 (V of 1901).

PART I.
Chap. I.
THE ACT.

Management
of forests
the joint
property of
Government
and other
persons.

- (d) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

79. If the Government and any person be jointly interested in any forest or waste-land, or in the whole or any part of the produce thereof, the Local Government may from time to time either—

- (a) undertake the management of such forest, waste land or produce, accounting to such person for his interest in the same; or
(b) issue such regulations for the management of the forest, waste-land or produce by the person so jointly interested as it deems necessary for the management thereof and the interests of all parties therein.

When the Local Government undertakes, under clause (a) of this section, the management of any forest, waste-land or produce, it may from time to time, by notification in the local official Gazette, declare that any of the provisions contained in Chapters II and IV of this Act shall apply to such forest, waste-land or produce, and thereupon such provisions shall apply accordingly.

Failure to
perform
service for
which a
share in
produce of
Government
forest is
enjoyed.

80. If any person be entitled to a share in the produce of any forest which is the property of Government or over which the Government has proprietary rights, or to any part of the forest-produce of which the Government is entitled, upon the condition of duly performing any service connected with such forest, such share shall be liable to confiscation in the event of the fact being established to the satisfaction of the Local Government that such service is no longer so performed:

Provided that no such share shall be confiscated until the person entitled thereto, and the evidence (if any) which he may produce in proof of the due performance of such service, have been heard by an officer duly appointed in that behalf by the Local Government.

Recovery of
money due to
Government.

81. All money payable to the Government under this Act, or under any rule made under this

Act, or on account of the price of any forest-produce, or of expenses incurred in the execution of this Act in respect of such produce, may, if not paid when due, be recovered under the law for the time being in force as if it were an arrear of land-revenue.

82. When any such money is payable for or in respect of any forest-produce, the amount thereof shall be deemed to be a first charge on such produce, and such produce may be taken possession of by a Forest-Officer until such amount has been paid.

Lien on forest-produce for such money.

If such amount is not paid when due, the Forest-Officer may sell such produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.

Power to sell such produce.

The surplus (if any), if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to His Majesty.

83. Whenever it appears to the Local Government that any land is required for any of the purposes of this Act, such land shall be deemed to be needed for a public purpose within the meaning of the Land Acquisition Act, 1870,¹ section 4.

Land required under this Act to be deemed to be needed for a public purpose under Land Acquisition Act, 1870.

X of 1870.

84. When any person, in compliance with any rule under this Act, binds himself by any instrument to perform any duty or act, or covenants by any instrument that he, or that he and his servants and agents, will abstain from any act, the whole sum mentioned in such instrument as the amount to be paid in case of a breach of the conditions thereof may, notwithstanding anything in section 74 of the Indian Contract Act, 1872², be recovered from him in case of such breach as if it were an arrear of land-revenue.

Recovery of penalties due under bond.

IX of 1872.

¹ Read now the Land Acquisition Act, 1894 (I of 1894)—see s. 2 of the Act. General Acts, Vol. VI.

² S. 84 was added by the Forest Act, 1890 (V of 1890), s. 14. General Acts, Vol. V.

³ Printed, General Acts, Vol. II; see now the revised edition of the Act as modified up to 1st September 1898, with footnotes brought down to June 30th, 1901.

SCHEDULE.

(See section 1.)

ENACTMENTS REPEALED.

Number and year of Act or Regulation.	Title.	Extent of repeal.
Act VII of 1865	An Act to give effect to rules for the management and preservation of Government forests.	So much as has not been repealed.
Act VII of 1869	An Act to give validity to certain rules relating to forests in British Burma.	The whole.
Act XIII of 1873	An Act to amend the law relating to timber floated down the rivers of British Burma.	So much as has not been repealed.
Regulation IX of 1874.	The Arakan Hill District Laws Regulation, 1874.	So far as it relates to Acts VII of 1865 and VII of 1869.

CHAPTER II.—Rules and Notifications framed by the Chief Commissioner under the Forest Act

Under Sections 25 (b) and 25 (d).

PART I.

Chap. II.
Notifications
No. 354, of
12th June
1890 and No.
2813 of 21st
June 1894.

1. Any person desirous of clearing by fire any standing forest or grass land within three miles of any reserved forest shall observe the following rules:—

- (1) He shall give notice of his intention to burn at least one week beforehand to the nearest Forest Guard, Forester or Ranger.
- (2) He shall clear a fire belt at least 30 feet broad on that side of the area which he proposes to burn which is nearest to the reserved forest in such manner that no fire can spread across such belt.
- (3) He shall take care not to burn when a high wind is blowing.

2. Any person desirous of burning on land within one mile of a reserved forest any wood, grass, weeds or other inflammable materials shall collect such material into heaps and burn it heap by heap in such a manner that the resulting fire shall not extend to the surrounding area or endanger the reserved forest.

3. Any person collecting inflammable forest-produce, such as grass and bamboos, on land adjoining a reserved forest, and any holder of a permit to collect such produce from a reserved forest shall stack it in an open space at such reasonable distance from the forest as the Forest Divisional Officer may (by general or special orders) prescribe, and shall isolate the stacks in such manner that if they take fire the fire shall not be able to spread to the surrounding area or endanger the reserved forest.

4. Camping-places along the boundary of and within the limits of a reserved forest will be cleared and set apart by the Divisional Forest Officer for the use of travellers, a list thereof being published annually, and except on such camping grounds no fires shall be lighted within or along the boundary of a reserved forest. All persons using these camping-grounds shall light any fires they make for cooking or other purposes in such a way as not to endanger the reserved forest or any buildings, sheds or other property on the camping-ground: and before leaving they shall collect in the centre of the camping-ground all inflammable material which is to be left behind, and shall carefully extinguish all fires.

5. The carrying of burning wood, fire-brands, or torches along the boundary of any reserved forest is prohibited between the 1st November and 30th June or such earlier or later date as may be

PART I.

Chap. II.
Notification
No. 5227,
dated the 5th
August 1905.

notified by the Forest Divisional Officer under Section 25 (c) with the previous approval of the Conservator. Smoking is similarly prohibited between the 1st November and 30th June within a reserve forest, save at an authorized camping-ground.

Under Sections 25 (i) and 25 (d).

1. The poisoning or dynamiting of rivers, streams or tanks is prohibited.

2. The Conservator of Forests of the Circle shall prepare in October of each year a list of forests which shall be closed to the public generally for hunting, shooting, fishing, netting or setting traps and snares. The list shall specify those forests which are closed—

(a) absolutely, for purposes of forest management or as sanctuaries for the protection of game, other than carnivora;

(b) conditionally, subject to the issue of a permit in accordance with the rules hereinafter following.

The list shall be published in the *Central Provinces Gazette*, and a copy shall be hung up for information in the offices of the Deputy Commissioner and Forest Divisional Officer. No permit shall ordinarily be granted for forests under complete systematic fire protection between the 15th February and the 30th June, except to approved sportsmen for the hunting and killing of carnivorous animals, and of such other animals as may be expressly mentioned in the permit.

3. As soon as the list is published under Rule 2, the forest of each division shall be divided off into convenient shooting blocks by the Deputy Commissioner and Divisional Forest Officer in consultation, with the approval of the Conservator of the Circle.

4. Permits under Rule 2 shall be of two kinds, *i. e.*, *District* and *Block* permits, and shall, subject to the control of the Conservator, be issued by the Divisional Forest Officer on behalf of the Deputy Commissioner. The former shall be valid for any forest in the district or division for which they are issued, subject to the conditions of Rule 2 and to the reservation in respect of occupied blocks as set forth in Rule 5. Block permits shall ordinarily be valid for one block only, but may cover two blocks when there are no applicants for the surplus blocks.

Provided that wounded game may be pursued into an adjoining district or block.

5. The following classes of officers, when travelling on duty, are exempted from taking out a permit:—

All heads of Departments;
Officers of the Central Provinces Commission;
Gazetted Forest Officers;
Gazetted Officers of the Central Provinces Police.

Amendment to the Central Provinces Forest Manual.

(REVISED EDITION).

[No. 2, dated Nagpur, the 20th December 1907.]

For the words and figures "Notification No. 5227, dated the 5th August 1905," on the margin of page 48 of the Manual substitute "Notification No. 1263, dated the 28th October 1907" and for the rules under Sections 25 (i) and 75 (d) on pages 43—52 substitute the following rules:—

1. The poisoning or dynamiting of rivers, streams or tanks is prohibited.

2. The Conservator of Forests of the Circle shall prepare in October of each year a list of forests which shall be closed to the public generally for hunting, shooting, fishing, netting, or setting traps and snares. The list shall specify those forests which are closed—

- (a) absolutely, for purposes of forest management or as sanctuaries for the protection of game, other than carnivora;
- (b) conditionally, subject to the issue of a permit in accordance with the rules hereinafter following.

The list shall be published in the *Central Provinces Gazette* and a copy shall be hung up for information in the offices of the Deputy Commissioner and Forest Divisional Officer. No permit shall ordinarily be granted for forest under complete systematic fire protection between the 15th February and the 30th June, except to approved sportsmen for the hunting and killing of carnivorous animals and of such other animals as may be expressly mentioned in the permit.

3. As soon as the list is published under Rule 2, the forests of each division shall be divided off into convenient shooting blocks by the Deputy Commissioner and Divisional Forest Officer in consultation, with the approval of the Conservator of the Circle.

4. Permits under Rule 2 shall be of two kinds, *i. e.*, *District* and *Block* permits, and shall, subject to the control of the Conservator, be issued by the Divisional Forest Officer on behalf of the Deputy Commissioner. The former shall be valid for any forest in the district or division for which they are issued, subject to the conditions of Rule 2 and to the reservation in respect of occupied blocks as set forth in Rule 5. Block permits shall ordinarily be valid for one block only, but may cover two blocks when there are no applicants for the surplus blocks.

Provided that wounded game may be pursued into an adjoining district or block.

5. The following classes of officers, when travelling on duty, are exempted from taking out a permit :—

- All Heads of Departments ;
- Officers of the Central Provinces Commission ;
- Gazetted Forest Officers ;
- Gazetted Officers of the Central Provinces Police.
- Superintending Engineer, Irrigation Circle.

Officers exempted from taking out a permit, as also district permit-holders, may stalk or track in any forest open for shooting, but they shall not tie up, beat or drive in any block for which a block permit has been issued, provided the holder of such permit is himself present in the area covered by his permit. If such exempted officers or district permit-holders wish to reserve entirely any given block for their own sport, they must take out a block permit for the same.

6. Except carnivora, only a limited head of game shall be allowed to be killed in any shooting block in any one year. On this limit being reached, the block shall, subject to the exception in favour of block permit-holders permitted under Rule 11, be closed for the remainder of the season as a matter of course. It shall also be within the discretion of the Conservator to prohibit the driving of any animals other than carnivora in any specified block.

7. The Deputy Commissioner and Divisional Forest Officer, subject to the approval of the Conservator, shall fix the limit of game which may be allowed to be killed in each block under the above rule. They shall at the same time, subject to similar approval, fix for each block the number of head of specified game to be shot by any one person under a permit. The number so fixed shall be on a sliding scale based on the duration of the permit, according as it is for fifteen days, one month or over one month.

The aggregate of game of each species allowed to be killed by any one person, whether holding a permit or not, during the season (1st November to the 31st October) in each Forest Division shall be similarly fixed. Provided that, except with the special permission of the Conservator, the aggregate of game of the following species allowed to be killed by any one person in the forests of the Provinces during the year from the 1st November to the 30th October shall not exceed the following :—

- (1) Two buffaloes.
- (2) Two bison.
- (3) Three barasingha.
- (4) Four cheetal.
- (5) Four sambhar.

8. When any officer exempted under Rule 5, or any holder of a district permit, shoots an animal of any of the five kinds mentioned in Rule 7, he shall at once inform the Forest Divisional Officer what he has shot and in which block he has shot it.

9. Game books shall be kept up in the Divisional and the Range offices in the appended form, showing the number of heads of protected animals permitted to be shot and the number shot up to date.

Note.—After the end of each year the Chief Conservator will compile, from an annual statement to be submitted to him by each Conservator, a statement showing the number and kind of protected game shot by each officer and sportsman.

10. Exempted officers and holders of district permits shall be required, before shooting in any block, to make themselves acquainted with the number of head available for shooting, and this number may not be exceeded.

11. Block permit-holders may exceed this limit so long as they do not shoot in excess of the number entered in their permits; but any excess over the block limit caused by such permit-holders shooting up to the full number of game allowed by their permits will be considered by the Forest Divisional Officer when fixing the block limits for the succeeding year.

12. Every permit shall specify the number of sportsmen who are authorized by it to shoot, and may limit the number of retainers, and of dogs and other animals that may be taken into the forest.

13. The permit shall have entered upon it the number and kind of game which may be killed. As soon as he leaves the shooting block or district, the permit-holder shall return his permit to the Divisional Forest Officer, endorsing upon it the number and kind of game killed.

14. No application should be made for a block permit more than three months, or less than one month, before the date on which it is desired to make use of it: provided that, in the case of a resident of the district, a notice of fifteen days shall be considered sufficient, and that permits for short periods, not exceeding ten days, may be granted on application.

15. The duration of a permit shall be determined by the demand for shooting blocks. In no case shall it exceed three months. Provided that Gazetted Officers of the District staff, other than those exempted under Rule 5, and, when the district forms part of their charge, Executive Engineers, Assistant Engineers and Inspectors of Schools may be given a permit to cover the whole year (1st November to 31st October).

16. Permits are not transferable.

17. Sportsmen shall not sit up for the purpose of shooting any animals other than carnivora over water or over salt-licks or over paths leading directly to water or to a salt-lick.

18. The holder of the permit shall camp only on such regular camping-grounds as may have been set apart by the Forest authorities, or in places specially pointed out to him by a Forest Officer.

19. A permit may be cancelled at any time by the officer granting it, or by the Conservator of Forests. Any breach of the Forest Act, or of any rule made under the Act, if committed by the holder of the permit or any of his retainers or followers shall render the permit liable to cancellation. Permits are liable to be declared invalid in regard to any particular forest in case of fire breaking out in any part of that forest, or in case of unwarrantable interference with forest work.

20. The holder of a permit is not exempted from liability under the Forest Act, or any other law, for anything done in contravention of such Act or law, or for any damage caused by him, his retainers or followers.

Note.—Section 25 of the Forest Act prescribes penalties for breach of these rules. And Section 67 of the Act empowers the Divisional Forest Officer to compound any such breach on payment of a sum of money.

21. Permit-holders may not enter any forest without previously giving 24 hours' notice to the local forest official.

22. Every permit-holder must pay for a forest guard to accompany him and his camp during the time he is within Government forest limits, whose sole duty it will be to see that none of the Forest rules are infringed by the permit-holder or his followers:

Provided that in exceptional cases in which permit rights are exercised only at irregular intervals and for short periods, the Conservator of Forests or the Deputy Commissioner of the District may exempt permit-holders from this payment.

23. A permit issued under these rules does not authorize the destruction of any kind of bird other than the game and edible birds included in the list appended (Appendix A) and birds of prey. Provided that the shooting or snaring of any kind of bird may be permitted to *bond fide* naturalists for the purpose of scientific collection, in limited numbers to be regulated by the Divisional Forest Officer.

24. A close season is fixed for the birds and animals entered in Appendix B. The destruction of any bird or animal during the close season fixed for such bird or animal is prohibited. Any animal of the species mentioned in Rule 7 shot contrary to the provisions of this rule shall be counted in the permit-holder's aggregate provided for in Rule 7.

25. Nothing in these rules shall prevent the disposal by auction sale, contract, or otherwise of the shooting or fishing within any forest or part of a forest, but no such disposal shall be made without the special sanction of the Chief Commissioner previously obtained in each case.

Appendix A.

<i>Name.</i>	<i>Systematic Name.</i>	<i>Vernacular Name.</i>
Sand-grouse	... { <i>Pterocles fasciatus</i> ...	Bhat titar, Dongar-kouri.
	... { Do. <i>exustus</i> ...	Do.
Pea-fowl	... <i>Pavo cristatus</i> ...	Mor manzor.
Jungle-fowl	... { <i>Gallus ferrugineus</i> ...	Jungli murg.
	... { Do. <i>sonneratii</i> ...	Do.
Spur-fowl	... { <i>Gallus padiceus</i> ...	Chhoti jungli murgi.
	... { Do. <i>lunulatus</i> ...	Do.
Partridge	... { <i>Francolinus vulgaris</i> ...	Kala titar.
	... { Do. <i>pictus</i> ...	Do.
	... { <i>Oxygornis poodiceriana</i> ...	Gora titar.
Quail	... <i>Coturnix Coromandelica</i> ...	Chinuk.
Bush-quail	... { <i>Perdicula argoonda</i> ...	Lawa.
	... { Do. <i>Asiatica</i> ...	Do.
	... { <i>Microperdix Blewitti</i> ...	Sirsi lawa.
Bustard-quail	... { <i>Turnix pugnax</i> ...	Gundru.
	... { Do. <i>joudera</i> ...	Do.
	... { Do. <i>dussumieri</i> ...	Tara dabki.
Bustard	... <i>Eupoditis Edwardsii</i> ...	Hom tokdur.
Lik-florikan	... <i>Sypheotides aurita</i> ...	Tun mor.
Spurred-goose	... <i>Sackidiornis melanocotus</i> ...	Nokta.
Goose-teal	... <i>Nettapus Coromandelianus</i> ...	Girga.
Whistling-teal	... <i>Dendrocygna arcuata</i> ...	Silli.
Grey-duck	... <i>Anas poekilorhyncha</i> ...	Garmpsi.
Green-pigeon	... { <i>Corcopus phoenicepterus</i> ...	Harrial.
	... { Do. <i>chlorigaster</i> ...	Do.
Blue rock-pigeon	... <i>Columba intermedia</i> ...	Kabutar.
Doves	... { <i>Turtur meena</i> ...	Kalla facha.
	... { Do. <i>cambayensis</i> ...	Tortra facha.
	... { Do. <i>suratensis</i> ...	Chitroka facha.
	... { Do. <i>risorius</i> ...	Dhor facha.
	... { Do. <i>senegalensis</i> ...	Seroti facha.

Migratory, marsh and water-birds, such as duck, teal, snipe, &c., which do not breed in these Provinces, and visit them in the cold season only.

Appendix B.

<i>Name.</i>	<i>Close Season.</i>
Sand-grouse	... 1st April to 30th September.
Partridge	... Do. do.
Pea-fowl	... 1st March to 30th November.
Jungle-fowl	... Do. do.
Spur-fowl	... Do. do.

*Name.**Close Season.*

Quail	...	1st May to 30th November.
Bush-quail	...	Do. do.
Bustard-quail	...	Do. do.
Bustard	...	Do. do.
Lik-florikan	...	Do. do.
Spurred-goose	...	1st June to 30th November.
Goose-teal	...	Do. do.
Whistling-teal	...	Do. do.
Grey-duck	...	Do. do.

Deer and antelope—

Does, hinds and fawns	...	The whole year.
Immature stags and bucks	...	Do.
Hornless stags	...	Do.
Stags with horns in velvet	...	Do.

Bison and buffalo—

Cows and calves	...	The whole year.
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Block _____

Kind of game.	Number of head allowed to be shot.	Date of shooting.	Name of sportsman with number shot.	Balance of game available for shooting.
Buffalo	...	1st head.		
	...	2nd " "		
	...	3rd " "		
	...	etc. "		
Bison	...			
Barasingha	...			
Cheetal	...			
Sambhar	...			

H. C. GOWAN,

*Under Secretary to the Chief Commissioner,
Central Provinces.*

PART I.

Chap. II.

Officers exempted from taking out a permit, as also district permit holders, may stalk or track in any forest open for shooting, but they shall not tie up, beat or drive in any block for which a block permit has been issued, provided the holder of such permit is himself present in the area covered by his permit. If such exempted officers or district permit holders wish to reserve entirely any given block for their own sport, they must take out a block permit for the same.

6. Except carnivora only a limited head of game shall be allowed to be killed in any shooting block in any one year. On this limit being reached, the block shall be closed for the remainder of the season as a matter of course. It shall also be within the discretion of the Conservator to prohibit the driving of any animals other than carnivora in any specified block.

7. The Deputy Commissioner and Divisional Forest Officer, subject to the approval of the Conservator, shall fix the limit of game which may be allowed to be killed in each block under the above rule. They shall at the same time, subject to similar approval, fix for each block the number of head of specified game to be shot by any one person under a permit. The number so fixed shall be on a sliding scale based on the duration of the permit, according as it is for fifteen days, one month or over one month.

The aggregate of game of each species allowed to be killed by any one person, whether holding a permit or not, during the season (1st November to the 31st October) in each Forest Division shall be similarly fixed. Provided that, except with the special permission of the Conservator, the aggregate of game of the following species allowed to be killed by any one person in the forests of the Provinces during the year from the 1st November to the 30th October shall not exceed the following:—

- (1) Two buffaloes.
- (2) Two bison.
- (3) Three barasingha.
- (4) Four cheetal.
- (5) Four sambhar.
- (6) Nilgai. No limit.
- (7) Eight of any other kinds of deer or antelope.

8. Every permit shall specify the number of sportsmen who are authorized by it to shoot, and may limit the number of retainers, and of dogs and other animals that may be taken into the forest.

PART I.

Chap. II.

The permit shall have attached thereto the number and kind of

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No. 64.

Nagpur, the 19th September 1912.

PAGE 50.

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Add the following as rule 14-A to the revised rules issued with amendment No. 2, dated the 20th December 1907:—

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14-A. No person shall hold more than one block at the same time except as provided in Rule 4; provided that two sportsmen shooting together may take two blocks in the same district for the same period.

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The following certificate to be signed by the permit-holder shall be printed in red ink on a detachable slip added to the permit:—

"I certify that I have read the rules printed on the back of my shooting permit and that I will comply with the same; also that I will not transfer my permit to any other person and that I will return it at the earliest possible moment should I find that I am unable to utilize it."

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The certificate shall be returned to the Forest Divisional Officer when the permit holder receives the license.

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(ii) In Appendix B.—

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forest.

(a) For the words "Peafowl" and "Jungle-fowl" substitute the words "Peahen" and "Jungle-hen".

(b) After the words "Deer and Antelope" insert the words "other than Nilgai."

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follow

A. B. KNOWLES,

Under Secretary to the Chief Commissioner.

Central Provinces.

Note.—Section 21 of the Forest Act prescribes penalties for breach of these rules. And Section 67 of the Act empowers the Divisional Forest Officer to compound any such breach on payment of a sum of money.

17. Permit holders may not enter any forest without previously giving 24 hours notice to the local forest official.

PART I.

Chap. II

18. Every permit holder must pay for a forest guard to accompany him and his camp during the time he is within Government forest limits, whose sole duty it will be to see that none of the Forest rules are infringed by the permit holder or his followers: Provided that in exceptional cases in which permit rights are exercised only at irregular intervals and for short periods, the Conservator of Forests or the Deputy Commissioner of the District may exempt permit holders from this payment.

19. A permit issued under these rules does not authorize the destruction of any kind of bird other than the game and edible birds included in the list appended (Appendix A) and birds of prey: Provided that the shooting or snaring of any kind of bird may be permitted to *bona fide* naturalists for the purpose of scientific collection in limited numbers to be regulated by the Divisional Forest Officer.

20. A close season is fixed for the birds and animals entered in Appendix B. The destruction of any bird or animal during the close season fixed for such bird or animal is prohibited. Any animal of the species mentioned in Rule 7 shot contrary to the provisions of this rule shall be counted in the permit holder's aggregate provided for in Rule 7.

21. Nothing in these rules shall prevent the disposal by auction, sale, contract or otherwise, of the shooting or fishing within any forest or part of a forest, but no such disposal shall be made without the special sanction of the Chief Commissioner previously obtained in each case.

Appendix A.

Name.	Scientific Name.	Vernacular Name.
Sand-grouse	<i>Pterocles fasciatus</i>	Blut itar, Dongar-kani.
	<i>Do. eximius</i>	Do.
Poa-fowl	<i>Pavo cristatus</i>	Mae manzar.
Jungle-fowl	<i>Gallus fuscus</i>	Jangli murg.
	<i>Do. everetti</i>	Do.
Spar-fowl	<i>Gallus indicus</i>	Chhaci-jangli murg.
	<i>Do. lunatus</i>	Do.
Partridge	<i>Francolinus vulgaris</i>	Kala itar.
	<i>Do. pictus</i>	Do.
	<i>Oryzopsis poulsoniana</i>	Gora itar.
Quail	<i>Coturnix coturnix</i>	Chinuk.
	<i>Perdix perdix</i>	Low.
Bush-quail	<i>Do. alcockii</i>	Do.
	<i>Microperdix blanfordi</i>	Sisti laur.
Bush-v.-quail	<i>Turdus turanus</i>	Gandru.
	<i>Do. jerdoni</i>	Do.
	<i>Do. dussumieri</i>	Tura dahi.
Bush-v.	<i>Eupoditis erythrorhynchos</i>	Hon toklar.
Lilochorizan	<i>Syrrhaptes asiaticus</i>	Ton mor.
Spar-v.-grouse	<i>Sa. kailashensis melanocorys</i>	Nukta.

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**Amendment to the Central Provinces Forest Manual
(2nd Edition).**

No. 74, dated the 20th October 1913.

Page 52 as amended. For Appendix B substitute the following:—

<i>Names.</i>	<i>Close time.</i>
1. Sand grouse	... 1st January to 30th June.
2. Painted partridge	... 1st June to 30th November.
3. Grey partridge	... 1st March to 30th September.
4. Pea hen	... 1st May to 30th November.
5. Jungle hen	... 1st March to 30th September.
6. Spar fowl	... 1st March to 30th September.
7. Rain-quail	... 1st May to 30th November.
8. Bush-quail	... 1st April to 31st October.
9. Bustard-quail	... } 1st May to 30th November.
10. Bustard	
11. Lik-florikan	
12. Comb-duck	... } 1st June to 30th November.
13. Cotton-teal	
14. Whistling-teal	
15. Spotted-billed duck	...
16. Painted snipe	... 1st April to 31st October.
17. Herons	... } Whole year.
18. Egrets	
19. King-fishers	
20. Rollers	

Deer and Antelope other than Nilgai.

- | | |
|-------------------------------|-------------------|
| 1. Does, hinds and fawns ... | ... } Whole year. |
| 2. Immature stags and bucks | |
| 3. Hornless stags | |
| 4. Stags with horns in velvet | |

Bison and buffalo.

Cows and calves ... Whole year.

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

Govt. Press, Nagpur:—No. 1308, Civil Seett.—25-10-13.—550.

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Forest Officer, not below the rank of Forest Ranger, or by any Range Officer.

8. The Deputy Commissioner is authorised to prohibit the removal of forest produce in, or from, any area specified under Rule 1 above between the hours of sunset and sunrise. Any such prohibition shall be notified by the Deputy Commissioner at such towns and villages or such other places within the area as he shall deem fit.

9. If the Deputy Commissioner so directs, a proprietor of private forest in areas specified under Rule 1 above, who wishes to export timber, or sell timber for export, shall mark the same on each piece with a duly registered property mark.

10. Any person may apply to the Divisional Forest Officer to have a property mark, to be attached to timber belonging to him, registered in the office of the Conservator of the Circle. Such application shall be forwarded to the Conservator for disposal in accordance with the following rules.

11. Every property mark shall consist of a device to be approved by the Conservator; provided that no person shall be allowed to register a mark identical with, or liable to be mistaken for, one already registered by another person or used by the Government. In case of dispute as to whether a mark proposed for registration has or has not too close a resemblance to another previously registered, the decision of the Conservator shall be final.

12. A fee of Rs. 2 shall be payable for registration, and such registration shall hold good for the two years following the 1st of January next after the date of registration.

13. A certificate of registration, showing the device registered shall be given by the Conservator to each person registering his mark. The certificate shall state the period for which the registration will hold good.

14. Any person moving timber, fuel or other specified minor produce from an area specified under Rule 1 above, or using an unregistered property mark, or using a registered property mark after the expiry of the period for which the registration holds good, in contravention of any of the above rule, shall be punished with imprisonment for a term which may extend to six months or with fine not exceeding five hundred rupees or with both.

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

Amendment to the Central Provinces Forest Manual
(2nd Edition).

No. 54

Dated Nagpur, the 28th February 1912.

For the rules on pages 52 and 53, substitute the following—

Under Sections 41 and 42.

Rules regulating the use of property marks and the transit of timber, fuel and other forest produce within the limits of the Central Provinces and Berar.

1. The Conservators of Forests may, with the previous approval of the Commissioner, prescribe a route or routes by which alone timber, fuel or other specified forest produce may be removed from specified areas in their respective circles, and shall establish a depot or depôts on such route or routes for the examination of such timber or other forest produce while in transit, and for the collection of dues (if any) payable thereon.
2. The name and situation of every such route and depot, and the areas and classes of forest produce, to which these rules shall be from time to time applicable, shall be notified in the Government Gazette and in every town and village in such areas.
3. After the expiration of three months from the date of such notification, no timber or other specified forest produce from such areas shall be moved, except by a prescribed route, and under a pass to be issued in accordance with the following rules and in such form and giving such details as may be prescribed by the Conservator of Forests with the previous approval of the Commissioner.
4. For timber, fuel or other specified forest produce from Government forest, the pass shall be issued by a Forest Officer duly authorised in this behalf by the Conservator of Forests.
5. For timber, fuel or other specified forest produce from private forest, the proprietor or where there is more than one proprietor, such persons as may be appointed to represent the proprietary body by that body, or failing that by the Deputy Commissioner, or the Agent of such proprietor or person, shall be deemed to be an officer authorised to issue passes, and is hereby so authorised to the extent hereinafter specified.
6. Any person removing forest produce under these rules shall produce his pass for examination when called upon to do so by any Forest Officer and shall surrender his pass at a depot established and notified under Rules 1 and 2, respectively.
7. Persons entitled to issue passes under these rules shall produce their pass books for inspection when called upon to do so by any

Amendment to the Central Provinces Forest Manual
(2nd Edition).

Amendment to Central Provinces Forest Manual
(Second Edition).

For the

Rules
timber, fuel or
Central Forests

No. 44, dated Nagpur, the 15th February 1931

Page 52 as amended, Appendix B.--Under "Clear
opposite "Pea-fowl" and "Jungle fowl" for "15th March
November" read "15th March to 15th October"

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Govt. Press, Nagpur:—No. 2272, Civil Sectt.—21-2-11—550.

Under Secretary to the Chief Commissioner

Central Forests

3. After the expiration of three months from the date of notification, no timber or other specified forest produce from such areas shall be moved, except by a prescribed route, and under a pass to be issued in accordance with the following rules and in such form and giving such details as may be prescribed by the Conservator of Forests with the previous approval of the Commissioner.

4. For timber, fuel or other specified forest produce from Government forest, the pass shall be issued by a Forest Officer duly authorised in this behalf by the Conservator of Forests.

5. For timber, fuel or other specified forest produce from private forest, the proprietor or where there is more than one proprietor, such persons as may be appointed to represent the proprietary body by that body, or failing that by the Deputy Commissioner, or the Agent of such proprietor or person, shall be deemed to be an officer authorised to issue passes, and is hereby so authorised to the extent hereinafter specified.

6. Any person removing forest produce under these rules shall produce his pass for examination when called upon to do so by any Forest Officer and shall surrender his pass at a depot established and notified under Rules 1 and 2, respectively.

7. Persons entitled to issue passes under these rules shall produce their pass books for inspection when called upon to do so by any

**Amendment to the Central Provinces Forest Manual
(Second Edition).**

Amendm

No. 65.

Nagpur, the 19th September 1912.

PAGE 52.

For the *Substitute the following for rules 1, 2 and 3 prescribed in amendment No. 54, dated the 28th February 1912.*

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1. The Conservator of Forests may, with the previous approval of the Commissioner—

(i) specify any areas in his circle from which timber, fuel or other specified forest produce may not be exported except under a pass ;

(ii) prescribe a route or routes by which alone timber, fuel or other specified forest produce may be removed from areas specified under (i) above ;

(iii) establish a depôt or depôts on routes prescribed under (ii) above for the examination of timber or other forest produce while in transit and for the collection of dues (if any) payable thereon.

2. The name and situation of every such specified area, route and depôt and the classes of forest produce, to which these rules shall be from time to time applicable, shall be notified in the Government Gazette and in every town and village in such areas.

3. After the expiration of three months from the date of such notification no timber or other specified produce shall be moved from any such specified area except under a pass and, where any route or routes have been notified, by a prescribed route. Passes shall be issued in accordance with the following rules and in such form and giving such details as may be prescribed by the Conservator of Forests, with the previous approval of the Commissioner.

A. B. KNOWLES,

Under Secretary to the Chief Commissioner,

Central Provinces.

7. Persons entitled to issue passes under these rules shall produce their pass books for inspection when called upon to do so by any

PART I.

Chap. II.

4. The Conservator of Forests may, with the previous sanction of the Chief Commissioner, exempt the inhabitants of any local area or any class of timber or other forest-produce from the operation of Rule 3.

5. No unregistered property-marks shall be impressed on any log or square in a Government forest or in transit therefrom.

6. Any person may apply to the Divisional Forest Officer to have a property-mark, to be attached to timber belonging to him, registered in the office of the Conservator of the Circle. Such application shall be forwarded to the Conservator for disposal in accordance with the following rules.

7. Every property-mark shall consist of a device to be approved by the Conservator: Provided that no person shall be allowed to register a mark identical with, or liable to be mistaken for, one already registered by another person or used by the Government. The mark ordinarily used by the Government shall be the broad arrow. In case of dispute as to whether a mark proposed for registration has or not too close a resemblance to another previously registered, the matter shall be referred to the Conservator, whose decision shall be final.

8. A fee of Rs. 2 shall be payable for registration, and such registration shall hold good for the two years following the 1st of January next after the date of registration.

9. A certificate of registration, showing the device registered, shall be given by the Conservator to each person registering his mark. The certificate shall state the period for which the registration will hold good.

10. Marks used by the Government shall be impressed on the centre portion of all logs or squares, a space of 18 inches on either side of a line drawn round the centre being reserved for such marks; and no private property-mark shall be impressed within the said space. Beyond that space the owner may impress his mark where and as often as he pleases.

11. Any person moving timber or other forest-produce in contravention of Rule 3, or using an unregistered property-mark in contravention of Rule 5, or using a registered property-mark after expiry of the period for which the registration holds good or impressed in contravention of Rule 10, shall be liable to a fine not exceeding 200 (two hundred) rupees.

12. With the previous sanction of the Governor General in Council the following rules have been made to regulate the import of timber

Notification
No. 12, dated
4th January
1907.

PART I.

Chap. II.

from the Kawardha State into the Balaghat District, and the subsequent moving of such timber within the limits of the Balaghat District:—

1. Timber imported from the Kawardha State into the Balaghat District shall pass over the roads from Billi to Bahar, Bahar to Lamtha and Bahar to Balaghat only.

2. The Conservator of Forests, Southern Circle, shall have power to establish a depôt or depôts on the roads mentioned above, and no timber imported from Kawardha shall pass the first of these depôts without being examined and provided with a pass. This pass shall be in such form as the Conservator of Forests, Southern Circle, may direct and shall be issued by the Divisional Forest Officer, Balaghat, or by an officer duly authorized by him. The fee to be levied for the issue of this pass shall not exceed two pies for each broad-gauge sleeper, one pie for each scantling of smaller size than a broad-gauge sleeper, or four pies for each log so imported.

3. Any person desirous of importing timber from the Kawardha State into the Balaghat District shall register a property-mark with the Divisional Forest Officer, Balaghat, who shall be empowered to refuse to register any property-mark which in his opinion too closely resembles any property-mark already registered in favour of another person or any mark in use by Government. The fee payable for such registration of a property-mark shall be two rupees and the registration shall hold good for two years from the 1st January next after the date of registration. No timber shall pass the first depôt, referred to in Rule 2 above, without being marked with the registered property-mark of the importer.

4. Any Forest official, duly authorized in this behalf by the Conservator of Forests, Southern Circle, may check and examine the timber in transit between the first depôt, referred to in Rule 2 above, and Lamtha, or Balaghat, or at any other depôt may be established for this purpose and may demand the production of the pass.

5. On arrival at Lamtha or Balaghat the pass shall be produced and the timber shall be checked with this pass and shall be marked with such mark as the Conservator of Forests, Southern Circle, may prescribe before it is taken to any depôt which the importer of the timber may establish at either of the places named.

6. The establishment of a transit depôt by the importer of the timber between the Kawardha-Balaghat border and Lamtha and Balaghat, for the purpose of stacking or converting his timber, shall not be permitted.

Under Section 45.

1. The Chief Commissioner has been pleased to direct that the following shall be the areas within which all unmarked wood and timber shall be deemed to be the property of Government unless and until any person establishes his right and title thereto:—

(a) All reserved forests and unclassed State forests in the Central Provinces.

PART I.

Chap. II.

from the Kawardha State into the Balaghat District, and the subsequent moving of such timber within the limits of the Balaghat District:—

1. Timber imported from the Kawardha State into the Balaghat District shall pass over the roads from Billi to Baidar, Baidar to Lamtha and Baidar to Balaghat only.

2. The Conservator of Forests, Southern Circle, shall have power to establish a depot or depôts on the roads mentioned above, and no timber imported from Kawardha shall pass the first of these depôts without being examined and provided with a pass. This pass shall be in such form as the Conservator of Forests, Southern Circle, may direct.

Amendments to the Central Provinces Forest Manual (Second Edition).

No. 55.

Nagpur, the 21st March 1912.

For the rules on pages 54—60 substitute the following:—

Under Section 45.

1. The Chief Commissioner has been pleased to direct that the following shall be the areas within which all unmarked wood and timber shall be deemed to be the property of Government unless and until any person establishes his right and title thereto:—

(a) All reserved forests and unclassed state-forests in the Central Provinces and all reserved forests in Berar.

(b) The following rivers and tributaries of rivers within the Central Provinces and Berar, namely, the Nerbudda, Tapti, Wardha, Kanhan, Pench, Wainganga, Pranbha, Sheonath, Mahanadi, Godavari, Indrawati, Purna and Penganga and their tributaries, also the several tributaries of the river Jamna and Son rising within and passing through the districts of Saugor, Damoh and Jubbulpore, together with an area within a direct distance of one mile from either bank of the main stream of the said rivers and tributaries of rivers taking that stream at its cold weather season level.

2. The Chief Commissioner is also pleased to exempt from the provisions of Section 45 of the said Act all wood and timber found adrift, beached, stranded or sunk, excepting sal, shisham, teak, bija and saj of and exceeding two feet in girth and six feet in length.

Notification No. 3845, dated the 17th August 1893, is hereby cancelled.

Notification
No. 3845,
dated the 17th
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6. No person shall be entitled to convey produce under the rules by virtue of a pass which he does not himself hold, but which is, or is stated to be, in the hands of some other person.

7. Passes will be in triplicate, of which the first part (counter) shall be retained by the issuing officer, the second part shall be retained by the owner of the produce, and the third part shall be retained by the owner of the produce until the arrival of the latter at its destination or at such revenue-checking station as may be notified by the officer under the Madras Forest Act, where the owner shall deliver it to the officer deputed to receive such third parts of passes, who upon the receipt of the same, check the pass with the produce.

8. If any forest produce be uncovered by a pass, or if, on examination under sections 5 or 6 of the rules, the forest produce be found to be in excess of or different in kind from that specified in the pass, or there be any disagreement between the marks of such produce and those shown or described in the pass, such produce may be seized by the checking officer concerned as produce in respect of which a forest offence has been committed under these rules.

In all such cases the officer shall make a report without delay to the officer in charge of the Chanda Forest Division.

9. The owner of the forest produce shall be bound to produce the parts of the pass handed over to him in the same condition in which he received them and without any erasures or additional alterations whatsoever.

10. No pass issued under the rules shall cover any forest produce beyond the Madras Revenue Station of Rajahmundry, or any previous station* as may be fixed for the exchange of this pass for the way-permit prescribed by the rules under Sections 35 and 36 of the Madras Forest Act, nor shall be valid for a longer period than two years.

11. A fee not exceeding Rs. 2 for each 100 logs, or for each consignment of less than 100 logs, shall be paid for each pass issued under these rules.

12. Any person infringing any provision of these rules shall be punished with imprisonment of either description for a term which may extend to 6 months, or fine which may extend to Rs. 500, or both.

Double penalties may be inflicted in cases where the offence is committed after sunset and before sunrise, or after preparation of resistance to lawful authority, or if the offender has been previously convicted of a like offence.

* At present the Revenue Station where the Central Provinces permit is exchanged for the way-permit is Chander.

E. GORDON,

Under Secretary to the Chief Commissioner,
Central Provinces.

Amendment to the Central Provinces Forest Manual (2nd Edition).

No. 36.

Nagpur, the 26th March 1912.

Insert the following rules at the end of the rules under sections 41 and 42 on page 34.

Notification
No. 3, dated
the 26th March
1912.

The following rules have been made to regulate the transport of forest produce along the Godavari river and its tributaries:—

1. All words used in these rules and defined in Act VII of 1878, as amended, shall be deemed to have the meanings, respectively, attributed to them by the said Act.

2. No person shall launch or convey forest produce in the Godavari river or its tributaries within or adjoining the Central Provinces without a printed pass in the form which may be from time to time prescribed, which pass shall be signed by the Divisional Forest Officer or his accredited representative, or by an officer of a Native State, Zamindari or other estate specially authorized to sign such passes by the Local Administration. A pass issued in accordance with the Notification (No. 45, dated the 13th Shrawan, 1316 Fasli), published in the *Hyderabad Government Gazette* by command of His Highness the Nizam, shall be deemed to be a pass authorized under these rules.

In the case of forest produce launched above Ballarshah on the Wardha river, Garchirali on the Wainganga river, or Desli on the Indrawati river, it shall be sufficient if the permit is obtained on the produce reaching those stations.

3. Every such pass shall show the name and residence of the permit-holder, the description and quantity of produce which it covers, the marks stamped upon such produce as hereinafter prescribed, the forest or land from which the produce is removed, the route through which the produce passes, the place of destination of the produce, and the period for which the pass shall remain in force.

4. All produce covered by the said pass shall bear a mark registered in accordance with the rules issued under Central Provinces Notification No. 360, dated the 9th February 1902, and in addition, shall have the pass number and the serial number of the piece (where several pieces are covered by one pass) stamped in the form of a fraction on each piece, the pass number forming the numerator and the serial number the denominator of the fraction.

5. All timber and other forest produce shall be liable to stoppage for examination by any officer especially authorized in this behalf by the Conservator of Forests, Southern Circle, Central Provinces.

Notification
No. 8445
dated the
August 1

PART I
Chap. II.

Amendment to the Central Provinces Forest Manual (2nd Edition).

No. 36.

Nagpur, the 26th March 1912.

Insert the following rules at the end of the rules under sections 41 and 42 on page 54. Notification No. 3, dated

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Amendment to the Central Provinces Forest Manual (2nd Edition).

No. 67, dated Nagpur, the 26th February 1913.

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Page 54.—The following amendments have been made to the rules to regulate the transport of forest produce along the Godavari river and its tributaries.

Rule 7.—Substitute the following for Rule 7:—

"Passes will be in triplicate, of which the first part (counterfoil) shall be retained by the issuing officer, the second part shall be retained by the owner of the produce and the third part shall be despatched direct to the officer in charge of the timber checking station at Polavaram for the purpose of check on arrival of the produce."

Rule 9.—In the second line for "parts" read "part".

Rule 10.—For "Rajahmundry" read "Polavaram" and delete the clause "or such previous station as may be fixed".

Delete the footnote to Rule 10.

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

Notification
No. 2847
dated the
August 1

Govt. Press, Nagpur:—No. 2156, Civil Sectt.—27-2-13.—150.

5. All timber and other forest produce shall be liable to stoppage for examination by any officer especially authorised in this behalf by the Conservator of Forests, Southern Circle, Central Provinces.

PART I.
Chap. II.

- (b) The following rivers and tributaries of rivers within the Central Provinces, namely, the Nerbudda, Tapti, Wardha, Kanhan, Pench, Wainganga, Prankita, Sheonath, Mahanadi, Godavari and Indrawati and their tributaries; also the several tributaries of the rivers Jamna and Son, rising within and passing through the districts of Saugor, Damoh and Jabulpore, together with an area within a direct distance of one mile from either bank of the main stream of the said rivers and tributaries of rivers, taking that stream at its cold-weather season level.

2. The Chief Commissioner is also pleased to exempt from the provisions of Section 45 of the said Act all wood and timber found adrift, beached, stranded or sunk, excepting sal, shisham, teak, bija and

Under Section 51.

1. Any person may save any timber found adrift, beached, stranded or sunk, other than timber exempted from the provisions of Section 45, by the *Central Provinces Gazette* Notification No. 1120, dated the 22nd November 1911. Notification No. 1120, dated the 22nd November 1911.
2. The amount to be paid by the Government in the case of Government timber or by a private owner in the case of private timber to the salvor as salvage fee shall be 50 per cent of the local value of the timber salvaged as adjudged by the Divisional Forest Officer.

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Notification No. 3846, dated the 17th August 1893, is hereby cancelled.

Under Section 67.

The Chief Commissioner is pleased to invest the following officers in the Central Provinces and Berar with the powers described in the aforesaid section of the Act:— Notification No. 1113, dated the 22nd November 1911.

All Deputy Commissioners of Districts, Conservators of Forests, Deputy Conservators of Forests, Assistant Conservators, Extra-Deputy

Under Section 71.

The Chief Commissioner is pleased to invest all Forest Officers holding charge of Forest Divisions in the Central Provinces and Berar and all Assistant Conservators, Extra-Deputy Conservators and Extra-Assistant Conservators who have passed the Departmental Examination in Forest Law prescribed by Article 74 of the Forest Code, with the powers defined in this section, to be exercised within the limits of their respective charges, and further to confer on all Range Officers and on all Assistants to Range Officers who have been empowered under the rules issued in Notification No. 1126, dated the 22nd November 1911, to enquire into forest offences, the power to issue summonses for the attendance of witnesses. Notification No. 1124, dated the 22nd November 1911.

Notifications No. 1369, dated the 19th March 1895, and No. 396, dated the 15th August 1906, are hereby cancelled.

PART I.

Chap. II.

Notification
No. 4413-A,
dated the
18th Novem-
ber 1883, and
No. 7595,
dated the 1st
December
1904.

Under Section 75 (a) and (b).

The Chief Commissioner is pleased to prescribe and limit the duties of certain forest officers, and to provide for the payment of rewards to certain officers and informers, by the following rules:—

1. The Conservator of Forests, all Deputy Commissioners, Assistant Commissioners, Deputy Conservators, Assistant Conservators, Extra-Deputy Conservators, Extra-Assistant Conservators (whether Probationers or otherwise), Tahsildars, Forest Rangers, Foresters and Forest-Guards, whether in permanent or temporary employment, are appointed to do all acts and exercise all powers that are provided by the Act to be done or exercised by any Forest Officers.

2. The powers mentioned in the third column of the following Schedule will be exercised by the officer mentioned in the first column of the same Schedule opposite which they appear:—

Class of officers empowered.	Section of the Act under which powers are given.	Brief description of nature of powers conferred.
(1) All Deputy Conservators, Assistant Conservators and Extra-Assistant Conservators, when in charge of Forest Divisions.	29	To publish translation of notification of reserved forests.
	25	To notify seasons during which the kindling, &c., of fire is not prohibited.
	45	To notify depôts for drift-timber, &c.
	46	To issue notice to claimants of drift timber, &c.
	47	To settle claims to drift-timber, &c.
	50	To receive payments on account of drift-timber, &c.
	52	To sell forest-produce for Government dues.
	60	To direct release of property seized.

Under Section 75 (a) and (b).

The Chief Commissioner is pleased to prescribe and limit the duties of certain Forest Officers and to provide for the payment of rewards to certain officers and informers in the Central Provinces and Berar by the followings rules :--

1. The Conservators of Forests, all Deputy Commissioners, Assistant Commissioners, Deputy Conservators, Assistant Conservators Extra-Deputy Conservators, Extra-Assistant Conservators (whether probationers or otherwise), Tahsildars, Forest Rangers, Deputy Rangers Foresters and Forest Guards, whether in permanent or temporary employment are appointed to do all acts and exercise all powers that are provided by the Act to be done or exercised by any Forest Officers.

2. The powers mentioned in the third column of the following schedule will be exercised by the officers mentioned in the first column of the same schedule opposite which they appear.

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Amendment to the Central Provinces Forest Manual
(2nd Edition).

No. 62, dated Nagpur, the 23rd July 1912.

In class iii of the schedule appended to rule 2 of the rules issued under Section 75 (a) and (b) of the Indian Forest Act, regulating the payment of rewards to certain officers and informers in the Central Provinces and Berar, insert the words "Extra-Assistant Conservators" and "Deputy Ranger," after the words "Extra Deputy Conservators" and "Rangers" respectively.

[Vide Notification No. 456, dated 5th July 1912.]

K. L. B. HAMILTON,

Under Secretary to the Chief Commissioner,

Central Provinces.

Class of officers empowered.	Section of the Act under which powers are given.	Brief description of nature of powers conferred.
(i) All Deputy Conservators, Assistant Conservators, Extra Deputy Conservators and Extra-Assistant Conservators when in charge of Forest Divisions.	20	To publish translation of notification of Reserved Forests.
	23	To notify seasons during which the kindling, &c., of fire is not prohibited.
	45	To notify depots for drift timber, &c.
	46	To issue notice to claimants of drift timber, &c.
	47	To decide claims to drift timber, &c.
	50	To receive payments on account of drift timber, &c.
	81	To sell forest produce for Government dues.
(ii) All Deputy Commissioners, Assistant Commissioners, Deputy Conservators, Assistant Conservators, Extra Deputy Conservators, Extra-Assistant Conservators and Tahsildars and all Forest Rangers and Deputy Rangers and Foresters when specially authorised in that behalf by the Conservator of Forests, also all authorised vendors of stamped licenses or rated passes and grazing passes in Berar under the rules in force.	60	To direct release of property seized.
	25	To permit acts otherwise prohibited in Reserved Forests.
(iii) All Deputy Conservators, Assistant Conservators, Extra Deputy Conservators, Forest Rangers and Foresters specially authorised in that behalf by the Conservators of Forests.	82	To take possession of forest produce referred to in Section 82 of Act VII of 1878.
(iv) Working Patels in Berar.	52, 63, and 60 of the Indian Forest Act.	To do all acts and exercise all powers that may be done or exercised by any Forest Officer under these sections.

3. The Conservator of Forests is empowered to exercise all or any of the powers conferred in the foregoing schedule.

4. The Conservator of Forests is empowered, under Section 24 of the Act, with the previous sanction of the Commissioner of the Division, to stop ways and water courses in Reserved Forests subject to the provisions of that section.

Part I.

Part II.

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PART I.
Chap. II.
Rules under
the Act.

Class of officers empowered.	Section of the Act under which powers are given.	Brief description of nature of powers conferred.
(B) All Deputy Commissioners, Assistant Commissioners, Deputy Conservators, Assistant Conservators, Extension Conservators, and Tahsildars and all Forest Rangers, and Deputy Rangers and Foresters when specially authorized in that behalf by the Conservator of Forests, also all authorized vendors of stamped licenses under the rules in force.	25	To permit acts otherwise prohibited in Reserved Forests.
(C) All Deputy Conservators, Assistant Conservators, Forest Rangers, and Foresters specially authorized in that behalf by the Conservators of Forests.	82	To take possession of forest-produce referred to in Section 82 of Act VII of 1873.

5. The Conservator of Forests is empowered to exercise all or any of the powers conferred in the foregoing Schedule.

6. The Conservator of Forests is empowered, under Section 24 of the Act, with the previous sanction of the Commissioner of the Division to stop ways and water-courses in reserved forests subject to the provisions of that section.

7. All Revenue Officers below the rank of Tahsildar, and all Police Officers up to and including Inspectors, and all Forest Officers including Clerks and Messengers, below the rank of Extra-Assistant Conservator, as well as persons not in the public service, are eligible for rewards under the following rules:—

8. On conviction of an offender, the Magistrate by whom the case has been decided, is authorized to grant a reward not exceeding the estimated value of the timber or other forest-produce or other articles confiscated, plus the amount of any fine imposed (and not exceeding Rs. 100) in such proportions as he may think fit, to any person or persons who may have contributed to the seizure of the property confiscated or the conviction of the offender.

9. If in any case the Magistrate considers that more than Rs. 100 should be distributed as rewards, he shall submit his recommendation for a larger reward, through the Conservator of Forests, for the orders of the Local Government giving his reason for the same.

PART I.

Chap. II.

Rules under
the Act.

8. In cases where, under Section 87 of the Indian Forest Act, a Forest Officer has accepted a sum of money as compensation for any damage which may have been committed, the Conservator of Forests may authorize the payment of a portion of the amount realized as a reward to any person or persons who may have contributed to the discovery of the offender.

Under Section 75 (d).

Notification
No. 1594,
dated the 25th
February
1906.

1. No inquiry into a forest offence shall be made by an officer below the rank of a Range Officer or of an Assistant to the Range Officer especially empowered on this behalf by the Forest Divisional Officer.

2. After an inquiry has been completed, no further inquiry shall be made by any officer, except with the previous sanction of the Forest Divisional Officer, and such further inquiry shall not be entrusted to an officer below the rank of Ranger, or, if no Ranger be available, of Range Officer: Provided that where the alleged offence was committed three months or more before the date of the report, such inquiry shall be made by the Forest Divisional Officer himself.

3. A Forest Guard discovering the commission of an offence must within 48 hours of such discovery report it to the nearest Assistant to the Range Officer, or Range Officer, authorized under Rule 1 to hold an inquiry into such cases.

4. The Range Officer or Assistant to the Range Officer must as speedily as possible, and at furthest, if he is a Range Officer, within one month of the date of report, and, if he is an Assistant to the Range Officer, within 15 days of that date, hold an inquiry into the case at the place where the accused person resides and, if necessary, may make investigations at other places, provided that the accused is not required to attend. His inquiry should not, as a rule, last longer than three days, but it will remain within the discretion of the Forest Divisional Officer to allow an extension of this period on good cause being shown for the same. On the expiry of the period allowed for the inquiry he will submit his proceedings under Rule 7 or Rule 8 following.

5. Every officer making an inquiry under these rules shall day by day enter his proceedings in a diary-book setting forth the time at which the information reached him, the time at which he began and closed his investigation, the place or places visited by him, and a statement of the circumstances ascertained during his inquiry. He shall also record the statements of all persons summoned as witnesses, and he must record separately the statement of the accused as to whether he is willing to compound or not, and he must take the signature of the accused to the statement. Save as is provided in Rule 6, no person attending the inquiry shall be detained after its completion.

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NOTIFICATION.

No. 367.- In exercise of the powers conferred on him by clause (a) of Section 40 of the Berar Forest Law, 1896, the Chief Commissioner is pleased to make the following amendment to the rules published in the C.P. Gazette Notification No. 6344, dated the 13th October 1904, for regulating the procedure to be followed in inquiring into, and dealing with, forest offences:-

Rule.4- For the words "at the place where the accused person resides" substitute "at the place where the offence was committed or detected or ~~at~~ at a convenient place adjacent thereto.

E.A.deBrett,

Chief Secretary to the Chief Commissioner
Central Provinces.

Dated Nagpur
the 24-4-1911.

No.

Dated May 1911.

Copy forwarded to the Range Officer, Morad

Bairam Range for information and guidance.

A.L. Chatterjee

Divisional Forest Officer.

Amraoti Division.

A.J.J.

31/5/11.

5. All Revenue Officers below the rank of Tahsildar, and all Police Officers up to and including Inspectors, and all Forest Officers including clerks and messengers, below the rank of Extra-Assistant Conservators, as well as persons not in the public service, are eligible for rewards under the following rules.

6. On conviction of an offender, the Magistrate by whom the case has been decided, is authorised to grant a reward not exceeding the estimated value of the timber or other forest produce or other articles confiscated plus the amount of any fine imposed (and not exceeding Rs. 100) in such proportions as he may think fit to any person or persons who may have contributed to the seizure of the property confiscated or the conviction of the offender.

7. If in any case the Magistrate considers that more than Rs. 100 should be distributed as rewards, he shall submit his recommendation for a larger reward, through the Conservator of Forests, for the orders of the Local Government giving his reason for the same.

8. In case where, under Section 67 of the Indian Forest Act, a forest officer has accepted a sum of money as compensation for any damage which may have been committed, the Conservator of Forests may authorise the payment of a portion of the amount realized as a reward to any person or persons who may have contributed to the discovery of the offender.

9. If in any case the fine cannot be immediately realized the Magistrate deciding the case shall at once pay such a reward as he is entitled to pay under Rule 6 from such funds as may be at his disposal.

10. If after the payment of the reward, the conviction is reversed in appeal, the amount paid in reward shall not be recovered from the persons to whom it has been paid unless it shall appear that they have acted fraudulently in the case.

Notifications No. 4413-A, dated the 18th November 1880, and No. 7598, dated the 1st December 1904, are hereby cancelled.

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5. All Revenue Officers below the rank of Tahsildar, and all Police Officers up to and including Inspectors, and all Forest Officers including clerks and messengers, below the rank of Extra-Assistant Conservators, as well as persons not in the public service, are eligible for rewards under the following rules.

