

Conclusion

The very title of the research work “FOREST ADMINISTRATION IN SOUTH ODISHA UNDER THE BRITISH *RAJ* (AD 1858 – 1947): A STUDY” as it is apparent, has four distinct attributes viz. a geographical region namely south Odisha, a historical timeline of British *Raj*, a tangible aspect called the Forest and contemplation of a specific subject of its administration as pursued by the then British Government provincially sitting at Madras Presidency. The broad sub-factors corresponding to the above attributes are the human, economic, political and environmental features which are considered as inalienable to the subject matter.

The nomenclature ‘South Odisha’ as it has been outlined here, referred to the erstwhile undivided districts of Gañjām and Korāput in its entirety including the G. Udayagiri and Bālligudā area of Phulbāni district in the state of Odisha. From cartographic point of view the area has a special identity as the threshold from where the acute geographical features of the subcontinental decan plateau have been truly unleashed. That area had been named as the ‘Northern *Circārs*’ as it was encompassing the northernmost frontier region of the Madras Presidency.

The time factor of the study has very special importance from different angles during which the legal base on almost all the subjects of administration of the nation were instituted by the colonial government which have more or less been continued with the same structure until now.

From the ancient times people living in the Indian subcontinent had great admiration for the nature that has been revealed with all its forces and tangible factors like plants, animals, hills or rivers and treating those with utmost reverence. Due to limited wants of a small population with extensive forest tracts, pressure on forests and wildlife on those days was negligible.

Forests of Madras Presidency were the scene of intense harvest of timber for over a century of the formation of the Presidency and many of the forest reserves were either under the ownership of local rulers or of the government, which were being considered as veritable timber mines of inexhaustible resources.

The rate of exploitation and the deployed methodology of the EIC and the British imperial Government compelled everyone to realise that timber harvest could not sustain for long, unless the growing stock was augmented with artificial regeneration.

The end of the Indian Mutiny that started in 1857 saw the disappearance of the EIC and the Court of Directors. Queen Victoria was proclaimed as the Empress of India. The British felt the danger of isolation due to want of facilities of rapid communication which posed as a grave indictment of the EIC's administration. Lack of communication also had a serious effect on accessible forest lands particularly that led to the ruthless exploitation of forest tracts in the neighbourhood of large cities and towns. The need to move the troops and their equipment was felt to be indispensable, due to which railway construction received tremendous impetus resulting in increase in corresponding demands for qualified timber for sleeper making. The forests among other sources of public utility and wealth were sought to be gradually brought under an efficient administration backed by diversified sets of rules and regulations encompassing all the aspects associated with the subject including conservation, commercialisation, preservation of species, transportation, environmental factors, revenue collection, defining land rights of owners and ordinary people etc.

South Odisha, situated on the Eastern *Ghāts* is a unique place within the tropical region which supports greater degree of biodiversity due to the uniqueness in geographical, climatic and environmental features. Basing on Champion's classification, the forests of south Odisha were divided into three categories i.e., the deciduous forests, the tropical evergreen forests and the alpine shola forests. Besides, the moist deciduous mixed forests were found in the north-western portion of Andhra laying to the left of Pārvatipuram and Rāyagadā. The moist deciduous *Sāl* forests were found along the sides of Nāgāvali and Vamsadhārā rivers. The dry deciduous forests were of lesser in height and were open type of forests found on the exterior hills and valleys. Over 60% of the area in south Odisha were covered with dense mixed forests by nature.

Gañjām was the northernmost district of the Madras Presidency and a part of the Northern *Circārs*. The French were the first Europeans to possess the district of Gañjām. Subsequently it was occupied by the Muslims and then by the English. In the year 1855 owing to the outbreak of cholera, it was abandoned, and the treasury was first transferred to Monsurkotā and then Berhampur and ultimately to Chatrapur. After the creation of the Province of Orissa on 1st April 1936, the district of Gañjām was separated from Madras Presidency and merged with the state of Orissa. Since the hills of the district were close

to the sea, the rivers flowing from the hills were not very large in dimension. Among the forests of the district, the tropical semi-evergreen forests were found in moist valleys of Bālligudā and Mahendragiri hill ranges. Due to shallow soil, hot and dry climate, the common trees like *Asana*, *Bija*, *Mahula*, *Bāhādā*, *Keñdu*, *Amlā*, etc. were found in these forests. Teak occurred in small patches along the Tel river near Boud-Kandhamāl. Mixed forests occurred extensively in the Boud Sub-Division. The valuable forest tracts in Ghumsar had been roughly estimated at 400 sq. miles.

