

## Chapter 3

### *Forest Administration*

The British, on their own land as well as throughout their colonies, posed a systematic approach towards establishment of a standardised state administrative system. For them the connotation ‘administration’ was synonymous to ‘rule of law’. The aftermath of the Sepoy Mutiny of 1857 brought a remarkable debut in the colonial history of India in so far as it compelled the British Crown to take over the direct administration over India which gave rise to an era of making rules in Indian colony with a spring of legislative reform measures that shaped the operation of the sovereign by defining its relationship to the human as well as the non-human aspects those were to be dealt with. It was their policy to codify a statute and to pave the way of its execution. With this objective, they legislated over numerous subjects as handling of the criminal activities likely to be resorted by the common people which is reflected through statutes like the Indian Penal Code, that is dated back to the year 1860. Such statutes with a little modification are still in operation in India even after long 16 decades of its enactment. During that very historical period, administration over the forest as a distinct state subject was also recognized by the Colonial Government and there were intensive legislative efforts from their part to bring it to the statute book in the form of the Indian Forest Act 1865, Indian Forest Act 1878 and later on the Madras Forest Act 1882 that was enacted by keeping in view the localized administrative needs of south India. The said Madras Forest Act 1882 was being administered over the south Odisha forest region which was ultimately replaced by the Orissa Forest Act 1972.

Through those Acts as stated above, the administration over the subjects, which were so far being dependent solely upon the bureaucratic decisions, shifted to the frame of established statutes. The execution of the law and the policies were now subject-to as well as guided-by the statute itself. So were the powers and authorities of the executives appointed in the department which were then emanated from the statute. The multifarious objectives involved in the subject like conservation, taxation, development and sourcing of timbers for public use, rights of the tribals and right over the forest land increased the scope and purview of the administrative requirements that have been clearly provisioned in the statute. Following the fundamental principles of governance of public affairs in Britain, here also in India, the same set of principles of ‘Statutory Legislation’ and

‘Common Law’ was recognized and dominated as administrative tools over the subject. Enough room was provisioned in the statute for the ‘decisions of the executives’ and the ‘rulings of the Courts’ which may be required to be issued on a future time to handle the problems encountered by the people as well as by the administration during implementation of the law in the real field scenario.

The law broadly defined the following points which are to be administered:

- a) The definition of forest and the forest produce.
- b) The rights of the State to make and execute the law.
- c) The authorities of the officers appointed to administer over the subject.
- d) The rights of the people living in or adjacent to the vicinity of a forest.
- e) Modality of granting permission to common people for use of forest and the structure of fee chargeable for such privileges.
- f) The violations that may be considered as crimes punishable under the act.
- g) The quantum of punishments prescribed for specified acts of crime.
- h) The administration of justice in forest related crimes.

The above statute of administration was backed by numerous allied acts upon conservation of animals, ecology, biodiversity pertaining to the flora and fauna, and the rules and executive directives in the form of departmental notifications and circulars for smooth administration of the legislative provisions by the field formation. For proper implementation of the statutory provisions, the revenue officers under the district administration were vested with powers to grant permission for use of the land as well as timber in the localized forest areas.

Ultimately the common courts of justice were empowered to trial over the crimes related to forest matters which was an effective clutch over the arbitrary behaviour of the bureaucracy. The cases were ultimately required to be filed before the common court of justice headed by magistrates who were ensuring a balance between the authority of the Government and the rights of the people.

The main impediment in the path of the administration over forest was relevant to a strange fact that, as the British had no rain forests in their homeland, they were naturally devoid of any experience over the subjects of forestry and forest administration. So far, they could not pursue a distinguished policy on forest administration in their country. During their early phase of colonialism in India, in absence of first-hand experience about the subject and its characteristics, they could not think of formulating a

sound policy on forest administration. The forest resources in colonial India were so vast that the early administrators hardly bothered about preserving those resources.<sup>1</sup>

Their immense efforts to understand the subject gradually build-up their concept over the subject matter and during mid-nineteenth century, by the time when the demand for forest produce was considerably increasing and when scientific discoveries in the West were confirming the intimate relationship between the climate and the forests, they became cautious about bringing some administrative discipline in the way of exploitation of the forests resources.

### **3.1 Evolution of Forest Administration in India**

The growth process of state policies on forest in India was extraordinarily slow. In the beginning, there were many mitigating factors which obstructed the path of making a sound policy on forests. There were seemingly inexhaustible tracts covered with dense forests. The contents of the forest were not known, but there was no apparent necessity for their detailed exploration too, even if it was possible. Scientific knowledge amongst the European officials on the subject matter was confined almost entirely to the members of the medical profession. So, in the early years of the British occupation, the Botany of the forests, the species of the trees they contained, and their respective values, was an unopened book.<sup>2</sup>

The Government, as the policy maker including its officials, were not acquainted with the important role which forest plays in the nature and the great influence it exerts on the well-being of the country. Initially, they could not appreciate the importance of forests to the people or its revenue earning potential. The early administrators appear to have been convinced that this state of the forests shall last for an unlimited period; and that in many regions, forests being apparently posing obstructions to agriculture and hence considered as a limiting factor to the prosperity of the country. The whole policy of the Government was to extend agriculture, and the watchword of the time was to destroy the forests with this end in view. The direct and the indirect value of the forests were considerably undermined which resulted in unbound destruction of valuable forest resources.

In this transitory stage, forests were destroyed with the spread of railways and the rate of forest growth incredibly retarded, partly on account of direct demand of timber for construction works and the fuel demands which were frequently met by exploitation of forests in a reckless and wasteful manner and partly on account of the increased impetus given to cultivation.<sup>3</sup>

The true state of affairs was not appreciated by them until they realised the criticality of the situation when they feel the constraints of supply of wood to meet the local requirements as well. The first of these requirements which began to be realised comparatively in earlier phase under the Crown was the need of timber for shipbuilding, but in most instances the difficulties encountered was being balanced by devising improved methods of exploitation both by the Government agencies and by the contractors engaged for that purpose. Even when protection to forest was accorded, it was for many years not extended to the forest as a defined organism in the household of nature, but merely confined to a few marketable species.<sup>4</sup> Therefore, it had limited effects on conservation of the forest resources.

During the earliest days of British occupation, the principal forest districts in the Madras and the Bombay Presidency were those of Malabar, Canara, Travancore and Gujarat on the west; and to the east, extensive forests in the neighbourhood of Rājahmundry stretching inland in a westerly direction towards the territories of the *Nizām* of Hyderabad. The Malabar forests contained abundant stores of excellent Teak timber, for that reason they attracted the early attention of the Bombay Government for some years after its acquisition. In those early days, it was assumed that Teak forests were privately owned properties. Teak timber formed the main demand of the Government for shipbuilding, military and for other varied purposes, and the necessary arrangements for felling the trees and their transport from the forests was a concern for the Government. The earliest records of these attempts were the formation of a Timber Syndicate in Malabar in 1796 in which an enterprise, namely Mr. Machnochie of the Medical Service, was acting as the prime mover. This Syndicate appears to have prospered for the time being but collapsed after a short period. Other similar attempts were conceived, chiefly in connection with the supply of timber for the Navy, but they met with a chequered existence.<sup>5</sup> The Teak forests of Malabar were regarded as private property during the early days of British occupation. The first step towards forest administration was an order issued by the Beṅgal-Bombay Joint Commission, appointed to inquire into the internal circumstances of Malabar and to make regulations prohibiting the felling of Teak below 21 inches in girth. In 1805, a despatch was received from the Court of Directors, enquiring to what extent the King's Navy might, in view of the growing deficiency of Oak in England, depend on a permanent supply of Teak timber from Malabar.<sup>6</sup>

This resulted in the immediate appointment of a forest committee, charged with a very comprehensive programme of enquiry regarding the forests and the status of the

proprietary rights in them. The immediate result of which was issuance of a general proclamation, declaring that the right on Teak trees claimed by rulers was then vested with the Company and all further unauthorised felling of trees were prohibited. Under further pressure of the Home Government, and with regard to the future strength of the King's Navy, it was decided to appoint a Special Officer acquainted with the language and habits of the people and having the knowledge of forests, with a view to the preservation and improved production of Teak and other timbers suitable for shipbuilding.

### 3.1.1 Appointment of First Conservator of Forests in South India

Captain Watson of the Police was appointed as the first Conservator of Forests on 10<sup>th</sup> November 1806. Under the Proclamation of April 1807, and absolute authorities on the subject were vested to him. Within a couple of years, he had succeeded in establishing a timber monopoly throughout Malabar-Travancore, and practically annihilated more or less all the private rights in the forests by assuming their non-existence.<sup>7</sup> However, the general discontent excited amongst proprietors as well as traders rose to such a pace that on recommendation of the then Governor of Madras, Sir Thomas Munro, and after consideration of the Supreme Government, the Conservatorship was abolished.<sup>8</sup>

From 1806 to 1823, nothing was done for the regeneration of the forests in Malabar. The landholders reoccupied the forests. Early in 1831 the Indian Navy Board recommended for re-establishment of the Conservatorship. The Conservator's duties were then limited solely to the preservation of forests. The Madras Board of Revenue was consulted over the issue. After receiving their reports, the question was next referred to the Madras Military Board for an expression of their opinion. Late in 1842, the Court of Directors considered that some Teak plantations of limited extent might be established to safeguard the future, and the present supply could best be arranged under contracts. Mr. Conolly, the then Collector of Malabar succeeded in creating a small local Forest Department and was authorised to appoint a Sub-Conservator of Forests to work under his own direction with a modest establishment.

The first set of rules for the working and protection of the forests were drawn up by Mr. Conolly, and it is to the credit of this far-sighted man that they remain the basis and foundation of the codes and rules of the great forest service in India.

The instructions of Mr. Conolly to the Sub-Conservator *inter alia* includes the following points:

- (a) To obtain a complete knowledge of the quantity and quality of timber in each forest.
- (b) To prevent any kind of depredation being committed in the forests, whether *bona-fide* belonging to Government or rented by them.
- (c) To improve the forests by new planting and by unremitting attention in fostering the growth of young trees.

He also framed the following provisions:

First, to make circuits of the forest and to prepare a register of the number and quality of trees in each such circles, specifying as nearly as possible the parameters like: their age and size, their distance from water carriage and the probable number of other trees, i.e. non-Teak trees, which may be necessary to remove to prevent their interference with the growth of the young Teak trees.

Secondly, to prevent private individuals from cutting or destroying trees of any description within the Government forests, to seize and makeover to the nearest police officer all who violated this order to “be dealt with according to the nature and extent of the offence committed.”

Thirdly, to see that Teak trees were carefully barked and duly seasoned both before and after felling, and that none were to be cut except under proper orders and supervision; and that for every ten Teak trees cut, two were left for seeding.

Fourthly, to make provisions for enough quantity of seeds to be sown at proper season, to sow and plant with proper care and attention, to protect from injury of all sorts to the young plants and to take proper measures for pruning and otherwise fostering them for the first few years.

Fifthly, if the Government forests were being worked by contract, measures to be taken to safeguard against injury to be done to the young Teak trees. The trees were to be felled out as near the ground as possible and to protect the shoots which spring out from the stumps of the felled trees.

Sixthly, to see that the forest establishments were to be paid regularly and that all the wants of the employees were duly attended.

Seventhly, to report to the Collector about all instances of negligence from the part of the subordinates, using his discretion to suspend them pending the Collector’s orders.<sup>9</sup>

In the view of majority of forest officials, those were a wonderful set of prescriptions, and it was deplorable that the Government did not appoint Mr. Conolly as

the first Conservator of Forests in south India with adequate staff to enable him to pursue a consistent forest policy. But Mr. Conolly requested again and again to the Government to work over his plans. At last, the Madras Government recommended his request to the Court of Directors. In 1844, Mr. Conolly appointed Chatter Menon as the Sub-Conservator on a salary of Rs. 50 per mensem.<sup>10</sup> With the recommendations of Dr. Gibson, the Superintendent of the Botanical Gardens, the Government suggested for the appointment of an 'Interim Conservator' who should be appointed to carry out the views proposed by the Board for the preservation of the forests. Dr. Gibson further suggested for the permanent appointment of an officer for the general conservancy of the forests, whose duty should be to enforce a regulated system for felling timber, and to consider the means for preventing a decrease in supply of firewood and building timber throughout the Presidency. They acknowledged the desirability of having a department with a recognised status, which would be free from the complications of divided authority.

In November, 1845, the Government of Bombay submitted a report to the Government of India, detailing as regards to the management of forests. In this report, the urgent necessity for the establishing a supervising agency was emphasized. In March, 1846, the Government of India enquired whether the conservancy measures were intended to apply to Government forests only or were to be extended equally to the forests which were not the property of the Government and whether the Madras Presidency had been duly consulted over the issues. On 19<sup>th</sup> December, 1846, the Government of India authorised 'the employment of an establishment for the management of forests under the Bombay Presidency, at a monthly charge of 293 rupees. On 22<sup>nd</sup> March, 1847, the Government of Bombay appointed Dr. Gibson, as Conservator, in addition to his appointment as Superintendent of Botanical Gardens and authorised him to entertain the establishment which had been sanctioned by the Government of India.

That was the first step towards establishment of an efficient management system of the Indian forests, the appointments made being the first 'Conservator' and 'Assistant Conservator' gazetted in the country, the forerunners of the great service which was to follow.<sup>11</sup> Having settled their new Forest Conservancy staff, the Bombay Government in February 1848, communicated the arrangements to the Madras Government. The suggestion was officially sanctioned on 21<sup>st</sup> October 1848 and the Government of India sanctioned, additional funds of Rs. 180/- per month for management of the establishment.

### 3.1.2 Forest Charter of Lord Dalhousie

In 1852 Dr. McClelland was appointed as the Superintendent of Forests as the forests were regarded as the undisputed property of the East India Company. In 1854, after travelling in the forests for months Dr. McClelland submitted a report in which he proposed certain curtailments of the exploitation of the forests by private parties. The report evoked a memorable reply by the Government of India, dated 3<sup>rd</sup> August 1855 in which Lord Dalhousie laid down the outline of a permanent policy for forest administration for the first time known as the Forest Charter of 1855.<sup>12</sup>

An unforeseen devastation to a part of the forests of India took place during the Mutiny period. To understand the cause of the devastation occurring at the early days of floating of the concept of forest conservancy by the Government in the aftermath of pronouncement of the Forest Charter by Lord Dalhousie, some allusions must be made here on the prevailing historical and political scenario of India during that period. The Indian Mutiny burst like a bombshell over the country in May, 1857. The end of this struggle saw the disappearance of the East India Company and the Court of Directors, and Queen Victoria was proclaimed as the Empress of India.<sup>13</sup> The Mutiny taught a lesson to the British about the threats of isolation in absence of infrastructure of rapid communication, which were virtually not existed across the country. During that period a tremendous impetus was given to the expansion of railways which exerted severe pressure on the forests. In August 1856, Dr. Cleghorn submitted a report to the Government of Madras containing proposals for establishing Forest Conservancy.

On 19<sup>th</sup> December 1856, Cleghorn was appointed as the Conservator of Forests in the Presidency of Madras. During the next five years he toured through various portions of the Presidency and submitted three general reports suggesting introduction of an efficient protection of the forest and some general prescriptions for its management. It served a great purpose at the time when the subject was an attempted branch of Indian administration being obscure to the public at large. Cleghorn, for the first time highlighted the necessity of study of silviculture of the forests, laying considerable stress on the necessity of the Forest Officer acquiring sound knowledge on principal trees and shrubs, as well as on climate, soil and distribution of forest growth in different tracts.

By an order of May 1860, the Government of Madras prohibited *Kumri* cultivation in Government forests without obtaining prior permission, and directed that the permission should be given sparingly, and never for areas in timber forests.<sup>14</sup> Cleghorn also took up the question of providing from the forests the supplies of timber, charcoal



and firewood required without causing major destruction or over-cutting of the forests. He organised a Forestry Department and proposed establishments for protection and proper management of the forests being set up in all the districts. As a beginning to the comprehensive forest legislation, which was to follow, local rules for the management of the forests were issued by the Madras Government. In January, 1856, Sir Dietrich Brandis was appointed as the Superintendent of Forests in Pegu and with his appointment, the dawn of scientific forestry in India began.

