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GOVERNMENT OF MADHYA PRADESH



THE MADHYA PRADESH
Forest Manual

SIXTH EDITION

BHOPAL
Government Central Press

1980

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PREFACE

The new State of Madhya Pradesh was formed as a result of the reorganisation of the States with effect from 1-11-1956. The Government of Madhya Pradesh Forest Department vide Notification No. 18/2/76/2/10 dated 25th September 1976 have decided that the provisions of the old "Central Provinces & Berar Forest Manual Vol. I and II, 5th Edition (Reprint of 1949)" should be made applicable to the whole of new State of Madhya Pradesh. This supersedes the application of the provisions of the V. P. and Bhopal Forest Manuals and introduces the provisions in the Madhya Bharat Region for which there is no manual at present. The present reprint has been made by including up-to-date amendments and orders, excluding those rules and provisions which were specifically applicable to the Berar Region and those which have been superseded or have been rendered redundant. Certain notifications, orders and rules have already been included in the Manual for the sake of convenience. These are, however, not complete and therefore, specific Government orders now in force on various subjects will continue to be operative. For the sake of convenience the two volumes have been combined and made into one.

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other than the Madhya Bharat and Sironj Regions of the State of Madhya Pradesh.

(3) It applies to the territories which, immediately before 1st November 1956 were comprised in the States of Bihar, Bombay, Coorg Delhi, Madhya Pradesh, Orissa, Punjab, Uttar Pradesh and West Bengal, but the Government of any State may, by notification in the Official Gazette, bring this Act into force in the whole or any specified part of the State to which this Act extends and where it is not in force. It also extends to the territories comprised in the Madhya Bharat, Vindhya Pradesh, Bhopal and Sironj region of the State of Madhya Pradesh.

Interpretation
clause.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) "Cattle" includes elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, rams, ewes, sheep, lambs, goats and kids;

(2) "Forest Officer" includes any person whom the State Government or any officer empowered by the State Government in this behalf, may appoint to carry out all or any of the purposes of this Act or to do anything required by this Act or any rule made thereunder to be done by a Forest Officer;

(3) "Forest Offence" means an offence punishable under this Act or under any rule made thereunder;

(4) "Forest produce" includes—

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

Timber, Charcoal, Caoutchouc, catechu, wood-oil, resin, natural varnish, bark, lac, shellac, gum, mahua flowers, mahua seeds, kuth and myrabolams, and

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

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

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

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

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

(v) standing agricultural crops.

(4-A) "owner" includes a Court of Wards in respect of property under the superintendence of charge of such Court;

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

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PART I

THE INDIAN FOREST ACT, 1927 (XVI OF 1927)

(PASSED BY THE INDIAN LEGISLATURE)

(Received the assent of the Governor-General on the 21st
September 1927)

No.	year	Short title	Whether repealed or otherwise amended by legislation
(1)	(2)	(3)	(4)
16.	1927	The Indian Forest Act.	<p>(1) Partly amended by the Indian Forest (Amendment) Act, 26 of 1930.</p> <p>(2) Partly amended by the Indian Forest (Amendment) Act, 3 of 1933.</p> <p>(3) Partly amended by the Adaptation of Laws order, 1937.</p> <p>(4) Partly amended by the Repealing and Amending Act, 2 of 1948.</p> <p>(5) Partly amended by the Adaptation of Laws order, 1948.</p> <p>(6) Partly amended by the Adaptation of Laws order, 1950.</p> <p>(7) Partly amended by the Adaptation of Laws order, 1956.</p> <p>(8) Partly amended by the Madhya Pradesh Act, 26 of 1950.</p> <p>(9) Partly amended by the Madhya Pradesh Act, 20 of 1954.</p> <p>(10) Partly amended by the Madhya Pradesh Act, 23 of 1958.</p> <p>(11) Partly amended by the Madhya Pradesh Act, 9 of 1965.</p>

An Act to consolidate the law relating to forests, the transit of forest produce and the duty leviable on timber and other forest produce.

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

CHAPTER I—PRELIMINARY

1. (1) This Act may be called the Indian Forest Act, 1927.

Short title and extent.

(2) It extends to the whole of India except the territories which immediately before the 1st November 1956, were comprised in Part B States.

- (6) "timber" includes trees when they have fallen or have been felled, and all wood, whether cut up or fashioned or hollowed out for any purpose or not; and
- (7) "tree" includes palms, bamboos, stumps, brush-wood and canes.

CHAPTER II—OF RESERVED FORESTS

3. The State Government may constitute any forest land or waste land which is the property of Government, or over which the Government has proprietary rights, or to the whole or any part of the forest produce of which the Government is entitled, a reserved forest in the manner herein after provided.

Power to reserve forests.

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

Notification by State Government.

- (a) declaring that it has been decided to constitute such land a reserved forest ;
- (b) specifying, as nearly as possible, the situation and limits of such land, and
- (c) appointing an officer, (herein after called "the Forest Settlement Officer") to inquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over and land comprised within such limits, or in or over any forest produce, and to deal with the same as provided in this Chapter.

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

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

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

5. After the issue of a notification under section 4, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in writing made or entered in to by or on behalf of the Government or some person in whom such right was vested when the notification was issued ; and no fresh clearings for cultivation or for any other purpose shall be made in such land except in accordance with such rules as may be made by the State Government in this behalf.

Bar of accrual of forest rights.

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

Proclamation by Forest Settlement Officer.

- (a) Specifying, as nearly as possible, the situation and limits of the proposed forest;

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

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

Inquiry by Forest Settlement Officer.

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

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

(a) power to enter, by himself or any officer authorised by him for the purpose, upon any land, and to survey, demarcate and make a map of the same; and

(b) the powers of a Civil Court in the trial of suits.

Extinction of rights.

9. Rights in respect of which no claim has been preferred under section 6, and of the existence of which no knowledge has been acquired by inquiry under section 7, shall be extinguished, unless, before the notification under section 20 is published, the person claiming them satisfies the Forest Settlement Officer that he had sufficient cause for not preferring such claim within the period fixed under section 6.

Treatment of claims relating to practice of shifting cultivation.

10. (1) In the case of a claim relating to the practice of shifting cultivation, the Forest Settlement Officer shall record a statement setting forth the particulars of the claim and of any local rule or order under which the practice is allowed or regulated, and submit the statement to the State Government, together with his opinion as to whether the practice should be permitted or prohibited wholly or in part.

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

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

(a) by altering the limits of the land under settlement so as to exclude land of sufficient extent, of a suitable kind, and in a locality reasonably convenient for the purposes of the claimants, or

(b) by causing certain portions of the land under settlement to be separately demarcated, and giving permission to the claimants to practice shifting cultivation therein under such conditions as he may prescribe.

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

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

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

Power to acquire land over which right is claimed.

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

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

(3) For the purpose of so acquiring such land—

- (a) the Forest Settlement Officer shall be deemed to be a Collector proceeding under the Land Acquisition Act, 1894 (I of 1894);
- (b) the claimant shall be deemed to be a person interested and appearing before him in pursuance of a notice given under section 9 of that Act ;
- (c) the provisions of the preceding section of that Act shall be deemed to have been complied with; and
- (d) the Collector, with the consent of the claimant, or the Court, with the consent of both parties, may award compensation in land, or partly in land and partly in money.

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

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

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

Record to be made by Forest Settlement Officer.

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

14. If the Forest Settlement Officer admits in whole or in part any claim under section 12, he shall also record the extent to which the claim is so admitted, specifying the number and description of the cattle which the claimant is from time to time entitled to graze in the forest, the season during which such pasture is permitted, the quantity of timber

Record where he admits claim.

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

Exercise of rights
admitted.

15. (1) After making such record the Forest Settlement Officer shall, to the best of his ability, and having due regard to the maintenance of the reserved forest in respect of which the claim is made, pass such orders as will ensure the continued exercise of the rights so admitted.

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

(a) set out some other forest-tract of sufficient extent, and in a locality reasonably convenient, for the purposes of such claimants, and record an order conferring upon them a right of pasture or to forest produce (as the case may be) to the extent so admitted; or

(b) so alter the limits of the proposed forest as to exclude forest land of sufficient extent, and in the locality reasonably convenient, for the purposes of the claimants; or

(c) record an order, continuing to such claimants a right of pasture or to forest produce, as the case may be, to the extent so admitted, at such seasons, within such portions of the proposed forest, and under such rules, as may be made in this behalf by the State Government.

Commutation
of rights.

16. In case the Forest Settlement Officer finds it impossible, having due regard to the maintenance of the reserved forest, to make such settlement under section 15 as shall ensure the continued exercise of the said rights to the extent so admitted, he shall, subject to such rules as the State Government may make in this behalf, commute such rights, by the payment to such persons of a sum of money in lieu thereof, or by the grant of land, or in such other manner as he thinks fit.

Appeal from
order passed
under section 11,
section 12, sec-
tion 15 or section
16.

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

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

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

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

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

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

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

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

20. (1) When the following events have occurred, namely:—

- (a) the period fixed under section 6 for preferring claims has elapsed, and all claims, if any, made under that section or section 9 have been disposed of by the Forest Settlement Officer; Notification declaring forest reserved.
- (b) if any such claims have been made, the period limited by section 17 for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the appellate officer or Court; and
- (c) all lands (if any) to be included in the proposed forest, which the Forest Settlement Officer has, under section 11, elected to acquire under the Land Acquisition Act, 1894 (No. 1 of 1894) have become vested in the Government under section 16 of that Act, the State Government shall publish a notification in the local Official Gazette specifying definitely, according to boundary marks erected or otherwise, the limits of the forest which is to be reserved, and declaring the same to be reserved from a date fixed by the notification.

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

20-A. (1) Notwithstanding anything contained in this Act or in any other law for the time being in force, any forest land or waste land in the territories comprised within an Indian State immediately before the date of its merger in any of the Integrating States now forming part of this State (hereinafter in this section referred to as the "merged territories"),— Forest land or waste land deemed to be reserved forests.

- (i) which had been recognised by the Ruler of any such State immediately before the date of merger as a reserved forest in pursuance of any law, custom, rule, regulation, order or notification for the time being in force; or

- (ii) which had been dealt with as such in any administration report or in accordance with any working plan, or register maintained or acted upon immediately before the said date and has been continued to be so dealt with thereafter, shall be deemed to be reserved forests for the purposes of this Act.

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

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

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

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

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

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

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

Publication of translation of such notification in neighbourhood of forest.

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

Power to revise arrangement made under section 15 or section 18.

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

23. No right of any description shall be acquired in or over a reserved forest except by succession or under a grant or contract in writing made by or on behalf of the Government or some person in whom such right was vested when the notification under section 20 was issued. No right acquired over reserved forest except as here provided.

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

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

(2) No timber or other forest produce obtained in exercise of any such right shall be sold or bartered except to such extent as may have been admitted in the order recorded under section 14.

25. The Forest Officer may, with the previous sanction of the State Government or of any officer duly authorised by it in this behalf, stop any public or private way or water-course in a reserved forest, provided that a substitute for the way or water-course so stopped, which the State Government deem to be reasonably convenient, already exists, or has been provided or constructed by the Forest Officer in lieu thereof. Power to stop ways and water courses in reserved forest.

26. (1) Any person who— Acts prohibited in such forests.

- (a) makes any fresh clearing prohibited by section 3; or
- (b) sets fire to a reserved forest or to a forest land, in respect of which a notification declaring the decision of the State Government to constitute it as reserved forest has been issued under section 4 or in contravention of any rule made by the State Government in this behalf, kindles in any such forests a fire or leaves a fire burning in such manner as to endanger such a forest ;
- (c) kindles, keeps or carries any fire except at such seasons as the forest officer may notify in this behalf ;
- (d) trespasses or pastures cattle, or permits cattle to trespass ;
- (e) causes any damage by negligence in felling any tree or cutting or removing any timber ;
- (f) fells, girdles, lops, taps, or burns any tree or strips off the bark or leaves from, or otherwise damages the same or any forest produce ;
- (g) quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes any forest produce ;
- (h) clears or breaks up any land for cultivation or any other purpose to cultivate or attempts to cultivate any land in any other manner ; and
- (i) in contravention of any rules made in this behalf by the State Government hunts, shoots, fishes, poisons water or sets traps, or snares ; or

- (j) in any area in which the Elephants, Preservation Act, 1879 (VI of 1879), is not in force, kills or catches elephants in contravention of any rules so made;

shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both, in addition to such compensation for damage done to the forest as the convicting Court may direct to be paid.

(2) Nothing in this section shall be deemed to prohibit:—

- (a) any act done by permission in writing of the Forest Officer, or under any rule made by the State Government; or
(b) the exercise of any right continued under clause (c) of subsection (2) of section 15 or created by grant or contract in writing made by or on behalf of the Government under section 23.

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

Power to declare forest no longer reserved.

27. (1) The State Government may, by notification in the local official Gazette, direct that, from a date fixed by such notification, any forest or any portion thereof reserved under this Act shall cease to be a reserved forest.

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

CHAPTER III—OF VILLAGE FORESTS

Formation of village forests.

28. (1) The State Government may assign to any village community the rights of Government to or over any land which has been constituted a reserved forest, and may cancel such assignment. All forests so assigned shall be called village forests.

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

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

CHAPTER IV—OF PROTECTED FORESTS

Protected Forests.

29. (1) The State Government may by notification in the local official Gazette, declare the provisions of this Chapter applicable to any forest land or waste land which is not included in a reserved forest, but which is the property of Government, or over which the Government

has proprietary rights, or to the whole or any part of the forest produce of which the Government is entitled.

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

(3) No such notification shall be made unless the nature and extent of the rights of Government and of private persons in or over the forest land or waste land comprised therein have been inquired into and recorded at a survey or settlement, or in such other manner as the State Government think sufficient. Every such record shall be presumed to be correct until the contrary is proved:

Provided that, if, in the case of any forest land or waste land, the State Government think that such inquiry and record are necessary, but that they will occupy such length of time as in the meantime to endanger the rights of Government, the State Government may, pending such inquiry and record, declare such land to be a protected forest, but so as not to abridge or affect any existing rights of individuals or communities.

30. The State Government may by notification in the local official Gazette:—

Power to issue notification reserving trees, etc.

- (a) declare any trees or class of trees in a protected forest to be reserved from a date fixed by the notification;
- (b) declare that any portion of such forest specified in the notification shall be closed for such terms, not exceeding thirty years, as the State Government think fit, and that the rights of private persons, if any, over such portion shall be suspended during such term, provided that the remainder of such forest be sufficient, and in a locality reasonably convenient, for the due exercise of the rights suspended in the portion so closed; or
- (c) prohibit, from a date fixed as aforesaid, the quarrying of stone, or the burning of lime or charcoal, or the collection or subjection to any manufacturing process, or removal of any forest produce in any such forest, and the breaking up or clearing for cultivation, for building, for herding cattle or for any other purpose, of any land in any such forest.

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

Publication of translation of any such notification in neighbourhood.

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

Power to make rules for protected forests.

- (a) the cutting, sawing, conversion, and removal of trees and timber, and the collection, manufacture and removal of forest produce, from protected forest;
- (b) the granting of licences to the inhabitants of towns and villages in the vicinity of protected forests to take trees, timber or other forest produce for their own use, and the production and return of such licences by such persons;

- (c) the granting of licences to persons felling or removing trees or timber or other forest produce from such forests for the purposes of trade, and the production and return of such licences by such persons;
- (d) the payments, if any, to be made by the persons mentioned in clauses (b) and (c) for permission to cut such trees, or to collect and remove such timber or other forest produce;
- (e) the other payments, if any, to be made by them in respect of such trees, timber and produce, and the places where such payment shall be made;
- (f) the examination of forest produce passing out of such forests;
- (g) the clearing and breaking up of land for cultivation or other purposes in such forests;
- (h) the protection from fire of timber lying in such forests and of trees reserved under section 30;
- (i) the cutting of grass and pasturing of cattle in such forests;
- (j) hunting, shooting, fishing, poisoning water and setting traps or snares in such forests, and the killing or catching of elephants in such forests in areas in which the Elephants Preservation Act, 1879 (VI of 1879), is not in force;
- (k) the protection and management of any portion of a forest closed under section 30; and
- (l) the exercise of rights referred to in section 29.

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

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

- (a) fells, girdles, lops, taps or burns any tree reserved under section 30, or strips off the bark or leaves from, or otherwise damages, any such trees or forest produce;
- (b) contrary to any prohibition under section 30, quarries any stone, or burns any lime or charcoal, or collects, subjects to any manufacturing process, or removes any forest produce;
- (c) contrary to any prohibition under section 30, clears or breaks any land for cultivation or for any other purpose, or cultivates or attempts to cultivate any land in any other manner in any protected forests;
- (d) sets fire to such forest, kindles fire without taking all reasonable precautions to prevent its spreading to any tree reserved under section 30, whether standing, fallen or felled, or to any closed portion of such forest;
- (e) leaves burning any fire kindled by him in the vicinity of any such tree or closed portion;
- (f) fells any tree or removes any timber so as to damage and tree reserved as aforesaid;

- (g) permits cattle to damage any such trees;
- (h) infringes any rule made under section 32, shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one thousand rupees, or with both.

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

34. Nothing in this Chapter shall be deemed to prohibit any act done with the permission in writing of the Forest Officer, or in accordance with rules made under section 32, or except as regards any portion of a forest closed under section 30, or as regards any rights the exercise of which has been suspended under section 33, in the exercise of any right recorded under section 29.

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

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

Power to declare forest no longer protected.

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

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

35. (1) The State Government, may by notification in the local official Gazette, regulate or prohibit in any forest or waste-land,—

Protection of forests for special purposes.

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

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

- (i) for protection against storms, winds, rolling stones, floods and avalanches;
- (ii) for the preservation of the soil, on the ridges and slopes and in the
- (iii) for the maintenance of a water-supply in springs, rivers and tanks; valleys of hilly tracts, the prevention of landslips or of the formation of ravines and torrents, or the protection of land against erosion, or the deposit thereon of sand, stones or gravel;
- (iv) for the protection of roads, bridges, railways and other lines of communication;

(iv-a) for preventing destruction and for promoting conservation and development of forests;

(v) for the preservation of the public health ;

(d) the cutting of plants and trees.

(2) The State Government may, for any such purpose, construct at its own expense, in or upon any forest or waste-land such work as they think fit.

(3) No notification shall be made under sub-section (1) nor shall any work be begun under sub-section (2), until after the issue of a notice to the owner of such forest or land calling on him to show cause, within a reasonable period to be specified in such notice, why such notification should not be made or work constructed, as the case may be, and until his objections, if any, and any evidence he may produce in support of the same, have been heard by an officer duly appointed in that behalf and have been considered by the State Government.

Power to assume management of forests.

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

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

(3) For the purpose of calculating the net profits, the total expenditure incurred on the working and management of the forest shall be adjusted against the total income from the working and management up to the date of account.

(4) For the purpose of sub-section (3)—

(a) the total income shall include the proceeds of confiscation or forfeitures for forest offences not committed by the owner in respect of the forest or the forest produce thereof after deducting from such proceeds the rewards, if any, paid to informers and officers out of such proceeds ;

(b) the total expenditure shall include—

(i) an amount equal to twenty per cent of total income in lieu of supervision charges payable to Government;

(ii) the value of any forest produce removed or any advantage taken by the owner after the date on which such forest or land is taken under management by Government;

(iii) cost of management incurred on the pay and allowances of the forest department staff; and

(iv) such incidental expense as may be incurred for the storage, transport and sale of the articles or forest produce forfeited or confiscated;

37. (1) In any case under this Chapter in which the State Government consider that, in lieu of placing the forest or land under the control of a Forest Officer, the same should be acquired for public purposes, the State Government may proceed to acquire it in the manner provided by the Land Acquisition Act, 1894 (No. I of 1894).

Expropriation of forests in certain cases.

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

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

Protection of forests at request of owners.

(a) that such land be managed on their behalf by the Forest Officer as a reserved or a protected forest on such terms as may be mutually agreed upon; or

(b) that all or any of the provisions of this Act be applied to such land.

(2) In either case the State Government may, by notification in the local official Gazette, apply to such land such provisions of this Act as they think suitable to the circumstances thereof and as may be desired by the applicants.

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

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

Power to impose duty on timber and other forest produce.

(a) which is produced in the territories to which this Act extends, and in respect of which the Government have any right;

(b) which is brought from any place outside the territories to which this Act extends.

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

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

(4) Notwithstanding anything in this section, the State Government may, until provision to the contrary is made by Parliament continue to levy any duty which they were lawfully levying before the commencement of the Constitution, under this section as then in force:

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

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

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

Power to make rules to regulate transit of forest produce. 41. (1) The control of all rivers and their banks as regards the floating of timber, as well as the control of all timber and other forest produce in transit by land or water, is vested in the State Government, and it may make rules to regulate the transit of all timber and other forest produce.

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

- (a) prescribe the routes by which alone timber or other forest produce may be imported, exported or moved into, from or within the State.
- (b) prohibit the import or export or moving of such timber or other produce without a pass from an officer duly authorized to issue the same, or otherwise than in accordance with the conditions of such pass;
- (c) provide for the issue, production and return of such passes and for the payment of fees therefor;
- (d) provide for the stoppage, reporting, examination and marking of timber or other forest produce in transit, in respect of which there is reason to believe that any money is payable to the Government on account of the price thereon, or on account of any duty, fee, royalty or charge due thereon, or to which it is desirable for the purposes of this Act to affix a mark;
- (e) provide for the establishment and regulation of depot to which such timber or other produce shall be taken by those in charge of it for examination, or for the payment of such money; or in order that such marks may be affixed to it; and the condition under which such timber or other produce shall be brought to, stored at and removed from such depots;
- (f) prohibit the closing up or obstructing of the channel or banks of any river used for the transit of timber or other forest produce; and the throwing of grass, brushwood, branches or leaves into any such river or any Act which may cause such river to be closed or obstructed;

(g) provide for the prevention or removal of any obstruction of the channel or banks of any such river, and for recovering the cost of such prevention or removal from the person whose acts or negligence necessitated the same;

(h) Prohibit absolutely or subject to conditions, within specified local limits, the establishment of sawpits, the converting, cutting, burning, concealing or marking of timber, the altering or effacing of any marks on the same, or the possession or carrying of marking hammers or other implements used for marking timber;

(i) regulate the use of property marks for timber, and the registration of such marks; prescribe the time for which such registration shall hold good; limit the number of such marks that may be registered by any one person, and provide for the levy of fees for such registration.

(3) The State Government may direct that any rule made under this section shall not apply to any specified class of timber or other forest produce or to any specified local area.

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

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

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

Penalty for breach of rules made under section 41.

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

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

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

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

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

CHAPTER VIII—THE COLLECTION OF DRIFT AND STRANDED TIMBER

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

45. (1) All timber found a drift, beached, stranded or sunk, all wood or timber bearing marks which have not been registered in accordance with rules made under section 41, or on which the marks have been obliterated, altered or defaced by fire or otherwise: and in such areas as the State Government direct, all unmarked wood and timber; shall be deemed to be the property of Government, unless and until any person establishes his right and title thereto, as provided in this Chapter.

(2) Such timber may be collected by any Forest Officer or other person entitled to collect the same by virtue of any rule made under section 51, and may be brought to any depot which the Forest Officer may notify as a depot for the reception of drift timber.

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

Notice to claimants of drift timber.

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

Procedure on claim preferred to such timber.

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

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

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

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

Disposal of unclaimed timber.

48. If no such statement is presented as aforesaid, or if the claimant omits to prefer his claim in the manner and within the period fixed by the notice issued under section 46, or on such claim having been so preferred by him and having been rejected, omits to institute a suit to recover possession of such timber within the further period fixed by section 47, the ownership of such timber shall vest in the Government, and such timber has been delivered to another person under sec-

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

Government and its officers not liable for damage such timber.

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

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

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

Power to make rules and prescribe penalties.

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

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

CHAPTER IX—PENALTIES AND PROCEDURE

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

Seizure of property liable to confiscation.

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

Provided that, when the forest produce with respect to which such offence is believed to have been committed is the property of Government and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

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

Power to release property seized under section 52.

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

Government and its officers not liable for damage such timber.

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- (d) the use and registration of hammers and other instruments to be used for marking such timber.

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

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Seizure of property liable to confiscation.

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

Provided that, when the forest produce with respect to which such offence is believed to have been committed is the property of Government and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

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

Power to release property seized under section 52.

Procedure there-
upon.

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

Forest produce,
tools, etc., when
liable to confisca-
tion.

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

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

Disposal, on con-
clusion of trial
for forest offences,
of produce in
respect of which
it was committed

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

Procedure when
offender not
known, or cannot
be found.

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

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

Procedure as to
perishable pro-
perty seized
under section 52.

58. The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under section 52 and subject to speedy and natural decay, and may deal with the proceeds as he would have dealt with such property if it had not been sold.

Appeal from or-
der under section
55, section 56 or
section 57.

59. The officer who made the seizure under section 52, or any of his official superiors, or any person claiming to be interested in the property so seized, may, within one month from the date of any order passed under section 55, section 56 or section 57, appeal therefrom to the Court to which orders made by such Magistrate are ordinarily appealable, and the order passed on such appeal shall be final.

Property when to
vest in Govern-
ment.

60. When an order for the confiscation of any property has been passed under section 55 or section 57, as the case may be, and the period limited by section 59 for an appeal from such order has elapsed and no such appeal has been preferred, or when, on such an appeal being preferred, the Appellate Court confirms such order in respect of the whole or a portion of such property, such property or such portion thereof as the case may be, shall vest in the Government free from all encumbrances.

Saving of power
to release pro-
perty seized.

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

62. Any Forest Officer or Police Officer who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Act shall be punishable with imprisonment for a term which extend to one year, or with fine which may extend to one thousand rupees, or with both. Punishment for wrongful seizure.

63. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Indian Penal Code (XIV of 1860):— Penalty for counterfeiting or defacing marks on trees and timber and for altering boundary marks.

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

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

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

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

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

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

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

67. The District Magistrate or any Magistrate of the First Class especially empowered in this behalf by the State Government may try Power to try offences sum-

Power to compound offences.

68. (1) The State Government may, by notification in the local official Gazette, empower a Forest Officer,—

(a) to accept from any person against whom a reasonable suspicion exists that he has committed any forest offence specified in section 62 or section 63, a sum of money by way of compensation for the offence which such person is suspected to have committed; and

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

(2) On the payment of such sum of money, or such value, or both, as the case may be, to such officer, the suspected person, if in custody, shall be discharged the property, if any, seized shall be released, and no further proceedings shall be taken against such person or property.

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

Presumption that forest produce belongs to Government.

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

CHAPTER X—CATTLE TRESPASS

Cattle Trespass Act, 1871, to apply.

70. Cattle trespassing in a reserved forest or in any portion of a protected forest which has been lawfully closed to grazing shall be deemed to be cattle doing damage to a public plantation within the meaning of section 11 of the Cattle Trespass Act, 1871 (I of 1871), and may be seized and impounded as such by any Forest Officer or Police Officer.

Power to alter fines fixed under that Act.

71. The State Government may, by notification in the local official Gazette, direct that, in lieu of the fines fixed under section 12 of the Cattle Trespass Act, 1871 (I of 1871), there shall be levied for each head of cattle impounded under section 70 of this Act such fines as they think fit, but not exceeding the following, that is to say:—

For each elephant	Ten rupees.
For each buffalo or camel	Two rupees.
For each horse, mare, gelding, poney colt, filly, mule, bull, bullock, cow or heifer.	One rupee.

Fifty paise.

CHAPTER XI—POWERS OF FOREST OFFICERS

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

State Government may invest forest officers with certain powers.

- (a) Power to enter upon any land and to survey, demarcate and make a map of the same ;
- (b) the powers of a civil court to compel the attendance of witnesses and the production of documents and material object;
- (c) power to issue a search warrant under the Code of Criminal Procedure, 1898 (V of 1898); and
- (d) power to hold an inquiry into forest offences, and in the course of such inquiry, to receive and record evidence.

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

73. All Forest Officers shall be deemed to be public servants within the meaning of the Indian Penal Code (XIV of 1860).

Forest Officers deemed public servants.

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

Indemnity for acts done in good faith.

75. Except with the permission in writing of the State Government, no Forest Officer shall, as principal or agent, trade in timber or other forest produce, or be or become interested in any lease of any forest or in any contract for working any forest, whether in or outside the territories to which this Act extends.

Forest Officers not to trade.

CHAPTER XII—SUBSIDIARY RULES

76. The State Government may make rules :—

Additional powers to make rules.

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

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

Penalties for breach of rules.

78. All rules made by the State Government under this Act shall be

Rules when to

CHAPTER XIII—MISCELLANEOUS

Persons bound to assist forest officers and police officers.

79. (1) Every person who exercises any right in a reserved or protected forests; or who is permitted to take any forest produce from or to cut and remove timber or to pasture cattle in such forest, and every person who is employed by any such person in such forests, and every person in any village contiguous to such forest who is employed by the Government or who receives emoluments from the Government for services to be performed to the community, shall be bound to furnish without unnecessary delay to the nearest Forest Officer or Police Officer any information he may possess respecting the commission of, or intention to commit, any forest offence, and shall forthwith take steps whether so required by any Forest Officer or police officer or not,—

- (a) to extinguish any forest fire in such forest of which he has knowledge or information;
- (b) to prevent by any lawful means in his power any fire in the vicinity of such forest of which he has knowledge or information from spreading to such forests, and shall assist any Forest Officer or Police Officer demanding his aid;
- (c) in preventing the commission in such forest of any forest offence; and
- (d) when there is reason to believe that any such offence has been committed in such forest, in discovering and arresting the offender.

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

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

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

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

80. (1) If the Government and any person be jointly interested in any forest or waste land, or in the whole or any part of the produce thereof, the State Government may either:—

- (a) undertake the management of such forests, waste land or produce, accounting to such person for his interest in the

- (b) issue such regulations for the management of the forest, waste land or produce by the person so jointly interested as it deems necessary for the management thereof and the interest of all parties therein.

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

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

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

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

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

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

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

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

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

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

Recovery of
money due to
Government.

82. All money other than fines, payable to State Government under this Act, or under any rules made thereunder or, on account of timber or other forest produce, or under any contract relating to timber and other forest produce including, any sum recoverable thereunder for the breach thereof, or in consequence of its cancellation, or under the terms of a notice relating to the sale of timber or other forest produce by auction or by invitation of tenders, issued by or under the authority of a Forest Officer and all compensation awarded to the State Government under this act may if not paid when due, be recovered, under the law for the time being in force, as if it were an arrear of land revenue.

Lien on Forest
produce for such
money.

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

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

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

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

84. Whenever it appears to the State Government that any land is required for any of the purposes of this Act, such land shall be deemed to be needed for a public purpose within the meaning of section 4 of the Land Acquisition Act, 1894 (I of 1894).

Recovery of
penalties due
under bond.

85. When any person, in accordance with any provision of this Act, or in compliance with any rule made thereunder, binds himself by any bond or instrument to perform any duty or act, or covenants by any bond or instrument that he, or that he and his servants and agents will abstain from any act, the whole sum mentioned in such bond or instrument as the amount to be paid in case of a breach of the conditions thereof may, notwithstanding anything in section 74 of the Indian Contract Act, 1872 (IX of 1872), be recovered from him in case of such breach as if it were an arrear of land revenue.

Saving of rights
of Central Gov-
ernment.

85-A. Nothing in this Act shall authorise a Government of any State to make any order or to do anything in relation to any property not vested in that State or otherwise prejudice any rights of the Central Government or the Government of any other State without the consent of the Government concerned.

Repeals.

86. Repealed by the Repealing and Amending Act, 1948 (2 of 1948), S. 2 and Schedule.

THE SCHEDULE

Repealed by the Repealing and Amending Act, 1948 (2 of 1948) S. 3

PART II
Organization of the Forest Department

CHAPTER I—CONSTITUTION OF ADMINISTRATIVE AND EXECUTIVE CHARGES

Deleted as the Forest Department has been reorganised with effect from 1-10-76.

CHAPTER II—POSITION AND DUTIES OF SUPERIOR OFFICERS

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

The Principal
Chief Con-
servator of
Forests.

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

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

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

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

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

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

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

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

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

The annual Forest Administration Report of the State will be prepared by the Principal Chief Conservator of Forests and submitted to the State Government.

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

The Conservator
of Forests.

6. (1) It is the duty of the Conservator to make frequent tours of inspection and to visit once a year as many of the forests under his control as possible. During these tours the following points should receive particular attention, and, if necessary, be especially reported on to the provincial Government :—

- (1) Surveys and Settlements, made or in progress and their cost, extent to which they are still required; nature and adequacy of the maps and settlement records prepared; results of working under the settlements in force.
- (2) Working plans, already made or in progress and their cost, extent to which plans are still required; results of working of plans in force.
- (3) Forest boundaries their nature and state of repair, demarcation work in progress and its cost, demarcation, work still to be done.
- (4) Roads, buildings and other similar works, in existence or under construction, their cost, state or repair, new roads, buildings, or other works required.
- (5) Executive and protective staff, efficiency, state discipline etc.
- (6) Conditions of the forests, the methods of treatment employed; natural reproduction, causes which interfere with it, etc.
- (7) Protection of the forests from injury, by man, by cattle, by fires, etc; breaches of the forests rules, their frequency and causes.
- (8) Works of reproduction and cultural improvements, extent condition, and cost of plantations made, condition of nurseries, new sowings or plantings required; thinings, creeper-

(9) Method of working and management in force, advantage, or otherwise of these methods, expenditure incurred on them; outturn of the forests and financial results.

(10) Timber depots, their situation and adequacy, condition in which kept; state of the records kept up in connection with them etc.

(2) The Conservator should further see that all money transactions are conducted in accordance with the rules in force; and he should examine the cost of current works, as well as of those which have been spread over several years. He should also ascertain that the Divisional Officer and other members of the controlling staff are conversant with their duties, that discipline is maintained, and that work is properly supervised.

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

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

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

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

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

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

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

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

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

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

(7) The depots of forest produce whether regular depots or forest coupes of areas in which forest produce is collected or cut, are in his charge and he will see to the protection of such produce.

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

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

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

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

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

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

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

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

(iii) The monthly accounts will be submitted to him direct by the Range Officer. He will scrutinize the expenditure and contingencies and forward to the Divisional Office for final check and incorporation. His check will extend to the comparison of an expenditure with the annual plan of operations to ensure proper progress. Lump sum payments for works such as repairs to roads and buildings require his special attention and he should not hesitate to disallow any items of expenditure concerning which he entertains any doubt. He should also see that his Range Officers do not leave disbursements to their assistants which they could have made themselves. His financial responsibility does not end there. He must still exercise the supervision prescribed in (4) above.

(iv) He will maintain two registers of compounded cases. The cases will be numbered consecutively and the registers will be used in alternate months. At the end of the first, third,

month the first register will be forwarded to the Divisional Officer for scrutiny and completion of entries regarding recoveries and return to the Sub-Divisional Officer before the end of the second, fourth, sixth, etc; month. The second register will be used for the second, fourth, and sixth, etc; month and dealt with on the same lines.

- (v) As regards revenue accounts, he will check stocks, inspect the depot forms and all objection statements to vendors and depot officers will pass through him.
- (vi) He will inspect stores, tools and plant, also live and dead stock buildings and roads, at range quarters and in the course of his tour, note on defects, losses adequacy and suitability, need of improvement and repair.
- (vii) The state of taccavi recoveries will be specially noted on by him in the course of his touring.
- (viii) All correspondence with the Divisional Forest Officer and Range Officer will be by no means of memos and orders to Range Officers and Range Subordinates should as far as possible be entered in their note books. He should endeavour to curtail correspondence by keeping in personal touch with the Divisional Officer.
- (ix) All disciplinary action taken by the Sub-Divisional Officer will be reported promptly to the Divisional Officer.
- (x) The leave ledgers of the Range staff are maintained in the Divisional Officer and before granting leave which he is competent to sanction he must obtain the accountant's report. He will maintain a register of casual leave granted.

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

S. No. (1)	Nature of Power (2)	Limit or restriction (3)	Remarks (4)
1	To appoint on probation and accept the resignation of Beat Guards and Menials.	..	Action to be reported to Divisional Forest Officer.
2	Posting and transfer of Beat Guards within the Sub-Division.	Except Beat Guards acting as Range Assistants.	
3	Suspension of any member of the subordinate Service, Range and Sub-Divisional Clerks.	Except Range Officers	Do.
4	To grant leave to Range Clerks and Sub-Divisional Clerks, Beat Guards and Menials.	All kinds of leave except special disability leave and leave out of India.	
5	To grant casual leave to all Non-Gazetted Officers serving under them.	..	

(1)	(2)	(3)	(4)
6	To sanction advances of travelling allowance on transfer to their subordinates.	..	
7	To sanction ordinary expenditure and usual payments within budget limits.	..	

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

The Collector

9. The management of Government Forests in a district is entrusted to the Divisional Officer subject to the general supervision of the Collector. To facilitate this general supervision it is incumbent on the Divisional Officer to keep the Collector informed of all important matters affecting the general forest administration of the district.

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

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

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

(a) Study of the working plan.—The plan besides prescribing the methods of exploitation and conservation of the forest includes a discussion by the Revenue Officer associated with the Working Plans Officer under paragraphs 71 to 73 of the Manual as to the requirements of the local population, and the extent to which they are met by the plan together with the orders of the State Government on this subject.

(b) The Annual Forest Administration Report.

(c) The diaries of the Divisional Officer.

- (d) Letters from the Divisional Officer to the Conservator will pass through the Collector's Office in original.
- (e) Enquiries made on tours which should be specially directed to determine whether the effect of the working plan on the interests of the public is as anticipated and is unobjectionable and to gathering facts bearing on matters which may at the time be under discussion with the forest authorities.

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

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

The Commissioner.

CHAPTER III—THE INDIAN FOREST SERVICE

Rule 11 to 16 deleted.

The recruitment, appointment and promotion, etc., of the officers of Indian Forest Service are regulated by rules contained in "All India Services Manual".

THE SUBORDINATE FOREST SERVICES

Classification of Services. 17. The Subordinate Forest Services have been re-classified as follows by Notification No. 2103-1062-IV, dated the 9th November 1932, Forest Department Memorandum No. 600-415-XI, dated the 20th/21st June 1941, and No. 497-1084-XI-41, dated the 3rd May 1942—

(1) Forest Rangers, (2) Saw Mill Engineer, (3) Saw Mill Manager, (4) Saw Mill Jamadar, (5) Deputy Rangers, (6) Engine Driver, Fitter, Head Sawyer and Assistant Engine Driver, Boiler Fitter including work of a Beltman, (7) Foresters, (8) Assistant Sawyer, Saw Sharpeners, Oilman and Firtman, (9) Forest Guards including Range Orderlies and Mahauts and (10) Ministerial Service—

(a) Direction Office.

(b) Divisional Forest Officer's offices.

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

Explanation.—A candidate shall be deemed to be a permanent resident of the State, if—

(i) his father, or if the father is not alive, his mother has resided in the province for not less than twelve years immediately preceding the time of making an application for appointment; or

(ii) his father is on deputation for service out of the State or has gone out of the State on business during the aforesaid period but has adopted the State as his permanent home; or

(iii) his father or mother had, if both are dead, adopted the State as his or her permanent home and but for death would have been in residence in the State for not less than twelve years immediately preceding the time of making the application for appointment; or

(iv) his father and mother are dead and he has adopted the State as his permanent home and has resided in the State for not less than twelve years immediately preceding the time of making the application for appointment.

All appointments shall, in the first instance, be on probation for

satisfy himself by a test examination or otherwise that the nominee has acquired the special qualifications necessary for his work. If at the end of one year from first appointment the probationer has failed to qualify, his services may be dispensed with as being unsuitable for that particular post.

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

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

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

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

- (1) to subordinates of long service and tried ability and probity, irrespective of the educational certificates which they may hold but subject to any examination which the State Government may prescribe;
- (2) to candidates who have obtained the higher standard certificate for two years' training at the Forest College, Dehra Dun;
- (3) to candidates who have obtained the lower standard certificate of the Forest College at Dehra Dun or who have obtained the higher standard certificate at the Balaghat Forest School and who have rendered not less than two years' approved service as Deputy Rangers or Foresters.

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

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

(2) The rules for selection and training of students at the Dehra

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

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

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

Promotion. 23. No Forest Ranger shall be allowed to cross the efficiency bar at Rs. 130 in the old scale and at Rs. 100 in the new scale without the previous sanction of the Conservator of Forest. The second efficiency bar at Rs. 180 in the old scale, and Rs. 160 in the new scale shall not be passed by Forest Ranger without the sanction of the Principal Chief Conservator of Forests, who must be satisfied that the Ranger is fit to be placed in charge of the full duties attaching to the heaviest range which Rangers can be called to fill. Subject to these limitations the Divisional Forest Officer will order the grant of annual increments to all non-gazetted Officers.

Note.—There will be a pause of 5 years at the efficiency bar at Rs. 130 in the old scale of pay for promoted Rangers with lower certificates from the Dehra Dun or Coimbatore College or with certificates from the Balaghat Forest School, but against this pause any period of satisfactory service as Deputy Ranger since obtaining the certificate in question may be set off.

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

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

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

26. (1) Conservator will grant leave to Forest Rangers, Saw Mill

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

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

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

(3) A consolidated absentee statement of all leave granted to Forest Rangers, Saw Mill Engineer, Saw Mill Manager, Engine Driver, Fitter Head Sawyer, Assistant Engine Driver, Boiler Fitter including work of a Beltman, Assistant Sawyer, Saw Mill Jamadar, Deputy Rangers and Foresters serving in his circle will be furnished to the Accountant General by the Conservator.

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

27. (1) The Divisional Officer may suspend any nongazetted officer subordinate to him. Suspensions,
Reduction.

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

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

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

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

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

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

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

Conservators are empowered to appoint untrained draftsmen for Working Plan duty and in suitable cases to allow higher initial pay at Rs. 65 on the scale of pay of Rs. 50-3-80-
Rs. 21-00-00

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

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

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

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

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

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

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

Menials.

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

Temporary establishment.

31. Deleted.

Definition of labour.

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

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

(b) on the feed and keep of cattle;

(c) on the construction and maintenance of tools and plant;

(d) on the construction and maintenance of communications and buildings;

(e) on the demarcation, improvement, extension and protection of forests, including, subject to the Conservator's sanction, surveyors, and draftsmen employed on a definite piece of work.

(2) Coolies mates are comprised under the head of labour, but any further supervision is distinctly excluded.

(3) Permanently employed gardeners and workmen are comprised in labour only when their employment is sanctioned in the provisions of a working plan.

(4) House guards and sweepers employed in permanent depots or buildings are also excluded.

(5) Tent-keepers of a latter carriers employed for longer period than one year are also excluded.

CHAPTER IV—RULES RELATING TO THE EXAMINATIONS OF FOREST RANGERS

33. (1) All Forest Rangers will be required to pass a departmental examination in procedure and Accounts comprising the subject matter of (1) Forest Manual, (2) Forest Financial Rules, and (3) Forest Department Office Manual. Dy. Rangers are also permitted to appear for this examination. Examination of Rangers.

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

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

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

(5) Forest Rangers appointed directly on or after the 1st August 1926 will be required to pass the examination within two years of the date of their first appointment and will not be permitted to draw increments after the expiry of that period until they have passed.

(6) Subject to the exemption made in rules (11) (iii) below, no promoted Forest Ranger, whether officiating or temporary, holding such post on 1st September 1951 will be permitted to draw the second increment accruing after that date until he has passed the examination; and unless he does so before 1st September 1955, he will be reverted to his substantive post.

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

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

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

(10) Subject to the exemption provided for in rule (11) (iii), no promoted Forest Ranger, whether officiating or temporary, will be considered for confirmation in the Rangers grade until he has passed the departmental test.

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

(ii) Promoted Rangers who have already been confirmed in their appointments before 1st September 1951.

(iii) All promoted Rangers who are continuously officiating or holding temporary posts of Forest Rangers before 1st January 1944.

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

CHAPTER V—CONFIDENTIAL REPORTS

Confidential
Reports.

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

INDIAN FOREST SERVICE OFFICERS

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

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

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

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

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

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

(4) The qualifications of officers in class (ii) must be examined fully. In the case of Deputy Conservators not acting as Conservators, the opinion of the Collector as well as the Conservator and the Principal Chief Conservator of Forests, should be quoted, and during the course, of the year, for which the report is made the Collector should institute, if necessary, special enquiries as to the character and work of the officer concerned. As regards acting Conservators, the Principal Chief Conservator of Forests should forward the report to the State Government with his opinion. A definite expression of the views of the State Government

(5) Officers in class (ii) fall under two sub-heads :—

- (a) those who are probably fit for a Conservatorship ;
- (b) those who are probably unfit, but who deserve a further trial.

(6) The Government of India desire to make it clearly understood that no officer will be definitely accepted as eligible for a Conservatorship, unless he is considered qualified to hold charge of any forest circle in India.

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

(8) To ensure punctual submission the Principal Chief Conservator will forward on the month of May the requisite blank forms to the officers concerned. After the officer's name and designation have been filled in, the forms will be returned to him not later than the 10th of June. The instructions regarding writing up of the Confidential Reports have been issued vide M.P. Forest Department memo No. 376/10-1/78, dated 11-1-78 and amendment issued vide memo No. 2332 10-1/78, dated 9-3-78

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

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

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

MADHYA PRADESH SUPERIOR FOREST SERVICE OFFICERS

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

Superior Forest
Service
Officers.

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

(i) those who have been so strongly recommended by the Principal Chief Conservator of Forests that they have been definitely accepted by the State Government as eligible for Conservatorship.

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

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

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

(4) The qualifications of officers in class (ii) must be examined fully. In the case of Deputy Conservators not acting as Conservators, the opinion of the Collector as well as the Conservator and the Principal Chief Conservator of Forests, should be quoted and during the course of the year, for which the report is made, the Collector should institute, if necessary, special enquiries as to the character and work of the officer concerned. As regards acting Conservator, the Principal Chief Conservator of Forests should give a definite expression of his views to the State Government.

(5) Officers in class (ii) fall under two sub-heads:—

(a) those who are probably fit for a Conservatorship ;

(b) those who are probably unfit but who deserve a further trial.

(6) The State Government desire to make it clearly understood that no officer will be definitely accepted as eligible for a Conservatorship, unless he is considered by the Principal Chief Conservator of Forests qualified to hold charge of any forest in the State.

(7) A separate form should be used for each officer reported on and all reports should be forwarded to the State Government in the Forest Department, in duplicate.

(8) To ensure punctual submission the Principal Chief Conservator of Forests will forward on the 10th of May, the requisite blank forms to the officers concerned. After the officer's name and designation have been filled in, the forms will be returned to him not later than 10th June. The instructions regarding writing up of the Confidential Reports have been issued vide M.P. Forest Department memo No. 376/10-1/78, dated 11-1-78 and amendment issued vide memo No. 2332/10-1/78, dated 9-3-78.

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

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

CHAPTER VI—SPECIAL TO SUBORDINATES

35. Divisional Officers will keep, corrected up-to-date, a seniority list of all subordinates serving under them who are in receipt of a salary of less than Rs. 20 per month. Seniority lists.

36. No definite orders are issued as to the relative precedence of non-gazetted Forest Officers with officers of corresponding standing in other departments, but pay may be taken as a general guide in determining the precedence. Status of Rangers and Deputy Rangers.

37. Rangers, Deputy Rangers, Range Assistants, Range Clerks, Foresters, Forest Jamadars and Forest Guards stationed at the ranges noted below are given bad climate allowance in the form of special pay at the monthly rates shown below :— Bad climate allowance.

S. No.	Name of Range				Class of subordinates	Rates of allowance
(1)	(2)				(3)	(4)
						Rs.
<i>Mandla Division</i>						
1	Motinsla	..	..	..	..
2	Dindori	..	..	..	..
3	Karanjia	..	..	..	..
<i>Hoshangabad Division</i>						
4	Bori	..	..	..	.. Forest Rangers	20
5	Sohagpur in respect of subordinates serving in Khapa Circle only.				Deputy Rangers	10
<i>Balaghat Division</i>						
6	Supkhar	..	..	..	.. Range Assistants	10
7	Bailhar	..	..	..	.. Range Clerks	6
<i>South Chanda Division</i>						
8	Sironcha	..	..	..	.. Foresters	6
9	Allapilli	..	..	..	.. Forest Guards	2
10	Aheri leased range	..	..	..	..
11	Pedigundam	..	..	..	.. Jamadars drawing Rs. 20 and above.	6
<i>Rajpur Division</i>						
12	Sitanaadi	..	..	..	.. Jamadars drawing less than Rs. 20.	
13	Nagri	..	..	..	..
14	Birgudi	..	..	..	..
15	Dhamtari in respect of subordinates serving in the Mohdi and Singhpur Circles only.				Mahauts	2
16	Risgaon	..	..	..	..
<i>Nisar Division</i>						
17	Kalibhit (East and West)	..	..	..	..

The Bad Climate Allowance has been withdrawn from 1-11-1967 as per M.P. Finance Department memo No. 2313/4336/N—R/II/67 dt. 9-11-67.

Melghat
allowance.

37-A. Rangers, Deputy Rangers, Foresters (whether acting as Range Assistants or employed on special duty such as road construction, departmental timber operations) Forest Guards and Range clerks stationed in the Melghat proper of the newly formed Amraoti Division, as described in column (1) of the table below, draw Melghat allowance of the nature of special pay as defined in rule 9 (25) (c) of the Fundamental Rules, at the monthly rate shown against each :—

S. No.	Name of Range	Division	Class of subordinates	Rate of allowance
(1)	(2)	(3)	(4)	(5)
1 Chaurakund	}	Amraoti	Rangers, Deputy Rangers, Foresters and Range Clerks other than those stationed at Chikaldā.	At 25 per cent. of substantive or officiating pay subject of a maximum of Rs. 30 per mensem.
2 Khandu				
3 Sembadoh				
4 Gugamal				
5 Chikaldā			Forest Guards (officiating or permanent).	Rs. 2 per mensem.
6 Kirpani actually falling in the Melghat area.				

(Forest Department Letter No. 793-XIV-2-13, dated the 30th August, 1913, read with Forest Department Memorandum No. C-1011-247-XV, dated the 9th June, 1936 and No. 444-378-XV, dated the 16th August, 1934).

From 1-11-1956 Melghat is not in Madhya Pradesh.

Chikaldā
allowance.

37-B. The undermentioned forest subordinates in the Amraoti division will draw the compensatory allowance during their stay at Chikaldā at the rates and for the period noted against each:—

S. No.	Particulars of the official	Rate of allowance	Period during which the allowance is to be drawn
(1)	(2)	(3)	(4)
1 Range Clerk	25 per cent. of pay subject to a maximum of Rs. 30 per mensem.	Throughout the year
2 Divisional Forest Officer's Camp Clerk	Do.	From the 1st November to the 30th June
3 Two orderlies attached to the Divisional Forest Officer.	Rs. 1 per mensem each.	Do.
4 One Khalasi attached to the Divisional Forest Officer.	Do.	Do.
5 Mahauts	Rs. 1 per mensem each.	Throughout the year

From 1-11-1956 Chikaldā is not in Madhya Pradesh.

38. Divisional Officers will submit to the Conservator half yearly ^{Half-yearly} reports on the conduct and qualifications of subordinates drawing Rs. 20 ^{reports.} per mensem and upwards.

Security to be furnished by non-Gazetted Officers.

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

Rules regulating the furnishing of security by forest subordinates.

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

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

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

	Rs.
Forest Rangers and Range Officers	8,000
Range Assistants	500
Superintendents, head clerks and other clerks	300

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

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

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

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

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

7. Interest accruing on savings bank deposits, Government promissory notes or cash certificates will form part of the pledge to Government, until the full amount prescribed under rule 3 stands to the credit of the subordinate concerned. Amounts in excess will be refunded to the depositor as provided in rule 22.

8. Whilst a depositor is working in an office where no security is prescribed, the monthly recovery from his pay may be discontinued. The amount deposited as security will be repaid to the depositor on his ceasing to hold a lien over the post requiring furnishing of security. In the case of a non-gazetted officer, promoted to the gazetted rank, the amount of security deposit will not be refunded until the depositor is appointed substantively as a gazetted officer. If the depositor is transferred to another department the Head of his new office will decide whether the money should be repaid or transferred as security in that office.

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

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

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

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

- (a) the notes were purchased prior to 24th August 1918; and
- (b) the depositor has retired on a pension or died in service. Depositor resigning or removed from the service will not be compensated. The amount so expended will be charged to B—IV—E.

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

12 Deleted.

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

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

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

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

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

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

Dr. side—

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

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

Cr. side—

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

(ii) In the Divisional Accounts—

Dr. side—

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

Cr. side—

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

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

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

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

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

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

22. When the total amount of security in the form of Savings Bank deposits, Post Office 5-year Cash Certificates and Government Promissory Notes has reached the limit laid down in rule 3, the interest on Savings Bank deposits and Government Promissory notes together with the difference between the purchase and face values of matured cash certificates will be paid to depositors once a year in September on the initiative of the Divisional Officer and without a request from the depositor.

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

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

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

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

FORM A

Statement of Securities held by the Divisional Officer

Dated Division Circle, Madhya Pradesh

Details of Securities held by the Divisional Forest Officer

Name of Official	Office held	Date from which office held	Amount of security prescribed]	Personal Security			Cash Securities held by the Divisional Forest Officer				Total cash securities	Total Security held	Remarks
				Name of Surety	Amount	Date of last verification of solvency	Credit in post office savings bank	Market value of Govt. promissory notes	Purchase price or Cash Certificates				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	
			Rs.		Rs.		Rs.	Rs.	Rs.	Rs.			

Provision of quarters.

40. The State Government has sanctioned the grant of rent-free quarters to all members of the Subordinate Forest Service, viz; Rangers, Deputy Rangers, Foresters, Forest Guards, Paid Vendors, Range Moharrirs, and Orderlies irrespective of (1) whether they are stationed at isolated places or at district or taluk headquarters, and (2) whether the quarters are built by the Public Works Department or the Forest Department or are rented for the purpose.

Residences of rent.

40. (A) Officials who are occupying such residences free of rent and are in receipt of actual pay not exceeding Rs. 42 per mensem are exempted from payment of all taxes whether such taxes are under local rule or custom leviable on the owner or occupier. When the actual pay of such officials exceeds Rs. 42 per mensem, taxes for services rendered, e.g. conservancy and water rates, are recoverable from them even when such taxes are under local rule or custom leviable on the owner.

House rent allowance to depot clerks.

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

Dress regulation.

41. The rules for supply and wearing of uniforms are as under:—
1.—Uniforms, as described below, will be worn by all classes and grades when on duty:—

A.—Forest Rangers

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

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

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

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

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

Foot-wear.—Strong brown boots.

Head-dress.—A khaki topi with a flash consisting of a strip 3 inches high and $3\frac{1}{4}$ inches wide in red and gold as in the fringe of existing pagris. The flash will be worn on the left side of the topi.

Belts.—Sam-Browne.

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

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

B.—Deputy Rangers

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

Leg covering.—As for Rangers, except that putties of khaki drill 9' long 4½" wide with a 4' tape will be worn with full dress.

Foot covering.—As for Rangers.

Head dress.—A khaki topi with a flash consisting of a strop 3 inches high and 3½ inches wide in red and silver as in the fringe of existing pagris. The flash will be worn on the left side of the topi.

Note.—Sikh subordinates are exempted from the operation of the rules in A and B and can retain their original pagris, i.e., khaki cotton lungi with red and gold border at ends and gold fringe. Cotton lungi of khaki colour, red and silver border at ends and silver fringe for Deputy Rangers.

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

Arms.—A shikar knife or Nepali kukri.

C.—Foresters

Coat.—As for Deputy Rangers but buttoned up to the neck with cuffs and shoulder straps of same material. A brass badge (the letter "म.प्र.वन") will be worn on each shoulder strap. Silver chevrons (three for Foresters on Rs. 81 and above, two for foresters on Rs. 65 to Rs. 80 and one for all Foresters drawing below Rs. 65). Brass buttons for coat will have the word "वन" in the centre surrounded by wreath.

Leg covering.—As for Deputy Rangers.

Foot covering.—As for Rangers.

Head-dress.—Red cloth kulla and khaki cotton lungi with red and blue border at ends and red fringe.

Belt.—As for Deputy Rangers.

The badge on the belt to bear the words "वन विभाग मध्यप्रदेश" on the ring and teak plant and wreath in the centre (bright

D.—Forest Guards and other subordinates

Coat.—Khaki cotton drill (same quality as for Foresters) blouse closed with three brass buttons with cuffs and shoulder straps of the same material. The shoulder badge the same as for foresters. The bottom edge of blouse to reach knuckles of the hand.

Red cloth chevrons.—Two for Trained Forest Guards (Higher Standard).

Red cloth chevron.—One for Trained Forest Guards (Lower Standard).

Brass buttons for coat will have the word " वन " in the centre.

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

Foot covering.—Indian shoes or ammunition boots.

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

Belt.—Leather, waist, with badge on buckle.

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

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

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

E.—Orderlies

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

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

III. A sealed pattern of each article of uniforms will be kept in the Conservators office and of axes also in the Divisional Offices.

IV. In order further to secure perfect uniformity, a contractor may be appointed for each circle by the Conservator for the supply of clothing, including putties and chevrons; and with regard to turbans, belts (including badge and buckles) and shikar knives, the Conservator will employ separate contractors.

V. Indents for articles of clothing will be sent to the tailor contractor direct by Divisional Officers in accordance with instructions, and on being completed, the article will be despatched by the contractor direct to the Divisional Office.

with his bill, which, after due acceptance, will be paid by the Divisional Officer himself.

- VI. Divisional Officers will be responsible that their subordinates wear uniforms as prescribed above and keep their uniforms clean and neat.
- VII. When any subordinate is suspended pending an inquiry into his conduct, he will not wear uniform during the period of his suspension, and for the purpose of this rule, his uniform may, at the discretion of the Divisional Officer, be taken away from him for the time being.
- VIII. When a Forest Guard resigns the service or is dismissed he will give up his uniform to the Divisional Forest Officer, who may give it to his successor, or destroy it, so as to render it unserviceable as a uniform.
- IX. In the Direction and in all Divisional Forest Officers a register of the receipts and issues of uniforms or accoutrements which under rule II are supplied at State expense, will be maintained in the form overleaf. The uniforms of Forest Rangers and Deputy Rangers will be obtained by the Divisional Forest Officer from the appointed contractors and paid for by Government the cost being recovered in three equal monthly instalments from the officer for whom required, and, if necessary, credited as cash recovery of service payments made to the contractors.
- X. Blankets may be given every third year to peons, khallasis and mahouts who have to accompany the officers to whom they are attached on cold weather tours.

Note.—Divisional Forest Officers, Conservators of the Forests and the Principal Chief Conservator of Forests are empowered to sanction purchase of blankets every third year for temporary khallasis engaged for cold weather tours, subject to the condition that the expenditure on this account is met from the contingent allotment of the officers concerned.

- XI. Great coats may, by the sanction of the Principal Chief Conservator, be supplied once every five years, and at a cost of Rs. 145 each to Forest Guards posted in exceptionally cold localities, subjects to a maximum of 300 great-coats for the province.

Dress regulations for students at the Betul Forest School will be found in the school rules.

FOREST DEPARTMENT.....DIVISION

Uniform clothing account, financial year

Serial Number of item	Name of Forest Guard	Range	Date of despatch of indent	Date of		Number and date of Range Officer's acknowledgement	Number and date of credit item in Divisional Cash Book for the uniform	Amount paid	Remarks
				Receipts of uniform	Issue				Uniform as here used includes tunic, knicker bockers, putties and buttons. It does not in- clude turbans
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
								Rs.	

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

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

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

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

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

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

CHAPTER VII—CARRIAGE OF TENTS AND FURNITURE ON TOUR

46. Range Assistants, when they do not draw travelling allowances, are allowed to hire a coolie for the carriage of their records whenever they make a march accompanied with records. This is to obviate resort to begar. Carriage of Range Assistant's records.

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

Conservators may sanction the grant of an advance up to Rs. 200 in each case to Banias for maintaining shops for the supply of provisions and rasad to Forest Officers and their camp followers while on tour in jungly tracts, where provisions are not easily procurable. In the case of milk contractors of the Betul Forest School, advance up to Rs. 400 may be sanctioned. The Conservator may sanction an advance up to Rs. 400 to the Student's Club of the Betul Forest School on condition that it is recouped by the end of the academic year from 1st November to 31st October and that all the members of the club make themselves jointly and severally responsible for it by executing a bond.

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

(2) Advances granted to Banias for rasad arrangements should be recovered from them in not more than 3 instalments. It is left to the discretion of the officer making the advance to fix the instalments, but these should be so arranged that the last one becomes due before the services of the Bania are dispensed with. The whole amount of the advance should be recovered in full by the end of the tour for which it is granted.

Rules for the
occupation of
Forest rest-
houses.

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

(1) This rest-house is intended primarily for the use of Forest Officers of rank not below that of Forest Ranger.

(2) All other officers and travellers wishing to occupy this rest-house are required to obtain a pass from the Divisional Forest Officer authorizing them to do so; but any one using it must be prepared to vacate it when desired to do so by a Gazetted Forest Officer.