6. On conviction of an offender, the Magistrate by whom the case has been decided, is authorised to grant a reward not exceeding the estimated value of the timber or other forest produce or other articles confiscated plus the amount of any fine imposed (and not exceeding Rs. 100) in such proportions as he may think fit to any person or persons who may have contributed to the seizure of the property confiscated or the conviction of the offender.

7. If in any case the Magistrate considers that more than Rs. 100 should be distributed as rewards, he shall submit his recommendation for a larger reward, through the Conservator of Forests, for the orders of the Local Government giving his reason for the same.

8. In case where, under Section 67 of the Indian Forest Act, a forest officer has accepted a sum of money as compensation for any damage which may have been committed, the Conservator of Forests may authorise the payment of a portion of the amount realized as a reward to any person or persons who may have contributed to the discovery of the offender.

Under Section 75 (d)

1. No enquiry into a forest offence shall be made by an officer below the rank of a Range Officer or of an Assistant to the Range Officer specially empowered on this behalf by the Forest Divisional Officer.

2. After an inquiry has been completed no further enquiry shall be made by any officer, except with the previous sanction of the Forest Divisional Officer, and such further enquiry shall not be entrusted to an officer below the rank of Ranger, or if no Ranger be available, of Range Officer, provided that where the alleged offence was committed three months or more before the date of the report, such enquiry shall be made by the Forest Divisional Officer himself.

Notification
No. 1126, dated
the 22nd
November
1911, and
Notification
No. 211 dated
12th March
1912.

3. A Forest Guard discovering the commission of an offence must, within 48 hours of such discovery, report it to the nearest Assistant to the Range Officer or Range Officer, authorised under Rule 1 to hold an enquiry into such cases.

4. The Range Officer or Assistant to the Range Officer must, as speedily as possible, and at furthest, if he is a Range Officer, within one month of the date of report, and, if he is an Assistant to the Range Officer, within 15 days of that date, hold an enquiry into the case at the place where the offence was committed or detected or at a convenient place adjacent thereto and, if necessary, may make investigations at other places, provided that the accused is not required to attend. His enquiry should not, as a rule, last longer than three days, but it will remain within the discretion of the Forest Divisional Officer to allow an extension of this period on good cause being shown for the same. On the expiry of the period allowed for the enquiry he will submit his proceedings under Rule 7 or Rule 8 following.

5. Every officer making an enquiry under these rules shall day by day enter his proceedings in a diary-book setting forth the time at which the information reached him, the time at which he began and closed his investigation, the place or places visited by him, and a statement of the circumstances ascertained during his enquiry. He shall also record the statements of all persons summoned as witnesses and he must record separately the statement of the accused as to whether he is willing to compound or not, and he must take the signature of the accused to this statement. Save as is provided in Rule 6, no person attending the enquiry shall be detained after its completion.

6. No person shall ordinarily be arrested under the powers granted by Section 63 of the Forest Act unless he has no fixed abode or is likely to abscond. Any person who has been arrested must be brought before a Magistrate or handed over to the police without unnecessary delay.

7. If the enquiring officer has power to compound and the accused consents to compound, the enquiring officer may fix and levy the amount of compensation, but he must forward his proceedings for information to the Forest Divisional Officer.

8. If the enquiring officer has not power to compound, or the accused refuses to compound or refuses to appear, or the enquiry has not been completed within the term fixed by Rule 4, he shall forward his proceedings through the usual official channel to the Forest Divisional Officer for orders. On receipt of the enquiry the Forest Divisional Officer shall pass such orders as may appear necessary, provided that if the enquiry be not completed and he orders further enquiry, any case in which such enquiry lasts for more than a week shall be reported to the Deputy Commissioner.

PART I.

Chap II.

Rules under
the Act.

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All Forest Officers empowered to compound shall record all granted
disposed of by them in a register, which shall set forth the e, or is
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- (a) the serial number;
- (b) the date of commission of the offence;
- (c) the date of the report or complaint or discovery of the offence;
- (d) the name, parentage, residence and social status of the offender;
- (e) the alleged offence and the section of the Forest Act under which it comes;
- (f) if the offence charged be of the nature of theft, the value of the produce taken, if the offence be causing of damage, the sum at which the damage is assessed;
- (g) abstract of the enquiry made of the offender's statement and of the decision arrived at.

Each case in the register shall be signed by the officer deciding with the date of decision. shall re-
set forth

1. The Register shall be submitted in original by the Forest Officer, to the Deputy Commissioner of the District, on the 1st January, April, July and October in each year.

2. Save where a person is arrested under Rule 6, no prosecution shall be instituted except by the order of the Forest Divisional

3. The order for prosecution shall be addressed to the Magistrate of local jurisdiction and shall be accompanied by a challan in the prescribed form. A similar challan shall be presented when a person charged under Rule 6 is made over to the police or brought before the Magistrate.

Notification No. 1394, dated the 24th February 1906, is hereby issued.

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

10. Each case in the register shall be signed by the officer deciding it, with the date of decision.

PART I.

Chap II.

Rules under the Act.

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PART I.

Chap II.

Rules under
the Act.

6. No person shall ordinarily be arrested under the powers granted by Section 53 of the Forest Act, unless he has no fixed abode, or is likely to abscond. Any person who has been arrested must be brought before a Magistrate or handed over to the Police without unnecessary delay.

7. If the inquiring officer has power to compound and the accused consents to compound, the inquiring officer may fix and levy the amount of compensation but he must forward his proceedings for information to the Forest Divisional Officer.

8. If the inquiring officer has not power to compound, or the accused refuses to compound or refuses to appear, or the inquiry has not been completed within the term fixed by Rule 4, he shall forward his proceedings through the usual official channel to the Forest Divisional Officer for orders. On receipt of the inquiry, the Forest Divisional Officer shall pass such orders as may appear necessary, provided that if the inquiry be not completed and he orders further inquiry, any case in which such inquiry lasts for more than a week shall be reported to the Deputy Commissioner.

9. All Forest Officers empowered to compound offences shall record all cases disposed of by them, in a register, which shall set forth the following particulars:—

- (a) the serial number;
- (b) the date of commission of the offence;
- (c) the date of the report or complaint or discovery of the offence;
- (d) the name, parentage, residence and social status of the offender;
- (e) the alleged offence and the section of the Forest Act under which it comes;
- (f) if the offence charged be of the nature of theft, the value of the produce taken; if the offence be causing of damage, the sum at which the damage is assessed;
- (g) abstract of the inquiry made, of the offender's statement, and of the decision arrived at.

10. Each case in the register shall be signed by the officer deciding it, with the date of decision.

Part I.**Chap. II.**

11. A monthly return (in the form of a copy made on loose sheets) of all such cases shall be submitted by the Forest Divisional Officer, through the Deputy Commissioner of the District, to the Conservator of the Circle, whom it should ordinarily reach by the 15th of the month succeeding that to which the return relates.

12. Save where a person is arrested under Rule 6, no prosecution shall be instituted except by the order of the Forest Divisional Officer. The order for prosecution shall be addressed to the Magistrate having local jurisdiction and shall be accompanied by a *chalan* in the prescribed form. A similar *chalan* shall be presented when a person arrested under Rule 6 is made over to the Police or brought before a Magistrate.

Part I.**Chap. II.**

11. A monthly return (in the form of a copy made on loose sheets) of all such cases shall be submitted by the Forest Divisional Officer, through the Deputy Commissioner of the District, to the Conservator of the Circle, whom it should ordinarily reach by the 15th of the month succeeding that to which the return relates.

12. Save where a person is arrested under Rule 6, no prosecution shall be instituted except by the order of the Forest Divisional Officer. The order for prosecution shall be addressed to the Magistrate having local jurisdiction and shall be accompanied by a *chalan* in the prescribed form. A similar *chalan* shall be presented when a person arrested under Rule 6 is made over to the Police or brought before a Magistrate.

Addendum to the Central Provinces Forest Manual.

(2nd Edition.)

No. 8, dated the 23rd April 1908.

With the exception of Part I (The Indian Forest Act and Rules framed thereunder) and the following paragraphs, the whole of the Central Provinces Forest Manual (2nd Edition) is applicable to the five Forest Divisions of Berar proper, *viz.*, Melghat, Amraoti, Buldana, Yeotmal and Akola:—

Paragraph	53 (ii)
Paragraphs	58 & 59
"	74 to 77
"	84 to 88
"	91 to 93
"	98 to 103
"	163 to 166
"	180 to 183

H. C. GOWAN,

*Under Secretary to the Chief Commissioner,**Central Provinces.*

PART II.

ORGANIZATION OF THE FOREST DEPARTMENT.

CHAPTER III.—Constitution of Administrative Charges.

1. The Central Provinces and Berar are divided into three Forest Circles named respectively the Northern, Southern and Berar, with head-quarters respectively at Jabulpore, Nagpur and Amraoti.

2. The Circles are composed of the following Forest Divisions:—

Amendment to the Central Provinces Forest Manual
(2nd Edition).

quarters.

No. 70, dated Nagpur, the 20th May 1913.

Page 61, Part II, Chapter III.—For Forest Divisions of the Northern Circle, substitute the following:—

Name.	Constitution with respect to Civil Districts.	Head-quarters.
<i>Northern Circle.</i>		
1. North Mandla.	The portion of the Mandla District which lies north and west of the Nerbudda and Banjar Rivers and the southern boundary of the Shahpera Range.	Mandla.
2. South Mandla.	The remaining portion of the Mandla District.	Jabpur.
3. Jabulpore-Narsinghpur.	The Jabulpore District and the Narsinghpur District as defined in Notification No. 5111, dated the 11th September 1902.	Jabulpore.
4. Damoh	... The Damoh District as defined in the above-quoted Notification.	Damoh.
5. Saugor	... The Saugor District as defined in the above-quoted Notification.	Saugor.
6. Hoshangabad.	The Hoshangabad District	... Hoshangabad.

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

PART II.

ORGANIZATION OF THE FOREST DEPARTMENT.

CHAPTER III.—Constitution of Administrative Charges.

1. The Central Provinces and Berar are divided into three Forest Circles named respectively the Northern, Southern and Berar, with head-quarters respectively at Jabulpore, Nagpur and Amraoti.

2. The Circles are composed of the following Forest Divisions:—

Name.	Constitution with respect to Civil Districts.	Head-quarters.
<i>Northern Circle.</i>		
1. Mandla	... The Mandla District with the exception of the portion west of the Balal Naddi.	Mandla.
2. Jabulpore	... The Jabulpore District together with that portion of the Mandla District which lies west of the Balal Naddi.	Jabulpore.
3. Damoh	... The Damoh District as defined in Notification No. 5111, dated the 11th September 1902.	Damoh.
4. Saugor	... The Saugor District as defined in the above-quoted Notification.	Saugor.
5. Narsinghpur	... The Narsinghpur District as defined in the above-quoted Notification.	Narsinghpur.
6. Hoshangabad	... The Hoshangabad District	Hoshangabad.

PART II.

Chap. III.

Name.	Constitution with respect to Civil Districts.	Head-quarters.
<i>Northern Circle.—(Contd.)</i>		
7. Seoni	The Seoni District	Seoni.
8. Chhindwara	The Chhindwara District	Chhindwara.
<i>Southern Circle.</i>		
1. Bilaspur	The Bilaspur District, together with that portion of the Raipur District which is comprised in the Sonakhan Range.	Bilaspur.
2. Raipur	The Raipur and Durg Districts, with the exception of the Sonakhan Range in the Raipur District.	Raipur.
3. Balaghat	The Balaghat District	Balaghat.
4. Bhandara	The Bhandara District	Bhandara.
5. Nagpur-Wardha	The Nagpur and Wardha Districts.	Nagpur.
6. North Chanda	The Chanda, Warora and Brahmapuri Tahsils of the Chanda District, and that portion of the Garchiroli Tahsil, Chanda District, containing the Walsagerh Range.	Chanda.
7. South Chanda	The Sironcha Tahsil and the remaining portion of the Garchiroli Tahsil of the Chanda District.	Chanda.
<i>Benar Circle.</i>		
1. Melghat	The Melghat Taluq of the Amraoti District.	Chikabda.
2. Amraoti	The Amraoti, Mersi, Chandur, Ellichpur and Daryapur Taluqs of the Amraoti District.	Amraoti.
3. Buldana	The Buldana District	Buldana.
4. Yeotmal	The Yeotmal District	Yeotmal.
5. Akola	The Akola District	Akola.
6. Betul	The Betul District	Betul.
7. Nirmar	The Nirmar District	Khandwa.

PART II.

PART II.

Chap. III.

ORGANIZATION OF THE FOREST DEPARTMENT.

CHAPTER III.—Constitution of Administrative Charges.

1. The Central Provinces and Berar are divided into three Forest Circles named respectively the Northern, Southern and Berar, with head-quarters respectively at Jubbulpore, Nagpur and Amraoti.

2. The Circles are composed of the following Forest Divisions:—

Amendment to the Central Provinces Forest Manual
(2nd Edition).

No. 70, dated Nagpur, the 20th May 1913.

Page 61, Part II, Chapter III.—For Forest Divisions of the Northern Circle, substitute the following:—

Name.	Constitution with respect to Civil Districts.	Head-quarters.
<i>Northern Circle.</i>		
1. North Mandla.	The portion of the Mandla District which lies north and west of the Nerbudda and Banjar Rivers and the southern boundary of the Shahpura Range.	Mandla.
2. South Mandla.	The remaining portion of the Mandla District.	Mandla.
3. Jubbulpore-Narsinghpur.	The Jubbulpore District and the Narsinghpur District as defined in Notification No. 5111, dated the 11th September 1902.	Jubbulpore.
4. Damoh	... The Damoh District as defined in the above-quoted Notification.	Damoh.
5. Saugor	... The Saugor District as defined in the above-quoted Notification.	Saugor.
6. Hoshangabad.	The Hoshangabad District	Hoshangabad.

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

PART II.

ORGANIZATION OF THE FOREST DEPARTMENT.

CHAPTER III.—Constitution of Administrative Charges.

1. The Central Provinces and Berar are divided into three Forest Circles named respectively the Northern, Southern and Berar, with head-quarters respectively at Jubbulpore, Nagpur and Amraoti.

2. The Circles are composed of the following Forest Divisions:—

Name.	Constitution with respect to Civil Districts.	Head-quarters.
<i>Northern Circle.</i>		
1. Mandla	... The Mandla District with the exception of the portion west of the Balai Naddi.	Mandla.
2. Jubbulpore	... The Jubbulpore District together with that portion of the Mandla District which lies west of the Balai Naddi.	Jubbulpore.
3. Damoh	... The Damoh District as defined by Notification No. 5111, dated the 11th September 1902.	Damoh.
4. Saugor	... The Saugor District as defined in the above-quoted Notification.	Saugor.
5. Narsinghpur	... The Narsinghpur District as defined in the above-quoted Notification.	Narsinghpur.
6. Hoshangabad	... The Hoshangabad District	Hoshangabad.

PART II.

Chap. III.

Name.	Constitution with respect to Civil Districts.	Head-quarters.
<i>Northern Circle.—(Contd.)</i>		
7. Seoni	The Seoni District	Seoni.
8. Chhindwara	The Chhindwara District	Chhindwara.
<i>Southern Circle.</i>		
1. Bilaspur	The Bilaspur District, together with that portion of the Raipur District which is comprised in the Sonskhan Range.	Bilaspur.
2. Raipur	The Raipur and Durg Districts, with the exception of the Sonskhan Range in the Raipur District.	Raipur.
3. Balaghat	The Balaghat District	Balaghat.
4. Bhandara	The Bhandara District	Bhandara.
5. Nagpur-Wardha	The Nagpur and Wardha Districts.	Nagpur.
6. North Chanda	The Chanda, Warora and Brahmapuri Tahsils of the Chanda District, and that portion of the Garohiroli Tahsil, Chanda District, containing the Walongarh Range.	Chanda.
7. South Chanda	The Sironecha Tahsil and the remaining portion of the Garohiroli Tahsil of the Chanda District.	Chanda.
<i>Berar Circle.</i>		
1. Melghat	The Melghat Taluq of the Amraoti District.	Chikaldia.
2. Amraoti	The Amraoti, Mors, Chandur, Ellichpur and Daryapur Taluqs of the Amraoti District.	Amraoti.
3. Buldana	The Buldana District	Buldana.
4. Yeotmal	The Yeotmal District	Yeotmal.
5. Akola	The Akola District	Akola.
6. Betul	The Betul District	Betul.
7. Nimar	The Nimar District	Khandwa.

The various Forest Divisions have been sub-divided into Forest Ranges as follows:—

PART II.
Chap III.

Division.	Range.	
		Head-quarters.

**Amendment to the Central Provinces Forest Manual
(2nd Edition.)**

No. 71, dated Nagpur, the 20th May 1913.

Page 63, Part II, Chapter III.—For 1. Mandla Division and the entries against it in columns 2 and 3 substitute the following:—

Division.	Range.	Head-quarters.
1. North Mandla	... Dhanwahi	... Barela.
	Mandla	.. Mandla.
	Shahpura	... Shahpura.
	Saristal	... Shahpur.
2. South Mandla	... Jagmandal	... Ramnagar.
	Banjar	... Kisli.
	Motinala	... Motinala.
	Dindori	... Dindori.
	Karanja	... Karanja.

For 2. Jubbulpore Division and 5. Narsinghpur Division and the entries in columns 2 and 3 against them substitute the following:—

3. Jubbulpore-Narsinghpur.	Murwara	... Katni	
	Sihora	... Sihora	
	Jubbulpore	... Jubbulpore	South-
	Bargi	.. Bargi	"
	Bachai	... Babaria	
	Richhai	.. Richhai	
	Khairi	... Khairi	2nd

and correct the serial numbers of Divisions 3 and 4 to 4 and 5.

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

Page 63.—Substitute "Ghansore" for "Khamaria" as the head-quarters of the Nerbudda Range in the Seoni Forest Division.

H. C. GOWAN,

Under Secretary to the Chief Commissioner,

Central Provinces.

The various Forest Divisions have been sub-divided into Forest Ranges as follows:—

PART II.
Chap. III.

Division.	Range.	
	Name.	Head-quarters.

Amendment to the Central Provinces Forest Manual (2nd Edition).

No. 57, dated the 1st April 1912.

Page 63, paragraph 2.—In columns 2 and 3 against Jabalpur Division, for "Rajabari and Rahetgaon" substitute the following:—

Rahetgaon	...	...	Rahetgaon.
Magardha	...	...	Magardha.

Page 87, paragraph 53.—In column 2 against Hoshangabad Division, for "Rajaborari" substitute the following:—

Rahetgaon.
Magardha.

K. L. B. HAMILTON,

Under Secretary to the Chief Commissioner,
Central Provinces.

Amendment to the Central Provinces Forest Manual (2nd Edition).

No. 10.

Nagpur, the 28th May 1908.

Page 63.—Substitute "Ghansore" for "Khamaria" as the head-quarters of the Nerbudda Range in the Seoni Forest Division.

H. C. GOWAN,

Under Secretary to the Chief Commissioner,
Central Provinces.

The various Forest Divisions have been sub-divided into Forest Ranges as follows:—

PART II.
Chap III.

Division.	Range.	
	Name.	Head-quarters.
<i>Northern Circle.</i>		
1. Mandla	Mandla Range	Mandla.
	Jagmandal	Ramanagar.
	Banjar	Kisli.
	Motinala	Motinala.
	Dindori	Dindori.
	Shalpora	Shalpora.
2. Jabulpore	Murwara	Katni.
	Sihora	Sihora.
	Jabulpore	Jabulpore.
	Bargi	Bargi.
	Dhatwahi	Barda.
3. Damoh	Northern	Fatehpur.
	Central	Damoh.

Amendment to the Central Provinces Forest Manual.

(SECOND EDITION).

[No. 4, dated Nagpur, the 24th February 1908.]

Page 63. For "Saliwara," the head-quarters of the South-Eastern Range in the Damoh Division, substitute "Singrampur."

Amendment to the Central Provinces Forest Manual (2nd Edition).

No. 10.

Nagpur, the 28th May 1908.

Page 63.—Substitute "Ghansore" for "Khamaria" as the head-quarters of the Nerbudda Range in the Seoni Forest Division.

H. C. GOWAN,

Under Secretary to the Chief Commissioner,

Central Provinces.

The various Forest Divisions have been sub-divided into Forest Ranges as follows:—

PART II.
Chap III.

Division.	Range.	
	Name.	Head-quarters.
<i>Northern Circle.</i>		
1. Mandla	Mandla Range Jagmandal Banjar Motinala Dindori Shahpura	Mandla. Ramanagar. Kali. Motinala. Dindori. Shahpura.
2. Jabulpore	Murwara Silhera Jubbulpore Bargi Dhanwahi	Katni. Silhera. Jubbulpore. Bargi. Barola.
3. Damoh	Northern Central South-Western South-Eastern	Fatehpur. Damoh. Tendukhara. Saliwara.
4. Saugor	Khurai Banda Saugor Rohli Deori	Bandri. Banda. Saugor. Rohli. Deori.
5. Narsinghpur	Rachai Richhai Khairi	Paharia. Richhai. Khairi.
6. Hoshangabad	Beri Sohagpur Hoshangabad Seoni Rajshumari	Khapa. Sohagpur. Itarsi. Seoni-Malwa. Rahetgaon.
7. Seoni	Khurai Ganginala Ugh Chhapara Nerbudda Dhuma	Khurai. Khawasa. Dhutara. Chhapara. Khamaria. Dhuma.
8. Chhindwara	Silwanigai Umroth Sank Ambara Amarwara	Amla. Umroth. Kampur. Ambara. Amarwara.

PART II.

CHAP. III.

District	Name	Range	Head-quarters
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	Southern Circle		
1. Bilaspur	Karmi Simalban Kanjashi-Pantora	...	Kat. Malanpur Ratanpur.
2. Raipur	Dhamtari Bairi Sihawa, North Sihawa, South Lao Sirpur-Khullari Singhpur	...	Dhamtari. Bairi. Hirguri. Chatala. Balla-Kacher. Tumgaon. Singhpur.
3. Balasore	Dhamtari Sirocha-Balasore Patalgarh Balasore Sirocha	...	Dhamtari. Bairi. Churegaon. Koti. Ram Ram.

...	Warganaga	...	
...	Parabgarh	...	
...	Bawantgarh	...	
...	Garkhari	...	

No. 28 dated Nagpur, the 26th October 1909.
64. paragraph 2 - Against the Bhandara Division substitute
owing for the entries in columns 2 and 3: -

7. South Circle	Warganaga Havali Warganaga Brahmapuri Dhaha Ganjwahi	...	Mohali. Warora. Chand. Amori. Talodi. Dhaha. Sindwahi.
	Abiri Ghot Sirocha	...	Alapalli. Chamora. Sirocha.

Amendment to the Central Provinces Forest (2nd Edition).

No. 36, dated the 30th May 1910.

For page 84 substitute the following :—

Division.	Range.		PART II. Chap. III.
	Name.	Head-quarters.	
	<i>Southern Circle.</i>		
1. Bilaspur	East Lormi West Lormi Senakhar Kangabhi Pantora	Kota. Lormi. Malaraji. Bathanpur.	
2. Raipur	Dhantari Balod Sihawa North Do South Leon Kerpur-Khailari Singhpur	Dhantari. Balod. Birguri. Chatula. Balia-Kachar. Tungoon. Singhpur.	
3. Balaghat	Dhansu Bairar Parawara Balgari Sonawasi Lanji	Dhansu. Behr. Lawla. Kool. Beshodda. Lanji.	
4. Bhandara	Galkhuri Bowanthari Pratabgarh Walnganga	Waregon. Chicholi. Sahringarhi. Paoni.	
5. Nagpur-Wardha	East Panch West Panch Umror Kondhali Arvi Hingni	Paoni. Boregon. Umror. Kondhali. Arvi. Hingni.	
6. North Chanda	Moharli Warora Havell Wairazari Brahmapuri Ganjewahi	Moharli. Warora. Chanda. Arwari. Taleli. Siudewahi.	
7. South Chanda	Alapalli Ghot Masbanda <i>Mulcher</i> Sironcha Dhaba	Alapalli. Ghot. Masbanda <i>Mulcher</i> Sironcha. Dhaba.	

C. BROWN,

Under Secretary to the Chief Commissioner,

Central Provinces.

Govt. Press, Nagpur:—No. 563, Civil Sectt.—3-6-10—590.

PART II.

Chap. III.

Division	Range	Name	Head-quarters
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No. 81, dated Nagpur, the 6th February 1914.

Page 64—Substitute "Tumsar" for "Chicholi" as the head-quarters of the Bawanthari Range in the Bhandara Division.

E. GORDON,
Under Secretary to the Chief Commissioner,
Central Provinces.

Govt. Press, Nagpur.

Amendment to the Central Provinces Forest Manual.

(2ND EDITION)

No. 7, dated the 9th April 1908.

Page 64. In columns 2 and 3 against the Balaghat Division
add "Lanjil."

H. C. GOWAN,
Under Secretary to the Chief Commissioner,
Central Provinces.

No. 6, dated the 8th April 1908.

Page 64. Substitute "Umrer" for "Lohara" as the head-quarters of the Umrer Range in the Nagpur-Wardha Division.

H. C. GOWAN,
Under Secretary to the Chief Commissioner,
Central Provinces.

Amendment to the Central Provinces Forest Manual
(Second Edition.)

No. 60, dated Nagpur, the 23rd July 1912.

PAGE 64.

Substitute "Bilaigarh" for "Maharaji" as the head-quarters
of the Sonakhan Range in the Bilaspur Division.

K. L. B. HAMILTON,

Under Secretary to the Chief Commissioner,

Central Provinces.

Govt. Press, Nagpur :—No. 870, Civil Sectt.—24-7-12—550.

W. E. LEY,

Under Secretary to the Chief Commissioner,

Central Provinces.

Page 64. In columns 2 and 3 against the Balaghat Division,
add "Lanji."

H. C. GOWAN,

Under Secretary to the Chief Commissioner,

Central Provinces.

No. 6, dated the 8th April 1908.

Amendment to the Central Provinces Forest Manual
(2nd Edition).

No. 24, dated Nagpur, the 12th May 1909.

Page 64, paragraph 2. In columns 2 and 3 against South Chanda
Division for "Ghot and Chamursi" substitute the following :—

Ghot	...	...	Ghot.
Markhanda	...	...	Mulchera.

**Amendment to the Central Provinces Forest Manual
(2nd Edition).**

No 29.

Dated the 26th October 1909.

Page 64. Substitute " Markhanda " for " Mulchera " as the head-quarters of the Markhanda Range in the South-Chanda Division.

C. J. IRWIN,

Under Secretary to the Chief Commissioner

Central Province.

**Amendment to the Central Provinces Forest Manual
(2nd Edition).**

No. 59, dated the 7th June 1912.

Page 64.—For the entry " Kanajathi Pantora Rathapur " against the Bilaspur Division, substitute " Kuajathi Panthora Baloda "

K. L. B. HAMILTON,

Under Secretary to the Chief Commissioner,

Central Province

Amendment to the Central Provinces Forest Manual
(Second Edition).

3

No. 77, dated Nagpur, the 28th

1913.

and "Mor-

Page 65, paragraph 6, Nimar—In column 3 for "Asapur" substitute "Chanera" (as the head-quarters of the Singaji Range of the Nimar Division).

DON,

E. GORDON,

missioner,

Under Secretary to the Chief Commissioner,

Central Provinces.

Central Provinces.

" (as the

Press, Nagpur.—No. 1413, Civil Sectt.—2-12-13—530.

C. BROWN,

the Chief Commissioner,

Central Provinces.

Wms

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Amendment to the Central Provinces Forest Manual
(2nd Edition).

⁶⁷
No. 79, dated Nagpur, the ^{15th} May 1913.

Page 65, paragraph 5, Akola—In column 3 for "Basim" substitute "Medhi" (as the head-quarters of the Pangra Range of the Akola Division).

Amendment to the Central Provinces Forest Manual
(Second Edition).

No. 87, dated Nagpur, the 12th March 1915.

Page 65, paragraph 7, Betul Division :—

In column 3, for "Punji" substitute "Dhapara" (as the head-quarters of the Assir Range), and for "Satoer" substitute "Khamla" (as the head-quarters of the Sawalmandha Range).

PART II.

Chap. III.

District.	Range.	
	Name.	Head-quarters.
	<i>Barar Circle.</i>	
Agdal	Gughamal	Koka.
	Chaukand	Harisal.
	Batrum	Raspur.
	Khandu	Jarida.
	Sambadok	Sambadok.
	Chikaida	Chikaida.
	Revenue	Ellichpur.
Amraoti	Amraoti	Pohora.
	Chander	Kucha.
	Mori-Warar	Warar.
	Mori-Halrau.	Mori.
Bilaspur	Chikli	Chikli.
	Malkar	Malkar.
	Panna	Khangson.
	Jalgaon	Jalgaon.
Yestmal	Yestmal	Yestmal.
	Dareha	Dareha.
	Kolspur	Kolspur.
	Wun	Wun.
	Fusol	Fusol.
Bilaspur	Pangra	Basin.
	Bilaspur	Patur.
	Mona	Akola.
	Murtanpur	Karanja.
Bilaspur	Khandwa	Khandwa.
	Panna	Panna.
	Piplod	Bamgaon.
	Bhalwa	Mamwa.
	Chandni	Chandni.
	Burhanpur	Burhanpur.
	Kalhat	Amila.
	Chandgarh	Balri.
	Singaji	Harad.
Bilaspur	Tapti	Nanda.
	Bhawargarh	Sandpur.
	Raspur	Raspur.
	Asir	Punji.
	Dabka	Harad.
	Sawalnolla	Satner.
	Sandigarh	Gawason.

PART II.

CHAPTER IV.—Control, Duties and Responsibilities.

Chap. IV.

3. The Forest business of the Administration is transacted in the Forest Department of the Secretariat, with which the Conservators correspond direct.

4. The powers, duties and responsibilities of Conservators and Divisional Officers are prescribed by the Forest Department Code, the Conservators having, subject to the Chief Commissioner, the general control of Forest matters within their respective Circles.

5. The duties and responsibilities of Commissioners and Deputy Commissioners in regard to the management of Government Forests are, under the authority of Revenue and Agriculture Department letter No. 359-P., dated the 4th May 1897, defined by Chief Commissioner's Revenue Book Circular VII-1, which runs thus:—

I.—Under the orders of the Government of India, the Deputy Commissioner has the control of all Government Forests within his District, the Forest Officer being his Assistant for Forest purposes, responsible immediately to him for the proper management of all Forests in the district.

II.—All correspondence between the District Forest Officer and the Conservator of Forests upon all matters, not being questions of purely professional detail, will, in future go under flying seal through the Deputy Commissioner, who will then be able to make any criticisms or suggestions that appear to him necessary. Everything in connection with the Forest management of the district should ordinarily be initiated by the Forest Officer acting in personal consultation with the Deputy Commissioner, and the Deputy Commissioner will issue no orders upon Forest matters, save through his Forest Officer. All correspondence regarding forests should be recorded in the Forest Officer's office as a part of the district office. There must not be two separate offices—under the Deputy Commissioner and one for his Forest Officer. The Forest Officer will (as above stated) be simply the Deputy Commissioner's Assistant for Forest matters: his office will be a part of the district office: his records will be the Deputy Commissioner's Forest records; any endorsement by the Deputy Commissioner on any letters from the Forest Office will be copied on the original letter; and there will be no correspondence between the Deputy Commissioner and his Forest Officer except by means of office memoranda or notes, which should always be recorded in English. If the Forest Officer has any objection on professional grounds to any orders of the Deputy Commissioner, he will request a reference to the Conservator. If the Deputy Commissioner does not accept the Conservator's view, he will refer the matter to the Commissioner of the Division, who will, if necessary, take the orders of the Chief Commissioner.

III.—The Deputy Commissioner will ordinarily not find it necessary to interfere with the large departmental operations unless he sees something to which he desires to invite the Conservator's attention. He should, however, be fully informed of all that is going on, and while seeing that the Government is getting adequate returns from its Forest estates in all parts of the district, should specially satisfy himself that the public have all reasonable facilities for obtaining those articles which are essential to agriculture.

IV.—All working-plans should be submitted to the Conservator of Forests through the Deputy Commissioner, and he must, in dealing with the proposal, especially consider the effect that the proposals will have on the public as well as on the Forest revenue, and must see especially that the coupes are so selected that the agricultural population resorting to the forests for their wants are in no way put to unnecessary inconvenience. He must satisfy himself that the area left open for grazing is sufficient for the requirements of the district.

V.—The Commissioner of the Division should exercise a general control over all Forest matters in his Division, and all the most important correspondence, and in particular all correspondence relating to working-plans should be forwarded by the Deputy Commissioner through him, so that he may have an opportunity of expressing his opinion on the proposals made.

CHAPTER V.—Establishments.

PART II.

Chap. V.

The Indian Forest Service.

6. In accordance with Revenue and Agriculture Department Circular letter No. 4-F, dated the 21st April 1890, the date (also whether forenoon or afternoon) of a Conservator's departure on leave (*i. e.*, of relinquishment of charge of duties preparatory to proceeding on leave) and return to duty from leave has to be reported to the Government of India by telegram. To enable the Administration to do so without delay, the necessary information should be wired to the Secretariat as early as possible from the Conservator's Office.

7. With the object of equalizing prospects of promotion on the Provincial lists, of ensuring a more equal distribution of Conservatorships and of leading to a more even distribution of promotions in lieu of officers deputed on foreign service or selected to fill special appointments on the Imperial list, the Imperial officers serving in the Punjab, Central Provinces and Berar are, in accordance with Revenue and Agriculture Department Resolution No. 30-F, of the 29th December 1891, maintained on a single combined list. The procedure followed in making promotions on this amalgamated list is as follows:—Each Government sends to the other Government, in a confidential communication, a quarterly statement of the officers who are not considered deserving of promotion (Article 42 of the Forest Department Code), and in order to enable the Chief Commissioner to send such statements, Conservators must submit punctually, so that they may reach the Secretariat on the 15th March, 15th June, 15th September and 15th December, reports on such undeserving officers, if any (Revenue Secretariat letter No. 3146, dated the 8th July 1893). If there are no such officers, the fact must be equally reported. As vacancies occur they are filled up by the promotion of the most senior officers in the immediately lower grade, whose early promotion has not been thus barred. The promotion is gazetted by the Punjab Government, and in order that there may be no unnecessary delay in the issue of the necessary Gazette Notification, other Conservators must inform the Punjab Conservator promptly by telegram, giving exact dates, of all deaths, retirements and departures (whether in the forenoon or afternoon) on leave or on deputation, and of the passing of examinations qualifying for promotion to Assistant Conservator, 1st grade.

8. Before any promotion is gazetted by the Administration ordering it, it is decided by previous correspondence between the two Administrations to whom the step should be given. The procedure described in paragraph 7 above regarding interchange of quarterly confidential communications between the two Administrations and the submission of quarterly reports by Conservators applies also to the case of officers of the Provincial Service.

PART II.

Chap. V. Article 24, clause (c), of the Forest Department Code is thus regulated by Revenue and Agriculture Department Circular letter No. 15-22-12, dated the 10th September 1895:—

* * * * *

2. In order to ensure, as far as possible, that these allowances shall be awarded in accordance with merits, I am to ask that the Government of India may be furnished annually, on the 1st July, with the name of that Extra-Assistant Conservator in charge of a Division (if any) whom the Government of the Central Provinces may consider, on grounds which should be fully stated, to be most deserving of one of the allowances in question. If, in any year, it is desired simply to repeat the recommendation of the previous year, it will be sufficient to refer to it.

3. The Government of India think that, except in the case of very exceptional merits, not more than one of the four allowances available should be held in the same Province. While, therefore, an allowance is held in any Province, the annual recommendation should, save under very special circumstances, be suspended, a recommendation being made whenever, in the due course of affairs, the allowance in question becomes vacant.

4. I am to point out that proved efficiency in a charge of major control is the ground on which these allowances are to be awarded, and not mere seniority in the service.

The Subordinate Forest Service.

10. The distribution of subordinate establishments rests with the Conservator of the Circle concerned and varies from time to time according to the varying exigencies of work. A distribution statement, Appendix 1, is sent to the Comptroller, Central Provinces, and to the Divisional Officers concerned at the end of each month in which any changes occur. The distribution statements should never be for broken periods, but cover a whole month or months. As under Article 197 of the Forest Department Code no inter-divisional adjustments of expenditure are allowed, it does not matter from what date a subordinate is transferred from one Division to another, his pay being charged against the grant of the Division to which he is transferred (Comptroller and Auditor-General's letter No. 1551, dated the 25th August 1899).

11. By Revenue Secretariat letter No. 297, dated the 17th January 1896, the power to order the promotion of Rangers from grade to grade has been delegated to the Conservators acting in concert, reference for the orders of the Chief Commissioner being made only in case of difference of opinion between the Conservators. To obviate delays and unnecessary discussion the Senior Conservator will be supplied by the other Conservators at the beginning of each quarter (1st January, 1st April, 1st July and 1st October) with a list of the Rangers serving under them whom they consider not deserving of promotion during that quarter, and promotions will be given with reference to these lists. For the sake of convenience the Conservators will arrange for the submission of all notifications of such promotions by the Senior Conservator (Revenue Secretariat letter No. 3488, dated the 29th August 1896). First appointments to Rangerships, made under Article 82, not requiring any consultation between the Conservators are not subject to this rule, and the Conservator of the Circle in which the

Amendment to the Central Provinces Forest Manual (Second Edition).

PART II.

Chap. V. Article 24,
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not more than. Press, Nagpur:—No. 1009, Civil Sectt.—2-8-11—550.
While, therefore, an exception is made in only a certain, the Director of Forests, Nagpur,
save under very special circumstances, be suspended, a recommendation being made when-
ever, in the due course of affairs, the allowances in question become vacant.

4. I am to point out that proved efficiency in a change of major control is the ground
on which these allowances are to be awarded, and not mere seniority in the service.

The Subordinate Forest Service

10. The distribution of subordinate establishments rests with the Conservator of the Circle concerned and varies from time to time according to the varying exigencies of work. A distribution statement, Appendix 1, is sent to the Comptroller, Central Provinces, and to the Divisional Officers concerned at the end of each month in which any changes occur. The distribution statements should never be for broken periods, but cover a whole month or months. As under Article 197 of the Forest Department Code no inter-divisional adjustments of expenditure are allowed, it does not matter from what date a subordinate is transferred from one Division to another, his pay being charged against the grant of the Division to which he is transferred (Comptroller and Auditor-General's letter No. 1552, dated the 25th August 1899).

11. By Revenue Secretariat letter No. 297, dated the 17th January 1896, the power to order the promotion of Rangers from grade to grade has been delegated to the Conservators acting in concert, reference for the orders of the Chief Commissioner being made only in case of difference of opinion between the Conservators. To obviate delays and unnecessary discussion the Senior Conservator will be supplied by the other Conservators at the beginning of each quarter (1st January, 1st April, 1st July and 1st October) with a list of the Rangers serving under them whom they consider not deserving of promotion during that quarter, and promotions will be given with reference to these lists. For the sake of convenience the Conservators will arrange for the submission of all notifications of such promotions by the Senior Conservator (Revenue Secretariat letter No. 3188, dated the 29th August 1896). First appointments to Rangerships, made under Article 32, not requiring any consultation between the Conservators are not subject to this rule, and the Conservator of the Circle in which the

No. 49, dated the 31st July 1911.

Page 68.—Paragraph 9 is cancelled.

K. L. B. HAMILTON,

Under Secretary to the Chief Commissioner,

Central Provinces.

appointment is made will submit the necessary notification direct to the Secretariat (Revenue Secretariat letter No. C-293, dated the 15th June 1896).

12. In regard to the promotion of Deputy Rangers from grade to grade, the power to order such promotion has been delegated to Conservators by Revenue Secretariat letter No. C-292-293, dated the 15th June 1896, as explained by the same Secretariat letter No. 1388, dated the 25th April 1898.

Amendment to the Central Provinces Forest Manual
(2nd Edition).

No. 72, dated Nagpur, the 25th June 1913.

Page 69, paragraph 13.—For the maximum rate of pay for a punkha coolie "Rs. 6" substitute the rates "Rs. 6 in the Central Provinces and Rs. 7 in Berar."

N. G. SARKAR,

Assistant Secretary to the Chief Commissioner,

Central Provinces.

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

Rs.

Amendment to the Central Provinces Forest Manual
(Second Edition).

No. 78, dated the 3rd December 1913.

Page 69, paragraphs 13 and 13-A.—For the maximum rate of pay for a grass cutter, "Rs. 7" in paragraph 13 and "Rs. 8" in paragraph 13-A, read "Rs. 8 to Rs. 12 by biennial increment of Re. 1."

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

*Range Officer
M. B. Rao*

appointment is made will submit the necessary notification direct to the Secretariat (Revenue Secretariat letter No. C-293, dated the 15th June 1896).

PART II.

Chap. V.

12. In regard to the promotion of Deputy Rangers from grade to grade, the power to order such promotion has been delegated to Conservators by Revenue Secretariat letter No. C-293-293, dated the 15th June 1896, as explained by the same Secretariat letter No. 1388, dated the 25th April 1896.

13. The Chief Commissioner is pleased to lay down the following maximum rate of pay for each class of Temporary Establishment which may be sanctioned by Conservators:—

Amendment to the Central Provinces Forest Manual (2nd Edition).

No. 51, dated the 19th December 1911.

PAGE 69.

Add the following as paragraph 13-A—

13-A. The Chief Commissioner is pleased to lay down the following maximum rate of pay for each class of Temporary Establishment which may be sanctioned by the Chief Conservator of Forests:—

Class of Establishment.	Maximum rate of pay.
	Rs.
Clerks	40
Draftsman	50
Mahout	16
Daftri	15
Khatasi	8
Dak Runner	8
Grass-cutter	8
Orderly	7
Fuskh Cooly	6
Tanti Cooly	5

K. L. B. HAMILTON,

Under Secretary to the Chief Commissioner,

Central Provinces.

appointment is made will submit the necessary notification direct to the Secretariat (Revenue Secretariat letter No. C-293, dated the 15th June 1898).

PART II.

Chap. V.

14. In regard to the promotion of Deputy Rangers from grade to grade, the power to order such promotion has been delegated to Conservators by Revenue Secretariat letter No. C-292-293, dated the 15th June 1898, as explained by the same Secretariat letter No. 1888, dated the 15th April 1898.

15. The Chief Commissioner is pleased to lay down the following maximum rate of pay for each class of Temporary Establishment which may be sanctioned by Conservators:—

Class of Establishment.				Maximum rate of pay.
				Rs.
1.	Accountant	...	...	25
2.	Jamadar	...	...	25
3.	Clerks	...	...	25
4.	Hospital Assistant	...	...	25
5.	Foreman	...	...	25
6.	Carpenter	...	...	25
7.	Fitter	...	...	25
8.	Draftsman	...	...	25
9.	Overseer	...	...	25
10.	Deputy Ranger	...	...	25
11.	Forester	...	...	25
12.	Engine Driver	...	...	20
13.	Mistry	...	...	20
14.	Mahout	...	...	16
15.	Mahoe	...	...	16
16.	Smith	...	...	15
17.	Tahsil Mutavvir	...	...	15
18.	License-Vender	...	...	15
19.	Compounder	...	...	13
20.	Patwari	...	...	13
21.	Forest Guard	...	...	12
22.	Daffri	...	...	10
23.	Gardener	...	...	10
24.	Saw Sharpener	...	...	10
25.	Chankidar	...	...	8
26.	Khalasi	...	...	8
27.	Tahsil Peon	...	...	8
28.	Dak Runner	...	...	8
29.	Treasury Chankidar	...	...	8
30.	Depot Chagnasi	...	...	7
31.	Grass Cutter	...	...	7
32.	Orderly	...	...	7
33.	Farash	...	...	7
34.	Pankah Cooly	...	...	6
35.	Waterman	...	...	6
36.	Cattle Grazer	...	...	6
37.	Hospital Cooly	...	...	6
38.	Sweeper	...	...	6
39.	Tatti Cooly	...	...	6
40.	Kotwal	...	...	4

**Amendment to the Central Provinces Forest Manual
(Revised Edition).**

No. 38, dated the 12th August 1910.

PAGE 70.

*Cancel Corrigendum No. 21, dated the 27th November 1908,
and for paragraph 16, page 70, substitute:—*

16. In accordance with the provisions of Article 8 of the Forest Department Code, the Local Administration has delegated to Conservators the power of making transfers of clerical appointments between Divisional Offices, but not between their own offices and Divisional Offices, provided:

- (a) that the total scale sanctioned for the Division is not exceeded;
- (b) that any local allowances which have been sanctioned remain attached to the particular post for which they were sanctioned;
- (c) that no alteration in the number of posts allotted to any Division is made without the previous sanction of the Local Administration.

C. BROWN,

Under Secretary to the Chief Commissioner,

Central Provinces.

CENTRAL PROVINCES

CHAPTER VI—Regulations

17. The following provisions of the Forest Department Code, as amended by General Secretariat Order No. 100 of July 1901, apply to the Forest Department of India's territories in accordance with that Code:—

I.—Dates and Times

4. The Local Committee includes a number of members to be examined. (Central Provinces Forest Manual, 1st August 1902.)

5. * * * The Secretary to the Forest Department shall determine the days and hours at which such examinations are to be held in languages are prepared and for the instruction.

PART II.

Chap. V.

14. The sanction of the Conservators for the entertainment of temporary establishments is given for twelve months only, and Divisional Forest Officers must therefore submit by the 15th January at the latest for the sanction of the Conservators a proposition statement of the temporary establishments which they will require during the ensuing twelve months from the 1st March to the end of the following February.

15. The Conservator will distribute the men in accordance with the varying requirements of work as they arise, a distribution statement in the form given as Appendix 2 being sent for information to the Comptroller, Central Provinces, and to the Divisional Officers concerned at the end of the month in which any changes have been made.

Office Establishments.

16. The Local Government has delegated to Conservators the power of making transfers of clerical appointments between Divisional offices, but not between their own offices and Divisional offices, and provided—

- (a) that the total scale is not exceeded,
- (b) that any local allowances which have been sanctioned remain attached to the particular posts for which they have been sanctioned.

CHAPTER VI.

17. The following provisions relating to the Central Forest Office, as amended by General Order No. 1 of July 1902, apply to the Forest Office of the Government of India's Office to that Office—

1.—General

4. The Local Committee shall have to be examined. (Central Forest Office, 1st August 1902.)

5. * * * The Secretary shall be the days and hours at which the Forest Office is prepared for inspection.

**Amendment to the Central Provinces Forest Manual
(Revised Edition).**

No. 38, dated the 12th August 1910.

PAGE 70.

*Cancel Corrigendum No. 21, dated the 27th November 1908,
and for paragraph 16, page 70, substitute:—*

16. In accordance with the provisions of Article 8 of the Forest Department Code, the Local Administration has delegated to Conservators the power of making transfers of clerical appointments between Divisional Offices, but not between their own offices and Divisional Offices, provided:

- (a) that the total scale sanctioned for the Division is not exceeded;
- (b) that any local allowances which have been sanctioned remain attached to the particular post for which they were sanctioned;
- (c) that no alteration in the number of posts allotted to any Division is made without the previous sanction of the Local Administration.

C. BROWN,

Under Secretary to the Chief Commissioner,

Central Provinces.

CHAPTER VI.—D

11. The following portions of the Forest Department Code, V. 1, issued by General Secretariat on 7 July 1904, apply to the Forest Department of India's letter close to that Code:—

I.—Dates and ph

4. The Local Committee includes a Secretary to be appointed. (Central Provinces Forest Manual, 12th August 1902.)

5. The Secretary to the Local Committee is to be appointed. The Secretary is to be the days and hours at which each year in languages are prepared and instruction.

Amendment to the Central Provinces Forest Manual (Revised Edition).

No. 38, dated the 12th August 1910.

Cancel Corrigendum
and for paragraph 1

16. In accord.
Forest Department
Conservators the po
between Divisional
Divisional Offices, p

(a) that the

Amendment to the Central Provinces Forest Manual (Revised Edition).

No. 41, dated Nagpur, the 24th September 1910.

PAGE 70.

In paragraph 16 (a) as amended by Amendment No. 38, dated
the 12th August 1910, for the word "Division" substitute "Circle."

C. BROWN,

Under Secretary to the Chief Commissioner,

Central Provinces.

Govt. Press, Nagpur:—No. 1362, Civil Sectt.—30-9-10—350.

Central Provinces.

CENTRAL PROVINCES

CHAPTER VI—

17. The following part
of the Forest Manual
issued by General Secretary
in July 1908, apply to the
Forest Manual No. 14 and 15
of the Government of India's let
ters to that effect:—

I.—Dates and

Examinations are held at Nagpur
on each date as may from time

II.—Subjects

Officers of the Forest Department
are appointed in the Forest
and in the Veterinary, and in
the Forest and Veterinary
and in the Forest and Veterinary
and in the Forest and Veterinary

(For details)

III.—The Examinations

The examinations are conducted by
the Local Committee.

1. The Examination Committee consists of

The Judicial Commissioner;

The Director of Public Instruction;

The Comptroller;

The Secretary to the Chief Commissioner
(or to the Committee) and any
other officers as may be necessary to appoint.

3. The Local Committee is composed of
the Small Cause Court Judge (or other
Magistrate), the Circle Inspector of
the Forest Department, the Director of Public Instruction, and
any other officers as may be necessary to appoint.

4. The Local Committee includes a
list of officers to be examined. (Central Provinces
Forest Manual No. 14 August 1902.)

5. * * * * * The Secretary
is the days and hours at which each
examination is held. Languages are prepared and
instructed.

CHAPTER VI.—Departmental Examinations.

PART II.

Chap. VI.

11. The following portions of the rules issued under General Secretariat Book Circular No. VII, dated the 21st February 1909, as amended by General Secretariat Book Circular No. XXI, dated the 2nd July 1909, apply to the examinations of Forest Officers prescribed by Articles 74 and 75 of the Forest Department Code and by Government of India's letter printed at pages 69 & 70 of the Appendix to that Code:—

I.—Dates and places of Examination.

Examinations are held at Nagpur half-yearly (ordinarily in the months of April and May) at such date as may from time to time be fixed by the Chief Commissioner.

II.—Subjects of Examination.

Officers of the Forest Department who are required by the rules of that Department to be conversant with Revenue and Forest Law, in Departmental Procedure and Accounts, and in Vernacular, can, by arrangement be examined in Vernacular, in Revenue and Accounts, and in the Revenue and Forest Law paper only prepared for them by the Conservator, by the Examination Committee for the annual Examination.

(For details of subjects, see (F) below.)

III.—The Examining Agency and Procedure.

The examinations are conducted partly by the Examination Committee and partly by a Local Committee.

1. The Examination Committee consists of:—

- The Judicial Commissioner;
- The Director of Public Instruction;
- The Comptroller;

The Secretary to the Chief Commissioner in the Appointments Department (Secretary to the Committee) and such other officers as the Chief Commissioner deems it necessary to appoint.

2. The Local Committee is composed of the Commissioner of the Nagpur Division, Small Cause Court Judge (or other Judicial Officer appointed by the Judicial Commissioner), the Circle Inspector of Schools (or other Educational Officer appointed by the Director of Public Instruction), and the Registrar, Judicial Commissioner's Court. The first named officer will be responsible for the actual supervision of the Examination.

3. The Local Committee includes a Forest Officer whenever there are any Forest Officers to be examined. (Central Provinces Revenue Department No. 4812, dated the 6 August 1902.)

4. * * * The Secretary to the Examination Committee * * * is the days and hours at which each paper is to be issued to the candidates. The papers in languages are prepared and forwarded direct by the Director of Public Instruction.

Central Provinces Forest Manual
(1).

September 1910.

Amendment No. 38, dated
"substitute" Circle.

C. BROWN,

Chief Commissioner,

Central Provinces.

10-130.

Central Provinces.

PART II.

Chap. VI.

6. * * * * The Local Committees conduct the examination upon the printed questions received from the Central Committee and from the Director of Public Instruction, and test the colloquial knowledge of candidates in the Vernacular Branch. They assign marks to each candidate upon the oral answers given by him in the Law Procedure branch of the examination, and record their opinions as to whether candidates in the Vernacular branch have passed the colloquial test or not.

(5) The following is an extract from Appendix VI, Forest Department Code:—

1.—No Assistant Conservator of the 2nd grade, or Extra-Assistant Conservator of the 4th grade, shall be considered qualified for promotion to a higher grade until he has passed the examinations prescribed by Article 74 of the Forest Code in the following subjects. These examinations shall also be open to all Rangers who have passed the Dehra Dun Course by the higher standard:—

(a) Vernacular by the Higher Standard in Hindustani, unless he be a native of a Hindustani-speaking Province.

(N. B.—*Illustration*.—A Bengali or Marathi is not exempt from passing this examination.)

(b) Land Revenue.

(c) Forest Law.

(d) Procedure and Accounts.

Vernacular.

II.—The examination in Hindustani shall be under the following heads:—

(a) Conversation, to be confined to subjects connected with the ordinary business of a Forest Officer or of Forest out-door work.

Maximum number of marks	...	...	120
Minimum for Higher Standard	...	...	80
Minimum for Lower Standard	...	...	50

(b) Reading and explanation of *arzi* (1) in Urdu character, and (2) in Hindi character. Two papers in each character to be taken from official Forest records, and written by different persons in a plain running hand. They must be read aloud correctly and without great difficulty, and the examinees should be able to correctly explain them in English.

Maximum number of marks	...	...	120
Minimum for Higher Standard	...	...	70
Minimum for Lower Standard	...	...	40

(N. B.—But not less than 30 and 15 marks must be obtained in each character for the Higher and Lower Standards respectively.)

(c) Translation from English into Hindustani in both Urdu and Hindi character (for Higher Standard only). Two English papers connected with Forest work to be translated into the Vernacular, tolerably correct in grammar, free from bad errors of idiom, and intelligible to a native.

Maximum number of marks	...	...	60
Minimum number of marks	...	...	35

Amendment to Central Provinces Forest Manual.

(2ND EDITION.)

**Amendment to the Central Provinces Forest
Manual (Second Edition).**

No. 48, dated the 28th July 1911.

No. 84, dated Nagpur, the 3rd June 1914.

Page 72, paragraph 17, Rule VI—

In the last line of the rule for the word "or" substitute the word
"and", and omit the words "as the case may be."

E. GORDON,

*Under Secretary to the Chief Commissioner,
Central Provinces.*

*Under Secretary to the Chief Commissioner,
Central Provinces.*

Amendment to Central Provinces Forest Manual.

(2ND EDITION.)

**Amendment to the Central Provinces Forest
Manual (Second Edition).**

No. 48, dated the 28th July 1911.

Page 72, paragraph 17, Rule VI.—For the words "and an officer presenting himself for examination should be acquainted generally with the contents of the work, and should have acquired detailed knowledge of them so far as they relate to the Central Provinces or Berar, as the case may be" substitute "and an officer presenting himself for the examination should possess a general knowledge of the contents of the work and a detailed knowledge of that part of the 'Land systems of British India' which relates to the Central Provinces or Berar, as the case may be."

K. L. B. HAMILTON,

Under Secretary to the Chief Commissioner,

Central Provinces.

Amendment to Central Provinces Forest Manual.

(2ND EDITION.)

No. 33, dated the 13th January 1910.

Page 72, Paragraph 17, Rule 1.—For the first sentence substitute the following :—

An Assistant Conservator may not draw pay at a higher rate than Rs. 460 a month nor shall an Extra-Assistant Conservator of the 4th grade be considered qualified for promotion to a higher grade, until he has passed the examinations prescribed in Article 10 of the Forest Code in the following subjects.

C. J. IRWIN,

Under Secretary to the Chief Commissioner,

Central Provinces

**Amendment to Central Provinces Forest Manual,
(REVISED EDITION.)**

[No. 3, dated Nagpur, the 18th February 1908.]

Page 72, paragraph 17. For the present heading (b) and the rules thereunder substitute the following:—

**(b) Rules* for the examination of Forest Officers in the
Central Provinces.†**

1.—No Assistant Conservator of the second grade or Extra-Assistant Conservator of the fourth grade shall be considered qualified for promotion to a higher grade until he has passed the examinations prescribed by Article 74 of the Forest Code in the following subjects. These examinations shall also be open to all Rangers who have passed the Dera Dun course by the Higher Standard:—

- (a) Vernacular—by the Higher Standard in Hindustani, unless he be a native of a Hindustani-speaking province

[N. B.—Illustration.—A Bengali or Marathi is not exempt from passing this examination.]

- (b) Land Revenue.
(c) Forest Law.
(d) Procedure and Accounts.

Vernacular.

11.—The examination in Hindustani shall be under the following heads:—

- (a) Conversation—to be confined to subjects connected with the ordinary business of a Forest officer or of Forest out-door work—

Maximum number of marks	...	...	120
Minimum for Higher Standard	...	...	80
Minimum for Lower Standard	...	...	50

- (b) Reading and explanation of two arzis in the Hindi character. Two papers to be taken from official Forest records, and written by different persons in a plain running hand. They must be read aloud correctly and without great difficulty and the examinee should be able to explain them correctly in English—

Maximum number of marks	...	...	120
Minimum for Higher Standard	...	...	70
Minimum for Lower Standard	...	...	40

* *Vide* Appendix VI (iv) to the Forest Department Code, 6th Edition—1906.