### **3.1.3 Appointment of First Inspector-General of Forests**

In December, 1862, Sir Dietrich Brandis was placed on special duty with the Government of India to assist in organising forest administration. On 1<sup>st</sup> April 1864, he was appointed as the first Inspector-General of Forests to the Government of India. The history of forest administration dates back from this period. During 1864 and a part of 1865 Mr. Cleghorn was associated with Brandis, the two officers being appointed “Commissioners of Forests” to assist the Government of India and local Governments in the first organisation and further development of a methodical system of forest administration.<sup>15</sup> The new Department was, at the first instance, placed under the Secretary in the Public Works Department and in charge of the Hon’ble member of that department. In 1871 it was made part of the business of the newly constituted Department of Revenue and Agriculture. On the abolishment of that Department in 1879, the forest business was transferred to the Home Department, but again retransferred in 1886 to the Department of Revenue and Agriculture which had been reformed in 1881. Ever since 1871, the Forest Department had been in charge of the Hon’ble member holding the portfolios of the Home Department.<sup>16</sup>

Sir Dietrich Brandis was the first Inspector-General of Forests and held the office from 1<sup>st</sup> April 1864 to 23<sup>rd</sup> April 1883. He was succeeded by Dr. W. Schlich, who retained the post till 31<sup>st</sup> December, 1888. However, Brandis was placed on special duty on the 16<sup>th</sup> October 1881 and Dr. Schlich, who acted in his place, held uninterrupted charge till 25<sup>th</sup> February 1885. He was succeeded by B. Ribbentrop. The following was a list of officers officiated as Inspector General of Forests during the period:

**Table 3.1: List of Inspector-Generals of Forests**

Sl. No.	Name	Period
1.	Capt. E.C.S. Williams R.E.	13-04-1865 to 07-05-1866
2.	Dr. H. Cleghorn	07-05-1866 to 14-03-1867
3.	Col. G. F. Pearson M.S.C.	29-01-1871 to 29-12-1872
4.	Mr. B. H. Baden-Powel	30-12-1872 to 08-04-1874
5.	Colonel F. Bailey, R.E.	03-08-1887 to 31-10-1887
6.	Mr. H.C. Hill	07-08-1889 to 01-03-1891, 22-12-1893 to 21-03-1894, 19-02-1895 to 01-04-1896 & 08-07-1899 to 08-10-1899

Source: B. Ribbentrop, *Forestry in British India*, Calcutta, 1900, p. 77.

These persons officiated as Inspector-General of Forests when the regular officers were on furlough or on other assignments.

### 3.2 Forest Administration in Madras Presidency

Once the necessity of an organised Forest administration throughout the country had been recognised, the Government of India proceeded, towards the creation and development of a Forest Department which was a great task before it. The Conservators of Forests had been appointed in Madras in 1856. As the workload increased it was felt that the province was too large to remain in charge of one Conservator, so the provinces were divided.

Thus, Madras was separated into a Northern and Southern Circle in 1883. Subsequently some further changes have taken place and Madras was divided into three Circles in 1891.<sup>17</sup> Since the beginning it was recognised that the Forest Range must ultimately form the unit of Forest Administration; but for many reasons it was quite impossible to enlist this agency before a controlling staff had been provided. But there

was no officer available with proper training to handle the work and the earlier appointments had to be filled by men selected from other branches of Public Service. Officers, as a rule, were chosen who had previously shown qualifications relevant to forest life and forest management. Many amongst those appointed without having special prior trainings had left their permanent mark in the history of the forest administration in India. The first graded list of Conservators, Deputy and Assistant Conservators under the Government of India was dated back to 1869, when the staff consisted of 57 officers costing Rs.94,618/- per annum.

The Controlling staff in the Madras Presidency had, since the first organisation of the Department, gradually expanded, and in December 1882 it was consisting of 16 officers. At that time a revolution took place in the whole forest management of the Presidency, by the amalgamation of what was locally known as the Jungle Conservancy Department with the Forest Department.<sup>18</sup> This administrative arrangement necessitated a considerable increase in the staff position. So, a staff of 24 officers was sanctioned by Her Majesty's Secretary of State. Two more appointments were subsequently added and in 1885, the staff strength stood as follows:

Conservators of Forests	-	02
Deputy Conservators of Forests	-	14
Assistant Conservators of Forests	-	10

The average pay for India had been maintained but varied considerably in several Provinces. A reorganisation was then proposed but was not sanctioned until February 1891. Under the reorganisation it was set that, 80% of the controlling staff should be recruited by the Secretary of the State through Coopers' Hill College, and the remaining 20% should be filled by the advancement of qualified and deserving men from the Lower Controlling Staff, the member of which were to be drawn from the students of the Dehra Dun Forest School and the Poona College, who had passed through the lower grades of the service. Thus, the Provincial Forest Service was created in contradiction to the Imperial Forest Service, which it was intended shall form the elite.<sup>19</sup>

The salary of the officers and the cost of officiating in the northern as well as in the southern circle of the Madras Province during early 1880s has been furnished as under:

**Table 3.2: Salary and Cost of Officers in Madras Presidency**

Sl. No.	Number of Officers	Designation	Average pay (Rs)	Monthly Cost (Rs)
1	1	Conservator	1133.00	1133.00
2	2	Deputy Conservator	700.00	1400.00
3	3	Deputy Conservator	500.00	1500.00
4	4	Deputy Conservator	350.00	1400.00
5	5	Deputy Conservator	250.00	1250.00
Personal allowance to Messrs. Ferguson and Sheffield				250.00
Total Officer's costing: Rs. 6,933.00 Per Mensem i.e. Rs. 83,196.00 Per Annum The average pay of each Officer being Rs. 462.00 Per Mensem				

Source: D. Brandis, *Suggestions Regarding Forest Administration in Madras Presidency*, Madras, 1883, p. 90.

### 3.3 Growth and Development of the Provincial Forest Service

In the beginning, when the number of professionally trained candidates turned out were less than the demands for the service, young persons were appointed as Sub-Assistant conservators. They entered the service with the expectation of being promoted to the upper grade. Many of them succeeded; but there can be no question that the failures outnumbered the successes. For many years the Secretary of State reserved the rights of recruiting to the Imperial Service and for sanctioning any promotion to it from the lower grades. The reorganisation of 1891 shut the door in that respect but provided for better prospects in the Provincial Services. Both Madras and Bombay took the lead of the provinces in the reorganisation of their subordinate services, but that of Madras province was experiencing inadequacy in staff. A general scheme was framed for the Madras Presidency which was finally sanctioned only after 1896.<sup>20</sup>

### 3.4 Powers and Functions of Forest Officials

Prior to the 19<sup>th</sup> century, no visible efforts were made towards establishment of an organised forest administration or its management. Individual officers were assigned duties in connection with the disposal of forest produce, particularly standing timber, collection of revenues therefrom or preservation of forests for its value as royal hunting grounds. The early period of British Rule in India was no exception and there was

considerable increase of felling of fine timbers like teak for the British Navy. It was around 1805, for the first time it was realised that the supplies of timber might run short. With that objective, Capt. Watson of Police was appointed as the First Conservator of Forests in India. By 1823 due to the growing discontent among the timber merchants and on the recommendations of Sir Thomas Munro, the then Governor of Madras, the post of Conservator was abolished.<sup>21</sup>

As the need for conservation was realised by the British Government, it resulted in creation of offices and appointment of officers to handle forest related matters and its management. In 1861 with the appointment of Sir Deitrich Brandis as the first Inspector-General of Forests the conservation of forests started in real sense.<sup>22</sup>

#### **3.4.1 The Inspector-General of Forests**

The Inspector-General of Forests was the professional adviser to the Government of India and the Local Governments on forest related matters and exercised the functions of the Local Government on all matters connected to forest administration in general. He had been entrusted with the duties of controlling the Forest School at Dehra Dun and to frame Forest Surveys and Working Plans. Further, on the issues which involved no administrative or general duties of the Conservators in the various provinces, he would write officially to the Government of India or the Local Governments. However, regarding the Madras and Bombay Presidencies, he may correspond only through the local Secretariat in charge of forest matters. The Inspector-General of Forests was also to assist the Government of India in dealing with the forest business related matters and in this connection, he was empowered to report directly to the Secretary.

#### **3.4.2 The Chief Conservator of Forests**

In the history of Indian Forest Service, at a much later period, the Chief Conservators of Forests were appointed in the larger Provinces. The necessity of their appointment arose from the difficulties experienced by the Inspector-General of Forests to put his attention equally to all the far-flung forest units spread over the Indian Empire. Consequently in 1905, the Government of India suggested to local Governments to create the posts of Chief Conservators of Forests in all Provinces where there were three or more Conservators.<sup>23</sup> The Chief Conservator of Forests became officially the head of the Provincial Forest Department and the technical advisor to the Local Government over forest related matters, which were previously being referred to the Inspector-General of Forests by the Conservators. The Chief Conservator of Forests was also required to

supervise all works regarding the compilation and sanction of forest Working Plans. He had to secure uniformity of policy, and exercise control throughout the Province on the methods of silviculture, sales of produce, supplies against indents such as from Railway and Ordinance Department and the conduct of forest research and training of staff in communication with the President of Forest Research Institute and Colleges at Dehra Dun.

The role of the Chief Conservator of Forests in each province was similar to that of the Inspector-General of Forests for India and the later begun to concern himself more and more with the centralised subjects of Forest Education and Research besides being rendering advisory services to the Provincial administration.

### 3.4.3 Conservator of Forests

The Conservators of Forests, whether in charge of the forest business of a whole Province or of a Circle forming part of a Province were regarded as the head of the Department and were directly subordinate to the Local Government. But in the Presidency of Madras there was intervenes of the Board of Revenue over the subject. The Conservators hold the most responsible position in the hierarchy of forest administration in India and can exert greater influence than any other officer in the Department as regards to the application of correct conservative principles and on the prosperity of departmental administration, on the issues of financial matters or otherwise.<sup>24</sup>

Prior to the creation of the posts of the Chief Conservators of Forests, the Conservators dealt directly with the Inspector-General of Forests and the local Government. They had generally complete control on forest matters in their own periphery. The Conservators had to correspond on all subjects with the Divisional Forest Officers through the Collector *vice versa*. The DFOs were regarded to be subordinates to the Collector in such matters.<sup>25</sup> The Conservators were the controlling authorities in matters of subordinate services and departmental discipline. When visiting the districts, the Conservator was expected to confer with the District Magistrate and the Commissioners on matters connected with his departmental inspections. His touring and inspection duties involved, among other things, attention to surveys and settlements, working plans, forest boundaries, communications and buildings, staff condition, protection of forests, works of regeneration and tending timber depots.

The Conservator was also responsible for enforcing sound financial regulations in the various offices under him. Subsequently, in most Provinces, the authority of the Conservator of Forests was completely subordinated to that of the Chief Conservator of Forests in all matters. The Conservator of Forests had been perhaps the most suitable

designation in the Forestry of India, which was brought to use in 1805, fully explain the emphasis on the conservation aspect of forestry as of prime concern to the Conservator.<sup>26</sup>

#### **3.4.4 Deputy Conservator of Forests**

The Deputy Conservator of Forests usually held the charges of a Division and was called Divisional Forest Officer. The DFO was the immediate controlling and executive officer of the concerned Division. All the work of sale, exploitation, regeneration, tending, protection, construction of buildings, roads and bridges were to be undertaken according to his directions and under his personal supervision. He was responsible for the accounts and budgetary control over all revenues and expenditure of the Division on staff, works etc. The Forest Division in India became a unit of management in all respects over the subject and from the very beginning its operation was guided by a systematic Working Plan usually covering all the features related to the forests under a Division. The DFOs were fully entrusted with the day-to-day management of the forest in their respective Division and were vested with complete powers of control over all the staff of the Division.

#### **3.4.5 Assistant Conservator of Forests**

The Assistant Conservator of Forests was to assist the DFO in the field work and inspection and he was generally attached to a Division. On his first appointment, the Assistant Conservator of Forests had to oversee Ranges in order to gain full working knowledge over the Ranges.

The Assistant Conservator of Forests, Deputy Conservator of Forests, Conservator of Forests, Chief-Conservator of Forests and the Inspector-General of Forests were belonging to the Indian Forest Service until the end of the First World War or till about 1920. The officers promoted or directly recruited for the Forest Department were designated Extra-Assistant and Extra-Deputy Conservators of Forests. But subsequent to 1920, when promotions were allowed in the cadre of IFS, besides the liberal admission of Indians direct to the service, the post of 'Extra-Deputy Conservator of Forests' was abolished. In the earlier decades of Forestry in India, Deputy and Assistant Conservator of Forests were concerned mostly with the routine administration and management of the forests besides the demarcation of forest areas. But since the beginning of the 20<sup>th</sup> century, specialisation in the concerned fields was found necessary. First, silviculture research called for the attention which followed by creation of posts like the whole time Working

Plan Officers, Forest Utilisation Officers, etc. Thus, the diversification of responsibilities and specialisation of duties defined the features of the forest administration in India.

### **3.4.6 Range Officers**

The Forest Range Officer held the absolute responsibility for case disbursements and expenditures incurred within the Range and all payments would as far as possible being done personally by him. He had to communicate all official orders and instructions to his subordinates. He had to collect the government dues in form of cheques or otherwise, maintain the prescribed registers and records, and to prepare periodical reports, returns and maintain the monthly Range accounts.<sup>27</sup> He had to protect Government interest by best utilisation of his subordinates and the labour forces engaged in duties with an objective to achieve highest revenue from his range by application of the highest principles of forestry. He had to check and control all the work within his range and ensure that Government funds were used in the most economical and efficient manner. He had to prevent to the best of his ability, any misuse of the authority by his subordinates, particularly in case of compounding forest offences.<sup>28</sup>

### **3.4.7 Foresters**

The Foresters were appointed to assist the Range Officer in carrying out the departmental work. He had to carry out the orders that were being received from the higher formations. He had to report to the Range Officers about all important incidences within his jurisdictional area. He had to observe closely the Rules for compounding of the forest offences. The subordinates were absolutely forbidden to take money from the villagers except the authority of law as laid down in those Rules and must do their utmost to prevent the Guards under their control from misusing their authority by accepting bribes or harassing the villagers during performance of their duties.<sup>29</sup>

### **3.4.8 Forest Guards**

The Forest Guards were responsible for the custody of all Government stores, tools and timbers deposited in their charges and also for protection of forests of their beats. It was the duty of the Forest Guards or the Beat Guards to carry out repairs of the roads and boundary pillars and buildings in their beats under the orders of the Range Officer. It was their duty to prevent damages being done forthwith to apprehend the offender. It was the duty of the Guards to obtain knowledge on everything which took place within their beat, and there was no excuse for ignorance from their part. The rules for compounding



forest offences were being strictly observed, and any Guard found to be taking money from the offenders was, at once, liable for dismissal from his services. It was the Guards' duty to see that the legal provisions as laid down under the Rules regarding *Shikār* were strictly be observed, and to stop all instances of illegal shooting and trapping. All the Forest Guards were required to be fully acquainted with their beats. Failure to be so acquainted within a month of taking the charge would render them liable for instant dismissal. Normally, it was the duty of the guards to supervise the work of the coupe purchasers within his jurisdiction.<sup>30</sup>

### 3.5 Forest Working Plans

Working Plans are the framework upon which the forests were managed. A Working Plan sets forth the purpose with which a forest should be managed so as to best meet the interests and it indicates the means through which those purposes may be accomplished. In other words, it means a forest regulation prescribing the application of certain cultural rules, and the execution of certain works, in order to produce a desired result.<sup>31</sup> During the earliest days of Forest Administration, an advisory on systematic working of the Indian forests had frequently been urged. Sir Dietrich Brandis after his appointment as the Inspector-General of Forests, set himself in the task of ascertaining by means of numerous linear valuation survey on the available growing stock in the forests. On the basis of the estimate thus framed and the analysis of the rates of growth on numerous stumps and logs, he calculated the annual possibility of revenue and framed preliminary working plans.

Gradually the preparation of a Working Plan was undertaken in a more systematic manner in various Provinces. In the contemporary scenario all the forest receipts and charges were Imperial in nature and the officers of the department were on one general list. Thus, the local Governments had no direct financial interest involved in the working of the department, and the officers were looking directly to the Inspector-General to bring their services to the notice of the Imperial Government. In 1882, the department was decentralised, and the local Governments obtained direct interest in the surplus produced from their forests. It brought some complicacy to the management of the valuable forest property within the scope of its possible uses as laid down in the preliminary working-plans. But the fact remains that the Government of India had fallen out of touch with the exploitation and management of the various forests. So, Dr. W. Schlich, the then Inspector-General, conceived an idea of centralising the process of preparation of a regular

Working Plan, and of the future forest management under their provisions, and obtained the sanction of the Government of India to his plan in 1884.<sup>32</sup>

That was an epoch-making event in the history of forest administration. The Working-Plans Branch of the Forest Department was made a reality, and its powers of control was vested with the Inspector-General of Forests. The preparation of Working Plans continued to be carried out by the local agencies under the orders of the Local Governments, but with the technical advice of the Inspector-General of Forests. Provisions were made for settlement of issues in which Local Governments disagree with the instructions issued by the Inspector-General of Forests, which were to be referred to the Government of India for a decision.

In Madras Presidency, the preparation and control of the Working Plan was entirely localised and there was no technical advisor beyond the Conservator who could submit the plans. The staff, in the Madras Presidency, had been preoccupied with forest settlements and as regards to the Working Plans, a commencement had been made without appointing any additional staff. At the end of 1897-98 the plans existed only for an area covering 201 sq. miles.

The management of a forest depends at the first place, on the objects which the proprietor had in view, in so far as they were not limited by the general laws of the country.<sup>33</sup> The objects may differ widely according to the nature of the forests and the prevailing local conditions. Considering all the matters, a proper plan should be devised which would lay down necessary measures for execution of the plan in an orderly manner. The Working Plan, as its determined objects, was tuned according to the time and locality and covering the entire management issues of the forests, so that, the objects for which it was being prepared would be fully accomplished. The Working Plan (hereinafter referred to as the WP) was mainly based on the principles of silviculture. The plan *inter-alia* provided for:

1. An exact and detailed account of the actual state of the forest with all its factors;
2. Split-up the forest area into Divisions of workable size;
3. The leading principles of its management;
4. An estimation of the yields;
5. Arrangements of control mechanism for execution of the plan.