The Divisional Officer may give any officer by name, or as holding an appointment, general permission to use this house.

(3) No fees for occupation are charged to gazetted officers and their families when travelling on duty. The occupation fees for others are:—

For 1st class rest-house Rs. 2 per head a day.

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

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

(4) All occupants of this rest-house must keep the rest-house and its contents clean and tidy and must use the crockery and the furniture, etc. properly.

(5) All occupants of the rest-house are responsible for damage done during their occupancy to the buildings, furniture, out-houses, or compound, including trees, planted or otherwise, and will pay for such damage in accordance with the valuation of the Divisional Forest Officer.

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

(7) No animals may be tethered inside the rest-house compound and no other animals than horses, ponies or bullocks may be kept in the stable.

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

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

CHAPTER VIII—MISCELLANEOUS

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

OUTBREAK OF DISEASE AMONG CATTLE

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

1. Every outbreak of cattle disease and also contagious diseases in sheep and goats such as Rinderpest (Mata, Devi, Chai), Foot-and-Mouth, (Khurpaka, Lal, Khuracha Chapka), Pox (Chotimata, Devi), Plucro-pneumonia (Phepadeki-bimari, Daba, Bhatras), Foot rot (Khursada, Payasada, Khurra) and scabi (Khujli, Khuraj, Khaoda) must be promptly reported to the nearest Veterinary Assistant to enable him to take immediate steps to cope with the disease. The report shall be made by the kotwar to the mukaddam and by the latter to the Range Assistant. In the absence of the mukaddam, the kotwar himself should report to the Range Assistant who shall be responsible for posting the report without delay direct to the Veterinary Assistant, at the same time sending a duplicate copy of the report through the Range Officer to the Divisional Forest Officer. The Range Officer and the Divisional Forest Officer shall be in turn responsible for forwarding such reports.
- (2) Forest officials should give every assistance at the time of inoculation and persuade owners of cattle to have their animals inoculated.
- (3) Forest officials should do their best to induce the owner or grazier to bury the carcass of any animal dying of disease.
- (4) If any contagious disease in cattle occurs in a herd brought for sale or show at a fair, the Superintendent in charge of the fair should report the fact at once to the Veterinary Assistant Surgeon in whose jurisdiction the fair is held. He should take immediate steps to segregate the sick animal or animals brought to the fair either for sale or show and protect the incontact animals against the disease.

LEAVE ALLOWANCES NOT ATTACHABLE BY A COURT

51. For attachment of pay allowances for debt by the Civil Court, see Attachment of pay and leave allowances for

PART III—CONSTITUTION OF RESERVED FORESTS
CHAPTER IX—THE CLASSIFICATION OF RESERVED FORESTS
Madhya Pradesh

Classification of
forests in
Madhya Pradesh.

32. "The reserved forests are divided into two classes—A and B, those in class A being forests under a strict system of management or in process of being brought under such a system and those in class B being forests which are managed in some what laxer fashion. With a view to the ultimate exclusion of all areas which are not to be maintained as a part of the permanent forest estate, forests of class B are further sub-divided into two classes—

B-I. Areas selected from time to time as available for the introduction or extension of cultivation.

B-II. Other areas.

By these orders it is intended that all the areas now classed as B and all the areas unclassed should by degrees be definitely transferred to the permanent forest of class A or should be placed in class B-I as available for cultivation.

Gradually these latter areas would be brought under the plough or allotted to villages for the purposes of nistar, and their connection with the Forest Department finally severed by a notification disforesting them.

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

Berar

A & C Class
Forests in Berar.

Concessions in
a Class Forests
in Berar.

53. Deleted, as Berar is not in Madhya Pradesh since 1-11-1956.

54. Deleted, as Berar is not in Madhya Pradesh since 1-11-1956.

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

Public Works
Department
roads in Govern-
ment forests.

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

- (1) The area of forest land required for the construction of a Public Works Department road shall remain part of the reserved forest, but shall be placed at the disposal of the Public Works Department so far as the actual construction and maintenance of the road is concerned.
- (2) The leasing of grazing and forest produce contained in such area shall remain in the hands of the Forest Department.
- (3) Subject to rule (4) below, the Forest Department shall be competent to do any act to take any necessary measure in the area with the object of fire protection.
- (4) All trees planted by the Public Works Department along side the road shall remain under the control of that Department.
- (5) The Public Works Department may remove any material required for the construction or maintenance of the road, including wood, from the area.

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

†Local Government No. 1129-XIV-I-53 of 28th November 1913, Local
 ‡Local Government No. 1129-XIV-I-53 of 23rd July 1914, Secretariat letter No. 293-

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

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

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

Forest roads for general traffic.

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

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

Irrigation Department limits in Government forests.

- Works :—
- (1) An area inside a Government reserved Forest, required for the construction of an irrigation work, will be transferred from the Forest Department to the Irrigation Department and then all revenue from it, except for the sale of timber referred to in rules 2 and 3 below, will be credited to the Irrigation Department.
 - (2) When an area inside a reserved forest is required for the construction of an irrigation work, the Forest Department shall make over at once such part of it, to the Irrigation Department, as will be required to allow the construction of the work to proceed. The Irrigation Department will then sell timber on this area.
 - (3) The rest of area will be transferred to the Irrigation Department when required. The timber on this area will be sold—
 - (a) by the Irrigation Department; or
 - (b) by the Forest Department,
 according as the latter department shall elect to undertake the work or not.

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

they will be settled by the Superintending Engineer and Conservator acting in consultation.

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

Control of harra and lac in areas under the Irrigation Department

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

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

Conservation of forest communications when interfered with by Irrigation Works.

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

LAND UNDER THE CONTROL OF THE FOREST DEPARTMENT OUTSIDE GOVERNMENT FOREST

Forest Department land outside Government forest.

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

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

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

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

CHAPTER XI—DEMARCATIION AND MAINTENANCE OF BOUNDARIES

Demarcation of boundaries in Central Provinces.

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

(i) that of large blocks excised as B class forest by the Forest

- (ii) that of boundaries modified by the formation of a particular village by means of excision.

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

62. As regards the maintenance of the boundary, there are two cases, viz: (i) when the adjoining land outside is proprietary and (ii) when the adjoining land is under raiyatwari settlement. In the former case, all proprietors and tenants are bound to clear annually a width of 20 feet on their side of the common boundary. In the latter case all boundaries once made become external boundaries of the Forest and are liable as such to be maintained at the cost of the Forest Department. The whole boundary line should be within the forest limit and be maintained by the Forest Department. It frequently happens however that half of the 40 feet (or 12 metres) line of the boundary between a raiyatwari village and Government forest falls inside the village area. In such cases the ryots are bound to clear annually a width of 20 feet (or 6 metres) falling inside the village unless specially exempted by the Collector for reasons to be recorded in writing.

Maintenance of boundaries in Central Provinces.

63. Deleted.—Now Berar is not in Madhya Pradesh.

Demarcation and maintenance of boundaries in Berar.

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

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

64. The width of the cleared area of outer boundaries of Government forest should usually be 40 feet, (or 12 metres) but this may be increased by Conservators' orders in special cases. Except when natural features form the boundary demarcation will be by pillars, the form of which will vary with circumstances. As a general rule, pillars shall consist of a central stake of khair heartwood or teak projecting six feet (or 2 metres) above ground level and should be surrounded by a stones four feet (or 1.30 metres) high and six feet (or 2 metres) in diameter. Where large slab-stones are available on the spot the central stake may be replaced by a slab-stone projecting one foot (or 30 cms.) from the centre of the pillar. Where the construction of a pillar of stones necessitates heavy cost in the transport of stones, the cairn should be constructed of mud with a revetment of tatti. Pillars should be erected at each point where the boundary line changes direction, and where there is no change of direction at intervals not greater than 250 yards (or 225 metres) so that each pillar is clearly visible from the next on either side. Each pillar will bear a serial number, a fresh series being begun for each adjoining village. The numbers will be pointed with coal-tar on the face of the post or slab-stone away from the Government forest; they may be cut or embossed with steel dies into the wood at the discretion of the Divisional Officer.

General rules regarding maintenance of boundaries.

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

CHAPTER XII—FOREST SURVEYS AND MAPS

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

Boundary surveys in M. P. 66. (1) In cases where discrepancies arise between the maps of the Settlement Department and those of the Forest Department, the boundaries as surveyed by the former department should usually be accepted as correct, if the land has not been surveyed by the Settlement Department the boundary on the ground should be assumed to be correct. The forest map will be amended after formal disforestation or afforestation, if necessary. In cases when the Forest Divisional Officer has good reason to believe that the interests of Government have been materially prejudiced by an error in the alignment of the boundary as accepted by the settlement Department, or as marked on the ground, he should report the circumstances, sending a plan of the present line and of the one he considers the correct one to the Collector of the district who will submit a report on the case through the Conservator of Forest to the Commission of the Division. The Commissioner and the Conservator will form a committee upon the question whether the boundary should be realigned and in the event of their disagreement the matter will be referred for the orders of the State Government. In districts under survey or settlement, the Commissioner of Settlements will take the place of the Commissioner of the Division upon this committee.

(2) When the committee agree that part of the forest has been encroached upon, but that it is inadvisable to reinstate the encroachment within the forest boundary, the matter shall be reported for the orders of the State Government by the Commissioner of the Division or Commissioner of Settlements, as the case may be, with a recommendation as to the mode of settlement of the excluded area.

(3) Until the disposal of a disputed area is properly determined under the procedure prescribed above, the Forest Department must refrain from any action in regard to it.

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

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

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

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

CHAPTER XIII—FOREST VILLAGES

Forest villages. 68. It is of great importance to secure a permanent supply of labour in the forest reserves, and to provide employment for members of forest tribes who are under a strict system of management.

supporting themselves by dhaya cultivation. With this view, the Provincial Government has, in the forms of contract for the delivery of forest produce approved by it, inserted a stipulation that the contractor agrees to employ (by arrangement with the Forest Officer) the inhabitants of forest villages in or near the forest (if there be any such) in preference to any other workman, and to pay them the usual local rates.

The following rules for the formation and management of forest villages have been laid down for the guidance of Forest Circle and Divisional Officers. The progress made in giving effect to them should be fully noticed in the Annual Reports of the Conservators:—

RULES

- (i) Forest villages may be established within the limits of any reserved forest with the previous sanction of the Conservator. Proposals for the establishment of forest villages should be submitted by the Divisional Officers to Conservators through the Collectors and must contain full information under the following heads:—

- (a) Purpose for which the village is to be established, e.g., to supply labour to work certain coupes of a felling series, for fire protection, etc. If possible, data should be given to prove the inadequacy of the existing labour supply, e.g. failure to work certain areas.

- (b) The present source of labour supply.

- (c) Detailed description of the proposed village site. The following points also require discussion, viz: description of the soil, the area of culturable soil and its nature area set aside for nistar, nature of forest growth on the area, the number of houses the area can support and the area to be allotted to each for cultivation. The source of water-supply and the extent to which the establishment of the village will disturb the allocation of fellings by the absorption of coupes of the felling series in which it is situated. To what extent the establishment of the village will effect the grazing or the right of way to water of neighbouring villages.

- (d) The class of settlers proposed and the rent to be levied.

- (e) Application for sanction should be accompanied by two traces one large scale (4"=1 mile) showing the boundaries and the rough allocation and area of culturable and nistar areas and also any area covered by teak or sal, and a small scale trace showing the general situation of the village with regard to other villages and felling series.

- (ii) Forest villages are designed solely to afford a permanent supply of suitable local labour, and are not to be established merely for the purpose of extending cultivation and bringing in rents: though the residents will be allowed to cultivate under the provisions of these rules.

- (iii) Only persons who are by race, caste, or occupation habituated to the extraction or handling of forest produce shall be admitted to reside in a forest village, with the immediate

families and dependants of such persons. Preference will be given to such race as Korkus, Gonds, Bygas, Marias, Khumars and Banjaras. The number of houses to be allowed in each village and the extent of cultivation shall be fixed by the Conservator.

When a village is first established, allowance should be made for a moderate increase of population in the families of the first settlers, and the full number of houses and the whole area available for cultivation should not be allotted at once. When by natural increase of population the number of households and of inhabitants approaches the limit of the means for their support afforded by the village lands, the Government reserves the right of if necessary, removing the excess population.

- (iv) A register shall be kept by the Divisional Officer of all the inhabitants of the village, and no outsider shall be allowed to settle in the village without his written permission.

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

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

- (a) That the Forest Department and its contractors have the first claim to their labour on payment as hereinafter provided;
- (b) that they shall not accept employment from any other department, company or individual without previous sanction of the Forest Officer;
- (c) that they shall be generally obedient to the orders of the Forest Officer.

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

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

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

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

- (vi) Subject to the limitation in the number of households indicated in rule (iii) each household in the village shall be entitled to the following privileges:—
- (a) Land for cultivation will be assigned him by the Forest Officer, sufficient, with proper diligence, for the support of himself and family. Subject to the Conservator's sanction, such land will be granted at such rates as may be determined for each village by the Forest Officer
 - (b) Free grazing will be permitted for the following cattle subject to the reduction by Conservators only:—
 - (i) Eight animal units per holding as entered in the forest village Jemabandi.
 - (ii) Four animal units the actual property of labourers without any holdings in forest villages.
 - (iii) For the remainder a cultivator will pay at privileged rates for four animal units and for the remaining number of cattle he will pay commercial rates.
 - (iv) Labourers will pay commercial rates for cattle not grazed free.
- Bulls, bullocks or cows will always count first towards these concessions before buffaloes. For the purpose of concession the animal units will be determined as under:—
- (i) Adult buffalo—Two animal units.
 - (ii) Adult cow, bull or bullock and buffaloes—calf under three years of age, at the commencement of the grazing year—One animal unit.
 - (iii) Cow-calf under three years of age at the commencement of the grazing year—Half animal unit.
- (c) A free supply will be allowed him of all thorns and wood required for bonafide agricultural purposes; also of such wood and grass for house building and repairs as the Forest Officer may deem also of dead wood for fuel, bamboos, and of leaves reasonable; and any edible fruits, flowers and roots required for domestic purposes.
 - (d) The residents of the village shall have the first claim to the employment in all forest work conducted under the orders or supervision of the Forest Department or its contractors, and in the collection of minor produce, and shall be paid in cash for their work at such fair rates, daily or otherwise, as may be fixed by the Divisional Officer.
 - (e) All charges in connection with the anti-rabic treatment of forest villages will be borne by the Forest Department.
- (vii) A headman or Patel shall be selected by each village, subject to the approval of the Divisional Officer. The headman shall collect all rents, cesses and other sums due from the villagers, receiving a commission as below. He will also enforce all such sanitary regulations as the Divisional Officer may prescribe.

He shall assist the forest officials in the organization and employment of forest labour. He shall supervise the village watchman and see that officer properly performs his duties. He shall be entitled to hold land in the village on the same terms as the other villagers.

The rates of commission to headmen shall be as under:—

	Per rupee
In villages where the collections are	
under Rs. 50	25 paise
Rs. 50 to Rs. 200	19 paise
Over Rs. 200	16 paise

The Divisional Officer may, for reasons given, enhance the rate in particular cases up to a maximum of 25 paise.

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

(viii) The Forest Officer may make from funds placed at his disposal for the purpose from the Provincial Loan Account such reasonable advances of cash or grain to any householder of the village as may be necessary to enable him to prepare to sow his land or purchase plough-bullocks. All such advances will be recoverable with interest at 6 paise per rupee per annum.

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

(ix) The arrangements for the supply of country liquor and drugs to forest village will be entirely under the control and orders of the Collector.

(x) A kotwal or village watchman shall be appointed for each forest village. He shall be appointed by the Forest Officer. He shall be entitled to cultivate two ploughs of land in the village free of rent and to collect such dues as are customary from the other villagers for customary services rendered by

- (xi) (1) (i) It shall be the duty of the Kotwars of the forest villages to report births and deaths to the Range Assistant every week on a day to be specified. The Range Assistant shall make an entry in the Kotwar's Book unless this has been done already by some literate person in the village. The Range Assistant shall also keep a copy of the entries in the Kotwar's Book and every month send it to the Police Station concerned.
- (ii) The accuracy of vital statistics in Forest villages shall be checked by the Ranger who shall also see that the reports are duly recorded and forwarded to the Police Station.
- (iii) The Gazetted Officers of the Forest Department shall on tour make it a point to check the vital statistics and see that these orders are duly observed.
- (2) The Kotwar shall report direct to the Police Station—
- (i) commission of all cognizable offences which will include thefts and house-breakings of the value of Rs. 50 or above;
- (ii) the occurrence of any sudden or unnatural deaths or deaths under suspicious circumstances or discovery of any corpse or part of the corpse in circumstances leading to a suspicion that such a death occurred;
- (iii) epidemics.
- (3) The Kotwars shall report immediately to the Ranger the following classes of cases :—
- (i) Thefts and house-breakings in which the stolen property is less than Rs. 50.
- (ii) The permanent or temporary residence of strangers and suspicious persons.
- (iii) The arrival and departure of wandering gangs.
- (iv) The disappearance of any person under circumstances leading to a reasonable suspicion that a non-bailable offence has been committed.

The above reports will be made to the nearest Forest Naka. The Forest Guard or the Forester shall record the report in the Kotwar's Book and send a copy to the Range Officer concerned, who in his turn, shall transmit it to the Police Station-house, each forest Naka shall maintain a Kotwar's Attendance Book.

Note.—The above methods of reporting by the Kotwars of the Forest villages are not, however, applicable to the Chanda district.

The kotwars in this district shall report—

A.—Direct to the Forest Department.

Weekly—

(i) Births and deaths.

Immediately—

(2) Thefts and house-breakings in which the stolen property is less than Rs. 50.

- (3) The permanent or temporary residence of strangers and suspicious persons.
- (4) The arrival and departure of wandering gangs.
- (5) The disappearance of any person under circumstances leading to a reasonable suspicion that a non-bailable offence has been committed.

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

B.—Direct to the Police Station.

- (1) The commission of all cognizable offences. These will include thefts and house-breakings in which the value of the stolen property is Rs. 50 or above.
- (2) The occurrence of any sudden or unnatural death or of any death under suspicious circumstances or the discovery of any corpse or part of a corpse in circumstances leading to a suspicion that such death has occurred.
- (3) Epidemics.

- (xii) Under ordinary circumstances Conservators of forest are empowered to remit irrecoverable revenue on account of rental demand in forest villages up to a limit of Rs. 200 in any one village.

The amount remitted in each case should be reported for the information of the Provincial Government. In the case of general remissions on account of widespread calamity the remissions proposed should be submitted for the previous sanction of the State Government.

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

- (1) The maximum of taccavi that may be granted to a forest villager is Rs. 500.
- (2) The Divisional Officer is empowered to sanction advances up to limit of the funds allotted to his division by the Conservator.
- (3) Advances may be given for—
 - (i) the clearing of land. Such advances shall be recovered by instalments spread over not more than three years. The first instalment shall be repayable at the end of the first year;
 - (ii) the purchase of bullocks and carts. Such advances may be given for the purchase of plough as well as cart bullocks. They shall be repayable within not more than two years;

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

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

- (4) The joint personal security of the borrowers in a village or preferable of the whole village community may be accepted as sufficient to ensure the repayment of a loan. The amount advanced to any one of the borrowers shall be limited to the amount recommended by the other borrowers in the village.
- (5) A bond for repayment shall be executed in Form A appended.
- (6) Interest on loans granted after 1st April 1927 shall be charged on all outstanding balances at the rate of one pie per rupee per mensem from the date of making the advance up to the date of repayment, provided that in calculating interest fractions of month not exceeding half a month shall be ignored and fractions exceeding half a month shall be counted as a full month.
 - (i) In the event of default in the repayment of the principal and/or payment of interest by due date, penal rate of interest @ 2½% over and above the normal rate of interest will be charged on all such over due instalments of principal and/or interest, except in cases where different rates of penal interest have been prescribed under the relevant Act or Rules.
 - (ii) The charging of the penal rate should follow automatically once the default has been committed, unless there is a general or special order to the contrary issued in this behalf.
- (7) The interest is the first charge on recoveries. No credit towards repayment of principal can be made until all outstanding interests has been paid. Interest due and not paid on the 1st of April on an advance made prior to that date shall be added to the principal and charged interest as provided in rule 6.
- (8) Payment of advances may be made by the Range Officer or by an officer specially appointed by the Divisional Officer.
- (9) It is the duty of the Range Officer to recover all amounts as they fall due, and he shall report promptly all cases of default to the Divisional Officer.
- (10) A register (in Form B attached) shall be maintained in the Range office to show, separately for each borrower, advances, recoveries and outstandings. Interest shall be shown in red ink. Sections of this register will be allotted to each village to allow for transactions for a term of years.
- (11) A balance shall be struck on the 31st of March and the register submitted in original to the Divisional Officer by the 15th

- (12) The register shall be returned by the Divisional Officer to the Range Officer by the 1st May after verification and check with the divisional ledger.
- (13) The divisional ledger shall be maintained for villages, not for individual borrowers.
- (14) Except under special circumstances and for reasons to be recorded, the Divisional Officers shall not sanction further advance of the same class to the same borrower until all previous advances have been repaid; and the total of advances shall not in any case exceed the maximum prescribed by rule 3.
- (15) The Divisional Officer, when inspecting Range Offices, shall check the recoveries and outstanding and submit a report of the inspection to the Conservator.
- (16) When on tour the Divisional Officer should compare entries in the village note-books relating to taccavi with the Range register and also verify their correctness by questioning some of the borrowers.
- (17) The responsibility for the supervision and the recovery of taccavi advances to forest villagers rests with the Divisional Forest Officers.
- (18) Advances should be made direct to the persons concerned and the charge should be supported by receipts from the actual payees and by a certificate from the disbursing officer to the effect that the advances were paid by him to the proper persons according to the list sanctioned by the Divisional Forest Officer. The Divisional Forest Officer will furnish a certificate on a plus and minus memorandum attached to Form 13 to the effect that the receipts for the advances made together with the certificates of disbursing officers have been filed in the Divisional Forest Office.
- (19) The Conservator may sanction suspensions of payment whenever from causes beyond the borrowers control such payment becomes unduly burdensome. The effect of the suspension of an instalment will be to postpone for one instalment period the payment of all the remaining instalments due on the advance and no interest shall be charged on the loan for the period during which payment is suspended.
- (20) The Conservator is authorized to sanction remission of arrears and write off irrecoverable advances subject to a maximum of Rs. 250 in each case.

FORM—A

SECURITY BOND TO BE USED FOR TACCAVI ADVANCES TO FOREST VILLAGES

Whereas the following tenants of.....
 village have received from the Divisional Forest Officer,.....
 the sum specified below as Taccavi Advance we hereby agree that if
 one or any of tenants shall fail duly to apply the said advance or to
 pay any instalment of the said advance or interest chargeable thereon
 costs (if any) incurred in the making thereof, on the date on which it
 becomes due, we will be jointly and severally liable to the Govern-
 ment for a such sum not exceeding Rs.*.....as may be necessary
 to make good the amount which in consequence of the default of one or

Name of tenant	Object of advance	Amount	Date of Payment	Date of repayment
(1)	(2)	(3)	(4)	(5)
		Rs. P.		
		Signatures of sureties,.....		

*Enter Principal one to three years, interest according to the class of loan.

FORM B

MADHYA PRADESH FOREST DEPARTMENT

Register of Taccavi Advances in....., Village, Range, Division,
for the year ending 31st March 1950.

Name of Villager	Amount	Cash Book Item No.	Remarks	Name of villager	Amount	Cash Book Item No.	Remarks
Tamla, son of Bhaui							
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Rs. p.				Rs. p.		

Details of account :

Balance on 31st March 1928 ..	12 6	
Repaid on 17th March 1928 I ..	0 6	11th of April.
P ..	12 0	12th of April.
Balance ..	0 0 0	
Advance on 15th June, 1928 ..	12 0	27th of June.
Repaid on 16th October, 1928 I ..	0 25	20th of October.
P ..	8 0	21st of October.
Balance ..	4 00	
Repaid on 9th Nov. 1928 I ..	— 5	6th of November.
P ..	4 00	7th of November.
Balance on 31st March 1929 ..	0 00	

Details of account

Instructions for maintenance of Range taccavi register.

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

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

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

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

Name of village			Name of villager		Page	Entry No.
(1)			(2)		(3)	(4)
Bori	..	..	Tamlu, son of Bhau		1	1
			Doma, son of Arku, etc.		1	2
Dhain	..	..	Paiku, son of Soma		7	1
			Budhan, son of Goreylal		7	2
			Phandu, son of Khannans, etc..		7	3

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

Part IV—Management and working of the Reserved Forests
CHAPTER XIV.—CONTROL OF MANAGEMENT WORKING PLANS

General.

70. (1) The Conservator of the circle concerned will control the work of the assistant working Plans Officer responsible for the detailed preparation of a plan.

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

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

The preparation
of new working
plans.

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

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

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

(6) On receipt of orders the assistant working Plans Officer will take the necessary steps for carrying out such stock-mapping as has been decided on by the Conservator. Areas that require detailed stock-mapping should first be visited. On completion of the field work, the assistant Working Plans Officer will prepare a preliminary report in accordance with the Conservator's general instructions. This preliminary working plan report will contain a short description of the forest for which it is contemplated to frame the working plan, facts relating to their management working and reproduction, the future treatment recommended, with the reasons for the same; propositions regarding the basis on which it is intended to build the plan of exploitation and management (whether on

area, material or material with area check). A small scale sketch map showing roughly the proposed working circles and any other information that can conveniently be included, with the object of more clearly setting forth the proposals for future working plan is possible by manuscript description alone, should accompany the report. In order to ensure the coordination of silvicultural policy, the preliminary working plan will be forwarded by the Conservator through the Silviculturist to the Chief Conservator for orders and the completion of the plan will be undertaken on receipt of the letter's order.

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

(7) However changes in working plans may be initiated, the first steps to draft amendments should be taken by the Divisional Officer and the silviculturist in consultation. Amendments will then be submitted through the Conservator to the Chief Conservator of Forests. Ordinarily the Chief Conservator of Forests will order the issue of amendment slips on matters of a technical nature, but when amendments are of a radical nature involving change of the general structure of the plan and likely to affect the local population or the revenue, the orders of the Provincial Government are required; the Chief Conservator of Forests will decide whether alterations are radical or not. Small alterations such as the opening up of new (not provisional) felling series, which may affect a few villages only, must have the Deputy Commissioner's approval. Points of administrative importance will be dealt with by Conservator. The Silviculturist will be responsible for printing and issue of all amendments approved either by the Chief Conservator of Forests or the Provincial Government. The amendment of existing working plans.

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

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

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

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

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

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

Financial.

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

Tours, etc.

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

REVENUE OFFICER'S EXAMINATION OF WORKING PLANS

Policy of Government.

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

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

Duties of the revenue and working plans officers.

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

(1) The working plans officer will carry out the main work of preparation on the lines laid down in paragraphs 48 to 53 of the forest department code (7th edition) before the Revenue

Officer is appointed, and the first draft of the report with all details of working circles, felling series, coupes and compartments should be prepared on lines accepted already by Chief Conservator of forests.

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

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

- (a) Tracings of the forests to show the above details and where the working plan concerned is a revision, other tracings showing the similar provisions of the old plan.
- (b) A statement showing for each felling series the proposed closures to grazing during the period covered by the working plan. To such an extent as he is able to collect the information this statement shall show the villages which rely on each fellings series for the ordinary daily grazing of their cattle, the number of such cattle grazed during recent years, and the portion of the series in which the grazing is heaviest; also it shall give the outside villages which have been accustomed to send their cattle to the series for pasturage during the rainy season, together with the approximate number of such cattle.
- (c) A statement of his opinion as to the necessity of limiting the grazing in any felling series and, if so, the extent to which the grazing should be limited and manner in which the the excluded grazing can be provided for in the other areas in which the demand for grazing is light.
- (d) A note regarding the extent of the demand for forest produce both local and for export, in the various circles or series, with special reference to localities where there is any shortage in meeting the demand of the surrounding agricultural population for fuel, grass, bamboos, wood for ploughs, satkatha, poles and building wood, this note should refer to the general policy now followed and to be followed under the provision of the new plan regarding the extraction of produce with the object of meeting shortage in any of the forms of produce mentioned above.

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

camp equipment for the use of the special revenue officer deputed to examine the working plan :—

2. New pattern swiss cottage tents 13'X13' complete with necessary tents.
2. servant's pals 12'X 12'.

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

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

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

Nomination to the conference will be made by the Collector of the district and each person so "invited" will be furnished with a copy or translation of the memorandum

prepared by the assistant working plans officer for the special revenue officer under these orders.

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

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

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

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

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

- (v) to see that the sequence of fellings and subsequent closure is arranged so that as little inconvenience as possible is caused to the villagers who depend on the forest for the daily grazing of their agricultural cattle;
- (vi) to check the proposed division of the forest into grazing units and, where forests are suffering from overgrazing, suggest such limitation or redistribution of grazing as is necessary. The greatest care is necessary where grazing demand is heavy and the grazing unit clearly cannot support the number of cattle which desire to graze. A standard incidence of grazing cannot be prescribed as the severity of grazing varies with topography, species of grass and density of the forest; but it may generally be said that where more than 3 acres per head of cattle is available there is no serious danger of over grazing. In cases where restriction of grazing is considered necessary the revenue officer should make exclusions in the following order:—
 - (a) cattle from outside the State;
 - (b) cattle which can graze as conveniently or almost as conveniently in other undergrazed units;
 - (c) cattle from villages grazing irregularly or recently only;
 - (d) cattle from distant villages;
 - (e) commercial cattle;
 - (f) village cattle not privileged.
- (vii) to criticize existing rates for grazing and for produce such as grass, fuel, bamboos, other minor produce, etc, which the agriculturist extract for them selves on licences.

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

Such forests have, as a rule, been subject to heavy exploitation and excessive grazing in the past and are frequently degraded. In cases where such degradation has reached a stage beyond hope of repair, little can be done; but when there is hope of reclaiming the forests or of resisting denudation and degradation, the measures proposed by the Forest Department must be carefully considered and restriction, clearly necessary, must be imposed in the true interests of the people themselves.

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

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

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

- (i) Collector.
- (ii) Conservator.
- (iii) Commissioner.
- (iv) Principal Chief Conservator of Forests.

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

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

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

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

Preparation of working plan		Conduct of the special revenue enquiry	
Action to be taken	Date	Action to be taken	Date
(1)	(2)	(3)	(4)

First Year

Stock-mapping and preparation of preliminary report by the Assistant Working Plans Officer in consultation with the Conservator and the Silviculturist.	November to June	..	..
Drafting of the plan	.. July to October.	Conservator applies to the Chief Conservator of Forests for the deputation of an officer to conduct the revenue enquiry.	September.

Second Year

Submission of the plan to the Conservator by the Assistant Working Plans Officer.	November.	Deputation of Special Revenue Officer.	December 1st (at latest).
Check of plan in the field by the Conservator.	December to March.	Enquiry of Special Revenue Officer.	December to March.

Preparation of working plan		Conductor of the Special Revenue enquiry	
Action to be taken	Date	Action to be taken	Date
(1)	(2)	(3)	(4)
Conservator forwards the plan through the Silviculturist to the Chief Conservator.	April.	Submission of draft report of Special Revenue Officer.	April 1st.
Chief Conservator forwards the plan to Dehra Dun.	May.	Informal conference to consider report of Special Revenue Officer.	April (3rd week).
		Special Revenue Officer submits his final report to the Chief Conservator (through Deputy Commissioner).	May to July
Chief Conservator forwards the final plan to Government.	August.	Chief Conservator forwards the Special Revenue Officer's report to Government.	August 10th
Third Year			
Marking of Coupe No. 1	November to March.		
Introduction of plan	July		

Revenue Officer's Staff.

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

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

OR

On Rs. 30-65 second grade Per mensem (revised scale).

On Rs. 65-100 first grade

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

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

2 orderlies on Rs. 11-1-15 per mensem.

1 khalasi on Rs. 14 per mensem.

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

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

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

Appointment under these rules will be made by the Conservator.

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

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

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

Powers of Forest Officers. Notification Nos. 130-130-848-XV, dated 31-1-28 and Nos. 694-695-311-XV, dated 12-8-28, and No. 718-XV, dt. 12-8-29.

(2) The powers referred to in the second and third column of the following Schedule shall be exercised by the officers mentioned in the first column of the same Schedule opposite which they appear:—

Class of officers empowered	Section of the Act under which powers are given	Brief description of the nature of powers conferred
(1)	(2)	(3)
	21	To publish translation of notification for reserved forests.
(i) All Deputy Conservators, Assistant Conservators and Extra-Assistant Conservators when in charge of Forest Divisions.	26(1)(c)	To notify seasons during which the kindling, etc., of fire is not prohibited.
	45(2)	To notify depots for drift timber.
	46	To issue notice to claimants of drift timber.
	47	To decide claims to drift timber.
	50	To receive payments on account of drift timber.
	61	To direct release of property seized.
	83(2)	To sell forest produce for Government dues.

(1)	(2)	(3)
(ii) All Collectors, Assistant Commissioners, Deputy Conservators, Assistant Conservators, Extra-Assistant Conservators, Tahsildars, Forest Rangers and Range Officers and Deputy Rangers and Foresters when specially authorized in that behalf by the Conservators of Forests.	26(2)(a)	To permit acts prohibited in reserved forests under section (26) (1).
(iii) All authorized vendors of rated passed and grazing licences under the rules in force.	26(2)(a)	To permit acts prohibited in reserved forests under section (26) (1), clause (d), (f) and (g).
(iv) All Deputy Conservator, Assistant Conservator, Extra-Assistant Conservators, Forest Rangers and Range Officers and Deputy Rangers and Foresters specially authorized in that behalf by the Conservator of Forests.	83(1)	To take possession of forest produce for Government dues.
(v) Working Patels in Bejar	52, 64 and 70.	To exercise all powers under these sections.

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

Ways and water
courses.

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

Rewards.

76. (1) All Revenue Officers below the rank of Tahsildar, all Police Officers up to and including Inspectors, Sub-Inspectors and Inspectors of Excise and all officials in the Forest Department below that rank of Extra-Assistant Conservator of Forests as well as persons not in the public service, are eligible for rewards the grant of which shall be governed by rules 2 to 6.

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

(3) If in any case the magistrate considers that more than Rs. 100 should be distributed as rewards, he shall submit his recommendation for a larger reward, through the Conservator of Forests, for the orders of the Provincial Government giving his reasons for the same.

(4) If in any case the fine can not be immediately realised the magistrate deciding the case shall at once pay such a reward as he is empowered to pay under rule 2 from such funds as may be at his disposal.

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

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

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

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

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

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

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

RULES UNDER SECTION 76 (d)

77. (a) (1) No enquiry into a forest offence shall be made by an officer below the rank of a Ranger Officer or of an Assistant to a Ranger Officer specially empowered in this behalf by the Forest Divisional Officer:

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

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

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

(4) The Range Officer or Assistant to the Range Officer must, as speedily as possible, and at furthest, if he is a Range Officer within one month of the date of report, and if he is an Assistant to the Range Officer, within 15 days of that date, hold an enquiry into the case at the place where the offence was committed or detected or at a convenient place adjacent thereto and, if necessary, may make investigations at other places, provided that the accused is not required to attend. His enquiry

Enquiries into
forest offences
Notifications
No. 1126, date 27.
11-11, and
No. 211,
dated 12-3-12.

should not, as a rule, last longer than three days, but it will remain within the discretion of the Divisional Forest Officer to allow an extension of this period on good cause being shown for the same. On the expiry of the period allowed for the enquiry he will submit his proceedings under rule 7 or rule 8 following.

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

Note.—In areas where the Prohibition Act is in force Range Assistants should add a paragraph in their weekly diaries on the subject of prohibition and any cases detected and measures necessary to prevent offences under the Act.

(6) No person shall ordinarily be arrested under the powers granted by section 64 of the Forest Act unless he has no fixed abode or is likely to abscond. Any person who has been arrested must be brought before a magistrate or handed over to the police without unnecessary delay.

See para. 80.

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

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

Department order
Jd. 1012-E-196,
date 27-4-1928.

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

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

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

78. The notification reproduced below defines—

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

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

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

UNDER SECTION 72

The State Government is pleased to invest all Forest Officers holding charge of Forest Divisions in the Central Provinces and Berar and all Assistant Conservators and Extra-Assistant Conservators who have passed the Departmental Examination in Forest Law prescribed by Article 40 of the Forest Code with the powers defined in this section, to be exercised within the limits of their respective charges, and further to confer on all Range Officers and on all Assistants to Range Officers who have been empowered under the rules to enquire into forest offences, the power to issue summonses for the attendance of witnesses.

Summonses to witnesses, Notification No. 1126, date 22-11-11.

79. Diet-money of witnesses summoned to appear in case of forest offences under enquiry by Forest Officers may be paid by Divisional Officers at the rates in force in the local law courts, or at such lower rates as the Collector of the District may direct.

Diet-money of witnesses.

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

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

UNDER SECTION 68

The State Government is pleased to invest the following officers in the Madhya Pradesh with powers to compound forest offences under the aforesaid section of the Act:—

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

Provided that—

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

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

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

UNDER SECTION 76 (d)

Notification
No. 1128, date
22-11-11 and
No. 211, date
12-3-12.

All Forest Officers empowered to compound shall record all cases disposed of by them in a register (Form No. IX-8) which shall set forth the following particulars:—

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

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

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

Vide para, 77 (a).

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

UNDER SECTION 71

Cattle-pound
fees. Notification
No. 770, date 15-
8-14 and No. 1
127 date 22-11-11,
as amended by
Notification
No. 1125, date
28-11-13.

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

For each elephant—Rs. 10.

For each camel—Rs. 2.

For each buffalo—Rs. 2.

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

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

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

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

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

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

(1) Amaltas (*Cassia fistula*).

(2) Anjan (*Hardwickia binata*).

- (3) Bahera (*Terminalia belerica*).
- (4) Banyan (*Ficus Bengalensis*).
- (5) Bel (*Aegle marmelas*).
- (6) Bhirra (*Chloraxylon Swietenia*).
- (7) Bijasal (*Pterocarpus marsupium*).
- (8) Hilda (*Terminalia chebula*).
- (9) Jamun (*Eugenia jambolana*).
- (10) Kowah (*Terminalia arjuna*).
- (11) Mango (*Mangifera Indica*).
- (12) Mohwa (*Bassia latifolia*).
- (13) Neem (*Azadirachta Indica*).
- (14) Pipal (*Ficus religiosa*).
- (15) Sandal (*Santalum album*).
- (16) Sendhi (*Phoenix Sylvestris*).
- (17) Tamarind (*Tamarindus Indica*).
- (18) Tendu (*Diospyros melanoxylon*).
- (19) Tarwar (*Cassia auriculata*).
- (20) Palas* (*Butea frondosa*).

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

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

- (1) Aonla (*Phyllanthus emblica*).
- (2) Bahera (*Terminalia belerica*).
- (3) Ber (*Zizypus vulgaris*).
- (4) Bhilawa (*Semecarpus anacardium*).
- (5) Bassai (*Bauhinia racemosa*).
- (6) Champa (*Bauhinia variegata*).
- (7) Chillati (*Coesalpania sepiaria*).
- (8) Dhaman (*Grewia tiliaefolia*).
- (9) Ganer (*Cochlospermum gossypium*).
- (10) Ghetu (*Randia dumetorum*).
- (11) Ghoriamim (*Cedrela toona*).
- (12) Ghatber (*Zizyphus xylopyra*).
- (13) Haldu (*Adina cordifolia*).
- (14) Hewar (*Acacia leucophloea*).
- (15) Karanjalam (*ulmus intergrifolia*).
- (16) Karhai (*Sterculia urens*).
- (17) Kegda (*Garuga pinnata*).
- (18) Keolar (*Bauhinia purpurea*).
- (19) Kuku (*Mallotus philippinensis*).
- (20) Kumbhi (*Careya arborea*).
- (21) Kurukatti (*Holarrhona antidysenterica*).
- (22) Kusum (*Schleichera trijuga*).
- (23) Kuthoda (*Sterculia villosa*).
- (24) Laorikasmar (*Cordia macleodii*).
- (25) Lendya (*Lagerstroemia parviflora*).
- (26) Mohim (*Odina wodier*).
- (27) Mokha (*Schrebera-swietenoides*).
- (28) Pader (*Stereospermum chelonoides*).
- (29) Pakar (*Ficus infectoria*).
- (30) Palas (*Butea frondosa*).
- (31) Phassi (*Dalbergis paniculata*).

- (32) Pinj (*Sterculia colorata*).
- (33) Purputa (*Randia uliginosa*).
- (34) Rohia (*Soymda ferifuga*).
- (35) Sakira (*Zyziphus rugosa*).
- (36) Salai (*Boswellia thurifera*).
- (37) Semal (*Bombax malabaricum*).
- (38) Shisham (*Dalbergia latifolia*).
- (39) Siris (*Albizia Lebbek*).
- (40) Tetu (*Spathoden xylocarpa*).

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

(3) Licenses to tap Sendhi trees (*Phoenix sylvestris*) and remove "tari" may be granted by Collectors under the following regulations:— Sendhi tapping
in C class
Berar.

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

RULES REGARDING PROSECUTIONS AND CIVIL SUITS

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

- (1) Every officer ordering the prosecution of any person before a Magistrate is responsible for the conduct of that prosecution.
- (2) Prosecution may be effected in two ways—
 - (a) by the appointment of a prosecutor to conduct the case; and
 - (b) by sending a report to the Magistrate.
- (3) In any case of importance or difficulty, a prosecutor should be appointed. In petty cases a written report is sufficient. This report should explain the facts of the case and the nature of the charge laid, with the names and address of the witnesses and the facts each is expected to depose to.
- (4) A prosecutor should be a person of sufficient intelligence to put the case clearly before the Magistrate, and should be duly informed of the facts and of the nature of the evidence and names of the witnesses. He need not be a person acquainted with the case of his own knowledge, nor is there any restriction as to his official rank.
- (5) Where the prosecution is ordered by an officer other than the District Magistrate, reference should be made to the latter officer for orders as to the Magistrate to try the case, unless he has already given general orders on the subject.

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

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

Pleaders' fees.

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

Inspection of
Judicial records.
Judicial Com-
missioner's
Criminal
Circular
No. III-3.

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

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

(1) by the order of superior judicial authority ;

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

(2) The District Magistrate, who is also the Collector, is always a superior judicial authority in regard to records retained by a subordinate Court or deposited in a district record-room. In his capacity as Collector he should, however, only call for the records of criminal cases, when an examination of the original file by himself or some other gazetted officer is required for administrative purposes. If merely copies are required, the record should not be called for, but the procedure prescribed in rule 4 should be followed.

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

(4) When a public officer not entitled to call for records requires for official purposes a copy of any portion of a record kept in an office in the same station, the copy may be made in that office by any trustworthy person whom he may depute for the purpose. When the record is not in an office in the same station, the copy will be made by the office, in which it is kept and will be sent to the officer requiring it.

Civil suits.

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

(2) Chapter XIV of the said Manual contains orders relating to suits filed by or against Government servants generally. As soon as the Divisional Officer receives information that a suit has been filed or is likely to be filed against a Forest Officer in his division in respect of any act purporting to be done by him under the Indian Forest Act, 1927, he will at once submit a report to the Conservator for transmission to the

Principal Chief Conservator and will also instruct the officer concerned to plead the protection given by section 745 of the said Act and to request the Court to try the question as a preliminary issue in the suit. If the question is not decided in favour of the officer and the suit is not dismissed on that ground, the officer may seek the help of Government in accordance with rule 152 in the aforesaid Chapter.

CHAPTER XVI—FIRE PROTECTION

RULES UNDER SECTION 26 (b) AND 76 (d).

Madhya Pradesh (A Class Forests).

86. (1) A person desirous of clearing by fire any standing forest or grass land within the three miles of any Reserved Forest shall observe the following rules:—

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

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

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

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

(5) The carrying of burning wood, fire-brands, or torches along the boundary of any Reserved Forest is prohibited between the 1st November and 30th June or such earlier or later date as may be notified by the Divisional Forest Officer under section 26 (c) with the previous approval of the Conservator. Smoking is similarly prohibited between the 1st November and 30th June within a Reserved Forest, save at an authorized camping-ground.

Notification
No. 3554, date 12-
6-1890 and
No. 2823, date
21-6-1894, Noti-
fication No. 1117,
date 22-11-11 and
No. 1123, date
28-11-13.

CLASS FORESTS OF BERAR

87. Deleted.—Now Berar is not in Madhya Pradesh since 1-11-1978. Notification No. 1118 date 22-11-11 and No. 1123 date 28-11-13.
88. Deleted.—Now Berar is not in Madhya Pradesh.

RULES FOR FIRE PROTECTION OPERATIONS

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

(2) The following are the classes.

Class I—forests completely protected.

This class includes—

- (i) Regeneration coupes under the uniform system;
 - (ii) Young regenerated woods including coppice coupes whilst closed to grazing;
 - (iii) Plantations;
 - (iv) Such other areas as the Conservator may for special reasons; direct (e.g. grass birs and ramnas, intense lac cultivation).
- (3) All areas in this class will be isolated by means of fire lines and cut guide lines and will be patrolled by fire watchers.
- (4) Any fire occurring in them will be a calamity and must be reported, whatever the area burnt or the date of occurrence may be.

Class II—Forests generally protected

(5) This class includes—

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

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

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

(8) As a supplementary measure the early burning of portions of areas of this class may be sanctioned by the Conservator. By early burning is meant a deliberate attempt to pass a slow fire early in the year through the whole area under such treatment.

Class III—Forests protected by law only.

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

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

Fire lines

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

(1) It is an established principle in the construction of exterior, fire lines that as far as practicable they should be within the limits of the Government forest and that they should follow in order to secure efficiency, it is necessary to deviate from sinuous or difficult boundaries in favour of straight lines running through the Government forest.

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

(12) Fire lines should be so selected and laid out on the ground that it will be not only practicable, but easy to traverse them with facility. Steep gradients and rough ground should be avoided as far possible. Where practicable fire lines should follow natural clearings such as open glades, the edge of cultivated plains, or the beds of wide rivers and streams. They should be located as near water as possible and the localities, where wells exist or should be made and all spots where water can be procured, should be marked on the fire maps.

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

(i) The first consideration is the isolation of the forest from the surrounding country. This will be effected by clearing the exterior fire lines of all inflammable material to a width determined by local circumstances, ordinarily not less than 40 or more than 100 feet. Not later, than the month of November two guide lines will be cut, one on either side of the area decided on for the fire line. The width of guide lines will depend on the height of the grass through which they run and they must be carefully cleared. This work must be completed by the end of December;

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

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

- (iii) As the season advances, the grass in the centre of the fire lines will dry and should either be burnt off standing or cut close to the ground over the whole width of the line. If the latter course is followed, the cut grass should be spread over the fire line between the guide lines and burnt as soon as dry;
- (iv) Dry leaves and other dry material, on fire lines must be collected from time to time and deposited along the edge of the fire lines; but the burning of such material on the lines after the hot weather has commenced, is strictly prohibited.
- (v) Except with the express order of the Divisional Forest Officer and in the presence of the Range officer or other subordinate authorized by the Divisional Forest Officer, no fire lines shall be burnt after March, 31st.

(14) In class II areas no guide lines are cut. The fire is allowed to run into the forest and burn itself out so as to interpose a wide burnt strip between the class II area and the surrounding country. The grass must be burnt as soon as it is sufficiently dry, and the operation must be carried out by stages. To control the operation the Divisional Forest Officer will receive, from the 1st December or such earlier date as he may fix, a fortnightly report from the Range Officer concerned showing the progress made in burning. The date by which burning must be completed will be fixed by the Conservator and a report will be made to him of the progress made and of the reason for delays, if any, by the Divisional Forest Officer a fortnight, before the date so fixed. After the date fixed operations must cease except with the special sanction of the Conservator.

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

Fire watchers

(16) It is the duty of fire watchers constantly to patrol the fire lines in their beats to keep them entirely free from inflammable material, to prevent the carrying or making of fire within or in the vicinity of the protected area, to give immediate notice of the occurrence of a fire to the beat officer, to collect assistance and themselves to aid in extinguishing any fire that may occur.

Fire watchers must always be on their beats. Divisional Forest Officers will see that proper Machans for the men to sleep on by night and fair accommodation below for cooking by day are provided at suitable places. Fire stations must be situated on elevated spots, so that the watchers may command a good view of the forest they are watching.

Fires

(17) Any Forest Ranger, Forester, or Forest Guard who may see smoke rising anywhere in or near the forest shall at once collect such aid as is immediately available and proceed in person to the spot. He must not sit quite and send some one else to enquire or report. The forest official who arrives at a spot where a fire is burning shall at once proceed to extinguish it. If the fire is outside his own beat or range, he will continue there till relieved by the local men, when he will return to his own beat or range, unless the fire is so strong as to demand all possible help. This rule applies to all three classes of forest.

(18) The greatest care must be taken that fires are thoroughly extinguished and all smouldering materials absolutely quenched. Piling earth over such materials will be found very effective. No official shall leave the burnt locality till the senior Forest Officer present has satisfied himself that no smouldering material remains.

(19) All men assisting in extinguishing fires in Government, forest (including forest villagers) shall be paid according to the amount of assistance rendered, at rates fixed by Divisional Forest Officer in consultation with the Collector.

Responsibility

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

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

(21) The Divisional Officer is personally responsible for carrying out efficiently the fire, protection measures ordered in his division. He must satisfy himself that the exterior fire lines have been properly cleared and thoroughly burnt before danger from external fires arises, and that at the same time all interior fire lines are in good order. He must by continual inspection assure himself that the protective staff is efficient, and he must continue to attend to this work until the arrangements for the efficient protection of the forest from fire are completed. He must, during his tour, satisfy himself by constant enquiries that no fires in protected areas have gone unreported, and that the areas of reported fires have been accurately estimated. These checks require extensive and thorough personal inspection by him.

Fire reports

(22) The Range Officer shall report the outbreak of a fire to the Divisional Officer at once, using special despatch if the fire extends over a large area. The Range Officer must provide for rapid communication between himself and his staff in fire protected areas so that no delay may occur in his receiving report of the outbreak of a fire and in transmission by him of such intimation to the Divisional Officer. The inspection of the area burnt and submission of a full final report with a sketch map by the Range Officer shall not without valid excuse be delayed for more than a fortnight after the outbreak.

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

- (i) all fires in class I area;
- (ii) all fires that have occurred in class II areas after the date fixed for completion of the line burning prescribed in paragraph 14 above; and

(18) The greatest care must be taken that fires are thoroughly extinguished and all smouldering materials absolutely quenched. Piling earth over such materials will be found very effective. No official shall leave the burnt locality till the senior Forest Officer present has satisfied himself that no smouldering material remains.

(19) All men assisting in extinguishing fires in Government, forest (including forest villagers) shall be paid according to the amount of assistance rendered, at rates fixed by Divisional Forest Officer in consultation with the Collector.

Responsibility

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

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

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

- (i) all fires in class I area;
- (ii) all fires that have occurred in class II areas after the date fixed for completion of the line burning prescribed in paragraph 14 above; and

- (iii) all fires that have occurred in class II areas before that date if obviously of a serious nature.

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

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

CHAPTER XVII—DRIFT AND WAIF WOOD

90. The notifications quoted below define drift and waif wood and regulate its disposal. Drift and waif wood.

RULES UNDER SECTION 45

1. The State Government directs that the following shall be the areas within which all unmarked wood and timber shall be deemed to be the property of Government unless and until any person establishes his right and title thereto :— Notification No. 1120, date 22-11-11.

(a) All Reserved Forests and unclassed State Forests in the Madhya Pradesh.

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

2. The State Government is also pleased to exempt from the provisions of section 45 of the said Act all wood and timber found a drift, beached, stranded or sunk, excepting sal, sisnam, teak, bija and saj of and exceeding two feet in girth and six feet in length.

UNDER SECTION 51

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

(2) The amount to be paid by the Government in the case of Government timber or by a private owner in the case of private timber to the salver as salvage fee shall be 50 per cent of the local value of the timber salvaged as adjudged by the Divisional Forest Officer.

CHAPTER XVIII—M. P. TRANSIT (FOREST PRODUCE) RULES, 1961
(Under sections 41, 42 and 76)

Rules 92 to 99 replaced by M. P. Transit Rules, 1961)

1. Short title, extent and commencement.—(1) These rules may be called the Madhya Pradesh Transit (Forest Produce) Rules, 1961.

(2) They extend to the whole of the State of Madhya Pradesh.

Note.—These Rules were made under the powers conferred under sections 41, 42 and 76 of the Indian Forest Act, 1927.

(3) They shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.

2. Definition.—In these Rules, 'Act' means the Indian Forest Act, 1927.

3. Regulation of transit of forest produce by means of passes.—No forest produce shall be moved into or from or within the State of Madhya Pradesh except as hereinafter provided without a transit pass in form annexed to these rules from an officer of the Forest Department or a person duly authorised by or under these rules to issue such pass or otherwise than in accordance with the conditions of such pass or by any route or to any destination other than the route or destination specified in such pass.

Provided that no transit pass shall be required for the removal—

- (a) of any forest produce which is being removed for bonafide consumption by any person in exercise of a privilege granted in this behalf by the State Government, or of a right recognised under the Act, within the limits of a village in which it is produced;
- (b) of such forest produce as may be exempted by the State Government from the operation of these rules by notification in the official Gazette;
- (c) of forest produce covered by thekedari licence issued by forest contractor or his authorised agent during the contract period in accordance with the rules made in this behalf for the time being in force; or
- (d) of forest produce covered by rated passes, forest produce passes, free and paid nistar passes issued by competent authority according to the rules made in this behalf for the time being in force.

4. Officers and persons to issue passes.—(1) The following officers and persons shall have power to issue passes under these rules:—

- (a) for forest produce belonging to Government or not owned by any person, the Conservator of Forests, the Divisional Forest Officer, the Sub-Divisional Forest Officer or any other officer authorised in this behalf in writing by the Conservator of Forests, Divisional Forest Officer or Sub-Divisional Forest Officer;
- (b) for forest produce owned by any person, such person or his agent if so authorised in writing by the Divisional Forest Officer:

Provided that—

- (i) any person who desires to obtain a transit pass or authorisation to issue passes under clause (b) of sub-rule (i) shall produce evidence to the satisfaction of the officer concerned regarding his claim or ownership of the forest produce for the movement of which a transit pass is required;
- (ii) such authorisation shall specify the period during which it shall remain in force; and
- (iii) any authorisation may at any time be cancelled by the Divisional Forest Officer.

(2) The officer competent to issue transit pass or to authorise any person to issue transit pass may refuse to issue or authorise to issue transit pass.

5. Passes what to contain.—(1) Every transit pass issued under rule 4 shall specify—

- (a) the name of the person to whom such pass is granted;
- (b) the quantity and description of forest produce covered by it;
- (c) the places from and to which such forest produce is to be conveyed;
- (d) the route by which such forest produce is to be conveyed;
- (e) the period of time for which the pass is to be in force.

(2) The colour and form of each pass and the sum to be paid in respect of each book of forest passes will be such as may be prescribed by the Principal Chief Conservator of Forests, with the passes in each book shall be numbered serially.

(3) Transit passes shall be in triplicate and bound in books which shall be obtainable from the Divisional Forest Officer. Each book shall bear an identifying number and the passes in each book shall be numbered serially.

(4) First of the triplicate forms will form the counterfoil and second and third parts shall be given to the person in charge of the produce under transit and shall be produced whenever required by any checking officer mentioned under rule 21. The third part shall be collected by the Forest Officer checking the forest produce who will initial the second part and mention thereon that the third part has been received by him.

6. Separate passes for each load.—No transit pass shall ordinarily cover more than one load, whether such load be carried by a person, an animal or in a vehicle. But the Divisional Forest Officer may, whenever, he deems fit, order that one pass may cover any number of head-loads or animal loads not exceeding 50 and any number of cart-loads not exceeding 10, for journeys not exceeding 15 miles from and to the same places and undertaken at one and the same time.

7. Passes not to be tampered with.—No alteration shall be made in anything printed or written on any transit pass, except in the matter of route and period and this may only be done by a Forest Officer not below the rank of a Forester for sufficient reason to be mentioned in the pass.

8. Books of blank passes to be supplied to persons authorised to issue them.—(1) When the Divisional Forest Officer authorises any person or the agent of any person under clause (b) of sub-rule (1) of rule 4 to issue transit passes, he shall furnish such person from time to time with authenticated books of blank passes.

(2) The said person to whom such book is supplied shall pay the sum, if any, fixed under sub-rule (2) of rule 5.

(3) No person who has been authorised to issue passes shall issue transit passes otherwise than in accordance with the conditions of his authorisation.

(4) No such person shall charge any fee for any transit passes issued.

9. Counterfoils of used transit passes to be returned.—The counterfoils of all used transit passes shall be returned to the officer from whom the book of passes was received and no fresh pass and no pass-book shall be supplied until the counterfoils of all passes previously used have been so returned.

10. Counterfoils to be produced for inspection on demand.—Any person or the agent of any person who has been authorised to issue transit passes under clause (b) of sub-rule (1) of rule 4 shall be bound if called upon by any Forest Officer not below the rank of a Forester to produce for the inspection or to return the counterfoils of all passes which have been issued by such person or agent.

11. Procedure on cancellation or expiry of authority to issue passes.—In the event of any authority given under clause (b) of sub-rule (1) of rule 4 being at any time cancelled under the said clause or on the expiry of the period specified in such authority, the person whose authority is so cancelled or the person the period of whose authority has so expired, as the case may be, shall forthwith return to the officer who gave the authority, every unused book of transit passes and the unused portion of any such book in his possession, together with the counterfoils of used passes, if any, which he has not already returned, and the said person shall be entitled when he has returned all such unused books or portions thereof the counterfoils of used passes as aforesaid, to receive a refund of the amount paid by him in respect of every such unused book but no refund shall be allowed in respect of any partly used book.

12. Transit passes issued by private persons when invalid.—No transit pass issued by any person or by the agent of any person authorised under clause (b) of sub-rule (1) of rule 4 to issue transit passes shall have any validity—

- (a) if such pass is not prepared on a blank form supplied for this purpose under sub-rule (1) or rule 8; or
- (b) if the same is issued after receipt by such person of an order cancelling the authority to issue such passes; or
- (c) if the same is issued by such person after the expiry of the period specified in the authority given for the issue of such passes.

13. Property and transit marks to be affixed to timber.—Except when it is the property of Government, timber shall not be moved from or within any district of the State of Madhya Pradesh unless it bears a

Government transit mark of such design as shall from time to time be prescribed in this behalf by the Conservator of Forests and in addition if the Conservator so direct a distinguishable private property mark of the owner of such timber of description which has been registered in the office of the Conservator of Forests of the Circle, of the Divisional Forest Officer.

14. **Depots and their purposes.**—The Conservator of Forest may establish at such places as he shall deem fit, depots to which forest produce shall be taken—

- (a) for examination previous to the grant of a pass in respect thereof under these rules; or
- (b) for determining the amount of money, payable on account thereof to the State Government, and for the payment of any money so found to be due; or
- (c) in order that any mark required by law or by these rules to be affixed thereto may be so affixed.

15. **Situation of depots to be published.**—The Conservator of Forests shall make known from time to time by notification in the official Gazette, and locally in such manner as he deems fit, the name and situation of such depot in his circle.

16. **Depots to be in charge of an officer.**—Each depot shall be in-charge of an officer appointed by or under the orders of Conservator of Forests. No forest produce shall be brought into, stored at or removed from the depot without the permission of the officer incharge of the depot.

17. **Registration of property marks.**—(1) Any person may apply to the Conservator of Forests to have a property mark to be attached to timber belonging to him, registered in the office of the Conservator of Forests of the Circle into which it is sought to transport his timber under these rules.

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

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

(4) A certificate of registration showing the device shall be given by the Conservator of Forests to each person registering his mark.

18. **Forest produce to be removed by daylight.**—Except with the special permission of the Divisional Forest Officer in writing no forest produce shall be transported between the hours of sunset and sunrise.

19. **Foreign Pass.**—All Forest produce imported into the State of Madhya Pradesh shall be covered by a foreign pass registered under rule 20 and in the case of timber by a foreign property mark registered under rule 20.

20. Form, etc. of foreign passes must be registered in Conservator's office.—Every foreign pass must be in a form which has been registered in the office of the Conservator of Forests of the Circle into which it is sought to import forest produce thereunder and must be signed by an official whose designation is registered in the office of the said Conservator, and every foreign property mark must be of a description which has been registered under rule 22 in the said office :

Provided that at the request of the neighbouring State Government passes signed by the contractors or their authorised agents whose signatures have been duly registered in the office of the Divisional Forest Officer in whose division a forest produce is taken, may be allowed :

Provided further that the passes used by such contractors or their authorised agents should bear an official stamp of the officer who has been authorised by the State Government to issue books of passes to contractors.