The forests of Gañjām were very rich with wild animals. There were also plenty of game birds and fish, which were found in the Chilikā and the *Tāmparā* lake. As a major part of the district was covered by the Eastern *Ghats*, the important rock outcrops of the district were mostly crystalline, which comprises the gneisses of charnokite and khondalite.

Korāput was a part of Vizagapatam district in Madras presidency and administered by the Collector with certain special powers as Agent to the Governor, under the Gañjām and Vizagapatam Act of 1839. The district comprises of four geographical divisions covering three *Taluks* of Bissamkatak, Rāyagadā and Gunupur. The area consists of two broad and almost parallel valleys of the Vamsadhārā and Nāgāvali rivers, with ranges of high and rugged hills that hedge them in. It lies on the section of the great lines of the Eastern *Ghāts*. Several mountain ranges and isolated hills rise out of those tablelands. The Niyamagiri hill range was a rugged mass on the borders of the Rāyagadā and Bissamkatak *Tāluk*. Apart from the isolated hills there were three other mountainous regions in the sub-division. The main feature of the plateau was the line of high hills which boldly marks its eastern boundary. Towards the north of river Kolāb, there were countless hills. In Jeypore and Nawarangpur area there were low hills. Besides a number of perennial streams, the district has five large and important rivers which form the greatest natural wealth of the district.

The forests of Korāput district were all owned by the *Mahārājā* of Jeypore except for some comparatively insignificant areas. The Madras Forest Act, 1882 was extended to Jeypore estate in 1891. The forests were administered under the Jeypore Forest Rules framed under Section 26 of the MFA in 1882 till 30th August 1956 when they were replaced in 1956 by a new set of rules called the “Korāput District Forest and Wastelands Rules, 1956”.

The flora of Korāput had never been investigated. The facts about the forests of Korāput were mainly based upon the reports of J. W. Nicholson, I.F.S., Conservator of

Forests, who visited the district in May 1937. Though typically having some northern Indian characteristics, it had also its affinities with the flora of southern India. The flora was divided into four natural divisions. The vegetation of the central plateau was of a degraded type with evergreen species. Tree growth was limited to scattered specimens of *Terminalia chebula* and *Eugenia operculate* as the dominant ones. In the vicinity of Korāput *Poḍu* cultivation had caused complete disappearance of the original forest and practically no tree growth exists there saving the fruit trees like *Mangifera indica*, *Tamarindus indica* and *Madhuka latifolia*. Over the rest of the central plateau the evergreen type had been partly replaced by deciduous species.

The greater part of the Jeypore plateau was covered with *Sāl* forests of a moist peninsular type. The neighbourhood of Jeypore and the hills between Nārāyanpātanā and Bissamkatak contains sparse forest, ruined by constant *Poḍu* cultivation and no large trees were left there except *mohuā*, tamarind and jack trees which the hill people had spared for the sake of their fruit. The Mālkāngiri plateau was hotter and moist. The *Sāl* forests abruptly disappears, and Teak was very common towards north. In the north-east and towards the common boundary with the Gañjām Agency tracts, moist peninsular *Sāl* forests were dominating. Creepers and grasses such as broom grass were found in a large scale. The distribution of Teak in scattered patches suggests that the species was once found over a greater tract.

The forests of Korāput were rich in wildlife. Owing to the healthiness of the area and the difficulty of communication, it had never become a hunting ground for sportsmen. As no restrictions were placed upon the possession of muzzle-loading guns by the residents of the Agency and as all hillmen were passionately fond of hunting, there were certain amount of indiscriminate slaughter of wild animals which resulted in a growing scarcity of all kinds of deer. Tigers were found throughout the district. On the eastern borders of Bissamkatak, tigers were a veritable menace and cause much loss to human life. Panther and leopards were more destructive to live-stock. The wild dog, hyena, jackal, wolf, black sloth bear and elephants were commonly found in the forests.