† These rules apply also to officers serving in Berar, who should pass in Land Revenue and Forest Laws of Berar until the question of extending the Indian Forest Act, 1878, to the Berar Circle is settled.

- (c) Translation from English into Hindustani in the Hindi character (for Higher Standard only). An English paper connected with Forest work to be translated into the Vernacular, tolerably correct in grammar, free from bad errors of idiom and intelligible to a native—

Maximum number of marks	...	...	...	60
Minimum number of marks	...	...	...	35

The minimum number of marks required to pass is as follows:—

By the Lower Standard	...	...	...	90
By the Higher Standard	...	...	...	185

III.—Officers of the Indian Forest Service shall also be required to pass in Urdu, and the foregoing rules as to Hindi shall apply to the examination in Urdu.

IV.—The examination in the optional language Marathi will be conducted as in the foregoing rules, the word "Marathi" being everywhere substituted for the words "Hindustani" and "Hindi."

The rewards obtainable by officers of the Indian Forest Service for passing the examination in Marathi will be at the following rates:—

- (a) Rs. 180 for passing the Lower Standard.
- (b) Rs. 180 additional for passing afterwards by the Higher Standard or Rs. 350 for passing by the Higher Standard in the first instance.

V.—Land Revenue.

V.—The examination in Land Revenue will be written, and will comprise not less than eight questions on the laws and subjects discussed in Baden-Powell's "Short Account of the Land Revenue and its Administration in British India," and an officer presenting himself for examination should be acquainted generally with the contents of the work, and should have acquired a detailed knowledge of them so far as they relate to the Central Provinces or Benar, as the case may be—

Maximum number of marks	...	...	...	120
Minimum number to pass	...	...	...	80

VI.—Forest Law.

VI.—The examination in Forest Law will be written, and will comprise not less than eight questions on the laws and subjects discussed in Baden-Powell's "Forest Law"—

Maximum number of marks	...	...	...	120
Minimum number to pass	...	...	...	80

VII.—Procedure and Accounts.

VII.—The examination in Procedure and Accounts will be written, and will embrace the Forest Code, the Civil Service Regulations and rules contained in the Chief Commissioner's Circulars regarding the general conduct of business in the Forest Department.

The use of books will be allowed.

Maximum number of marks	...	...	...	60
Minimum number to pass	...	...	...	40

H. C. GOWAN,

Under Secretary to the Chief Commissioner,

Central Provinces.

PART II.

Chap. VI.

(N. B.—But not less than 15 marks should be obtained for each paper.)

The minimum number of marks required to pass is as follows:—

By the Lower Standard	...	...	90
By the Higher Standard	...	...	185

III.—The examination in the optional language (Marathi) will be conducted as in the foregoing rules, the word "Marathi" being everywhere substituted for the words "Hindustani, Urdu and Hindi."

The rewards obtainable by officers of the Indian Forest Service for passing the examination in Marathi will be at the following rates:—

(a) Rs. 180 for passing the Lower Standard.

(b) Rs. 180 additional for passing afterwards by the Higher Standard, or Rs. 400 for passing by the Higher Standard in the first instance.

Land Revenue.

IV.—The examination will be written, and will comprise not less than eight questions on the laws and subjects discussed in Baden-Powell's "Short Account of the Land Revenue and its Administration in British India", and an officer presenting himself for examination should be acquainted generally with the contents of the work and should have acquired a detailed knowledge of them so far as they relate to the Central Provinces.

Maximum number of marks	...	...	120
Minimum number to pass	...	...	80

Forest Law.

V.—The examination will be written and will comprise not less than eight questions on the laws and subjects discussed in Baden-Powell's "Forest Law."

Maximum number of marks	...	...	120
Minimum number to pass	...	...	80

Procedure and Accounts.

VI.—The examination in Procedure and Accounts will be written and will embrace the Forest Code, the Civil Service Regulations and rules contained in the Chief Commissioner's Circulars regarding the general conduct of business in the Forest Department.

The use of books will be allowed.

Maximum number of marks	...	...	60
Minimum number to pass	...	...	40

(Revenue Secretariat letter No. 1535, dated the 17th August 1905.)

[No. 7881, dated Nagpur, the 5th December 1905.]

18. The language papers will be set by the Director of Public Instruction (General Secretariat letter No. 5483, dated the 18th April 1900), the other papers by the Conservator, as laid down in paragraph 20-II quoted above. It has been arranged with the Director of Public Instruction that the Vernacular papers set for reading shall be genuine forest *ar sis*, a batch of which will be sent to him under sealed cover, a few days before the examinations, by the Conservators for the candidates belonging to their respective Circles.

PART II.

Chap. VI.

19. The written answers of the candidates, together with a statement of the marks assigned for the oral test, and with a note of anything that seems to them to call for comment in the conduct of the examination, will be sent by the Local Committees to the examiners, *i. e.*, to the Director of Public Instruction in the case of the Vernacular test and to the Conservator of Forests for all other subjects. The examiners will assign marks to the candidates upon their written answers and submit their recommendations, with the reports of the Local Committees in their respective branches, to the Secretary of the Central Examination Committee for the approval of the Chief Commissioner. The names of successful candidates are published in the *Central Provinces Gazette*.

20. Conservators of Forests are required to—

- (1) intimate to the Commissioner concerned the name of any Forest Officer who intends to present himself for examination in Land Revenue, Forest Law and Procedure, and Accounts, or in Vernacular languages;
- (2) intimate to the Director of Public Instruction whether any Forest Officer intends to present himself for examination in the Vernacular languages, and in the event of any Forest Officer intending so to present himself, specify the language or languages in which the officer intends to present himself;
- (3) set the papers for Forest Officers in Land Revenue and Forest Law and Departmental Procedure and Accounts and forward them, under confidential cover, to the Commissioner of the Division concerned, so that they may reach that officer two days at least before the examination commences.

21. For the purpose of Article 1116 of the Civil Service Regulations the Chief Commissioner has decided (Revenue Department No. 4085, dated the 9th September 1897) that travelling allowances can be drawn only twice for the entire series of examinations, the examination in each subject not counting as a separate examination.

CHAPTER VII.—Confidential Reports on Work and Qualifications of Forest Officers.

PART II.
Chap. VII.

A.—Annual Reports on the Work and Capacity of Officers.

22. The procedure to be followed is fully described in the following extracts from General Secretariat Book Circulars:—

No. XLIX, dated 11th November 1900.

2. Reports on the work done by the uniformed officers during the calendar year preceding should be submitted on the 15th January of each year by the responsible authorities through the prescribed channels, so as to reach the Secretariat by the 15th February at latest:—

(9) Deputy Conservator of Forests.

(10) Assistant and Extra-Assistant Conservators of Forests.

The report should be in the form appended,¹ and a separate form shall be used for each officer in order that each officer's file may be kept distinct; and only printed forms (which can be obtained from the Superintendent, Central Jail Press, Nagpur), shall be used.

When an officer has worked in more districts than one during the calendar year for which reports are due, a separate report should be submitted regarding his work from each district in which he has served during any portion of the year in question.

4. * * * As regards the reports on officers noted in Nos. 6 to 10 of paragraph 2 above, Deputy Commissioners should send them direct to the Commissioner. * * * In the case of * * * a Forest Divisional Officer a blank form of report, with the heading duly filled in, should be sent by such officer to the Deputy Commissioner.

6. Commissioners will send complete * * * reports on officers in the * * * Forest Department to the Head of the Department concerned, who should add his opinion to that of the Commissioner of the Division and transmit it for the Chief Commissioner's information.

¹ See Appendix 4.

PART II.

Chap. VII.

8. If anything unfavourable is recorded regarding an officer reported on, and the unfavourable criticism refers to a defect or fault which it is in the power of that officer to remove, it is, as a rule, desirable, except in the case of the reports by officers other than immediate superiors, that defects observed should be pointed out to the officer reported on. Where this has been done, the passage which has been communicated must be underlined; if there is no underlining, it will be assumed that the remarks made have not been communicated to the officer concerned. If an officer has been previously informed of any defect or fault, the fact should be stated, and it should be noted whether any improvement has been observed by the reporting officer since this was done.

9. I am to say that all the reports prescribed by this Book Circular should be treated as confidential throughout, and to request that the Heads of Departments will be good enough to see that the reports due to them are received in time and are forwarded to the Secretariat by the dates fixed.

25. As the Forest year ends on the 30th June, these reports should be submitted by the officer making the first entry as soon as possible after that date.

24. Information in the form given as Appendix B must be submitted to the Secretariat in respect of every officer with the first confidential report on him (Secretariat letter No. 7871, dated the 11th November 1896).

B.—Confidential Reports regarding Fitness for Promotion to the Class of Conservator.

25. The procedure to be followed regarding these reports is fully explained and laid down in the following extracts:—

Revenue and Agriculture Department Circular Letter No. 11-F, dated the 5th June 1894.

The instructions conveyed by Section 35 of the Forest Department Code and by the Circular from this Department, No. 6-V, dated the 5th April 1893, respecting the submission of reports on the qualifications of officers of the Indian Forest Service for advancement to the class of Conservator, have not in practice been effectively carried out. The reports are forwarded at irregular intervals and the information conveyed in them is often meagre or imperfect, while the definite opinion of the Local Government on the claims or qualifications of the officer concerned is occasionally wanting. I am accordingly to circulate the following orders for future guidance.

1. The more senior officers of the Forest Department will, for the purpose in view, be ranged under three classes:—

- (i) Those who have been so strongly recommended by the Local Government or Administration that they have been definitely accepted by the Supreme Government as eligible for Conservatorships.
- (ii) Those in respect of whose qualifications there may be any doubt, including officers who have acted or are acting as Conservator on trial.
- (iii) Those who have been so unfavourably reported on by Local Governments that they have been definitely rejected as ineligible by the Imperial Government.

2. The confidential reports regarding officers who have been once authoritatively passed by the Government of India in class (i) or in class (ii) need only mention that fact and will not, unless there are in the opinion of the Local Government or Administration substantial grounds for reconsidering the previous decision of the Imperial Government, include any further remarks.

4. The qualifications of officers in class (ii) must be very fully examined. The opinions of responsible Revenue authorities as well as of the Conservator, should be quoted, and, if necessary, the former should, during the course of the year for which the report is made, institute special enquiries as to the character and work of the officer concerned. A decisive expression of the views of the Local Government itself should be added.

5. Officers in class (ii), i. e., whose qualifications are still under doubt, may be brought under two sub-heads:—

- (a) Those who are probably fit for a Conservatorship.
- (b) Those who are probably unfit, but who deserve a further trial.

6. The Government of India desire to make it clearly understood that no officer will be definitely accepted as eligible for a Conservatorship, unless he is recognised qualified to hold charge of any Forest Circle in India, including Burma. At the same time it may, and probably often will, be expedient to test an officer of doubtful capacity by trying him temporarily in a Conservator's charge of minor importance, or even for a short time in a more important charge, in which case a special watch over his administration should be kept by the superior Revenue authorities and by the Local Government concerned.

7. The confidential reports should, in future, be submitted to the Government of India by the 1st July in each year, and should deal with all officers of fifteen years' service and upwards. * In each succeeding annual report the names of officers of one year later will be added.

Revenue and Agriculture Department Circular Letter No. 19-F, dated the 15th September 1894.

* * * A separate form should be used for each officer reported on. Each report should be forwarded to this Department in duplicate, and * only one side of the form should be written on, as it is intended that the reports by Local Government shall be pasted on to the form kept up by the Government of India.

Revenue Secretariat Letter No. 4725, dated the 26th October 1894, to Conservators.

* * * The reports called for should be submitted to this office in the appended form * by the 15th June in each year.

2. The form should in the first place be filled in by you and then sent to the Deputy Commissioner of the district in which the officer in question is serving for his remarks. The Deputy Commissioner will send it on to the Commissioner of the Division, by whom it will be forwarded with his remarks to the Secretariat.

3. To enable the report to be transmitted to the Government of India by the prescribed date, the form should be sent by you to the Deputy Commissioner by the 1st June.

* See Appendix G.

PART II.

Chap. VIII.

CHAPTER VIII—Special to Subordinates.

26. Divisional Officers will submit half-yearly, on the 1st January and the 1st July or such other dates as the Conservator may direct, a return on the conduct and qualification of subordinates drawing Rs. 15 per month and upwards serving under them.

27. Divisional Officers will keep, always corrected up to date, a seniority list of all subordinates serving under them, who are in receipt of less salary than Rs. 15 per month.

Punishment of Subordinates: Right of appeal.

28. The following Book Circular No. XXXIII, dated the 16th August 1900, lays down the forms of punishment to be inflicted on members of the clerical and ministerial establishments as well as on menial servants:—

I am directed to inform you that under the orders of His Excellency the Governor-General in Council, the practice of punishing by the infliction of fine members of the clerical and ministerial establishments in Government offices is capable of abuse, and is an imperfect and incorrect form of punishment. It is accordingly requested that this form of punishment may be abandoned.

2. The forms of punishment that can, in the opinion of His Excellency in Council, be suitably resorted to for the maintenance of discipline among members of these establishments are official reprimand, addition to work, postponement of increment of pay, entry of misdemeanours in the Service Book, suspension, and, in the last resort, dismissal from the service of Government. Some of these forms of punishment involve a pecuniary penalty, and constitute therefore an indirect fine; but they are not fines in the common use of the term.

3. Sufficient attention has not perhaps as a rule been given to the expediency of making in the Service Book an entry regarding every fault of a serious nature. It is on the presence or absence of such entries and on their character that the decision whether the service of a Government servant employed in a clerical or ministerial capacity has or has not been satisfactory should largely depend. But unless a uniformity of practice in the matter of recording entries is maintained, there is a danger of want of uniformity in the treatment of these officials when their applications for pension come under consideration. The judicious exercise of this power will do much to ensure discipline, and the principle must be that, except in trifling cases, brief entry should invariably be made in the Service Book under the personal supervision of the head of the office.

4. I am to explain that the orders of the Government of India are not intended to apply to the case of menial servants, among whom are included process-servers and peons, for whom there is no other very suitable means of punishment for petty carelessness, unpunctuality and illtemper, and whose position is very similar to that of domestic servants. It need hardly be said, however, that frequent and excessive fining of menial servants is improper.

29. The manner of holding an enquiry into the misconduct of public servants is prescribed by General Secretariat Book Circular

PART II.

Chap. VIII.

No. XIV, dated the 8th May 1899, quoted below, which also regulates the right of appeal against punishments awarded at the conclusion of such enquiry.

2. * * * * * After carefully considering the matter, the Chief Commissioner is pleased to make the following rules:—

I.—All subordinate officials on whom departmental punishments are inflicted shall have the right of appealing once, viz., to the authority immediately superior to the officer who passed the order of punishment.

II.—A subordinate official drawing a salary of less than Rs. 25 a month shall have no right of second appeal.

III.—A subordinate official drawing a salary of not less than Rs. 25, but less than Rs. 50 a month, shall have a right of second appeal only if the second appeal lies to an authority subordinate to the Local Administration, and shall have no right of second appeal to the Local Administration.

3. The Chief Commissioner takes this opportunity of once more drawing attention to the orders which issued from time to time laying down that in all cases of dismissal or severe departmental punishment of public servants, except in consequence of facts or influences elicited at a judicial trial, or when persons have absconded with an accusation over their heads, the order should be preceded by a properly recorded quasi-judicial enquiry, the charges being clearly set forth in writing; full opportunity being given to the accused person to give his explanation, which must be either taken in or reduced to writing, and the final decision being also in writing and stating the grounds upon which it is based.

The orders have dealt mainly with the case of dismissal, but they are equally applicable to all cases which may lead to severe departmental punishment, and they must be strictly observed, more especially now that the right of appeal is being restricted.

30. In cases where the period within which Conservators are authorized to receive appeals from the orders of their subordinates is not regulated by law, such appeals should ordinarily be rejected if not made within one month from the date of the order appealed against. Conservators have, however, a discretionary power to depart from this rule.

31. The Chief Commissioner having at times experienced some difficulty in dealing with appeals from orders removing or dismissing officers from the public service in consequence of the absence of the service and character books of the appellants from the records of the cases submitted to him, desires that, when service and character books are maintained under the rules of the service, they should invariably be forwarded for his inspection, together with the memorials appealing against removal or dismissal. (Chief Commissioner's Book Circular No. XX, dated the 9th July 1902.)

32. A return of enquiries completed during each month with the result thereof will be submitted punctually by Divisional Officers to the Conservator immediately after the close of the month in the form given in Appendix 7.

PART II.**Chap. III.****Proscription.**

23. Orders regarding the proscription from re-employment of dismissed subordinates are contained in Book Circular No. XXIV, dated the 26th October 1891:—

2. These orders apply to persons drawing at the time of dismissal a salary of not less than Rs. 10 per mensem, and who have been dismissed (1) in consequence of having been judicially convicted of an offence, or (2) for grave misconduct after the prescribed departmental enquiry.

3. As regards (1), it may be noted that, under standing orders (Book Circular No. XLII of 1898), whenever a Government official is judicially convicted of any offence, a copy of the decision has to be sent to the Head of the Department in which he is employed in order that such action in the case as may be deemed proper may be taken at once. The Chief Commissioner now directs that if, after the conviction has become final, it appears to the Head of the Department that the official concerned should be declared incapable of re-employment, the Head of the Department should submit the case for the orders of the Chief Commissioner, with a copy of any material papers (if such are not submitted in original) and his remarks and opinion.

4. The procedure in the case of persons dismissed for grave misconduct after departmental enquiry should be similar. The officer ordering dismissal should consider whether the circumstances of the case are such as to render the proscription of the offender desirable in the public interests. If they are such, he should report the case, with the material papers and his remarks and opinion, through the usual channel, for the orders of the Chief Commissioner.

34. In accordance with Home Department letter No. 10-Pub.—922, dated the 15th June 1895, the proscription will be effected by the publication in the Gazette by the Local Government of an ordinary notification of dismissal, the reasons for dismissal not being therein stated.

Re-employment of Servants dismissed, but not proscribed.

35. A person dismissed (but not proscribed) from one Department shall not be employed in the same or another Department except with the consent of the Head of that Department or of the Commissioner of the Division, as the case may be (Book Circular No. XXIV, dated the 8th July 1893).

Employment of Subordinates belonging to another Department.

36. By Government of India, Finance and Commerce Department Resolution No. 2255-P, dated the 15th May 1899, and Chief Commissioner's Book Circular No. XVIII, dated the 19th June 1899, Heads of Offices are prohibited from employing officers belonging to other establishments without the previous consent of the officers on whose establishments they are already borne.

Service Books.

37. All entries in the service books will be made in English.

Fide amendment No. 127 on page 84 of Book Circular III-28.

38. When the year of birth of an officer is known, but not the exact date, the 1st July will be treated as the date of birth for the purpose of determining when he should be held to attain the age of 55 years (Book Circular No. XLIS, dated the 16th November 1896). When the year and month of birth are both known, but not the exact date, the 15th day of the month will be treated as the date of birth for the above purpose.

PART II.

39. When the space in one Service Book is not sufficient to continue further entries, a fresh Service Book should be used (Comptroller, Chap. VIII, Central Provinces, No. C. I.-2460, dated the 5th June 1905).

40. No payment of salaries should be made till the service books are written up.

41. As, owing to the Forest Department not being yet fully organized, temporary appointments are constantly being made permanent, and great difficulty has on that account been experienced every year in verifying the services of men applying for pension or gratuity, service books should also be maintained for men holding temporary appointments.

Character Rolls

42. The following extract from General Department Book Circular No. XLII, dated the 23rd December 1898, applies to the Forest Department:—

4. * * * * A character roll in the form annexed¹ will be maintained for * * * all officials, executive or ministerial, drawing Rs. 30 per mensem and over. * * * The Chief Commissioner however leaves it to Heads of Departments to open rolls for officials on lower pay than Rs. 30, if they see fit to do so. In the case of such officials the entries would probably be more and less; but as many of these will doubtless rise in the service, a continuous record from the beginning would be useful. In any case a character roll must be started as soon as a man is promoted to Rs. 30, and should summarise previous character. These rolls do not apply in the case of officiating * * * officers, regarding whom special confidential reports² have to be submitted.

5. The character roll consists of a separate set of pages for each official, which will follow him on transfer. One objection to a loose character roll is that if the record is lost the official concerned can often arrange to have it lost. For this reason the Head Clerk should be held personally responsible for the safe custody of the rolls as well as for their maintenance. The rolls will not be confidential. They should be treated as an ordinary record, but kept under lock and key, and extracts therefrom should only be given on the express order of an authority not inferior to a Deputy Commissioner or Head of a Department.

6. The character rolls should be treated as appendages to the service books, with which they will as nearly as possible correspond in size and shape, being distinguished from them by a different coloured cover. The service book and character roll should invariably be kept together to form a pair, and should go with the official concerned on transfer. The service book has frequently to be taken out on occasions when the character roll is not required; but it should always be put back in its place with the roll belonging to it. In the event of transfer to foreign service in a Feudatory State, while the service book would remain in the custody of the Head of the Office or Department, the character roll should be sent to the Political Agent, who should keep it and write it up on occasion during the period of foreign service. But wherever the two records should never be separated for any length of time.

7. Attention is invited to the instructions given on the third page of the character roll. As therein directed, the * * * Head of the Department should note his opinion in these sheets in the beginning of April in each year. He should also do so before retiring.

(1) Blank forms are obtained from the Superintendent, Central Jail, Nagpur.

(2) Officiating Extra-Assistant Conservators—see paragraphs 8 and 25 above.

PART II.

Chap. VIII.

quishing charge * * * , unless he has recently done so under the preceding rule, provided, in each case, that he has held charge for more than three months. Special entries on special grounds may also be made at any time.

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No. 39, dated the 22nd August 1910.

Page 82, para. 44, Rule 1.

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No. 46, dated Nagpur, the 13th March 1911.

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Page 82, paragraph 43.—Add the following at the end of the paragraph:—

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Defaulter sheets should be maintained in respect of those officials who have no character rolls.

J. HULLAH

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Under Secretary to the Chief Commissioner,

Central Province

Rule 1.—All range officers and all officers in charge of the disbursement of money, and all head clerks and clerks, clerks, employed thereon.

No. 82, dated Nagpur, the 8th April 1914.

PAGE 64.

In column 3 substitute "Mohdi" for "Singhpur" as the headquarters of the Singhpur Range of the Raipur Division.

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

Govt. Press, Nagpur:—No. 207, Civil Scott.—29-4-14—510.

amount ultimately held by the Government as cash security may exceed the limits fixed by Rule 11.

No money which is not intended to form part of the cash security of a depositor will be included in his security deposit account.

* See paragraph 51 below.

PART II.

Chap. VIII.

quishing charge * * *, unless he has recently done so under the preceding rule, provided in such case that he has held charge for more than three months. Special entries on special grounds may also be made at any time.

8. In every office what may be called an educational character book should be maintained, in which the undersigned head of the office should enter on a separate page for each clerk regarding whom entries have to be made all minor offences, places of absence, disobedience, or good work, as they come to notice. The * * * Head of the Department should write his opinion in the character roll with this record before him, which may then be cancelled or destroyed as having served its purpose. It is not fair to place isolated and petty offences upon permanent record against a man. But a note of them is of great use to the * * * Head of the Department in judging of the year's work.

43. Character rolls will be maintained for the following officials without limit of salary:—Head Clerks, Peethi Muharrirs, Range Officers and Range Assistants. For all these men there will be a single ephemeral character book, which will be kept up under the direct orders of the Divisional Officer, entries of punishments being made from the Monthly Return of Punishments (see paragraph 32 above).

Security to be furnished by Non-Gazetted Officers.

44. The following special rules, defining the procedure to be followed with reference to the cash securities taken from Subordinates and Clerks in the Forest Department, have been prescribed by Revenue Secretariat letter No. 4939, dated the 1st November 1899 [see also Forest Department Code, Article 150 (d)]:—

Rule I.—All Range Officers and other subordinates entrusted with the receipt and disbursement of money, and all head clerks and camp clerks, provided they do not form personal security under the orders contained in Chief Commissioner's Book Cases Nos. II and XIV, dated respectively the 16th February 1891 and 28th April 1891, will give cash security which will be deposited in the Post Office Savings Bank and subject to the rules for the time being governing security deposit accounts received at the Post Office (also see Rule XII).

Rule II.—The amount of security to be furnished by each person will be as under:

Range Officers	...	...	Rs. 500
Range Assistants	...	...	" 250
Other subordinates	...	...	" 200
Clerks	...	...	" 100

Rule III.—The amount of security to be furnished will, unless the person is willing to pay it in larger instalments, be recovered from him by monthly deductions equal 10 per cent. of salary, to which will also be added the interest accruing on the cash deposit. When the full amount to be recovered has been thus made up, default from salary will cease, but any interest thereafter accruing before the amount is cleared under Rule XII will be added on to the account pledged to Government. The amount ultimately held by the Government as cash security may exceed the limits fixed by Rule II.

No money which is not intended to form part of the cash security of a depositor will be included in his security deposit account.

* See paragraph 51 below.

PART II.

Chap. VIII.

Proviso.—Provided that if a Forest Guard is in charge of a depot, and his money transactions are limited to the realization of small sums for sales from that depot, it will suffice if he furnishes security of Rs. 50 as follows:—

He should furnish cash security of Rs. 50 in a single payment, or by monthly deductions from his pay of not less than one rupee, till the above amount has been completed, or give a security bond, executed by some person of known respectability and solvency, for his good and honest conduct in the following form:—

"I know A. B. to be an honest man, and I agree to forfeit Rs. 50, if called upon to do so, should he be proved to the Conservator's satisfaction to have embezzled Government money."

Rule IV.—A complete register of all security deposit accounts will be maintained and kept up to date in the Divisional Office in a bound book in annexed Form A¹, the names of the depositors being arranged in alphabetical order. A copy of this Register for the current year will form part of the four records of the Divisional Forest Officer.

Rule V.—The total amount of security deposits to be deducted from the pay of the establishment should be remitted to the Post Office by a cheque in favour of the Postmaster, along with a nominal list prepared in the annexed Form B² of the various deposits to be made, and should be held under A. R. against the Range Officer, who should disburse the pay of the officials across the amount of security deposit already remitted, and charge the gross amount in their accounts by credit to A. R. Any portion of the amount of the cheque which cannot for any reason be accepted in deposit, and is in consequence returned by the Postmaster, will be at once entered on the debit side of the Divisional Office cash book and added to the Divisional Office cash balance.

Rule VI.—Before leaving a cheque in accordance with Rule V, the Divisional Forest Officer will satisfy himself by inspection (a) of the list to be sent to the Postmaster in accordance with Rule V, (b) of the register prescribed by Rule IV, and (c) of the pay bills, (1) that the list to be sent to the Postmaster is complete, (2) that the amounts of the deductions are correct, and (3) that the deductions made from men recently transferred, whose pass books have not yet been received in his office, have not been included in the cheque (see also Rule VIII below).—

Rule VII.—Once a quarter, on the 1st January, 1st April, 1st July and 1st October, a return in the annexed Form C³ will be sent to each Range Officer, showing the amount standing to the credit of each individual serving in the Range from whom cash security is taken. Should any one question the correctness of his account, the Range Officer will at once make the necessary reference to the Divisional Officer.

Rule VIII.—In regard to those men whose pass books, owing to their recent transfer, have not yet been received from their previous Division, the usual deduction for security deposit will still be made by the Range Officer from the pay of these subordinates and credited to A. R., but in the Divisional Office this amount would be shown accurately detailed on the debit side under "Deposit" by holding it under A. R. against the Range Officers concerned. On receipt of the pass books, they will be sent to the Post Office by cheque, the two resulting entries, one on each side of the cash-book, being duly recorded.

When any one is transferred to another Division, his security deposit pass book will be sent without unnecessary delay, along with his last pay certificate, to his new Divisional Forest Officer. Serious notice will be taken of failure to comply with this rule.

Rule IX.—In the case of men absent on leave, the several deductions overdue from them on account of security will be made on the first occasion on which their arrears of pay are disbursed.

Rule X.—When a pass book of any depositor is complete, the Postmaster will be asked officially in writing to open a new one, transferring to it the amount of the used-up book. On no consideration whatsoever will the amount of the latter be withdrawn and then paid back into the Post Office in order to start a new account. There will thus be no handling of money in beginning a new pass book.

¹ See Appendix 8.

² " " " 9.

³ " " " 10.

PART II.**Chap. VIII.**

No individual will have more than one security deposit account, and consequently a new pass book will not be started until the pass book in use is quite filled up.

Rule XI.—In the event of a depositor being transferred to a post to which no responsibility in respect of money is attached, further deductions from salary in accordance with Rule III will cease, but the amount in deposit will continue to be pledged to Government.

Rule XII.—As soon as the amount in deposit is sufficient, Government paper of the nominal value of Rs. 500, 200, or 100, as the case may be (see Rule II), should be bought and left in the custody of the Comptroller-General, the balance of the account, if any, being refunded to the depositor, who will also receive the interest accruing on his paper.

The procedure to be followed for the purchase of Government paper is fully described in Article 169 of the Civil Account Code, and is briefly as follows:—

The Forest Divisional Officer should obtain in favour of the Comptroller and Auditor-General a Remittance Transfer Receipt (See Article 142-1 (IT) of the Civil Account Code) for the amount of the market value (as published in the daily newspapers) plus 5 per cent to cover any payment that may be necessary for interest due on the notes as well as the commission of 1½ per cent in addition to any actual outlay on brokerage, which is charged by the account officer for purchase and sale of Government Promissory Notes (vide Article 170, Civil Account Code). The Remittance Transfer Receipt and the application for the purchase should be forwarded to the Comptroller and Auditor-General, Calcutta, who will arrange for the purchase. He will keep the notes when purchased in his custody, sending due intimation thereof (vide Treasury Manual, paragraph 2).

The application should show the following details:—

- (1) Whether the investment is to be in the 3 per cent or 3½ per cent paper.
- (2) Nominal amount of investment.
- (3) Total amount for which Remittance Transfer Receipt is forwarded.

Place

Date

Signature and designation of Officer.

Rule XIII.—As the maximum limit fixed by the Postal Department for any security deposit account is Rs. 500, when the account of any individual whose salary exceeds Rs. 50 has, with accumulated interest, approached that limit, the Forest Divisional Officer should withdraw Rs. 400, plus 5 per cent for payment of interest, &c., and then follow the procedure for the purchase of Government Promissory Notes as laid down in clause 2 of Rule XII above. The interest will, in accordance with Rule III, be paid into the Post Office to the security deposit account of the official concerned.

Rule XIV.—All correspondence and other papers connected with the subject of security deposits will be signed by the Divisional Forest Officer alone, and never, under any circumstances, by any clerk; and applications for withdrawal of money will be written up entirely by the Divisional Forest Officer himself.

45. The following extract from Circular No. 41-42, dated the 28th November 1900, from the Deputy Postmaster-General, Central Provinces and Berar, to all Postmasters, prescribes the grant of a special acknowledgment receipt in the form referred to in Rule V of paragraph 47:—

In accordance with Rule V of the rules for regulating the procedure to be followed with reference to the cash securities taken from subordinates and clerks in the Forest Department, sums to be deposited as security furnished by officials of the Forest Department in the Central Provinces will in future be sent to the Post Office accompanied not only by the pass books, but also by a list prepared in duplicate showing in detail the amount to be credited to each account and the total amount to be deposited on the occasion.

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PART II.**Chap. VIII.**

No individual will have more than one security deposit account, and consequently a new pass book will not be started until the pass book in use is quite filled up.

Rule XI.—In the event of a depositor being transferred to a post to which no responsibility in respect of money is attached, further deductions from salary in accordance with Rule III will cease, but the amount in deposit will continue to be pledged to Government.

Rule XII.—As soon as the amount in deposit is sufficient, Government paper of the nominal value of Rs. 500, 300, or 100, as the case may be (see Rule II), should be bought and left in the custody of the Comptroller-General, the balance of the account, if any, being refunded to the depositor, who will also receive the interest accruing on his paper.

The procedure to be followed for the purchase of Government paper is fully described in Article 109 of the Civil Account Code, and is briefly as follows:—

Amendment to the Central Provinces Forest Manual.

No. 47, dated the 14th June 1911.

Page 84.—Add the following as Rule XV under paragraph 44:—

Rule XV.—The final withdrawal of a security deposit will ordinarily be permitted when the depositor vacates his office, but the Conservator of the Circle concerned is authorized to withhold withdrawal for a period of six months, should he deem it desirable to do so in the interests of Government.

K. L. B. HAMILTON,

*Under Secretary to the Chief Commissioner,
Central Provinces.*

Govt. Press, Nagpur:—No. 694, Civil Sectt.—17-6-11—550.

Amendment to Chapter VIII, Part II, of the Central
Provinces Forest Manual.

(2ND EDITION.)

No. 34, dated Nagpur, the 1st March 1910.

PAGE 85.

Add the following as paragraph 48-A:—

48-A. Every Forest subordinate, of whatever rank or class, who according to the regulations is expected to furnish security at all, must at once either pay cash security in full or be required to provide personal security to the full amount applicable to his rank or class. Such personal security must remain in force until his instalments of cash security have reached in the aggregate the total prescribed amount; where personal security alone is permitted it must remain in force throughout tenure of the appointment.

Paragraph 49.—Delete the word "such" before the words "personal sureties" in the last line of this paragraph.

B. P. STANDEN,

Chief Secretary to the Chief Commissioner,

Central Provinces.

PART II.

Chap. VIII.

2. In receiving the deposits the Postmaster should, when comparing the pass books with the journal, at the same time carefully compare the entries in the list with the entries in the pass books and sign the list in the space provided for the purpose. The duplicate portion of the list should then be returned with the pass books, and the original kept on record.

Director-General's letter No. 2899-C, dated 11th November 1900.

46. The lien of Government on the security deposits is thus defined by paragraph 4 of Book Circular II, dated the 16th February 1891:—

The Chief Commissioner is now pleased to direct that money deposited as security in the Savings Bank by an official is liable to forfeiture for any misconduct, act or omission on the part of that official in virtue of his official position, which involves loss of money either to the Government or to any person. He also directs that notice of this order be given to all officials by entry thereof in all Service Books, and that acceptance of its terms be a condition of employment in the Government service.

47. The entry to be made in the Service Book is as under. In the case of Service Books opened before the above order was issued a slip of paper on which this condition has been printed will be pasted on the inside of the cover:—

Money deposited in the Savings Bank as security for the proper discharge of his official duties by the official to whom this Service Book is issued is liable to forfeiture for any misconduct, act or omission on his part in virtue of his official position which involves loss of money either to the Government or to any person. This is a condition of his employment in the Government service.

48. The taking of personal security referred to in Rule I given under paragraph 45 above is regulated by Book Circular No. XIV, dated the 28th April 1895, from which the following relevant extract is made:—

II.—From instances that have from time to time come to the notice of the Chief Commissioner it seems to him that this latter rule (taking of cash security by monthly deductions from salary) in practice causes hardship and inconvenience without corresponding practical advantage. In the case of persons drawing small salaries the deductions ordered in some cases are likely to involve officials in debt, and thereby promote, rather than check, defalcations.

III.—The Chief Commissioner has come to the conclusion that some relaxation in the direction of allowing personal security should be made; and he is pleased to issue the following instructions:—

- (1) Officials drawing not more than Rs. 30 per mensem may be permitted to tender personal instead of cash security.

49. The Conservator will in each case decide whether personal security may be taken, and the Divisional Forest Officer will, on the 1st April of each year, send a certificate to the Conservator that he is satisfied of the continued solvency of all such personal sureties.

50. Pensioners of the Native Army are exempted from the payment of money security when employed in Government departments in the capacities of peons, messengers, treasure guards, chowkidars, &c. (Book Circular No. XLIII, dated the 27th October 1900).

PART II.

Chap. VIII.

Travelling allowances.

51. Deputy Rangers are on the same footing as Foresters in regard to the Civil Service Regulations (Comptroller and Auditor-General's Circular letter No. 314, dated the 18th May 1900).

52. Dāk-runners, being employed and paid expressly for the purpose of carrying dāk from one place to another, are not entitled to any travelling allowance except actual fares by rail, boat or steamer (Comptroller and Auditor-General's letter No. 129, dated the 28th April 1900).

53. The following rules are special to these Provinces:—

(i) Peons accompanying the Conservators receive a daily allowance of 2 annas [Civil Service Regulations, Article 1063 (c), and Secretariat Circular letter No. 1, dated the 8th January 1894].

(ii) Rangers, Deputy Rangers and Foresters in charge of ranges receive a fixed monthly allowance of Rs. 20, Rs. 17-8-0, Rs. 15 or Rs. 12-8-0 according as the range concerned belongs to Class I, II, III or IV (Revenue Secretariat letter No. 2341, dated the 5th July 1891). The above classes are based on the importance of the range and the labour involved in inspections, and the following is a list of all the ranges thus classified:—

Division,	Ranges in class.			
	I.	II.	III.	IV.
<i>Northern Circle.</i>				
Mandla	Shahpura, Dindori.	Mandla, Motinala.	Jagmandal, Banjar.	
Jubbulpore			Dhanuahi.	Murwar, Sikora, Jubbulpore, Bargi.
Damoh			Northern, Central, South-Western, South-Eastern.	
Rangor			Banda, Saugar, Deori, Behli.	Khawal.
Narsinghpur			Bachai.	Richhai, Elairi.

PART II.

Travelling allowances.

Chap. VIII.

51. Deputy Rangers are on the same footing as Foresters in regard to the Civil Service Regulations (Comptroller and Auditor-General's Circular letter No. 314, dated the 19th May 1900).

52. Dāk-runners, being employed and paid

Amendment to the Central Provinces Forest Manual.
(Second Edition.)

No. 73, dated Nagpur, the 12th September 1913.

Page 86—paragraph 53 (ii). In the statement given there—
under substitute the following entries for those relating to Mandla,
Jubbulpore and Narsinghpur Divisions:—

Division.	Ranges in Class.			
	I.	II.	III.	IV.
North-Mandla	...	Mandla. Shahpura. Saristat.	Dhanwahi.	...
South-Mandla	...	Motmala. Dindori. Karanjia.	Jagmanlal. Banjar.	...
Jubbulpore & Narsinghpur.	Bachal.	Murwara. Sihara. Jubbulpore. Bargi. Richai. Khairi.

E. GORDON,

Under Secretary to the Chief Commissioner,
Central Provinces.

Amendment to the Central Provinces Forest Manual
(Second Edition).

No. 61, dated Nagpur, the 23rd July 1912.

PAGE 87, PARAGRAPH 53.

Against South Chanda Division, delete "Cherla" from column IV.

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ly, delete

K. L. B. HAMILTON,

Under Secretary to the Chief Commissioner,

Central Provinces.

ier,
rovinces.

Post. Press, Nagpur:—No. 869, Civil Sectt.—25-7-12—550.

No. 11, dated the 2nd July 1908.

Page 87, paragraph 53.

Against North Chanda Division add "Wairagath" immediately below "Brahmapuri" in column 4 and omit "Wairagath" from column 5.

H. C. GOWAN,

Under Secretary to the Chief Commissioner,

Central Provinces.

ain-
omit

Page 87, paragraph 53.—In column 2 against the Bilaspur Division for "Lormi" substitute:—

East-Lormi.
West-Lormi.

Amendment to the Central Provinces Forest Manual
(2nd Edition).

No. 16, dated Nagpur, the 4th September 1908.

PAGE 87, PARAGRAPH 53.

In column 1 against Nagpur-Wardha Division add "Hingni" immediately below "Kondhali".

C. J. IRWIN,

Under Secretary to the Chief Commissioner,

Central Provinces.

PART II.

Chap.
VIII.

Divisions	Ranges in Class			
	I.	II.	III.	IV.
<i>Northern Circle—(Concl'd.)</i>				
Bhindwara	Semr. Kajabharati	Solapur	Beri	Hoshangabad.
...	Kherol.	Nerbada.	Ganginala. Ugh. Chhapora. Ghatia.	.....
Bhindwara	.....	Silwan Ghat.	Sark. Umroth. Amroth. Amroth.	.....
<i>Southern Circle.</i>				
Bhindwara	Bairat. Parnawana. Dharsana. Sonawati. Bairat.	Looji.	.....	.....
Bhindwara	Gairat.	Bawantthi. Bawantthi Bawantthi	.....	Lakhna. Pandi.
Bhindwara	Lorai.	Kanjatthi-Pan- tera.	Sankhla.	.....
North Chanda.	Mcbarri.	Warra.	Haveli. Dinda. Gunjewati. Beshwagari.	Wairagari.
South Chanda.	.....	Ahri. Ghat.	Sironchi.	Chela.
Nagpur-War- da.	East Panch. Arvi. Kondhali.	.....	West Panch. Umro.	.....
Rajpur	.....	North-Sihawa. Batal.	Laon. Siron-Khalleri. Batal-Sihawa. Dhantari.	Singhpur.

PART II.

Chap.
VIII.

- (iii) The power to pass travelling allowance to forest subordinates in inferior service for jurneys on transfer is delegated to the Divisional Forest officers for transfers within their respective Divisions.
- (iv) Divisional Officers have by delegation the power of countersigning on the Conservator's behalf the travelling allowances bills of members of the executive, protective and office staff serving under them (Revenue Secretariat letter No. 5549, dated the 13th December 1894).
- (v) The Officers in charge of the Tarapati and Jambupani Sub-Ranges of the Burhanpur Range, Nimar Division, receive a fixed travelling allowance of Rs. 5 each (Revenue Secretariat letter No. 1159, dated the 15th March 1900).
- (vi) Rangers who are Working-plans Inspectors, and have consequently to travel over all the ranges of the Division in which they are respectively serving, are permitted to draw the daily allowances and mileage rates to which their rank entitles them.
- (vii) The power to sanction actual expenses of keeping up camp equipage by superior officers in charge of Divisions during a halt at head-quarters is delegated to Conservators [Civil Service Regulations, Article 1659].

Carriage of Records.

54. Working-plans Inspectors are allowed one camel at Government expense for the carriage of their camp office furniture and records.

55. Range Assistants, as they do not draw travelling allowances, are allowed to hire a coolie for the carriage of their records whenever they make a march accompanied with their records. This is to obviate resort to *begar*.

Carriage of Provisions.

56. For carriage of supplies for the Establishment in the Tarapat, and Jambulpani Sub-Ranges of the Burhanpur Range, Nimar Division, Rs. 5 per mensem may be spent during the 8 months of the open season, viz., from the 1st November to the 30th June (Revenue Secretariat letter No. 1033, dated the 25th March 1898).

Rules regarding employment in ministerial and menial service in the Central Provinces.

57.—The following rules are prescribed by Book Circular No. X, dated the 15th June 1903:—

- (1) Every candidate for employment in the ministerial service must furnish satisfactory evidence:—
- (a) That he is not over 25 years of age.

PART II.

Chap.
VIII.

- (iii) The power to pass travelling allowance to forest subordinates in inferior service for journeys on transfer is delegated to the Divisional Forest officers for transfers within their respective Divisions.
- (iv) Divisional Officers have by delegation the power of countersigning on the Conservator's behalf the travelling allowance bills of members of the executive, protective and office staff serving under them (Revenue Secretariat letter No. 5549, dated the 13th December 1894).
- (v) The Officers in charge of the Tarapati and Jambupani Sub-Ranges of the Barhanpur Range, Nimar Division, receive a fixed travelling allowance of Rs. 5 each (Revenue Secretariat letter No. 1159, dated the 15th March 1900).

**Addendum to the Central Provinces Forest Manual
(2nd Edition).**

No. 17, dated the 11th September 1908.

Page 88.—*Insert the following as paragraph 56-A:—*

56-A. For transport of supplies for the establishment in the Banjar Reserve of the Mandla Division an expenditure of Rs. 5 per mensem may be incurred. (*Forest Department letter No. 857-XIV-2-13, dated the 13rd September 1908.*)

W. E. LEY,

Under Secretary to the Chief Commissioner,

Central Provinces.

58. For carriage of supplies for the Establishment in the Tarapat, and Jambupani Sub-Ranges of the Barhanpur Range, Nimar Division, Rs. 5 per mensem may be spent during the 8 months of the open season, viz., from the 1st November to the 30th June (Revenue Secretariat letter No. 1038, dated the 25th March 1898).

Rules regarding employment in ministerial and menial service in the Central Provinces.

57.—The following rules are prescribed by Book Circular No. X, dated the 15th June 1903:—

(1) Every candidate for employment in the ministerial service must furnish satisfactory evidence:—

(i) That he is not over 25 years of age.

- (b) That he is of sound health and good physique, and has been successfully vaccinated or has had small-pox.

- (c) That he is of good character.

PART II.
Chap.
VIII.

Evidence on all these points should, as a rule, be furnished by men appointed to act temporarily, and must be furnished prior to appointment or within a month of appointment when the officiating appointment is likely to lead to permanent employment.

- (2) Every candidate for employment in superior service must furnish satisfactory evidence that he has passed the School Final Examination or the High School Examination for European Schools or the Senior Commercial Examination of the London Chamber of Commerce.
- (3) Every candidate for employment in inferior service must furnish a school certificate of his proficiency and conduct.
- (4) An officer in inferior service shall not be promoted to superior service unless he is eligible under Rule 2 for direct appointment to superior service.
- (4)-A. All appointments shall, in the first instance, be for six months, at the end of which period the Head of the office shall satisfy himself by a test examination or otherwise, that the nominee has acquired the special qualifications necessary for his work. If at the end of one year from first appointment the probationer has failed to qualify, he shall be liable to dismissal.
- (5) In making appointments in ministerial service to posts for which a knowledge of the vernacular is required, preference will be given to candidates who are able to read, write and speak the vernacular with ease and fluency.
- (6) Seniority in itself shall give no claims to promotion in ministerial service. Promotion shall depend on seniority combined with efficiency and an aptitude for particular kinds of work.
- (7) The dismissal of a ministerial officer may for good reason be ordered by the officer having the power of appointment to the post which the ministerial officer in question holds or by any officer in authority over the appointing officer. A ministerial officer must not be dismissed until enquiry has been held in accordance with standing orders on the subject.

PART II.

Chap.
VIII.

- (8) No educational qualification is required of candidates for menial employment, but they should satisfy the conditions of clauses (a), (b) and (c) of Rule I.

Knowledge of Hindi.

58. The Nagri character will be used in all official proceedings which are conducted and recorded in Hindustani (Chief Commissioner's Book Circular No. V, dated the 29th January 1889). Accordingly all Range Officers and Range Assistants must be able to conduct their vernacular correspondence in that character.

59. Ability to read and write Hindi with ease is a very useful qualification for English clerks, especially those belonging to Divisional Offices, and the possession of such qualification will always be considered in a man's favour when promotions are to be given.

Employment of Foreigners.

60. The employment of foreigners is regulated by Circular No. 3, dated the 18th February 1878:—

In Circular No. 7, dated the 21st March 1877, attention was drawn to the repeated orders of the Chief Commissioner pointing out the policy and justice of employing natives of the Central Provinces in the public service, in preference to foreigners, and lists were called for showing the appointments made during the year 1876.

2. These lists have now been received and they show that, while in some cases foreigners have been, perhaps without sufficient reason, appointed, yet generally the directions of the Chief Commissioner have been complied with. The Chief Commissioner hopes that this subject will continue to receive your particular attention.

3. I am to request that in future the previous sanction of the Commissioner of the Division or Head of the Department may be obtained by any officer subordinate to him desirous of employing any foreigner in the public service.

The English Language alone to be employed in certain cases.

61. The following will invariably be written in the first instance in the English language (Revenue Secretariat letter No. 2348, dated the 26th June 1900):—

- (a) Orders of appointment, suspension, fine, reduction, dismissal.
- (b) Orders granting leave.
- (c) Quasi-judicial enquiries held directly by Divisional Officers into the misconduct of subordinates, and, in case the enquiry has been held by some one else, the order passed by the Divisional Officer.

Amendment to Central Provinces Forest Manual. (Second Edition).

PART II.

Chap. IX.

No. 43, dated the 15th February 1911.

PAGE 91.

Paragraph 62.

After the entries against Assistant and Extra Assistant Conservator of Forests, insert the following under the heads noted.

Designation of officer.	Sanctioned scale.	Cost.
		Rs. a. p.
Instructor of the Vernacular Forest School, Balaghat.	Two Hill tents, 12' x 12' (as for Forest Divisional Offices in all respects).	911 8 0
	Two Bath-rooms, 6' x 6' x 6' with pent roof.	104 0 0
	Two Necessary tents, 4' x 4' ...	64 0 0
	Two Servants' pals, 12' x 12' ...	144 0 0

J. HULLAH,

*Under Secretary to the Chief Commissioner,**Central Provinces*

Govt. Press, Nagpur.—No. 2271, Civil Sectt.—20-2-11—550.

Working-Plan Inspector.	1 Servant's pal, 12' x 12'	72 0 0
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63. Purchase of tents of different sizes or descriptions to those prescribed above will under no circumstances be allowed, even though the cost may be within the sanctioned scale.

64. When not in use, the tents will be carefully preserved and frequently examined and aired.

CHAPTER IX.—Camp Equipage.

PART II.

Chap. IX.

Tents.

62. The scale of tents sanctioned for Forest Officers in accordance with Article 1042 (a) of the Civil Service Regulations is as under:—

Designation of Officer.	Sanctioned scale.	Cost.		
		Rs.	s.	p.
Conservators of Forests.	2 Single-poled tents, 15' x 15', with 2' boots, division curtains, and verandah dummies	1,720	0	0
	2 Bath-rooms, 6' x 6' x 6', with peat roof	204	0	0
	2 Necessary tents, 4' x 4'	64	0	0
	1 Swiss cottage tent, 18' x 18', with square ends, verandah and bath-room dummies, and verandah chairs.	501	0	0
	3 Servants' pals, 12' x 12'	216	0	0
	Note.—Instead of the Swiss cottage tent a Shamiana, 18' x 18', may be supplied at a cost of Rs. 430.			
Forest Divisional Officer.	2 Hill tents, 12' x 12', each of four-folds of cloth with four awnings, one awning enclosed at the sides with two doors at front and back, and karate overlapping in the centre of the sides	998	0	0
	2 Bath-rooms, 6' x 6' x 6', with peat roof	104	0	0
	2 Necessary tents, 4' x 4'	64	0	0
	2 Servants' pals, 12' x 12'	144	0	0
Assistant and Extra-Assistant Conservator of Forests.	1 Hill tent, 12' x 12' (as for Forest Divisional Officer in all respects)	455	12	0
	1 Sleeping pal 12' x 12', single fly, 5½' walls of four-folds of cloth	176	0	0
	1 Servant's pal, 12' x 12'	72	0	0
Working-Plan Inspector.	1 Servant's pal, 12' x 12'	72	0	0

63. Purchase of tents of different sizes or descriptions to those prescribed above will under no circumstances be allowed, even though the cost may be within the sanctioned scale.

64. When not in use, the tents will be carefully preserved and frequently examined and aired.

PART II.

Carriage of Tents.

Chap. IX.

65. The following extracts from General Book Circulars apply to the case of Forest Officers:—

No. XXXVIII, dated the 19th September 1863.

I.—The scale of Government tents to be supplied for the use of officers on tour, for office and private purposes, is that shown above.

II.—Of the tents referred to in Rule I the following will be carried at Government expense, viz:—

- (1) One office tent (any one tent allowed by scale).
- (2) One shamiana (if in the scale).

(3) One pal for native establishment employed in office work.

(4) One pal for chagras.

} If in the scale and
really required and
used for these pur-
poses.

III.—The tents specified in Rule II are the only tents that will be carried at Government expense. The expense of carrying all other tents used will be wholly borne by the officers carrying them.

IV.—If the tents specified in Rule II are the only tents carried, only one-half of the charges for their carriage will be defrayed by Government, seeing that they must in that case be used for private purposes.

V.—Government records and office furniture will be carried at Government expense.

It will be necessary for controlling and auditing officers to check the scale of carriage charged for in respect to the tents to be paid for under these rules. The Chief Commissioner does not think it necessary to prescribe a scale. Actual requirements are to be met. It is easy for controlling officers to check the number of carts or camels required for any particular tents.

The charges under Rule V must also be carefully checked by controlling officers. Unnecessary expenditure under this head should not be permitted.

No. XII, dated the 24th May 1878.

With reference to the above the Chief Commissioner has been pleased to order that in future when carriage is engaged for the season and the officer engaging it uses Government tents partly for official and partly for private purposes, he must not pay half the cost of their carriage merely for the period he is actually in camp (charging the entire cost to Government when he is at head-quarters); but he must pay half the cost from the date he engages till the date he discharges the carriage.

Supplies in Camp.

66. The subjoined extract from Secretariat Circular letter No. 7974, dated the 12th November 1894, refers to the supply of straw, wood and grass:—

5. As regards supplies of grass, wood and straw, it should be observed that straw is, in most cases, used merely temporarily for bedding and for tents, and is left behind when the camp leaves. Moreover, it has little or no marketable value in most villages, and no hardship is involved in its gratuitous supply. Existing practice regarding it need not therefore be changed. Grass and wood should, however, be paid for in all villages situated in the plains and at a distance from forests, and for all such villages the Tahsildar will fix the price of these articles. In such cases the quantity required must be supplied by the munguzar and not by the ryots. Tahsildars must be given previous intimation of the approximate amount required. In villages in forest country

PART II.

Chap. IX.

where it is the immemorial custom to supply grain and fuel free of charge, this custom need not be interfered with, and the supplies must be furnished from the forest reserves without charging them to the village exchequer. Labourers engaged for splitting wood or cutting grass or carrying loads, if any men are so employed, must be paid for at the current rates for daily labour, which will be specified by the Tahsildar; but here again, if the camp followers will only themselves give half an hour's work in the morning, it will probably be altogether unnecessary to requisition help from the villagers.

67. As regards food supplies Conservators, when on tour with their camp equipage, may employ a Bania at Rs. 12 per mensem, who will accompany the camp and act as its bazar supplier (paragraph 6 and paragraph 4, clause 2, of Circular letter, extract from which has been quoted above, and Northern Circle Conservator's letter No. 3482, dated the 27th June 1895, to the address of the Secretariat).

PART II.

CHAPTER X.—Casual Leave.

Chap. X.

68. The grant of casual leave is regulated by the following extract from Chief Commissioner's Book Circular No. XII, dated the 16th June 1903:—

1. Casual leave is not recognized by the Civil Service Regulations, and an officer absent on casual leave is not treated as absent from duty. Government will make no arrangements to supply the place of officers absent on such leave, and will accept no responsibility for any inconvenience which may occur owing to such absence. The officer granting the leave and the officer taking it will be held responsible if the public service suffers in any way from the absence of the officer on casual leave.

2. Casual leave may not be combined with any other kind of leave, and may not extend to more than 10 days in the year, except with the special sanction of the Chief Commissioner. If casual leave is taken in extension of gazetted holidays, those holidays must be counted as part of the leave.

3. Casual leave should only be granted for adequate reasons. The Chief Commissioner is willing that officers who have urgent private business or who desire a few days' change should be allowed to leave their stations. But the concession must not be converted into an unauthorized system of privilege leave. The Chief Commissioner trusts that Commissioners, Deputy Commissioners and Heads of Departments will not allow the privilege to be abused.

4. The undermentioned officers are authorized to grant casual leave to the officers named in the following list:—

Sanctioning authority.	Subordinate Officer.
Conservator of Forests.	Officers of the Superior Controlling Staff.

5. Non-gazetted and Ministerial officers may be granted leave by the Head of their office.

6. In urgent cases, *i. e.*, when there is not time to refer to the Head of the Department and the leave appears to be urgently required and adequate arrangements can be made, the Deputy Commissioner may grant casual leave to all officers administratively subordinate to him, reporting at once to the Head of the Department concerned.

7. Every authority which grants casual leave shall cause a register of such leave to be maintained in the annexed form.¹

¹ See Appendix II.

PART II.

CHAPTER X.—Casual Leave.

Amendments to the Central Provinces Forest Manual.

(Revised Edition.)

[No. 1, dated Nagpur, the 27th November 1907.]

Page 94, paragraph 68 (4).—Under the heads "Sanctioning Authority" and "Subordinate Officer" insert "Chief Conservator of Forests" and "Conservators of Forests," respectively, immediately above the existing entries.

and Commissioners, Deputy Commissioners and Heads of Departments will not allow the privilege to be abused.

4. The undersigned officers are authorized to grant casual leave to the officers named in the following list:—

Sanctioning authority.	Subordinate Officer.
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10. Every authority which grants casual leave shall cause a register of such leave to be maintained in the annexed form.¹

¹ See Appendix II.

CHAPTER XI.—Application for pension.

PART II.

Chap. XI.

69. The rules regarding the timely submission of papers for pension are given in Book Circular No. XLVII, dated the 2nd November 1900, and should be strictly complied with:—

* * *

2. It is desirable, both in the interests of Government and of its servants, that the retirement of an official should be anticipated a reasonable time before it takes place and that arrangements should be made in time for the prompt verification of service and grant of pension. It is not right that, after long service, a Government servant should find himself suddenly, for no fault, deprived of his means of livelihood. An official who has earned his pension should not be subjected to a period of misery, and perhaps compelled to incur the burden of debt at the beginning of his life of retirement.

