

GOVERNMENT OF MADHYA PRADESH



THE
CENTRAL PROVINCES AND BERAR
FOREST MANUAL
VOLUME I

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EXHIBIT CONTENTS

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PREFACE

The Fifth Edition of the Manual follows the general arrangement of the fourth edition. Part V dealing with office business has been omitted as its place has been taken by the Office Manual. Certain notifications and matters affecting establishments have been included in the Manual for convenience.

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(4) "forest produce" includes—

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

timber, charcoal, caoutchouc, catechu, wood-oil, resin, natural varnish, bark, lac, shallac, gum, mahua flowers, mahua seeds and myrabolams, 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 of produce of animals, and

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

(v) standing agricultural crops.

(5) "river" includes any stream, canal, creek or other channels, natural or artificial;

(6) "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; and

(7) "tree" includes palms, bamboos, stumps, brush-wood and canes.

CHAPTER II.—OF RESERVED FORESTS

Power to
reserve forests.

3. The Provincial Government may 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
Provincial Gov-
ernment.

4. (1) Whenever it has been decided to constitute any land a reserved forest, the Provincial Government shall issue a notification in the local official Gazette—

(a) declaring that it has been decided to constitute such land a reserved forest;

- (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.

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

(2) The officer appointed under clause (c) or sub-section (1) shall ordinarily be a person not holding any forest office except that of Forest Settlement Officer.

(3) Nothing in this section shall prevent the Provincial 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. After the issue of a notification under section 4, 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 the Crown or some person in whom such right was vested when the notification was issued; and no fresh clearings for cultivation or for any other purpose shall be made in such land except in accordance with such rules as may be made by the Provincial Government in this behalf.

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

- (a) specifying, as nearly as possible, the situation and limits of the proposed forest;
- (b) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and
- (c) fixing a period of not less than three months from the date of such proclamation, and requiring

Bar of actual of forest rights.

Proclamation by Forest Settlement Officer.

every person claiming any right mentioned in section 4 or section 5 within such period either to present to the Forest Settlement Officer 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 section 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 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 20 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.

10. (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 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 Provincial 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 Provincial 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 practice shifting cultivation therein under such conditions as he may prescribe.

(4) All arrangements made under sub-section (3) shall be subject to the previous sanction of the Provincial Government.

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

11. (1) In the case of a claim to a right in or over any land, other than a right-of-way or right of pasture, or a right 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.

(2) If such claim is admitted in whole or in part, the Forest Settlement Officer shall either—

- (i) exclude such land from the limits of the proposed forest; or
- (ii) come to an agreement with the owner thereof for the surrender of his rights; or
- (iii) proceed to acquire such land in the manner provided by the Land Acquisition Act, 1894.

(3) 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, 1894 [I of 1894];
- (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 Act;
- (c) the provisions of the preceding sections of that Act shall be deemed to have been compiled 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.

12. 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.

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

- (a) the name, father's name, caste, residence and occupation of the person claiming the right; and
- (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 claims.

14. If the Forest Settlement Officer admits in whole or in part any claim under section 12, 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 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, and 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.

Exercise of rights admitted.

15. (1) 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.

(2) For this purpose the Forest Settlement Officer may—

- (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 the locality reasonably convenient, for the purposes of the claimants; or

- (c) record an order, continuing 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 be made in this behalf by the Provincial Government.

16. In case the Forest Settlement Officer finds it im-possible, having due regard to the maintenance of the reserved forest, to make such settlement under section 15 as shall ensure the continued exercise of the said rights to the extent so admitted, he shall, subject to such rules as the Provincial Government may make in this behalf, commute such rights, 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. Commutation of rights.

17. Any person who has made a claim under this Act, or any Forest officer or other person generally or specially empowered by the Provincial 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 11, section 12, section 15 or section 16, present an appeal from such order to such officer of the Revenue Department, of rank not lower than that of a Collector, as the Provincial Government may by notification in the local official Gazette, appoint to hear appeals from such orders : Appeal from order passed under section 11, section 12, section 15 or section 16.

Provided that the Provincial Government may establish a Court (hereinafter called the Forest Court) composed of three persons to be appointed by the Provincial Government and, when the Forest Court has been so established, all such appeals shall be presented to it.

Note: Commissioners of Divisions have been empowered to have appeals under this section.

18. (1) Every appeal under section 17 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. Appeal under section 17.

(2) If the appeal be to an officer appointed under section 17, it shall be heard in the manner prescribed for the time being for the hearing of appeals in matters relating to land revenue.

(3) 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.

(4) The order passed on the appeal by such officer or Court, or by the majority of the members of such Court, as the case may be, shall subject only to revision by the Provincial Government, be final.

Pleaders.

19. The Provincial 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.

**Notification
declaring
reserved
forest**

20. (1) 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 under that section or section 9 have been disposed of by the Forest Settlement Officer;
- (b) if any such claims have been made, the period limited by section 17 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 11, elected to acquire under the Land Acquisition Act, 1894 [I of 1894], have become vested in the Government under section 16 of that Act.

the Provincial Government shall publish a notification in the local official Gazette, specifying definitely, according to boundary marks erected or otherwise, the limits of the forest which is to be reserved, and declaring the same to be reserved from a date fixed by the notification.

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

**Forest land or
waste land deemed
to be reserved
forests.**

20-A. (1) Notwithstanding anything contained in this Act or in any other law for the time being in force, any forest land or waste land in the territories comprised within an Indian State immediately before the date of its merger in any of the integrating States now forming part of this

State (hereinafter in this section referred to as the "merged territories"),—

- (i) which had been recognised by the Ruler of any such State immediately before the date of merger as a reserved forest in pursuance of any law, custom, rule, regulation, order or notification for the time being in force, or
- (ii) which had been dealt with as such in any administration report or in accordance with any working plan, or register maintained or acted upon immediately before the said date and has been continued to be so dealt with thereafter.

shall be deemed to be reserved forests for the purposes of this Act.

(2) In the absence of any rule, order or notification under this Act, applicable to the area in question, any law, custom, rule, regulation, order or notification mentioned in sub-section (1) shall, notwithstanding, be deemed to be validly in force, as if the same had the force and effect of rules, orders and notifications made under the provisions of this Act and shall continue to so remain in force until superseded, altered or modified in accordance therewith.

(3) No report, working plan, or register as aforesaid or any entry therein shall be questioned in any Court of law provided that the State Government have duly certified that such report, working plan, or register had been prepared under the authority of the said Ruler before the date of merger and has been under the authority of the State Government continued to be recognised, maintained or acted upon thereafter.

(4) Forest recognised in the merged territories as village forests, or protected forests, or forests other than reserved forests, by whatever name designated or locally known, shall be deemed to be protected forests within the meaning of this Act and provision of sub-section (2) and (3) shall mutatis mutandis apply.

Explanation I.—"Working Plan" includes any plan, scheme, project, maps, drawings and lay-outs prepared for the purpose of carrying out operations in the course of the working and management of forests.

Explanation II.—"Ruler" includes the Darbar administration prior to the date of merger and "State Government" includes the successor Governments after the said date.

Explanation III.—The expression "Indian State" shall have the meaning assigned to that expression in clause (15) of Article 366 of the Constitution of India.

Explanation IV.—"Integrating State" means the States of Madhya Pradesh, Madhya Bharat, Rajasthan, Vindhya Pradesh and Bhopal as existing immediately before the 1st day of November 1956".

Publication of translation of such notification in neighbourhood of forest. 21. The Forest officer shall, before the date fixed by such notification, cause a translation thereof into the local vernacular to be published in every town and village in the neighbourhood of the forest.

Power to revise arrangement made under section 15 or section 18. 22. The Provincial Government may, within five years from the publication of any notification under section 20, revise any arrangement made under section 15 or section 18, and may for this purpose rescind or modify any order made under section 15 or section 18, and direct that any one of the proceedings specified in section 15 be taken in lieu of any other of such proceedings, or that the rights admitted under section 12 be committed under section 16.

No right acquired over reserved forest, except as here provided. 23. 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 Crown or some person in whom such right was vested when the notification under section 20 was issued.

Rights not to be alienated without sanction. 24. (1) Notwithstanding anything contained in section 23, no right continued under clause (c) of sub-section (2) of section 15 shall be alienated by way of grant, sale, lease, mortgage or otherwise, without the sanction of the Provincial 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.

(2) 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 14.

Power to stop ways and water-courses in reserved forest. 25. The Forest officer may, with the previous sanction of the Provincial Government or of any officer duly authorized by it in this 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 Provin-

cial Government deems to be reasonably convenient, already exists, or has been provided or constructed by the Forest officer in lieu thereof.

26. (1) Any person who—

Acts prohibited in such forests.

- (a) makes any fresh clearing prohibited by section 5, or ...
- (b) sets fire to a reserved forest or to a forest land, in respect of which a notification declaring the decision of the State Government to constitute it as reserved forest has been issued under section 4 or in contravention of any rule made by the State Government in this behalf, kindles in any such forests a fire burning in such manner as to endanger such a forest;
- (c) kindles, keeps or carries any fire except at such seasons as the forest officer may notify in this behalf;
- (d) trespasses or pastures cattle, or permits Cattleto trespass;
- (e) causes any damage by negligence in felling any tree or cutting or removing any timber;
- (f) fells, girdles, lops, taps or burns any tree or strips of the bark or leaves from, or otherwise damages the same or any forest produce;
- (g) quarries stone, burns lime or charcoal, collects, subjects to any manufacturing process, or removes any forest produce;
- (h) clears or breaks up any land for cultivation or attempts to cultivate any land in any other manner and in contravention of any rules made in this behalf by the State Government;
- (i) hunts, shoots, fishes, poisons water or sets traps or snares; or
- (j) in any area in which the Elephants, Preservation Act, 1879 (VI of 1879), is not in force, kills or catches elephants in contravention of any rules so made;

shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand 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 Officers, or under any rule made by the State Government; or

(b) the exercise of any right continued under clause (c) of sub-section (2) of section 15 or created by grant or contract in writing made by or on behalf of the Government under section 23.

(3) whenever fire is caused wilfully or by gross negligence in a reserved forest, the State 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.

Power to declare forest no longer reserved.

27. (1) The Provincial Government may, by notification in the local official Gazette, 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.

(2) 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.

Formation of village forests.

CHAPTER III.—OF VILLAGE FORESTS

28. (1) The Provincial Government may 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.

(2) The Provincial Government may 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.

(3) All the provisions of this Act relating to reserved forests shall (so far as they are not inconsistent with the rules so made) apply to village forests.

CHAPTER IV.—OF PROTECTED FORESTS

29. (1) The Provincial Government may by notification ^{Protected forests.} 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.

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

(3) 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 Provincial 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 Provincial Government thinks that such inquiry and record are necessary, but that they will occupy such length of time as in the meantime to endanger the rights of Government, the Provincial 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.

30. The Provincial Government may, by notification in ^{Power to issue notification reserving trees, etc.} the local official Gazette—

- (a) declare any trees or class of trees in a protected forest to be reserved from a date fixed by the notification;
- (b) declare that any portion for such forest specified in the notification shall be closed for such term not exceeding thirty years, as the Provincial 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 ; or

- (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, of any land in any such forest.

Publication of translation of any such notification in neighbourhood.

31. The Collector shall, cause a translation into the local vernacular of every notification issued under section 30 to be affixed in a conspicuous place in every town and village in the neighbourhood of the forest comprised in the notification.

Power to make rules for protected forests.

32. The Provincial Government may make rules to regulate the following matters, namely :—

- (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 licences to the inhabitants of towns and villages in the vicinity of protected forests to take trees, timber or other forest produce for their own use, and the production and return of such licences by such persons ;
- (c) the granting of licences 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 licences by such persons ;
- (d) the payments, if any, to be made by the persons mentioned in clauses (b) and (c) 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 ;

- (h) the protection from fire of timber lying in such forests and of trees reserved under section 30
- (i) the cutting of grass and pasturing of cattle in such forests ;
- (j) hunting, shooting, fishing, poisoning water and setting traps or snares in such forests, and the killing or catching of elephants in such forests in areas in which the Elephants' Preservation Act, 1879 [VI of 1879], is not in force ;
- (k) the protection and management of any portion of a forest closed under section 30 ; and
- (l) the exercise of rights referred to in section 29.

33. (1) Any person who commits any of the following offences, namely :—

Penalties for acts in contravention of notification under section 30 or of rules under section 32.

- (a) fells, girdles, lops, taps or burns any tree reserved under section 30, or strips off the bark or leaves from, or otherwise damages, and such tree; or forest produce
- (b) contrary to any prohibition under section 30, 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 30, clears or breaks up any land for cultivation or for any other purpose, or cultivates or attempts to cultivate any land in any other manner 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 tree reserved under section 30, whether standing, fallen or felled, or to any closed portion of such forest;
- (e) leaves burning any fire kindle by him in the vicinity of any such tree or closed portion ;

- (f) fells any tree or removes any timber so as to damage any tree reserved as aforesaid ;
- (g) permits cattle to damage any such tree ;
- (h) infringes any rule made under section 32 ; shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees, or with both.

(2) Whenever fire is caused wilfully or by gross negligence in a protected forests, the State 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.

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

34. 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 32, or, except as regards any portion of a forest closed under section 30, or as regards any rights the exercise of which has been suspended under section 33, in the exercise of any right recorded under section 29.

Power to declare forests no longer protected.

34-A. (1) The State Government may, by notification, direct that from a date fixed in that behalf by such notification, any forest or portion thereof protected under this Act, shall cease to be a protected forest.

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

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

Protection of forests for special purposes.

35. (1) The Provincial Government may, 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 ; or

(c) the firing or clearing of the vegetation ;

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

(i) for protection against storms, winds, rolling stones, floods and avalanches ;

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

(iii) for the maintenance of a water-supply in springs, rivers and tanks ;

(iv) for the protection of roads, bridges, railways and other lines of communication ;

(v) for the preservation of the public health.

(2) The Provincial 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.

(3) No notification shall be made under sub-section (1) nor shall any work be begun under sub-section (2), 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, as the case may be, 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 Provincial Government.

36. (1) 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 Provincial Government may, after notice in writing to the owner of such forest or land and after considering

Power to assume management of forests.

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.

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

Expropriation of forests in certain cases.

37. (1) In any case under this Chapter in which the Provincial 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 Provincial Government may proceed to acquire it in the manner provided by the Land Acquisition Act, 1894 [1 of 1894].

(2) 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 forests or land shall be acquired for public purposes, and the Provincial Government shall acquire such forest or land accordingly.

Protection of forests at request of owners.

38. (1) 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 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.

(2) In either case the Provincial 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.

CHAPTER VI.—OF THE DUTY ON TIMBER AND OTHER FOREST PRODUCE

Power to duty on and other produce.

impose timber forest

39. (1) The Central Government may levy a duty in such manner, at such places and at such rates as it may declare by notification in the local official Gazette on all timber or other forest produce—

(a) which is produced in British India, and in respect of which the Crown has any right ;

(b) which is brought from any place outside British India.

(2) In every case in which such duty is directed to be levied **ad valorem**, the Central Government may fix by like notification the value on which such duty shall be assessed.

(3) All duties on timber 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 Provincial Government, shall be deemed to be and to have been duly levied under the provisions of this Act.

(4) Until provision to the contrary is made by the Central Legislature, any Provincial Government which was immediately before the commencement of Part III of the Government of India Act, 1935, levying a duty on any timber or other forest produce produced in that Province may continue to levy that duty on such timber or forest produce :

Provided that nothing in this sub-section authorizes the levy of any duty which as between timber or other forest produce of the Province and similar produce of the locality outside the Province, discriminates in favour of the former, or which, in the case of timber or other forest produce of localities outside the Province, discriminates between timber or other forest produce of one locality and similar timber or other forest produce of another locality.

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 VII—OF THE CONTROL OF TIMBER AND OTHER FOREST PRODUCE IN TRANSIT

41. (1) The control of all rivers and their banks 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 Provincial Government, and it may make rules to regulate the transit of all timber and other forest produce.

Power to make rules to regulate transit of forest produce.

(2) In particular and without prejudice to the generality of the foregoing power such rules may—

(a) prescribe the routes by which alone timber or other forest produce may be imported, exported or moved into, from or within the Province :

- (b) prohibit the import or 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 therefore ;
- (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 the Crown 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 depot 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 affixed to it; and the condition under which such timber or other produce shall be brought to, stored at and removed from such depots;
- (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, brush-wood, branches or leaves into any such river or any act which may cause such river to be closed or obstructed;
- (g) provide for the prevention or 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 sawpits, the converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same, or 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.

(3) The Provincial 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.

41-A. Notwithstanding anything in section 41, the Central Government may make rules to prescribe the route by which alone timber or other forest produce may be imported, exported or moved into or from British India across any customs frontier as defined by the Central Government, and any rules, made under section 41 shall have effect subject to the rules made under this section

Powers of Government as to movements of timber across frontier. Central Government as to customs

42. (1) The State Government may by such rules prescribe any penalties for the contravention thereof imprisonment for a term which may extend to one year or fine which may extend to one thousand rupees, or both.

Penalty for breach of rules made under section 41.

(2) Such rules may provide that penalties which are double of those mentioned in sub-section (1) may be inflicted in cases where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful authority, or where the offender has been previously convicted of a like offence.

43. The Crown shall not be responsible for any loss or damage which may occur in respect of any timber or other forest produce while at a depot 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.

Government and Forest officers not liable for damage to forest produce at depot.

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

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

CHAPTER VIII.—OF THE COLLECTION OF DRIFT
AND STRANDED TIMBER

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

45. (1) All timber found adrift, beached, stranded or sunk; all wood or timber bearing marks which have not been registered in accordance with rules made under section 41, or on which the marks have been obliterated, altered or defaced by fire or otherwise; and in such areas as the Provincial Government directs, 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.

(2) 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 any depot which the Forest officer may notify as a depot for the reception of drift timber.

(3) The Provincial Government may, by notification in the local official Gazette exempt any class of timber from the provisions of this section.

Notice to claimants of drift timber.

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.

Procedure on claim preferred to such timber.

47. (1) 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.

(2) 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.

(3) 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 Crown, 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.

(4) 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.

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 fixed 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 fixed 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.

Disposal of unclaimed 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.

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

50. No person shall be entitled to recover possession payments to be made by claimant before timber is delivered to him 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 under section 51.

51. (1) The Provincial Government may make rules to regulate the following matters namely :—

Power to make rules and prescribe penalties.

- (a) the salving, collection and disposal of all timber mentioned in section 45;
- (b) the use and registration of boats used in salving and collecting timber;
- (c) the amounts to be paid for salving, collecting, moving, storing or disposing of such timber, and
- (d) the use and registration of hammers and other instruments to be used for marking such timber.

(2) The Provincial Government may prescribe, as penalties for the contravention of any rules made under this section imprisonment for a term which may extend to one year, or fine which may extend to one thousand rupees or both.

CHAPTER IX.—PENALTIES AND PROCEDURE

Seizure of property liable to confiscation.

52. (1) 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, vehicles or cattle used in committing any such offence may be seized by any Forest officer or Police officer.

(2) 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:

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

Power to release property seized under section 52.

53. Any Forest officer of a rank not inferior to that of a Ranger who, or whose subordinate has seized any tools, boats, vehicles or cattle under section 52, may release the same on the execution by the owner thereof of a bond for the production of the property so released, if any when so required, before the Magistrate having jurisdiction to try the offence on account of which the seizure has been made.

Procedure thereupon.

54. 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.

55. (1) 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, vehicles and cattle used in committing any forest offence, shall be liable to confiscation.

(2) 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.

56. 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.

57. 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;

Procedure when offender not known, or cannot be found.

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.

58. The Magistrate may, notwithstanding anything herein-before contained, direct the sale of any 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.

Procedure as to perishable property seized under section 52.

59. 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 55, section 56 or section 57, 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 order under section 55, section 56 or section 57.

60. When an order for the confiscation of any property has been passed under section 55 or section 57, as the case may be, and the period limited by section 59 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 encumbrances.

Property when to vest in Government.

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

Saving of Power to release property seized.

62. 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 punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.

Punishment for wrongful seizure.

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

63. 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 Code [XLV of 1860]—

- (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 punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Power to arrest without warrant.

64. (1) 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.

(2) Every officer making an arrest under this section shall, without unnecessary delay and subject to the provisions of this Act as to release on bond, take or send the person arrested before the Magistrate having jurisdiction in the case, or to the officer in charge of the nearest police station.

(3) Nothing in this section shall be deemed to authorize such arrest for any act which is an offence under Chapter IV unless such act has been prohibited under clause (c) of section 30.

Power to release on a bond a person arrested.

65. Any Forest officer of a rank not inferior to that of a Ranger, who, or whose subordinate, has arrested any person under the provisions of section 64, may release such person on his executing a bond to appear, if and when so required, before the Magistrate having jurisdiction in the case or before the officer in charge of the nearest police station.

Power to prevent commission of offence.

66. Every Forest officer and Police officer shall prevent, and may interfere for the purpose of preventing, the commission of any forest offence.

67. The District Magistrate or any Magistrate of the first class especially empowered in this behalf by the Provincial Government may try summarily, under the Code of Criminal Procedure, 1898 [V of 1898], any forest offence punishable into imprisonment for a term not exceeding one year, or fine not exceeding one thousand rupees, or both. ^{Power to try offences summarily.}

68. (1) The Provincial Government may, by notification in the local official Gazette, empower a Forest officer— ^{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 62 or section 63; 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 released, and no further proceedings 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 clause (a) of subsection (1) shall in no case exceed the sum of five hundred rupees.

69. 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. ^{Presumption that forest produce belongs to Government.}

CHAPTER X.—CATTLE TRESPASS

70. 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 section 11 of the Cattle Trespass Act, 1871 [I of 1871], and may be seized and impounded as such by any Forest Officer or Police Officer. ^{Cattle Trespass Act, 1871, to apply.}

Power to alter
fines fixed
under that
Act.

71. The Provincial Government may, by notification in the local official Gazette, direct that, in lieu of the fines fixed under section 12 of the Cattle Trespass, Act, 1871 [I of 1871], there shall be levied for each head of cattle impounded under section 70 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 rupees.

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.

CHAPTER XI.—OF FOREST OFFICERS

Provincial
Government
may invest
Forest officers
with certain
powers.

72. (1) The Provincial Government may invest any Forest officer with all or any of the following powers, that is to say :

- (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 and material objects ;
- (c) power to issue a search warrant under the Code of Criminal Procedure, 1898 [V of 1898]; and
- (d) power to hold an inquiry into forest offences, and in the course of such inquiry, to receive and record evidence.

(2) Any evidence recorded under clause (d) of subsection (1) shall be admissible in any subsequent trial before a Magistrate, provided that it has been taken in the presence of the accused person.

Forest officers
deemed public
servants.

73. All Forest officers shall be deemed to be public servants within the meaning of the Indian Penal Code [XLV of 1860].

Indemnity for
acts done in
good faith.

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

Forest officers
not to trade.

75. Except with the permission in writing of the Provincial 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 or outside British India.

CHAPTER XII.—SUBSIDIARY RULES

76. The Provincial Government may make rules— Additional powers to make rules.
- (a) to prescribe and limit the powers and duties of any Forest officer under this Act;
 - (b) to regulate the rewards to be paid to officers and informers out of the proceeds of fines and confiscation 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.

77. Any person contravening any rule under this Act, Penalties for breach of rules. for the contravention of which no special penalty is provided, shall be punishable with imprisonment for a term which may extend to six months, or fine which may extend to one thousand rupees, or both.

78. All rules made by the Provincial Government Rules when to have force of law. under this Act shall be published in the local official Gazette, and shall thereupon so far as they are consistent with this Act, have effect as if enacted therein.

CHAPTER XIII.—MISCELLANEOUS

79. (1) Every person who exercises any right in Persons bound to assist Forest officers and Police officers. 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 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 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 forthwith take steps whether so required by any Forest officer or Police officer or not.—

- (a) to extinguish any forest fire in such forest of which he has knowledge or information.

- (b) to prevent by any lawful means in his power any fire in the vicinity of such forest of which he has knowledge or information from spreading to such forest,

and shall assist any Forest officer or Police officer demanding his aid—

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

(2) Any person who, being bound so to do, without lawful excuse (the burden of proving which shall lie upon such person) fails—

- (a) to furnish without unnecessary delay to the nearest Forest officer or Police officer any information required by sub-section (1);
 (b) to take steps as required by sub-section (1) to extinguish any forest fire in a reserved or protected forest;
 (c) to prevent, as required by sub-section (1), any fire in the vicinity of such forest from spreading to such forest; or
 (d) to assist any Forest officer or Police officer demanding his aid in preventing the commission in such forest of any forest offence, or, when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender;

shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees or with both.

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

80. (1) 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 Provincial Government may 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-there-of and the interest of all parties therein.

(2) When the Provincial Government undertakes under clause (a) of sub-section (1) the management of any forest, waste land or produce, it may, by notification in the local official Gazette, declare that any of the provisions contained in Chapters II and IV shall apply to such forest, waste land or produce, and thereupon such provision shall apply accordingly.

80-A. (1) Any person who unauthorisedly takes or remains in possession of any land in areas constituted as reserved or protected forest under section 20 or section 29, as the case may be, without prejudice to any other action that may be taken against him under any other provision of this Act, be summarily ejected by order of a Forest officer not below the rank of Divisional Forest officer and any crop which may be standing on such land or any building or other work which he may have constructed thereon, if not removed by him within such time as such Forest officer may fix, shall be liable to forfeiture :

Penalty for unauthorisedly taking possession of land constituted as reserved or protected forests.

Provided that no order of ejection under this sub-section shall be passed unless the person proposed to be ejected is given a reasonable opportunity of showing cause why such an order should not be passed.

(2) Any property so forfeited shall be disposed of in such manner as the Forest Officer may direct and the cost of removal of any crop, building or other work and of all works necessary to restore the land to its original condition shall be recoverable from such person in the manner provided in section 82.

(3) Any person aggrieved by an order of the Forest Officer under sub-section (1) may, within such period and in such manner as may be prescribed, appeal against such order to the State Government or to such officer as may be authorised by the State Government in this behalf and the order of the Forest Officer shall, subject to the decision in such appeal, be final.

(4) The provisions of this section shall apply to such areas and on such dates as the State Government may, by notification, specify and different dates may be specified for different areas.

81. 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

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

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 Provincial 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 Provincial Government.

Recovery of money due to Government.

82. All money other than fines, payable to State Government under this Act, or under any rules made thereunder or, on account of timber or other forest produce, or under any contract relating to timber and other forest produce including any, sum recoverable thereunder for the breach thereof, or in consequence of its cancellation or under the terms of a notice relating to the sale of timber or other forest produce by auction or by invitation of tenders, issued by or under the authority of a Forest officer and all compensation awarded to the State Government under this Act 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.

Lien on forest produce for such money.

83. (1) 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.

(2) 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.

(3) 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 Government.

Land required under this Act to be deemed to be needed for a public purpose under the Land Acquisition Act, 1894.

84. Whenever it appears to the Provincial 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 section 4 of the Land Acquisition Act, 1894 [1 of 1894].

Recovery of penalties due under bond.

85. When any person, in accordance with any provision of this Act, or in compliance with any rule made thereunder, binds himself by any bond or instrument to perform any duty or act, or covenants by any bond or

perform any duty or act, or covenants by any bond or instrument that he, or that he and his servants and agents will abstain from any act, the whole sum mentioned in such bond or 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, 1872 [IX of 1872], be recovered from him in case of such breach as if it were an arrear of land revenue.

85-A. As from the commencement of Part III of the Government of India Act, 1935, nothing in this Act shall authorise any Provincial Government to make any order or do any other thing in relation to any Crown property not vested in His Majesty for the purposes of that province or otherwise to prejudice any Crown rights, without the consent of the Government or authority concerned.

Saving of rights
of Central
Government.

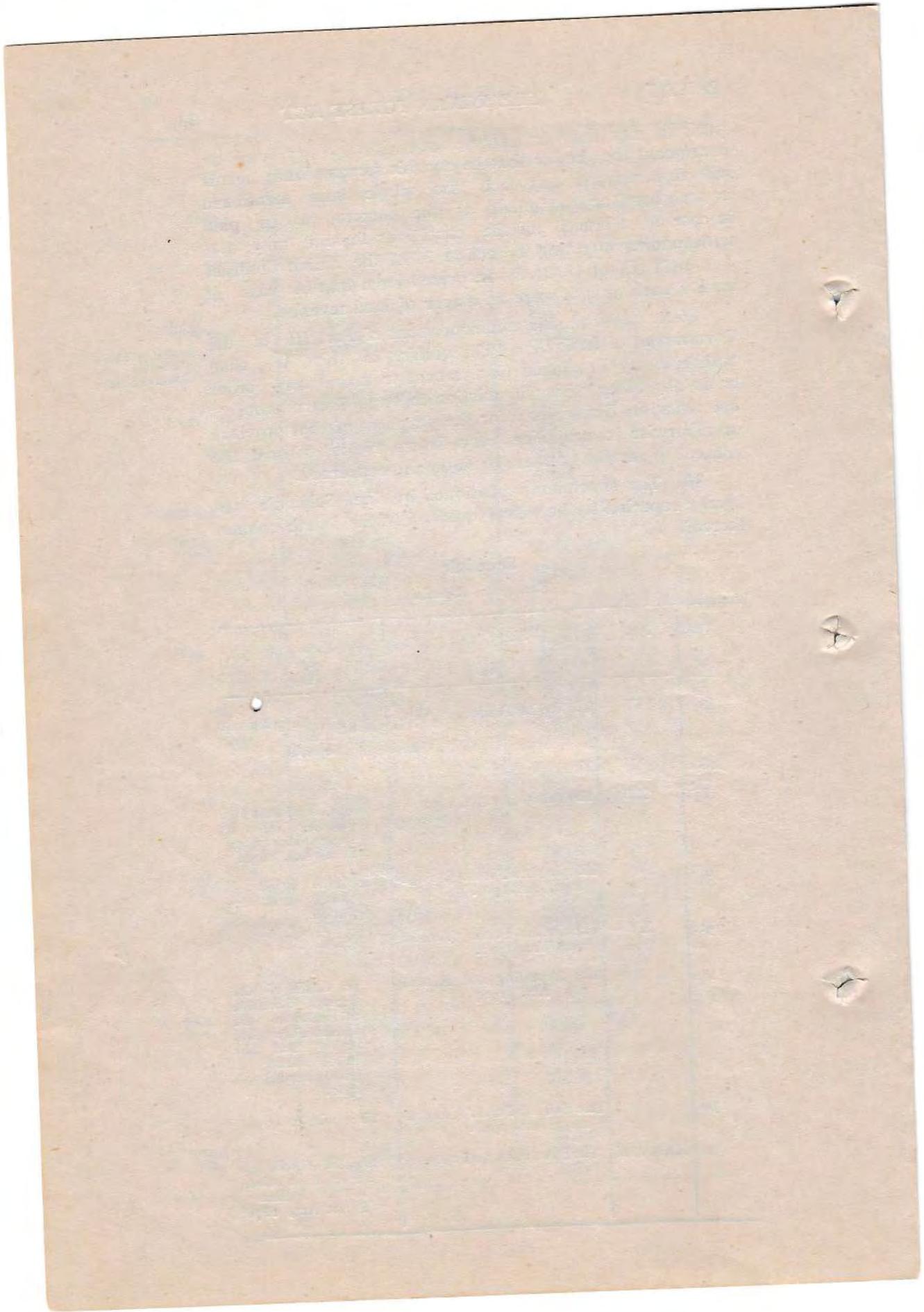
86. The enactments mentioned in the Schedule are hereby repealed to the extent specified in the fourth column thereof.

