

## **Chapter 6**

### **Colonial Forest Law and People's Response**

This chapter examines the response of the local people, peasants and tribal, to the various changes brought into the forest management by the colonial State. It particularly deals with the subject of State forest reserves and the opposition from the local people. Although there were very little amount of forest reserve in the State we cannot say that there was not oppositional force at all. Rather we can see that such forest reserves were never respected by the hill people. It greatly disturbs the normal lives of the hill people although, cases of eviction and punished were unheard of.

#### **Forest Society and Colonialism**

Man depends on nature for the sustenance of his livelihood and creation of his civilization. There's a close relationship with his environment so also large number of people depended on forests for their particular way of life (for instance, wood and bamboo, grass and thatch for their houses and furniture, timber for shipbuilding railways tracks and industries, bamboo and pulp for paper and plywood, plants and herbs for medicines, fuel wood, fodder for animals, fruits, jungle for hunting the wild animals, etc.). Since the earliest period, the tradition of fishing in the wetlands, lakes and river were performed. Besides, forest gave a game of pleasure to mankind on the events of hunting. The forest dwellers were the tribal communities who solely depend on the forest for their livelihood. They lived in the well-organised society as their subsistence level depended on forest and forest produce. The forests, in a way, had become the mother of the tribal (forest dwellers). Thus, they love the forest, protect and preserve the forest. The tribal venerated the earth as their mother and each village was given land by earth and the people in return looked after her and gave offerings to her during their agricultural festival.

Prior to colonial intervention of Indian forest, the forests were belonged to them and the rights on forest were customary recognised. Their rights to use the forestland and its products were however, detrimental by the British policies which were against the forest dweller's right. The colonial control over the State's

monopoly over Indian forests was first asserted in the Indian Forest Act of 1865. The forest policy (1884) curtailed the tribal's rights to use the forestland and its produces.

Gradually the colonial ruler came to realise the value of Indian forest resources. Initially steps were taken (systematic management of forestry in India) to stop the danger posed by the forest contractors and the other agencies of indiscriminate deforestation which is a threat to the nature. They appointed a German forester Dr. Dietrich Brandes (the first Inspector General of Forests of India). Following the forest law, everything is restricted unless permitted by the colonial authority. Thereby, the Government could declare any class of trees in a protected forest or any tree in any such forest, to be reserved from a date fixed by notification. Further declared, a portion of such forest to be closed or prohibit removal of any forest-produce.<sup>1</sup> The village forests as well, the Government retained the authority to cancel or assign the rights to village community though these forests were to provide timber, other forest produce and pasture to the people.<sup>2</sup>

Traditional forest management was organised in accordance with the local socio-economic and cultural realities, which best suited for them. However, since 1920s, the British colonial authorities in India attempted to introduce new local forest management systems. The forest laws and rules imposed great hardship on the villagers and peasants of the country. The age-old practice of cutting trees for their housing, grazing their cattles, collecting forest products for food, hunting and fishing were declared illegal. The forest guard did not allow their entry into the forest for continuation of their age-old practice. Generally, the hill tribal in Northeast there's a common-land which was beyond the strips of cultivated (*jhum*) lands. The villagers, the farmers and peasants were given access to the common land. They grazed their cattle, collected firewood, fruits and berries for food. They fished in the rivers and lakes, hunted in the common land because this provided them their means of survival since the last many centuries.

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<sup>1</sup> Ruchas, Ghate, *Forest Policy and Tribal Development*, Ashok Kumar Mittal Concept Publishing Company, New Delhi, 1992, p. 35.

<sup>2</sup> Ruchas, Ghate, *Forest Policy and Tribal Development*, p. 35.

The enclosure or intervention of the forestlands by the colonial authority was the first step in Manipur that brought changed particularly to the hill tribal. For, each village had boundaries and land belonged to the community that they looked after the natural resources of the village and protects the forests as well. Though the tribal did not developed notion of private property of forest however the relationship was expressed in term of mutual obligations in many ways. They depended on forest for their particular way of life.

However, the long traditions of depending for livelihood on nature were intervened by the colonial authority in Indian. Generally, the histories of forest conflict or struggle in Indian were seen essentially as come from alternate conceptions of property rights and obligations. The tribal were confronted with the vagaries of the colonial market economy that continually eroded their life styles (for instance, the Santhals of Chhotanagpur revolt in 1855 and Gudem-Rampa in Tamil Nadu, 1879-80). Thus, the formation of rebellion or movements against the new forest's law in India during the colonial period were responsible to the British policies which as they were i) tightened State control over forests areas ii) banned or restricted shifting cultivation iii) curbing hunting, timber use and grazing, etc. however conservation of these forests were far from environment conservation. Thus, Colonial Forestry and Rise of Commercial Forestry were the following factors responsible for the environmental movements or movement against the colonial forest in India. There has been spectacular growth in public consciousness of environmental degradation in India the recent past of *Chipko* Movement and Bhopal deeply illustrated the social consequences of environmental degradation. The colonial government has taken a step to clear the forests in the view that the forests were unproductive, and more forests were to be brought under agriculture in returned the colonial State revived more revenues.