3. To avoid this, systematic action must be taken to ascertain at the beginning of each month in the case of what officials retirement during the next six months may be anticipated. The procedure laid down by Article 107 of the Civil Service Regulations will then be followed. Special attention is directed to clauses (b) and (c) of that Article.

4. The failure to make proper use of the salary provision contained in clause (d) of Article 907, Civil Service Regulations, formed the subject of remark in Book Circular No. XXXII of 1894, but there has been no marked improvement since the issue of that Circular. The Officiating Chief Commissioner must insist on these orders being carried out. He entertains the hope that there may be no further instances of such disregard of the circumstances of subordinate officials to attract his unfavourable notice.

70. The power of declaring any non-gazetted officers efficient or non-efficient after the age of 55 years is delegated to Conservators [Civil Service Regulations, Article 462 (a)].

71. When officers in superior service, having attained the age of 55 years, are retained in service under the sanction of competent authority, the facts should be noted in their service books with quotation of the period of retention and number and date of the sanction.

Page 95, paragraph 71.—The number 71 should be deleted and the paragraph will form a sub-paragraph to paragraph 70.

Add the following as paragraph 71:—

71. The rules on the subject of thumb and finger impressions are contained in the Chief Commissioner's General Book Circular No. III-25.

Certain important instructions on the subject of the preparation of pension applications will be found in the Central Provinces Treasury Manual, Sections 14 to 23, Chapter 18, Part II.

H. C. GOWAN,

Under Secretary to the Chief Commissioner,

Central Provinces.

CHAPTER XI.—Application for pension.

PART II.

Chap. XI.

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2. It is desirable, both in the interests of Government and of its servants, that the retirement of an official should be anticipated a reasonable time before it takes place and that arrangements should be made in time for the prompt verification of service and grant of pension. It is not right that, after long service, a Government servant should find himself suddenly, for no fault, deprived of his means of livelihood. An official who has earned his pension should not be subjected to a period of misery, and perhaps compelled to incur the burden of debt at the beginning of his life of retirement.

3. To avoid this, systematic action must be taken to ascertain at the beginning of each month to the case of what officials retirement during the next six months may be anticipated. The procedure laid down by Article 507 of the Civil Service Regulations will then be followed. Special attention is directed to clauses (b) and (c) of that Article.

4. The failure to make proper use of the salutary provision contained in clause (b) of Article 507, Civil Service Regulations, formed the subject of remark in Book Circular No. XXXII of 1894, but there has been no marked improvement since the issue of that Circular. The Officiating Chief Commissioner must insist on these orders being carried out. He entertains the hope that there may be no further instances of such disregard of the circumstances of an individual official to attract his unfavourable notice.

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PART II. CHAPTER XII.—Land holding by Government Servants and relationship of such servants.

Chap. XII

72. Article 13 of the Forest Department Code contains general rules on the subject applicable to all members of the Forest Department.

73. The orders on the subject of the maintenance of (1) a record of landed property held by Government servants, and (2) a record of relationship of such servants are contained in Book Circular No. XLII, dated the 26th October 1900, which runs as follows:—

No. XXII, dated the 2nd June 1895.
 " XXVI, dated the 8th June 1898.
 " XLVI, dated the 14th October 1898.
 " XIV, dated the 21st March 1900.
 " XII, dated the 23rd July 1900.
 (Paragraphs 2 to 7).

In supersession of the Book Circulars noted in the margin, I am directed to issue the following instructions on the subject of the maintenance of—

- (1) a record of landed property held by Government servants, and
- (2) a record of relationship of such servants.

2. A declaration in the accompanying ¹ form should be made in respect of the possession of landed property in the Central Provinces by an official on first appointment or promotion to a post under Government carrying pay of Rs. 10 or upwards. Where the declaration made is to the effect that an official has landed property, the particulars must be entered in the character roll or service roll if the office held is one for which such a roll is maintained. Except in the case of officers belonging to the Provincial Service and officers of equal or superior standing, if the appointment is one for which no character roll or service roll is maintained, the particulars of the declaration must be entered in a column to be provided for this purpose in the character book referred to in paragraph 8 of Book Circular No. XLII, dated the 23rd December 1898.

3. If the declaration is to the effect that an official has no landed property the declaration must be kept on record in the office where it is made; and a note of this declaration having been made must be entered in the character roll or service roll or the character book, as the case may be. Officers making a declaration must invariably be informed that in the event of any landed property coming into their possession after the date of declaration, or in the event of any accession to their landed property accruing, they are bound to report the fact for entry in the character roll or service roll or character book or for intimation to the Secretariat as the case may be. Such reports must be made within one month of the date on which accrual of the property comes to the knowledge of the officer concerned.

4. The rules in regard to this declaration apply not only to ministerial officers and officers of the Subordinate Civil Service, but also to officers of the Provincial Service and to officers of other services of equal or superior standing. Their declarations must be taken on first appointment (whether it be an officiating, probationary or permanent appointment). In the case of an officer of the Provincial Service, the declaration will be taken by the Deputy Commissioner of the district to which he is posted. * * * In the case of an officer of any other Department, the declaration should be taken by his immediate superior and submitted to the Secretariat through the Head of the Department within one month of the date on which he joins his appointment. A similar rule applies in the case of accrual of landed property after declaration.

5. No unappointed officer is allowed to acquire landed property otherwise than by inheritance without the previous sanction of the Chief Commissioner in the case of officers of equal or superior standing to that of Extra-Assistant Commissioner, and of the Commissioner in all other cases.

¹ See Appendix 12.

6. Declarations must also be made in respect of landed property held or managed by or on behalf of wives of officers or other members of their families joint with, or living with, or in any way dependant on them. The rules as to report of actual and as to necessity for sanction embodied in the preceding paragraphs apply to such cases as well as to the case of the officers themselves.

PART II.**Chap. XII.**

7. With regard to the record of relationship, the following particulars must be ascertained in the case of all officials not superior in standing to officers of the Provincial Service, appointed to posts carrying pay of Rs. 10, or upwards, or promoted to such posts:—

- (1) Whether the officer is related to any other officer in the Public Service in the Central Provinces, the name and official position of such relative being given, with the name of the district in which he is serving.
- (2) Whether any of the officer's relatives are engaged in any mercantile or professional occupation or in the employment of any non-official in the district or in any other district of the Central Provinces, with specification of such occupation or employment.

In the case of officers of the Provincial Service or of other services of equal standing these particulars must be sent to the Secretariat along with the declaration as to landed property. In the case of officers for whom a character-roll or service-roll is prepared, the particulars referred to above must be entered therein; and in the case of other officers they must be entered in the character book referred to in paragraph 8 of Book Circular No. XLII, dated the 23rd December 1893.

8. If there are any persons already in Government service to whom these orders apply, and regarding whom there is no record of property or relationship, the necessary particulars should at once be obtained and recorded in the manner now prescribed.

PART III.

MANAGEMENT AND WORKING OF THE FORESTS.

Part III.

Chap. XIII.

CHAPTER XIII—Classification of the Forests.

74. The orders on this subject are contained in paragraph 1 of Chief Commissioner's Resolution No. 519, dated the 25th January 1895, which run as follows:—

Under the orders of the Government of India the State Forests are classed in two divisions:—

- (i) Reserved Forests, i. e., forests which have been declared reserved under the provisions of the Forest Act, VII of 1878.
- (ii) Unclassed State Forests and Waste Lands.

In Resolution No. 6500-382, dated the 8th November 1888, the Reserved Forests were further divided into two classes, A and B—those in class A being forests under a strict system of management or in process of being brought under such a system, and those in Class B being forests which are managed in a somewhat laxer fashion. With a view to the ultimate enclosure of all areas which are not to be maintained as a part of the permanent Forest Estate, Forests of Class B were to be further sub-divided into two classes:—

B-I.—Areas selected from time to time as available for the introduction or extension of cultivation.

B-II.—Other areas.

By these orders it was intended that all the areas now classed as B and all the areas unclassed should by degrees be definitely transferred to the Permanent Forest of Class A or should be placed in Class B-I as available for cultivation.

Gradually these latter areas would be brought under the plough or allotted to villages for the purposes of *wastage*, and their connection with the Forest Department finally severed by a notification disforesting them.

In this way the Forest Department would ultimately be able to concentrate their whole attention on the management of the forests which will permanently remain under their control.

75. The Annual Forest Report must show clearly what progress has been made in making such transfer.

CHAPTER XIV—Demarcation and Survey of Boundaries.

Demarcation of External Boundaries of State Forests and
Distribution of its Cost

**Amendments to the Central Provinces Forest Manual
(2nd Edition).**

No. 20, dated the 24th November 1908.

Page 99, paragraph 76.—For "Revenue Book Circular VII-12" read "Revenue Book Circular VII-5."

PART III. MANAGEMENT AND WORKING OF THE FORESTS.

Part III.
Chap. XIII.

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CHAPTER XIV—Demarcation and Survey of Boundaries.

Demarcation of External Boundaries of State Forests and Distribution of its Cost

76. The mode of demarcation and the distribution of the cost of clearing and demarcating a boundary line in the first instance are regulated by the following extract from Revenue Book Circular VII-12:—

9. A question which sometimes arises in connection with the excision of areas from the forest relates to the manner in which the demarcation of such areas should be effected on the ground, and the funds from which the cost of boundary marks should be met. It has been decided that when the demarcation of large blocks excised as B Class forest

Part III.**Chap. XIV.**

is effected by the Forest Department in accordance with this Circular, the cost should be borne by the Forest Department. When, on the other hand, the formation of a particular village necessitates a modification of an existing forest boundary, the cost should be divided equally between the Revenue and Forest Departments. In all cases the boundary marks used should be those prescribed by the Forest Department for their external boundaries.

77. As regards cost of maintenance of the boundary there are two cases, viz., (i) when adjoining land outside is proprietary, in which case, in accordance with the *wajib-ul-azr*, the proprietor is bound to clear a width of 20 feet on his side of the common boundary line (Secretariat letter, Settlement, No. 26-8-176, dated the 7th January 1890), and (ii) when the adjoining land is under ryotwari settlement, in which case the procedure is regulated by paragraph 3 of Revenue Secretariat letter No. 2662, dated the 28th August 1899.—

2. As regards the question of cost of maintenance of boundaries between Government forest and ryotwari villages, I am to say that the Chief Commissioner agrees with you and the Commissioner of Settlements and Agriculture, that all such boundaries, more or less, become external boundaries of the forest and liable as such to be maintained at the cost of the Forest Department. The whole line should lie within the forest limits and be maintained by the Forest Department.

Survey of Boundaries.

78. Revenue Book Circular No. VII-3 prescribes as follows:—

In effecting the Forest Survey now in progress in these Provinces forest boundaries should be regulated as follows:—

Page 100, paragraph 78.—For "Revenue Book Circular VII-3" read "Revenue Book Circular VII-2."

the alignment of the boundary as accepted by the Settlement Department, or as marked on the ground, he should report the circumstances, sending a plot of the present line and if the one he considers the correct one to the Deputy Commissioner of the District who will submit a report on the case through the Conservator of Forests to the Commissioner of the Division. The Commissioner and the Conservator will form a committee upon the question whether the boundary should be re-aligned and in the event of their disagreement the matter will be referred for the orders of the Chief Commissioner. In Districts under survey or settlement, the Commissioner of Settlements will take the place of the Commissioner of the Division upon this committee.

2. When the committee agree that part of the forest has been over-acted upon, but that it is inadvisable to re-include the encroachment within the forest boundary, the matter shall be reported for the orders of the Chief Commissioner, by the Commissioner of the Division or Commissioner of Settlements, as the case may be, with a recommendation as to the mode of settlement of the excluded area.

3. Until the disposal of a disputed area is properly determined under the procedure prescribed above, the Forest Department must refrain from any action in regard to it.

Maps to be kept corrected up to date.

79. In order to enable the Conservator to comply with Article 81 of the Forest Department Code and also to keep the maps in his own and the Divisional Offices corrected up to date, the Secretariat will send him four printed copies of all notifications of reservation and dis-reservation and of printed resolutions or letters altering the classification of Forests (Revenue Secretariat letter No. 2608, dated the 29th June 1900).

CHAPTER XV—Working-Plans.

Part III.

Chap. XV.

80. Working-plans should be sent for opinion to the Deputy Commissioner of the District and Commissioner (see paragraph IV of Revenue Book Circular quoted under paragraph 5) before the Conservator takes final action preparatory to submitting them to the Inspector-General of Forests in accordance with Article 90 of the Forest Department Code.

81. Some of the earliest working-plans prepared in the Southern Circle contain prescriptions for the sowing up of extensive blanks, where such occur in the compartments opened and worked over as prescribed. It is left to the discretion of the Conservator to suspend the operation whenever and wherever he thinks well to do so (Revenue Secretariat letter No. 1509, dated the 29th March 1899).

82. No area may be closed to grazing without the Chief Commissioner's previous and specific sanction except in accordance with the provisions of the working-plan. This * * * is one of the points to which the Local Administration pays great attention in sanctioning working-plans, and it is highly irregular to deviate from the approved scheme without prior sanction (letter just quoted above).

83. When a working-plan covers the area of a whole Division, each range of which is treated as a separate working circle, it will suffice to write up the entries in a single Form 38 (letter from the Inspector-General of Forests, No. 238, dated the 6th September 1893).

CHAPTER XVI—Disposal of Forest Produce.

Mode of realizing Revenue.

By the use of Forest Stamps.

84. The sale of Forest Stamps and their use on licenses for the removal of forest produce, and the method of check on the accounts necessitated by their use, are regulated according to the following system:—

System of Forest Stamps.

The main principles adopted are:—

- (1) that vendors shall have as little as possible to do beyond selling the stamps and crediting the money into the treasury;
- (2) that the classification of forest revenue for departmental purposes shall be done by paid officials of the Forest Department.

2. Some difficulty has at times been experienced owing to the inability or unwillingness of licensed vendors to themselves attend at the treasury and receive the commission due to them, or to authorize by power-of-attorney their agents or servants to receive it for them.

Part III.

Chap. XVI.

In order to state this difficulty, the Chief Commissioner, having consulted the Comptroller, directs that the discount due on the purchase of forest stamps shall be payable to the stamp-vendor's agent or servant on production by the latter of a stamped receipt signed by the stamp-vendor for the amount of commission due. As this commission or discount is payable at the rate of one anna per rupee, the stamp-vendor should experience no difficulty in making out his receipt.

The receipts may be endorsed on the back of the challan presented by the stamp vendor or written on a separate paper. With a view, however, to maintain simplicity of procedure and save trouble in the treasury, the receipt in question should ordinarily be endorsed on the challan. It will then be necessary for stamp-vendors to keep a stock of challans and to fill them up themselves, endorsing a receipt for it discount before despatching their servant or agent to the treasury, and stamping it endorsement when necessary. With a view to checking frauds, Treasury Officers should obtain a specimen of the stamp-vendors' signatures, and it would be an advantage if particular servant or agent were ordinarily employed for this purpose by each stamp vendor.

3. The security bond to be taken from vendors should be in Form A (Appendix 1).

Rules to regulate the sale of Forest Stamps.

1. Licensed vendors are of three classes—

- (1) Salaried vendors, being men already in the service of Government who are employed in checking produce leaving the forest. An advance of stamp will be given to them, but they will receive no commission or discount.
- (2) Licensed vendors to whom an advance of stamps will be given and who receive a commission of 2 pies in the rupee on sale receipts.
- (3) Licensed vendors who purchase supplies of stamps from the Treasury, and receive a discount on their purchases of an anna in the rupee.

The amount of advances admissible to vendors of classes (1) and (2) will be fixed by the Forest Divisional Officer with the sanction of the Deputy Commissioner, and security must be furnished by them to a limit which shall be fixed by the authority.

2. The Forest Divisional Officer will furnish the Treasury Officer with a statement in Form 1 (Appendix 14), showing the persons who have been appointed vendors, and rate of commission and discount admissible to each. Any additions to this list should be reported to the Treasury Officer by the Forest Divisional Officer from time to time in the same form.

3. Licensed vendors of class (3) must make their own arrangements for procuring stamps from the Treasury.

Licensed vendors of classes (1) and (2) must either attend at the Treasury in person or by agent, or may send their indent by post, remitting the cost of the stamps, to the commission due, if any. The cost of such remittances shall be recovered from the Forest Department.

The Forest Officer may also, if he prefers, arrange for the collection of the receipt from, and the supply of stamps to, any vendor through his own subordinate.

For this purpose any Forest subordinate may receive an imprest advance of stamps from the Treasury to an amount to be fixed with the approval of the Deputy Commissioner.

A Range Officer (or any other subordinate) providing stamps under this rule to an authorized vendor out of his imprest advance should not charge direct on his accounts the amount of commission allowed to such a vendor in his purchase, but should forward the

Form of security prescribed in Appendix 13.

Part III.

Chap. XVI.

In order to state this difficulty, the Chief Commissioner, having consulted the Comptroller-in-Chief, directs that the discount due on the purchase of forest stamps shall be payable receipt mission should be ~~not an endorsement by the latter of a stamped~~

No. 45, dated Nagpur, the 16th February 1911.

The vendor of produce to be enclosed them a discount endorsement obtain particular vendor.

Page 102, paragraph 84 (3), Rule 3.—For clause (1) of this rule, substitute the following:—

License vendors of class (3) will be supplied with stamps from the Treasury by post provided they conform to the following conditions—

3. (a) Money shall be sent to cover the cost of the indent
- (b) The vendor shall enclose a stamped and addressed envelope for the supply of the stamps. This envelope should also bear a 2-anna stamp for registration purposes.
- 1.

J. HULLAH,

Under Secretary to the Chief Commissioner,

Amendment to the Central Provinces Forest Manual
(Second Edition).

No. 85, dated Nagpur, the 2nd January 1915.

Add the following as a foot-note to Rule I (3) of the Rules to regulate the sale of Forest Stamps on page 102 of the Manual:—

"The Conservator is authorized to reduce the rate of discount to 9 pies or $\frac{1}{2}$ an anna, or increase the rate to 1 anna 6 pies or 2 annas."

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

For this purpose any Forest subordinate may receive an imprest advance or stamps from the Treasury to an amount to be fixed with the approval of the Deputy Commissioner.

A Range Officer (or any other subordinate) providing stamps under this rule to an authorized vendor out of his imprest advance should not charge direct on his accounts the amount of commission allowed to such a vendor in his purchase, but should forward the

Form of security prescribed in Appendix 12.

license-vendor's indent with the amount, less commission due, to the Treasury Officer, who will issue to the Range Officer stamps to the value of the amount of the indent (adjusting the commission in his book), thus making up the full amount advanced by the Range Officer. Part III.
Chap. XVI

4. All applications for stamps shall be in Form 2 (Appendix 15) in triplicate. Not less than Rs. 5 worth of stamps shall be indented for at one time, nor shall stamps of one kind be issued for fractions of a rupee.

5. Treasury and Sub-Treasury Officers shall, whenever practicable, comply with such indents in full or, if unable to do so, will note the stamps actually issued on the indents. After signing the certificate, one copy of the indent will be returned to the licensed-vendor and the other retained for transmission to the Forest Officer. (See Rule 16 below.)

6. The licensed vendor will maintain a stamp ledger in Form 3 (Appendix 16). All receipts and issues will be entered in this as they occur, and the balance struck daily.

On the last day of the month, or oftener if the Forest Divisional Officer so directs the licensed-vendor will forward a statement of the receipts and issues during the month and the balance in hand to the Forest Divisional Officer in Form 3 (a) (Appendix 17).

7. Forest Divisional Officers will furnish licensed-vendors with a list of the articles for which they are empowered to issue licenses, giving the rates chargeable for the different loads of such produce, and specifying the forests for which they may issue licenses.

8. Licenses will be in Form 4 (Appendix 18). They will be bound in books of 50. Each license will bear the number of the book and the number of the license, which should be entered before issue, and should be sealed with the Forest Divisional Officer's seal.

They will be issued to licensed vendors as required, free of charge.

9. License-vendors will issue licenses from a single book till all the forms in it are exhausted or the book in use is returned to the Divisional Forest Officer as provided in Rule 10.

Licenses must always be given out in the proper sequence of numbers.

Before issuing a license, the vendor will fill up and sign all three parts and affix the necessary stamps on the back. If there is only one label to be used, it will be affixed to the top edge of the license; and if there are more than one, the label of highest value will be so affixed, the rest following in successive descending order of value touching one another edge against edge. The vendor will then affix the date and thus deface the labels on each part of the license. Having done this he will, under the date, enter the number of license and book and his signature.

He will then punch each stamp on the lines of separation between the several parts, taking care that the hole is divided between the first and second parts, and the second and third parts.

The second and third parts will then be torn off and given to the purchaser as his license.

The first part (or counterfoil) is the left hand part.

The second part is the middle part.

The third part is the right hand part.

The separation of the stamp parts before pasting the entire stamp on a license and the tearing of the second and third parts of the license before punching the stamps are prohibited.

10. At the close of the month the licensed vendor will forward all books from which any license has been issued to the Forest Divisional Officer through the Tahsildar or Range Officer as ordered.

If there are any blank forms in a book, the counterfoil of used licenses will be removed, and the book returned to the vendor, it being noted on the cover how many license forms it now contains.

Part III.**Chap. XVI.**

11. The Range Officer must arrange for the recovery of the middle parts of as many licenses as possible from purchasers before they leave the forest.

The Forest Guards will send all such middle parts collected by them to the Range Officer, who will post them in a statement in Form 5 (Appendix 20) for each license-vendor.

At the close of the month this statement, with the middle parts attached, will be sent to the Forest Office.

12. In the Divisional Forest Office a return will be compiled from the middle parts of licenses received from the Range Officers as well as from those counterfoils of licenses received from the licensed vendors under Rule 10, the middle parts of which have not been collected. The totals of the two will be checked with the total sales shown in the statement of sales submitted by the licensed vendor in Form 3 (a) under Rule 6. Any discrepancy which then remains can only be due either to mistake in the license-vendor's account or to fraud on his part.

13. The Forest Divisional Officer will maintain the following registers:—

- (1) File book of statements received from licensed-vendors under Rule 6.
- (2) File book of indents received from Treasury Officer under Rule 5.

Before filing the statements received from licensed-vendors under Rule 6 the total receipts of stamps entered in them should be checked with the indents received from Treasury Officers under Rule 5.

14. The Forest Divisional Officer must arrange for the frequent check of the stamp ledger and stamp balances of licensed vendors by their subordinate officers, in order to guard against stamps being divided before issue of license, and mis-statement of the balance in hand.

15. With the monthly accounts Forest Divisional Officers will forward to the Conservator a statement showing, as regards the stamps in the hands of license-vendors, and of Forest subordinates holding imprest advances:—

A. The opening balance of the month.

B. $\left\{ \begin{array}{l} \text{The value of stamps received from the treasury on payment.} \\ \text{Add—The value of stamps received from the treasury as advances.} \\ \text{Deduct—The value of stamps refunded to the treasury.} \end{array} \right.$

C. The value of stamps issued by license-vendors.

D. The closing balance of the month.

NOTE.—The above values are the face-values.

This statement may be in the form of Appendix 18 and the entries should give details as above shown against B.

NOTE 2.—C shows the value of stamps issued; such issues include stamps lost. In the case of stamps being lost a note should be entered in this column stating the fact and the value of such stamps.

16. Licensed-vendors may obtain refund of the price paid by them, less any discount already received, on returning into the treasury the stamps in respect of which refund is claimed, and fulfilling such other conditions as the Forest Divisional Officer may prescribe. Such refunds should be noted in the Treasury Officer's Monthly Stamp-issue Return (Rule 5).

17. Any advance of stamps made to a license-vendor may be recalled at any time by the Forest Divisional Officer.

18. Any license-vendor may be disbanded by the Forest Divisional Officer, who shall then return his stock of stamps to the Treasury, receiving a refund of their value under Rule 16.

19. Except with the special permission of the Conservator, who may authorize sales by means of stamps from any depot, forest produce sold from depôts will not be sold on stamp licenses but on ordinary receipts (Form No. 14, Forest Department Code) for cash. In the few instances in which sales of drift and waif timber, &c., are made, they will ordinarily be for cash. In other words revenue coming under heads I and III will, in the absence of the special permission above mentioned, be cash revenue Revenue under head V will, as before, be cash revenue.

20. Range Officers' accounts (and as long as Sub-Range Officers are retained their accounts also) will be closed on the 25th day of each month, and from that date all sums of revenue received in a Range will of course be at once entered in the cash book, but will not be remitted to the Treasury till the first of the following month.

Divisional Officers will close their accounts on the last day of the month.

21. The Divisional Office cash book will thus include the Treasury Officer's figures for the month showing sales of stamps by the Treasury during the month, and all receipts in Ranges up to the 25th; and of course all his own receipts of the whole month.

The Divisional Officer's Form No. 10 will show all the license-vendors' receipts for the entire month.

Divisional Officer's accounts will thus show under head II all sales by Range Officers for cash up to 25th; and their returns No. 19 will include under head II all cash revenue of this kind received up to the 25th as shown in the Range cash book, and all sales on stamped licenses up to the last day of the month as per license vendors' monthly statement.

22. A reference to Rule 15 will show that the quantity $C = A + B + D$; and, if we denote by —

No. 35. — The total revenue entered in Form No. 35;

II-f. — The total revenue credited to that sub-head in Form No. 35;

No. 8. — The total revenue entered in Form No. 8 as realized;

No. 10. — The total revenue entered in Form No. 10 as realized;

II, III and V. — The total sums respectively credited to these heads in Form No. 35;

Then $(\text{No. 35} - \text{II-f})$ represents the cash revenue of the month; and

$$C + (\text{No. 35} - \text{II-f}) = \text{No. 10} + \text{No. 8}.$$

[If C of Appendix 18 column 7 includes the value of stamps lost, then such value must be deducted from the figure in that column in order to obtain C of the above question. Such correction would however seldom be required.]

Again, since revenue under head I will in practice be identical with No. 3 (as forest produce is not confiscated and drift wood is collected by purchasers), then —

$$\text{No. 10} = C + \text{II} + \text{III} + \text{V} - \text{II-f}$$

and whenever the total of No. 10 differs from the above, or that of No. 8 differs from the total of I, then there must be a mistake in the accounts.

55. The whole of Rule 9 translated into the vernacular will be printed and pasted on the front cover of each license book so that no vendor can plead ignorance of them (Revenue Secretariat letter No. 2028, dated the 21st May 1900).

Part III. 86. Arrangements will be made for the location of the stamp-vender as near the circle under working as possible. He should be the agent of the Stamp Contractor, if there be one in the district, otherwise the most competent person that the Divisional Forest Officers can select. In suitable localities the patwari should, if practicable, be associated in the work of stamp-vending; not necessarily to the exclusion of other agency. For the present, the existing system may be maintained under which licenses and stamps are sold by one and the same man. This system, however, is only provisional; the object of the Administration being that the issue of licenses should be effected by an official of the Forest Department, stamp-vending being left in the hands of contractors and their agents according to existing practice. By this means an additional check will be established over the vend of stamps.

Chap. XVI.

87. The system of license-vending in the remainder of the forests may continue as at present, until the Department is in a position to take the issue of licenses (apart from stamp-vending) into its own hands (Chief Commissioner's Resolution No. 102, dated the 5th January 1893, para-graph 4).

88. In filling up a license, not only the names of the blocks or forests for which it is issued will be entered, but also the name of the sub-range and range. If a license is issued for more than one block or forest, these blocks or forests should not only be situated in one and the same sub-range, but also lie along one and the same line of export. Also, only a single line of export will be prescribed on the license, otherwise check will be rendered impossible, enabling the holder, if dishonest, to remove with little risk of detection, the full quantity of produce by each separate route. Lastly the quantity of produce covered by a single pass should not be so large as to require being removed in several instalments, thereby rendering check difficult, if not impossible. If a purchaser wishes to buy a large quantity, he should be given more than one license, so that each license may cover only a single removal of produce.

Without the use of Forest Stamps.

89. In the case of sales by contract or in that of sales involving the remittance of a considerable sum, all monies due should, as far as possible, be paid, accompanied by the usual form of chalan, directly into the treasury by the contractor or purchaser in accordance with Civil Account Code, Article 442 (2) and (3), which runs thus:—

A Treasury Officer will receive Forest Revenue—

- (2) When the chalan is countersigned by a Forest Officer.
- (3) When the Treasury Officer is specially authorized to receive it. In such cases a copy of the chalan will be forwarded by the Treasury Officer direct to the Divisional Officer in order that the revenue may be brought to account in the book of the latter.

90. For all sales effected without the use of forest stamps, Forest Department Code Forms No. 13 or 15 and No. 14, or their local equivalents will be used, and generally no money, which is not on account of

an advance from a superior or is not revenue derived from the sale of forest stamps, will be received without a receipt in due form (Code Form 14 or the vernacular form) being immediately granted in exchange. These two last forms will be used also in granting receipts for money levied as compensation under Section 67 of the Indian Forest Act, 1878, and for commutation revenue realized in accordance with paragraph 108 below.

Part III.
Chap. XVI.

Rates of Royalty to be charged in Cases of Special Sales of Produce

Maxima Rates for Sale of Wood to Agriculturists.

**Amendment to the Central Provinces Forest Manual
(2nd Edition).**

No. 16, dated the 22nd November 1913.

Cancel paragraphs 91, 92, 93 and 94 on pages 107 to 109 and substitute the following:—

91. It is desirable that the Coupe system, which is proving very popular with the people, should be extended as far as possible.

In Districts where extraction by license has to be retained, the following classification of timber is prescribed:—

CLASS I.

Tectona grandis (sagwan), *Pterocarpus marsupium* (bijs), *Dalbergia latifolia* (shisham), *Shorea robusta* (sal), **Ougenia dalbergioides* (tinsa).

CLASS II.

Terminalia tomentosa (ain).
Terminalia arjuna (anjan).
Xylia dolabriformis (sueria).
Grewia spp. (dhaman, etc).
Soyimida febrifuga (rohan).
* *Chloroxylon swietenia* (bhirra).
Schleichera trijuga (kusam).
Gmelina arborea (sewan).
* *Acacia arabica* (babul).
* *Acacia catechu* (khair).
* *Cleistanthus collinus* (garari).
* *Lagerstroemia parviflora* (lendis).
Adina cordifolia (haldu).
* *Anogeissus latifolia* (dhaura).
Cedrela toona (tun).
Schrebera swietenoides (mokha).
Mangifera indica (am).
Tamarindus indica (imli).
* *Bombax malabaricum* (semul).
Hardwickia binata (anjan).

an advance from a superior or is not revenue derived from the sale of forest stumps, will be received without a receipt in due form (Code Form 14 or the vernacular form) being immediately granted in exchange. These two last forms will be used also in granting receipts for money levied as compensation under Section 67 of the Indian Forest Act, 1878, and for commutation revenue realized in accordance with paragraph 103 below.

Part III.
Chap. XVI.

Rates of Royalty to be charged in Cases of Special Sales of Produce.

Maxima Rates for Sale of Wood to Agriculturists.

91. The subjoined schedule of maxima rates has been prescribed by Chief Commissioner's Resolution No. 102, dated the 5th January 1893, for agriculturists, including village artisans and day labourers. It is to be understood that transactions for forest produce not entered in the following schedule will be conducted on ordinary commercial principles:—

Forest Circle and Division to which the Schedule is applicable.	Class of forest produce.	Rate per ton of 50 cubic feet.	Approximate rate per cubic foot.	Rate per ton of 27 manuds.	Rate per head load of 30 seers.
All Circles and Divisions.	A.—TIMBER.				
	<i>Class I.—Teak and Bijasal.</i>				
	Rs. a. p. Rs. a. p.				
	Poles 10' × 9" girth at thick end.	15	0	0	5
	Poles 12' × 12" do. ...				
	Poles 16' × 18" do. ...				
	Poles 20' × 24" do. ...	17	0	0	5
	<i>Class II.—Saj, Sal and Shisham.</i>				
	Poles 10' × 9" girth at thick end.	9	3	0	3
	Poles 12' × 12" do. ...				
	Poles 16' × 18" do. ...				
	Poles 20' × 24" do. ...	11	0	0	3

[NOTE.—This Schedule applies only to cultivating ryots, day-labourers, village artisans and village servants for domestic use.]

NOTE.—Poles of intermediate girths will pay the next higher rates.

Part III.

Chap. XVI.

Forest Circle and Division to which the Schedule is applicable.	Class of forest produce.	Rate per ton of 60 cubic feet.	Approximate rate per cubic foot.	Rate per ton of 27 maunds.	Rate per head-load of 30 seers.
<i>Class III.—All other kinds not specially accepted by order of the Conservator.</i>					
		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
All Circles and Divisions.	Poles 10' x 6" girth at thick end	5 0 0	0 1 6	..	..
	Poles 12' x 12" do. ...				
	Poles 15' x 18" do. ...				
	Poles 20' x 24" do. ...	0 0 0	0 2 0		
	B.—MISCELLANEOUS FOREST PRODUCE.				
All Circles and Divisions.	Firewood, felled from growth trees.	...	...	0 0 0	0 0 2
	Firewood, dead wood picked up in forests.	...	...	0 3 0	0 0 1
	Thorns	...	...	0 3 0	0 0 1
	Fodder grasses	...	...	0 3 0	0 0 1
	Lotus	...	...	0 3 0	0 0 1
	Bamboo, green	...	...	0 12 0 per 100	...
	Do., dry	...	...	0 4 0 per 100	...

For cultivators of "pan," sugarcane, and garden crops the maxima rates for forest produce, obtainable on special licenses, shall be one-half of the rates specified in the foregoing schedule.

92. The limitations imposed by the above schedule are relaxed by Revenue Secretariat letter No. 54, dated the 6th January 1897, to the extent that re-adjustments are permitted "in the rates for forest produce, in the class in which particular kinds of wood are placed in particular districts, and in the measure of quantity on which rates are calculated in various places which meet local circumstances," so as to "equalize supply and demand to a degree not possible if a rigid and uniform scale be applied to all districts alike."

93. Even in one and the same district a uniform scale would be inapplicable, for in every district there are parts where the thinly scattered population requires next to nothing from the forest, and others where there is a more or less brisk market for firewood and every kind of timber.

92. The rates for timber and other forest produce will be fixed from time to time, district by district, by the Commissioner and Conservator in consultation. Separate rates will be prescribed in regard to the kinds and classes of produce as follows:—

For the purpose of fixing rates, timber in the round not exceeding two feet in girth at 4' 6" from the ground or 4' from the butt will be classed as "poles" in distinction to "trees."

TIMBER.

Timber of Class I.

The rates for "poles" will be per pole not exceeding 12", 18" and 24" in girth and also by the cart-load; for "trees" they should be by cubic contents per tree not exceeding 3', 4' and above 4' in girth or by the piece for trees over 2' in girth. No cart-load rates will be allowed for trees.

Class II.

One set of rates for all "poles," with separate rates for cart-loads, kawar-loads (if necessary), and head-loads. For "trees" the rates should be per cart-load, and per tree not exceeding 3', 4' and above 4' in girth by cubic contents or by the piece for trees over 2' in girth.

Class III.

For "poles" as for Class II.

For "trees" from 2' to 3' a cart-load rate only; for trees over 3' a cart-load rate or by cubic contents or by the piece for trees over 2' in girth.

FUEL.

Only one rate, for green and dry fuel to be fixed. This will involve ordinarily a reduction in the existing rate for green fuel and not an increase in that for dry fuel.

In Berar the existing differentiation between hard and soft wood fuel will be maintained.

The rates should be fixed by the cart, kawar and head-loads only. Animal and other loads should be assessed on these, when necessary. A monthly rate for the collection of head-loads of dry fuel will be introduced by Conservators, when required.

GRASS.

It is desirable to prescribe separate rates for fodder and thatching grass, since the price of the former should be as low as possible. Also, wherever *Ischaemum augustifolium* (Sum, Sabai) grass occurs

in any appreciable quantity, a considerably higher rate should be fixed, as this grass is a valuable commercial commodity. The rates should be by cart, kawar and head-loads.

OTHER PRODUCE.

1. Rates should be as few and simple as possible.
2. Special rates for manufactured articles, such as axes, felloes, etc., should be avoided, payment being assessed by "tree" or "pole" required to produce them.
3. The rates should invariably be based on cart, kawar or head-loads.
4. No rate or difference, between any two rates should be less than one pice, and after four annas is reached the rates should not deal with sums differing by less than half an anna.
5. Monthly permits to remove one head-load daily of certain kinds of produce should be issued.
6. The rates for bamboos should be confined to head-loads, cart-loads and per hundred.
93. The rates for animal and other loads will be calculated according to the factors given below: -

(i) TIMBER AND FUEL.

1 head-load	...	= 1 cubic foot solid	= 60 lbs.
1 kawar-load	...	= 1½ cubic feet solid	= 90 "
1 animal pack-load	...	= 3 " " "	= 180 "
1 drag-load	...	= 6 " " "	= 360 "
1 cart-load (two bullocks) ...	{	= 15 " " "	= 900 "
		= 20 " " "	= 1,200 "
		= 25 " " "	= 1,500 "
		= 30 " " "	= 1,800 "

Note.—(a) The factor for a cart-load of timber or fuel to vary as above with the general size of cart used in the various Forest Divisions.

(b) Add 25 per cent to cart-load factor for each additional bullock used.

(c) 1 ton = 20 cubic feet solid.

(d) For conversion of stacked fuel to cubic feet solid multiply by 0.5.

(ii) POLES MEASURED 4 FEET FROM THE THICK END.

Less than 12" in girth	=	½ cubic feet solid	= 30 lbs.
12" and less than 18" girth	=	2 " " "	= 120 "
18" and less than 24" girth	=	4 " " "	= 240 "

(iii) TREES MEASURED AS ABOVE.

2 feet and not exceeding 2½ feet in girth = 7 cubic feet solid
 2½ " " " 3 " " " = 10 " " "

Note — 1 cubic foot solid = 50 lbs.

(iv) CHARCOAL.

1 head-load = 60 lbs.
 1 kawar-load = 90 "
 1 animal pack-load = 180 "
 1 camel-load = 360 "
 1 cart-load { = 540 "
 = 720 "
 = 900 "
 = 1,080 "

Note — (a) 1 maund = 80 lbs.

(b) 6 maunds of green wood = 1 maund of charcoal.

(c) To convert maunds of charcoal to cubic feet solid multiply by 8.

(d) The cart-load factor to vary as in the case of timber and fuel.

(e) A cart carrying 20 cubic feet of timber to be taken as carrying 9 maunds of charcoal.

(v) BAMBOOS.

1 head-load = 10 green bamboos.

1 drag-load = 60 " "

1 cart-load (2 bullocks) = 50 to 200 green bamboos, by fifties, according to the size of carts in use in the various Forest Divisions.

Note — (a) For dry bamboos increase the above figures by 50 per cent and for each additional bullock by 25 per cent.

(b) For eating bamboos decrease by 50 per cent.

(vi) GRASS AND OTHER KINDS OF PRODUCE.

1 head-load = 60 lbs.
 1 kawar-load = 90 "
 1 animal pack-load = 180 "
 1 camel-load = 360 "
 1 cart-load { = 900 "
 = 1,200 "
 = 1,500 "
 = 1,800 "

Note — The cart-load factor to vary as for timber and fuel.

(vii) COMMUTATION PER HOUSE.

1. Timber, 25 cubic feet.
2. Fuel, 200 cubic feet.
3. Bamboos, 100.
4. Karkas, 300.
5. Grass, 1 ton.
6. Other minor produce, $\frac{1}{2}$ of a ton.

(viii) STONE AND KANKAR.

- 1 cart-load = 10 cubic feet.
 1 kawar-load = 1'5 " "
 1 head-load = '75 " "

E. GORDON,

*Under Secretary to the Chief Commissioner,**Central Provinces.*

No. 1483, Civil Sectt.—26-11-13—550.

Part III.

Chap. XVI.

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are such as it is the object of the existence of the department to render or to furnish.

Under the Forest Law of India, "forest produce" practically includes all natural products found in a forest, whether vegetable, animal or mineral.

In 1882* it was decided that the revenue realized from quarries and minor mineral products in Government forests and lands which are under the management of the Forest Department, should be credited to "Forests"; but where such forests and lands are not under the management of that department, to "Land Revenue (Miscellaneous)".

2. The question whether, under these rulings, the Forest Department is entitled to charge royalty in another department of Government upon minerals taken from the forest area, has more than once come before the Government of India; but, though it has usually been decided, on these individual references, that the Forest Department was entitled to levy a royalty on all materials supplied to other departments, no definite general ruling on the subject has yet been laid down. The Government of India now consider it desirable to issue formal orders in the matter for general guidance, in order to secure uniformity of procedure and to prevent the possibility of misunderstanding. They consider that a distinction may properly be drawn between vegetable products which strictly appertain to a forest as such, and animal products which depend for their existence either directly or indirectly upon the presence of the forest, on the one hand, and mineral products, the existence of which is independent of the fact that the land is a forest, on the other. They consider, also, that it is undesirable to extend to contractors working for a Government department any privileges which the department itself may enjoy when operating directly by its own establishment.

3. They direct therefore that the Forest Department shall charge other Government departments for all vegetable or animal products extracted from a forest area, in the same manner in which it charges the public; and that it shall similarly charge contractors for all mineral products extracted by them, whether in behalf of a Government department

Rates for Contractors and the General Public.

Part III.

Chap. XVI.

94. Chief Commissioner's Resolution No. 102, dated the 5th January 1893, already quoted above, gives the Department full discretion to fix its own rates according to strictly commercial principles.

No charge for Grass to Troops on the March.

95. When troops are on the march through any district of the Central Provinces they are to be allowed to cut grass for forage in any forest reserve near the line of march free of charge, due precautions being taken against fire and damage to the forest (General Secretariat letter No. 208-70, dated the 12th February 1890). Special areas (bars) leased to private persons will not, however, be subject to the above rule.

Transactions with other Government Departments.

96. The cases in which the Forest Department may or may not charge other departments are laid down in the following Revenue and Agriculture Department Resolution Circular No. 13-53-2-F., dated the 11th July 1897:—

The Resolution of the Finance Department, No. 4145, dated the 18th July 1888, prescribed the conditions under which one department of the public service may charge another department for services rendered or articles supplied to it, and under this Resolution the Forest Department is included in the category of quasi-commercial departments maintained for the purpose of rendering particular services on payment made for services rendered or for articles supplied. These quasi-commercial departments are to charge other departments of Government for services rendered or articles supplied in the same way as they would charge a member of the public; provided, however, that the services or supplies are such as it is the object of the existence of the department to render or to furnish.

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In 1889 * it was decided that the revenue realized from quarries and minor mineral products in Government forests and lands which are under the management of the Forest Department, should be credited to "Forests"; but where such forests and lands are not under the management of that department, to "Land Revenue (Miscellaneous)".

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Part III.

Chap. XVI.

or not. If a Government department extracts mineral products for sale, they also will be charged for. But the Forest Department will not charge other Government departments for mineral products extracted from a forest area by the direct agency of the department concerned, under its own supervision and without the intervention of contractors or middlemen, for its own use, and not for disposal to the public or other departments. For such products the Forest Department will take no credit in the public (treasury) accounts of Government. But for statistical purposes the value of these products should be shown in the returns furnished by the Forest Department just as the value of timber and other forest produce removed by free-grantees or right-holders is already shown.

4. The ruling that certain forest products shall not be charged for, if directly extracted by other Government departments for their own use, in no way confers upon such departments any right of entry upon or of working in the areas under the charge of the Forest Department. That department retains its full powers of control; and, subject to the orders of superior authority, will continue to fix and limit the localities where such extraction may take place and to impose any conditions which it may consider necessary for the safety of its forests and the convenience of its work.

37. Under the authority of the above Resolution, the following rates have been fixed for building-stone and road materials, where these are to be charged for (Revenue Book Circular No. VIII-2):—

* * * No royalty is to be levied on stone removed from quarries, * * * when such quarries have not been leased to a contractor * * * and the stone is not quarried for sale but is required for the construction or repair of wells or other agricultural works, or for the construction or improvement of the dwelling-houses of agriculturists.

2. In the case of mineral products of this kind quarried for purposes other than those mentioned in paragraph 1, the following rules must be applied:—

I.—For material removed from quarries situated in Government forests the following rates shall be charged:—

Material.	Rate per 100 cubic feet.
Moortum	1 anna.
Kunkur (all kinds)	5 annas.
Stone for road metal	5 "
" building	10 "
" lime-baking	10 "

III.—When a Government quarry is leased to a contractor, it shall be stipulated in the lease that no higher rates than those set out in Rule I shall be charged.

GRAZING AND COMMUTATION.

A.—GRAZING.

38. There are three different systems of levying fees on cattle grazed in reserved forests, namely:—

- the license system with general rates common to all cattle;
- the license system with rates differentiated for agricultural and other cattle;
- the village assessment system.

Rules for each system are given below. System (b) has been extended to the whole Province, with the exception of the Chhattisgarh Division and the Mandla District. System (c) may be introduced in any district side by side with system (a) or system (b). Part III.
Chap XVI.

The rules framed under the Act, and the instructions given in the next paragraph, are of general application.

99. The following rules for the regulation of grazing have been made by the Chief Commissioner under Section 75 (d) of the Forest Act:—

(1) When a reserved forest has been closed to all grazing or to the grazing of any specified class of cattle, by order of the Chief Commissioner, the grazing therein of all cattle, or of the specified class of cattle, as the case may be, is prohibited.

NOTE.—Ordinarily all forests intended for the growth of trees will be closed to the grazing of sheep and goats.

(2) The right to graze cattle in reserved forest can only be obtained by a license granted under the penultimate clause of Section 25 of the Forest Act. Licenses will be granted subject to the conditions:—

(a) that a herdsman shall accompany and be in charge of all cattle;

(b) that the herdsman will take the license with him whenever he takes cattle into the forest, and there produce it on the requisition of any Forest official; and on breach of either of these conditions the license will be void and the cattle, herdsman and owners liable to be treated as though no license existed.

These conditions and the effect of a breach of either of them will be clearly inserted in every license granted.

Condition (b) will, however, be omitted in the case of cattle grazing under the village assessment system.

General Instructions.

(1) The grazing year commences on the 1st July and ends on the 30th June. All licenses are valid for the whole grazing year. Licenses shall be issued in the name of the owner of the cattle and are not transferable.

(2) No fees will be charged for calves not more than one year old. They will be allowed to accompany the herd, and need not be covered by licenses.

(3) Herdsmen found grazing cattle in reserved forest without licenses or with insufficient licenses should be dealt with under the rules for offences issued by Notification No. 1394, dated the 24th February 1906 (page 58 of this Manual). If a herdsman has not his grazing license in his possession or refuses to produce it whilst grazing cattle in a reserved forest, he should be treated as if grazing cattle without a license; but this offence should generally be treated leniently.

Part III.
Chap. XVI.

(4) Cattle will be permitted to pass along a highway which runs through a reserved forest, provided that they are not halted in the forest for pasturage or for a longer time than is reasonably necessary for the food and rest of the attendants. This rule is to be worked leniently, and cattle are not to be impounded if they merely stray a few yards from the road or from any authorized camping-ground.

(5) Any orders which the Forest Divisional Officer may wish to issue to Patwaris or Revenue Inspectors in regard to the working of the grazing rules should be sent by him to the Tahsildar for communication to the Patwari or Revenue Inspector concerned.

Rules for the license system without differential rates.

100. (1) Grazing licenses will be issued on payment at the following rates:—

Forest Circle.	Forest Division.	Rate per head of				Remarks.
		Buffaloes.	Cows, oxen or ponies.	Goats.	Sheep.	
		As. p.	As. p.	As. p.	As. p.	
<i>District Licenses.</i>						
Northern	Sioni	5 0	2 0	1 6	1 0	
	Chhindwara	...	...	...	...
	Saugor	...	...	...	...
	Damoh	4 6	2 0	1 3	0 9	
Bihar	Mandla	...	...	...	...
	Betul	...	...	...	...
Southern	Nimar	6 0	3 0	1 6	1 0	
	Bhandara	5 0	2 0	1 6	1 0	
	Holaghat	...	...	...	...
	Raipur	...	...	...	...
	Bilaspur	4 0	2 0	1 3	0 9	
	Chanda	...	...	...	...
<i>Non-district Licenses.</i>						
	All the above districts...	8 0	4 0	2 0	1 6	

(2) The holder of a district license is entitled to graze his cattle in any forest which is open to grazing in the district in which the license is issued. Part III.
Chap. XVI.

(3) The holder of a nomadic license is entitled to graze his cattle in any forest of the province which is open to grazing.

Proviso to Rules 2 and 3.—With the previous sanction of the Chief Commissioner a special and enhanced rate may be demanded in the case of any particular forest.

(4) Any holder of a district license may convert it into a license admitting to specially reserved forests or into a nomadic license, by paying the difference between the fees already paid and the fees calculated on the special or nomadic rates.

(5) A cattle owner will not be required to take out a license for more than the actual number of cattle which he desires to graze in reserved forest.

(6) Licenses will be issued by the Forest License Vendor in Form IV. They will be dealt with in accordance with the rules to regulate the sale of forest stamps (paragraph 84, *supra*) so far as they are applicable.

Rules for the license system with differential rates for agricultural and other cattle.

101. (1) Grazing licenses will be issued on payment at the following rates:—

	Buffaloes.	Bulls, bullocks and cows.	Horses and ponies.	Goats.	Sheep.
	As. p.	As. p.	As. p.	As. p.	As. p.
1. Agriculturists' privileged rates	4 0	1 0	...	...	...
2. Standard rates	8 0	5 0	5 0	2 0	1 6
3. Commercial rates	At such rates as may be fixed from time to time by the Conservator, subject to the previous approval of the Chief Commissioner.				

(3) Any person presenting his tenants' receipt-book (*rasid-bahi*) to the license vendor shall be deemed to be an agriculturist.

NOTE.—If a *malgaxar* or sub-tenant wishes to obtain the privileges conferred on agriculturists by these rules he must purchase a tenants' receipt-book from the *Patwari* of his village.

Part III.
Chap. XVI

(3) The Patwari will make the following entries in each receipt-book (rasid-lahi) for each year :—

In the left-hand top corner of the demand page—

- (1) Name of tenant.
- (2) Name of village and Patwari Circle number.
- (3) Occupied area of holding, excluding in the case of a proprietor any *sir* land held by a tenant, and in the case of a tenant or *malik-makbuza*, any area sub-let.

In the right-hand top corner of the demand page—

- (4) Number of animals owned buffaloes.
- (5) Number of animals owned bulls, bullocks and cows.
- (6) Maximum number of animals entitled to privileged rates.

Calves under one year old shall not be included.

These entries will be completed by the Patwari before the 30th June. The Patwaris will sign and date these entries. The Revenue Inspector will check and also sign and date these entries.

(4) An agriculturist producing before the license-vendor his *rasid-lahi* containing these entries will be entitled to a grazing license at the privileged rates for one animal for every four acres of the occupied area of his holding. A fraction of the unit of 4 acres will be taken as a whole unit, but every agriculturist shall be entitled to graze not less than two animals at the privileged rates, provided that the occupied area of his holding is not less than two acres.

Examples :— If the total occupied area is 3.75 acres or 7.14 acres 2 animals will be charged at the privileged rates ; if the total occupied area is 9.63 acres, 3 animals will be charged at the privileged rates ; if the total occupied area is 33.37 acres, 9 animals will be charged at the privileged rates.

(5) The standard rates apply to all cattle which agriculturists send to graze in reserved forests in excess of those for which they can claim the privileged rates, and to all cattle sent to graze in reserved forests by non-agriculturists who are not liable to pay commercial rates. Commercial rates may be charged to banjaras, professional cattle-breeders, and other special classes, or they may be charged, in exceptional cases, for forests where the grazing is of special value. The Conservator, with the approval of the Commissioner, will fix the classes to whom commercial rates are to be charged. In cases of a difference of opinion the question must be referred for the decision of the Chief Commissioner.

(6) A cattle-owner will not be required to take out a license for more than the actual number of cattle which he desires to graze in reserved forest.

*Range Officer
Moussi Bauman Range
31/10/10*

**Amendment to the Central Provinces Forest Manual
(Revised Edition).**

No. 40, dated the 22nd September 1910.

Page 115. Paragraph 101.—*Add the following as Rule 14*—

(14). With the sanction of the Conservator all actual Forest Subordinates, and all retired Forest Subordinates who have done good service, may be exempted from the payment of grazing dues; but such exemption may not apply to persons who make a trade of cattle-breeding or cattle-dealing.

C. BROWN,

Under Secretary to the Chief Commissioner,

Central Provinces.

Govt. Press, Nagpur :—No. 1232, Civil Sect.—27-9-10.—230.

(7) The holder of a grazing license issued under these rules is entitled to graze his cattle in any reserved forest open to grazing in any district of the Central Provinces, provided that with the previous sanction of the Chief Commissioner a special and enhanced rate may be demanded in any particular forest.

(8) Licenses will be issued by the Forest License Vendor in Form 4 (A). They will be dealt with in accordance with the rules to regulate the sale of forest stamps (paragraph 84 of the Forest Manual) so far as they are applicable.

(9) The license vendor will sign and date every *rasid-bahi* upon which he issues a license at privileged rates, so as to prevent it being used a second time for this purpose.

(10) The Range Officer will check from 20 to 30 per cent of the second parts of the licenses by a comparison with the *rasid-bahis* before he sends them on to the Forest Divisional Officer.

(11) Any Forest Officer may call on any agriculturist to produce his *rasid-bahi* for comparison with his grazing license.

(12) After the receipt in the Forest Divisional Office of the first parts of the licenses the lower halves of about 20 to 30 per cent will be detached and sent to the Revenue Inspector of the Circle, who will compare them with the *rasid-bahis* and *jamabandis*, and shall sign the certificate that he has done so. He will, within two months of their receipt, return them so completed to the Forest Divisional Office, where they will be re-attached to the other parts of the licenses.

(13) Licenses granted at commercial rates will be issued by license vendors in Form 4 or any special form that may be prescribed. The rates to be charged will be communicated to the license vendors by the Forest Divisional Officer.

Rules for the village assessment system.

102. *Preamble.*—The objects of the village assessment system are to save friction between the villagers and forest subordinates, to ensure to the villagers grazing at reasonable rates collected at the most convenient season with the minimum of trouble, and to facilitate the collection of revenue.

Under this system the whole of the cattle of each village must be assessed to grazing due. There is no law under which the system can be forced on any *malguzari* village that does not accept it willingly. But its advantages are so great that it is anticipated that nearly all such villages in the near neighbourhood of Government forests will be willing to accept it, if the advantages are properly explained to the people. The system is obligatory for all *ryotwari* villages, except such as may be exempted by the Deputy Commissioner for good and sufficient reason.

Part III. All the cattle of ryotwari villages so assessed shall be entitled to graze in the unalotted numbers and minalai areas of the village, and also in any reserved forest open to grazing.

Chap. XVI.

Rules.

(1) If any malguzari village wishes to take out a consolidated license for the grazing of all its cattle, application should be made to the Forest Divisional Officer.

(2) The Forest Divisional Officer will in the first instance prepare a provisional list of malguzari villages willing to take out a consolidated license, and will submit it to the Deputy Commissioner before the 1st June. The names of these villages will be communicated to the Patwari by the District Office before the 15th June, and he will be directed to prepare grazing assessment lists for these villages and for all ryotwari villages, except such as may be specially exempted. The Forest Divisional Officer will send to each Range Officer the names of such villages situated in his Range. In succeeding years it is sufficient to prepare lists of removals from or additions to the previous year's lists.

(3) The patwari will draw up in triplicate an annual grazing assessment list for the listed malguzari villages in Form No. 4 (B), except in the Chhattisgarh Division and the Mandla District, where the list will be in Form No. 4 (C). The lists for inhabited ryotwari villages will be in Form (D). No lists are required for uninhabited ryotwari villages; the ryots will be assessed in their villages of residence. The Patwari will first enter the malgozar and tenants in jama land order and then other residents. These lists will be prepared between the 15th June and 31st August. They will be checked and corrected when necessary by the Revenue Inspector, who will forward one copy to the Forest Divisional Officer, through the Range Officer, leaving the other two copies with the Patwari and Mukaddam, respectively. The Revenue Inspector will forward the lists from time to time as they are ready, the last must reach the Forest Divisional Officer by the 30th September. He should do his best to ensure the accuracy of the lists by checking them, but he should not delay their submission beyond this date. Any lists then left unchecked should be checked later on by him from the Patwari's or Mukaddam's copy. These lists will be accepted as the permission in writing required by Section 25 of the Forest Act.

NOTE.—In some districts arrangements have been made for a simultaneous check by the Revenue Inspector and Range Officer, and this, when practicable, is the most satisfactory method. Special additional Revenue Inspectors may be appointed for two months if necessary in Circles where the work is very heavy.

(4) The Range Officer will check a certain proportion (to be prescribed by the Forest Divisional Officer) of the lists, and report to the Forest Divisional Officer any mistakes that he may find, but he shall not except in consultation with the Revenue Inspector (see note to Rule 3 above), make any alterations.

