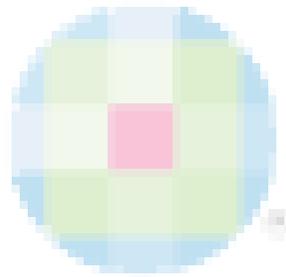


# The Mirage of Permanent Boundaries: Politics of Forest Reservation in the Western Himalayas, 1875–97

Ashwini Chhatre

*Forests of the Western Himalayas, particularly the hill districts of colonial Punjab in India, became sites of intense negotiations over issues of demarcation of state property and definition of user rights in the last quarter of the nineteenth century, even as the debates over the Indian Forest Act came to a close. In implementing newfound powers, the Forest Department was frustrated, first, by the characterisation of the region as anomalous by the Revenue Department, and second, by overt resistance from local communities. In the web of interests and ideologies, emerging interactions between state and social actors were crystallised, and defined the contours of state–society relationships. In the process of negotiating the demarcation of forests, inter-departmental rivalries between the Revenue and Forest Departments intersected with the tension between central direction and local autonomy. Legal categories enshrined in the law were reinterpreted in imaginative dimensions to correspond with local practices and new ways of imagining forests emerged that defied, and sometimes contradicted, the spirit of the law. The result could be seen as a compromise between positions of extensive and intensive territorialisation within the state, which graded forests hierarchically in new categories, nested within the law and created a supra-tenure that went beyond legal categories. Such an optic helps in better understanding and explaining the variation in the project of territorialisation in colonial India.*



## INTRODUCTION

IN THE SUMMER of 1999, approximately 750 sq. km. of territory in the Western Himalayas, in the district of Kullu in the northern Indian state of Himachal Pradesh,

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was declared closed to local populations and notified as the Great Himalayan National Park.<sup>1</sup> Following the procedure laid down in the Indian Wildlife (Protection) Act of 1972, the rights of any claimants to the resources inside the Park were extinguished; out of the more than 15,000 users, a small compensation was ordered for those whose names appeared in the records that were consulted by the powers-that-be to determine legitimate users. Curiously, this legitimacy was derived from records more than a century old, of 1897 vintage, from the first forest settlement in the region that demarcated almost the whole area into different classes of forests and determined and codified the nature and extent of rights in all of these forests.

The notification of the National Park appeared to culminate a fifteen-year struggle of the Forest Department and the conservation lobby in India to secure the area for the conservation of precious Western Himalayan biological diversity in general. However, events in the summer and autumn that followed, as in the following years until now, illuminated the difficulty of calling an end to the problem. Immediately following the notification and the extinguishing of rights, local populations organised themselves to lobby their political representatives for redressal. Through a combination of claims to a moral economy and the amoral pragmatism of electoral arithmetic, local residents were successful in securing access to the legally denied resources inside the Park, circumventing the restrictions and threats posed by the Forest Department and the law. This result resonates with a similar effort in the 1880s, when the Forest Department attempted to reserve large tracts of forest in the same area and was frustrated in similar fashion.

In 1876, three forest officials—Dietrich Brandis, Inspector General of Forests,<sup>2</sup> B.H. Baden-Powell, Conservator of Forests, Punjab, and Lt. Col. Stenhouse, Deputy Conservator of Forests, Kangra district—surveyed the area and provided detailed suggestions for the demarcation of the best forests in Kullu. They estimated that of the total area of approximately 1,200 square miles, only about 400 could be said to be under forest.<sup>3</sup> In their report, they suggested that about 150 square miles be demarcated and subsequently managed for timber production. They also emphasised the need to separate the lands that could be made available for the expansion of cultivation from those to be maintained permanently as forests. The report met with universal approval within the colonial bureaucracy; revenue and forest officials alike responded enthusiastically to the proposed demarcations. Over the next two decades, however, actors at the local, provincial and national levels interpreted the report differently in light of the brand new Indian Forest Act of 1878. The legal categories were deliberated, interpretations were disputed and fault lines emerged within the state apparatus as Kullu emerged as a ‘zone of anomaly’. A strict application of the legal categories prescribed in the 1878 law was thwarted by the provincial Revenue Department through a characterisation of Kullu as anomalous.<sup>4</sup> Besides the Forest Department—Revenue Department axis, there emerged a strong local bureaucratic response to central direction, in interaction with the resistance of the local populations to the new and proposed restrictions. As the debate moved from an inter-departmental conflict, through the center—local tensions, to the formulation of a compromise, overt peasant

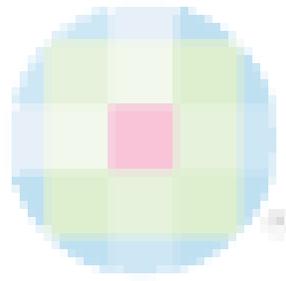
resistance in the late 1880s again foiled attempts to implement and enforce the new *détente*.

Three features of the process in Kullu can be highlighted as relevant to a better understanding of the historiography of forests in colonial India. First, the debate concerning demarcation of forests in Kullu could be characterised as between intensive and extensive territorialisation. The intensive territorialisation position demanded a focus on demarcating a small area of productive forests, with ‘full ownership’ of the state (and management control of the Forest Department) and no meddlesome rights of local populations, leaving the rest in loose control of the Revenue Department and managed with the help of local notables. The extensive territorialisation position entailed a demarcation of all forest land as state property and managed as forests with a hierarchy of rights and privileges for the local populations. Such a distinction allows us to get away from the debate amongst forest officials alone and bring in the perspectives and arguments of officers of the Revenue Department, which played a major role in interpreting the provisions of the Act at the provincial level. In addition, such a perspective allows us to appreciate the implications of territorialisation for state formation. In Kullu, jurisdiction over an expansive estate with a complex hierarchy of property rights and local customs as well as the imperative of instituting the rule of law compromised the autonomy of the state from society and mired its institutions in a web of relationships that were more contingent than generic.