Repeal

Schedule

Enactments Repealed

Year (1)	No. (2)	Short title (3)	Extent of repeal (4)
1878	VII	The Indian Forest Act, 1878	So much as has not already been repealed
1890	V	The Forest Act, 1890	Do.
1891	XII	The Amending Act, 1891	So much of Part I of schedule II as relates to the Indian Forest Act, 1878.
1901	V	The Indian Forest (Amend- ment) Act, 1901.	So much as has not already been re- pealed.
1911	XV	The Indian Forest (Amend- ment) Act, 1911.	Do.
1914		The Repealing and Amend- ing Act, 1914	So much of the Second Schedule as relates to the Indian Forest Act 1878 and the Indian Forest (Amendment) Act 1901.
1918		The Indian Forest (Amend- ment) Act, 1918.	The whole.
1920	XXXVIII	The Develution Act, 1920	So much of Schedule I part I as relates to the Indian Forest Act, 1878.



PART II

Organization of the Forest Department

**Amendments of Forest Manual, Volume I, Fifth Edition
(Reprint of 1949)**

No. 292, dated Nagpur, the 18th May 1953.

**CHAPTER I.—CONSTITUTION OF ADMINISTRATIVE
AND EXECUTIVE CHARGES**

General Adminis-
tration.

1. The General Forest Administration of Madhya Pradesh is in charge of the Chief Conservator of Forests, whose headquarters are at Nagpur.

Circles

2. There are five Territorial Circles in charge of Conservators viz., the Northern, Central, Western, Eastern and Southern Circles with headquarters at Jabalpur, Nagpur, Amravati Camp, Bilaspur and Raipur respectively.

NOTE.—The headquarters of Conservator of Forests, Eastern Circle, is at Raipur for a period of one year from 1st April 1953.

3. The Territorial Circles are divided into the following Territorial Divisions in charge of Divisional Forest Officers:—

Circle	Territorial Division.
1. Northern	Jabalpur, Mandla, Sagar, Balaghat and Seoni.
2. Central	Nagpur-Wardha, Chhindwara, Satpura, Bhandara, North Chanda, South Chanda and East Chanda.
3. Western	Amravati, Yeotmal, West Berar, Nimar, Hoshangabad and Betul.
4. Eastern	Korea, Surguja, Jashpur, Raigarh, Bilaspur and North Bilaspur.
5. Southern	South Raipur, North Raipur, Durg, Kanker, North Bastar, South Bastar and Bindranagarh.

Forest Ranges.

4. The Forest Divisions are composed of the following Forest Ranges:—

Division.	Range	
	Name	Headquarters
(1)	(2)	(3)
	Northern Circle.	
1. Jabalpur	1. Dhanwahi	... Barela.
	2. Narayanganj	... Tikaria.
	3. Murwara	... Katni.
	4. Jabalpur	... Jabalpur.
	5. Tendukhera	... Tendukhera.
	6. Taradehi	... Taradehi.
	7. Singrampur	... Singrampur.

Division (1)	Range	
	Name (2)	Headquarters (3)
Northern Circle—cont.		
2. Mandla ...	1. Banjar ... 2. Jagmandal ... 3. Motinala ... 4. Dindori ... 5. Sarastal ... 6. Mandla ...	Kisli (from November to 16th June). Bamhani (16th June to October). Anjanla. Bichhla. Dindori. Shahpura. Mandla.
3. Sagar. ...	1. Fatepur ... 2. Damoh ... 3. Khurai ... 4. Banda ... 5. Sagar ... 6. Rehli ... 7. Deori ...	Hatta. Damoh. Sagar. Banda. Sagar. Rehli. Deori.
4. Balaghat ...	1. Supkhar ... 2. Waraseoni ... 3. Lamta ... 4. Balaghat ... 5. Baihar ... 6. Lanji ... 7. Bisra-Damoh (Zamindari). ...	Garhi. Waraseoni. Lamta. Balaghat. Baihar. Lanji. Damoh.
5. Seoni ...	1. Korai ... 2. Ganginala ... 3. Seoni ... 4. Chhapara ... 5. Dhuma ... 6. Narmada ... 7. Narsimhapur ...	Ari. Khawasa. Seoni. Chhapara. Dhuma. Ghansote. Narsimhapur.
Central Circle.		
1. Nagpur-Wardha	1. East Pench ... 2. West Pench ... 3. Umrer ... 4. Kondhali ... 5. Hingni ... 6. Arvi ...	Ramtek. Khapa. Umrer. Kondhali. Hingni. Arvi.
2. Chhindwara ...	1. Sillewani ... 2. Umreth ... 3. Sank ... 4. Ambara ... 5. Amarwara ...	Chhindwara. Umreth. Chaural. Sausar. Amarwara.
3. Satpura ...	1. Tamia ... 2. Damua ... 3. Harrai ... 4. Batka Khapa ...	Tamia. Damua. Harrai. Batka Khapa.
4. Bhandara ...	1. Tirora ... 2. Bhandara ... 3. Bawanthari ... 4. Pertabgarh ... 5. Wainganga ... 6. Gondia ... 7. Sakoli ...	Tirora. Bhandara. Tumsar. Arjuni (Moregaon). Paoni. Gondia. Sakoli.

Division (1)	Range	
	Name (2)	Headquarters. (3)
5. North Chanda	Central Circle—cont.	
	1. Warora ...	Warora.
	2. Moharli ...	Moharli.
	3. Chanda ...	Chanda.
	4. Mul ...	Mul.
	5. Sindewahi ...	Sindewahi.
	6. Brahmapur ...	Nagbhir.
6. South Chanda ..	1. Dhaha ...	Kothari.
	2. Markhanda ...	Markhanda.
	3. Pedigundam ...	Gomani.
	4. Allapalli ...	Allapalli.
	5. Sironcha ...	Sironcha.
	6. Aheri ...	Allapalli.
	7. Primili ...	Allapalli.
	8. Bhamragarh ...	Bhamragarh.
	9. N. Repanpalli ...	Kamlapur.
7. East Chanda ...	1. Palagarh ...	Wadsa.
	2. Khutgaon ...	Gadchiroli.
	3. Dhanora ...	Dhanora.
	4. Walvagarh ...	
	Western Circle.	
1. Amravati ...	1. Chaurakund ...	Harisal.
	2. Khandu ...	Bhainsdehi.
	3. Sembadoh ...	Sembadoh.
	4. Chikalda ...	Chikalda.
	5. Gugamal ...	Tarubanda.
	6. Khirpani ...	Akot.
	7. Amaravati ...	Wadali.
	8. Morsi ...	Morsi.
2. Yeotmal ...	1. Yeotmal ...	Yeotmal.
	2. Darwaha ...	Darwaha.
	3. Kelapur ...	Pandharkaoda.
	4. Wani ...	Wani.
	5. Kinwat ...	Bittargaon.
	6. Pusad ...	Pusad.
	7. Ghatanji ...	Ghatanji.
	8. Umardhed ...	Umardhed.
3. West Berar ..	1. Balapur ...	Medsi.
	2. Morna ...	Akola.
	3. Murtejapur ...	Karanja.
	4. Chikhli ...	Khamgaon.
	5. Mehkar ...	Mehkar.
	6. Jalgaon ...	Jalgaon.
4. Nimar ...	1. Khandwa ...	Khandwa.
	2. Punasa ...	Punasa.
	3. Chandgarh ...	Balri.
	4. Singaji ...	Chhanera.
	5. East Kalibhit ...	Khirkiya.
	6. West Kalibhit ...	Khalwa.
	7. Mandwa ...	Borgaon.
	8. Asingarh ...	Burhanpur.
	9. Burhanpur ...	Burhanpur.

Division	Range	
	Name	Headquarters.
(1)	(2)	(3)
	Western Circle—cont	
5. Hoshangabad	1. Bori 2. Sohagpur. 3. Hoshangabad. 4. Seoni. 5. Rahatgaon. 6. Magardha. 7. Khairi. 8. Makrai.	Kesla. Sohagpur. Itarsi. Seoni-Maiwa. Rahatgaon. Magardha. Barha. Makrai.
6. Betul	1. Asir. 2. Amla. 3. Betul. 4. Bhawargarh. 5. Saonligarh 6. Tapti. 7. Dabka 8. Sawalmendha	Bhaura. Amla. Betul. Shahpur. Chicholi. Chicholi. Morsi. Paratwada.
	Eastern Circle.	
1. Korea	1. Baikunthpur 2. Manendragarh 3. Chirmiri 4. Kotadol 5. Ramgarh 6. Janakpur	Baikunthpur. Manendragarh. Chirmiri. Kotadol. Sonhat. Janakpur.
2. Surguja	1. Ambikapur 2. Surajpur 3. Sitapur 4. Lakhanpur 5. Ramanujganj 6. Pratappur 7. Kusmi 8. Raghunathnagar	Ambikapur. Surajpur. Sitapur. Lakhanpur. Ramanujganj. Pratappur. Kusmi. Chul.
3. Jashpur	1. Khudia 2. Nagar 3. Narainpur 4. Kunjara 5. Tapkara	Sanna. Jashpurnagar. Narainpur. Kunjara. Tapkara.
4. Raigarh	1. Raigarh 2. Gharghoda 3. Lallunga 4. Kharsia 5. Udaipur 6. Pathalgaon 7. Chhal 8. Sarangarh	Beladula. Gharghoda. Lallunga. Kharsia. Dharamjaigarh. Pathalgaon. Kudekela. Sarangarh.
5. Bilaspur	1. Kota 2. Lormi 3. Baloda 4. Karanjia 5. Lamni 6. Pandaria	Kargi Road. Lormi. Baloda. Karanjia. Pendra Road. Pandaria.

Range		
Division	Name	Headquarters
Eastern Circle—cont.		
6. North Bilaspur.	1. Pendra 2. Kendra 3. Korba 4. Katghora	Pendra road. Kota. Korba. Katghora.
Southern Circle		
1. South Raipur	1. Balod 2. Dhamtari 3. Birguri 4. Nagri 5. Risgaon 6. Sitanadi 7. Singpur	Balod. Dhamtari. Birguri. Nagri. Sankra. Sihawa Modhi
2. North Raipur	1. Mahasamund 2. South Loan 3. North Loan 4. Sonakhan 5. Saraipali 6. Pithora.	Mahasamund Bar Nawapara Saraipali Pithora
3. Durg	1. Dongargarh 2. Chhuria 3. Rengakhar 4. Khairagarh 5. Taregaon 6. Kawardha 7. Gandai 8. Panabaras 9. Chawki 10. Dondi-Lohara	Dongargarh. Dongargarh. Rengakhar. Khairagarh. Mohli. Kawardha. Gandai Panabaras. Chawki. Dondi-Lohara.
Kanker	1. Kanker 2. Korar 3. Bhanu Pratappur	Kanker. Korar Bhanuparatappur
5. North Bastar	1. Jagdalpur 2. Kondagaon 3. Antagarh 4. Keskal 5. North Kanger 6. South Kanger 7. Narainpur 8. Daudai 9. Makdi.	Jagdalpur Kondagaon Antagarh Keskal Jagdalpur. Jagdalpur. Narainpur. Narainpur. Kondagaon.
6. South Bastar	1. Dantewada 2. Bhopalpatnam 3. Konta 4. Bijapur 5. Kutru 6. Golapalli 7. Sukma 8. Geedam	Dantewada. Bhopalpatnam. Konta. Bijapur. Bijapur. Golapalli. Sukma. Geedam.
7. Bindranawa- garh.	1. Gariaband 2. Chhura 3. East Mainpur 4. West Mainpur	Gariaband Chhura Mainpur Mainpur

CHAPTER II.—POSITION AND DUTIES OF
SUPERIOR OFFICERS

5. (1) The Chief Conservator is the local head of the Forest Department and the technical adviser of the Provincial Government in forest matters. He is not a Secretary to Government and refers all matters which require the orders of higher authority to the Secretary to Government dealing with the subject. He will act as the channel of communication on matters which, Conservators refer to him and on which he is not empowered to pass final orders; and he will be consulted, when necessity arises, by the Secretary on forest matters which Conservators or others refer to the Secretariat direct. He will address the Provincial Government officially on his own initiative on question of forest policy, regarding posting of the All-India and subordinate forest services, and on such technical matters as he may desire to bring to the notice of the Provincial Government.

The Chief Conservator of Forests

(2) The Chief Conservator is empowered to deal on his own authority with—

- (a) professional questions, such as working plans, fire protection and silvicultural operations, generally;
- (b) questions relating to the clerical and subordinate executive establishments; and
- (c) such other matters within the powers delegated to him as a head of department, or the special orders contained in this Manual or the book of financial powers.

On all such matters Conservators will address communications to the Chief Conservator. Communications on matters other than those referred to above may, unless the Provincial Government by general or special order otherwise directs be addressed to the Provincial Government by Conservators through the Chief Conservator or if they deal with the subjects referred to in paragraph 10 through the Commissioner of the Division. Conservators should refer direct to the Provincial Government only such cases as require urgent orders and in such case will, at the same time, send copies of their letters to the Chief Conservator. All orders passed by the Provincial Government on forest matters will be shown or communicated to the Chief Conservator.

It is regarded as a matter of great importance that the Chief Conservator's duties as the principal adviser of Government in forest matters should in no way interfere with the duties of inspection and touring imposed on him as head of the Forest Department.

(3) Correspondence with the Inspector-General of Forests in all professional matters will be conducted by the Chief Conservator of Forests.

(4) The Chief Conservator will supervise the framing of new working plans (and will deal finally with all preliminary reports) and will issue final orders for the formal compilation of the plan.

When a working plan has been so drawn up he will forward it with his remarks to the Provincial Government who will pass orders on the plan.

(5) The Chief Conservator will supervise and control the systems of the conservancy and methods of silvicultural improvements in vogue with a view to securing continuity of policy throughout the province. He will control all sales of Government timber, arrange for indents and supplies, such as railway and ordnance demands, supervise the collection of all economic products, and the conduct of forest research in communication with the President of the Imperial Forest Research Institute.

(6) In the general duties of the Chief Conservator will be included the consolidation of the budget and appropriation proposals for the consideration of Government.

(7) Annual Forest Administration Reports of the Circles will be prepared separately by the Conservators and the Annual Report of Working Plans and Research by the Silviculturist under the direction of the Chief Conservator of Forests, and submitted to the Chief Conservator.

The Annual Forest Administration Report of the Province will be prepared by the Chief Conservator of Forests and submitted to the Provincial Government.

(8) The Chief Conservator, of Forests will inspect his office.

6. (1) It is the duty of the Conservator to make frequent tours of inspection and to visit once a year as many of the forests under his control as possible. During

These tours the following points should receive particular attention, and if necessary, be especially reported on to the Provincial Government:—

- (1) **Survey and Settlements**, made or in progress and their cost, extent to which they are still required; nature and adequacy of the maps and settlement records prepared; results of working under the settlements in force.
 - (2) **Working plans**, already made or in progress and their cost, extent to which plans are still required; results of working of plans in force.
 - (3) **Forest boundaries**, their nature and state of repair, demarcation work in progress and its cost, demarcation work still to be done.
 - (4) **Roads, buildings and other similar works**, in existence or under construction, their cost, state or repair, new roads, buildings, or other works required.
 - ✓(5) **Executive and protective staff**, efficiency, state discipline, etc.
 - (6) **Conditions of the forests**, the methods of treatment employed; natural reproduction, causes which interfere with it, etc.
 - (7) **Protection of the forests from injury**, by man, by cattle, by fires, etc., breaches of the forest rules, their frequency and causes.
 - (8) **Works of reproduction and cultural improvements**, extent, condition, and cost of plantations made, condition of nurseries; new sowings or plantings required; thinnings, creeper-cutting, etc., extent to which carried on and required.
 - (9) **Method of working and management in force**, advantage, or otherwise of these methods, expenditure incurred on them; outturn of the forests and financial results.
 - (10) **Timber depots**, their situation and adequacy, condition in which kept; state of the records, kept up in connection with them, etc.
- (2) The Conservator should further see that all money transactoins are conducted in accordance with the rules in force; and he should examine the cost of current works, as well as of those which have been spread over several years. He should also ascertain that the Divisional Officer and other members of the controlling staff are conversant with

their duties, that discipline is maintained, and that work is properly supervised.

✓(3) The Conservator will fix the headquarters of ranges.

(4) The Conservator should inspect every divisional office once a year. The full inspection report will be submitted to the Chief Conservator and an extract relating to accounts matters to the Accountant-General.

The Divisional
Officer.

7. (1) Responsibility for the effective check and control of divisional accounts both in respect of revenue and expenditure, and for proper management of the forest business of his division rests with the Divisional Officer.

(2) For this purpose he will undertake extensive tours of inspection of the forest areas and also inspect the range offices if possible twice a year and pass vendors' offices once a year.

The Sub-Divisional
Officer.

8. (1) A Sub-Divisional Officer is an officer in charge of a territorial unit composed of one or several ranges.

(2) The Sub-Divisional Officer will keep in constant and regular touch with the Divisional Officer and inform him of the general progress and special or unusual events in the sub-division.

(3) He will be responsible for the proper management of his charge.

(4) He will apply through the range officer the prescription of the working plan and orders issued thereunder by the Divisional Officer and satisfy himself by inspection and check that the coupes are correctly laid out and marked.

(5) He will inspect and check the works prescribed in the annual plan of operation or by supplementary orders and satisfy himself that they are carried out punctually and economically and that they have been paid for.

(6) The stores, tools and plant also live and dead stock, buildings and roads in the sub-division are in his charge and he will see that they are properly used and report cases of loss, damage and depreciation to the Divisional Officer.

(7) The depots of forest produce whether regular depots or forest coupes or areas in which forest produce is

collected or cut are in his charge and he will see to the protection of such produce.

(8) He will be responsible for the collection and remittance of revenue and for this purpose will check the vendors' offices and see to the punctual payment of kists and the adequate safe-guarding of unremitted revenue in the hands of vendors and in transit to the treasury.

(9) He will be responsible for the proper protection of the forests against fire, encroachments, trespass, illicit fellings and grazing and report all cases of forest offences to the Divisional Officer in so far as he is not competent to deal with them himself.

(10) He will be responsible for the proper discipline of the range staff and report all breaches of rules to the Divisional Officer.

(11) He will see to the good management of forest villages, protect them from exactions and enquire into and report their needs for taccavi, education, sanitation and medical or veterinary aid.

(12) He will enquire into and report on cases of friction between the general public and the staff and grievances or complaints by the public against rules or the manner of enforcing them.

(13) The following procedure is therefore laid down for the sub-divisional business:—

(i) The Sub-Divisional Officer will have no separate office, but will be allowed a clerk.

(ii) He will not be a disburser. He will draw his pay and travelling allowance and that of his clerk and camp followers at the Divisional office. He can arrange for actual disbursement through a Range officer, contingencies will be disbursed at the Divisional office or in the range he is touring in by the Range officer on his written order.

(iii) The monthly accounts will be submitted to him direct by the Range officer. He will scrutinize the expenditure and contingencies and forward to the Divisional office for final check and incorporation. His check will extend to the comparison of an expenditure with the

annual plan of operations to ensure proper progress. Lump sum payments for works such as repairs to roads and buildings require his special attention and he should not hesitate to disallow any items of expenditure concerning which he entertains any doubt. He should also see that his Range officers do not leave disbursements to their assistants which they could have made themselves. His financial responsibility does not end there. He must still exercise the supervision prescribed in (4) above. ...

- (iv) He will maintain two registers of compounded case. The case will be numbered consecutively and the registers will be used in alternate months. At the end of the first, third, fifth, etc., month the first register will be forwarded to the Divisional Officer for scrutiny and completion of entries regarding recoveries and return to the Sub-Divisional Officer before the end of the second, fourth, sixth, etc., month. The second register will be used for the second, fourth, and sixth, etc., month and dealt with on the same lines.
- (v) As regards revenue accounts, he will check stocks, inspect the depot forms and all objection statements to vendors and depot officers will pass through him.
- (vi) He will inspect stores, tools and plant, also live and dead stock buildings and roads at range quarters and in the course of his tour, note on defects, losses adequacy and suitability, need of improvement and repair.
- (vii) The state of taccavi recoveries will be specially noted on by him in the course of his touring.
- (viii) All correspondence with the Divisional Forest Officer and Range officer will be by no means of memos. and orders to Range officers and Range subordinates should as far as possible be entered in their note books. He should endeavour to curtail correspondence by keeping in personal touch with the Divisional Officer.

(ix) All disciplinary action taken by the Sub-Divisional Officer will be reported promptly to the Divisional Officer.

(x) The leave ledgers of the Range staff are maintained in the Divisional office and before granting leave which he is competent to sanction he must obtain the accountant's report. He will maintain a register of casual leave granted.

The following powers may be delegated by Divisional Forest Officers to Sub-Divisional Officers and Divisional Assistants who are members of the Provincial Forest Service :—

Serial No. (1)	Nature of power (2)	Limit or restriction (3)	Remarks (4)
1	To appoint on probation and accept the resignation of Beat Guard and Menials.		Action to be reported to Divisional Forest Officer.
2	Posting and transfer of Beat Guards within the Sub-Division.	Except Beat Guards acting as Range Assistants.	Do.
3	Suspension of any member of the subordinate service, Range and Sub-Divisional Clerks.	Except Officers.	Range
4	To grant leave to Range Clerks and Sub-Divisional Clerks, Beat Guards and Menials	All kinds of leave except special disability leave and leave out of India.	
5	To grant casual leave to all non-gazetted officers serving under them.		
6	To sanction advances of travelling allowance on transfer to their subordinates.		
7	To sanction ordinary expenditure and usual payments within budget limits.		

NOTE.—Conservators may authorize any attached officer who has passed the departmental examinations in Forest Law, Land Revenue and Procedure and Accounts to exercise any of these powers and any Forest Ranger who is appointed Sub-Divisional Officer or Divisional Assistant without promotion to the Provincial Forest Service to exercise any of these powers except that mentioned in serial No. 3.

9. The management of Government forests in a The Deputy district is entrusted to the Divisional Officer subject to the Commissioners The Deputy Commissioner general supervision of

the Deputy Commissioner. To facilitate this general supervision it is incumbent on the Divisional Officer to keep the Deputy Commissioner informed of all important matters affecting the general forest administration of the district.

It is impossible to draw a hard and fast line between questions of a technical and those of a general or administrative character. But in matters primarily of a technical kind the Deputy Commissioner will not be expected to interfere. His responsibility chiefly consists in seeing—

- (1) that full effect is given to the forest policy of Government so far as that is directed to providing from reserved forests conveniences to which the public is reasonably entitled;
- (2) that the forest revenue is safeguarded, but that at the same time the interests of the public are not sacrificed to considerations of revenue;
- (3) that the forest administration is carried on without un-due hardship to the people of the district.

In addition to information communicated by the Divisional Officer and informal discussions with the officer, the Deputy Commissioner has the following means of informing himself on the administration of the Forest Department :—

- (a) Study of the working plan.—The plan besides prescribing the methods of exploitation and conservation of the forest includes a discussion by the revenue officer associated with the Working Plans Officer under paragraphs 71 to 73 of the Manual as to the requirements of the local population, and the extent to which they are met by the plan together with the orders of the Provincial Government on this subject.
- (b) The Annual Forest Administration Report.
- (c) The diaries of the Divisional Officer.
- (d) Letters from the Divisional Officer to the Conservator will pass through the Deputy Commissioner's officer in original.

- (e) Enquiries made on tours which should be specially directed to determine whether the effect of the working plan on the interests of the public is as anticipated and is unobjectionable and to gathering facts bearing on matters which may at the time be under discussion with the forest authorities.

Everything in connection with the forest management of the district should ordinarily be initiated by the Divisional Officer and the Deputy Commissioner will issue no orders upon forest matters save through his Divisional Officer. There will be no correspondence between the Deputy Commissioner and his Forest Officer except by means of office memoranda or notes. All correspondence between the Divisional Officer and the Conservator of Forests dealing with subjects other than professional detail will go in original through the Deputy Commissioner, who will then be able to make any criticisms or suggestions that appear to be necessary. If the Deputy Commissioner and the Divisional Officer do not agree on any subject which either of them considers of sufficient importance to warrant reference to higher authority, the matter will be referred 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 Provincial Government. In the meantime the Conservator's orders will be held in abeyance.

10. The Commissioner of the Division should exercise ^{The Commissioner.} a general control over all forest matters in his division. The relations between the Commissioners and the Chief Conservator of Forests and Conservators will be similar to those prescribed for the Deputy Commissioner and the Divisional Officer. The Chief Conservator of Forests and Conservators will send to the Commissioners copies of extracts of inspection notes dealing with matters affecting the public. Correspondence which has passed through the Deputy Commissioner will, if the orders of the Provincial Government are required, be forwarded through the Commissioner to the Secretariat.

CHAPTER III

Recruitment
suspension,
reduction or
dismissal.

"11. The Indian Forest Service is now a defunct service and recruitment to the service is stopped. The existing members of the service will continue till they retire. Suspension by way of penalty or reduction or dismissal of an officer of the Indian Forest Service will be subject to the orders of the Government of India.

Posting, trans-
fer and leave.

12. The posting, leave and transfer of officers of the Indian Forest Service serving in the State are ordered by the State Government.

THE MADHYA PRADESH SUPERIOR FOREST SERVICE

Appointment
and promotion.

13. First appointment and promotion of officers of the Madhya Pradesh Superior Forest Service are regulated by the Madhya Pradesh Superior Forest Service Rules.

Posting, transfer
and leave.

14. The posting, leave and transfer of officers of the Madhya Pradesh Superior Forest Service in the senior scale are ordered by the State Government and that of others by the Chief Conservator of Forests.

Suspension,
reduction and
dismissal.

15. Suspension, reduction or dismissal of the officers of the Madhya Pradesh Superior Forest Service are ordered by the State Government.

Resignation.

16. The resignation of officers of the Madhya Pradesh Superior Forest Service may be accepted by the State Government."

THE SUBORDINATE FOREST SERVICES

Classification of
Services.

17. The Subordinate Forest Services have been reclassified as follows by GADMP Notification No. 4427-3248/9-INTEG, dated 25-11-59.

- (1) Forest Rangers.
- (2) Draftsman.
- (3) Saw Mill Managers.
- (4) Assistant Medical Officers.
- (5) Soil Conservation Supervisors
- (6) Head Surveyers.
- (7) Deputy Rangers.

- (8) Speaker Announcer.
- (9) Operator.
- (10) Factory Machanic.
- (11) Factory Driver. ...
- (12) Surveyors.
- (13) Head Masters.
- (14) Assistant Teachers.
- (15) Foresters.
- (16) Compounders.
- (17) Engine Drivers.
- (18) Drivers for Motor Vehicles.
- (19) Patvaries.
- (20) Forest Guard.
- (21) Ministerial Service.

18. (a) A candidate who is a permanent resident of General Rules the Central Provinces and Berar will be given preference for appointment to the Subordinate Forest Service.

Explanation.—A Candidate shall be deemed to be a permanent resident of the province, if—

- (i) his father, or if the father is not alive, his mother has resided in the province for not less than twelve years immediately preceding the time of making an application for appointment; or
- (ii) his father is on deputation for service out of the province or has gone out of the province on business during the aforesaid period but has adopted the province as his permanent home; or
- (iii) his father or mother had, if both are dead, adopted the province as his or her permanent home and but for death would have been in residence in the province for not less than twelve years immediately preceding the time of making the application for appointment; or
- (iv) his father and mother are dead and he has adopted the province as his permanent home and has resided in the province for not less than twelve years immediately preceding the time of making the application for appointment.

(b) All appointments shall, in the first instance, be on probation for at least 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, his services may be dispensed with as being unsuitable for that particular post.

Medical certificate.

(c) Before a candidate is appointed on probation to a post in superior service he must produce a medical certificate in the form prescribed in Supplementary Rule 1 (a) under Fundamental Rule 10. The certificate must in the case of Forest Rangers, Deputy Rangers, Foresters and Forst Guards certify that the officers' standard of vision is as follows:—

- (i) Candidate should have good binocular vision and be free from disease of the eye-lids and eye-ball.
- (ii) The acuteness of vision should not be less than 6—9 with one eye and 6—12 with the other eye.
- (iii) No correcting lenses will be allowed; and a candidate who requires glasses will be considered unfit.
- (iv) Candidates must be able to distinguish the principal colours.

Appointment of probationers.

19. No probationer should be appointed without a declaration that he has not been previously employed in the Government service or if so employed, without his declaration stating the reasons for the termination of service nor without verification of his declaration by reference to his former employer.

Forest Rangers.

20. (a) Appointments to the class of Forest Rangers are not permissible on the temporary establishment. Permanent and officiating appointments on the permanent establishment may be granted by Conservators:—

- (1) to subordinates of long service and tried ability and probity, irrespective of the educational certificates which they may hold, but subject to any examination which the Provincial Government may prescribe;

- (2) to candidates who have obtained the higher standard certificate after two years' training at the Forest College, Dehra Dun;
- (3) to candidates who have obtained the lower standard certificate of the Forest College at Dehradun or who have obtained the higher standard certificate at the Balaghat Forest School and who have rendered not less than two years' approved service as Deputy Rangers or Foresters.

(b) Permanent and officiating appointments to the class of Saw Mill Engineer, Saw Mill Manager and Saw Mill Jamadar on the permanent establishment shall be made by Conservators.

NOTES.—(1) As the posts of students have to be earmarked three years before they obtained their certificates and can be appointed as Rangers, Conservators may not fill vacancies substantively without reference to the Chief Conservator of Forests but only make officiating appointments in Rangers' post which may have fallen vacant in their circle.

(2) The rules for selection and training of students at the Dehra Dun Forest College are given in appendix IV.

21. Permanent and officiating appointments to the class of Deputy Rangers are ordered by the Conservators—

- (1) by promotion of subordinates of long service and tried ability and probity, irrespective of the educational certificates they may hold, but subject to any examination or condition which the Provincial Government may see fit to prescribe ;
- (2) of candidates who hold certificates of any standard from the College or the Forest College at Dehra Dun ;
- (3) of candidates who have undergone such training in Provincial Forest Schools as the Provincial Government may consider to be sufficient.

22. Appointments to the class of Engine, Driver, Fitter, Head Sawyer, Assistant Engine Driver, Boiler Fitter (including Beltman), Assistant Sawyer, Saw Sharpeners, Oilman, Fireman, Foresters and Forest Guards are made by the Divisional Officer.