As a matter of fact that under colonial Manipur State proposal were put up to increased the State income or revenue. It was in the year 1919 the colonial authority advocated to increase the State revenue. In this concerned, the colonial proposed to lease the high waste land for the purpose of cultivating various products (like cotton, wheat, sugarcanes, tobacco, potatoes, chillies, peas, dal,

etc.) for the first year free of rent. This was the first step taken by the colonial State and proposed the people to utilise the resource of the State what they used the term 'waste land' in Manipur. They encouraged the people to enable those concerned to clear up the jungle of the selected spots. The 'first year free of rent' policy was the encouragement to the cultivator, for they can clear the jungle more in areas in the 2<sup>nd</sup> year.<sup>3</sup>

They further proposed when this system of clearing the jungle is successful, it will generate and provide the State revenue in the same be gradually increased. The colonial State had given a rate fixed (a rate of Rs. 6 per pari) as the lands under paddy cultivation to the cultivator.<sup>4</sup> And this newly cultivated land will soon be under State revenue as the same rate of the lands under paddy cultivation. If once settled down the matter, this concern and profit much as recorded in the confidential in the following:<sup>5</sup>

..they will be reluctant to relinquish revenue is increased to their lands even when the revenue is increased in the course of time. This experiment is anticipated to encourage and hasten the utilisation of such land, and whether or not it succeeds time alone will tell.

The clearing of forestland expansion of agriculture were the sign of progress, suggested by the colonial State and thus more forest areas were proposed to be cleared for agriculture land in India in general and the Manipur State during their period. The mode of exploitation of forest resources by the colonial authority were under certain schemes of forest management conservancy policies adopted by them.

Prior to the colonial period the Manipur has no definite forest policy based on scientific management (1891) also it's far from subject of commercial exploitation.<sup>6</sup> The British was the first who intervened the Manipur forest and the first who framed the policies to conserve the forest exclusively for the

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<sup>3</sup> *Confidential*, Manipur State Achieve (hereafter MSA), Imphal, 1919, p. 10.

<sup>4</sup> *Confidential*, MSA, 1919, p. 10.

<sup>5</sup> *Confidential*, MSA, Imphal, 1919, p. 10.

<sup>6</sup> *The Survey Report on the Distribution of Bamboo Species in Manipur*, Forest Department Government of Manipur, Imphal, 2000, p. 11.

commercial forestry<sup>7</sup> rather than maintaining ecological balance or protecting environment by preserving. After the forest were taken over by the State Reserve Forest under the British colonial. Thereby the processes of exploitation were carried out by leasing the forest for the highest bidder. As mentioned earlier, the increased of State revenue were directly affects the forest of the State and the ecology the same. Also it disturbed the mode of production and resulted to deteriorated economic conditions over the period.

With the context of Manipur the colonial State classified the forest into different categories by various forest Acts latter this State Reserve Forest were in the hands of the contractors for the highest bidder. The journey through the hills from Cachar to Manipur made one of great interest. The path crosses five considerable ranges, covered with forest and separated from one another by deep river valleys, and thus possesses all the attractions which are conferred by stately timber, luxuriant undergrowth of bamboos, creepers and giant ferns, bold cliffs and rivers rushing through wild gorges.<sup>8</sup> Gradually these trends of indiscriminate extraction of timber were resulted to deforestation. In this matter W. McCulloch: “the forest trees covered the valley of Munnipoor (now called Manipur) as they now do those of the Jeeree (Now called Jiribam) and Kaubbo (Now called Kabow Mynmar) they have now, except in one spot, entirely disappeared.”<sup>9</sup> However, these dangers posed by the contractors were lately released by the colonial State.

The colonial Indian government established the Department of Forest by appointing the German forester named Dr. Dietrich Brandes, as the first Inspector General of Forests of India following that the forest officials surveyed the forests and made the working plans for the management of the forests. Thereafter, they began to put forward how much of the trees were to be cut and how much of new varieties of trees were to be planted in their place. The forest department planted commercial trees which were required for the industries, ship building and railways in India.

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<sup>7</sup> N. Lokendra, Singh, *Land Use System of Manipur Hills*, (edt.) Rajesh publications, New Delhi, 1976, p. 85.

<sup>8</sup> *Imperial Gazetteer of India*, Assam State Archive, Guwahati, Vol. XVII, p. 1 184.

<sup>9</sup> W. McCulloch, *An Account of the Valley of Manipoor and the Hill Tribes*, 1980, p. 3.

The price received for the samples of lac sent to Calcutta was poor, but as the demand for this commodity is said to be increasing it might be found profitable to extend its cultivation. Some experience have been tried in cultivating lac in the Langol Hill Forest reserve near Imphal, but without expert advice it is difficult to carry out such experiments with success. If a young Manipur was trained at the Dehra Dun Forest School, it is probable that his knowledge would be of great practical use in developing the natural resources of the State.<sup>10</sup>

The introduction of new forest laws during the colonial period were oftenly disagreed and conflicted took place took place between the construction of roads and the *jhum* cultivator in the hill. The colonial authorities constructed roads of Imphal - Cachar Road, Imphal - Dimapur Road through the cultivable hill ranges of the hill tribes of the State. The hill-men living along those roads were prohibited to cultivate within 50 feet of the road. In this regard, the President of Manipur State *Darbar* recorded in his tour diary that the Sub-divisional Officer of Tamenglong had been instructed to put up standing orders against roadside *jhuming*. However, this imposition of prohibition was just a mere forbid to prevent erosion and possible damage to the road by the felling of trees, as the safety road was the only motive behind for the colonial ruler which we don't see the most important thing to save the environment.

Several cases of revolts and movements against the colonial forestry in India in general and the Manipur people (most the forest dwellers) were occurred from time to time. Prior to the colonial period in Manipur, the forests and its resources were not touched a scientific method on the other hand the first trained foresters (D.C Kaith of Edinburgh) was deputed by the British colonial State, thereafter the forests were more highly refined and passed to the scientific touched.