In short, the WP was a complete document laying down the details of treatment prescribed to realise the wishes of the owner, as far as feasible. Ordinarily, the object was to obtain the maximum yield of produce most in demand at the minimum cost and to keep

the forest in a condition that the yield would be obtained on a sustained and progressively increasing basis. As forest trees took years to mature, and either neglect in tending or faulty exploitation may adversely affect their growth and future yields, a WP was necessary to ensure continued satisfactory management of the forests.<sup>34</sup>

### **3.6 Forest Administration in South Odisha upto Independence**

Up to 1905, Odisha had been a part of the Beñgal Presidency. Forest Administration started in Odisha during 1883-84. For the first-time forests of south Odisha were declared as RF under Section 19 of the Madras Forest Act 1882. During that time there was only one forest division in Odisha, i.e., Anugul Forest Division. During the period the tenants were freely permitted to collect firewood, brushwood and bushes for domestic consumption. The Province of Bihār and Odisha was created in 1912. There were seven forest divisions out of which three were located in Odisha. The new Odisha Province was created on 1<sup>st</sup> April 1936 from bifurcation of the Odisha-Bihār Province and by merging into it the Korāput, Gañjām, and Bālligudā subdivision of Phulbāni district from the Madras Presidency.

The forests of the Gañjām district were brought under the ambit of Forest Administration during 1850, but regular reservation and forest settlement were started here only during 1885-86. By 1900 almost all the forest blocks were reserved under the MFA of 1882. In 1901, systematic Working Plans were made for the Gañjām forests.<sup>35</sup>

The procedure for drawing up of a WP was given in Article 53(1) of the Forest Department Code. It says that when a WP had been drawn up and accepted by the Conservator, he will submit it in duplicate, to the Inspector-General or Chief Conservator, as the case may be, who will forward it with his opinion and remarks to the local Government. The later, then pass orders on the plan and forward the prescribed copies of it to the Inspector-General of Forests.<sup>36</sup>

Till 1912, the preliminary WP reports were submitted to the C.C.F. for the provinces where there was a Chief Conservator, and in other provinces the same was being submitted to the Inspector-General of Forests. In 1921 the Government of India passed orders that the preliminary and final WP reports need no longer to be submitted to the Inspector-General of Forests. But the Bihār and Odisha Government never delegated any power to the Conservator to sanction deviations from the provisions of the WPs other than the issues involving the excess or deficit felling of timbers. In 1931 the Government decided that the post of the W.P.O. should eventually be abolished. At the same time orders were issued that the Working Plans should be revised at longer intervals than the

customary period of ten years. This work was entrusted to experienced DFOs to carry out and the W.P.O. was given more plans to revise than he could conveniently cope with.<sup>37</sup>

In south Odisha, the Madras Forest Division was reorganised with effect from the 3<sup>rd</sup> January 1938. The original two divisions of Gañjām and Pāralākhemuṇḍi were subdivided into four divisions viz. Russellkoṇḍā, Chatrapur, Bālligudā and Pāralākhemuṇḍi.<sup>38</sup> After the reorganisation, 120 miles of boundaries in the Bālligudā Division were artificially demarcated at a cost of Rs. 855/- for the purpose of reservation.<sup>39</sup> This was made in pursuance of a policy of having smaller charges for efficient management, followed by the then Conservator of Forests, Mr. J. W. Nicholson. The names of Chatrapur and Russellkoṇḍā Divisions were subsequently changed to Ghumsar South and Ghumsar North Division with effect from 1<sup>st</sup> April 1941. There were no further changes in the administrative set up till the 1<sup>st</sup> October 1945 when the Bālligudā Division was split into two Divisions i.e. Bālligudā and Udaygiri. The Udaygiri Division comprised of the Khoṇḍmāls and the Udaygiri *Tāluk* and the Bālligudā Division of the Bālligudā *Tāluk* only.<sup>40</sup> In the Annual Report of Forest Administration in Odisha, 1937-38, it was mentioned that the three blocks of forests in the Bālligudā Agency, which were not surveyed, were included in the Survey of India.

(**Appendix-II:** Letter of R. Sahai for purchase of stores, typewriters and marking hammers, metallic tapes, etc. for the office of Chatrapur Division.)

(**Appendix-III:** Change of nomenclature of Chatrapur Division)

### 3.6.1 Management of State Forests

The forests comprising the Buguḍā and Soradā ranges of Chatrapur division together with the Russellkoṇḍā division constituted the Ghumsar forests. Up to 1836 the Ghumsar forests formed a part of the territories of the *Zamīndārs* of Ghumsar and Soradā. The Ghumsar forests were brought under administration for the first time in 1850 but regular reservation proceedings did not start until the year 1888. By 1906 the reservation of practically all the important blocks was completed. The Mohuri hills group of reserved forests consisted of three blocks, i.e., Rāmagudā, Rāmpalli and Baniāmāri which were constituted Reserved Forests in the year 1899, 1900 and 1901 respectively. The Chāndragiri group of reserves consisted of three reserves viz. Chāndragiri, Ruliba and Guimera which were declared as reserves under section 26 of MFA in the year 1912. No regular reservation and forest settlement proceedings were initiated. Besides there were

still extensive areas of unreserved forests in the Sānakhemuṇḍi *Maliāhs* which could be constituted reserved forests without undue hardship.

On the creation of the new province of Odisha on the 1<sup>st</sup> April 1936 a major part of the district of Gañjām including both the forest divisions of Gañjām and Pāralākhemuṇḍi was transferred from Madras to the new province. The Pāralākhemuṇḍi division then included the Chaṅdragiri group of reserves, and Gañjām division included the reserved forests of Ghumsar and Mohuri hills' groups of the present Chatrapur division. Chatrapur was created a separate division under its own DFO with effect from 3<sup>rd</sup> January 1938.<sup>41</sup>

### 3.6.2 Past Systems of Management

The history of forest administration in the state was closely interlinked with the political set up of the state. The forests of the state prior to the integration of the Princely States was broadly classified into three categories according to their ownership.

1. The State Forests under the Management of Forest and Revenue Departments,
2. The Forests of the princely States of the Eastern States Agency, and
3. The *Zamīndāri* forests either under the Princely States or the State Government.<sup>42</sup>

#### A. The Ghumsar Group of Reserved Forests

No records were available to show the management of the Ghumsar forests prior to 1850. Nominally the forests came under management after 1850 but no serious attempt was made until the year 1901. Between 1851 and 1863 the forests were exploited purely for revenue purposes and no restriction was imposed on felling of trees which were carried out in a reckless manner without any reference to silviculture. In 1858 the Collector of Gañjām issued orders against indiscriminate felling and extension of cultivation but the orders were never carried out. In 1861 Mr. John Brown was appointed as the first overseer-in-charge of Ghumsar forests with a staff of two peons and a forest tax was also imposed in the same year. The staff proved to be utterly inadequate and in 1866 it was increased by the appointment of one clerk and eight additional peons. During the period exploitation continued unrestricted and between 1863 and 1866 considerable quantities of *Sāl* timber were supplied to the Public Works Department and were exported to Madras. The first attempt at restriction of felling was made in 1866-67 by closing the felling of trees in the neighbourhood forests of Soradā. In 1867-68 a definite area of *Sāl* forest was set apart for purposes of supplying timber for departmental work.<sup>43</sup>

In 1879 the Conservator of Forests classified the Ghumsar forests under four heads viz., 100 square miles of good *Sāl* forests, 100 square miles of poor *Sāl* forests, 100 square miles of mixed forests and 180 square miles of poor scrub forests and proposed that 150 square miles out of these should be reserved and 100 square miles protected. But definite reservation proposals were not made until the passing of the MFA, 1882. In 1883-84 the Conservator of Forests made a proposal for reservation of 600 square miles of forests. The first block in Chatrapur division to be declared reserved forest was 'Mālati Reserve' which was notified under section 16 of the Madras Forest Act in 1888. By 1906 practically all the important blocks were declared reserved forest under section 16 of MFA.<sup>44</sup>

The first trained officer to take the charge of the Ghumsar forests was Mr. A. W. Lushington who joined in 1883-84. He made working arrangements for the Ghumsar forests but the extent to which the scheme was carried out was not evident from records. Up to the year 1900 irregular felling continued without any reference to silviculture. Large timbers both in the form of logs and railway sleepers were being exploited without any restriction and the more accessible areas were ruined by the activities of fuel-dealers working under the permit system. The WP prepared by Mr. Cox for the forests under Russellkondā Division and the WP prepared by Mr. Cowley Brown for forests of Buguḍā and Soradā ranges came into force in 1903-05. In their WP they recommended for:

- a. The termination of the 'permit system'
- b. Demarcation of plain *Sāl* areas
- c. Introduction of special fire protection
- d. exclusion of grazing in the demarcated plain *Sāl* blocks and
- e. Closure of forests generally for a period of rest.

During the period the felling were limited to the removal of dead and dying trees. In the inferior *Sāl* forests coppice coupes were introduced on a 30-year cycle rotation basis and working of small bamboo coupes on a five-year cycle. Hill forests were to be closed and only 20 trees per annum were to be extracted from Rambhā hills. Messrs. Cox and Cowley Browns' WP remained in force up to 1915. During the period the Survey of India maps for all reserved forest blocks were prepared. The system of granting concessions to the *Khond* villages for helping the department in fire protection and other protective works were introduced for the first time. On the expiry of Messrs. Cox and Cowley Browns' WP an interim WP was drawn up by Mr. Minchin in 1915 which remained in force up to 1919. The completed WP brought into force in 1919-20 and remained up to 1929-30.<sup>45</sup>

Minchin's plan dealt with seven out of the eight ranges of Ghumsar forests. The most notable feature of this plan was detailed stock-mapping of forests, which was vital for planned management. Under the plan the forests were divided into six working circles namely:

**i. The Plains *Sāl* Timber Working Circle:** The WC included all plains *Sāl* forests to be worked under 'conservation to uniform' system on a rotation of 60 years. The objects of management were conversion of the irregular forests of series of even-aged high forest crops and production of timber. Four Periodic Blocks (PB) of 15 years each were formed. Coupes in PB-I were prescribed to be clear felled and all advance growth in 'switch stage' cut back. Light improvement felling was prescribed for PB-II and heavy improvement felling for PB-III and PB-IV. Removal of mature trees of 4'-6" girth and above in PB-II, 4'-3" in girth and over in PB-III and PB-IV were also provided for. The prescriptions provided for preferential treatment of *Sāl* at the expense of other species. With the young crops, cleaning was prescribed at the age of six months and thinning were prescribed at the 5<sup>th</sup>, 10<sup>th</sup> and 15<sup>th</sup> year. Cleaning were provided in PB-III and PB-IV two years after their improvement felling. Minchin's plan provided for main felling over 40 acres.<sup>46</sup> Between 1919-20 and 1922-23 every attempt was made to follow the proposals of the WP, but due to the activities of the Russellkoṇḍā Sawmill between 1922 and 1928 the proposals hardly received a fair trial. Due to increasing difficulties to keep the sawmill fed with suitable logs, the proposals of the WP were finally suspended which led to serious over felling and all areas within a reasonable distance of the Mill were practically denuded of every sound *Sāl* tree. The sawmill which was established to overcome the difficulties in obtaining sawn timber for construction was finally closed down in 1928. A control journal was maintained which included a variety of information as regards works done, out turn, expenditure, revenue, etc. did not provide any effective means of watching the progress of the work from year to year. It was not until 1929 that coupe histories were posted and brought up to date.

**ii. The Plains *Sāl* Pole Working Circle:** This WC was constituted with a view to provide permanently the needs of the local villagers 'their requirements of small timber and fuel' and at the same time improve the forests by getting it cut over as rapidly as possible. The rotation was fixed at 25 years and thinning was prescribed in the sixth year on the basis that a part of the material might be saleable. In the subsidiary silvicultural operations, he prescribed closure of all coupes permanently for grazing.



The total area worked during this plan was about 1/3<sup>rd</sup> of the prescribed area. Several coupes were also wrongly marked in the control maps. Owing to difficulties in selling of the yield from thinning, the un-thinned areas began to fall into arears. The coupes actually thinned were not taken up in the order given in the programme with the result that the crops which required more urgent attention were ignored.<sup>47</sup>

**iii. The Ravine Working Circle:** The WC included good quality irregular hill forests to be converted to the uniform system on a rotation of 80 years. The forests allotted were theoretically divided into four equal PBs. The plan provided for artificial regeneration with suggested species in areas where advance growth in the switch stage was deficient.

The results of conversion in the WC were far from satisfactory. Clear-felling of irregular forests in remote and inaccessible areas involved frightful waste of immature stock, the cost of stocking in the areas with natural regeneration was high and artificial planting was a very expensive operation. Owing to their remote location, it was difficult to induce the contractors to buy these coupes. As a result, the system of clear-felling of the coupes was stopped in 1922-23. In 1923 Mr. H.C. Bennett, the Chief Conservator of Forests ordered for more emphasis on bringing up natural regeneration instead of spending large sums of money on artificial regeneration.

**iv. The Selection Working Circle:** The WC included some 391 square miles of main hill forests on a 20-year felling cycle. Exploitable diameter for various species was not fixed due to want of sufficient information about the rates of growth of many species. Climber cutting was to be done 12 months before felling. Forests were remained open to grazing. But in actual, no silvicultural consideration was kept in view while implementing forest policies for the area. Felling of timber was carried out only to feed the Russellkonḍā Sawmill which continued until the mill closed down in 1928.

**v. The Lower Hill Fuel Working Circle and the Scrub Jungle Fuel Working Circle:** It included inferior and irregular hill forests of the lower hill ranges. The main object of its management was to preserve and cover the hillsides, to improve the growth and to obtain revenue. The rotation was fixed at 25 years. The Scrub Jungle Fuel WC included scrub jungles on outlying and isolated hills. The treatment prescribed was simple coppice on a rotation of 20 years. As the demand for fuel was largely met from the plains *Sāl* Pole WC, the need to open fuel coupes arose in very few places.



**vi. The Bamboo Working Circle:** Bamboo coupes were prescribed for working on a 5-year rotation. Felling rules were left to the discretion of the DFO. Since some of the coupes did not have recognisable boundaries, laying down of coupes were difficult. As no bamboo cutting rules were prescribed, the bamboos were extracted from more accessible coupes. The exploitation was irregular and, in most cases, incomplete.<sup>48</sup>

Mr. Minchin's plan was revised by Mr. M.K. Nayar and the revised plan came into force in 1930-31. In the revised plan the main objects of management were:

1. To provide for the interest and needs of the local population.
2. To improve the forest by silvicultural treatment of the crop and by protection against injuries.
3. To maintain and increase the productivity of soil.
4. To aim at sustained yield and to obtain highest possible net return per annum.
5. To prevent erosion and to provide water supply and
6. To preserve the wild fauna of the forests.

To meet the objects of management, the following WCs were formed: Plain *Sāl* Timber WC, Ravine WC, Plains *Sāl* Pole WC, Selection WC, Fuel WC, Minor Forest Produce WC, Bamboo WC and Grazing WC. The results of working under Nayar's plan was a mixed success. The plan insisted on complete clear-felling and there-after a complete burning of the felling debris followed by a cutting back of all advance growth in the switch-stage. The cleanings prescribed were unnecessarily frequent and it was not a wise policy to cut every other species only because it was not *Sāl*. Too much preference was given to *Sāl* regeneration. The most serious administrative defect in the constitution of the WCs concerned with the working of timber and firewood was that the areas allotted to each WC was scattered all over the Division and were mixed up with those allotted to other WCs in a most intricate manner.

The results of the Ravine WC were unsatisfactory. Clear felling of areas from which big timber was saleable was economically unsound. Intensive cultural operations such as felling of unmarketable trees, collection and burning of debris and subsequent cutting back operations led to further expenditure. The rotation was fixed at 80 years, and it was claimed that 5'-0" girth trees would be obtained in that period, was too optimistic.<sup>49</sup>

The most serious defect in the Selection WC was that no provision was made for necessary silvicultural operations aiming at crop improvement. Operation in selection coupes thus amounted to pure exploitative felling without any attempt to improve the condition of the future crop. The results of working in the Plain *Sāl* Pole WC were a

success. Clear felling was prescribed on a 40-year rotation. A cleaning was prescribed in the third year after felling. The first thinning was prescribed at 15<sup>th</sup> year.

The Fuel WC included forest blocks with mixed deciduous forests of inferior quality and scrub jungle which were to be worked under simple coppice system with a 25-year rotation to meet the local demand for fuel. Bamboos were worked on a 4 to 5 year cutting cycle. The plan started with 11 felling series contained in various blocks in Chatrapur Division and a twelfth one was subsequently opened by the DFO. No cutting rules were prescribed in the plan. In 1932-33 cutting rules were introduced through the medium of contractor's agreements.