The main geological feature of Korāput was divided into two parts each characterised by distinct suite of rocks, the 2,000 feet plateau of Jeypore with its much lower extension into the Mālkāngiri subdivision and the high hilly regions of the Eastern *Ghāts* laying between the Jeypore plateau and the Visākhāpatnam coastal plains. China clay and kaolin was found at Korāput, Nawarangpur and Rāyagadā areas which were used as fire clays and in the manufacture of coarse porcelain wares. Placer gold was found in

Govindapalli which was in the form of very fine particles and were disseminated in the river sands and gravels that settle down with black sands on panning. Graphite, hematite and limonite were also found in the plateau. Apart from limestone deposits, manganese ore, yellow and red ochre deposits were found near Baipārigudā.

Forests had played a significant role in the development of civilisations. During the colonial period, the forests were used as the chief source of revenue and the British Government implemented a number of rules and regulations to control the collection of forest products by the native forest dwellers. As Teak timber formed the main demand for shipbuilding of the British Royal Navy, a Timber Syndicate was formed in 1796. But the Syndicate collapsed after a few days. This resulted the immediate appointment of a forest committee with regard to the future strength of the King's Navy. On 10th November 1806, Captain Watson of the Police was appointed as the 1st Conservator of Forests. But the general discontent existed among the 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 British Crown, the Conservatorship was abolished in 1823.

Late in 1842, 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. In 1844, Mr. Conolly appointed Chatter Menon as Sub-Conservator on a salary of Rs. 50/- per mensem. In 1854 Dr. McClland submitted a report after travelling in the forests for months. It was 3rd August 1855 Lord Dalhousie laid down the outline of a permanent policy for forest administration for the first time which was named as the Forest Charter of 1855.

The Mutiny of 1857 taught a lesson to the British about the threats of isolation in absence of infrastructure of rapid communication. So tremendous impetus was given to the expansion of railways which exerted severe pressure on the forests. In 1856, Cleghorn was appointed as the Conservator of Forests in Madras Presidency. By an order of May 1860, the Govt. of Madras prohibited *Kumri* cultivation in government forests without obtaining prior permission. In December 1862, Sir Deitrich Brandis was placed on special duty to assist the organisation of forest administration. He was appointed as the first Inspector-General of Forests to the Government of India. The new department was placed under the Home Department ever since 1871. For the management of the newly created department several officials were appointed, and WPs were also prepared.

Forest administration started in south Odisha during 1883-84. The forests of south Odisha were declared as RF under Section 19 of the MFA. After the creation of the

separate province of Odisha, Madras Forest Division was reorganised with effect from the 3rd January 1938. The original two divisions of Gañjām and Pāralākhemuṇḍi were subdivided into four divisions i.e., Russellkoṇḍā, Chatrapur, Bālligudā and Pāralākhemuṇḍi. The names of Chatrapur and Russellkoṇḍā were subsequently changed to Ghumsar South and Ghumsar North Division with effect from 1st April 1941. For the management of forests in south Odisha group of forests and working circles were created by the Department. The British Government was very much conscious of the preservation and conservation of natural resources of south Odisha. So, they started to put a systematic approach towards the mapping, classification and cataloguing the geographical, environmental and ecological factors of all the areas which they occupied. Such efforts were proved beneficial in the post-independence period to follow. The systematic Working Plans for felling of timber for railways, telegraph posts, industrial and domestic applications were proved to be successful by its objectives. The various administrative measures for protection of forests including minerals and animals and the process of framing statutory provisions for taxation on forest produces and mineral resources were consequent upon a remarkable degree of protection and conservation of biodiversity.

Although in south Odisha i.e., the undivided districts of Gañjām, Korāput and parts of Udayagiri and Bālligudā of Phulbāni district, 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 19th century, the Estate administration was partially controlled by the Madras Presidency. The administration was then controlled by the Agency Forest Officer. Working Plans were prepared for the management of the forests. There were some instances of agitation by the forest dwellers when the government took some steps for the prohibition of shifting cultivation. The *Zamindāri* estate forests were working through two important functionaries i.e., the Political Agent and the Agency Forest Officer. During the period the 'Forest, Fishery and Animal Husbandry Department' was in charge of forests along with the charge of preservation of games and protection of wild animals and prevention of animal diseases. The department was responsible for the scientific management and protection of forests and wildlife.