(5) The Range Officer and Forest Divisional Officer will both enter extracts from the lists in bound registers kept by them for the purpose. The Forest Divisional Officer will also enter from the registers into his accounts (Forms 10 and 11) the assessment of each Range and the amount due from it. The Forest Divisional Officer will send the lists to the Tahsildar by the 1st November.

(6) The rates to be entered in the forms are the standard rates for the district.

From these rates the following deductions are made:—

- (a) in malguzari villages in districts under "differential rates" a rebate of 4 annas for every 4 acres of occupied area, provided that the amount of the rebate shall not exceed the total entered in column 8 of Form 4 B;
- (b) in all ryotwari villages a rebate equal to the standard rate on one bullock for every four acres of occupied area, provided that the amount of the rebate shall not exceed the total entered in column 8 of form 4 D;
- (c) in all villages a deduction of 25 per cent from the amount otherwise realisable.

Horses, ponies, sheep and goats may be excluded from the lists in any district by the Deputy Commissioner, and if grazed, will be grazed on ordinary license.

(7) A mukaddam, who files a written agreement making himself responsible under Section 157-A of the Land Revenue Act for the full collection and payment to Government of the whole village assessment, will be allowed a drawback, at a rate to be fixed by the Deputy Commissioner, not exceeding two annas in the rupee. Such mukaddam shall pay in the whole sum due with the first list of Land revenue.

It is not necessary to take fresh agreements every year. This rule does not apply to mukaddam-gumashtas.

(8) A mukaddam, who declines to make himself so responsible, will receive a commission at the rate of one anna in the rupee on the sums collected by him and paid into the treasury. In such villages the Tahsildar will instruct mukaddams to make collections as soon as he receives the lists from the Forest Divisional Officer. He shall endeavour, in the first instance to collect through mukaddams. Neither Forest Officers nor the Land Record Staff shall have anything to do with collections.

(9) Tahsildars will be provided by the Forest Divisional Officer with advances for the payment of commissions. Commissions should be paid promptly. If the dues are sent by money-order, the commission shall also be sent by money-order, after deducting the money-order commission.

Part III.

Chap. XVI.

(10) The Tahsildar will send on the last day of the month to the Forest Divisional Officer a list showing all sums credited during the month and the date of credit and number of challan. This list will show separately the amounts realized from each village. When all the sums due from a village have been credited in full, the Tahsildar will return that village assessment list to the Forest Divisional Officer.

(11) If their duties are performed punctually and accurately by Revenue Inspectors and patwaris, they will be rewarded by the distribution amongst them of a lump sum not exceeding 3½ per cent of the total assessed demand. Funds for this purpose will be supplied by the Forest Divisional Officer to the Deputy Commissioner. The Deputy Commissioner will send to the Forest Divisional Officer the receipts of the recipients in Form No. 32 (Forest Department Code). The Forest Divisional Officer may bring to the notice of the Deputy Commissioner the names of any officials who have been unpunctual or inefficient, and who are, in his opinion, not entitled to any reward.

B.—COMMUTATION FOR NISTAR, PAIDAWAR AND SMALL TIMBER.

163. By commutation, as distinguished from special sales of a definite quantity of produce (dealt with in the preceding section), is understood the payment of a fixed sum once for the whole year in return for the privilege of removing from the forest, at any time during the year and as often as is necessary, certain stated descriptions of produce for *bona fide* home consumption, and not for barter or sale or for wasteful use. The commutation system is a suitable one for adoption in the districts where the demand upon the forests is almost wholly confined to the requirements of villagers. But in other tracts, where there is a considerable commercial demand for forest produce, or even where there is a very heavy demand on the part of villagers, the system is open to abuse. The following rules apply, therefore, only to areas where the Conservator and Commissioner agree that their introduction is advisable. It would ordinarily be undesirable to permit the system in forests under regular working-plans.

RULES.

1. Nistar ordinarily means and includes—

- (a) Dry wood fit only for fuel,
- (b) Dry bamboos,
- (c) Grass,
- (d) Thorns,
- (e) Leaves,
- (f) Bakka!

required for *bona fide* domestic use, and not for sale or barter or wasteful use.

Paidawar ordinarily means and includes all edible roots, fruits, flowers and gums. **Part III.**

Chap. XVI.

Small timber means green poles, not of specially reserved species, with a girth at the thick end of not less than 12 and not more than 36 inches.

2. No commutation will be allowed in any village unless the whole village other than persons in Classes III, IV and V under Nistar in Rule 7 below agree to commute.

Proviso.—But the following persons may be excused from payment:—

- (a) Government servants.
- (b) Infirm and blind persons.
- (c) Widows with young children and with no member of their family able to collect for them.
- (d) Kotwars and any other small class if specially exempted by the Deputy Commissioner.
- (e) From Paidawar only—shopkeepers and banias should show that they do not collect paidawar.

3. Any village commuting for paidawar must ordinarily commute for nistar also, and *vice versa*; but the Deputy Commissioner may specially exempt from the paidawar payment villages which do not use paidawar and villages adjoining forests which contain little or no paidawar.

4. In special areas where there is danger of abuse (e. g., near a large town) the Conservator, with the Commissioner's consent, may exclude fuel from nistar.

5. Commutation for small timber will be allowed only in the districts of Mandla, Balaghat and Chanda. The areas where it will be in force will be defined by the Conservator with the Commissioner's consent. Such areas would be localities in which the outside demand for green timber of inferior species is negligible and in which there is little danger of sale by commuters. Commutation for timber would ordinarily not be allowed in the near neighbourhood of a regular felling series, in which the prescriptions of a sanctioned working-plan are in force.

6. Commuters for small timber will be allowed to take only what is sufficient for their own agricultural implements, field shelters, and repairs of their own houses, if of the ordinary agriculture type. They must fell all timber flush with the ground. The Deputy Commissioner and the Divisional Forest Officer may, if necessary, lay down for the district or for any range or sub-range what is a reasonable amount of small timber to be taken by any one commuter, and if in any village the pri-

Part III. village is found to be persistently abused either by overcutting or by wasteful cutting, it may be withdrawn.

Chap. XVI

(7) The standard rates for commutation are as follows:—

I.—Nistar.

I.—Malguzars and tenants	...	4 annas per plough.
II.—Shopkeepers, Banias, &c.	...	8 " per house.
III.—Lohars and Kalars using wood in furnaces,	4 rupees per house.	
		8 annas for one furnace.
IV.—Iron-smelters (Agarias)	...	12 " for two furnaces.
		15 " for three "
V.—Chamars practising tanning	...	2 rupees 8 annas per house.
VI.—Labourers	...	3 annas per house.

II.—Paidawar.

All classes	...	5 annas per house.
-------------	-----	--------------------

III.—Small Timber.

I.—Malguzars and tenants	...	2 annas per plough.
II.—Labourers	...	2 annas per house.
III.—Other classes...	...	4 annas per house.

Any of these rates may be varied for any district or range by the Conservator with the consent of the Commissioner. The paidawar rate should be reduced when the amount of produce available is small, and when it is quite insignificant the nistar rate should be allowed to cover paidawar also.

(8) The rights of Government ryots living in ryotwari villages to the produce of waste land within the ryotwari area are governed by the provisions of Revenue Book Circular VII-14. If the ryots make use of the reserved forests, they must take out ordinary licenses, unless they are permitted to commute. The Deputy Commissioner may fix specially reduced rates in ryotwari villages permitted to commute if it is shown that the minhai area is as a fact insufficient for their requirements.

(9) For villages permitted to commute the procedure will be that prescribed by Rules 1 to 5 and 7 to 11 of the village assessment rules (paragraph 102 above). The village commutation list will be in Form 4 (E). The patwari must show every name, marking with a cross cases for exemption under the proviso to Rule 2, but leaving it to the Revenue Inspector to strike them off. For villages under the Assessment Scheme, Form 4 (E) may be amalgamated with Form 4 (B), 4 (C) or Form 4 (D), as the case may be, by the addition of columns after column 12 of the latter form.

Part III. village is found to be persistently abused either by overcutting or by wasteful cutting, it may be withdrawn.

Chap. XVI.

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II.—Shopkeepers, Banias, &c.	...	8 " per house.
III.—Lohars and Kalars using wood in furnaces,		4 rupees per house.
IV.—Iron-smelters (Agarias)	{	8 annas for one furnace.
	{	12 " for two furnaces.
	{	15 " for three "
V.—Chamars practising tanning	...	2 rupees 8 annas per house.
VI.—Labourers	...	3 annas per house.

II.—Paidanar.

Amendment to the Central Provinces Forest Manual.

(SECOND EDITION.)

No. 5, dated the 19th March 1908.

Page 120. Against IV.—Iron-smelters (Agarias) for "Annas" read "Rupees."

NAGPUR:

H. C. GOWAN,

The 19th March 1908. } Under Secy. to the Chief Commr., C. P.

permitted to commute. The Deputy Commissioner may fix specially reduced rates in ryotwari villages permitted to commute if it is shown that the minhai area is as a fact insufficient for their requirements.

(9) For villages permitted to commute the procedure will be that prescribed by Rules 1 to 5 and 7 to 11 of the village assessment rules (paragraph 102 above). The village commutation list will be in Form 4 (B). The patwari must show every name, marking with a cross cases for exemption under the proviso to Rule 2, but leaving it to the Revenue Inspector to strike them off. For villages under the Assessment Scheme, Form 4 (B) may be amalgamated with Form 4 (B), 4 (C) or Form 4 (D), as the case may be, by the addition of columns after column 12 of the latter form.

Licence for grazing (First part).				(Second part.)			(Third part.)
Book No. Licence No. Name— Caste— Residence—							
Particulars of cattle.	Number.	Rate.	Grazing fees.				
			Rs.					As.	P.
Buffaloes at standard rates	...						As per first part.
Do. at privileged rates	...						As per first part.
Bulls, bullocks and cows at standard rates	...						
Do. do. at privileged rates	...						
Goats	...						
Sheep	...						
Horses	...						
Total	...						
Year for which valid							
Date of issue							
Licence-holder's signature							
Name							

Part III.

CENTRAL PROVINCES FOREST FORM NO. 4 (A)—(Contd.)

Chap. XVI.

Boor No.						
License No.						
<i>Extract from "Rashid-Bahi".</i>						
Name of tenant	...	...	...	...	...
Name of village and Pargana Circle No.	...	...	...	...	...	As per first part.
Occupied area acres	...	...	...	...	...	As per first part.
Maximum number of privileged animals	...	...	...	...	...
Compare total number of animals owned—						
Bullocks, bulis and cows	...	...	...	...	...
Buffaloes	...	...	...	...	...
Name of circle of Revenue Inspector	...	...	...	...	...
License-tender's signature	...	...	...	...	...
Date	...	...	...	...	...
Checked with the "Rashid-bahi" and "Jumladahi" and found correct.					Checked with the "Rashid-bahi" and found correct.	As per first part.
(Signature)					(Signature)	
Date	Revenue Inspector			Date	Range Officer	
This license is granted subject to the following conditions:—					As per first part.	As per first part.
(i) All cattle taken or allowed to stray into the forest shall be accompanied by a herdsman in charge of them.						
(ii) The herdsman will take this license with him whenever he takes cattle into the forest and will there produce it on the demand of any Forest official.						
On breach of either of these conditions the license will be void and the cattle, herdsman and servants will be liable to be treated as though this license did not exist.						

CLASS III.

All other species.

In Berar Class III is included in Class II.

The species marked with an asterisk (*), which are those most commonly used by agriculturists, may, with the consent of the Commissioner and Conservator, be put into the class next below.

Part III.
Chap. XVI.

Note.—This license is granted on the condition that all cattle taken or allowed to graze into the reserved forest shall be accompanied by a herdsman, in advance of them. On breach of this condition the license will be void and the cattle, herdsman and horses, shall be liable to be treated as through this license did not exist.

CENTRAL PROVINCES FOREST FORM No. 4 (C) For Chhattisgarh and Madia.

Form No. _____

License No. _____

Excluded Grazing License.

Name of village _____

Number of Patwaris Circle _____

Year for which valid _____

Number of cattle owned.

Name of cattle owner.	Number of cattle owned.										Date of credit into Treasury.	Number of Treasury Chittans.
	Buffaloes at As.	Bulls, heifers and cows at As.	Horses and ponies at As.	Cows at As.	Sheep at As.	Amount of grazing fees deposited in at standard rate of four annas.	Not assessed payable.					
1	2	3	4	5	6	7	8	9	10	11	12	13
Total												
Grazing fees at above rates.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.			

Checked and found correct

(Signature).

Revenue Inspector,

Date: 1913 _____ Circle _____

Total

100

Part III.

Chap. XVI.

Part III.
Chap. XVI.

Note.—This license is granted on the condition that all cattle taken or allowed to stray into the forest shall be accompanied by a license to charge of them. On breach of this condition the license will be void and the cattle, herdsmen and owners shall be liable to be treated as though this license did not exist.

CENTRAL PROVINCES FOREST FORM No. 4 (D) (RYOTWARI).

Consolidated Grazing License.

Book No. _____
 License No. _____
 Name of village _____
 Number of Paltanahs _____
 Year for which valid _____

YEAR FOR WHICH PAID.														
Name of cattle owned.	Occupied area of holding, if any.	Number of cattle owned.					Amount of grazing dues at standard rates.	Deduction of the value of the holding—(a) bullock—(b) cow—(c) goat—(d) sheep—(e) pig—(f) other.		Balance.	Deduction of one-fourth.	Net amount payable.	Date of receipt of money.	Number of cattle.
		Buffaloes & cows at Rs.	Goats & bullocks at Rs.	Horses and ponies at Rs.	Goats at Rs.	Sheep at Rs.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	
Total														
Grazing fees at above rates.		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.		

(d) The total must not exceed the total in column 4.

Checked and found correct.
(Signature)

200

Revenue Inspector,
District.

(Signature)

200

Date

200

Part III.
—
Chap. XVI.

CENTRAL PROVINCES FOREST FORM No. 4 (B)

United Communist Party

Volume of Village

School of Podiatric Medicine, Clute

...to which will

Hook Bay

Original No. _____

14. *cont.*

Number of
plants (along
way and inside)

000000

www.pearsoned.com

1

1

Number of "Inventive" Clusters

[illegible]

1997/98

三

Journal of Management Education

三

Memorandum

...with the ...

Fig. 1a,b,c,d,e,f.

Table 1

Amendment to the

No. 68, dated

Page 127, para. 106

Cancel the present pa

106. The free grant regulated by Revenue Bo

Under paragraph (i) which deals with the free Chief Commissioner has Officers to make free g

- (a) Officers in charge
- (b) Conservators
- (c) Chief Conservator

Grants made by Office of the Commissioner, in each case, to those made by Conservator, approval of the Commissioner, where a Deputy Commissioner produce should be either for the construction of such as the relief of a village, houses have been destroyed him-off in consultation his recommendation to

The Conservator of the Division, sanctions forward the proposal if the grant is

If the grant is by the Chief Conservator through the Commissioner.

3. It must be reasonable to expect that free grants of utility are ordinarily of indirect benefit to the community. If such grants should, for reasons. But this is required for the relief of those whose houses have

Amendment to the Central Provinces Forest Manual,
2nd Edition.

No. 68, dated Nagpur, the 14th March 1913.

127

Part III,

Subject are as Chap. XVI.

Page 127, para. 106—

Cancel the present paragraph and substitute the following:—

106. The free grant of timber and other forest produce is regulated by Revenue Book Circular VII-4.

Under paragraph (ii), Article 109, of the Forest Department Code, which deals with the free grant of timber and other forest produce, the Chief Commissioner has empowered the following classes of Forest Officers to make free grants to the value noted against each:—

	Rs.
(i) Officers in charge of Forest Divisions	250
(ii) Conservators of Forests	500
(iii) Chief Conservator	1,000

Grants made by Officers in charge of Forest Divisions will be subject, in each case, to the approval of the Deputy Commissioner, and those made by Conservators, or by the Chief Conservator, to the approval of the Commissioner of the Division. In cases, therefore, where a Deputy Commissioner considers it advisable that a grant of forest produce should be made free of charge or at favourable rates, either for the construction of works of public utility or for other reasons, such as the relief of a village community or of individual villagers, whose houses have been destroyed by fire, he should dispose of the matter himself in consultation with the Forest Divisional Officer, or forward his recommendation to the Conservator of the Circle, as the case may be.

The Conservator will either, in consultation with the Commissioner of the Division, sanction the grant if it is within his authority, or forward the proposal through the Commissioner to the Chief Conservator if the grant is within that officer's power of sanction.

If the grant is beyond the competence of both the Conservator and the Chief Conservator, the proposal should be forwarded by the Conservator through the Commissioner for the orders of the Chief Commissioner.

2. It must be remembered that the Government of India have laid down that free grants of timber or forest produce for works of public utility are ordinarily inadmissible, unless such works will be of direct or indirect benefit to the forests themselves. Recommendations for such grants should, therefore, not be made except for very special reasons. But this consideration will not apply when the grants are required for the relief of a village community or individual villagers, whose houses have been destroyed by fire.

E. GORDON,

Under Secretary to the Chief Commissioner,

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Disposal of Skins, Bones and Horns;

Part III.

105. The Chief Commissioner's orders in this subject are as Chap. XVI.

Under the Indian Forest Act (VII of 1878) skins, tusks, bones and horns found in or brought from a Government forest are "forest produce"; and under Section 68 of the Act, where no doubt exists as to the true ownership of forest produce, it is to be presumed to be the property of Government until the contrary is proved. No doubt if the owner of a beast found or killed in the forest claims to assert his claim to the carcass, that claim

Amendment to the Central Provinces Forest Manual (2nd Edition).

No. 9.

Dated Nagpur, the 2nd May 1908.

Page 127.—For paragraph "107" read paragraph "106" and for clause 2 of that paragraph substitute the following:—

The case is different when the grants are required for the relief of a village community or individual villagers whose houses have been destroyed by fire. In such cases the Conservator may sanction the grant of produce if its value does not exceed Rs. 500 and the Forest Divisional Officer if the value does not exceed Rs. 250.

H. C. GOWAN,

Under Secretary to the Chief Commissioner,

Central Provinces.

107. The issue grants of timber and other forest produce under the authority of Article 109 (ii) of the Forest Department Code is regulated by Revenue Book Circular VII-4.

Page 127, paragraph 106.—For "Revenue Book Circular VII-6" read "Revenue Book Circular VII-4."

unquestionably, application should be made to the Conservator of the Circle, who will deal with the case in accordance with paragraph 107 of the Forest Department Code (5th Edition), and forward his recommendations for the Chief Commissioner's orders through the Commissioner of Division. It must be remembered that the Government of India have laid down that free grants of timber or forest produce for works of public utility are ordinarily inadmissible unless such works will be of direct or indirect benefit to the forest themselves. Recommendations for such grants should therefore not be made except for very special reasons.

The case is different when the grants required for the relief of a village community or individual villagers whose houses have been destroyed by fire. In such cases the Conservator may sanction the grant of produce if its value does not exceed Rs. 500, but all cases in which the value of the grant or grants to the members of any village community is Rs. 100 or more must be reported through Commissioner for the Chief Commissioner's information.

Disposal of Skins, Bones and Horns;

Part III.

104. The Chief Commissioner's orders in this subject are as Chap. XVI. follow:—

Under the Indian Forest Act (VII of 1878) skins, tusks, horns and bones found in or brought from a Government forest are "forest produce"; and under Section 68 of the Act, where any doubt exists as to the true ownership of forest produce, it is to be presumed to be the property of Government until the contrary is proved. No doubt if the owner of a beast being or killed in the forest pastures chooses to assert his claim to the carcass, that claim would have to be allowed. But it is perfectly certain that in ninety-nine cases out of a hundred the owner would never dream of asserting such a claim. Telling him, no one has a better right to the hides and horns than Government or its lessee. No Malguzar, Kotwal or Chamar of any neighbouring villages should be allowed to claim or carry or meddle with the carcasses of any beast dying in the Government forests. Their rights are limited to the existing village areas.

II.—The right to collect skins, horns and bones in every Government forest should be sold by auction under the orders of the District Forest Officer. The form of lease will, however, expressly state that it conveys the right to collect all unclaimed (Gauris) produce of this description; and on the back of the granting license should be entered a notice to owners of stock that any owner desiring to claim the carcass of any animal of his, dying or killed within the forest, must intimate the claim within 24 hours of the death to the nearest Forest Ranger. Steps are then to be taken by the Forest officer to see that the animal is properly identified and removed. Ordinarily all skins, horns and bones found within the forest would be at the disposal of the Government lessee.

Licenses for Fishing

105. Chief Commissioner's Resolution No. 4687, dated the 9th November 1895, absolutely forbids for the entire area of the Province the lease of fishing rights or the levy of any dues for permission to fish, but "so far as the Government forests are concerned, the Chief Commissioner has no objection (if Conservators find it anywhere necessary for the protection of the forest) to the right of fishing being limited by licenses given by the Forester in charge, but no fees should be charged on such licenses." Under the term "Forester" are included Deputy Rangers and Rangers.

Free grants of Produce

107. The free grant of timber and other forest produce under the authority of Article 109 (b) of the Forest Department Code is regulated by Revenue Book Circular VII—6:—

In cases where a Deputy Commissioner considers it advisable that a grant of forest produce should be made free of charge or at favourable rates for the building of schools, dispensaries, &c., application should be made to the Conservator of the Circle, who will deal with the case in accordance with paragraph 107 of the Forest Department Code (5th Edition), and forward his recommendations for the Chief Commissioner's orders through the Commissioner of Division. It must be remembered that the Government of India have laid down that free grants of timber or forest produce for works of public utility are ordinarily inadmissible unless such works will be of direct or indirect benefit to the forest themselves. Recommendations for such grants should therefore not be made except for very special reasons.

The case is different when the grants required for the relief of a village community or individual villagers whose houses have been destroyed by fire. In such cases the Conservator may sanction the grant of produce if its value does not exceed Rs. 500, but all cases in which the value of the grant or grants to the members of any village community is Rs. 100 or more must be reported through Commissioner for the Chief Commissioner's information.

107. The following observations and orders of the Government of India on the subject of the free grants or grants at favourable rates for the construction of works of public utility are contained in Revenue and Agriculture Department Circular letter No. 8-11-P, dated the 21st May 1895, paragraphs 2-7:—

2. When a grant of the nature under discussion is proposed as one of the terms of a concession, the first question that arises is whether the proposals of which the grant forms a portion are or are not unnecessarily liberal. In order to assist the Government of India in deciding this question, the approximate monetary value of the proposed grant should invariably be stated. The Government of India are inclined to think that such grants have, in some instances, been proposed without sufficient consideration. Large timber requires a long period for its production; its cost to Government and its selling value are considerable; and it should not be readily surrendered on any large scale.

3. When the above question has been decided, there remains the further question whether it is advisable that a portion of the concession should take the form of a gift by the Forest Department of what is worth money to them. And this question arises in those cases also in which the work is to be constructed by Government.

4. In the Resolution of the Government of India in the Department of Finance and Commerce, No. 4145, dated the 25th July 1888, it is laid down that the Forest Department is to be considered as one of the quasi-commercial departments which are to be remunerated for services rendered and for produce supplied; and, in pursuance of this principle, it has been held that it is ordinarily debarred from making free grants, even to other departments of Government. When, therefore, the Forest Department will not benefit by the work that is to be constructed, no grant is ordinarily admissible.

5. But when, as is often the case, the work in question will be of real assistance in the development of forest revenue, by affording a new or improved outlet for produce or means of placing it on the market, there appears to be nothing in the quasi-commercial basis of the department which need prevent its contributing to the construction of the work (such contribution being duly taken into account in settling the terms) in such manner as may be most convenient to both parties.

6. When once the terms of a concession have been sanctioned by Government and accepted by the concessionaire, no grant can be sanctioned without a full equivalent, as that would be a modification of the terms of the contract against the interests of Government.

7. In cases, however, where a special grant of timber free or at favourable rates is not admissible under the principles they laid down, it does not always follow that Government should take advantage of the necessities of the case in exact for their timber growing on the spot the highest rate which it would cost the constructors of the work to bring wood from the nearest private source of supply. In the case of railways, tramways and the like, which, even though they may be of no immediate use to the Forest Department, develop the country and benefit the public, a reasonable liberality may fairly be exercised. In such cases the timber standing on the land which is made over to the constructors may always be sold to them at favourable rates, or if its value is insignificant, be given to them altogether. And such additional timber as may be required for purposes of construction should be sold to them at rates which represent a fair and reasonable mean between the value of the timber as it stood before the commencement of the work increased the local demand for it, and the high price which they might be prepared to pay, rather than be compelled to bring their supply from a considerable distance.

CHAPTER XVII.—Protection of Forests from Fire.

108. The following rules have been laid down by the Chief Commissioner for guidance:—

Instructions for the Control of fire-conservancy operations.

1. Each Forest Circle should be provided with a scheme of fire-conservancy accompanied by maps.

2. These fire-conservancy schemes shall be compiled by Conservators of adjoining Circles in consultation. Where protected areas have a common boundary, the responsibility for the efficiency of protective measures must be definitely allotted to one or other of the Divisional Forest Officers concerned.

3. Extensions, where made, should be of areas as compact and as large as possible. The addition of small isolated areas, such as the separate coupes of felling series, is inadvisable.

4. The three Circle fire-conservancy schemes recorded as indicated in the preceding rules shall be submitted for the approval of the Local Administration, and should not be materially departed from without the sanction of that authority. Minor changes may, however, be made at the discretion of the Conservator.

5. All men assisting in extinguishing fires in Government forest (including forest villagers) shall be paid according to the amount of assistance rendered, at rates fixed by the Divisional Forest Officer in consultation with the Deputy Commissioner.

6. Fire-lines are of two kinds, exterior and interior. The responsibility for their upkeep rests with the Forest Divisional Officers. The following instructions should be carefully attended to by them in the performance of this duty.

7. It is an established principle in the construction of exterior fire-lines that as far as practicable they should be within the limits of the Government forest and that they should follow the boundary thereof. Occasions may sometimes arise when, in order to secure efficiency, it is necessary to deviate from simple or difficult boundaries in favour of straight lines running through the Government forest.

8. Interior fire lines are situated within Government forest and are intended to restrict within limits fires which have broken out in protected areas which cannot be controlled except by counterfiring. These fire-lines should follow the course of roads open to the public and the beds of rivers and streams; for here, in addition to other advantages, natural and efficient interior fire-lines already exist. The construction of interior fire-lines along ridges should be avoided as far as practicable, for there the effect of the wind is most powerful and the absence of water most marked.

9. Fire-lines should be so selected and laid out on the ground that it will be not only practicable, but easy, to traverse them with facility. Steep gradients and rough ground must be avoided as far as possible. Where practicable, fire-lines should follow natural clearings, such as open glades, the edge of cultivated plains or the beds of wide ravines and streams. Water should be available along or near the fire-lines, and the localities where wells exist or should be made, and all spots where water can be procured should be marked on the fire-maps.

10. Fire-lines having been properly settled, the details of the work to be done will be as follows:—

- (a) Attention will be paid first to the isolation of the forest from the surrounding country. This will be effected by clearing the exterior fire-lines of all inflammable material to a width determined by local circumstances, which should ordinarily be not less than 40 feet or more than 100 feet. Not later than the month of November two guide-lines will be cut one on either side of the fire-line which is to be ultimately cleared. The width of guide-lines will depend on the height of the grass through which they run, and they must be carefully cleared. This work should be completed by the end of December.

Part III.
Chap. XVI.

- (b) Interior fire-lines will be similarly treated, but they will usually be narrower than the exterior lines.
- (c) As the season advances and the grass in the centre of the fire-lines dries, this grass should either be burnt off standing, or cut close to the ground over the whole width of the line. If the latter course is followed, the cut grass should be spread over the fire-line between the guide-lines and burnt as soon as it is dry.
- (d) Dry leaves and other dry material on the fire-lines must be swept up from time to time and deposited along the edge of the fire-lines: any burning of such material on the lines after the hot weather has set in is strictly prohibited.
- (e) Except under the direct orders of the Divisional Forest Officer, and in presence of the Range Officer or other subordinate authorized by the Divisional Officer, no burning of fire-lines should be allowed after the 31st March.

11. It is the duty of the fire-watchers constantly to patrol the fire-lines in their beats, to keep them entirely free from inflammable material, to prevent the carrying or making of fire within or in the vicinity of the protected area, to give immediate notice of the occurrence of a fire to the beat officer, to collect assistance and themselves to aid in extinguishing any fire that may occur.

12. The Range Officer shall be held personally responsible for the efficient clearing of the fire-lines.

13. Forest Rangers, Foresters and Forest Guards who may see smoke rising anywhere in or near the forest, shall at once get together what aid they can and proceed themselves to the spot. They must not sit quiet and send somebody else to enquire or report. The Forest official who arrives at a spot where fire is burning shall at once proceed to put it out. Should it be outside his own beat or range he will continue there till relieved by the local men, when he will return to his own beat or range, unless the fire is so strong as to demand all possible help.

This rule applies not only to reserves specially protected from fire, but also to reserves which are not so protected.

14. The Divisional Forest Officer is personally responsible for carrying out efficiently the fire-protection measures ordered in his division. He must satisfy himself that the exterior fire-lines have been properly cleared and thoroughly burnt before danger from external fires arises, and that at the same time all interior fire-lines are in good order. He must by continual inspection assure himself that the protective staff is efficient, and he must continue to attend to this work until the arrangements for the efficient protection of the forest from fire are completed. The Forest Divisional Officer must during his tours satisfy himself as far as possible that no unreported fires have occurred within the protected area, and that the areas of the fires which have been reported have been accurately estimated. These checks can only be effected by personal inspection, which should always be as extensive and thorough as possible.

15. On the occurrence of a fire the Range Officer shall report it without delay to the Divisional Forest Officer, using special despatch if the fire extends over a large area. It is the duty of the Range Officer to provide for rapid communication between himself and the staff in the fire-protected forests, so that notification may not occur in the transmission of inspection of with a sketch case, be delayed

Part III.
Chap. XVI.

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PAGE 131.

No. 42, dated Nagpur, the 23rd December 1910.

Add the following to Rule 19 of the rules regarding the control of fire conservancy operations:—

Conservators are empowered to grant rewards not exceeding Rs. 25 to fire patrols and other low-paid subordinates whose pay does not exceed Rs. 15 per mensem, for specially good work done during fire seasons.

J. HULLAH,

Under Secretary to the Chief Commissioner,

Central Provinces.

Govt. Press, Nagpur:—No. 1931, Civil Sectt.—4-1-11—550.

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15. On the occurrence of a fire the Range Officer shall report it without delay to the Divisional Forest Officer, using special despatch if the fire extends over a large area. It is the duty of the Range Officer to provide for rapid communication between himself and the staff in the fire-protected forests, so that undue delay may not occur in receiving intimation of the outbreak of a fire and in the transmission of such intimation to the Divisional Forest Officer. The inspection of the area burnt and the submission of a full final report with a sketch map by the Range Officer shall not, without valid excuse, be delayed for more than a fortnight after the occurrence of a fire.

Part III.

Chap. XVI.

16. All important cases of fire, irrespective of area, and all fires extending over more than 500 acres, shall be reported by the Divisional Forest Officer to the Conservator immediately on receipt of intimation of their occurrence. This preliminary report shall be in the form given in Appendix 21 (A) annexed. For all cases of fire, as soon as due enquiry has been made, a detailed report in the form given in Appendix 21 (B) will be submitted, and except in special circumstances, which should be explained, the despatch by the Divisional Forest Officer of the final report should take place within 15 days from the date of receipt of the Range Officer's report. The results of Police investigations or of criminal prosecutions may be submitted later on, as soon as they are received in the Divisional Forest Office.

17. All forest fires shall be referred to in official correspondence by their serial No., and in Circle and Divisional Forest Offices registers shall be opened yearly from which all information regarding every fire that may occur throughout the Forest year shall be readily obtainable.

18. Without convincing proof no forest fire shall be attributed to incendiarism, and should that proof be forthcoming a searching enquiry shall be made in order to discover the source of friction that has induced the malpractice.

19. The establishment of forest villages inhabited by Korkus, Gondes, Baigas and other forest tribes will greatly facilitate the work of fire-protection generally. Special rewards for good service rendered in extinguishing fires (to be sanctioned in each case by the Conservator of Forests) may sometimes be given with advantage; but they must always be awarded with caution, lest fires be purposely lighted with a view to earning money by putting them out.

20. Fire-watchers must always be on their beats. Forest Divisional Officers will see that proper "machans" for the men to sleep on by night and fair accommodation below for cooking by day are provided at suitable places. Fire stations must be situated on elevated spots, so that the watchers may command a good view of the forest they are watching.

21. The greatest care must be taken that fires are thoroughly extinguished and all smouldering materials absolutely quenched. Piling earth over such materials will be found very effective. No man shall leave the burnt locality till the senior Forest Officer present has satisfied himself that no smouldering material remains.

Part III.

Chap.
XVII.

B.—Extinguishing of Forest Fires.

109. As soon as practicable after the occurrence of a fire in a Reserved Forest under systematic or partial protection, the Divisional Forest Officer will report it in the form given as Appendix 21. These reports will be numbered serially for the division, a new series of numbers being commenced each Forest year. Every fire in the above areas will be reported, with its serial number, but in the cases of fires of 5 acres or less, the space on the form headed "Full description, &c.," may be left blank or the case only shortly reported, unless there should be special reasons to the contrary.

110. The causes of fires will be classified as follows to facilitate the preparation of the returns of causes required to be inserted in the Annual Forest Administration Reports by the Government of India, Revenue and Agriculture Department, No. 9.F—171-I, of 10th June 1897. These causes will be indicated by the following symbols:—

Symbol.	Meaning of symbol.
A	Fires caused by accident or by carelessness in burning fire-lands.
B	Fires entering the forest by creeping exterior fire-lines.
C-I	Owing to carelessness or accident—
C (a)	by workmen employed in the forest, by purchasers of forest produce or by graziers;
C (b)	by villagers, travellers, &c., passing through the forests;
C (c)	by railway engines;
C (d)	by lightning or fire-bolts;
C-II	By intentional firing—
C (a)	in order to obtain new grass;
C (b)	in order to turn out game or to reduce cover;
C (c)	maliciously fired.
D	Fires due to causes unknown.

Note.—When two or more causes combine, the more important should be indicated.

111. A record of fires in map form will be kept up in each Divisional Forest Office in accordance with the method recommended in the Inspector-General of Forests' Circular No. 5 of 14th July 1887, supported by a register in which details of all fires occurring will be entered.

CHAPTER XVIII.—Forest Villages.

112. The orders on this important matter are as follows:—

It is of great importance to secure a permanent supply of labour in the forest reserves, and to provide employment for members of forest tribes who are, under a strict system of conservancy, debarred from supporting themselves by dhaya cultivation. With this view the Chief Commissioner has, in the form of contract for the delivery of forest produce approved by him, inserted a stipulation that the contractor agrees to employ (by arrangement with the Forest Officer) the inhabitants of forest villages in or near the forest (if there be any such) in preference to any other workmen, and to pay them the usual local rates.

Part III.

B—*Extinguishing of Forest Fires.*Chap.
XVII.

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110. The causes of fires will be classified as follows to facilitate the preparation of the returns of causes required to be inserted in the Forest Management Administration Reports by the Government of India.

**Amendment to the Central Provinces Forest Manual
(2nd Edition).**

No. 12, dated the 15th July 1908.

Page 132, paragraph 112.—Add the following as rule (XI) to the rules for the formation and management of forest villages:—

XI.—Under ordinary circumstances Conservators of Forests are empowered to remit irrecoverable revenue on account of rental demand in forest villages up to a limit of Rs. 200 in any one village.

The amount remitted in each case should be reported for the information of the Chief Commissioner. In the case of general remissions on account of widespread calamity the remissions proposed should be submitted for the previous sanction of the Chief Commissioner.

H. C. GOWAN,

Under Secretary to the Chief Commissioner,

Central Provinces.

CHAPTER XVIII.—FOREST VILLAGES.

112. The orders on this important matter are as follows:—

It is of great importance to secure a permanent supply of labour in the forest reserves, and to provide employment for members of forest tribes who are, under a strict system of conservancy, debarred from supporting themselves by dhaya cultivation. With this view the Chief Commissioner has, in the form of contract for the delivery of forest produce approved by him, inserted a stipulation that the contractor agree to employ (by arrangement with the Forest Officer) the inhabitants of forest villages in or near the forest (if there be any such) in preference to any other workmen, and to pay them the usual local rates.

The following rules for the formation and management of forest villages have now been laid down by the Chief Commissioner for the guidance of Forest Circle and Divisional Officers. The progress made in giving effect to them should be fully noticed in the Annual Reports of the Conservators:—

Part III.

Chap.
XVIII.*Rules.*

- (i) Forest villages may be established within the limits of any reserved forest with the previous sanction of the Conservator. Where no proper water-supply exists, a well or tank will in the first instance be made at the cost of the Forest Department, the location of the village site and the areas over which cultivation may be permitted shall be settled by the Forest Divisional Officer with the approval of the Deputy Commissioner.
- (ii) Forest villages are designed solely to afford a permanent supply of suitable local labour, and are not to be established merely for the purpose of extending cultivation and bringing in rents, though the residents will be allowed to cultivate under the provisions of these rules.
- (iii) Only persons who are by race, caste, or occupation habituated to the extraction or handling of forest produce shall be admitted to reside in a forest village, with the immediate families and dependants of such persons. Preference will be given to such races as Kols, Gondes, Bygones, Maras, Khumars, Banjaras. The number of houses to be allowed in each village and the extent of cultivation shall be fixed by the Conservator.

When a village is first established, allowance should be made for a moderate increase of population in the families of the first settlers, and the full number of houses and the whole area available for cultivation should not be allotted at once. When by natural increase of population the number of households and of inhabitants approaches the limit of the means for their support afforded by the village lands, the Government reserves the right of, if necessary, removing the excess population.

- (iv) A register shall be kept by the Forest Divisional Officer of all the inhabitants of the village, and no outsider shall be allowed to settle in the village without his written permission.
- (v) All adult residents of the village shall have the following conditions of residence explained to them, and shall be bound thereby, and subject for breach thereof to summary eviction, without compensation, by order of the Forest Divisional Officer:—
 - (a) That the Forest Department and its contractors have the first claim to their labour on payment as hereinafter provided;
 - (b) That they will not accept employment from any other department, company or individual without previous sanction of the Forest Divisional Officer;
 - (c) That they will be generally obedient to the orders of the Forest Divisional Officer.
- (vi) Subject to the limitation in the number of households indicated in Rule (iii) each householder in the village shall be entitled to the following privileges:—
 - (a) Land for cultivation will be assigned him by the Forest Divisional Officer, sufficient, with proper diligence, for the support of himself and family. Subject to the Conservator's sanction, such land will be granted at such rates as may be determined for each village by the Forest Divisional Officer in consultation with the Deputy Commissioner.
 - (b) Free grazing will be given him for such reasonable number of cattle as may be determined in each case by the Forest Divisional Officer.
 - (c) A free supply will be allowed him of all thorns and wood required for house building and repairs as the Forest Divisional Officer may deem reasonable; also of dead wood for fuel, bamboos, and of leaves and any edible fruits, flowers and roots required for domestic purposes.
 - (d) The residents of the village shall have the first claim to the employment in all forest work conducted under the orders or supervision of the Forest Department or its contractors, and in the collection of minor produce, and shall be paid in cash for their work at such fair rates, daily or otherwise, as may be fixed by the Forest Divisional Officer with the approval of the Deputy Commissioner.

Part III.
Chap. XIX.

(vii) A headman or Patel shall be selected by each village, subject to the approval of the Forest Divisional Officer. The headman shall collect all rents, cesses and other sums due from the villagers, receiving a commission of one anna in the rupee on his collection, on making over the same to the Forest Divisional Officer. He will also enforce all such sanitary regulations as the Forest Divisional Officer may prescribe.

He shall assist the Forest officials in the organisation and employment of forest labour. He shall supervise the village watchman and see that that officer properly performs his duties. He shall be entitled to hold land in the village on the same terms as the other villagers.

The rates of commission to headmen shall be as under—

		Per rupee.	
		A.	P.
In villages where the collections are—			
Under Rs. 50	...	4	0
Rs. 50 to Rs. 200	...	3	0
Over Rs. 200	...	2	0

The Conservator may, for reasons given, enhance the rate in particular cases up to a maximum of 4 annas.

(viii) The Forest Divisional Officer may make from the forest funds placed at his disposal for the purpose, such reasonable advances of cash or grain to any householders of the village as may be necessary to enable him to prepare or sow his land, or purchase rough bullocks. If such advances will be recoverable with interest at 6½ per cent per annum.

(ix) The arrangements for the supply of country liquor and drugs to forest villages will be entirely under the control and orders of the Deputy Commissioner.

(X) A Kowal or village watchman shall be appointed for each forest village. He shall be appointed by the Forest Divisional Officer. He shall be entitled to cultivate two ploughs of land in the village free of rent and to collect such dues as are customary from the other villagers for customary services rendered by him to them. He shall report the occurrence of cognisable crime immediately to the nearest Police post and such other occurrences as the Forest Divisional Officer shall direct to the Forest Ranger.

CHAPTER XIX—Special Industries entrusted to the management of the Forest Department.

The Tassar Industry.

113. For the encouragement of the Tassar silk industry the following Revenue Book Circular (VII-11) has been issued for guidance:—

Page 134, paragraph 113.—For "Revenue Book Circular (VII-11) has" read "Orders have."

cultivation should be accepted as one of the regular incidents of forest management.

(2) The areas within which tassar cultivation should be permitted should be determined by a committee consisting of each Conservator within his own Circle and the Commissioner of Settlements and Agriculture representing the Agricultural Department.

(3) The levy of a small aggregate rate of one or two annas an acre might be prescribed.

(4) A similar policy should be followed in Court of Wards Estates, which contain forests suitable for tassar cultivation in localities where tassar is produced.

**Amendment to the Central Provinces Forest Manual.
(2nd Edition).**

No. 30, dated the 27th October 1909.

Page 134, Rule VII.—After the word "Commission" in the third line of the rule *insert* the words "as below" in place of the words "of one anna in the rupee on his collection, on making over the same to the Forest Divisional Officer."

C. J. IRWIN,

Under Secretary to the Chief Commissioner,

Central Provinces.

Govt. Press, Nagpur.—No. 1548, Civil Sect.—29-10-1909—550.

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- (2) The areas within which tassar cultivation should be permitted should be determined by a committee consisting of such Conservator within his own Circle and the Commissioner of Settlements and Agriculture as representing the Agricultural Department.
- (3) The levy of a small aggregate rate of one or two annas an acre might be prescribed.
- (4) A similar policy should be followed in Court of Wards Estates, which contain forests suitable for tassar cultivation in localities where tassar is produced.

Part III.

Chap. XIX.

2. The decision as to the districts in which such action is both feasible and desirable must apparently depend upon climatic considerations, and the existence of a sufficient number of Dhimmars who are, with few exceptions, the only people that practice the industry. The districts which may be regarded as the home of the tasar worm are situated in the southern and eastern parts of these Provinces, viz., Chanda, Bilaspur, Sambalpur and Bhandara. In Chanda about 17,000 acres in Government forests could be utilized for the purpose. Certain areas are also available in Bilaspur, Bhandara, Chhindwara, Sonni and Balasohat. In the two last-named districts, the Conservator, Southern Circle, has since reported that operations were unsuccessful owing to climatic and other causes, chiefly the spathy of the Dhimmars.

3. Tasar is a product of the cold season and frost, hail and cold militate against its successful production in the Northern Circle; hence the industry is practically unimportant in that Circle, which is more subject to these vicissitudes. However, where possible, suitable areas of sal forests may be assigned for experiments in the district of Mandla, Band, Bhojpur and Nirmar. In the remaining districts little or no cultivation appears to have been carried on at any time, and as the Dhimmars are very few, no action in this direction seems called for.

4. The most convenient area for the bari would be about 20 acres, and this should be divided into four compartments of five acres each; only one of each will be under tasar in any one year. A rent of four annas per acre will be charged for the land actually under crop, nothing being charged for the fallow land. Or, if the people prefer, the rate may be expressed as one anna per acre per annum on the whole bar of 20 acres, fallow included.

5. Apart from the action to be taken in Government forests as indicated above, steps should also be taken in the same direction in those Court of Wards Estates where there is any hope of success.

6. It is also desirable that tasar bari should be given free of charge to Dhimmars, who agree to settle in forest villages and to work for the Forest Department at the usual rate of wages during the time their services are not required in connection with tasar cultivation. The plan, if successful, might solve in certain localities the problem of obtaining local labour which so often gives trouble to Forest Officers and want of which impedes work.

7. The progress of tasar silk cultivation should be regularly noticed in the annual reports submitted by Forest Divisional Officers and Conservators.

THE IRON SMELTING INDUSTRY.

114. By Revenue Secretariat letter No. 3615, dated the 8th September 1896, the Forest Department is charged with the exploitation of the Parbhagarh, Dhauwahi, Gangai, Jauli and Agoria iron mines. The rate at which the local smelters are allowed to commute for fuel obtained from the Government forests is fixed at Rs. 60 per furnace.

115. In view of the large demand of the East Indian Railway Foundry Works at Jamalpur for pig iron, and of the fact that the pig produced from the ores of the above mines has been approved by the Foundry authorities, every effort should be made to revive the present moribund local industry by devising a new simple type of furnace capable of being adopted and worked on their own account by the local smelters and yielding a cleaner pig than that produced with their present primitive methods.

Part III.

CHAPTER XX—Miscellaneous.

Chap. XX.

Government Transport Animals.

116. The loan of Government transport animals for religious processions is strictly forbidden by Home Department letter No. 5-Pub.—852, dated the 9th May 1889.

Use of Forest Code Form 17.

117. The procedure prescribed in Article 115 of the Forest Department Code regarding the filling up of this form is further explained by the following extract from letter No. 196, dated the 25th February 1898, from the Inspector-General of Forests :—

It was not, I think, intended that Forest Code Form No. 17 * * * should be burdened with entries relating to forest produce and other property which, though seized has been released on payment of compensation under Section 67 of the Indian Forest Act. * * * Property connected with compensated cases is generally of very small quantity and value, and of quite an unimportant character, and it will be sufficiently accounted for if entered in the record kept of cases compensated under Section 67.

2. Form No. 17 was instituted in order to prevent valuable property that had been seized and confiscated by order of the Court or which had been retained pending trial, from being lost sight of, and not in order to gauge the working of Section 67. Accordingly, only such seized property as concern cases that are eventually disposed of otherwise than under Section 67 should, in my opinion, be entered in this form.

Preparation of projects for buildings by the Public Works Department.

118. The rules to be followed are given in the Public Works Department Circular Order No. 8, dated the 30th November 1905.

Strict observance of Articles 95 (iii), 97 and 100 of the Forest Department Code.

119. As the usual tendency is to omit from all record produce collected departmentally for a public purpose such as used in the construction of Government buildings and office furniture, in the feeding of Government cattle, &c., or for free grants to destitute villagers whose homes have been destroyed by fire, and so on, Divisional Officers are reminded that such produce must appear in Form 5, 6, 7, or 12 in the same manner as produce exploited for sale, otherwise they are certain to be lost sight of, leaving the door open for misappropriation. When the produce is used, the manner of its use will be clearly recorded in Column 3 of Form 6 and Column 10 of Form 7.

PART IV.

Part IV.

Chap. XXI

CHAPTER XXI.—Cash Accounts.**Refunds of Revenue.**

120. With reference to Article 163 of the Forest Department Code, Revenue Secretariat letter No. 2738, dated the 28th May 1897, delegates to Conservators the power to refund revenue up to the full limit of Rs. 200 in each case.

Preparation of Monthly Leave Statement submitted by Conservators to the Comptroller.

121. The following letter from the Comptroller and Auditor-General (No. 993, dated the 23rd June 1899) contains instructions on the subject:—

In the monthly statement of leave granted to the Subordinate Forest and Office Establishments forwarded by you to this office, the leave granted is entered only in the statements for the month in which it is granted and is not shown in the statement of the following months in the cases of leave granted for more than one month. I have therefore the honour to request that in future you will show in your monthly statements the names of all persons who are on leave or who continue to be on leave during the month, the date of return to duty being also noted in the "Remarks" column when the officer returns to duty. Thus, for example, if an officer be granted sick leave for 6 months from 1st April, his name should appear in the leave statements for the 6 months from April to September inclusive, the date of his return to duty being noted in the "Remarks" column of the statement for the month of September. This is necessary, as your statement takes the place of the leave statements which are furnished every month with the monthly Establishment Bills by all other departments, under Article 60 of the Civil Account Code.

Preparation of Code Form 36.

122. Instructions regarding the manner of filling up this form are given in Comptroller and Auditor-General's letter No. 5381, dated the 18th February 1898:—

I have the honour to request that you will call the attention of all Divisional Forest Officers under you to the correct preparation of Form No. 31* of the Forest Department Code (Schedule of Revenue Remittances to Treasuries) which accompanies the monthly Cash Account.

2. This form provides, among others, columns for the date of remittance and the number of item or chalan for each item remitted to the Treasury. These columns are often incorrectly filled in and sometimes several items, which are separately remitted to the Treasury, are shown as a single item. The result is that great difficulty is experienced in checking the items with the Treasury Statements and unnecessary correspondence arises. Divisional Forest Officers should in future enter each item of remittance separately in the schedule with the actual date of remittance.

* Foot-note.—New form 36.

Part IV.**Purchase of the "Postal Guide".****Chap. XXI.**

123. In accordance with Comptroller and Auditor-General's letter No. 2528, dated the 30th August 1898, forwarded with Revenue Secretariat endorsement No. 3328, dated the 10th September, the head of an office is competent to sanction the purchase of a copy of the Postal Guide on his own authority.

Amount of Voucher how to be entered in Form 35 (Expenditure).

124. The amount charged in one voucher should be shown as one item in the "Classified Abstract of Expenditure."

Treatment of money received from Holders of Shooting Permits.

125. All amounts paid by sportsmen, whether they are shooting fees or sums paid to cover the salaries of the Forest Guards accompanying them, should be treated as departmental receipts and credited to Revenue V-(c) and paid into the treasury.

126. The wages of substitutes employed in place of Forest Guards accompanying shooting parties should be charged under budget head B-I-(c)—Subordinate Forest and Depot Establishment.

Security Deposits of Contractors and Purchasers.

127. The procedure regarding the treatment of such deposits is laid down in Comptroller and Auditor-General's letter No. 1304, dated the 28th July 1899 (see also Civil Account Code, note to Article 440):—

I have the honour to request that you will instruct the Divisional Forest Officers under you not to enter in their accounts the security deposits received from contractors or purchasers of forest produce for the proper fulfilment of the terms of their contracts. Such sums should be paid direct into the Treasury by the contractors themselves. No previous authority of a Forest Officer will be necessary for the receipt of the money, but the depositor must state on the chalan the name of the Forest Officer in whose favour he makes the deposit. The Treasury receipts should accompany the applications of the depositors and must be carefully kept by the Divisional Officer, for these deposits can only be refunded under the authority of an order endorsed by the Divisional Officer upon the receipt.

Diet money of witnesses.

128. Diet money of witnesses summoned to appear in cases of forest offences under enquiry by Forest Officers may be paid by Divisional Forest Officers at the rates in force in the local law courts, or at such lower rates as the Deputy Commissioner of the District may direct.

Cash Recoveries of Service Payments.

129. Divisional Officers should never fail to note in their Cash Book against an entry of an item recording a cash recovery of a service payment the head of service to which the amount recovered was originally charged.

Arrangements for safe Transmission of Money.

130. These arrangements are prescribed under the authority of Article 190 of the Forest Department Code:—

To avoid unnecessary risk in the transmission of Forest remittances, the following rules are issued for the guidance of the officers concerned:—

I.—Remittances to meet disbursements on account of pay or work will be made to Range Officers:—

- (a) by cheque on the nearest Treasury or Sub-Treasury;
- (b) by postal order when remittance by cheque is impracticable or inconvenient and the distance to be traversed exceeds 20 miles;
- (c) when remittance by cheque or postal order cannot conveniently be made and when the distance to be traversed does not exceed 20 miles, by carriers being members of the regular establishment.

II.—If there be a contractor for the vend of stamps who has a sufficient command of cash at a place nearer than the Treasury or Sub-Treasury to the Range Officer's headquarters, and who is willing to accept cheques on the Treasury, Range Officers may obtain cash for the cheques in their favour from such stamp contractor. Forest Divisional Officers may authorize the cashing of cheques in favour of Range Officers by any suitable banker, provided there is no charge for the transaction, and in case where this may be necessary, Conservators may sanction the payment to private bankers of a small commission not exceeding one per cent to avoid the risk of remitting cash by carriers.

III.—Further to facilitate the custody of cash, Range Officers are permitted, in case where the immediate disbursement of monies received is not possible, and with the previous sanction of the Chief Commissioner in each case, to lodge a cash chest containing the remittances received by them in the nearest Sub-Treasury for safe custody.

IV.—Remittances of revenue not being the sale proceeds of stamps purchased and paid for at the Treasury will be made:—

- (a) When realised at a Treasury or Sub-Treasury town, direct to treasury on the very day on which it is received, or at the latest on the next following day on which the Treasury is open;
- (b) When the distance from the Treasury exceeds 20 miles and there is a money order office in the immediate neighbourhood and the amount to be remitted is large enough, by postal order without unnecessary delay;
- (c) under other circumstances by the hand of reliable members of the Forest establishment from sale to sale according to standing arrangements made by the Divisional Officer, if the distance to be traversed exceeds a day's journey.

V.—The following rules will regulate the remittance of Forest revenue to Treasuries by postal money order:—

- (a) Divisional Forest Officers should provide their Range and other revenue-remitting officers with ordinary inland money order forms in books with counterfoils, such as are obtainable at all post offices, and these alone should be used, all particulars of the remittance being noted on the counterfoil.

Part IV.
Chap. XXI.

(b) The remitter should make out a money order on one of these forms, filling in the name of the most convenient post office and other particulars, and making it payable to the officer in charge of the Treasury, and should send it with the cash to the post office. He should note briefly on the coupon particulars of the remittance sufficient for the Treasury Officer's information.

(c) The Treasury Officer, on receipt from the post office of the money order, will sign and date the money order, and return to the post office after cutting off the strip containing the coupon and acknowledgment. He will forward to the Divisional Forest Officer an advice list in the appended form * together with the corresponding strips consisting of the coupons and acknowledgments of all money orders received during the day.

(d) The entry in the remitter's accounts will be supported by the receipt given to the remitter by the post office when the money order was issued.

(e) The commission paid on money orders will be charged to sub-head of service B-III (f) in the Forest Department account.

VI.—In the case of remittances in cash by the hand of members of the Forest establishment, the officer making the remittance is responsible for the selection of a trustworthy subordinate for its conveyance.

VII.—When for any reason it is necessary that more than one official should accompany a consignment of cash, such cash shall be in the special charge and custody of one only of such officials, the others being responsible only for seeing and, if necessary, reporting what becomes of it.

VIII.—The amount that may be entrusted to any one subordinate for transport must be regulated by the local officers concerned according to local conditions, but in no case should the amount so entrusted to any official below the rank of Forester exceed six times the monthly salary of such official.

IX.—When possible, remittances in cash will be so despatched as to admit of their reaching their destination, if made to head-quarters or to a tahsil, before noon or in any case before 2 p. m. on the same day, and if made from head-quarters or from a tahsil, before sunset at the latest.

X.—Funds to meet disbursements by Sub-Range Officers on account of pay or work will, when possible, be made over to such Sub-Range Officers by the Range Officers concerned in person. All payments for work or on account of salaries which Sub-Range Officers are required to make will be made by such Sub-Range Officers personally.

Forest Department not to be charged for Stationery and Printing.

131. Under the authority of the Finance and Commerce Department letter No. 3327, dated the 22nd July 1893, neither stationery supplied to, nor the cost of printing done at a Government Press for, the Forest Department is to be charged to this Department. Comptroller and Auditor-General's letter No. 1497, dated the 21st August 1898, reminds the Comptroller, Central Provinces, that this prohibition applies also to Jail Presses.

Copy of Account Officer's objection to accompany References for the Chief Commissioner's Orders.

132. All references for the Chief Commissioner's orders relating to account objections should invariably be accompanied by a copy of

* See Appendix 22.

the Account Officer's objection and of any further explanations, if any, which he may have given in connection with it (General Department Book Circular No. XXXIX, dated the 13th December 1898).

Punctuality in making payments.

133. Payments should be made as soon as possible after they have fallen due, especially in the case of travelling allowances, of articles purchased, and of work done. To allow months to elapse before making the payments is to give dishonest subordinates an opportunity of charging for labour that has never been employed and for articles that have never been purchased or of evading just payments to their own benefit.

Immediate Entry in Accounts of Sales by Lease or Contract.

134. A register in the form given in Appendix 23 of all leases granted or contract sales effected will be maintained by the Divisional Forest Officers.

135. The leases or contracts will be serially numbered, starting with July in each year. When a lease is given out or any other sale effected by contract, it should be entered in Forest Code, Form 8 or 10 as the case may be, its serial number being noted in the column of remarks. In Form 8 the necessary details will be filled in at once in all the columns from 1 to 7, and entries will be made in columns 8, 9 and 10 as realizations are made and the produce sold is removed. Similarly in Form 10, columns 1 to 6, will be filled in at once and columns 7 to 9 as realizations occur. The above precautions are necessary to prevent leases and contracts, especially petty ones, being lost sight of, as has so frequently happened in the past.