The MFP WC embraced the whole WP area. The plan provided for leasing out *Sunāri* bark on a 5-year rotation and the initiative to stimulate trade in other class of produce was left to the DFO.

The Grazing WC covered the whole Working Plan area excluding the plains' 'Sāl blocks' and worked coupes of the other areas which needed special closure to grazing. The fuel coupes were temporarily closed to grazing for the first five years after felling. It was hardly necessary to close to grazing the forests under the first two categories except during the first 6 or 7 years of their life. The maximum permissible incidence of grazing was not fixed. As a result, the more accessible forests were more heavily grazed than those in the interior. This uneven distribution of grazing was since the WP prescribed the entire area of a range as one unit for purposes of grazing. The grazing fee was fixed at the rate of Re.0-6-0 per head of buffalo, Re.0-3-0 per head of cow or bullock and Re.0-1-0 per head of sheep.<sup>50</sup>

Rigid fire protection measures were prescribed for all worked over coupes of the Plains *Sāl* Timber, Plains *Sāl* Pole, Ravine and Fuel WCs. The Selection WC was under partial protection. Nothing was prescribed for the remainder of the forests but apparently, they were to be given general protection and all accidental outbreaks of fires to be promptly put out. Areas under rigid protection were isolated by cleared and fire-traced lines and patrolled by fire watchers. These operations cost considerable sums of money. In view of the expenditure, clearing and burning of block lines of forests was discontinued from 1937-38. The *Khoṇds* of Ghumsar continued to give invaluable help in protecting the forests from fires and the Forest Department continued to maintain good relationship with them.<sup>51</sup>

## **B. The Mohuri Hills Group of Reserved Forests**

Prior to 1903 all felling and extractions in this group of RFs was irregular and was carried out under licence system. The first regular Working Plan was prepared by Mr. C. E. C. Fischer which came into force in 1903. The plan was sanctioned by the Board of Revenue in 1905. It prescribed coppice with standards on a 30-years rotation cycle with effects from 1904-05. The plan provided for working bamboos on a five-year rotation cycle. The plan, however, did not work smoothly and in 1906 the Board of Revenue put the WP in abeyance.

The plan failed because the *Khonds* could not work systematically. Moreover, due to presence of vast extent of unreserved forests and coastal plantations of casuarina the demand for fuel was low both in villages adjoining the forests and in the Berhampur town due to logistic problems. So, the persons requiring regular supply of firewood as fuel turned elsewhere.<sup>52</sup>

After Fischer's plan was put in abeyance in 1906, small areas were worked again departmentally up-to 1913-14 when the system of leasing fuel coupes was attempted. This system was successful in Rāmpalli Forests, but it was sold in 1914-15. An interim WP prepared by Mr. A. A. F. Minchin was sanctioned in 1915. The plan provided working of the coupes annually in areas at the discretion of the D.F.O. It was thought that coupes of 50 acres would be the right size for each coupe and the position should be reviewed when the remotest parts of the RFs were made more accessible by the construction of roads.

A supplementary working scheme by Mr. A. Wimbush was sanctioned in 1922 aiming at introducing uniformity in the two felling series, providing for the exploitation of the unworked balance of the workable areas during next eleven years. Based on the principle, the coupe area of the felling series-I was fixed at thirty acres and that of felling series-II at fifty acres. Rotation was continued at 30 years. The scheme provided for 2 felling series for bamboos and their exploitation on a five-year felling cycle. The scheme worked satisfactorily. So far as bamboo working was concerned, many clumps were clearly felled in several places due to want of cutting rules.<sup>53</sup>

Mr. Wimbush's Working Plan was revised by Mr. R. Sahai which came into force in 1933-34 with the objectives of proper management and to "produce the maximum quantity of small timber, fuel and bamboos to meet the requirements of the local population and the nearby markets of Berhampur while gradually improving the condition of the crops". Two WCs were formed namely (1) Fuel WC and (2) Bamboo WC. The Fuel WC included part of Baniāmāri, Rāmpalli and Rāmagudā which were considered

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accessible for fuel. Four felling series were formed to be worked under simple coppice system with 30-year rotation. Cleanings were also prescribed in the 1<sup>st</sup> and 2<sup>nd</sup> year and coupes were closed for grazing for seven years after felling. In spite of elaborate cutting rules, the condition of the bamboo clumps did not improve. Theft of forest produce which was rampant in these parts made matters worse and the condition of bamboo forests in Mohuri hills was most unsatisfactory.

### C. The Chañdragiri Group of Reserved Forests

All the three RFs in this group, namely Chañdragiri, Rulibā and Guimerā were notified as RFs under section 26 of the MFA 1882 in the year 1912. Chañdragiri forests were under the management of Berhampur Range up to 1909 and thereafter under the Pāralākhemuṇḍi Division, but actually there was very little control over these forests which were being indiscriminately cut, burnt and used for *Poḍu* cultivation by the Agency *Śavaras*. After the forests were notified under section 26 of Madras Forest Act, *Poḍu* cultivation as well as unauthorised felling in them were ceased.<sup>54</sup>

The first attempt at systematic working under a regular scheme was made in 1933-34 when a fuel coupe of 26 acres in Chañdragiri reserve was sold to a contractor which was followed by the sale of the second coupe in the following year. The purchasers only removed selected trees which were marketable. The third coupe was due for working in 1935-36 but it could not be sold for lack of demand. Since then no sale of coupes had been attempted. The failure of the scheme was since there was no demand for small timber or firewood from the locality owing to the existence of extensive areas of unreserved forests and private forests in the neighbourhood. Bamboos in Chañdragiri reserve were worked under a regular scheme since 1933-34. The cutting cycle was fixed at three years, but no definite cutting rules were prescribed. The plantation of Teak was carried out purely as an experimental measure in 30.28 acres in seven plantations while Sandal was introduced with the object of establishing ‘a few healthy trees in detached localities in an area where Sandal does not exist, so that they will serve as mother trees for the natural spread of sandal through the agency of birds, streams, etc.’ A regular scheme for propagation of Sandalwood was sanctioned by the Conservator of Forests in 1935.<sup>55</sup>

The revision of the WP of Ghumsar forests in the Russellkoṇḍā Division were commenced during the year 1937. The preliminary WP report was submitted to the Inspector-General of Forests, and his final approval was received after the close of the year. The old Gañjām Division was split up into two parts namely Chatrapur and Russellkoṇḍā Divisions with effect from 3<sup>rd</sup> January 1938. The reconstituted Chatrapur

Division included Berhampur, Bugudā, Chaṅdragiri and Soradā Ranges. D. H. Khan prepared two separate WPs for Chatrapur and Russellkoṇḍā Divisions. The WP for Chatrapur Division prepared for a period of 20 years and it came into force with effect from 1<sup>st</sup> July 1940. The general objects of management prescribed in the plan were:

- i. To provide for the growing needs of the surrounding population for the forest produce.
- ii. To prevent erosion, to regulate water supply and to maintain and increase the productivity of the soil.
- iii. To conserve and improve the growing stock and
- iv. To aim at obtaining maximum financial return from the forests.<sup>56</sup>

In the Annual Progress Report on Forest Administration in the Province of Odisha for the year 1946-47, it was mentioned that an area of 20,101 acres representing Tiliki and Kaliāmba Reserves were transferred from the Ghumsar North to Ghumsar South Division.<sup>57</sup> An area of 8 acres constituting Napier's Park Reserve in Ghumsar South Division was deforested.

#### **D. Bālligudā Forests**

The Bālligudā forests were under the control of *Rājā* of Pāralākhemuṇḍi. In 1803 the British occupied Odisha but it was difficult to control the Hill chiefs due to difficult terrain and dense forests in the area. The British formed the Bālligudā *Tāluk* in 1880. The Government became the sole proprietor and owner of all lands as there was no system of forest cess. The *Tāluk* was divided into *Muttāhs* and the *Muttāh*-head was paying *Nazarānā* direct to the Government. In 1919 the British Government made some constitutional changes by passing the Government of India Act, 1919 but the privilege of constitutional reforms was denied to Bālligudā Sub-Division on the plea of its backwardness. It remained as excluded area under the GOI Act of 1919. The area was neglected in every sphere of activity and so also the forest administration which had not seen a regular Working Plan.<sup>58</sup>

Prior to 1900, the forests were under the control of Revenue Department. The forestry activities were primarily connected with *Poḍu* cultivation which was continuing from time immemorial. Mr. A. C. Duff, I.C. S., the Agent, had first submitted a report on the forests of Bālligudā *Tāluk* in 1910 drawing the attention of the Government towards deleterious effects of shifting cultivation. The difficulty of stopping *Poḍu* by the *Khonds* was recognised but Mr. Duff took exception to Odia settlers who were also taking up *Poḍu* cultivation. The tribals fell trees indiscriminately on slopes, even up to the peak of the

mountains, burned the felled materials and grew hill grams, pulses, cereals, turmeric, etc. The devastation was appalling in comparison to the produce they got. They long became pawns in the hands of the *Pānas* and the local *Mahājanas*. The *Mahājanas* lend them money at times of their necessity while the *Pānas* were responsible for marketing the produce which was grown by them in the hills. Whatever land the *Khoṇds* had in the narrow valleys of these hills which was suitable for dry cultivation, had passed into the hands of the *Pānas* and the *Kumuṭis* while these tribal people were driven to axe cultivation to raise food crops for their livelihood. The *Pānas* had a vested interest in shifting cultivation as they purchased the crops at throwaway prices and earned much profit. Even though there was agitation by the tribals against reservation of forests, they were mainly instigated by the local *Mahājanas* and the *Pānas*.<sup>59</sup>

After sending a number of reports to the Madras Government for the reservation of forests, it was proposed that Capt. Welchman should carry out the demarcation of forests in Bālligudā Agency as in the Pāralākhemuṇḍi *Maliāhs*. The first World War started in that time and Capt. Welchman was drafted for military service and the reservation and demarcation was postponed for an indefinite period. In the year 1918 a post of non-gazetted Forest Assistant was created. Within a period of ten years 15 small blocks with an aggregate area of 23 square miles had been demarcated and notified as RFs under section 26 of Madras Forest Act. The post continued till 1927 when the forests were transferred to the Forest Department and included in the Gañjām Forest Division. The post of Forest Assistant was abolished, and an Extra Assistant Conservator of Forests was appointed in his place with headquarters at Bālligudā under the control of the D. F. O. Gañjām. The demarcation work made some progress under the Extra Assistant Conservator of Forests and by 1932, twenty forest blocks with an area of 126 sq. miles in Bālligudā *Tāluk* had been demarcated and notified as ‘Timber Reserves’.<sup>60</sup>

The progress of demarcation was slowed down but by 1936 when Odisha was declared as a separate province, a total of 176 sq. miles of ‘Reserves’ were notified under section 26 of MFA. The demarcation line was generally created on the slopes leaving enough area for *Poḍu* cultivation. The minimum area to be left per household was recommended by Mr. Duff, the Agent with reference to Pāralākhemuṇḍi *Maliāhs*. Accordingly, in 1912, the Commissioner had decided to allow 10 acres for *Poḍu* for each family. In the G. Udayagiri conference of 1941, it was decided that the DFO and Special Assistant Agent should together decide the approximate area to be reserved. Mr. F.A.A. Hart pointed out the practical difficulties involved in the joint inspection. He suggested

that the only practical course may be adopted was that the DFO should make a provisional selection and then consult the Special Assistant Agent before boundary lines were demarcated on the ground. These demarcated areas were notified under Rule 2 of section 26 of MFA. The blocks which were notified under Rule 2 of section 26 of MFA were:

1. Bālligudā Range: Onāgul, Khamankhol, Kudutuli.
2. Kotagarh Range: Durgāpangā, Lasser with Extn., Bondru, Haripur, Madagudā, Supamā.
3. Simanbādi Range: Dharmapur with Extn., Simanbādi with Extn., Dāringbādi (A, B & C), Sikaeta with Extn. And Rutungā.

Subsequently, three blocks i.e. Simanbādi with Extn., Onāgul and Khamankhol were notified under section 4 and 6 of the MFA. Section 4 notification was issued for Simanbādi Block in 1940 and section 6 notification in 1948 where as both Onāgul and Khamankhol blocks these two notifications were issued in 1946 and 1950 respectively.<sup>61</sup> The old Bālligudā Division was bifurcated on 1<sup>st</sup> October 1945 as per the Government Notification No. 2628-E of 19<sup>th</sup> September 1945 resulting the formation of Bālligudā Division and G. Udayagiri Division. The G. Udayagiri Division comprised of the Khoṇdmāls and the G. Udayagiri *Tāluk* excluding Chakāpād *Khandam*, Karada and Rambhā *Muttāhs*. During reorganisation in the year 1959, vide G.O. No. 36434-1F(M)-110/59-D of Development Department dated 7<sup>th</sup> October 1959, Ex-State forests of Boudh were amalgamated in the Phulbāni Division and renamed as the Phulbāni Division. At the same time the G. Udayagiri *Tāluk* excluding Chakāpād *Khandam*, Karada and Rambhā *Muttāhs* were detached from it and tagged on to the Bālligudā Division. Another reorganisation was made in 1979 as per the Government Notification No. IE(A)-94/79-25782/ FFAH dated 11/12 October 1979 and was given effect from 1<sup>st</sup> January 1980, under which the Phulbāni Division was created. The Ex-State forests of Boudh were separated to form an independent Boudh Division and the G. Udayagiri *Tehsil* including Chakāpād *Khandam* and ex-*Zamīndāri* forests of Karada were separated from Bālligudā Division and amalgamated in Phulbāni Forest Division.<sup>62</sup>

Prior to 1941 there was no systematic management of forests in the Division because none of the blocks demarcated had been notified as reserved forests. Draft notification under section 4 of the IFA 1927 in respect of Rānipathar, Doṅgā, Kalābāgh and Sudurukumpā blocks were submitted by Shri D. N. Choudhury, the DFO, Bālligudā Subdivision to the Deputy Commissioner in 1943. Accordingly, one timber selection felling series and five bamboo felling series were constituted, most of the timber coupes



remained unsold till 1961 due to inaccessibility of the area. During the month of February 1946, the coupe No. 4 was sold through an auction and the trees were purchased for Rs.7,100/- by a Boudh State Contractor. But the Contractor had complained personally to Mr. F.A.A. Hart, Conservator of Forests, Orissa regarding the unsoundness of most of the trees purchased by him. No adequate beat was made for coupe No. 5 and the sale was withheld. The process also continued afterwards. The income from the felling series was as follows:

**Table 3.3: Income from the Felling Series of Baliguda Forest**

Sl. No.	Coupe No.	Year	Income in Rs.
1.	Coupe No. 1	1942-43	2,850
2.	Coupe No. 2	1943-44	9,750
3.	Coupe No. 3	1944-45	11,050
4.	Coupe No. 4	1945-46	7,100

Source: *Forest Inspection Note on G. Udayagiri Division*, F.A.A. Hart, Conservator of Forests, Orissa, May-June 1946.

It was also noteworthy that two more felling series were suggested by the Conservator of Forests, Phulbāni Division such as Kalingā Felling Series comprising Palchi, Kalābāgh, Sudurukumpā, Kātringiā blocks and Balandapadar Felling Series comprising Bāghnadi, Balandapara, kerāndibāli, Pajeru and Sadingiā blocks. With a view to implementing the above suggestion it was again suggested to carry out the demarcation work in Sadangiā and part of Kerāndibāli blocks and form compartments therein.<sup>63</sup>

- i. Coppice Working Circle:** There was one coppice felling series comprising four blocks of Udayagiri as per the Scheme. The revenue from the coupes had risen steadily from Rs. 147/- in 1942-43 to Rs. 390/- in 1945-46. During the inspection in 1946 coppice work had proceeded as far as coupe No.6 in Rottingiā block and the standard were also marked in coupe No.7. Some defects like leaving out high stumps in the coupes were also noticed afterwards.
- ii. Bamboo Working Circle:** Out of five series, only one bamboo felling series was worked over. Coupe A and B were worked by Heilgere and Company partially due to non-availability of labour. During the year 1946, the Company paid a minimum royalty



of Rs. 250/- with an intention to take up work in Rānipathar North and South Felling series. All the three-felling series of Doṅgā Block were left unworked due to inaccessibility of the area.

During the scheme period, a steady rise in annual income through sale of different items of MFP was observed as there was an increasing demand of the people and intensity of extraction of such items by the Forest Department. The annual income through sale of MFPs in the years 1943 to 1949 was Rs. 6925/- in average as against Rs. 2029/- in 1941-42 only from Kondhmāls. Later on, a Working Scheme for Phulbāni (from 1963-64 to 1982-83) was compiled by Shri H.K. Mishra, A.C.F. and it was put to execution. But no attempt was made in this regard for the management of wildlife.<sup>64</sup>

### **3.7 Reserved Lands and Forests Demarcated for Preservation**

During the year 1946, an area of 20,992 acres in Bālligudā and 33,300 acres in Udayagiri Divisions were demarcated. The area of Udayagiri Division was reduced by 50,552 acres and that of Bālligudā Division was increased by 117,333 acres. The management of the Pāralākhemuṇḍi Estate Forests measuring 11,825 acres, equivalent to 18.5 sq. miles, lying in the Province of Odisha came under the management of the Forest Department from October, 1944. The agreement was signed by the Government after the close of the year. Out of 1,671 sq. miles of Reserved Lands owned by private owners 18.5 sq. miles belonging to the *Mahārājā* of Pāralākhemuṇḍi Estate came under the management of the Forest Department.<sup>65</sup> The area of demarcated Protected Forests remained unchanged as 209 sq. miles in 1946-47.