21. Imported forest produce may be transported to first depot without a pass under rule 4.—Any forest produce imported into the State of Madhya Pradesh may be transported within the limits of the State of Madhya Pradesh as far as first depot established under rule 14, without a pass issued under rule 4, if it is covered by a foreign pass registered under rule 20 and if stacked or deposited in any place between such limits and such depot, the foreign pass covering the material shall remain in force at that depot.

22. Registration of forms of foreign passes or foreign property marks.—The Conservator of Forests shall upon receipt of an application for registration of any foreign form or mark for the purpose of rule 20 enquire into the authenticity of the same and if he sees no objection, shall on payment of Rs. 5 by the applicant register such form or mark in his office. Every such registration shall hold good from the date of registration till the 31st December of the year following the year of registration except in the case of forms and marks of foreign Governments, the registration of which shall hold good till they are modified or repealed by new forms or marks.

23. Government marks not to be imitated or effaced.—No person other than a Forest Officer whose duty it is to use such marks shall use any property marks for timber identical with, or nearly resembling any Government transit marks or any mark with which timber belonging to Government is marked; and no person shall, while any timber is in transit under a pass issued by any person or by the agent of any person authorised in this behalf under clause (b) of sub-rule (1) of rule 4, alter or efface any mark on the same.

24. Form produce in transit may be stopped and examined by certain officer.—(1) Any forest produce in transit to which these rules apply, and any animal, vehicle, vessel or craft carrying such forest produce, may be stopped, detained, examined and checked at any place by any forest, police or revenue officer if such officer shall have reasonable grounds for suspecting that any money which is due to Government in respect thereof has not been paid or that any forest offence has been or is being committing in respect thereof :

Provided that no such officer shall vexatiously or unnecessarily detain any forest produce which is lawfully in transit, nor vexatiously or unnecessarily unload any such forest produce or cause the same to be unloaded, for the purpose of examination.

(2) The person in charge of such forest produce shall furnish to any such officer all the information which he is to give regarding the same, and if he is removing the same under a transit pass shall produce such pass on demand, for the inspection of such officer, and shall not in any way prevent or resist the stoppage or examination of the said forest produce by such officer.

25. *Prohibition of the obstruction of channels or banks of rivers.*—No person shall close up or obstruct the channel or any portion of the bank of any river lawfully used for the transit of forest produce or throw grass, brushwood, branches or leaves into any such river or do any other act which may cause such river to be closed or obstructed.

26. *Measures to be taken for removal of obstruction.*—(1) Any Forest Officer not lower in rank than a Forest Ranger may take such measures as he shall, at any time, deem to be emergently necessary for the prevention or removal of any obstruction of the channel, or if any part of a bank of a river lawfully used for the transit of forest produce but any such case which is not emergent shall be reported to the Collector, who may, by written notice, require the person whose act or negligence has caused or is likely to cause the obstruction, to remove or take steps for preventing the same within a period to be named in such notice, and, if such person fails to comply with such notice, may himself cause such measures to be taken as he shall deem necessary.

(2) The cost reasonable incurred by a Forest Officer or by the Collector under this rule shall be payable to the State Government by the person whose act or negligence has necessitated the same.

27. *Prohibiting conversion of timber.*—Within the limits of any reserved, protected or unclassified forest in charge of the Forest Department, and—

[(i) within sixteen kilometers of such limits], no person shall establish a saw-pit for the cutting, converting, or fashioning of timber or manufacture of charcoal, without the previous sanction in writing of a Forest Officer not lower in rank than a Ranger Forest Officer; and

(ii) within eighty kilometers of such limits no person shall erect any machinery or other plant for cutting, converting and fashioning of timber without the previous sanction in writing of a Forest Officer not lower in rank than a Divisional Forest Officer, who may, while granting such permission, impose suitable conditions for safeguarding Government interest.

Explanation.—This rule does not apply to the ordinary operations of domestic carpentry or to other similar work on small scale.

28. *Local areas to which the rules are not applicable to be published.*—The State Government may, by notification in the Official Gazette, exempt from the operation of these rules any local area specified in such notification.

29. **Penalties for breach of rules.**—(1) Whosoever contravenes any of the provisions of these rules shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

(2) In cases where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful authority or where the offender has been previously convicted of a like offence, the penalty to be inflicted shall be double of those mentioned in sub-rule (1).

30. **Repeal.**—On coming into force of these rules, all rules, corresponding to them in force in any region of the State of Madhya Pradesh immediately before the commencement of these rules shall stand repealed :

Provided that anything done or any action taken under any of the rule so repealed shall, unless such thing or action is inconsistent with any of the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules.

FORM

(See Part 2)

Counterfoil

Book No.	Transit Pass	Page No.
(1)	(2)	(3)
1. Locality of origin:—		
(a) Name and situation of forest.		
(b) Name of forest owner.		
2. Name and address of owner of forest produce.		
3. Description of produce and quantity.		
4. Property mark, etc.		
5. Name of village to which the produce is to be transported.		
6. Route by which produce is to be transported.		
7. Depot at which forest produce will be produced for check.		
8. Date of expiry of certificate		
9. Signature of issuing officer.		
10. Signature of checking officer.		

CHAPTER XIX—SHOOTING RULES

100. The rules regulating shooting in Government Forests are given in Appendix VII.

10.1 Deleted.

CHAPTER XX—DISPOSAL OF FOREST PRODUCE

102. The disposal of timber and other forest produce belonging to the State Government is regulated by the following rules :—

1. Forest produce with a restricted demand in small quantities from likely consumers for their bonafide domestic require-

2-A. Forest produce with restricted demand in small quantities from likely consumers for their own domestic requirements or for local sales may be removed and disposed of from the reserved forests open to such extraction either under the rated passes at scheduled rates sanctioned by competent authority or under free passes to be issued in accordance with the exemption granted under paragraph 109 of these rules as the State Government may from time to time prescribe.

3. Forest produce with a commercial demand shall be disposed of preferably by public auction or, in case it fails to secure a reasonable price approximating the upset price or the reserve bid, by calling for sealed tenders. No private negotiations for disposal of such forest produce are allowed.

4. Forest produce in depots in or outside reserved forests may be disposed of in the manner laid down in rule 3 above or may be disposed of in accordance with a scale of fees or royalties or other payment previously determined by the Conservator of Forests from time to time.

5. Before forest produce is disposed of, it shall be properly marked and accurately enumerated according to the standing rules in force from time to time. Where such produce can neither be marked or enumerated in view of its very nature, e.g., tendu leaves or standing grass, lac, gum other than kullu gum, etc., the area on which such produce is situated may form the basis for sale.

6. No wind fallen trees or portions thereof shall be sold in the manner laid down in rule 3 above unless they have been properly marked, felled and collected in a depot. No standards or other reserved trees broken by contractors in the coupe shall be sold unless they are accurately enumerated and specified. Similarly before disposing of katha leases, a complete enumeration of the khair trees to be sold must be made.

102-A. The powers of Forest Officers to execute deeds, contracts and other instruments are regulated by Notification No. 1119-236-XV, dated the 20th December 1929, which runs as follows. Where agreements or contracts have to be entered for which the standard forms are unsuited, the draft deed must be referred to the Law Department for approval before it is executed.

With reference to the Resolution of the Government of the Madhya Pradesh, Judicial Department, No. 240-59-XIX, dated the 26th January 1950, Part C, the State Government is hereby pleased to prescribe the extent to which and the limits within which the several officers of the Forest Department specified in the schedule below may execute

The exercise of these powers is subject to the following rules:—

A—CONTRACTS FOR FOREST PRODUCE

1. (a) No timber or other forest produce may be ordinarily sold except of cash payment in full at the time of delivery. Payment in instalments may however, be considered as payment in full at the time of delivery provided that there is a clause in the agreement to the effect that when the Division Forest Officer considers that the value of any forest produce removed by the purchaser equals or exceeds the amount of purchase money paid by him up to that time, the Divisional Forest Officer may stop further removal until the purchaser has paid such further sum, as in the opinion of the Forest Officer, may be sufficient to cover the excess value of the forest produce removed or about to be removed.

(b) For petty leases of forest produce up to Rs. 100 no agreement need be executed as the lease money is usually recovered in full before the leases are allowed to commence work on such leases. The order sanctioning such sales should, however, explicitly state the nature of the lease, the period of lease and the area leased, giving definite particulars for purpose of easy identification.

2. Divisional Forest Officers shall not ordinarily execute contracts for a period exceeding one year but with the previous sanction of the Conservator they may execute contracts for a period exceeding one year but not exceeding two years. Conservators are empowered to sanction such contracts for periods up to three years and the Chief Conservator up to six years.

B—CONTRACTS FOR WORK

3. As regards contracts for road making, building work, the construction of tanks, felling and extraction of timber, etc., the power of the Chief Conservator, Conservators and Divisional Forest Officers is limited as to period to the same extent as in the case of contracts for forest produce.

Contracts should only be executed for works for which funds have been provided.

C—OTHER INSTRUMENTS

Agri-sylvicul-
tural operations. 4. Contracts for the re-stocking of forest areas by sowing or planting in combination with the raising of field crops may be entered into as follows:—

(1) Contract for the re-stocking of the babul bans in accordance with schemes sanctioned under existing Working Plans and Working Schemes will be given by the Divisional Forest Officer for periods not exceeding seven years and only on the terms of the standard agreement form. Provided that the Divisional Forest Officer may prescribe species other than babul to be raised in these areas.

(2) Contracts for the re-stocking of other areas not allotted for this treatment by sanctioned Working Plans or schemes require the sanction of the Conservator subject to the following restrictions:—

- (i) The area to be allotted to an individual cultivator shall not exceed 15 acres or 6 ha.
- (ii) The duration of the contract shall not exceed 8 years.
- (iii) The terms of the contract shall not differ materially from the standard terms sanctioned by Government.
- (iv) The total area given out in a circle shall not exceed 1,000 acres or 400 ha. per annum or 300 acres or 120 ha. in all in any forest block.
- (v) When the limit of 300 acres or 120 ha. under the preceding clause has been reached no additional area may be given out in any forest block until the area already under agri-silvicultural treatment has been fully stocked and surrendered by the cultivator or has been written off as a failure with the sanction of the Chief Conservator.
- (vi) No contracts may be given in the B class forest of Madhya Pradesh, without the previous permission of the Collector.

5. Contracts and other instruments connected with the lease, sale, Instruments transfer or exchange of Government Forest Land or relating to any right relating to and, or interest therein excepting those relating to agri-silvicultural operations will be executed by the Divisional Forest Officer.

6. As regards other instruments in matters connected with the busi- Other in aru- ness of the Forest Department, excluding security and mortgage bonds, and agreements with stipendiary students, the powers of Forests Officers are subject to the time limits prescribed in rule 2.

7. An officer who has the power to execute a lease or contract or Termination of other deed on behalf of Government may terminate the same for breach contracts, of any of the conditions thereof.

102.B The villagers within 8 Kms. of any reserved forest are permitted to remove from the adjoining forests the material required for mending their agricultural implements which are broken while in use. The material can be removed from the adjoining forest provided the area is not closed to exploitation on account of recent working or other silvicultural considerations. The removal is permitted on rated passes at the sanctioned schedule of rates for such locality in a division. The rated passes will be issued by the patels of the villages who will be given an imprest of rates passes for this purpose. There is no need to have any elaborate accounts from the patels and till the money and the balance rated passes are recovered from the patels, the rated pass books advanced to the patels will be treated as part of the Range Officer's imprest advance. The following rules have been made to regulate the removal of wood by the agriculturists and the issue of rated passes therefore by patels during agricultural seasonal. It must, however, be reiterated that the villagers are expected to keep adequate stock of timber required for agricultural implements before the commencement of the agricultural season. This concession of supply of wood is meant only to meet the emergent need arising out of the breakage caused while at work and should not be taken to mean that there is no need now to make provision of material which a prudent agriculturist always keeps.

Rules relating to the removal of wood by the agriculturists and issue of rated passes therefore by patels during agricultural season.

1. Rated passes should be issued for the removal of timber of the prescribed size required for mending the agricultural implements broken while at work.

2. The period for such removals will be limited to two months, viz.—

(a) For kharif area—1st June to 31st July.

(b) For rabi area—15th September to 15th November.

3. Only small timber up to 60cms. girth at breast height is to be removed. Teak (Sagon) up to 60 cms. in girth may also be removed where absolutely necessary. If the bent wooden piece to which the iron shall is fixed, breaks, permission will be given to cut wood which will yield such a piece.

4. The patel will issue a pass for wood generally required, for such implements in consultation with the cultivator concerned.

5. Normally only one rated pass is to be issued to each person. In case, however, the stock of rated passes of a particular denomination is exhausted, two passes may be issued. In such cases the patel should write on the pass of higher denomination "principal pass supplemented by Pass No....." and on the other pass "Subsidiary to Pass No.....".

6. Passes are to be issued in serial order and all entries should be legibly written in ink.

7. Time for issue of passes should be fixed. It should normally be from 3 p.m. to 6 p.m. daily.

8. The rated passes will be kept by the patel under lock and key.

9. When the period of issue of passes as shown in 2 above is over, the sale-proceeds with the remaining unsold rated passes and the counterfolls should be returned to the Range Officer or to any other subordinate authorised by the Divisional Forest Officer in writing.

10. These rules will be applicable only to those villages which are within 8 Kms. of any reserved forest. A list of such villages should be made out by the Range Officer and handed over to the Patel for his information and guidance.

11. The Range Officer concerned will supply to the Patel an extract copy of the current schedule of rates in respect of all classes of timber.

Exemptions

103. In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899), the State Government is pleased to remit the duties chargeable in respect of the following instruments :—

G. of I., Notifica-
tion No. 785-S-
R, date 17-9-1899,
as amended by
Notification
No. 2352-F. dated
12-9-19.

- (i) Agreement and security bonds required to be executed under the rules to regulate appointments and promotions in the State and Subordinate Forest Services by a student and his surety previous to entry into Forest Colleges.

- (ii) Instrument in the nature of a conveyance by the Government of standing trees or any other forest produce in a Government Forest.

Note.—Bonds executed by sureties of forest produce should, however, be duly stamped as provided by Article 57 of Schedule I of the Stamp Act, 1899.

104. By commutation, as distinguished from special sales of a Commutation for definite quantity of produce (dealt with in the preceding section), is understood the payment of a fixed sum once for the whole year in return for the privilege of removing from the forest at any time during the year and as often as is necessary, certain stated descriptions of produce for bonafide home consumption, and not for barter or sale or for wasteful use. The commutation system is a suitable one for adoption in the districts where the demand upon the forests is almost wholly confined to the requirements of villagers. But in other tracts, where there is a considerable commercial demand for forest produce or even where there is a very heavy demand on the part of villagers, the system is open to abuse. The following rules apply, therefore, only to areas where the Conservator and Commissioner agree that their introduction is advisable. It would ordinarily be undesirable to permit the system in forest under regular working plans.

RULES

1. Commutation for nistar and paidawar shall be allowed in such districts, from such forests and to such villages as the Commissioner and Conservator may from time to time determine. Nistar ordinarily means and includes—

such Notifications
No. 25-235-XV
and No. 26-235-
XV, date 9-3-17.

- (a) Dry wood fit only for fuel,
- (b) Dry bamboos,
- (c) Grass,
- (d) Thorns,
- (e) Leaves,
- (f) Bakkaal,

required for bonafide domestic use and not for sale or wasteful use.

Paidawar ordinarily means and includes all edible roots, flowers and gums:

Provided that the above definitions may be altered from time to time for any district with the approval of the Commissioner and Conservator.

2. No commutation will be allowed in any village unless the whole village other than persons in classes IV and V in rule 5 below agree to commute.

Proviso.—But the following persons may be excused from payment:—

- (a) Government servants.
- (b) Infirm and blind persons.
- (c) Widows with young children and no member of their family able to collect for them.

(d) Any other small class specially exempted by the Collector.

(From Paidawar Payment only)

(e) Shopkeepers and banias who show that they do not collect paidawar.

3. Any village commuting for paidawar must commute for nistar also.

4. In special areas where there is a danger of abuse (i.e., near a large town), the Conservator with the Commissioner's sanction may exclude fuel from nistar.

5. The standard rates for commutation are as follows :—

A NISTAR

- I. Malguzars and tenants—25 paise per plough.
- II. Shopkeepers, banias, etc.—50 paise per house.
- III. Kalars—6 paise per rupee of the Government excise demand.
- IV. Iron smelters (Agharies)—
Rs. 8 for one furnace.
Rs. 12 for two furnances.
Rs. 15 for three furnaces.
- V. Chambers practising tanning—Rs. 2.50 per house.
- VI. Labourers—Rs. 8.10.
- VII. All classes—Re. 0.31 per house.

B.—PAIDAWAR

Any of these rates may be varied for any district or range by the Conservator with the consent of the Commissioner. The paidawar rate should be reduced when the amount of produce available is small, and when it is quite insignificant, the nistar rate should be allowed to cover paidawar also.

6. Government ryots living in ryotwari villages are entitled to the free enjoyment of nistar and paidawar within the ryotwari area of their own villages. If they wish to make use of reserved forests for these purposes they must take out ordinary licences, unless they are permitted to commute. The Collector may fix specially reduced rates in ryotwari villages permitted to commute if it is shown that the minhai area is as a fact insufficient for their requirements.

7. In November of each year the Tahsildar will call for reports from patwaris in order to ascertain which villages desire to commute for (1) nistar or (2) nistar and paidawar from such forest areas as the Conservator and Commissioner from time to time determine, as available for commutation. The Tahsildar should make it well known that commutation is not compulsory, and that in a ryotwari village nistar and paidawar are free in the minhai allotted to the village.

8. The Revenue Inspector will send a list of all villages which desire to commute to the Tahsildar before the 1st December.

9. The Tahsildar will at once compile a list for the whole tahsil and send copies of it to the Collector and the Divisional Forest Officer. At the same time he will direct the Revenue Inspectors to order patwari to prepare statements in Form No IX-(a)-19 for every village on the list.

10. These statements must be checked by the Revenue Inspectors, and they must all be submitted to the Tahsildar by the 1st February.

11. From these statements the Tahsildar will prepare an abstract giving the totals for each village, and he will send copies of this abstract to the Collector and the Divisional Forest Officer not later than the 15th February.

12. Between the 15th February and the 1st March the Tahsildar will fill in notices requiring the mukaddam or patel of each village on the list to pay into the Sub-Treasury or Treasury before the 15th April in respect of village other than those belonging to the Abiri Zamindari and before the 1st May in respect of the latter the total amount due on account of the whole village less commission at 12 paise in the rupee to be retained for the trouble of collection, and intimating that unless the demand is complied with, the village will not be allowed to commute for the next forest year (1st July to 30th June).

13. As soon as the demand is paid columns 7 and 8 of Form No. IX-(a)-19 will be filled in.

14. The privileges obtained by commuting may be exercised from the 1st July or the date of payment of the demand, whichever is latest, up to the 30th June of the ensuing year.

15. The Tahsildar and the Range Officer shall take measures in concert to ensure that the rates specified above in rule 5 are made widely known among people of all commuting villages.

16. On the 15th July the Tahsildar will forward to the Range Officer a list of all the villages in his tahsil for which the commutation dues (1) for nistar, and (2) for nistar and paidawar have been received. A copy of this list will at the same time be sent to the Divisional Forest Officer, who will forward a copy, with brief remarks on the working of the system to the Collector.

17. Revenue Inspectors and patwaris are not entitled to any remuneration for work connected with these rules which is of a simple character; but the Collector may grant rewards to Revenue Inspector and patwaris who have discharged these duties with special efficiency and despatch. The sum available for such rewards shall be fixed by the Collector and Divisional Forest Officer. It should not exceed 5 per cent. of the average total collections from this source from the villages commuting.

DISPOSAL OF TIMBER AND FUEL

105. Logs and scantling when sold from a depot must be marked Sale mark, with a sale mark.

Removal of
forest produce in
Berar.

106. The removal of timber and other forest produce from the Government Forests of Berar is regulated as follows:—

A—From Reserved Forests, Class A

Notification
No. 1130, date
23-11-11, as
modified by
Notification
No. 1128, date
28-11-12.

1 to 8 Deleted

B—From Reserved Forests, Class C

1 to 3 Deleted

Grazing
grass. and

107. Grazing in the Government forest in the Madhya Pradesh is regulated by the Grazing Rules in Appendix VIII, and Appendix IX, respectively. As regards the disposal of grass in birs or closed coupes no hard and fast rules can be laid down for the whole province. The method must vary according to the situation of the forest and the convenience and preferences of the consumers. Accordingly it has been decided to permit the use of both the licence and auction systems. The Divisional Forest Officer should every year discuss with the Collector the arrangements proposed before grass in closed coupes, birs or babul bans is auctioned, and the following general principles should be borne in mind in deciding upon the system to be following in a particular locality.

Experience shows that, except where cultivators are prevented by pre-occupation with agricultural operations from cutting the grass at the proper time for use as fodder or where the forest is a long way off from the villages to be served, the cultivators prefer to extract grass on licence from the Forest Department. In some places the auction purchaser habitually issues licences to cultivators who cut and extract themselves. This system can have no advantage over the direct licence system except that (i) it may secure a larger revenue, and (ii) it relieves the Forest Department of the duty of preventing thefts of grass. No weight should be allowed to the first of these considerations in deciding whether to auction or not, and the second should only be allowed to influence the decision either where the demand is small and the opportunity for profiteering consequently slight, or where there are a large number of small scattered areas to be disposed of. Auction, is of course, permissible in the case of birs which supply large towns or meet the military demand.

DISPOSAL OF MINOR PRODUCE

Minerals in Gov- 108. The powers exercised by the Divisional Forest Officers in respect
ernment Forest of 'Forest produce' should not be regarded as extending to major minerals dealt with under the Mineral Concession Rules and minor minerals dealt with under Mining Rules. No general list of such minerals can be framed, but leases for the minerals noted below are dealt with under these rules. Leases for major minerals will be regulated by Mineral Concession Rules, 1949, and for minor minerals under the instructions contained in supplementary instructions under Mining Rule 3 and Appendix A of the Mining Manual and should not be given by the Forest Department.

Subject to the limits imposed by rule A-2 of paragraph 102, Divisional Forest Officer, Conservators and the Chief Conservator may continue to deal with the commoner earth, such as ordinary clay, which does not fall within the purview of the Mining Rules. Moreover all doubtful cases and cases of specially valuable concessions, as for example, the Bagra clay lease should be referred for the orders of the State Government before any definite contracts are entered into:—

Vide Government letters Nos. 181-VIII-15-1,

date 13-2-13 and 836-XIV-2-17, date 28-8-14.

LIST OF MAJOR MINERALS WHICH ARE GOVERNED BY THE MINING RULES

Antimony, Arsenic, Asbestos, Barytes, Bauxite, Bismuth, Coal, Colbalt, Copper, Corundum, Felspar, Flourspar, Galena (Lead ore), Gold, Graphite, Iron Lead, Manganese, Molybdenum, Nickel, Oil, Platinum, Precious Stones, Quick-silver, Silver, Talc, Tin, Molframite, Zinc, Mica, Soapstone or Steatite, haematite, Slate, Fireclay, dinclay, glass sand.

LIST OF MINERALS

Building stone, boulder, Shingle, Gravel, limestone, lime shell at Kanker used for lime burning, murum brick earth, road metal, ordinary clay and ordinary sand (when declared by State Government to have commercial value).

109. Stone, earth including clay, sand and murum may be removed free of charge from Government Forests by the agriculturists for their domestic or other agricultural works or for the construction of improvement of their dwelling houses under free passes to be issued by the Range Officers.

Exemptions of minerals used by agriculturists.

110. The State Government's orders regarding disposal of skins, bones and horns are as follows:—

Disposal of skins, bones and horns.

Under the Indian Forest Act skins, tusks, bones and horns found in or brought from a Government forest or "forest produce" and under section 69 of the Act, where any doubt exists as to the true ownership of forest produce, it is to be presumed to be the property of Government until the contrary is proved. No doubt if the owner of a beast dying or killed in the forest pastures chooses to assert his claim to the carcass, that claim would have to be allowed. But it is perfectly certain that in Ninety-nine cases out of a hundred the owner would never dream of putting forward such a claim. Failing him, no one has a better right to the hides and horns than Government or its lessees. No malguzar, kotwal or chamar of any neighbouring villages should be allowed to claim or carry or meddle with the carcass of any beast dying in the Government forests. Their rights are limited to the existing village areas.

The right to collect hides, horns and bones in every Government forest should be sold by auction under the orders of the Divisional Forest Officer. The form of lease will, however, expressly state that it conveys the right to collect all unclaimed (lawaris) produce of this description; and on the back of the grazing licences should be entered a notice to owners of stock that any owner desiring to claim the

forest must intimate the claim within 24 hours of the death to the nearest Forest Ranger. Steps can then be taken by the forest officials to see that the animal is properly identified and removed. Ordinarily all skins, horns and bones "found" within the forest would be at the disposal of the Government lessee.

Licences for fishing. Resolution No. 4667, date 9-11-95 and Sectt. letter No. 1257-XIV-1-25, date 10-12-09.

111. The lease of fishing rights or the levy of any dues for permission to fish in rivers is absolutely forbidden for the entire area of the State, but so far as the Government forests are concerned, the State Government has no objection (if Conservators find it anywhere necessary for the protection of the forest) to the right of fishing being limited by licences given by the Forester in charge, but no fees should be charged on such licences.

The general policy in the regulation of fishing grounds in rivers in the reserved forests is based on provision of suitable breeding grounds after affording full scope to the inhabitants of adjoining villages to meet their bonafide domestic requirements of fish. Subject to this consideration, the Conservator of Forests may regulate fishing rights in the rivers by giving licences to bonafide fishermen in well defined stretches of the river passing through reserved forests.

TRANSACTION WITH GOVERNMENT DEPARTMENTS

Transactions with other Government Departments.

112. (1) The Forest Department shall charge other departments of the Madhya Pradesh Government as well as other Governments for all vegetable and animal products extracted from a forest area in the same manner in which it charges the public.

When troops are on the march through any district of the State they are to be allowed to cut grass for forage in any forest reserve near the line of march free of charge, due precautions being taken against fire and damage to the forest. Special areas (bars) leased to private persons will not, however, be subject to the above rule).

(2) For vegetable and animal products for which no charge is made, the Forest Department will take no credit in the (public) treasury accounts of Government. But for statistical purposes the value of these products should be shown in the returns furnished by the Forest Department just as the value of timber and other forest produce removed by free grantees or right-holders are already shown.

(3) Departments of the Madhya Pradesh Government, District Councils, Municipal Committees, Village Panchayats, village Sanitation Panchayats and Notified Area Committees will not be required to pay royalty for mineral products extracted for their own use from a Government forest whether extracted by their own agency and under their own supervision or with the intervention of middlemen or contractors: but in the case of a panchayat the previous permission of the Collector shall be obtained.

Mineral products extracted by these departments or local bodies for sale or by departments of the Central or other State Governments, Railways and Cantonment authorities whether for their own use or for sale, shall be charged for at the rates in force for the general public; e.g., quarries for railway construction or boulders taken by a Jail to be broken for sale shall be charged for.

Note.—The department or local body extracting minerals will furnish the Forest Department with periodical returns usually for the financial year showing the kinds and quantities of minerals extracted.

(4) The fact that no charge is made confers on the department of Government or local body no right of entry into or of working in a Government Forest. The Department retains its full powers of control and subject to the orders of superior authority will continue to fix and limit the localities where such extraction may take place and to impose any conditions it may consider necessary for the safety of its forests and the convenience of its work. All applications by these bodies should be treated as urgent and disposed of with as little delay as possible. The best procedure is for the Forest Department to hand over the area containing the quarry from which minerals are to be extracted temporarily or permanently to the Department. District Council or Municipal Committee concerned, but not to a panchayat.

CLASSIFICATION AND RATES FOR FORESTS PRODUCE

113. It is desirable that the coupe system, which is proving very popular with the people, should be extended as far as possible.

In districts where extraction by licence has to be retained, the following classification of timber is prescribed:—

Class I

Tectona grandis (sagwan), *Pterocarpus* *Marsupium* (bija), *Dalbergia latifolia* (Shisham), *Shorea robusta* (Sal) *Ougania dalbergiodes** (tinsa).

Class II

Terminalia tomentosa (ain), *Terminalia arjuna* (Anjan), *Kyllia delabriformis* (surria), *Grewia* spp. (dhaman, etc.), *Soyimida fabrifuga* (rohan), *Chloroxylon Swietenia* (bhirra*), *Schleichera trijuga* (Kusam), *Gmelina arborea** (sewan), *Acacia arabica* (babul*), *Acacia Catechu* (khair), *Cleistanthus collinus* (garari*), *Lagerstroemia parviflora* (lenda*), *Adina cordifolia* (haldu), *Anogeissus latifolia* (dhaura*), *Cedrela toona* (tun), *Schrebera swietenoides* (mokha), *mangiferia indica* (am), *Tamarindus indica* (imli), *Bombax malabaricum* (semel*), *Hardwickia binata* (anjan).

Class III

All other species.

The species marked with an asterisk, which are those most commonly used by agriculturists, may, with the consent of the Commissioner and Conservator, be put into the class next below.

114. The rates for timber and forest produce will be fixed from time to time, district by district, by the Commissioner and Conservator in consultation. Conservators are authorized to reduce the sanctioned rates for forest produce with the concurrence of the Collectors concerned. In the case of enhancement, the Commissioner should be consulted. All changes in rates should be communicated to the Commissioner. Separate rates will be prescribed in regard to the kinds and classes of produce as follows:—

For the purpose of fixing rates, timber in the round not exceeding 60 cms. in girth at 1.37 m. from the ground or 120 cms. from the buttress

Rates for timber and other minor forest produce.

TIMBER

Class I

The rates for "poles" will be per pole not exceeding 30, 45 and 60 cms. in girth and also by the cart-load; for trees they should be by cubic contents per tree not exceeding 90—120 cms. and above 120 cms. in girth or by the piece for trees over 60 cms. in girth. No cart-load rates will be allowed for trees.

Class II

One set of rates for all "poles", with separate rates for cart-loads, kawar-loads (if necessary) and head-loads. For "trees", the rates should be per cart-load, and per tree not exceeding 90, 120 cms. and above 120 cms. in girth by cubic contents or by the piece for trees over 60 cms. in girth.

Class III

For "poles" as for Class II.

For "trees" from 50 to 90 cms. a cart-load rate only; for trees over 90 cms. cart-load rate or by cubic contents or by the over 60 cms. in girth.

FUEL

The rate for dry fuel only to be fixed.

The rates should be fixed by the cart, kawar and head-loads only. Animal and other loads should be assessed on these, when necessary. A monthly rate for the collection of head-loads for dry fuel will be introduced by Conservators, when required.

GRASS

It is desirable to prescribe separate rates for fodder and thatching grass, since the price of the former should be as low as possible. Also, whenever, *Ischaemum angustifolium* (sum, sabai) grass occurs in any appreciable quantity a considerably higher rate should be fixed, as this grass is a valuable Commercial commodity. The rates should be by cart, kawar and head-loads.

OTHER PRODUCE

1. Rates should be as few and simple as possible.
2. Special rates for manufactured articles, such as axes, felloes, etc., should be avoided, payment being assessed by "tree" or "pole" required to produce them.
3. The rates should in variably be based on cart, kawar or head-loads.
4. No rate or difference between any two rates should be less than one pice, and after four annas is reached the rates should not deal with sums differing by less than half an anna.

6. The rates for bamboos should be confined to head-loads, cart-loads, and per 100.

114. A. Timber and firewood may be written off the stock forms for Valuation of timber for purposes of writing off. three reasons only:—

- (i) On account of loss by theft, etc.
- (ii) On account of destruction by fire.
- (iii) On account of its being unsaleable.

In each case it is the Divisional Forest Officer's personal responsibility to fix a valuation and to provide a certificate.

The useful life of cut timber and firewood in the forest will be presumed to be five years and that of bamboos to be two years. For other commodities their utility limit will depend on their nature. The valuation of timber and firewood to be written off will be made as follows in each and the Divisional Forest Officer will provide the certificate prescribed below:—

As regards (i).—The certificate will state that the enquiry into the loss has been completed and the loss reported, according to standing orders. The valuation will be made according to the sale-ability of the material at the place where the loss occurred. In the case, for example, of felled timber in a coupe, the estimated value, if auctioned in site, will be taken. The estimate should be based on the price obtained for similar material in the same locality. If no felled material has been sold in that locality the price of standing material may be taken and exploitation costs added. In the case, for example, of a jungle passed railway sleeper being lost, the value of a passed sleeper (at railhead) less cost of transport will be taken. The above valuations may be reduced by one-fifth of the original value for every year which elapsed between the date when the loss occurred and the date when the material was felled or converted. The minimum permissible valuation at the end of any year should be its residual value at the end of the year or its firewood value at the schedule of rates plus the cost of production whichever is greater. The later will hold good up to the end of 10 years after 10 years the cost of production only will represent the value.

As regards (ii).—The certificate will state the known or presumed causes of destruction and that all reasonable efforts have been made to ascertain the latter. The valuation will be as for loss above.

As regards (iii).—The certificate will state that every reasonable effort has been made to sell the material and that no useful purpose will be served by retaining it on the stock forms.

Up to the end of 10 years the valuation will be at privileged firewood rates plus any costs of production. Thereafter only the cost of production will represent the value. The Divisional Forest Officer must use this discretion allowed to him with great care and caution. He is personally responsible for seeing that no valuable timber is described "unsaleable", i.e., as being firewood only.

Factor of conversion.

116. The rates for animal and other loads will be calculated according to the factors given below:—

I.—TIMBER AND FUEL

Lb.

1 head-load	..	= 1 cubic feet solid	=60
1 kawar-load	..	= 1 cubic feet solid	=90
1 animal pack-load		=3 cubic feet solid	=180
1 drag load	..	=6 cubic feet solid	=360
1 cart-load (two bullocks).	{	=15 cubic feet solid	=900
		=20 cubic feet solid	=1,200
		=25 cubic feet solid	=1,500
		=30 cubic feet solid	=1,800

Notes.—(a) The factor for a cart-load of timber or fuel to vary as above with the general size of carts used in the various Forest Divisions.

(b) Add 25 per cent to cart-load factor for each additional bullock used.

(c) Ton=50 cubic feet solid.

(d) For conversion of stacked fuel to cubic feet solid multiply by 0.5.

II.—POLES MEASURED 120 Cms. FROM THE THICK END

Lb.

Less than 30 Cms in girth	..	=5 cubic feet solid	..	30
30 Cms. and less than 45 Cms. girth	..	=2 cubic feet solid	..	120
45 Cms. and less than 60 Cms. girth	..	=4 cubic feet solid	..	240

III.—TREE MEASURED AS ABOVE

60 feet and not exceeding 75 Cms. in girth=7 cubic feet solid

80 feet and not exceeding 90 Cms in girth=10 cubic feet solid

Note.—ONE cubic feet solid=60 lbs.

FP.—CHARCOAL

						Lbs.	
1 head-load	..	..	..	..	..	=	69
kaway-load	..	..	..	..	..	=	50
1 animal pack-load	..	..	..	..	..	=	180
1 samel-load	..	..	..	..	..	=	360
						=	540
1 cart-load	..	..	..	..	..	=	720
						=	900
						=	1,080

Note.—(a) One mound—20 lbs

(b) Six maunds of green wood go to one maund of charcoal.

(c) To convert mounds of charcoal to cubic feet solid multiply by 3.

(d) The cart-load factor to vary as in the case of timber and fuel.

e) A cart carrying 20 cubic feet of timber to be taken as carrying 9 maunds of chares ca. 1

F.—BAMBOOS

1 head-load	..	= 10 green bamboos.
1 drag-load	..	= 60 green bamboos.
1 drag-load (2 bullocks)		= 50 to 200 green bamboos, by fifteen according to the size of carts in use in the various Forest Divisions.

Note.—(a) For dry bamboos increase the above figures by 30 per cent and for each additional bullock by 25 per cent.

(b) For katang bamboos decrease by 50 per cent.

VI. GRASS AND OTHER KINDS OF PRODUCE

						Lbs.
1 head-load	"	"	"	"	=	60
1 knary-load	"	"	"	"	=	90
1 animal pack-load	"	"	"	"	=	120
1 camel-load	"	"	"	"	=	360
					=	900
1 cart-load	"	"	"	"	=	1,200
					=	1,500
					=	1,800

Note.—The cart-load factor to vary as for timber and fuel.

VII.—COMMUTATION PER HOUSE

1. Timber, 25 cubic feet.
2. Fuel, 200 cubic feet.
3. Bamboos, 100.
4. Karkas, 3,000.
5. Grass, 1 ton.
6. Other minor produce, 1/6 of a ton.

VIII.—STONE AND KANKAR

	Cubic feet
1 cart-load	10
1 khar-load	1.5
1 head-load	7.5

Note.—The conversion factors given above are general in character. The Conservator of Forests should standardise local conversion factors separately for each division for use in working out upset prices, in timber accounts and when timber is sold in volumes etc., where correct calculation of the outturn is necessary.

FREE GRANTS

Free grants of timber and other forest produce.

Circular No. 8-F, dated the 21st May 1895 (Appendix VII of the Forest Department Code).

Article 58 of the Forest Department Code.

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

(a) For the construction of large works of public utility, such as railways, tramways and the like.	Rs. 25,000
(b) To village communities, public bodies, departments of Government or sections of the community in their collective capacity.	5,000
(c) In other cases	2,000

(ii) Within these limits, and subject to the principles laid down, such grants may be sanctioned by the State Government; but all concessions of whatever value made under (a) for the construction of railways or tramways must be reported at once to the Government of India.

(iii) The State Government has empowered the following classes of Forest Officers to make free grants to the value noted against each:—

(a) Officers in charge of Forest Division.	Rs. 500
(b) Conservators of Circle	1,000
(c) Chief Conservator	2,000

Grants made by officers in charge of Forest Divisions will be subject in each case, to the approval of the Collector, and those made by Conservators or by the Chief Conservator, to the approval of the Commissioner of the Division. In cases, therefore, where a Collector considers it advisable that a grant of forest produce should be made

free of charge or at favourable rates, either for the construction be work of public utility or for other reasons such as the relief of a village community or of individual villagers, whose houses have been destroyed by fire, he should dispose of the matter himself in consultation with the Divisional Forest Officer, or forward his recommendation to the Conservator of the Circle, as the case may be.

The Conservator will either, in consultation with the Commissioner of the Division, sanction the grant if it is within his authority, or forward the proposal through the Commissioner to the Chief Conservator if the grant is within that officer's power of sanction.

If the grant is beyond the competence of both the Conservator and the Chief Conservator, the proposal should be forwarded by the Conservator through the Commissioner for the orders of the State Government.

(iv) It must be remembered that the Government of India have laid down that free grants of timber of forest produce for works of public utility are ordinarily in admissible, unless such works will be of direct or indirect benefit to the forests themselves. Recommendations for such grants should therefore, not be made except for very special reasons. But this consideration will not apply when the grants are required for the relief of a village community or individual villagers, whose houses have been destroyed by fire.

Note.—To avoid undue hardships to villagers, free grants of forest produce should be sanctioned by the competent authority with the least possible delay. Such sanction shall normally lapse with the expiry of the financial year, unless it is otherwise specified by the authority competent to sanction the free grant.

117. All members of the Subordinate Forest Service are exempted from the payment of grazing fees for cattle kept by them for their bona-fide domestic requirements.

Free grazing by forest subordinates, Revenue Department
No. 4770, dated the 2th July 1905.

SPECIAL FOREST INDUSTRIES

118. The following orders are issued for the encouragement of the tassar silk industry:—

The tassar industry.

(1) In second-class forests the leasing out of suitable areas to Dhimars for tassar cultivation should be accepted as one of the regular incidents of forest management.

Resolution No. 3972, dated the 24th October 1892

(2) The areas within which tassar cultivation should be permitted should be determined by a committee consisting of each Conservator within his own Circle and the Commissioner of Settlements and Agriculture as representing the Agricultural Department.

The levy of a small aggregate rate of one or 30 paise per ha. might be prescribed.

(4) A similar policy should be followed in Court of Wards estates, which contain forests suitable for tassar cultivation in localities where tassar is produced.

2. The decision as to the districts in which such action is both feasible and desirable must apparently depend upon climatic considerations, and the existence of a sufficient number of Dhimars who with few exceptions, the only people that practice the industry. The districts which may be regarded as the home of the tassar worm, are situated in the southern and eastern parts of these state viz., Bilaspur. Certain areas are also available in Bilaspur Chhindwara, Seoni and Balaghat. In the two last named districts, the Conservator, Southern Circle, has since reported that operations were unsuccessful owing to climatic and other causes, chiefly the apathy of the Dhimars.

3. Tassar is a product of the cold season and frost, hail and cold militate against its successful production in the Northern Circle, hence the industry is practically unimportant in that Circle, which is more subject to the vicissitudes. However, where possible, suitable areas of saj forests may be assigned for experiments in the districts of Mandla, Betul, Hoshangabad and Nimar. In the remaining districts little or no cultivation appears to have been carried on at any time, and as the Dhimars are very few, no action in this direction seems called for.

4. The most convenient area for the bari would be about 8 ha. and this should be divided into four compartments of 2 ha. each, only one of each will be under tassar in any one year. A rent of 62 paise per ha. will be charged for the land actually under crop, nothing being charged for the fallow land. Or, if the people prefer, the rate may be expressed as 15 paise per ha. per annum on the whole bari of 20 acres, fallow included.

5. Apart from the action to be taken in Government forests as indicated above, steps should also be taken in the same direction in those Court of Wards estate, where there is any hope of success.

6. It is also desirable that tassar baris should be given free of charge to Dhimars, who agree to settle in forest villages and to work for the Forest Department at the usual rate of wages during the time their services are not required in connection with tassar cultivation. The plan, if successful, might solve in certain localities the problem of obtaining local labour which so often gives trouble to Forest Officers, and want of which impedes work.

7. The progress of tassar silk cultivation should be regularly noticed in the annual reports submitted by Forest Divisional Officers and Conservators.

Cases of injury
or death by
accidents.

118. A. The following instructions are issued for dealing with cases of injury or death caused by accidents to employees under the Forest Department who are workmen under the Work-men's Compensation Act:—

It is important that speedy action should be taken in dealing with cases of workmen who are injured in accidents arising out of their employment and Government should set an example to employers in general in the matter of prompt and sympathetic dealing with such cases. Thus if a workman employed by the Forest Department is injured, a full account of the accident and information pertinent to the question of compensation should be submitted to the Government with the minimum of delay by the departmental officer concerned and the case dealt with as urgent. If the injury has resulted in death, a report giving the circumstances attending the death

should also be sent to the Commissioner for Workmen's Compensation for the area (the District Judge is usually the Commissioner for his civil district) within seven days of the death, as required by section 10-B of the Workmen's compensation Act. On receipt of the report from the officer under whom the workman is serving the head of the department concerned should, if necessary, call for further information relating to the accident and then send the case to the Law Department for opinion. Any application or submission of the workman or his dependents should also be sent to the Law Department.

2. The Workman's Compensation Act provides for settlement of claim for compensation either by agreement between the workman and his employer or by reference to the Commissioner for Workmen's Compensation. Ordinarily claims should be settled and paid by agreement when the facts admit of no doubt about the employer's liability. If there is dispute about facts or where the injury is alleged to be due to wilful disobedience of orders by the workman or to contributory negligence on his part, the better way is to refer the question and case to the Commissioner pointing out Government's doubts and leave him to decide. If the Commissioner's decision appears to the department to be erroneous, the right of appeal may be exercised.

3. Where injury has resulted in death, the compensation payable to the deceased workman's dependants and in other cases where compensation is payable to a woman, minor, or a person under legal disability, compensation should not be paid except through a Commissioner as required by section 8 of the Act. In all cases previous sanction of the State Government is however necessary to the payment of compensation from the State Revenues.

4. A case has come to Government's notice in which the question of compensation to a workman was allowed to slide while a criminal prosecution of a Public Works Department contractor who employed him for an offence of causing death by negligence was in progress. It is improper to leave aside the question of compensation in this way. The question of compensation under the Workmen's Compensation Act is in no way affected by the result of a prosecution or by any compensation that may be awarded under section 545. Criminal Procedure Code. The Government as employer has a duty to protect the rights of the Workmen employed on its works even though such employment may be through a contractor.

5. It should be borne in mind that the Workmen's Compensation Act is not exhaustive in the matter of compensation for injury to workmen, nor do Government's moral obligations rest there. In certain circumstances compensation though not recoverable under the Workmen's Compensation Act may be recoverable under some other law, such as section 1 of the Fatal Accidents Act, and in suitable cases Government may render help to enable poor dependants to sue in the Civil Court. In various cases, Government has sanctioned compensation ex gratia to labourers who owing to some technicality could not claim to be workmen under the Workmen's Compensation Act. Such payment will only be made in deserving cases and no hard and fast rule can be framed to govern them but it is essential in the interests of justice that the procedure directed in paragraph 1 of these instructions should be followed in all cases.

CHAPTER XXI—M. P. FOREST RULES, 1960

[Under Section 32(d) and 76]

Rule 119 to 121 deleted.

1. In these rules, unless there is anything repugnant in the subject or context:—

- (a) "Act" means the Indian Forest Act, 1927 (XVI of 1927);
- (b) "Agriculturist" means a person who cultivates land personally or who may reasonably be expected to cultivate personally and includes an agricultural labour and rural artisan ;
- (c) "Commutation" means the payment of a fixed sum once for the whole year in return for the privilege to obtain from the protected forest reasonable quantum of Nistar or Paidawar for bonafide domestic consumption, or for occupational purposes only and not for barter or sale or for wasteful use;
- (d) "Licence" means a licence issued by an authority competent to issue the same under these rules ;
- (e) "Nistar" means and includes :—
 - (i) timber of unreserved trees, or reserved trees where expressly sanctioned in that behalf, for agricultural implements, building new houses or repairing houses and cattle sheds of the agriculturists ;
 - (ii) dry fallen wood not fit for timber;
 - (iii) dry bamboos and green bamboos where specifically mentioned ;
 - (iv) Grasses other than Rusa, Khus or Sabai grass ;
 - (v) thorns except those of Khair and Brushwood ;
 - (vi) leaves excluding tendu leaves ;
 - (vii) bark (Bakkal) of un-reserved trees ; and
 - (viii) surface boulders, murum, sand, chhui and clay ;
- (f) "Paidawar" means and includes all edible roots, fruits and flowers, naturally exuded gum except the gum from Kulu trees, honey and wax ;
- (g) "Occupational Nistar" means nistar required for the purpose of carrying on an occupation as a means of livelihood ;
- (h) "Pass" includes a commutation pass issued by an authority competent to issue the same under these rules or any other enactment, rules or orders for the time being in force.

2. (1) Subject to the provisions of rules laid down hereinafter agriculturists residing within or owning land in a village or villages shall be permitted to obtain either free of charge or on payment their nistar and Paidawar requirements from the protected forest to which they have been or may be attached according to the rules and orders for the time being in force.

Explanation.—The expression "Nistar requirements" and "Paidawar requirements" mean the Nistar and Paidawar, required for the purpose of bona fide domestic consumption and not for gift, barter, sale, export or wasteful use.

(2) The quantum of nistar paidawar requirements permitted under sub-rule (1) shall be subject to the actual requirements of each individual and limited to availability of nistar material. Where available nistar material falls short of the total requirement, the nistar material shall be equitably rationed.

(3) (a) The Divisional Forest Officer shall from time to time specify the area from which the nistar is to be obtained each year and the villagers shall obtain their nistar only from such areas.

(b) The Divisional Forest Officer shall from time to time specify and reserve a reasonable area for the exercise of occupational nistar and prescribe the quantum of material which could be obtained from such area under exploitation limited to availability of material, after meeting the "Nistar" and "Paidawar" requirements of agriculturists under sub-rule (2).

(4) (a) The Collector shall in consultation with the Divisional Forest Officer from time to time and in accordance with the rules or orders for the time being in force specify the villages the residents of which shall be permitted to obtain their requirements of nistar and paidawar under commutation.

(b) Subject to sub-rule (a), commutation shall be permitted only to those villagers who obtain a commutation pass after payment of the commutation fees in accordance with the rules or orders for the time being in force.

(5) (a) No person shall take his nistar requirement from the protected forests without a pass or a valid licence unless exempted by the Divisional Forest Officer by specific or general order in writing in this behalf.

(b) The Divisional Forest Officer shall regulate the issue of passes.

(c) Unless exempted by the Divisional Forest Officer under sub-rule (a), every person entering a protected forest for taking nistar shall carry with him the nistar pass or a valid licence and shall obtain nistar from the forest in accordance with the provisions of these rules.

3. (i) Exploitation of the protected forests shall be subject to the following conditions, namely:—

- (a) (i) No tree shall be girdled, pollarded or lopped off its branches.
- (ii) No tree shall be wounded for the collection of gum and resin.
- (iii) No tree shall be uprooted, burnt or injured in any other manner.
- (iv) No tree other than that specifically marked for felling or permitted to be removed by a general order of the Divisional Forest Officer shall be cut.
- (v) No tree under 22.5 cms. girth at breast height shall be cut.

- (vi) All trees permitted to be cut shall be cut as close to the ground as possible.
- (b) Roots of trees shall not be damaged except that Palas roots, may be dug for preparation of ropes but in no case more than one third portion of the root shall be taken out leaving the remainder for the tree to survive.
- (c) No bark of trees shall be removed except that bark of Kahu (*Terminalia arjuna*) may be removed with the written permission of the Divisional Forest Officer in that behalf subject to the following conditions, namely:—
- the eastern portion of the stem of trees above 90 cms. in girth at breast height shall only be barked with a special cutter, bark shall not be peeled off chips of size 3 cms. \times 2.5 cms. shall alone be cut without damaging the cambial layer on leaving an interspace of 5 cms. in between peeled lines;
 - the bark shall be removed between January and June;
 - a tree once barked shall not be rebarked during the next three years;
 - the bark so removed shall be paid for at the concessional rate Rs. 5.00 per cart-load or at such other rates as the State Government may fix from time to time;
- (d) Bamboos shall be cut subject to the following conditions:—
- The cutting cycle for bamboos shall be 4 years. Annual coupe shall be divided into 4 sections and felling shall proceed sectionwise, i.e. cutting in the next section shall not be permitted unless previous section has been thoroughly and satisfactorily worked in accordance with these rules.
 - No live immature culms, viz., Karla or the current season's culm and Mahila or culm of the previous season shall be cut.
 - Rhizomes of bamboos shall not be dug.
 - No bamboo clump containing less than ten live culms including Karla and Mahila shall be worked;
 - In culms containing 10 or more live culms, the mature culms (other than those broken at a height of less than 20 cms. that are left after cutting shall be uniformly spaced and their number shall be equal to at least twice the number of Karlas subject to "a" minimum of 10 live culms.
- Example.**—In case there are 12 culms in a culm of which 3 are Karlas then all the Karlas, i.e. 3 plus twice that number i.e. 6, total 9 culms should ordinarily have been left in the culm, but as this total is less than 10, one more culm shall be retained. That is, in all 3 Karlas plus (10-3), i.e., 7 other culms excluding Mahila, shall be left in the culm.
- (vi) The height above ground level at which the culms are cut shall not be less than 15 cms. or more than 45 cms. and in any case not below the first internode.

- (vii) The cut shall be made with a sharp instrument so that the stump is not split.
- (viii) All cutting debris shall be removed at least 30 cms. away from the periphery of the clump.
- (ix) Karla and Mahila bamboos shall in no case be used for making strips for tying bundles.
- (e) Tapping of Khajur trees shall be done subject to the following conditions :—
 - (i) No Khajur trees shall be tapped if it is less than 180 cms. high from the ground to the base of the growing shoot (gabha).
 - (ii) The tree shall be tapped at one place on the stem in any one year and only at the base of growing shoot (gabha).
 - (iii) The leaves of a tree shall not be cut unnecessarily for tapping purposes and tapping incisions shall not be made so as to cause the death of the tree.
- (f) (i) Subject to the provisions of these rules or any other law for the time being in force, minor forest produce in a protected forest shall be disposed off by the Divisional Forest Officer in the same manner as in the case of a reserved forest.
- (ii) All forest produce removed from a protected forest shall be covered with a pass issued under the authority of the Divisional Forest Officer or a licence granted by an authority competent to issue such licence under these rules or under any other enactment for the time being in force.
- (iii) No forest produce shall be removed between sunset and sunrise.
- (iv) No "Dahia" or Dewar cultivation shall be permitted except in areas specified by the Divisional Forest Officer for the purpose.

4. Any person holding a pass or a licence for appropriation or removal of forest produce shall have in his possession the pass or the licence whenever he enters protected forests for any purpose connected therewith and shall produce the same whenever required to do so by a forest officer.

Provided that nothing in this rule shall apply in case of a person who is permitted to remove forest produce without the production of a pass in time of famine or scarcity by any general or special orders of the State Government.

5. The Conservator or Forest, shall from time to time fix rates payable for each kind of forest produce removed from protected forest.

6. (1) A person desirous of clearing by fire any standing forest or grass land within 5 Kms. of any protected forest shall observe the following rules :—

- (a) He shall give notice of his intention to burn at least one week before hand to the nearest Forest Guard, Forester or Ranger under whose Jurisdiction such land lies;

(b) He shall clear a fire-belt at least 9 metres broad on that side of the area which he proposes to burn which is nearest to the protected forest in such manner that no fire can spread across such belt;

(c) He shall not burn when a high wind is blowing.

(2) Any person desirous of burning on land within 1.6 Kms. of a protected forest any wood, grass, weeds or other inflammable material shall collect such material into heaps and burn it heap by heap in such a manner that the resulting fire shall not extend to the surrounding area or endanger the protected forest.

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

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

(5) The carrying of burning wood, fire-brands or torches along the boundary of any protected forests shall be prohibited, between the 1st November and 30th June or such earlier or later date as may be notified by the Divisional Forest Officer under section 26(c) with the previous approval of the Conservator of Forests smoking shall also be prohibited during the aforesaid period within protected forests, save at authorised camping grounds.

(6) No person shall set fire to any part of a protected forest and no person shall set fire in the vicinity of a protected forest so as to cause damage to any timber lying therein or to any trees thereof declared as reserved under section 30 of the Act.

(7) It shall be the duty of every person exercising any right in a protected forest or permitted to take his nistar requirement or pasturing cattle in a protected forest to intimate for with the occurrence of any fire in the forest or its vicinity within his knowledge to the nearest forest officers and whether or not so required by any forest officer to take steps.

(i) to extinguish any such fire; and

(ii) to prevent by all lawful means in his power the spread of any such fire, in the vicinity of such forest into it.

7. (1) Agriculturists residing within or owning land in and artisans and labourers residing in a village or villages allotted to a particular protected forest shall be permitted to graze their cattle in that particular protected forest in accordance with the rules and orders for the time being in force.

Provided that no person shall graze cattle in grass-birs, fuel-cum-fodder reserves, areas under re-generation and plantation except with the permission of the Divisional Forest Officer. Sheep and goats shall be excluded from the tree clad area or pasture which is subject to standard grazing incidence. They may graze only in such of the Pahad and rocky areas of the protected forests as may be specifically set apart by the Divisional Forest Officer for free grazing of all cattle without grazing restrictions. Sheep and goats shall not be allowed to concentrate for grazing at any one place for more than a week in the rainy season.

(2) The Divisional Forest Officer shall regulate the issue of grazing licences, recovery of grazing revenue; checking of cattle in the same manner as in case of reserved forests.

(3) The Divisional Forest Officer shall fix the cattle camps within the forest area for cattle availing of the grazing facilities from distant places.

(4) The grazing fee to be charged for grazing in protected forests shall be such as may be fixed by the State Government from time to time.

8. (1) No lease of fishing rights, shall be granted in any river passing through a protected forests:

Provided that the Conservator of Forests may regulate fishing rights in the rivers by granting licences to bona fide fishermen in well defined stretches of the river :

Provided further that such licences shall be granted only after meeting bona fide fish requirements of the inhabitants of adjoining villages and after providing for suitable breeding grounds in the river.

(2) No fee shall be charged for granting of such licences.

9. The Divisional Forest Officer may allot land in river and tank beds for cultivation to persons who have been usually cultivating such beds after fixing the annual rent in consultation with Gram-Panchayat or Vikas Mandal and the villagers.

10. The shooting rules made under section 26 (i) and 76 (d) of the Act and as in force in the Mahakoshal region shall apply mutatis mutandis to protected forests as they apply in the case of reserved forests.

11. "Forest Villagers" may be established in the protected forests in accordance with the procedure laid down for the establishment of "forest villages" in the reserved forests.

12. The cutting, sawing, conversion and removal of trees and timber, and the collection, manufacture and removal of forest produce and the cutting of grass and pasturing of cattle shall be regulated, as far as may be, in accordance with the provisions of the working plans/working schemes duly approved by the State Government, in so far as they are not inconsistent with these rules.

APPENDIX I

Schedule of powers exercised by Forest Officers under Forest Department Code and other Regulations.

Serial No. (1)	Authority (2)	Nature of power (3)	Officers concerned (4)	Remarks (5)
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I.—ESTABLISHMENT

Distribution and Transfers

1.	Art. 7(ii)(a) and 17, F. D. Code.	Powers to distribute sanctioned appointments	Principle Chief Conservator.	
2.		Inter circle transfers of ministerial officers in extraordinary circumstances.		
3.		Transfer and posting of the Subordinate Forest Service from one circle to another.		
4.	Art. 7(ii)(a), F.D. Code ..	Allotment of posts of Mahants to the different circles		

Casual Leave

5.		Casual leave of Conservators	Principle Chief Conservator.	
6.	Book Circular II-6.	Casual leave of other I.F.S. and State Forest Service Officers subordinate to Conservators.		
7.		Casual leave to officers of the subordinate and ministerial establishment.	Divisional forest officers.	

Acting Allowance

8.	Fundamental Rules 31 & 35	Power to sanction acting allowances to officers not on the permanent establishment officiating in a permanent post the pay of which is not less than Rs. 100 to an amount not exceeding the full pay of the post.	Conservators.	
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Pensions

9.	Art. 442(d), C. S. R.	To accept medical certificates of incapacity for further service ..	The officer empowered to sanction pension.	
10.	Art. 911(a), C. S. R.	To accept medical certificate bearing a later date than the application for pension.		
11.	Art. 422, C.S.R. ..	To condone interruption of service	Do.	
			Authority competent to fill the appointment.	

—Contd.

(1)	(2)	(3)	(4)	(5)
I—ESTABLISHMENT—contd.				
12. Art. 326, C.A. Code	..	To order recovery of over-payments of leave allowance irregularly drawn before retirement of applicants for pension when this is recommended by Accountant-General.	The officer empowered to sanction pension.	
13. Do.	..	To pass final orders in regard to permitting leave allowance irregularly drawn by applicants for pension.	Conservators.	Up to a limit of three month's pay.
14. Art. 943, C.S.R.	..	To sanction payment of arrears of pension not drawn by officers within six months for the first time.	Officers empowered to sanction pension.	
15. Art. 945, C.S.R.	..	To exempt retired officers from personal appearance when drawing pension.	Do.	
Travelling Allowance				
16. Supplementary Rule 137 under Fundamental Rule 44 and Appendix II, Part II, of the Fundamental Rules.		To pass travelling allowance bills of gazetted assistants, non-gazetted officers in a division for journeys on tour or transfer.	Divisional Forest Officers.	
17. Do.	..	To pass travelling allowance of all other officers serving under the Conservator of journeys performed within the Conservator's jurisdiction or on examination.	Conservators.	
18. Rule 60 of the Supplementary Rules under Fundamental Rule 44 (Appendix V.)		Pass charges for carriage by rail or horses, camp equipment bicycles and motor-bicycles of officers serving under a Conservator or transferred to his circle.	Do.	Sanction must be given before the charge is incurred. Limited to two horses, one syc and grass cutler for each horse.
19. Rule 64 of the Supplementary Rules under Fundamental Rule 44. (Appendix V.)		Payment of actual expenses for camp equipage during halts at headquarters.	Do.	Not more than 21 days at Mandla and 10 days elsewhere at one time in any calendar month.
20. Art. 75, C.A. Code	..	Sanction to the grant of transit pay at his discretion to an officer without a substantive appointment.	Do.	
21. Appendix XXV-C of the Fundamental Rules.		To order any officer subordinate to him to proceed on duty to any part of the province or foreign State or Settlement adjoining his circle and to pass his travelling allowance bill.	Do.	