The importance of the forest in the life of the people living in its vicinity is realised through the produce which it yields for consumption by them or by their domesticated animals. Forest products have typically divided into two categories viz. timber products and non-timber forest products. The timber category usually includes sawn wood, pulp, panel boards and other building materials while the NTFP category includes everything

collected mostly for food, though a range of medicinal plants, resins and essential oils for their chemical components, fibres such as bamboos and others used for weaving and structural applications.

Wood or timber was the principal produce of the forests of Odisha. It was used in construction, shipbuilding, machineries, industries, agriculture, tools, furniture and which had no desired quality of for such applications are used as fuel for domestic and industrial purposes and are termed as firewood. A part of firewood was converted into charcoal which were used for the purposes like domestic firing, iron smelting, etc. and ashes were being used for manufacture of potash or as manure. All the forest produces which were not timber or firewood were termed as NTPF or MFP. Amongst the MFP, bark was used for manufacturing of turpentine, resin, catechu and numerous other dye stuffs. Some varieties of barks were directly used for tanning of animal skins and hides. Other MFPs like leaves, flowers, fruits, seeds, fibres, grass, moss, peat, bamboos, canes, lac, honey, wax had immense commercial importance.

Some of those were being used exclusively in villages while others were being extensively used as raw material in industries. The hill people had a rich legacy of knowledge and practice in use of the forest produces. Application of certain plant extracts for medicinal purposes with yester years' primitive knowledge is still being recognised as effective remedies for several ailments. Similarly barring the timbers and several other MFPs have a wide spectrum of usages in household and industrial application thus playing a potential role in the national economy.

The increasing importance of forest especially timber based revenue led the British rulers to reserve or to notify more and more areas as forests under various forest laws and rules, imposing restrictions upon the tribal using these forests. Restrictions on shifting cultivation on areas designated as forests were one of the key strategies for increasing the commercial value of these lands. These restrictions were often instrumental in sparking tribal unrest. The takeover of forest lands was based on non-recognition of customary tribal land rights over these areas by the state. Often such notifications were carried out without proper survey and settlement of even recognised rights of permanent cultivation. The colonial government asserted control over extensive forest lands. The degradation of forests by the middle of the twentieth century had been partly blamed on the accelerated felling performed during the crisis of the two world wars. Moreover, forest-based industries were expanded after the two world wars. The exploitation and misuse of forests were mainly due to the unauthorised grazing, shifting cultivation, putting

fire for charcoal, illicit felling of firewood, mindless and careless methods of collection of timber by the sleeper contractors, illegal hunting and poaching and unauthorised collection of grass and forest produces. Extensive damage also commonly occurred due to natural forces like damage by drought, spreading of fungi, forest fires, bending of *Sāl* poles and browsing by *sambar*.

Forest resources in the hill tracts were never exploited for commercial purposes by the tribal people and the others made judicious use of them for their requirements, ensuring their sustainability until the colonial intervention which witnessed the destruction and denudation of forests and plunder of timber and other forest resources for the industries and railways.

The evolution of forest policies in Madras was a comprehensive historical framework. In the domain of the East India Company, forest has been merely perceived as a subject of commercial exploitation which witnessed a paradigm shift under the regime of the British Crown. The beginning of the establishment of railway network in India was a critical turning point in the history of Indian forestry. The early years of railway expansion extracted an unprecedented assault on the more accessible forests, large areas of forests were destroyed to meet the requirement for railway sleepers. No supervision was exercised over the felling operations and large numbers of trees were felled and used as fuel for the locomotives before the coalmines of Rāniganj became fully operative.

The railway expansion continued and the methods by which private enterprises were working in the forests forced the imperial Government to step into safeguard their long-term interests. In December 1862, Sir Deitrich Brandis was placed on special duty with the Government of India to assist in organising forest administration and for establishment of a department that could ensure the sustained availability of the requirements of different railway companies for sleepers. In 1864 the Imperial Forest Department was formed.