By the late 19<sup>th</sup> and early of the 20th century, the Colonial authorities further tightened their control over forest and water whole over India and the Manipur in particular and gradually brought under the general forest policy of the Government of forest in the country, under the jurisdiction of British Government. The Indian forests were classified into Reserved, Protected and Village forests and it prohibited people having any right over the Reserved

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<sup>10</sup> E.W. Dun, *Gazetteer of Manipur*, Manas Publications, Delhi, 1992, p. 6.

Forests. Following that various Acts related to the Indian Forest were passed one after another (for instance the Indian Forest Act of 1865, 1878 and 1927).

The Act not only turned all the communal property into State property and alienated the trees from the ownership and management of forests but also tilted in the destruction of forests as the people had no responsibility over them.<sup>11</sup>

### **British Forest Law**

Gradually the colonial rule realized the value of Indian forest resources and taken the steps (systematic management of forestry in India) to conserve the forest for their uses. The colonial Indian government established the Department of Forest by appointing the German forester named Dr. Dietrich Brandes, as the first Inspector General of Forests of India. Thereafter, the officials surveyed the forests and made the working plans for the management of the forests. They decided how much of the trees were to be cut and how much of new varieties of trees were to be planted in their place. In some other part of the India the forest department planted commercial trees which were required for the industries, ship building and railways.

The early British forestry were to collect the State revenue, focused on timber by imposing several terms and conditions on forest rules. The modes of forests resource management were made under certain schemes of forest conservancy. The study mainly focused the exploitation of major forest produce of timber, fuel wood, firewood, etc. other than the exploitation of minor forest produces i.e. animal, cane and bamboo, stone and earth, grass and fodder, incense and perfume, cardamom, orchid, etc. under the colonial State which was never before.

Lord Dalhousie for the first time issued after the Charter of Indian Forest 1855<sup>12</sup> that all the teak in the country were retained by the State after 10 years, the forest Act, 1865 acted and it gave the government full power over all sort of forest in the country, under the jurisdiction of British Government. The Act not only turned all

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<sup>11</sup> MSD, 1936, p. 14.

<sup>12</sup> Vaidya, Archana, *A backgrounder on forest governance and forest management legislations in pre-independence and independent India, leading up to the Forest Rights Act 2006*, (Accessed on 15 August 2014 on World Wide Web: [http:// infochangeindia.org/](http://infochangeindia.org/)).

the communal property into State property and alienated from the ownership and management of forests but also resulted in the destruction of forests as the people had no responsibility over them. Finding that, the Indian Forest 1868 was inadequate to meet up the requirements of the government, another Act was passed in 1878. Under the new act of 1878, the Indian forests were classified into reserved, Protected and Village forest and it prohibited the people from having any right over the Reserved Forests.<sup>13</sup>

By the beginning of the 20th century, the Colonial authorities further tightened their control over forest or water whole over India and the Manipur in particular. That the Indian Forest Act, 1927 empowered the Provincial government to declare any forest or water, which was the property of the government as Reserved Forests. It was also intended to consolidate relating to the forests laws in India.<sup>14</sup> Binding that, the Indian Forest 1865 was inadequate to meet the requirements of the present; another Act was passed in 1878. Under the new act of 1878, the Indian forests were classified different categories and it prohibited people having any right over the Reserved Forests.

Manipur forests were abound in varieties of plants, animals and mineral resources, characteristics of any tropical rain forest areas. The under table shown the different types of forest found in Manipur:

**Table: 7**

<b>Moist Tropical Forests</b>	<b>Dry Tropical Forests</b>	<b>Montane Sub-tropical Forests</b>	<b>Montane Temperature Forests</b>	<b>Sub-alpine Forests</b>
Tropical wet evergreen forests	Tropical-dry deciduous forests	Sub-tropical broad-leaved hill forests	Montane-wet temperature forests	Sub-alpine forests
Tropical seal evergreen forests	Tropical-thorn forests	Sub-tropical pine forests	Himalayan moist temperature forests	Moist-alpine scrub

<sup>13</sup> N. Lokendra, Singh, *Land Use System of Manipur Hills*, pp. 84-85.

<sup>14</sup> *Forest for the People, Policy and Legislation*, pp. 2-4.



Tropical moist deciduous forests	Tropical-dry evergreen forests	Sub-tropical dry evergreen forests	Himalayan-dry temperature forests	Dry-alpine scrub
Littoral and swamp forests	-	-	-	-

However, this forest was gradually brought under the general forest policy of the Government of forest in the country, under the jurisdiction of British Government. The Act not only turned all the communal property into State property and alienated the trees from the ownership and management of forests but also tilted in the destruction of forests as the people had no responsibility over them. The following were the forest general rules and regulations set by the colonial authority.<sup>15</sup>

- i) Indiscriminate cutting of wood in this valley village Reserves is prohibited and non can cut wood there from for sale. If any village is found doing so there will forfeit the privilege of free wood for their personal used.
- ii) The village may be held responsible for the theft of wood committed in the State Reserved near their valley village Reserves as there is little chance entering Reserves by the outsiders without their knowledge.
- iii) None can grass cattle in the Reserves except with a permit from the Forest Member, M.S.D or from an officer to whom the issue of permit is delegated.
- iv) None can fell or cut trees from Reserve without a permit from the Forest Member, M.S.D, or from an officer to whom the issue of permits is delegated.