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(1)	(2)	(3)	(4)	(5)
		(v) curtailment of grazing area, provided that this does not lead to exclusion of cattle which have no alternative grazing facilities, and the incidence is not appreciably heavier than that sanctioned under the order of re-classification.	..	<i>Note.</i> —All changes made in the grazing settlements shall be reported to the Chief Conservator of Forests through the Conservator of Forests and the Silviculturist to enable him to issue the necessary amendments.
29. Art. 5, F D Code	..	To sanction formation and redistribution of ranges	.. .. Chief Conservator	.. Provided that no increase of the subordinate forest establishment is involved.
30. Art. 53 (iii) F D Code	..	To sanction exploitation in deficit or excess (whether of area or material) in the prescriptions of sanctioned Working Plan.	Conservator.	
31. Provincial Government No. 781-XIV-1-19, dated the 6th July 1907.		To sanction deviations from regulations regarding sub-divisions and ranges.	Do.	
Financial Powers				
32. Art. 64 (i), F D Code	..	To sanction deferred realization of revenue	Conservator	Up to Rs. 10,000. If the amount exceeds Rs. 5,000 a report must be made to the State Government.
33. Art. 61 (i), FD Code	..	To write off irrecoverable revenue	Rs. 1,000 Chief Conservator of Forests.	
34. Art. 61 (i), FD Code	..	Do. Do.	Rs. 500 Conservators	.. In the case of rental demand from forest villagers the limit of Conservators powers is Rs. 200 and the circumstances should be reported to Provincial Government.
35. Art. 61 (ii) FD Code	..	Do. Do.	Rs. 100 Divisional Forests Officer.	
36. Art. 72 (i), FD Code	..	To write off irrecoverable advances up to	Rs. 250 Chief Conservator and Conservators.	
37. Art. 62 (i) FD C	..	To write off valuable stores up to	Rs. 5,000 Chief Conservator.	

Schedule of powers exercised by Forest Officers under Forest Department Code and other Regulations—*contd.*

(1)	(2)	(3)	(4)	(5)
II—Administrative Power Financial Powers				
38	Art. 62 (f) F D Code	.. To write off valuable stores up to	Rs. 1,000	Conservator.
39	Do.	.. Do. Do.	Rs. 250	Divisional Forest Officers.
40	Do.	.. Do. Do.	Rs. 50	Other Divisional Forest Officers.
41	The Central Provinces Forest Financial Rules, Chapter VI, section IV, rule 154	To transfer allotments from one detailed head to another, or from one subordinate disbursing officers allotment to another within the same unit of appropriation.		Chief Conservator of Forests, Conservators of Forests, Divisional Forest Officer. Full powers
42	The Central Provinces Forest Financial Rules, chapter VI, section VI, rule 156.	To sanction re-appropriation of sums from one unit, to another Chief under the minor head "Central Direction" or "Establishment" and all except units Nos. 13 and 14 under the minor head "Contingency and Works".	Chief Conservator of Forests.	Full powers subject to the limitations— (a) that the reappropriation is from one unit to another within the same minor head. (b) no reappropriation shall be made from sums included in an authenticated schedule by direction of the Governor as necessary for the due discharge of any of his special responsibilities; (c) no reappropriation may be made from an grant voted by the Legislative Assembly to another such grant; (d) funds allotted for expenditure charged on the revenues of the province may not be reappropriated to meet other expenditure and <i>vice versa</i> ;

Schedule of powers exercised by Forest Officers under Forest Department Code and other Regulations—contd.

(1)	(2)	(3)	(4)	(5)
		II—Administrative Power Financial Powers		
38	Art. 62 (i) P D Code	.. To write off valuable stores up to	Rs. 1,000	Conservator.
39	Do.	.. Do. Do.	Rs. 250	Divisional Forest Officers.
40	Do.	.. Do. Do.	Rs. 50	Other Divisional Forest Officers.
11	The Central Provinces Forest Financial Rules, Chapter VI, section IV, rule 154	To transfer allotments from one detailed head to another, or from one subordinate disbursing officers allotment to another within the same unit of appropriation.		Chief Conservator of Forests, Conservators of Forests, Divisional Forest Officers. Full powers
42	The Central Provinces Forest Financial Rules, chapter VI, section VI, rule 156.	To sanction re-appropriation of sums from one unit, to another Chief under the minor head "Central Direction" or "Establishment" and all except units Nos. 13 and 14 under the minor head "Conservancy and Works".		Chief Conservator of Forests. Full powers subject to the limitations— (a) that the reappropriation is from one unit to another within the same minor head. (b) no reappropriation shall be made from sums included in an authenticated schedule by direction of the Governor as necessary for the due discharge of any of his special responsibilities; (c) no reappropriation may be made from any grant voted by the Legislative Assembly to another such grant; (d) funds allotted for expenditure charged on the revenues of the province may not be reappropriated to meet other expenditure and vice versa.

(1)	(2)	(3)	(4)	(5)
				(e) no reappropriation may be made to meet any expenditure which is likely to involve further outlay in a future financial year, and
				(f) no reappropriation may be made to meet expenditure of a kind for which no provision has been included in the authenticated schedule.
43	Do.	To sanction reappropriations in respect of allotments at their disposal under the head "Conservancy and Works" except units Nos. 13 and 14.	Conservators	Do.
44	Do.	To sanction reappropriations in respect of allotments at their disposal under the head "Conservancy and Works" except units Nos. 13 and 14.]	Divisional Forest Officers	Do. up to a limit of Rs. 1,000
45	Art. 65, F.D. Code	.. To sanction recurring expenditure of the nature of rent for houses or land up to Rs. 100 per mensem in each case or Rs. 1,000 per mensem for each circle.	Chief Conservator.	
46	Do.	To sanction recurring expenditure of the nature of rent for houses or land up to Rs. 50 per mensem in each case or up to Rs. 500 per mensem for the circle.	Conservators.	
47	Art. 69, P.L. Code	.. To incur capital expenditure on account of purchase of elephants up to Rs. 6,000.	Chief Conservator	Provided no increase of the sanctioned establishment of elephant is involved.
48	Do.	To incur capital expenditure on account of purchase of elephants up to Rs. 3,000.	Conservators.	
49	Do.	To Purchase of live-stock other than elephants, stores, tools and plant including office and rest-house furniture up to Rs. 25,000.	Chief Conservator.	
50	Do.	Purchase of live-stock other than elephants, stores, tools and plant, including office and rest-house furniture up to Rs. 5,000.	Conservator.	
51	C. P. Govt. Forest Deptt. No. 191-85-XV, dated the 28th March 1936.	To sanction purchase of sports materials up to the limit of Rs. 300 every year including Rs. 50 for prizes for sports for the use of students of the Betul Forest School.	Director, Forest School, Betul.	

(1)	(2)	(3)	(4)	(5)
52	Art. 69, F.D. Code	.. To incur capital expenditure on purchase of stores, tools and plant upto Rs. 1,000.	Divisional Forest Officers drawing Rs. 1,000 and over per mensem.	
53	Do.	To incur capital expenditure on purchase of stores, tools and plant upto Rs. 500.	Other Divisional Forest Officers.	
54	Do.	Other items of expenditure up to Rs. 15,000	Chief Conservator. ..	Subject to the condition that the administrative sanction of the Provincial Government is obtained in the case of new roads.
55	Do.	Construction of roads and buildings by departmental agency Rs. 5,000 by contract Rs. 7,500.	Conservators.	
		Other items of expenditure Rs. 5,500		
56	Do.	To incur capital expenditure excluding live-stock, furniture and tents up to Rs. 2,000.	Divisional Forest Officers drawing Rs. 1,000 and over.	
57	Do.	To incur capital expenditure excluding live-stock, furniture and tents up to Rs. 1,000.	Other Divisional Forest Officers.	
58	Finance Dept. letter No. 329-1834-X, dated the 23rd January 1924.	To sanction the purchase of tents subject to the conditions— (1) that the power is not exercised in regard to the purchase of tents for the use of the sanctioning officer concerned, and (2) that specific budget provision is not exceeded.	Chief Conservator and Conservators of Forests.	
59	Art. 328 of Financial Rules and paragraph 46, Forest Account Rules.	To sanction refunds of revenue upto Rs. 3,000.	Chief Conservator.	
60	Do.	To sanction refunds of revenue upto Rs. 1,000	Conservators.	
61	Do.	To sanction refunds of revenue upto Rs. 200	Deputy Conservators in charge of Divisions.	
62	Do.	To sanction refunds of revenue upto Rs. 50	Other Divisional Forest Officers.	
63	Art. 66-A F.D. Code	.. To sanction an advance of one month's pay to non-gazetted subordinates.	Conservators and Divisional Forest Officers.	Subject to the restrictions of paragraph 39 (i) and (ii) of the Forest Account Rules.
64	Rule 431 of Financial Rules and paragraph 39(ii) and (iv) of Forest Account Rules.	To sanction an advance up to an amount not exceeding one month's substantive pay plus the travelling allowance admissible under the rules to officers subordinate to them in case of transfer.	Do.	Do.

(1)	(2)	(3)	(4)	(5)
65	Rule 431 of Financial Rules and paragraph 39 (a) of Forest Account Rules.	To sanction an advance of one month's travelling expenses to themselves and officers subordinate to them in case of emergency when proceeding on a long tour, subject to adjustment on return to headquarters on or before 31st March of the financial year, whichever is earlier.	Do.	Do.
66	Rule 423 of Financial Rules.	To sanction house-building advances	Conservators.	
67	Rule 29 of the Financial Rules.	To sanction permanent advances to officers subordinate to them..	Do.	Accountant General must be consulted and advance limited to Rs. 500.
68	L. G. No. 199-745-XV, dated the 16th February 1926.	To sanction advances under Article 426(a) of the Financial Rules to the members of the Subordinate Forest Service for the purchase of ponies.	Conservators and Chief Conservator of Forests.	Upto Rs. 200 subject to the restriction that before sanctioning an advance to pay member's certificate shall be obtained from the Accountant General whether funds are available.
69	Book Circular IV-7	To sanction recovery of advances to Government servants who have gone for Anti-Rabic treatment to be recovered in more than three instalments but not more than 12 monthly instalments.	Conservators and Divisional Forest Officers.	
70	Art. 68 FD, Code.	To sanction all usual payments on account of revenue expenditure within budget limits.	Do.	Do.
70-A	Provincial Government's memo. No. 503-350-31, dated the 28th July 1937.	To sanction the rate of commission to sawyer's mukaddams employed for recruiting sawyers and supervising their work and outturn.	Conservators.	
71	Arts. 8 and 69 FD, Code.	To sanction expenditure of an unusual nature up to Rs. 100 in each case.	Do.	
72	Rule 317 of the Financial Rules and Appendix 1X.	To sanction section-writing and copying at piece-work rates. ..	Conservators.	The number of men, number of words per rupee and rate for tabular work must be specified.
73	Do.	To sanction purchase of books and periodicals for themselves and subordinate offices subject to budget provision.	Do.	

(1)	(2)	(3)	(4)	(5)
		(ii) Rs. 100	Conservator	
		(iii) Rs. 250	Chief Conservator of Forests	
		<i>Miscellaneous</i>		
84	..	To fix amounts and circumstances under which advances may be made to contractors.	Conservators	
85	Book Circular III-3, ..	To send requisition for printing to the Government Press., ..	Conservators	
86	Art. 414 C.A. Code ..	To empower officers in charge of sub-divisions and ranges to draw cheques.	Do.	
87				
88	Rule 4 of the Forms Rules..	To deal finally with forest forms	Chief Conservator	
89	State Government's No. 982-XIV-11-54, dated the 23rd November 1910.	To receive and deal with Inspection Reports of Divisional Offices	Do.	

APPENDIX II

Schedule of powers delegated to the Sylviculturist, Madhya Pradesh,
and the Forest Utilization Officer, Madhya Pradesh

(Vide State Government Forest Department letters No. 636-716-XV, dated the 28th July 1926, and 922-476-XV, dated the 27th August 1928).

S. No.	Nature of powers	Remarks
(1)	(2)	(3)
1.	To exercise all powers of Divisional Forest Officer or Deputy Conservator of Forests in charge of a division in respect of items 7, 9-12, 14-16, 36, 44, 52, 56, 61, 63-65, 69, 70, 74, 75, 77, 78 and 80-83 in Appendix I.	
2.	To grant casual leave to Imperial and State Forest Service Officers subordinate to him.	
3.	To pass travelling allowance bills of all officers serving under him for journeys performed within the Sylviculturist's jurisdiction.	
4.	To sanction payment of actual expenses for camp equipage during halts at headquarters.	Not more than 21 days at Mandla and 10 days elsewhere at one time in any calendar month.
5.	To grant exemptions from the rule limiting a halt on tour to 10 days.	Up to a limit of 30 days subject to conditions laid down in S.R. 52 under F.R. 44 of the Central Provinces Compilation of Fundamental Rules.
6.	To write off valuable stores up to Rs. 500.	
7.	To sanction the purchase of live-stock other than elephants, stores, tools and plant including office and rest-house furniture up to Rs. 500.	
8.	To sanction section-writing and copying at piece work rates.	
9.	To sanction the purchase of books and periodicals subject to budget provision.	
10.	To send requisitions for printing to Government Press.	

S. No.	Nature of powers	Remarks
(1)	(2)	(3)
11.	To order the preparation of special forest maps.	Up to Rs. 500 in each case.
12.	To sanction recurring expenditure of the nature of rent for house or land.	Up to Rs. 50 per mensem in each case.
13.	To sanction the supply of blankets every third years to peons and orderlies taken out on tour during the cold weather.	
14.	To sanction the payment of travelling allowance to inferior servants on transfer from one station to another.	Subject to the conditions laid down in S.R. 84 below F.R. 44.

APPENDIX IV

**RULES FOR THE SELECTION OF CANDIDATES FROM THE
MADHYA PRADESH FOR THE FOREST RANGERS COURSE OF
TRAINING AT THE FOREST COLLEGE, DEHRADUN, COIMBATORE,
CHANDRAPUR OR BALAGHAT**

REFERENCE.—Forest College Rules 6, 8, 9, 10, 14, 15, 18, and 31.

1. Period of training.—The course of training at the College extends over a period of two years commencing from the 1st April each year.

2. Allotment of studentships.—The total number of students to be admitted in to the College is fixed by the President of the College not later than the 15th July of the year before the course commences. All Conservators should submit their requirements by the 15th May to the Chief Conservator of Forests, to enable him to address the State Government to move the President, Forest College, Dehra Dun, to allot the required number of seats.

3. Any person who wishes to be admitted to the course must apply through the Divisional Forest Officer or Collector of the district in which he resides to the Conservator concerned between July 1st and August 5th.

4. All applications must be made in the prescribed form in the applicant's own handwriting and should be accompanied by the following certificates in original :—

(1) *Certificate of domicile and residence.*—Candidates from the Madhya Pradesh will be given preference over candidates from other parts of India for appointment to the Subordinate Forest Service. This certificate must be signed by the Collector of the district to which the applicant belongs.

(2) That the applicant is a native of India in accordance with the "Provisions for determination of domicile" given in Appendix II to the rules for the Rangers Course at the Dehra Dun, Coimbatore, Chandrapur or Balaghat College. This certificate must be signed by a magistrate.

Explanation.—"Native of India" means any person born and domiciled within the dominions of His Majesty in India; or within the territories of Indian Princes tributary to or in alliance with His Majesty, of Parents habitually resident in India and not established there for temporary purpose only (Article 37 of the Civil Service Regulations).

(3) That the applicant will not be less than 18 years or more than 21 years of age on the 1st April of the year in which the College Course will commence. This certificate must be supported by copies of entries in kotwar books, municipal and other public registers or a horoscope duly attested by a gazetted officer or a magistrate. Application may be entertained from scheduled castes and backward tribe candidates up to the age 25. The list of scheduled castes is contained in Part VII of the Schedule to, "The Government of India (Scheduled Castes) Order, 1936" reproduced in the Madhya

Pradesh Constitutional Manual, Volume II, 1937, while that of backward tribes is appended to these rules as Annexure II.

- (4) Certificates of respectability and good moral character from two or more persons whose social or official position can be accepted as a guarantee of reliability. These certificates must bear a date not earlier than July 1st of the year in which the application is made.

- (5) Certificate of having passed one of the following examinations of a recognised university, viz.—

B.A.; B.Sc.; B.Ag.; F.A.; F.Sc.; I.A. or L.Sc.

- (6) An undertaking signed before a magistrate that the parent or guardian of the applicant is able and willing to deposit in advance with the Director of the Forest College, all expenses in connection with the candidate's boarding and lodging including travelling expenses during the period of his training at the College. Past experience has shown that the amount required is Rs. 2,100 for the whole course.
- (7) That the applicant has remitted into a Government treasury the prescribed fee of Rs. 3 for appointment to the Central Provinces Subordinate Forest Service.

5. **Selection of candidates.**—Candidates whose applications have been accepted will be required to appear before a Selection Board to be held in September at Nagpur and composed of the Chief Conservator of Forests, and two or all the Conservators. The Chief Conservator of Forests or in his absence the senior Conservator present will preside.

6. (a) The candidates selected by the Board will be required to appear for their medical examination before a Civil Surgeon who will issue a certificate in the form prescribed in Supplementary Rule 1(a) under rule 10 of the Fundamental Rules.

(b) Such candidates will also be required to pass a qualifying examination in the following subjects:—

- (1) Dictation of a page of ordinary English prose.
- (2) An essay to be written in English on one of several simple subjects.
- (3) Mathematics (Arithmetic, Geometry and Algebra). The standard of this paper will be that of the High School Certificate Examination of the Madhya Pradesh.

Twenty per cent of the marks allotted for dictation will be given for handwriting. Every candidate must obtain 50 per cent of marks allotted in each subject. Candidates will be required to defray their travelling expenses in connection with this examination. No fee will be charged. The examination will be held at Nagpur in the first week of October.

7. **Practical training.**—Selected candidates who are not already employed in the Forest Department will be required to undergo a preliminary course of practical training in the forest lasting usually from November to end of February. They will not necessarily be posted to the place from which they were recommended for selection. The Chief

Conservator will allot to each circle a certain number of candidates out of whom the Conservator will make a selection for deputation to the College. Conservators should post candidates for training under such Divisional Forest Officers as can be relied upon to see that the candidates are systematically trained and are introduced to all the different branches of forest working.

8. On the termination of the practical training, the Divisional Forest Officer shall certify whether the candidate has undergone it in a satisfactory manner and is likely to become a useful forest officer. This certificate must be countersigned by the Conservator before submission to the Chief Conservator.

9. Allowances.—Candidates who are not already in service in the Forest Department will not be treated as Government servants and will not get any stipend, pay or travelling allowance while under practical training in any division.

10. Final nomination.—The studentships available for each Circle after providing for candidates already in the Forest Department will be given to candidates in the order of merit in which Conservators place them as a result of their practical training under Divisional Forest Officers. Conservators will report not later than February 1st, the names of selected candidates to the Chief Conservator who will then make the final selection of candidates to be deputed to the College for training and will furnish their names to the Principal of the College with the certificates required under the Forest College Rules.

11. Candidates in excess of the total number of studentships who have satisfactorily undergone the course of practical training may be retained by the Conservators for deputation in the following year or may be appointed Deputy Rangers on probation, and (may be retained in service and) confirmed as Deputy Rangers if they secure the higher standard certificate after training at the Forest School, Balaghat.

12. Agreement and security bonds.—Candidates who have been finally selected will have to execute agreement and security bonds in the forms appended to these rules. The sureties produced by the candidates should possess certificates of solvency signed by a revenue officer not below the rank of Tahsildar, in the form appended hereto. The revenue officer shall grant the certificate free of charge on a written application being made to him by the intending sureties. The revenue officer will be held personally responsible if the solvency certificate is granted without good reason. In cases where cash security in the form of postal cash certificate instead of personal security is furnished by a candidate deputed for training in the Rangers' Course at the Forest College, Dehra Dun, the security bond will be executed in the form appended to these rules.

13. Joining time.—(1) On first joining at Dehra Dun, departmental candidates selected for training will be allowed 30 days' joining time with transit pay; non-departmental candidates will be allowed 30 days' joining time without transit pay ;

(2) After completing the Course at Dehra Dun and being appointed in the Madhya Pradesh both departmental and non-departmental candidates will be allowed a joining time of 23 days from Dehra Dun to the place of their posting inclusive of Sundays whether spent in travelling or not, the joining time being reckoned from the date following the date of the convocation.

Departmental candidates may, in conjunction with the said joining time and with the previous sanction of the Conservator of Forests for special reasons, be granted 30 days leave on average pay or earned leave, if due, as the case may be.

14. Pay and allowances.—(1) No stipends will be granted to non-departmental candidates while under training at the College or during the period of transit from the College to the place of their posting. Government will only pay the prescribed tuition fees of Rs. 3,000 per student. All other charges, including expenses on journeys to and from and at the College, will be borne by the candidates themselves.

(2) For the journey from the Dehra Dun College to the place of their posting, appointed candidates will be allowed travelling allowance at the following rates:—

One and a half inter or when only three classes of accommodation are provided, one and a half third class railway fare and mileage at two annas a mile for road journeys and freight for a bicycle when one is actually brought.

15. Candidates in Government service deputed to the Forest College will be ordinarily.

(a) Forest Rangers who have not previously obtained the Higher Standard Certificate of the College provided that they pass the qualifying examination, details of which are given in rule 6. They must not be above 30 years of age on entering the College, and need not go through the practical training referred to in rule 7.

(b) Other members of the Subordinate Forest Service (Deputy Rangers, Foresters and other Subordinate officials), provided that—

(i) they have been in the Subordinate Forest Service for not less than two years;

(ii) they are under 25 years of age at the time of entering the College;

(iii) they pass the qualifying examination, details of which are given in rule 6;

(iv) accommodation is available at the College.

(c) While at the College and during the period of transit from the College to the place of their posting, service candidates will draw their substantive pay or Rs. 40 per mensem whichever is greater and travelling allowance as shown below:—

(1) For journeys to and from the College—One and a half inter or when only three classes of accommodation are provided, one and a half third class railway fare and mileage at two annas a mile for road journeys and freight for a bicycle when one is actually taken.

(2) For journeys at the College—Daily allowance at 2 annas for every Rs. 12-8-0 or fraction of Rs. 12-8-0 of pay subject to a minimum of annas 8 if pay is not less than Rs. 35 and annas 6 if pay is less than Rs. 35, Mileage allowance at 2 annas per mile. Railway fare at one and a half inter class.

16. Certificates.—Three types of certificates are granted at the College after the completion of the two years training—

- (i) Honours.—Fifty per cent of marks given for each subject and 75 per cent of the total number of marks.
- (ii) Higher standard.—Fifty per cent of marks in major subjects and 80 per cent of the total number of marks.
- (iii) Lower standard.—Forty per cent in forestry and 45 per cent of the total number of marks.

Any student obtaining the Honours Certificate will receive a bonus of Rs. 120.

17. (a) At the conclusion of the period of training at the College—

- (1) a student who has secured the Higher Standard or Honours Certificate is entitled to be appointed as a Ranger;
- (2) a student who has obtained the Lower Standard Certificate is entitled to be appointed as a Deputy Ranger and may be promoted to the class of Ranger after two years of satisfactory service as a Deputy Ranger.

Before their substantive appointment to the Madhya Pradesh Subordinate Forest Service the students should produce a medical certificate of fitness in the form prescribed in Supplementary Rule 1(a) under rule 10 of the Fundamental Rules.

(b) Those who are appointed as Rangers will start on a pay of Rs. 70 per mensem and those appointed as Deputy Rangers on a pay of Rs. 50 per mensem on the time-scales of pay applicable to their posts from the date of actual assumption of duty as Rangers or Deputy Rangers, as the case may be.

18. In the case of candidates who are already in Government service at the time of selection for training, the period spent at the College will count as duty under Fundamental Rule 9 (8) (b)(i) and will be treated as service qualifying for pension. The period spent at the College by students not in Government service at the time of their selection will not count for leave. It will, however, count for pension.

19. (1) The time-scale of pay sanctioned for Forest Rangers is:—

1st and 2nd year Rs. 70

3rd to 20th year—Rs. 75—5—160.

21st to 24th year—Rs. 170—10—200.

(2) There are efficiency bars at Rs. 100 and 160.

AGREEMENT BOND

ARTICLE OF AGREEMENT made and entered into this..... day of19.....BETWEEN OF ON THE First part,of..... the son of the said.....of the second part and the Governor of the Madhya Pradesh hereinafter referred to as the said Governor of the third part. Whereby each of the parties hereto so far as the Government

1. The said.....hereby off his own free will and consent and with the approbation and consent of the said.....testified by the execution by him of these presents agree with and to the said Governor, his successors in office and assigns that he the said shall well and faithfully pursue his studies at the Forest College, Dehra Dun, or Balaghat and use his best endeavours to qualify for the Forest Service of the Government of the Madhya Pradesh.

2. The saidshall, after completing his studies at the said Forest College and if so required to do, serve the said Governor, his ment of the Madhya Pradesh for a period of not less than five years and shall during the whole of such period diligently and efficiently do all acts and discharge all duties which may be required to be done by him in his capacity as an officer of the said department.

3. The said Governor, his successors in office and assigns hereby engages to educate the said at the Forest College, Dehra Dun, or Balaghat in all matters relating to forest science, forest works and forest administration that it may be deemed necessary by the Principal of the said College to teach the said.

4. (1) The said Governor shall pay the prescribed tuition fee of Rs. 3,000 (Rupees three thousand) payable for the Rangers Course at the Forest College, Dehra Dun, or Balaghat on behalf of the said..... while he is prosecuting his studies at the said College and all other charges, including expenses for journeys to and from and at the College, to be incurred by him in respect of his education and stay at the said College shall be borne by the said.....He shall be entitled to receive pay while in service of the Forest Department if appointed after the completion of his studies at the said College, provided he shall faithfully and diligently serve as an officer of that Department, in accordance with the provisions contained in the rules reproduced in the annexure to this agreement, and he shall be entitled to all the rights and privileges in respect of pay, pension and promotion accorded to officers of the said Department for the time being by the rules and regulations of the Department.

(2) If at the end of the period of his training at the said College, the saidis appointed an officer in the Forest Department of the Government of the Madhya Pradesh, he shall, notwithstanding anything in sub-clause (1) of this clause, be entitled to travelling allowance from Dehra Dun to the place of his posting according to the rules then in force and applicable to his service.

5. It is also agreed and declared that the said Governor, his successors in office or assigns shall be at liberty to rescind this agreement on account of the negligence, failure to attend to duty or to obtain at least the Lower Standard Certificate of the said Forest College, idleness or any insubordination or misconduct on the part of the said.....and to dismiss him from the said Forest College or the service of the said department and the said.....shall not be entitled to any of the privileges hereby granted to him but the said.....or shall thereupon refund to the said Governor, his successors in office and assigns the total tuition fee.....

6. Lastly it is hereby agreed and declared that the moneys falling due to the Governor under this agreement shall be recoverable by the said Governor, his successors in office or assigns as arrears of land revenue.

In witness where of the said parties to these presents have hereunto set their respective hands the day and year first above written.

Sd.

Sd.

Witness.

Witness.

Witness.

Witness.

ANNEXURE I

(Rules referred to in clause 4 of the Agreement)

16. Certificates.—There are three certificates granted after the completion of two years training :—

- (i) Honours.—Fifty per cent. of marks given for each subject and 75 per cent. of the total number of marks.
- (ii) Higher standard.—Fifty per cent. of marks in major subjects and 60 per cent. of the total number of marks.
- (iii) Lower standard.—Forty per cent. in Forestry and 45 per cent. of the total number of marks.

Any student affording the honours Certificate will receive a bonus of Rs. 120.

17. At the conclusion of the period of training at the College :—

- (i) a student who has secured Higher Standard of Honours Certificate is entitled to be appointed as a Ranger on Rs. 70 per cent. mensem;
- (2) a student who has obtained the Lower Standard Certificate is entitled to be appointed as a Deputy Ranger on Rs. 50 and may promoted to the class of Rangers after two years of satisfactory service as a Deputy Ranger.

18. In the case of candidates who are already in Government service at the time of selection for training the period spent at the College will count as duty under Fundamental Rule 9 (6) (b) (1) and will be treated as service qualifying for pension. The period spent at the College by student not in Government service at the time of their selection will not count for leave. It will, however, count for pension.

19. (1) The time-scale of pay sanctioned for Forest Ranger is :—

1st and 2nd year	Rs. 70.
3rd to 20th year	Rs. 75—5—160.
21st to 24th year	Rs. 170—10—200.

(2) There are efficiency bars, at Rs. 1.00 and Rs. 160.

SECURITY BOND

KNOW ALL MEN by these presents that we of.....
(principal obligor)..... and.....
 of.....of(sureties) are jointly and
 severally bound to the Governor of the Madhya Pradesh in the sum of
 Rs.to be paid to the said Governor, his
 successors in office or assigns or his or their certain attorney or attorneys
 for which payment well and truly to be made we bind ourselves, our
 heirs, executors, administrators and representatives and each of us binds
 himself, his heirs, executors, administrators and representatives firmly
 by these presents dated this day of19 ..

WHEREAS the Governor of the Madhya Pradesh for himself and his
 successors in office and assigns has engaged to educate the said.....
 at the Forest College, Dehra Dun, or Balaghat in all matters relating
 to forest science, forest works and forest administration that it may be
 deemed necessary by the Principal of the said College to teach the said
and has also agreed to pay the prescribed tuition fee of
 Rs. 3,000 payable for the Rangers Course at the said College on his behalf
 and, if he is appointed to the Forest Department after completion of his
 training, the travelling allowance from Dehra Dun, or Balaghat to the
 place of his posting as specified in the agreement signed by the
 said.....with the said Governor.

AND WHEREAS in consideration of such education and payments as
 aforesaid to be made by the said Governor and his successors in office
 and assigns the said.....has agreed with the said Governor, his
 successors in office and assigns that he will after completing his studies
 at the said College and if required to do so, serve in the Forest Depart-
 ment of the Government of the Madhya Pradesh for a period of not less
 than five years during the whole of which time he will diligently and effi-
 ciently do all acts and discharge all duties which may be required of him
 to be done in his capacity as an officer of the said Department.

AND WHEREAS the said Governor has also on his part agreed that
 the said.....shall while in the service of the Forest Department be
 paid for such service in accordance with the provisions contained in the
 aforesaid agreement signed by him with the said Governor and shall be
 entitled to all the rights and privileges in respect of pay, pension and
 promotion accorded to officers of the said Department for the time being
 by the rules and regulations of the Department.

AND WHEREAS for the purpose of securing and indemnifying the
 said Governor, his successors in office and assigns against all loss and
 damage which he or they might or may in any way suffer by reasons
 of the said.....being dismissed from or leaving without
 permission the service of the said Governor, his successors in office or
 assigns in less than five years after the completion of his studies at the
 said College and for the purpose also of securing the refund to the said
 Governor, his successors in office and assigns of the total cost (including
 the tuition fee and travelling allowance as aforesaid) incurred by the
 said Governor or his successors in office or assigns on account of the said
and in consideration of the cost so incurred and education
 given to the said.....at the said College. And as one of the

it has also been agreed that the said.....and the said.....
 and.....as his sureties should execute the.....above written
 bond subject to the condition hereinafter contained. Now the condition of
 the above-written.....such that if the said.....shall well and faith-
 fully and bond of obligation is/diligently pursues his studies at the said
 College and qualify for the said forest service by obtaining at least the
 Lower Standard Certificate of the said College and shall, also after com-
 pleting his studies at the said Forest College and if so required to do, serve
 the said Governor, his successors in office and assigns in the Forest Depart-
 ment of the Government of the Madhya Pradesh for a period of not
 less than five years and shall during the whole of such period diligently
 and efficiently do all acts, discharge all duties which may be
 required to be done by him in his capacity as an officer of the said
 Department and if the said and.....and.....or either of them,
 their or either of their heirs, executors, administrators and representatives
 shall well and truly indemnify the said Governor, his successors in office
 and assigns against all loss and damage which he or they might or may
 in any way suffer by reason of the said giving cause for dismissal either
 while at the said College or while in the service of the Crown thereafter
 or of his leaving the service of the Crown without permission in less
 than five years after the completion of the studies of the said.....
 at the said College. And if the saidand.....and.....
 or either of them, their or either of their heirs, executors, administrators
 or representatives shall also pay to the said Governor, his successors in
 office or assigns all sum or sums in any way expended, paid or incurred
 by the said Governor, his successors in office or assigns on account of the
 said.....then the above-written bond of obligation shall be
 void otherwise the same shall remain in full force and.....virtue:

PROVIDED ALWAYS and it is hereby expressly agreed and declared
 that these presents shall be treated and considered as entered into under
 the orders of the Government of the Madhya Pradesh for the performance
 by the said.....and.....and of a public duty and an act
 in which the public are interested within the meaning of section 74 of the
 Indian Contract Act (IX of 1872).

It is hereby further agreed and declared that the moneys falling due
 to the Governor by the said.....and.....and.....or either of them
 or by their executors, administrators and representatives jointly and
 separately shall be recoverable by the said Governor, his successors in
 office or assigns as arrears of land revenue.

In witness whereof the above bounden parties to these presents have
 hereunto their respective hands the day and year first above-written.

Witness (Sd.) (Principal obligor).

Witness (Sd.) (Surety).

Witness (Sd.) (Surety).

ANNEXURE II

[List of backward tribes referred to in rule 4 (3)]

1. Agaria (including Asur and Mahli).
2. Andh.
3. Arakh.
4. Baiga.
5. Banjara.
6. Bhaina.
7. Bharia-Bhumia.
8. Bhattra.
9. Bhil.
10. Bhilala.
11. Bhimma.
12. Bhunihar.
13. Bhunjia.
14. Bhuta or Koliabhuta.
15. Binjhwar.
16. Birhul (or Birhor).
17. Chherkya.
18. Dhanwar.
19. Dhoba (Mandla district).
20. Dholi.
21. Gaiki.
22. Gond (including Raj-Gond).
23. Gowari.
24. Halba.
25. Kalanga.
26. Kamar.
27. Kavar (or Kanwar, including Tanwar).
28. Kharia.
29. Kol.
30. Kolam.
31. Koli.
32. Kondh.
33. Korku.
34. Korwa.
35. Majhwar.
36. Mannewar.
37. Maria.
38. Moghya.
39. Muria.
40. Nagarchi.
41. Nagasia.
42. Naikar.
43. Nihal or Nahal.
44. Ojha.
45. Oraon.
46. Pando.
47. Pardhan or Pathari.
48. Parja.
49. Rautia.
50. Saunta.
51. Sawara.
52. Thathia.
53. Thotya.
54. Wanjari.

Certificate of solvency of sureties of candidates selected for the Forest
.. Rangers' Course of training at the Forest College, Dehra Dun.....

- (1) Name , son of
- (2) Caste
- (3) Residence
- (4) District
- (5) Occupation
- (6) Value of movable property and grounds for belief
- (7) If property is movable—
 - (a) Situation
 - (b) Area in mauza
 - (c) Rent assessed
 - (d) Market value.

Remarks—

I certify that after due enquiry I find that
son of , resident of
tahsil , district
is solvent to the extent of Rs. ()
Date , Designation

I solemnly declare that to the best of my knowledge and
belief the facts about my property as stated above are complete
and true and that the immovable property specified above is
unencumbered.

(Signature)

Dated

Intending Surety.

APPENDIX V

Management of Waste and Forest Produce in Raiyatwari villages

1. Rules for the constitution and management of raiyatwari village
have been framed under section 204, 205 and 211 of the Land Revenue
Act. The instructions below are meant to amplify or explain the rules
so far as they relate to waste areas in such villages.

2. Areas excised from Government forests for raiyatwari settlement
are of two kinds—

- (a) Areas not yet formally disforested but under the management
of the Revenue Department ;
- (b) Areas which have been disforested and finally handed over for
management to the Revenue Department.

Both these classes of area are subject to the rules under the Land
Revenue Act. Areas of class (a) are not disforested until it is clear
that they have reached such a stage of development that they are likely
to be successful as regularly constituted raiyatwari villages. Timber
standing on areas of class (b), shall ordinarily be left on allotment to the
raiya except in special cases when the Collector may require payment.

3. *Minhai darakhtan*.—There will seldom be much valuable timber
in raiyatwari village ; any compact areas under timber, which it is intend-
ed to reserve from clearing, will be entered as *minhai darakhtan*. The

only user over this area allowed as of right is that of grazing prescribed under rule 8 of the rules framed under section 204 of the Madhya Pradesh Land Revenue Act, of minor forest produce under rule 9 of the rules and of timber bamboos, etc., for the raiyats own use as permitted by rule 16 but not for sale. Minhai darakhtan areas should ordinarily be managed in accordance with simple rules laid down for the guidance of malguzars. When such areas contain forest of good quality the Deputy Commissioner should take the advice of the Divisional Forest Officer as to their management, and the Forest Department should devise a working plan, and undertake the exploitation of the area, provided that neither the plan nor the exploitation shall interfere with the raiyats' rights of grazing or any other nistar to which they are entitled under the rules framed under section 204 of the Act.

4. Timber, bamboos grass, fuel, thorns, leaves and minor produce.—In accordance with rule 9 and 10 of the rules framed under section 204 such produce is given free to inhabitants of the village, as well as of such other villages as are declared to be entitled to it by an order of Collector. A raiyat has of course the exclusive right to such produce within the limit of his survey number, but over the waste areas he shares the right in common with other raiyats and agricultural resident, of the village. It is the business of the patel to see that this right is not abused by individuals and it is the duty of the Revenue Inspector to supervise the doings of the patel and see that all share equally in the privilege and that the patel does not abuse his power. The action of individuals that runs counter to the true interest of the villagers can thus be checked and a reference to the Collector in disputed cases provided for, before irreparable damage has been caused. A Collector will probably find that the appointment of a panchayat consisting of the patel and four raiyats will be of material assistance in such cases.

5. Lac, harra, rusa, oil, tendu leaves and gum.—No rights of user have been given in these articles of commercial value, and the right to collect these products from the waste lands of the village should be leased by the Collector. The first offer of the lease should be made to the lessee of the Forest Department, and if he does not accept the lease, then it may be given to the patel, a raiyat or the community. When the lessee is the same in both cases, there should be a single lease signed by the Divisional Forest Officer. The lessee should clearly understand that he must make his own arrangements with the residents of the raiyatwari villages for their collection:

Provided that harra or tendu leaves, found in any occupied survey number in the areas specified respectively against each in the table below, shall be the property of the holder thereof, subject to the condition that, should he desire to sell such forest produce, he shall do so to such person and at such price as the Deputy Commissioner may from time to time direct:—

Area	Forest produce
Harra	Balaghat, Mandla and Betul districts, Chhindwara and Seoni tahsils in the Chhindwara district
Tendu leaves:	Balaghat, Mandla, Betul, and Chhindwara.

6. **Grazing.**—The right of raiyats to grazing is laid down in rule 8 of the rules framed under section 204.

Any resident in a raiyatwari village other than a raiyat will be allowed to graze free a maximum of four head of cattle including not more than one buffalo, and six sheep or goats per house. All animals in excess of these numbers will be charged at commercial rates.

Grazing licences will be issued by the licence-issuer of the circle and the licence will entitle the holder to graze his cattle not only in the areas covered by the rule, but in the adjoining unit of Government forest subject to the limitation under the grazing settlement.

The advantage of this system is that people with large numbers of cattle have no interest in opposing allotment, since they have to pay a fee whether they keep their cattle within the limits of the village or not, and for a fee they have the right of grazing in the adjoining grazing unit of Government forest.

The Forest Divisional Officer should bring to the notice of the Collector any cases where there is reason to believe that cattle liable to grazing dues are being grazed without licence in a raiyatwari forest.

Malguzari cattle covered by a grazing licence for the reserved forest will be allowed to graze in any raiyatwari village area not expressly closed by an order of the Collector to the grazing of such cattle.

Any such cattle grazing in a raiyatwari village area without a Government forest licence will be charged at commercial rates. It shall be the duty of the Patel to report grazing of any cattle liable to grazing dues, within his village, without a Government forest licence and it will be open to the Divisional Forest Officer to reward him. On receiving such a report the Divisional Forest Officer will see that the licence issuer will issue a licence at commercial rates for such cattle and such licence will entitle the cattle to graze in any Government forest open to unrestricted grazing in the district.

7. All income realized from Government waste in raiyatwari villages will be credited to the Forest Department; it would consist of the following :—

- (i) Value of wood cut in the clearance of a village.
- (ii) Value of valuable timber cut in minhai darakhtan areas and not given to the villagers free.
- (iii) The sums raised by the lease of non-edible produce such as lac, harra, etc.
- (iv) Grazing fees.

Receipts from No. (i) would, under any circumstances be credited to the Forest Department and so also would No. (iv). Receipts under the other heads would be collected and paid into the treasury by the Revenue officials in the same manner as any other items of forest revenue, which may be collected through the Tahsildar and credited when, however, under rule 5 the lessee for Government forest and mines.

8. The working of the above rules rests primarily with the Land Record Staff, acting under the orders of the Collector and it is not desired that officials of the Forest Department should have any concern with raiyatwari villages under Revenue management. But this prohibition of course does not apply to the Forest Divisional Officer or his Assistant, whose inspection of unoccupied areas, and advice as to their management, must be of the greatest use to the District Officer.

APPENDIX VI

Fire Maps

Circular No. 5, dated Simla, the 14th July 1887, from B. Ribbentrop, Esq.,
 Officiating Inspector-General of Forests, to all Conservators of
 Forests.

With reference to the accompanying extract from a letter addressed to me by the Conservator of Forests, Bengal, containing suggestions as to the manner in which the results attending measures for the protection of forests from fire should be recorded. I have the honour to state that the method advocated by Mr. Home appears to me an excellent one, and I would recommend it for your consideration as a practical means of recording the results of the fire protection in your circle.

Extract from a letter No. 102-D.F.M; dated the 3rd June 1881, from the
 Conservator of Forests, Bengal, to the Inspector-General of Forests
 to the Government of India.

4. ***The system I would advocate is to divide a skeleton trace map of each forest liable to fire into square, representing areas of not more than a square mile each, by lines running due north and south and east and west, so that the locality in which a fire occurred in any one year might be recorded on the proportionate portion of its square, say, by parallel lines and dots thus—

Fired in 1886—horizontal lines.

Fired in 1887—vertical lines.

Fired in 1888—right diagonal lines.

Fired in 1889—left diagonal lines.

Fired in 1890—dots.

If one portion had been fired in, say, 1888, 1889, and 1890 it would appear on the tracing thus—

The skeleton tracing being placed over the map of the forest, on which the configuration of the ground, compartment lines, paths, etc., are shown, it would be comparatively easy for a forest officer who had visited the scene of the fire to fix its locality with fair accuracy on the tracing. It would be an advantage to have a new tracing of each forest or group of forests liable to fire for use for each term of five years in all divisions of the circle, the system being adopted with effect from the same year, so that the same signs may be used everywhere for indicating areas fired in any one year. The tracing would be filed at the end of the term and in every case in which a fire has occurred during the year the Division Officer would send his tracings to the Conservator at the close of the fire season, so that he could enter the result of fire-protection on the copies that would be recorded in his own office. Each tracing would have prominently recorded on it a heading, "Fire-record of the.....forest for the five years 1886 to 1890" and a reference describing the signs denoting areas fired in each year of the equinquennium.

In every case in which no fire occurs during the year, a note to that effect should be recorded on the margin of the "fire-record" tracing of the forest concerned, by the officer-in-charge, under his initials; this would be useful as a check against the neglect of keeping up the fire-record and its omission would be noticed by the Conservator on his inspecting the office.

5. To explain the system of map-records of result of fire-protection I have advocated in the preceding paragraphs more fully, I append the following remarks:—

Let a skeleton tracing be made from the map showing the forest on the largest scale available. The tracing might be divided into squares of half inch to the side; if the map happens to be on the scale of 2 inches = 1 mile, each square will represent one-sixteenth of a square mile or 40 acres, if 1 inch = 1 mile, each half inch square would represent 160 acres. On this tracing the Divisional Officer could each year plot (as accurately as his observations would allow) the area burnt in the manner above indicated, and, even if no fraction of a square was admitted, the record would be approximately accurate.

If a similar "fire-record" tracing was kept in the Conservator's office, and the squares on all tracings were marked along the top of the squares a, b, c, etc; and down the side 1, 2, 3, 4, etc; the position of any a, b, c, d, etc., and down the side 1, 2, 3, 4, etc., the position of any given square in the body of the tracing could be described by a letter and number thus: "D-4" which would denote the square in the fourth column from the left and in the fourth row from the top.

With the use of the lines and dots above indicated, a glance at the fire-record tracing would show that a certain portion of forest had been fired in a certain year and had since escaped fire or not as the case might be. Take the specimen given below—this would indicate that in the year 1887, $6 \times 40 = 240$ acres had been burnt; that in 1888, $4 \times 40 = 160$ acres had also been fired, consisting of 80 acres of the area fired in 1887 and 80 acres of new forest that had not been fired since prior to 1886, while in 1890, $8 \times 40 = 320$ acres had been fired, which included—

	Acres
Fired in 1887 and in 1888	80
Fired in 1887 and in 1888	160
Not fired since prior to 1886	80
Total:—	320

Fire-record tracing of the Forest, 1886 to 1890
Scale 2 inches = 1 mile.

Notes on margin of fire-record.

Not fired in 1886, A.B.C; Deputy Conservator 160 fired once.

Not fired in 1889, D.E.F., Assistant Conservator 160 fired twice.

Not fired in 1889, D.E.F., Assistant Conservator 80 fired thrice.

One very decided advantage of the system would be that, taking as an example the figures given above, the actual area burnt over in the forests in the five years in 1886 to 1890 was 160 ha. only. As reported now in the annual returns this would appear as $240 + 160 + 320 = 288$ ha. or nearly twice the area actually touched by fire.

APPENDIX VII

No. 4047-300-X-(2)-74.—In exercise of the powers conferred by section 64 of the Wild Life (Protection) Act, 1972 (53 of 1972), the State Government hereby makes the following rules, namely:—

RULES CHAPTER I—PRELIMINARY

1. **Short title and extent.**—(1) These rules may be called the Wild Life (Protection) (Madhya Pradesh) Rules, 1974.

(2) They extend to the whole of the State of Madhya Pradesh.

2. **Definitions.**—In these rules, unless the context otherwise requires:—

(a) "Act" means the Wild Life (Protection) Act, 1972 (53 of 1972).

(b) "Block" means a shooting block into which forests of a division are divided under rule 19.

(c) "Chairman" means the Chairman of the Board.

(d) "Form" means a form appended to these rules.

(e) "Licensee" means a holder of a licence.

(f) "Residents of India" means a citizen of India or a foreigner who has been continuously residing in India for a period of at least 5 years or who has come to India on a specific assignment of the Central or State Government or a Central Government undertaking and is not a casual tourist.

(g) "Schedule" means a schedule appended to the Act.

(h) "Section" means a section of the Act.

CHAPTER II—WILD LIFE ADVISORY BOARD

3. **Term of Office.**—The term of office of a member of the Board referred to in clause (g) of sub-section (1) of section 6 shall be three years from the date of this appointment.

4. **Special invitees.**—The Chairman may invite special invitee to the meetings of the Board subject to a maximum number of 5. These invitees will be of two categories:—

(1) Permanent.

(2) Casual.

If the Chairman considers an eminent biologist or any other person interested or, concerned with Wild Life conservation as a valuable asset to the Board and who could not be nominated as a regular member at the time of the constitution of the Board and cannot now be made a member for want of vacancy, he may call such a person as a permanent invitee who like any other regular member will take part in all the meetings and deliberations of the Board. Such permanent invitee will have the first claim on membership of the Board whenever a vacancy occurs.

(2) A person can be invited casually for a meeting when the Chairman considers that the presence of such a person or a specialist will be of assistance to the Board, to consider a particular item of the agenda or consultation in any other matter relating to Wild Life.

5. Filling of casual vacancy.—(1) When a member of the Board referred to in clause (g) of sub-section (1) of section 6 resigns or dies or is removed from office or becomes incapable of acting, the State Government may, by notification in the Official Gazette, appoint a person to fill the vacancy.

(2) A person appointed to fill the casual vacancy under sub-rule (1) shall hold office only so long as the member whose place he fills would have been entitled to hold office, if the vacancy had not occurred.

6. Resignation.—(1) A member of the Board may resign his office by writing under his hand, addressed to the Chairman.

(2) The office of a member of the Board shall fall vacant from the date on which his resignation is accepted or on the expiry of thirty days from the date of receipt of intimation of resignation, whichever is earlier.

(3) The power to accept the resignation of a member of the Board shall vest in the Chairman who, on accepting the resignation, shall report to the Board at its next meetings.

7. Removal from the Board.—The State Government may remove any member from his office:—

(a) If he is of unsound mind and stands declared by a competent medical Board, or

(b) If he is an undischarged insolvent, or

(c) If he is convicted of a criminal offence involving moral turpitude, or

(d) If, without the leave of the Chairman, he fails to attend three or more successive meetings of the Board.

Note.—Meetings of the Board cannot be attended by proxy.

(e) If he commits breach of any of the provisions of the Act or these Rules.

8. Allowances.—(1) The non-official member of the Board and the special invitees shall get travelling and daily allowance as admissible to grade I officers of the State.

(2) Where concessional tickets are allowed for return journeys by rail, the travelling allowance shall be restricted to the actual cost of return tickets plus the incidental charges.

(3) (a) A member of the State Legislature who is a member of the Board shall not be paid any fares in respect of journeys by rail or road if he is entitled for free coupons for such journeys.

(b) If a meeting of the Board is held during a session of the Legislature and at the same place where such session is held, a member of the legislature who is a member of the Board shall not be entitled to any daily allowance.

9. Secretary to be controlling authority.—The Secretary of the Board shall be the controlling authority in respect of payment of allowances under this Chapter.

10. 33 per cent. members will form the quorum for meetings of the Board.

CHAPTER III—I. HUNTING OF WILD ANIMALS

A. Special game hunting licence, big game hunting licence and small game hunting licence

11. Application.—(1) An application for a special game hunting licence, a big game hunting licence or a small game hunting licence shall be made in Form No. 1.

Provided that no application for a licence shall be entertained from any person eligible for registration under section 34, unless the applicant has registered his name and address under the said section :

Provided further that no person shall apply for a licence under this Chapter unless he possesses a valid licence for sport in Form No. III set out in Schedule III to the Arms Rules, 1962.

(2) (a) An application for a special game hunting licence shall be made to the Chief Wild Life Warden.

(b) An application for a big game hunting licence or a small game hunting licence may be made to the Chief Wild Life Warden or the Wild Life Warden or the Collector (in either case hereinafter referred to as the issuing officer).

12. Fee.—An application for a licence of the category specified in column (1) of the Table below shall be accompanied by a treasury challan showing that the fee according to the scale specified in the corresponding entry in column (2) of the said Table had been paid.

TABLE

Name of licence	Fee in Rs. for yearly licence	Area covered by the licence
(1)	(2)	(3)
A. Special game hunting licence	100	One district.
B. Big game hunting	50	Whole State.
C. Small game hunting licence.	20	Whole State.
D. Wild animal trapping licence.		

13. Application.— An application for wild animal trapping licence shall be made to the Chief Wild Life Warden or the Wild Life Warden in Form No. 2.

B. Wild animal trapping licence

Application.—An application for Wild animal trapping licence shall be made to the Chief Wild Life Warden or the Wild Life Warden in

14. **Fee.**—An application for a Wild Animal trapping licence shall be accompanied by a treasury challan showing that the fee according to the following scale had been paid, namely:—

- (a) monthly licence fee of Rs 50 if made by a citizen of India, or a monthly licence fee of Rs. 300 if made by a person other than a citizen of India.
- (b) annual licence fee of Rs. 500 if made by a citizen of India, or an annual licence fee of Rs. 5,000 if made by a person other than a citizen of India.

Note.—The licence will be valid for one district.

C. Grant of licence

15. **Grant of licence.**—(1) On receipt of an application for a licence under this Chapter, the issuing officer may, after such inquiry as he may deem fit grant or reject the application.

(2) Where an application is rejected, the licence fee shall be refunded expeditiously to the applicant.

(3) Where the issuing officer decides to grant the licence applied for, he shall require the applicant to submit within such time as he may specify the necessary treasury receipt challans showing the pay of deposit and royalty, if any, as specified in rule 14 and rule 15.

(4) On receipt of the treasury receipt challans showing the payment of deposit and royalty, if any, the issuing officer shall grant the licence applied for in the appropriate form specified in sub-rule (5).

(5) (a) A special game hunting licence shall be granted in Form No. 3.

(b) A big game hunting licence shall be granted in Form No. 4.

(c) A small game hunting licence shall be granted in Form No. 5.

(d) A wild animal trapping licence shall be granted in Form No. 6.

16. **Period of licence.**—(1) A licence granted under this Chapter shall be valid for the period specified therein which shall not exceed one year.

(2) The licence shall also indicate the area in which the licensee could hunt.

17. **General conditions governing grant of licence.**—(1) The small game hunting licence shall specify the maximum number of each species that could be hunted in the course of a day.

(2) The Wild animal trapping licence shall specify the method that would be permitted for the capture of the Wild animal specified therein, and the number and conditions under which the Wild animal could be trapped, and shall be subject to the restrictions imposed by section 17.

(3) A holder of a special game hunting licence, a big game hunting licence or a small game hunting licence shall not sell or barter to any person any animal shot by him or any meat or uncured trophy derived therefrom.

(4) (a) The trapping of Wild animals specified in Schedule II and Schedule III shall not be permitted unless the Chief Wild Life Warden is satisfied for reasons to be recorded in writing that such trapping is necessary under the provisions of sub-section (1) of section 11 or of section 12.

(b) A holder of the Wild animal trapping licence, unless specifically permitted so to do, shall not trap such animal in shooting blocks referred to rule 19 and the Government forests.

(5) All trophies which had been killed or captured in contravention of the conditions of the licence or these rules of the Wild Life (Protection) Act, 1972 including specimens smaller than the minimum dimensions specified shall be demand to be Government property under section 29.

(6) While hunting or trapping any wild animal a licensee shall carry with him his licence and shall, on demand, produce for inspection such licence before any staff of the Forest Department of the State, or an officer appointed under sub-section (1) of section 4.

(7) A licence granted under this Chapter shall not be transferable.

(8) A licensee under this Chapter shall maintain a record in Form No. 7 of the animals killed, captured or wounded by him and such record shall be surrendered to the issuing officer as required by section 10 at the close of the period of the licence. Failure to do so shall not entitle the licensee for the renewal of or to the grant of a fresh licence.

(9) Any licence granted under this Chapter shall not be valid during the period of closed time declared under sub-section (1) of section 16.

(10) Killing and capturing of any animals or birds with the help of dogs or any other animals or birds is prohibited except for killing dangerous wounded carnivora.

(11) A licensee shall not engage or employ more than two non licensees with him with their nets traps or other instruments.

18. Licensee to abide by rules.—A licensee under this Chapter shall abide by these rules and the conditions specified in the licence.

II—HUNTING OF WILD ANIMALS IN RESERVED AND PROTECTED FORESTS

19. Determination of shooting blocks.—(1) The Chief Wild Life Warden may divide the area within his jurisdiction other than a sanctuary, National Park or game reserve, into shooting blocks of convenient size:—

(a) which of the shooting blocks are to be thrown open for hunting, fishing, netting or setting traps or shares.

(b) the number of animals of different species mentioned in Schedules, II, III and IV which could be hunted in a shooting block referred to in clause (a),

(c) number of animals to be permitted to be shot on a permit of 15 days, one month and over one month.

20. Application for reservation of shooting blocks.—(1) An application for reservation of a shooting block shall reach the office of the Chief Wild Life Warden not earlier than ninety days and not later than thirty days before the first day of the month for which reservation of the shooting block is required:

Provided that:—

- (a) in the case of a resident of the district such application may be made 15 days before such date, and
- (b) a permit or licence for a short period not exceeding ten days may be granted as soon as such application is made;

Provided further that in the case of a foreign tourist an application for a permit or licence may be made six months before the date from which it is desired to make use of it.

(2) Shooting blocks may be reserved for period of not more than 2 months preceding the date of beginning of the actual shooting permit for foreign tourist only on payment of Rs. 100 per mensem.

(3) No applicant shall apply for a reservation of a shooting block unless he possesses a valid hunting licence issued under this Chapter.

(4) Each application shall be accompanied by particulars of the hunting licence possessed by the applicant.

21. Fee.—(1) The fee payable in respect of permit shall:—

- (a) in the case of resident of India, be Rs. 2 per day subject to a minimum of Rs. 20 and a maximum of Rs. 50 per mensem, and
- (b) in the case of a non-resident of India or of a party including such persons be Rs. 350 per mensem and for a period shorter than a month be Rs. 20 per day subject to a minimum of Rs. 200.

(2) An application for the reservation of the shooting block shall be accompanied by a Treasury Challan showing that the fee as prescribed in sub-rule (1) above had been paid under Revenue Deposit.

22. Reservation of shooting blocks.—(1) On receipt of an application under rule 20 the Chief Wild Life Warden or the issuing officer shall after making such inquiry as he may deem fit, either allot the shooting block or reject the application.

(2) Where there are more applications than one for reservation of the shooting block for the same period, the shooting block shall be allotted the applicant whose application has been received earlier:

Provided that where the applications include a non-resident, the non-resident will be given preference over the residents.

Provided further that an applicant shall not get more than one shooting block at any one time.

(3) Where there are more applications than one received on the same day, the matter shall be decided by drawal of lots.

(4) The Chief Wild Life Warden shall communicate to the applicant the order passed on the application either within five days of passing the order, or of the drawal of lots, as the case may be.

(5) The fees deposited by applicants to whom the block could not be allotted will be refunded by the issuing officer, expensively.

23. Deposit and Royalty.—Where the Chief Wild Life Warden decides to reserve the shooting block applied for, he shall require the applicant to submit within such time as he may specify the necessary treasury challan showing the payment in Revenue deposit of deposit and royalty of the animals allowed to be shot if any as specified in this rule.

(1) Deposit :—

For hunting 'Special game'	(1) 500*
	(1) 200
	(2) 1000
For hunting 'Big game'	(1) 100
For hunting 'Small game'	(2) 200
	(2) 200
For Trapping 'Wild animals'	(1) 100
	(2) 200

24. On receipt of treasury challan showing the payment of deposit and royalty, if any, the Chief Wild Life Warden or the issuing officer will grant the permit applied for.

25. General conditions governing the issue of permits.—In addition to what has been mentioned in rule 17 the following conditions will govern the issue of permits for shooting in Reserved and protected Forest—

- (1) The number of sportsman allowed to hunt on any one permit shall be limited to two. Every permit shall specify the

* (1) Residents of India.

(2) Non-Resident of India.

names and full address and arms and game licence numbers of the sportsman authorised to hunt and may limit the number of retainer which may be taken to the forests—

- (2) No permit holder shall be permitted to kill in any one year ending on 31st October, in the blocks more than—
 - (i) One bison.
 - (ii) Two sambhars.
 - (iii) Four deers.
 - (iv) Two panthers.
- (3) The permit holder shall camp only on such regular Camping grounds as may have been set apart by the forest authorities or in places specially pointed out to him by a Forest Officer.
- (4) A permit holder shall be responsible to acquaint himself and the members of his party with the boundaries of the block before commencing shooting.
- (5) No permit holder or licensee shall enter any forest without giving a notice to the local forest official at least 24 hours before doing so, unless exempted by the Wild Life Warden.
- (6) (a) any person who is entitled to hunt a dangerous animal who wounds such animal shall do his utmost to kill the same. For this purpose he may enter the adjoining block if the animal has moved therein.
- (b) Whether a permit holder has done his utmost or not will when disputed shall be decided by the Chief Wild Life Warden and his decision will be final in this concern.
- (c) If the permit holder fails to kill such a wounded animal, he shall forthwith inform in writing to the issuing officer and the Divisional Forest Officer of the area in which such occurrence had taken place, giving reasons why the wounded animal could not be tracked and killed and he shall also inform the Gram Panchayat of the adjoining area of the existence of the wounded animal in the neighbourhood.
- (7) An animal which has been wounded and lost shall be deemed to have been hunted under the permit, and the permit holder shall forfeit the right to hunt another specimen in the lieu of the one wounded and lost.
- (8) (a) A permit holder under this Chapter shall intimate in advance the Divisional Forest Officer concerned his desire to organise drives in any reserve forest, giving the date and the place where he desires to have such drives.
- (b) If the Divisional Forest Officer is of opinion that such drive should not be allowed, he may for reasons to be recorded in writing, prohibit such drive the date and communicate the same to the holder of the permit.
- (9) Any machan or pit constructed for the purpose of hunting shall immediately be dismantled or filled on the completion

permit holder shall not interfere with the forest works being carried out by the forest department or the leasee.

Chief Wild Life Warden may at any time, cancel the permit to hunt for breach of any provision of the Act or these rules, whether committed by the permit holder or by any of his retainers or followers or by any member of his party or any person employed by him, or in the event of fire breaking out in any forest in respect of which the permit has been granted or in case of un-warrantable interference with forest work.

- (12) The permit holder or licensee is not exempted from liability under the Act or any other law for the time being in force for anything done in contravention of such Act or law, for any damage caused by him or by any member of his party or by his retainers or followers.

26. **Confiscation of trophy.**—The Chief Wild Life Warden may, in the event of breach of any of the provision of the Act or these rules, for good and sufficient reasons to be recorded in writing, confiscate the trophy or trophies obtained under the permit in addition to the penalty that may be imposed by the competent authority in consideration of the merits of each case.

27. **Forfeiture of deposit.**—(1) If the holder of the permit contravenes the provisions of rule 19, he shall forfeit the whole or part of the deposit made by him.