The unclassified forests included the lands covered by roads, buildings, etc. belonging to the Forest Department. In 1937-38 the area rose from 500 to 656 acres. In 1946 an area of 0.45 acre was acquired in Ghumsar South Division (GSD) for construction of residences and inspection beats for subordinates. An area of 20 acres was added in GSD by transfer from GND and 15.28 acres were alienated in favour of Udayagiri Division. The area of GSD was reduced by 0.20 acres owing to mistake in the previous year's report. The total area under the category at the close of the year stands at 900 acres. A length of 82 miles in Bālligudā and 157 miles in Udayagiri Divisions or a total of 239 miles of boundaries of forest were artificially demarcated at a total cost of Rs. 10,423/-. The total length of boundaries of RFs, RLs, and DPFs at the close of 1946 were 2558, 3104 and 653 miles respectively.

### 3.7.1 Preliminary Working Plan Report

The preliminary WPR of the Ghumsar forests in Russellkoṇḍā Division was submitted to the Inspector-General of Forests. A sum of Rs. 486/- was paid to the *Pātros* (*Muttāh* headman) on account of remuneration for looking after the boundaries in Bālligudā Division. In the year 1936-37 Rs. 700/- and in 1946 a sum of Rs. 713/- was paid for looking after the demarcated blocks in Bālligudā and Udayagiri Divisions. Along with the usual protective measures of cleaning and burning of boundary and fire lines, the employment of fire watchers was undertaken by the Forest Department. The areas were closed and opened for grazing as per the policies. The maximum number of cattle to be grazed and the fee chargeable on grazing were also defined.

Protection against Injuries from Natural Causes: Injuries from natural causes were categorised as follows:

**Drought:** Owing to prolonged drought, many *Shorea robusta* (*Sāl*) trees were reported to be dying in Russellkoṇḍā Division.

**Hailstorms:** A severe cyclonic storm occurred in 1936 in Chatrapur and Russellkoṇḍā Division which caused considerable damage to the forests.

**Fungi:** Damage by fungi had been reported from GND and the affected trees were to be removed.

**Parasite:** Loranthus was continued to be a danger to the Teak (*Tectona grandis*) plantations. It was also a common pest on *Shorea robusta* (*Sāl*) and most of the forests. The attacked trees were being removed to prevent further spreading of parasites.

**Insect:** *Shorea robusta* (*Sāl*) defoliators continued to do damages in GND. The insects were being collected and destroyed. Biological control, by inducing bird life into the plantation areas, was considered as the best means to keep down insects and pests.

**Wild Animals:** Considerable damage by wild elephants was reported from Chatrapur and Russellkoṇḍā Divisions. Monkeys, bison, *sambar* and pig were responsible for some damage to young plantations.

**Climbers:** Climbers continued to cause considerable damage to all forests as those were restricting the growth of plants. They were being cut during cultural operations.

Silvicultural activities were also taken up by the Forest Department under which ordinary plantations were carried on. Pre-monsoon stump planting was the standard method employed for the purpose. Planting of turmeric as a *Toilā* crop had been discontinued for superstitious reasons. Most of the works were experimental and confined to *rabi* sowing. In the year 1936-37, sandal plantation had been carried out in Chatrapur

and Pāralākhemuṇḍi Divisions. It was fairly evident that efforts to establish regular sandalwood plantations in Odisha were unlikely to prove successful, and that, where local factors appeared at all favourable for the growth of sandal, sowing or planting were done only along the roads or on the boundaries. The total expenditure incurred under that head was Rs. 265/-.<sup>66</sup>

In the year 1946-47 in GND, an area of 21 acres were planted with Teak (*Tectona grandis*) mixed forest in the Selection Working Circle. In GSD, 80 acres in the Berhampur Range, Coppice Coupes were planted up. The results of which were promising. There was scope for extending *Toilā* to other poor forests in this division. *Toilā* plantations over 50 acres were done in two Coppice felling series in Pāralākhemuṇḍi Division, but owing to adverse climatic conditions and faulty techniques, the results were poor. Another 33 acres of area were inter-planted with Teak, red sanders, etc.

### 3.7.2 System and Agency of Exploitation

In all demarcated forests, except most of the RLs in Bālligudā Division, the exploitation of major forest produce was regulated by the provisions of sanctioned WPs. The different kinds of felling executed during different periods were as follows:

**Table 3.4: Kinds of Felling**

Felling during the Year: 1937-38:	
Silviculture System	Area (in acres)
i. Selection felling	21, 118
ii. Coppice with standard felling	9, 808
iii. Simple Coppice felling	1, 707
iv. Clear felling	1, 093
Felling during the Year: 1946-47:	
Silviculture System	Area (in acres)
i. Selection-cum-improvement felling	32, 429
ii. Teak improvement felling	170
iii. Coppice with standard felling	8, 771
iv. Simple Coppice felling	2, 079
v. Regeneration felling	585
vi. Clear felling	156
vii. Uniform felling	2, 623

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Source: J. W. Nicholson, *Annual Progress Report on Forest Administration in the Province of Orissa for the Year 1937-38 and 1946-47*.

Irregular felling was confined to the removal of trees required for the departmental works and in the case of RLs in Bālligudā Division, as required for Agency Civil Works. In the un-demarcated forests, the number of trees exploited was either fixed arbitrarily or depending on the local demand or to the extent of lands leased out for permanent cultivation or for the purpose of *Toilā* cultivation.

The following kinds of felling were generally carried out:

1. Clear felling of '*Banjars*' in the unreserved forests of Chatrapur and Russellkoṇḍā Divisions with the object of clearing land for cultivation purposes.
2. Selection felling in the unreserved forests of the Agency tracts of Bālligudā, Chatrapur and Pāralākhemuṇḍi Divisions with the object of meeting the demands of the Civil Department for Agency works and for outside sale.
3. Felling of burnt out timber on *Toilā* lands.
4. Selection felling throughout all the un-demarcated forests with the object of meeting the agricultural and domestic demands of the local people.

The usual method of sale was by outright auction of standing trees or more rarely by opening tenders. But there were certain exceptions to that procedure as follows:

1. In Bālligudā Division, *Shorea robusta* (*Sāl*) trees were being sold on payment of a fixed royalty per sawn out-turn. The system was introduced at the close of 1936-37 and proved very successful.
2. In Pāralākhemuṇḍi Division, parts of carts and ploughs were prepared departmentally on the indent system to meet the demands of the villagers in the plains.
3. In Chatrapur and Pāralākhemuṇḍi Divisions a few fuel coupes were working departmentally as they could not be disposed of at satisfactory prices by auction.

In Pāralākhemuṇḍi Division, demands of concession holders from RLs were met by the issue of free permits. In Russellkoṇḍā and Chatrapur Divisions, concessions were extended to *Khoṇds* on collection of timbers for household or agricultural purposes as far as possible from unreserved forests and only if the same is not available, they were allowed to reserved forests. Only second and third-class timber was usually allowed but *Shorea robusta* (*Sāl*) was given to *Khoṇds* for preparation of ploughs. In south Odisha

tree grants were commonly given to indigenous persons whose houses had been destroyed by fire. As far as possible the demand was made from unreserved forests.<sup>67</sup>

### 3.7.3 Minor Forest Produce

The exploitation of bamboos, *kath*, *Sunāri* bark, cane and grazing was usually regulated through the WPs in all demarcated forests except the RL in Bālligudā Division. In un-demarcated forests except in respect of *Sunāri* bark in Pāralākhemuṇḍi Division; no such regulation was applicable. The other important items of MFP which were not regulated for their exploitation, includes *Sabāi* grass, *Kuchilā*, lac, *Keṇdu* leaves, tamarind fruits, *Mohuā* flowers and fruits, myrabolans, *Kamalāgundī*, and broom grass. In Pāralākhemuṇḍi Division, sale of bamboos on permits were affected as it had not been found possible to sell some bamboo coupes through outright auction.

In Chatrapur Division departmental working of bamboo coupes in Berhampur Range was introduced owing to lack of control over contractors' working in the past. In Bālligudā Division, one year's contract was given for the first time for *Keṇdu* leaves. Experimental lac cultivation in the agency tracts had since been ordered. The Department proposed to introduce three leases in Chatrapur and Russellkoṇḍā Divisions for *Sabāi* grass. The sale of tamarind fruits, usually on the basis of three years' lease constituted an important item of revenue for the Pāralākhemuṇḍi Division. Tamarind fruits were successfully sold for the first time in Bālligudā Division for one year in 1937.<sup>68</sup>

### 3.7.4 Major Forest Produce

The percentage of major forest produce extracted by departmental Agency and its value in the year 1937-38, as compared with the year 1936-37 was as below:

**Table 3.5:** *Extraction of Forest Produce Departmental Agency*

Name of Produce (Ft <sup>3</sup> )	1937-38		1936-37	
	% of total outrun	Revenue realised	% of total outrun	Revenue realised
<b>Timber</b>	19.66	Rs. 7, 955	17.66	Rs.18,320
<b>Fuel</b>	9.40	Rs. 6, 881	2.4	Rs 4,004

Source: J. W. Nicholson, *Annual Progress Report on Forest Administration in the Province of Orissa for the Year 1937-38*.

The decline in revenue from timber was due to the abandonment of departmental working of selected coupes in south Odisha while the simultaneous increase in percentage of out-turn was due to greater sales of produce of thinning of trees. The increase of revenue under firewood head was due to thinning and the departmental working of fuel coupes in Chatrapur and Pāralākhemuṇḍi Divisions. On the other hand, the following statement compares the value of major forest produce extracted by the departmental Agency during the year 1945-46 and 1946-47.

**Table 3.6:** *Value of Major Forest Produce Extracted by the Departmental Agency*

Name of Produce	Revenue realised in (1946-47) (in Rs.)	Revenue realised in (1945-46) (in Rs.)
Timber	1,04,650.00	27,89,508.00
Firewood	71,465.00	66,752.00

Source: J. W. Nicholson, *Annual Progress Report on Forest Administration in the Province of Orissa for the Year 1946-47*.

No regular departmental work was ordinarily carried out by the forest department during the year. Owing to the stoppage of supply of timber to the War Board, there was a fall of revenue from that head. The revenue was chiefly derived from the sale of forest produce obtained from cultural operations. The revenue from purchasers under major forest produce was increased due to better auction prices in those years. There was a decrease in expenditure under the 'conservancy and works' which was mainly due to the abolition of departmental working of selection coupes in south Odisha Divisions.

### 3.7.5 Research and Experiments

Mr. J.W. Nicholson was entrusted with the duties of Research Officer in addition to his duties as Conservator of Forests. Although there were possibilities for making some progress in laying out new experimental plots but, owing to pressure of administrative duties, the execution of the same was left with the Research Forest Ranger. In November 1937, Mr. D.H. Khan, IFS was posted to the Province as Research and Working Plan Officer, but he was fully preoccupied with the revision work of the Russellkoṇḍā WP.

### 3.7.6 Administration

The charge of the Circle was held by Mr. L.B. Holland from 1<sup>st</sup> to 8<sup>th</sup> April 1937 and Mr. J.W. Nicholson took the charge from 9<sup>th</sup> April 1937 until the end of that year. Mr.

D.H. Khan was deputed to Odisha from Bihār and Joined as the WPO on 1<sup>st</sup> December 1937. He was entrusted with the duty of revision the Russellkoṇḍā WP. *Rai Sahib* A.L. Banerji, Forest Ranger, was promoted to the post of Extra Assistant Conservator of Forest on 18<sup>th</sup> April 1937 in a vacancy caused by reversion of a Provisional Forest Service Officer to Madras. Mr. M. Riazuddin was appointed as a Temporary Assistant Conservator of Forests on 25<sup>th</sup> January 1938.

He received his training in forestry at Bangor University. Mr. J.W. Nicholson was in charge of the Circle from 15<sup>th</sup> April 1946 to 4<sup>th</sup> July 1946 during which he went on leave and Mr. F.A.A. Hart, OBE, IFS, officiated in his place. The services of Mr. Hart were placed at the disposal of the Bihār Government to hold the charge of the Additional Conservator of Forests posted there with effect from 1<sup>st</sup> September 1946. Mr. Khan Bahadur Said-Ud-Din Ahmed retired as Extra Assistant Conservator of Forests continued to serve as the Forest Development Officer. Mr. M. Riazuddin, the Assistant Conservator of Forests attended Research Demonstration Course of Forest Research institute of Dehra Dun during February 1947. **(Appendix - IV)**

The Forest Divisions of Madras Presidency were reorganised with effect from 3<sup>rd</sup> January 1938. The original two Divisions i.e., Gañjām and Pāralākhemuṇḍi were subdivided into four Divisions viz. Russellkoṇḍā, Chatrapur, Bālligudā and Pāralākhemuṇḍi, named after their headquarters, respectively. The new Divisions were covering an average area of just over 250 Sq. miles each. The constitution of smaller divisional charges had enabled big economies to be carried out in respect of the subordinate staff.<sup>69</sup> Under the Madras system of large ‘districts’ charges, it was found necessary to place all forest ranges under the charge of Rangers. Again, the more effective control over the work was possible leading to economies in the cost of the field operations. For example, the cost of forest demarcation in Bālligudā Division was brought down from Rs. 26 to Rs. 8 per mile, partly because of the reorganisation scheme under which the Gañjām District Division showed a little profit.

In 1946 a new range i.e. the Central Range was created in GSD. During the period the existing cadre of forest Guards was examined, and it was found that in Russellkoṇḍā and Chatrapur Divisions many beats were far too large. To avoid increasing expenditure, it was decided to try the appointment of temporary deputy guards in place of guards in the case of beats where offences were few. In that year, the forest guards’ vernacular training class was reopened.<sup>70</sup> **(Appendix - V)**

The health of the staff continued to suffer from malarial fever. Tārāsiᅅgi, the headquarters of two ranges in Russellkoᅅᅅā Division was a place with an unenviable reputation for malaria.

During the year 1937-38 Divisional administration was being carried out under exceptional difficulties. The reversion of many subordinates to Madras cleared the scope for promotion of several inexperienced officers to hold charge of the ranges. It was also warranted the need for appointment of several new Foresters and clerks. The north Odisha Division had to be drained of officers to fill the gaps in south Odisha, and men transferred to south from north Odisha and vice versa was widely taken place and they had to cope with the procedural regulations at their new place which were new for them. Further, officers transferred to south Odisha found themselves deprived of several privileges such as provisions of free quarters.

Among the DFOs, Mr. F.A.A. Hart, O.B.E. deserves special commendations for his work as District Forest Officer of Gaᅅjām up to 3<sup>rd</sup> January 1938. This division was one of the heaviest forest Divisions in India which had been added to by the inclusion of one range transferred from Pārālākhemuᅅᅅi. Seven out of ten ranges were in charge of new junior men transferred from north Odisha and proceedings had to be taken against several Rangers transferred under orders of the authority to Madras Presidency. Despite those difficulties he improved the standards of administration.

The work of the office of the Direction Division was carried out successfully both under the Superintendent Sri B.C. Mohanti and under the Accountant Sri R.K. Pattanaik who officiated for the former while on special duty in the Secretariat. Mr. O.A. Dodsworth's long meritorious service was rewarded by the conferment of the I.S.O.<sup>71</sup>

In south Odisha Forest Offices were audited locally by the Comptroller. It was hoped that the system of local audit would be extended throughout the Province.<sup>72</sup> (**Appendix - VI**) The *Khoᅅds* of Russellkoᅅᅅā and Chatrapur Divisions continued to render useful services to the Department in exchange for minor forest concessions.

### 3.7.7 Damages by Wild Animals

In Russellkoᅅᅅā, Bālligudā and Chatrapur Divisions damage by wild elephants was in the highest. The Collector advertised the grant of elephant shooting licenses to approved *Shikāris*, but none had turned up.<sup>73</sup> In ex-Madras Divisions the situation was worst where poaching, mainly by shooting over water holes was rampant. The District Forest Officer, Russellkoᅅᅅā Division, introduced a system of confidential reports on all wild animals shot in the hope that with the co-operation of the Collector, the licenses of



the offenders will not be renewed. Proposals were also made to form Shooting Blocks and Sanctuaries in Russellkoṇḍā and Chatrapur Divisions. Attention was drawn to the urgent necessity for an extensive programme of forest reservation in the Agency tracts and the Khoṇḍmāls. It was started with the process of demarcation of 120 miles of line in Bālligudā *Tāluk*. It was not possible to state which area of forest was so demarcated for reservation since the demarcation was started on a new principle. For the Agency tracts under the Madras Presidency, the policy was to select and demarcate isolated blocks of forests close to the roads. The new policy was to treat the whole area as forest and to demarcate the boundaries of the villages as enclosures within the RFs. The policy enabled demarcation of a much bigger area of forest at a lesser cost. Many of the blocks so demarcated in those days had been combined with one another, and it had been possible to abandon some of the lines formerly cut.