23. No Forest Ranger shall be allowed to cross the efficiency bar at Rs. 150 in the old scale and at Rs. 100 in the new scale without the previous sanction of the Conser- Promotion.

vator of Forests. The second efficiency bar at Rs. 180 in the old scale, and Rs. 160 in the new scale shall not be passed by a Forest Ranger without the sanction of the Chief Conservator of Forests, who must be satisfied that the Ranger is fit to be placed in charge of the full duties attaching to the heaviest range which Rangers can be called to fill. Subject to these limitations the Divisional Forest Officer will order the grant of annual increments to all non-gazetted officers.

NOTE.—There will be a pause of five years at the efficiency Bar at Rs. 150 in the Scale of pay for promoted Rangers with lower certificates from the Dehra Dun or Coimbatore College or with certificates from the Balaghat Forest School, but against this power any period of satisfactory service as Deputy Ranger since obtaining the certificate in question may be set off.

Postings.

24. The numerical strength of the permanent subordinate staff is fixed by the Provincial Government and for the State Chief Conservators may vary the number of posts allotted to each division provided the sanctioned strength of the circle is not exceeded.

Transfers.

25. Transfers of officers of the Subordinate Forest Service from one circle to another are made by the Chief Conservator, transfers from one division to another in the same circle are made by the Conservator. The postings and transfers of Range officers within a division are made by the Conservator, or so far as he may have delegated the power, by the Divisional Officer.

The postings and transfers of other subordinates within a division are made by the Divisional Officer.

Leave.

26. (1) Conservators will grant leave to Forest Rangers, Saw Mill Engineer, Saw Mill Manager and Range officers.

The Superintendent of Working Plans and Research, Central Provinces, Betul, may grant leave to Forest Rangers under his control, provided that he may not grant leave other than leave on medical certificate extending beyond the period for which a Ranger is deputed to the Working Plans Division.

(2) The Divisional Officer will grant leave to other subordinates.

Divisional Officer may appoint substitutes within the limit of leave reserve allotted to the division.

(3) A consolidated absentee statement of all leave granted to Forest Rangers, Saw Mill Engineer, Saw Mill

Manager, Engine Driver, Fitter, Head Sawyer, Assistant Engine Driver, Boiler Fitter including work of a Beltman, Assistant Sawyer, Saw Mill Jamadar, Deputy Rangers and Foresters serving in his circle will be furnished to the Accountant-General by the Conservator.

(4) The description of leave admissible is regulated by the Fundamental Rules and whilst leave may be refused, it is not permissible to grant leave without allowances or on quarter pay when leave on full or half pay has been earned.

27. (1) The Divisional Officer may suspend any non-gazetted officer subordinate to him. Suspensions,
reductions,
etc.

(2) The Conservator will order the reduction in pay or rank of Forest Rangers, Saw Mill Engineer, Saw Mill Manager, Saw Mill Jamadar and Deputy Rangers; the Divisional Officer that of subordinates of lower rank.

(3) The Conservators' orders are required to withhold or defer the increment of Forest Rangers, Saw Mill Engineer, Saw Mill Manager, Saw Mill Jamadar and Deputy Rangers. Divisional Forest Officers may withhold or defer the increment of other officers of the **Subordinate** Forest Service.

Any order withholding increments must clearly record the reasons and state whether the order shall have the effect of postponing future increments.

(4) The Conservator will order the dismissal of Forest Rangers, Saw Mill Engineer, Saw Mill Manager, Saw Mill Jamadar and Deputy Rangers and Divisional Officer, that of subordinates of lower rank.

(5) The resignation of an officer can be accepted by the officer who is empowered to appoint him.

28. Divisional Officers have the power to fine, to the **Fines**, extent of one month's pay, Forest Guards and menials, serving under them.

29. (1) The powers to appoint, transfer, promote, **Office establish-** reduce, dismiss and accept the resignation of clerks **ment,** have been delegated to the Divisional Forest Officers except in the case of head clerks and clerks holding select posts, in which cases the power shall remain with the Conservator.

"Conservators are empowered to appoint untrained draftsmen for Working Plan duty and in suitable cases to allow higher initial pay at Rs. 65 on the scale of pay of Rs. 50—3—80—Bar—2½—100."

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

(3) All Divisional Forest Officers are empowered to grant leave of any kind to clerks and make officiating promotions and appoint temporary substitutes in leave vacancies.

(4) The Provincial Government has delegated to Conservators the power of making transfers of head clerks between Divisional officers but not between their own offices and the Divisional offices, provided that—

(a) the total scale sanctioned for the circle is not exceeded ;

(b) any local allowances which have been sanctioned remain attached to the particular post for which they were sanctioned ; and

(c) no alteration in the number of posts allotted to any division is made without the sanction of the Provincial Government.

(5) A distribution statement will be sent at the end of the month in which any changes have been made for the information of the Accountant General, Central Provinces, and the Divisional Officers concerned.

Menials.

30. The appointment, grant of leave and other disciplinary measures are ordered by the head of the office.

Temporary establishment.

31. Deleted.

Definition of labour.

32. (1) Under labour is included all bonafide manual labour employed—

(a) on the reaping, collection, fashioning, removal, transport and sale of forest produce ;

- (b) on the feed and keep of cattle;
 - (c) on the construction and maintenance of tools and plant ;
 - (d) on the construction and maintenance of communications and buildings;
 - (e) on the demarcation, improvement, extension and protection of forests, including, subject to the Conservator's sanction, surveyors and draftsmen employed on a definite piece of work.
- (2) Coolies' mates are comprised under the head of labour, but any further supervision is distinctly excluded.
- (3) Permanently employed gardeners and workmen are comprised in labour only when their employment is sanctioned in the provisions of a working plan.
- (4) House guards and sweepers employed in permanent depots or buildings are also excluded.
- (5) Tent-keepers and letter carriers employed for longer period than a season's tour are also excluded.

CHAPTER IV.—RULES RELATING TO THE EXAMINATIONS OF FOREST RANGERS

33. (1) All Forest Rangers Examination of Rangers will be required to pass a department examination in ^{Examination of} Procedure and Accounts comprising the subject-matter of (1) ^{Ranger.} Forest Manual, (2) Forest Financial Rules, and (3) Forest Department Office Manual. ...

"Deputy Rangers are also permitted to appear for this examination".

(2) The Conservator will prepare and mark the papers for his circle and fix a date for the simultaneous examination at divisional headquarters of all Rangers appearing for it. The examination should ordinarily be held in August each yaer.

(3) He will issue a certificate that the Forest Ranger has passed the departmental test in Procedure and Accounts and is entitled to draw increments.

✓ (4) No Forest Ranger appointed directly on or after the 1st August 1926, will be permitted to draw more than the minimum pay of his post until he has passed the examination.

✓ (5) Forest Rangers appointed directly on or after the 1st August 1926 will be required to pass the examination

within two years of the date of their first appointment and will not be permitted to draw increments after the expiry of that period until they have passed.

(6) Subject to the exemption made in rule (9) (iii) below, no promoted Forest Ranger, whether officiating or temporary, holding such post on 1st September 1951 will be permitted to draw the second increment accruing after that date until he has passed the examination; and unless he does so before 1st September 1955, he will be reverted to his substantive post.

(7) No promoted Forest Ranger, whether officiating or temporary, appointed on or after 1st September 1951 will be permitted to draw his second increment in the Rangers' grade until he has passed the examination and unless he does so within four years of his first appointment as officiating or temporary Ranger, he will be reverted to his substantive post.

(8) The date following the day of departmental examination in Procedure and Accounts will be taken as the date of passing the examination for the purpose of grant of increment to Forest Rangers. The increment will be sanctioned after the result of the examination in Procedure and Accounts for Forest Ranger is declared.

(9) On passing the departmental examination in Procedure and Accounts the pay of Forest Rangers should be fixed according to the total length of service from the date following the day of the departmental examination without allowing any arrears and the next increment on the usual due date."

(10) Subject to the exemption provided for in rule (9) (iii), no promoted Forest Ranger, whether officiating or temporary, will be considered for confirmation in the Rangers' grade until he has passed the departmental test.

(11) The following classes of Forest Rangers will not be required to pass the examination:—

- (i) Forest Rangers directly recruited before 1st August 1926.
- (ii) Promoted Rangers who have already been confirmed in their appointments before 1st September 1951.
- (iii) All promoted Rangers who are continuously officiating or holding temporary posts of Forest Rangers before 1st January 1944.

(12) The certificate described in rule (3) above will be attached to the first pay bill, on which directly recruited Forest Ranger draws an increment. In the case of promoted Forest Rangers the certificate will be attached to the pay bill of the month in which they draw their second increment after passing the departmental test, vide rules (6) and (7)."

34. The procedure to be followed is fully explained in the following extracts:—

Indian Forest Service Officers

(1) To enable the Government of India to select ^{Confidential Reports,} officers for promotion to the class of Conservator, the State Government will submit by the 1st of July in each year, confidential reports on the qualifications of Indian Forest Service Officers of fifteen years' service and upward (vide Article 19 of the Forest Department Code).

(2) For the purpose in view, the more senior officers of the Forest Department will be ranged under three classes—

(i) those who have been so strongly recommended by the State Government that they have been definitely accepted by the Government of India as eligible for Conservatorship ;

(ii) those whose qualifications are in doubt including officers who have acted or are acting as Conservator on trial;

(iii) those who have been so unfavourably reported on by the State Government that they have been definitely rejected as ineligible by the Government of India. This decision will be communicated to the officer concerned.

(3) Confidential reports on officers who have been once authoritatively placed by the Government of India in class (i) or class (iii) need only mention that fact and will not include any further remarks, unless in the opinion of the State Government there are substantial grounds for reconsidering the previous decision.

(4) The qualifications of officers in class (ii) must be examined fully. In the case of Deputy Conservators not acting as Conservators, the opinion of the Deputy Commissioner as well as the Conservator and the Chief Conservator of Forests, should be quoted, and during the course of the

year, for which the report is made the Deputy Commissioner should institute, if necessary, special enquiries as to the character and work of the officer concerned. As regards acting Conservators, the Chief Conservator of Forests should forward the report to the State Government with his opinion. A definite expression of the views of the State Government should be added.

(5) Officers in class (ii) fall 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 considered qualified to hold charge of any forest circle in India.

(7) A separate form should be used for each officer reported on. Each report should be forwarded to the Government of India, Ministry of Food and Agriculture, in duplicate, and only one side of the form should be written on, as it is intended that the reports by the State Government shall be pasted on to the form kept up by the Government of India.

(8) To ensure punctual submission the Chief Conservator will forward on the 10th of May the requisite blank forms to the officers concerned. After the officer's name and designation have been filled in, the forms will be returned to him not later than the 10th of June through the following channels:—

S. No.	Post of officers during the year	First opinion to be entered	To be submitted through
(1)	(2)	(3)	(4)
1.	Divisional Forest Working Plan Officers.	and Deputy Commissioner.	1. Conservator. 2. Chief Conservator.
2.	Acting Conservator	...	Chief Conservator. Do.
3.	Officer on Special Duty	... Conservator	Do.
4.	On foreign service	... Foreign employer	Do.
5.	On deputation	... Head of the department to which deputed.	Do.

NOTES.—(1) If, before being promoted, an officer placed on special duty or deputed on foreign service has been on duty as a Divisional Forest Officer or Working Plan Officer for more than three months in the year ending on the 30th April, the first opinion entered should be that of the Deputy Commissioner concerned.

(2) The reports on officers on special duty will be noted on by the Conservator in whose jurisdiction the officers have been working.

The Chief Conservator will submit the reports not later than the 15th of June to the State Government.

Madhya Pradesh Superior Forest Service Officers

34-A.—(1) To enable the State Government to select ^{Superior Forest Service Officers.} officers for promotion to the class of Conservator, the Chief Conservator of Forests, Madhya Pradesh, will submit by the 1st July in each year, confidential reports on the qualifications of all Deputy Conservators of Forests of the newly constituted Madhya Pradesh Superior Forest Service directly recruited and who have rendered 8 years' continuous service after their confirmation as Deputy Conservator of Forests in the senior scale. In the case of officers promoted to this service reports will only be required when their place on the Superior Forest Service list is above that of a directly recruited officer as mentioned above.

(2) For the purpose in view, the more senior officers of the State will be ranged under three classes—

- (i) those who have been so strongly recommended by the Chief Conservator of Forests that they have been definitely accepted by the State Government as eligible for Conservatorship;
- (ii) those whose qualifications are in doubt including officers who have acted or are acting as Conservator on trial;
- (iii) those who have been so unfavourably reported on by the Chief Conservator that they have been definitely rejected as ineligible by the State Government. This decision will be communicated to the officer concerned.

(3) Confidential reports on officers who have been once authoritatively placed by the State Government in class (i) and class (iii) need only mention that fact and will not include any further remarks, unless in the opinion of the Chief Conservator of Forests there are substantial grounds for reconsidering the previous decision.

(4) The qualifications of officers in class (ii) must be examined fully. In the case of Deputy Conservators not acting as Conservators, the opinion of the Deputy Commissioner as well as the Conservator and the Chief Conservator of Forests, should be quoted and during the course of the year, for which the report is made, the Deputy Commissioner

Security to be furnished by Non-Gazetted Officers.

39. The following rules regulate the procedure to be followed with reference to the security to be furnished by subordinates and clerks in the Forest Department:—

Rules regulating the furnishing of security by forest Subordinates.

1. Every subordinate of the out-door and ministerial staff entrusted with the receipt or disbursement of Government money or the custody of valuable Government stores is required to furnish security in accordance with these rules:

Provided that pensioners are exempted from furnishing security when re-employed in such posts as messengers, treasure guards or chaukidars. In cases of doubt the Conservator will decide whether security should be furnished or not.

2. The amount of security to be furnished as under—

	Rs.
Forest Rangers and Range Officers	... 500
Range Assistants	... 300
Superintendents, head clerks and other clerks	... 300

In other cases the Conservator will decide by special order what amount of security shall be furnished.

3. The amount of security so prescribed in rule 2 should ordinarily be furnished in cash in lump sum, and a cash security bond executed in the form prescribed on page 153-A of the Madhya Pradesh Forest Manual, Volume II. In cases, however, where the subordinate required to furnish cash security cannot pay the entire amount in cash in one lump sum, the same will be recovered in monthly instalments of not less than 10 per cent deducted from the pay or leave salary of the subordinate. The amount so deducted should, however, be reduced to the nearest rupee; annas eight or over being taken as a rupee and sums less than annas eight neglected altogether. No deduction will be made whilst a subordinate is on leave on medical certificate or drawing a leave salary of less than the average pay. Until the full amount has been paid the subordinate will be required to execute a personal security bond in the form prescribed on page 153 of the Madhya Pradesh Forest Manual, Volume II. When the requisite cash is deposited by the subordinate he will be required to execute a cash security bond and the personal security bond previously executed by him will then become null and void.

4. In the case of subordinates in service on 1st December 1928, the balance at their credit in the post office savings bank will be counted against the amount prescribed; also post office five-year cash certificates at their purchase price and Government promissory notes at their market value.

5. The Divisional Officer will maintain a list showing the names of all subordinates who are required to furnish security under rule 3, the monthly instalments, the amount already paid by each and the number of their savings bank account maintained under rule 14. From this list will be compiled form IX-3 showing the names of all depositors on duty or on leave other than on medical certificate, or on leave salary not less than average pay, who are still required to pay instalments and for whom accounts have been opened. A cheque for the total amount shown in the form will be made out in favour of the postmaster, and sent together with the form in duplicate and the savings bank pass-books, so as to reach him not later than the fourth day of the month in which recovery has to be made, irrespective of whether the range officer or head clerk has made the recovery or not. If the amount of the cheque is below Rs. 10, it will be endorsed on the reverse "on account of security deposit" to enable the Treasury Officer to honour it. The postmaster will credit the amount detailed in the form to the savings bank accounts, of the various subordinates and post the pass-books up to date and return them together with one copy of the form duly signed, to the Divisional Officer, who will treat the receipted form as the voucher in support of the charge.

6. Once a year the Divisional Forest Officer will render an account to each depositor of the amount standing at his credit in the security deposit account.

7. Interest accruing on savings bank deposits, Government promissory notes or cash certificates will form part of the pledge to Government, until the full amount prescribed under rule 2 stands to the credit of the subordinate concerned. Amounts in excess will be refunded to the depositor as provided in rule 22.

8. Whilst a depositor is working in an office where no security is prescribed, the monthly recovery from his pay may be discontinued. The amount deposited as security will be repaid to the depositor on his ceasing to hold a lien over the post requiring furnishing of security. In the case of a

non-gazetted officer, promoted to the gazetted rank, the amount of security deposit will not be refunded until the depositor is appointed substantively as a gazetted officer. If the depositor is transferred to another department the Head of his new office will decide whether the money should be repaid or transferred as security in that office.

9. (i) When the depositor retires on a pension the Divisional Officer will take immediate steps to repay the amount. Unless requested by the depositor not to do so, the Divisional Officer will draw the money from the savings bank, sell the Government promissory notes through the post office and cash the cash certificates. He will make over the proceeds to the depositor.

(ii) On the resignation or removal from office of a depositor, the same procedure shall be followed except that the Divisional Officer shall defer repayment for a period of six months.

(iii) In the case of death, payment will be made to the recognized heirs of the depositor. The heirs should be paid promptly.

10. If the sale-proceeds of Government promissory notes under rule 9 are less than the purchase price the Conservator may sanction the payment of the difference to the subordinate concerned provided that—

(a) the notes were purchased prior to 24th August 1918; and

(b) the depositor has retired on a pension or died in service. Depositors resigning or removed from the service will not be compensated. The amount so expended will be charged to B-IV-E.

11. The withdrawal of a part or the whole of the deposit as an advance to the depositor is strictly forbidden.

12. Deleted.

13. Security is liable to forfeiture for any misconduct, act or omission on the part of the depositor in virtue of his official position which involves loss either to the Government or to any person. When making his first payment under rule 3 the depositor shall be given a copy of this rule and shall sign it in token of acceptance.

14. The Divisional Officer will maintain a post office savings bank account for each subordinate required to furnish security. The account will be in the name of

"The Divisional Forest Officer,..... Division, on behalf of.....".

15. Once in October every year the Divisional Officer will submit a statement in form A to the Conservator in respect of all subordinates required by these rules to furnish security. He will certify on the statement that it is a complete list of all subordinates serving under him who are required to furnish security.

16. The Divisional Officer will further maintain a register in form IX-2 as prescribed in rules 18 and 19.

17. The transactions in connection with security deposits will be charged in the accounts as under—

(i) In the disburser's (range officer or head clerk) cash book—

Dr. side—

- (a) A deduction from the pay or leave salary made under rule 3. **Security deposit.**

NOTE.—If, for any reason, the pay or leave salary is not disbursed the amount of security deposit will be charged as part pay under B and the balance shown as with held with a suitable explanation.

Cr side—

- (b) Gross pay or leave salary of the depositor. **Appropriate B head.**
- (c) Payments to depositors under Security deposit. rules 9 and 22.

(ii) In the Divisional Accounts—

Dr. side—

- (a) Cheque to postmaster to accompany form IX-3. vide rule 5. **Remittance.**
- (b) Deductions from depositors for Security deposit. whom accounts have not yet been opened.
- (c) Deductions from depositors on Security deposit. transfer whose account has not yet been transferred.
- (d) Amount of security deposit returned in cash by the postmaster (in case cheque is not accepted in (full). **Security deposit.**

- (e) Amount withdrawn Security deposit.
Cr. side—
- (f) Amount paid to postmaster by Security deposit.
cheque vide—item (a).
- (g) Advance as per contra to head Forest advance
clerk, (d) and (e).
- (h) Interest or principal returned Security deposit.
to depositors.

A conciliation statement between the recoveries made and the total remittances to the post office during the financial year will be submitted to the Accountant-General after the close of the March accounts.

18. The Postmaster will return one copy of form IX-3 with the pass books and after check the amounts credited will be entered in a register to be maintained in form IX-2. The entries of each month will be initialled by the Divisional Officer.

19. At the time of preparation of form A under rule 15, the Divisional Officer will compare form IX-2 with the Savings Bank pass books and will forward to each subscriber a statement of his account in form B. These statements must be signed by the Divisional Officer himself who thereby assumes personal responsibility for their accuracy. The Divisional Officer must satisfy himself that the interest both of Savings Bank deposits and of Government Promissory Notes has been correctly added in the pass books.

20. In order that the date of maturity of the Post Office Cash Certificates already purchased and pledged to Government may not be overlooked, the Divisional Forest Officer will maintain a register showing the date of purchase and date of maturity of all such certificates held by him.

21. Post Office 5-year Cash Certificates purchased in the past will be cashed or prolonged immediately on maturity; if cashed the proceeds will be paid into the depositor's Savings Bank account to earn interest or dealt with under rule 22 as the case may be.

22. When the total amount of security in the form of Savings Bank deposits, Post Office 5-year Cash Certificates and Government Promissory Notes has reached the limit laid down in rule 3, the interest on Savings Bank deposits and Government Promissory notes together with the

difference between the purchase and face values of matured cash certificates will be paid to depositors once a year in September on the initiative of the Divisional Officer and without a request from the depositor.

23. The Divisional Officer will take the necessary steps to verify the solvency of all personal sureties on the 1st of September of each year. In the case of new sureties whose solvency has been ascertained since the 1st of the preceding June, the second verification may be deferred till the following September.

24. When a depositor is transferred, the Divisional Officer will take immediate steps to have the Savings Bank pass book and the cash certificates transferred to the new division and forward to the new Divisional Officer an extract of the register prescribed in rule 16 relating to the depositor together with the Government Promissory Note investment certificates, the bonds of the personal sureties and a statement showing what monthly deductions are to be made. Any recoveries made in the old division after the pass book has been transferred can be adjusted by inter-departmental transfer.

25. Divisional Officers must remember that they are handling private money of their subordinates, and are their trustees. This creates a personal obligation which cannot be delegated to their offices. The following documents dealing with security deposits must always be signed by the Divisional Officer himself:—

- (a) Form IX-3.
- (b) Withdrawal slips.
- (c) Applications for opening accounts.
- (d) Applications for the purchase or sale of securities including cash certificates.
- (e) The annual statement of securities held in form B and all correspondence with depositors in connection with it.

**Statement of the individual securities held by the
Divisional Forest Officer, Division, Circle,
Central Provinces.**

FORM A

Statement of securities held by the Divisional Officer.

Dated Division Circle, Central Provinces

Name of official	office held	Date from which Office held	Amount of security prescribed	Details of securities held by the Divisional Forest Officer							Total securities held	Remarks
				Personal security			Cash securities held by the Divisional Forest Officer					
				Name of surety	Amount	Date of last verification of Purchase	Credit in post office Savings bank.	Market value of Government promissory notes	Purchase price of cash certificates	Total cash security		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
			Rs.		Rs.		Rs.	Rs.	Rs.	Rs.		

Date—
 Balance in Savings Bank on Rs.
 Deposits during the past year—
 Interest added Rs.
 Withdrawals Rs.
 Final balance on Rs.
 Securities purchased—
 Cash paid to subscriber Rs.
 (Accepted as correct.)

(Sd.)

Divisional Forest Officer,

Division.

No. , dated

Forwarded to through Range Officer
 for information and return. If he is not satisfied with the
 correctness of this return he should give his reasons on the
 reverse.

Divisional Forest Officer,
 Division.Provision of
 quarters.

40. The Provincial Government has sanctioned the
 grant of rent-free quarters to all members of the Subordi-
 nate Forest Service, viz., Rangers, Deputy Rangers, Fores-
 ters, Forest Guards, Paid Vendors, Range Moharrirs and
 Orderlies irrespective of (1) whether they are stationed at
 isolated places or at district or tahsil headquarters and (2)
 whether the quarters are built by the Public Works Depart-
 ment or the Forest Department or are rented for the pur-
 pose.

Residences free
 of rent.

40-A. Officials who are occupying such residences free
 of rent and are in receipt of actual pay not exceeding Rs.
 120 per mensem are exempt from payment of all taxes whe-
 ther such taxes are under local rule or custom leviable on
 the owner or occupier. When the actual pay of such offi-
 cials exceeds Rs. 120 per mensem, taxes for services ren-
 dered, e. g., conservancy and water rates are recoverable
 from them even when such taxes are under local rule or
 custom leviable on the owner.

House rent
 allowance to
 depot clerks.

40-B. Conservators of Forest may sanction house rent
 allowance in lieu of rent-free quarters to temporary depot
 clerks stationed at wayside places up to a maximum of Rs. 7
 per mensem or the actual rent paid by them provided that
 this does not exceed the aforesaid amount.

Dress regula-
 tion.

41. The rules for supply and wearing of uniforms are
 as under:—

I.—Uniforms, as described below, will be worn by all
 classes and grades when on duty:—

A.—Forest Rangers.

Coat.—An open collar Norfolk coat of superior Khahi drill with cuffs of the same material and with four pockets, the lower ones pouched. Two silver badges having three lions of the Ashoka pillar and wreath to be worn on the collar, one on either side.

Badges of silver bearing the letters "म. प्र. वन" to be worn on shoulder straps of the same material as the coat. Each strap to be fastened with a silver button. Bottom edge of coat to reach to wrist of hands (extended by the side).

Fourteen raised silver buttons bearing the Ashoka Chakra mark and the word "वन" will be worn, four in front, four for pockets, four for sleeves and two for shoulder straps.

Shirt.—Khaki shirt with a green neck-tie.

Leg covering.—Riding breeches of khaki cotton cord reaching to not more than 3 inches above the boot and strap leggings of stiff brown (not sambhar) leather.

Foot-wear.—Strong brown boots.

Head-dress.—A khaki topi with a flash consisting of a strip 3 inches high and $3\frac{1}{2}$ inches wide in red and gold as in the fringe of existing pagris. The flash will be worn on the left side of the topi.

Belts.—Sam-Browne.

Arms.—A long shikar knife with ornamental hilt and sheath.

NOTE.—Forest Rangers and Range Officers may wear, when on duty on informal occasions, shirts and khaki shirts of Tennis pattern, the collar to be open at the neck. The shirt should be of khaki twill and should have shoulder straps, fitted with bloc's silver letters "म. प्र. वन". The sleeves should be long. The Sam-Browne belts should always be worn and should fit in the loops at the top of the khaki shorts. It is important that the shirts and shorts be properly made and Divisional Forest Officers should see that Forest Rangers who take advantage of this concession are properly turned out and should withdraw the concession in the case of those who are untidy.

B.—Deputy Rangers

Coat.—As for Rangers but with brass buttons and with no collar badge.

Leg covering.—As for Rangers, except that putties of khahi drill 9' long $4\frac{1}{2}$ " wide with 4' tape will be worn with full dress.

Foot covering.—As for Rangers.

Head-dress.—A khaki topi with a flash consisting of a strip 3 inches high and $3\frac{1}{2}$ inches wide in red and silver as in the fringe of existing pagris. The flash will be worn on the left side of the topi.

NOTE.—Sikh subordinates are exempted from the operation of the rules in A and B and can retain their original pagris, i.e., khaki cotton lungi with red and gold border at ends and gold fringe. Cotton lungi of khaki colour, red and silver border at ends and silver fringe for Deputy Rangers.
(Page 54 substituted, vide amendment No. 305, dated 28-7-1954).

Belt.—Leather, waist, with badge on buckle. The badge on the belt to bear the words “वन विभाग म. प्र.” on the ring and the Ashoka Chakra in the Centre (bright letters on a dull ground.)

Arms.—A shikar knife or Nepali Kukri.

C.—Foresters.

Coat.—As for Deputy Rangers but buttoned up to the neck with cuffs and shoulder straps of same material. A brass badge (the letter “ म. प्र. वन ”) will be worn on each shoulder strap.

Silver chevrons (three for Foresters on Rs. 81 and above, two for Foresters on Rs. 65 to Rs. 80 and one for all Foresters drawing below Rs. 65.). Brass Buttons for coat will have the word “ व ” in the centre surrounded by wreaths. ...

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.

The badge on the belt to bear the words “वन विभाग म. प्र.” on the ring and teak plant and wreath in the centre (bright letters on a dull ground).

Arms.—As for Deputy Rangers.

D.—Forest Guards 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.

Red cloth chevrons, two for Forest Guards on Rs. 30 and one for Forest Guards on Rs. 25.

Brass button for coat will have the word “वन” in the centre.

Leg covering.—Pyjama knickers of shorts of the same material as coat, with putties of similar shape to those of Deputy Rangers.

Foot covering.—Indian shoes or ammunition boots.

Head-dress.—Same as for foresters without the kulla.

Belt.—Leather, waist, with badge on buckle

The badge on the belt to bear the words "वन विभाग म. प्र." on the ring and teak plant in the centre (bright letters on a dark ground).

Arms.—A light cutting axe to be carried in the belt, or Nepali Kukri.

NOTE.—Cloth No. B. 93-C-500 Buckingham Mills will be used for preparing coats of Forest Rangers, Deputy Rangers and Foresters and suits of Forest Guards. Cloth No. B. D. 699-C-500 will be used for breeches.

E.—Orderlies.

As for Forest Guards, except that ammunition boots may be worn only when marching from one camp to another.

II. For a list of articles supplied at State expense, see rule 105 of the Forest Financial Rules (First Edition, 1937).

III. A sealed pattern of each article of uniforms will be kept in the Conservator's office and of axes also in the Divisional offices.

IV. In order further to secure perfect uniformity, a contractor may 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 article 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.

42. A record of landed property of Government servants and of relationship of such servants will be maintained in the form appended to Book Circular I-10. Return of landed property and relationship.

43. A return of inquiries into misconduct of subordinates completed during the month with the result thereof will be submitted by Divisional Officers to the Conservator immediately after the close of the month. Punishment returns.

44. Character rolls will be maintained in accordance with the rules laid down in Book Circular I-8 for all non-gazetted officers whose pay is Rs. 20 or more and irrespective of pay for all range Assistants. Character rolls.

45. (1) All entries in the service-book will be made in English. Service books.

(2) When the year of birth of an officer is known, but not the exact date of birth, the 1st July will be treated as the date of his birth for the purpose of determining when he should be held to attain the age of 55. When the year and month of birth are both known, but not the exact date, the 16th day of the month will be treated as the date of birth.

(3) Service-books will also be maintained for men serving in temporary ministerial or outdoor posts other than leave vacancies.

CHAPTER VII.—CARRIAGE OF TENTS AND FURNITURE ON TOUR

46. Range Assistants, when 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 Range Assistant's records.

47. As regards food supplies, Conservators, when on tour with their camp equipage, may employ a Bania on Rs. 12 per mensem, who will accompany their camp and act as its bazar supplier. on Camp supplies.

Conservators may sanction the grant of an advance up to Rs. 200 in each case to Bantias for maintaining shops for the supply of provisions and rasad to Forest Officers and their camp followers while on tour in jungly tracts, where provisions are not easily procurable. In the case of milk contractors of the Balaghat Forest School, advance up to Rs. 400 may be sanctioned. The Conservator may sanction an advance up to Rs. 400 to the Students' Club of the Balaghat Forest School on condition that it is recouped by

the end of the *academic year and that all the members of the club make themselves jointly and severally responsible for it by executing a bond.