(2) Where the issuing officer cancels or suspends under section 13 of the Act a permit granted under this Chapter, he may, for reasons to be recorded in writing, order the forfeiture of the whole or part of the deposit made by the licensee.

28. **Refund of fee paid.**—A refund of the fee paid for a permit or licence be sanctioned by the Wild Life Warden if the permit holder or licensee is prohibited by an order of the Wild Life Warden from shooting or capturing game in the block on account of an outbreak of fire or the execution of special works therein or the reservation thereof for any high personage or other like cause, where the permit holder or licensee applies for the cancellation of his permit or licence, half the fees, prescribed under rule 21 and paid shall be refunded to him and the other half shall lapse to Government. No refund shall be admissible in any other case or circumstances.

29. **Refund of deposit and royalty.**—(1) On the expiry of the period specified in the permit and on receipt of the return in Form No. 7 from the licensee, the issuing officer shall, after satisfying himself that holder of the permit had not committed any breach of the conditions of the permit and has paid the royalty for the animals killed, refund expeditiously the deposit.

(2) Where the issuing officer is satisfied that an animal in respect of which royalty had been paid had not been killed, captured or wounded,

30. Chief Wild Life Warden or the issuing officer to maintain register.—The Chief Wild Life Warden or the issuing officer shall maintain in his office a register in which all applications made under rule 20 shall be entered and the register shall contain the following particulars, namely:—

- (a) the date of application.
- (b) the date of receipt in his office.
- (c) the particulars of the hunting licence possessed by the applicant.
- (d) whether the application has been granted or rejected.

An issuing officer will send a copy of this record to the Chief Wild Life Warden on the 10th of each month.

31. Disposal by auction sale etc.—Nothing in these rules shall prevent the disposal by auction sale, contract or otherwise of the shooting or fishing rights within any part of the forest, but no such disposal shall be made without previous sanction of the State Government obtained in each case.

CHAPTER IV—SANCTUARIES AND NATIONAL PARKS

32. Claim to be made upon proclamation by Collector.—Where the Collector publishes a proclamation under section 21, any person claiming any right mentioned in section 19 may prefer before such Collector, within two months from the date of such proclamation, a written claim in Form No. 8.

33. Notice to the claimant.—On receipt of the claim made under rule 32, the Collector shall serve a notice upon the claimant requiring him to appear at such place and on such date as may be specified in such notice either in person or through an agent, authorised by him in this behalf and to produce evidence, oral documentary, in support of the claim.

34. Entry in sanctuary or National Park for purposes of section 28 (1) (d) and (e).—(1) Every person desiring to enter a sanctuary or National Park for purposes of tourism or transaction of lawful business with any person residing therein shall obtain a permit which shall be issued at the gate of the sanctuary or National Park.

(2) A permit issued under sub-rule (1) shall not be valid for a period exceeding five days.

(3) (a) The entrance fee in National Park per day shall be:—

For Kanha	1.00
Bandhaogarh	0.25
Shivpuri	0.25

No fees will be payable for entry in any sanctuary.

(b) A student or a teacher shall be admitted on payment of half the rate of fee mentioned in clause (a).

(c) No fee shall be payable in respect of a child below five years of age.

(d) An additional fee of Rs. 2/- for every bicycle, Rupees 10/- for motor car or station wagon and Rupees 20/- for every bus or lorry or truck shall be levied for Kanha only.

(4) The fee for operating a camera of the type mentioned in column (1) of the table below shall be paid at the rate specified in the corresponding entry in column (2) of the said table:—

(1)	(2)
Type of Camera	Amount
Cine Camera 16 m.m.	Rs. 10.00 per day or part thereof
Cine Camera 35 m.m.	Rs. 100.00 per day or part thereof or Rs. 400.00 for 150 hours.

(5) No permit under rule 34 shall be issued except for Shivpuri National Park during the period from 1st July to 31st October for tourism.

(6) No person holding a permit granted under rule 38 shall enter into the Park from any point of entry other than that specified in the permit.

(7) The unauthorised exhibition, fixing, erection or retaining of any advertisement, brand, boarding or structure in a National Park is prohibited.

(8) No person shall destroy, damage or deface any writing on any tree, bridge, rock, fence, seat, notice board or other objects in a National Park or sanctuary.

(9) No person shall drive any motor vehicle inside a National Park between 21.00 hrs. and 4.00 hrs. The use of a search light inside a National Park during these hours is also prohibited.

(10) No conferences, meetings etc., shall be held inside the National Parks except under the specific orders of the Government. The dates of such conferences, if any, so permitted by the Government shall be intimated to the Chief Wild Life Warden and officer in-charge of the National Park concerned at least 2 months in advance. Further, the holding of such conferences if permitted shall not in any way affect the reservations of accommodation made by any paying visitors. Nothing in this condition shall prevent the holding of meetings or conferences by State Wild Life Board, Central Wild Life Board and the Madhya Pradesh State Forest Officers for whom the study of Wild Life and its habitat is essential.

(11) Visitors bringing their own tents may pitch the same at sites approved by the officer in-charge, free of cost.

35. Entry in a sanctuary or National Park for purposes of section 28(1) (a), (b) and (c).—(1) Every person desiring to enter a sanctuary or National Park for purposes of investigation or study of Wild Life and

(2) The fee payable by a person or a party not exceeding five for conducting scientific research in a sanctuary or National Park shall be 10.00 rupees per month or part thereof.

36. General conditions governing the issue of a permit.—(1) A permit issued under this Chapter shall specify all or any of the following particulars, namely:—

- (a) purpose of entry,
- (b) duration of visit,
- (c) areas permitted to be visited or used,
- (d) places where camping is permitted,
- (e) engagement of guides,
- (f) any other condition that may be deemed necessary will be in form No. 24.

(2) A permit issued under this Chapter shall not entitle any person to a free accommodation in any Government building situated in a sanctuary or National Park.

(3) (a) any member of the Forest Department or an officer appointed under sub-section (1) of section 4 may require any person to stop within the limit of the sanctuary or National Park as the case may be, or at the entrance gate for purposes of checking and may demand the permit granted under this Chapter to be produced for inspection.

(b) Every person so required to stop under clause (a) shall stop when called upon to do so and shall produce the permit for inspection.

37. Cancellation of permit.—Where any person commits any breach of any of the conditions specified in a permit, the Chief Wild Life Warden or the Officer in-charge of a sanctuary or National Park may, after recording his reasons in writing, cancel any permit.

38. Power to exempt.—Where the State Government, considers it necessary or expedient to do so in the public interest, it may, by order exempt any person or class of persons from the payment of the fee payable under this Chapter.

39. Registration of persons holding fire arms.—(1) Within three months from the declaration of an area as a sanctuary or National Park, or in the case of a sanctuary or National Park existing at the commencement of these rules within three months of such commencement, every person residing within ten kilometres of such sanctuary or National Park and holding a licence granted under the Arms Act, 1959 (Central Act, 54 of 1959), or exempted from the provisions of that Act and possessing arms, shall apply in Form No. 9 to the officer in-charge of the sanctuary or National Park for the registration of his name.

(2) The application under sub-rule (1) shall be accompanied by a Treasury receipt or Bank challan showing that a fee of 5.00 rupees has been paid by the applicant.

(3) (a) On receipt of an application under sub-rule (1) the officer in-charge of the sanctuary or National Park shall, after making such inquiry as he may deem fit, register the name and other particulars of the applicant in Form No. 10.

(b) A separate page in the register shall be allotted to each licensee.

Where licensee commits any offence under the Act or the rules made thereunder, the officer in charge of the sanctuary or National Park shall make an entry to that effect in the register and where the registering officer is satisfied that the licensee has committed the said offence, he shall intimate thereunto he may take such steps as he considers necessary to move the authority concerned for cancelling the licence under the Arms Act, 1959 (54 of 1959).

(5) Where the licensee transfers his arms to another person by way of sale gift or otherwise, he shall intimate the officer in-charge of the sanctuary or National Park within a period of fifteen days of such transfer.

(6) Where the licensee shifts his residence to another place within the said ten kilometres, or shifts his residence beyond the said distance, he shall within a fortnight of shifting to the new residence, intimate the new address to the officer in-charge of the sanctuary or National Park.

(7) Where the licensee dies, his successor or legal representative shall intimate the fact to the officer in-charge of the sanctuary or National Park.

CHAPTER V—TRADE OR COMMERCE IN WILD ANIMALS, ANIMAL ARTICLES AND TROPHIES

40. **Declaration.**—Notwithstanding any declaration that a person may have made under sub-section (1) of section 40 any person who has in his control, custody or possession, any animal article or trophy (other than the musk of musk deer or the horn of a rhinoceros or salted or dried skins derived from an animal specified in Schedule I or Part II of Schedule II shall, within thirty days from the commencement of these rules, make a declaration in Form No. 11 to the Chief Wild Life Warden or an Officer authorised by him in this behalf (hereinafter referred to as the authorised officer).

41. **Inquiry and preparation of inventories.**—(1) On receipt of a declaration under rule 40 of under sub-section (1) of section 40, the Chief Wild Life Warden or the authorised officer shall give a notice to the person making the declaration as to the date and time on which he shall enter upon the premises of such person and such notice shall be served on the person making the declaration or sent to him by registered post.

(2) The Chief Wild Life Warden or the authorised officer may, after making such inquiry as he may deem fit, inspect the premises and animal articles, trophies, uncured trophies and captive animals, specified in Schedule I or Part II of Schedule II.

(3) The Chief Wild Life Warden or the authorised officer shall make an inventory in Form No. 12 of such animals or objects found upon the premises.

(4) The Chief Wild Life Warden or the authorised officer shall affix upon the objects referred to in sub-rule (3), identification marks as far

42. **Certificate of ownership.**—The Chief Wild Life Warden may, for the purpose of section 40 issue a certificate of ownership in Form No. 13 to a person who, in his opinion, is in lawful possession of any animal, animal article, trophy or uncurved trophy.

43. **Application for licence to commence or carry on business as a manufacturer of or dealer in any animal article, etc;—**

(1) Every person desiring :—

(a) to commence or carry on the business to;—

(i) a manufacturer of or dealer in any animal article, or

(ii) a taxidermist; or

(iii) a dealer in trophy or uncurved trophy; or

(iv) a dealer in captive animals; or

(v) a dealer in meat; or

(b) to cook or serve meat in any eating house, shall make an application in Form No. 14 to the Wild Life Warden or the authorised officer for the grant of a licence.

(2) An application for obtaining a licence to cook or serve meat in any eating house shall specify the species of animal whose meat he desires to cook or serve.

44. **Grant of licence.**—(1) On receipt of an application under rule 43, the Chief Wild Life Warden, the authorised officer shall, after making such inquiry as he may deem fit, either grant the licence or reject the application.

(2) Where an application is rejected the fee paid thereon shall be refunded expeditiously to the applicant.

(3) In granting a licence under sub-rule (1), the Chief Wild Life Warden or the authorised officer shall have due regard to—

(a) the past record of the applicant as a dealer in the business which he desires to carry on ;

(b) whether the persons has been convicted of any offence under the provisions of the Act or the rules made thereunder or under any of the provisions of an Act repealed by section 66;

(c) the need for granting a licence keeping in view the abundance or otherwise of Wild Life existing in the State.

(4) A licence:—

(a) to commence or carry on the business as,—

(i) a manufacturer of or dealer in an animal article or a dealer in trophy or uncurved trophy shall be granted in Form No. 15;

(ii) a taxidermist shall be granted in Form No. 16;

(iii) a dealer in captive animals/shall be granted in Form No. 17;

(iv) a dealer in meat shall be granted in Form No. 18;

(b) to cook or serve meat in any eating house shall be granted in Form No. 19.

45. **Renewal of Licences.**—(1) A licence may apply in Form No. 20 for renewal of the licence within thirty days before the date of expiry of the licence.

(2) The Chief Wild Life Warden or the authorised officer may, subject to the provisions of sub-section (7) of section 44 renew the licence in Form No. 15, Form No. 16, Form No. 17, Form No. 18 or Form No. 19 as may be appropriate and specify therein the period up to which the licence is renewed.

46. **Fee.**—Every application for the grant of licence or renewal thereof shall be accompanied by a treasury challan showing the fee according to the following scale per year had been paid, namely :—

- (a) to commence or carry on the business as,—
 - (i) a manufacturer of or dealer in any animal article shall be 50 rupees;
 - (ii) a taxidermist shall be 50 rupees;
 - (iii) a dealer in trophy or uncurried trophy shall be 100 rupees;
 - (iv) a dealer in captive animals shall be 50 rupees;
 - (v) a dealer in meat shall be 20 rupees;
- (b) to cook or serve meat in any eating shall be 50 rupees.

47. **Conditions governing the grant of licence.**—Every licence granted under this Chapter shall specify the terms subject to which a business or profession shall be carried on and shall also be subject to the provisions of the Act and the rules made thereunder.

48. **Issue of bill or cash memo.**—(1) Every licensee, other than a taxidermist, shall, at the time of sale, issue a bill or cash memo. to the purchaser and such bill or cash memo. shall contain the following particulars :—

- (a) Name of the licensee;
- (b) Name, address and place of business of the licensee;
- (c) Licence Number;
- (d) Description of article sold;
- (e) Sale price therefor;
- (f) Date of sale;
- (g) Signature of licensee.

(2) Every taxidermist shall at the time of returning the trophy or incured trophy issue a voucher to the owner thereof and such voucher shall contain the following particulars, namely :—

- (a) Date of issue of voucher;
- (b) Name, address and place of business of the Licensee;
- (c) Licence Number.
- (d) Description including name of species;
- (e) Price realised;
- (f) Name and address of the person to whom the voucher is issued;
- (g) Signature of the licensee;

49. **Bill, cash memo or voucher-how to be maintained.**—(1) Every bill, cash memo or voucher as the case may be referred to in rule 48 shall be in triplicate and serially numbered.

(2) The duplicate and triplicate copy of every bill, cash memo or voucher shall be retained by the licensee and the original copy,—

(a) in the case of a bill or cash memo, shall be given to the purchaser; and

(b) in the case of voucher shall be given to the owner of the trophy.

(3) Every book containing blank vouchers shall be presented to the Chief, Wild Life Warden or the authorised officer for affixing his initials or stamp on such book before it is brought into use.

(4) The duplicate copy of every bill, cash memo, or vouchers shall be sent along with the monthly return referred to in rule 51.

50. **Maintenance of registers.**—(1) A licensed dealer in captive animals, animal articles, trophies or incured trophies or meat derived therefrom shall maintain a register in Form No. 21.

(2) A licensee, who is a taxidermist or a manufacturer of animal articles shall maintain a register in Form No. 22.

(3) A licensee authorised to cook or serve meat in any eating-house shall maintain a register in Form No. 23.

(4) The licensee shall ensure that the register required to be maintained by him under this rule has been brought up to date before closing the business for the day.

51. **Submission of return.**—(1) Every licensee shall submit a monthly return to:—

(a) the Chief Wild Life Warden or the authorised officer; and

(b) the Director of Wild Life preservation or the officer authorised by him in this behalf containing a true copy of the entries made by him in the relevant register, referred to in rule 50 during the course of a month, duly certified and signed by the licensee as true copy of such entries.

(2) The return under sub-rule (1) shall be submitted by the tenth of the month following the month to which the return relates.

CHAPTER VI—MISCELLANEOUS

52. **Disposal of meat or uncurrred trophy seized under section 50.**—The Chief Wild Life Warden or the officer authorised by the Chief Wild Life Warden may arrange for the sale in public auction of any meat or uncurrred trophy seized under the provisions of section 50 and the proceeds shall be credited to the head of the account—LI-Forest Receipts—F—Misc. (ii) other receipts—in a Government treasury or Bank.

53. **Crediting of fee deposits and royalty.**—(1) The fees payable under any of the provisions of these rules except rules 34 and 35 shall be credited to the head of the account—LI-Forest-Receipts-F-Misc. (ii) other receipts—in a Government treasury or Bank.

(2) A deposit or royalty payable under any of the provisions of these rules shall be credited to the head of account-LI-Forest Receipts-F. Misc. (ii) other receipts in a Government Treasury or Bank.

54. **Power to compound offences.**—For the purposes of section 54, the following officers shall be empowered to accept payment of a sum of money by way of composition of an offence against the act, and to release on payment of the value thereof any property seized within the area of his jurisdiction, namely :—

- (a) Chief Wild Life Warden ;
- (b) Wild Life Warden ;
- (c) A Forest Officer of a rank not inferior to that of the Deputy Conservator of Forests.

55. **Cognizance of offences.**—The following officers shall be authorised to make complaints under section 55, namely :—

- (a) Chief Wild Life Warden ;
- (b) Wild Life Warden ;
- (c) Forest Range Officers.

56. **Rewards.**—Wherein any conviction for an offence against this act, fine is imposed, the court may award any, not exceeding half the amount of the fine recovered as a reward to any person, other than a Government servant, who gave information leading to the conviction.

57. **Repeal and saving.**—As from the commencement of these rules the Madhya Pradesh Game Rules, 1932, Madhya Pradesh Forest (Planting, shooting, fishing, poisoning water and setting traps or snares in Reserved and Protected Forests) Rules, 1963 and every other rules relating to the matter contained in these rules, shall stand repealed :

Provided that such repeal shall not,—

- (i) affect the previous operation of the rules so repealed or anything duly done or suffered thereunder ;
- (ii) affect any right privilege, obligation or any liability acquired, accrued or incurred under the rules so repealed ;
- (iii) affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation or liability :

Provided further that subject to the preceding proviso, anything done or any action taken under the rules so repealed, shall in so far as it is not inconsistent with the provisions of these rules be deemed to have been done or taken under the corresponding provisions of these rules and shall continue in force accordingly, until it is superceded by anything done or any action taken under these rules.

(2) A deposit or royalty payable under any of the provisions of these rules shall be credited to the head of account—LI-Forest Receipts—F. Misc. (ii) other receipts in a Government Treasury or Bank.

54. **Power to compound offences.**—For the purposes of section 54, the following officers shall be empowered to accept payment of a sum of money by way of composition of an offence against the act, and to release on payment of the value thereof any property seized within the area of his jurisdiction, namely :—

- (a) Chief Wild Life Warden ;
- (b) Wild Life Warden ;
- (c) A Forest Officer of a rank not inferior to that of the Deputy Conservator of Forests.

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- (a) Chief Wild Life Warden ;
- (b) Wild Life Warden ;
- (c) Forest Range Officers.

56. **Rewards.**—Wherein any conviction for an offence against this act, fine is imposed, the court may award any, not exceeding half the amount of the fine recovered as a reward to any person, other than a Government servant, who gave information leading to the conviction.

57. **Repeal and saving.**—As from the commencement of these rules the Madhya Pradesh Game Rules, 1962, Madhya Pradesh Forest Hunting, Shooting, Fishing, Poisoning water and setting traps or snares in Reserved and Protected Forests Rules, 1963 and every other rules relating to the matter contained in these rules, shall stand repealed :

Provided that such repeal shall not :—

- (i) affect the previous operation of the rules so repealed or anything duly done or suffered thereunder ;
- (ii) affect any right privilege, obligation or any liability acquired, accrued or incurred under the rules so repealed ;
- (iii) affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation or liability :

Provided further that subject to the preceding proviso, anything done or any action taken under the rules so repealed, shall in so far as it is not inconsistent with the provisions of these rules be deemed to have been done or taken under the corresponding provisions of these rules and shall continue in force accordingly, until it is superceded by anything done or any action taken under these rules.

FORM No. I

[See Rule 11 (1)]

Form of application for special game/big game/small game hunting
licence

To,

The Chief Wild Life Warden/Authorised Officer,
Madhya Pradesh.

Sir,

I,resident of
in the District.....apply for for special game/big game/small
game hunting licence to hunt under the provisions of Wild Life (Protec-
tion) Act, 1972 and the rules made thereunder. I enclose the treasury
receipt or Bank challan for Rs.being the monthly/yearly
fee for the licence.

I have read the Act and the rules made there under and I undertake
to abide by the same.

I am not required/am required to get my name registered under sec-
tion 34 of the Wild Life (Protection) Act, 1972 and the registration has
been done by the officer in-charge of thesanctuary/National
Park.

I possess an arms licence for sport in Form set out in Schedule III to
the Arms Rules, 1962. The arms licence is herewith enclosed for verifica-
tion and return.

I wish to use the following weapons for hunting special game/big
game/small game.

The licence is required for theblock of Range Forest
Divisionin the District of.....for the whole
State, for a period from.....to.....

Yours faithfully,

(Signature of the applicant).

(Strike out whichever is not applicable)

FORM No. 2

[See rule 13]

Form of application for Wild Animal Trapping licence

To,

The Chief Wild Life Warden,
Madhya Pradesh.

Sir,

I,resident ofin theDistrict,
apply for a Wild Animal Trapping licence to trap the following animals
in the District of.....for the period of commencing.

2. I enclose the treasury challan for Rs.....being the monthly/
yearly fee for the licence.

3. I have read the Wild Life (Protection) Act, 1972 and the rules
made thereunder and undertake to abide by the same.

4. I will not trap more than the.....animals per day.

Yours faithfully,

(Signature of the applicant)

(Strike out whichever is not applicable)

FORM No. 3

[See rule 15(a)]

SPECIAL GAME HUNTING LICENCE

Office of the Chief Wild Life Warden, Madhya Pradesh, Bhopal

1. Licence No.....
2. Date of issue.....
3. Name of licensee.....
4. Profession.....
5. Address.....
6. The licence shall be applicable to the shooting block/Forest Division/District/State.
8. Period for which validFrom.....To.....
9. Licence fee paid Rs.....Deposit made Rs.royalty paid Rs.
7. Details of weapons permitted to be used for hunting.
10. Subject to the provisions of the Wild Life (Protection) Act, 1972 and the rules made thereunder, the following may be hunted during the period of the licence by the licensee.

Note.—1. This licence does not entitle the licensee to hunt in areas notified as game reserve under section 36 of the Act, except when permitted to do so by the Chief Wild Life Warden and where a permission has been so granted an entry shall be made to that effect in this licence, where upon this licence shall be deemed to have been issued under section 36 of the Act.

Note.—2. The licence shall be subject to the closed time declared under section 16 of the Act.

Note.—3. While hunting, the licensee shall strictly adhere to the provisions of section 17 of the Act and rule 19 of the M. P. Wild Life (Protection) Rules, 1974.

Note.—4. This licence shall be surrendered to the issuing authority within 15 days of its expiry together the statement in Form No. 7 of animals hunted by him.

Chief Wild Life Warden, M. P.

(Strike out whichever is not applicable)

FORM No. 4

[See rule 15(b)]

Big Game Hunting Licence

Office of the Chief Wild Life Warden, Madhya Pradesh, Bhopal

1. Licence No.....
2. Date of Issue.....
3. Name of licensee.....
4. Profession.....
5. Address.....
6. The licence shall be applicable to the shooting block/Forest Division/District/State
7. Details of weapons permitted to be used for hunting.
8. Period for which valid:.....
From.....To.....
9. Licence fee paid Rs.....
Deposit made Rs.Royalty paid Rs.

Subject to the provisions of the Wild Life (Protection) Act, 1962, and the rules made thereunder, the following may be hunted during the period of the licence by the licensee;

Note 1.—This licence does not entitle the licensee to hunt in areas notified as game reserves under section 36 of the Act, except when permitted to do so by the Chief Wild Life Warden where at permission has been so granted, an entry shall be made to that effect in this licence, whereupon this licence shall be deemed to have been issued under section 36 of the Act.

Note 2.—The licence shall be subject to the closed time declared under section 26 of the Act.

Note 3.—While hunting the licensee shall strictly adhere to the provisions of section 17 of the Act and rule 17 of the M.P. Wild Life (Protection) Rules, 1974.

Note 4.—This licence shall be surrendered to the issuing authority within 15 days of its expiry together with the statement in Form No. 7 of animals hunted by him.

Issuing Authority.

(Strike out whichever is not applicable)

FORM No. 5

[See rule 15(c)]

SMALL GAME HUNTING LICENCE

Office of the Chief Wild Life Warden, Madhya Pradesh, Bhopal

1. Licence No.....
2. Date of Issue.....
3. Name of licensee.....
4. Profession.....
5. Address.....
6. The licence shall be applicable to the shooting block/Forest Division/District/State.
7. Details of weapons permitted to be used for hunting
8. Period for which valid;.....From.....To.....
9. Licence fee paid Rs.Deposit made Rs.Royalty paid Rs.

Subject to the provisions of the Wild Life (Protection) Act, 1972 and the rules made thereunder, the following may be hunted during the period of the licence by the licensee:—

Note 1.—This licence does not entitle the licensee to hunt in areas notified as game reserved under section 36 of the Act, except when permitted to do so by the Chief Wild Life Warden. Where a permission has been so granted, an entry shall be made to that effect in this licence, whereupon this licence shall be deemed to have been issued under section 36 of the Act.

Note 2.—The licence shall be subject to the closed time declared under section 16 of the Act.

Note 3.—While hunting, the licensee shall strictly adhere to provisions of section 17 of the Act and rule 17 of the Wild Life (Protection) Madhya Pradesh Rules, 1974.

Note 4.—This licence shall be surrendered to the issuing authority within 15 days of its expiry together with the statement in Form No. 7 of animals hunted by him.

Issuing Authority.

(Strike out whichever is not applicable)

FORM No. 6

(Sec Rule 15(d))

Wild Animal Trapping Licence

Licence No. of 19 .., dated the..... day
 of.....subject to the provisions of the Wild Life
 (Protection) Act, 1972 and the rules made thereunder, permission is here-
 by granted to Shri
 resident ofDistrictto capture the
 and ending with

1. Area in which trapping is permitted—

- (i) Name of animal
- (ii) No. to be trapped
- (iii) Sex
- (iv) Minimum size

(v) Royalty, if any paid

3. Method of trapping and conditions under which the trapping
 should be carried out.

4. This licence shall be subject to the closed time declared under
 section 16 of the Wild Life (Protection) Act, 1972.

5. The licensee shall, while trapping, strictly adhere to the provi-
 sions of section 17 of the Act and rule 17 of the Wild Life (Protection)
 Madhya Pradesh Rules, 1974.

6. The licence shall be surrendered to the issuing authority within
 15 days of its expiry or before leaving the area specified in the licence,
 whichever is earlier, together with the statement in Form No. 7 of animals
 captured by him.

Chief Wild Life Warden.

FORM No. 7

[See Rules 17(8) and 29]

Form of Record of Animal Killed, Captures or Wounded

Record of game killed, captured or wounded by.....
 under Licence No.Special game/big game/small game/Wild
 animal trapping licence.

1. Species.....
2. Number shot or trapped
3. Place and date of shooting or trapping.....
4. Sex.....
5. Size of horns or tusks or other dimensions.....
6. Details of animals lost after wounding.....

I hereby declare that the information given above is correct and that no other animals listed in Schedule II/Schedule III/Schedule IV to the Wild Life (Protection) Act, 1972) was killed, captured or wounded by me in the State of Madhya Pradesh during the period specified in the licence.

Licence Holder's Signature

Note.—In the case of killing, capturing or wounding of any animal specified in Schedule II or Schedule III to the Act, the above mentioned particulars will have to be submitted to the issuing authority within 15 days from the date of such killing, capturing or wounding or before leaving the area specified in the hunting or trapping licence whichever is earlier See section 10 (2) of the Wild Life (Protection) Act, 1972.

FORM No. 8

(See Rule 32)

To,

The Collector of.....District.

Sir,

I,, son of.....resident of.....
 hereby declare that I have the right specified in the Table below in or
 over the land comprised within the limits of the sanctuary.....
 referred to in proclamation No.dated the

TABLE

2. I hereby declare that the property is free from all encumbrances/
 or that the property is under encumbrances (specify the details).

3. I enclose herewith documents proving the nature and extent of
 my right, and the date from which such right is being enjoyed.

4. The rents or profits received on account of such right for the
 three years immediately preceding the date of application are set-forth
 below :—

TABLE

Year (1)	Amount (2)
19	
19	
19	

5. In the case of easement right, the annual value is.....Rupees.

Date.....

Place.....

Signature of the applicant.

(Strike out whichever is not applicable)

FORM No. 9

[See Rule 39]

Form of Application for Registration under section 34 of the
Wild Life (Protection) Act, 1972.

To,

Officer-in-Charge of.....Sanctuary/National Park.

Sir,

I,.....resident of village.....District.....
live within ten kilometres of.....Sanctuary/National Park and
apply for the registration of my name and address in accordance with the
provisions of section 34 of the Wild Life (Protection) Act, 1972.

2. The particulars of the arms possessed by me are as under, I am
exempted from provisions of the Arms Act, 1959 :—

3. I enclose treasury receipt/Bank Challan No.....for
Rs.being the registration fee.

4. The arms licence is sent herewith for verification, endorsement
and return.

Full address of the Applicant, place and date.

Yours faithfully,

Signature of the applicant.

(Strike out which ever is not applicable)

FORM No. 10

[See Rule 39 (3) (a)]

Register of persons possession arms

Name of registered person.....
 profession....., Village..... District.....
 (residing within ten kilometres of..... Sanctuary/National Park)

Serial No.	No. of license and date of issue, whether license is for sport, self protection or display	Arms and ammunition the licensee is entitled to possess		The Area for which license is valid	Place and address of retention, if any
		Particulars of arms	Quantity of ammunition		
(1)	(2)	(3)	(4)	(5)	(6)

Date on which license expires	Particulars of any offence committed under the Wild Life (Protection) Act, 1972 or the rules made thereunder, date, place punishment, if any, etc.	Particulars of any second or subsequent offence committed	Particulars of any transfer of arms by the licensee	Particulars of change of residence	Remarks
(7)	(8)	(9)	(10)	(11)	(12)

FORM No. 11

(See Rule 40)

To,

The Chief Wild Life Warden/Authorised Officer,

Sir,

I,.....resident of.....in the District or declare
that I have in my control, custody or possession the following :—

Animal article/ Trophy, derived from animals specified in Schedule II to the Wild Life (Protection) Act, 1972.	Number	Description including name of animal from which derived	Dimensions	How obtained	Premises where kept
(1)	(2)	(3)	(4)	(5)	(6)

1. Animal article

2. Trophy

Place :

Yours faithfully,

Date :

Signature of the Applicant.

FORM 12

[See Rule 41 (3)]

Inventory of Stocks

Shri.....son of.....resident of.....
has declared in Form No. 11 on.....as being in control, custody or
possession of animals specified in Schedule I or Part II of Schedule II to
the Wild Life (Protection) Act, 1972 and/or of animal articles/trophies/
incured trophies derived therefrom as listed below.

2. On visiting the premises on.....and making personal
inquiries, the stocks specified below were found to be in the control, cus-
tody or possession of the said :—

(i) Description including name of
animal from which
derived.

(ii) Number

(iii) Dimension or weight

(iv) Premises where kept

II. Captive Animals :

(i) Species and sex

(ii) Number

(iii) Adult or juvenile

(iv) Premises where kept

III. Trophies:

(i) Description including specie
of animal.

(ii) Number

(iii) Dimension or weight

(iv) Premises where kept

The above verification was done in the presence of the following
members of the household whose signatures are appended below:—

Signature of the Chief Wild Life
Warden/Authorised Officer

Name and signature of the member of household:—

Date

1.

2.

3.

4.

(Strike out which ever is not applicable)

FORM No. 13

(See Rule 42)

Certificate of Ownership

OFFICE OF THE CHIEF WILD LIFE WARDEN, MADHYA PRADESH

Name.....

Address.....

It is hereby certified that Shri.....has under his control, custody or possession the following animals, animal articles, trophies, uncured trophies, specified in Schedule I or Part II of Schedule II to the Wild Life (Protection) Act, 1972.

Item including specie from which derived	Dimension and description and sex if possible	Number	Place where kept	Identification "marks affixed"
(1)	(2)	(3)	(4)	(5)
1. Animals				
2. Animal articles				
3. Trophies				
4. Uncured trophies				

Date :

Chief Wild Life Warden

FORM No. 14

[See Rule 3(i)]

To,

The Chief Wild Life Warden/Authorised Officer,
Madhya Pradesh.

Form of application for obtaining licence as manufacturer, taxidermist,
dealer, etc.

1. Name of Applicant.....
2. Profession.....
3. Address.....
4. If the licence is to be issued in the name of a company, applicant's relationship with that company.
5. Name of business/shop and address
6. Name and addresses of shareholders/partners
 - (1)
 - (2)
 - (3)
 - (4)
 - (5)
 - (6)
7. Location
8. Licence is required to :—
 - (a) commence or carry on the business as :—
 - (i) a manufacturer of or dealer in any animal articles.
 - (ii) a taxidermist.
 - (iii) a dealer in trophy or uncured trophy.
 - (iv) a dealer in captive animals.
 - (v) a dealer in meat.
 - (b) cook or serve meat in any eating house.
9. Number and date of previous licence, if any (to be surrendered with the application).
10. If stocks had been duly declared under section 44 (2) of the Wild Life (Protection) Act, 1972 date of declaration.
11. Species of animals in which trade/taxidermy is proposed to be carried on, including approximate number of each specie, number of animal articles to be manufactured, and number of trophies, and description of uncured trophies in which trade will be carried on.
12. The names of licensees (with particulars of licence number) from whom the applicant will acquire stocks for his trade/taxidermy. (See section 49 of the Act).
13. Herewith enclosed a Treasury Receipt/Bank Challan showing payment of fee of Rs. for one year to commence or carry on the business as.
14. I have read the Wild Life (Protection) Act, 1972 and the rules made thereunder and undertake to abide by the same.

Place

Signature of the Applicant.

Date.....

(Strike out whichever is not applicable)

Form of

Licence
Subject
the rules n
Proprietor/
at street...
is hereby a
and/or man
on the day

2. Th

(a) T

(1)

(2)

(3)

(b) T

(c) T

(d) T

(e) T

(f) T

FORM No. 15

[See Rules 44 and 45(2)]

Form of licence for dealing in and manufacture of animal articles or trophies or uncurrred trophies

Licence No.Dated the.....day of.....19 ..

Subject to the provisions of the Wild Life (Protection) Act, 1972 and the rules made thereunder, Shri..... son of Proprietor/Manager of business/shop by the name.....situated at street.....in the town.....in district..... is hereby authorised to deal in animal article, trophies or uncurrred trophies and/or manufacture animal articles, for a period of one year/commencing on the day of.....19 .. and ending with the day of.....19 ..

2. The licensee shall also abide by the conditions laid down below :—

(a) The licensee shall only deal in animal articles/trophies/uncurrred trophies derived from the following species of animals :—

(1)

(2)

(3)

(b) The licensee shall only make animal articles specified in column (1) of the Table below from trophies or uncurrred trophies derived from species of animals specified in the corresponding entry in column (2) of the said Table.

TABLE**Animal Article****Species of Animals**

(1)

(2)

(c) The licensee shall purchase, receive, or acquire an animal article/trophy/uncurrred trophy only from dealer or from a person licensed or, as the case may be, authorised to sell or otherwise transfer the same under the act or the rules made thereunder.

(d) The licensee shall not purchase, receive, or acquire or transport an animal article/trophy/uncurrred trophy in violation of the provisions of section 43 or section 48 of the Act.

(e) The licensee shall carry on his business only during business hours and at premises. The place of business, may be changed only with the prior permission of the authority that has issued this licence and where the place of business has been changed, the particulars of the new premises shall be entered in this licence. All animal articles, trophies and uncurrred trophies shall be stored only at.....premises.

(f) This licence shall be displayed at a conspicuous place of the premises in which the business of the licensee is carried on

and shall be produced for inspection on demand being made by an officer appointed under sub-section (1) of section 4, or specified in sub-section (1) of section 50, of the Act.

3. The licensee has paid annual fee of Rs.

Signature of the Issuing Authority

Date

The licence is renewed and shall be valid up to.....

Signature of the Issuing Authority

Date

Signature of the Issuing Authority.

Date

(Strike out whichever is not applicable).

FORM No. 16

[See rule 45 (2)]

Form of Licence for Taxidermy

Licence No.dated the.....day of.....19 ..

Subject to the provisions of the Wild Life (Protection) Act, 1972 and the rules made thereunder, Shri.....son of.....
 Proprietor/Manager of business/shop by the name
 situated at Street.....in the town.....in district.....
 is hereby authorised to do taxidermy for period of one year commencing on the day of19 and ending with the day of.....19 ..

2. The licensee shall also abide by the conditions laid down below :—

(a) He shall do taxidermy only of trophies/uncurred trophies of the following species of animals :—

(1)

(2)

(3)

(4)

(5)

(b) The licensee shall purchase, receive or acquire a trophy/uncurred trophy only from a dealer or from a person licensed or, as the case may be, authorised to sell or otherwise transfer or hunt the same under the Act or the rules made thereunder.

(c) The licensee shall not purchase, receive, acquire or transport a trophy/uncurred trophy in violation of the provisions of section 43 or section 48 of the Act.

(d) The licensee shall do taxidermy only during business hours and at premises. The place of business may be changed only with the prior permission of the authority that has issued this licence and where the place of business has been changed, the particulars of the new premises shall be entered in this licence. All trophies/uncurred trophies shall be stored only at premises.

(e) This licence shall be displayed at a conspicuous place of the premises in which the business of the licensee is carried on and shall be produced for inspection on demand being made by an officer appointed under sub-section (1) of section 4, or specified in sub-section (1) of section 50, of the Act.

3. The licensee has paid annual fee of Rs.

Signature of the Issuing Authority

Date

The licence is renewed and shall be valid up to.....

Signature of the Issuing Authority

Date

Signature of the Issuing Authority

Date

(Strike out whichever is not applicable).

FORM No. 17
[See Rule 45(2)]

Form of licence for dealing in captive animal

Licence No.Dated the.....days of.....19 ..

Subject to the provisions of the Wild Life (Protection) Act, 1972 and the rules made thereunder, Shri.....son of.....
Proprietor/Manager of business/shop by the name.....
situated at street.....in the town.....captive animals
for period of one year commencing on the.....day of.....19 ..
and ending with the.....day of.....19 ..

2. The licensee shall also abide by the conditions laid down below :—

(a) The licensee shall deal only in captive animals specified below—

Species	Minimum size	Sex
(1)	(2)	(3)

(b) The licensee shall purchase, receive or acquire any of the captive animal aforesaid only from a dealer or from a person licensed or, as the case may be, authorised to capture and sell that animal under the Act or the rules made thereunder.

(c) The licensee shall not purchase, receive, acquire or transport any of the captive animals aforesaid in violation of the provisions of section 43 of section 48 of the Act.

(d) The licensee shall carry on his business only during business hours and at premises. The place of business may be changed only with the prior permission of the authority that has issued this licence and where the place of business has been changed, the particulars of the new premises shall be entered in the licence. All captive animals shall be kept only at premises.

(e) This licence shall be displayed at a conspicuous place of the premises in which the business of the licensee is carried on and shall be produced for inspection on demand being made by an officer appointed under sub-section (1) of section 4, or specified in sub-section (1) of section 50 of the Act.

3. The licensee has paid annual fee of Re.

.....
Signature of the Issuing Authority.

Date

The licence is renewed and shall be valid up to.....

.....
(a) Signature of the Issuing Authority.

Date

.....
(b) Signature of the Issuing Authority

Date

(Strike out whichever is not applicable).

FORM No. 18

[See Rule 45(2)]

Form of licence for dealing in meat

Licence No.Dated the.....day of..... 19 ..

Subject to the provisions of the Wild Life (Protection) Act, 1972 and the rules made thereunder, Shri.....son of.....
 Proprietor/Manager of business/shop by the name.....situated
 at streetin the town.....in district.....
 is hereby authorised to deal in meat for a period of one year commencing
 on the.....day of.....19 .., and ending with day of19 ..

2. The licensee shall also abide by the conditions laid down below :—

- (a) The licensee is authorised to deal in meat derived only from the following animals :—

Species	Minimum size
(1)	(2)
(1)	
(2)	
(3)	
(4)	
(5)	

- (b) The licensee shall purchase, receive or acquire meat derived from any of the animals aforesaid only from a dealer or from a person licensed or, as the case may be authorised to capture and sell, or otherwise transfer such wild animals under the Act or the rules made thereunder.
- (c) The licensee shall not purchase, receive, acquire or transport meat in violation of the provisions of section 43 or section 48 of the Act.
- (d) The licensee shall carry on his business only during business hours and at premises. The place of business may be changed only with the prior permission of the authority that has issued this licence and where the place of business has been changed, the particulars of the new premises shall be entered in this licence. All meat shall be stored only at..... premises.
- (e) This licence shall be displayed at a conspicuous place of the premises in which the business of the licensee is carried on and shall be produced for inspection on demand being made by an officer appointed under sub-section (1) of section 4, or specified in sub-section (1) of section 50, of the Act.

3. The licensee has paid the annual fee of Rs.

.....
Signature of the Issuing Authority.

Date

The licence is renewed and shall be valid up to.....

.....
(a) Signature of the Issuing Authority.

Date

.....
(b) Signature of the Issuing Authority

Date

(Strike out whichever is not applicable).

FORM No. 19

[See Rule 45(2)]

Form of Licence to Cook or Serve Meat in Eating House

Licence No.Dated the.....day of.....19 ..

Subject to the provisions of the Wild Life (Protection) Act, 1972 and the rules made thereunder Shri.....son of Shri..... Proprietor/Manager of business/shop by the name.....situated at street.....in the town.....in district..... is hereby authorised to cook and/or serve meat for a period of one year commencing onday of.....19 .. and ending with the day of.....19 ..

2. The licensee shall also abide by the conditions laid down below :—

(a) The licensee shall cook and/or serve meat only of the following species of animals :—

(1)

(2)

(3)

(4)

(5)

(b) The licensee shall purchase, receive or acquire meat only from a dealer authorised to sell such meat under a licence granted to him in Form No. 18.

(c) The licensee shall not purchase, receive, acquire or transport meat in violation of the provisions of section 43 or section 48 of the Act.

(d) The licensee shall cook and/or serve meat only at..... premises. The place of business may be changed only with the prior permission of authority that has issued this licence and where the place of business has been changed, the particulars of the new premises shall be entered in this licence. All meat shall be stored only at.....premises.

(e) This licence shall be displayed at a conspicuous place of the premises in which the business of the licensee is carried on and shall be produced for inspection on demand being made by an officer appointed under sub-section (1) of section 4, or specified in sub-section (1) of section 50, of the Act.

3. The licensee has paid the animal fee of Rs.

.....
Signature of the Issuing Authority

Date

The licence is renewed and shall be valid up to.....

.....
(a) Signature of the Issuing Authority.

Date

.....
(b) Signature of the Issuing Authority.

Date

(Strike out whichever is not applicable).

FORM No. 20

[See rule 45(1)]

Form of Application for renewal of licence

To,

The.....

I hereby apply for renewal of licence No. dated
the.....(Full name and address of the applicant in block letters).

2. The necessary receipt/Bank challan for annual fee of Rs.....is
enclosed herewith.

.....

Signature of the applicant.

FORM No. 21

[See rule 50(1)]

"Form of register to be maintained by dealers in captive animal/
animal article/trophy/uncurred trophy/meat."

Date	Description of captive animal, article, trophy or meat together with name of species, dimensions and sex where possible	Date of acquisition	From whom obtained (name and address of suppliers)	Nature and kind of licence held by supplier	No. of certificates of ownership if any
(1)	(2)	(3)	(4)	(5)	(6)

Date of disposal	Manner of disposal	Name and address of the purchaser	Bill or cash memo	Details of permission for interstate movement, if required
(7)	(8)	(9)	(10)	(11)

FORM No. 22

[See rule 50(2)]

Form of Register to be maintained by Taxidermist/Manufacturer of
Animal Articles.

Date	Description of trophy uncured trophy received, together with name of specie, dimensions and sex where possible	Date of receipt	From whom ob- tained (name and address of sender)	Nature and kind of licence held by sender or supplier
(1)	(2)	(3)	(4)	(5)

No. of certificate of ownership any	Description of trophy/animal article that is to be pre- pared or manufactured	Number to be made or prepared	Date on which the trophies/manufacture articles are to be ready
(6)	(7)	(8)	(9)

Date of despatch or delivery	Name and address of receiver	Details of bill/cash memo voucher	Details of permission of inter-State movement if required
(10)	(11)	(12)	(13)

FORM No. 23

[See rule 50(3)]

Form of Register to be maintained by Licensee Cooking and/or serving
Meat in an eating-House

Date	Name of specie of animal whose meat has been purchased or received	No. of animals per- chased or received, in whole or part	Date of purchase or receipt	Name and address of supplier
(1)	(2)	(3)	(4)	

Particulars of licence of supplier	Particulars of daily sale			
	Date	Name of specie or animal whose meat is sold	Total number sold	Particulars of cash memo or bill
(5)	(7)	(8)	(9)	(10)

FORM No. 24

(See rule 38)

Permit for entry into.....National Park

(In triplicate)

Shri/Smt.and party consisting of.....adult.....
 children are permitted to enter..... gate No. in vehicle
 No.....and reside therein from.....to.....for the purposes of
 He/She is/is not permitted to take photograph of
 animals with the aid of cine/ordinary camera. He is permitted to live in
 the Rest house/camp at

He/She has paid the permit fee of Rs. vide receipt No

date.....

Signature of Officer issuing the permit.

CONDITIONS

1. This permit is personal and not transferable.
2. The permit must be produced at any time on demand by any Forest Officer or Game Warden, on duty.
3. This permit may be cancelled at any time by the Officer in charge, Conservator of Forests or any Officer authorised by him in this behalf and the permit holder and his party shall immediately withdraw from the park, should they receive written order to do so.
4. The holder of this permit and his party shall encamp only camping grounds entered in this permit, or pointed out to by him by an Officer-in-Charge. The permit holders shall vacate the camping grounds if required to do any time.
5. The holder of the permit shall not bring into the park more than the maximum number of persons, whether friends, retainers, followers or otherwise, entered on the permit.
6. Pickups and use of gramophone and radio are not allowed in the National Park area except with the prior permission of the Divisional Forest Officer.
7. No lighted cigarette or other burning material shall be thrown in the National Park nor any fire lighted on the grounds any where in the National Park area except at the approved camping site.

APPENDIX VIII—GRAZING RULES FOR THE MADHYA PRADESH

I.—Grazing licences.

1. Appendix A shows the grazing districts in the Madhya Pradesh and the privileged, ordinary and commercial rates at which grazing licences are issued in each. Grazing district.

2. Each grazing district shall be divided into grazing units under the orders of the Commissioner and the Chief Conservator. Grazing units.

3. Grazing licences shall be valid for the grazing unit only, and shall cover a period not exceeding one forest year. All licences shall lapse on the last day, i.e. the 30th June of the forest year for which they are issued. Validity and duration of licences.

Note.—In exceptional circumstances the Divisional Forest Officer may permit cattle for which a pass has been taken for one unit to graze in another on the same licence without a fresh fee.

4. (1) Grazing licences at privileged and ordinary rates are issued only to agriculturists, and are available only for grazing units in the grazing district in which the agriculturist resides, or in such Forest Ranges of adjoining districts as the Commissioner and Conservator concerned may from time to time attach to that grazing district. A list of the Forest Ranges attached to grazing districts is given in Appendix B. Licences to whom given and for areas available.

Grazing licences at commercial rates are issued to non-agriculturists as well as agriculturists and may be taken out for any grazing unit in the Central Provinces.

Note 1.—In this and succeeding rules "Agriculturist" means a landholder or a tenant or sub-tenant, who actually cultivates land in any Khalasa, Zamindari or Jagirdari village in the Madhya Pradesh.

Note 2.—The issue of licences is subject to such definite allotment of villages to particular grazing units, to such limitation on the number of cattle to be grazed in any such unit as may have been ordered by Government after special enquiry, and also to such closure to grazing as may be enforced in accordance with the prescription of sanctioned Working Plans.

(2) Grazing licences at privileged and ordinary rates will be issued during the period 15th June to 31st July only. From August 1st no grazing licences at privileged and ordinary rates will be issued; licences at commercial rates only will then be available and may be obtained only from Range Officers and Range Assistants, and will be issued up to the maximum number of cattle allotted to each unit only:

Provided that if the issue of licences at privileged and ordinary rates cannot be completed by the end of July and the Divisional Forest Officer is satisfied that there is good and sufficient reason, he may extend the period of issue to a date not later than August 20th. This power is to be exercised only in exceptional cases.

(3) A grazing licence may be refused over a period of one year to any individual who has been guilty of persistent illicit grazing, on the order of the Conservator of Forests and the Commissioner of the Division concerned. Grazing licences may be refused over a like period in the case of communities whose members have been guilty of persistent illicit grazing, on the order of the State Government.

4-A. The Divisional Forest Officer may, in consultation with the Collector, from time to time, fix and alter sites for cattle camps in the reserved forests. If such a site has been fixed in any forest, licences wishing to keep their cattle in such camps, shall utilize the site selected. The sites so selected should not be too inaccessible and should be fixed after due consideration of the interests of the graziers in respect of grazing, watering and living facilities.

Privileged rates.

5. The number of cattle which agriculturists are permitted to graze at privileged rates is limited to four animals for each working plough. The animals admitted at privileged rates shall be only bulls, bullocks or cows.

Note.—In rice growing tracts he-buffaloes may also be admitted at privileged rates if concession is approved by the Commissioner of the Division, but not until all the bulls, bullocks and cows of the same owner have been accounted for in the number of animals admitted at privileged rates.

Pan-grazers who do not possess plough, agricultural labourers and village servants are entitled to graze two animals at privileged rates but the animals shall be only bulls, bullocks or cows; for additional animals owned by these classes commercial rates shall be charged.

Note.—For the purpose of this rule "agricultural labourers" shall only include those engaged by the year and "village servants" shall only include those who are entered as such in the Wajih-ul-arz.

6. The number of cattle which agriculturists are permitted to graze at ordinary rates shall be equal to the number which they are permitted to graze at privileged rates.

Note.—In certain parts of the Mandla district, to be determined by the Commissioner and Conservator in consultation the number of animals admissible at ordinary rates under this rule may be increased by 50 per cent.

Condition as to ownership when privileged and ordinary rates allowed.

7. In all cases the concession of grazing cattle at privileged or ordinary rates is subject to the condition that the animals to be so grazed are actually owned by the agriculturist, agricultural labourer or village servant who desires to take out a grazing licence.

Certificate to be obtained from P. O.

8. Any person who wishes to obtain a licence at privileged or ordinary rates must obtain a certificate from the Patwar as provided for in rule 17.

9. Buffaloes may be included in the number of animals allowed by rule 6 to be grazed at ordinary rates subject only to the condition that the bulls, bullocks and cows owned by the agriculturist concerned shall be counted first against that number. Admission of buffaloes at ordinary rates.

Note.—The basis for working this rule shall be the total number of cattle owned by the agriculturist.

Example.—If an agriculturist with two working ploughs owns 12 bullocks and 10 buffaloes and wishes to graze them, he must take out a licence for 8 bullocks as privileged rates, 4 bullocks and 4 buffaloes at ordinary rates and 6 buffaloes at commercial rates.

If he wishes to graze less than the number he owns, the number of buffaloes to be admitted at ordinary rates shall still be calculated as if he wished to graze all his cattle, i.e. in the example above more than 4 buffaloes shall not under any circumstances be admitted at ordinary rates.

10. For all cattle, other than those admissible at privileged and ordinary rates, licences shall be taken out at commercial rates but no cattle, owner is required to take out a licence for more than the actual number of cattle he desires to graze in reserved forests. Commercial rates.

If a cattle owner wishes to graze his cattle in different herds, he shall be given separate licences for each herd. The licence issuer should not compel cattle-owners to obtain licences for all the cattle owned by them as shown in columns 5, 6 and 7 of the patwari certificate, but should as soon as possible after the 1st August, report to the Range Officer the name of any person who takes out a pass for a smaller number than the total owned.

11. Calves less than one year old at the time when the licence is issued may graze free when accompanying other cattle which are being grazed under licence. Calves.

12. Except in the case mentioned in the rule next following, holders of licences are allowed a reasonable time for the passage of their cattle, free of charge, through every unit within the grazing district in which the owner resides, which they are obliged to traverse in order to reach that for which they have taken out grazing licences. Free transit within grazing district.

Note 1.—This rule applies to cattle being taken to the attached Ranges shown in Appendix B.

Note 2.—No transit pass, as described below, is required for cattle subject to this rule.

13. A transit pass is required to be taken out for all cattle proceeding to graze in a Government forest outside the grazing district* in which their owner resides, if on the way there they are obliged to pass through Government Forest, and if the owner has not previously taken out a licence for the grazing district to which he is proceeding. If he has taken out a licence before proceeding to the selected unit with his cattle the licence can be produced and no transit pass is required. Transit.

Note 1.—All cattle proceeding to graze in a Government forest outside the grazing district* in which their owner resides, are charged for at commercial rates. (See Rule 4). If the owner has not previously taken out a licence for the grazing district to which he is proceeding, he must do as soon as the cattle reach the grazing district in which they are to be grazed.

Note 2.—When an agriculturist who has not taken out a grazing licence wishes to graze his cattle in areas, other than Government forest while to reach such areas he is obliged to pass through Government forest, he may be allowed transit passes at the discretion of the Divisional Forest Officer. In these cases the transit passes shall not be issued by licensed vendors, but by Range Officers, and only on the definite order of the Divisional Forest Officer.

Issue of transit passes.

14. Transit passes shall be issued in the form in Appendix D and at the rate of one anna per animal for a period not exceeding one month, excluding calves (vide Rule 11), and shall be subject to the condition that the cattle covered by the pass shall not stay more than a reasonable time in each grazing unit through which they are obliged to pass, and while passing through any such unit shall be halted only at recognized forest paraos, at any one of which they shall not ordinarily halt for more than two nights. Transit passes (other than annual transit passes, vide rule 16) are valid only for the journey specified on the pass and must be given up on reaching destination.

Note.—Should the journey occupy more than one month a further monthly fee must be paid.

15. No transit pass shall be required for animals accompanying ordinary travellers, including cartmen.

Transit passes for professional carriers and cattle dealers.

16. Professional carriers and cattle dealers, such as Banjaras and Basdevas, are allowed to take out transit passes under the conditions, detailed in rule 14, when journeying through Government Forests. But persons of this description, if they prefer, may take out annual transit passes in the form given in Appendix E on payment of Rs. 1.50 per buffalo 75 paise per bull, bullock, cow, horse or pony and 37 paise per sheep or goat. Such annual passes, in addition to being transit passes, shall cover the grazing of the animals entered therein in any one grazing unit while the pass-holders are resident at their homes during the rainy season. The name and situation of such unit shall be specified on the pass. Annual transit passes in the case of sal forests of the South Mandia, Balaghat and Bilaspur divisions should, however, be granted on payment of Rs. 2 per buffalo and Re. 1 per bull, bullock or cow.

II—Procedure for grant of licences

Certificates to be issued by Patwaris to applicants entitled to grazing at private

17. The Patwari shall issue certificates on demand subject to any orders that may be passed under sub-rule (2) of rule 4 in the form prescribed in rule 19 to all agriculturists, agricultural labourers and village

attached ranges if any, shown in

ing fee of one pice per certificate. In the case of pan-growers, agricultural labourers and village servants he shall enter the words "pan-growers", "labourers" or "village servants" in column (3) of the certificate.

Certificates may be obtained from the Patwari at any time from 1st to 31st May; the Patwari will not issue any certificates for the ensuing grazing year, after 1st June.

17-A. In case of loss of a certificate a duplicate copy can be obtained from the Patwari concerned who shall be entitled to charge a writing fee 3 paise for such copy. The word "Duplicate" should be written across the copy by the Patwari.

18. If a new settler wishes to obtain a certificate the Patwari shall prepare one for him after satisfying himself that he has taken up land for agricultural purposes, and that the number of ploughs entered in the certificate does not exceed the number required for the cultivation of the said land. This certificate shall not be valid unless endorsed by the Revenue Inspector to the effect that the person to whom the certificate is given is bonafide settler, and that the cattle are being used for the cultivation of his land and purposes subsidiary thereto.

19. Books of certificate shall be printed in triplicate in the following form:—

PATWARI CERTIFICATE

Part I

Book No..... Pass No..... Patwari Officer
Name of agriculturist..... Caste..... Certificate certificate
Father's name..... Residence..... Part II Part III

Name and Settlement No. of the village	Patwari circle No.	Occupied area of holding or of land taken on sub-lease	No. of working ploughs	Number of cattle owned			As per Part I	
				Bulls, bullocks or cows	He- buffaloes	She- buffaloes	Part I	Part I
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Note 1.—The total number of animals shown in columns (5), (6) and (7) will be the number actually owned by the person to whom the certificate is issued, and will include all animals except calves less than one year old at the time when the licence is issued, accompanying other cattle which are being grazed under licence.

Note 2.—To determine the number of working ploughs for entry in column (4) reference shall be made to the entries in columns (24) and (25) of titamma milan khasra. In those tracts in which the only implement commonly used is the "bakhar" the figure in column (25) should be taken elsewhere that in column (24). The number of bullocks possessed by a cultivator is not to be taken into consideration in determining the number of working ploughs to be entered in column (4), e.g., if a man has 6 bullocks and column (24) of the titamma milan khasra shows that he has only one plough, column (4) should show one plough only.

Note 3.—"Agriculturist" means a land-holder, or tenant, or sub-tenant who actually cultivates land in any khasra.

New settlers.

20. These certificate books shall be written up by the Patwari between 1st and 31st May. The Patwari shall sign and date each certificate.

How patwaris
patwaris are to
deal with certi-
ficates.

Part I of the certificate shall be retained in the certificate-book by the Patwari. Parts II and III shall be given to the agriculturist, agricultural labourer or village servant, and shall be presented by him to the licence-vendor when he applies for a licence.

Certificate
holders entitled
to licence at pri-
vileged and
ordinary rates.

21. Subject to the provisions of rule 4 and agriculturist, agricultural labourer or village servant, personally producing his certificate to a licence-vendor, shall be entitled to obtain a licence at privileged and ordinary rates for such animals as are admissible under these rules.

Note.—If the applicant is unable to appear in person, he should endorse the certificate, stating the number and kind of animals he wishes to graze.

Licences to be
issued by Forest
Licence Vendors.

22. Licences will be issued in the form given in Appendix C. They will be issued by licence-vendors from 15th June to 31st July [or such later date as the Divisional Forest Officer may order under the proviso to rule 4 (2)] after this date they will be issued only by Range Officers and Range Assistants.

How licence-
vendors are to
deal with certi-
ficates.

23. The licence-vendor shall sign and date both parts of each certificate presented to him by the agriculturist, agricultural labourer or village servant before he issues a licence at privileged or ordinary rates, and shall attach Part III of the certificate to the part of the licence from that remains in his possession. Part II of the certificate shall be returned to the agriculturist, agricultural labourer or village servant concerned.

Information to be
supplied to
Licence Vendors.

24. Licence-vendors shall be supplied with a list showing the allotment of villages to particular units in their own grazing district and the limits fixed as regards the numbers of cattle to be grazed in particular units, where any such allotment, or limitation has been ordered by Government.

Lost grazing
licences.

25. Licence holders can obtain copies of lost grazing licences by purchasing an 50 paise rated pass per copy from any commission vendor, and presenting it to the Range Officer with an application. The latter will issue a copy of the lost licence.

III.—Check of certificates and licences

Check of certi-
ficates Revenue
Inspectors.

26. The Revenue Inspector shall check the entries in Part I of the certificate-book, but shall in no case call tenants away from their villages for this purpose. Ordinarily the Revenue Inspector shall check at least 50 per cent. of the entries in columns 3 to 7 with the aid of the latest titamma milan khasra, but the Collector may, in consultation with the Divisional Forest Officer, reduce the standard wherever advisable. Any alternations in column 4 shall be initialled by the Revenue Inspector.

Check of certi-
ficates by the
Superintendent
of Land Records.

27. The Superintendent of Land Records and his Assistant shall make a point of touring during June and July and checking as much as possible of the work of Patwaris and Revenue Inspectors under these rules.

28. On the 1st August the Patwari shall send Part I of the certificate-book to the Revenue Inspector who shall, thereupon, forward it to the Divisional Forest Officer for comparison with Part III (see rule 29). Should the Divisional Forest Officer find any discrepancies between Part I and Part III he shall report to the Collector for necessary action.

Certificate books after check to be sent to the Divisional Forest Officer

29. The licence-vendors shall forward to the Forest Divisional Officer the counterfoils of the licence issued by him with Part III of the certificates attached, vide rule 23.

Licence-vendors to forward counterfoils to Divisional Forest Officer.

30. The Range Officer or any Forest official authorized by him may call on the Patwari or agriculturist, agricultural labourer or village servant to show him the parts of the certificates, licences and transit passes in his possession.

Certificates and licences to be produced on demand.

31. The Divisional Forest Officer or Range Officer when touring through a Patwari's circle may call on the Patwari to produce the titamma milan khasra for purposes of check; but patwaris shall on no account be called away from their circles for this purpose.

Check by Forest Department.

IV.—Instructions for the collection remittance of grazing revenue.