Immediate Entry in Accounts of Recoveries ordered from Subordinates for Loss suffered through their fault

136. It may happen that when Government suffers loss through the action of a subordinate, recovery is ordered from the salary of the subordinate, not as a fine, but as the value of the loss sustained. Thus, for instance, through the carelessness of a Forester 100 rupees worth of timber may have been destroyed by fire or his cash box containing revenue may have been stolen. Such recovery cannot, of course, find a place in the salary bills, but must be realized in cash and remitted to Treasury as revenue. The amount to be recovered should therefore be entered ~~at once~~ in column 7 of Form 8 or column 8 of Form 10, as the case may be, and the realizations, as they are effected, registered in the succeeding column. Owing to neglect of this obvious procedure, the recovery ordered is frequently lost sight of for months and gives rise to long and troublesome correspondence that would otherwise have been avoided.

Part IV.**Chap. XXI.****Some necessary Hints for the Preparation of Form 35 (Expenditure).**

137. Neglect of the following points often leads to unnecessary correspondence, if nothing worse:—

- (a) Sufficient details should be given in column 3 to enable the charges to be at once understood and checked.
- (b) The authority for charges lying outside the powers of sanction of the officer submitting the accounts should invariably be quoted in the "Remarks" column.
- (c) Whenever expenditure on any work is spread over two or more months, the total previous expenditure on such work should be noted in the "Remarks" column before beginning to enter the items expended during the month.
- (d) Whenever in the case of departmental operations the expenditure on a particular lot of produce is charged in a month subsequent to that in which this particular produce was brought on to Form 7, reference to this latter month should be made in the "Remarks" column. In no case should charges be made for produce which has not yet been brought on to Form 7.
- (e) Final adjustment of expenditure on construction of buildings, roads, &c., should not be made except on receipt of a satisfactory completion report signed by the Range Officer after personal inspection of the work.

Procedure to be observed when Produce that has not been charged for is entered in Form 7.

138. If any produce is entered as received during the month, the expenditure on account of which cannot for some valid reason be charged off in the same month, such reason will be briefly recorded in the "Remarks" column against the entry in question, the month in which it will appear being at the same time stated.

Written communications between Divisional Officers and their Head Clerks regarding Accounts to be only in English.

139. All such communications, even when made in vernacular records, should invariably be in English (Revenue Secretariat letter No. 2348, dated the 26th June 1900).

PART V.

CHAPTER XXII.—Office Business

Part V.

Chap.
XXII.

Transfers of Charge.

Conservators and Divisional Officers

140. Transfers of charge between Divisional Officers, and between Gazetted Officers generally, should be reported by Conservators to the Chief Conservator, who will report to the Secretariat.

Officers subordinate to Divisional Officers.

141. Under the authority of Article 168 of the Forest Department Code the following form of transfer of charge certificate has been sanctioned by Revenue Secretariat letter No. 1818, dated the 18th April 1893:—

Certificate of transfer of Charge for the use of Officers subordinate to a Forest Divisional Officer.

(In the case of Gazetted Officers only, one copy to be sent to the Comptroller, Central Provinces, and another copy to the Conservator of Forests concerned.)

Place _____

Date _____

I certify that I received charge of the _____
from _____ on the
forenoon _____ of this _____ day of _____
afternoon _____

2. I received the sum of Rs. _____ only, the cash balance as shown in the Cash Book on this date, and have signed the Disburser's Cash Book.

3. I have examined all the office books and found them posted up to date.

4. Copies of the accounts closed up to _____ were submitted to the Forest Divisional Officer under this office No. _____ of _____
I have received vouchers for all credit items that have since appeared in the Cash Book up to date.

Part V.

Chap.
XXII.

5. I have examined the Live and Dead Stock, which I have found correct and in good order, and I have examined the Depot registers, which I have found posted up to date.

6. I have satisfied myself that the petty advances, amounting to Rs. _____ for which this office has to account, are recoverable, and are now in process of adjustment.

Signed _____

Relieving Officer.

I hereby certify that I handed over charge of the _____
to _____ on the _____^{forenoon}_{afternoon} of this day of _____
and have signed the Discharge's Cash Book.

Signed _____

Relieved Officer.

142. For subordinates who do not know English the use of the Hindi translation of the above form is prescribed by Revenue Secretariat letter No. 2912, dated the 23rd June 1897.

Copies, not Originals, of Correspondence supporting proposals submitted to be sent to Secretariat.

143. The orders on this subject are contained in Revenue Book Circular No. XIX, dated the 15th April 1896, only the first four paragraphs of which, however (here quoted), refer to the Forest Department:—

I am directed to inform you that the Chief Commissioner's attention has lately been drawn to the practice followed by certain officers, in addressing the Secretariat, of sending up correspondence in original in support of proposals made, with a request that the papers may be returned when no longer required.

2. This practice is, I am to say, inconvenient; it renders the Secretariat records incomplete, and makes it impossible easily to ascertain the grounds of action taken; and it is also dangerous because in case of any mischance happening to original papers, such as loss in the post, or accidental destruction, there are no copies in existence from which they can be reconstructed.

3. I now therefore to request that in future when corresponding with the Secretariat you will send up copies of all useful references (such copies to be carefully compared with the originals by responsible persons and certified as correct). Such copies, or in special cases original papers, sent to the Secretariat will not ordinarily be returned.

4. In cases where the reference practically proceeds from another officer than the one addressing the Secretariat, it is for the latter officer to decide whether or not it is necessary for the completion of his own records to retain either the original communication (forwarding a copy) or copies of the whole or part of it. This applies to cases of officers forwarding opinions or reports from officers subordinate to them, or noting

their opinion on cases sent through them under flying seal. The intermediate officers may or may not require complete records in such cases, but it is essential that all the materials on which the Chief Commissioner's decision is based should be on record in the Secretariat.

Part V.

Chap.
XXII.

144. In the case of Divisional Officers, unless they do not want the originals returned, they will send copies of all useful references, when these are in English and translations or transliterations in Roman character, when they are in the Vernacular. All translations and transliterations will be certified as correct by the Divisional Officer himself.

Annual Reports and Budget Estimates.

Necessity for Brevity.

145. In the following General Secretariat Circular letter No. 2296 dated the 12th March 1900, the necessity for brevity is strictly enjoined:—

I am directed to invite your attention to the necessity for cutting down all annual reports. The question as to what reports may ultimately be dispensed with altogether is one which requires careful consideration and must be postponed for the present. But there can be no doubt about the necessity for shortening reports, a necessity which is specially felt in those of strain and stress like the present. A report submitted in print to the Secretariat should not be numbered and dated until the final proof of the report is passed for printing.

2. The Officiating Chief Commissioner, therefore, desires all reporting officers to give this matter their most careful attention in the preparation of the annual reports soon to be submitted. It seems to Mr. Fraser that the following suggestions may assist an officer in his efforts to cut down a report without reducing its value:—

- (1) That the report should contain only the explanation of really important variations in the statistics, and the statement of really noteworthy facts in the history of the year's administration;
- (2) That there should be no mere paraphrasing and reproduction of the statistics in the report;
- (3) That no attempt should be made to offer explanation of any unimportant variation in the figures, unless the fact to be alleged in explanation is in itself important enough to deserve mention; and
- (4) That the principle should be borne in mind that "the necessity for saying something" is utterly wrong; and that the briefer a report is, the better it is, if it says all that has to be said to show a grasp of the facts and figures and of the features of the year's work.

3. It is necessary for the responsible officer to study the relevant statistics systematically. If he has done so, it is easy to write a report, and it is often to his advantage to do so. Moreover, his report is intended not only to give information to the Government, but also to enable the Government to see how far the scrutiny of statistics is careful and intelligent. These considerations justify the maintenance of certain reports; but they are consistent with a demand for brevity and lucidity. There can be no doubt whatever that voluminous writing is, in the majority of cases, due to want of firmness of grasp and clearness of thought.

Part V.

Chap.
XXII.

4. There is one value of the unsatisfactory character of some reports which demands brief notice, viz., that reports are sometimes drafted by clerks and only "corrected and touched up" by the reporting officer. This is very mischievous. The object of reporting is defeated. If assistance is required from the office, it ought to be in the form of a memorandum; and the reporting officer himself should draw up a brief and concise report in the manner indicated above.

Employment of Correct Scientific Nomenclature.

146. In regard to the use of the correct scientific nomenclature of plants and to the employment, when the scientific nomenclature has already been once given, of the vernacular names, if these and not the scientific names are in common use, Secretariat Circular letter No. 14, dated the 26th July 1893, directs attention to Revenue and Agriculture Department Circular Resolution No. 854-89, dated the 14th March 1892, paragraph 1 of which is accordingly here transcribed:—

In the despatch cited above, Her Majesty's Secretary of State draws attention to the great inconvenience due to the occasional employment, in botanical-economic reports published under the authority of Government, of obsolete scientific names of plants, and desires the uniform use in all such official reports in future of the nomenclature established by Sir Joseph Hooker's "Flora of British India" and the official "Dictionary of the Economic Products of India." Considerable inconvenience has also been caused to the Government of India by the use in official reports generally of vernacular and unsatisfactory names in describing or referring to natural and economic products. His Excellency the Governor-General in Council is, therefore, pleased to issue instructions that economic products, whether plants or not, should be designated by the scientific name adopted in the official Dictionary, either used alone or written in brackets after any English or Vernacular name which may be employed. The nomenclature of economic plants dealt with in the Dictionary of Economic Products is practically based on the "Flora of British India," to which no further reference need be made in such cases. In the case of plants not being economic products, and not therefore included in the Economic Dictionary, the Flora itself should be consulted; but if this work is not available or difficulty is experienced in identification, reference may be made to the Agricultural Department, or to the botanical authority of the Province.

Reduction of all Quantities to the Prescribed Denominations.

147. The prescribed denominations are cubic feet solid for timber and fuel, number for bamboos, and seers, maunds or tons for minor produce. Factors for reducing to these denominations, head-loads, pack-loads, cart-loads, etc., will be fixed by the Conservator. These factors may be different for different Divisions and even for different portions of one and the same Division.

Applications for Re-appropriation.

148. Letter No. T-1822, dated the 30th August 1900, given below from the Comptroller and Auditor-General, Forests, shows when arrangements are to be made for the transfer of budget grants from one Division or budget head or sub-head to another:—

I have the honour to invite your attention to note to Article 290 of the Civil Account Code and to state that applications for re-appropriation of existing grants should always be submitted in time to admit of orders on them being passed before the close of the year, as no re-appropriation can be sanctioned after the year has closed. Under Section

* 225 of the Forest Code this office is required to regulate the expenditure with reference to the appropriations made by Local Governments of the budget grant sanctioned by the Government of India. It is therefore necessary that when expenditure exceeds such appropriation either a budget head or sub-head, and when such excess is noticed in this office Objection Statements, transfer of grants should at once be arranged for under proper authority under Section 125 (iii) of the Forest Code.

Part V.

Chap.
XXII.

Use of Secretariat Press

Chief Commissioner's sanction when necessary.

149. The circumstances under which the Chief Commissioner's sanction is necessary are explained in General Secretariat Book Circular No. II, dated the 9th February 1883 :—

The Chief Commissioner finds that there are no definite orders requiring that Circulars containing general orders or instructions should be submitted by Commissioners and Heads of Departments for his approval before issue, and requests that Circulars of this class may not be issued in future until they have been approved by him.

It is not, however, intended that this rule should apply to Circulars or general instructions issued by Heads of Departments in matters of mere departmental routine.

Rules to be observed in sending Requisitions.

150. These rules are given in General Department Book Circular No. V (II) of 10th April 1902, and are as follows :—

1. No printing work whatever shall be sent to a private Press except by the Assistant Secretary. All requisitions, except those for form printing and vernacular work, shall be addressed to the Superintendent of the Secretariat Press. If that Press is unable to undertake the work, the Assistant Secretary will transfer the requisition to a private Press. Requisitions for form printing and vernacular work should be sent to the Engine Central Jail Press.

2. Requisitions for printing may only be sent by Heads of Departments and Commissioners of Divisions.

3. All requisitions shall be in the appended form (Appendix 25), which should be affixed as a flysheet to the matter sent for printing. The requisitioning office will enter the serial number and date of the requisition, and fill up the first three columns of the form; and, if necessary, the last. The number of copies required, with any directions as to type, etc., will be entered in the first column. The signature of the officer requisitioning will be in the second column of the form. A fresh line will be entered on the form every time a proof is returned to the Press.

4. The fourth, fifth and sixth columns will be filled up by the Press Superintendent, who will at the same time make a note of the requisition (original or subsequent proof), in a register of corresponding form.

5. All manuscripts sent to the Press should be legibly written in ink on one side of the paper, free of corrections, and complete for printing off. Special care should be taken not to run words or figures into each other. Incomplete manuscripts should not be sent with a view to completion in a proof; such manuscripts will be refused.

NOTE.—This does not apply to cases where part of a work can be completely printed off independently of any subsequent part; e.g., Heads of Departments should send the statements appended to their Annual Reports to Press as soon as they can be got ready, the report following.

* Now 230.

† Now 129 (53)

Part V.
Chap.
XXII.

6. Requisitions should not be marked "Urgent" except for special reasons which should be briefly stated in the last column of the form; and the word "Urgent" must invariably be initialed by a Gazetted Officer, who should satisfy himself that the work is really urgent. Repats, etc., due to superior authority by a fixed date should be sent to Press in manuscript in sufficient time to admit of their being set up in proof and struck off in the ordinary course of daily business, without being treated as urgent.

7. More than one proof will not ordinarily be required if in the manuscript (especially in the case of figured statements) each word or figure is clearly written; and more than two proofs should never be called for. Cases of bad work on the part of the proof-readers of the Press should be brought to the Assistant Secretary's notice.

8. Proofs should be returned to the Press as early as possible—as a rule within twenty-four hours of receipt.

9. These rules apply to all three departments of the Secretariat and have been approved by the Chief Commissioner.

Return of Proofs.

151. The orders on this subject are contained in General Secretariat Book Circular No. XXXIV, of 27th November 1894, and are briefly as under:—

Proofs should be returned to the Press *within twenty-four hours* of receipt. A somewhat longer period may be necessary when the proof extends over several pages, but there should be no difficulty in complying with the orders on the subject in most cases. All manuscript matter should be complete when first sent to Press and the work of amplifying and correcting should not be kept over until receipt of proofs. The Press Superintendent has received orders to make a formal report in all cases in which undue delay has occurred in the return of proofs, and such cases will be brought to the notice of the Chief Commissioner.

Printing of Vernacular Translations of Circular Orders.

152. General Secretariat Book Circular No. XVIII, of 20th October 1888, contains the standing orders on this subject, which orders may be shortly put thus:—

The question whether a printed translation is necessary will be decided by the Head of the Department concerned. In some cases translations of extracts only will suffice. The words "Translated," "Extracts translated," "Not translated," as the case may be, should always be printed in brackets at the bottom of every English Circular which is issued. As regards the language of the translation, it will always be Hindi.

**Necessity of frequent and intimate Communication between
Heads of Departments and the Head of the Administration.**

Part V.

**Chap.
XII.**

153. General Secretariat Book Circular No. IX, dated the 18th March 1898, runs as follow :—

I am directed to invite your attention to this office Book Circular No. XXI, dated the 5th May 1888, requesting that any general orders or instructions issued by Commissioners or Heads of Departments should be submitted for the Chief Commissioner's approval. This Circular has sometimes been overlooked. I am at the same time to remind you of the desirability of keeping the Chief Commissioner regularly informed of any occurrence of special interest within your cognizance or of any action of importance taken by you. This applies not only to cases which, though of importance, would in ordinary course be disposed of on your authority, but also of cases which must ultimately be disposed of by the Chief Commissioner, but which extend over a considerable period and in the progress as well as the final disposal of which the Chief Commissioner may be interested. Sir Charles Lyall does not wish to restrict the jurisdiction or fetter the discretion of his principal officers, but merely to impress upon them the desirability, not so much of formal submission of official references as of frequent and intimate communication on all questions of general interest and policy between them and the Head of the Administration.

Numbering of Telegrams.

154. This is ordered by General Secretariat Circular letter No. 541, dated the 24th January 1899 :—

The Chief Commissioner has observed that it is the practice in very few offices to number telegrams. Telegrams issued from the Secretariat are always numbered, but the replies to them not only bear no numbers themselves, but frequently omit to quote either the numbers or dates of the originals, and not infrequently even to indicate that they are sent with reference or in reply to a telegram received. This causes much inconvenience. I now to request therefore that in future, when replying by telegram to a reference, which may be a letter or a telegram, you will, as in the case of correspondence by letters, always refer to the number and date of the original reference. I am to add that your own telegrams should also be numbered, whenever possible. A separate series of numbers, with the addition of the letter C, can always be maintained for telegrams sent from camp.

2. Several telegrams have lately been received from small roadside telegraph stations, in which the sender is simply described as "Deputy Commissioner," so that it has been a matter of some difficulty to ascertain the district from which they came. When a telegram is sent otherwise than from the head-quarters of a district, the name of the district should always be added to the official designation of the sender.

**Chief Commissioner to be kept informed of Conservator's
Movements.**

155. Instructions on this subject are given in General Secretariat Book Circular No. XV, dated the 20th April 1898 :—

The Chief Commissioner frequently has occasion to communicate with Heads of Departments either by letter or telegraph, and finds it inconvenient to be ignorant of the place where they may be at any particular time. I am therefore to request that whenever you leave your head-quarters on duty, you will be good enough to see that ample notice of your movements is given to the Chief Secretary for the Chief Commissioner's information, and that any change in your programme is similarly communicated. In the case of a lengthened tour it will be most convenient if you will publish your tour programme in the Gazette, copies being sent to the Chief Secretary and Chief Commissioner's Camp Clerk.

Part V.

Inspection Reports.

Chap.
XXII.

Conservator's Inspections.

156. Reports will be submitted in accordance with Forest Department Code, Articles 51 (iv) and (v) and 224. In regard to the inspections of Divisional Officers, they need not be confined merely to the matters enumerated in Appendix IX to the Forest Department Code. Four important points not given in that Appendix, but which call for the Conservator's special attention, are maintenance of indexed files of his own Circulars to Divisional Officers and of Divisional Officers' Circulars to their subordinates, inspection of such of these latter as have been issued with the purpose of putting into force the orders contained in the Chief Commissioner's and Conservator's Circulars, examination of Seniority List of Subordinates prescribed by paragraph 27 above, and assurance that no member of the out-door staff is withdrawn from his duties in the forests to work irregularly as a clerk, as an orderly or office peon, or otherwise.

157. The following extract from General Secretariat Book Circular No. XXIII, dated the 22nd August 1894, regarding inspections by Commissioners applies also to inspections by Conservators:—

It may be added that too much stress cannot be laid on the importance of seeing that errors discovered and suggestions made in the course of an inspection are promptly removed and given effect to respectively, and the first duty of an inspecting Officer should be to go through the preceding inspection memorandum, point by point, and satisfy himself that all the instructions in it have been fully complied with. A note to this effect with the addition of orders regarding any points in previous inspections which have been overlooked or misunderstood should form the beginning of each future memorandum of inspection in any department.

158. As Inspection Notes necessarily deal mainly with small details and trifling defects, it is not necessary that the whole of the Note should be submitted to the Chief Commissioner. The procedure to be followed is described in paragraph 2 of General Secretariat Book Circular No. XIII, of 21st March 1900:—

2. Inspection Notes by Commissioners or Heads of Departments should be sent, as soon as recorded, to the office of the Deputy Commissioner of the district. The inspecting Officer should mark any passages on which he requires an explanation or on which special action has to be taken. Copies of these passages should be made in the office of the Deputy Commissioner or of the office inspected and submitted with the necessary remarks of explanations to the Commissioner, or through the Commissioner to the Head of the Department, as the case may be. The inspecting Officer should exercise his discretion as to the submission to the Secretariat of extracts from the Note. He should submit all passages dealing with questions of principle or with matters of sufficient importance to necessitate a reference to the Chief Commissioner; but he need not do more.

Inspections by Divisional Officers.

159. Divisional Officers will inspect Range Officers at least twice a year and report having done so. For the inspection they will use the prescribed Form.

Stationery and Forms.**Part V.****Stationery and Local Forms.****Chap.
XXII.**

160. The rules on this subject are contained in Central Provinces General Department letter No. 13248, dated the 10th November 1905.

A type-writer cannot be indented for without the sanction of the Local Government. For further rules on the subject see Chief Commissioner's General Department Book Circular No. 21, dated the 11th July 1901.

Forest Department Code Forms

161. In accordance with Memorandum, dated the 11th March 1889, from the Superintendent of Government Printing, India, received under Central Provinces Secretariat endorsement No. 2122-75, dated the 5th April 1889, indents must be submitted through the Conservator to the Contractor biennially for the half-years ending June and December, respectively, so as to reach the Contractor in the previous September and March, respectively.

Abstract of Conservator's Correspondence.

162. Definite instructions regarding the abstract of important correspondence to be submitted to the Local Government in accordance with Article 256 of the Forest Department Code are contained in Revenue Secretariat letter No. 3873, dated the 15th October 1891:—

The object of the abstract is, that the Chief Commissioner may know what is going on and may be able to correct mistakes while there is yet time. The Chief Commissioner insists, I am to say, on the abstract reaching the Secretariat not later than the 15th of the month succeeding that to which the abstract relates and it should in ordinary course not be later than the 10th.

2. I am to add, for your information, that it is not necessary to include any correspondence with the Secretariat in this abstract and that it will be sufficient for the purpose in view if you will submit in future an abstract of orders passed by you each month, without giving details of letters received by you from Forest Divisional Officers and others.

If these instructions are observed, the abstract will be reduced to reasonable dimensions.

Part VI.

Chap.
XXIII.

PART VI.

CHAPTER XXIII.—Forest Settlement Procedure.

163.—This is prescribed by Revenue Book Circular VII-13 which is here reproduced:—

The following instructions, which follow those in force in the Punjab, deal with practically every side of the subject of Forest reservation. In considering paragraphs 2-9 of the Circular, however, it is to be remembered, that after the completion of the first Land Revenue Settlements, practically all the Government wastes, which a long and exhaustive enquiry by the Settlement Department had proved to be quite free of rights, and which had not been declared Reserves under the first Forest Act, were treated as Unreserved Forests and placed under the direct management of the Deputy Commissioners. On the Forest Act of 1873 coming into force, all these Unreserved Forests, together with the Reserved Forests of the old Act, were notified as Reserved Forests under Section 34 of the new Act. Thus there was scarcely any land not belonging to private individuals left which was not Government Reserved Forest. The result is that, if we exclude the few cases that occur, in which exchanges are made with adjacent villages or in which it is found necessary to reserve small areas of Government waste that were inadvertently left out of the wholesale notifications of reservation published in 1873-80, there is now but little occasion to undertake reservation under Chapter II of the Forest Act. Consequently in our Forest Settlements the existence of any adverse rights (that of way and water excluded) which require to be maintained, will always be a rare exception, instead of being, as in the Punjab, the rule.

Similarly with regard to paragraphs 16-22. Owing to the same completeness with which forest reservation was achieved in these Provinces, the present area of Government forest is sufficient to enable us to refuse to now reserve any area known, or likely, in the course of settlement, to be found, to be burdened with adverse rights.

Cases in which the machinery for reservation under Chapter II of the Forest Act will have to be put in motion will be practically limited to cases of exchange of land with an adjoining private proprietor or to the permanent reservation of one of the few areas of small extent which claimed to escape reservation under Section 34 of the Act in 1873-80.

Paragraphs 11-15 which contain the clear directions not present in the former Circular, for the procedure to be followed by Forest Settlement Officers at the conclusion of Settlement Operations, should be carefully noticed.

1. When a proposal to constitute a reserved forest has been notified, and the Forest Settlement Officer has entered upon his duties and has issued

Map.

proclamation required by Section 6, his most immediate duty is to ascertain whether he has at his command a sufficiently accurate map of the land to be reserved, and if he has not then to provide one, for which purpose Section 8 of the Act furnishes him with the necessary authority. Except for special reasons, the map should not be on a smaller scale than four inches to the mile. Its outer boundaries and the boundaries of all its interior holdings should be carefully traced and be compared with the existing records available in the District Record Office.

2. In the meantime all claims preferred and statements of rights, Section 7 of the Act, of which the existence is ascertained (whether from previous records or from local inquiry), should be put up in a file, and be

Investigation of claims.

dealt with in the manner provided by the Act. Claims should be clearly set out, either by petition or by deposition, or in both ways. If rights are believed to exist, and the right-holders do not appear, those persons should be summoned, and be examined with reference to their rights. Documents relied on should be filed in the original, or, if copies are filed, they should be admitted only after comparison with the originals. Where previous records are referred to the original records should be inspected and certified extracts should be filed. If claims or rights are disputed, suitable issues should be framed, evidence heard and findings be recorded thereon. In short, the Settlement Officer should remember that he is armed with the powers of a Civil Court, and that his decision possesses a similar finality. At the same time separate files need not ordinarily

Section 8 (b) of the Act.

Part VI.

Chap.
XXIII.

PART VI.

CHAPTER XXIII.—Forest Settlement Procedure.

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The following instructions, which follow those in force in the Punjab, deal with practically every side of the subject of Forest reservation. In recasting paragraphs 2-9 of the Circular, however, it is to be remembered, that after the completion of the first Land Revenue Settlements, practically all the Government waste, which a long and exhaustive enquiry by the Settlement Department had proved to be quite free of rights, and which had not been declared Reserves under the first Forest Act, were treated as Unreserved Forests and placed under the direct management of the Deputy Commissioners. On the

Page 152, paragraph 163.—For "Revenue Book Circular VII-13" read "Revenue Book Circular VII-7."

WHEN LAND SETTLEMENTS, IN WHICH CATCHMENTS AND OTHER RESERVATIONS WERE MADE, IN ALL WHICH IS FOUND NECESSARY TO RESERVE SMALL AREAS OF GOVERNMENT WASTE THAT WERE INADVERTENTLY LEFT OUT OF THE WHOLESALE NOTIFICATIONS OF RESERVATION PUBLISHED IN 1879-80, THERE IS NOW BUT LITTLE OCCASION TO UNDERTAKE RESERVATION UNDER CHAPTER II OF THE FOREST ACT. CONSEQUENTLY IN OUR FOREST SETTLEMENTS THE EXISTENCE OF ANY ADVERSE RIGHTS (THAT OF WAY AND WATER EXCLUDED) WHICH REQUIRE TO BE MAINTAINED, WILL ALWAYS BE A RARE EXCEPTION. INSTEAD OF BEING, AS IN THE PUNJAB, THE RULE.

Amendments to the Central Provinces Forest Manual.

[2ND EDITION.]

No. 14.

Nagpur the 5th August 1908.

1. Page 152, paragraph 163.

In the 4th clause, for the words "the clear directions not present in the former circular" read "clear directions."

accurate map of the land to be reserved, and if he has not, then to provide one, for which purpose Section 8 of the Act furnishes him with the necessary authority. Except for special reasons, the map should not be on a smaller scale than four inches to the mile. Its outer boundaries and the boundaries of all its interior holdings should be carefully attested and be compared with the existing records available in the District Record Office.

2. In the meantime all claims proffered and statements of rights, Section 7 of the

Investigation of claims. Act, of which the existence is ascertained (whether from previous records or from local inquiry), should be put up in a file, and be dealt with in the manner provided by the Act. Claims should

be clearly set out, either by petition or by deposition, or in both ways. If rights are believed to exist, and the right-holders do not appear, those persons should be summoned, and be examined with reference to their rights. Documents relied on should be filed in the original, or, if copies are filed, they should be admitted only after comparison with the originals. Where previous records are referred to the original records should be inspected and certified extracts should be filed. If claims or rights are disputed, suitable issues should be framed, evidence heard and findings be recorded thereon. In short, the Settlement Officer should remember that he is armed with the powers

Section 8 (b) of the Act.

of a Civil Court, and that his decision possesses a similar finality. At the same time separate files need not ordinarily

No. 53.

Nagpur, the 22nd February 1912.

In amendment No. 14, dated the 5th August 1903, first sentence, between the words "not" and "to" insert "except as provided below"; and for the second sentence "No disforestation of an area, however small, can be effected without the previous sanction of the Government of India" substitute the following:—

"Without the previous sanction of the Government of India, the Local Government can only sanction disforestation when the area involved does not exceed one square mile in each case."

be made up for each claim. Unless difficulties arise, it will be usually sufficient to deal with all claims and rights in three files according to the classification given in the paragraph next following.

Part VI.

Chap.
XXIII.

3. In respect of the treatment of claims, attention is directed to the following instructions:—

Chapter II of the Forest Act divides the claims with which a Forest Settlement Officer has to deal into three classes, and provides a different method of treatment for each class. The three classes are:—

- I.—Claims to public or private ways or water courses.
II.—Claims to rights of pasture or to forest-produce.
III.—Claims to other rights.

Section 11 to 14.

4. The Forest Settlement Officer must be careful to record all public and private ways and water-courses existing at the time of his inquiries and in this class of claims must be included rights to use the water of wells, springs and streams, situated inside the boundaries of the proposed reserve, for if the right to use such water exist, it cannot be enjoyed unless a proper way of approach to the water is allowed. But though the Forest Settlement Officer is required to record all rights of this class, he has no authority to appropriate or commute them. His duty is limited to the drawing up of a clear record of them. Their future regulation is a matter for the Executive Government under Section 24.

5. The treatment of the second class of claims, viz. claims to rights of pasture or to forest-produce, is the most difficult part of the Settlement Officer's duty. If after the inquiry to which reference has been made in paragraph 2 above, he rejects a claim in whole or in part, he should be careful that his order contains all the particulars required by Section 12. If he admits a claim, he should proceed to record, with as much completeness as is possible, all the particulars required by Section 13.

Having made this record, it remains for the Forest Settlement Officer to secure by one of the three methods set down in Section 14 of the Act the rational exercise of the rights so admitted. He may either transfer the right to another forest tract under the conditions stated in Section 14 (a); or under the condition stated in Section 14 (b), he may exclude from the forest an area sufficient for the exercise of rights established. Both of these methods possess obvious advantages especially in the eyes of the right-holders, but it lies with the Forest Settlement Officer to take care that in resorting to them he does not burden any land with rights so extensive as to insure its ultimate deterioration. It is easy by a too ready resort to experiments of this nature to purchase the proper forest preservation of one forest tract at the cost of the ultimate destruction of another forest area. The Forest Settlement Officer is under no necessity to sanction wasteful adjustments of this nature. Under Section 14 (c) he can record an order appointing the enclosure at which and the portions of forest in which, the rights shall be exercised, and he can also propose in his final report any rules which, without restricting the rights admitted, place appropriate safeguards on their exercise. In making arrangements of this nature it is useful to bear in mind the necessity for providing that all areas burdened with rights shall be closed in rotation for reproduction. For instance, where a right of grazing can be efficiently provided for in a hundred acres, it is expedient, if possible, to record the right in a larger area, subject to adequate conditions for securing the closing of the whole in rotation.

All this is to be done to the best of the Forest Settlement Officer's ability and with due regard to the successful maintenance of the forest under reservation. Primarily the Government is not interested in extinguishing rights of pasture or to forest produce, but in the last resort, and where really necessary in the interests entrusted to his charge, the Forest Settlement Officer has authority, under Section 15 of the Act, to appropriate these rights.

6. There remains the third class of rights, which includes all those not mentioned above. In respect of these, the Legislature leaves no option to the Forest Settlement Officer. He must either exclude from the forest the land on which these rights are claimed, or he

Other rights.

Part VI.
Chap.
XXIII.

must extinguish the rights. In this connection it should be remembered that, provided a given area of land is expressly excluded from the reserve, being clearly demarcated off, the mere fact that the reserved forest surrounds such lands does not necessitate expropriation of the latter. No doubt such areas often create difficulties in forest management, and where this is the case the Settlement Officer will act rightly in expropriating them. But in each instance the question is for his decision.

7. In carrying out expropriations care should be taken to comply with the rules issued by Government for the guidance of Collectors in their proceedings under the Land Acquisition Act, I of 1894. For all proposed expropriations, village statements should be prepared and filed as required by No. XVIII of the rules given in Revenue Book Circular IX-2, and the award should be entered in the District Register (Rule 40). If reductions in the revenue roll are necessitated by these expropriations, the Settlement Officer should prepare and forward to the Collector the statement prescribed by Rule XXX of

11. Page 154, for paragraph 163 (7) substitute the following :—

Expropriations.

In carrying out expropriations care should be taken to comply with the rules issued by Government for the guidance of Collectors in their Proceedings under the Land Acquisition Act, I of 1894. For all proposed expropriations village statements should be prepared under the rules given in Revenue Book Circular IX-2, and the award should be entered in the District Register (Rule 57). If reductions in the revenue roll are necessitated by these expropriations, the Settlement Officer should prepare and forward for the sanction of the Chief Commissioner the statement prescribed by the above Circular, and it will usually be convenient to him to do this at the same time as he makes his award.

10. As the settlement of the reserved forest proceeds, if its boundaries have not already been permanently marked out, it is the duty of the District Forest Officer to set up permanent pillars and to test the agreement of these pillars with the final record of the Forest Settlement Officer.

Final Record and Report.

11. This final record will be prepared by the Forest Settlement Officer as soon as the disposal of claims has progressed sufficiently. It should comprise for each forest separately demarcated, or where the forest tract is of great size, for each convenient section thereof (i) map, (ii) proceedings, (iii) final notification. Instructions as to the form and contents of these documents are appended and no other paper should be added to this file, excepting only orders subsequently issued by the Local Government under Section 21 of the Act.

12. All claims having been disposed of and the above record having been completed, it will then only remain for the Forest Settlement Officer to move the Local Government to issue the notification contemplated by Section 19. It is necessary that the Local Government should, before taking this step, be informed of the nature of the proceedings to which its final sanction is desired. To this end the Forest Settlement Officer should draw up a brief report stating, in addition to the information required by clauses (a), (b), and (c) of Section 19 of the Act, the general result of his proceedings. This report should be written by way of continuation of the preliminary report submitted under Section 4 of the Act and need not repeat matters already sufficiently explained therein. No exact form is prescribed for the report. What is required is a brief summary of so much of the proceedings as has not already been reported, and of such a nature as to satisfy the Local

Part VI.

Chap.
XXIII.

must extinguish the rights. In this connection it should be remembered that, provided a given area of land is expressly excluded from the reserve, being closely demarcated off, the mere fact that the reserved forest surrounds such lands does not necessitate expropriation of the latter. No doubt such areas often create difficulties in forest management, and where this is the case the Settlement Officer will act rightly in expropriating them. But in such instances the question is for his decision.

7. In carrying out expropriations care should be taken to comply with the rules issued by Government for the guidance of Collectors in their proceedings under the Land Acquisition Act, I of 1894. For all proposed expropriations, village statements should be prepared and filed as required by No. XVII of the rules given in Revenue Book Circular IX-2, and the award should be entered in the District Register (Rule 40). If reductions in the revenue roll are necessitated, by these expropriations, the Settlement Officer should prepare and forward to the Collector the statement prescribed by Rule 40 above circular, and it will usually be convenient to him to do this at the same time he makes his award.

8. The Chief Commissioner will, as a rule, appoint some person under Section 10 (who may most suitably be the Local Forest Officer, to attend at the enquiry, and act on behalf of the State before the Forest Settlement Officer. This person should have a proper legal standing, be able to cross-examine witnesses who support a claim, and to produce evidence to rebut claims, comment on any documents or evidence, and decide in preference to any appeal against any decision, the Forest Settlement Officer should give him a certified copy of each decision.

9. Whenever it may be necessary to grant other rights or privileges in a forest which is intended to reserve, a Forest Officer, if not formally appointed under Section 10, shall be required to attend at the Settlement Officer's enquiry to represent the Department and to act as his professional adviser; and the Conservator of Forests shall give the opportunity of criticizing, from a departmental point of view, the decision arrived at by the Forest Settlement Officer in this connection, before such decision is confirmed by the Local Government.

10. As the settlement of the reserved forest proceeds, if its boundaries have not already been permanently marked out, it is the duty of the District Forest Officer to set up permanent pillars and to file the agreement of these pillars with the final record of the Forest Settlement Officer.

Final Record and Report.

11. This final record will be prepared by the Forest Settlement Officer as soon as the decision of claims has progressed sufficiently. It should comprise for each forest separately demarcated, or where the forest tract is of great size, for each convenient section thereof (i) map, (ii) proceeding, (iii) final notification. Instructions as to the form and contents of these documents are appended and no other papers should be added to this file, excepting only orders subsequently issued by the Local Government under Section 21 of the Act.

12. All claims having been disposed of and the above record having been completed, it will then only remain for the Forest Settlement Officer to move the Local Government to issue the notification contemplated by Section 19. It is necessary that the Local Government should, before taking this step, be informed of the nature of the proceedings to which its final sanction is desired. To this end the Forest Settlement Officer should draw up a brief report stating, in addition to the information required by clauses (a), (b), and (c) of Section 19 of the Act, the general result of his proceedings. This report should be written by way of confirmation of the preliminary report submitted under Section 4 of the Act, and need not repeat matter already sufficiently explained therein. No exact form is prescribed for the report. What is required is a brief summary of so much of the proceedings as has not already been reported, and of such a nature as to satisfy the Local

Government that these proceedings can appropriately be confirmed. It should notice specially the matters referred to in paragraphs 5 and 6 above, and also the extent to which expropriations (by agreement or by award) have been resorted to and the cost and other results of such expropriations. It should be accompanied by a draft notification for issue under Section 19 of the Act, which must contain a complete statement of the rights of user admitted within the limits of the forest intended to be reserved, by a map showing the limits of the forest as finally settled on the scale, and with other details required by Section 4 of the Act and paragraph 1 above, and also by an English abstract of the information given under heads (i) and (vi) of the proceeding prescribed by paragraphs 1 and 3 of Appendix I. This abstract should be drawn up with some care, for it is intended to serve as a convenient guide to the officers by whom the forest will be managed. If expropriations have been made, an abstract statement in the form prescribed by Rule 30 of Revenue Book Circular No. IX-3, regarding Land Acquisition, page 13, should also be added.

Part VI.

Chap.
XXIII.

13. The report should be addressed to the Commissioner of the Division, but it should be forwarded, unless the Collector is himself the Forest Settlement Officer, through the Collector, who is required to add to it both his own opinion and that of the District Forest Officer. The Commissioner, on receipt of the Collector's report, will forward it to the Conservator of Forests for his opinion, and after receipt of that officer's report, will submit the report to the Chief Commissioner with his recommendation.

14. The final record (paragraph 11) should not be forwarded to the Commissioner, but should be deposited in the District Forest Office at the same time as the final report is submitted. These records will be permanently preserved.

15. The file of claims (paragraph 2) will also be deposited in the District Forest Office, and that of the other documents also in the same office.

III. Page 155. In the last sentence of paragraph 12 for "rule 30" read "rule 42" and for "IX-3" read "IX-2" and omit the words "page 13."

IV. Page 155. In the last sentence of paragraph 16 for "Appendix XVI" read "Appendix XVII."

should consider the effect of reservation on crops and submit special proposals if necessary.

proceedure a Forest Settlement Officer must carefully limit himself to ascertaining, settling, and recording rights actually existing, and providing for their exercise and enjoyment in the manner prescribed in the Act. But much more than this is required to enable the Local Government to judge whether, after the events mentioned in Section 19 of the Act have occurred, it is or is not expedient to issue a notification under that section declaring the area to be a reserved forest. The results of the procedure of the Forest Act, when rights have been recorded and maintained, is to impose great restrictions on their exercise and to materially alter the previous usages of the people. To such changes, as already observed, the people are slow to accommodate themselves, and it is therefore incumbent on the Government to satisfy itself as to the probable effect which the reservation of the area, and its strict management as a reserve, will have upon the requirements of the neighbourhood and habits of the people. This can best be ascertained by the Forest Settlement Officer in the course of his inquiries for the settlement of rights. If not ascertained and reported on by him, it would have to be repeatedly inquired into and reported on by the Collector or other Revenue Officer, which would only cause delay and additional expense. In addition, therefore, to having his record-of-rights in strict accordance with the Act, the Forest Settlement Officer should, in a separate proceeding, record his opinion on the above points. If, on regarding his work from this point of view, he is of opinion that the Government ought to make certain concessions beyond what has been awarded under the strict letter of the law, it is his duty to frame recommendations accordingly, and to submit them either in a special report or as an appendix to his final report required by paragraph No. 12. In making these recommendations he should steadily bear in mind the principles laid down by the Government of India in its Circular No. 22-F, dated the 10th October 1894, which is printed as Appendix XII to the Forest Department Code.

Part VI.

Chap.
XXIII

17. The recommendations would usually deal with two classes of cases, *etc.*, those arising out of (1) the use of forest-produce permitted as a matter of ordinary convenience in the absence of any strict management, but not supported by any clear right established by adverse enjoyment; and (2) the prospective wants of village communities or of individuals, whether members of village communities or not.

18. As regards the first class it is desirable to avoid, on the one hand, embarrassment to Government by hastily granting unduly liberal concessions which must ultimately be withdrawn in the interests of sound forest management; and, on the other hand, serious popular discontent by the harsh, illiberal, or undue restriction of usages which contribute to the comfort and convenience of the adjacent population. The aim should usually be some executive arrangement giving no ground for any substantial grievance, and so carefully guarded as not to infringe the recognized principles of forest management, nor to suggest claims that cannot legally be sustained.

19. The cases of the second class are amongst the most difficult of any which occur in the course of a Forest Settlement. There are many cases in which the right, as recorded, sufficiently provides for the future. For instance, the right to graze so many cattle per plough or per 100 cultivated acres, or to graze *bona fide* agricultural cattle, covers the future expansions of cultivation. Where this is not the case, though the Forest Act does not justify the Forest Settlement Officer, as such, in providing for the prospective wants of non-existing settlers or of a future and possibly more numerous generation, he may nevertheless take into account prospective wants in particular cases, as when a claimant has established a right of such a nature that it would probably in course of time entitle him to larger benefits from a forest than he was entitled to at the time of Settlement. It is to be expected that in practice many intermediate cases will arise in which the Forest Settlement Officer will rightly entertain doubts as to what should be done under the Forest Act, and what by order of Government outside the Act and by way of executive arrangement. It will be the safest plan to refer by an intermediate report for the special orders of Government (1) such doubtful cases; (2) any cases in which the results of a strict adherence to the procedure of the Forest Act would apparently conflict with some local popular custom; and (3) any cases in which claims are advanced or arrangements seem advisable not only for the present, but for the prospective population of any village or tract.

20. On receipt from a Forest Settlement Officer of any intermediate or final report of the nature required by these instructions, the Collector (when not himself the Forest Settlement Officer) and the Commissioner of the Division will pay special attention to the questions how far the awards under the Act adequately provide for the reasonable requirements of the people, and what, if any executive arrangement beyond the scope of those awards, it would be expedient or equitable to make in order to meet those requirements.

21. The orders passed by Government on special proposals submitted under paragraphs 16 to 20 of this Circular should be briefly stated in the final record (see Appendix I), and, if passed before submission of the final report, should be recapitulated therein.

22. If in any case a Forest Settlement Officer in the course of his inquiries ascertains that difficulties and objections exist, which render the completion of the reservation probably undesirable he should stay proceedings and submit a report through the Collector. This report will be dealt with by the Commissioner in the same manner as directed in paragraph 13 of the Circular for the original report.

Conclusion.

23. The attention of Collectors is directed to paragraphs 3 (vii) and 4 of the appended instructions concerning the record. The duty of completing the record by the addition of a copy of a final

notification will ordinarily fall to the Collector. And if before or about the time of issuing the final notification any instructions of the nature contemplated in paragraph 3 have been issued by Government which the Forest Settlement Officer has not already incorporated into head (vii) of the proceeding, it is the duty of the Collector to add them.

Part VI.
Chap.
XXIII.

APPENDIX I.

Instructions as to the form and contents of final records prepared by the Forest Settlement Officer for reserved forests.

The final record shall consist of a map, a proceeding, and a copy of the final notification issued under Section 19 of the Act.

2. The map shall not usually be on a smaller scale than four inches to the mile. It shall show distinctly boundary pillars, permanent survey marks, and physical features so far as may be convenient. The direct distance between each pair of boundary pillars shall, wherever possible, be chained and recorded on the map. The map shall also distinguish by interior boundary lines and survey numbers:—

- (i) Areas surrounded by the forest, but excluded from it.
- (ii) Areas from which rights have been expropriated or in which they have been maintained, or in which claims have been rejected in their entirety.
- (iii) Public and private ways, water-courses, springs and watering places.

3. The proceeding shall contain the following information:—

- (i) It shall quote the number and date of the notification issued under Section 4 of the Act, and give the contents of the notification and the name of the Forest Settlement Officer appointed thereunder.
- (ii) It shall give a list of all areas surrounded by the forest boundaries, but excluded from the forest, thus:—

Number on map.	Area.	Village to which it appertains.

- (iii) It shall give an abbreviated list of claims rejected in entirety under Sections 10 and 11 of the Forest Act, thus:—

Description of rights claimed.	AREAS IN WHICH CLAIMED.		By whom claimed (names with description).	Short abstract of order rejecting the claim.
	Number on map.	Area.		

Part VI.

Chap.
XXIII.

(iv) Also a list of all rights expropriated, whether expropriated under Section 10 or Section 15, thus—

Description of right expropriated.	AREA FROM WHICH EXPROPRIATED.		Persons expropriated (names with description).	Short abstract of award.
	Number on map.	Area.		

(v) It shall describe the rights to pasturage and rights to forest-produce admitted by the Forest Settlement Officer under Section 11 of the Act, and the manner in which he has, under Sections 12 and 14, directed that those rights shall be hereafter exercised, recording them in a schedule in the following form:—

Names and description of persons to whom rights have been awarded.	AREA IN WHICH AWARDED.		Nature of rights with full detail of all matters covered by Section 13 of the Act.	Orders issued under Section 14 of the Act for the future exercise of those rights.
	Number on map.	Area.		

(vi) It shall describe existing rights of way, public or private, and existing water-courses, also springs and watering-places to which any persons have access, arranging them in schedule, thus—

Nature of rights.	AREA IN WHICH EXERCISED.		By whom or how used.
	Number on map.	Area.	

and shall declare that these rights will in future be subject to regulation as provided in Section 24 of the Forest Act.

(18) A brief resume shall be given of any special reports submitted to Government under paragraphs 17 to 22 of this Circular, and of the orders passed thereon. This resume shall be in sufficient detail to guide both Revenue and Forest officials and also parties interested in these reports. Copies of the reports themselves should not be given to applicants; and any notice of opinions expressed by the reporting officers, but not approved by the Government, should be excluded.

Part VI.
Chap.
XXIII.

4. When the final notification issues a copy and translation thereof shall be added to the record. This copy shall be endorsed with a report stating the date on which and the villages in which a translation has been published, as required by Section 20 of the Act.

5. The records shall be drawn up in the vernacular language used in Land Revenue proceedings and the survey shall be made on the land measure used in the Land Revenue Record of the district in which the forest is situated.

Note.—In the above instructions the words "resume with description" mean page, father's name, caste or title, and residence. If the entry is in favour of a whole village, it may be so stated, unless of individuals being omitted.

CHAPTER XXIV.—Excision, Disforestation and disposal of Cultural and Other Lands.

Excision and Disforestation.

164. The general question is dealt with in Revenue Book Circular VII-11, which is here quoted:—

Page 139, paragraph 164.—For "Revenue Book Circular VII-11" read "Revenue Book Circular VII-5."

The examination of the forests for the purpose of this classification has lately made rapid progress, and in some districts has been almost completed; but a certain amount still remains, and it is desirable that the objects and principles of the separation of cultivable lands from permanent forests should be concisely stated.

2. It has been laid down by the Government of India that the claims of cultivation are stronger than the claims of forest preservation, and that a tract of land which is capable of profitable cultivation is of more value to the community when cultivated than when maintained as forest. Under the liberal acceptance of this principle it would be necessary to excise from the forest every acre of cultivable land; but there are of course important limitations to which the principle is subject. Thus the maintenance of a forest may be necessary because the forest area in the district or tract is already not more than sufficient to supply the present or prospective demand for forest produce of the existing cultivation; or, it may be that climatic necessities require that a particular forest should be maintained in the interests of the agriculture of the neighbourhood. Again the cultivation for which the forest is made to give way should be real and not nominal: land which is only fit for shifting or temporary cultivation should ordinarily only be excised from forest when there is some better land in the neighbourhood which it can usefully supplement; and it is of course undesirable to honeycomb valuable forest with small patches of cultivation which when found in the heart of a forest are best suited for forming the nucleus of a forest village. Land should also not be excised with the object of forming a merely pastoral or semi-pastoral village, as the grazing needs of the community can best be supervised and supplied by the Forest Department.

3. The application of the above rules to concrete cases, and the exceptions to them which may be allowed, are matters which must be left to the discretion of the officers who frame the proposals for excision, and cannot form the subject of hard and fast instructions, but the procedure to be followed is laid down below for the guidance of revenue and forest officers.

Part VI.

Chap.
XXIV.*Excision and Disforestation.*

The determination in a rough fashion of the tracts in which there was scope for excision was carried out by the Pachmarhi Committee in 1891, and those tracts in which the probable areas fit to be excised were the largest and most important have already been brought or are being brought under detailed examination. But for the areas which still remain it is most desirable that the classification of forests and proposals for excision should proceed *pari passu*. When a Forest Officer engaged in the preparation of working plans finds that any areas are fit for fairly permanent cultivation which can be profitably excised, it is his duty to bring this to the notice not only of his departmental superiors, but of the Deputy Commissioner or Settlement Officer. The more that cultivation increases the greater will be the demand for forest-produce, and it is futile to maintain culturable areas as forest when the demand for forest-produce is already small.

Similarly, it is the duty of Deputy Commissioners and Settlement Officers to inform themselves of the existence and situation of forest areas where there is culturable land which it would be profitable to excise.

But in neither case should independent action be taken; the Forest and Revenue authorities should before making any proposals communicate with each other. Whenever possible they should arrange for a joint inspection of the localities. If it is impossible to carry out such a joint inspection, the examination may be independent, but it should be real and not superficial. The existence of culturable land in a forest is generally well known to the people of the neighbourhood, and there would seldom be any difficulty in arriving at the true facts.

When the Forest Officer and the Deputy Commissioner or Settlement Officer, as the case may be, have completed their inspection of the localities, they should submit a joint report accompanied by map setting forth—

- (i) the areas to be permanently retained as forest and to be classed as A;
- (ii) the areas to be declared available for cultivation and classed as B-I.

The report, which should specify clearly what differences of opinion, if any, exist between them, should state what areas are already cultivated, what, if any, inhabited villages already exist and the present mode of management of such villages, what kinds of soil are met with, the facilities for water-supply and the character of the demand for land, whether any demarcation or survey of such villages has already been made. It should also give an account of the forest produce of the tract to be excised, and of the existing forest uses to which it has been put, with the manner in which the minor produce has been disposed of, and proposals for its future disposal.

This report should be submitted to the Conservator of Forests, who, after recording his opinion on the proposals, will forward it to the Commissioner of the Division. The Commissioner of the Division will then forward the case for the orders of the Chief Commissioner with a statement of his opinion. He may before recording his opinion consult the Commissioner of Settlements; but if he has not done this, he should forward the papers through that officer, who has many opportunities of acquiring local knowledge of the tracts concerned during the course of his tours by which to supplement his general criticism of the proposals.

When sanction to the proposals has been accorded, the areas to be excised will, unless their disforestation has been specially ordered by the Chief Commissioner, remain as B class forest, and unless it is ordered to the contrary, the Forest Department will continue to manage them.

The Commissioner of Settlements will retain in his office a list of all such tracts of which excision has been sanctioned, and it will be his duty to initiate further action regarding them in consultation with the Deputy Commissioner or Settlement Officer.

4. The subsequent steps towards the final settlement of these tracts will be as under:—

- (1) the precise demarcation of the areas to be excised and their separation from the permanent A class forest;

- (2) the formation of such excised blocks into villages, their survey both peripheral and internal;
- (3) the assignment of the survey numbers; and
- (4) the allotment of land in the case of unoccupied numbers.

Part VI.
Chap.
XXIV.

Where the block to be excised is a large one, the first duty may be conveniently left to the Forest Officer, but wherever existing villages are being separated from the forest, it is the duty of the Deputy Commissioner or the Settlement Officer, as the case may be, to satisfy himself that the forest boundary is not being brought inconveniently near village homesteads, and that a sufficient area is left for the use of the villagers.

The second, third and fourth stages in the settlement of excised areas must be carried out by the Settlement Department under the rules contained in the Settlement Code.

5. Before, however, action is taken under stages 2, 3 and 4 of the preceding paragraph, it must be ascertained that there is a substantial demand for land and that there is a satisfactory prospect of its speedy settlement.

6. The important step of disforestation has next to be considered. Premature disforestation is to be deprecated, but the precise stage at which disforestation should be effected depends upon a variety of considerations.

When the excised block is all waste, it will be necessary to proceed cautiously and to wait until the demand for land is clearly demonstrated before proceeding to this step.

But, on the other hand, the continuance of a tract under the Forest Department is sometimes prejudicial to its settlement, and this is especially the case where there are villages already existing and the ryots are subject to harassment at the hands of forest subordinates. It may, however, be laid down that no village or area shall be disforested until its survey is completed, and it must be remembered that a village which is not formally disforested may still be managed in the Revenue Department. No precise rules can be laid down on this subject and it is ordinarily the duty of the Commissioner of Settlements to initiate the proposals for transfer of land from the management of the Forest to the Revenue Department and for formal disforestation. But it is always within the competence of the local officers to move the Commissioner of Settlements in the matter. Each case has to be treated on its own merits, and with reference to the progress and prospects of the regular ryotwari settlement of the excised area or villages.

Proposals for disforestation must be forwarded for the orders of the Chief Commissioner through the same channels as proposals for excision, and when orders have been passed directing any disforestation, the necessary draft notification of disforestation will be prepared by the Forest Department and submitted in the form prescribed by the Government of India in the letter appended.

7. The above instructions lay down the procedure to be followed in the selection, excision and disforestation of tracts which are found to be more suitable for cultivation than for maintenance as permanent forest, but there are other cases in which it is sometimes advisable to modify a forest boundary. The demarcation of excess wastes from villages in which proprietary rights were conferred was not always judiciously effected at first settlement and cases arise in which it is necessary to throw back a forest boundary which is inconveniently near a village homestead or cuts it off from its water-supply; or it may happen that a tank or the site of a tank has been excluded from the village limits which should have been included. Cases have also arisen in which the construction of a tank in village limits submerges a small area in the adjoining Government forest, and its construction has been stopped by Forest officials, a useful improvement having thereby been impeded.

In such cases it is open to Forest Officers and Deputy Commissioners or Settlement Officers to arrange in communication with each other to modify the forest boundary so as to remove the inconvenience. When the area to be excised from the forest is not valuable and does not exceed 50 acres, the officers mentioned may proceed, if they are agreed as to the expediency of the excision, to mark off the revised boundary at once on the ground, and submit their report with a map and notification for disforestation at once. When they do not agree, or when the forest to be excised is valuable or exceeds 50 acres in area, no action should be taken until a report of the case has been submitted and orders received on it.

Part VI.
Chap.
XXIV.

In such cases it will not be necessary that the reports should come through the Commissioner of Settlements except in the case of districts where there is a Settlement Officer, but the Commissioner of Settlements may of course himself move the local officers to take action in cases of this kind which come to light during his tours.

8. The exclusion from the forests, and disforestation of small areas under the preceding paragraph, is quite a separate question from the decision of the terms on which these areas shall be given over to the malguzar or villagers of the village to which the excised land is attached. The principles on which such areas should be disposed of will form the subject of a separate circular. But it sometimes happens that it is possible to arrange for an exchange of areas between the malguzari land and the Government forest. In such cases it is essential that the exchange should be shown to be a fair one in the interests of the Government as well as of the malguzar, but no final agreement should be concluded without the sanction of the Chief Commissioner, and the exchange should not be given effect to until that sanction has been received.

9. A question which sometimes arises in connection with the excision of areas from the forest relates to the manner in which the demarcation of such areas should be effected on the ground, and the funds from which the cost of boundary marks should be met. It has been decided that when the demarcation of large blocks excised as B class forest is effected by the Forest Department in accordance with this circular, the cost should be borne by the Forest Department. When, on the other hand, the formation of a particular village necessitates a modification of an existing forest boundary the cost should be divided equally between the Revenue and Forest Departments. In all cases the boundary marks used should be those prescribed by the Forest Department for their external boundaries.

APPENDIX I.

CIRCULAR No. G-F.

Extract from the Proceedings of the Government of India, in the Revenue and Agricultural Department (Forests), dated Calcutta, the 10th March 1892.

RESOLUTION.

The practice followed in regard to the submission of applications for the sanction of the Government of India to disforest land under the provisions of the Forest Acts or Regulations noted in the margin varies in different localities, (occasionally, draft notifications containing full details of the areas proposed to be disforested are forwarded with the application; but frequently none are submitted, the name of the forest concerned and the area which it is proposed to disforest being alone indicated.