The attempt of the British Government asserting the state monopoly over forests was manifested through the Indian Forest Act, 1865. This was the first systematic enactment over the subject under the auspices of the Crown that exhibited the characteristic of shifting the ownership of the residual land and forest assets from the private persons to the absolute control of the state. The Act empowered the state to declare any land covered with trees or brushwood as state owned forest and to make rules regarding the management of the same by notification. The very attempt of the British Government through that Act was to establish state's control over the forests and to extend

some minor rights in favour of the individuals or communities who had been conventionally enjoying *de-facto* rights over the forests in the vicinity in which they were dwelling. The government was empowered to prescribe penalties through the provisions of the Act for breach or infringement of the provisions of the law and to inflict upon them either corporal or pecuniary punishments.

For the first time an attempt had been made to regulate the collection of the forest produce by the forest dwellers. Thus, the socially regulated practices of the forest people were restrained and made limited by law. The Act categorized the forests into reserved forests and unreserved forests and urged the provinces to follow it. But the Madras Government opposed the implementation of the Act on the ground that it would negatively affect the communal rights and privileges of the people and refused to adopt the Act.

The British Government after assuming power in India passed an Act relating to trespass by cattle in the year 1857. After several amendments, the Cattle Trespass Act was passed in 1871. The Act was declared to be in force in Odisha by the Anugul District Regulation, 1894. The Act provided for the establishment of pounds which was under the control of the District Magistrate. It also provided for the appointment of a pound-keeper for feeding and watering of the impounded cattle.

The Government felt it expedient to preserve the elephants from their extinction and passed the Madras Wild Elephants Preservation Act in 1873 with an intent to preserve the indiscriminate destruction of wild elephants within the Presidency. The Act prohibited the destruction of wild elephants. The said Act was continued to be in operation even after independence of India. The Government of Orissa enacted 'The Orissa Elephant's Preservation Rules, 1953 and it was still in force in the regions of south Odisha which were later transferred from the jurisdiction of Madras Presidency to the newly formed state of Orissa in the year 1936. Another Act for the preservation of the Elephants was passed on 1879, the Elephants Preservation Act and it extended to the territories administered by the British. The Act was amended in the year 1883, 1920 and 1930.

The Indian Forest Act of 1878 was more comprehensive and divides the forests into reserved, protected and village forests. Under this act, the claimants were now required to notify their claims over the ownership over land and forest in the proposed reserved and protected forests. Certain activities like trespassing and pasturing of cattle in the reserved forests were prohibited. Provisions were made to impose duties on transaction of timber, administration and management of private forests. Certain activities were categorised as forest offences and penal provisions like fines and imprisonment were also

prescribed for such offences. Thus, the act provided for the continuation and extension of the government policy on the state's control over the forests. The authority of the forest officers to arrest were limited to the offences like violating the prohibition or the quarrying of stone or burning of lime or charcoal or removal of any forest produce and unauthorised clearing of forest land for cultivation, construction of building, herding of cattle within the forest.

For the protection and management of forests in the Presidency of Madras, the Madras Forest Act was passed in the year 1882. The Act was made applicable to the tracts of Korāput in the year 1891. Rules under section 26, 32, 35 and 55 of MFA were framed in the year 1900 which were known as Jeypore Forest Rules. In the act the constitution of reserved forests was more logically arranged, and provision was made for the appointment of FSO to inquire the relevant matters and determine the rights claimed by any person over the land or the forest products of a notified area.

Towards the last decade of the 19th century, the general concept on state's role was in a course of paradigm shift towards scientific governance. The British Government published its first policy resolution on forest to manifest its intention to the public as well as to provide a consolidated frame to the law makers and their executives for the future governance of the forests as a subject of administration. The policy served as a model and source for subsequent legislations and administration. The British Government in India brought out a comprehensive forest policy on 19th October 1894. The resolution divided the forests into four classes i.e., forests, the preservation of which were essential on climatic or physical grounds, forests which afforded a supply of valuable timbers for commercial purposes, minor forests and pasture lands. This classification was applicable only to the forests which were under the management of the state. Though the aim of this policy was to manage state forests for public benefit, certain regulations of rights and restriction of privileges for the use of forests by the neighbouring population was provided in this policy.