NOTES.—(1) The officer making the advance is responsible to see that proper security is furnished by the Bania before the advance is given.

(2) Advances granted to Banias for rasad arrangements should be recovered from them in not more than 8 instalments. It is left to the discretion of the officer making the advance to fix the instalments, but these should be so arranged that the last one becomes due before the services of the Bania are dispensed with. The whole amount of the advance should be recovered in full by the end of the tour for which it is granted.

48. The following rules for the occupation of forest rest-house will be hung up in all forest rest-houses for the information of all concerned:—

Rules for the occupation of forest rest-houses.

1. This rest-house is intended primarily for the 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. No fees for occupation are charged to gazetted officers and their families when travelling on duty. The occupation fees for others are:—

For 1st class rest-house	... Re. 2 per head, a day.
For 2nd class rest-house	Re. 1 per head, a day.

Any person, who either occupies a rest-house after mid-day or who vacates it before mid-day, shall be liable to pay for that day only half the occupation fee payable for the whole day, and in all other cases the full fee shall be recoverable in respect of the day of occupation or vacation.

5. All occupants of the rest-house are responsible for damage done during their occupancy to the buildings, 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.

6. As servants are not provided, occupants are required to arrange that the rest-house and compound are kept and left clean.

*Academic year.—From 1st November to 31st October.

7. 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.

8. Tents may only be pitched within the area set apart for such purpose, which will be pointed out by the chaukidar or Forest Guard in charge.

9. Occupants must make their own arrangements for supplies, and permitted to send their men to collect dry fire-wood in the forest, but are responsible for any damage committed by the latter to the forest.

CHAPTER VIII.—MISCELLANEOUS

49. The powers delegated to Forest Officers under the Excise, Opium and Arms Acts are given in Appendix XI.

Powers under
the Excise,
Opium and
Arms Acts.

OUTBRAKS OF DISEASE AMONG CATTLE

50. The following instructions should be observed by Forest officials on the outbreak of disease among cattle and contagious diseases in sheep and goats in reserved forests :—

Cattle,
disease.

1. Every outbreak of cattle disease and also contagious diseases in sheep and goats such as Rinderpest (Mata, Devi, Chai) Foot-and-Mouth (Khurpaka, Lal, Khuracha Chapka), Pox (Chotimata, Devi), Plucro-pneumonia (Phepa-dekibimari, Daba, Bhatras), Foot-rot, (Khursada, Payawada, Khurra) and Scabi, (Khujli, Khuraj, Khaoda) must be promptly reported to the nearest Veterinary Assistant to enable him to take immediate steps to cope with the disease. The report shall be made by the kotwar to the mukaddam and by the latter to the Range Assistant. In the absence of the mukaddam, the kotwar himself should report to the Range Assistant who shall be responsible for posting the report without delay direct to the veterinary Assistant, at the same time sending a duplicate copy of the report through the Range Officer to the Divisional Forest Officer. The Range Officer and the Divisional Forest Officer shall be in turn responsible for forwarding such reports.

2. Forest officials should give every assistance at the time of inoculation and persuade owners of cattle to have their animals inoculated.

3. Forest officials should do their best to induce the owner or grazier to bury the carcass of any animal dying of disease.

4. If any contagious disease in cattle occurs in a herd brought for sale or show at a fair, the Superintendent in charge of the fair should report the fact at once to the Veterinary Assistant Surgeon in whose jurisdiction the fair

is held. He should take immediate steps to segregate the sick animal or animals brought to the fair either for sale or show and protect the incontact animals against the disease.

Leave Allowance not Attachable by a Court.

Attachment of pay and leave allowances for debt

51. For attachment of pay and allowances for debt by the Civil Court, see rule 128-E of the Central Provinces Financial Rules, Volume I.

PART III
Constitution of Reserved Forests

PART III.—CONSTITUTION OF RESERVED
FORESTS

CHAPTER IX.—THE CLASSIFICATION OF RESERVED
FORESTS

Central Provinces

52. *The reserved forests are 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 exclusion of all areas which are not to be maintained as a part of the permanent forest estate, forests of class B are further sub-divided into two classes—

Classification of
forests in the
Central
Provinces.

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 is 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 nistar, and their connection with the Forest Department finally severed by a notification disforesting them.

In this way the Forest Department will ultimately be able to concentrate their whole attention on the management of the forests which will permanently remain under their control.

Berar

53. The State Forests of Berar divided into several classes according to the objects of management. Since 1913 only two classes have been retained, viz.—

A and C Class
forests in
Berar.

Class A which is managed principally as a Timber and Fuel Reserve.

Class C primarily intended for grazing.

* Resolution No. 6505-382, dated the 8th November 1888.

Concessions in
C class forests
in Berar.

54 †The following concessions have been granted in C class forests of Berar except in the Mangrul, Chikhli, Darwha, Mehkar, Pusad and Kelapur taluqs where the concessions in respect of timber and thorns have been withdrawn:—

(1) The residents of every Government village of which the lands adjoin at one or more points a forest of class C shall be permitted to fell as nearly as possible flush with the ground, but not otherwise, and to cut, collect and remove from the forest, without a pass and without payment, any timber not belonging to the kinds reserved (vide paragraph 82) or to any of the following kinds, namely:—

- (1) Teak (*Tectona grandis*).
- (2) Anjan (*Hardwickia binata*).
- (3) Babul (*Acacia arabica*).
- (4) Tiwas (*Ougeinia dalbergioides*).
- (5) Saja (*Terminalia tomentosa*).
- (6) Bamboos (*Dendrocalamus strictus*):

Provided that no timber shall be removed from a forest in larger quantities than head-loads, or unless it is required and intended to be used only for the bona-fide household and agricultural purposes of the persons in whose favour the concession is made.

(2) All persons whosoever shall be permitted to cut, collect and remove from a forest of class C, at their discretion and without pass or payment, dead fallen wood except of the kinds reserved, and under the orders, thorns for fencing purposes, grass (not removed in the form of grazing), fruits, and any other description of forest produce that is suited for human food except mohwa flowers, custard apples and mangoes; provided that nothing shall be removed from a forest under this rule in larger quantities than head-loads.

CHAPTER X.—RELATIONS BETWEEN THE FOREST DEPARTMENT AND OTHER DEPARTMENTS

Public Works
Department roads
in Government
forests

55. The following rules regulate the management of Public Works Department roads passing through Government forests:—

(1) The area of forest land required for the construction of a Public Works Department road shall remain part of the reserved forest, but shall be placed at the disposal

†Local Government No. 1129-XIV-1-53 of 28th November 1913, Local Government No. 689-XIV-6-13 of 23rd July 1914, Secretariat letter No. 293-165-XV, dated the 9th April 1923.

of the Public Works Department so far as the actual construction and maintenance of the road is concerned.

(2) The leasing of grazing and forest produce contained in such area shall remain in the hands of the Forest Department.

(3) Subject to rule (4) below, the Forest Department shall have complete control of, and shall be competent to do any act to take any necessary measure in the area with the object of fire-protection.

(4) All trees planted by the Public Works Department alongside the road shall remain under the control of that Department.

(5) The Public Works Department may remove any material required for the construction or maintenance of the road, including wood, from the area.

Areas which have already been disforested under previous rules remain unaffected by these rules.

(6) The width of first and second class roads, metalled or murrumed, will be 120 feet during the period of construction, reduced to 80 feet for permanent maintenance, that of third class or fair-weather roads will be 60 feet and 30 feet, respectively.

56. Newly constructed forest roads within forest limits, over which no right-of-way is attached as an easement or as an easement of necessity, may be closed to other than forest traffic if such traffic is heavy and liable to damage the new road. Use of this rule should be sparingly made and only if the road in question is along an entirely new alignment or, if following an old alignment, there is an alternative route of similar length and suitability to the old road. Before taking any action under this rule the district council affected should be informed and given an option of contributing to the cost of upkeep. When taking action under this rule the average number of carts per day carrying forest and non-forest traffic should be recorded.

Forest roads
for general
traffic.

The district council should be approached before a forest road is constructed and an agreement reached as to what is a reasonable contribution or improvement. It is only if such a condition is refused that the question of closure may be considered.

57. The following rules regulate the transfer and subsequent management of Government forest areas transferred to the Irrigation Department for Irrigation Works:—

Irrigation
Department
tanks in
Government
forests.

(1) An area inside a Government reserved forest.

required for the construction of an irrigation work, will be transferred from the Forest Department to the Irrigation Department and then all revenue from it, except for the sale of timber referred to in rules 2 and 3 below, will be credited to the Irrigation Department.

(2) When an area inside a reserved forest is required for the construction of an irrigation work, the Forest Department shall make over at once such part of it, to the Irrigation Department, as will be required to allow the construction of the work to proceed. The Irrigation Department will then sell the timber on this area.

(3) The rest of area will be transferred to the Irrigation Department when required. The timber on this area will be sold—

(a) by the Irrigation Department, or

(b) by the Forest Department,

according as the latter department shall elect to undertake the work or not.

(4) Before any sale takes place the standing crop will be valued by the Forest Department. In those cases in which the Irrigation Department sells the timber and less than the valuation of the Forest Department is realized, the Irrigation Department shall credit the Forest Department with the amount of valuation subject to a maximum of double the sum actually realized.

(5) Should any questions arise as to the grant of shooting permits, or as to the formation of sanctuaries in these areas, they will be settled by the Superintending Engineer and Conservator acting in consultation.

(6) Prosecutions conducted under the Forest Act will be controlled by the Superintending Engineer alone, who will send the Conservator of Forests, not later than the 1st of June of each year, a statement showing the results of cases taken into court or of cases compounded under section 68 of the Forest Act, during the preceding financial year.

58. No lease for the collection of harra will be given by an officer of the Irrigation Department in any area in which, by granting the lease, inconvenience will be caused to the Forest Department. A list of such areas is to be maintained by the Divisional Officers concerned with details of the number of harra trees involved; payments to the Irrigation Department in respect of these trees will be definitely arranged in each case.

Control of
harra and lac
in areas under
the Irrigation
Department.

Should it be considered necessary in any district to take similar action in regard to leases for the collection of lac, the procedure will be the same.

59. When the construction of an Irrigation work such as a tank or water channel interrupts or seriously interferes with the existing communication of the Forest Department between a forest and a market, the Irrigation Department is financially responsible for the restoration of the communications. It is the duty of the Divisional Officer to watch for such interruptions and take action as provided in paragraph 8-A, Chapter II, of the Irrigation Manual.

Conservation of forest communications when interfered with Irrigation Works.

LAND UNDER THE CONTROL OF THE FOREST DEPARTMENT OUTSIDE GOVERNMENT FOREST

60. The Forest Department also owns and leases lands to which the Indian Forest Act does not apply. It is important that there should be a clear title and that the title deeds are registered and preserved.

Forest Department land outside Government forest.

Such land is held usually for roads and quarries, building or depot sites outside Government forest limits and is or has been acquired by purchase, exchange or gift. The nature of tenure may be absolute, temporary or for a specific purpose only, especially in the case of a site acquired by gift, e.g., a site given for a naka may revert to the owner if the naka is abolished.

It is desirable in all cases to have the title of the seller or donor inquired into by the Revenue Department and the transfer of the site recorded in the village or municipal records.

There should be a register of title deeds in the Divisional office and a special file in which the deeds are preserved as a permanent record. A register of such land will also be kept in the Range Officer with traces of the sites.

CHAPTER XI.—DEMARICATION AND MAINTENANCE OF BOUNDARIES

61. The cost of clearing and demarcating a boundary line in the first instance is to be met as follows. There are two kinds of demarcation, namely:—

Demarcation of boundaries in Central Provinces.

- (i) that of large blocks excised as B class forest by the Forest Department;
- (ii) that of boundaries modified by the formation of a particular village by means of excision.

In the former case, the cost of demarcation is borne by the Forests Department, while in the latter, it is shared equally by the Revenue and Forest Departments.

Maintenance of boundaries in Central Provinces.

62. As regards the maintenance of the boundary, there are two cases, viz., (i) when the adjoining land outside is proprietary and (ii) when the adjoining land is under raiyatwari settlement. In the former case, all proprietors and tenants are bound to clear annually a width of 20 feet on their side of the common boundary. In the latter case all boundaries once made become external boundaries of the forest and are liable as such to be maintained at the cost of the Forest Department. The whole boundary line should be within the forest limit and be maintained by the Forest Department. It frequently happens however that half of the 40 feet line of the boundary between a raiyatwari village and Government forest falls inside the village area. In such cases the ryots are bound to clear annually a width of 20 feet falling inside with village unless specially exempted by the Deputy Commissioner for reasons to be recorded in writing.

Demarcation and maintenance of boundaries in Berar.

63. New demarcation of Government Forest is carried out by the Land Records staff under the direction of the Deputy Commissioner according to the provisions of the Berar Land Revenue Code.

Survey mark on the outer boundary of a forest shall be maintained in accordance with rules 13, 14, 15 and 16 notified under section 125 of the Berar Land Revenue Code.

Revenue survey mark lying within Government forest (i.e., not forming part of the outer boundary of the forest) will not be maintained.

General rules regarding maintenance of boundaries.

64. The width of the cleared area of outer boundaries of Government forest should usually be 40 feet, but this may be increased by Conservator's orders in special cases. Except when natural features form the boundary demarcation will be by pillars, the form of which will vary with circumstances. As a general rule, pillars shall consist of a central stake of khair heartwood or teak projecting six feet above ground level and should be surrounded by a cairn of stones four feet high and six feet in diameter. Where large slab-stones are available on the spot the central stake may be replaced by a slab-stone projecting one foot from the centre of the pillar. Where the construction of a pillar of stones necessitates heavy cost in the transport of stones, the cairn should be constructed of mud with a revetment of tatti. Pillars should be erected at each point where the boundary line changes direction, and where there is no change of direction, at intervals not greater than 250 yards so that each pillar is clearly visible from the next one.

either side. Each pillar will bear a serial number, a fresh series being begun for each adjoining village. The numbers will be painted with coal-tar on the face of the post or slab-stone away from the Government forest; they may be cut or embossed with steel dies into the wood at the discretion of the Divisional Officer.

A five-year boundary inspection and repair scheme is in force in all divisions. The Range Officer is responsible that the boundaries in his range are inspected and repaired annually according to this scheme. The Divisional Forest Officer should arrange to have 25 per cent of the boundary inspected by himself or gazetted assistant each year.

CHAPTER XII.—FOREST SURVEYS AND MAPS

65. The procedure to be followed in connection with Forest surveys, forest surveys and forest maps is described in Appendix II of the Forest Department Code.

66. (1) In cases where discrepancies arise between the Boundary maps of the Settlement Department and those of the Forest surveys in the Department, the boundaries as surveyed by the former Central Provinces. department should usually be accepted as correct; if the land has not been surveyed by the Settlement Department the boundary on the ground should be assumed to be correct. The forest map will be amended after formal disforestation or afforestation if necessary. In case when the Forest Divisional Officer good reason to believe that the interests of Government have been materially prejudiced by an error in the alignment of the boundary as accepted by the Settlement Department, or as marked on the ground, he should report the circumstances, sending a plan of the present line and of the one he considers the correct one if 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 realigned, and in the event of their disagreement the matter will be referred for the orders of the Provincial Government. 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 encroached upon, but that it is inadvisable to rein-clude the encroachment within the forest boundary, the matter shall be reported for the orders of the Provincial Government by the Commissioner of the Division or

Commissioner of Settlements as the case may be, with 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.

Forest maps.

67. Forest maps can be obtained from the Forest Map Office, Dehra Dun, on indents countersigned by a Divisional Forest Officer or officer of superior rank. Indents for other printed maps from the Map Record and Issue Office, Calcutta, require the countersignature of the Conservator.

The following officers are authorized to order or sanction the preparation of special maps at the Forest Map Office, Dehra Dun, up to the limit noted against each :—

	Rs.
Chief Conservator of Forests	1,000 in each case.
Conservator of Forests	} 500 in each case.
Superintendent of Working Plans and Research.	

The purchase or preparation of other map requires the sanction of the Provincial Government.

CHAPTER XIII.—FOREST VILLAGES

Forest villages.

68. 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 Provincial Government has, in the forms of contract for the delivery of forest produce approved by it, 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 workman, and to pay them the usual local rates.

The following rules for the formation and management of forest village have been laid down 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:—

RULES

(i) Forest villages may be established within the limits of any reserved forest with the previous sanction of the Conservator. Proposals for the establishment of forest

villages should be submitted by the Divisional Officers to Conservators through the Deputy Commissioners and must contain full information under the following heads:—

- (a) Purpose for which the village is to be established e.g., to supply labour to work certain coupes of a felling series, for fire protection, etc. If possible, data should be given to prove the inadequacy of the existing labour supply, e.g., failure to work certain areas.
- (b) The present source of labour supply.
- (c) Detailed description of the proposed village site. The following points also require discussion, viz., description of the soil, the area of culturable soil and its nature area set aside for nistar, nature of forest growth on the area, the number of houses the area can support and the area to be allotted to each for cultivation. The source of water-supply and the extent to which the establishment of the village will disturb the allocation of fellings by the absorption of coupes of the felling series in which it is situated. To what extent the establishment of the village will affect the grazing or the right of way to water of neighbouring villages.
- (d) The class of settlers proposed and the rents to be levied.
- (e) Application for sanction should be accompanied by two traces, one large scale (4"=1 mile) showing the boundaries and the rough allocation and area of culturable and nistar areas and also any area covered by, teak or sal, and a small scale trace showing the general situation of the village with regard to other villages and felling series.

(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 Korkus, Gonds,

bygas, Marias, Khumars and Banjaras. The number of houses to be allotted 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 Divisional Officer of all the inhabitants of the village, and no outsider shall be allowed to settle in the village, without his written permission.

The head of each household shall be given a licence in the form borne on Schedule IX (a)-7. The licence shall be issued by the Range Officer on the authority of the Divisional Forest Officer. The book and licence number should be entered against the name of the villager in the Forest Village Jamabandi and in the Divisional Office register of the inhabitants of the village.

(v) All adult residents of the villages shall have the following conditions of residence explained to them and shall be bound thereby,—

- (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 Officer ;
- (c) that they will be generally obedient to the orders of the Forest Officer.

If any such resident commits a breach of any of the above conditions, he shall, by order of the Forest Officer, be liable to summary eviction without compensation.

(v-a) (a) An appeal against the order of summary eviction passed by the Forest Officer shall lie to the Conservator of Forests within thirty days from the date of its communication ;

(b) a second appeal against an order passed in appeal by the Conservator of Forests shall lie to the Chief Conservator of Forests within sixty days from the date of the communication of the order passed in appeal by the Conservator of Forests ;

(c) against an order passed in second appeal, a revision shall lie to the State Government within ninety days from the dated of the communication of such order”.

(vi) Subject to the limitation in the number of households indicated in rule (iii) each household in the village shall be entitled to the following privileges :—

(a) Land for cultivation will be assigned him by the forest officer, sufficient with prtper deligence, 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 Officer.

“(b) Free grazing will be permitted for the following cattle subject to the reduction by Conservators only :—

(i) Eight animal units per holdings as entered in the forest village Jamabandi.

(ii) Four animal units, the actual property of labourers without any holdings in forest villages.

(iii) For the remainder a cultivator will pay at privileged rates for four animal units, and for the remaining number of cattle he will pay commercial rates.

(iv) Labourers will pay commercial rates for cattle not grazed free.

Bulls, bullocks will always count first towards these concessions before buffaloes. For the purpose of concession the animal units will be determined as under :—

(i) Adult buffalo—Two animal units.

(ii) Adult cow, bull or bullock and buffalo-calf under three years of age, at the commencement of the grazing year—One animal unit.

(iii) Cow-calf under three years of age at the commencement of the grazing year—Half animal unit.

(c) A free supply will be allowed him of all thorns and wood required for bona fide agricultural purposes; also of such wood and grass for house building and repairs as the Forest 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 Divisional Officer.

(e) All charges in connection with the anti-rabic treatment of forest villagers will be borne by **the Forest Department.**

(vii) A headman or Patel shall be selected by each village, subject to the approval of the Divisional Officer. The headman shall collect all rents, cesses and other sums due from the villagers, receiving a commission as below. He will also enforce all such sanitary regulations as the Divisional Officer may prescribe.

He shall assist the forest officials in the organisation and employment of forest labour. He shall supervise the village watchment 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	
	As.	Ps.
Under Rs. 50	...	4 0
Rs. 50 to Rs. 200	...	3 0
Over Rs. 200	...	2 6

The Divisional Officer may, for reasons given, enhance the rate in particular cases up to a maximum of 4 annas.

The mukaddam or patel of every forest village must be provided with a note-book in the form prescribed by Conservators, for the custody of which he will be solely responsible. All requisitions for labour in the village must be made through the mukaddam by previous entries in the book. Details of the names of the inhabitants of the village, the number of ploughs used in cultivation whether free or on payment, the land revenue recovered, the number of cattle owned, whether grazed free or on payment, grants and recoveries of taccavi, free grants, and all disbursements to members of the village community must be entered in the book which should be kept up to date. The note-book must be produced for the inspection of the Divisional Officer and his assistants when touring through the village so that entries can be checked and complaints looked into.

(viii) The Forest Officer may make from funds placed at his disposal for the purpose from the Provincial Loan Account such reasonable advance of cash or grain to any householder of the village as may be necessary to enable him to prepare to sow his land or purchase plough bullocks. All such advances will be recoverable with interest at one anna per rupee per annum.

The advances should be given within the limits of special budget allotment. The joint security of a village may be taken and a stipulation made that the advance will be recoverable as an arrear of land revenue.

(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 kotwal or village watchman shall be appointed for each forest village. He shall be appointed by the Forest 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 to the Forest Ranger such occurrences, other than those mentioned in the paragraph next following, as the Forest Divisional Officer may direct.

(xi) It shall also be the duty of every headman or Patel and every Kotwal or village watchman to communicate forthwith to the nearest Magistrate or to the officer in charge of the nearest police station whichever is the nearer, any information which he may possess respecting—

(a) the permanent or temporary residence of any notorious receiver or vendor of stolen property in any village of which he is headman or Kotwal;

(b) the resort to any place within, or the passage through such village, of any person whom he knows or reasonably suspects, to be a thug, robber, escaped convict or proclaimed offender;

(c) the commission of, or intention to commit, in or near such village any non-bailable offence or any offence punishable under section 143, 144, 145, 147 or 148 of the Indian Penal Code;

(d) the occurrence in or near such village of any sudden or unnatural death or of any death under suspicious circumstances or the discovery in or near such village of any corpse or part of a corpse in circumstances which lead to a reasonable suspicion that such a death has occurred or the disappearance from such village of any person in circumstances which lead to a reasonable suspicion that a non-bailable offence has committed in respect of such person ;

(e) the commission of, or intention to commit, at any place out of British India near such village any act which, if committed in British India, would be an offence punishable under

... or the following sections of the Indian Penal Code, namely, 231, 232, 233, 234, 235, 236, 237, 238, 302, 304, 382, 392, 393, 394, 395, 396, 397, 398, 399, 402, 435, 436, 449, 450, 457, 458, 459, 460, 489-A, 489-B, 489-C and 489-D;

- (f) any matter likely to affect the maintenance of order or the prevention of crime or the safety of person or property respecting which the District Magistrate, by general or special order made with the previous sanction of the Provincial Government, has directed him to communicate information.

"NOTE.—The above methods of reporting by the kotwars of the Forest villages are not, however, applicable to the Chanda district.—

The kotwars in this district shall report—

A.—Direct to the Forest Department

Weekly—

- (1) Births and deaths.

Immediately—

- (2) Thefts and house-breakings in which the stolen property is less than Rs. 50.
 (3) The permanent or temporary residence of strangers and suspicious persons.
 (4) The arrival and departure of wandering gangs.
 (5) The disappearance of any person under circumstances leading to a reasonable suspicion that a non-bailable offence has been committed.

The above reports will be made to the nearest forest naka. The Forest Guard or the Forester shall record the report in the Kotwari Book and send a copy to the Ranger Officer concerned, who in his turn shall transmit it to the police station-house. Each forest naka shall maintain a kotwar's attendance book.

B.—Direct to the Police Station.

- (1) The commission of all cognizable offence:—These will include thefts and house-breakings in which the value of the stolen property is 50 or above.

(2) The occurrence of any sudden or unnatural death or of any death under suspicious circumstances or the discovery of any corpse or part of a corpse in circumstances leading to a suspicion that such death has occurred.

(3) Epidemics.

(xii) 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 Provincial Government. In the case of general remissions on account of widespread calamity the remissions proposed should be submitted for the previous sanction of the Provincial Government.

Taccavi
advances.

69. *The following rules regulate the grant of taccavi advances to forest villagers:—

(1) The maximum of taccavi that may be granted to a forest villager is Rs. 500.

(2) The Divisional Officer is empowered to sanction advances up to the limit of the funds allotted to his division by the Conservator.

(3) Advances may be given for—

(i) the clearing of land. Such advances shall be recovered by instalments spread over not more than three years. The first instalment shall be repayable at the end of the first year;

(ii) the purchase of bullocks and carts. Such advances may be given for the purchase of plough as well as cart bullocks. They shall be repayable not more than two years;

(iii) the current expenses of cultivation such as purchase of seed grain, wages for weeding, etc. Such advances are repayable as soon as the crop has been reaped. They should be freely given where necessary to prevent indebtedness.

NOTE.—Advances given under sub-rules (i), (ii) and (iii), should not ordinarily exceed Rs. 250, Rs. 150 and Rs. 60, respectively.

*Central Provinces Forest Department letter No. 1274-517-XV, dated the 17th December 1928.

(4) The joint personal security of the borrowers in a village or preferable of the whole village community may be accepted as sufficient to ensure the repayment of a loan. The amount advanced to any one of the borrowers shall be limited to the amount recommended by the other borrowers in the village.

(5) A bond for repayment shall be executed in Form A appended.

(6) Interest on loans granted after 1st April 1927 shall be charged on all outstanding balances at the rate of one pie per rupee per mensem from the date of making the advance up to the date of repayment, provided that in calculating interest fractions of a month not exceeding half a month be ignored and fractions exceeding half a month shall be counted as a full month.

(7) The interest is the first charge on recoveries. No credit towards repayment of principal can be made until all outstanding interests has been paid. Interest due and not paid on the 1st of April on an advance made prior to that date shall be added to the principal and charged interest as provided in rule 6.

(8) Payment of advances may be made by the Range Officer or by an officer specially appointed by the Divisional Officer.

(9) It is the duty of the Range Officer to recover all amounts as they fall due, and he shall report promptly all cases of default to the Divisional Officer.

(10) A register (in Form B attached) shall be maintained in the Range office to show, separately for each borrower, advances, recoveries and outstandings. Interest shall be shown in red ink. Sections of this register will be allotted to each village to allow for transactions for a term of years.

(11) A balance shall be struck on the 31st of March and the register submitted in original to the Divisional Officer by the 15th of April.

(12) The register shall be returned by the Divisional Officer to the Range Officer by the 1st May after verification and check with the divisional ledger.

(13) The divisional ledger shall be maintained for villages, not for individual borrowers.

(14) Except under special circumstances and for reasons to be recorded, the Divisional Officers shall not sanction further advances of the same class to the same borrower until all previous advances have been repaid; and the total of advances shall not in any case exceed the maximum prescribed by rule 3.

(15) The Divisional Officer, when inspecting Range offices, shall check the recoveries and outstandings and submit a report of the inspection to the Conservator.

(16) When on tour the Divisional Officer should compare entries in the village note-books relating to taccavi with the Range register and also verify their correctness by questioning some of the borrowers.

(17) The responsibility for the supervision and the recovery of taccavi advances to forest villagers rests with the Divisional Forest Officers.

(18) Advances should be made direct to the persons concerned and the charge should be supported by receipts from the actual payees and by a certificate from the disbursing officer to the effect that the advance were paid by him to the proper persons according to the list sanctioned by the Divisional Forest Officer. The Divisional Forest Officer will furnish a certificate on a plus and minus memorandum attached to Form 13 to the effect that the receipts for the advances made together with the certificates of disbursing officers have been filed in the Divisional Forest Office.

(19) The Conservator may sanction suspensions of payment whenever from causes beyond the borrower's control such payment becomes unduly burdensome. The effect of the suspension of an instalment will be to postpone for one instalment period the payment of all the remaining instalments due on the advance and no interest shall be charged on the loan for the period during which payment is suspended.

(20) The Conservator is authorized to sanction remission of arrears and write off irrecoverable advances subject to a maximum of Rs. 250 in each case.

FORM A

Security Bond to be used for Taccavi Advances to Forest Villagers.

Whereas the following tenants of
Forest Village have received from the Divisional Forest

Officer. the sum specified below as Taccavi Advance we hereby agree that if one or any of tenants shall fail duly to apply the said advance or to repay any instalment of the said advance or interest chargeable thereon or costs (if any) incurred in the making thereof, on the date on which it may become due, we will be jointly and severally liable to the Government for a such sum not exceeding Rs. (a) as may be necessary to make good the amount which in consequence of the default of one or any of them he or they may have become liable to pay:—

(a) Enter principal and one to three years' interest according to the class of loan.

Name of tenant (1)	Object of advance (2)	Amount (3)	Date of payment (4)	Date of repayment (5)
		Rs. a. P.		

Signature of sureties

.....

FORM B

CENTRAL PROVINCES FOREST DEPARTMENT

Register of taccavi advances inVillageRangeDivision,
for the year ending 31st March 19..

Name of villager	Amount	Cash Book Item No.	Remarks.	Name of villager	Amount	Cash book Item No.	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Details of account	Rs.	a.	P.	Details of account	Rs.	a.	P.
Balance on 31st March 1928	12	1	0				11th of April.
Repaid on 17th March 1928.. I	0	1	0				12th of April.
	12	0	0				
Balance ...	0	0	0				
Advance on 15th June 1928 ..	12	0	0				27th of June.
Repaid on 16th Oct. 1928 I	0	4	0				20th of October.
	8	0	0				21st of October.
Balance ...	4	0	0				
Repaid on 9th Nov. 1928. I	0	0	9				6th of November.
	4	0	0				7th of November.
Balance on 31st March 1929	0	0	0				

NOTE.—"I" stands for "Interest".
"P" stands for "Principal".

Instructions for maintenance of range taccavi register.

1. A running account will be kept for each villager who has an advance.

2. Whenever a recovery is effected it will consist of interest (I) which will be first charge, and if more than the interest due to date is recovered, of principal (P). A balance will be struck and interest will be reckoned from the date of that balance.

3. In March or early in April the Range Officer should endeavour to recover interest on the outstandings. If not recovered before the April accounts are closed, it will be added to the principal.