2. With a view, therefore, to secure uniformity of practice, and at the same time to ensure that all proposals for disforestation contain sufficient details, the Governor-General in Council is pleased to direct that a draft notification in the form appended to this Resolution shall, subject to such minor modifications as local circumstances may render expedient or necessary, accompany every application for sanction to disforest.

3. The Government-General in Council is further pleased to direct that in all such applications it should be stated whether or not the local Revenue and Forest authorities agree to the disforestation proposed, and that, in the event of any objection to such disforestation being urged, its nature should be recorded for the information of the Government of India.

4. The advisability of submitting with the application a map illustrating the proposals made should be considered in each case by the local Government or Administration concerned.

*Draft Notification.***Part VI.****Chap.
XXIV.**

His Excellency the Governor in Council, } with the previous sanction of the Governor-General
 The Lieutenant-Governor, }
 The Chief Commissioner, }
 in Council, is hereby pleased to declare, under the provisions of Section of
 , that the area specified below, which in Notification No. of
 dated the , was declared to be Reserved Forest under Section of
 that , shall cease to be Reserved Forest with effect from the :—

Specification of land disforested.

Name of Reserve or portion of Reserve disforested.	District.	Parsons.	Notes.	Area in acres.

*Remarks—**Brief description—**Reasons for disforestation—*

*Circular No. 12-F, dated Simla, the 28th February 1894, from E. D. Macleagan, Esq.,
 C. S., Under Secretary to the Government of India, Revenue and Agriculture
 Department, to the Chief Commissioner, Central Provinces.*

In continuation of Circular No. 6-F, dated the 10th March 1892, prescribing the form of draft notification to accompany applications submitted to the Government of India for sanction to exclusions from reserved forests, I am directed, in view of the frequent submission of incorrect descriptions of boundaries, to add that unless the description given in the draft notification of the boundaries of the area concerned is sufficiently detailed and precise, the Government of India will be constrained to return, for rectification, any application which does not fulfil this condition.

163. On the subject of excising Forest Land in order to provide with water an already constituted village the orders of the Government of India are contained in their Revenue and Agriculture Department letter No. 904-F, dated the 19th August 1893:—

* * * * *

Part VI.

Chap.
XXIV.

I am to remind you that, although the Government of India, in the correspondence ending with my letter No. 234-L, of the 22nd February, has accepted the policy of existing on a large scale culturable forest lands in order to provide for the establishment of new villages and agreed that at the outset a certain additional area of forest might be made available in each case to serve for such villages as *nistar* until broken up for cultivation, yet that they have not consented to the application of a similar procedure to villages already constituted as in the present case. I am accordingly to request that when it is proposed to excise lands from reserved forest in order to provide *nistar* for existing villages, their need for an additional area of *nistar* should be explained.

Disposal of excised areas.

166. What follows is as much of Revenue Book Circular No. VII-12, as concerns the Forest Department:—

Page 164, paragraph 166.—For "Revenue Book Circular VII-12" read "Revenue Book Circular VII-6."

marginary areas—land of the State and Government, and reserved forest lands, which thereupon become part of the State forests.

The reason for this was that when that Settlement was effected, proprietary rights were conferred over the whole revenue manor, often irrespective of its size or suitability, for cultivation.

The subsequent orders to separate and demarcate, as the property of Government, all excess waste areas issued at so late a stage in the Settlement proceedings, that the work was often carried out very hurriedly, and without proper supervision. The result has been in some cases that the forest boundary has been set so close to the village site as to prove a source of annoyance to the people; in others, that poor lands have been included in the village areas while good lands have been excluded. As these cases have from time to time come to light proposals have been framed for the rectification of boundaries in the first case, or for exchange of lands between Government and malguzars, where possible in the second. In the cases where there was no scope for exchange, and especially where the inclusion of culturable land within forest limits had been revealed by the encroachments of cultivators, the general policy of the Administration has been to make a ryotwari settlement of the culturable area.

1. Hitherto (excepting in the larger excisions for ryotwari cultivation) the instructions which have issued have dealt with the propriety of excluding and deforesting such areas as ought never to have been included in the forest, rather than the precise rights which the malguzar or cultivators would acquire in the areas so excised.

2. Under the orders quoted in Appendix A to this Circular, the Chief Commissioner has the power to sanction exchanges of State land against private land of equal value, without reference to the Government of India where the value of the plot of land exchanged does not exceed Rs. 10,000. So that when any proposal is made to hand over a piece of forest land to the malguzar in proprietary right in exchange for land of his own, the equality of the exchange must be considered.

It is, however, necessary to insist upon too close a correspondence in the immediate market value of the lands given and taken. The culturable land given to the ownership of the proprietor will yield Government a revenue of 50 to 60 per cent of the rental value of the land, while the State also gains whatever can be made from the forest land received in exchange. If, on the other hand, Government retained the ownership of the culturable land excised it would not receive, on an average, more than 75 per cent of the rental value, and it would have to pay compensation for the forest land taken.

Where, however, the area given up is obviously far more valuable than the area received, both in respect of extent and quality, it will be worth while to either acquire the forest area under the Land Acquisition Act, and then settle the excised area on ryotwari principles, or else to give a portion only in proprietary right, and require a price for the rest. The precise mode of Settlement will depend on the merits of each individual case.

These principles have been approved of by the Government of India, who have left it to the Chief Commissioner to decide in such cases whether the two areas which it is proposed to exchange are of equal value or not; and in view of the fact that it is often impossible to arrange for an exchange in cases where the rectification of the boundary is desirable in the interests of the villagers, and the area of forest to be relinquished cannot conveniently be dealt with save by bestowing it in proprietary right on the malguzar, the Government of India have modified the orders quoted in Appendix A to the extent of allowing areas not exceeding 100 acres in extent to be relinquished without an equivalent. (Letter No. 1957-281-2, dated the 28th July 1926, Department of Revenue and Agriculture).

Part VI.

Chap.
XXIV.

4. The broad classes of cases which have to be dealt with are as follows—

- (i) *Cases in which a rectification of boundary is desirable for the convenience of the villagers, e.g., to throw the forest boundary further back from the village site, to give access to a stream at which the village cattle can most conveniently be watered, to include in the village area a tank, or land adjoining the boundary upon which the malguzar and villagers are willing to construct a tank.*

V. Page 165. Add the following to paragraph 166 (3):—

In these cases, however, the power of the Local Administration extends only to the disposal of the land disforested, and not to disforestation itself. No disforestation of an area, however small, can be effected without the previous sanction of the Government of India.

W. E. LEY,

Under Secretary to the Chief Commissioner,

Central Provinces.

31. THE ACT OF 1907 (No. 1907-281-2) has been passed by the Government of India. Forest and Settlement Officer or Deputy Commissioner have authority to mark off boundaries to rectify the inconveniences mentioned if the area given up does not exceed 50 acres reporting their action for sanction and for the regular disforestation procedure. In some instances small areas can be taken in exchange, but this is not always possible. In such cases there is no objection to small areas being given in proprietary rights to the malguzar, as land of which he was in the first instance seriously deprived would be thereby restored to him. This is true, would not be the case where the village has changed hands since Settlement, but in ordinary cases the new proprietor would receive the same treatment as the old.

6. In the second class of cases an exchange will generally be possible where the boundary is being straightened; but if, as may sometimes occur, the process involves giving up land without any or with inadequate land received in exchange, the excess land may still remain the property of Government, the villagers being given user over it on such terms as may be suitable. Where the villages have already sufficient land for their use, the malguzar may be given the option of purchasing it, subject to payment of land revenue, before any other arrangements are concluded.

7. The third class of cases is somewhat similar to the second, and the procedure to be adopted will depend on how far the acquisition of the forest land at present owned by the malguzar is really desirable in the interests of the Forest Department.

If the forest land is really needed, the surrender of proprietary rights in the cultivable land given in its place will merely be the means of acquisition. Otherwise there is no method of acquiring it short of putting in motion the Land Acquisition Act.

Part VI.

Chap.
XXV.

CHAPTER XXV.—Prosecutions.

Rules for conducting them.

167. The following rules are prescribed by Book Circular No. V, dated the 24th January 1895 :—

- (1) Every officer ordering the prosecution of any person before a Magistrate is responsible for the conduct of that prosecution.
- (2) Prosecution may be effected in two ways—
 - (a) by the appointment of a prosecutor to conduct the case; and
 - (b) by sending a report to the Magistrate.
- (3) In any case of importance or difficulty, a prosecutor should be appointed. In petty cases a written report is sufficient. This report should explain the facts of the case and the nature of the charge laid, with the names and addresses of the witnesses and the facts each is expected to depose to.
- (4) A prosecutor should be a person of sufficient intelligence to put the case clearly before the Magistrate, and should be duly informed of the facts and of the nature of the evidence and names of the witnesses. He need not be a person acquainted with the case of his own knowledge etc. except in the Police, is there any requirement as to his official rank.
- (5) Where the prosecution is ordered by an officer other than the District Magistrate, reference should be made to the latter officer for orders as to the Magistrate to try the case, unless he has already given general orders on the subject.

Prosecution of Juvenile Offenders.

168. In regard to the prosecution of juvenile offenders attention is drawn to Section 5 of the Whipping Act as amended by Act V of 1900 (an Act further to amend the Whipping Act, 1854). It runs thus:—

5. Any juvenile offender who abets, commits or attempts to commit—

- (a) any offence which is punishable under the Indian Penal Code otherwise than with death, or
 - (b) any offence which is punishable under any other law, with imprisonment,
- may be punished with whipping in lieu of any other punishment to which he may for such offence, abetment or attempt be liable:

Provided that the Governor-General in Council may, by notification in the *Gazette of India*, direct that the punishment of whipping shall not be inflicted in respect of such offences falling under clause (b) as he thinks fit to specify in this behalf.

Explanation—In this section the expression "juvenile offender," means an offender whom the Court, after making such enquiry (if any) as may be deemed necessary, shall find to be under sixteen years of age, the finding of the Court in all cases being final and conclusive.

Prosecution of Official Subordinates.

169. Subject to the observance of the rule laid down in Forest Department Code, Article 61, that the question whether a Forest Guard shall be prosecuted is to be determined by the Conservator

and of that prescribed in Forest Department Code, Article 247 directing that Divisional Officers should, if possible, report to the Conservator before commencing proceedings in any grave or unusual case, the instructions contained in paragraph 2 of General Department Book Circular No. XIV, dated the 15th May 1833, should be followed when prosecutions are instituted by public officers against their official subordinates.

Part VI.

Chap.
XXV.

Where the charge is of a cognizable offence, the prosecution will, as a rule, be conducted by the Police. Where the charge is of an offence which is non-cognizable, the officer who prefers the complaint should refer the instructions to the Magistrate of the district. The latter will, if he thinks that the case should be proceeded with, either instruct the officer himself to prosecute, or—if the case is of a complicated and difficult nature, rendering, in his opinion, the employment of the Government Pleader, or of some legal practitioner, necessary—report for the sanction of the Local Government what arrangement he has to propose for the conduct of the prosecution.

170. In connection with the above it should be remembered that under the authority of Forest Department Code, Article 157, the Conservator can sanction expenditure on Pleaders' fees up to a limit of Rs. 100 in each case, and that in accordance with Article 247, the Conservator's sanction must be obtained before a Pleader can be retained.

Calling for Records of decided Cases.

171. The orders of the Chief Commissioner on this subject are contained in General Department Book Circular No. XXXVIII, dated the 6th December 1895, from which the following extract is quoted:—

The Chief Commissioner considers that for many reasons it is administratively important that a Deputy Commissioner should have power to call at any time for the record of any criminal case. His power to do so has now been affirmed. I am to say, however, that this should be done only when an examination of the original file by him-self or some other gazetted officer is required for administrative purposes. If merely copies are required, the record should not be called for; but the procedure prescribed in Rule 3 of the Circular referred to should be followed.

Appeals from Acquittals.

172. The rules on this subject are contained in the following extracts from General Department Circular and Book Circular:—

Circular No. 15 of 14th May 1878.

3. Section 272 of Act X of 1872 (Code of Criminal Procedure) provides that the Local Government may direct an appeal by the public prosecutor or other officer specially or generally appointed in this behalf from an original or appellate judgment or acquittal and in the Central Provinces, Deputy Commissioners as the Chief Magistrates of Districts, are the officers who bring to the notice of the Local Government cases in which an appeal from an order of acquittal should be made.

It is requested that whenever a Deputy Commissioner moves the Local Government to direct an appeal, a concise history of the facts of the case, together with the grounds of appeal, may accompany the application.

Book Circular No. XIV of 17th February 1896.

4. Under the orders contained in Circular letter No. 15, dated the 14th May 1878, it has been the custom for Deputy Commissioners to address the Secretariat direct with regard to cases in which they have wished to move the Local Government to appeal against an acquittal.

Part VI.

Chap.
XXVI.

At the time that these orders were issued, Commissioners were also sole Sessions Judges of their Divisions; and it was therefore probable that the most important cases, in which Deputy Commissioners might wish to have acquittals appealed against, would be cases in which Commissioners were themselves the Judges responsible for the acquittals.

Since the appointment of Additional Sessions Judges this is no longer the case, and it is therefore requested that Deputy Commissioners will in future address Commissioners with regard to any cases which have not been tried by Commissioners themselves, and in which they desire that appeals should be preferred against acquittals.

CHAPTER XXVI.—Institution and defence of Civil suits in which Government is a party.

173. The rules on this subject are contained in General Book Circular No. I, dated the 3rd January 1887:—

1. The annexed rules deal with the conduct of suits in which Government may be a party. Attention is particularly invited to the first clause of Rule IV and to Section 424 of the Civil Procedure Code (Act XIV of 1882) on which it is founded. When this section was first introduced into the Code, its object was thus explained by the Honourable Mr. Cockfield:—"A very necessary provision had also been inserted to compel previous notice of such suits. This was very much wanted. The number of such suits would probably be materially reduced by this obligation, as it often happened that matters which were taken into Court and made the subject of a suit could have been easily adjusted by some amicable arrangement, if the parties having a ground of action had taken the slightest pains to make known their claims in the proper quarter and obtain a private settlement of the subject of dispute." It is evident from the above remarks that the section in question contains a provision of importance both to the officers of Government and to any parties having claims against Government and full advantage should be taken of it.

It is therefore directed, in Rule IV, that if the required notice be not duly served by the plaintiff, the objection shall be at once raised by the officer concerned; and the Court shall be moved to dismiss the suit in accordance with the provisions of Section 424 of the Code of Civil Procedure.

On the other hand, it is a matter of the highest importance that the Government should not go before the Courts without sound and sufficient reason.

Accordingly, every case in which Government is threatened with litigation (as well as every case in which it may be compelled to resort to litigation) should, at the earliest possible stage, be submitted to the most competent authorities. Local authorities, especially when they themselves have been concerned in the matter out of which the dispute has arisen, are not always in a position to deal with it satisfactorily. It has therefore been decided to adopt the procedure prescribed in the second clause of Rule IV.

But as soon as a suit is actually instituted, after due notice, a full report must be submitted to the Chief Commissioner. No delay need occur in the submission of this report; for the proceedings taken on receipt of the prescribed notice will have placed the officers concerned in full possession of all the facts of the case and of the grounds on which the claim is to be contested. Immediate compliance with the provisions in Rules V and VI will therefore be possible; and no delay must be allowed to occur.

I.—No suit on the part of Government can be instituted in the Civil Court against any person without the sanction of the Chief Commissioner.

II.—Whenever it appears to the Deputy Commissioner or to the principal Executive Officer in any department in a district that a suit on the part of Government ought to be instituted in the Civil Court, he will submit, through the Commissioner or

Part VI.

Chap.
XXVI.

Head of the Department concerned, a report of the circumstances for the Chief Commissioner's orders, submitting at the same time a copy of the proposed plaint drawn up according to the requirements of Chapter V of the Code of Civil Procedure (Act XIV of 1882) in the language in ordinary use in the Court, together with an English translation, on half-margin paper. The report must be full and complete and must contain a clear statement of all the evidence by which the claim can be supported. If the claim is based upon a written document, a copy of the document must be sent. Copies of any other papers, the inspection of which is considered necessary to the elucidation of the case, must also be forwarded with report.

III.—In cases of urgent necessity, where the delay necessary for the reference to the Chief Commissioner may be very prejudicial, the officer concerned may, on his own responsibility, file a suit, but he must immediately report having done so and transmit full particulars as above.

IV.—(1) When any suit is brought in the Civil Court against the Secretary of State in Council or against a public officer in respect of an act purporting to be done by him in his official capacity, without the notice required under Section 424 of the Code of Civil Procedure having been duly served by the plaintiff on the Deputy Commissioner or other public officer concerned, the Deputy Commissioner or the public officer against whom the suit is brought, as the case may be, shall move the Court to dismiss the suit on the ground that the suit has been instituted contrary to the provisions of that section.

(2) When any notice under Section 424 is received by the Deputy Commissioner or other public officer, he shall at once inquire fully into all the circumstances of the case and report them without delay to the Commissioner of his Division or to the Head of the Department concerned, as the case may be. If he has been able to effect an amicable settlement of the matter in dispute, which should only be done subject to confirmation by the Chief Commissioner, he shall at the same time report this settlement for confirmation. The officer receiving the report may make any further inquiry that he may deem necessary, and shall use all reasonable endeavours to secure an amicable settlement subject to confirmation by the Chief Commissioner. If this seems impossible, he shall report the matter fully without delay to the Chief Commissioner. The case shall be reported to the Commissioner or the Head of the Department under these orders not later than three weeks and to the Chief Commissioner not later than five weeks after the delivery of the notice under Section 424, Civil Procedure Code.

V.—(1) When any suit is brought in the Civil Court against the Secretary of State in Council or against a public officer in respect of an act purporting to be done by him in his official capacity, after the delivery of the notice under Section 424 of the Civil Procedure Code and after the expiration of the period of two months therein prescribed, the Deputy Commissioner or principal Executive Officer for the District in the department concerned shall immediately submit through the Commissioner of Division or Head of his Department a report detailing fully all the circumstances of the case, or referring (where that is sufficient) to the report already submitted under Rule IV.

(2) If the public officer against whom the suit is brought be a subordinate officer in the district, he shall at once report the receipt of a summons in the suit to the Deputy Commissioner or principal Executive Officer as above, who shall immediately on receipt of this report proceed as required by clause (1) of this rule.

VI.—If the Deputy Commissioner, or principal Executive Officer as above, be of opinion that the suit should be defended on the part of Government, the following papers will invariably be sent with the report required by the preceding rules:—

1st.—Copy of the plaint, with abstract translation in English.

2nd.—Draft of proposed written statement to be tendered to the Court in reply, under Section 110 of the Code of Civil Procedure, in the language in ordinary use in the Court, together with translation in English, on half-margin paper.

3rd.—Descriptive list of all documents which it is proposed to file as evidence, or of which the production in Court is required, as provided in Chapter X of the Code of Civil Procedure.

Part VI.

Chap.
XXVII.

4th.—Copies of any papers, the inspection of which is considered necessary to the elucidation of the case.

N. B.—In preparing the written statement proposed to be tendered in reply, the requirements of Chapter VIII of the Code of Civil Procedure must be carefully observed.

VII.—On the receipt of the reports referred to in Rules II and V, the Chief Commissioner will issue instructions regarding the institution or defence of the suit, as the case may be. These instructions will specify the person in whom the conduct of the case, on the part of Government, will be entrusted.

VIII.—On the receipt of the instructions referred to in Rule VII, the person entrusted with the conduct of the case will be responsible for all further measures that may be required. He need not apply for fresh instruction from the Chief Commissioner during the progress of the suit, except in case of doubt or difficulty.

N. B.—Attention is drawn to the provisions of Sections 421 and 427, Civil Procedure Code.

IX.—The officer entrusted with the conduct of the case will at once send to the Secretary to the Chief Commissioner a copy of the judgment passed in the suit.

X.—If the decision be against the Government and the institution of an appeal be considered desirable, a report must at the same time be submitted through the Commissioner or the Head of the Department, as the case may be, for the Chief Commissioner's orders, stating fully the reasons for which this course is recommended. With it the following papers must be sent:—

1st.—A copy of the judgment and decree against which it is proposed to appeal, with an English translation of the judgment if it was not given in English.

2nd.—Draft of proposed Memorandum of Appeal, drawn up in accordance with the requirements of the Code of Civil Procedure, together with an English translation on half-margin paper.

XI.—On the receipt of the report referred to in the last preceding rule, the Chief Commissioner will issue instructions in the manner described in Rule VII.

XII.—If the decision be in favour of the Government and an appeal be made by the opposite party, the person who was entrusted with the conduct of the original suit will take such measures as in his judgment may be necessary for defending the case in the Appellate Court. He need not apply for fresh instructions from the Chief Commissioner, except in cases of doubt or difficulty.

XIII.—Rules IX, X, XI and XII will also, *mutatis mutandis*, be applicable to the judgments of the Appellate Court, and to cases in which it may be considered necessary to make a special appeal, on the part of Government, to the Judicial Commissioner, or in which a special appeal is made by the opposite party.

N. B.—Officers of Government will bear in mind that though there is always a desire to protect them when they have acted in good faith, it is by no means a matter of course that the Government should undertake the defence of suits brought against them in respect of acts purporting to be done by them in their official capacity. Whether it will do so will depend on the circumstances of each particular case. When the Government declines to do so, it will rest with the officer concerned to take at his own expense such measures as he may be advised.

Chapter XXVII—Miscellaneous.

Exemption and Powers granted to Forest Officers under the Arms Act.

1.—Exemptions.

174. Under clause (3), paragraph 1, of Government of India, Home Department, Notification No. 518, dated the 6th March 1879, as amended by Notification No. 926, dated the 4th June 1891, the Chief Commis-

Commissioner is pleased to direct that the exemption from the operation of Part VI. all prohibitions and directions contained in Sections 13, 14, 15 and 16¹ of Act XI of 1875 (the India Arms Act), other than those referring to cannon, articles designed for torpedo service, war rockets and machinery for the manufacture of arms and ammunition, shall be extended to the following classes of officers of the Police, Jail, Excise, Forest and Postal Departments:—

Chap.
XXVII.

- (1) All Police Officers not below the rank of Head Constable.
- (2) All Jail Officers not below the rank of Jailors.
- (3) All Excise Officers not below the rank of Excise Daroga.
- (4) (a) Officers of the Forest Department not below the rank of Deputy Ranger.
(b) Foresters, Forest Muharris and Forest Guards (in respect of swords).
- (5) All persons to whom the *Rajaw-i-Hind* Medal has been awarded.

Powers.

115. The Chief Commissioner is pleased to empower all Forest Officers not below the rank of Assistant Conservator, and all Revenue Officers not below the rank of Naib-Tahsildar, to disarm persons going armed without a license or in contravention of its provisions under the latter clause of Section 13 of the Act. (Rule IX of Notification No. 2595, dated the 16th June 1879.)

Leave Allowances when not attachable by a Court.

116. General Department Book Circular No. XXXV, dated the 29th August 1892, rules that "if served with a written order of a Court, under Section 205 of the Civil Procedure Code, for the attachment of half of the salary of a subordinate who is on leave of a description which does not carry with it full pay, the head of an office should inform the Court that there is no salary to be attached,

No. 80, dated Nagpur, the 23rd January 1914.

PAGES 171 AND 172.

In the third line of paragraph 117 after the words "clause 1" insert the words "as amended by Resolution Nos. 1589-1603, dated the 23rd September 1913."

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

gover is pleased to direct that the exemption from the operation of all prohibitions and directions contained in Sections 13, 14, 15 and 16¹ of Act XI of 1875 (the India Arms Act), other than those referring to cannon, articles designed for torpedo service, war rockets and machinery for the manufacture of arms and ammunition, shall be extended to the following classes of officers of the Police, Jail, Excise, Forest and Postal Departments:—

Part VI.

Chap.
XXVII.

- (1) All Police Officers not below the rank of Head Constable.
- (2) All Jail Officers not below the rank of Jailors.
- (3) All Excise Officers not below the rank of Excise Daroga.
- (4) (a) Officers of the Forest Department not below the rank of Deputy Ranger.
- (b) Foresters, Forest Muharris and Forest Guards (in respect of awards).
- (5) All persons to whom the *Kaisar-i-Hind* Medal has been awarded.

Powers.

175. The Chief Commissioner is pleased to empower all Forest Officers not below the rank of Assistant Conservator, and all Revenue Officers not below the rank of Naib-Tahsildar, to disarm persons going armed without a license or in contravention of its provisions under the latter clause of Section 13 of the Act. (Rule IX of Notification No. 4525, dated the 18th June 1879.)

Leave Allowances when not attachable by a Court.

176. General Department Book Circular No. XXXV, dated the 29th August 1897, rules that "If served with a written order of a Court, under Section 205 of the Civil Procedure Code, for the attachment of half of the salary of a subordinate who is on leave of a description which does not carry with it full pay, the head of an office should inform the Court that there is no salary to be attached, as the judgment-debtor is on absentee allowance."

Contracts.

Powers for Execution.

177. These powers are defined by Chief Commissioner's Notification No. 411, dated the 28th January 1896.

With reference to the Resolution of the Government of India in the Home Department, dated the 20th March 1897, clause E, the Chief Commissioner is

¹ These articles forbid (11) going armed without license, (12) unlicensed possession of fire arms, ammunition and military stores, (13) possession in certain areas of arms of any description without license, and (14) render compulsory the deposit at a police-station of arms, possession of which has become unlawful.

Part VI.
Chap.
XXVII.

pleased to declare that the undermentioned classes of the deeds, contracts and other instruments referred to in the 22nd and 23rd of Victoria Chapter 41, Section 2, may be executed as follows in the territories under his administration :—

Class of deeds, contracts and other instruments.	By District Forest Office.		By Conservator.
	General powers.	Maximum limit under Conservator's sanction.	
	Rs.	Rs.	Rs.
A.—1—Contracts for the supply of materials to the Forest Department.	1,000	5,000	10,000
2—Contracts for the supply of materials to the Department.	100	500	2,000
B.—1—Contracts for timber transport and extraction.	1,000	5,000	25,000
2—Contracts for roads, bridges, buildings and river improvement.	100	1,500	5,000
3—Contracts for other works.	100	500	1,000

Forest Contracts exempted from Stamp Duty.

148. Government of India Notification No. 755-S. R., dated the 17th February 1899, provides as follows so far as it concerns the Forest Department :—

In exercise of the powers conferred by Section 9, clause (a), of the Indian Stamp Act, 1899 (11 of 1899), the Governor-General in Council is pleased to remit the duties chargeable in respect of the following instruments :—

- (i) Agreement and security bonds required to be executed under the rules to regulate appointments and promotions in the Provincial Forest Service by a student and his surety previous to entry into the Forest School, Dehra Dun.
- (ii) Instrument in the nature of a conveyance by the Government of standing trees in a Government Forest.

NOTE.—Bonds executed by cultivators of lessees of forest produce should, however, be duly stamped as provided by Article 57 of Schedule I of the Stamp Act, 1899.

Insertion of a special Clause in all Contract Deeds for Sale of Firewood and of Minor Produce.

149. By Revenue Secretariat letter No. 4673, dated the 18th October 1899, the insertion of the following clause is made compulsory in all agreement bonds relating to the lease of minor produce and dead and fallen wood, and to the sale of standing coupes :—

The said lessee also agrees that, should the Chief Commissioner decide that it is necessary, on account of distress due to scarcity, to open the leased blocks, or any portion of them, to the free collection of all or any of the kinds of produce sold to the lessee under this agreement, this agreement shall terminate from the date of such opening in respect of the area and produce so thrown open to free collection; and the lessee agrees to accept as compensation in full for any loss alleged to have been caused to him by such termination, the sum which the Commissioner and Conservator concur or in the event of their not agreeing, the Chief Commissioner may award. Provided that the basis of such award shall be a sum bearing the same proportion to the total sum of Rs. _____ to be paid for the lease as the value of the produce of which the lessee has been deprived of by the termination of his agreement is estimated to bear to the value of the whole produce covered by the agreement.

to the same extent as in the case of leases of forest produce. In respect of value, the powers of those officers to execute contracts are already defined in paragraph 177.

NOTE.—In every case of importance the Deputy Commissioner (and if necessary also the Commissioner), should ordinarily be consulted before leases and contracts are given out. The subject of leases and contracts may also with great advantage be included by Divisional Officers in their annual plans of operations.

(c) *Agri-sylvicultural operations.*

Leases or contracts for raising forest seedlings together with agricultural crops have hitherto been given out on an important scale only in the Berar Circle. General rules are, however, necessary for the control of such agri-sylvicultural operations, in whatever Circle they may be carried out.

V. The previous sanction of the Conservator, and his approval of the proposed conditions, must be obtained before any agri-sylvicultural contract or lease is granted by any Divisional Officer.

VI. No contract or lease for more than 20 acres may be granted to any individual cultivator.

VII. The Conservator is empowered to grant such leases or contracts for any period not in excess of three years. The previous sanction of the Chief Conservator must be obtained before any existing lease or contract can be extended beyond that term.

Agri-sylvicultural leases or contracts may be sanctioned by the Chief Conservator up to a limit of six years in each case.

VIII. In every Forest Division in the Berar Circle the existing tracts already treated by the agri-sylvicultural method must be successfully restocked with sufficient forest growth at least three years old before any additional area in the Division concerned can be subjected to this treatment.

IX. Thereafter, until such time as the Chief Commissioner may find expedient after consideration of the degree of success achieved, no fresh areas in excess of 1,000 acres per annum in the aggregate for the whole Circle may be given out by the Conservator for treatment by the agri-sylvicultural method.

W. E. LEY,

Under Secretary to the Chief Commissioner,

Central Provinces.

Addendum to the Central Provinces Forest Manual
(2nd Edition).

No 19, dated the 6th October 1908.

Page 172.—Add the following as paragraph 177-A:—

Rules defining the powers of Forest Officers in granting leases or contracts for the collection of forest produce or for the execution of forest works.

The principal object of the following rules is to ensure that no lease or contract shall be given out for any considerable period without adequate consideration of the circumstances and prospects of the industry or work concerned and without securing the interests and objects of Government by suitable terms and conditions.

(a) Leases of Forest Produce.

I. (Value). Article 114 (i) of the Forest Code requires that in cases where cash payment is *not* received in full at the time of delivery, the transaction must be reported to the Local Government if the value exceeds Rs. 5,000, and that the previous sanction of the Local Government must be obtained if the value exceeds Rs. 10,000. The Chief Commissioner now directs that in cases where cash payment is received in full at the time of delivery, Divisional Forest Officers may (subject to the control of the Conservator) execute leases up to Rs. 5,000, the Conservator up to Rs. 15,000 and the Chief Conservator up to Rs. 25,000 in value. It is left to Conservators to fix the minimum value for which leases may be given out by Divisional Officers in their respective circles.

II. (Period). Divisional Forest Officers shall not grant any lease for any period exceeding one year. Conservators are empowered to grant leases for periods up to three years, and the Chief Conservator up to six years. Without the previous sanction of higher authority, leases granted by these officers respectively up to the maximum period within their power may not be extended beyond such period.

III. (Area). No lease shall be granted by any Divisional Officer for any tract comprising more than one Forest Range. Conservators may grant leases covering an entire Forest Division.

(b) Contracts for works (other than agri-sylvicultural operations).

IV. As regards contracts for road-making, building work, tank construction, felling and extraction of timber, and such like, the power of Divisional Officers and Conservators is limited as to period and area

**Amendment to the Central Provinces Forest Manual
(2nd Edition).**

No. 79, dated Nagpur, the 18th December 1913.

PAGES 171 & 172.

For paragraphs 177 and 177-A substitute the following:—

Contracts

Powers for execution.

177. With reference to the Resolution of the Government of India, in the Home Department. Nos. 713-734—Judicial, dated the 2nd June 1913, clause J, the Chief Commissioner is pleased to declare that the undermentioned classes of deeds, contracts and other instruments referred to in Section 2 of the Government of India Act, 1859 (22 and 23 Vict., Chapter 41), may be executed as follows in the territories under his administration:—

Class of deeds, contracts and other instruments.	By Divisional Forest Officers.			By Conservators.	By the Chief Conservator.
	General powers.	By Deputy and Extra-Deputy Conservators.	Maximum limit under Conservator's sanction.		
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	Rs.
A-1.—Contracts for the supply of materials by the Forest Department.	1,000	2,000	5,000	20,000	50,000
2.—Contracts for the supply of materials to the Forest Department.	500	2,000	2,000	5,000	50,000
B-1.—Contracts for timber transport and conversion.	1,000	2,000	5,000	20,000	50,000
2.—Contracts for roads, bridges, buildings and river improvements.	500	2,000	2,000	5,000	50,000
3.—Contracts for other works.	500	2,000	2,000	5,000	50,000
C.—Other instruments in matters connected with the business of the Forest Department generally, such as security bonds, etc.	500	2,000	5,000	15,000	50,000

cancelled.

January 1999, is hereby

177-A.—The exercise of the above powers is subject to the following rules, the principal object of which is to ensure that no lease or contract shall be given out for any considerable period without adequate consideration of the circumstances and prospects of the industry or work concerned and without securing the interests and objects of Government by suitable terms and conditions.

(a)—*Leases of Forest Produce.*

I. (*Value*).—Article 64 (i) of the Forest Code requires that in cases where cash payment is not received in full at the time of delivery, the transaction must be reported to the Local Government if the value exceeds Rs. 5,000, and that the previous sanction of the Local Government must be obtained if the value exceeds Rs. 10,000. The Chief Commissioner now directs that in cases where cash payment is received in full at the time of delivery, Divisional Forest Officers may (subject to the control of the Conservator) execute leases conceding property or rights up to Rs. 5,000, the Conservator up to Rs. 15,000, and the Chief Conservator up to Rs. 30,000 in value. It is left to Conservators to fix the minimum value for which leases may be given out by Divisional Officers in their respective Circles.

II. (*Period*).—Divisional Forest Officers shall not grant any lease for any period exceeding one year. Conservators are empowered to grant leases for periods up to three years, and the Chief Conservator up to six years. Without the previous sanction of higher authority, leases granted by these officers, respectively, up to the maximum period within their power may not be extended beyond such period.

III. (*Area*).—No lease shall be granted by any Divisional Officer for any tract comprising more than one Forest Range. Conservators may grant leases covering an entire Forest Division.

(b) *Contracts for works (other than agri-sylvicultural operations).*

IV.—As regards contracts for road-making, building work, tank construction, felling and extraction of timber, and such like, the power of Divisional Officers, Conservators and the Chief Conservator is limited as to period and area to the same extent as in the leases of forest produce, and contracts may only be executed for works for which there is budget provision.

NOTE.—In every case of importance the Deputy Commissioner (and if necessary also the Commissioner) should ordinarily be consulted before leases and contracts are given out. The subject of leases and contracts may also with great advantage be included by Divisional Officers in their annual plans of operations.

Amendment to the Central Provinces Forest Manual
(Second Edition).

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No. 85, dated Nagpur, the 8th October 1914.

PAGE 172.

Paragraph 177-A.—The following amendments are made to the rules under the head "Agri-Sylvicultural operations," published in the *Central Provinces Gazette* Notification No. 999, dated the 1st November 1913, as amended by Notification No. 362, dated the 23rd April 1914:—

- (1) *Rule V.*—After "Divisional Officer" add "in mixed forests."
- (2) *Rule VI.*—After "Cultivator" add "in mixed forests."
- (3) *Rule VII.*—For "seven years" in the second line, read "three years in mixed forest and seven years in babul bans;" and for "ten years" in the last line, read "six years in mixed forest and ten years in babul bans."
- (4) *Rule VIII.*—After "existing tracts" insert "of mixed forest."
- (5) *Rule IX.*—After "no fresh areas" insert "of mixed forest."

(Notification No. 899, dated the 10th September 1914.)

E. GORDON,

Under Secretary to the Chief Commissioner,
Central Provinces.

Central Provinces.

No. 83, dated Nagpur, the 22nd May 1914.

PAGE 172.

Paragraph 177-A.—In clause VII under the head "Agri-sylvicultural operations" substitute "Seven years" for "three years" in the second line and "ten years" for "six years" in the sixth line.

(Notification No. 362, dated the 23rd April 1914.)

E. GORDON,

Under Secretary to the Chief Commissioner,

Central Provinces.

lease or contract can be extended beyond that term.

Agri-sylvicultural leases or contracts may be sanctioned by the Chief Conservator up to a limit of six years in each case.

VIII.—In every Forest Division in the Berar Circle the existing tracts already treated by the agri-sylvicultural method must be successfully restocked with sufficient forest growth at least three years old before any additional area in the Division concerned can be subjected to this treatment.

IX.—Thereafter, until such time as the Chief Commissioner may find expedient after consideration of the degree of success achieved, no fresh areas in excess of 1,000 acres per annum in the aggregate for the whole Circle may be given out by the Conservator for treatment by the agri-sylvicultural method.

[Notification No. 999, dated the 1st November 1913.]

E. GORDON,

Under Secretary to the Chief Commissioner

Central Provinces.

Leases or contracts for raising forest seedlings, together with agricultural crops, have hitherto been given out on an important scale only in the Berar Circle. General rules are, however, necessary for the control of such agri-sylvicultural operations, in whatever Circle they may be carried out.

V.—The previous sanction of the Conservator, and his approval of the proposed conditions, must be obtained before any agri-sylvicultural contract or lease is granted by any Divisional Officer.

VI.—No contract or lease for more than 10 acres may be granted to any individual cultivator.

VII.—The Conservator is empowered to grant such leases or contracts for any period not in excess of three years. The previous sanction of the Chief Conservator must be obtained before any existing lease or contract can be extended beyond that term.

Agri-sylvicultural leases or contracts may be sanctioned by the Chief Conservator up to a limit of six years in each case.

VIII.—In every Forest Division in the Berar Circle the existing tracts already treated by the agri-sylvicultural method must be successfully restocked with sufficient forest growth at least three years old before any additional area in the Division concerned can be subjected to this treatment.

IX.—Thereafter, until such time as the Chief Commissioner may find expedient after consideration of the degree of success achieved, no fresh areas in excess of 1,000 acres per annum in the aggregate for the whole Circle may be given out by the Conservator for treatment by the agri-sylvicultural method.

[Notification No. 999, dated the 1st November 1913.]

E. GORDON,

*Under Secretary to the Chief Commissioner
Central Provinces.*

1000

PART VII.

FOREST AREAS UNDER MALGUZARI AND RYOTWARI
SETTLEMENT.

CHAPTER XXVIII.—Malguzari Forests.

Clearing of boundary lines where Government Forest adjoins.

180. Reference has already been made to the orders on this subject in paragraph 77 above. The letter containing these orders (Settlement No. 25-S-176, dated the 7th January 1890) is however quoted in full here:—

I am directed to request that at revision of settlement the following clauses shall be inserted in the village Wajih-ulars of all villages adjoining Government forests:—

"We engage to do our share in maintaining the boundary demarcation between this village and the Government forest adjoining it by annually clearing a line to the width of 20 feet on our side of the boundary line."

Management of Malguzari Forest Lands.

181. Sections 123, 124 and 124-A of the Central Provinces Land Revenue Act, 1881, and the Rules made under the last section mentioned above, bear on the subject. They are quoted here for ready reference:—

123. The Chief Commissioner may in his discretion, by notification in the official Gazette, direct that any specified rule, custom or condition duly entered in the record-of-rights of any specified village shall be enforced by the Government.

If any of the persons with whom a settlement or sub-settlement has been made violate or neglect any rule, custom or condition with respect to which the Chief Commissioner has made a direction under this section, the Deputy Commissioner may, if no penalty is provided by any law for the time being in force for such violation or neglect, recover from such person a penalty not exceeding two hundred rupees.

Note.—This section will enable Deputy Commissioners to secure to the ryots the enjoyment of their rights of water in the village waste. Any attempt on the part of malguzars to realize fees from their ryots for use of the village waste, or for cutting wood in the village jungle for fire-wood and other agricultural purposes, should be at once checked, and, if necessary, reported so that a notification may be issued under this section.

124. Any person against whom proceedings have been taken under Section 123 may institute a suit against Government to set aside such proceedings on the ground that no rule, custom or condition was, in fact, violated or neglected. If the Court finds that no rule, custom or condition has been violated or neglected it may by its order annul such proceedings, and direct that any penalty paid by the plaintiff be refunded; and may also award to him such cost as he has necessarily incurred in the proceedings, and such further sum as compensation as it thinks fit.

Part VII.

Chap.
XXVIII.

124-A.—(1) When, under any record-of-rights or sanad or any agreement with the Government the proprietor or the superior or inferior proprietor of any forest land included within, or forming, a mahal is bound to manage such forest land in accordance with rules or instructions prescribed by any Government officer, the Chief Commissioner may make rules regarding the control and management of such forest land.

(2) If the proprietor or the superior or inferior proprietor, as the case may be, fails to observe the rules so made, the Deputy Commissioner may issue a notice calling on him to show cause, within a reasonable time to be specified in the notice, why he should not be excluded from the possession of the forest land.

(3) If an sufficient cause is shown, the Deputy Commissioner may, with the previous sanction of the Chief Commissioner, exclude such proprietor from the possession of the forest land and assume the direct management thereof for a term to be fixed by the Chief Commissioner.

(4) The cost of management shall be borne by the proprietor, or by the superior and inferior proprietors in such proportions as the Chief Commissioner may direct with reference to the amount of their respective interests in the forest or mahal, and shall be realizable as land revenue.

(5) The profits of such forest land while under direct management shall be paid to the proprietor, or to the superior and inferior proprietors in the proportions in which the costs of management are borne by them.

(6) No leases, lene, incumbrances or contracts created or made by the proprietor or by any person through or under whom he claims, of, upon or with respect to the forest land held under direct management, shall be binding upon the Deputy Commissioner during such management.

(7) The Deputy Commissioner may confiscate any timber or other forest-produce cut or removed in contravention of the rules made under Sub-section (1).

(8) On the expiration of the period fixed for the direct management the forest land shall be restored to the proprietor, or superior or inferior proprietor, as the case may be.

Notification No. 7454, dated the 21st October 1891, under preceding section.

I.—The following trees growing on Malgarari forest lands shall not be cut without the permission of the Deputy Commissioner:—

Mango, mahua, teak, jamun, barra, and babra and the fruit-bearing tendu.

II.—Subject to the preceding rule and also subject to the obligation of giving two months' notice to the Deputy Commissioner in the form appended to these rules, Malgarari are at liberty to cut and dispose of, as they please, forest-produce growing on cultivable land in their mahals, in order to clear the land for cultivation;

Provided that it shall be competent to the Deputy Commissioner, for reasons to be recorded in writing, to prohibit or to restrict such cutting if prohibition or restriction appears to him to be desirable in the interests of the public generally, or of the village community by whom rights of water are enjoyed under the Wajid-ul-ara or by custom.

III.—The cutting of forest-produce growing on cultivable land not required for cultivation and the cutting of forest-produce growing on uncultivable land, that is to say, land which in the judgment of the Deputy Commissioner is to be classed as uncultivable—*Bhatia, Barra, Berdi, Bhatia or Pithar*—shall be limited by the following conditions in addition to those laid down in Rule I:—

(1) A forest is not to be leased out to a contractor without permission of the Deputy Commissioner.

(2) In cutting timber trees, seed-bearing trees must be left at the rate of not less than 80 per acre of the principal kinds cut; and the number of trees of all kinds left growing must not be less than 90 per acre, which number should be equally distributed throughout the area over which the cutting was effected.

Part VII.
Chap.
XXVIII

- (3) In cutting timber and brushwood, the cutting must be effected flush with the ground, so as to encourage reproduction by shoots from the stool.
- (4) In cutting bamboos, all culms of less than two years' growth must be left in the clump.
- (5) The digging up of roots is prohibited except in the case of the *palas*, the roots of which may be dug up for fibre provided that at least one-third of the roots are left to each tree to continue its growth.
- (6) No cutting shall, without the permission of the Deputy Commissioner, be effected within a distance of 20 yards (or 40 *kathas*) of either bank of a stream or nala in which water ordinarily remains till the month of January.
- (7) The ringing of any tree for resin, so as to sever the bark round the entire circumference, is prohibited.

IV.—Any material violation of Rules I, II and III will render the forest liable to be notified as requiring special protection.

V.—Where any Malguzari forest land has been notified by the Deputy Commissioner as requiring special protection, the proprietor or superior or inferior proprietor bound to manage such forest land in accordance with these rules shall not cut or cause to be cut for sale or for conveyance or use outside the village area, any timber, bamboos or brushwood, save with the previous sanction of the Deputy Commissioner and in the manner and to the extent permitted thereby.

VI.—Leaves, grass and dead wood may at all times without any permission be removed from a Malguzari forest by people entitled to do so.

VII.—In Malguzari forest areas which have been notified by the Deputy Commissioner under the preceding rules, the cutting of timber, bamboos or brushwood for domestic consumption (*nistar*) will ordinarily be allowed without express permission, but the Deputy Commissioner may limit such cutting for *nistar* if he considers a limitation necessary for the preservation of the forest.

VIII.—Any malguzar or malguzars who may submit through the Deputy Commissioner a special plan for the working of his or their forests, or who may apply to have a working plan made out for him or them and at his or their expense by the Forest Officer, shall, on such plan being approved by the Commissioner, be exempt from the operation of the preceding rules during the currency of such plan and so long as its provisions are observed:—

Form of Notice under Rule II.

Name of malguzar.	Name of forest and village in which it is proposed to cut timber.	Estimated area of forest.	Area which it is proposed to clear for cultivation, with description of soil.	By whom the land when cleared is to be cultivated.	Estimated number of timber trees to be cut, with specification of species of trees.
1	2	3	4	5	6

NOTE.—The notice may be sent to the Deputy Commissioner by registered letter. If the malguzar receives, within the two months following the notice, no communication from the Deputy Commissioner under the provisions to Rule II, he may proceed to clear that land and dispose of the timber as he pleases.

Part VII.

Use of Permits or Passes to cover Produce of Malguzari Forests in Transit.

Chap.
XXVIII.

182. The orders on this subject are contained in the following Circular letter from the Revenue Secretariat, No. 5050, dated the 13th June 1898:—

In his letter No. 4137, dated the 30th May 1896, the Commissioner of the Jabalpur Division referred for orders a proposal which had been made in August 1894, by the Forest Divisional Officer, Sagar, and supported by the Conservator of Forests, Northern Circle, to introduce a system of Malguzari forest passes. The system was designed to protect both the Government and the Malguzari forests. It was to be made obligatory, and was to be enforced by confiscating wood not covered by pass. The Commissioner reported that malguzars in his Division were generally in favour of such a system. He doubted, however, the possibility of making the system obligatory, but thought that a voluntary system might be encouraged with advantage, provided that due protection was secured for the exercise of *wistar* rights.

2. The proposal was referred in this office letter No. C-437-9, dated the 20th October 1896, to the other Commissioners for opinion on the desirability of the proposal and the possibility of working it without worse attendant evils, and also as to whether a pass system such as that contemplated could be best worked for Zamindari and Malguzari forest:—

- (a) under Section 41 and 42 of the Forest Act;
- (b) under Sections 124-A of the Land Revenue Act; or
- (c) by the encouragement of a voluntary system and by executive action.

The Conservator of the Southern Circle was consulted in similar terms, and both Conservators were asked to report how far the rules framed by the Chief Commissioner under Sections 41 and 42 of the Indian Forest Act, and published with Notification No. 380, dated the 9th February 1892, had been put into successful operation.

3. The replies, one of them much delayed, have now been received and considered by the Chief Commissioner, and he has also had the advantage of consulting Mr. Fuller and Mr. Fernandez, who have succeeded the officers who first raised the question. The replies from the Conservators show that the rules framed under Sections 41 and 42 of the Forest Act have been practically inoperative except to a very limited extent in the Chanda District. As to the proposed system of malguzari passes, opinion is nearly unanimous among all who have been consulted, both Government officials and private owners, that some such system is desirable. In many districts, especially in the Northern Circle, the malguzars have for years been in the habit of issuing private passes. It is for the most part these malguzars who have been consulted, and they do not object to the system being made compulsory.

4. The advantages claimed for the proposed system are three, viz.—

- (1) The protection of Government.
- (2) The protection of the malguzars and of purchasers from them.
- (3) Increased control over wasteful cutting.

It is said that without a system of compulsory malguzari passes a thief of produce from Government forests is safe if not caught in the very act of cutting or removing the timber or other produce, since, if challenged, he has merely to go to the nearest private owner and purchase from him a pass. Without entering into the question whether in practice this method is successfully pursued, it may be admitted that the system of compulsory passes would be a useful protection against the casual pilferer. But it would be quite ineffective against the systematic robbing of Government forests by or with the connivance of the malguzars; it will indeed seriously weaken the hands of the Forest official.

Under Section 52 of the Forest Act all forest produce may be seized which there is reason to believe has come from a Government forest, and under Section 58 there is a presumption that any such produce not covered by a pass is the property of Government. The production of a pass rebuts this presumption. To render any system of compulsory passes effective, it would be necessary that they should be in a prescribed form and should be numbered and issued by Government. The Chief Commissioner believes that malguzars would be much opposed to a measure which would disable them from exporting produce except on the production of a Government form.

Part VII

Chap.
XXIX.

5. As regards the benefit of a pass system to the malguzars themselves, it is clear that it would protect them from vexatious interference by Forest officials. But it will not protect them against jungle thieves, since private owners have no right to stop forest-produce uncovered by a pass, even though they may suspect it to have come from their own jungle. The protection of malguzars against vexatious interference is a very desirable object, and a reason for encouraging the system of voluntary passes, but not for making it compulsory.

6. The chief advantage claimed for the system, that it would secure a check over wasteful cutting, is one which the Chief Commissioner thinks very unlikely to result from it. It would be quite easy to fill up the counterfoils falsely, and the periodical inspection of the books, made perhaps long after the mischief had been done, would not be in time to prevent its recurrence. The existing Malguzari Forest Rules give all the power of control that is necessary, and the Chief Commissioner does not think that anything more is wanted.

7. It appears then to the Chief Commissioner that the proposed compulsory system would not secure the advantages claimed for it, and there is a serious practical difficulty in the way of any such system. Large numbers of villages containing valuable forests from which a considerable amount of income is realised belong to malguzars who are illiterate and many of whom are unable to afford the cost of keeping a literate scribe. It may be said that such men can get their passes written by the patwar. But it is undesirable, except for very good reasons, to add either to the duties or to the opportunities of this hardworked and low-paid official.

8. But while the Chief Commissioner is decidedly of opinion that it would be unwise to attempt to make passes compulsory he wishes that the voluntary system already existing in several districts should be encouraged and facilitated. The Deputy Commissioner should arrange with the Forest Divisional Officer for the supply of pass books to all malguzars who wish for them, and in order to ensure uniformity and economy, the arrangements for printing the books should be made by the Conservator each for his own Circle.

CHAPTER XXIX.—Minhai-Darakhtan Areas in Ryotwari Villages.

183. The disposal of the produce of these areas is regulated by Revenue Book Circular No. VII-14 here quoted:—

The only rules at present existing for the acquisition and management of waste areas in ryotwari villages are contained in Chapter II of the Settlement Code, notably in Articles 319, 370, 400 and 405; but these provisions leave many matters of importance untouched, and it is advisable therefore that, to meet the difficulties which arise, some modification of the rules contained in the Code.

Page 177, paragraph 183.—For "Revenue Book Circular VII-14" read "Revenue Book Circular VII-8."

W. E. LEY,

Under Secretary to the Chief Commissioner,

Central Provinces.

Part VII

Chap.
XXIX.

Under Section 52 of the Forest Act all forest produce may be seized which there is reason to believe has come from a Government forest, and under Section 68 there is a presumption that any such produce not covered by a pass is the property of Government. The production of a pass rebuts this presumption. To render any system of compulsory passes effective, it would be necessary that they should be in a prescribed form and should be numbered and issued by Government. The Chief Commissioners believe that malguzars would be much opposed to a measure which would disable them from exporting produce except on the production of a Government form.

5. As regards the benefit of a pass system to the malguzars themselves, it is clear that it would protect them from vexatious interference by Forest officials. But it will not protect them against jungle thieves, since private owners have no right to stop forest-produce encroached by a pass, even though they may suspect it to have come from their own jungle. The protection of malguzars against vexatious interference is a very desirable object, and a reason for encouraging the system of voluntary passes, but not for making it compulsory.

6. The third advantage claimed for the system, that it would secure a check over wasteful cutting, is one which the Chief Commissioner thinks very unlikely to result from it. It would be quite easy to fill up the cut-terfoils falsely, and the periodical inspection of the books, made perhaps long after the mischief had been done, would not be in time to prevent its recurrence. The existing Malguzari Forest Rules give all the power of control that is necessary, and the Chief Commissioner does not think that anything more is wanted.

7. It appears then to the Chief Commissioner that the proposed compulsory system would not secure the advantages claimed for it, and there is a serious practical difficulty in the way of any such system. Large numbers of villages containing valuable forests from which a considerable annual income is realized belong to malguzars who are illiterate and many of whom are unable to afford the cost of keeping a literate servant. It may be said that such men can get their passes written by the patwari, but it is undesirable, except for very good reasons, to add either to the duties or to the opportunities of this hardworked and low-paid official.

8. But while the Chief Commissioner is decidedly of opinion that it would be unwise to attempt to make passes compulsory he wishes that the voluntary system already existing in several districts should be encouraged and facilitated. The Deputy Commissioner should arrange with the Forest Divisional Officer for the supply of pass books to all malguzars who wish for them, and in order to ensure uniformity and economy, the arrangements for printing the books should be made by the Commissioner each for his own Circle.

CHAPTER XXIX.—Minhai-Darakhtan Areas in Ryotwari Villages.

183. The disposal of the produce of these areas is regulated by Revenue Book Circular No. VII-14 here quoted:—

The only rules at present existing for the constitution and management of waste areas in ryotwari villages are contained in Chapter II of the Settlement Code, notably in Articles 319, 379, 400 and 405; but these provisions leave many matters of importance untouched, and it is advisable therefore that, to meet the difficulties which arise, some definite procedures should be laid down in amplification of the rules contained in the Code. The following instructions are laid down tentatively. As experience is gained of ryotwari management, some modifications in them will probably be found advisable.

2. As is fully explained in Revenue Book Circular VII-11, areas which it has been authoritatively decided to exclude from Government forest for purposes of ryotwari settlement may fall under three categories:—

- (a) Areas remaining as B class forest and managed by the Forest Department.
- (b) Areas not yet formally deforested, but under the management of the Revenue Department.

Part VII.

Chap.
XXIX.

(c) Areas which have been deforested and are under the management of the Revenue Department.

In the first class of villages there will not usually be found much existing cultivation, but where there are cultivators they will have to be treated with consideration.

When the external boundaries of such villages have been demarcated, the *nisar* rights of the residents will be precisely those laid down in this circular for villages under Revenue Department management, except that they will not have exclusive rights in the waste land; but when the precise areas forming the village are undefined, a moderate commutation fee can be levied from them, their use being checked in the same way as is done in the case of regularly constituted *forest villages*.

In both the second and third classes of cases, i. e., those of villages managed by the Revenue Department, whether formally deforested or not, the procedure to be followed will be substantially the same, and the following instructions must be observed.

3. The description and extent of user allowed to the cultivators in ryotwari villages, whether settled regularly or summarily, must vary with the class of land over which it is exercised and the kind of produce of which it consists; namely, it may be exercised within the land occupied by the ryot, or in unallotted survey numbers, or in the regularly defined *nisar* area of the village; and again, it may consist of ordinary *nisar* such as the right of grazing, the right to fuel, grass and thorns, or of the right to the products which are not usually included in *nisar*, such as malwa, oil, and other edible produce. In addition to the land over which *nisar* of various kinds may be exercised, there are areas excluded from this privilege, and such are the areas covered by valuable timber which, under Article 329 of the Settlement Code, have to be marked off at the time of survey as "*misaki-darakhata*."

Upon these areas, under Article 400, neither panch nor ryots have any right of user whatever, though such user may be permitted by the Deputy Commissioner.

4. It will be convenient to consider the question of management separately under the various descriptions of produce to be dealt with, and then to differentiate under each head any variations of treatment which may be necessary according as the land over which the user is exercised falls under the different classes recognised in the ryotwari system. The descriptions of produce may be divided under the following heads:—

I.—Wood of valuable kinds.

II.—Grass, fuel, thorns and leaves.

III.—Miscellaneous produce—

(a) Edible.

(b) Non-edible, and having a commercial value.

IV.—Grazing.

I.—Wood.

5. There will seldom be much valuable timber in ryotwari villages; any compact area under timber, which it is intended to reserve from clearing, will be entered as "*misaki-darakhata*" and user over these is not allowed as of right. But irrespective of this, there is already a prohibition against cutting fruit-bearing trees or trees along the banks of streams. Trees in the latter category being included in the areas entered as "*misaki-darakhata*" will be excluded also from user under Article 329.

Fruit-bearing trees may not be cut when they are situated in *misaki* areas or on the boundaries of survey numbers, without the permission of the Deputy Commissioner, and under Article 379 the Deputy Commissioner may even prohibit the cutting of such trees growing within the limits of survey numbers. His permission should, as a rule, be required in this case also.

Part VII.