With this above Acts and Regulations, gradually the indigenous people began to lost their customary rights over their own forest land. The Manipur State forest management was under the colonial government by 1891-92.<sup>16</sup> The Cachar Reserve Forest was the first State Reserve Forest declared as protected forest by the colonial authority in Manipur.<sup>17</sup> Followed by Burma/Myanmar Border Teak

<sup>15</sup> MSD, 1936, p. 14.

<sup>16</sup> ARM, 1891- 92, p. 9.

<sup>17</sup>This forest is confined to a narrow halt of trees along the Barak River and its tributaries, vis.-Jiri, Tuivai, Irang, Leimatak and Makru.

Forests (lies along the Indo-Burma border i.e. extreme east along the international border with Burma/Myanmar/on the foothills of Kabow valley along the Burma border around the Tamu Township of upper Chindwin district) and thus the forest of all directions were taken over one after another.

The 1878 Indian Forest Act of Colonial India was affected to Manipur by curtailing the right of the forest-dwellers (over forest) in Manipur. The forests were surveyed by the expert forest officers and with their report the forest were declared as protected forests as under the 'State Forest Reserves' that the whole forests areas overlooking the valley. Maxwell the Political Agent of Manipur<sup>18</sup> declared one after another the following forests as "State Forest Reserve" forests in 1895;<sup>19</sup>

- i. the Langol forest
- ii. the Khuga forest and
- iii. the Heingang forest
- iv. the Khamelok Gowaltabi Forest Reserve <sup>20</sup>

All the Tera trees and silk cotton trees of the valley overlooking forests were made the property of the government and placed under the charge of the Forest Department.<sup>21</sup> In 1897-98, the pine trees (some Oak trees and mixed evergreen trees) virgin forest of Ukhhrul, confined in the present Ukhhrul district of the State was took over by the State and declared as State Forest Reserves. The colonial authorities in 1939-40 declared the Sugnu forest of the hill district of Chandel in the southernmost part of the State even re-demarcated the boundaries of the pine reserves to regenerate.

All hence one after another by the colonial authority took over all the Manipur forests and declared a State Reserves Forest under the Manipur colonial State. Thus, the next policies of the British colonial were discussed under the heading 'Lost of Traditional Forest Right of all Unoccupied and Waste lands'.

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<sup>18</sup> ARM, 1891- 92, p. 6.

<sup>19</sup> ARM, 1891- 92, p. 111.

<sup>20</sup> MSD, 1946, p. 60.

<sup>21</sup> MSD, 1941, p. 60.

## Lost of Traditional Forest Right of all Unoccupied and Waste lands

The Earlier (prior to British rule) of forest department the *Urungba Loishang* Department of Forest and the posts of *Urungpurel* (Forest Officer) or *Urungpurel Achouba*<sup>22</sup> (Chief Forest Officer) which mentioned in the court of the Maharaja of the (Manipur) land were no mentioned under any circumstances by the British colonial rule and even if the major source of revenue income of the State were collected from the forests produce (both of minor and major forest). The policies under maharaj's rule neither have a definite forest policy nor trained personnel to manage in scientific line nevertheless they never used the forest resource or exploit the forest as the colonial power did. The early British rule in Manipur did not have a separate forest officer and as a result forestry affairs were looked after by the President of Manipur state *Darbar*.<sup>23</sup> But with the *Darbar* (Resolution No. 2 A of 23<sup>rd</sup> November 1932)<sup>24</sup> made bound every decision of forest and its members, be lie to the *Darbar*. Also, the *Darbar* was not even to recommend the permanent appointment of Mr. Kaith as Forest Officer.<sup>25</sup>

The foremost objective of colonial policy was to collect a revenue. Thus, soon after the assumption of political power in 1891, they set in to start on managing the forest (resources) of Manipur by the *Darbar*'s declaration on 29-3-33;<sup>26</sup>

Considered Memo No. B/608 of 15-3-33 and B/654 of 18-3-33 from the Deputy Conservator of Forests, Cachar Division forwarding a copy of the State of the Manipur State timber and bamboo blocks. The Darbur approved the revised sale notice forwarding with the latter Memo.<sup>27</sup> Considered the Forest Officer's Report regarding the fall of Forest Revenue in the State's Forests on the Cachar border.

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<sup>22</sup> Ibobi, N. Singh, *The Manipur of Administration 1709-1907*, p. 117.

<sup>23</sup> The *Darbar* is a policy-making institution. The management of the State was over to His Highness the Raja and his *Darbar* it functions like a court of law. The Raja as the President (the titular head, power were based on the vice-president, the European), the Vice President a European officer (I. C. S. officer). The strength of the *Darbar* was 7, excluding the Raja, quorum was four.

<sup>24</sup> It is published for the general information. The *Darbar* desire that appeals from the Forest Member's orders in Forest and other miscellaneous cases lie to the *Darbar* and from that court in the ordinary way to His Highness.

<sup>25</sup> MSD, 1933, p. 22.

<sup>26</sup> MSD, 1933, p. 116.

<sup>27</sup> MSD, 1933, p. 116.