4. The pages in the register will be numbered and the accounts for each villager will be serially numbered for each village. The index will be kept as follows:—

Name of village (1)	Name of village (2)	Page (3)	Entry number (4)
Bori	Tamla, son of Bhau ...	1	1
	Doma, son of Arku, etc. ...	1	2
Dhain	Paiku, son of Soma ...	7	1
	Budhan, son of ...	7	2
	Goreylal	3
	Phandu, son of Khan- nas, etc. ...	7	3

5. The register must be posted whenever there is an advance or a recovery. The statement submitted to the Divisional Forest Officer under rule 9 will show the closing balance as calculated in paragraph 3 above.

PART IV
Management and Working of the Reserved
Forests

PART IV.—MANAGEMENT AND WORKING OF THE
RESERVED FORESTS

CHAPTER XIV—CONTROL OF MANAGEMENT
WORKING PLANS

70. (1) The Conservator of the circle concerned will ^{General.} control the work of the assistant working plans officer responsible for the detailed preparation of a plan.

(2) The assistant working plans officer and his staff will be under the direct orders of the Conservator, but, for administrative purposes they will be treated as a branch of the divisional forest office concerned.

(3) The assistant working plans officer should keep the Divisional Forest Officer in touch with the general trend of his working plan proposals so that the latter may be at all times in a position to criticize the provisions of the plan.

(4) The order of urgency of the preparation of new plans will be considered annually in the month of July when the Chief Conservator, in consultation with the Conservators, will prepare a provisional programme of the working plans to be undertaken during the ensuing two years. At the same time, the personnel to undertake new plans will be considered and prompt steps taken to issue orders so that the working plan parties may be organized in good time for the next camping season. On the provisional programme being approved, the Conservator will instruct the Divisional Officers concerned to take steps to see that all maps are brought up to date, that entries in Form I are correct and that all area statements in Form I and on the 4 inches maps tally; to check all outer and forest village boundaries and where excisions or additions to forest villages are necessary, to complete such alterations before the commencement of the preparation of the plan.

(5) As soon as sanction to prepare a new plan has been received, the Conservator will take immediate steps to outline the field work necessary. In consultation with the divisional forest officer and the assistant working plans officer, he will make detailed arrangements for—

(a) Personal.

(b) Supply of tents, maps and apparatus.

- (c) Geographical division, principal of compartment formation.
- (d) Collection of detailed information for Part I of the plan.
- (e) Stock-mapping details.
- (f) The condition of boundaries and especially those round forest villages. Survey works.
- (g) Estimate of the time when the plan will be ready
- (h) Miscellaneous.

(6) On receipt of orders the assistant working plans officer will take the necessary steps for carrying out such stock-mapping as has been decided on by the Conservator. Areas that require detailed stock-mapping should first be visited. On completion of the field work, the assistant working plans officer will prepare a preliminary report in accordance with the Conservator's general instructions. This preliminary working plan report will contain a short description of the forest for which it is contemplated to frame the working plan, facts relating to their management, working and reproduction, the future treatment recommended, with the reasons for the same; propositions regarding the basis on which it is intended to build the plan of exploitation and management (whether on area, material or material with area check). A small scale sketch map showing roughly the proposed working circles and any other information that can conveniently be included, with the object of more clearly setting forth the proposals for future working than is possible by manuscript description alone, should accompany the report. In order to ensure the co-ordination of silvicultural policy, the preliminary working plan will be forwarded by the Conservator through the Silviculturist to the Chief Conservator for orders and the completion of the plan will be undertaken on receipt of the latter's orders.

The procedure for the examination of working plans by a revenue officer is detailed in paragraph 72.

The amendment of existing working plans.

(7) However changes in working plans may be initiated, the first steps to draft amendments should be taken by the Divisional Officer and the Silviculturist in consultation. Amendments will then be submitted through the Conservator to the Chief Conservator of Forests. Ordinarily the Chief Conservator of Forests will order the issue of amendment slips on matters of a technical nature, but when amendments are of a radical nature involving change of the

general structure of the plan and likely to affect the local population or the revenue, the orders of the Provincial Government are required. The Chief Conservator of Forests will decide whether alterations are radical or not. Small alterations such as the opening up of new (not provisional) felling series, which may affect a few villages only, must have the Deputy Commissioner's approval. Points of administrative importance will be dealt with by Conservators. The Silviculturist will be responsible for printing and issue of all amendments approved either by the Chief Conservator of Forest or the Provincial Government.

(8) All control forms will be submitted by Conservators to the Chief Conservator of Forests through the Silviculturist. The latter will scrutinize them and after obtaining such explanations as may be necessary from Divisional Forest Officers, forward them to the Chief Conservator of Forests. ^{Silvicultural control and record.}

(9) The Silviculturist is empowered to ask Divisional Officers to allow him to inspect their control forms and silvicultural record. He should do so whenever opportunity occurs on tour, reporting if necessary, to Conservators.

(10) In the month of July each year, the Silviculturist will prepare a programme of research work. This programme should be based on selected items of a triennial programme which it is expected to deal with in the coming year. The Chief Conservator of Forests will from time to time pass such orders as may be necessary on both the triennial and annual programmes. ^{Research.}

(11) The Silviculturist is empowered to lay out and demarcate experimental and other plots up to 5 acres in area in any reserved forest of the Central Provinces. Such plots and the forest around them to a distance of about 50 feet from plot boundaries will not be touched by divisional staff except for such maintenance as may be desired by the Silviculturist. All the main work in such plots will be carried out by the Silviculturist, but the divisional staff will cooperate in the matter of labour supply, tools, etc. Usually timber felled in such plots will be handed over to the Divisional Officer for disposal but the Silviculturist may retain any required for experimental or other purposes. When plots are formerly abandoned, the Silviculturist will give official intimation to the Divisional Forest Officer.

(12) Whenever experiments on a large scale are contemplated, the Silviculturist should invariably consult the Conservator and the Divisional Officer before starting operations.

(13) Divisional Forest Officers will undertake the maintenance of silvicultural plots and will be responsible for the submission of the annual maintenance returns.

Financial.

(14) Provision to cover the cost of the Silviculturist and expenditure under his control will be made by the Chief Conservator of Forests in his budget. The Conservator will make the necessary budget provision for the cost of the staff and other expenditure in connection with the preparation of the plans in his circle. The Silviculturist may request Divisional Officers for advances on plain receipt to cover current expenditure. He may do this through local range officers if he so desires. Divisional Officers will adjust these advances by book transfer with the general direction. Amounts of petty expenditure of under Rs. 25 for maintenance of sample or experimental plots need not be adjusted but may be charged by Divisional Officers in their accounts.

Tours, etc.

(15) The silviculturist and his staff are permitted to tour in any forests of the province, but will always endeavour to give Divisional Officers as much notice as possible of their intentions. Divisional Officers should give every assistance in arranging tours, carts, rasad, etc., and whenever possible should instruct the Range Officer to accompany the Silviculturist. Divisional Officers and the Silviculturist should meet as frequently as possible, particularly in case where working plans are under preparation. The services of a forest guard or range assistant with good local knowledge should as far as possible be placed at the disposal of the silviculturist when on tour and the beat guard should usually be detailed to attend his and the assistant working plans officer's camps to arrange for rasad, labour, etc.

REVENUE OFFICER'S EXAMINATION OF
WORKING PLANS

**Policy of
Government.**

71. The policy of Government in respect of the reserved forests is that they should be managed on quasi-commercial lines, and in the interests of revenue, the commercial activities of the forest department under the powers delegated to the Chief Conservator of Forests, should be restricted as little as possible. Government, however recognizes that certain privileges and concessions which do not amount to rights-of user have been enjoyed in the forests by the neighbouring population and desires that these privileges and concessions should continue to be enjoyed as freely as possible. They must however be defined and delimited, and should not be allowed to increase except in unusual circumstances.

The most satisfactory method of giving effect to this declared policy is to embody its principles in the provisions and prescriptions of working plans, and for this purpose a Revenue Officer should be associated with the preparation or revision of each working plan.

72. The procedure which regulates the respective duties of the revenue and working plans officers is as follows:— Duties of the revenue and working plans Officers.

(1) The working plans officer will carry out the main work of preparation on the lines laid down in paragraph 48 to 53 of the forest department code (7th edition) before the Revenue Officer is appointed, and the first draft of the report with all details of working circles, felling series, coupes and compartments should be prepared on lines accepted already by the Chief Conservator of Forests.

The record of past treatment is of paramount importance to continuity of management and future treatment. It will be the duty of the officer entrusted with the field work of the plan to record in the compartment history and, as far as possible on the stock maps, the details of past treatment and their results whether main fellings, subsidiary fellings or thinnings after ascertaining the year in which each operation was carried out from old control forms, maps and through local enquiries.

(2) The working plan officer shall have prepared also—

- (a) Tracings of the forests to show the above details and where the working plan concerned is a revision, other tracings showing the similar provisions of the old plan.
- (b) A statement showing for each felling series the proposed closures to grazing during the period covered by the working plan. To such an extent as he is able to collect the information this statement shall show the villages which rely on each felling series for the ordinary daily grazing of their cattle, the number of such cattle grazed during recent years, and the portion of the series in which the grazing is heaviest; also it shall give the outside villages which have been accustomed to send their cattle to the series for pasturage during the rainy season, together with the approximate number of such cattle.

- (c) A statement of his opinion as to the necessity of limiting the grazing in any felling series and, if so, the extent to which the grazing should be limited and the manner in which the excluded grazing can be provided for in the other areas in which the demand for grazing is light.
- (d) A note regarding the extent of the demand for forest produce, both local and for export, in the various circles or series, with special reference to localities where there is any shortage in meeting the demand of the surrounding agricultural population for fuel, fodder, grass, bamboos, wood for ploughs, satkatha, poles and building wood; this note should refer to the general policy now followed and to be followed under the provision of the new plan regarding the extraction of produce with the object of meeting shortage in any of the forms of produce mentioned above.

(3) The Conservator will inform the Chief Conservator of forests two months before the time when the plan is ready for the special revenue officer's examination and the chief conservator will arrange with the Provincial Government for the deputation of an officer. The revenue officer when appointed will be subordinate to the Commissioner or Deputy Commissioner as may be ordered by the Provincial Government in each case. He will draw his pay and submit his accounts through the Divisional Forest Officer. The Chief Conservator of Forests will arrange to keep two sets of tents as described below and the camp equipment for the use of the special revenue officer deputed to examine the working plans:—

- 2 new pattern swiss cottage tents 13'×13' complete with necessary tents.
- 2 servant's pals 12'×12'.

When these are not required for special revenue officers, they may be used by the forest department.

(4) (a) The assistant working plans officer will prepare a memorandum for the information of the special revenue officer with special reference to the prescriptions of the plan likely to affect the local population and submit it for approval to the Conservator. The latter will forward a copy of the memorandum to the Deputy Commissioner, the commissioner and the Chief Conservator of Forests. The officer

who prepared the working plan will accompany the special revenue officer on tour. An informal conference consisting of the special revenue officer, the assistant working plans officer, the Deputy Commissioner, the Divisional Forest Officer and the Conservator should be held both before and after the tour of the special revenue officer. Changes proposed by the special revenue officer and accepted by the assistant working plans officer will be submitted by the latter through the Conservator for approval to the Chief Conservator of Forests and will be embodied at once in the plan. Points on which the special revenue officer and the assistant working plans officer do not agree will be brought by the latter to the notice of the Chief Conservator of Forests through the Conservator of Forests. If the Chief Conservator of Forests agrees with the special revenue officer, he will issue orders accordingly to the assistant working plans officer. If he does not, he will ask the special revenue officer to give the matter special prominence in his report. In order to minimize differences of opinion the special revenue officer should permit the assistant working plans officer to have access to his report during his preparation.

(b) Usually non-officials are informally consulted by the special revenue officer during the course of his enquiry, but this does not give them sufficient opportunity to make formal suggestions regarding or objection to the working plan and to the recommendations in regard to it finally made to the Provincial Government. It is therefore ordered that representatives of local opinion, *e.g.*, members of the Legislative Council, members of the district council and local boards of the district and representatives of local associations and landed interest should be invited to the conference held after the tour of the special revenue officer and given a definite opportunity of criticizing the prescriptions of the working plan.

Nominations to the conference will be made by the Deputy Commissioner of the district and each person so invited will be furnished with a copy or translation of the memorandum prepared by the assistant working plans officer for the special revenue officer under these orders.

It shall be the duty of the special revenue officer to explain to the conference how far the interests of the people are affected by the plan and in drawing up his final report consistently with the principles herein enunciated, to consider the views expressed by the representatives.

Proceedings should be drawn up showing clearly the opinions put forward and the general conclusions come to and accepted at the conference.

(5) The revenue officer will tour in company with the working plan officer throughout the neighbourhood of the forests. His duty is to see that the declared policy of Government is brought into full effect by the provisions and prescriptions of the working plan. Some latitude must be allowed to the revenue officer in interpreting the term "neighbouring" population, that is to say, the civil district boundaries may have in cases to be ignored. Claims for consideration must be based always on past habit and custom; on this ground certain villages of adjoining districts may have to be considered, but only of course in special circumstances, details of which should be given in each case. General privileges such as cheap nistar rates need not be extended to the whole civil district under consideration but only to such villages as are entitled to them by past habit and custom. Cases are almost certain to arise where the interests of the neighbouring population clash with the silvicultural and commercial principles of forest management. The Forest Department is administered on quasi-commercial lines, and in cases where the above interests clash, it is the duty of the revenue office—

- (i) to state the case clearly from both points of view;
- (ii) to test and weigh the facts brought forward in the evidence;
- (iii) to make recommendations on definite lines;
- (iv) to satisfy himself that the prices at which the people can obtain forest produce from the coupe contractors, have not reached prohibitive limits, or if they have, to suggest remedies.

In localities where commutation for nistar and paidawar is still permitted he will enquire into and discuss with the officers of the Forest Department the question of its abolition or restriction. Similarly in localities where irregular exploitation of fuel and timber is still permitted on rated passes he will consider and note on any proposals put up by the Forest Department for its abolition or restriction. Before recommending the abolition of commutation or irregular exploitation he must satisfy himself of the adequacy of the alternative means of supply formulated and prescribed in the working plan. In exceptional

cases in order to safeguard the supply of the agricultural and domestic needs of the neighbouring population he may recommend the exclusion of contractors.

- (v) to see that the sequence of fellings and subsequent closure is arranged so that as little inconvenience as possible is caused to the villagers who depend on the forest for the daily grazing of their agricultural cattle;
- (vi) to check the proposed division of the forest into grazing units and, where forests are suffering from overgrazing, suggest such limitation or redistribution of grazing as is necessary.

The greatest care is necessary where grazing demand is heavy and the grazing unit clearly cannot support the number of cattle which desire to graze. A standard incidence of grazing cannot be prescribed as the severity of grazing varies with topography, species of grass and density of the forest; but it may generally be said that where more than 3 acres per head of cattle is available there is no serious danger of overgrazing. In cases where restriction of grazing is considered necessary the revenue officer should make exclusions in the following order:—

- (a) cattle from outside the province;
- (b) cattle which can graze as conveniently or almost as conveniently in other under-grazed units;
- (c) cattle from villages grazing irregularly or recently only;
- (d) cattle from distant villages;
- (e) commercial cattle;
- (f) village cattle not privileged.

- (vii) to criticize existing rates for grazing and for produce such as grass, fuel, bamboos, other minor produce, etc., which the agriculturists extract for themselves on licences.

(6) The case of small isolated blocks in the middle of densely populated tracts requires special consideration. Such blocks are usually of great economic importance to the locality. There is generally a heavy demand for fuel, building materials and grass as well as for grazing.

Such forests have, as a rule, been subject to heavy exploitation and excessive grazing in the past and are frequently degraded. In cases where such degradation has reached a stage beyond hope of repair, little can be done; but when there is hope of reclaiming the forests or

of resisting denudation and degradation, the measures proposed by the Forest Department must be carefully considered and restriction, clearly necessary, must be imposed in the true interests of the people themselves.

(7) When the report is finally drafted four copies should be prepared. Three copies should be given to the Conservator for distribution as follows:—

One for submission as an appendix to the final working plan draft submitted to Government, one to be sent to the Divisional Forest Officer, with a copy of Government orders thereon, one to be sent to the press when the report is sent for final printing.

The fourth copy will be submitted officially to the Provincial Government through the following channel:—

(i) Deputy Commissioner.

(ii) Conservator.

(iii) Commissioner.

(iv) Chief Conservator of Forests.

Each of the above officers will note on the draft as he thinks fit and send a copy of his remarks to each of the other officers.

When the orders of Government are issued on the draft, a copy of the orders shall be sent to each of the abovementioned officers. All grazing settlements sanctioned by Government shall be provisional for the first two years, and shall be confirmed only after they have been tested by experience.

(8) When the Governor-in-Council has passed orders on the revenue officer's proposals the Conservator will complete the working plan report which will be dealt with in accordance with the standing orders, being forwarded in print by the Conservator through the Silviculturist to the Chief Conservator for submission to Government. The report of the revenue officer and the orders passed thereon by the Provincial Government will be included among the appendices to the working plan.

The following statement shows the dates of submission of preliminary and final working plans:—

Preparation of the Working plan.		Conduct of the special revenue enquiry.	
Action to be taken. (1)	Date (2)	Action to be taken. (3)	Date (4)
FIRST YEAR			
Stock-mapping and preparation of preliminary report by the Assistant Working Plans Officer in consultation with the Conservator and the Silviculturist.	November to June.		
Drafting of the plan.	July to October.	Conservator applies to the Chief Conservator of Forests for the deputation of an officer to conduct the revenue enquiry.	September
SECOND YEAR			
Submission of the plan to the Conservator by the Assistant Working Plans Officer.	November	Deputation of Special Revenue Officer.	December 1st (at latest).
Check of plan in the field by the Conservator.	December to March.	Enquiry of Special Revenue Officer.	December to March.
Conservator forwards the plan through the Silviculturist to the Chief Conservator.	April.	Submission of draft report of Special Revenue Officer.	April 1st.
Chief Conservator forwards the plan to Dehra Dun.	May	Informal conference to consider report of Special Revenue Officer.	April (3rd & week)
		Special revenue officer submits his final report to the Chief Conservator (through Deputy Commissioner).	May to July.
Chief Conservator forwards the final plan to Government.	August	Chief Conservator forwards the Special Revenue Officer's report to Government.	August 10th.
THIRD YEAR			
Marking of coupe No. 1	November to March.	...	
Introduction of plan.	July.	...	

Revenue officer's
staff.

73. The revenue officer's standard special staff as sanctioned by Government consists of the following:—

1 Reader on Rs. 30—80 per mensem (old scale)

Or

On Rs. 30—65 second grade } Per mensem (revised
On Rs. 65—100 first grade } scale).

1 additional revenue inspector on Rs. 40—1—60 per mensem.

1 chainman to additional revenue inspector on Rs. 11 per mensem.

2 orderlies on Rs. 11—1/5—15 per mensem.

1 khalasi on Rs. 14 per mensem.

The Government has also approved of the grant of a conveyance allowance of Rs. 20 in the Central Provinces and Rs. 25 in Berar to the additional revenue inspector employed for this duty. The incumbent of the temporary post of the reader or the additional revenue inspector, who holds a substantive appointment elsewhere, will receive in addition to the pay of the temporary post a special pay equal to 20 per cent of his substantive pay in the regular line.

Ordinarily the Deputy Commissioner of the district in which the working plan is being prepared should be able to depute persons to fill the posts.

Outsiders not holding substantive appointments, if appointed to the temporary posts, will start on the minimum of the timescale except in special cases in which a higher rate of pay may be given with the Government's special sanction.

Appointments under these rules will be made by the Conservator.

74. Subject to the exceptions, stated below, fruit-bearing trees may be felled in simple coppice or coppice with standards coupes in accordance with silvicultural requirements. In simple coppice areas all growth will be felled. In coppice with standards fellings all large spreading mahua or other fruit trees should be removed unless they are standing in blank areas, or not interfering with the growth of individuals of the better timber species. Younger specimens of the fruit-bearing species, may, however, be retained as standards when nothing better offers and specially tendu of straight growth may often be so retained to the advantage of the future crop in preference to distorted stems of even the best species. These instructions are subject to the proviso that mahua and achar trees should not be removed under the above orders in coupes from which the inhabitants of the cultivated areas in the vicinity habitually gather flower or fruit. In such coupes these trees should ordinarily be retained.

CHAPTER XV. GENERAL PROTECTION RULES UNDER SECTION 76 (a) AND (b)

75. (1) The Conservators of Forests, all Deputy Commissioners, Assistant Commissioners, Deputy Conservators, Assistant 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 Officer.

(2) The powers referred to in the second and third column of the following schedule shall be exercised by the officers 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 the nature of power conferred.
(1)	(2)	(3)
	21	To publish translation of notification of reserved forests.
(f) All Deputy Conservators, Assistant Conservators and Extra-Assistant Conservators when in charge of Forest divisions.	26 (1) (c)	To notify seasons during which the kindling, etc. of fire is not prohibited.

Powers of Forest Officers
Notifications Nos.
130-130-848-XV
d. 31-1-28 and Nos.
624-625-341-XV
d. 12-6-28 and No.
718-XV, d. 12-8-29.

	45 (2)	To notify depots for drift timber.
	46	claims of drift timber.
	47	To issue notice to claimants to decide claims to drift timber.
	50	To receive payments on account of drift timber.
	61	To direct release of property seized.
	83 (2)	To sell forest produce for Government dues.
(ii) All Deputy Commissioners, Assistant Commissioners, Deputy Conservators, Assistant Conservators, Extra-Assistant Conservators, Tahsildar, Forest Rangers and Range Officers and Deputy Rangers and Foresters when specially authorized in that behalf by the Conservator of Forests.	26 (2) (a)	To permit acts prohibited in reserved forests under section 26 (1).
(iii) All authorized vendors of rated passes and grazing licences under the rules in force.	26 (2) (a)	To permit acts prohibited in reserved forests under section 26 (1) clauses (d), (f) and (g).
(iv) All Deputy Conservator, Assistant Conservators, Extra-Assistant Conservators, Forest Range Officers, and Deputy Rangers and Foresters specially authorized in that behalf by the Conservator of Forests.	83 (1)	To take possession of forest produce for Government dues.
(v) Working Patels in Berar.	52, 64 and 70.	To exercise all powers under these sections.

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

Ways and water-courses.

(4) The Conservator of Forests is empowered, under section 25 of the Act, with the previous sanction of the Commissioner of the division to stop public or private ways and water-courses in Reserved Forests subject to the provisions of that section.

Rewards.

76. (1) All Revenue Officers below the rank of Tahsildar, all Police Officers up to and including Inspectors, Sub Inspectors and Inspectors of Excise and all officials in

the Forest Department below the rank of Extra-Assistant Conservator of Forests as well as persons not in the public service, are eligible for rewards the grant of which shall be governed by rules 2 to 6.

(2) 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.

(3) 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 Provincial Government giving his reasons for the same.

(4) 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 empowered to pay under rule 2 from such funds as may be at his disposal.

(5) 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.

(6) In cases where compensation has been accepted under section 68 of the Indian Forest Act, Conservator of Forests may authorized the payment of a reward under these rules not exceeding the amount of the compensation accepted. Divisional Forest Officers are empowered to pay such rewards subject to a limit of Rs. 10 in each case or the amount of compensation accepted, whichever is less.

In order to ensure that the system does not encourage false and frivolous cases particular care should be exercised in granting rewards in cases where the value of the property seized is trifling.

(7) Money accepted by way of compensation under section 68 of the Indian Forest Act is Forest Revenue (R. v-b) and must be credited in full into the treasury.

Rewards payable under these rules are revenue expenditure and debitable to B-iii-b if paid to Government servants or B-iv-e if paid to private persons.

For purposes of control the following details will be given in the classified abstract of expenditure (Forest Account Code, Form 14) for rewards paid under rule 8 :—

- (1) Serial number of case compounded.
- (2) Total amount of compensation accepted.
- (3) Amount of award.
- (4) Number and the date of Conservator's sanction (if reward is in excess of Rs. 10).

RULES UNDER SECTION 76 (d)

Enquiry into
forest offences.

77. (a) (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 a Range Officer specially empowered in this behalf by the Forest Divisional Officer :

Provided that such Assistant shall not make an enquiry into an offence detected by him unless he has, for reasons to be recorded in writing, been so permitted by the Range Officer to whom he is subordinate.

(2) After an enquiry has been completed no further enquiry shall be made by any officer, except with the previous sanction of the Divisional Forest 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 Divisional Forest 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 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 Divisional Forest 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 64 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 Divisional Forest Officer. See para. 80.

(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 Divisional Forest Officer for orders. On receipt of the enquiry the Divisional Forest Officer shall pass such orders as may appear necessary, provided that if the enquiry be not completed and he order further enquiry, any case in which such enquiry lasts for more than a week shall be reported to the Deputy Commissioner.

(b) The forms to be used for case diaries are as follows :—

English	...	Schedule IX	...	89
Hindi	...	IX-a	...	99
Marathi	...	IX-a	...	100

Forms used for case diaries and register of forest case Departmental Order No. 1021-E-196, d. 27-4-1928.

A register of forest cases will be maintained by all officers compounding cases in the form Schedule IX-90

78. The notification reproduced below defines—

- (1) the power to enter upon any land and to survey, demarcate and make a map of same ;
- (2) the powers of a Civil Court to compel the attendance of witnesses and the production of documents ;
- (3) the power to issue a search-warrant under the Code of Criminal Procedure ;

- (4) power to hold an enquiry into forest offences, and in the course of such enquiry, to receive and record evidence.

with which the various classes of Forest officers have been invested.

UNDER SECTION 72

Summoneses to witnesses,
Notification
No. 1126,
d. 22-11-11.

The Provincial Government is pleased to invest all Forest officers holding charge of Forest Divisions in the Central Provinces and Berar and all Assistant Conservators and Extra-Assistant Conservators who have passed the Departmental Examination in Forest Law prescribed by Article 40 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 to enquire into forest offences, the power to issue summonses for the attendance of witnesses.

Diet-money of witnesses.

79. Diet-money of witnesses summoned to appear in case of forest offences under enquiry by Forest officers may be paid by courts, or at such lower rates as the Deputy Commissioner of the district may direct.

Compounding of offences,
Notification
No. 161-810-
XV, d. 15-2-32.

80. The notifications quoted below regulate the procedure in compounding offences:—

UNDER SECTION 68

The Provincial Government is pleased to invest the following officers in the Central Provinces and Berar with powers to compound forest offences under the aforesaid section of the Act:—

- (i) All Deputy Commissioners, Extra-Assistant Commissioners and Tahsildars.
- (ii) All Conservators of Forests, Deputy Conservators of Forests, Assistant Conservators of Forests, Extra-Assistant Conservators of Forests, and Forest Rangers in receipt of not less than Rs. 100 per mensem and of not less than ten year's standing as Forest Rangers:

Provided that—

- (a) in respect of an offence under section 79 of the said Act, the powers shall not be exercised except by Deputy Commissioner, Conservator of Forests or an officer holding charge of a forest division;
- (b) No Forest Ranger shall exercise the power unless he has been specially authorized by the Conservator in this behalf.

2. Every sum of money assessed by way of compensation may be reduced in revision—

- (a) by the Deputy Commissioner, if the sum has been assessed by any officer mentioned in clause (i) of rule 1, who is below the rank of Deputy Commissioner,
- (b) by the Conservator, if the sum has been assessed by any Forest Officer holding charge of a Forest Division, and
- (c) by the Forest Officer holding charge of a Forest Division, if the sum has been assessed by an Officer subordinate to him.

UNDER SECTION 76 (d)

All Forest Officers empowered to compound shall record all cases disposed of by them in a register (Form No. IX-8) 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 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 it, with the date of decision.

The register shall be submitted in original by the Divisional Forest Officer, to the Deputy Commissioner of the district on the 15th of January, April, July and October in each year.

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

Notification
No. 1126,
d. 22-11-11 and
No. 211,
d. 13-3-12.

Vide para.
77 (a).

UNDER SECTION 71

Cattle-pound
fees.
Notification
No. 770,
d. 15-8-14 and
No. 1127,
d. 22-11-11,
as amended by
Notification
No. 1125,
d. 28-11-13.

81. Fines not exceeding the following scale shall be levied for cattle trespassing in any Reserved Forest in the Central Provinces and Berar in lieu of the fine fixed by section 12 of the Cattle Trespass Act, 1871 :—

For each elephant—Rs. 10.

For each camel—Rs. 2.

For each buffalo—Rs. 2.

For each horse, gelding, pony, colt, filly, mule, bullock, cow or heifer—Re. 1.

For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid—Annas 8.

In C class Reserved Forest the maximum fine which may be levied shall be half the scale given above.

Reserved trees
in C class in
Berar.
Notifications
No. 1129, d.
22-11-11, as by
Notification
No. 32-273-C-XV,
d. 4-11-19 and
No. 1127, d.
28-11-13.

82. In the Reserved Forests of class C in Berar—

(1) No trees of the following species shall be cut without the sanction in writing of the Conservator of Forests Western Circle:—

- | | |
|---|--|
| (1) Amaltas (<i>Cassia fistula</i>). | (11) Mango (<i>Mangifera Indica</i>). |
| (2) Anjan (<i>Hardwickia binata</i>). | (12) Mohwa (<i>Bassia latifolia</i>). |
| (3) Bahera (<i>Terminalia belerica</i>). | (13) Neem (<i>Azadirachta Indica</i>). |
| (4) Banyan (<i>Ficus Bengalensis</i>). | (14) Pipal (<i>Ficus religiosa</i>). |
| (5) Bel Aegle marmelos. | (15) Sandal (<i>Santalum album</i>). |
| (6) Bhirra (<i>Chloraxylon Swietenia</i>). | (16) Sendhi (<i>Phoenix sylvestris</i>). |
| (7) Bilawal (<i>Pterocarpus marsupium</i>). | (17) Tamarind (<i>Tamarindus Indica</i>). |
| (8) Hilda (<i>Terminalia chebula</i>). | (18) Tendu (<i>Diospyros melanoxylon</i>). |
| (9) Jamun (<i>Eugenia jambolana</i>). | (19) Tarwar (<i>Cassia auriculata</i>). |
| (10) Kowah (<i>Terminalia arjuna</i>). | (20) Palas* (<i>Butea frondosa</i>). |

*In areas where lac is cultivated with the consent of the Deputy Commissioner.