Difficulties of communication and paucity of workforce prevented selection and demarcation being carried out on an extensive scale for a particular locality. It was proposed that, while the DFO, Bālligudā Division was to continue the work in the main forest area in the Bālligudā *Tāluk*, the DFOs of Russellkoṇḍā and Anugul Divisions, would assist him by doing a small amount of demarcation in such tracts of Bālligudā Division which lies closer to their respective Divisions. The District Forest Officer, Chatrapur Division, was to start reservation in the Sānokimedi i.e. Sānakhemuṇḍi *Maliāhs* which lie within his jurisdiction.<sup>74</sup>

It was also proposed that more forest areas should be reserved in Pāralākhemuṇḍi Division as Mr. J.W. Nicholson, after a tour of inspection, opined that an insufficient area of forest could be demarcated on upper hill slopes which may result in reduction of agricultural lands for the sustenance of the *Śavara* population. The problem of further reservation at alternative tracks was difficult, but it was felt that if more protective forests were not established, many lands under cultivation, would be rendered infertile. In order to relieve the demand of land for the acts of illicit *Toilā* cultivation within the limits of the existing reserves, he proposed a scheme of controlled *Toilā* cultivation under which forest areas would be handed over to the *Śavaras* in rotation for cultivation purposes. But they on their part, were required to plant therein a certain number of valuable fruit trees, such as, tamarind. The scheme was approved by the Agent for implementation during the following years.

Mr. J. W. Nicholson proposed for constitution of three aboriginal reservations which was discussed at a Conference held in Chatrapur attended by the Revenue

Commissioner, Agent, Backward Tracts Welfare Officers, Rev. E.M. Evans, Miss Munro, M.L.A., DFOs concerned and Mr. Nicholson himself. Although there was a difference in opinion on some minor points, it was unanimously held that the scheme should be given a trial, and that the Forest Department most in contact with the aboriginals, should carry it out. The ambit of the proposal set forth the tasks outside the normal orbit of forest administration, but their successful accomplishment should help enormously towards the better preservation of forests in tracts populated by tribes addicted to shifting cultivation.<sup>75</sup>

### 3.8 Forest Administration in the Estates of South Odisha

Although in south Odisha i.e., the undivided districts of Gañjām, Korāput and parts of Udayagiri and Bālligudā of Phulbāni District where the Madras Forest Act, 1882 was in force, the Estates of Jeypore, Ghumsar and Pāralākhemuṇḍi had their own forest administrative system. During the latter half of the 19<sup>th</sup> century, the Estate administration was partially controlled by the Government of Madras.

A brief account of the Forest administrative system of the Estates has been furnished as under:

#### 3.8.1 Jeypore Estate

Jeypore was a part of the Vizagpatam District having the finest and the most extensive forests in the whole district. Teak was the most valuable timber in Mālkāngiri forests while to the north of Bissamkatak and Gunupur *Shorea robusta* (*Sāl*) trees of finest quality were found.<sup>76</sup> In 1872, the Special Assistant Agent for Jeypore, Mr. H.G. Turner reported to the Government of Madras that the Manager of the Mālkāngiri *Tāluk* had given the forest on lease, for an inadequate sum. The exclusive right of felling of timber in Mālkāngiri causing severe exploitation of the forests there and it was recommended that the forests of the Estate should be preserved from further denundation.<sup>77</sup> Mr. Turner observed that unless the MFA of 1882 was made effective in the Estate, the *Rājā* would not take any action. Accordingly, the MFA, 1882 was extended to Jeypore Estate in 1891, during the rule of *Mahārājā* Vikram Deo III after which the work towards conservation began.<sup>78</sup> Rules under section 26, 32 and 35 of MFA were framed and many blocks were demarcated and constituted into RL and PLs. with the appointment of a Dehra Dun trained Forest Ranger in the year 1906 forest conservancy on modern lines was started. The demarcation of forests was initiated there in the year 1907. Forest staff then consisted of a few Foresters and about a dozen Forest Guards besides the Forest Officer. Later three Inspectors were appointed under the Forest Officer and were stationed at Gaurpali, Sarkot

and Garposh, the three main outlets for export of forest produce. When the state passed under the management of the Political Department between 1920-34, the forest administration was organised under the advice of the Agency Forest Officer. The Rajkumar Sleeper Operation, started in 1890 for the direct supply of sleepers to the Calcutta-Bombay Railway Line, was stopped to save the forests from further deterioration. More attention was paid to the improvement of the forests. The First Forest Rules of the State was published in 1924. Most of the reserved forests were constituted during this period. The first WP for the area was prepared during this time and was published in 1933.<sup>79</sup>

The period of the first WP was from 1933 to 1943. It provided for two selection coupes and six coppice coupes. Almost half of the forests were excluded from any work. The reason was that the WP was formed when there was a world-wide depression during 1930s which had also hit the timber trade. Therefore, the plan prescribed working in such areas which were within easy reach of the market and working of such species which had a ready demand. With the passing over of the depression, provisions of the plan were found inadequate and large areas were brought over from unregulated working circle as demand for timber grew with the outbreak of the Second World War. The WP known as Mathur's Plan prescribed the following working circles: -

**a. The High Forest Working Circle:** The working circle consisted of two felling series i.e., the Uṣhākoṭhi and Pāuri felling series. The exploitable girth was fixed at 180cm and 135cm for *Sāl* in the better and inferior quality areas respectively. Felling cycle was fixed at 30 years. Thinning was recommended to be carried out in the coupe amongst groups of congested pole crop.

The low girth limit for exploitation was found to be leading too much waste of timber in conversion. conversion for sleeper at stump site being the general practice, optimum out-turn was not obtained from small sized trees. Further the quality of the forests was not such that trees of such low girth would begin to turn unsound if left in the forest for any length of time. On consideration of these aspects the girth limit was raised to 150cm under the advice of Dr. Mooney, the then Chief Forest Advisor, Eastern States. The local *Bhuiyāns* were allowed in 1939 to practice shifting cultivation over an area of about 400 hectares inside Pāuri RF which was then excluded from the block operation came to an end in the year 1942-43. Markings in this WC were to be carried out by the Range Officers themselves but were actually done by the Foresters who did the marking with scant regard to silvicultural considerations. Thinning was carried out in the first four

coupes but was discontinued as there was then no markets for small poles obtained by thinning. The operation was, however, resumed from 1942. Major parts of Uṣhākoṭhi were put under conversion in the subsequent plan and the other areas not transferred to coppice in 1944-45 were continued under selection working circle.<sup>80</sup>

**b. The Coppice Working Circle:** There were six felling series in this circle. Rotation was fixed at 40 years. Climber cutting was prescribed in the third year. Since the plan was prepared for ten years no thinning was done during the plan period. The coupes were primarily opened to meet the requirements for fuel and small timber. The coupe area was 50 acres and it increased to 100 acres from 1945-46 as the demand on it grew. Climber cutting which was prescribed to be done in the third year was subsequently changed to be done in the fifth year after main felling. All the felling series continued under the coppice circle in the subsequent plan.

**c. The Unregulated Working Circle:** The areas not allotted to High Forest or Coppice were allotted to this working circle. No working was prescribed because of lack of demand. It was however laid down that if in future demand arose for working it would be done under executive orders. As a matter of fact, many of these blocks were subsequently opened for working. The areas so opened up were as follows:

**Table 3.7: Areas Opened for Working Circle**

Sl. No.	Name of the Block	Area
1	The whole of Khajuriā block was transferred to High Forest working circle in 1938-39.	15,542.5 hectares. (38,390 acres)
2	The whole of Pravāsuni block was transferred to High Forest working circle in 1938-39.	18,421.05 hectares. (45,500 acres)
3	The whole of Bātjharan block was transferred to Coppice working circle in two felling series in 1944-45.	2,512.55 hectares. (6,206 acres)
4	Part of Bandhabar block was transferred to Coppice working circle in 1944-45	1,134.41 hectares (2,802 acres)
5	Part of Rambhādebi block was transferred to Coppice Working Circle in 1944-45 to increase the coupe area in Rambhādebi Coppice felling series.	809.71 hectares. (2,000 acres)
6	The whole of Goguā block was transferred to bamboo Working Circle in 1941-42.	1,520.64 hectares. (3,756 acres)

Source: N. C. Patnaik, *Working Plan for the Reserved and Protected (Forest) Lands of the Jeypore Forest Division 1971-72 to 1990-91*, p. 115.

**d. The Bamboo Working Circle:** For want of stock map and lack of demand no definite allotment was made to this Working Circle. In 1939-40 parts of Uṣhākoṭhi block were leased out to Bharat *Sabāi* grass Ltd. for a period of 12 years. The plan prescribed a three-year felling cycle which was changed to 4 years by the time work started in the above lease. Mathur's Plan was the first attempt at scientific forestry and considering the standard of technical staff then available, the prescriptions were simple. Not much was expected nor was much gained. The first plan expired in the year 1943 when the second World War was still raging. All the forest staff were then engaged in war-supply and revision of the plan could not be taken up. The plan was extended for five years, and revision work was taken up subsequently. A new plan would have been brought to force from the year 1948 but administrative changes consequent to the merger of princely states with the province of Odisha from 1<sup>st</sup> January 1948 resulted in dislocation of the work. With the transfer of the officer entrusted with the revision of the plan, Dr. Mooney completed the plan which was enforced from the year 1950. Some amendments were subsequently carried out under the supervision of Shri G. K. Das the then Working Plan Officer, Sambalpur Circle.<sup>81</sup>

The felling of timber without license was prohibited in 1890. By a notification issued on dated 01-09-1900, prohibition was imposed on the collection of lac and *dāmmar* (*Sāl* resin).<sup>82</sup> By 1907, 324sq. miles of forests had been reserved. In 1916, the Jeypore Forest Rules were amended to provide for the constitution of PLs and the revised rules were published in 1922. By the year 1939, out of a total forest area of about 7,000 sq. miles (including reserved, protected and unreserved forests) an area of 1, 645.14 sq. miles had either been reserved or protected. Thus, the total area of reserved and protected forest came to 1,714 sq. miles.<sup>83</sup> The Estate officials were given power to prohibit the removal of forest produce from RLs and PLs with the consent of the Agent and since then the policy had been to afford complete protection to the RLs and therewith the protection against shifting cultivation in the PLs began.<sup>84</sup>

### **The administrative tools operational in Jeypore**

**Revenue:** Mr. Taylor, the Estate Manager during 1891-93, made systematic efforts to increase the forest revenue of the Estate. The Forest Department took over management of the forests from the Revenue Department on 15<sup>th</sup> November 1957. Before abolition,

the *Mahārājā* was said to have had an average income of about Rs.9,50,000/- per annum from his forests.<sup>85</sup> After Forest Department took over management of the forests there was substantial increase in the income from the forests with a corresponding increase on the expenditure side.

**Access System:** The system of access to the forests and forest products, as well as to the timber and the fruits of trees on homestead and cultivated lands, were as follows:

**Access Fee:** Access fee was being realised either annually (forest cess) or immediately (schedule of rate); and the modes of payment were either in cash or in kind or in labour (*Bēthi*) i.e., thatching the royal buildings, etc. The assessment of the annual fee was according to the land rent i.e., the *Nistār* Cess and the consuming device was the Plough tax for agricultural and furnace tax for non-agricultural uses. Besides the fees for such forest produce, there were also prescribed fees as grazing fees and shooting fees. The grazing fees were generally realised on annual basis and its assessment were made according to the status of the forest, status of the animal, species of the animal and status of the herdsmen, etc. Shooting fees was varied according to the kind of animal or bird.

**Access Route:** Most of the forests were inaccessible which naturally saved from commercial exploitation. When the *Rājās* realised the commercial value of their forests, they either directly or through contractors tried to open cart tracts. When the Madras Government first took over the direct administration of Jeypore estate in 1863, roads were non-existent. Merchandise was carried by caravans of pack-bullocks which followed a route of the present Sālur road. Efforts were at first concentrated on construction of a road direct from Jeypore which was then the administrative centre of the Agency of Vizagapatam by the shortest route via Pādwā and Anantagiri. Work was going on the *Ghāt* road by the company of sappers then stationed at Jeypore. The mortality and sickness among the sappers were so heavy that the Government felt it compelled to recalled them. Lieutenant Smith, the first Assistant Agent at Jeypore continued the work and made 56 miles of road from Jeypore. The *Ghāt* section up to Anantgiri was abandoned for many years and from 1866 an alternate route via Pottāngi and Sālur was developed. The Anantgiri route was developed after the War of 1914-18. The route was greatly improved after the execution of the hydro-electric project at Māchkuṇḍ. The Sālur-Jeypore road which was started in 1846 became the lifeline of Korāput by 1869.<sup>86</sup> Rivers were also used for transportation of timber. However, on one hand while the advent of railways caused considerable increase in the value of forest produce in Jeypore, on the other hand, lack of

railway connection made the comparatively cheaper saw-mill products of Jeypore town quite expensive for those who wanted to take them outside.<sup>87</sup>

**Transit Rules:** Some kind of transit rules were already in existence before the systematic rules in this connection were promulgated by the British Government. Introduction of cutting and transit permit systems, marking by hammers, etc. were the effective control mechanisms introduced by the British Government.

**Plough Tax:** It was found that since a vast area of the Estate was covered with scattered forests, proper check could not be exercised over removal of forest products. As a result of which, some people were able to remove such produce without having a valid license and escaped the payment of the prescribed fee or tax chargeable upon the same; while those who were desirous of paying royalty, found it difficult to go to a permit issuing station regularly and get license as often as required for any produce. The Chief Forest Officer of Jeypore then devised a scheme of annual royalty system popularly known as Plough Tax.<sup>88</sup> In Panchipentā and Mādgole regions under the ownership of the *Mahārājā* of Jeypore, the tax was assessed at Rs. 0-8-0 per house in case of no plough.<sup>89</sup> The plough tax was introduced in 1922-23, but there was a provision for acceptance or ignorance to the system as per the convenience of the villagers upon whom the provision was applicable, it was supposed to be considered as optional. The rates were varied between Re. 0-4-0 to Re. 1-0-0 basing on the locality and only the plough owners had to pay it. It was however found that the rights and concessions granted in lieu of the plough tax had been unduly exercised by the payers either willingly or unwillingly, causing considerable damage to the forests.<sup>90</sup> For that reason the tax was discontinued in 1949. Another system had been experimentally introduced in 1912 in the Kotpād and Umarkot ranges of Jeypore where the villagers were to pay 0-1-0 (one *Annā*) per rupee of their land rent as forest cess.<sup>91</sup> Prior to introduction of the communication systems, assessments used to include, with other products, skins and arrow-root, etc.<sup>92</sup> But when the Estate was under the Court of Wards, those payments in kind were commuted only in some parts.<sup>93</sup> While thatching grass was on one hand necessary for the annual repair of the Estate holdings; on the other hand, it was perhaps scarcely available in other areas.<sup>94</sup> The grass rent was realised as a part of land rent and not as a forest cess directly. It was comparatively nominal and did not comprise a major portion of the rent.

**Schedule of Rates:** In his letter dated 05-12-1893 addressing to the Governor, the *Diwān* of the Jeypore Estate wrote that there would be a small lumpsum charge on the villagers

who removed Myrobolan and *Ippā* (*Mohuā*) flowers from the jungles for sale. In Nawarangpur area, the farmers were getting Re. 1/- or even lower per *putty* of Myrobolan from the traders, which was supposed to be only its cost of collection, and the concerned Forest Ranger was ordered by the Estate Manager not to collect any seigniorage on that produce and to leave the farmers free in its collection from reserved and unreserved forests. At the same time, it was observed that the right of free collection might be given on the condition that they must offer the produce for sale to the Forest Department at reasonable rates. The seigniorage rates were sometimes different for different areas. In the Mottu area of Mālkāngirī *Thānā*, following rates were levied in August 1893:

**Table 3.8:** *The seigniorage rates in Mottu area of Mālkāngirī*

Description	Scale of rate (Rs. - <i>Annā</i> - <i>Paisā</i> )	Fees per (Unit)
i. Wax	2-0-0	Mound
ii. Bark	0-2-0	Mound
iii. Lac	2-0-0	500lbs
iv. Arrow root	1-0-0	500lbs
v. <i>Mohuā</i>	1-0-0	500lbs
vi. <i>Mohuā</i> oil	0-8-0	<i>Kunchum</i>
vii. Grass mats	0-0-3	Each
viii. Large Bamboo	2-8-0	100 Nos
ix. Small Bamboo	0-12-0	100 Nos

Source: B. Rath, *Aspects of Garjat Forestry*, Bhubaneswar, 2000, p.126.