Forest servants were drew allowances with his highness consent.<sup>28</sup> The early British occupation of the State, undergo a hectic negotiations with the Assam government for years for export of timber to British India, but due to heavy imposition of duty, the same could not done except minor items like tea seeds, ivory, agar wood etc. were exported and timber to some extent. The State forests were managed in an ill-defined way under the control of Assam Forest Department for their management and in a similar vague manner within the sphere of influence of DFO, Cachar Division Assam. However, the actual commercial extraction of forest produce started through the DFO Cachar Division in 1898 with the agreement of Assam Government with a revenue sharing of 25% between the State of Manipur and Cachar Forest Division.<sup>29</sup>

With the view to develop State Reserve Forest separate forest department was constituted only in the year 1931 under the charged of a member of the former Manipur State *Darbar*. In 1932 (under the presidentship of Capt. C.W.L. Harvey of political Department) the Manipur State *Darbar* assigned Mr. D.C. Kaith<sup>30</sup> to survey the forests of Manipur and to submit a proposal for their better management. And thus, with the Kaith report a brief forest policy highlighted under which envisaged following four type of forest in Manipur State *Darbar* (Resolution No. 10 A) in given Table.<sup>31</sup>

**Table:8**

<i>State Reserve</i>	<i>To be put under strict State protection</i>
<i>Valley Village Reserve</i>	<i>For the villages situated in the valley by depending on the nearby forests for meeting their requirements</i>
<i>Hill Village Reserve</i>	<i>Known as 1/4 miles reserve maintained around each recognized hill village (Pawa Reserve)</i>
<i>Open Reserve Open</i>	<i>For commercial and domestic requirements of people of</i>

<sup>28</sup> MSD, 1937, p. 99.

<sup>29</sup> *The Survey Report on the Distribution of Bamboo Species in Manipur*, p. 11.

<sup>30</sup> Mr. Kaith, the first Forest Officer in Manipur graduated (B.Sc.) from the University of Edinburgh.

<sup>31</sup> *The Survey Report on the Distribution of Bamboo Species in Manipur*, p. 12.

As mentioned earlier, in the year 1878 the Indian Forest Act of Colonial India affected the Manipur State forest (curtailing the right of the forest-dwellers by surveying and declared as protected forests as under the State Forest Reserves). Under this Act the forest were declared one after another by the Political Agent of Manipur accordingly the Langol Forest, the Khuga Forest, and the Heingang Forest, Khamelok Gowaltabi Forest Reserve<sup>32</sup> Burma Teak Forest Ukhrul pine Forest the Sungnu Forest, etc. The forests were furthermore made the property of the government and placed under the charge of the Forest Department accordingly.<sup>33</sup>

In the year 1932 the State authority took the attention of conserving the Manipur forest by appointing Forest Officer of the State Mr. D.C. Kaith, which was on deputation from Himachal Pradesh and he was given the first task to make a note of Manipur forests by the *Darbar* mainly of Jiri Barak drainage forest which at present covers Western Division, Southern Division, Jiribam Division and Tengenpal Division.<sup>34</sup> And he divided these areas into 19<sup>th</sup> timber blocks for proper management and extraction.<sup>35</sup> These units were the management units of the timber blocks. Shri Kaith's Report was very comprehensive and was regarded as the foundation of forestry in Manipur.<sup>36</sup> The forest of Manipur were thus began to exploit (selling of timber and bamboo) which was never been exploited for any commercial purposes (especially of the Cachar border forest).

At this time the *Darbar* are prepared to allow the Forest Officer, in consultation with the Divisional Forest Officer, Cachar, to give loans to certain reliable

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<sup>32</sup> ARM, 1891- 92, p. 6. See also ARM, 1891- 92, p. 111, D.C., Kaith, *Forest Report of Manipur*, 1930, p. 97-101 & 111, ARM, 1919-20, p. 9 and MSD, 1946, p. 60.

<sup>33</sup> MSD, 1941, p. 60.

<sup>34</sup> *The Survey Report on the Distribution of Bamboo Species in Manipur*, p. 12.

<sup>35</sup> *The Survey Report on the Distribution of Bamboo Species in Manipur*, p. 12.

<sup>36</sup> The next officer of the State was Shri Hari Singh, a produce of Edinburgh, Scotland who stayed in Manipur for a year. He was succeeded by Shri K.V. Reddy who worked in the State upto 1942. During this period, the Indian Forest Act, 1927 was adopted in Manipur. During 1939-41, a Ranger was trained in Forestry course for the first time and the entire State was under a Forest Division. After Redy a local officer took, the charged by Shri R.K. Bijoy Chandra Singh worked till 1969 as Chief Forest Officer.

contractors, if they can be found, up to a limit of Rs. 6,000, for the immediate working of forests. They will be made by the Forests Officer and the Assam Forest authorities.<sup>37</sup>

The trees were also begun to cut down and clear the forest areas for economic development and road expansion, the *Darbar* resolved the following under the heading agenda:<sup>38</sup>

Cutting trees within 50 feet of road area. 4.

Considered authority the S.E. to cut all thus Jungle growing within 50 feet of the road between miles 7 ½ and 8 Burma Road.

It was also resolved and warns the owners of the trees and jungle that:<sup>39</sup>

...all trees and jungle must cut down such trees and jungles if within 50 feet of the Burma between miles 7½ and 8, and that if this is not done within 30 days of notice being served on them, the S.R. may cut such trees and jungle, which when cut will be headed over the owners B.R. to serve notice to this effect on the owners.<sup>40</sup>

For better or easy reach of the forest resources, the State authority, even in the last part of their rule in Manipur open up numbers of new forest branch offices.<sup>41</sup> And so, the colonial rule brought changed that the long standing right of the hillmen and has been deprived by not only of the facilities of earning but also they were made to buy the resources from their own land. Furthermore, the prices at which hillmen might sell the forest produce was also fixed.

Therefore, the unrestricted rights enjoyed by the indigenous people over their forests were lost or curtailed by the colonial authority under the Forest Department from time to time and made an arrangement to expand by all sort of forest law.

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<sup>37</sup> MSD, 1933, p. 86.

<sup>38</sup> MSD, 1935, p. 146.