(2) No trees of the species noted below shall be cut within 66 feet of the centre line of any main road or of either bank of any stream bed without the permission of the Conservator of Forests, Berar :—

- | | |
|--|---|
| (1) Aonla (<i>Phyllanthus emblica</i>). | (21) Kurakatti (<i>Holarrhena antidysenterica</i>). |
| (2) Bahera (<i>Terminalia belerica</i>). | (22) Kusum (<i>Schleichera trijuga</i>). |
| (3) Ber (<i>Zizyphus vulgaris</i>). | (23) Kuthoda (<i>Sterculia villosa</i>). |
| (4) Bhitawa (<i>Semecarpus apocarpium</i>). | (24) Laorikasmar (<i>Cordia macleodii</i>). |
| (5) Bassal (<i>Bauhinia racemosa</i>). | (25) Lendya (<i>Lagerstroemia parviflora</i>). |
| (6) Champa (<i>Bauhinia variegata</i>). | (26) Mohin (<i>Odina wodier</i>). |
| (7) Chillati (<i>Coesalpania sepriata</i>). | (27) Mokha (<i>Schrebra-svietenoides</i>). |
| (8) Dhaman (<i>Grewia tilloefolia</i>). | (28) Pader (<i>Stereospermum chelonoides</i>). |
| (9) Ganer (<i>Cochlospermum gossypium</i>). | (29) Pakar (<i>Ficus infactoria</i>). |
| (10) Ghetu (<i>Randia dumetorum</i>). | (30) Palas (<i>Butea frondosa</i>). |
| (11) Ghoriamim (<i>Cedrela toona</i>). | (31) Phassi (<i>Dalbergia paniculata</i>). |
| (12) Ghatber (<i>Zizyphus xylopyra</i>). | (32) Purputa (<i>Randia uliginosa</i>). |
| (13) Haldu (<i>Adina cardifolia</i>). | (33) Rohia (<i>Soyimida ferifuga</i>). |
| (14) Hewar (<i>Acacia leucophloea</i>). | (34) Sakira (<i>Zyziphus rugosa</i>). |
| (15) Karanjalam (<i>Ulmus integrifolia</i>). | (35) Salai (<i>Boswellia thurifera</i>). |
| (16) Karhai (<i>Sterculia urens</i>). | (36) Semal (<i>Bombax malabaricum</i>). |
| (17) Kegda (<i>Garuga pinnata</i>). | (37) Shisham (<i>Dalbergia latifolia</i>). |
| (18) Keolar (<i>Bauhinia purpurea</i>). | (38) Siris (<i>Albizia Lebbeck</i>). |
| (19) Kuku (<i>Mallotus philippinensis</i>). | (39) Tetu (<i>Spathodea xylocarpa</i>). |
| (20) Kumbhi (<i>Careya arborea</i>). | |

The Provincial Government may add to or remove from the above list any description of tree.

(3) Licenses to tap Sendhi trees (*Phoenix sylvestris*) and remove "tari" may be granted by Deputy Commissioners under the following regulations :—

Sendhi tapping in C Class in Berar.

- (a) No tree shall be tapped that is less than 6 feet high from the ground to the base of the growing shoot (gabha).
- (b) A tree may only be tapped at one place on the stem in any one year, and only at the base of the growing shoot (gabha).
- (c) The leaves of a tree shall not be cut unnecessarily for tapping purposes, and tapping incisions shall not be made so as to cause the death of a tree.
- (d) Licensees shall not sell or dispose of Sendhi leaves cut when tapping trees.

RULES REGARDING PROSECUTIONS AND CIVIL SUITS

83. (a) The following are the rules for the guidance of departmental officers in conducting criminal prosecutions.

Rules for conducting prosecutions.

- (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 address 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, nor, is there any restriction 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.

(b) Divisional Officers should, if possible, report to the Conservator before commencing proceedings in any grave or unusual criminal case.

(c) Chapters VIII and X of the Law Department Manual lay down instructions in respect of criminal prosecutions by or against Government servants and suits against Government.

Pleaders' fees.

(d) Divisional Officers have the powers to sanction expenditure on pleaders' fees, up to a limit of Rs. 100 in each case in the prosecution of criminal offences; Conservators up to a limit of Rs. 250; and the Chief Conservator up to a limit of Rs. 500. Expenditure in excess of this amount requires the sanction of the Provincial Government.

**Inspection of
Judicial
records,
Judicial
Commissioner's
Criminal
Circular
No. III-3.**

84. The inspection of criminal records is regulated as follows :—

1. Judicial records should not be removed from the custody of the Courts to which they pertain or the record-room in which they are kept except—

(1) by the order of superior judicial authority ;

(2) on the requisition of the Government, the Commissioner of the Division, the Inspector-General of Police, the Magistrate of the District of a Court, Civil or Criminal, having occasion to refer to a record in the course of a trial.

2. The District Magistrate, who is also the Deputy Commissioner, is always a superior judicial authority in regard to records retained by a subordinate Court or deposited in a district record-room. In his capacity as Deputy Commissioner he should, however, only call for the records of criminal cases, when an examination of the original file by himself 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 4 should be followed.

3. Every facility should be given by every Court for inspection in its own office of any record to which a public officer not entitled to call for records may wish to refer.

4. When a public officer not entitled to call for records requires for official purposes a copy of any portion of a

record kept in an office in the same station, the copy may be made in that office by a trustworthy person whom he may depute for the purpose. When the record is not in an office in the same station, the copy will be made by the office in which it is kept and will be sent to the officer requiring it.

85. (1) Orders relating to suits by or against Government and appeals, applications for revision and execution proceedings in connection with any such suit are contained in Chapters X to XIII of the Central Provinces Law Department Manual. Civil suits.

(2) Chapter XIV of the said Manual contains orders relating to suits filed by or against Government servants generally. As soon as the Divisional Officer receives information that a suit has been filed or is likely to be filed against a Forest Officer in his division in respect of any act purporting to be done by him under the Indian Forest Act, 1927, he will at once submit a report to the Conservator for transmission to the Chief Conservator and will also instruct the officer concerned to plead the protection given by section 74 of the said Act and to request the Court to try the question as a preliminary issue in the suit. If the question is not decided in favour of the officer and the suit is not dismissed on that ground, the officer may seek the help of Government in accordance with rule 152 in the aforesaid Chapter.

CHAPTER XVI.—FIRE PROTECTION

Rules Under Section 26 (b) and 76 (d)
Central Provinces and Berar (A Class Forests).

86. (1) A person desirous of clearing by fire any standing forest or grass land within the 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. Notifications
No. 3554,
d. 12-6-1890 and
No. 2823,
d. 21-6-1894.
- (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. Notifications
No. 1117,
d. 22-11-11,
and No. 1122,
d. 28-11-13.
- (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 Divisional Forest 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 fire 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-grounds, 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 notified by the Divisional Forest Officer under section 26 (c) with the previous approval of the Conservator. Smoking is similarly prohibited between the 1st November and 30th June within a Reserved Forest, save at an authorised camping-ground.

C class forests of Berar.

Notification
No. 1118,
d. 22-11-11 and
No. 1123,
d. 28-11-13.

87. The kindling, keeping and carriage of fire is permitted provided that nothing in this rule shall imply permission to set fire to any forest, or to kindle, keep or carry any fire or leave burning any fire so kindled in such a manner as to endanger any forest.

88. Deputy, Assistant and Extra-Assistant Conservators in charge of Divisions are empowered to notify seasons during which the kindling, etc., of fire in Government forests is not prohibited (vide paragraph 75 above).

Rules For Fire Protection Operations

89. (1) The forest areas of each Division will be divided into three classes for the purpose of protection against fire according to the prescriptions of sanctioned working plans or failing such prescriptions, by executing orders of the Conservator.

(2) The following are the classes:—

Class I forests completely protected

This class includes—

- (i) Regeneration coupes under the uniform system.
- (ii) Young regenerated woods including coppice coupes whilst closed to grazing.
- (iii) Plantations.
- (iv) Such other areas as the Conservator may for special reasons direct (e.g., grass birs and ramnas, intense lac cultivation).

(3) All areas in this class will be insulated by means of fire lines and cut guide lines and will be patrolled by fire watchers.

(4) Any fire occurring in them will be a calamity and must be reported, whatever the area burnt or the date of occurrence may be.

Class II forests generally protected

(5) This class includes—

- (i) all forests under systematic working not included in class I; and
- (ii) such other areas as the Conservator may for special reasons direct.

(6) All areas in this class will be isolated from the surrounding country by means of external fire lines, and divided into convenient blocks by interior fire lines. No guide lines will be cut, but all fire lines, roads, paths, suitable ridges, grassy maidans, etc., will be burnt in successive stages as the grass dries sufficiently to be combustible, and the fire allowed to burn itself out.

(7) Fire watchers may in areas of this class only be employed if sanctioned by the Conservator.

(8) As a supplementary measure the early burning of portions of areas of this class may be sanctioned by the

Conservator. By early burning is meant a deliberate attempt to pass a slow fire early in the year through the whole area under such treatment.

Class III forests protected by law only.

(9) In this class are included all forests not included in the two foregoing classes.

(10) In forests of this classes deliberate burning is prohibited but no special measures of protection will be undertaken.

Forest lines.

(11) Fire lines are of two kinds, exterior and interior. The responsibility for their upkeep rests with the Divisional Forests Officers. The following instructions shall be carefully attended to by them in the performance of this duty:—

(1) 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. Occassions may sometimes arise when, in order to secure efficiency it is necessary to deviate from sinuous or difficult boundaries in favour of straight lines running through the Govern- ment forest.

(2) Interior fire lines are constructed within Govern- ment forest and are intended to restrict within limits fires which have broken out in protected areas and cannot be controlled except by counter-firing. These fire lines should follow the course of roads open to the public and the beds of rivers and streams which, in addition to other advantages, themselves constitute natural efficient interior fire lines. Interior fire lines should, as far as possible, not be constructed along ridges, as there the effect of wind is greatest and water scarcest.

(12) 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 should 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. They should be located as near water as possible 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.

(13) In class I forests the following measures are prescribed:-

(i) The first consideration is 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, ordinarily not less than 40 or more than 100 feet. Not later than the month of November two guide lines will be cut, one on either side of the area decided on for the fire line. 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 must be completed by the end of December.

Exterior lines include coupe lines which form the boundary between class I area and areas of class II and III. In adjoining class II and III areas, no fire lines will be cleared, but a guide line will be cut and burnt and the fire allowed to burn itself out.

(ii) Interior fire lines will be similarly treated, but will usually be narrower than exterior lines.

(iii) As the season advances, the grass in the centre of the fire lines will dry and 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 dry.

(iv) Dry leaves and other dry material on fire lines must be collected from time to time and deposited along the edge of the fire lines; but the burning of such material on the lines after the hot weather has commenced, is strictly prohibited.

(v) Except with the express order of the Divisional Forest Officer and in the presence of the Range officer or other subordinate authorized by the Divisional Forest Officer, no fire lines shall be burnt after March, 31st.

(14) In class II areas no guide lines are cut. The fire is allowed to run into the forest and burn itself out so as to interpose a wide burnt strip between the class II area and the surrounding country. The grass must be burnt as soon as it is sufficiently dry, and the operation must be carried by stages. To control the operation the Divisional Forest Officer will receive, from the 1st December or such earlier date as he may fix, a fortnightly report from the Range officer concerned showing the progress

made in burning. The date by which burning must be completed will be fixed by the Conservator and a report will be made to him of the progress made and of the reason for delays, if any, by the Divisional Forest Officer a fortnight before the date so fixed. After the date fixed operations must cease except with the special sanction of the Conservator.

(15) Existing fire lines will be utilized as far as possible. New lines will not be made without the sanction of the Conservator.

Fire watchers

(16) It is the duty of 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.

Fire watchers must always be on their beats. Divisional Forest 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.

Fires.

(17) Any Forest Ranger, Forester, or Forest Guard who may see smoke rising anywhere in or near the forest shall at once collect such aid as is immediately available and proceed in person to the spot. He must not sit quiet and send some one else to enquire or report. The forest official who arrives at a spot where a fire is burning shall at once proceed to extinguish it. If the fire is 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 to all three classes of forest.

(18) 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 official shall leave the burnt locality till the senior Forest Officer present has satisfied himself that no smouldering material remains.

(19) 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 Divisional Forest Officer in consultation with the Deputy Commissioner.

Responsibility

(20) The Range Officer is held personally responsible for the efficiency of fire protection in his range.

Where protected forests of two ranges adjoin, the responsibility for efficient protection and clearing of the common fire line will rest with one of the Range Officers to be selected by the Divisional Forest Officer, the Conservators or two conservators in consultation according to whether the two ranges belong to the same division, two different divisions of the same circle or to two different circles. These orders will be recorded in the Range Order Book.

(21) The Divisional 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. He must, during his tour, satisfy himself by constant enquiries that no fires in protected areas have gone unreported, and that the areas of reported fires have been accurately estimated. These checks require extensive and thorough personal inspection by him.

Fire reports

(22) The Range Officer shall report the outbreak of a fire to the Divisional Officer at once, using special despatch if the fire extends over a large area. The Range Officer must provide for rapid communication between himself and his staff in fire protected areas so that no delay may occur in his receiving report of the outbreak of a fire and in transmission by him of such intimation to the Divisional Officer. The inspection of the area burnt and 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 outbreak.

(23) The Divisional Officer will submit monthly (in Form IX—74) to the Conservator a summary of fires showing the serial number, date of occurrence, cause, area burnt, extent of damage, and measures taken. In this summary will be included—

- (i) all fires in class I areas;
- (ii) all fires that have occurred in class II areas after the date fixed for completion of the line burning prescribed in paragraph 14 above; and
- (iii) all fires that have occurred in class II areas before that date if obviously of a serious nature.

(24) A record of fires in map form will be maintained for class I areas only and will be filed in the Compartment Histories where this record has been prescribed by a Working Plan. In other cases the record will be maintained as prescribed by the Conservator.

(25) Areas deliberately burnt for silvicultural reasons, e.g., to destroy felling debris or to stimulate reproduction, will be excluded from the scheme of fire protection. Such fires will not be reported unless they spread into a protected area. Deliberate burning is only permissible if prescribed by a Working Plan or sanctioned by the Conservator.

CHAPTER XVII.—DRIFT AND WAIF WOOD

Drift and waif
wood.

90. The notifications quoted before define drift and waif-wood and regulate its disposal.

RULES UNDER SECTION 45.

Notification
No. 1120,
d. 22-11-11.

1. The Provincial Government directs 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, Pranhita, 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 Provincial Government 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.

UNDER SECTION 51.

91. (1) Any person may salve any timber found adrift, beached, stranded or sunk, other than timber exempted from the provision of section 45. Right to salve
Notification
No. 1121, d,
22-11-11,

(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 salver as salvage fee shall be 50 per cent of the local value of the timber salvaged as adjudged by the Divisional Forest Officer.

CHAPTER XVIII.—FOREST PRODUCE IN TRANSIT
AND PROPERTY MARKS

RULES UNDER SECTIONS 41 (B) AND 76 (D)
CENTRAL PROVINCES.

92. The following rules regulate the appropriation or removal of forest produce in or from the reserved forests in the Central Provinces by persons holding licences for the purposes granted by a competent authority. Possession and
production of
licences and
passes in the
Central Provin-
ces.

The rules shall take effect from the 1st November 1926— Notification
No. 797-639-
XV, d, 11-9-26.

1. Any person holding a licence granted by a competent authority for the appropriation or removal of forest produce shall have in his possession that licence whenever he enters Government forests for any purpose connected therewith.

2. No forest produce shall be removed inside or from a Government forest without a pass which must be produced when required by a Forest Officer. A licence granted by a competent authority for the removal of forest produce shall be deemed to be a pass within the meaning of this rule.

3. Nothing in these rules shall be deemed to require a person to possess a pass who—

- (i) has commuted for nistar and paidawar under the orders contained in paragraph 104 of the Central Provinces Forest Manual ; or
- (ii) is permitted to remove forest produce without the production of a pass in times of famine or scarcity by any general or special orders of the Provincial Government.

BERAR

Possession and
production of
licences in Berar
Notification
No. 798.639-XV,
d. 11-9-26,

93. The following rules regulate the appropriation or removal of forest produce in or from the reserved forest in Berar, by persons holding licences for the purposes, granted by competent authority.

The rules shall take effect from the 1st November 1926.

1. Any person holding a licence granted by a competent authority for the appropriation or removal of forest produce shall have in his possession that licence whenever he enters Government forests for any purposes connected therewith.

2. No forest produce shall be removed inside or from a Government forest without a pass which must be produced when required by a Forest Officer. A licence granted by a competent authority for the removal of forest produce shall be deemed to be a pass within the meaning of this rule.

3. Nothing in these rules shall be deemed to require a person to possess a pass who—

- (i) removes forest produce from C class forests in Berar in conformity with the Government Order No. 1129-XIB-1-53, dated the 28th November 1913, reproduced in paragraph 54 of the Central Provinces Forest Manual;
- (ii) has commuted for nistar and paidawar under the orders contained in paragraph 104 of the Central Provinces Forest Manual; or
- (iii) is permitted to remove forest produce without the production of a pass in times of famine or scarcity by any general or special orders of the Provincial Government.

"93-A. The following rules regulate the stoppage, reporting, examination and marking of timber or other forest produce in transit.

The rules shall take effect from 1st August 1949

RULES

1. "Any Forest Officer, not below the rank of a Range Assistant or a Deputy Ranger or any class of other Forest Officers authorised by Range Officer on behalf of Divisional Forest Officer, in writing in this behalf, may stop and examine any timber or other forest produce in transit, by any kind of vehicle including a motor vehicle, outside the reserved forests, in respect of which there is reason to

believe that any money is payable to the Crown 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 purpose of Indian Forest Act, 1927 (XVI of 1927), to affix a mark and submit a report stating the full particulars about such examination to his immediate official superior.

2. Any one who, when asked to do so, by an authorised person fails to stop his vehicle for the purpose of examination and marking any timber or other forest produce shall be punishable with fine which may extend to two hundred and fifty rupees and for a second or any subsequent offence with fine which may extend to five hundred rupees.

94. (1) 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.

Property marks
Notifications
No. 1099-695-
XV, and No.
1100-695-XV,
d. 24-10-28.

(2) 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.

(3) A fee of Rs. 5 shall be payable for registration, and such registration shall hold good from the date of registration till the 31st December of the year following the year of registration.

(4) 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.

(5) Any person 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 the above rules, may 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.

(6) No person, whose property mark has already been registered under clause 1, shall be allowed to have a second property mark registered for the same period:

Provided that the Conservator of Forests may, for special reasons to be recorded in writing, sanction the registration of a second property mark for the same period.

Rules regulate
the transport of
gum.

94-A.—The following rules regulate the transport of lac and kulloo gum. The rules came into force from the 1st January 1944 :—

RULES.

1. For the purposes of these rules—

(a) "lac" includes both **crude and uncleaned** product collected from the tree and partly or **fully cleaned** product known as seed lac and grain lac and also includes button lac and shellac, and

(b) "kulloo gum" includes all forms and kinds of kulloo gum, whether crude and uncleaned product as collected from the tree or partly or fully cleaned, sorted or graded product.

2. (1) No lac or kulloo gum produced or collected in a village or in any forest reserve specified in the schedule appended to these shall be transported beyond the limits of that village or that Forest reserve without a pass granted in accordance with these rules.

(2) The pass referred to in sub-rule (1) shall be in the form appended to these rules and shall be granted by the Divisional Forest Officer within whose jurisdiction the village of forest reserve is situated, or by such officer as he may authorize in this behalf.

3. Any person contravening the provisions of rule 2 or contravening the terms or conditions of a pass granted under that rule shall be punishable with imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

SCHEDULE

- (a) The Saugor district.
- (b) The Jubbulpore district.
- (c) The Narsinghpur sub-division of the Hoshangabad district.

Pass for the transport of.....

- (1) Name and address of person to whom the pass is issued.
- (2) Name of village or the forest reserve where lac or kulloo gum is produced or collected.

- (3) Name of village to which the produce is to be transported.
- (4) Route by which the produce is to be transported.
- (5) Name of the railway station from which the produce is to be transported by rail.

Signature of the official issuing the pass.

N. B.—For conditions subject to which the pass is granted, please turn over.

(To be printed on the reverse of the pass).

This pass is issued subject to the following conditions :—

1. The pass-holder shall produce the pass for check whenever demanded by any Forest Officer.
2. The pass-holder shall not transport the produce between the hours of sunset and sunrise.

94-B. The following rules regulate the transport of lac and kulloo gum in the Balaghat district excluding Bhadra, Chauria, Kinbi, Hatta and Bijagharh-Saletekri Zamindaris. These rules shall come into force on the 1st January 1945 :—

Rules regulate the transport of lac and kulloo gum in Balaghat district.

RULES

1. For the purposes of these rules—

- (a) "lac" includes both the crude and uncleaned product collected from the tree and the partly or fully cleaned product known as seed lac and grain lac and also includes button lac and shellac, and
- (b) "Kulloo gum" includes all forms and kinds of kulloo gum, whether the crude and uncleaned product as collected from the tree or the partly or fully cleaned, sorted or graded product.

2. (1) No lac or kulloo gum produced or collected in a village or in any forest reserve specified in the schedule appended to these rules shall be transported beyond the limits of that village or that forest reserve without a pass granted in accordance with these rules.

(2) The pass referred to in sub-rule (1) shall be in the form appended to these rules and shall be granted by the Divisional Forest Officer within whose jurisdiction the village or forest reserve is situated, or by such officer as he may authorise in this behalf.

3. Any person contravening the provisions of rule 2 or contravening the terms or conditions of a pass granted

under that rule shall be punishable with imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

SCHEDULE.

Villages or Reserved Forest lying in the Balaghat district excluding Bhadra, Chauria, Kimbi, Hatta and Bijagharh-Saletekri Zamindaris.

Pass for the transport of

- (1) Name and address of person to whom the pass is issued.
- (2) Name of village or the forest reserve where lac or kulloo gum is produced or collected.
- (3) Name of village to which the produce is to be transported.
- (4) Route by which the produce is to be transported.
- (5) Name of the railway station from which the produce is to be transported by rail.

Signature of the official issuing the pass.

N. B.—For conditions subject to which the pass is granted, please turn over.

(To be printed on the reverse of the pass)

This pass is issued subject to the following conditions.—

- (1) The pass-holder shall produce the pass for check whenever demanded by any Forest Officer.
- (2) The pass-holder shall not transport the produce between the hours of sunset and sunrise.

Rules regulate the transport of lac and kulloo gum in all villages of Seoni and Korai ranges.

94-C. The following rules regulate the transport of lac and kulloo gum in all villages of Seoni and Korai ranges falling in Seoni tahsil, district Chhindwara.

These rules shall come into force on the 1st October 1947.

RULES

1. For the purposes of these rules—
 - (a) "lac" includes both the crude and uncleaned product collected from the tree and the partly or fully cleaned product known as seed lac and grain lac and also includes button lac and shellac, and
 - (b) "kulloo gum" includes all forms and kinds of kulloo gum, whether the crude and uncleaned product as collected from the tree or the partly or fully cleaned, sorted or graded product.

2. (1) No lac or kulloo gum produced or collected in a village or in any forest reserve specified in the schedule appended to these rules shall be transported beyond the limits of that village or that forest reserve without a pass granted in accordance with these rules.

(2) The pass referred to in sub-rule (1) shall be in the form appended to these rules and shall be granted by the Divisional Forest Officer without whose jurisdiction the village or forest reserve is situated, or by such officer as he may authorise in this behalf.

3. Any person contravening the provisions of rule 2 or contravening the terms or conditions of a pass granted under that rule shall be punishable with imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

SCHEDULE.

Villages or reserved forest lying in Seoni and Korai ranges falling in Seoni tahsil, Chhindwara district—

Pass for the transport of.....

- (1) Name and address of person to whom the pass is used.
- (2) Name of village or the forest reserve where lac or kulloo gum is produced or collected.
- (3) Name of village to which the produce is to be transported.
- (4) Route by which the produce is to be transported.
- (5) Name of the railway station from which the produce is to be transported by rail.

Signature of the official issuing the pass.

N. B.—For conditions subject to which the pass is granted, please turn over.

(To be printed on the reverse of the pass)

This pass is issued subject to the following conditions:—

- (1) The pass-holder shall produce the pass for check whenever demanded by any Forest Officer.
- (2) The pass-holder shall not transport the produce between the hours of sunset and sunrise.

94-D. The following rules regulate the transport of sal resin ^{Rules regulate} ^{the transport} ^{of sal resin} ^{sewages.} or reserved forest lying in the Madla district, Balaghat district, excluding Bhadra, Chauria, Kinhi and Hatta Zimindaries in the Bilaspur district. These rules shall come into force from the 1st December 1947.

RULES.

For the purpose of these rule—

"Sal resin" includes all forms, *e.g.*, crude, uncleaned as well as cleaned resin as collected from the sal tree (*Shorea Robusta*).

No sal resin produced or collected in a village or in any such reserve specified in the Schedule appended to these rules, shall be transported beyond the limits of that village or that forest reserve, without a pass granted in accordance with these rules.

2. The pass referred to in rule 1, shall be in the form appended to these rules and shall be granted by the Divisional Forest Officer within whose jurisdiction the village or forest reserve is situated, or by such officer as he may authorise in this behalf.

3. Any person contravening the provisions of rule 2 or contravening the terms or conditions of a pass granted under that rule shall be punishable with imprisonment for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

SCHEDULE.

Villages or reserved forest lying in the Mandla district, Balaghat district excluding Bhadra, Chauria, Kinhi and Hutta Zamindaries and Bilaspur district.

Pass for the transport of.....

- (1) Name and address of person to whom the pass is issued.
- (2) Name of village or the forest reserve where sal resin is produced or collected.
- (3) Name of village to which the produce is to be transported.
- (4) Route by which the produce is to be transported.
- (5) Name of railway station from which the produce is to be transported by rail.

Signature of the official issuing the pass.

N. B.—For conditions subject to which the pass is granted, please turn over.

(To be printed on the reverse of the pass)

This pass is issued subject to the following conditions:—

- (1) The pass-holder shall produce the pass for check whenever demanded by any Forest Officer.
- (2) The pass-holder shall not transport the produce between the hours of sunset and sunrise.

94-E. The following rules regulate the transit of forest produce grown in Yeotmal district:—

Rules to regulate the transit of timber in and through grown in Yeotmal district.

RULES

1. No forest produce shall be carried beyond the limits of the village in which it has grown without a valid pass containing the details specified below legibly written or printed in Balbodh character.

Details required on the Pass.

- (a) Name and residence of the person issuing the pass.
- (b) Name and residence of the person to whom the pass is issued.
- (c) Description and quantity of the forest produce.
- (d) Name of village from which the forest produce is to be carried and the name of the village to which it is to be carried.
- (e) Signature of the person issuing the pass and date of issue.

2. Teak timber, i.e., all teak pieces which are straight for a length of 6 feet or over shall be described in detail by length and girth or by local terms as "phattas", "gol", etc. Forest produce other than teak timber may be described in cart-loads or other convenient units.

3. In an alienated village the pass shall be issued by its proprietor or his accredited agent. The pass shall be issued on a printed form. Books containing printed passes may be obtained on payment from the Secretary of the Izardars' Association or from the Divisional Forest Officer.

4. In an unalienated village the pass shall be issued by the occupant in whose land the forest produce had grown containing the details prescribed in rule 1 and countersigned by the Patel of the village.

5. Any pass issued under rule 3 or 4 shall be valid for the day of issue and the following day for transit to and point up to 15 miles from the village of origin and for an additional day for every 15 miles or part thereof in excess of 15 miles.

6. Any person holding a pass for the transit of forest produce shall produce the same for inspection when called upon to do so by any Forest Officer or other officer especially authorized by the Divisional Forest Officer

7. Any person competent to issue a pass under these rules shall produce the pass books and counterfoils which may be in stock with him for inspection when called upon to do so by any Forest Officer not below the rank of a Ranger.

Rules to regulate the transit of timber in and through Harda and Seoni-Malwa tahsils of the Hoshangabad district.

94-F. The following rules regulate the transit of timber in and through Harda and Seoni-Malwa tahsil of the Hoshangabad district:—

RULES

1. (1) No person shall transport timber in and through the Harda and Seoni-Malwa tahsils of the Hoshangabad district (hereinafter referred to as the said area) without a pass granted in accordance with these rules.

(2) The pass referred to in sub-rule (1) shall be in the form appended to these rules, and shall be granted by the Divisional Forest Officer, Hoshangabad, or his nominee or the proprietor of the forest from which the timber is extracted, or such other person as the Deputy Commissioner, Hoshangabad, may authorize in this behalf.

2. Timber may be transported by any road within the reserved forest lying within the said area, but outside such reserved forest it shall be transported only by the following roads:—

- (1) Magardha-Jiggaon-Balagaon-Harda.
- (2) Magardha-Jharpa-Rahatgaon.
- (3) Barwani-Rahatgaon-Sodalpur.
- (4) Dhekna Uskali-Sodalpur-Timarni.
- (5) Timarni-Harda-Handia
- (6) Lehi-Lokhartalai-Seoni-Malwa-Banapura.
- (7) Jatamau-Naharkola-Seoni-Malwa-Banapura.
- (8) Keolajhiri-Nandarwari-
- (9) Nandarwari-Dharamkundi.
- (10) Nandarwari-Seoni-Malwa-Banapura.
- (11) Banapura-Dharamkundi:

Provided that a resident of a village not situated on any of these roads may transport, to his own village, timber

required for his *bona fide* nistar or domestic purposes after check at any naka of the Forest Department.

3. All timber entering the said area from the Betul or Nimar district shall be presented for check at one of the nakas specified below and shall not be removed therefrom until a pass is obtained in respect thereof, from the Forest Officer in charge of the naka:—

Ratamati, Deria, Dhekna, Lehi and Jatamau.

4. (1) All timber passing through Rahatgaon or Timarni shall be taken by the person in charge of it to the depot established at the said place for the examination of timber:

Provided that it shall not be necessary to take timber into the depot at Timarni if the said timber has been examined and marked in accordance with the next succeeding sub-rule at the depot at Rahatgaon and *vice versa*.

(2) All timber brought at the depot at Rahatgaon or Timarni shall be examined and marked with a special depot hammer mark; and it shall not be lawful for any person to remove timber brought to the depot until it is so marked.

5. All timber in transit in or through the said area shall bear a property mark duly registered with the Conservator of Forests, Western Circle, in accordance with the rules contained in paragraph 94 of the Forest Manual, Volume I.

6. Every person in charge of timber in transit in or through the said area shall whenever called upon to do so by any Forest Officer or Police officer, produce for inspection the pass or passes in respect of the timber in his charge.

7. If any timber is transported in contravention of any of the provisions contained in rules 1 to 5, it may be seized by any Forest Officer as if it were forest produce in respect of which a forest offence has been committed.

8. Every officer seizing any timber shall, as soon as may be, make a report of such seizure, to the Divisional Forest Officer, Hoshangabad.

9. Any person contravening any of the provisions contained in rules 1 to 5 shall be punishable with imprisonment for a term which may extend to six months or fine which may extend to five hundred rupees, or both, if the contravention takes place during day time; and with imprisonment for a term which may extend to one year, or fine which may extend to one thousand rupees, or both if the contravention takes place after sunset and before sunrise.

10. These rules shall come into force on the 1st January 1944.

Form of Pass

[Counterfoil]

PASS FOR TRANSPORT OF TIMBER

Name and address of person to whom issued

Description and quantity of timber

Forest or land from which the forest produce is extracted.....

Name of person from whom the timber is purchased

Name of the owner or the seller.....