32. Grazing revenue shall be collected in cash paid for grazing licences. The agency employed for issuing grazing licences for cattle grazing in Government forests will mainly be the same as that employed for sale of rated passes for forest produce, viz., commission vendors. Commission vendors shall ordinarily be paid a commission of 5 paise for each rupee of grazing revenue collected by them; provided that the conservator may, for reasons to be recorded in an order in writing, fix the rate of discount at any other figure between 3 paise and 6 paise and the Chief Conservator of Forests, for similar reasons, may sanction an increase in the rate of discount to a figure not exceeding 19 paise in the rupee. Such sanction shall hold good for a period of not more than 12 months at a time from the date of its grant and shall be subject to revision each year. The grazing year for which licences shall be valid shall commence on the 1st July and end on the 30th June.

Provincial Government letter No. 588-167-XV, dated the 8th July 1926.

33. The Range Officer shall, by the end of April every year, report to the Divisional Forest Officer whether the number of commission vendors in his range is adequate, and whether all the vendors are efficient enough to carry on the work of issuing grazing licences, or if he requires any additional vendors from the permanent forest establishment. The Divisional Forest Officer shall then proceed on the recommendation of the Range Officer to appoint a licence issuer, either a commission vendor or Range Assistant, for each grazing unit.

34. Each grazing unit and the villages served by it shall constitute a Grazing Circle. For each such circle a headquarter shall be fixed where the licence-vendor shall ordinarily reside. Each circle shall further be sub-divided into a convenient number of sub-circles and a centrally situated village shall be fixed for each sub-circle at which

approved by the Divisional Forest Officer and shall remain in force until altered by a special order of that officer, who shall also fix the dates for the issue of licences the headquarters of each sub-circle: provided that so far as possible sufficient number of sub-circles shall be formed to prevent any owner of cattle from having to go more than 8 Kms. for his licence. A list of such dates shall be published by the 15th May in all the villages concerned through the Patwaris and village kotwars. Three to four days should ordinarily be allotted for the issue of licences for each sub-circle. Commencing from the 15th June the licence-issuers shall visit each sub-circle headquarters in turn and issue at each the licences for the village allotted to the sub-circle. During at least the last week of July he shall be present at the headquarters of the circle for the issue of licences for the whole circle.

35. Every licence-issuer shall be personally responsible for all forest revenue collected by him. No licence-issuer shall, without special reason to be reported in writing with his next remittance, retain a cash balance on account of forest revenue exceeding the amount of security furnished by him.

36. The Range Officer shall arrange to have all grazing revenue collected by licence-issuers in his range remitted into the treasury or sub-treasury promptly. For this purpose he may either authorize the licence-issuer to remit the revenue by postal money order to the treasury officer of the nearest treasury or sub-treasury, if there is a post office within easy reach or arrange to have the money brought to him by members of the forest staff who have furnished adequate security. In the former case, the licence-issuer will remit the total revenue collected by him minus the money order commission. In the latter case the Range Officer will remit the revenue from time to time to the treasury under a treasury challan, as in the case of other forest revenue.

Money order commission, on account of remittance to treasury through the post office of grazing revenue collected will be accounted for by the Divisional Forest Officer by exhibiting the gross revenue on the receipt side of the cash account as revenue and charging off the money order commission to the detailed head "B-IV-E". A similar procedure should be followed in those cases where the licence-issuer is authorized to deduct his discount from revenue collected prior to remitting to treasury, the discount being charged off in forest accounts to the head "A-II". The discount due will ordinarily be paid in cash by the Divisional Forest Officer at the rate approved by the Conservator and charged in his cash account.

Note:—If the revenue is remitted by postal money order, sums of Rs. 25 or multiples of Rs. 25 only should be remitted until the 1st August when the total unremitted balance of grazing revenue should be remitted.

36-A. Grazing licence books shall be kept under lock and key in the custody of the licence clerk in Divisional office. They should be treated in the same way as blank cheque books and a complete account of their issue and use maintained both in divisional and range officer.

The stock of grazing licence books shall be checked monthly by the head clerk and quarterly by the divisional forest officer or his gazetted assistant. The Divisional Forest Officer or his gazetted assistant must, however, check the stock himself before the grazing licence books are issued to the range officer in the middle of May and again immediately after all the unused and partly used grazing licence books are returned to the divisional office as prescribed in rule 44.

Each grazing licence form shall bear a rubber stamp impression showing the year and the name of the division for which it is valid. Before making a range office inspection the Divisional Forest Officer shall obtain from his stock register an abstract of the grazing licence books issued to the range and check this carefully with the range stock register and verify the entries in that register.

37. During the time of issue of grazing licence the Range Officer and his Range Assistant should constantly tour in their respective charges, paying surprise visits to issuing stations as often as possible and checking the work. Such tours will enable the Range Officers and Range Assistants to hear and promptly to redress cattle owner's grievances and also to detect and prevent corruption, and will facilitate the safe transmission of grazing revenue as provided above.

38. The licence-issuer shall maintain a separate grazing cash book (Form No. IX-A28), in which he shall enter all grazing licences issued by him. This form shall be filled in daily and the totals of different columns entered day by day. Separate forms shall be used for different units, if the same officer issues licences for more than one unit.

39. As soon as possible after the 1st August, the Range Officer should check the grazing cash book of each of his licence-issuers with the licences issued by him and tally the amount of revenue recovered with the treasury challans. This check should be very elaborate. Each licence should be checked with the patwarí certificates and also with the entry in the grazing cash book. The rates should also be checked. An abstract of the total number of cattle for which licences have been issued should be prepared village by village and unit by unit. The figures compared with those of the previous year and all fluctuations explained. These abstracts should be submitted to the Divisional Forest Officer by the end of August at the latest.

After the check is completed the Range Officer should recover all counterfoils of used licence books, all unused and partially used books and the grazing cash book and deposit them in his office until they are sent to the divisional office as prescribed in rule 44.

40. After the 31st July the Range Officer shall arrange for the check of the cattle in the forest by the Range Assistants, and, if necessary, senior literate guards. The check should be completed by the middle of September at the latest. The Range Officer should also furnish each checking officer with a list of cattle-owners who obtained licences for a smaller number of cattle than that owned by them. He should closely check the work of these officials and should himself participate in the work of checking.

41. The Divisional Forest Officer should temporarily transfer all Range Assistants from their permanent charges during the period of checking set out in rule 40.

42. The checking officer should check the number of cattle actually grazing in the forests with the number entered in the licence, verify the entries in the licence with those in the patwari certificate and check the rates of grazing duty recovered. In the case of cattle not covered by licences, he should submit the usual offence report to the Range Officer and should also report any discrepancies in the licence. In token of having checked the cattle he should sign and date both the second and third parts of the licences produced by the grazer, noting thereon any discrepancies discovered, and take away with him the third part of the licence, returning the second part and the patwari certificate to the grazer.

"The percentage of checking of grazing licences and collection of the third parts in the forest should at least be 75 per cent."

43. If a grazer is in charge of cattle of more than one owner, it is not sufficient to check the total number of cattle found grazing with the total number entered in all the licences taken together. The grazer should be made to state the number of cattle of each owner found grazing that day and each such number should be checked with the licence of that owner. If the number actually grazing is in excess of that entered in the licence of an owner, the excess number should be treated as not covered by licence, though the total number in the herd may tally with or is found to be even less than the total entered in all licences taken together.

44. The checking officer shall prepare a list of all the third parts of licences recovered by him and send the list, together with the third parts, to the Range Officer once or twice a week. On receipt of the third parts in the Range Office, the Range Clerk should paste each of them on the corresponding counterfoil and check at least 50 per cent of such counterfoils bringing any discrepancies or irregularities discovered by him during the course of check to the notice of the Range Officer. The checking and pasting of the counterfoils should be completed by the Range clerk at the latest by the end of November. While the clerk is checking and pasting the third parts the Range Officer should scrutinize his work by checking at least 5 per cent of the third part himself.

When all the third parts of licences recovered have been checked and pasted and not later than the 31st December in any case, the counterfoils of grazing licence books together with all the unused and partially used books shall be sent to the divisional office for further check. At least 50 per cent. of the counterfoils should be checked in the Divisional office by the clerk concerned and 5 per cent by a Gazetted Officer.

Before these are submitted, a limited number of licence books will be sent to the Range Officers and Range Assistants for the issue of licences during the remaining of the year. All such books, whether used or unused, will be again returned to the divisional office after receipt in Range offices of the new stock of books in May. It is essential that on receipt in the divisional office all books, whether used or unused, should be checked with the stock register to ensure that none have been kept back by the Range Officer.

APPENDIX A

Deleted. From 1-7-1979 new Grazing Rules have been enforced. These have been published in "Madhya Pradesh Gazette" dated 28-6-1979."

APPENDIX B

Statement showing the grazing districts which have contiguous Forest Ranges attached to them (See rule 4) as amended to date.

Circle	Grazing district	Attached ranges
(1)	(2)	(3)
Eastern Circle ..	Narsinghpur Sub-division of the Hoshangabad district.	Deori of Saugor Forest Division Jubbulpore Forest Division Range of the Jubbulpore Forest Division.
	Jubbulpore	The Dhanwahi Range of the Jubbulpore Forest Division. Part of Taradebi and Singrampur Ranges of the Damoh Forest Division.
	Saugor	Grazing Units Nos. 4 and 1(a) of the Damoh Forest Division.
	Damoh Sub-division of the Saugor district..	Blocks Nos. 112—113 forming part of Grazing Unit No. 3 and Block 11 of Unit No. 4 of the Saugor Forest Division.
	The following villages of the Mandla district:—	
	Banjar Range	
	Dangwahi Malguzari	
	Dongaria Malguzari	
	Umaria Malguzari	
	Umaria Raiyatwari	
	Jhangul Malguzari	
	Indri Forest Village	
	Bamhindadar Forest Village	
	Manoharpur Malguzari	
	Jhapur Forest Village	
	Rajo Raiyatwari	
	Rajo Malguzari	
	Bisra Malguzari	
	Karanjia Malguzari	
	Motinala Range	Baihar and Supkhar Ranges of the Balaghat Division.
	Motinala Malguzari	
	Kurela Raiyatwari	
	Kakra Malguzari	
	Kakra Forest Village	
	Saliwara Raiyatwari	
	Khalondi Malguzari	
	Khamaria Malguzari	
	Chandgaon and Chhinpuri Raiyatwari	
	Indri Raiyatwari	
	Bhindongri Raiyatwari	
	Khursipar Forest Village	
	Mungeli Forest Village	
	Bandawara Forest Village	

*The cattle in these villages will be permitted to graze in the Balaghat Division at Balaghat grazing rates.

(1)	(2)	(3)
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Bafaghar

The following villages of Bafaghar District:—

1. Sarekha	Banjar Ranges. Grazing unit of Mandla Forest Division.
2. Jhalakh	..	..	..	..
3. Dhanwar	..	..	..	..
4. Nazara	..	..	..	..

Bairhar Range

*5. Nata	Banjar and Motinala Ranges of the Mandla Division.
*6. Chanai	..	..	..	..
*7. Dandajola	..	..	..	..
*8. Chandia	..	..	..	..
*9. Khasirani Thokedari	..	..	..	..
*10. Khasirani Rajawatwari	..	..	..	..

Bajkhar Range

*11. Boda Malgozari	Banjar and Motinala Range of the Mandla Division.
*12. Boda Rajawatwari	..	..	..	..
*13. Pandri	..	..	..	..
*14. Hatti	..	..	..	..
*15. Dudwa	..	..	..	..
*16. Parsamao	..	..	..	..
*17. Angchan	..	..	..	..
*18. Asrahwa	..	..	..	..

*The cattle in the villages Nos. 5 to 27 will be permitted to graze in the Mandla Forest Division
Bafaghar grazing rates.

APPENDIX B.—Contd.

Statement Showing the Grazing Districts which have continuous Forest Ranges attached to them (See Rule 4) as amended to date—Contd.

Circle	Grazing Circle	Attached Ranges
(1)	(2)	(3)

Eastern Circle—Contd.

Supkhar Range—Contd.

- *19. Moranda
- *20. Dhiri Forest Village
- *21. Armi Forest Village
- *22. Pandytala Raiyatwari
- *23. Chhillpura Forest Village
- *24. Pinarwara Forest Village
- *25. Bithali Forest Village
- *26. Sanjari Raiyatwari
- *27. Hayratola

Banjur and Matinala Ranges of the Mandla Division.

The following villages of Narsinghpur Sub-division of the Hoshangabad district:—

Central Circle

- (1) Gadaghat, Kanjai, Simariya, Maleewara, Dhutla, Kunjkora, Siliwara, Silari, Mawai, Budi Mawai, Kusiwara, Jhansi, Mindla, Bagaspar, Atariya, Kareli, Bandha, Shrinagar, Dubkta, Charguwa, Deguwana, Kuklaha, Pipariya, Rikla, Noni, Manekwara, Benda.
- (2) Pooni, Bahroda, Rajakachar, Deonagar, Digheri, Anldiwara, Gadaria, Kheer, Tikra, Belkodi, Piparsarra, Chhindwara, Sahajpur, Raglat, Umaris, Ramniwari.

Grazing Units Nos. 25 and 26 of Dhumma Range

Grazing Units Nos. 24 and 26 of Dhumma Range of the Seoni Forest Division.

The following village of Chhindwara:—

- Jhimli, Kalbodi, Jamuniya, Suighoritola, Dhimarmetta, Pooni, Dhamniya, Salkani, Dhoota, Kamakher, Malanwara, Bachha-kuli, Dilver-Mohgaon, Pachhgaon, Chawri.

Grazing Unit No. 4 of Ganjgaon Range of the Seoni Forest Division.

Circle	Grazing District	Attached Range—
(1)	(2)	(3)
Western Circle	Nimar	.. Megardha of the Hoshangabad Forest Division.
	Hoshangabad	.. Asir, Bhawargadh, Saenli-gadh, North and South Tapi Ranges of the Betul Division.
		.. Kalihit of Nimar Forest Division.

APPENDIX C

Book No.....Patwari's Certificate Book No.....

No..... Certificate No.....

Licence for grazing (First part) Second part Third part.

Name.....

Caste.....

Residence.....

Particulars of cattle	Number	Rate	Grazing fees
Rs. a. p.			

(i) At privileged rates.—

Bullocks, Bulls, and
cows.As per first As per first
part. part.(ii) At ordinary rates Buffaloes,
Bulls, bullocks and cows Horses and

Ponies ..

Goats ..

Sheep ..

(iii) At commercial rates.—

Buffaloes ..

Bulls, bullocks and Cows ..

Horses and ponies ..

Goats ..

Sheep ..

Total..

Year for which valid Forest Range.—

Grazing unit for which licence is issued

Date.....

Signature of Licentiate or
Naka.

This licence is issued subject to the following conditions :—

- (1) All cattle taken into or allowed to stay in the forest shall be accompanied by a herdsman in charge of them.
- (2) The herdsman will take this licence with him when ever he takes cattle into the forests and will then produce it on the demand of any forest official.
- (3) In the event of a contagious disease occurring in the neighbourhood of the grazing unit for which the licence is issued, Government may, if it thinks fit, arrange for the inoculation of the cattle, free of cost, and the herdsman shall permit such inoculation to be carried out.

On breach of any of these conditions the licence will be void, and the cattle, herds men and averages will be liable to be treated as though this licence did not exist.

APPENDIX—D

Transit Grazing Pass—Ordinary—(First Part)

Second part Third part

Book No.

Pass No.

Name.....

Caste.....

Residence.....

From district	To district	Number of animals, excluding calves under one year old	Rate	Period for which available see footnote (2)	Total transit fees
(1)	(2)	(3)	(4)	(5)	(6)
					Rs. p.
			6 Paise per head per memem.		As per first part. As per first part.

Date of issue—

Licence-holder's signature—

Naka—

(1) This transit pass is issued subject to the condition that the cattle covered thereby shall not stay more than a reasonable time in any grazing unit through which they are obliged to pass. While passing through any such unit the cattle shall be halted only at the recognized forest paraos at any one of which they shall not halt ordinarily more than two nights.

(2) This pass is valid only for the journey specified on the pass and must be given up on reaching destination.

APPENDIX—D

Transit Grazing Pass—Ordinary—(First Part)

Second part Third part

Book No.

Pass No.

Name

Caste

Residence

From District	To district	Number of animals, excluding calves under one year old	Rate	Period for which available see foot- note (2)	Total transit fees		
(1)	(2)	(3)	(4)	(5)	(6)	Rs. p.	
			6 Paise per head per mensem.			As per first part.	As per first part.

Date of issue—

Licence—vendor's signature—

Naka—

(1) This transit pass is issued subject to the condition that the cattle covered thereby shall not stay more than a reasonable time in any grazing unit through which they are obliged to pass. While passing through any such unit the cattle shall be halted only at the recognized forest paraos at any one of which they shall not halt ordinarily more than two nights.

(2) This pass is valid only for the journey specified on the pass and must be given up on reaching destination.

APPENDIX—E

Transit Grazing Pass—Annual—(First part)

Second
partThird
part

Book No.

Pass No.

Name.....

Caste.....

Residence.....

Particulars of cattle	Number	Rate each	Grazing fees
		Rs. P.	Rs. p.
Buffaloes ..		1.50	
Bulls, bullocks, cows, horses or ponies.		0.75	
Sheep	0.37	
Goats	0.37	
Total			

As per
first part.As per
first part.

Year for which valid—

Date of issue—

Name of grazing unit in which cattle entered in this pass are entitled to grazing while the pass holder is in residence at his home during the rainy season.

Licence-vendor's signature—

Naka—

This transit pass is issued subject to the condition that, except while grazing in the grazing unit mentioned therein during the rainy season, the cattle covered thereby shall not stay more than a reasonable time in any grazing unit which they are obliged to pass through, while passing through any such unit the cattle shall be halted only at recognized forest paraos at any one of which they shall not halt ordinarily more than two nights.

APPENDIX—X

Distribution List of Forest Working Plans

Serial No.	Officer	No. of copies
1.	Divisional Forest Officer concerned	... 15
2.	Collector concerned	... 1
3.	Conservator of Forests concerned	... 2
4.	Other Divisional Forest Officers, 1 each	... 13
5.	Other Conservators of Forests, 1 each	... 2
6.	Chief Conservator of Forests and P.C.C.F.	... 3
7.	Hon'ble Minister-in-Charge	... 1
8.	Director Forest School, Betul	... 1
9.	President, Forest Research Institute and College, ... Dehra Dun.	7
10.	Director Balaghat F. R. College	... 1
11.	Authors of the Working Plan and Grazing Settlement, 1 each.	... 2
12.	Director S.F.R.I. Jabalpur	... 10
13.	Director Forest School Amarkantak	... 1
14.	Director Forest School Shivpuri	... 1
TOTAL		... 68

APPENDIX—XI

Powers of Forests Officers under other Acts.

I—POWERS UNDER THE EXCISE ACT

1. *Forest Officers not below the rank of Deputy Ranger are empowered to issue passes for the transport of country spirit and Tari subject to the following conditions:—

- (1) A Special pass for any quantity of country spirit/tari not exceeding three/ten gallons may be granted to any person, provided that either the applicant resides, or the shop is situated, within the local jurisdiction of the officer issuing the pass.
- (2) The issue of special pass under the above provisions shall not be refused by any person authorised to grant the same, unless the applicant be of known bad character, or it be apprehended that its use may be lead to a breach of the peace, or will contravene any restriction imposed on the issue of special passes.
- (3) Country spirit/tari issued under a special pass shall be taken promptly to the place specified in the pass; it shall not be possessed longer than seven/three days, following the date of issue of the pass.
- (4) A special pass shall not cover the transport of spirit—(i) from one district to another, or (ii) from an outstill shop to an area under the Distillery Supply System, or (iii) into an area in which the direct duty on country spirit is higher than it is in the area from which the spirit is to be taken.
- (5) A special pass shall not cover the transport of tari—(i) from one district to another, or (ii) from a non-free tax to a free tax area, or (iii) into an area in which the free-tax is higher than it is in the area from which the tari is to be taken.
- (6) Both seller and purchaser of the country spirit/tari shall satisfy themselves that the pass may lawfully be issued. Should any pass be issued in contravention of these rules it is void, and both the seller and the purchaser are liable for a breach of the conditions regulating the sale and possession of country spirit/tari.
- (7) Special passes shall be issued in the Form C. S. 3. Licensed vendors shall preserve the counterfoils of their own pass books and the passes given them by applicants, and shall produce them for inspection of any officer authorised to inspect the shop.

* Notification No. 129, dated the 1st April 1916.

- (8) Books of special passes will be issued by the Deputy Commissioner. The passes will be in triplicate. The applicant shall be given the pass in duplicate; he shall keep one copy and shall give one copy to the contractor.

2. * Forest Officers not below the rank of Deputy Ranger exercise the powers and duties of Excise Officers under sections 39, 51 and 52 of the Central Provinces Excise Act, 1915, and in the case of Excise shops situated in Government forest under sections 39(a) and 51 in addition.

Section 39 (a) empowers an Excise Officer to demand production of licences, permits or passes granted under the Act.

Section 51 empowers the Excise Officer to—

- (1) enter and inspect, at any time within the hours during which sale is permitted and at any other time during which the same may be open, any place in which any excisable article is kept for sale by any person holding a licence under this Act; and
- (2) examine accounts and registers, and examine, test, measure or weight any materials, still utensils, implements, apparatus or excisable article found in such place.

Section 52 empowers the excise officer to—

- (1) arrest without warrant any person, who—
 - (a) attempts to render fit for human consumption any spirit which has been denatured [vide section 35(a)]; or
 - (b) has in his possession any spirit in respect of which he knows or has reason to believe that any such attempt has been made [vide section 35 (b)];
 - (c) without lawful authority, has in his possession any quantity of any excisable article knowing the same to have been unlawfully imported, transported, manufactured, cultivated or collected, or knowing the prescribed duty not to have been paid thereon (vide section 36);
 - (d) is guilty of any act or intentional omission in contravention of any of the provisions of this Act, or of any rule, notification or order made, issued or given thereunder and not otherwise provided for in this Act;
- (2) seize and detain any excisable or other article which he has reason to believe to be liable to confiscation under this Act, or any other law for the time being in force relating to excise revenue [vide section 52 (1) (b)];
- (3) detain and search any person upon whom, and any vessel, raft, vehicle, animal, package, receptacle or covering in or upon which he may have reasonable cause to suspect any such article to be [vide section 52(1) (c)];

* By Notification No. 131, dated the 1st April 1916.

- (4) Arrest any person accused or reasonably suspected of committing an offence under the Excise Act, and who on demand refuses to give his name and address or gives a name and residence which such officer has reason to believe to be false.

Under section 54 whenever any Excise Officer has reason to believe that an offence under section 34, section 35, or section 36, has been committed or is likely to be committed, and that a search warrant cannot be obtained without affording the offender an opportunity of escape or of concealing evidence of the offence, he may, after recording the grounds of his belief:—

- (a) at any time by day or night, enter and search any place and seize anything found therein which he has reason to believe to be liable to confiscation under this Act; and
- (b) detain and search and, if he thinks proper, arrest any person found in such place whom he has reason to believe to be guilty of such offence as aforesaid.

Section 59 runs as follows:—

- (1) The State Government may by notification empower any Excise Officer to release persons on bail.
- (2) When a person is arrested under this Act otherwise than on warrant by a person or officer who has not authority to release arrested persons on bail, he shall be produced before or forwarded to—
 - (a) the nearest Excise Officer who has authority to release arrested persons on bail; or
 - (b) the nearest officer-in-charge of a police station, whoever is nearer.
- (3) Whenever any person arrested under this Act, otherwise than on a warrant, is prepared to give bail, and is arrested by, or produced in accordance with sub-section (2) before an officer who has authority to release arrested persons on bail, he shall be released upon bail, or, at the discretion of the officer releasing him, on his own bond.
- (4) The provisions of sections 499 to 502, 513, 514 and 515 of the Code of Criminal Procedure, 1898, shall apply, so far as may be, in every case in which bail is accepted or a bond taken under this section.

Punishment for improper use of these powers is laid down in section 49.

II.—Powers under the opium Act

*All officers of the Forest Department, superior in rank to a Forest Guard, shall exercise all or any of the powers conferred by section 22 of the Opium Act, 1878, which runs as follows:—

In the case of alleged illegal cultivation of the poppy the crop shall not be removed but shall, pending the disposal of the

case, be attached by an officer superior in rank to a peon or constable, who may in right of his office be authorized by the Provincial Government in this behalf, and such officer shall require the cultivator to give bail in a reasonable amount (to be fixed by such officer) for his appearance before the magistrate by whom the case is to be disposed of, and such cultivator shall not be arrested unless within a reasonable time he fails to give such bail.

III.—Exemptions and powers under the Indian Arms Act

Under clause (b) of section I of the Indian Arms Act, 1878:—

- (i) *Nothing in the Act or the proposed rules will apply to the bearing or possession of arms supplied by Government to subordinates of the Forest Department to be carried or possessed by them for their protection in the execution of their duty.
- (ii) †Rangers and Deputy Rangers of forests in the Madhya Pradesh, being required to possess a gun for the protection of Government property and the proper discharge of their duties, are exempt from the prohibitions and directions contained in the said Act, in respect of one smooth-bore gun when carried or possessed by them in the execution of their duty.

†In Madhya Pradesh, all Forest Officers not below the rank of Assistant Conservator are empowered to disarm persons going armed without a licence or in contravention of section 13 of the Indian Arms Act.

APPENDIX XII-A

**RULES TO REGULATE THE COURSE OF INSTRUCTION, ADMISSION
TO, AND DISCIPLINE AT, THE FOREST SCHOOL, BETUL,
MADHYA PRADESH.**

I—Constitution of school

1. Administrative control.—The School is under the administrative control of the Conservator of Forests, Hoshangabad.

Any alterations in the course of study or in the rules for admission of students, or any questions affecting the school, shall be considered by a Board of Control, whose suggestions shall be submitted for the orders of the State Government by the Conservator of Forests, Hoshangabad.

The constitution of the Board of Control shall be:—

- (i) the Conservator of Forests Hoshangabad.
- (ii) The Director of the School.
- (iii) The Silviculturist, Madhya Pradesh.
- (iv) Three Divisional Forest Officers, one to be deputed from each circle by the Conservator concerned.
- (v) **Ex-officio.**—The Chief Conservator and the Conservators of the other circles, whenever any of these officers desire to attend. The Chief Conservator of Forests, if present, or in his absence the senior Conservator present shall preside.

The Board of Control will meet annually at Betul for the inspection of the school, to preside over the examinations, and to issue certificates to students. This meeting shall be held during the first half of November.

2. School staff.—The Forest Officer in charge of the Betul Division, or with the special sanction of the State Government, any other officer not lower in rank than an Extra Assistant Conservator of Forests, shall be Director of the School in addition to his other duties.

The school staff will consist of the Instructor, two Assistant Instructors, one Assistant Medical Officer and such other teacher as may, from time to time, be appointed. The Director shall be responsible for the general administration of the school, the supervision of the course of instruction, the fixing of the periods to be allotted to the various subjects to be taught, the upkeep of accounts and the conduct of correspondence, and shall issue orders to the Instructor as to an Extra-Assistant Conservator of Forests attached to his division:—

Note.—When the number of students under training is 40 or over, a their Assistant Instructor may be posted to the school.

The Instructor shall be responsible to the Director for the maintenance of discipline, for the carrying out of the prescribed scheme of education and for the supervision of the school buildings and grounds. The other members of the school staff and the students shall be under the direct orders of the Instructor. In purely technical matters the Assistant Medical Officer shall be under the disciplinary control of the Civil Surgeon, Betul through the Assistant Surgeon, Betul. In all other matters including short absence on casual leave or otherwise he shall be under the disciplinary control of the Director of the School, exercised through the Instructor in the same way as other members of the school staff.

II.—COURSE OF INSTRUCTION

3. Fifty students are admitted annually for the course of instruction which extends over a period of about one year commencing from the 1st November and ending on the date the candidates are relieved by the Director after the grant of certificates.

The subjects taught at the school will be—

... 1.—SILVICULTURE

A.—Introduction

- (1) A few simple definitions.
- (2) Requirements of trees as regards light space and moisture and necessity for cover against frost and excess of sun.
- (3) Advantages of a mixed crop.
- (4) Objects of improvement fellings and cutting back operations.

B.—Creation and Regeneration of Forests.

(a) Artificial Formation.

Instruction and practice in collecting and storing seed, preparation and drainage of nursery beds, treatment of teak seed to ensure germination, sowing seed, lifting seedlings and planting out in the nazul forest.

(b) Natural Regeneration and Maintenance.

(1) Practical and thorough training in marking standards in coppice-with-standard and coupes in the ordinary Mixed Central Provinces type, with and without teak. Training in the former will be given in coupes containing teak in Korai or Ganginla Range, Seoni Division.

(2) Practical and thorough training in marking in improvement fellings in sal, teak and mixed forests, with instructions as to why each tree is marked and in what way the forest is to be improved by its being felled.

Note.—Each student will do a fortnight's independent work in (1) and (2).:

(3) Carrying out personally of subsidiary improvements, fellings or cutting back operations in high forest and coppice coupes. These operations will include the felling of trees left by coupe contractors, trees damaged by the fall of other trees, crooked stems and inferior species interfering with seed regeneration or likely to interfere with coppice regeneration.

(4) Instruction in the extent to which different species require light for coppice and seed regeneration, importance of obtaining straight stems, size of stem capable of sending up a healthy coppice shoot, height of stump admissible and extent of trimming of stump necessary.

(5) Instruction in thinning, treatment of bamboo clumps, climber cutting and how best to kill climbers.

2.—FOREST PROTECTION

(1) Demarcation.—Checking of boundaries with the 4" map, erection of boundary pillars in their proper places and numbering them with English figures.

(2) Fire protection.—Full practical instruction in clearing of fire lines burning exterior jungle and interior traces, fire-watching, extinguishing fires, counterfiring, mapping burnt areas and drawing up reports of fires, early burning with reasons for the same.

3.—FOREST UTILIZATION

(1) Recognizing the common timbers of the Central Provinces from hand specimens and logs, and knowledge of the different uses to which they are put.

(2) Instruction in felling and logging, sawing up of the logs and measuring for payment to sawyers (to be taught practically as far as possible).

(3) Measurement of timber in the round and scantlings and calculation of their cubic contents.

(4) Manufacture of charcoal.

(5) Collection of minor produce.

[Subjects (3), (4) and (5) to be practical]

4.—FOREST LAW DEPARTMENTAL ORGANIZATION AND ACCOUNTS

(1) Rules regarding inquiry into forest offences, what is and is not a forest offence case diary recording evidence, taking thumb impressions.

(2) Rules for the prevention of fires, grazing rules, cattle trespass, compounding forest offences.

(3) Carrying out personally of subsidiary improvements, fellings or Act, and the rules under it.

(4) Practical inspection of guard's beats.

(5) A thorough knowledge of the rated pass system, practical check of grazing licences and check of licence vendor's office and accounts.

(6) Practical check of carting challans and malguzari and thekedari licences.

(7) Practical checking of the work of lessess of coupes.

(8) Instruction in cash accounts, depot forms' disbursement of pay, muster rolls, payment for work done and preparation of vouchers, recovery of revenue and issue of receipts.

5.—SURVEYING

(1) Through grounding in map-reading with contours: practice in finding the way from one place to another with a map and pocket compass.

(2) Use of set squares, protractors and simple scales calculation of area with squares and acre comb.

(3) Practical survey with chain and plane table.

(4) Booking and plotting compass and chain surveys.

(5) Individual practice in surveying, laying out coupe and forest village boundaries and the checking of boundaries and preparation of fire maps using natural features required under Forest Protection.

5.—FOREST ENGINEERING

A.—ROADS

(1) Alignment with ghat tracer (and prismatic compass) of very simple temporary roads.

(2) Actual construction of roads from plans and estimates (measurement of earth work) full knowledge of catchwater, side and cross drains. Construction of nala causeways.

(3) Repairing forest roads and their drains.

B.—Buildings

(1) Making and testing of bricks, tiles, lime and mortar by the students.

(2) Understanding plans and sections of Range Assistant's quarters and Forest Guard's huts and how to construct from plans. Explanation of simple roof construction with strutted rafters.

(3) Practical measurement of quantities.

(4) Instructions as to how to carry out simple repairs to furniture and buildings.

C—Wells and Tanks

Instruction in the sinking and lining of wells and preparing a puddle trench for tank and nala bunds.

7. FOREST MANAGEMENT

(1) **Forest Measurement.**—Calculation of the cubic contents of walls, cuttings, embankments, logs, scantlings and stacks of firewood.

(2) **Working Plan Work.**—Stock mapping, methods of enumeration of trees, for working plan purposes layout of stripes for strip enumeration, outline of system of management and regulation of yield, etc.

8. BOTANY

(1) Identification of trees by vernacular names.

(2) Identification of the seedlings of the commoner species.

(3) Instruction in the times of flowering and fruting of important species.

(4) Collecting and mounting herbarium specimens.

4. The School Instructor, with the assistance of the Assistant Instructor and other teacher will give all instructions in silviculture, utilization, forest law, surveying and engineering. The theoretical instruction will be of a simple character, such as is suited to the capacity of the class available for Foresters and Deputy Rangers in the Madhya Pradesh Forest Service. The practical work should be as thorough as possible.

5. The course of instruction will ordinarily be as follows :—
November to June in camp ;

June to November at Headquarters.

The actual programme will be prepared by the Instructor each year and approved by the Director.

III.—EXAMINATIONS AND CERTIFICATES

6. Quarterly examination will be held by the School Instructor. The marks gained at these quarterly examinations will be taken into consideration in awarding certificates of qualification and in deciding to whom prizes are to be given.

7. (a) The final examinations in the four major subjects, viz., Silviculture, Protection and Utilization, Surveying and Engineering, will be held by the Board of Control at the end of each year's course in the first half of November. The questions set and marks awarded will be approved by the President of the Board. Final examinations in the other subjects will be held earlier by the Director, assisted, if necessary, by an officer specially deputed for the purpose.

(b) The following are the maximum marks allotted to the various subjects:—

*These 25 marks will be awarded to a student automatically when he joins the school and deductions will be made by an order of the Director for breaches of discipline and lapses of character during the course of his training.

Part of the final examination will take a practical form and will, when possible, be held in the field or forest.

8. **Certificates.**—Certificates will be granted by the Board of Control to those students who are found proficient at the end of the course. Certificates will be of two kinds, namely.—

(1) The Higher Standard Certificate, which will be granted to those students who obtain not less than 66 per cent. marks in each subject and not less than 75 per cent. in the aggregate.

(2) The Lower Standard Certificate, which will be granted to students obtaining not less than 50 per cent. marks in each subject.

It shall however, rest with the Board of Control to decide whether a deficiency in any subject shall disqualify or not. The Board will add endorsement of "with credit" in any major subject viz., (1) Silviculture, (2) Utilization and Protection, (3) Engineering and (4) Survey and Drawing in which not less than 80 per cent. of the marks has been obtained.

The fact that a student has obtained a Higher or Lower Standard Certificate, with or without credit in any subject, will be taken into consideration when making promotions to the grades of Forester and Deputy Ranger and other things being equal, shall be held to constitute a prior claim to such promotion. Students who have obtained the Higher Standard Certificate are eligible for direct appointment to the class of Deputy Ranger and those who have obtained credit in any subject, or subjects, will be given preference over others of their year who have not obtained such distinction.

Subject	Examination		Total
	Periodical	Final	
(1) Silviculture	75	75	150
Utilization and protection	40	60	100
(3) Surveying and Drawing	50	50	100
(4) Engineering	40	60	100
(5) Mathematics	25	25	50
(6) Botany (including herbarium)	20	30	50
(7) Forest Law	25	25	50
(8) Accounts and Procedure	25	25	50
(9) Physical Drill	25	25	50
(10) First Aid and Hygiene	25	...	25
(11) Character and Discipline	25	...	25

Total : 255 255 510

Should a certificate granted by the Board of Control be lost and a duplicate copy required, such duplicate copy may, at his discretion, be granted by the Director, Forest School, on receipt of a fee of Rs. 2 in each case.

9. Deleted.

10. The following medals will be awarded at the close of the final examinations:—

- (i) To the best student of the year the "Beechey" Medal.
- (ii) For Silviculture.
- (iii) For Utilization and Protection.
- (iv) For Engineering and Surveying.

In addition to the above, prizes consisting of articles likely to be useful to a Deputy Ranger or Forester may be awarded by the Board of Control to students whom it considers deserving of them. The Director of the Forest School, Balaghat, is authorised to incur, each year an expenditure of Rs. 150 per annum on medals and prizes to be awarded to deserving students of the School.

The Director is further authorized to incur each year an expenditure not exceeding Rs. 300 including Rs. 50 for prizes for sports.

IV.—RULES FOR ADMISSION

11. General.—The School, as at present organized, can undertake the training of 50 students at a time. Ordinarily seats will be allotted as following:—

- 15 for students from Central India and Eastern States Agency.
- 3 for students from Madhya Pradesh Zamindaris and Court of Wards.
- 7 for private students, and
- 25 For Government students.

If in any year the full number of seats allotted to a particular class of students is not required, the Chief Conservator of Forest is empowered to redistribute them at his discretion.

12. Only pure natives of India will ordinarily be eligible for studentship at the school, but under exceptional circumstances students of mixed blood may also be admitted.

13. All Government students must be nominated by Conservators of Circles.

14. Such applications must reach the Conservator's Office not later than the 15th October of the calendar year preceding that in which the candidates seek admission. Students admitted under this rule must comply with the following terms:—

- (i) They must live in the school quarters;
- (ii) fees in accordance with the following scale must be paid in advance to cover tuition and the use of quarters, instruments, stationery and tents while on tour :—
 - (a) For every student from outside the Madhya Pradesh Rs. 700.
 - (b) For every student from the Madhya Pradesh including students from Zamindaris, Court of Wards and private students, but excluding Government students—Rs. 200.
 - (c) Government students of the province of Madhya Pradesh—Free.

The Director is empowered to demand yearly advances to cover the maintainance and travelling expenses of students. The average subsistence allowance per month necessary to cover both living and travelling expenses will be estimated by the Director from time to time, and intimated to the authorities, concerned past experience has shown that the minimum required is Rs. 30 per mensem.

- (iii) a sum of Rs. 50 as security for good behaviour must be deposited in advance on behalf of each student. This sum will be refunded at the end of the course if it has not been confiscated in whole or in part, or utilized to compensate for any damage done, or to pay bills outstanding against the student;
- (iv) students must pay for any books they may require and for the cost of carriage of their personal effects in camp ;
- (v) students or the authorities deputing them to the school must pay for school uniform as specified in rule 24 below ;
- (vi) students must possess a knowledge of Hindi sufficient to enable them to follow the course with profit and knowledge of arithmetic as laid down in rule 16.

Note 1.—It is permissible and advisable for the authorities of Indian States to nominate for the entrance test examination laid down in rule 17 below, a large number of candidates than it is intended eventually to depute for training, so as to allow a sufficient margin for possible failure at that examination, or for casualties due to other reasons.

- (2) It is strongly recommended that candidates should possess some practical experience of forest life before coming to the school.

15. (a) Candidates for admission as private students must not be less than 18 nor more than 25 years of age on 1st November of the year in which they join the school. Their applications must be submitted through a Divisional Forest Officer to the Conservator of Forests, Hoshangabad circle, not later than the 15th September of the calendar year previous to that in which they wish to join the school, and must be supported by the following certificates :—

- (i) a certificate that the applicant is a native of India, as required by rule 12 and also a bona fide resident of the Madhya Pradesh. This certificate must be signed by the Collector of the district to which the applicant belongs,
- (ii) a certificate of age. This certificate must be supported by copies of Kotwar books, municipal and other public registers or horoscope duly attested by a gazetted officer or a magistrate,
- (iii) a certificate of respectability and good moral character from two or more persons whose social or official position can be accepted. This certificate must bear the date not further back than the 1st July of the calendar year previous to that in which the applicant proposes to join the school.

Before forwarding an application for a private studentship, the Divisional Forest Officer shall examine the candidate as to his knowledge of Hindi and simple arithmetic, and as to his general intelligence and shall certify accordingly. He should also see that the candidate's height is not ordinarily less than 165 cms. and his chest measurement not less than 81 cms. On receipt of any application as to which the preceding conditions have been observed, the Conservator may either accept or reject without assigning any reason for doing so, or he may require the candidate to produce other and better certificates in person before him.

(b) The selected candidate will be required:—

- (i) to pass an entrance examination of the Forest School, Betul, which will be held in the first week of January;
- (ii) to furnish before 1st September of the year for which he has been selected i.e. two months prior to the date of joining the School, a health certificate in the form prescribed by rule 1(a) of the Madhya Pradesh Supplementary Rule under Fundamental Rule 10, signed by a Civil Surgeon, testifying to the applicant's sound constitution, good vision and hearing and general physical fitness for an out-door life in the Forest Department. The certificate should also state that the candidate bears on his body marks of successful vaccination or small pox; and
- (iii) to undergo a preliminary practical test of at least two months any time between 1st March and 30th September in the forests at his own expense under the guidance of the Divisional Forest Officer under whom he is posted.

If the candidate passes the examination prescribed under-sub-clause (b) (i) of this rule and proves himself suitable during practical training, he shall be admitted as a private student for the course commencing from November 1st.

(c) Private students shall be bound by rule 14 (i), (iii), (iv) and (v) and must pay in advance the following amounts before joining the school.—

(i) A sum of Rs. 200 as tuition fees.

(ii) A sum of Rs. 50 as security for good behaviour as laid down in rule 14 (iii).

In addition, students will have to maintain themselves while at the school. Past experience has shown that the minimum required is Rs. 30 per mensem to cover living and travelling expenses.

(d) Government does not guarantee to employ private students as may be selected and who may successfully pass the course of training at the school but as many successful students as possible will be employed by the department.

16. Applications for Government studentships will be received by the Conservator of the Circle through the officer in charge of the division in which the candidate is serving. Candidates must be members of the Executive or Protective branches of the Subordinate forest Service who have rendered not less than six months' service and whose age does not exceed 35 years. Their height must ordinarily be not less than 165 cms. and their chest measurement not less than 81 cms. If not recently successfully vaccinated, they must be vaccinated before they join the school. Every application must be supported by a medical certificate of recent date testifying to the candidate's physical fitness, as prescribed in rule 15 (b) of the rules and paragraph 18 (c) of Part II of the Madhya Pradesh Forest Manual, Volume 1. The Divisional Forest Officer shall attach a certificate giving his opinion of the candidate's qualifications and claims for training at Government expense, and shall certify that the candidate possesses a knowledge of Hindi sufficient to enable him to follow the school course with profit and an adequate knowledge of simple arithmetic, i.e. addition, subtraction, multiplication, division, vulgar fractions and the rule of three. The Divisional Forest Officer shall also certify the candidate's (a) good previous record, (b) moral character and (c) keenness:—

Note.—The members of the Subordinate Forest Service are allowed to draw travelling allowance for journeys to obtain a medical certificate of fitness prior to their admission to the Forest School, Balaghat, as for journeys on tour.

17. The Conservators of the Circles shall, by the 15th of October, forward to the Conservator of the Hoshangabad lists of their provisionally selected candidates for Government studentships. A consolidated list of all candidates for admission to the class of the ensuing year will thereupon be forwarded by the Conservator of the Hoshangabad, to the Director of the School, by the 15th November following and the latter will by 15th of December, set papers in Hindi and in simple arithmetic as defined in rule 16. These papers will be forwarded to the officer who will be responsible for the conduct of the examination in each case, who will ordinarily forward candidates to the Divisional Forest Officer. The candidates

should appear for examination at the headquarters of any of the Divisional Forest Officers in Madhya Pradesh and the authorities concerned should intimate to the Conservator of Forests, Hoshangabad, at the time of submitting the application for admission the name of the division where they desire to send their candidates for examination, so that necessary arrangements can be made. The candidates from States, Zamindaris and Court of Wards should bring with them a facsimile of their handwriting and signatures advance copies of which should also be sent to the Divisional Forest Officers concerned well in advance to enable them to identify the candidates. The candidates answers to the questions set must reach the Director by the middle of January and the Director will communicate the results of the examination, with his recommendations thereon, to the Conservator of the Hoshangabad as soon as possible. The latter will then decide which candidates are to be admitted to the class of the year and will at once communicate his decision to the Conservators, concerned. Finally selected candidates for the School Course should be given wherever possible special attention by Divisional Forest Officers and others as regards intensive training in the forest.

In the case of candidates for private studentships, the Director should be informed not later than the 1st October of the result of the practical test prescribed by rule 15 (b). Members of the Subordinate Forest Service appearing for the test examination will draw travelling allowance for journey to and from the place of examination, as for journeys on tour, but no allowance for halts on the journeys.

18. Members of the Subordinate Forest Service deputed to the school shall receive during the actual period of their training the full pay of their rank, plus a compensatory allowance of one-fifth of their pay, subject to the condition that in the case of Forest Guards, their pay plus compensatory allowance shall not be less than Rs. 23.

Private students shall receive no stipends.

19. Selected candidates should report themselves at the school on or before the 1st November.

20. (1) The Director may, at any time, after affording a reasonable opportunity of showing cause, remove from the school any student—

(i) who, having attended for two months, is found unfit to follow the school course intelligently and with profit, or

(ii) who fails to appear at, or having appeared fails in more than two subjects in, any of the prescribed quarterly examinations.

(2) Any student aggrieved by an order of removal under sub-rule (1) above may, within 15 days of the communication thereof to him, prefer an appeal to the C.C.F.(Dev.). Subject to such order as the Conservator may pass in appeal, the order of removal shall be final.

(3) A student who is removed under sub-rule (1) shall, within 30 days of the receipt by him of a notice in that behalf from the Chief Conservator of Forests, refund to the State Government the total cost of instruction incurred in respect of his education at the school including the monthly payments made to him.

21. (a) All students in Government service who draw stipends are required to execute agreement and security bonds in the form appended to these rules, before they join the school, binding themselves to serve Government for three full years after leaving the school. Government does not hold out any guarantee but certificated students will have a prior claim for appointment as Foresters.

(b) The amount of the bond to be taken in each case will be as follows :—

- (i) Forest Guards Rs. 150.
- (ii) Foresters Rs. 250.
- (iii) Deputy Rangers Rs. 300.

22. Travelling allowance to and from the school and on tour while under practical training at the school.—(a) Deputy Rangers, Foresters and Forest Guards will be granted travelling allowance for journeys to and from the school under the ordinary Travelling Allowance Rules, and while on tour for practical training, a daily allowance in accordance with note 1 to rule 55 of the Madhya Pradesh Supplementary Rules :

Note.—Travelling allowance to and from the school will be drawn from the last place of working and the travelling allowance bill will be countersigned by the Conservator of the Circle where the student served before joining the school.

V.—Disciplinary Rules

23. Quarters.—On arrival at Betul, the School Instructor will allot a quarter to each student, which he may occupy free of rent; any student wishing to bring his wife or family to reside at Betul, must first obtain permission from the Director and will then have to provide himself with quarters at his own expense.

24. Uniforms.—(A) Members of the Subordinate Forest Service deputed as students to the Betul, Forest School will not wear the Forest Department uniform prescribed for their ranks while they are under training at the school. Both they and all other students will wear the uniform prescribed below:—

- (1) Shirt, Khaki twill, Spinners' "Baslow", shade No. 1, with turn-down well-fitting collar; two pockets with flaps and buttons; shoulder straps with holes for व. वि. व. white metal badges when no coat is worn; dark green necktie, knitted of imitation silk mercerised; half-sleeves (full sleeves may be worn with coat if desired; buttons to match.

- (2) Coat, Khaki cotton drill, Spinners "Stockport" shade No. 1, open collar with four white metal buttons bearing plain letters व. वि. र. or monogram; four pockets with flaps and similar buttons; shoulder straps with similar buttons and व. वि. र. badges of white metal; a band of dark green drill 1 cm. wide, 6.25 cms. above and round each cuff.
- (3) Shorts, khaki drill, same as for coat; two side-pockets; cloth belt 6.25 cms. wide sewn round waist, with two buckles in front.
- (4) Turban, khaki pugree cloth, Spinners "Hendon", shade No. 1, 90 cms. wide and 7.20 cms. long, with khaki fringe at one end and small khaki plain kulla, or a forage cap (Military) with green border.
- (5) Puttees, Spinners "Newport" khaki cotton, shade No. 1, spear grass-proof, 10 cms. wide \times 2.40 M. long. (Khaki Stockings may be worn instead in class room if desired).
- (6) Boots, brown or ammunition.

The Director will arrange for students to be supplied with articles (1) to (5) mentioned above; the total cost of the articles must not be permitted to exceed the cost, at the time being, of an ordinary Forest's uniform.

B.—The cost of uniforms will be met as follows :—

- (i) Government students. Deputy Rangers who pay fully for their uniform in actual service will do so at the School as well. Men of lower rank than Deputy Rangers who are supplied with certain articles of uniform at Government cost while in actual service will also be so supplied at the school with one set of corresponding articles, that is, they will get at Government expense one each of the shirt, coat, shorts, turban or two forage caps (Military) with green border in lieu of one turban and puttees specified above. Boots and stockings must be paid for by themselves, as also additional sets of uniform required. The cost of neck-ties and shoulder badges will also be borne by students.
- (ii) Other students will bear the cost of their uniforms, unless the States or other authorities deputing them to the school pay for them.

C.—The whole cost will, in the first instance, be paid by the Director who will recover it as under—

- (i) from his own budget for articles supplied to Government students at Government expense;
- (ii) from States or other authorities concerned for articles supplied to their men at their expense;
- (iii) by three equal monthly deductions from pay bills of the men concerned for articles supplied to them at their own expense.

(D).—All students who join the Forest School Ambulance Division will wear the prescribed ambulance badges, the cost of which will be borne by Government in regard to badges supplied to Government students and by States or other authorities in regard to students deputed by them.

25. Leave.—During the course of instruction no student may leave Balaghat or the camp headquarters without the previous sanction of the Director of the School.

26. Holidays.—All gazetted holidays will be allowed and all Saturdays on which outdoor instruction is not given will be observed as half-holidays. In addition, a short vacation of 14 days will be allowed on the conclusion of the camping season to enable students to visit their homes. This period will be treated as casual leave.

27. Punishments.—For breaches of any of the disciplinary rules the Instructor may :—

- (1) reprimand a student either privately or publicly before the class and with the previous sanction of the Director;
- (2) fine a student up to one week's salary ; or
- (3) suspend him from attendance in class.

On the suspension of any student the matter must be at once referred to the Conservator of Forests, Hoshangabad, a written statement of the charge being forwarded, together with the student's defence in original, with any remarks the Director may wish to make thereon. The Conservator of Forests, Hoshangabad, may remove any student from the school and reduce or dismiss any Forest Subordinate deputed to be student.

28. Quarterly reports on the progress and conduct of each student will be furnished by the School Instructor to the Director. The progress reports will show the marks gained at the quarterly examination prescribed by rule 6.

Instructions for Regulating the Admission of Officers of the Subordinate Forest Service in the Madhya Pradesh as Students in the Forest School at Balaghat.

(A) Vacancies in the class of Deputy Rangers and lower classes caused by deputations to the school may be filled either by officiating promotions or by temporary appointments of qualified outsiders. All such officiating promotions and temporary appointments will be made in the case of Deputy Rangers, by the Conservator of each circle, at his discretion, and in the case of Foresters and Forest Guards, of Divisional Forest Officers within the powers delegated to them under paragraph 22, Chapter III, Part II, of the Madhya Pradesh Forest Manual, subject to the following conditions:—

- (1) The maximum cost of replacements in any circle shall not exceed Rs. 200 per mensem for the men deputed in each year plus a compensatory allowance of one-fifth of the pay of each, unless there are corresponding savings in some other circle.

- (2) Temporary appointments or promotions shall not be made to a higher post than that of the officer deputed.
- (3) One temporary appointment or set of promotions only shall be given for each officer deputed. (Thus two Foresters or Guards may not be temporarily appointed for one Deputy Ranger at the school).

(B) Should any Conservator decide to depute a lesser number of students in any one year than is prescribed in No. 11 of the rules for admission to the school, the maximum cost of replacements in his circle will be reduced by Rs. 20 plus a compensatory allowance of one-fifth of the pay for each student below the number fixed in that rule.

**Agreement and Security Bonds of Candidates selected for Training at the
Madhya Pradesh Forest School at Betul.**

THIS AGREEMENT is made this.....day of.....19....., between the Governor of Madhya Pradesh (hereinafter called the Governor) of the one part, and....., son of.....resident of.....in the tahsil of the.....district (hereinafter called the candidate which expression shall, where the context so admits, include his heirs, executors, administrators and representatives, of the other part;

WHEREAS the Conservator.....Circle, has selected the candidate for training at the Madhya Pradesh Forest Training School, Betul (hereinafter referred to as said school), for a course of instruction in matters specified in Appendix XII in the Madhya Pradesh Forest Department Manual, Volume II, and the State Government have agreed to meet the cost of his training and pay him a stipend during the period of his training and give him further facilities as hereinafter provided subject to the conditions hereinafter appearing;

AND WHEREAS the candidate has, in consideration of his selection and the training free of cost agreed to complete his training at the said School subject to the said conditions;

NOW, THEREFORE, this agreement witnesses and it is hereby agreed as follows:—

- (1) The period of training at the said school shall be one year commencing from the 1st day of November.....
- (2) The State Government shall provide to the candidate during the period of his training, instruction at the said school free of tuition fees, residential accommodation free of rent, uniform consisting of the materials and articles specified in rule 24 of Appendix XII of the Madhya Pradesh Forest Manual, Volume II, and pay him travelling allowance in accordance with Travelling Allowance Rules.

NOTE.—The concession of free uniforms will not be admissible to the direct recruits.

- (3) During the period of his training the candidate shall be paid monthly stipend of Rs.(.....)only out of which he will meet all his living expenses.
- (4) The candidate shall diligently pursue the course of studies prescribed in Appendix X of the Madhya Pradesh Forest Manual, Volume II, for the purpose of his training at the said school and shall abide by the rules for the time being in force regulating the conduct of studies at the said school.
- (5) On completion of his training and on passing the examinations prescribed in Appendix X of the Madhya Pradesh Forest Manual, Volume II, and on demand made by the.....

within.....months thereafter the candidate shall serve the State Government as a Forester (in the case of direct recruit) as a Forest Guard (or as a Forester) if there is a vacancy.....in.....in the case of Departmental candidate in Madhya Pradesh for a period of not less than three years.

- (6) While in service in accordance with clause (5), the candidate shall faithfully, diligently and with skill and ability perform his duties and observe the rules for the time being in force made by the State Government for regulating the conduct of subordinates of the Forest Department.
- (7) The pay and allowances and other conditions of service of the candidate shall be regulated in accordance with the rules for the time being in force in respect of servants belonging to the Madhya Pradesh Subordinate Forest Service.
- (8) If for any reason whatsoever (including illness) the candidate leaves the said school without the permission in writing of the Conservator of Forests,.....Circle, before completing his training or without passing the prescribed examinations, or if he is discharged or dismissed therefrom for misconduct or if he is found unfit to follow the prescribed course intelligently and with profit after having attended for a period of two months or failed to appear at or failed in more than two subjects in any of the prescribed quarterly examinations or if he otherwise fails to qualify himself for appointment to a post offered to him within the prescribed period or refuses to accept service when offered or fails to serve as hereinbefore provided or is dismissed from service for misconduct, then in any such event he shall pay to the Governor a sum not exceeding the amount spent by the State Government on his account in pursuance of clauses (2) and (3). Except in respect of matters on which the decision of the C.C.F. (dev.) under sub-rule (2) of rule 20 of the rules regulating the Instruction Admission to and Discipline at the said School is declared to be final the decision of the Chief Conservator of Forests, Madhya Pradesh, as to the commission of a breach and also as to the amount to be refunded shall be final and binding on the candidate.
- (9) Any sum falling due from the candidate under this agreement may be recovered from him as an arrear of land revenue.
- (10) If any dispute shall arise between the parties hereto in respect of this agreement or of any of the provisions herein contained or anything arising hereout except in respect of matters on which the decision of the Chief Conservator of Forests, Madhya Pradesh, is hereinbefore declared to be final and conclusive, the same shall be referred to the arbitration of the Chief Conservator of Forests, Madhya Pradesh, whose decision thereon shall be final and binding on the parties.

In witness whereof the parties hereto have appended their signatures hereunto on the dates and year respectively mentioned against their signatures—

Witnesses—

(1)

(2)

On behalf of the Governor,

Date.....

(1)

(2)

(Candidate)

Date.....

Whereas the Governor has in order to secure the due performance of the above agreement, demanded security from the candidate:

Now, therefore, in consideration of the selection of the candidate for training as aforesaid and at the request of the candidate, I....., son of....., residing at.....

in the..... taluk of the.....

district, surety on behalf of the candidate hereby agree that in the event of the failing to pay on demand any sum falling due from him under this agreement, I shall pay the same and I hereby bind myself, my heirs, executors, administrators and representatives for such payment. I further agree that any sum falling due from me hereunder may be recovered as an arrear of land revenue.

Signed this.....day of.....in the presence of—

Witnesses—

(1)

(2)

Surety.

APPENDIX—XII B

RULES OF THE FOREST GUARDS' TRAINING SCHOOL, BETUL

1. Constitution of the school

1. Administrative and executive control.—The school shall be under the administrative control of the Conservator of Forests, Hoshangabad. The executive control shall be exercised by the Divisional Forest Officer, Betul Division, as the Supervisor.

2. Board of Control.—There shall be a Board of Control constituted as under:—

- (i) The Conservator of Forests, Hoshangabad circle.
- (ii) The Divisional Forest Officer, Betul Division (Supervisor).
- (iii) Three other gazetted officers appointed by the Conservator of Forests, Hoshangabad. These shall be external examiners.
- (iv) The Chief Conservator of Forests and any other Conservator or Conservators who attend the annual meeting, shall be ex-officio members of the Board.
- (v) The senior most officer present shall preside. The Board of Control shall meet immediately after the final examination of the students to declare the results. The Board shall also inspect the school and consider the question of alterations in the course of studies and in the rules for admission of students as also any other question affecting the school. The resolutions of the Board of Control shall be submitted for orders to the State Government by the Conservator of Forests, Hoshangabad through the Chief Conservator of Forests.

3. School Staff.—The Divisional Forest Officer, Betul Division, shall be the Supervisor of the school. The instructing staff shall consist of the Instructor (a Gazetted Officer), two Assistant Instructors (Forest Rangers or Deputy Rangers), one Curator (a Deputy Ranger), one Field Assistant (a Forester), one Doctor (Assistant Medical Officer), and one Nurseryman (a Forest Guard).

The Instructor shall be responsible for the general administration, discipline, teaching and the control of the progress of instruction in the various subjects. He shall also be responsible for the upkeep of accounts and for general correspondence in his office.

In purely technical matters, the Assistant Medical Officer shall be under the disciplinary control of the Civil Surgeon, Betul. In all other matters including short absence on casual leave he shall be under the control of the Supervisor of the school like the other members of the school staff.

II. Course of Instruction

4. The course of instruction shall extend over a period of six months. There shall be two courses—first from 1st February to 31st July and second from 1st August to 31st January.

III. Syllabus

1. Silviculture and Forest Management and Botany.

(a) Silviculture

- (1) Direct and indirect benefits of forests.
- (2) Inter-relationship between forests and the factors of locality.
- (3) Growth and formation of trees and forest crops, forest types.
- (4) Silvicultural notes on important species like Teak, Sal, Bija, Shisham, Tinsa, Saja, Dhaora, Garari, Semal, Salai, Bamboo and grasses with special reference to their silvicultural requirements, phenology and seed collection.
- (5) Regeneration of forests: natural and artificial (including agri-silviculture). Tending including climber cutting, subsidiary cultural operations and thinnings.
- (6) Silvicultural systems.
- (7) Marking of coupes under various silvicultural systems.

(b) Forest Management

- (1) Classification of forests (i) by ownership and by law, and (ii) According to subjects of management.
- (2) Maintenance of external and internal boundary lines and boundary marks.
- (3) Sub-Division of forests for purposes of management :—
 - (a) Blocks, compartments and sub-compartments, working circles, felling series, coupes and sections, sample and experimental plots.
 - (b) Forests types under grazing control, grazing units, demarcation and manner of marking, preparation of geru paint, blazing of trees for putting hammer marks at base and breast height, putting geru or coal tarring on trees, hammer marking and numbering, marking register.
- (4) Management of bamboos :—
 - (i) Felling cycle.
 - (ii) Rotation.
 - (iii) Seeding.
 - (iv) Simple rules of working bamboos.

(c) Botany

- (1) Identification of Common Species-trees, shrubs and grasses.
- (2) Pressing and collection of specimens.
- (3) Some of the hedge plants.

2. Forest Protection and Forest Law

(a) Forest Protection

Injuries to which crops are liable.

(1) Fire.—Causes of fire, damage by fire and rules of fire protection; importance of propaganda amongst the villagers.

(2) Animals.—(a) Grazing-regulation of grazing, issue of grazing licences and grazing checking.

(b) Wild animals.

(3) Insects.—How the damage is caused; Teak defoliators and Sal borers; method of their control.

(4) Fungus.—How the damage is caused, general symptoms of fungus disease and its control.