<sup>39</sup> MSD, 1935, p. 146.

<sup>40</sup> MSD, 1935, p. 146.

<sup>41</sup> MSD, 1947, p. 406.

## **Colonial Forestry and Changes in the Forest Societies**

Man depends on nature for his sustenance and livelihood. Changed had brought to the forest societies under the colonial rule. On the other hand the agent of economic developments changed and affected the tribal societies to a great extent. For instance, development of communication (telegraphic, roadways and railway services) and the introduction of the common administrative system ruined the natural economy of the forests. Besides, the economic development, the process of deforestation continued. The forests were developed for the expansion of the colonial trade and commerce, and for the movement of the colonial troops. Also, Indian trees were cut down to meet the required good timber for the navy and maritime shipping in England. Wood was also required for the fuel and sleepers for the railways tracks. The government gave the tract to the individuals to supply the trees to the railways and shipping companies. The forest contractors cut down the forest along the railway lines. The colonial government took over the forestland and gave permission to the planters to start tea plantations.

Manipur State has rich in forest produce especially the timber and the tree-jungle these can be seen from E W. Dun's account in the following:

The tree-forests presents a great variety; and in the ranges lying west of the Manipur valley there are large forest tracts of trees comprising Nagesar, Jarul, India-rubber, Tun, Oak, Ash, etc. Fir trees do not exist in the hills immediately adjoining the Cachar road. These slopes have been steadily cleared of their timber, and present a demanded appearance.<sup>42</sup>

The clearance of jungles for cultivation and the deforestations of forest for the economic developmental purposes became more extensive. The colonial control over forestland became more expanded the agricultural works by encouraging the plantation of industrial cash crops like the jute, sugar, wheat, cotton and tea. In this ways disappearance of forests were recorded by E W. Dun in 1886 after half the century later and described, "The whole of the hill ranges lying between the valley of Cachar and valley of Manipur are densely clothed to their summits with tree jungles. Almost the only exception to this has been hill slopes facing Manipur

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<sup>42</sup> E.W. Dun, *Gazetteer of Manipur*, p. 83.

valley. These slopes have been steadily cleared of their timber and present a denuded appearance. The tree forests present a great variety and in the ranges lying west of Manipur valley there are ranges of forest of trees comprising *Nagesor*, *Jarul*, India rubber, Oak etc...Bamboo is plentiful between Cachar and Manipur.”

The policy to stop the long practice of shifting cultivation, hunting and the collection of forest produce led to revolt against the colonial authority. The government alienated their lands and their forests, which greatly disturbed the hill tribal. Villages were retained to live within the Reserved Forest and worked without wages for the forest department. Many villages were displaced without any notice and compensation. The people were already suffering from the increased land rents and demands for free labour from the colonial officers.

In the context of Manipur, the colonial forest laws like indiscriminate cutting of wood in the State Reserve Forest were prohibited and none can cut wood for sale. Here the owner’s rights on forest were transferred to the colonial authority. In this context the Manipur State *Darbar* mentioned in the following:<sup>43</sup>

If any village is found doing so, there will forfeit the privilege of free wood for their personal used, the village may be held responsible for the theft of wood committed in the State Reserved near their valley village reserves as there is little chance entering reserves by the outsiders without their knowledge also none can grass cattle in the Reserves except with a permit from the Forest Member, none can fell or cut trees from Reserve without a permit from the Forest Member and the like.

The forest laws passed by the colonial authority began to lost gradually the indigenous rights over their own forest land required to seek permission from the colonial to accessed his own forestland. The tribal responded to this exploitation and oppression in the form of revolt and movements and identify as their enemies from outsiders. This was the agitations against the outsiders so also these agitations were to shows their anti-colonial attitude by the local people. They revolted against them because of their exploitation and encroachment on their

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<sup>43</sup> MSD, 1936, p. 14.



land. The land which belonged them was now evicted from their land, annulment of traditional legal and social rights and customs, against enhancement of rent, for transfer of land to the tiller.

On the contrary the colonial claimed that, in viewing the valley and surrounding country (hill tribe) from a height, it is impossible not to notice the entire absence of forests in the valley, and also the barrenness of many of the hill sides where the timber that once existed has been in a great measure destroyed by the recklessness of the hill tribes.<sup>44</sup> This state of things has caused a great scarcity of wood for fuel and building in the valley, so that there probably no part of our Eastern frontier so will supplied with this necessary.

They further asserted the immediate to protect the forest and the conservancies were not being sufficient to be induced the hill tribal to make the efforts to stop from destroying. More especially Manipur has certainly less fine timber than might be expected, and as the Kookies gradually advance from the south the quantity will still more diminish, as those unless tree destroyers have a system of cultivation more destructive to the forests than any other tribe under the Maharaja's authority. However, these claimed can't be falls into conclusion because the tribal culture of depending on forestland were of long past and continued hitherto that no question of exploitation of their forest were recorded other than cutting the tree for their needs. Also the claimed of no fine timber found in Manipur were to opposite because the "Burma border Reserve Forest" found growing almost a teak tree which were of high value, which the colonial exploited by leasing out to the Bombay-Burma Trading Corporation in the year 1910 which had been mentioned in the previous Chapter three (3). As mentioned earlier, 'destruction of forestland unnecessarily and in excess of what a person needed was something one must avoid at all cost' and instructed by their ancestors and believed the forest has its own sylvan deity that controls them in all manner and anything destruction of nature, either plants or animals is equal to sins.

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<sup>44</sup>ARM, 1878, p. 2.