In the year 1912 the Wild Birds and Animals Protection Act was passed to make better provision for the protection and preservation of certain wild birds and animals and the Act extended to the whole of British India. The Act provided a penal provision of fine up to fifty rupees or imprisonment which may extend up to one moth. The previous Act i.e., the Wild Birds Protection Act of 1887 was repealed by this Act of 1912.

The Indian Forest Act of 1878 was amended by the Indian Forest (Amendment) Acts of 1890, 1901, 1918 and 1919. The IFA, 1927 was intended to consolidate the laws

relating to the forests in India. It repealed the then existing enactments on the subject to provide a complete single law in their place. The IFA, 1927 was in application in the state of Odisha except in the districts of undivided Korāput, Gañjām and part of Phulbāni i.e., Bālligudā and G. Udayagiri *Tāluks* where the MFA, 1882 was in force. The importance of both the statutes were felt from the facts that those were in operation in their original forms with amendments from time to time up to the year 1972 when both were ultimately repealed by the Orissa Forest Act, 1972.

Several minor legislations setting the path of implementation of the MFA, 1882 to govern the subject in south Odisha were made later like General Rules for Management of Reserved and Unreserved Lands in 1890, Rules for management of Forests and waste lands within Chañdragiri Agency and Chokāpāda *Muttāh* in Gañjām Agency of 1909, Rules for the transit of timber within Korāput district in 1919, Khallikote and Athagaḍa estates in 1921, Dharākote Estate in 1924, the Orissa Forest Contract Rules of 1937 and the Rules to Regulate the Transit of Timber in Gañjām in 1940. In the year 1938, Orissa Government Reserved Forest Shooting Rules were passed to regulate hunting, shooting and fishing by poisoning of water and the setting of traps or snares and the killing and catching of elephants. The DFO was empowered to grant a general permit to hunt, shoot or fish. He was also empowered to grant special free permit for destruction of any animal declared by the district to be especially dangerous.

India's environmental history typically focuses on the impact of the policies and management of forest and its resources dated back to the colonial period in which, it has become customary to identify the elements of colonial administration as responsible for advancing watersheds in the ecological history of India. But what has been failed to be adequately appreciated in the traditional school of history is the positive elements in the legislations and the administrative symmetry laid down by the British, which was a driving force behind the decisions to let the old sets of administrative tools, techniques and the underneath statutory provisions continued even after independence of the nation.

However, the compelling reasons of difficulties in modifying the laws to match the scenario of drifting of objectives of the state, so far at the service of the British Crown, towards the newly set missions set forth through the assertions made in the Constitution of India had an undeniable role behind the decisions for allowing the administrative tools and techniques to outlive the Elizabethan era. In both the counts, the absoluteness in the value of the legal framework of colonial period has been testified.

The British rule significantly affected the livelihood patterns of the tribal people, particularly the complementary roles of the forests and settled cultivation in their economy and that policy had so far been borrowed and adapted by the Government of India with an implied undertone in the land related laws that limits the ownership rights of the tribals over the forest land.

Prior to British occupancy over the area, the tribals enjoyed customary freedoms to access to all forest produce. They could also clear the forest for extension of cultivation and to graze their cattle. The British Government embarked on a policy of direct intervention on local agrarian practices, particularly in its attempts to replace shifting cultivation with settled agriculture. It made attempts to control the forests and restrict the traditional access to the forests. Customary practices, such as tapping of *Sāl* trees for resin was also depicted as being destructive of the forests.

The contemporary state in which the forests, and the forest dwellers are found through the spread of south Odisha is wholly attributable to the Governments' policies pursued towards them during the past three centuries. The initiation of British *Raj* from 1857 has been considered as the beginning of the rule-based administration in India and within a very short span of time most of the statutory provisions were coined as well as the administrative framework was designed and brought into operation. Within a period of roughly one century under the British *Raj* the administrative set-up of the Forest Department was casted and re-casted to achieve its final form which the republic of India inherited the same from the Imperial rulers.

The location of the offices, the designation of its office bearers, the forest working plans and the basic structure of the legal framework are almost in the same shape today as it was inherited from the British. Looking back into the history is an inalienable part in a policy making process in any administrative field. This scholarly effort shall provide a firm background for a policy making process of the Government in the relevant sector at any future time to come.