(5) Plants.—(a) Climbers-rules of cutting climbers.

(b) Loranthus (Banda)—Method of its removal.

(c) Weeds—With particular reference to plantation.

(6) Erosion.—Meaning, causes and simple measures of control.

(7) Other Factors.—Like frost and draught.

(b) Forest Law.

(1) Definitions.

(2) Working knowledge of the Indian Forest Act (specially sections 2, 23, 32, 42, 45, 52, 53, 52 to 55, 55, 59, 79 and 83), the Revenue Law concerning raiyotwari and private forests vested in the Government, the Shooting Rules, the Grazing Rules and Forest Contract Rules.

(3) Forest Offences, detection, preliminary offence reports, seizure, release on Supradnama, execution of search warrants, enquiry and recovery of compensation.

(4) Cases taken to court and evidence.

(5) Powers of forest officers under the various Acts; Indian Forest Act, Indian Arms Act, Excise Act, Opium Act, Wild Birds and Animals Protection Act, Cattle Trespass Act, Madhya Pradesh Land Revenue Act, Madhya Pradesh Revenue Manual, Madhya Pradesh Game Act, etc.

3. Forest Utilization and Forest Survey and Engineering.

(a) Forest Utilization

- (1) Major and minor forest products and their uses.
- (2) Methods of exploitation: Departmental, by contractors, and by purchasers and consumers.
- (3) Departmental Conversion; fellings; logging and timber classification; rough conversion; sawing; sleeper operations; charpats (rough squares); Method of measuring and recording measurements of roundlogs, sawn timber and fuel; simple method of calculating volumes; use of callipers and tables for cubical contents; air seasoning and stacking carting challans; etc.
- (4) Contractor's work, control of cutting and carting, under the agreements; checking of contractors account, importance of marking and passing hammers.
- (5) Removal by purchasers, consumers and free grantees.
- (6) Licence vendors work and check of forest produce removed on rated passes.
- (7) Exploitation of bamboos.
- (8) Forest industries: Charcoal, lac, katha, kullu gum, other gums, harra, tendu leaves rusa grass, rusa oil, etc. Removal of other minor forest products such as mahua, achar, hides, horns, honey wax, medicinal herbs, thatching and fodder grasses and minerals, etc.
- (9) Silage and compost making.

(b) Forest Survey and Engineering.

- (1) Supervision of construction of and repairs to forest buildings, roads, bridges, tanks, wells, etc; and care of the rest house furniture.—
 - (a) Building materials—bricks, stones, tiles, timber, lime, cement, etc., and their collection, Preparation of bricks and tiles.
 - (b) Roads, cross bunds, catch—water drains, mile posts and boards and their care. Blasting by heating and gun powder.
- (2) Elementary knowledge of map reading.
- (3) Use of chain, tapes, ghat tracer, plane table, elementary knowledge of prismatic compasses, reading and ranging straight lines.

4. Departmental Organisation, Procedure and Accounts.**(a) Organisation of Madhya Pradesh Forest Department.**

- (1) Territorial and functional charters.—Duties and responsibilities of each charge, checking and patrolling of beats, requirement of knowledge about the beat villages and their requirement of forest produce, routes of extraction through the forests.
- (2) Detailed instructions regarding Forest Guards, "Range Assistants" and Licence Vendors duties.

(3) Forest villages, forest Schools.

(4) Relation with other departments and the public, undersirability of taking part in political activities.

(5) Prescribed uniforms of Forest Ranger, Deputy Ranger, Forester and Forest Guard.

(b) Procedure and Accounts

(1) Powers of Forest Guards and Range Assistants; procedure concerning the collections of forest revenue; issue of revenue receipts (green receipts) and remittance of forest revenue into treasury.

(2) Maintenance of muster rolls, record of work done, and method of disbursements; method of marking entries in the Measurement Book.

(3) Range Assistant's Ledger Account.

(4) Procedure regarding the issue and check of rated passes, thekedari licences, grazing licences, etc.

(5) Procedure regarding leave.

(6) Maintenance of marking registers.

(7) Use of Forest Guards' and other registered hammers.

(8) Forest Village Jamabandi and Kotwar's and Mukaddams' notebooks.

(9) Issue and check of carting challans and the maintenance of depot forms.

(10) Measurement of timber and use of Ready Reckoners.

(11) Record of stock and stores.

(12) Free grants admissible to subordinates and to the public.

5. Physical Training, First Aid and Hygiene and Manual Training

(1) Physical training, ordinary drill and games.

(2) Pitching and striking of tents.

(3) Organisation of camps and shikar.

(4) General first-aid including cases of bite by rabid animals and snakes and mauling by wild animals.

(5) Precautions against any epidemic and contagious diseases of man and livestock; anti-malarial measures regular use of paludrine and, mosquito net; boiling and use of boiled water for drinking.

(6) Elementary knowledge of masonry, carpentry and smithy.

(7) Sanitation—Cleanliness of surroundings, digging up pit latrines, clearing and disinfecting wells with permanganate of potash.

6. Discipline and Conduct

(1) Upkeep and wearing of uniforms.

(2) Conduct and behaviour, correct bearing, salute and cleanliness, undesirability of telling lies, unkind or deliberately false things, send or cause anonymous petitions to be sent, and take part in intrigues.

(3) Knowledge of Government Servants' Conduct Rules-particularly against taking begar and bribe and carrying out private business or cultivation while in service and procedure concerning departmental enquiries.

(4) Relations with colleagues, members of other departments and the public.

7. Miscellaneous

(1) Care of livestock: Elephant its feed, care and time of working.

(2) Hobby: To make profitable use of spare time, gardening, growing of vegetables, poultry keeping and bee-keeping.

(3) Thrift and self-help: Opening of saving bank accounts and purchase of national savings certificates.

8. References

(1) The Madhya Pradesh Forest Manual and Departmental Circulars and Standing Orders.

(2) Forest Management Rules.

(3) Madhya Pradesh Forest Pocket Book.

(4) Manual of Silviculture by V. P. Mathur.

(5) Manual of Forest Utilization by H. C. Watts.

(6) List of common forest plants of Madhya Pradesh Forest Department, Bulletin No. 1.

(7) Madhya Pradesh Floras.

(8) Forest Guard's Beat Book.

(9) Notes on Foresters and Forest Guard's duties.

5. Outline of time-table of tours, examinations, etc.:-

1st tour	...	30 days	November
2nd tour	...	15 days	January
3rd tour	...	30 days	February and March

Terminal examination at the end of March-Holidays from 1st to 15th April.

4th tour	...	15 days	May
5th tour	...	30 days	June-July
6th tour	...	15 days	September

Final examination at the end of October.

6. These tours shall be continuous tours when the school will camp away from headquarters. Besides these tours, the class will also be taken for instructions in the field as and when necessary during their stay at headquarters.

IV. EXAMINATIONS.

7. Examinations shall be held as follows :—

Examinations, written and oral, including practical tests by the school staff, first terminal examination in the last week of March and final examination in October in the following subjects:—

- (1) Silviculture, Forest Management and Botany.
- (2) Forest Utilisation, Forest Survey and Engineering.
- (3) Forest Protection and Forest Law.
- (4) Departmental Organisation, Procedure and Accounts.
- (5) Physical Training, First-aid and Hygiene, and Manual Training.
- (6) Discipline.

8. (a) Examination by the Board of Control shall be at the end of October in the following subjects:—

- (1) Silviculture and Forest Management and Botany.
- (2) Forest Utilisation, Forest Survey and Engineering.
- (3) Forest Protection and Forest Law.

(b) The total marks on which the results will be declared shall be allotted as under :—

Subject	Full marks allotted		Total
	Examination by the Internal examiners.	Examination by the Board of Control.	
I. Silviculture and Forest Management and Botany-Major.	40	60	100
II. Forest Utilization and Forest Survey and Engineering-Major.	40	60	100
III. Forest Protection and Forest Law-Major ..	40	60	100
IV. Departmental Organisation, Procedure and Accounts-Minor.	40	..	40
V. Physical Training, First-Aid, Hygiene and Manual Training-Minor.	30	..	30
VI. Discipline-Minor ..	30	..	30
Total ..	220	180	400

9. The results of the examinations shall be declared by the Board of Control. The minimum pass marks shall be 50 per cent. in each individual subject, major or minor. The Board of Control shall have the authority to condone any deficiency in marks in any subject. Higher Standard Certificates will be granted to those students who pass in every subject with not less than 65 per cent. marks in each subject and obtain not less than 75 per cent. in the aggregate. Other students who pass will be granted Lower Standard Certificate. On the certificate an endorsement of "with credit in....." shall be made in respect of the major subject in which in the opinion of the Board of Control a student is exceptionally qualified.

The following medals will be awarded at the close of the final examination :—

- (1) To the best student of the year—A gilt medal.

Major subjects

- (2) Silviculture and Forest Management—A Silver medal.
 (3) Forest Utilization, Forest Survey and Engineering—A Silver medal.
 (4) Forest Protection and Forest Law—A Silver medal.

Minor subjects

- (5) Departmental Organisation, Procedure and Accounts—A Silver medal.
 (6) Physical Training, First-Aid, Hygiene and Manual Training—A Silver medal.
 (7) Discipline—A Silver medal.

In addition to the above, prizes consisting of articles likely to be useful to them may be awarded by the Board of Control to students whom it considers deserving of them. The Supervisor Divisional Forest Officer is authorised to incur each year an expenditure of Rs. 250 (Rupees two hundred and fifty) on medals and prizes to be awarded to deserving students and also an expenditure of Rs. 200 including Rs. 50 for prizes for sports, etc.

The recipient will be entitled to wear the medals on their uniforms on ceremonial occasions.

Note.—Duplicate of lost certificates may be issued by the Supervisor under the orders of the Conservator of Forests, Hoshangabad on payment of a fee of rupee one in each case.

10. Should any student be unable to appear at the final examination or, having appeared, fail to pass that examination he will not be permitted to appear at any subsequent examination unless he follows a second time the whole course which he will only be allowed to do with the permission of the Board of Control.

V.—Prospectus Rules for Admission

11. **General.**—The school shall undertake to train not more than 100 students at a time. Seats will be allotted equally to each Circle as far as possible. Students shall be nominated by the Divisional Forest Officers.

12. Forest Guards who are over 35 years of age shall not be admitted.

13. The minimum qualification of candidates for admission to the school will be as under :—

- (i) Forest Guards who joined service before 5th April 1950 IV Standard in Hindi or Marathi.
- (ii) Forest Guards who joined service on or after 5th April 1950 VII Standard in Hindi or Marathi or 3rd Standard in English.

The Chief Conservator of Forests may, however, condone the qualification in special cases for the reasons to be recorded only in favour of aboriginals and Harijans. In no case, however, any person, even belonging to these communities, and who does not possess a primary certificate shall be admitted.

14. No Forest Guard shall be eligible for admission if he has not been in service for at least three months.

15. Forest Guards to be admitted into the school shall be selected and recommended by the respective Divisional Forest Officers.

N. B.—The number of Forest Guards selected amongst the Forest Guards on temporary establishment shall not exceed one-third of the total number selected from any Circle.

Forest Guards on temporary establishment shall be required to appear before the Civil Surgeon of the district and obtain a certificate of fitness for service in the Forest Department before admission to the school.

Medical examination of Forest Guards on permanent establishment is not compulsory, but they should be medically examined by the Civil Surgeon for communicable diseases only, before they join the school. All selected Forest Guards shall be required to produce a certificate of vaccination against small pox.

16. Each Conservator of Forests shall, by the end of July at the latest, forward to the Conservator of Forests, Hoshangabad a list of Forest Guards provisionally selected by him for the training, together with the Divisional Forest Officer's certificate regarding the suitability of the candidate for training. The Conservator of Forests, Hoshangabad shall finalise the lists and send a list of Forest Guards finally selected by him to all Conservators, by the end of August. To save time, any casualties that occur later shall be filled up by the Divisional

Forest Officer concerned by selecting such suitable Forest Guards as fulfil the conditions of qualifications laid down. All candidates admitted to the school shall receive during the period of their training full pay of their grade (permanent or temporary as the case may be) together with such allowances as may be admissible for time to time plus a compensatory allowance of Rs. 4 per month each for not more than 12 months.

17. Selected candidates shall report themselves at the school by the 20th of October.

18. The Supervisor (Divisional Forest Officer) is empowered to remove from the school any students who, within a period of two months, has shown himself unfit to follow the school course intelligently and with profit. Such vacancies may be refilled immediately by other suitable Forest Guards.

19. (a) Every student shall have to execute an agreement and furnish security in the forms appended to these rules before joining the school which shall bind him to serve Government for three full years after training.

(b) The amount of security to be taken in each case shall be Rs. 300.

(c) The Government do not guarantee to provide permanent posts to Forest Guards on temporary establishment immediately after completing the training. As and when temporary posts are converted into permanent ones, trained temporary Forest Guards will be given preference.

20. Travelling Allowance.—Candidates shall draw ordinary travelling allowance for journeys to join the school and to return to their respective divisions. During their training at the school also they shall be entitled to draw travelling allowance while on tour for practical training under the ordinary rules.

VI. Disciplinary Rules

21. Quarters.—All students will reside in the school hostel. On arrival at the school, the instructor will allot accommodation to each student which the latter will occupy, free of rent.

22. Uniforms.—Students will be supplied by the school, free of cost, uniforms as prescribed below, which shall be worn according to instruction:—

Uniform List

Great Coat.....	1
Coat.....	1
Pairs of shirts.....	2
Shirt (half sleeves).....	1
Shirt (full sleeves).....	1
Forage cap or turban with school crest pin.....	1
Pair of patties.....	1

Pair of ammunition boots	1
Mosquito net	1
Pair of white shorts	1
White half shirt.	1
Shoulder badges "F.D; M.P." and "F.D." button and a leather belt.	

23. Leave.—Ordinarily no leave except on medical grounds shall be granted during the period of training. In exceptional cases only, leave may be granted by the supervisor. Casual leave may be sanctioned by the Instructor. For short absence from the school premises or school camp permission of the Instructor shall be necessary.

24. Holidays.—All gazetted holidays will be allowed and all Saturdays on which outdoor instruction is not given will be observed as half-holidays. In addition, a short break of 15 days will be allowed during April. (This break will be treated as extraordinary casual leave).

25. Punishments.—For breaches of any of the disciplinary rules or misconduct, a student may be:—

- (i) reprimanded by the Instructor, or
- (ii) fined up to a week's salary by the Instructor, or
- (iii) suspended on adequate grounds by the Supervisor on the Instructor's report.

On such suspension a departmental enquiry shall be held by the Supervisor, or if he so desires, by the Instructor. The findings shall be referred to the Conservator of Forests, Hoshangabad for orders. Against an order of removal from service or of dismissal and in no other case, an appeal shall lie to the Chief Conservator of Forests, Madhya Pradesh, whose decision shall be final.

26. Periodical reports on the progress and conduct of each student shall be maintained by the Instructor. These progress reports will also show, the marks obtained at the examinations prescribed.

THIS AGREEMENT is made this.....day of.....195....., between the Governor of Madhya Pradesh (hereinafter called the Governor which expression shall, where the context so admits, include his successors in office and assigns) of the one part, and.....Son of.....resident of....., in the.....tahsil of the.....district (hereinafter called the candidate which expression shall, where the context so admits, include his heirs, executors, administrators and representatives) of the other part;

WHEREAS the Conservator of Forests, Hoshangabad has selected the candidate who is already in the service of the State Government as a Forest Guard for training at the Forest Guards Training School, Betul (hereinafter referred to as the said school) for a course of instruction

in the matters specified in Appendix XII B(iii) of the Madhya Pradesh Forest Department Manual, Volume II, and the State Government have agreed to meet the cost of his training and pay him a stipend during the period of his training and give him further facilities as hereinafter provided subject to the conditions hereinafter appearing ;

AND WHEREAS the candidate has, in consideration of his selection and the training free of cost agreed to complete his training at the said school subject to the said conditions ;

NOW, THEREFORE, this agreement witnesses and it is hereby agreed as follows :—

1. The period of training at the said School shall be one year commencing from the 1st day of November.....
2. The State Government shall provide to the candidate during the period of his training, instruction at the said school free of tuition fees, residential accommodation free of rent, uniform consisting of the materials and articles specified in rule 22 of Appendix XII B(vi) of the Madhya Pradesh Forest Manual, Volume II, and pay him travelling allowance in accordance with rule 20 thereof.
3. During the period of his training the candidate shall be paid a monthly stipend of Rs.(.....) only out of which he will meet all his living expenses.
4. The candidate shall diligently pursue the course of studies prescribed in Appendix XII B (iii) of the Madhya Pradesh Forest Manual Volume II, for the purpose of his training at the said school and shall abide by the rules for the time being in force regulating the conduct of the students at the said school.
5. On completion of his training and on passing the examination prescribed in Appendix XII B (iv) of the Madhya Pradesh Forest Manual, Volume II, and on demand made by the.....within.....months thereafter the candidate shall serve the State Government as a Forest Guard in Madhya Pradesh for a period of not less than three years.
6. While in service in accordance with clause 5, the candidate shall faithfully, diligently and with skill and ability perform his duties and observe the rules for the time being in force made by the State Government for regulating the conduct of Forest Guards.
7. The pay and allowances and other conditions of service of the candidate shall be regulated in accordance with the rules for the time being in force in respect of servants belonging to the Madhya Pradesh Subordinate Forest Service.
8. If for any reason whatsoever (including illness) the candidate leaves the said school without permission in writing of the Conservator of Forests, Western Circle, before completing his training or without passing the prescribed examinations, or if he is discharged or dismissed therefrom for misconduct or if he otherwise fails to qualify himself for

appointment as a Forest Guard within the prescribed period or refuses to accept service when offered or fails to serve as hereinafter provided or is dismissed from service for misconduct, then in any such event he shall pay to the Governor a sum not exceeding the amount spent by the State Government on his account in pursuance of clauses 2 and 3. The decision of the Chief Conservator of Forests, Madhya Pradesh, as to the commission of a breach and also as to the amount to be refunded shall be final and binding on the candidate.

9. Any sum falling due from the candidate under this agreement may be recovered from him as arrear of land revenue.

10. If any dispute shall arise between the parties hereto in respect of this agreement or of any of the provisions herein contained or anything arising hereout except in respect of matters hereinbefore declare to be final and conclusive, the same shall be referred to the arbitration of the Chief Conservator of Forests, Madhya Pradesh, whose decision thereon shall be final and binding on the parties.

IN WITNESS WHEREOF the parties hereto have appended their signature hereunto on the dates and year respectfully mentioned against their signatures.

Witness—

(1).....

(2).....

On behalf of the Governor,
Dated the.....

Witnesses—

(1).....

(2).....

Candidate

Dated the.....

WHEREAS the Governor has, in order to secure the due performance of the above agreement, demanded security from the candidate;

NOW THEREFORE, in consideration of the selection of the candidate for training as aforesaid and at the request of the candidates, I,.....son of.....resident ofin the.....of the.....district, surety on behalf of the candidate, hereby agree that in the event of the candidate failing to pay on demand any amount falling due from him under this agreement, I shall pay the same and I hereby bind myself, my heirs, executors, administrators and representative for such payment. I further agree

that any sum falling due from me hereunder may be recovered as an arrear of land revenue.

Signed this.....day of.....in the presence of.....

Witnesses—

(1).....

(2).....

Surety.....

APPENDIX—XIII

The Forest contract rules and executive instructions on the preparation
of forest contract agreements

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APPENDIX XIII—THE FOREST CONTRACT RULES

Promulgated
by Notification
No. 173 date
10-2-27, and
amended by Noti-
fication No. 436-
216-XV. date
6-4-27.

Whereas it is expedient to frame a comprehensive set of rules for the guidance of forest officers and forest contractors in making contracts for the sale and purchase of forest produce, for the simplification of the forms of forest contracts, for the protection of Government's rights in forest produce, and for the protection of the rights of private persons in reserve forests, these rules are now made by the State Government under section 41, 76(d) and 85 of the Indian Forest Act of 1878, and also under section 41, 76(d) and 85 of the Indian Forest Act, 1878, as applied to Berar.

These rules shall come into force on the 1st July 1927.

Preliminary

Short title.

1. These rules may be cited as "The Forest Contract Rules".

All forest con-
tracts to be
deemed subject
to these rules.

2. All contracts whereby Government sells forest produce to a purchaser shall be subject to the following rules, in so far as they are applicable, and these rules, in so far as they applicable, shall be deemed to be binding on every forest contractor not only as rules made under the Forest Act, but also as conditions of his forest contract:—

Provided that the forest officer executing a forest contract shall have power to vary these rules by express provision in such contract, and where these rules are in conflict with such an express provision, such express provision shall prevail:

Provided further that no contracts containing unusual conditions and no material alterations in contracts already entered into should be made without the previous sanction of the State Government.

Definitions.

3. In these rules—

- (1) A "forest contract" means a contract whereby Government agrees to sell and the purchaser agrees to buy forest produce;
- (2) "forest contractor" means the person who purchases forest produce under a forest contract;
- (3) "contract area" means the area covered by a forest contract.

Rules limiting the materials purchased under a Forest contract

4. A forest contractor shall not be entitled to appropriate or use any forest produce other than the forest produce purchased by him under his contract, unless he has been given permission by an express provision in such contract, or in these rules.

Forest contractor
entitled only to
the forest pro-
duce he
purchases.

Executive Instructions

- I.—Explanatory.
- II.—How to fill up the blanks in the Forest Contract Agreement.
- III.—Measures to secure the payment of forest Contract considerations.
 - Powers of seizure and sale.
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RULES REGULATING THE OPERATIONS WHICH MAY BE PERFORMED UNDER A FOREST CONTRACT

I.—General

6. The forest contract shall carry with it an accessory licence entitling the forest contractor and his servants and agents to go upon the land specified in the contract and to do all acts necessary for the necessary for the proper extraction of the forest produce purchased under the contract:—

Accessory licence to forest contracts.

Provided that such accessory licence shall be deemed to be subject to the conditions and limitations prescribed in these rules and in the forest contract, and the acceptance of the contract shall be deemed to be an acceptance of such conditions and limitations.

7. Where by the terms of any forest contract, it is agreed that the extraction of the forest produce purchased under the contract may be carried out only during a specified period, time shall be deemed to be of the essence of such contract, and upon completion of the specified period the contractor's rights under the contract shall cease, and any forest produce not removed across the boundaries of the contract area shall become the absolute property of Government:—

Time to be of the essence of forest contracts.

Provided that the forest officer empowered to execute the agreement relating to such contract on behalf of Government shall have power to extend the period of a contract, for reason to be recorded by him, on such terms, including the payment a premium, as he may think fit. This power to grant extension shall be subject to the condition that the forest officer is, under the standing orders, competent to make a contract for the entire period including the extension.

8. Where the consideration payable to Government under a forest contract is payable in instalments and the Divisional Forest Officer at any time before the last instalments is paid considers that the value of the forest produce removed by the contractor exceeds the amount of the instalments already paid, the Divisional Forest Officer may stop further removal until the contractor has paid such further sum as may, in his opinion, be sufficient to cover such excess:—

Powers of forest officer to stop extraction of forest produce.

Provided that, if in the opinion of any Forest Officer not below the rank of a Range Officer, it is necessary to take immediate action to prevent a breach of this rule, such Forest Officer:—

(i) may by notice in writing served on the contractor or his agent, if any, stating the grounds for the direction, require the contractor or his agent to stop further removal of the forest produce from the contract area, and

(ii) shall forthwith report the case for the orders of the Divisional Forest Officer who may pass such orders thereon.

Explanation.—For the purposes of this rule the value of the forest produce removed shall be calculated on the basis of the consideration payable to Government, and not on the price which the forest contractor may be obtaining in the market.

Employment of Forest-villagers. 9. (1) Where the operations permissible under any forest contract involved the employment of labour the forest contractor shall, if so required by the Divisional Forest Officer, employ the inhabitants of forest villages in or near the contract area in preference to any other labour, provided such forest villages are reasonably accessible to such area.

(2) The employment of forest villagers by forest contractors shall be at such rates and on such conditions as may be prescribed from time to time under the standing orders of the State Government relating to the management of the forest villages.

Unsuitable persons not to be employed. 10. A forest contractor shall not employ, for any purpose connected with his forest contract, any person who has been dismissed from the Forest Department and shall discontinue the employment of any person objected to by the Divisional Forest Officer as unsuitable for such employment.

Forest contractors to provide his servants and agents with badges. 11. If so required in writing by the Divisional Forest Officer, the forest contractor shall provide his servants and agents with a badge, signed warrant or other device approved by the Divisional Forest Officer, whereby they may be readily identified. Failure to wear such device in the contract area shall make a servant or agent liable to be treated as a trespasser.

Passes for removal of forest produce. 12. (1) A forest contractor shall not remove any forest produce from the contract area unless it is accompanied by a pass written in Hindi language in Devanagari script and signed by the contractor or his numbered serially.

(2) Such passes shall be obtained on payment from the Range Officer. They shall be in triplicate and shall be bound in books. Each book shall bear an identifying number, and passes in each book shall be numbered serially.

(3) The first of the triplicate forms shall be given to the person in charge of the produce which is being removed, and shall be produced by him when required by any forest officer. The second of the triplicate forms shall be sent alongwith the abstract accounts to which it relates, which are to be filed under rule 16. The third of the triplicate forms shall be retained by the forest contractor.

(4) When the forest contract is concluded all blank triplicate forms shall be returned to the Range Office, and the contractor shall be given a refund of their value.

13. A forest contractor shall not remove any forest produce except by route specified by rules under the Act, or by his forest contract, and shall take all forest produce, removed by him to such depots or places as may be similarly prescribed, for check and examination.

Forest produce to be removed by prescribed routes to be checked and depots.

14. Except with the special permission of the Divisional Forest Officer, a forest contractor shall not remove any forest produce from the contract area after sun set or before sunrise.

Forest produce to be removed by daylight.

15. (1) A forest contractor shall be responsible for any damage that may be done in a reserved forest by himself or his servants and agents. The compensation for such damage shall be assessed by the Divisional Forest Officer, whose decision shall be deemed to be that of an arbitrator and shall be final and binding on the parties, except to the extent that it shall be subject to an appeal to the Conservator of Forests:—

Liability of the forest contractor for damage caused.

Explanation.—For the purposes of this sub-rule an agent shall be deemed to include a sub-contractor and any person to whom the forest contractor has given a licence or permit entitling him to take a portion of the forest produce sold under the forest contract; but shall not be deemed to include a person to whom the forest contractor has assigned all his rights under the contract, in accordance with sub-rule (2) of rule 33.

(2) Any sum assessed as damages under this rule shall be recoverable as arrears of land revenue, and a certificate under the hand of the Divisional Forest Officer that such sum is due shall be presumed to be correct by the revenue officer empowered to collect it.

16. The forest contractor shall keep accounts of the amount of the various kinds of forest produce removed by him from the contract area in such form as the Divisional Forest Officer may prescribe or approve, and such accounts shall be open to inspection at any time by the Divisional Forest Officer or by any forest subordinate duly authorized in this behalf by the Divisional Forest Officer.

Forest contractor to keep accounts and to file abstracts.

The forest contractor shall file abstracts of such accounts in the office of the Range Officer or in such other office as the Divisional Forest Officer may specify, at such intervals, which shall not be less than one month, as may be specified in his forest contract.

II.—Special rules for standing trees

17. (1) A forest contractor who has purchased standing trees shall fell and remove all trees purchased by him under his contract.

Mode of felling.

(2) All felling shall be done with due care and attention and in a workman like manner.

(3) Unless the Divisional Forest Officer otherwise directs by order in writing, all trees shall be felled so that the stools shall not project more than three inches above the ground.

Provided that in all cases where the stem bears a hammer mark near its base, such mark shall be left intact.

(4) The Divisional Forest Officer may stop further felling until the provisions of sub-rule (2) and (3) have been complied with to his satisfaction in any section of the coupe.

Scheme of progressive working by sections.

18. (1) For the purposes of this rule the operations carried out in the contract area under a forest contract for the sale of standing trees are divided into two stages:—

(a) cutting and

(b) carting.

Cutting operations include felling, and all processes of conversion such as trimming, dressing, splitting and sawing which are carried out on a felled tree without removing it further from the place where it was felled than may be necessary to carry out such processes.

Carting operations include all operations for the removal of a felled tree, or its converted products, from the place where the tree was felled, whether such removal be to a depot, or to a saw mill, or other destination.

(2) The Divisional Forest Officer may divide the contract area, which for the purposes of these rules may be shortly termed a coupe, into such number of sections, not exceeding eight, as he may think fit, and shall have power to regulate and confine the operations of the forest contract within these sections in accordance with the following provisions:—

(a) The sections shall be numbered so that sections bearing consecutive numbers shall be adjacent, and the numbers of the sections shall run progressively, as far as may be, through the coupe.

(b) When the forest contractor begins his operations under the contract, he shall be allowed to carry out cutting operations in sections Nos. 1 and 2 only. As soon as he begins cutting operations in section No. 3 he shall be deemed to have surrendered all his rights to standing trees in No. 1. When he begins cutting operations in section No. 4 he shall be deemed to have surrendered all his rights to standing trees in section No. 2. And so on, throughout the coupe.

(c) As soon as the forest contractor has begun cutting operations in any section, he may begin carting operations therein but when he begins cutting operations in section No. 4, he shall be deemed to have surrendered all his rights under his contract to all forest produce in section No. 1. When he begins cutting operations in section No. 5 he shall be deemed similarly to have surrendered all his rights in section No. 2. And so on, throughout the coupe.

19. The Divisional Forest Officer and his subordinates shall have the right to mark any piece of timber before it is removed from the coupe. Power of forest officers to mark timbers.

Special rules for felled trees

20. (1) The provisions of this rule shall apply to contracts where the trees have been felled by the Forest Department or by any agency acting under that department, and these trees only are sold to the forest contractor.

(2) A forest contractor who has purchased felled trees shall remove all trees purchased by him under his contract.

(3) The provisions of rules 18 and 19 shall apply to such contracts in so far as they may be applicable.

Special rules for bamboos.

21. (1) The contract area may be divided by the Divisional Forest Officer into any number of sections, and the Divisional Forest Officer may direct that the removal of bamboos from any section shall be completed before the removal of bamboos is begun in another section.

(2) All dry bamboos may be cut from a clump.

(3) No bamboo under one year old may be cut.

(4) At least twelve green bamboos of more than one year old shall be left in each clump.

(5) The stumps left shall in no case be less than 30 cms. or more than 60 cms. in height.

Special rules for lac

22. (1) A forest contract for the purchase of lac shall be subject to the following provisions.

(2) Except with the written permission of the Divisional Forest Officer, the forest contractor shall not cut, pollard nor in any way injure any tree except *Schleichera trijuga* (kusam), *Butea frondosa* (pales, cheola, dhak), *Zizyphus xylophyra* (ghont, chatbor), *Zizyphus jujuba* (ber. bor), and trees of other species which actually have lac on them; and such trees shall be trimmed only to such extent as may be absolutely necessary for the propagation, cultivation and collection of lac.

(3) At the last harvest of the contract at least one-half of the total number of trees bearing lac shall be left untouched.

Special rules for rusa oil

23. (1) Where a forest contract is for the extraction of rusa oil from *Andropogon schoenanthus* (tikhari or rusa grass), the following special provisions shall apply.

(2) The forest contractor and his servants and agents shall be entitled to collect dry fuel for the making of rusa oil.

Provided that the Divisional Forest Officer may permit the contractor to cut green wood for fuel subject to such conditions as he may think fit.

(3) The forest contractor shall not erect his stills within or adjoining any reserved forest except with the written permission of the Divisional Forest Officer, and then only at such places as may be indicated by the Divisional Forest Officer.

(4) The forest contractor shall not erect his stills in such a position, or dispose of his refuse in such a manner, as to pollute the water supply of any village.

(5) The Divisional Forest Officer shall have the right to burn the forests covered by any forest contract for the extraction of rusa oil between the 1st of January and the 1st of June in any year and Government shall not be liable for any damage caused to tikhari grass by such burning.

Special rules for Sindi trees

24. (1) Where a forest contract is for the extraction of the juice from sindi trees, the following special provisions shall apply.

(2) No incision shall be made at less than 150 cms. from the ground or within 30 cms. from the base of the central whorls or 45 cms. from the top of any previous incision.

Provided that the Collector, may in unavoidable cases, and for reasons to be recorded in writing, permit an incision to be made not less than 120 cms. from the ground or within 35 cms. from the top of any previous incision.

(3) The greatest depth of the incision shall not exceed one-third of the diameter of the tree, and the greatest width of the incision shall not exceed one-third of the circumference of the tree, both measurements to be taken at place where the incision is made.

(4) No tree shall be tapped oftener than one in any one tapping season or for more than six months in the year, and a clear tapping season shall be allowed to elapse before it is tapped again.

(5) The contractor may trim away the lower leaves of the crown of the tree, but, in addition to the central whorls springing from the head, not less than eight leaves shall be left on each crown.

(6) The contractor shall not remove, sell or otherwise dispose of any leaves cut when tapping the trees.

(7) Every contractor shall obtain a licence from the Excise Depart-

Special rule for gum

25. Where a forest contract for the extraction of gum, the forest contractor shall not injure or in any way wound any tree with a view to inducing the flow of the gum.

Special rule for harra

26. Where a forest contract is for the extraction of harra, the forest contractor shall not in any way injure a tree in collecting the fruit.

Special rules for drift timber

26-A. Where a forest contract is for a sale of timber found adrift, beached, stranded or sunk in any river, the following provisions shall apply :

(1) The forest contractor shall not collect any timber which the State Government has exempted from the provisions of section 45 of the Act.

(2) The timber collected in the prescribed depots shall be properly stacked and a register shall be maintained showing the daily receipts of the same. Abstracts of the register shall be filed by the forest contractor in the office of the Divisional Forest Officer at intervals of 14 days and no timber shall be removed or permitted to be removed by the contractor from the depots except under an authority in writing from the said officer.

(3) The Divisional Forest Officer will intimate to the forest contractor from time to time the result of any claim or suit made by any person under section 47 of the Act to recover possession of the timber collected by the contractor. If any person is declared to be entitled to recover possession of any such timber and pays to the contractor the salvage fee prescribed under section 51, the contractor shall make over the timber to such person and permit its removal from the depots on production of the authority required under sub-rule (2).

(4) Only such timber shall be deemed to have been sold to the forest contractor as may become vested in him under section 48 of the Act.

(5) The forest contractor shall have no claim to or in respect of any timber not collected and stacked by him in the prescribed depots.

Special rules for the cutting of grass and the grazing of cattle in ramnas and babul bāns in Berar.

27. Where a forest contract confers the right to cut and sell grass and to permit grazing of cattle, the following special provisions shall apply :

(1) The forest contractor shall not allow any sheep, goats and camels to graze in the contract area.

(2) Where the contract area consists of fodder reserves, the contractor shall restrict the number of cows and bullocks to be grazed in such area to one head for every two acres.

(3) In other areas he shall restrict the number of cows and bullocks grazed to one head per acre.

(4) If by the terms of his contract he is permitted to graze buffaloes, then, for the purposes of sub-rules (2) and (3), one buffalo shall be taken as equivalent to two cows or bullocks.

RULES REGULATING THE CONSEQUENCES OF A BREACH OF THE CONDITIONS OF A FOREST CONTRACT.

Penalty on termination of a contract for breach of conditions.

28. (1) Every forest contract shall be in writing in the form annexed hereto and shall contain a provision whereby the forest contractor binds himself to do all the duties and acts required to be done by or under the contract, and covenants that he and his servants and agents shall abstain from all the acts forbidden by or under such contract.

(2) The sums to be mentioned in a forest contract as payable in case of a breach of any such stipulation shall not exceed one-quarter of the total consideration to be paid by the contractor, and shall be recoverable in accordance with the provisions of section 85 of the Act and of this rule:

Provided that where such consideration is not an ascertained amount the forest officer executing the contract shall make an estimate of the total amount that would be payable if the contract were fully complied with and such estimate shall be deemed to be, for the purposes of this sub-rule, the total consideration to be paid by the contractor.

(3) This sum shall not be realized from the contractor unless the contract has been duly terminated in accordance with the provisions of rule 29, and then only under the written order of the forest officer executing the contract.

Termination of a contract for breach of conditions.

29. (1) A forest contract may be terminated by the officer empowered to execute it on behalf of the Government if the forest contractor makes default in the payment of the consideration for his contract or of any instalment thereof, or commits a breach of any of the other conditions of his contract.

(2) Such termination shall be notified to the forest contractor by a written notice delivered to him personally or sent to him by registered post, and thereupon all the contractors' rights under the contract including all accessory licences, shall cease and all the forest produce remaining within the contract area or at depots specified under rule 13 shall become the absolute property of Government.

(3) On such termination Government shall be entitled,—

(a) to keep all sums already paid by the contractor as consideration or part consideration of the forest contract;

(b) to recover as arrears of land revenue any part of the consideration which has fallen due but is still unpaid on the date of the termination of the contract ;

(c) to recover as arrears of land revenue any penalty which may be recoverable under rule 28;

(d) to recover any damage which may be assessed under rule 15, and

(e) to recover as arrears of land revenue any part of the consideration which would have subsequently fallen due but for such termination or to resell the contract and to recover in like manner the amount by which the price secured on such resale falls short of that part of the

30. (1) Where the forest contractor commits a breach of any of the conditions of his contract but it is not proposed to terminate his contract on account thereof, the whole penalty provided for in rule 28 shall not be recovered from him, but the Divisional Forest Officer shall have power to recover a portion thereof, not exceeding five hundred rupees in accordance with the provisions of section 85 of the Act.

Penalty for breach of conditions without termination.

(2) An order of the Divisional Forest Officer under this rule shall be subject to appeal to the Conservator of Forests if the amount levied exceeds two hundred rupees, but shall otherwise be final.

(3) The payment of a sum assessed under this rule shall absolve the forest contractor from all further liability under his contract in respect of such breach, except his liability under rule 15 for damage done in a reserved forest.

31. In the event of the State Government deciding that, it is necessary to open any contract area or any portion thereof to the free collection of all or any of the kinds of forest produce sold under a forest contract, such contract shall terminate from the date of such opening. The forest contractor shall be entitled to compensation for any loss caused to him by such shall be determined by the Commissioner and termination and such Conservator concurring or, in the event of their not concurring, by the State Government. Such compensation shall bear the same proportion to total consideration payable under the forest contract as the value of the produce of which the contractor has been deprived is estimated to bear to the value of the whole produce covered by the contract.

Termination of forest contract on occurrence of famine.

MISCELLANEOUS RULES

32. A forest contractor shall not be entitled to any compensation whatsoever for any loss that may be sustained by reason of fire, tempest, disease, pest, flood, drought or other natural calamity, or by reason of any wrongful act committed by any third party, or by reason of the unsoundness or breakage of any forest produce purchased under his contract.

Government not responsible for natural calamity or act of third parties.

33. (1) All forest produce removed from a contract area in accordance with these rules and duly checked and passed at the depots established under rule 13, shall be at the absolute disposal of the forest contractor.

Assignment of forest contracts.

(2) A forest contractor may assign any forest produce not so removed, but such assignment shall not be valid unless it is made with the previous sanction in writing of the forest officer who executed the contract, who shall have power to refuse sanction if, in his opinion, the assignment is likely to be prejudicial to the interests of the Government or to the public revenues.

34. A forest contractor shall, before executing a forest contract, submit to the Forest Officer, empowered to execute the contract, a list of all his relations who are employed in the Forest Department with

List of Relations ship.

Charging of interest.

35. A forest contractor shall pay interest at the rate of $6\frac{1}{2}$ per cent. per annum in respect of instalment or instalments not paid on due dates. Interest will be calculated to the nearest anna and for the purpose of calculation fraction of a month up to 15 days will be ignored and that exceeding 15 days will be counted as a full month.

DEED OF CONTRACT FOR THE SALE AND PURCHASE OF FOREST PRODUCE

(Rule 28)

This indenture made this.....day of.....19
between the Governor of the Madhya Pradesh acting through
.....(hereinafter called the Governor which term shall,
where the context so admits, include his successors in office and assigns)
of the one part and.....son of.....resident of.....
(hereinafter called the forest contractor which term shall, where the
context so admits, include his heirs, executors, administrators representa-
tives and assigns) of the other part;

Witnesses as follows :—

1. The Governor hereby agrees to sell to the forest contractor,
and the forest contractor agrees to purchase, the forest
produce described in the First Schedule hereunder (herein-
after called the said forest produce) situated in the area
specified in the said schedule (hereinafter called the contract
area) on the conditions hereinafter stated.
2. The quantity of the said forest produce to be sold under this
contract shall be the quantity which may exist at the time
of executing this indenture or may come into existence
thereafter in the contract area all of which the forest con-
tractor may collect and remove from it in accordance with
the conditions herein contained during the period from the
date the Forest Contractor furnishes the necessary coupe
boundary certificate after inspection of the contract area to
the.....".
3. The forest contractor shall commence his work of the collecting
and removing the said forest produce within one month
after furnishing the certificate mentioned in clause 2 above,
and shall make, to the satisfaction of the.....
(hereinafter called the said officer) or such officer the said
officer may nominate, continuous and adequate progress
throughout the term of this contract.

4. (1) The consideration payable by the forest contractor for the
said forest produce and the mode of its payment shall be as specified in
the statement below :—

Total amount of con- sideration	Number and amount of instalments	Dates of pay- ment of instalments	Treasury or sub-treasury at which payments shall be made
(1)	(2)	(3)	(4)

4. (2) Interest at the rate of $6\frac{1}{4}$ per cent. per annum shall be charged in respect of the instalment or instalments not paid on the date or dates mentioned in sub-clause (1) above, in the manner laid down in the Forest Contract Rules.

4. (3) All payments to be made into the Treasury or Sub-Treasury under sub-clause (1) shall be made by challans to be obtained by the forest contractor from the office of the said officer or from such other office as that officer may direct. Payments made in any other manner shall not be deemed to be payments made under or in respect of this contract.

5. The said forest produce shall be removed by the forest contractor from the contract areas by the routes, specified in the following table and shall be presented by him for examination at one or other of the depots specified in that table :—

Routes by which forest produce shall be removed. (1)	Depots at which forest produce shall be presented for examination. (2)
---	---

5(A) The forest contractor shall be bound till 3 months before the expiry of his contract period to maintain in his coupes, sufficient and separate stocks of timber not exceeding 60 cms. in girth for sale to Agriculturists for their bonafide requirements and shall be bound to sell such timber for such requirements, to the residents of villagers, who bring a "Dakhla" of residence from the village patel, from any village whatever the distance, in such quantities and at such rates, as the Divisional Forest Officer.....may from time to time, fix, in consultation with the Collector..... The contractor shall regularly maintain a separate register of such sales.

5(B) The forest contractor shall be bound to sell full to the residents of the villages, till 3 months before the expiry of his contract period, who bring a Dakhla of residence, from the village patel from any village whatever the distance, above, in such quantities and at such rates as the Divisional Forest Officer may, from time to time fix.

5-C. The forest contractor shall be bound to sell teak butt ends, till three months before the expiry of the contract period, to the carpenters of villages who bring a 'Dakhla' of residence from the village patel in such quantities and at such rates as the Divisional Forest Officer may, from time to time fix.

6. The forest contractor shall be subject to the Forest Contract Rules as amended from time to time (a copy of which has been furnished to the forest contractor, the receipt of which the forest contractor hereby acknowledges) and the Rules shall be deemed to be part of this contract in so far as they are applicable thereto :—

Provided that the said Rules shall be deemed to be modified to the extent and in the manner laid down in the Second Schedule hereunder.

7. The forest contractor hereby binds himself to perform all acts and duties required, and to abstain by himself and his servants or agents from performing any act forbidden by the Indian Forest Act, 1927, by the Forest Contract Rules and by this contract and further agrees to pay to the Governor a sum of Rs.*.....for every omission by himself or for every act by himself or by his servant or agent which may be in contravention of the Indian Forest Act, the Forest Contract Rules or this contract.

8. The forest contractor shall file in the office of the said officer or in such other office as the said officer may direct; on or before the dates specified in the Third Schedule hereunder a statement in the form approved by the said officer of all the said forest produce removed by him from the contract area.

9. In the event of any doubt or dispute arising between the parties as to the interpretation of any of the conditions of this contract or as to the performance or breach thereof, the matter shall be referred to thewhose decision shall be final and binding on the parties hereto.

FIRST SCHEDULE

(vide clause 1)

Description of forest produce	Areas in which situated
(1)	(2)

SECOND SCHEDULE

(vide clause 6)

The extent to and manner in which the Forest Contract Rules shall be deemed to be modified.

*Which should not exceed one-quarter of the total consideration as provided in the Forest Contract Rule 28(2).

Provided that the said Rules shall be deemed to be modified to the extent and in the manner laid down in the Second Schedule hereunder.

7. The forest contractor hereby binds himself to perform all acts and duties required, and to abstain by himself and his servants or agents from performing any act forbidden by the Indian Forest Act, 1927, by the Forest Contract Rules and by this contract and further agrees to pay to the Governor a sum of Rs.*.....for every omission by himself or for every act by himself or by his servant or agent which may be in contravention of the Indian Forest Act, the Forest Contract Rules or this contract.

8. The forest contractor shall file in the office of the said officer or in such other office as the said officer may direct; on or before the dates specified in the Third Schedule hereunder a statement in the form approved by the said officer of all the said forest produce removed by him from the contract area.

9. In the event of any doubt or dispute arising between the parties as to the interpretation of any of the conditions of this contract or as to the performance or breach thereof, the matter shall be referred to thewhose decision shall be final and binding on the parties hereto.

FIRST SCHEDULE

(vide clause 1)

Description of forest produce	Areas in which situated
(1)	(2)

SECOND SCHEDULE

(vide clause 6)

The extent to and manner in which the Forest Contract Rules shall be deemed to be modified.

*Which should not exceed one-quarter of the total consideration as provided in the Forest Contract Rule 28(2).

THIRD SCHEDULE

(vide clause 8)

Date on or before which a statement of forest produce removed by the forest contractor is to be filed under clause 8.

In witness whereof the parties hereto have put their signatures on the day and year written in each case.

Witnesses—

1.**
2.**

Signature of

Date.....

Witnesses—

1.**
2.**

Signature of Forest Contractor.

Date.....

APPENDIX XIII—SECURITY BOND

Whereas the Governor in order to secure the due performance of conditions of the above contract demanded security from the forest contractor, I,son of.....resident of.....by occupation.....surety on behalf of the forest contractor, undertake to discharge the liability of the forest contractor in case of any act, omission, negligence or default on the part of the forest contractor for any sum which may become payable by the forest contractor to the Governor by or under the conditions of the above contract.

I also agree that any sum which may be payable by me to the Governor under the terms of this bond shall be recoverable in the same manner as an arrear of land revenue.

And I also further agree and declare that notwithstanding the provisions of sections 133 and 135 of the Indian Contract Act, 1872 (IX of 1872), or any other rule of law or equity in that behalf, any variance in the terms of the above contract agreed to between the Governor and the forest contractor shall not operate as a discharge of my obligation hereunder; nor shall any composition made by the Governor with the forest contractor in respect of any breach of the terms and conditions of the above contract or any extension of time for payment of the consideration stipulated in clause 4 thereof granted by the Governor to the forest contractor or any promise not to sue for or not to recover as arrears of land revenue any sum falling due from the forest contractor under the above contract operate as a discharge of my obligation. And I further expressly agree and declare that though as between the forest contractor and myself, I am only surety for the latter as between the Governor and myself I shall be liable for any sum payable or falling due hereunder equally with the forest contractor and I waive all my rights which I might as surety be entitled to claim and enforce.

Witnesses—

1.
2.

Signature.....

Date.....

I accept this surety

Signature.....

Date.....

EXECUTIVE INSTRUCTIONS ON THE PREPARATION OF FOREST CONTRACT AGREEMENTS

I.—Explanatory

The term "forest contract" does not include all contracts entered into by officers of the Forest Department on behalf of the Secretary of State. On the one hand; it does not include contracts for the erection of buildings, or contracts by Government to supply railway companies or other corporations with sleepers or cut timber. On the other hand, it does not include licences granted to agriculturists or villagers, entitling them along with their fellow villagers, to graze their cattle in reserved forests, or to cut firewood or bamboos for their own use. The term "forest contract" relates to the ordinary business contract of the department whereby it disposes of the produce of its forests which have a distinct commercial value. Their distinctive feature lies in the monopoly given to the contractor to extract all the forest produce specified in the contract in the area covered by the contract.

2. In the past such contracts have been called "licences" or "leases". Both terms are inaccurate. A licence is merely a permission given to one person to enter on the land of another person and there to do something. It is not, strictly speaking, a right to enter on the second person's land to take anything. As soon as a licence confers a right to take anything it becomes a licence coupled with a transfer of the property taken, though it may still popularly be called a licence. An ordinary grass-cutting licence is really a licence to enter forest coupled with a sale of such grass as the licensee may be permitted to cut and take away. Such a licence has no element of monopoly in it; other licensee have also the right to enter the same piece of forest to take away grass for their needs.

The term "lease" is equally inappropriate to a forest contract. A lease confers a right to enjoy a piece of immovable property, either in perpetuity or for a certain time. The lessee is entitled to almost unrestricted rights of enjoyment, and can usually exclude all others, even the owner himself.

3. A forest contract is neither a licence nor a lease. It is primarily a sale of forest produce, clearly indicated. The forest contractor is given the right to extract and remove, usually within a prescribed period, all the forest produce of a specified kind within a defined area of forest. It has an element of monopoly in so far as no one, but the forest contractor may take any of the specified forest produce within the area; and to that extent it differs from a forest licence. On the other hand, the contractor has no right in the forest except the rights which are necessary for the removal and appropriation of the specified forest produce. He cannot interfere with the ordinary operations of the Forest Department, or with the rights of forest contractors who have bought other kinds of forest produce within the area, or with the rights of private persons known as "nistar". In these respects the forest contractor is not a monopolist, and his rights are much less than those of a lessee.

4. It is clear that a forest contract must be something more than a mere sale of forest produce. A forest contractor's right would be of no value, if he and his servants and agents were treated as trespassers whenever they entered the forest. A forest contract, therefore, carries with it what is known as an "accessory licence", enabling the contractor and his servants and agents to enter the forest and to do all lawful acts required for the extraction and removal of the forest produce sold to him.

A forest contract is a sale of forest produce, coupled with such an accessory licence.

5. The policy now adopted in the Madhya Pradesh is to regard all kinds of forest contracts as of the same kind, whether they relate to standing trees, felled trees, bamboos, lac, harra, or any other minor forest produce. Formerly each kind of forest produce was treated on its own merits and had a special form of "licence" or "lease" which was amended from time to time as circumstances demanded. The result was a large body of unrelated "standard forms" which contained so many complex provisions that they were misunderstood, and sometimes not even read. But the general sense of the department had been at work all the time, and when a thorough examination and analysis of all the forms was made, it was found that by far the great portion of each form was common to every form, though great differences were found in arrangement and expression. So great was the similarity in the technical legal provisions, that it was possible to collect them all in to one comprehensive body of provisions and to promulgate them as a set of rules under section 76 (d) of the Act. All forest officers are expected to study these rules closely and to be intimate with all their details. They apply to all "forest contracts" except contracts of a special nature, e.g., where a contract for sale of forest produce is combined with a contract for agrisylvicultural operations.

6. To supplement these rules all that is needed is one generalized form of forest contract, in which only the provisions relating peculiarly to the contract in hand required to be entered. In order to make these entries clear to the mind and eye they have all with few exceptions to be noticed later, been relegated to Schedules, one schedule to each particular of the contract. Forest officers may, at first, find that this generalized form is more difficult to draw up than the old specialized forms, but the difficulty will soon disappear, and in the process a clear grasp of the essentials of a forest contract will be gained. Forest officers, therefore, should take special care in the preparation of these schedules.

II. General instructions regarding the filling in of the form of the deed of contract for the sale and purchase of forest produce.

7. Before executing the deed, the forest officer must satisfy himself that he is competent to execute the deed on behalf of the Governor.

8. All blanks in the deed must be legibly filled in.

9. The parties to the deed should put down dates below their signatures. If the parties have signed the deed on the same date, the

10. Clause 2 of the deed.—The dates in this clause should be very carefully entered as they have an important bearing on the deed. They show the period during which the contract will remain in force.

11. Clause 3.—In the blank left in this clause, the designation of the forest officer should be entered. The condition in this clause is intended to be enforced when the object of the Government is to ensure even working of the contract.

12. Clause 4 (1).—Where the consideration is certain the total amount thereof should be stated in words and figures in the first column of the statement appended to this clause. Where the consideration consists of premium and royalty, these should be stated separately in the said column of the statement. The name or names of treasuries in which the contractor is permitted to make payments should be entered in the fourth column of the said statement.

13. Clause 5.—In filling columns (1) and (2) of the table appended to this clause, care should be taken to see that the depots lying on any particular route are shown correctly in column (2) against the entry of the route mentioned in column (1). If either routes or depots are not to be prescribed, this clause should be struck off.

14. Clause 7.—The foot-note should be borne in mind before filling in the blank in this clause.

15. Clause 8.—The dates for the filling of accounts will depend on the nature of the forest produce, and should not occur at shorter intervals than are necessary for the Divisional Forest Officer to keep a check on the working of the contract. Rule 16 of the Forest Contract Rules provides that such intervals shall not be of less than one month's duration.

15-A. Clause 9.—For the purposes of this clause, the officer to whom the matter shall be referred for decision will be as indicated in the table below:—

When a contract is executed by	...	The officer to whom reference is to be made for decision.
Divisional Forest Officer	..	Conservator of Forests of the circle concerned.
Conservator of Forests	...	Chief Conservator of Forests
Chief Conservator of Forests	...	State Government

15-B. First Schedule.—The first column should contain only the names of the forest produce sold, with other particulars sufficient to define it. In the case of bamboos, lac, harra, gum, etc. mention of their bare names may be enough. In the case of standing timber it will be necessary to enter the kinds of trees sold, and whether the trees sold are marked or unmarked; thus—

"Standing teak trees which have been marked for felling with any of the devices shown in the margin."

"Standing sal trees, other than those which have been marked as reserved from felling."

The area must be clearly defined. It is not enough for the forest officer and the contractor "to know perfectly well what was intended". Usually a tracing of the forest map showing the area should be attached and a reference to the tracing should be made in column (2). Where the area consists of forest blocks or permanent compartments, their numbers should be shown in this column.

If the boundaries of the contract area have been artificially shown on the ground, this fact should be mentioned, and the method of delimitation described:

15-C.—Second Schedule.—Rule 2 of the Forest Contract Rules permits of variations being made by a forest officer in those rules, but they are not to be encouraged. If, however, the circumstances of a contract require a departure from those rules, the variations should be drawn up carefully. If possible, the rule to be varied should be cited, and the variation stated in plain simple English; "Legal" phraseology is strongly depreciated. If the variations are numerous or important, and present any difficulty, the case should be referred to the Law Department. If the forest officer is doubtful about any point which does not involve any principle of forest administration but is merely a matter of technically legal importance, he may make a demi-official reference to the legal remembrances if he wishes to save time (vide legal Department Manual, rule 54).

In the case of variations from the rules which involve principles of forest administration or a departure from established practice, previous approval of the next higher authority should invariably be obtained before making such variations.

16. Execution.—(i) All forest contracts should be drawn up in triplicate, one copy for the lessee, one for the range officer concerned and one for record in the divisional office.

(ii) Ordinarily each copy should have a trace of the contract area attached, and each trace should be signed both by the Divisional Forest Officer and by the lessee. Such traces need not be used only in cases where the contract area is defined by means establishable under law such as survey numbers in Berar.

(iii) All contracts should before the lessee is asked to sign them, be checked and initialled by the Divisional Forest Officer who will see that the instructions laid down in paragraph 15-B have been rigidly adhered to.

(iv) Where the Divisional Forest Officer himself is empowered to execute the agreement, he and the lessee should execute it together, and the signatures should be attested by one witness who has seen them made.

(v) Where the Divisional Forest Officer is not empowered to execute

(vi) Before the lessee or his agent begins operations or work, it is essential that he should be shown on the ground the boundaries of his lease area by the range officer or a range assistant deputed by him. The lessee or his accredited agent must then certify in the following form that he has been shown and clearly understands the boundaries of the area leased to him.

Certificate

Certified that I....., son of..... resident of....., have this day (date)..... been shown the boundary of coupe/compartiment No. of.....felling series by (name of Forest Subordinate)..... and that I have been fully acquainted with and now clearly understand, the boundaries of the area covered by the said lease.

2. I do hereby further declare that I have taken possession of the standing/felled/collected material in the aforesaid coupe/compartiment/depot as announced at the auction and/or described in the said lease and am satisfied that the quantity delivered to me agrees substantially with that announced at the auction.

Witnesses—

- 1.
- 2.

Signature of the Lessee.

17. General.—No stamp is needed on forest contracts. Smurged or illegible blank forms should be destroyed.

18. Security.—Great difficulty has been experienced in the past in the working of the device of taking security for forest contracts, and the policy of Government now is to depend on, a judicious scheme of instalments or premia, rather than on security. However, it may happen that a man of doubtful solvency or a stranger takes a contract and it is desirable to get security from him in such cases the security should be taken at the same time as the contract is executed. The practice of executing the agreement and then entering in to negotiations for security is forbidden. If the contractor is not able to produce security within 45 days from the date of sanction of contract, the agreement should not be executed. No surety who lives outside British India should be accepted and a surety who lives outside the province should be accepted only if he is so well known that there can be no question as to his solvency. The security bond should be in the prescribed form, attached to the printed agreement form. When a contract is for a period of more than one year the solvency of the surety must be verified annually. Similarly when a contract for a period of one year is extended for a further period, the solvency of the surety must be verified.

A person who is a near relative of a contractor should not be accepted as a surety for the fulfilment of a contract by a contractor unless the officer accepting security is fully satisfied that the near relative has separate property of his own. In such a case the officer should, at least, insist on the surety filling an affidavit to the effect that he has no other

III.—Measures to secure the payment of forest contract considerations.

19. An important breach of the conditions of a forest contract is the failure to pay an instalment of the consideration, and this requires separate discussion. The best way of securing the regular payment of instalments is to draw up a well-drafted scheme of instalments. The first instalment of an ascertained consideration should approximately be one-quarter of that amount.

20. Similar considerations apply where the consideration consist of premium and royalty. The first payment should consist of the whole premium plus an advance of royalties sufficient to make the whole payment roughly equivalent to double instalment.

21. Where the consideration consists of royalties only the contract should provide that these shall be payable at regular intervals, and an advance should be taken equivalent roughly to a double instalment. The dates of instalments should be spread evenly over the period when normally the forest produce is being removed from the contract areas and passed through the depots. The policy is that the forest contractor should be enable to pay his instalments from the sale-proceeds of his produce. The tendency to fix instalments so as to realize as much revenue as possible before the end of a financial year is depreciated, as it leads to no practical result and may unnecessarily embarrass a contractor.

To take practical examples. An annual coupe is sold in June in an area where carting begins about 1st November and continues till the 15th June. The first instalment will be one-quarter and will be paid when the agreement is executed. The remaining instalments of one-quarter each should be fixed for 15th December, 15th February and 15th April. In waterless tracks, where carting may stop on 1st May, these intervals should be shortened to six weeks each.

21-A. For the purpose of calculating interest, as soon as the receipted treasury challan in respect of the payment of instalment is received, the date of remittance should be compared with the due date for payment as shown in clause 4(1) of the deed of contract and interest if any payable by the contractor should be calculated in the manner laid down in rule 35 of the Forest Contract Rules. A challan in (triplicate) for the interest should then be prepared and sent to the contractor with a covering memorandum showing how it has been arrived at, and directing him that it should be paid at once failing which it will be recovered through revenue authority as arrears of land revenue. Petty sums not exceeding Rs. 100 on account of interest may be recovered through Range Officer on money receipts.

The amount of interest should be adjusted as miscellaneous revenue under the detailed head 'RVO'. A register showing the interest payable in respect of each contract and the payment thereof should also be maintained by the DFO".

22. With such a scheme of instalments, designed as much in the interest of the contractor as of Government, the need for coercive measures

23. The Divisional Forest Officer's coercive powers, if properly employed, have a cumulative effect which should be enough to secure Government interests, except in the extreme case where the contractor becomes insolvent and has no money to pay to Government, or any else, and has given no security. These powers are as follows, in order of severity :—

24. A very useful power is that given in section 83 of the Indian Act. This contemplates two stages:— Powers of seizure and sale.

- (a) the seizure of forest produce : and
- (b) the sale thereof.

In regard to these two steps the difference in wording between the first two paragraphs of section 83 should be noticed. The first paragraph relates to money which is "payable for or in respect of any forest produce" and makes such money a first charge on such produce. The second paragraph speaks of an amount which "is not paid when due", and gives the Forest Officer Power to sell any produce seized, by public auction.