Route by which the timber is to be transported

Name of the place to which the timber is to be transported

The period for which the pass shall be valid

Date of issue Signature.

(Foil)

PASS FOR TRANSPORT OF TIMBER

Name and address of person to whom issued

Description and quantity of timber

Forest or land from which the forest produce is extracted.....

Name of person from whom the timber is purchased

Name of the owner or the seller.....

Route by which the timber is to be transported

Name of the place to which the timber is to be transported

The period for which the pass shall be valid

Date of issue Signature.

(No. 285, dt. 8-4-53).

Export of Forest Produce to Bombay Presidency.

95. The following instructions are issued for the ^{Export of} guidance and convenience of traders intending to export ^{timber to the} timber and other forest produce to the Maharashtra State ^{Bombay} from the Madhya Pradesh. These instructions will take ^{Presidency,} effect from the 1st October 1926:— ^{Press commu-} ^{nique, d. 27-7-26.}

- (1) All forest produce exported into the Maharashtra Presidency by traders should be covered by a pass in form No. IX-88.
- (2) These passes will be issued by such contractors as are authorized in writing to do so and from the pass books supplied to them by the Divisional Officers for that purpose.
- (3) A register of contractors who are authorized to issue these passes will be maintained in Divisional Offices concerned. A copy of the entries in this register together with the facsimile of each contractor's signature and of the impression of the stamp, if any, to be marked by him on the timber, will be sent to the Conservator of Forests, Nagpur Circle, Nagpur, for registration.
- (4) The pass books will be numbered serially and each book will contain 100 passes which will also be numbered serially.
- (5) The Divisional Officer will maintain a register showing the receipts and issues of pass books and will see that the counterfoils are returned to Divisional Office by the contractors immediately a book is used up.
- (6) The exporter should send the pass with the railway receipt to the consignee who will present it on demand by a competent forest authority at the station of destination.
- (7) Any forest produce imported into the Maharashtra Presidency by rail without a covering pass is liable to attachment by the Forest Department of the Maharashtra State and legal proceedings may be taken against persons importing it.

(8) The authorization mentioned in paragraph 2 above will be in the following form:—

"I do hereby authorize A contractor of
to issue transit passes for timber and other
forest produce exported into the Maharashtra
State."

The passes issued should contain a correct description of the material exported and its origin. Failure in this respect will render the consignment liable to confiscation by the Forest Department of the Maharashtra State.

To meet the convenience of smaller traders and occasional exporters the Conservator of Forests, Nagpur Circle, Nagpur, has agreed to recognize transit passes signed by an officer of the Forest Department not below the rank of Deputy Ranger provided that six specimen signatures of officers so authorized are supplied to him and such exporters can despatch consignments under cover of passes issued by the Forest Department.

Form of pass referred to in rule 1.

FOREST DEPARTMENT CENTRAL PROVINCES

**Pass for the transit of forest produce exported
into the Maharashtra State.**

Book No.	Pass No.
(1) Name and kind of produce
(2) Quantity.
(3) Source of supply—	
*(a) Government forest or private forest
(b) From whom purchased
(4) Name and address of exporter
(5) Name and address of purchaser
(6) Station from which consigned
(7) Station to which consigned

Date of issue.

Signature of issuer.

NOTE.—If the description of the material or of its origin shown in this pass is found incorrect, the consignment will be liable to confiscation by the forest authorities at destination.

THE GODAVARI

96. 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 XVI of 1927, as amended, shall be deemed to have the meanings respectively attributed to them by the said Act.

Transport of
forest produce
along the
Godavari, Notifica-
tion No. 3 dt.

2. No person shall launch or convey forest produce in the Godavari river or its tributaries within or adjoining the Madhya Pradesh 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 specially authorized to sign such passes by the State Government.

Notification
(No. 45, dated the
15th Shawwar
1316 Fasli)
published in
the Hoshangabad
Government Gazette.

In the case of forest produce launched above Ballarshah on the Wardha river, Garchiroli 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 mark 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 and in addition shall have 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.

Notification No.
360, dt. 9-2-63.

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, Balaghat Circle, Madhya Pradesh.

6. No person shall be entitled to convey produce under these 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 (counterfoil) shall be retained by the issuing officer, the second part shall be retained by 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 purposes of check on arrival of the produce.

8. If any forest produce be uncovered by a pass, or if on examination under section 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 if 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 South Chanda Forest Division.

9. The owner of the forest produce shall be bound to produce the part of the pass handed over to him in the same condition in which he received them and without any erasure or additions or alteration whatsoever.

10. No pass issued under the rules shall cover any forest produce beyond the Madras Revenue Station of Polavaram 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 on each consignment of less than 100 logs, shall be paid for each pass issued under these rules.

11-A. A fee of Rs. 2 shall be paid for each pass in respect of a raft of 500 bamboos or less.

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 for resistance to lawful authority, or if the offender has been previously convicted of a like offence.

THE MELGHAT

Rules for the
transit of timber
through Melghat.

97. The following rules have been made to regulate the import of forest produce from the Nimar and Betul districts into the Melghat taluq of the Amraoti district of Berar.

All roads and pathways traversing the reserved forests situated in the Melghat taluq of the Amraoti district of Berar are closed under section 41 (2) (b) of the Indian Forest Act to the passage of forest produce from Nimar and

Betul district unless the following conditions are complied with:—

1. Forest produce from Nimar and Betul districts may enter the reserved forests of the Melghat taluq only at one of the following five points:—

Notification
No. 89 A.
dt. 27-4-17.

- (a) The road from Jogli malguzari to Butrum.
- (b) Gonaghat near Rangobeli village on the Tapti river.
- (c) Near the village of Kotanga in the Bairagarh tract of the Melghat.
- (d) Ghuti Ghat on the Tapti river near Dharni.
- (e) Ghauthia Nadi on the Khamla-Bhulori road.
- (f) Pandia Padao on Chunkheri-Bhawai road.
- (g) Ghatang on Chunkheri-Kukra-Ghatang road.
- (h) Mohta on Palsia-Bhainsdehi road.

2. All forest produce must be taken direct to the following revenue stations established by the Forest Department:—

From point of entry—

- (a) to Butrum ;
- (b) to Rangobeli ;
- (c) to Kotanga ;
- (d) to Kusam Kot ;
- (e) to Behali ;
- (f) to Behali ;
- (g) to Behali ;
- (h) to Bhainsdehi.

3. The following routes to the plains of Berar are prescribed for forest produce brought by the abovementioned points of entry :—

- (a) Butrum via Raipur to the Public Works road at Sembadoh.
- (b) Rangobeli via Chaorakund to the Public Works road at Harisal.
- (c) Kotanga via Chaorakund to the Public Works road at Harisal.
- (d) Kusam Kot via Dhakana to the Public Works road of Shelu.
- (e) Behali via Malhara to Ellichpur.
- (f) Behali via Pandia Padao and Chunkheri-Bhawai road to Public Works road at Bhawai.
- (g) Behali via Ghatang and Public Works road.
- (h) Bhainsdehi via Mohta and Piplia Forest Village to Public Works road.

4. Forest produce will be examined at the revenue station fixed in rule 2 above and timber will be marked with a distancetive hammer mark by the Forest officer in charge of the revenue station.

For each cart-load of forest produce pass showing the description, quantity and kind of forest produce contained in it will be issued.

5. No forest produce shall proceed beyond the revenue station, until the above procedure has been completed.

6. In the above rules the term forest produce shall have the meaning ascribed to it in the Indian Forest Act.

"6-A. The following rules have been made to regulate the transit of forest produce by floating down the Narmada river between Mandla and Gawarighat:—

RULES.

1. (1) No person shall transport by floating down the Narmada river between Mandla and Gawarighat, timber, fuel and bamboos (hereinafter referred to as the forest produce) without a pass granted in accordance with these rules.

(2) The pass referred to in sub-rule (1) shall be in the form appended to these rules and shall be granted by the Divisional Forest Officer, Mandla, Jubbulpore, or Seoni Forest Division, as the case may be, or his nominee, or the proprietor of the forest from which the forest produce is extracted or such other person as the Collector, Mandla, Jubbulpore or Chhindwara, as the case may be, may authorise in this behalf, on payment of the fees specified in the schedule below.

(3) Every person to whom a pass is granted under this rule shall cause floating to be done in accordance with such directions as the Divisional Forest Officer, Mandla, Jubbulpore, or Seoni Forest Division, as the case may be, may from time to time issue.

2. All forest produce covered by a pass granted under rule 1 shall bear a property mark duly registered with the Conservator of Forests, Northern Balaghat, Circle, as the case may be, in accordance with the rules contained in paragraph 94 of the Madhya Pradesh Forest Manual, Volume I, and shall, in addition, bear the pass number and the serial number of the piece where several pieces are covered by one pass.

3. All forest produce covered by a pass granted under rule 1 shall be liable to stoppage for examination by such forest officer as may be authorised by the Conservator of Forests, Northern Balaghat, Circle, in this behalf.

4. Every person in charge of the forest produce in transit shall, whenever called upon to do so by any forest officer or police officer, produce for inspection the pass granted to him under rule 1.

5. If any forest produce is transported in contravention of these rules, it may be seized by any forest officer as if it were forest produce in respect of which a forest offence has been committed.

6. Every officer seizing any forest produce shall, as soon as may be, make a report of such seizure to the Divisional Forest Officer concerned through the Divisional Forest Officer, Jubbulpore.

7. Any person contravening any of these rules shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, and, if the offence of contravention 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, shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees, or with both.

SCHEDULE

[See rule 1 (2)]

- (i) One anna per log (24" and up in mid-girth).
- (ii) One anna per 100 bamboos or every consignment of less than 100 bamboos.
- (iii) Three pies per ballie.
- (iv) One anna per cart-load of fuel.

FORM OF PASS

COUNTERFOIL

Pass for the Transport by Floating of Forest Produce

- (1) Name and address of person to whom granted—
- (2) Description and quantity of the forest produce—
- (3) Forest or land from which the forest produce is extracted—
- (4) Name of person from whom the forest produce is purchased—
- (5) Place from which the forest produce is to be transported—
- (6) Place to which the forest produce is to be transported—
- (7) Name of person in charge of the forest produce in transit—
- (8) Design of the property mark placed on the forest produce—
- (9) The period for which the pass shall be valid—

.....
Date of Issue

.....
Signature

FOIL

Pass for the Transport by Floating of Forest Produce

- (1) Name and address of person to whom granted—
- (2) Description and quantity of the forest produce—
- (3) Forest or land from which the forest produce is extracted—
- (4) Name of person from whom the forest produce is purchased—
- (5) Place from which the forest produce is to be transported—
- (6) Place to which the forest produce is to be transported—
- (7) Name of person in charge of the forest produce in transit—
- (8) Design of the property mark placed on the forest produce—
- (9) The period for which the pass shall be valid—

.....
Date of Issue

.....
Signature

FOIL

Pass for the Transport by Floating of Forest Produce

- (1) Name and address of person to whom granted—
- (2) Description and quantity of the forest produce—
- (3) Forest or land from which the forest produce is extracted—
- (4) Name of person from whom the forest produce is purchased—
- (5) Place from which the forest produce is to be transported—
- (6) Place to which the forest produce is to be transported—
- (7) Name of person in charge of the forest produce in transit—
- (8) Design of the property mark placed on the forest produce—
- (9) The period for which the pass shall be valid—

.....
Date of Issue

.....
Signature

(Vide Notification No. 829-1534-XI-43, dated 21-3-44.)

RAIPUR

98. The following rules have been made under section 76 (d) of the Indian Forest Act, to regulate the issue and control of *Rahdari* commutation licences for nistar in the North Raipur South Raipur and South Durg Forest Divisions :—

Rules for the issue and control of *Rahdari* Commutation licences for nistar in the Raipur division and in the North Raipur sub-division of the Bilaspur division.

1. All persons in charge of carts and other animal draught vehicles who use the roads passing through the reserved forest, situated in the Dhamtari, Mahasamund and Baloda Bazar tahsils of the Raipur district and in the Balod tahsil of the Durg district and halt at camping-grounds situated within the boundaries of the said reserved forest, shall take out *Rahdari* commutation licences for nistar, provided that persons in charge of (a) vehicles carrying passengers and personal effects only, and (b) vehicles carrying produce covered by Government forest thekedar or transit passes shall be exempted from the necessity of taking out such licences.

2. Such licences shall be issued at such rate and in such form as may from time to time be prescribed by the Conservator or Forests, Raipur Circle, and shall be signed by the Divisional Forest Officers, North Raipur, South Raipur or South Durg Divisions, or by any officials or other persons duly authorized by the said Divisional Forest Officers.

3. Such licences shall be valid for the period of one month except in the North Raipur Division, where they shall be valid for one day or one year as the case may be, and shall entitle the licensee to the following concession :—

- (a) to graze his draught-animals in Government forest en route except in such areas as may from time to time be closed to grazing ;
- (b) to collect for his own immediate use dry wood for fuel at or near any recognised camping-ground, but not for export ;
- (c) to cut and utilise wood necessary for the immediate repair of a broken cart or vehicle but not to remove any timber from the forest except as an integral part of the cart or vehicle ;
- (d) to cut and remove a reasonable amount of grass for feed of cattle in sections of the journey outside Government forest, but not from areas leased to grass contractors.

4. Every such licence shall show the name and residence of the licensee, the number of carts or other vehicles which it covers, the date of issue, the date of expiry and the name of the official or authority issuing it.

5. Every such licence shall be kept in the immediate possession of the licensee and shall be produced for examination on demand by any forest official or other person duly authorized by the Divisional Forest Officer, North Raipur, South Raipur, or South Durg.

6. The owner of a cart shall be bound to produce his licence in the same condition in which he received it and without any erasures or additions.

Rules for the issue and control of Rahdari Commutation Licences for Nistar in the North Raipur Division. Notification No. 942-535-XV, dt. 9-9-25.

99. The following rules have been made under section 76 (d) of the Indian Forest Act, to regulate the issue and control of Rahdari commutation licences for nistar in the North Raipur Sub-Division of the Bilaspur Forest Division:—

1. All persons floating wood and bamboos who use the long rivers passing through the reserved forests, in the state and halt on the river side within the boundaries of the said reserved forests, shall take out a Rahdari commutation licence for nistar; provided that persons floating produce covered by Government forest passes, or Government forest theledari or transit passes, shall be exempted from the necessity of taking out such licences.

2. Such licences will be issued at such rates and in such form as may from time to time be prescribed by the Conservator of Forest, of the Circle and will be signed by the Divisional Forest Officer, or any officer of the Forest Department duly authorized by him to sign.

3. Such licences will be valid for the period of 16 days and will entitle the licensee to collect for his own immediate use dry wood for fuel while in the reserved forest and bark for retifying rafts of wood and bamboos which have become loose en route, but not export.

4. Every such licensee shall show the name and residence of the licensee, the number of rafts which it covers, the date of issue, the date of expiry and the name of official or authority issuing it.

5. Every such licence shall be kept in the immediate possession of the licensee and shall be produced for examination on demand by any Forest Officer.

6. Every licensee is bound to produce his licence in the same condition in which he received it and without any erasure or additions.

CHAPTER XIX.—SHOOTING RULES

100. The rules regulating shooting in the Government Shooting rules. forests are given in Appendix VII.

101. Divisional Officers may not enter into direct cor-
respondence with Ruling Princes or Chiefs or their sons or
relatives, Secretaries or Dewans on the subject of reserva-
tion of shooting blocks. Should such applications for shoot-
ing blocks be received, the correct procedure is to inform
them that such applications should be addressed to the Sec-
retary to the Government of the Central Provinces and
Berar, Political Department.

Reservation of
shooting blocks
for Ruling Indian
Princes.

CHAPTER XX.—DISPOSAL OF FOREST PRODUCE

102. The disposal of timber and other forest produce
belonging to the Provincial Government is regulated by the
following rules:—

Sales by lease or
contract.

1. Forest produce with a restricted demand in small
quantities from likely consumers for their bonafide domestic
requirements or for local sales must be distinguished from
forest produce with a wide commercial demand.

2-A. Forest produce with restricted demand in small
quantities from likely consumers for their own domestic
requirements or for local sales may be removed and disposed
of from the reserved forests open to such extraction either
under the rated passes at scheduled rates sanctioned by
competent authority or under free passes to be issued in
accordance with the exemption granted under paragraph
109 of these rules as the State Government may from time
to time prescribe."

2—B

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3. Forest produce with a commercial demand shall be
disposed of preferably by public auction or, in case it fails
to secure a reasonable price approximating the upset price
or the reserve bid, by calling for sealed tenders. No private

negotiations for disposal of such forest produce are allowed.

✓ 4. Forest produce in depots in or outside reserved forests may be disposed of in the manner laid down in rule 3 above or may be disposed of in accordance with a scale of fees or royalties or other payment previously determined by the Conservator of Forests from time to time.

5. Before forest produce is disposed of, it shall be properly marked and accurately enumerated according to the standing rules in force from time to time. Where such produce can neither be marked or enumerated in view of its very nature, e.g., tendu leaves or standing grass, lac, gum other than kullu gum, etc., the area on which such produce is situated may form the basis for sale.

6. No wind fallen trees or portions thereof shall be sold in the manner laid down in rule 3 above unless they have been properly marked, felled and collected in a depot. No standards or other reserved trees broken by contractors in the coupe shall be sold unless they are accurately enumerated and specified. Similarly before disposing of katha leases, a complete enumeration of the khair trees to be sold must be made

**Powers of forest
officers to execute
deeds etc.**

102-A. The powers of Forest officers to execute deeds, contracts and other instruments are regulated by Notification No. 1119-236-XV, dated the 20th December 1929, which runs as follows. Where agreements or contracts have to be entered for which the standard forms are unsuited, the draft deed must be referred to the Legal Remembrance for approval before it is executed:—

With reference to the Resolution of the Government of the Central Provinces and Berar, Judicial Department, No.

1241-986-ĪIX, dated the 11th May 1937, Part C, the Government is hereby pleased to prescribe the extent to which and the limits within which the several officers of the Forest Department specified in the schedule below may execute the contracts and other instruments mentioned in the said clause:—

Classes of deeds contracts and other instruments (1)	By Divisional Forest Officers			By Conservators (5)	By Chief conservator (6)
	General powers (2)	By Deputy Conservators (3)	With the previous sanction of the Conservator (4)		
	Rs.	Rs.	Rs.	Rs.	Rs.
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	..	Rs. 7 500 or Rs. 10,000 with the previous sanction of the Chief Conservator of Forest.	50,000
3. Contracts for timber transport and conversion.	1,000	2,000	5,000	20,000	50,000
4. Contracts for roads bridges buildings and river improvements.	500	2,000	..	Rs. 7,500 or Rs. 10,000 with the previous sanction of the Chief Conservator of Forests.	50,000
5. Contracts for the sale of forest produce— (a) When payment is received in full at time of delivery.	5,000	15,000	25,000	50,000	150,000 (Amended vide no 251 23-3-51)

Classes of deeds, contracts and others instruments	By Divisional Forest Officers			By Conservators	By Chief
	General powers	By Deputy Conservators	With the previous sanction of the Conservator.		
(1)	(2)	(4)	(4)	(5)	(6)
	Rs.	Rs.	Rs.	Rs.	Rs.
Contracts for the sale of forest produce— (b) When pay- ment is not received in full at the time of delivery.			2,000	5,000	Rs. 10,000 or or to Rs. 50,000 with the previous sanction of State Government.
6. Other instru- ments in matters connected with the business of the Forest Depart- ment generally such as security bonds.	500		5,000	30,000	1,00,000

The exercise of the powers is subject to the following rules:—

A.—Contrarts for Forest Produce.

1. (a) No timber or other forest produce may be ordinarily sold except on receipt of cash payment in full at the time of delivery. Payment in instalments may, however, be considered as payment in full at the time of delivery provided that there is a clause in the agreement to the effect that when the Divisional Forest Officer considers that the value of any forest produce demoved by the purchaser equals or

exceeds the amount of purchase money paid by him up to that time the Divisional Forest Officer may stop further removal until the purchaser has paid such further sum, as in the opinion of the Forest Officer, may be sufficient to cover the excess value of the forest produce removed or about to be removed.

(b) For petty leases of forest produce up to Rs. 100 no agreement need be executed as the lease money is usually recovered in full before the contractors are allowed to commence work on such leases. The order sanctioning such sales should, however, explicitly state the nature of the contract, the period of contract and the area contracted, giving definite particulars for purpose of easy identification.

2. Divisional Forest Officers shall not ordinarily execute contracts for a period exceeding one year but with the previous sanction of the Conservator they may execute contracts for a period exceeding one year but not exceeding two years. Conservators are empowered to sanction such contracts for periods up to three years and the Chief Conservator up to six years.

B.—CONTRACTORS FOR WORK

3. As regards contracts for road making, building work, the construction of tanks, felling and extraction of timber, etc., the powers of the Chief Conservator, Conservators and Divisional Forest Officers is limited as to period to the same extent as in the case of contracts for forest produce.

Contracts should only be executed for works for which funds have been provided.

C.—OTHER INSTRUMENTS

4. Contracts for the re-stocking of forest areas by sowing or planting in combination with the raising of field crops may be entered into as follows:— Agri-Sylvicultural operations.

(1) Contract for the re-stocking of the babul bans in accordance with schemes sanctioned under existing Working Plans and Working Schemes will be given by the Divisional Forest Officer for periods not exceeding seven years and only on the terms of the standard agreement form. Provided that the Divisional Forest Officer may prescribe species other than babul to be raised in these areas.

The State Government in D.O. Memo No. 1434-5027-X/64 of 28-1-64 have prescribed the extent to which and the limits within which the various Forest officers of the Forest Department specified in the schedule below may execute the contracts and other instruments mentioned therein :—

Classes of deeds of contracts and other instruments	Divisional Officers		By Conservators	By Dy. C. C. F.	By chief Conservator Forest
	General	With the previous sanction of the Conservator			
	Rs.	Rs.	Rs.	Rs.	Rs.
1. Contracts for the supply of materials by the forest Department.	5,000	10,000	50,000	1,00,000	1,00,000
2. Contracts for the supply of materials to the Forest Department	5,000	..	10,000 or 20,000 with the previous sanction of the Chief Conservator of Forest.	1,00,000	1,00,000
3. Contracts for timber transport and conversion.	5,000	15,000	50,000	1,00,000	1,00,000
4. Contracts for roads, bridges, etc.	10,000	..	10,000 or 25,000 with the previous sanction of the chief Conservator of Forest	1,00,000	1,00,000
5. Contracts for the sale of forest produce	10,000				
(a)		35,000	75,000	3,00,000	3,00,000
(b)	5,000		10,000	20,000 or Rs. 1,00,000 with the previous Sanction of Govt.	
6. Other instruments, etc.	5,000	10,000	30,000	20,00,000	2,00,000

(2) Contracts for the re-stocking of other areas not allotted for this treatment by sanctioned Working Plans or schemes require the sanction of the Conservator subject to the following restrictions:—

- (i) The area to be allotted to an individual cultivator shall not exceed 15 acres.
- (ii) The duration of the contract shall not exceed 8 years.
- (iii) The terms of the contract shall not differ materially from the standard terms sanctioned by Government.
- (iv) The total area given out in a circle shall not exceed 1,000 acres per annum nor 300 acres in all in any forest block.
- (v) When the limit of 300 acres under the preceding clause has been reached no additional area be given out in any forest block until the area already under agrisylvicultural treatment has been fully stocked and surrendered by the cultivator or has been written off as a failure with the sanction of the Chief Conservator.
- (vi) No contracts may be given in the B class forests of Madhya Pradesh without the previous permission of the Collector.

5. Contracts and other instruments connected with the lease, sale, transfer or exchange of Government forest land or relating to any right or interest therein excepting those relating to agri-sylvicultural operations will be executed by the Divisional Forest Officer. Instruments relating to and

6. As regards other instruments in matters connected with the business of the Forest Department, excluding security and mortgage bonds and agreements with stipendiary students, the powers of Forest officers are subject to the time limits prescribed in rule 2. Other instruments.

7. An officer who has the power to execute a lease or contract or other deed on behalf of Government may terminate the same for breach of any of the conditions thereof. Termination of contracts.

"102-B. The villagers within 5 miles of any reserved forest are permitted to remove from the adjoining forests the material required for mending their agricultural implements which are broken while in use. The material can be removed from the adjoining forest provided the area is not closed to exploitation on account of recent working or other silvicultural considerations. The removal is permitted on rated passes at the sanctioned schedule of rates for such locality in a division. The rated passes will be issued by the Patels of the villages who will be given an imprest of rated passes for this purpose. There is no need to have any elaborate accounts from the patels and till the money and the balance rated passes are recovered from the patels, the rated Rules relating to the removal of wood.

pass books advanced to the patels will be treated as part of the Range Officer's imprest advance. The following rules have been made to regulate the removal of wood by the agriculturists and the issue of rated passes therefor by patels during agricultural season. It must, however, be reiterated that the villagers are expected to keep adequate stock of timber required for agricultural implements before the commencement of the agricultural season. This concession of supply of wood is meant, only to meet the emergent need arising out of the breakage caused while at work and should not be taken to mean that there is no need now to make provision of material which a prudent agriculturist always keeps.

Rules relating to the removal of wood by the agriculturists and issue of rated passes therefor by patels during agricultural season.

1. Rated passes should be issued for the removal of timber of the prescribed size required for mending the agricultural implements broken while at work.

2. The period for such removals will be limited to two months, viz,—

(a) For kharif area—1st June to 31st July.

(b) For rabi area—15th September to 15th November.

3. Only small timber up to 24" girth at breast height is to be removed Teak (Sagon) up to 24' in girth may also be removed where absolutely necessary. If the bent wooden piece to which the iron shan is fixed, breaks, permission will be given to cut wood which will yield such a piece.

4. The patel will issue a pass for wood generally required, for such implements in consultation with the cultivator concerned.

5. Normally only one forest produce pass is to be issued to each person. In case however the stock of F. P. passes of a particular denomination is exhausted two passes may be issued. In such cases the patel should write on the pass of higher denomination "principal pass supplemented by Pass No." and on the other pass "Subsidiary to pass No."

6. Passes are to be issued in serial order and all entries should be legibly written in ink.

7. Time for issue of passes should be fixed. It should normally be from 3 p.m. to 6 p.m. daily.

8. The F. P. passes will be kept by the patel under lock and key.

9. When the period of issue of passes as shown in 2 above is over, the sale-proceeds with the remaining unsold rated passes and the counterfoils should be returned to the Range Officer or to any other subordinate authorised by the Divisional Forest Officer in writing.

10. These rules will be applicable only to those villages which are within 5 miles of any reserved forest. A list of such villages should be made out by the Range Officer and handed over to the Patel for his information and guidance.

11. The Range Officer concerned will supply to the Patel an extract copy of the current schedule of rates in respect of all classes of timber."

103. In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II 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 M. P. Forest Services by a student and his surety previous to entry into Forest Colleges.

Exemptions from stamp duty.

G. of I. Notfn. No. 785-S. R. 17-9-1899, as amended by Notfn. No. 2332.I, dt. 12-9-19.

(ii) Instrument in the nature of a conveyance by the Government of standing trees or any other forest produce in a Government forest.

No. 2352-F, dt. 12-9-19.

Note.—Bonds executed by sureties of forest produce should, however, be duly stamped as provided by Article 57 of Schedule I of the Stamp Act, 1899.

104. 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 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 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:—

Commutation and paidawar.

RULES.

1. Commutation for nistar and paidawar shall be allowed in such districts, from such forests and to such villages as the Commissioner and Conservator may from time to time determine. Nistar ordinarily means and includes—

Notfns. No. 25-235 XV and No. 26-235 XV, dt. 9-8-17.

- (a) Dry wood fit only for fuel,
- (b) Dry bamboos,
- (c) Grass,
- (d) Thorns,
- (e) Leaves,
- (f) Bakkal,

required for bona fide domestic use and not for sale or wasteful use.

Paidawar ordinarily means and includes all edible roots, fruits, flowers and gums :

Provided that the above definitions may be altered from time to time for any district with the approval of the Commissioner and Conservator.

2. No commutation will be allowed in any village unless the whole village other than persons in classes IV and V in rule 5 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 no member of their family able to collect for them.
- (d) Any other small class specially exempted by the Deputy Commissioner.

(From paidawar payment only.)

- (e) Shopkeepers and banias who show that they do not collect paidawar.

3. Any village commuting for paidawar must commute for nistar also.

4. In special areas where there is a danger of abuse (i.e., near a large town), the Conservator with the Commissioner's sanction may exclude fuel from nistar.

5. The standard rates for commutation are as follows:—

A.—NISTAR

- I. Malguzars and tenants—4 annas per plough.
- II. Shopkeepers, banias, etc.—8 annas per house.
- III. Kalars— $1\frac{1}{2}$ pies per rupee of the Government excise demand.
- IV. Iron smelters (Agharies)—
 - Rs. 8 for one furnace.
 - Rs. 12 for two furnaces.
 - Rs. 15 for three furnaces.
- V. Chamars practising tanning—Rs. 2-8-0 per house.
- VI. Labourers—Re. 0-3-0.

B.—PAIDAWAR

VII. All classes—Re. 0-5-0 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.

6. In November of each year the Tahsildar will call for reports from patwaris in order to ascertain which villages desire to commute for (1) nistar or (2) nistar and paidawar from such forest areas as the Conservator and Commissioner may from time to time determine, as available for commutation. The Tahsildar should make it well known that commutation is not compulsory, and that in a ryotwari village nistar and paidawar are free in the minhai allotted to the village.

7. The Revenue Inspector will send a list of all villages which desire to commute to the Tahsildar before the 1st December.

8. The Tahsildar will at once compile a list for the whole tahsil and send copies of it to the Collector and the Divisional Forest Officer. At the same time he will direct the Revenue Inspectors to order patwaris to prepare statements in Form No. IX-(a)-19 for every village on the list.

9. These statements must be checked by the Revenue Inspectors, and they must all be submitted to the Tahsildar by the 1st February.

10. From these statements the Tahsildar will prepare an abstract giving the totals for each village, and he will send copies of this abstract to the Collector and the Divisional Forest Officer not later than the 15th February.

11. Between the 15th February and the 1st March the Tahsildar will fill in notices requiring the mukaddam or patel of each village on the list to pay into the Sub-Treasury or Treasury before the 15th April in respect of village the total amount due on account of the whole village less commission at 2 annas in the rupee to be retained for the trouble of collection, and intimating that unless the demand is complied with, the village will not be allowed to commute for the next forest year (1st July to 30th June).

12. As soon as the demand is paid columns 7 and 8 of Form No. IX-(a)-19 will be filled in.

13. The privileges obtained by commuting may be exercised from the 1st July or the date of payment of the demand, whichever is latest, up to the 30th June of the ensuing year.

14. The Tahsildar and the Range Officer shall take measures in concert to ensure that the rates specified above in rule 3 are made widely known among people of all commuting villages.