Regarding timber, in the year 1890, some of the Teak logs ordered for auction at the upset price of Re. 0-12-0 per cubic feet for all sound timber which was found difficult to be sold and the In-charge in the Mālkāngirī area requested for a permission to dispose of the timber at an upset price of Rs. 5/- a log, irrespective of its size. Later, a uniform rate was devised for the whole Estate as follows in 1940s:



**Table 3.9: Rate of Timber**

<b>Timber</b>				
Unit in (Rs. - Annā - Paisā)				
Description	Cart load (rough)	Cart load (square)	Head load (rough)	Head load (square)
<b>Class I</b>	5-0-0	7-8-0	0-4-0	0-6-0
<b>Class II</b>	2-8-0	3-12-0	0-2-0	0-3-0
<b>Class III</b>	1-4-0	1-14-0	0-1-0	0-1-6
<b>Reserved forests</b>	6-0-0	9-0-0	0-8-0	0-12-0

Source: B. Rath, *Aspects of Garjat Forestry*, Bhubaneswar, 2000, p.126.

The rate of export for Teak was Rs. 20-0-0 per cart load (rough) as timber was sold at 2/3 of the rates fixed for export purpose to the inhabitant.

**Table 3.10: Rate of Firewood and Bamboo**

<b>Firewood</b>		
Unit in (Rs. - Annā - Paisā)		
Dead trees:	0-6-0	(cart load)
	0-0-3	(head load)
	0-12-0	(cart load from RFs)
<b>Bamboo</b>		
Unit in (Rs. - Annā - Paisā)		
Description	Cart load	Head load
Big	2-8-0	0-2-0
Small	1-0-0	0-0-6 (for use within the Estate)

Source: B. Rath, *Aspects of Garjat Forestry*, Bhubaneswar, 2000, p.126.

**Table 3.11: Rate of MFP**

Other MFPs		Unit in (Rs. - Annā -Paisā)
Description	Per moud of 25 lbs	
Resin	6-0-0	
Lac	6-0-0	
Tamarind with seed	0-1-6 (for export)	
Tamarind	0-0-9 (for use within Estate)	
Honey	0-4-0	
<i>Mohuā</i>	0-1-0	
Wax	1-12-0	
<i>Mohuā</i> seed	0-1-6	
Thatch grass	0-5-0 (per cart load) 0-0-3 (per head load) 10-0-0 (per cart load of 1120 lbs)	

Source: B. Rath, *Aspects of Garjat Forestry*, Bhubaneswar, 2000, p.127.

**Leases:** Sleeper lease was initially granted for a period of five years which was renewable for a subsequent term of 25 years (w.e.f. 1922) to the same company for a minimum royalty of Rs 38,000/- per annum. Individual royalties were Rs. 2-2-0 per piece of *Shorea robusta* (*Sāl*) broad gauge sleepers at Re. 1-0-0 to Rs. 1-8-0 per cubic feet for rough and sawn timber of Teak respectively. Besides, Myrobolan was also leased while tamarind was sold by auction. *Keñdu* leaf was sold either by auction or by negotiation for a negligible amount.

The grazing fee was paid only for grazing in the RLs at the following rates: <sup>95</sup>

**Table 3.12: Grazing fees in Reserved Forests**

Animals	Tenants' rate (Rs. - Annā -Paisā)	Outsider's (Rs. - Annā -Paisā)
Cow, buffalo, bullock, ass	0-2-0	0-4-0
Calves more than 6 months old	0-1-0	0-2-0
Sheep	0-1-0	0-3-0

Source: *Report of the Forest Enquiry Committee Orissa*, 1959, Cuttack, p. 141.

Sometimes the grazing fees for the goats were reduced by the Government (Appendix - VII).

The extent to which the forests of the Estate were treated inaccessible could be judged from the fact that roads were apparently non-existent. When the Madras Government first took over the direct administration of Jeypore Estate in 1863, even carts were virtually unknown, and the merchandise were being carried by caravans of pack bullocks.<sup>96</sup> The construction of the first major road project was undertaken by the British Government in the latter half of the 19<sup>th</sup> century with much difficulty because of the unfavourable geographical conditions of the area. For communication there was nothing more than an excellent bullock cart track.<sup>97</sup> Rivers were not useful for communication in many places. For example, at Majjikotā the streams being full of rocky barriers, floating was not possible.<sup>98</sup> Understanding the success with which a small portable tramway was being used in the Nellore district by the forest department for carrying wood, the Estate Establishment was also interested in a similar system in the late 19<sup>th</sup> century. No evidence, however, was found to confirm that the same had ever been materialised. Situation gradually improved and by 1940s, accessibility had increased to some extent.

Before a systematic transit system could be introduced during the period when the Estate was under the Court of Wards in 1890s, there existed some sort of rules as evident from the following quotes made by Mr. Taylor in one of his letters:

“It was the custom of the late *Mahārājā* to employ boats-man to stop all logs of timber found floating down the river or stranded on the islands in its course. If those logs were properly addressed, they were again placed in the river and forwarded to their destination; if not properly addressed, they were retained by the *Mahārājā*'s officials on the assumption that they came from the Estate forests. Those timbers were periodically sold, one-fourth of the proceeds being distributed amongst the boats-men who collected the timbers and the balance of three-fourths were credited to the Estate account.”<sup>99</sup>

By 1890s passports were being issued for export of timber as per the provisions laid down under Godāvāri Transit Rules which was made universally applicable to control the export activities from the Southern Provinces.

**Rights and Concessions:** The forest rights were the long-established customs under the earlier system when forests were being regarded as the common property and the people in the vicinity of a forest were accustomed to varying restrictions and taxations being imposed by the former rulers for resorting to the forest for wood, timber, grass and pasture for grazing of cattle and for procurement of a variety of other forest produce.

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In remote years, the rulers restricted the people's rights in the forest because of several reasons like revenue collection and for establishing their jurisdictional authorities. But when systematic forest administration was introduced by the British Government aiming at forest conservation, it infused a profound impact more or less in the native states. A few restrictive covenants were introduced by the British and the restrictions and concessions which had been in existence for centuries were streamlined and systematised for the sake of conservation and for augmentation of forest revenue.

**Agitation Against Plough Tax:** The Partially Excluded Areas Enquiry Committee found that while the initial assessments of plough tax were low, it was gradually increased without obtaining the consent of the people. Besides, the concessions granted in lieu of the tax were not uniform which caused dissatisfaction amongst the hill-tribes. There were allegations that unnecessary and undesirable hardship was being caused to them in the actual working of the scheme and among the non-hill-men who alleged that the tax was being exacted from them illegally even when they do not use to remove any timber from forests. Meanwhile, the Conservator of Forests, Odisha, in course of his inspection of the Jeypore forests in 1937-38 recommended complete abolition of these forest cesses to save the forests from felling of large trees in the name of manufacturing ploughs. So, an agitation broke out with the plea that an archaic tax was levied upon a mere possession of a plough by a cultivator. In Nawarangpur area monopoly on lac was said to be another cause behind the agitation. Ultimately the scheme was summarily discontinued.

**Agitation for the Rights of Poḍu:** The Jeypore administration had taken certain steps to save the Estate forests from the evils of shifting cultivation, against which the tribal expressed their anger. The *Śavaras* had on several occasions burnt down and cultivated hill slopes within RLs in defiance of the prohibitions.<sup>100</sup> Similarly the *Doṅgariā Khoṅds* cleared jungles for *Poḍu* cultivation in Kalyānsinghpur area.<sup>101</sup> During the late 1930s, some local people ignored the forest rules and timber was illegally taken for the buildings of the Congress *Āshrams*, which was confiscated by the forest officials.<sup>102</sup>

In the year 1939, there was an unrest in Gunupur among the *Kumuṭis* with regard to granting of monopoly over collection of *Mohuā* flowers and its seeds. In Umarmkot the relation between forest officials and the people was strained because of bribes taken by the forest officials on threats of prosecution.

The '*Prajābāni*', a weekly newspaper, in its issue dated 11-09-1939, wrote 'The Estate spends no money for improving the forests though it gets a large income of about five lakhs from the forest. Most of the rangers have no knowledge of forest science and

the forest officials never care to explain the forest rules to the tenants. The officials aimed at supplementing their legitimate salaries through unfair means by threatening the illiterate tenants. Sometimes, the tenants were not getting even fuel or timber for their agricultural implements, and the Estate keeps no information as to how the officials despatch timber through Sālur to their friends or relatives’.

### 3.8.2 The Gañjām Zamindārī Estates

The Gañjām estates included among others the kingdoms of Pāralākhemuṇḍi and Ghumsar. But the British Government never allowed those the status of Feudatory states. During 1830s there was a proposal to treat Jeypore and some Estates of Gañjām as Tributary States. But it could not be implemented on account of a difference in opinion between the then Governments of Beṅgal and Madras.<sup>103</sup> The Gañjām Estates remained under the administration of the Madras Presidency. After the creation of the separate Province of Odisha, those Estates remained with the British administration but were enjoining certain independent administrative status of their own.

**A. Ghumsar:** Ghumsar was the oldest *Zamindārī* among the Gañjām Estates. The inhabitants were mostly tribals, especially the *Khonds*. In 1836 Ghumsar became a Government Estate. The Soradā *Zamindārī* was purchased by Ghumsar in 1833 but the people of Soradā opposed the *Rājā* of Ghumsar. So, after annexation of Ghumsar, Soradā continued to be a part of it and both constituted the Ghumsar *Tāluk*.

One of the most important aspects of the forest policy of those times was that the forest resources were used for revenue collection in various hill states. The inaccessibility of the forests adversely affected its exploitation. The British authorities helped the states to devise a forest policy which was more similar to that of the British India. The work got an impetus with the appointment of an Agency Forest Officer exclusively for the leading *Zamindārī* estates. While making the policies, the British authorities never ignored the rights and privileges of the people. In Gañjām, the MFA of 1882 was in force in some Estates like Dharākote, Athgarh, Khallikote and Pāralākhemuṇḍi.

**Forest Administration in Ghumsar:** It is quite difficult to trace out the forest policy and early forest administration prevailing in Ghumsar as no systematic forest policy was being practised there in those days. Col. R.H. Beddome, the Conservator of Forests, Government of Madras, visited Ghumsar twice and gave an account on the extent and composition of Ghumsar forests. He also described that Soradā *Tāluk* had about 103 miles of forests. The *Khonds* of Ghumsar practised shifting cultivation known as *Kumrī* and this practice seems

to have continued without any restriction even after the annexation. In Ghumsar, the *Rājā* was collecting the plough tax and rents from forests and jungles for the right of cutting wood, grass, etc. Besides it, there were taxes on mango orchards and tamarind trees. Most probably, the *Rājā* was deriving some share out of the forest produces collected by the people. He was also collecting taxes from various professionals like oil makers, potters, etc.<sup>104</sup> Some sort of transit duties were being levied on articles passing to and from the *Maliāh* regions.

**Rights and Concessions:** So far as Ghumsar was concerned, the question of rights and concessions had little relevance there before 1836. The *Rājā* exercised little or no administrative control over the hill-tribes directly and the hill-chiefs who exercised control, did not impose considerable restrictions on the inhabitants for exploitation of the forest.

**B. Pāralākhemuṇḍi Estate:** Pāralākhemuṇḍi was the most important kingdom of south Odisha. Russell, in his report of 1830s, described the extent of the Estate as about 42 miles from east to west and 40 miles from north to south.<sup>105</sup> But the Estate area was much reduced when the British separated and resumed the *Maliāh* portion of the country to reduce its military power. In 1884, the *Rājā* brought a suit in the Agent's Court against the Government for the possession of the Pāralākhemuṇḍi *Maliāh* and more especially the forests and the waste lands thereof, the management of which had been taken over by the Government under a special forest establishment. The suit was decided by the Acting Agent on 5<sup>th</sup> July 1898, when a decree was given in favour of the plaintiff in respect of the forests and the waste lands only. The Agent's decision was reversed by the High Court in October, 1900 when the ruler was declared to have no right on any portion of the *Maliāhs*.<sup>106</sup> The administrative system with regard to forests was similar to that of other Estates.

Wax, honey and timber were among the principal produces of the Estate. Forests continued to be treated as a source of revenue. In 1908, on application of the Estate Manager, provisions of Sections 4 to 19 and 26 of the MFA of 1882 were extended to Pāralākhemuṇḍi.<sup>107</sup> The Court of Wards was discontinued for Pāralākhemuṇḍi Estate in 1913 and *Mahārājā* K.C. Gajapati Deo assumed the charge of the Estate. He had been given the power of the Forest Officer by the Madras Government. Regarding the rights and concessions, the Pāralākhemuṇḍi Plan says that grazing of cattle, cutting of grass, collection of firewood, thorns, leaves of trees and materials used for domestic use were allowed free of charges to the neighbouring villages in the RLs. The *Saorās* living within

the reserves were enjoying the same privileges but were being charged fees as per the schedule of rate when they brought the forest produces for sale in the market. From the RFs *Sāl* (*Shorea robusta*), *Piāsāl* and Teak timber were mainly exploited. In the *Madras Forest Manual*, it is mentioned that no person was allowed in the RLs of the Estate to boil catechu, distil wood-oil, burn lime or charcoal. The restriction was applicable for unreserved lands also unless and otherwise it was specified.

In the Estate, the forests were in charge of the Estate Engineer who had a staff of 3 Foresters, 71 Forest Guards and 26 Watchers, all untrained. The *Mahārājā* applied for the management of the forests by the Government of Odisha, which was implemented from October, 1944. As the forests were both under the Madras Province and the Government of Odisha, the Government of Madras raised serious objections over it. So, such forests were handed back to the Estate by the Government of Odisha. Meanwhile an agreement between the *Mahārājā* and the Government of Odisha was formally executed, and the forests were officially taken over. The main features of the agreement were as under:

1. The pay and allowances of the FSO, the cost of his establishment and contingent expenditure should be payable by the Provincial Government.
2. The cost of settlement, surveying, demarcation and conservancy would be paid by the owner.
3. The Forest Officer appointed by the Government of Odisha shall render assistance to the Estate in securing labour for Estate *Śavaras* to apply in return for forest concessions enjoyed by them, provided such assistance was not incompatible with the efficient management of the Forest Department of the Provincial Government.
4. The Forest Officer should prepare and revise the WP in respect of the said forest.
5. The cost to be charged upon the owner for management, conservation and working, etc. should not exceed the sum of Rs.6000/- per year.
6. The owner would bear the expenses for the services of the Forest Officer.
7. The owner was allowed to remove free of cost, timber and other forest produces for his bonafide domestic use.
8. The owner reserved the right for shooting for himself and for his nominee in the forests and no shooting permit was to be granted by the Forest Officer without the consent of the owner.
9. The owner reserved the right over the minerals in the forest area.

10. The owner was entitled, after obtaining the previous permission of the Revenue Commissioner, to stop or divert any public or private way or water course in the forest.

Both reserved forests and unreserved forests were covered by the agreement, but the Estate forests coming under the jurisdiction of the Madras Government did not come under this agreement. Untrained staff, limitations in expenditure and time as well as the frequent interference by the owners caused various difficulties in effective management of the Estate forests by the Government of Odisha. Thereby, the condition of the forests improved and working coupes were systematically opened to meet the demands of the people.

### 3.9 British Administrative System in the Zamindāri Estate Forests

The influence of the British Government over the *Zamindāri* estate forest administration was working through two important functionaries viz. the Political Agent and the Agency Forest Officer. Of those two officers, the Political Agent was holding higher authority and the important decisions which were being taken by the estate Chiefs regarding their forests were required approval of the Political Agent. Before the appointment of the AFO, the PA had to manage the forest affairs directly. The PA was not bound to accept the suggestions of the AFO and there were instances in which he needed some modifications in the AFOs proposals. While the PA was with political background, the AFO was a man having experiences in the field of forestry.

The first AFO to take the charge was Mr. Grieve who started his work in 1912 and Cooper and Mooney were his successors. The initial contributions of the AFOs for estate forests made it possible to manage the forests in the required manner and the era of systematic forest administration of estate forests was said to have actually began in 1910.<sup>108</sup> The AFO was later designated as the Chief Forest Advisor.