25. The contract lies in the use of the word "payable" in the first paragraph and "due" in the second paragraph. This may be explained with reference to the ordinary kind of forest contract, where the consideration is payable in instalments. The whole consideration is money payable in respect of all the forest produce covered by the contract but an instalment does not become an amount due until the date fixed for the payment of that instalment. The first paragraph confers a power which is intended to make the power in the second paragraph effective. Thus, though an instalment is not yet due, it is money payable in respect of forest produce, and that forest produce may be seized and held in pledge, so to speak, until the instalment is due. If it is not paid when due, then the forest produce may be sold. The intention is to prevent, if necessary, the forest contractor from removing all the forest produce before an instalment is due and so leaving nothing to be seized.

26. The power to seize forest produce before an instalment is due should be used with caution. It is a suitable process where the contractor is known to be solvent, but his actions have disclosed an intention to skin the cream off the contract and then abscond without paying the balance of his instalments. It is also suitable where the contractor is known to be insolvent and is extracting produce knowing that he cannot pay Government more than a fraction of its dues. It is not suitable where the contractor is honestly carrying out his contract, but is working on a narrow margin of capital which will entirely disappear if he cannot sell his produce promptly.

Seizure and sale after an instalment is due is a fair measure in any case. It will be found frequently that mere seizure will be enough.

27. The normal mode of the recovery of arrears is that given by section 82. This must be used with promptitude and regularity in every case of default. Forest contracts, if worked with only moderate diligence and skill, are paying ventures, and there is no justification for allowing a contractor to fall into arrears. Misplaced clemency is apt to get him into still deeper trouble; it involves the officers of the department in unnecessary and irksome work; and it causes loss to the public revenue. Recovery as arrears of land revenue.

as arrears of land revenue due with the Divisional Forest Officer and not with the Tahsildar. Where a Tahsildar shows a tendency to delay collections, a report should be made to the Collector.

Combined action
under sections
57 and 58.

28. The use of section 57 should ordinarily be enough, but if the forest contractor is troublesome, action under section 58 may suitably be combined with action under section 57. Application should then be made to the Tahsildar and at the same time any available forest should be seized. If the Tahsildar recovers the money without difficulty, the produce must be at once released. But if the contractor evades the Tahsildar's efforts, the produce should be sold, and Tahsildar informed of the amount realised, so that he may recover only the balance due, or recall his process if the whole amount has been recovered.

Stoppage of
operations under
rule 8.

29. The power given in rule 8 to stop operations, if the rate of work exceeds substantially the rate of payment of instalments, is also one to be used with discretion. It must not be used against an honest and energetic contractor who has made sound arrangements for his operations and is extracting his produce in a prompt and workman like manner. To hold up the work of such a contractor would reduce all operations under forest contracts to the level of efficiency of class of contractor which is last thing the department wishes. This procedure should be adopted only with a known defaulter, or with a stranger, when it appears that this his intention to skin the cream off the contract and decamp. It should never be employed with a contractor of proved honesty and solvency.

Recovery from
the surety.

30. Where security has been given, recovery from the surety should be made where the Tahsildar has failed to recover the arrears of land revenue, and where the seizure and sale of forest produce has not fetched enough to cover the arrears. This step also should be taken promptly, and arrears should not be allowed to pile up against the surety. If he is made to pay up promptly the first arrears that cannot be recovered he is likely to see to it that further arrears do not occur, he will tend to take sides with the forest officer. But if the arrears are allowed to accumulate, he will naturally side with the defaulting contractor in his efforts to evade payment.

Under the terms of the security bond, arrears may be recovered from the surety as arrears of land revenue, that is, on application to the Tahsildar in the usual way. It should be remembered that the surety remains liable for all sums due by contractor even after contract has been terminated.

Termination of
the contract for
default.

31. The termination of the contract for default of payment to the forest officer, is a serious step, and should be taken only when it is absolutely necessary. It should be taken only when the contractor has failed to pay the instalments due, and when the forest officer has failed to recover the same from the contractor.

IV.—Measures to secure the proper working of forest contracts.

32. All forest officers are responsible for the protection of Government's property against the wrongful acts of forest contractors and their servants and agents. The best form of protection is vigilance by the subordinates and frequent inspections by the superior officers of the department. Any tendency by a contractor to get off the lines of proper working should be checked at once, by explanation and warning should before he has gone so far off the lines that penal measures will be required. Government considers it bad administration by a forest officer if he continually harasses his contractors as a body by fines and penalties. A forest officer's punitive powers should be reserved for bad cases; they are an inefficient and improper substitute for prevention. Never the less, it must be recognized that some contractors, and especially their servants and agents, are some times given to improper practices which are carried out before they can be checked, and it is the duty of forest officers to punish these promptly. But here again it should be borne in mind that frequent detection and a mild penalty are much more efficacious than infrequent detection and a severe penalty. It is the risk of detection that is the real deterrent, not the amount of punishment. On this consideration again the need for vigilance and frequent inspection is clear. The first ideal is to prevent improper practices; the second, where the first fails, is to secure that an improper practice runs a strong risk of detection.

33. The simplest penal measures arises when the improper practice is in itself a forest offence and is punishable apart altogether from the conditions of a forest contract. Forest officers are fully acquainted with their powers under section 63, and nothing need be added here except an instruction that serious cases should not be compounded, but should be reported for magisterial action. This applies particularly to cases where the offence is so grave that the forest officer intends to take action to terminate a contract. A magisterial conviction for a serious offence is the strongest support both moral and legal, for the termination of a contract for breach of the condition laid down for operations. All forest officers are expected to have a thorough knowledge of Chapter IX of the Forest Act.

Power of compounding and prosecution for offences.

34. It may happen, however, that an improper practice is not a forest offence, as it has not been made punishable under the Act or under any rule, but it is a breach of the conditions of forest contract; or it may be a forest offence committed by a servant or agent who cannot be fined or cannot pay suitable composition. For petty cases of this kind special provision has been made in rule 30, where under the Divisional Forest Officer may, without appeal, impose a penalty up to Rs. 200, or subject to appeal to the Conservator, up to Rs. 500.

Penalty for breach of conditions.

The procedure to be followed in imposing a penalty under rule 30 should be short and summary, but in cases where an appeal lies the order directing the imposition of the penalty should give a short statement of the evidence and of the Divisional Forest Officer's reasons for imposing the penalty for the guidance of the Conservator in the event of an appeal.

It must be borne in the mind that the imposition and the payment of a penalty under these rules has much the same effect as the composition of an offence. It is condonation of the improper practice for which it has been imposed and the particular improper practice so condoned cannot be a ground for further action.

Assessment of
damages.

35. It may also happen that a forest contractor or his agent or servant commits an act which causes damage to a Government forest. Such cases are provided for in rule 15. Composition for a forest offence may be taken, or a penalty under rule 30 may be imposed, in addition to the damage assessed under this rule, where the act causing damage is a forest offence or a breach of conditions.

the contract for
Termination of
breach of work-
ing conditions.

36. If forest contractors are carefully selected there should seldom be any need to employ the last measure of all, that of terminating a contract for breach of the conditions regarding operations; but where a contractor shows a stubborn disregard of Government interests the opportunity should unhesitatingly be taken to terminate his contract when he commits a serious breach. When he has committed a forest offence in connection with his contract so serious that he has been prosecuted and convicted in a magistrate's court, his contract should always be terminated forthwith, and action taken at once to recover anything due to Government under rule 29.

List of
defaulters.

37. Where a contract has been terminated either for default of payment or for breach of working conditions, a full statement of the case should be sent to the Chief Conservator, through the Conservator.

The Chief Conservator shall maintain a list of defaulters in his office, and on receipt of a report under the preceding paragraph he shall decide whether the defaulter's name should or should not be entered in the list. The Chief Conservator may delete any name from the list on being satisfied.

Copies of the list shall be sent to every Divisional Forest Officer, and amendments thereof shall be sent from time to time as they are made.

No forest contract should be given to any person whose name appears on the current list of defaulters.

V.—Instructions regarding the auction of forest contracts

38. It is desirable that the programme of the year's contracts should be drawn out well in advance. A preliminary notice of the approximate date of the auction, giving a rough indication of the produce to be sold and of the areas in which it is situated, should be published well ahead of the formal notice. A rough form of this notice is appended for the guidance of forest officers. It may be varied as circumstances required.

Attention is invited to the second sentence of paragraph 2 of this preliminary notice. All Divisional Forest Officers should arrange to have ample stocks of the Forest Contract Rules in all offices under their control.

39. After this preliminary notice has been published, Divisional Forest Officers should set their office staffs to the work of preparing the details of the contracts. After the whole scheme has been mapped out and approved, the details of each contract should be entered up in blank agreement forms, of which there should be at least three for each contract—one to be given ultimately to the contractor, one to be kept in the office of the Divisional Forest Officer, and one to be sent to the Chief Conservator.

40. Auctions should ordinarily be held late in June or early in July and the contract periods should terminate on the 30th of June in any of the following years.

41. As soon as the Divisional Forest Officer sees that his detailed agreement forms are complete or almost complete, he should publish his final auction notice in the form appended hereto. This should be done at least a month before the date fixed for the beginning of the auction. The list attached to the notice should show details enough to give an intending bidder a clear idea of the situation, nature and value of a contract. The third copies of the various agreements should be made available for the inspection of intending bidders, so that they may know every possible detail of any contract they may fancy.

42. The conduct of the auction sale is sufficiently indicated in the auction conditions in the notice already referred to. Divisional Forest Officer should endeavour, wherever possible to fix a reserve price or sirkari boli, which should be a rough estimate of the lowest figure that Government is prepared to accept.

43. As regards security, the policy of the department now is to do without it as frequently as possible. A proper scheme of instalments should render security unnecessary in the great majority of cases, but where the Divisional Forest Officer considers that security must be taken, the conditions laid down in the auction notice should be rigorously followed. It must again be emphasised that the practice of executing an agreement and then seeking for a surety is absolutely prohibited.

The prescribed security bond must be executed by the contractor within forty-five days from the date of the sanction of the contract.

43-A. The forms for the preliminary and final notices of auction provide that the sureties should possess a certificate of solvency signed by the Tahsildar. This certificate may be in the form appended hereto. The Tahsildar or the Sub-Divisional Officer, as the case may be, shall grant the required certificate in accordance with the instructions contained in the Madhya Pradesh Revenue Book Circular VI-9 and the Madhya Pradesh Revenue Book Circular V-5, on receipt of a written application from the intending surety, which should be stamped with a court-fee stamp of annas twelve. In every case the Tahsildar will briefly record his reasons for granting the certificate and the amount for which the applicant is solvent. The Tahsildar will be held personally responsible if a solvency certificate is granted without good reason.

44. Where the auction proceeds in a normal way and discloses a reasonable degree of competition it should be allowed to run on to its natural close. But it occasionally happens that contractors lose their heads and through excitement or enmity or malice push up the bids to an absurd figure. If these bids are accepted, the only result is loss and trouble to the contractor and to Government. The policy of Government is to secure a fair price from a good contractor rather than a speculative price from any contractor. Even in such cases auctions should be allowed to carry on to the end and the Divisional Forest Officer should report his recommendations to the higher authority for accepting a lower bid.

45. Divisional Forest Officers should ordinarily allow themselves more than one day for the conduct of these auction sales. They should not be hurried and should not be carried on to a late hour to the inconvenience of all concerned and the probable lessening of fair competition. Also, if fair bids are not forthcoming it may be necessary to withdraw some contracts from the auction.

on the succeeding day. Again, at the close of the day some successful bidders may fail in the payment of their deposits or in the production of their sureties, and these contracts may have to be put up to auction on a succeeding day.

46. Probably it will be found that the best practice will be to stop the auctions on each day at about 4 p. m. thereafter the formalities of the contracts which have been auctioned that day will have to be completed. First instalments should be taken in every case, and where the Divisional Forest Officer himself has power to execute the agreement, the agreements should be executed in duplicate and one form given to the contractor. Where security has been demanded, the security bond attached to the agreement form should be executed at the same time. Divisional Forest Officers should arrange to have ample stocks of the Forest Contract Rules with them at the auctions. Every contractor who signs an agreement is entitled to a copy, free of charge.

47. Where the agreements are to be signed by the Conservator, or higher authority, the first instalments must still be paid and the duplicate agreements signed by the contractor and his surety, if any, and sent to the Conservator immediately. Conservators should have intimation of the dates of the various auctions in their circles, and should arrange their movements so that they will be at their headquarters for a few days shortly after the auctions are held. They should sign the duplicate agreements in token of acceptance and return them to the Divisional Forest Officers as soon as possible. It is obviously only fair to a forest contractor that he should be in possession of his signed agreement before he starts work on his contracts; that is, before the 1st of July.

48. (i) Auction sales of major leases the upset prices of which are fixed at above Rs. 100 by competent authorities, shall be normally carried out by the Divisional Forest Officer himself but in case he is unable to do so he may authorize his Sub-Divisional Officer, or his Gazetted or Divisional Assistant, in writing to conduct the auction sales on his behalf but such sales shall be subject to the sanction and approval of the competent authority referred in paragraph 102 of the Madhya Pradesh Forest Manual, Volume I.

(ii) Auction sales of petty leases, the upset prices of which are fixed at Rs. 100 or below by competent authorities, in which only bidders from a particular locality are likely to be interested may be carried out in a central place in that locality by Range Officers or their assistants. Such sales shall also be subject to the sanction and approval of the competent authority under paragraph 102 of the Madhya Pradesh Forest Manual, Volume I.

(iii) In the case of perishable property seized in connection with a forest offence or otherwise, the Senior Forest Officer present at the time of seizure in the locality where the property was seized shall conduct sale thereof, recover the sale price in full and hand over such perishable produce to the successive bidder immediately after the sale is over in anticipation of the sanction of the competent authority, which should be obtained subsequently without any delay.

PRELIMINARY NOTICE OF FOREST CONTRACT AUCTIONS

(Vide paragraph 38)

1. It is hereby notified for general information that the annual

2. A detailed notice will be published about one month before the auctions are held, but meanwhile intending bidders may apply to the forest range offices and to the office of the Divisional Forest Officer for any information they may require. Copies of the Forest Contract Rules containing conditions binding in all forest contractors and a copy of the blank agreement form may be obtained at any range office or at the office of the Divisional Forest Officer on payment of two annas.

3. The Forest produce to be sold will include.—Intending bidders are invited to come to the auction accompanied by their sureties in possession of a certificate of solvency signed by the Tahsildar in the form prescribed by the Forest Department. The authority sanctioning the lease may, however, decide whether security should not be demanded from contractors of known solvency after satisfying itself about their financial capacity to undertake a particular contract.

NOTICE OF FOREST CONTRACT AUCTIONS

(Vide paragraph 41)

It is notified for general information that certain forest contracts of.....forest division will be sold by action by the Divisional Forest Officer at.....beginning at.....a.m. (noon) on theday of.....19 .

A list of the contracts to be sold is attached hereto. The unsigned agreements relating to the various contracts to be auctioned, showing full details will be open to the inspection of intending bidders at the office of the Divisional Forest Officer, during office hours on any working day from the.....day.....of.....19 , till the.....day of19 , both days inclusive. Copies will also be available for inspection on the date and at the place of auction from 10 a.m. till the commencement of the auction.

Where standing trees or cut trees are to be sold, the quantities shown in the unsigned agreements are guaranteed to within 5 per cent. of the total quantity of timber shown, but otherwise quantities are not guaranteed.

Bidders are invited to inspect on the spot any forest produce they intend to bid for. The range officers will grant passes to intending bidders and will give them assistance in locating the contract areas.

Intending bidders are invited to come to the auction accompanied by their sureties in possession of a certificate of solvency signed by the Tahsildar in the form prescribed by the Forest Department. The authority sanctioning the lease may, however, decide whether security should not be demanded from contractors of known solvency after satisfying itself about their financial capacity to undertake a particular contract.

CONDITIONS OF AUCTION

1. The Divisional Forest Officer may refuse to accept any bid unless the bidder deposits such sum, not exceeding 10 per cent. of the reserve price, as the Divisional Forest Officer may fix.

The deposit shall be returned to unsuccessful bidders at the close of the auction; and shall be taken as part of the first instalment payable by successful bidders. If any successful bidder fails to pay the first instalment—

of the auction, his deposit shall be forfeited. His deposit shall also be forfeited if, having offered a solvent surety, such surety fails to execute security bond.

2. The Divisional Forest Officer shall have power to refuse any bid unless the bidder is accompanied by a surety in possession of a certificate of solvency from the Tahsildar sufficient to cover the amount bid in the form prescribed by the Forest Department.

3. The Divisional Forest Officer shall also have power to refuse the bid of any bidder absolutely and without reason given.

4. The Divisional Forest Officer may fix a reserve price for each auction, and may withdraw any contract from auction if this reserve price is not bid.

5. The Divisional Forest Officer may fix the minimum amount of each advance on the previous bid which he will accept, and may increase this amount from time to time as the bid rises.

6. The Divisional Forest Officer shall not be bound to accept the highest or any bid, and he shall have power to accept any bid he selects notwithstanding the readiness of other bidders to pay a higher figure.

7. At the close of the auction for the day all successful bidders shall deposit the first instalments payable under the term of their contract, and shall execute an agreement in duplicate. Where security has been demanded, security bond shall be executed at the same time.

8. Where the bid accepted does not exceed the powers of the Divisional Forest Officer, the agreement will be assigned at the same time by the Divisional Forest Officer, and one copy will be given to the contractor.

9. Where the bid approved of by the Divisional Forest Officer is beyond his powers of acceptance, it shall be subject to the sanction of higher authority. The duplicate agreement signed by the contractor and his surety, if any, will be forwarded to the proper authority; and if such authority sanctions the agreement, the duplicate form will be sent to the contractor in due course.

10. If, for any reason to be approved by the Divisional Forest Officer, a successful bidder is unable to pay the full amount of the first instalment, or to furnish the required security, the Divisional Forest Officer may accept a deposit of not less than half of the first instalment and may fix a date, not more than seven days later, and a place, for the payment of the balance, or the furnishing of security and for such other formalities as may be required. If the bidder fails to appear at the place and time fixed, or fails to complete the payment, or to furnish the security or complete the formalities, such deposit shall be forfeited.

11. A forest contractor who purchases a forest contract in an auction shall not transfer or assign it to any other person without the previous sanction in writing of the Forest Officer having power to execute the agreement who may, under special circumstances to be recorded in each case, sanction such transfer or assignment on payment by the purchaser of such transfer fee not exceeding 5 per cent. of the value of the contract as he may fix.

APPENDIX XIII—SOLVENCY CERTIFICATE OF SURETIES IN FOREST CONTRACTS

I....., son of
 occupation....., resident of village,
 in the....., tahsil of the.....
 district, own and possess realizable assets described in the schedule
 below :—

SCHEDULE

PART A

Movable property

S. No.	Description of property	Market Value	Remarks
(1)	(2)	(3)	(4)
		Rs.	

PART B.

Immovable Property

S. No.	Description of property with area and assessment or rent	Particulars of encumbrances, if any	Nature of declarant's rights	Market Value	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

(2) I solemnly declare that to the best of my belief the facts about my property stated in the schedule above are complete and true, and that the property specified therein is unencumbered except to the extent mentioned in columns (3) of Part B.

Dated.....(Sd)

Certified that after due enquiry I find that.....resident of village
in the.....tahsil of the.....district, who
has subscribed his signature to the declaration above in my presence is
solvent on this day to the extent of Rs.(in words)

I estimate the market value of his property as follows:—

Movable property

Immovable property

Date..... Tahsildar.

APPENDIX XIII—SOLVENCY CERTIFICATE OF SURETIES IN FOREST CONTRACTS

I....., son of
 occupation....., resident of village,
 in the....., tahsil of the.....
 district, own and possess realizable assets described in the schedule
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SCHEDULE

PART A

Movable property

S. No.	Description of property	Market Value	Remarks
(1)	(2)	(3)	(4)
		Rs.	

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Immovable Property

S. No.	Description of property with area and assessment or rent	Particulars of encumbrances, if any	Nature of declarant's rights	Market Value	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

(2) I solemnly declare that to the best of my belief the facts about my property stated in the schedule above are complete and true, and that the property specified therein is unencumbered except to the extent mentioned in columns (3) of Part B.

Dated.....(Sd.)

APPENDIX XIII-A.—RULES REGULATING THE CONDITIONS OF
SALE OF TIMBER FROM ESTABLISHED DEPOTS QUASIDE
THE RESERVED FOREST

1. Intending bidders shall have to deposit in cash Rs 500 as earnest money deposit before binding. The deposit will be returned to unsuccessful bidders at the close of the action. In case of successful bidders the deposit will be adjusted towards the 25 per cent of the bid money payable by them.

2. (a) On acceptance of the bid the successful bidder shall have to pay 25 per cent of the bid money immediately after the close of the action through a crossed Reserved Bank/Imperial Bank Draft on treasury or through a crossed bank draft issued by a scheduled bank on

Bank, endorsed/drawn in favour of the Divisional Forest Officer. The balance amount shall be paid within one month from the date of auction.

The remaining amount will be remitted into a Government treasury on triplicate chalans to be obtained from the Depot Officer/Divisional Forest Officer, but if the successful bidder so desires he may pay up the the remaining amount of the bid money by a crossed cheque or a crossed Reserved Bank/Imperial Bank draft on treasury or a crossed bank draft on a local bank endorsed/drawn in favour of the Divisional Forest Officer immediately after the auction. The responsibility for late recovery by crossed cheque will be that of the successful bidder. Should his cheque not be honoured he will be liable to be black-listed. Payment by cheque shall not be deemed as payment until the cheque is honoured by the bank and its contents credited in favour of the Divisional Forest Officer.

(b) In case of default the sale will be cancelled and any money already paid shall be forfeited to Government and the lots will be resold at the risk of the original successful bidder, who shall have to make good any loss entailed by resale but will not be entitled to any profit which may accrue from such a resale. The defaulter may also be black-listed.

(c) Any money due to the Forest Department on account of sales held under these conditions shall be recoverable as arrears of land revenue.

3. The highest bidder shall be the purchaser. In the event of any dispute with regard to bids, bidding shall be immediately opened again at the last undisputed bid.

4. The cautioning authority may, without assigning any reason, refuse to accept the bid of any bidder and also reserve right to withdraw any lot at his direction.

5. Removal of timber sold will not be allowed unless, full payment in respect thereof has been made. Removal shall be restricted to hours of day light and shall be allowed through a gate set apart for the purpose where the timber shall be presented for examination and branding with an exit hammer mark.

6. (a) If the timber sold is not removed within two months of the date of sale, ground rent (wharfage) will be charged by the Forest Department at the rate of per cubic metre per month.

NOTE.—Ground rent (wharfage) will be calculated to the nearest anna and for the purpose of calculation fraction of a month up to 15 days will be ignored and that exceeding 15 days will be counted as a full month.

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(b) All timber sold and purchased shall be removed from the depot within three months from the date of auction sale. If, however, for certain unavoidable circumstances a purchaser who has paid the amount in full already is not able to remove the timber within the above period, he may be allowed to remove it within a period of six months from the date of sale on payment of wharfage. After the lapse of the period of six months, a purchaser may be allowed to remove the timber, in exceptional cases only, with the special permission of the Chief Conservator of Forest, who may levy a penalty not exceeding 10 per cent of the sale value of the timber not removed in addition to the wharfage due. After the lapse of the period of six months or the period as extended by the Chief Conservator of Forest, the timber, if not removed, will be sold by auction and the original purchaser will have no right to the sale value thereof.

7. Any person wishing to bid in the auction on behalf of any other person must be in possession of power of attorney in his name duly registered and certified by a court of law.

8. The measurements of timber and quantities offered for the sale in each stack or lot are believed by the Forest Department to be correct but the Forest Department does not guarantee or undertake any responsibility regarding the correctness of any measurement of the total quantity and can not admit any claim whatsoever in respect of quantity and quality of the timber sold. The responsibility will entirely be that of the purchaser.

9. Intending bidders are advised to inspect the lots in advance. They shall not, however, disturb them. Details regarding the lots may be obtained from the Depot Officer.

10. The sale of lots exceeding Rs. 5,000 is subject to confirmation by the Conservator of Forests.....Circle, Madhya Pradesh, or higher authority.

11. The Forest Department will accept no responsibility whatsoever for deterioration and loss of timber sold by any cause, like fire, theft, misappropriation or other accident. The timber in the forest depot after sale will remain entirely at the risk of the purchaser.

12. The Divisional Forest Officer may refuse to permit bidding by any person who has any amount outstanding against his name.

14. The act of bidding will be considered as unreserved acceptance of the above conditions.

15. In the event of any doubt or dispute arising between the parties as to the interpretation of any of the conditions of the sale or as to the performance or breach thereof, the matter shall be referred to the Conservator of Forests,.....Circle, whose decision shall be final and binding on the parties.

16. No prescribed or debarred person will be allowed to attend or take part in the auction.

APPENDIX XIV—RULES FOR THE SPECIAL COURSE OF TRAINING
FOR FOREST OFFICERS AT THE FOREST RESEARCH INSTITUTE
AND COLLEGE, DEHRA DUN.

1. *Scope.*—The course will be open to all forest officers belonging to the Imperial Forest Service or the State Forest Service, who may be deputed by the State Government to under go the course.
2. *Syllabus.*—No definite syllabus has been prescribed and that printed below will be modified to meet the requirements of individual officers. The wishes of State Government for the training in one or more of the subjects mentioned in that syllabus or in subjects other than those mentioned there in, e.g., practical surveys, building or road construction, will be followed as far as possible.
3. *Duration.*—The course will not last more than six months so that officers, who desire to study only one or two subjects will, if desire be able to complete it in less than the maximum period.
4. *Period.*—As the Forest college is closed on account of vacation during June and research officers are often absent on tours, the course will be held from 1st July to the end of December each year.
5. *Fees.*—The fee payable by a State Government to the Central Government for each officer would be at the rate of Rs. 100 per mensem.
6. *Report.*—No Diploma will be granted, but a report of the work done and the progress made will be sent by the President of the Institute to State Governments concerned.
7. *Pay.*—Officers deputed from the Madhya Pradesh will be treated as on duty and will draw the pay of their substantive appointment while under training.
8. *Travelling allowance.*—Officers deputed may draw travelling allowances at the rate admissible to the grade as for a journey on tour.—
 - (i) for their original journey to and last journey from the place of training ;
 - (ii) for journeys during the course of training provided it does not exceed that admissible to Government servants of a similar status on duty at the College.

SYLLABUS

(Instruction to be given by the Professor of Forestry). Silviculture and Forest Management.—Natural and artificial regeneration, the silvicultural systems, their adaptation and modification to Indian conditions. The silviculture of Indian trees with special reference to trees of the State concerned. Methods of calculating the yield. Preparation of Working Plans.

(Instruction to be given by the Forest Botanist). Botany.—Plant Geography and Oecology. Determination of species, collection and care of herbarium specimens, botany of Indian trees.

(Instruction to be given by the Forest Entomologist) Entomology.—The study of forest insects and their control.

FOREST ECONOMICS

(i) Timber testing (by officer in charge, timber testing machine).—Mechanical properties of wood, their inter-relation with physical properties, with environment during growth and treatment subsequent to felling and their effect on commercial uses.

(ii) The testing of timber for strength, elasticity and stiffness, with reference to the factors which affect the apparent value of the observed results.

(iii) The interpretation of test results and their application to the comparison of strength values, to the suitability of certain timbers for special uses and to the derivation of safe working stresses for use in engineering practice.

Seasoning (by officer in charge seasoning section).

1. A review of the present position in India.
2. Air seasoning versus kiln seasoning.
3. Seasoning defects and their causes.
4. Seasoning and storage of logs.
5. Air seasoning of converted materials (with demonstrations), and seasoning sheds, piling, etc. Air seasoning of sleepers.
6. Kiln—Seasoning (with demonstrations) general principles, types of kilns used, practical results, etc.

Wood preservation. (By officer in charge Wood Preservation section)—

1. Review of present position in India.
2. Causes of deterioration in timber.
3. Effect of various wood structures on impregnation.
4. Processes of impregnation and protection.
5. Antiseptics used.
6. Modern treating plants, layout, cost, etc.
7. Demonstrations of different methods of treatment.
8. Practical results.

Paper pulp (by officer in charge Paper Pulp Section)—

1. Brief history of paper making and importance of the paper trade.

3. Factors to be considered in connection with a field survey of raw materials.
4. Factors to be considered in connection with the selection of a manufacturing site.
5. Preliminary chemical examination of raw materials in the laboratory.
6. Outline of pulping processes.
7. Outline of paper making process.
8. Demonstration of the above processes on the Institute Plan.
9. Brief outline of physical and chemical tests for pulp and paper.
10. Application of cellulose in the manufacture of artificial silk, papiermache and other commodities.

Wood Technology (by Wood Technologist)

1. The structure and properties of wood.
2. Preparation of specimens.
3. Determination of species by microscopic examination.
4. Photomicrography at high and low powers, by transmitted and by reflected light.
5. Application of knowledge of the microscopic features of the wood to the determination of its probable properties and uses.

Minor Forest products (by officer in charge, Minor Forest Products Section).—The officer in charge of minor forest products will be at the disposal of any officer who may desire to discuss any special problem and the permanent records of this section will be open to all officers for study.

Wood-working, Saw Mills and Veneers (by officer in charge Wood Workshop Section).—

1. Wood-working.—Demonstrations with modern wood-working machines and tools, tool room management, care of saws and tools, saw doctoring, sharpening, repairs, etc.
2. Saw Mills.—Logponds, log rolls, selection of saw mill sites, saw mill layouts, foundations, shafting, counter-shafting, powers selection of machines, pros and cons of different types and different makes, belting, operation of machines, saw dust and refuse, care of tools, repairs, supervision, conversion of timber, demonstrations will be given.
3. Veneers.—Demonstrations of peeling on a rotary veneer machine, selection of timber for veneers, glueing, pressing, drying, etc.

Note.—It is not suggested that all the above subjects should be studied, one man may be interested in Forest Botany but not in Entomology; another may wish to specialise in timber, its structure, properties and manufacture. It is better for a man to take up one or two subjects and specialise in them.

APPENDIX XV—KEY TO SOME IMPORTANT CIRCULARS OF THE
GOVERNMENT OF THE CENTRAL PROVINCES ON MATTERS
WHICH CONCERN FOREST OFFICERS

Abbreviations used

Book Circulars of the Government of the
Madhya Pradesh (1927).

L. A. M.

Land Acquisition Manual (1922).

L. R. M.

Land Revenue Manual (1921).

APPENDIX—XV

Subject (1)	Reference (2)
Anti-rabic treatment.	
.....free to Government servants.	B.C.IV-7.
Begar (Forced labour).	
Exaction of.....is entirely illegal.	B.C.II-12.
Boundaries.	
Demarcation and maintenance of.....in villages adjoining Government forest. (Procedure when the order is not complied with by the proprietors and tenants).	Section 53(2) of the C.P. Land Revenue Act, 1917, vide L.R.M.
Building.	
Forest.....constructed by the Public Works Department.	B.C.II-9.
Camp supplies.	
Standing orders regulating management for... ..gazetted officers on tour.	B.C.II-12
Casual leave.	B.C.II-6.
Character roll.	B.C.I-8.
Chikalda.	
Movement of Divisional Forest Officers to hill stations of Pachmarhi and.....	B.C.II-14, App. B.
Confidential reports.	
.....on the work and qualification of forest officers.	B.C.I-17.
Correspondence.	
Orders on the subject of correspondence with Government.	B.C.III-1.
Departmental enquiry.	B.C.I-13.
Departmental examination.....for forest officers.	B.C.I-4.
Employment.	
Change of.....	B.C.I-11.
Enquiry.	
Departmental.....	B.C.I-13
Examinations.	
Departmental.....for forest officers	B.C.I-4.
Hill stations.	
Movement of Divisional Forest Officers to..... of Pachmarhi and Chikalda.	B.C.II-14 Appl. B.
Inspection notes.	
.....of the Chief Conservator of Forests and Conservators (on submission of extracts to the Secretariat).	B.C.III-6.

APPENDIX XV—KEY TO SOME IMPORTANT CIRCULARS OF THE
GOVERNMENT OF THE CENTRAL PROVINCES ON MATTERS
WHICH CONCERN FOREST OFFICERS

Abbreviations used

Book Circulars of the Government of the
Madhya Pradesh (1927).

L. A. M.

Land Acquisition Manual (1922).

L. R. M.

Land Revenue Manual (1921).

Subject (1)	Reference (2)
Land acquisition.	
Expropriation and.....	L.A.M. (1924) Pt. II.
Landed property.	
Acquisition of.....by Government servants	B.C.I-10.
Leave.	
Casual.....	B.C.II-6.
Malguzari forests.	
Control and management of forest growth on.....	Section 202 of the C.P. Land Reve- nue Act, 1917, vide L.R.M.
Medical attendance.	
Orders on the subject of.....on Govern- ment servants.	B.C.I-16.
Medicines.	
Gratuitous supply of.....to Government officials and their families.	B.C.I-16.
Pachmarhi.	
Movement of Divisional Forest Officers to hill stations.....and Chikhalga.	B.C.II-14, App. B.
Press.	
Use of Government.....	B.C.III-3.
Printing.	
Rules for.....	B.C.III-3.
Property.	
Acquisition of landed.....by Government servants.	B.C.I-10.
Punishment.	
.....of Government servants.	B.C.I-13.
Rabies.	
Treatment against.....at the Mayo- Hospital Nagpur, and the Victoria Hospital Jabalpur.	B.C.IV-7.
Rasad.	
Collection of, and payment for.....in the case of gazetted officers on tour.	B.C.II-12.
Records.	
Copies of.....	B.C.III-1, P. 38.
Rents	
Recovery of.....from officers occupying Government bungalows.	B.C.I-15.

Subject (1)	References (2)
Reports.	
Confidential.....on the work and qualifica- tion of forest officers.	B.C.I-7.
Shooting passes.	
Grant of.....to British soldiers.	B.C.VII-6.
Subordinate service.	
General Rules for appointments of members of the.....	B.C.I-13.
Tents.	
Carriage of.....on tour	B.C.II-13.
Tents.	
Price of.....	B.C.II-11.
Tents.	
Scale of.....for touring officers	B.C.II-12.
Tour programme.	
.....of the Chief Conservator of Forests	B.C.II-12 F. 161 (1945)
Wild animals.	
Destruction of.....	B.C.IV-6.
Zamindari	
Control and management of forest growth on.....	Section 202 of the C.P. Land Reve- nue Act, 1917, vide L.R.M.

APPENDIX XVI—RULES GOVERNING THE USE OF MOTOR
VEHICLES ALLOTTED TO THE FOREST DEPARTMENT FOR USE
OF FOREST OFFICERS FOR TOURING PURPOSES AND FOR
TRANSPORT OF FOREST PRODUCE

The following conditions govern the use of the motor vehicles allotted to the department for the use of Forest Officers for touring purposes and for transport of forest produce :—

Government of
Madhya Pradesh
Forest Department,
Memo.
No. 145-XI, dated
15-2-45.

1. A competent driver and also a cleaner in the case of goods trucks shall be recruited for each motor vehicle on the temporary establishment on such rate of pay as may be sanctioned by Government from time to time.

2. The vehicles shall be allotted by the Chief Conservator of Forests, Madhya Pradesh, or the Conservator of Forests concerned to particular forest divisions. The Divisional Forest Officer of a division to which a Government motor vehicle is allotted shall make adequate arrangement for housing the vehicle in a garage or other suitable out-building attached to his bungalow. The Conservator of Forest shall see that the arrangements are adequate.

3. A log-book shall be maintained for each vehicle in the form prescribed in Schedule A. The log-book will contain a complete record of all journeys performed by the vehicle and of all consumable stores utilized for the vehicle, e.g., petrol, oil, grease, spare parts, replacements, etc. An order-book shall also be maintained and the driver held responsible for writing in it all orders issued to him. The Divisional Forest Officer concerned shall inspect the log-book and order-book once a week (except when circumstances prevent it) and will sign both in token of his examination.

4. The vehicles shall be used ordinarily by the officers of the Madhya Pradesh Superior Forest Service only and by orders of the Divisional Forest Officer concerned. They shall not be used by officers of other departments except in cases of emergency and then only by a special written order of the Divisional Forest Officer stating the circumstances for such use.

5. As far as possible, the vehicles shall not be used for private purpose except in cases of emergency. But, if a vehicle is used for journeys from residence to office and vice versa or for other similar journeys for private purposes, the officer using it shall be charged at the rate of Re. 0-5-0 a mile, in the case of touring vehicles and 0-10-0 a mile for goods trucks. The Conservator of Forests shall watch that this concession is not abused.

6. The driver shall be furnished with a list of the components

Divisional Forest Officer for these parts. It shall be understood that the Divisional Forest Officer will not be absorbed by this, of his own responsibility for the vehicle and all its components.

7. The log-book shall be kept by the driver who shall see that all entries are regularly made in it and that all officers sign for every journey made by the vehicle.

8. The driver shall undertake all running repairs, such as mending punctures, minor adjustments to brakes, inflation of tyres to proper pressure, topping of batteries, filling oil, water and petrol, etc. He will not be expected to undertake major adjustments such as decarbonisation, fitting brake linings, etc; which will be carried out by a suitable garage under the order of the Divisional Forest Officer concerned.

9. Consumable stores, such as petrol, oil, grease, distilled water, spare valves and other minor spare parts shall be taken on to stock only in the log-book, and shall be replaced by the order of the Divisional Forest Officer concerned when required suitable note of replacement being made in the log-book.

10. A quarterly report shall be made by the Divisional Forest Officer to whom the vehicles have been allotted to the State Government through the Conservator and the Chief Conservator of Forests on the work done by each vehicle. The report shall give full particulars of the number of days the vehicle was used for Government work and other work, the number of miles travelled on Government and other work, the quantity of petrol and oil consumed and the total amount spent on the purchase of stores or executing urgent repairs.

11. The form of the stock-book to be maintained by the driver is given in Schedule B. All stores such as grease, distilled water, spare parts, tyres, tubes, batteries and other minor parts purchased for use in the vehicle shall be taken on the stock in this book. Full details regarding the eventual disposal shall be given in the column provided for the purpose. All entries in this book shall be signed by the Divisional Forest Officer concerned.

12. The log-book and the stock-book will be subject to frequent inspection by the Conservator of Forests of the circle concerned and the Chief Conservator of Forests, Madhya Pradesh.

13. The Divisional Forest Officer may order emergency repairs at a cost not exceeding Rs. 50. Repairs over Rs. 50 and up to Rs. 100 shall be carried out after obtaining the sanction of the Conservator of Forests.

SCHEDULE

Log

Register No.....

Chassis No.....

Date	Meter Readings		Mileage actually done	From	To	Purpose of journey
	Last	Present				
(1)	(2)	(3)	(4)	(5)	(6)	(7)

A
Book

Engine No.....

Name of Driver.....

Petrol	Oil	Supplies			Signature of officer making journey or authorising purchase	Remarks
		Parts	Tyres	Batteries		
(8)	(9)	(10)	(11)	(12)	(13)	(14)

SCHEDULE B
STOCK BOOK

Date	Name and quantity of articles purchased	Price paid	Manner of disposal	Signature of the Divisional Forest Officer	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

APPENDIX XVII—RULES GOVERNING THE MAINTENANCE AND THE USE OF ELEPHANTS MAINTAINED BY THE FOREST DEPARTMENT FOR DEPARTMENTAL WORK

The following conditions govern the use of elephants maintained by the Forest Department for departmental works:—

Government of
Madhya Pradesh
Forest Department
Mem.
No. 4635-3317-X1,
date 7-6-53.
Allotment.

The elephants shall be allotted by the Chief Conservator of Forests or the Conservator of Forest concerned to particular forest divisions. The Divisional Forest Officer of the Division to which a Government elephant has been allotted is primarily responsible for the maintenance and proper extraction of work from the elephant. The elephants should normally be used for the following works:—

- (1) for rolling, dragging and stacking of timber and other forest produce;
- (2) for uprooting liantana and such other abnoxious forest growth;
- (3) for dragging road rollers for the consolidation of roads;
- (4) for transport of Government articles, stores, camp equipment, ration of elephants, etc.;
- (5) for use of the Governor and the State Ministers and Ministers of Government of India (while on tour);
- (6) for use of the gazetted forest officers of Madhya Pradesh for inspection of forests; and
- (7) for recreation purposes, such as shikar, photography, etc., provided the elephants can be spared and subject to payment of all expenses referred to in rule 15.

Elephant-shed.

2. The Divisional Forest Officer shall make adequate arrangement for housing the elephant in a spacious shed, at a convenient place where there is facility both for fodder and water and which can easily and frequently be inspected, by the Divisional Forest Officer. The Conservator of Forests shall see that the arrangements are adequate.

Staff.

3. A competent mahavat on the permanent establishment and a charra-cutter on the temporary establishment shall be ordinarily appointed for each elephant on such rates of pay as may be sanctioned by Government from time to time. The mahavat shall be responsible for keeping the elephant and the dragging and riding gear, etc., in good condition. He shall be furnished with a list of equipment supplied and will be responsible to the Range Officer concerned and to the Divisional Forest Officer for these articles and for the care of the elephant. The Divisional Forest Officer and the Range Officer, however, will also be responsible for the elephant and all the equipment supplied.

4. The mahavat shall be assisted by the charra-cutter whose main duties will be:—

- (1) to hook and unhook the drag chains.

**APPENDIX XVII—RULES GOVERNING THE MAINTENANCE AND
THE USE OF ELEPHANTS MAINTAINED BY THE FOREST
DEPARTMENT FOR DEPARTMENTAL WORK**

The following conditions govern the use of elephants maintained by the Forest Department for departmental works:—

Government of
Madhya Pradesh
Forest Department
Mem.
No. 4835-3317-XI,
date 7-8-53.
Allotment.

The elephants shall be allotted by the Chief Conservator of Forests or the Conservator of Forest concerned to particular forest divisions. The Divisional Forest Officer of the Division to which a Government elephant has been allotted is primarily responsible for the maintenance and proper extraction of work from the elephant. The elephants should normally be used for the following works:—

- (1) for rolling, dragging and stacking of timber and other forest produce;
- (2) for uprooting liantana and such other abnoxious forest growth;
- (3) for dragging road rollers for the consolidation of roads;
- (4) for transport of Government articles, stores, camp equipment, ration of elephants, etc.;
- (5) for use of the Governor and the State Ministers and Ministers of Government of India (while on tour);
- (6) for use of the gazetted forest officers of Madhya Pradesh for inspection of forests; and
- (7) for recreation purposes, such as shikar, photography, etc., provided the elephants can be spared and subject to payment of all expenses referred to in rule 15.

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4. The mahavat shall be assisted by the charra-cutter whose main duties will be:—

- (1) to hook and unhook the drag chains.

- (2) to help in the extraction of work.

- (3) to cook food for the elephant.
- (4) to collect fodder and hand feed the elephant.
- (5) to assist the mahavat in bathing and massaging the elephant daily.
- (6) any other duties entrusted to him by the Range Officer in respect of the maintenance of the elephant.

5. The natural food of elephants is grass and bamboos although some leaves are also browsed. Bark is used occasionally. Grass and bamboos should be preferred to branch fodder. Quota of ration to be supplied to an elephant shall be fixed by the Conservator of Forests concerned in consultation with the Veterinary Department and will not be deviated from without the orders of the Conservator of Forests. Ordinarily, the following scale of ration are allowed for elephants during the working season:—

(1)	Paddy (2) Seer	Salt (3) Seer	Oil (4) Seer	Straw (5) lb.	Gur (6) Seer
All elephants above 7'6"	12	1/8	1/4 Kg. per week applied twice in a week.	40	1
Above 5'6"	8	1/10	Do.	30	3/4
Above 3'6" and below 5'0"	5	1/8	Do.	10	1/2
Calves below 3'6" ..	2 to 3 (rice)	1/10	Do.	Jaggery cakes.	..

During the non-working season, the above ration shall be reduced to half. Special ration will be prescribed by the Veterinary Department when the elephant is sick.

6. Elephants should be fed invariably in the presence of the senior-most Forest Officer present at the place. The officer will note the quantity of ration supplied to each elephant in a note-book maintained by each mahavat. Grain ration should preferably be given half boiled and warm.

7. Rations shall be issued to mahavats once a week for one week. The supply shall be acknowledged by the mahavat and entered in a ration supply register kept for the purpose. The register should be checked by a gazetted officer once a month, and the Range Officer twice a month.

8. The proper season for taking work from an elephant is from about 15th July till about the end of March. Work should be taken in two shifts from 6 a.m. to 10 a.m. during rains and hot season and 8 a.m. to 12 noon during winter in the morning and a couple of hours in the evening. There should be one day's rest at least in a week. Elephant should be given periodic rest preferably twice a year from 15th June to 15th July and for a short period from 1st December to 14th December. If the health of the elephant is poor, work should be stopped.

on work again after the rest period, they should be worked for four hours per day in the first week, 5 to 6 hours in the second week and thereafter can be put to full day's work but not exceeding 8 hours. Elephants should not be worked during the heat of the day. The working hours for the week and the aged elephants will be reduced on the advice of the Veterinary Assistant.

9. A daily diary register will be maintained showing the exact work carried out by an elephant on that day. This register will be countersigned by the seniormost Forest Officer in the camp every day.

Accoutrements.

10. Each elephant should be provided with the following accoutrements :—

Extraction gear :—

- (1) Padding.
- (2) Saddle.
- (3) Girth.
- (4) Sling for drag chains.
- (5) Breast band.
- (6) Two drag chains (6 m. to 8.4 m. long).
- (7) Collar gear for elephants with sore and injured back.

Pack gear—Sanderson gear

Gear for restraints—

Fetters—normally made of linch. Short link Chain. Musth fetters are 1.5 cms. links.

Tying chain should be 7.5 m. to 9.0 m. long and 1 cm. short link, Musth chains are of the same design but 12 m. long and links of 1.5 cms.

Bells to be tied to necks of elephants when set free to graze in forests.

The mahavat must provide himself with a billhook and ankusa and the charra-cutter with implements for cutting and collecting grass and branch fodder, etc.

Sickness treatment.

and

11. Care of the elephant is the greatest responsibility of the mahavat. Whenever there is any sign of sickness the elephant should be withdrawn from work and given complete rest. The fact should immediately be brought to the notice of the Range Officer and the nearest Veterinary Surgeon. If the sickness is of a serious nature the

12. Stocks of medicines sufficient for the immediate treatment of the common ailments and injuries should be kept in stock. The main stock shall be with the Range Officer who will issue supplies as required. Small stocks will be supplied to working camps for emergencies. When the camp is inspected it will also include the inspection of the stock of the medicines with a view to see that the stocks are adequate and in good condition. A list of necessary medicines may be made in consultation with the Veterinary Department and it should be amended from time to time on the advice of that department whenever necessary.

13. As soon as signs of musth are noticed the animal should be fettered and tethered with special musth fetters 1.5 cms. (inch) and tying chains and hand-fed. Musth should be allowed to take its own course and elephant given complete rest.

It is often difficult to find out whether a female elephant is pregnant or not by mere inspection. Mahavats are able to know by experience. When there is any suspicion of pregnancy the animal should be examined by the Veterinary Surgeon and his advice sought. After the sixteenth month all pregnant females will be given complete rest and the mother after giving birth to a calf will not be put to work for at least three months.

14. Elephants are intended primarily for use on forest works. They shall not be used by other departments except in cases of emergency with the permission of the Divisional Forest Officer concerned.

15. Elephants when not required for forest works or when not resting may be made available for recreation purposes such as children's photography, etc., on payment of Rs. 20 per day per elephant. During the hot weather beginning from the 15th April to 30th June, the elephants may, however, be made available for non-official purposes at Chikalda and Pachmarhi on payment of Rs. 5 (Rupees Five) per elephant per day. The Khairagarh elephants, which were placed at the disposal of the Forest Department on the integration of the States, shall be supplied free of charge to the Rajabahadur of Khairagarh for celebration of Daserah festival, if required by him.

Monthly return of medicines will be submitted to the Divisional Forest Officer by Range Officer.....

Particulars of medicines	Opening balance	Stock received			Total of stock	Medicines used for elephants		Closing Balance	Remarks
		Quantity	Source	Voucher No.		Name of elephant	Quantity		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

.....
Signature of Range Officer.

Date.....19 .

The following certificate to be recorded at the end of return:—

"Certified that the articles purchased during the month have been correctly shown as per entries in the cash book."

.....
Signature of Range Officer.

Monthly return for rations to be submitted by Range Officer to the Divisional Forest Officer.....

Particulars of ration	Opening balance of stock	Stock received		Total quantity of stock	Ration issued to elephants		Closing balance for the month	Remarks
		Quantity	Voucher No.		Name of elephant	Quantity issued		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

.....
Signature of Range Officer.

Date.....19 .

Note.—In remarks column reasons for shortage or excess must be given.

The following certificate to be recorded at the end of the return:—

"Certified that the articles purchased during the month have been correctly shown as per entries in the cash book."

Date.....19 .

.....
Signature of Range Officer.

Daily use of ration.

Date	Name of elephant	Serial No. of elephant	Name of mahavat	Ration consumed by elephants		Signature of officer before whom the elephant is fed	Remark
				Commodity	Quantity		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Note.—This will be maintained by mahavat. Separate pages should be allotted for each elephant under the mahavat.

Inventory (register) of ration stock to be maintained by Range Officer.

Opening balance of stock	Stock received		Name of mahavat	Stock issued		Acknowledgement of mahavat	Balance	Remarks
	Date	Quantity	Voucher No. and month	Date of issue	Quantity issued			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(10)

Note.—Separate pages to be allotted for each kind of ration. The Divisional Forest Officer shall inspect the elephant at least once in three months and submit a report to the Conservator of Forest on the 1st January and 1st July regarding the condition of each elephant and the work done.

FORM

Detailed register of deposits made in the Post Office Savings Bank on acco-
Financial year

Serial No.	Name	Official Status	Salary	Monthly deduction from salary to be deposi- ted	Number of	
					Account	Pass Book
(1)	(2)	(3)	(4)	(5)	(6)	(7)

A

Statement of Subordinates and Clerks who are required to furnish Cash Security

..... 19

Balance to credit on 1st April or on date of transfer to Division during the year	Amount de- posited in April May June July August September October November December January February March	Withdrawal		Interest added for 19 ..	Total amount to credit on 31st March 19... or in the case of a man transferred on the date of transfer	In the case of man transfer- red during the year, date of receipt in or dispatch from Division- al Office of Pass Book
		No. and date of Conser- vator's con- tion	Amount			
(8)	(9)	(10)	(11)	(12)	(13)	(14)

FORM B

FOREST DEPARTMENT, CENTRAL PROVINCES

List of amounts to be deposited in the Post Office Savings Bank
on account of security deposits of the
 undermentioned forest officials.

Running No.	Name and Designation Of officials in whose favour deposits are to be made	Number of		Amount to credit on last day of 19	Amount to be deposited	Remarks by Postmaster, if any, are required
		Account	Pass Book			
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Dated.....

Officer in charge Forest Division

Forwarded in duplicate Pass Book and with cheque No for Rs.
to the Postmaster..... with request that he will
 be good enough to return, with the Pass Book, the duplicate after duly
 signing his name in the place indicated for it below. Should be object to
 receive any of the deposits listed overleaf the aggregate amount thus
 refused should be returned to this office and the reason for the refusal
 noted against the respective items in the column reserved for his remarks.

Date.....

Officer-in Charge,
 Forest Division.

The 19

Cheque received Rs.returned herewith in accordance with
 remarks overleaf.

Date Stamp of



Post Office.

Postmaster.

The last sentence to be scored through, if no money is returned.

Return of cases disposed of by officers exercising powers under
 section 63 of Act 1927, XVI of 1927, in the.....division
 during the month of.....19

Serial No.	Date of commission of offence	Date of report or complaint or dis- covery of offence	Name, inter- lop, tricks, net and sack! status of offender	Alleged offence and section of the Forest Act under which it comes	Value of produce stolen or of damage caused	Abstract of en- quiry made of offenders state- ment & of deci- sion arrived at	Signature or mark of offender in return that he con- sents to compound by paying the sum demanded	Name of officer deciding and the date of decision	Remark
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

PERSONAL SECURITY BOND

THIS INDENTURE made this.....day of.....195 between the Governor of Madhya Pradesh acting through the Divisional Forest Officer,Division (here in after called the Governor which term shall, where the context so admits, include his successors in office and assigns), of the one part and Shri.....Son of.....of.....(herein after called the Principal which term shall, where the context so admits, include his heirs, executors, administrators and representatives), of the other part;

WHEREAS the Principal has been appointed as in the Madhya Pradesh Subordinate/Ministerial Service in the Forest Department;

AND WHEREAS in accordance with paragraph 39(2) of the Madhya Pradesh Forest Manual, Volume I, the Principal on his appointment asis required to furnish adequate security for the discharge of his duties in the said appointment;

AND WHEREAS the Principal being unable to furnish cash security of Rs.....has been permitted to furnish personal security with two sureties;

NOW THESE PRESENTS WITNESS that in consideration of the Governor appointing the Principal as aand permitting him to furnish personal security with two sureties, the Principal hereby agrees as follows:—

- (1) The Principal shall, while holding the appointment of duly perform the duties attached to the post of a and produce and account for any and all moneys, property and accounts, books, papers and the like and shall make good any and every loss or damage caused to the Governor from any act, omission, negligence or default on his part in the course of discharge of his duties and obligations. The decision of the Governor in regard to whether any such damage or loss is caused and if so the amount thereof shall be binding on both the parties.
- (2) All sums falling due under this agreement shall be recoverable in the same manner as an arrear of land revenue.

In witness thereof the parties hereto have put their signatures on the day and year written in each case.

Witnesses—

(1).....

Dated.....

Divisional Forest Officer,

(2).....

.....Division.

Dated.....

Dated.....

Witnesses—

(1).....

Dated.....

Signature of Principal,

(2).....

Dated.....

Dated.....

WHEREAS the Governor in order to secure the performance of the conditions above mentioned has demanded security from the Principal, We,....., son of.....of.....and.....son of.....of..... sureties on behalf of the Principal jointly and severally agree that we shall, when called upon so to do by the Governor, make good any and every loss or damage caused to the Governor from any act, omission, negligence or default on the part of the principal in the course of the discharge of his duties.

We further agree that neither of us shall be at liberty to terminate our suretyship except after giving six calendar months notice in writing to the Divisional Forest Officer,Division.

Dated this the.....day of.....195 , in the presence of—

(1)

(Signed).....
First Surety.

Dated

Dated.....

(2)

(Signed).....

Second Surety.

Dated

Dated.....

FORM OF CASH SECURITY BOND

KNOW ALL MEN BY THESE PRESENTS, that I.....held and firmly bound unto the Governor of Madhya Pradesh (hereinafter referred to as "Government") in the sum of Rs.(Rupees.....) to be paid to the Government for which payment, well and truly to be made, I bind myself, my heirs, executors, administrators and legal representatives by these presents.

Signed and dated this.....day of.....,
one thousand nine hundred.....

WHEREAS the above bounden.....was on the day.....of.....
195.....appointed to and now holds the office.....in the office.....;

AND WHEREAS the said.....by virtue of holding such office is bound to collect.....(here describe the nature of the Cashier's/Store-keeper's/Subordinate's duties) and to keep and render true and faithful accounts of his dealings with all property and money which may come into his hands or possession or under his control, such accounts to be kept in the form and manner that may from time to time be prescribed by duly constituted authority and also to prepare and submit such returns, accounts and other documents as may from time to time be required of him;

AND WHEREAS the said.....has, in pursuance of paragraph 39 (3) of the Madhya Pradesh Forest Manual, Volume I, delivered to and deposited with the above mentioned.....a sum of Rs.(Rupees.....) in cash as security for the due and faithful performance by the saidof the duties of his said office and of any other office requiring security to which he may be appointed at any time and of other duties which may be required of him while holding any such office as aforesaid and for the purpose of securing and indemnifying the Government against all loss, injury, damage costs or expenses, which the Government may in any way, suffer, sustain or pay by reason of the misconduct, neglect, oversight or any other act or omission of the said.....or of any person or persons acting under him or for whom he may be responsible;

AND WHEREAS the said.....has entered into the above bond in the sum of Rs.(Rupees.....) conditioned for the due performance by him the said.....of the duties the said office aforesaid and of other duties appertaining thereto or which may lawfully be required of him and to indemnify the Government against loss from or by reason of the acts or defaults of the said.....and of all and every other person or persons aforesaid ;

NOW THE CONDITION OF THE ABOVE WRITTEN BOND is such that if the said.....has, whilst he has held the said office of..... as aforesaid, always duly performed and fulfilled the duties of his said office or any other office requiring security to which he may be appointed, or in which he may act, always duly perform and fulfil all and every duties thereof respectively and other duties which may from time to time be required of him while holding any such office as aforesaid, and shall duly pay into the Government Treasury falling with the..... Division at all such moneys and securities for moneys as are payable or deliverable to Government and shall come into his possession or control by reason of the said office and shall duly account for and deliver up all moneys, papers and other property which shall come into his possession or control by reason of the said office and if said....., his heirs, executors, administrators or legal representatives shall pay or cause to be paid unto the Government the amount of any loss or defalcation in the accounts of the said.....within 24 hours after the amount of such loss or defalcation shall have been demanded from the said..... by the.....such demand to be in writing and left at the office or yast known place of residence of the said.....and shall also at all times indemnify and save and keep harmless the Government from all and every loss, injury, damage, actions, suits, proceedings, costs, charges or expenses which has been or shall be any at any time or times hereafter during the service or employment of the said.....in such office as aforesaid, or any such offices aforesaid, be sustained, incurred, suffered, brought, sued or commenced or paid by the Government by reason of any act, embezzlement, defalcation, mismanagement, neglect, failure, misconduct, default, disobedience, omission or insolvency of the said.....or of any person or persons acting under him or for whom he may be responsible, then this obligation shall be void and of no effect, otherwise the same shall be and remain in full force :

PROVIDED ALWAYS and it is hereby declared and agreed that the said sum of Rs.(Rupees.....) so delivered and deposited as aforesaid shall be and remain with the.....for the time being, as such security as aforesaid, or otherwise or in the event of the said.....ceasing to hold any office requiring security the said sum of Rs.(Rupees)or so much thereof as shall then remain in deposit and shall not have been applied or appropriated as aforesaid shall be returned to his legal representatives or to him, as the case may be, without interest and this bond shall remain with the.....for recovering any loss, injury, damage, costs or expenses that may have been sustained, incurred or paid by the Government owing to any act neglect or default of the said.....or any such other person or persons as aforesaid and which may not have been discovered until after his death or the, termination of his said service, or ceasing to hold any office for which the security was required.

PROVIDED ALWAYS that the return at any time of the said security shall not be deemed to affect or prejudice the right of the Government to take proceedings upon or under this bond against the said.....or against his heirs, executors, administrators or legal representatives after his death, in case any breach of conditions of this bond shall be discovered after the return of the said security and the responsibility of the said..... or his estate, as the case may be, shall at all times continue, and the Government shall be fully indemnified against all such loss or damage as aforesaid at any time;

PROVIDED FURTHER that nothing herein contained nor the security hereby given shall be deemed to limit the liability of the said..... in respect of matters aforesaid to the forfeiture of the said sum of Rs.(Rupees.....) or any part or parts thereof and that should the said sum be insufficient to indemnify the Government in full for any loss or damage sustained by them in respect of matters aforesaid or any of them the said.....shall pay to the Government on demand such further sum as shall be deemed by the.....to be necessary, in addition to the said sum of Rs.(Rupees.....) loss or damage as aforesaid and that the Government shall be entitled to recover such further sum payable as aforesaid in any manner open to them.

Signed by the above-bonded.....in the presence of-

- (1)
- (2)

Signed for and on behalf of the Governor of Madhya Pradesh by.....being the person directed or authorised by him in that behalf in the presence of:-

- (1)
- (2)

Form of monthly return of fires that occurred in.....
 Division during the month of.....

Date and time of				Range, block No. or coupe and P.S. No. in which fire occurred	Whether the area was systematically protected or early burnt.	Details of damage and its approximate value	Cause of fire if known	Means taken to extinguish the fire	Action taken to detect offenders	Remarks
Serial No. of fires	Occurrence	Extinguishing	Area burnt in acres							
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

PROCEEDING SHEET (CASE DIARY)

- (1) Alleged offence with particulars of property seized.
- (2) Name, parentage and residence of offenders (if known).
- (3) Date of commission of offence.
- (4) Name of detecting officer.
- (5) Date and hour of detection.
- (6) No and date and hour of submission of preliminary offence report.
- (7) Date and hour of receipt of preliminary report.

Date and hour at which enquiry commenced	Place	Proceedings of the enquiring officer in brief (Note)—Each entry should be signed and dated by the enquiring officer, giving the time at which enquiry closed	Signature of the person in acknowledgment of the orders with date
(1)	(2)	(3)	(4)

STATE FOREST RESEARCH INSTITUTE
JABALPUR (M.P.)

Acc. No. _____

DUE DATE

Class No. _____

Book No. _____

This book should be returned on or before
the date last stamped below:

.....Division,
.....19 ..
age)

Date of return of the case to Range Assistant for recovery	Date of receipt of the case from Range Assistant After compliance.	Date of return of case to Divisional Forest Officer.	Remarks, (Details of recoveries, reminder to Range Assistant, etc.).
(10)	(11)	(12)	(13)