## **Colonial Forestry and Movement against the Forest Law**

Since 1931 the creation of a separate Forest Department in Manipur had began following the report of A. J. Milroy, the former Deputy Conservator of Forests of Assam proposals to the then Political Agent of Manipur in 1914, (though the report not implemented in the same year of World War I). Thereby, the D.C. Kaith's reports, on *The Report on Manipur Forests* (first Forest Officer of Manipur) of 1932 began and started the scientific Management of Forests in Manipur<sup>45</sup> bifurcated from the Assam forests.

However, the recommendations on Scientific Management and Working Plans of forests made by D.C. Kaith could not be wholly implemented for there were strong opposition of against the report by the people of the land especially the forest contractors and the tribal Chiefs. The tribal chiefs claim the rights of ownership of forest lands as they felt that all forest wealth including forest lands belonged to them. Any development programme taken up by the Forest Department for better management of forest resources was regarded by the forest dwellers as an infringement of their natural rights and as such. The Forest Department was helpless to take up any measure for regulation of Manipur forest.<sup>46</sup> The President of Manipur State *Darbar* Mr. Higgins opined that the objectives were to expand the exploitation and uses of timber rather than raise its costs. Besides forest timber, the grass also taken into account of colonial revenue under the grass mahal and reserving the right to extract the grass was essentially interference into the traditional rights of the villagers which they had been enjoying from time immemorial. Moreover, as it often coincided with the fishery or village land, the villagers used to oppose such step of the rulers resulting into conflicts between the leases and the villagers.

The Indian Forest Act of 1927 classified the forests as Reserved Forests, Protected Forests and Unclassed Forests and The Indian Forest Act 1878 of Colonial India surveyed and declared as protected forests as under the 'State Forest Reserves' that the whole forests areas overlooking the valley Manipur. The

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<sup>45</sup> G. Singh, *The Manipur Forest Manual* Vol. I, Govt. of Manipur, 1970, pp. 4-5.

<sup>46</sup> Sanatomba, A. Singh, *Forest Economy of Manipur Perspectives for Scientific Management*, Ph.D Thesis Department of Economics, Manipur University, Canchipur, 1999, p. 5.

Political Agent of Manipur<sup>47</sup> declared the forests one after another as “State Forest Reserve” in 1895;<sup>48</sup> the Langol forest, the Khuga forest and the Heingang forest. The rights of the (forest-dwellers over forest) were curtailed, made the property of the government and placed under the charge of the Forest Department.<sup>49</sup> Following the colonial forests Acts, D.C. Kaith reported (the first forester of Manipur State) to envisaged four types of forests, in Manipur<sup>50</sup> State Reserve (To be put under strict State protection), Valley Village Reserve (for the villages situated in the valley by depending on the nearby forests for meeting their requirements) Hill Village Reserve (Known as 1/4 miles reserve maintained around each recognized hill village Open Reserve Open (For commercial and domestic requirements of people of Manipur under permission).

The increase in the amount of forest revenue, however, had a detrimental effect on the forest, because there was no restriction imposed on the extraction of trees. For, it was at the mercy of the timber trader, whose interest was to take as many as possible. In the year 1933, the colonial government took over the forests according to which the hill villages were given the option of buying the monopoly right in the forest produce of their own land (open reserves). Permits were also given to contractors on the recommendation of the hill authorities on payment of monopoly fees to cut timbers from the hill open reserves. The forests were again leased to the highest bidder. Colonial government in several conditions disrupted the forest-oriented tribal economy by imposing a several Forest Acts, depriving from their common property rights. There was an increased in forest revenue, the receipts amounting to Rs.23, 597, as against Rs.16, 031, 1908 (previous year).<sup>51</sup> To meet the increased demand for timber in Cachar and subject to increased forest revenue, the jungles were cleared though it caused great difficulty in withdrawing timber from the interior of the forests.<sup>52</sup> Steps were also taken by the Political Agent for effective peaceful extraction of timbers two *Lambuses* with strict instructions were posted in the Jiri border forests area to avoid the strained

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<sup>47</sup> ARM, 1891- 92, p. 6.

<sup>48</sup> ARM, 1891- 92, p. 111.

<sup>49</sup> MSD, 1941, p. 60.

<sup>50</sup> *The Survey Report on the Distribution of Bamboo Species in Manipur*, Forest Department Government of Manipur, 2004, p. 12.

<sup>51</sup> ARM, 1909 - 10, p. 25.

<sup>52</sup> ARM, 1909 - 10, p. 25.

relation between the local people and the timber traders. Thus, forest revenue gradually increased in 1933-1935 to 1946-47.<sup>53</sup>

Besides of timber resource, the thatching grass overlooking the valley where an area grasses were found growing (fit for sale) were sold by leasing out to the contractors. Thus, the traditional rights of the indigenous people used unreservedly of forest produce were at the hand of the rich and influenced contractors.<sup>54</sup> This losing of traditional rights by the indigenous people resulted to conflicts with the leases and the villagers. From the earliest activities of the State declaration, the tribal forest dwellers were not happy with the new forest law. Therefore, they sent a complaint letter about the new forest law, although no changes had brought to them especially by the hill headmen.

#### *Colonial Forestry and its Impacts on Forest, Land and Right*

The traditional land systems of pre-British were turned into tenancy systems by the colonial rule. With the following of introduction of market economy system (economically) it created a class of trader. The tribal tenants had to pay the rent in cash. As they did not have cash with them, they had to borrow from the money-lenders. In these ways, the British introduced class of trader, money-lenders and contractors (Thekedars) in the tribal areas. Thus the forest policy of the colonial government affected the life of the indigenous forest dwellers. The colonial foresters and the indigenous forest dwellers had different opinions on forestry. The indigenous people wanted a mixed forest which could meet their needs-fuel, fodder, land for cultivation. The forest department wanted to plant trees to meet the requirement of the industries.