Forests in general, had long been the common property of the villagers, forest tribes and local inhabitants; and hardly any restriction except that of the forest taxes, was ever been imposed on the people till the Forest Department was created.<sup>109</sup> The Madras Board of Revenue observed, that the rights of the government to impose forest taxes does not indicate that the forests belonged to the State.<sup>110</sup>

Rural people in Odisha had long been enjoying a kind of autonomy in administration over forests at the village level through the local bodies called *Pañchāyats*. These *Pañchāyats* had vested with it some revenue powers. In *Pāralākhemuṇḍi Malīāh*,



the *Pañchāyats* used to decide the kind and quantity of *Māmools* to be paid to the local Hill-Chief by the villagers.<sup>111</sup>

### 3.10 Forest Administration in Gañjām Agency Tracts

Unlike other parts of Odisha, the forest management in the district of Gañjām was fairly governed by the Madras Forest Act, 1882. This Act was not automatically applied to the Agency area of the district which was called Scheduled District under the Scheduled District Act 1872. The MFA was extended to Soradā and Sānakhemuṇḍi *Maliāhs* in 1901 and the other Agency areas in 1906. So far as forests of the district were concerned, they were brought under the forest administration for the first time in the year 1850, but regular reservation did not start till the year 1885-86 until the enforcement of the MFA, 1882. By the year 1900, almost all the blocks in the *Roytwāri* areas were reserved under the MFA, 1882. Attempts for the systematic working were made only in 1901 through two forest divisions when regular Working Plans were compiled for the management of Gañjām forests. The Bihār and Odisha Forest Divisions were reorganised with effect from 3<sup>rd</sup> January 1938. The names of Chatrapur and Russellkoṇḍā Divisions were subsequently changed to Ghumsar South and Ghumsar North Divisions respectively with effect from the 1<sup>st</sup> April 1941.<sup>112</sup>

The management of territorial forest had been put under three Divisional Forest Officers, one stationed at Pāralākhemuṇḍi, who was in charge of Pāralākhemuṇḍi Sub-division, and the other two stationed at Bhanjanagar, who were in charge of Ghumsar South and Ghumsar North having jurisdiction over Bhanjanagar territorial subdivision and Chatrapur-Berhampur territorial sub-divisions respectively. The entire area was divided into 15 Ranges, 6 in Pāralākhemuṇḍi, 4 in Ghumsar North and 5 in Ghumsar South Forest Division. Besides the *Roytwāri* areas, there were *Zamindāri* and agency areas in Gañjām district. Most of the *Zamindāri* areas were vested to the Government in the year 1952. But the management of *Zamindāri* forests continued to be under the *Anchal Sāsan*, under the Revenue Department till 14<sup>th</sup> November 1957. On the 15<sup>th</sup> November 1957 those forests were transferred to the control of the Forest Department.<sup>113</sup>

During the pre-independence period the 'Forest, Fisheries and Animal Husbandry Department' was in charge of forests along with the charge of preservation of games and protection of wild animals, protection and improvement of animals and prevention of animal diseases. The department was responsible for the scientific management and protection of forests and wildlife. It also looked after raising plantations and construction

of departmental roads and buildings. The forests yielded highest non-tax revenue of the state.<sup>114</sup>

### 3.11 Procedural Aspects of Forest Administration

The real source of administration were the subordinate legislations like the notifications, rules and circulars issued by the Forest Department under the MFA,1882. Some of the important subordinate legislations which were in operation during the Colonial rule and still continued long after the independence of the country has been explained hereunder:

**Table 3.13: Procedural Aspects of Forest Administration**

Sl. No.	Description of the law	Statutory Provisions
1	<p>Rules to regulate transit of timber in Gañjām:</p> <p>The Rules were made by the Governor of Odisha under the authority conferred upon him under sec-35, 36 and 64 of the Madras Forest Act,1882 under Notification number 220-E dated 8<sup>th</sup> May 1940.</p>	<ul style="list-style-type: none"> <li>● It was regulating the transit of timber in the Russellkondā, Chatrapur, Bālligudā and Pāralākhemuṇḍi forest Divisions of the Gañjām District.</li> <li>● It replaced the similar statutory provisions existing at the time of its enactment.</li> <li>● Under Rule-4 of these Rules, the Forest Officer was empowered to issue permits for removal of timber from the area of operation of these Rules.</li> <li>● Under sub rule-(b)(iv) of Rule-1, removal of timbers for use by the Agency management or for civil work by the Agency were not guided by the provisions of these rules. Similarly, the bonafide residents of Khoṇdmāls, were allowed to possess timber for their agricultural use. Fuel in less than one head load was also exempted from application of these Rules.</li> <li>● For private forests, the village <i>Munsifs</i> were empowered to approve the permits for removal of timber which was verifiable by the Collector of the District.</li> <li>● The Revenue, Forest and the Police officers were empowered to check the permit of the timbers on transit. Checking stations were established which were permitting and specifically marking on the</li> </ul>

		<p>timbers passed through it. Movement of timbers through such checking stations were normally not allowed before two hours of sun set up to the sunrise on the next day.</p> <ul style="list-style-type: none"> <li>● Keeping in view the commercial importance of timber in certain market areas and towns, its movement within the scheduled area as well as all the entries to such areas were subject to strict surveillance by Forest, Revenue or Police officials. The scheduled areas were: -             <ol style="list-style-type: none"> <li>i. Ghumsar and Askā <i>Tāluk</i> of Gañjām District;</li> <li>ii. Pondakol <i>Muttāh</i> of Gañjām Agency, Bālligudā Agency, Khoṇdmāls, Sānakhemuṇḍi <i>Maliāhs</i>;</li> <li>iii. Most part of the Berhampur, Pāralākhemuṇḍi and Rāmagiri <i>Tāluk</i> of Gañjām District.</li> </ol> </li> </ul>
<p>2</p>	<p>General Rules for the Management of Reserved and Unreserved Lands.</p> <p>These Rules were made under the authority of the ‘His Excellency the Governor in Council’ as conferred upon him under sec-26 of the Madras Forest Act,1882 and replaced the erstwhile</p>	<ul style="list-style-type: none"> <li>● These Rules were made for regulation of use of the pasturage and of the natural produce of the lands at the disposal of the Government which was outside the boundaries of a Reserved Forest or a Municipality.</li> <li>● Such lands which were acquired by the Government and all the unoccupied land which were accessible or un-accessible were brought under regulation through these Rules.</li> <li>● The District Collector was empowered to designate such lands for grazing purpose.</li> <li>● The District Collector and the Forest Officers including the Conservator of Forest were vested with the controlling powers over such lands. The</li> </ul>

	notification dated 21 <sup>st</sup> January 1890.	Collectors were also empowered to grant permission of use or grant a gift of the same.
3	Management of Thumba <i>Muttāh</i> and Pāralākhemuṇḍi <i>Maliāhs</i> as notified under the correction slips issued under sec-26 of the Madras Forest Act, 1882.	<ul style="list-style-type: none"> <li>• The seigniorage rate and the other provisions applicable for management of forest areas in the adjacent areas of the Gañjām District were notified for its applicability at these areas as well.</li> <li>• The exact date of this enactment is not recorded in the Rules but there is a reference of its amendment through Correction Slip-14 of 1914.</li> </ul>
4	Rules for the management of the forest and waste lands within the Chakāpād <i>Muttāh</i> of the Gañjām Agency.	<ul style="list-style-type: none"> <li>• The seigniorage rate as applicable for Ghumsar <i>Tāluk</i> of Gañjām District as chargeable under the notification dated 13<sup>th</sup> July 1897 was made applicable to the Chakāpād <i>Muttāh</i> area as well.</li> <li>• Several other provisions of management of forest areas like prohibition of <i>Poḍu</i> cultivation and felling of trees of certain description were made under these Rules. Similarly, extension for cultivation within 100 feet of a water bank was also prohibited.</li> <li>• The exact date of this enactment is not recorded in the Rules but there is a reference of its amendment through Correction Slip-13 of 1914.<sup>115</sup></li> </ul>
<p>The area under the erstwhile undivided Korāput district, being mostly covered under the <i>Zamindāri</i> of the <i>Rājā</i> of Jeypore could not be scientifically managed. Due to absence of a WP, a systematic policy on forest or silviculture could not be pursued for the area. Shifting cultivation or <i>Poḍu</i> or <i>Dōngara</i> cultivation caused extensive damage to the forest growth in the area. The staff, who were for the most parts were without technical training were preoccupied in guarding the forest against destruction by the hill-man.<sup>116</sup></p>		

The administrative arrangements devised under the Colonial era were not terminated with the independence of India in the mid of 1947. In fact, Article 372 (1) of the Constitution of India, which spells out as follows, reserved enough rooms for continuation of the existing legal provisions made by the British until those were replaced or repealed through future legislative enactments.

Article 372: “Notwithstanding the repeal by this Constitution of the enactments referred to in article 395 but subject to the other provisions of this Constitution, all the law in force in the territory of India immediately before the commencement of this Constitution shall continue in force therein until altered or repealed or amended by a competent Legislature or other competent authority.”

Hence, most of the statutory provisions and the corresponding administrative mechanism devised in the colonial period with its ambient official features continued to dominate the legislative environment of the country, even after several decades of its independence; that testifies the inherent legislative potentiality of the statutes.

## References

1. B. Rath, *Aspects of Garjat Forestry*, Bhubaneswar, 2000, p. 57.
2. E.P. Stebbing, *The Forests of India*, Vol. 1, London, 1921, p. 61.
3. B. Ribbentrop, *Forestry in British India*, Calcutta, 1900, p. 61.
4. *Ibid.*, p. 62.
5. E.P. Stebbing, *op. cit.*, pp. 68-69.
6. B. Ribbentrop, *op. cit.*, p. 64.
7. *Ibid.*, p. 65.
8. *Ibid.*
9. E.P. Stebbing, *op. cit.*, p. 92.
10. *Ibid.*, p. 96.
11. *Ibid.*, p.118.
12. B. Ribbentrop, *op. cit.*, p. 72.
13. E.P. Stebbing, *op. cit.*, p. 295.
14. *Ibid.*, p. 302.
15. T. Sekar, *Forest Management in Tamil Nadu - A Historical Perspectives*, Chennai, 2015, p. 51.
16. B. Ribbentrop, *op. cit.*, p. 76.
17. *Ibid.*, p.78.
18. *Ibid.*, p. 82.
19. *Ibid.*, p. 84.
20. *Ibid.*, pp. 84-89.
21. *Hundred Years Forestry*, Vol. 1, Forest Research Institute, Dehra Dun, 1961, p. 113.
22. *Ibid.*
23. *Ibid.*, p.117.
24. B. Ribbentrop, *op. cit.*, p. 91.
25. *Hundred Years Forestry*, *op. cit.*, p. 117.
26. *Ibid.*, p. 118.
27. *Orissa Forest Manual*, 1957, Cuttack, p. x.
28. *Ibid.*, p. xi.
29. *Ibid.*
30. *Ibid.*, p. xii.
31. W. E. D' Archy, *Preparation of Forest Working Plans in India*, Calcutta, 1910, p. 15.
32. B. Ribbentrop, *op. cit.*, p. 137.

33. W. Schlich, *Manual of Forestry*, Vol. III, London, 1925, P. 229.
34. K. P. Sagreiya, *Forests and Forestry*, New Delhi, 1967, p. 220.
35. Kailas Sarap, *Participatory Forest Management in Odisha: A Review of Policies and Implementation*, Sambalpur University, 2004, p. 3.
36. Government of Orissa, Education Department, Forest Branch, Nos. 23-26 January, File No. F-207 of 1939, O.S.A., Bhubaneswar, Acc. No- 9508, OR. DOC., p. 1.
37. Government of Orissa, Education, Health and LSG Department, Forest Branch, File No. F-77 of 1937, Letter No. 2987/3F/239/36 dated 1<sup>st</sup> October 1936, O.S.A., Bhubaneswar, p. 1.
38. Government of Orissa, Education, Health and LSG Department, Forest Branch, File No. F-229 of 1938, O.S.A., Bhubaneswar, Acc. No- 7722, OR. DOC., dated 27.8.1991, p. 1.
39. *Ibid.*
40. *Report of the Forest Enquiry Committee*, 1959, pp. 19-20.
41. D. H. Khan, *Revised Working Plan for the Reserved Forests of Chatrapur Division, 1940-41 to 1959-60*, Cuttack, 1943, pp. 47-51.
42. *Report of the Forest Enquiry Committee*, 1959, p. 17.
43. D. H. Khan, *op. cit.*, p. 49.
44. *Ibid.*
45. *Ibid.*, p. 51.
46. R. N. Mohanty, *Working Plan for the Reserved Forests of Ghumsar South Division for the period from 1970-71 to 1990-91*, Part.1, Cuttack, 1980, pp. 89-90.
47. *Ibid.*
48. D. H. Khan, *op. cit.*, pp. 54-55.
49. *Ibid.*
50. R. N. Mohanty, *op. cit.*, p. 103.
51. D. H. Khan, *op. cit.*, p. 57.
52. R. N. Mohanty, *op. cit.*, pp. 104-107.
53. *Ibid.*
54. D. H. Khan, *op. cit.*, p. 60.
55. *Ibid.*
56. R. N. Mohanty, *op. cit.*, p. 107.
57. J.W. Nicholson, *Annual Progress Report on Forest Administration in the Province of Odisha, 1946-47*, Berhampur, 1947, p.1.
58. H. K. Mishra, *Working Plan for the Reserved Forests of Bälligudā Division for the period from 1981-82 to 2000-2001*, Part. 1, Cuttack, 1981, pp. 81-85.
59. *Ibid.*
60. *Ibid.*
61. *Ibid.*
62. S.N. Bohidar, *First Working Plan for the Reserved Forests of Phulbāni Forest Division for the period 1990-91 to 2000-2001*, Cuttack, 1990, pp. 61-65.
63. *Ibid.*
64. *Ibid.*
65. J.W. Nicholson, *op. cit.*, p. 2.
66. J.W. Nicholson, *Annual Progress Report on Forest Administration in the Province of Odisha, 1937-38*, Berhampur, 1947, pp. 9-29.
67. *Ibid.*
68. *Ibid.*
69. *Ibid.*

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70. Government of Bihār, Revenue Department, File No. 34, Letter No. 1824/R/IIIF-12, dated 16.04.1937, O.S.A., Bhubaneswar, Acc. No- 7621, OR. DOC., p. 2.
71. J.W. Nicholson, 1937-38, *op. cit.*, p. 33.
72. Government of Orissa, Education, Health and LSG Department, Forest Branch, File No. 41-45 of 1937, O.S.A., Bhubaneswar, Acc. No- 7604, OR. DOC., dated 22.8.1991, p. 6.
73. Government of Orissa, Education Department, Forest Branch, Nos.12-16, January 1943, File No. F-310/43, O.S.A., Bhubaneswar, Acc. No- 9725 dated 15.10. 1991 OR. DOC., p. 22.
74. J.W. Nicholson, 1937-38, *op. cit.*, p. 39.
75. J.W. Nicholson, 1946-47, *op. cit.*, p. 29.
76. W. Francis, *Vizagapatam District Gazetteer*, Madras, 1907, pp. 116-120.
77. *Ibid.*, p.104.
78. N.C. Behuria, *Final Report on Major Settlement Operations in Korāput District, 1938-64*, Cuttack, 1965, p. 6.
79. N.C. Patnaik, *Working Plan for the Reserved & Protected (Forest) Lands of the Jeypure Forest Division, 1971-72 to 1990-91*, Bhubaneswar, 1980, pp. 110-116.
80. *Ibid.*
81. *Ibid.*
82. R.C.S. Bell, *Orissa District Gazetteers, Korāput*, Cuttack, 1945, p.101.
83. N.C. Behuria, *op. cit.*, p. 6.
84. B. Rath, *op. cit.*, p. 320.
85. N.C. Behuria, *op. cit.* p. 9.
86. *Ibid.*
87. B. Rath, *op. cit.*, p.112.
88. *Report of the Partially Excluded Areas Inquiry Committee*, Cuttack, 1940, p.112.
89. B. Rath, *op. cit.*, p.166.
90. *Report of the Partially Excluded Areas Inquiry Committee*, Cuttack, 1940, p. 26.
91. *Ibid.*, p.27.
92. N. Senapati and N.K. Sahu, *Odisha District Gazetteers, Korāput*, Cuttack, 1966, p. 290.
93. *Ibid.*
94. W. Francis, *op. cit.*, 1992, p. 290.
95. *Report of the Forest Enquiry Committee*, 1959, p. 141.
96. N.C. Behuria, *op. cit.*, p. 9.
97. *Ibid.*
98. W. Francis, *op. cit.*, 1907, p. 120.
99. Record No. 759- KOR 587, Letter dated 31<sup>st</sup> January 1891 of H.D. Taylor, OSA Bhubaneswar.
100. R.C.S. Bell, *op. cit.*, p. 106.
101. M.N. Das and C.P. Nanda, "Peasants, Tribals and the National Movement in Odisha" in: *Orissa Review*, August 1997, p. 13.
102. B. Pati, *Resisting Domination*, Delhi, 1993, p. 106.
103. *Odisha Legislative Assembly Debates*, Vol. 1, 1946, p. 655.
104. J.A.R. Stevenson, *Report on Ghumsar Zamīndāri* (dated 04.10.1836), Chatrapur, 1916.
105. G.E. Russell, *Reports on the Disturbances in Pāralākhemuṇḍi, Vizagapatam and Ghumsar*, Madras, 1856, Vol. 1, pp. 2-3.
106. H.D. Taylor, *Memoir on the Gañjām Malīāhs in the Madras Presidency*, Cuttack, 1969, pp. 39-40.
107. *Madras Forest Manual*, 1912, pp. 332-335.
108. *Report of the Forest Enquiry Committee*, 1959, p. 20.
109. D. Brandis, *Memorandum on the Demarcation of the Public Forests in the Madras Presidency*, 1878, p. 39.
110. *Ibid.*, p. 40.
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<sup>111</sup>H.D. Taylor, *op. cit.*, p. 251.

<sup>112</sup>N.C. Behuria, *Odisha District Gazetteer, Gañjām*, Bhubaneswar, 1995, pp. 18-19.

<sup>113</sup>*Ibid.*, p. 19.

<sup>114</sup>*Ibid.*, p. 682.

<sup>115</sup>*Orissa Forest Manual*, Cuttack, 1957, pp. 83-128.

<sup>116</sup>R.C.S. Bell, *op. cit.*, p. 104.