15. On the 15th July the Tahsildar will forward to the Range Officer a list of all the villages in his tahsil for which the commutation dues (1) for nistar and (2) for nistar and paidawar have been received. A copy of this list will at the same time be sent to the Divisional Forest Officer, who will forward a copy, with brief remarks on the working of the system, to the Collector.

16. Revenue Inspectors and patwaris are not entitled to any remuneration for work connected with these rules which is of a simple character; but the Collector may grant rewards to Revenue Inspectors and patwaris who have discharged these duties with special efficiency and despatch. The sum available for such rewards shall be fixed by the Collector and Divisional Forest Officer. It should not exceed 5 per cent of the average total collections from this source from the villages commuting.

DISPOSAL OF TIMBER AND FUEL

Sale mark.

105. Logs and scantlings when sold from a depot must be marked with a sale mark.

Removal of forest produce in Berar.

106. Deleted.

Grazing and Grass.

107. Grazing in the Government forest in the Madhya Pradesh is regulated by the Grazing Rules in Appendix VIII. As regards the disposal of grass in birs or closed coupes no hard and fast rules can be laid down for the whole State. The method must vary according to the situation of the forest and the convenience and preferences of the consumers. Accordingly it has been decided to permit the use of both the licence and auction systems. The Divisional Forest Officer should every year discuss with the Collector the arrangements proposed before grass in closed coupes is auctioned and the following general principles should be borne in mind in deciding upon the system to be followed in a particular locality

Experience shows that, except where cultivators are prevented by pre-occupation with agricultural operations from cutting the grass at the proper time for use as fodder or where the forest is a long way off from the villages to be served, the cultivators prefer to extract grass on licence from the Forest Department. In some places the auction-purchaser habitually issues licences to cultivators who cut and extract themselves. This system can have no advantage over the direct licence system except that (i) it may secure a larger revenue and (ii) it relieves the Forest Department of the duty of preventing thefts of grass. No weight should be allowed to the first of these considerations in deciding whether to auction or not, and the second should only be allowed to influence the decision either where the demand is small and the opportunity for profiteering consequently slight. Auction, is of course, permissible in the case of birs which supply large towns or meet the military demand.

DISPOSAL OF MINOR PRODUCE

108. The powers exercised by the Divisional Forest Officers in respect of 'forest produce' should not be regarded as extending to major minerals dealt with under the Mineral Concession Rules and minor minerals dealt with under Mining Rules. No general list of such minerals can be framed, but leases for the minerals noted below are dealt with under these rules. Leases for major minerals will be regulated by Mineral Concession Rules, 1949, and for minor minerals under the instructions contained in supplementary instructions under Mining Rule 3 and Appendix A of the Mining Manual and should not be given by the Forest Department.

Minerals in Government Forest.

Subject to the limits imposed by rule A-2 of paragraph 102, Divisional Forest Officer, Conservators and the Chief Conservator may continue to deal with the commoner earths, such as ordinary clay, which does not fall within the purview of the Mining Rules. Moreover all doubtful cases and cases of specially valuable concessions, as for example, the Bagra clay leases should be referred for the orders of the State Government before any definite contracts are entered into.

Vide Government letters Nos. 181-VIII-15-1, d. 12-2-13 and 836-XIV-2-17, d., 28-8-14.

LIST OF MAJOR MINERALS WHICH ARE GOVERNED BY THE MINING RULES.

Antimony, Arsenic, Asbestos, Barytes, Bauxite Bismuth, Coal, Colbalt, Copper, Corundum, Felspar, Fluorspar, ~~Galena~~ Galena (Lead Ore), Gold, Graphite, Iron, Lead, Manganese, Molybdenum, Nickel, Oil, Platinum, Precious Stones, Quick-silver, Silver, Talc, Tin, Wolframite, Zinc, Mica, Soapstone or Steatite, haematite, slate, fireclay, dinaclay, glass sand.

LIST OF MINOR MINERALS

Building stone, boulder, Shingle, Gravel, limestone, lime shell at Kanker used for lime burning, murum brick earth, road metal, ordinary clay and ordinary sand (when declared by State Government to have commercial value).

109. Stone, earth including clay, sand and murrum may be removed free of charge from Government Forests by the agriculturists for their domestic or other agricultural works or for the construction of improvement of their dwelling-houses under free passes to be issued by the Range Officers."

Exemptions of minerals used by agriculturists.

110. The State Government's orders regarding the disposal of skins, bones and horns are as follows:—

Disposal of skins, bones and horns.

Under the Indian Forest Act, skins, tusks, bones and horns found in or brought from a Government forest are "forest produce"; and under section 69 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 dying 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 putting forward such a claim. Failing him, no one has a better right to the hides and horns than Government or its lessees. No malguzar, kotwal or chamar of any neighbouring villages should be allowed to claim or carry or meddle with the carcass of any beast dying in the Government forests. Their rights are limited to the existing village areas.

The right to collect hides, horns and bones in every Government forest should be sold by auction under the orders of the Divisional Forest Officer. The form of lease will, however, expressly state that it conveys the right to collect all unclaimed (lawaris) produce of this description; and on the back of the grazing licences 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 can then be taken by the forest officials 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.

Licences for fishing. Resolution No. 4667, d. 9-11-95 and 1257-XIV I-25, d. 10-12-09.

111. The lease of fishing rights or the levy of any dues for permission to fish in river is absolutely forbidden for the entire area of the State but so far as the Government forest are concerned, the State Government has no objection (if Conservators find it anywhere necessary for the protection of the forest) to the right of fishing being limited by licences given by the Forester in charge, but no fees should be charged on such licences.

The general policy in the regulation of fishing grounds in rivers in the reserved forests is based on provision of suitable breeding grounds after affording full scope to the inhabitants of adjoining villages to meet their bona fide domestic requirements of fish. Subject to this consideration, the Conservator of Forests may regulate fishing rights in the rivers by giving licences to bona fide fishermen in well defined stretches of the river passing through reserved forests.

TRANSACTION WITH GOVERNMENT DEPARTMENTS

Transactions with other Government Departments.

112. (1) The Forest Department shall charge other departments of the State Government as well as other Governments for all vegetable and animal products extracted from a forest area in the same manner in which it charges the public.

When troops are on the march through any district of the State 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. Special areas (birs leased to private persons) will not, however, be subject to the above rule.

(2) For vegetable and animal products for which no charge is made, 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 are already shown.

(3) Departments of the State Government, Janapada Sabha Councils, Municipal Committees, Village Panchayats, Village Sanitation Panchayats and Notified Area Committees will not be required to pay royalty for mineral products extracted for their own use from a Government forest whether extracted by their own agency and under their own supervision or with the intervention of middlemen or contractors; but in the case of a panchayat the previous permission of the Collector shall be obtained.

Mineral products extracted by these departments or local bodies for sale or by departments of the Central or other State Governments, Railways and Cantonment authorities whether for their own use or for sale, shall be charged for at the rates in force for the general public; e.g., quarries for railway construction or boulders taken by a Jail to be broken for sale shall be charged for.

Note.—The department or local body extracting minerals will furnish the Forest Department with periodical returns usually for the financial year showing the kinds and quantities of minerals extracted.

(4) The fact that no charge is made confers on the department of Government or local body no right of entry into or of working in a Government Forest. The 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 it may consider necessary for the safety of its forests and the convenience of its work. All applications by these bodies should be treated as urgent and disposed of with as little delay as possible. The best procedure is for the Forest Department to hand over the area containing the quarry from which minerals are to be extracted temporarily or permanently to the Department, District Janapada Sabha or Municipal Committee concerned, but not to a panchayat.

113. It is desirable that the coupe system, which is proving very popular with the people, should be extended as far as possible. Classification.
timber.

In districts where extraction by licence has to be retained, the following classification of timber is prescribed.

Class I

Tectona grandis (sagwan), *Pterocarpus marsupium* (bija),
Dalbergia latifolia (shisham), *Shorea robusta* (sal), *Ougenia dalbergioides** (tinsa).

Class II

Terminalia tomentosa (ain), *Terminalia arjuna* (arjun).
Xyla delabriformis (surria), *Grewia* spp. (dhaman, etc.), *Soy-
 mida* (brifuga (rohan), *Chloroxylon Swietenia* (bhirra),
Schleichera trijuga (Kusam), *Gmelina arborea** (sewan),
Acacia arabica (babul*), *Acacia Catechu* (Khair*), *Cleistanthus
 collinus* (garari*), *Lagerstroemia parviflora* (lendia*), *Adina
 cordifolia* (baldu), *Anogeissus latifolia* (dhaura*), *Cedra-
 ltoona* (tun), *Schrebera swietenoides* (mokha), *Mangifeira
 indica* (am), *Tamarindus indica* (imli), *Bombax malabaricum
 (sema)** *Hardwickia* (anian).

Class III

All other species.

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.

Rates for timber
and other minor
forest product.

114. The rates for timber and forest produce will be fixed from time to time, district by district, by the Commissioner and Conservator in consultation. Conservators are authorized to reduce the sanctioned rates for forest produce with the concurrence of the Collector concerned. In the case of enhancement, the Commissioner should be consulted. All changes in rates should be communicated to the Commissioner. 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 but will be classed as "poles" in distinction to "trees".

TIMBER

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 over 2' in girth.

FUEL

Rate for dry fuel only to be fixed.

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, whenever, *Ischaemum angustifolium* (sum, sabai) grass occurs in any appreciable quantity a considerably higher rate should be fixed, as this grass is a valuable commercial commodity. The rate 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 axles, 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 100.

114. Timber and firewood may be written off the stock forms for three reasons only:—

- (i) On account of loss by theft, etc.
- (ii) On account of destruction by fire.
- (iii) On account of its being unsaleable.

In each case it is the Divisional Forest Officer's personal responsibility to fix a valuation and to provide a certificate.

The useful life of cut timber and firewood in the forest will be presumed to be five years and that of bamboos to be two years. For other commodities their utility limit will depend on their nature. The valuation of timber and firewood to be written off will be made as follows in each and the Divisional Forest Officer will provide the certificate prescribed below:—

Valuation of timber for purposes of writing off.

As regards (i).—The certificate will state that the enquiry into the loss has been completed and the loss reported, according to standing orders. The valuation will be made according to the saleability of the material at the place where the loss occurred. In the case, for example, of felled timber in a coupe, the estimated value, if auctioned in site, will be taken. The estimate should be based on the price obtained for similar material in the same locality. If no felled material has been sold in that locality the price of standing material may be taken and exploitation costs added. In the case, for example, of a jungle passed railway sleeper being lost, the value of a passed sleeper (at railhead) less cost of transport will be taken. The above valuations may be reduced by one-fifth of the original value for every year which elapsed between the date when the loss occurred and the date when the material was felled or converted. The minimum permissible valuation at the end of any year should be its residual at the end of that year or its firewood value at the schedule of rates plus the cost of production whichever is greater. The latter will hold good up to the end of 10 years. After 10 years the cost of production only will represent the value.

As regards (ii).—The certificate will state the known or presumed causes of destruction and that all reasonable efforts have been made to ascertain the latter. The valuation will be as for loss above.

As regards (iii).—The certificate will state that every reasonable effort has been made to sell the material and that no useful purpose will be served by retaining it on the stock forms.

Up to the end of 10 years the valuation will be at privileged firewood rates plus any costs of production. Thereafter only the cost of production will represent the value. The Divisional Forest Officer must use this discretion allowed to him with great care and caution. He is personally responsible for seeing that no valuable timber is described "unsaleable", i.e., as being firewood only.

Factor of conversion.

115. 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
1 kawar-load	=	1½ cubic feet solid	=	90
1 animal pack-load	=	3 cubic feet solid	=	180
1 drag load	=	6 cubic feet solid	=	360
	=	15 cubic feet solid	=	900
	=	02 cubic feet solid	=	1,200
1 cart-load (two bullocks)	=	25 cubic feet solid	=	1,500
	=	30 cubic feet solid	=	1,800

Notes.—(a) The factor for a cart-load of timber or fuel to vary as above with the general size of carts used in the various Forest Divisions.

(b) Add 25 per cent to cart-load factor for each additional bullock used.

(c) 1 ton — 50 cubic feet solid.

(d) For conversion of stacked fuel to cubic feet solid multiply by 0.8.

II—POLE MEASURED (4 feet from the thick end)

Less than 12" in girth	=	.5 cubic feet solid	= 30 lb.
12" and less than 18" girth	=	2 cubic feet solid	= 120 lb.
18" and less than 24" girth	=	4 cubic feet solid	= 140 lb.

III.—TREE MEASURED AS ABOVE

2 feet and not exceeding 2½ feet in girth	10 cubic feet solid.
2½ feet and not exceeding 3 feet in girth	7 cubic feet solid.

Note—One cubic foot solid = 60 lbs.

IV.—CHARCOAL

	Lb.
1 Head-load	= 60
1 Kawar load	= 90
1 Animal pack load	= 180
1 Camel load	= 360
1 Cart load	= 540
	720
	900
	1000

- NOTE—(a) One maund = 80 lbs.
 (b) Six maunds of green wood go to one 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	50
1 Drag-load (2 bullocks)	60 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 ~~5~~ per cent and for each additional bullock by 25 per cent.
 (b) For katang bamboos decrease by 50 per cent.

VI.—GRASS AND OTHER KINDS OF PRODUCT

	Lb.
1 1 Head-load	= 60
1 Kawar-load	= 90
1 Animal pack-load	= 180
1 Camel-load	= 360
	= 900
1 Cart-load	= 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, 3,000.
5. Grass, 1 ton
6. Other minor produce, 1/6 of a ton

VIII.—STONE AND KANKAR

	Cubic feet.
1 cart-load	10 C
1 kawar-load	1.5
1 head-load	.75

Note.—The conversion factors given above are general in character. The Conservators of Forests should standardize local conversion factors separately for each division for use in working out upset prices, in timber accounts and when timber is sold in volume, etc., where correct calculation of the outturn is necessary.
 (Amtd. No. 245. d. 23.2-50 1

FREE GRANT

Free grants of timber and other forest produce.

116. (i) Special grants of timber or other forest produce free or at favourable rates, for specific purposes, require the sanction of the Government of India if they exceed the following value :—

(a) For the construction of large works of public utility, such as railways, tramways and the like.	25,000
(b) To village communities, public bodies, departments of Government or sections of the community in their collective capacity.	5,000
(c) In other cases.	2,000

(ii) Within these limits, and subject to the principles laid down, such grants may be sanctioned by the Provincial Government: but all concessions of whatever value made under (a) for the construction of railways or tramways must be reported at once to the Government of India.

(iii) The Provincial Government has empowered the following classes of Forest Officers to make free grants to the value noted against each :—

(a) Officers in charge of Forest Division	2,000
(b) Conservators of Circle	2,500
(c) Chief Conservator & Dy. Chief Conservator.	3,000

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 work 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 Divisional Forest 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 Provincial Government.

(iv) 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.

Note.—To avoid undue hardships to villagers, free grants of forest produce should be sanctioned by the competent authority with the least possible delay. Such sanction shall normally lapse with the expiry of the financial year, unless it is otherwise specified by the authority competent to sanction the free grant.

Circular No. 8-F, dated the 21st May 1895 (Appendix VII of the Forest Department Code) Article 58 of the Forest Department Code.

117. All members of the Subordinate Forest Service are exempted from the payment of grazing fees for cattle kept by them for their bona fide domestic requirements.

Free grazing by forest subordinates. Revenue Department No. 4770, dated the 12th July 1905.

SPECIAL FOREST INDUSTRIES

118. The following orders are issued for the encouragement of the tassar silk industry:—

The tassar industry.

(1) In second-class forests the leasing out of suitable areas to Dhimars for tassar cultivation should be accepted as one of the regular incidents of forest management.

Resolution No. 3972, dated the 24th October 1892.

(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 Director of Agriculture as representing the Agriculture 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.

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 Dhimars who are, with few exceptions, the only people that practise the industry. The areas which may be regarded as home of the tassar worm are available in Bilaspur, Chhindwara, Seoni and Balaghat.

3. Tassar is a product of the cold season, and frost, hail and cold militate against its successful production in the Balaghat Circle, hence the industry is practically unimportant in that Circle, which is more subject to the vicissitudes. However, where possible, suitable areas of saj forests may be assigned for experiments in the districts of Mandla, Betul, Hoshangabad and East Nimar. In the remaining districts little or no cultivation appears to have been carried on at any time, and as the Dhimars 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 tassar 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 bari 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 estate, where there is any hope of success.

6. It is also desirable that tassar baris should be given free of charge to Dhimars, 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 tassar 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 tassar silk cultivation should be regularly noticed in the annual reports submitted by Divisional Forest Officers and Conservators.

Cases of injury or
death by accidents

118-A. The following instructions are issued for dealing with cases of injury or death caused by accidents to employees under the Forest Department who are workmen under the Workmen's Compensation Act :-

It is important that speedy action should be taken in dealing cases of workmen who are injured in accidents arising out of their employment and Government should set an example to employers in general in the matter of prompt and sympathetic dealing with such cases. Thus if a workman employed by the Forest Department is injured, a full account of the accident and information pertinent to the question of compensation should be submitted to the Government with the minimum of delay by the departmental officer concerned and the case dealt with as urgent. If the injury has resulted in death, a report giving the circumstances attending the death should also be sent to the Commissioner for Workmen's Compensation for the area (the District Judge is usually the Commissioner for his civil district) within seven days of the death, as required by section 10-B of the Workmen's Compensation Act. On receipt of the report from the officer under whom the workman is serving, the head of the department concerned should, if necessary, call for further information relating to the accident and then send the case to the Legal Remembrancer for opinion. Any application or submission of the workman or his dependants should also be sent to the Legal Remembrancer.

2. The Workmen's Compensation Act provides for settlement of claim for compensation either by agreement between the workman and his employer or by reference to the Commissioner for Workmen's Compensation. Ordinarily claims should be settled and paid by agreement when the facts admit of no doubt about the employer's liability. If there is dispute about facts or where the injury is alleged to be due to wilful disobedience of orders by the workman or to contributory negligence on his part, the better way is to refer the question and case to the Commissioner pointing out Government's doubts and leave him to decide. If the Commissioner's decision appears to the department to be erroneous, the right of appeal may be exercised.

3. Where injury has resulted in death, the compensation payable to the deceased workman's dependents and in other cases where compensation is payable to a woman, minor, or a person under legal disability, compensation should not be paid

except through a Commissioner as required by section 8 of the Act. In all cases previous sanction of the State Government is however necessary to the payment of compensation from the State Revenues.

4. A case has come to Government's notice in which the question of compensation to a workman was allowed to slide while a criminal prosecution of a Public Works Department contractor who employed him for an offence of causing death by negligence was in progress. It is improper to leave aside the question of compensation in this way. The question of compensation under the Workmen's Compensation Act is in no way affected by the result of a prosecution or by any compensation that may be awarded under section 545, Criminal Procedure Code. The Government as employer has a duty to protect the rights of the Workmen employed on its works even though such employment may be through a contractor.

5. It should be borne in mind that the Workmen's Compensation Act is not exhaustive in the matter of compensation for injury to workmen, nor do Government's moral obligations rest there. In certain circumstances compensation though not recoverable under the Workmen's Compensation Act may be recoverable under some other law, such as section 1 of the Fatal Accidents Act, and in suitable cases Government may render help to enable poor dependants to sue in the Civil Court. In various cases, Government has sanctioned compensation *ex gratia* to labourers who owing to some technicality could not claim to be workmen under the Workmen's Compensation Act. Such payment will only be made in deserving cases and no hard and fast rule can be framed to govern them but it is essential in the interests of justice that the procedure directed in paragraph 1 of these instructions should be followed in all cases.

PART V.—PROTECTED FORESTS

CHAPTER XXI.—PROTECTED FORESTS

119. The provisions of Chapter IV of the Indian Forest Act apply to all forest land and waste land in all raiyatwari villages in the Central Provinces.

Constitution of
protected forests
Notification No.
435-48-T-XV,
dt. 4th May 1933
Grazing.

120. Under section 32, clause (i), of the Indian Forest Act, 1927, the Provincial Government is pleased to make rules to regulate the grazing of cattle in the protected forests.

Grazing of Cattle.

Rules to regulate the cutting, felling and removal of trees, timber and other forest produce.

120-A. Under section 32 of the Indian Forest Act, 1927, the State Government is pleased to make the following rules to regulate the cutting, felling and removal of trees, timber and other forest produce in and from protected forests of all unoccupied land of a village.

Rules to regulate
the cutting, felling
etc. notification
No. 437-48-T-XV
dt. 4th May 1933.

1. The rights of raiyats or other persons residing in the village in regard to the cutting, felling and removal of trees, timber and other forest produce in and from the protected forests of the village shall be governed by rules made under section of the Central Provinces Land Revenue Act, 1917, the gaon-kaida or the wajib-ul-arz of the village, as the case may be.

2. No cutting, felling or removal of trees, timber and other forest produce in and from the said protected forests shall be done except with the permission of the Deputy Commissioner or the Sub-Divisional Officer or any other officer appointed by any of them for the purpose—

(a) by persons other than those mentioned in rule 1, or

(b) by persons mentioned in rule 1 in so far as such cutting, felling and removal is not governed by rules made under section 204 of the Central Provinces Land Revenue Act, 1917, the gaon-kaida or the wajib-ul-arz of the village, as the case may be.

121. (1) Under sub-section (2) of section 2 of the Indian Forest Act, 1927 (Act XVI of 1927), the State Government is pleased to appoint all Deputy Commissioners and all Sub-Divisional Officers placed in charge of sub-divisions under the Central Provinces Land Revenue Code, 1959, to be Forest Officers in respect of the forest land and waste land situated in all raiyatwari villages for the time being included within their respective jurisdictions to which the provisions of Chapter IV of the said Act have been applied by Notification No. 435-48-T-XV, dated the 4th May 1933.

Powers of Sub-
Divisional Office
Notification No.
436-48-T-XV,
dt. 4th May 1933.

(2) Under sections 61, 68 and 72 of the said Act, the Governor-in-Council is pleased to invest the said Deputy Commissioners and Sub-Divisional Officers with the powers specified in those sections to be exercised by them in respect of the said lands.

(3) Under clauses (a) and (d) of section 76 of the said Act, the Governor-in-Council is pleased to make the following rules for the guidance of the said officers:—

- (a) They shall exercise and perform all powers and duties of a Forest Officer under the said Act in respect of the said lands, and
- (b) in any case in which compensation has been accepted under section 68 of the said Act, the Deputy Collector may authorize the payment of a reward not exceeding the amount of the compensation accepted to any person or persons who may have contributed to the discovery of the offender. A Sub-Divisional Officer is empowered to pay such reward subject to a limit of Rs. 10 in each case or the amount of compensation accepted whichever is less.

**DEED OF CONTRACT FOR THE SALE AND PURCHASE OF
FOREST PRODUCE**

(See rule 28)

This Indenture made this day of 19
between the Governor of Madhya Pradesh acting through
(hereinafter called the Governor which term shall, where the context so admits,
include his successors in office and assigns) of the one part and.....
..... son of resident of
.....(hereinafter called the forest contractor which term shall where
the context so admits, include his heirs, executors, administrators, representatives
and assigns) of the other part :

Witnesses as follows :—

1. The Governor hereby agrees to sell to the Forest contractor, and the forest contractor agrees to purchase, the forest produce described in the First Schedule hereunder (hereinafter called the said forest produce) situated in the area specified in the Schedule (hereinafter called the contract area) on the conditions hereinafter stated.

2. The quantity of the said forest produce to be sold under this contract shall be the quantity which may exist at the time of executing this indenture or may come into existence thereafter in the contract area all of which forest contractor may collect and remove from it in accordance with the conditions herein contained during the period from the date the forest contractor furnishes the necessary coupe boundary certificate after inspection of the contract area to the day of 195 , both days inclusive and at no other time.

3. The forest contractor shall commence his work of collecting and removing the said forest produce within one month after furnishing the certificate mentioned in clause 2 above, and shall make, to the satisfaction of the (hereinafter called the said officer) or such officer the said officer may nominate, continuous and adequate progress throughout the term of this contract.

4. (1) The consideration payable by the forest contractor for the said forest produce and the mode of its payment shall be as specified in the statement below :—

Total amount of consideration.	Number & amount of instalments	Date of payments of instalments.	Treasury or Sub-Treasury at which payment shall be made.
(1)	(2)	(3)	(4)

(2) Interest at the rate of 6.25 per cent per annum shall be charged in respect of the instalments or instalments not paid on the date or dates mentioned in sub-clause (1) above in the manner laid down in the Forest Contract Rules.

(3) All payments to be made into Treasury or Sub-Treasury under sub-clause (1) shall be made by challan to be obtained by the forest contractor from the office of the said officer or from the such other office as that officer may direct. Payments made in any other manner shall not be deemed to be payment made under or in respect of this contract.

5. The said forest produce shall be removed by the forest contractor from the contract areas by the routes specified in the following table and shall be presented by him for examination at one or other of the depots specified in that table :—

Routes by which forest produce shall be removed	Depots at which forest produce shall be presented for examinations.
(1)	(2)

6. (I) The forest contractor shall collect and make available—

- (i) all timber below 24" in girth by species and girth classes, namely :—
 (a) below 9", (b) 9", to below 12" (c) 12" to below 15";
 (d) 15" to below 18" and (e) 18" and over ;

(ii) firewood in stacks each being not less than 8' × 3' × 3' to the extent of 50% of the yield of the forest area, and

(iii) 'Khod' timber (carpenter's timber) for sale to agriculturists and other villagers for their bonafide nistar purposes, at the rates fixed by the Divisional Forest Officer, in consultation with the Collector, in the following manner :—

- (x) In the first Section :—By the end of 195
 (y) In the second and third Sections : By
 (z) In the Fourth Section :—By the following.

Note.—(A) The Divisional Forest Officer shall intimate the number of timber pieces by species and the quantities of firewood and "Khod" which the forest contractor is bound to cut and collect in the above manner, when granting permission to the forest contractor to commence his work.

(B) For the purposes of such sale to the agriculturists and other villagers, timber and "Khod" timber shall be stacked at a suitable and convenient place in every section in the contract area (not more than one in each section) and firewood shall be stacked at one or more places in each section of the said area ; provided that each such place is easily accessible and stacks of teak wood for Sonars and Lohars are kept separate.

(2) The sale of the above material from each section shall commence, under the written permission of the Divisional Forest Officer, immediately after its verification by the said officer or the staff appointed by him for the purpose on his behalf the verification of the stock in each section being completed within a period of 5 days of the dates, mentioned in the sub-clause (1) (ii).

(3) The forest contractor shall sell the material to the agriculturists and other villagers possessing permits issued by the authority entrusted with the work, upto the extent entered in each permit.

(4) The forest contractor shall be bound to carry on sales either himself or through his agent on four days in every week. The forest contractor shall maintain accounts of daily sales and shall recover and preserve the permits. The accounts of sale and the permits shall be made available for inspection to the Divisional Forest Officer or his staff, at all times during the period of the contract. A copy of the final account and all permits in original shall be submitted to the Divisional Forest Officer within 10 days of the termination of sale to the agriculturists and other villagers.

(5) Sales to the agriculturists and other villagers will continue upto the Thereafter the forest contractor shall be at liberty to dispose of the unsold material in any manner he likes, after obtaining permission in writing from the Divisional Forest Officer for which he must apply at least a fortnight before expiry of the period of sale.

(6) The forest contractor shall submit the account of sales of the above material to the Divisional Forest Officer and Range Officer concerned by the 5th of every month in the form prescribed by the Divisional Forest Officer.

7. The forest contractor shall be subject to the Forest Contract Rules as amended from time to time (a copy of which has been furnished to the forest contractor, the receipt of which the forest contractor hereby acknowledges) and these shall be deemed to be part of this contract in so far as they are applicable thereto:

Provided that the said Rules shall be deemed to be modified to the extent and in the manner laid down in the second Schedule hereunder.

8. The forest contractor hereby binds himself to perform all acts and duties required, and to abstain by himself and his mazdoors or servants or agents from performing any act forbidden by the Indian Forest Act, 1927, by the Forest Contract Rules and by this contract and further agrees to pay to the Governor a sum of Rs.*..... for every omission by himself or for every act by himself and by his mazdoors or servant or agent which may be in contravention of the Indian Forest Act, the Forest Contract Rules or this contract.

9. The forest contractor shall file in the office of the said officer or in such other office as the said officer may direct, on or before the dates specified in the Third Schedule hereunder a statement in the form approved by the said officer of all the said forest produce removed by him from the area. The forest contractor shall return all the thekedari pass books within a week of

* Which should not exceed one quarter of the total consideration provided in the Forest Contract Rule 38 (2).

the expiry of the contract to the Range Officer. In case of breach of this condition the forest contractor shall be liable to a penalty which may extend to a sum prescribed in condition 8 above.

10. In the event of any doubt or dispute arising between the parties as to the interpretation of any of the conditions of this contract or as to the performance of breach thereof, the matter shall be referred to the.....
..... whose decision shall be final and binding on the parties hereto.

FIRST SCHEDULE

(Vide Clause I)

Description of forest produce	Area in which situated
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Checked

Range Officer

Contractor's signature.

SECOND SCHEDULE

(Vide Clause 7)

The extent to and manner in which the Forest Contract Rules shall be deemed to be modified.

THIRD SCHEDULE

(Vide Clause 9)

Date on or before which a statement of forest produce removed by the forest contractor is to be filled under clause 9.

In witness whereof the parties hereto have put their signatures on the day and year written in each case.

Witnesses—

..

1.

Signature of

2.

Date

Witnesses—

..

1.

Signature of Forest contractor.

2.

Date

SECURITY BOND

Whereas the Governor in order to secure the due performance of conditions of the above contract demanded security from the forest contractors _____ son of _____ resident of _____ by occupations _____ surety on behalf of the forest contractor, undertake to discharge the liability of the forest contractor in case if any act, omission, negligence or default on the part of the forest contractor for any sum which may become payable by the forest contractor to the Governor by or under the conditions of the above contract,

I also agree that any sum which may be payable by me to the Governor under the terms of this bond shall be recoverable in the same manner as an arrear of land revenue.

And I also further agree and declare that notwithstanding the provisions of sections 133 and 135 of the Indian Contract Act, 1872 (IX of 1872), or any other rule of law or equity in that behalf, any variance in the terms of the above contract agreed to between the Governor and the forest contractor shall not operate as a discharge of my obligation hereunder; nor shall any composition made by the Governor with the forest contractor in respect of any breach of the terms and conditions of the above contract or any extensions of time for payment of the consideration stipulated in clause 4 thereof granted by the Governor to the forest contractor or any promise not to sue for or not to recover as arrears of land revenue any sum falling due from the forest contractor under the above contract operate as a discharge of my obligation. And I further expressly agree and declare that though as between the forest contractor and myself. I am only surely for the latter as between the Governor and myself I shall be liable for any sum payable or falling due hereunder equally with the forest contractor and I waive all my rights which I might as surety be entitled to claim and enforce.

Witnesses :

- | | |
|----|--------|
| 1. | Surety |
| 2. | Date |

I accept this surety.

Signature of

Date