Chap.
XXIX.

The trees which should not be cut under these rules are not specified in the article, but it will be convenient to adopt the following as a standard list of such trees:—

Mango,	Jaman,
Mahon,	Harra,
Achar,	Koam,

and the fruit-bearing Tendu.

This list may be modified or supplemented by the Deputy Commissioner by the inclusion in it of any fruit-bearing trees of local importance.

6. These kinds of trees being excluded, there remain non-fruit-bearing trees, which may be situated:—

- (a) within a survey number;
- (b) on the general *sistar* areas; and
- (c) in "*wishai-darakhshan*" areas.

(a) In regard to the first kind, Article 379 of the Code lays down that "the person taking up a survey number may cut the wood on the ground, unless it is specially valuable, when the Forest Department will be authorised to cut and clear it." This provision, however, does not always work well. It sometimes happens that a ryot wishing to take up a survey number is kept waiting for a long time until the Forest officials have decided whether they will cut the wood or not. Absolute uniformity of procedure is not possible, but to prevent the long delays which sometimes occur, it is desirable that the classes of trees which should not be removed by the ryot should be first prescribed for each district, and then that as soon as the survey of a village is about to be taken in hand, with a view to its being carved up into survey numbers, intimation should be given to the Forest Department to cut and remove all timber of the prescribed kinds before the time comes for allotment. This would give the Department an interval of at least six months to arrange for the cutting and removal of such timber.

As a general rule the ryot taking up a survey number is a man of little capital, and the use for building purposes of the wood removed is only a fair return to him for the labour and expense of clearing the land. It is not desirable to allow the ryot the right of selling the wood cut on a survey number, but in exercising their right of removal, the Forest Department should always leave on the survey numbers sufficient wood for the building needs of the intending settlers, the regular *sistar* areas being left for the future use of the community.

(b) Non-fruit-bearing trees of whatever kind, situated in the ordinary *sistar* areas, are open for use by the agriculturists of the village, but the Deputy Commissioner may reserve any specially valuable trees, such as teak and sal, if he deems fit. Any agriculturist desiring to cut building wood off these areas should obtain permission from a village Panchayat appointed by the Deputy Commissioner, and consisting of the pater and four ryots. In cases of dispute, the orders of the Deputy Commissioner would be final. No such wood may be removed for sale.

(c) The "*wishai-darakhshan*" area should be managed in accordance with the simple rules laid down for the guidance of *malguzars*. When such areas are of any importance, the Deputy Commissioner should take the advice of the Forest Divisional Officer as to their management, and a simple working plan should be drawn up by that officer for observance in regard to them. User can generally be allowed as a concession over such areas in respect of grass, dead-wood, thorns and minor produce, in the same way as it is granted as a right over ordinary *sistar* areas; but timber should not be cut except periodically with the permission of the Deputy Commissioner and under such

Part VII

Chap.
XXIX.

supervision as will ensure the rules of management being observed. When any wood is cut, it may be given free to the ryots for building their houses or for agricultural implements, any valuable timber being reserved for sale. User in respect of thorns does not imply a right to cut down or destroy valuable thorny trees such as *khair*.

II.—Grass, fuel, thorns and leaves.

7. All forest produce of the above kind is granted free to the inhabitants of the village. A ryot has of course the exclusive right to such produce within the limits of his survey numbers, and over the waste areas of the village he shares the right in common with the other ryots and agricultural residents of the village. As already stated in the last paragraph, such user may be allowed by the Deputy Commissioner (in accordance with the working-plan referred to therein) also in 'sancti-dorakhat' areas. It will be the business of the patel aided by the Panchayat to see that this privilege is not abused by individuals, and it will be the duty of the Land Record staff to supervise the actions of the patel and see that all share equally in the privilege, and that the patel himself does not abuse his powers. Regulation by a panchayat of the exercise of user by the members of the community would be specially necessary in villages where, for instance, sugarcane is grown, or any other cultivation is practised which involves a large consumption of fuel. The action of individuals that run counter to the true interests of the village community can thus be checked, and a reference to the Deputy Commissioner in disputed cases provided for before irreparable damage has been caused.

III.—Minor Produce.

8. This is divided into:—

- (a) Edible.
- (b) Non-edible and having a commercial value.

It is advisable that the edible produce, including *mahm* and *akhur*, should be left to the people, i. e., to the ryots and labourers holding land or working in the village. The best plan will be for an arrangement to be made that persons collecting this produce off *sancti* areas should give one-fourth to the patel, retaining three-fourths for themselves. An arrangement of this kind is frequently made by *malguzars*, and should be found workable in *ryotwari* villages. To save the rights of Government in any cases where the patel's share is valuable, a small assessment of half the value of this produce may be taken from him. The patwari should enter each year the amount and value of the produce received by the patel under this procedure, and a half of this amount allowing for fluctuations may be assessed as revenue on *siwai* *hacans*. Where, however, the Government share of the value of this produce would be less than Rs. 5, no such assessment need be imposed. The observance of this custom would give the patel a small perquisite, and add something to his dignity as the headman of the village, while it would encourage him to interest himself in seeing that the produce was taken by the people entitled to it and not by outsiders. The patel should be clearly made to understand that he has no right over the produce beyond this share of the collections, and that the privilege would be withdrawn if he allowed outsiders to take produce or attempted to dispose of any of it himself. It is probable that the minor produce of this kind will only be of value in very few localities, so that over the greater number of villages it will practically be granted free to the patel and ryots, in times of scarcity or famine it will be open to the Deputy Commissioner to sanction any such arrangement, and to grant absolutely free user of such produce to the ryots and labourers of the village.

9. Non-edible produce having a commercial value will probably, when it exists at all, generally consist of products like *lac* or *harna*. It is unnecessary to give free user over produce of this kind, and the ryot would have no right to it even if produced in his survey numbers. The right to collect such produce should be leased by the Deputy Commissioner to the patel, a ryot, or the community; but there would be no objection to the right being given to the lessee of similar produce in adjoining Government forest, provided that the

Part VII.

Chap.
XXIX.

lease clearly understood that he must make his own arrangements with the residents of the ryotwari villages for its collection, and that the officials of the Forest Department are in no way bound to assist him in enforcing his lease in such villages.

This course might be necessary in cases when ryotwari villages were at all intermixed with Government forest, as otherwise there would sure to be complaints that people from the ryotwari villages were stealing the produce from adjacent reserves.

IV.—Grazing.

10. Purely pastoral settlements are seldom or never excised from Government forests; still in colonizing ryotwari villages, a certain number of ryots will always be found whose cultivation is a secondary consideration compared with the profits they make from cattle-breeding.

It is no part of the policy of Government to exempt such persons from payment of all fees for the right of grazing their cattle on Government wastes. On the other hand, as laid down in Article 403 of the Settlement Code, it is advisable that grazing both on the waste lands proper and over unoccupied numbers should be given free to the people, and that if leased, grazing rights should only be leased to the community, unless the villagers can be shown to be deliberately discouraging allotment of unoccupied numbers. In order to provide for persons with whom agriculture proper is only a secondary means of livelihood, without infringing the general principle of free *niatar* to cultivators, the best course is to determine the number of cattle owned by ryots which may graze free, and to require all persons, whether ryots or others, resident in the village to take out licenses for their surplus cattle. A fairly liberal interpretation of these orders is desirable in the interests of ryots settling within excised areas. For instance if a man keeps a cow or two for breeding plough bullocks, or to supply milk for his domestic purposes, no fee should be charged. The provision is specially designed to meet the case of professional breeders, or persons who trade in ghee, e. g., Banjaras, Gaddis and Ahirs. The licenses issued would be on the scale prevailing in the adjacent Government forests, and would entitle the holder to graze his surplus cattle—

- (i) in the *niatar* areas of the village;
- (ii) in the unallotted numbers of the village;
- (iii) in any Government reserve open to grazing in the district.

Any person who had cattle exempt under the rules from grazing fees could graze his cattle free in the *niatar* areas and unallotted numbers of the village in which he held land. If he desired to send them to graze in Government wastes, or in any other land excised for ryotwari settlement, but not yet fully occupied, he would have to take a license and pay such fees as are required or may, under any rules hereafter made, be required, for agricultural cattle grazing in Government forests.

In order to carry out this procedure, it would be necessary for the patwari of the circle to be made a licensed vendor for the purpose of forest grazing licenses. It is part of his ordinary duties to make a return of the cattle of the villages; he would be in a position to know what cattle were exempt and what cattle required licenses, and he would require those who had cattle not exempt to take out licenses for them. With cattle exempt under the rule he would have no concern. The owners of those cattle wishing to graze them in Government forest would take out licenses in the ordinary way like other members of the public. The patwari would then only be concerned with the license commission to the village waste and the Government forest. He would be given the usual commission on licenses issued by him, so as to give him a practical interest in seeing that licenses were taken out by those whose cattle were not exempt from fees.

The advantage of this system would be that people with large numbers of cattle would have no interest in opposing allotment, since they would have to pay a fee whether they kept their cattle within the limits of the village or not, and for a fee they would have the right of grazing in all the open forests of the district. At the same time the officials of the Forest Department would have no concern inside the villages, while the patwari, who is in the best position to know, would be the person to decide what residents or ryots of the village were bound to take out licenses.

Part VII.

Chap.
XXIX.

The due performance of his duties by the patwari would be enforced by his superiors in the Land Revenue Department, but for all accounts purposes he would be bound by the ordinary rules applicable to forest stamp vendors.

The Forest Divisional Officer would bring to the notice of the Deputy Commissioner any cases where there was reason to believe that the patwari was not performing his duties properly.

11. As has been stated, the working of the above rules must rest primarily with the Land Record staff, acting under the orders of the Deputy Commissioner, and it is not desired that officials of the Forest Department should have any concern with ryotwari villages under Revenue management. But this prohibition of course does not apply to the Forest Divisional Officer or his Assistant, whose inspection of these areas, and advice as to their management, would be of the greatest use to the District Officer.

12. All income realized from Government waste in ryotwari villages would be credited to the Forest Department; it would consist of the following:—

- (i) Value of wood cut in the clearance of a village or of particular survey numbers
- (ii) Value of valuable timber cut in " *sisakhi-darakhata* " areas and not given to the villagers free.
- (iii) Assessment levied from a patel on account of his share of minor forest-produce.
- (iv) The sums raised by the lease of non-edible produce, such as lac, harna, &c.
- (v) Grazing fees.

Receipts from No. (i) would, under any circumstances, be credited to the Forest Department, and so also would No. (v), once the patwari is recognized as a forest-license vendor. Receipts under the other heads would be collected and paid into the treasury by the Revenue officials in the same manner as any other items of forest revenue, which may be collected through the Tahsildar, are credited.

13. The foregoing instructions apply primarily to villages which have been surveyed, and marked off into survey numbers. But there are villages yet remaining to be surveyed, and villages settled through a patel under rice-land rules, in which survey numbers and *sisakhi* areas have not been marked off. In such villages the rules must be held to apply as far as may be; the unsurveyed area for the time being should be regarded as *sisakhi* of the category into which it would naturally fall, any compact area of valuable timber being reserved from use as if it had been declared " *sisakhi-darakhata* ". Generally speaking, it is advisable that areas of *sisakhi* should be demarcated on the ground and marked off in the peripheral map before a grant is made under the rice-land rules.

Local circumstances may render necessary some modifications of the above rules; but so far as possible they should be followed by Deputy Commissioners and Forest officers in respect of the management of Government waste and forest-produce in ryotwari villages.

Discretion is left to Deputy Commissioners, acting under the guidance of Commissioners, as to the kinds of timber to be reserved, the extent of free grazing to be allowed, and other kindred matters, as it is fully recognized that, while we are still in a very experimental stage in ryotwari management, hard and fast rules are undesirable. It must, however, be distinctly understood that in no case is wood to be allowed to be cut and sold by occupants of ryotwari villages, and special care must be taken that applications for land are not granted where there is reason to believe that they are made with the view of competing with the demand for wood from Government forests.

APPENDICES.

[PART, 10.

APPENDIX 1.

FOREST DEPARTMENT, _____ CIRCLE, CENTRAL PROVINCES.

Distribution Statement of Permanent Outdoor Establishments from 1st 190 until further notice.

Designation ...	RANGERS.						DEPUTY RANGERS.			FORESTERS.			FOREST GUARDS.					Total num-ber.	Remarks.				
	120	125	100	80	60	50	Total num-ber.	40	35	30	Total num-ber.	25	20	15	Total num-ber.	12	10			8	7	6	5
Rate of pay in Rs ...																							
Sanctioned number.																							
Directions Division.																							
"																							
"																							
"																							
"																							
"																							
"																							
"																							
Unappropriated.																							

No.

of 190 . Dated

Forwarded to the _____ the _____
Divisional Forest Officer _____
for information.

Conservator of Forests, _____ Circle, Central Provinces.

{PARA. 15.

APPENDIX 2.

FOREST DEPARTMENT, ——— CIRCLE, CENTRAL PROVINCES.

Distribution Statement of Temporary Outdoor Establishments from 1st 190 , until further notice.

Sub-head of service	...
Salary in rupees	...
Sanctioned number	...
Direction Division	...
Unappropriated	...

No. of 190 , Dated the 190 ,
 Forwarded to the Comptroller
 Divisional Forest Officer for information.

Conservator of Forests, ——— Circle, Central Provinces.

[PARA. 15.]

APPENDIX 3.

FOREST DEPARTMENT, ——— CIRCLE, CENTRAL PROVINCES.

List showing the distribution of the Permanent Office Establishment among several Forest Divisions with effect from the 190 and until further changes.

DESIGNATION.	CLERKS.										MENIALS.		REMARKS.
											DRAG- MEN.	Orderly porters.	
Rate of pay.													Total.
Sanctioned number.													
Total													

No. of 190 . . . Dated . . . the . . . 190 . . .

Forwarded to the Comptroller, Divisional Forest Officer for information.

Conservator of Forests, Circle, Central Provinces.

[PARA. 22.]

APPENDIX 4.

Report on _____ *for the year 190 .

Name of district.	Name of officer.	Ap- point- ment held.	For what por- tion of the year he served in the district.	Opinion of depart- mental superior on his capacity and work.	Opinion of Deputy Commissioner on his capacity and work.	Opinion of Comdant Colonel of Division.	Opinion of Judicial Commissioner or Head of Department.

* Here give the name of the officer reported on.

[PARA. 24.]

APPENDIX 5.

List of Officers who joined the department or were promoted to gazetted rank during year 190 .

No.	Name of officer.	Date of birth.	Date of first ap- pointment in the department.	Rank on first entering the department.	Last appointment, if any, held before entering the department.

CONFIDENTIAL REPORT

for the year 19 ,

ON

Mr.

Deputy Conservator of Forests,

grade.

Remarks by the Revenue Authorities:—

Remarks by the Secretary and Honourable Member :—

Remarks by Conservator :—

Remarks by the Local Government :—

Remarks by the Inspector-General of Forests :—

APPENDIX 7.

[PARA. 32.]
Abstract of enquiries held in cases of alleged misconduct of Forest Subordinates of the Permanent and Temporary Establishments, including Office Establishments, and completed during the month of 190 .

Register Name and status of subordinate charged.	Misconduct alleged.	Proceedings.		FISCAL RECORDS IN CASE.		Date of entry in Khyber Manual.	Remarks.
		By whom held.	Brief summary.	By whom posted.	Order in brief.		
1	2	4	5	6	7	8	0

Dated _____
 The _____ 190.
 Forest Divisional Officer,
 Division.

APPENDIX 9.

[PARA. 44.]

FORM B.

[Obverse.]

FOREST DEPARTMENT, CENTRAL PROVINCES.

List of amounts to be deposited in the Post Office Savings Bank, on account of the security deposits of the undermentioned Forest officials:—

Running number.	NAME.	DESIGNATION.	NUMBER OF		Amount to credit on the last day of 190 .	Amount now to be deposited.	Remarks by Postmaster, if any, are required.
			Account.	Pass Book.			
	Of officials in whose favour deposits are to be made.				Rs.	Rs.	
					Total ...		

Dated _____
The _____ 190 .

Officer in Charge,

Forest Division.

[Reverse.]

No. _____ of 190 .

Forwarded in duplicate, with pass books and with Cheque No. _____ for Rs. _____ to the Postmaster, _____ with a request that he will be good enough to return, with the pass books, the duplicate after duly signing his name in the place indicated for it below. Should he object to receive any of the deposits listed overleaf, the aggregate amount thus refused should be returned to this office and the reason for the refusal noted against the respective items in the column reserved for his remarks.

Dated _____
The _____ 190 .

Officer in Charge,

Forest Division.

Cheque received. Rs. _____ returned herewith in accordance with remarks overleaf.*

Postmaster.

* The last sentence to be scored through if no money is returned.

APPENDIX 10.

[PARA. 44.]

FORM C.

[Obverse.]

Abstract showing the details of the security deposit accounts of
the officials of the _____ Range.
Division, for the quarter ended _____ 190 .

[illegible]

Dated _____ }
The _____ 190 . }

Officer in Charge,
Forest Division.

[Reverse.]

No. _____ of 190 _____

Forwarded to Range Officer, _____ Range, who will communicate the details overleaf to the individuals concerned and report at once if any item appears to them doubtful or incorrect.

Officer in Charge,
Forest Division.

APPENDIX II.

[PARA. 68.]

Register of Casual Leave.

Name and rank of officer to whom casual leave has been granted.	District.	Date on which leave begins.	Date on which leave ends.	Remarks.

Dated _____
The _____

Signature and Designation of Officer,
granting the leave.

APPENDIX 12.

PARA. 73.

SIR,

I am directed to forward to you the accompanying copy of Chief Commissioner's Book Circular No. _____, dated _____, and to request that you will fill up, sign and return the accompanying blank declaration.

To _____

Signature of Head of Officer.

Date _____

DECLARATION.

[N. B.—If you have no landed property, score out B. If you possess any, score out A.]

A.—I hereby declare that I have no landed property *
or (if declarant has landed property).

B.—I hereby declare that I possess landed property * as under:—

Area of land which the declarant either owns or possesses and its locality (i. e., district, tahsil and village in which situate.)	Particulars regarding the land, annual revenue or value, &c.

I have duly received a copy of Book Circular No. _____, dated _____, and have noted that if I hereafter acquire any landed property I must declare the fact within one month of the date on which accrual of the property comes to my knowledge.

Date _____

(Signed)

Name _____

Designation as Government Officer _____

District in which serving _____

Property held or managed by or on behalf of an officer's wife or other member of his family joint with, or living with or in any way dependent on him is for the purposes of the declaration considered to be held or managed by the officer himself.

* N. B.—Land occupied merely by buildings for residence and their compounds is not included in "landed property."

APPENDIX 13.

[PARA. 84.]

Security Bond to be executed by Sureties of Vendors of Forest Stamps.

Whereas A. B., Conservator of Forests, Central Provinces, has agreed to appoint C. D. to be [or has agreed to retain C. D. in the appointment of] a License (Vendor or whatever be his official designation) in the Forest Division of _____;

And whereas the said C. D. has been called upon to furnish security for the due discharge of his duties and obligations as a License Vendor in the Forest Division of _____ and for the indemnity of the said A. B. or his successors in office as representing the Department of Forests, Central Provinces, against loss from or by reason of any act or default of the said C. D.

Be it known that I, E. F., son of _____ resident at _____ am held and firmly bound to the said A. B. or his successors in office as representing the Department of Forests, Central Provinces, in the sum of Rs _____ to be paid to the said A. B. or his successors in office or to such person as he or they may appoint in this behalf, for which payment to be well and truly made I bind myself, my heirs, executors and administrators by these presents.

The condition of this obligation is such that if the said C. D. shall truly and faithfully perform his duties as a License Vendor and carry out all orders and instructions issued by the Department of Forests for his guidance, and shall at all times account for, render and deliver in such manner and to such person as he may by the said A. B. or his successors in office be required, all stamps and monies and property whatsoever which he may receive or be entrusted with or which may come into his possession by virtue of his office as such License Vendor and shall not embezzle, withhold, destroy or in any way damage any such monies, stamps and property, as aforesaid, and further shall indemnify the said A. B. or his successors in office as representing the Department of Forests, Central Provinces, of and from all and every loss or damage which may at any time happen to or be sustained by the Department of Forests, Central Provinces, by, from or through the means of the neglect, failure, misconduct, disobedience of orders, omission, or carelessness of the said C. D., or any of his agents or servants or any other person or persons acting under his orders or instructions, then the above written obligation shall be void, otherwise the same shall remain in full force and virtue.

I, E. F., further covenant that I shall have no power to terminate my suretyship except upon giving to the said A. B. or his successors in office for the time being, six calendar months' notice in writing of my intention so to do, and my liability under this bond shall continue in respect of all omissions and defaults on the part of the said C. D., until the expiration of the said period of six months.

APPENDIX 15.

[PARA. 84.

FORM NO. 2.

Forest Stamp Indent.

Indent No.

dated

Description of stamps.	Number of stamps indented for.	ISSUED.			Certificate of issue of stamps and acknowledgment of value received by Treasury Officer.	
		No.	* VALUE.			
			Rs.	a.		p.
50 Rupee stamps	...				I hereby certify that I have issued the stamps herein indented for, and acknowledge that I have received their value as noted below :— <div> <div>Gross value</div> <div>Deduct discount or commission</div> <div>Net value received</div> </div> <div>Rs. a. p.</div> <div>...</div> <div>...</div> <div>...</div>	
15 " "	...					
10 " "	...					
5 " "	...					
4 " "	...					
3 " "	...					
2 " "	...					
1 " "	...					
12 Annas	...					
8 " "	...					
7 " "	...					
6 " "	...					
5 " "	...					
4 " "	...					
3 " "	...					
2 " "	...					
1 " "	...					
9 Pies	...					
6 " "	...					
3 " "	...					
Total	...					

I hereby certify that I have issued the stamps herein indented for, and acknowledge that I have received their value as noted below:—

Rs. a. p.

Gross value

Deduct discount or commission

Net value received

Treasury Officer

Indenting Vendor's Name—

Number—

Station—

Designation—

Received stamps and commission as above.

Indenting Vendor.

[PARA. 84.]

APPENDIX 16.

FORM NO. 3 (RULE 6).

License Vendor's Stamp Ledger.

Month. Date.	OPENING BALANCE.		RECEIPTS.		TOTAL.		ISSUES.		BALANCE.		Remarks.
	Total number of stamps.	Total value.	Total number of stamps.	Total value.	Total number of stamps.	Total value.	Total number of stamps.	Total value.	Total number of stamps.	Total value.	
1 1	3	4	5	6	7	8	9	10	11	12	13
		Rs.		Rs.		Rs.		Rs.		Rs.	

[PARA. 84.

APPENDIX 17.

FORM No. 3 (a).

License Vendor's Monthly Statement of Sales and Receipts for the month of

Denomination of stamps.	OPENING BALANCE ON FIRST DAY OF THE MONTH.		RECEIPTS DURING THE MONTH.		TOTAL.		ISSUED DURING THE MONTH.		BALANCE AT CLOSE OF THE MONTH.		Remarks.
	Number of stamps.	Value.	Number of stamps.	Value.	Number of stamps.	Value.	Number of stamps.	Value.	Number of stamps.	Value.	
1	2	3	4	5	6	7	8	9	10	11	12
3 pica.											
6 "											
9 "											
1 anna.											
2 annas.											
3 "											
4 "											
5 "											
6 "											
7 "											
8 "											
12 "											
1 Rupee.											
2 Rupees.											
3 "											
4 "											
5 "											
		Rs		Rs.		Rs.		Rs.		Rs.	

APPENDIX 18.

[PARA. 84.]

FORM NO. 3 (b).

*Statement of Receipts and Issues of Forest Stamps in the _____
Division for the month of _____*

Opening balance with license vendors and Forest Officers.	MONTH'S TRANSACTIONS WITH TREASURY.				Total of columns c and g.	Issued by license vendors.	Closing balance of license vendors and Forest Officers.	REMARKS.
	Re- ceived from treas- ury on pay- ment.	Receiv- ed in advan- ces.	Refund- ed to treas- ury.	Net receipts (a) + (b) — (c).				
Value, A.	Value, (a)	Value, (b)	Value, (c)	Value, B	Value.	Value, C	Value, D	
1	2	3	4	5	6	7	8	9
								For meaning of symbols A, B, C, D, see Rules 15 and 16 of para- graph 84.

APPENDIX 21 (A).

[PARA. 108.]

Preliminary report of Forest fire..... Division.

- (i) Serial No.
- (ii) Date of occurrence.
- (iii) Locality.
- (iv) Estimated area, so far as known.
- (v) Cause, if known.

*Divisional Forest Officer.**Dated*

APPENDIX 21 (B).

[PARA. 108.]

Forest Department Circle, Central Provinces, Division.

Fire Report.

Serial No. of fire.
 Date of occurrence.
 Range, Working Circle and coupe, or forest.
 Area burnt.
 Cause.
 Whether detected, and if so, what action taken.
 Full description, giving names of officials engaged and their action,
 assistance rendered, recommendations for rewards or punishments, &c.

Note.—Under the heading "Cause" the following must be considered:—

- (i) Accident or carelessness in burning fire lines.
- (ii) Entry of fires into the forest by crossing exterior fire-lines.
- (iii) Carelessness or accident on the part of workmen employed in the forest, purchasers of forest produce or grass-cutters.
- (iv) By villagers, travellers, &c., passing through the forest.
- (v) By railway engines.
- (vi) By lightning or fire balloons.
- (vii) Intentional firing in order to obtain new grass, or to turn out game or reduce cover.
- (viii) Malicious firing.

If the origin of either fire cannot be traced the entry should be "Cause unknown."

[PART, 150.]

APPENDIX 24.

TO THE SUPERINTENDENT, SECRETARIAT PRESS, CENTRAL PROVINCES.

*Requisition No. , dated the 19 , for printing required to be done by the Secretariat Press,
Central Provinces.*

1	2	3	4	5	6	7
Description of work.	By whom sent.	Original, first proof, &c.	Date of receipt in the Press.	Date of submission of proof by Press.	Date of return of proof to Press.	Remarks, &c. special reasons for marking a requisition urgent.

[See also App. 28]

APPENDIX 26.

Return of cases of forest offences compounded in the _____ 190 ____ District during the month of _____

[illegible]

APPENDIX 27.

[See rules under Sec.
67 of the Forest Act.]

The present recognized procedure to be followed in compounding offences under Section 67 of the Indian Forest Act, 1878, is described in the following extracts:—

Revenue Secretariat letter No. 4365, dated the 29th September 1899.

I am directed * * * to communicate the following remarks and orders of the Chief Commissioner on the subject of compounding of Forest offences. * * *

1. Since the receipt of the resolutions enclosed the Conservators of Forests have been addressed in Secretariat letters Nos. 2621 and 2622, dated the 25th July 1898, and asked to report the method of the enquiry followed in each circle. In those letters their attention was especially invited to the variations in the number of compounded cases in each circle as disclosed by the tables on page 15, paragraph 55, of the Southern Circle, and page 12, paragraph 45, of the Northern Circle Forest Report for 1896-97 and also to the variations in the average amounts levied as compensation from division to division.

2. The Chief Commissioner has, however, no desire to lay particular stress at present on these variations, which, in as far as they are due to differences in the conditions of the districts, in the areas of the forests, and in the nature of the population, or (as regards the amounts of composition levied) in the views which the Forest Divisional Officers are induced by local circumstances, &c., to take of the gravity of cases, must always be expected to exist. It is desirable to examine the causes of these variations occasionally to ensure the absence of less legitimate causes for them, and I am to remark that in the case of Seoni, in which the figures for composition levied were very high, the explanation offered shows that unusually large fines were levied in cases in which the evidence would scarcely have justified a conviction, a practice which is distinctly objectionable.

3. From paragraphs 10 and 11 of the letter of the Conservator of Forests, Northern Circle (extract enclosed), it appears that fixed principles are laid down to assist officers in assessing compensation, and the circular of the Conservator of Forests, Southern Circle, No. 2206, dated the 1st February 1897, to all Forest Divisional Officers in his circle (copy also enclosed), also lays down general rules. Attention to and compliance with these rules will doubtless tend to lessen the variations in this matter. The scale suggested for cart-loads in the Southern Circle rules should, however, be increased. Unless the sum taken as composition be higher than the regular fee, it cannot possibly be deterrent.

4. The method of enquiry into forest offences is described in the extracts from the Conservators' letters enclosed. The system is one approved by the Chief Commissioner in Secretariat letter No. 3163-74, dated the 22nd May 1891, and sanctioned by the Government of India in their letter No. 264-P, dated the 21st July 1891. It is powerfully safeguarded against abuse by the provisions of Rule III (page 286 of the Central Provinces Revenue Manual, Volume II), always presuming that the list thereby prescribed is efficiently scrutinized by Deputy Commissioners.

Letter No. C-10, dated the 21st November 1893, from the Conservator of Forests, Northern Circle, Central Provinces, to the Second Secretary to the Chief Commissioner, Central Provinces.

5. It now remains to describe the procedure followed in compounding forest offences and the principles on which the amount of composition is fixed. These are practically the same in all the divisions.

8. Firstly, as regards the offences to be compounded. Very serious offences in all cases, and those of a more or less grave nature when Courts are near enough not to absorb too much of the time of the outdoor staff or to cause undue inconvenience to witnesses, also petty offences in regard to which the culprit is unwilling to compound, are, the available evidence being good for the purpose, sent up to a Magistrate. All other offences are compounded.

9. Next, as to the enquiry on which the decision of the compounding officer is based. If the offence is committed with the direct cognizance of that officer or the detecting Forest Guard brings the culprit direct to him, there is only a single enquiry and he holds it himself. Otherwise, an enquiry is held by the Sub-Range Officer, the results of which, including (i) the statements of the detecting Forest Guard, (ii) the defence of the culprit, and (iii) the statements of witnesses for both sides together with, if the accused admits his offence, his written acknowledgment that he is willing to compound, are sent up to the immediately superior officer. If this officer is not empowered to compound, he sends on his subordinate's report together with his own remarks and the results of his own enquiry, if he has considered it necessary to hold any (which is generally the case), to the Divisional Officer. This officer then decides whether the offence shall be prosecuted or compounded. Should the offender and witnesses be within easy reach of his headquarters or camp, or should he consider that in any case a further investigation by himself is necessary, he also enquires into the matter before he passes final orders. In the majority of cases the Divisional Officer accepts as complete the papers received from the Range Officer. In Mandla the number of such cases is estimated to be 85 per cent. The percentage is probably not very different in the other divisions. The preceding remarks do not apply to Tahsildars, a few of whom compound the very petty cases brought up directly before them without being reported to the Divisional Officer. Thus the Tahsildar of Jabalpur deals with most of the cases of illicit imports of forest produce into the Jabalpur City; these amount to about 30 per cent of the total occurring in his tahsil.

10. Lastly, as regards the principles on which the amount of composition is fixed. These are the same in all divisions, so far as they are not affected by the personal factor of the Divisional Forest Officer. The considerations which decide the amount to be taken are—

- (a) Extent of damage done to the forest.
- (b) Value of the produce extracted, calculated, according to the sanctioned schedule of rates.
- (c) Rates of grazing dues.
- (d) Rank and circumstances of the offender.
- (e) Whether the offence is a repetition and how many times it has been repeated (usually the third and further offences are prosecuted).
- (f) The flagrant nature of the offence, including aggravating circumstances, such as commission during the hours of darkness, after careful premeditation and preparation, and so on.
- (g) In cases of illicit grazing in a closed forest, the ideas underlying Sections 69 and 70 of the Indian Forest Act.

11. Section 67 of the Indian Forest Act fixes a limit for the amount of composition to be taken, viz., Rs. 50. Within this limit the amount varies from twice to six and even to more times the value of the produce extracted, the multiple depending to a certain extent also on the actual value of the produce taken. Thus the price of a head-load of firewood being only $\frac{1}{2}$ pice, double the value of one load, or 1 pice, would in scarcely any case be a deterrent punishment. In cases of illicit grazing, the multiple has to be low, as the number of cattle thus grazed is generally large enough to make even double dues a sufficiently heavy penalty.

Letter No. 2902, dated the 15th November 1898, from the Conservator of Forests, Southern Circle, Central Provinces, to the Second Secretary to the Chief Commissioner, Central Provinces.

6. In reply to that part of your letter asking for information regarding the method of enquiry pursued by Divisional Forest Officers in settling these cases, it has been elicited that most of them are settled, as suggested by you, on the report of subordinates, where these latter have no power to decide the cases themselves. A report and detailed enquiry is submitted with a signed statement on the part of the offender to the effect that he has committed the fault and is willing to have the case compounded by the payment of a fine. The Divisional Forest Officer then passes an order and enters the case in his register. If he were personally to enquire into all these cases, most of which it must be remembered are very petty in character, much greater inconvenience than at present would be entailed on the offender, as in most cases it would be necessary to bring him from a considerable distance which in itself would also entail the withdrawal of a guard or guards from their forest duties for several days, and sooner than this should be done it would probably be more advantageous to Government to release the offender without any punishment whatever.

Circular No. 2205, dated the 1st February 1897, from the Conservator of Forests, Southern Circle, Central Provinces, to all Forest Divisional Officers, Southern Circle, Central Provinces.

The manner in which forest offences are compounded and punished varies so greatly in different districts, that I think it desirable to lay down the following rules for general guidance, and have the honour to request that you will be good enough to see that they are given effect to.

As a general rule illicit grazing should be punished with a fine equal to the amount of the grazing dues payable, that is to say, double dues should be collected. This fine should not be exceeded except in cases of old offenders, when a maximum equal to fourfold dues may be inflicted. But in bad cases of this sort it will be well to prosecute. In ordinary cases where one or two carts of building wood or bamboo are removed without license a fine equal to the proper payment should be levied. But when more than three carts of such produce are in question or when the culprit is an old offender, the case, if probable, should be taken into Court.

Cases connected with head and kavar lands should always as a rule be compounded, but as the values of such quantities are very small and as fines, to be of any service, should be deterrent, the latter should never be less than fourfold the amount of the dues and should not exceed sixfold in the case of old offenders. But in regard to the latter, if a man has been fined three times, and is again caught removing produce without a license, he should be prosecuted.

APPENDIX 28.

List of Reports and Returns.

To	Periodicity	Nature of report or return.	Latest date for		Orders prescribing submission.
			Despatch.	Receipt.	
Secretary.	Monthly	Abstract of important correspondence ... <i>From Conservator's Office.</i>	20th of following month.	...	See paragraph 162.
					See paragraph 7.
					See paragraph 9.
					See paragraph 25.
					General Book Circular No. XXX, dated the 21st July 1900.

Corrigendum to the Central Provinces Forest Manual.
(2nd Edition.)

[No. 18, dated the 17th September 1908.]

Transfer the last entry on page 216 to page 217, inserting it as the 3rd entry on that page.

W. E. LEY,

Under Secretary to the Chief Commissioner,

Central Provinces.

APPENDIX 28.

List of Reports and Returns.

To	Periodicity.	Nature of report or return.	Latest date for		Orders prescribing submission.
			Despatch.	Receipt.	
<i>I.—From Conservator's Office.</i>					
Secretariat.	Monthly	Abstract of important correspondence	20th of following month.	...	See paragraph 162.
Do.	Quarterly	Confidential reports on officers not deserving of promotion.	...	15th March 15th June 15th September. 15th December	See paragraph 7.
Chief Conservator.	Half-yearly.	Half-yearly Provincial List of Forest officers	22nd June 15th December	...	...
Do.	Yearly	Report of Provincial Service officers, if any, deserving of the local allowance of Rs. 50 referred to in Article 24 (d), Forest Department Code.	15th June	...	See paragraph 9.
Do.	Do.	Confidential report on fitness for promotion to Conservator.	1st June	15th June	See paragraph 25.
Do.	Do.	Return of expenditure on purchase of imported stores in India.	1st July	...	General Book Circular No. XXX, dated the 21st July 1900.

Secretariat.	Do	Confidential reports on work and capacity of gazetted officers.	As soon as received from Commissioner.	See paragraph 22.
Do.	Do.	Return of officers appointed during the year	With preceding report.	Do. 24.
Do.	Do.	Annual Forest Administration Report in manuscript	...	15th September.
Do.	Do.	Forest Administration Report (printed)	1st October	General Book Circular No. III, dated the 18th February 1892.
Do.	Do.	Budget Estimates	10th do.	Article 270 (5), Forest Department Code.
Do.	Do.	List of forests closed against shooting without permit.	1st do.	Article 134, Forest Department Code.
Secretariat Press.	Do.	Forest Code, Forms 22 and 23	...	Shooting Rules, page 48.
Comptroller, Central Provinces.	Monthly	Cash Accounts	Last day of each month.	Article 151, Forest Department Code.
Do.	Do.	Returns of Leave and Changes (Code Forms 73 and 74)	5th do.	Do. 215 do.
Do.	Do.	List of sanctions (Code Form 75)	Do.	Do. 179 do.
Do.	Do.	Distribution list of establishments whenever changes occur.	Do.	Do. 160, do.
Do.	Do.	Applications for letters of credit	16th of last month of preceding quarter.	Paragraphs 10, 15 and 16.
Do.	Quarterly	Latest estimates of revenue and expenditure for expiring year.	March	Article 198, Forest Department Code.
Do.	Yearly		...	...

List of Reports and Returns—(Contd.)

To	Periodicity.	Nature of report or return.	Latest date for		Orders prescribing submission.
			Despatch.	Receipt.	
		<i>1.—Forest Commissioner's Office—(Contd.)</i>			
Comptroller, Central Provinces.	Yearly	Appropriation of final budget figures	March	..	..
Do.	Do.	List of permanent establishments	1st April	..	Article 85, Civil Account Code.
Do.	Do.	Comparisons of actuals and budget and revised estimates.	1st September	..	Article 145, Forest Department Code.
Do.	Do.	Appropriation of provisionally sanctioned budget figures.	Seen after receipt of Chief Commissioner's sanction.	..	Article 129, Forest Department Code.
Chief Commissioner.	Do.	Working Plans Control forms	1st November	..	Article 94, Forest Department Code.
Commissioner of Settlements and Agriculture.	Do.	Report on the iron industry in the Mandla, Jabalpur and Sagar Districts.	1st March	..	..

Chief Conservator.	Quarterly ...	Return of Rangers not deserving of promotion	From Divisional Forest Officers.	1st March ... 1st June ... 1st September ... 1st December ...	See paragraph 11.
Conservator.	Weekly, or as ordered.	Diaries	...	...	...
Do.	Monthly	Code Forms, Nos. 22 and 23.	...	...	Articles 151 and 156, Forest Department Code.
Do.	Do.	Code Forms, Nos. 24, 25 and 28	...	...	Article 219, do.
Do.	Do.	Code Forms, Nos. 7, 8, 9, 10, 11 and 12	...	...	Do. 219, do.
Do.	Do.	Register of Punishments of Subordinates	...	...	Appendix 7.
Do.	Do.	Register of Shooting Permits (Appendix 25)	...	...	See Appendix 25.
Do.	Do.	Register of Cases compounded (Appendix 26)	...	...	See Appendix 27.
Do.	Do.	Return of Forest Stamps sold and in hand	...	...	See paragraph 84.
Do.	Quarterly	Code Form No. 19 (Application for letters of credit)	...	...	Article 108 of Forest Department Code.
Do.	Do.	Statement showing recoveries of second parts of licenses.	...	...	See Book Circular under paragraph 84.

Do.	Do.	Forest Administration Report	...	15th August	...	Article 269, Forest Department Code.
Do.	Do.	Budget estimates	...	16th September	...	Article 124, Forest Department Code.
Do.	Do.	List of forests proposed to be closed against shooting without a permit.	...	1st September	...	Shooting Rules, page 48.
Do.	Do.	Indent for correspondence forms	...	Do.	...	See paragraph 160.
Do.	Do.	Indent for stationery	...	10th October	...	Do.
Do.	Do.	Annual plan of operations	...	...	With or as may be prescribed by Government budget.	See Article 84, Forest Department Code.
Do.	Do.	Control forms Nos. 2, 4 and 38	...	15th August	...	Article 94, Forest Department Code.
Do.	Do.	Confidential reports on work and capacity of Forest Officers.	...	15th January	...	See paragraph 22.
Comptroller, Central Provinces.	Monthly	Code Forms, Nos. 22 and 25	...	Last day of each month.	...	Article 151, Forest Department Code.
Do.	Do.	Certificate of solvency of personal sureties	...	1st April.	...	Paragraph 49.
Do.	Do.	Cash Account (Form 25) with prescribed accompaniments.	...	15th of following month.	...	Article 218, Forest Department Code.

List of Reports and Returns.—(Concl'd.)

To	Periodicity.	Nature of report or return.	Latest date for		Orders prescribing submission.
			Despatch.	Receipt.	
Conservator.	Do.	From Superintendent of Stamps. Statement showing receipts, issues and balances of Forest stamps at the local and branch depôts.	15th of following month.	...	Rule 8r, Chapter II, of Stamp Manual.
	Do.	From Deputy Commissioners. Treasury Statement	Immediately on close of month's accounts.	...	Treasury Manual, Chapter XXIII, paragraph 2.
Do.	Do.	Register of Cases compounded	15th of following month.	...	See Appendices 26 and 27.
Do.	Do.	Register of Shooting Permits issued	Soon after close of month.	...	See Appendix 35.
Divisional Officer.	Do.	Schedule of Forest remittances	When sending monthly schedules to Comptroller.	...	Chapter XXIII, Article 445, Volume I, Civil Account Code.

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**Amendments to the Central Provinces Forest
Manual (2nd Edition).**

No. 32, dated Nagpur, the 21st December 1909.

Page 223.—3rd Entry. Delete entry in Column 5.

*Page 223.—4th Entry. In Column 5 change "15th August" to
"15th September" and delete entry in Column 6.*

C. J. IRWIN,

*Under Secretary to the Chief Commissioner,
Central Provinces.*

Conservator.	Yearly	Confidential reports on work and capacity of Forest officers (Appendix 4).	With Annual Forest Administration Report.	...	See paragraph 23.
Commissioner.	Do.	Confidential report on Forest officers regarding their fitness for promotion to Conservator.	As soon as received from Conservator.	...	See paragraph 25.
Do.	Do.	Transmission of Annual Administration Report of Forest Division.	As soon as received from Divisional Forest Officer.	15th August (Conservator's office)	"
Conservator.	Do.	<i>New Commissioners.</i> Transmission of Annual Administration Reports of Forest Division.	"	15th August	General Secretariat Book Circular No. LXI, dated the 17th December 1888.
Do.	Do.	Confidential reports on the work and capacity of Forest officers.	As soon as received from Deputy Commissioner.	...	See paragraph 22.
Secretariat.	Do.	Confidential reports on Forest officers regarding their fitness for advancement to Conservator.	"	15th June	See paragraph 25.

APPENDIX 29.

Dress Regulations.

The Chief Commissioner has been pleased to prescribe the following rules:—

I.—Uniforms, as described below, will be worn by all classes and grades when on duty:—

A.—FOREST RANGERS.

Coat.—Norfolk jacket of superior khaki drill with cuffs of the same material and seven silver buttons (two for fastening shoulder-straps). The shoulder-straps to be of twisted khaki braid having a silver thread running through them. A small silver crown to be worn on each side of the collar opening. Bottom edge of coat to reach to wrist of hands (extended by the side).

Leg-covering.—Kiding-breeches of khaki cotton cord reaching to not more than 3 inches above the knee and strap leggings of stiff brown (not Sambhar) leather.

Jodhpore breeches of khaki drill may be worn, if desired, when not in the presence of a superior officer.

Foot-covering.—Strong brown boots.

Head-dress.—For *native* a gold kulla and khaki lungi with red and gold border at ends and gold fringe—silk for Rangers of the 1st, 2nd and 3rd grades, cotton for lower grades.

For *others*, khaki helmet, with khaki pagri, having red and gold border at ends—silk for the three higher grades.

Belt.—Sam Browne.

Arms.—A long shikar knife with ornamental hilt and sheath.

B.—DEPUTY RANGERS.

Coat.—As for Rangers, but of a lower quality, with brass buttons and with no silver thread or crown.

Leg-covering.—As for Rangers except that puttees of khaki drill 9' long 4½" wide with a 4' tape will be worn with full dress.

Foot-covering.—As for Rangers.

Head-dress.—Silver kulla and cotton lungi of khaki colour, purple and silver border at ends and silver fringe.

Belt.—Leather, waist, with badge on buckle.

Arms.—A shikar knife.

C.—FORESTERS.

Coat.—Khaki cotton drill of lower quality than that for Deputy Rangers, with cuffs and shoulder-straps of same material. A brass badge (the letters F. D. Central Provinces) will be worn on each shoulder-strap. Silver chevrons (three for 1st grade, two for 2nd grade and one for 3rd grade).

Leg-covering.—As for Deputy Rangers.

Foot-covering.—As for Rangers.

Head-dress.—Red cloth kulla and khaki cotton lungi with red and blue border at ends and red fringe.

Belt.—As for Deputy Rangers.

Arms.—As for Deputy Rangers.

D.—FOREST GUARDS, ORDERLIES AND OTHER SUBORDINATES.

Coat.—Khaki cotton drill (same quality as for Foresters), blouse, closed with three brass buttons with cuffs and shoulder-straps of the same material. The shoulder badge the same as for Foresters. The bottom edge of blouse to reach knuckles of the hand.

Leg-covering.—Pyjama knickerbockers of the same material as coat, with puttees of similar shape to those of Deputy Rangers. A salmon coloured dhodi may be worn, when out in the Forest, by all except orderlies.

Foot-covering.—Native shoes or ammunition boots.

Head-dress.—Same as for Foresters without the kulla.

Belt.—As for Foresters.

Arms.—A light axe to be carried in the belt.

E.—ORDERLIES.

As for Forest Guards except that the dhoti may be worn only in the hot weather and ammunition boots may be worn only when marching from one camp to another.

II.—The following articles will be supplied at State expense:—

- (a) Rangers' Sam-Browne belt.
- (b) Belt and badges worn by all classes.
- (c) Chevrons for Foresters and two upper grades of Forest Guards.
- (d) Shikar knives and axes.
- (e) Turbans for Forest Guards and Watchers, to last not less than two years.
- (f) Foresters, Forest Guards, Orderlies and also Khalasis and Mahouts if entertained throughout the year, entire uniforms, except shoes, to last not less than one year.

NOTE.—If before the end of one year any article of the uniform, in the opinion of the Divisional Forest Officer, too much worn out for use, he may order a new article to be supplied in its place and be paid for by the grant or order, as the case may be.

III.—A sealed pattern of each article of uniform will be kept in the Conservator's Office, and of axes also in the Divisional Office.

IV.—In order further to secure perfect uniformity a Contractor will be appointed for each circle by the Conservator for the supply of clothing, including putties and chevrons; and with regard to turbans, belts (including badge and buckles), and shikar knives, the Conservator will employ separate Contractors.

V.—Indents for articles of clothing will be sent to the Tailor Contractor direct by Divisional Officers in accordance with instructions, and on being completed, the articles will be despatched by the Contractor direct to the Divisional Officer with his bill which, after due acceptance, will be paid by the Divisional Officer himself.

VI.—Divisional Officers will be responsible that their subordinates wear uniforms as prescribed above and keep their uniforms clean and neat.

VII.—When any subordinate is suspended pending an enquiry into his conduct, he will not wear uniform during the period of his suspension, and for the purpose of this rule, his uniform may, at the discretion of the Divisional Officer, be taken away from him for the time being.

VIII.—When a Forest Guard resigns the service or is dismissed he will give up his uniform to the Divisional Forest Officer, who may give it to his successor, or destroy it, so as to render it unserviceable as a uniform.

IX.—In the Direction and in all Divisional Forest Offices a register of the receipts and issues of uniforms or accoutrements which under Rule II are supplied at State expense will be maintained in Form B following. The uniforms of Forest Rangers and Deputy Rangers will be obtained by the Divisional Forest Officer from the appointed contractors and paid for by Government, the cost being at once recovered in full from the officer for whom required, and, if necessary, credited as cash recovery of service payments made to the contractors.

X.—Blankets may be given biennially to peons as well as tindals, khallasis and mahouts who have to accompany the officers to whom they are attached on cold-weather tours. [Vide Article 66 (ra) of Chapter VI of the Central Provinces Treasury Manual].

FORM B.

FOREST DEPARTMENT _____ DIVISION.

Uniform Clothing Account, Financial year _____

Serial number of item.	Name of Forest Guard.	Rank.	Date of despatch to forest.	Date of		Number and date of Range Officer's acknowledgment.	Number and date of credit item in Divisional Cash Book paying for the uniform.	Amount paid.	Remarks:
				Receipt of uniforms.	issue.				
1	2	3	4	5	6	7	8	9	10
								Rs.	

APPENDIX 30.

Rules for the occupation of Forest Rest-houses.

These rules are as under. They are hung up in all Forest Rest-houses for the information of all concerned :—

1. This rest-house is intended primarily for the sole use of Forest officers of rank not below that of Extra-Assistant Conservator.
2. All other officers and travellers wishing to occupy this rest-house are required to obtain a pass from the Divisional Forest Officer authorizing them to do so; but any one using it must be prepared to vacate it when desired to do so by a gazetted Forest Officer. The Divisional Officer may give any officer by name, or as holding an appointment, general permission to use this house.
3. All occupants of this rest-house must conform while doing so to the European style of living.
4. All occupants of the rest-house are responsible for damage done during their occupancy to the building, furniture, out-houses, or compound, including trees, planted or otherwise and will pay for such damage in accordance with the valuation of the Divisional Forest Officer.
5. As servants are not provided, occupants are required to arrange that the rest-house and compound are kept and left clean.
6. No animals may be tethered inside the rest-house compound and no other animals than horses, ponies or bullocks may be kept in the stable.
7. Tents may only be pitched within the area set apart for such purpose, which will be pointed out by the Chaudkdar or Forest Guard in charge.
8. Occupants must make their own arrangements for supplies, and are permitted to send their men to collect dry firewood in the forest, but are responsible for any damage committed by the latter to the forest.

APPENDIX 31.

STATEMENT 1.—Showing percentage of A Class Forest Area on Total Forest Area including Zamindari Area as it stood on 30th June 1905.

Division.	Total area in square miles of each district.	Total forest area in square miles.	Percentage of forest area on total area.	Total A Class forest area in square miles.	Percentage of A Class forest area on total area.	Net revenue from forests.
1	2	3	4	5	6	7
Balaghat	3,139	972	30.66	971	30.39	Rs. 8,518
Bhandara	3,965	533	13.44	524	13.21	16,475
Bilaspur	4,858	653	13.54	653	13.54	-6,487
Chanda	10,749	3,346	31.13	1,705	15.86	47,374
Raipur	11,724	1,389	11.84	1,375	11.72	4,100
Mandla	5,047	2,712	53.73	1,859	36.83	57,289
Jubbulpore	3,912	534	13.90	519	13.26	8,233
Damoh	2,831	792	27.97	789	27.87	23,310
Sauger	4,007	755	18.84	743	18.54	-8,340
Narsinghpur	1,916	249	12.99	249	12.99	3,701
Hoshangabad	4,020	946	23.53	740	18.40	41,707
Betul	3,826	1,315	34.37	1,181	30.86	35,463
Seoni	3,206	827	25.79	813	25.35	29,661
Chhindwara	4,631	714	15.41	665	14.35	38,869
Ellichpur	5,282	1,535	29.03	853	16.14	98,999
Amraoti	2,759	260	9.42	58	2.10	81,691
Buldana	2,808	571	20.33	343	12.21	89,474
Wun	3,911	783	20.02	239	6.11	1,07,611
Barin	2,949	783	26.55	281	9.52	42,739
Nimar	3,920	1,955	49.75	1,655	42.09	1,06,213
Nagpur	3,840	716	18.42	761	19.82	63,093
Wardha	2,428					
Total	95,737	22,350	23.34	16,941	17.69	9,01,482
	...	...	...	...	...	14,836
	...	...	...	...	...	8,86,596

APPENDIX 32.

STATEMENT II.—Showing percentage of A Class Forest Area on Total Forest Area excluding Zamindari Area as it stood on 30th June 1905.

Division.	Total area in square miles of each district (excluding zamindari).	Total forest area in square miles.	Percentage of forest area on total area.	Total A Class forest area in square miles.	Percentage of A Class forest area on total area.	Net revenue from forest.
1	2	3	4	5	6	7
						Rs.
Hoshangabad ...	3,247	946	24'59	740	19'24	41,797
Chhindwara ...	3,034	714	23'51	665	21'92	38,869
North Chanda ...	4,248	1,741	40'95	1,317	31'00	46,675
South Chanda ...	1,032	1,605	83'07	388	29'08	1,699
Bhandara ...	2,486	533	21'44	524	21'08	16,475
Balaghat ...	2,209	972	44'00	971	43'96	8,518
Raipur ...	4,932	1,589	28'16	1,375	27'88	4,300
Bilaspur ...	3,033	663	21'86	663	21'86	—6,487

List Showing the Pages.
Dates of Amendments to this Manual.

Serial No	Amendment No	Page	Dated	Brief Particulars	Remarks
I	II	III	IV	V	VI
1	1	94	27-11-07	Paragraph 48-49	
2	2	48	20-12-07	Rules for Shooting	
3	3	72	18-2-08	Para 72, Rules for the examination of Local-officer	
4	4	63	24-2-08	H. quater Singraampur	
5	5	120	19-3-08	For Ammos and Rifles	
6	6	64	8-4-08	Under for Lohura	
7	7	64	9-4-08	Add Lanji	
8	8 ^{2nd edition}		23-4-08		
9	9	127	2-5-08	Para 106 for 107	
10	10	63	28-5-08	Shumore for Khamaria	
11	11	87	2-7-08	Para 53 Add Wainagale	
12	12	132	15-7-08	Para 112 Add in rule 11	
13	13	64	25-7-08	Para 2	
14	14	152	5-8-08	P. 163 read clear directions	
15	15	64	1-9-08	P. 2 East Lomni Kote West " Lomni	
16	16	87	4-9-08	P. 53	
17	17	88	11-9-08	Insert following to P. 36A,	
18	18	216 to 217	17-9-08	Transfer the first entry on page 216 to 217	
19	19	172	6-10-08	Add the following paragraph 177, h,	
20	20	99	24-11-08	P. 76 for R.B.C VII-12 read R.B.C VII-5	
21	21	70	27-11-08	P. 16 is cancelled	
22	22	64	19-3-09	for Shiri subit. Alapali	
23	23	84	31-3-09	P. 44. rule 7 add -	

4	24	64	12-5-07	P. 2	Muthkhandu = Kulechera		
5	25	64	2-6-09		In Column 2-3 - add Hungni below Arvi		
6							
7							
8	28	64	26-10-09		Paragraph 2		
9	29	64	26-10-09		Muthkhandu for Kulechera		
30	30	134	27-10-09		Rule III after the word Commission		
31							
32	32	223	21-12-09		3rd entry Delete entry in Column 5		
33	33	72	13-1-10	P. 17	Rule 1		
34	34	85	1-3-10		Add The following as paragraph 48 A,		
35							
36	36	64	30-5-10		for page 64 substitute the following		
37	37	65	12-8-10		substitute head quarter		
38	38	70	8		cancelling commission		
39	39	42	22-8-10		insertion and note	Page.	Paragraph
40	40	115	22-9-10		exemption of dues	1-87 -	53
41	41	70	24-9-10		substitute	2-11	"
42	42	131	23-12-10		addition of rule	3-11	"
43	43	91	15-2-11		inserting entries	4-11	"
44	44	52	8		neg ending rules	5-11	"
	45	84	16-2-11		neg supplying stamps	6-95	71
	46	82	13-3-11		to last defendant sheet	7-100	78
	47	84	14-6-11		final with of receipt sheet	8-127	106
	48	72	24-7-11		substitution	9-134 -	113
	49	68	31-7-11		cancelling & etc 9	10-152	163
	50	57	3-11-11		insertion	11-154	"
	51	60	14-12-11		max. num. of copies etc.	12-155 -	12
	52	7	22-12-11		substituting.	13-159 -	164
45	53	152	22-2-12		in amendment to 14	14-164 -	166
46	54	52, 53	28-2-12		insert except as provided etc	15-165	166(3)
47	55	54-60	21-3-12		rules regulating the use of property marks	16-177	183
48	56	54	26-3-12		substitute the portion		
49	57	63	1-4-12		insert the following		
					substitute the following		

50	58	63	24-4-12	substitute head quarters
51	59	64	7-6-12	substitute
52	60	64	23-7-12	substitute head quarters
53	61	87	Do	delete checks
54	62	Do		insert Extra of 10 x 10
55	63	65	9-8-12	substitute head quarters
56	64	50	19-9-12	to add the following rules
57	65	52	Do	substitute the following
58	66	69	4-11-12	maximum pay of
59	67	54	23-2-13	on duty
60	68	127	14-3-13	by force of law
61	69	65	1-5-13	the present position
62	70	61	20-5-13	substituting head quarters
63	71	65	Do	substituting do
64	72	69	25-7-13	substituting pay of parties
65	73	86	12-9-13	with 1000 in 1000
66	74	172	8-10-14	substituting the entire
67	75	162	2-1-1915	Agri-culture
68	76	158	42-3-15	Reducing the rate of -
				- discount
				substitution in Budget