The commercial forestry benefited small section of the people who changed their profession to the trade in the forest products. The forest laws changed the life style of the tribal communities. The hunting and fishing rights were banned by the colonial power. Many ignorant tribal were punished for breaking these laws. The colonial government gave the sole right to the European companies to trade in forest products. Grazing and hunting were restricted. Many pastoral communities

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<sup>53</sup>ARM, 1909 - 10, p. 25.

<sup>54</sup>ARM, 1915 - 16, p. 11.

who depended on rearing and herding of the cattle lost their profession. They were forced to work in the factories and the plantations.

### **Transfer of Traditional Forest Rights and State Claimed Ownership**

The preparation to transfer the forest and the forestland by creating State Forest Reserve began in Manipur since 1891. The colonial authority became aware the revenue from these State Reserves Forest and resorted to create more forest reserves in the valley as well as the hill forest soon after the establishment of a separate forest departments the 'village reserves' and 'open reserves' in 1932.<sup>55</sup>

The forest member of the Manipur State *Darbar* on payment of money issued passes to anyone who applied for the use of such reserves. Later, as the system was found dissatisfy, it proceeded for modification by *Darbar* on 8<sup>th</sup> of March, 1933 according to which, “the hill villages were given the option of buying the monopoly right in the forest produce of their own land.”<sup>56</sup> Now the hill tribal (owners of the forest and forestland) were to buy timbers from their own land with some kind of arrangement by the colonial power: “And the forest member in consultation with the Hill Office fixed the prices at normal rates.” Logically, the prices were fixed at more or less ‘normal rate’ by the Forest Member consultation with the Hill Office.<sup>57</sup> The Open Reserves were abolished in respect of those villages which brought the monopoly right for their own land in addition the Hillman were term as the ‘indiscriminate cutter’ of timber and gave the ‘right to prevent’ of all those term used by the colonial.<sup>58</sup> Now this has been found to operate more satisfactorily than the former one as it gave the Hillman the right to prevent indiscriminate cutting of timber from his own forestland.

At this point of time, the owners of the forest were obligated to bought the forest produce from his own property, for, the colonial forest laws technically bound to owner that “the villages which did not buy the monopoly right for their own land, the former system of issuing passes was continues of issuing passes on payment

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<sup>55</sup> MSD, 1936, p. 16.

<sup>56</sup> ARM, 1933 - 34, p. 16.

<sup>57</sup> ARM, 1933 - 34, p. 16.

<sup>58</sup> ARM, 1933 - 34, p. 16.

by the Forest officer to any person who applies.”<sup>59</sup> This system found more satisfactory than the earlier system. The right of selling hill village Mahal (of forest member, 1936), was transferred to Hill Office<sup>60</sup> for a better supervision.

However, the claimed of ‘everything belonged to us since time immemorial’ by the people of Manipur were came to the point of loosen the restriction by the colonial power and proposed for the forest survey report. Accordingly, the report of ‘Ukok Survey’, brought to these points that ‘only some area were permitted to the villagers for collection of fire-wood free for their own use from the neighbouring hills’.<sup>61</sup>

Thereby the system of ‘permits’ were also given for revenue return to the contractors on the recommendation of the hill authorities on payment of monopoly fees to cut timbers from the hill open reserves.<sup>62</sup> Besides, the forest over the valley of the State also certainly came under the control of colonial. In this way, the forest and their forestland were taken over by the colonial State. These were some of the few facts to say how the colonial claimed over the traditional rights:<sup>63</sup>

- i) In 1895, the ‘Langol hill forest’ was declared as "State Forest Reserve” by the then Political Agent of Manipur (Maxwell)
- ii) The whole valley areas were divided into a number of Tera Mahals and by auctioning the permit to cut them revenue were collected
- iii) The forests in the valley were management of by the State government as of the hill forest by imposed fine on those persons found guilty of illicit cutting of tree
- iv) All the Tera trees silk cotton trees which under the control of His Highness, the king of Manipur, (*Darbar* Resolution No. 22 of 30th July, 1941) were made the property of the government and placed under the charge of the Forest Department.

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<sup>59</sup> ARM, 1933 - 34, p. 16.

<sup>60</sup> Which was under the charge of the Assistant to the President of Manipur State *Darbar*.

<sup>61</sup> ARM, 1934 - 35, p. 20.

<sup>62</sup> ARM, 1946 - 47, p. 12.

<sup>63</sup> ARM, 1894 - 95, p. 14.

## **Conclusion**

Therefore, these claimed of 'everything belonged to them since the time immemorial' have been made bound by the colonial authority. The form of resisting movement against the British authority (on forest law) by the tribal, may perhaps different to some extent in strategies like:

- a) exploiting the peasant by the landlords in the form of extracting exorbitant amount of rent from the tribal,
- b) evicted them from their land and extracted beggar or the forcible labour from the tribal).

However, the movement against the new forest law, were far from different of being deprived of their belongings from other parts of India. Forests form the principal resource of the State and the development of the forest. Developments of the forest on the scientific line other than commercial forestry will go a long way may improved the economic condition of the people in the State and in enriching and conserving the environment. In conclusion, the movement against the colonial forest law may differed in limits or in forms comparing to the other parts of India however resisting movement against the colonial forest law by the forest dwellers in particular.