Moreover, in the compromise that was worked out in Kullu, legal categories were reinterpreted in ways that defied and sometimes contradicted central direction as represented by the 1878 law. This compromise was necessarily a middle ground between intensive and extensive positions. In the new arrangement, almost the whole territory of Kullu was demarcated—instead of a few favoured sylvan estates—and it was carefully classified into vertically arranged categories that progressively curtailed rights of local populations. Interestingly, these new categories were nested within the classification ordained in the central law, while deviating from its salient features in significant ways.

Second, sustained resistance to new regulations regarding fire, grazing and timber for local populations thwarted state attempts at restrictions and raised question marks against the notion of permanent boundaries around state forests, a notion central to the project of territorialisation and cherished by all arms of the state. Initially, the Revenue Department used this resistance to strengthen its characterisation of Kullu as a zone of anomaly and to rally support across the departmental divide for the cause of local knowledge against central direction. In the end, the resistance of local populations led to a breakdown of local consensus between the Revenue and Forest Departments.

Finally, this three-way interaction, between central direction, local resistance and claims to local knowledge, defined the contours of the nascent colonial state in Kullu and the range and domain of state–society relationships around forests, elements of which can be witnessed in the events that unfolded in the Great Himalayan National Park in 1999. Moreover, territorialisation had serious



consequences for the process of state formation—the process of constituting the state as an entity separate from society—whereby an enduring configuration of forest rights for vertically arranged social actors in spatially distributed forest categories defined the canvas of state–society relationships.

Examples of successful resistance by local communities to state efforts at exclusion are common across the non-developed world. What this article attempts to accomplish is to situate the events in the Great Himalayan National Park within the larger political ecology and environmental history of the region and provide a historical context to contemporary outcomes. I argue that the events of 1999 in the Great Himalayan National Park were preconfigured in significant ways by the history of territorialisation through legal categories witnessed in the region and by the state–society relationship that evolved as a consequence of this history. The process in Kullu furthers our understanding of state formation and the diverse ways in which interaction of state and social actors at multiple levels influences the outcomes of state formation. This has significant implications for conservation policies that rely on the assumption that the state has the autonomy and capacity to implement coercive policies. Outcomes at the local level bear the burden of the history of human–nature association as well as the evolution of state–society relationships.

### FORESTS AND STATE FORMATION

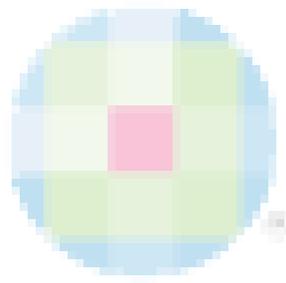
The British annexed Punjab in 1846, following the Anglo-Sikh wars. A Board of Administration assumed control of the territories in 1849, and subsequently, Punjab climbed up the administrative hierarchy under a Chief Commissioner in 1853, a Lieutenant Governor in 1859 and a Legislative Assembly in 1897 (Baden-Powell 1907: 16). By the mid-nineteenth century, most of India had come under direct or indirect British dominion and was sought to be governed by the ideology of the Rule of Law, faith in private property and tolerance of local custom (Pathak 2002: 9). Therefore, when Punjab came under British control, several aspects of what generally constituted colonial rule in India were already in place. The British embarked on Revenue Settlements as their chief vehicle of instituting the rule of law in Punjab, starting almost immediately after annexation in 1849. Settlements were the means by which villagers were first drawn into the rule of law and its associated ‘record of rights’ (Saumarez Smith 1996). However, in order to institute ‘the rule of law’ while setting up a revenue-generating infrastructure, the British had to construct ‘community’ in the hill districts where none existed (Baden-Powell 1892 Vol II: 537; Baker 2001). The forests in the Himalayan districts of Punjab were heavily drawn upon for the development of infrastructure in the initial years, particularly military cantonments and public buildings (Rangarajan 1994; Stebbing 1922). However, the timber wealth of the hill districts, particularly Kulu sub-division of Kangra district, came under increasing attention of colonial officers, civil and military alike. The demand for timber to meet the expansion of civil and military infrastructure in Punjab was initially met from forests in the

jurisdiction of local tributary states such as Chamba and Bushahar through logging leases (Rangarajan 1994). By the end of the 1870s, however, there was an acute awareness of an impending shortfall of supplies and the unreliability of tributary states in enforcing strict conservancy (Tucker 1983: 160). It was also the time of the expansion of the canal irrigation systems and the railways in the plains of Punjab, with the spectre of a widening gulf between the demand and supply of quality timber (Agnihotri 1996).

The first Revenue Settlement in the hill regions was cursory and represented the first phase of territorialisation; all unoccupied lands were declared state property, although there was great variation between districts (Singh 1998). Kullu was the only area under British administration in Punjab with large and contiguous forests of *deodar*, the timber of choice of the Forest Department, within easy reach of substantial perennial rivers, required to transport the timber. Forest conservancy did not begin in any seriousness until 1868 when twenty-six blocks of forest were demarcated and transferred to the newly formed and thinly manned Forest Department. By 1870, senior bureaucrats were convinced that the forest wealth of Kullu needed to be managed scientifically to ensure sustained yields.

The political economy of forests in Kullu in particular, and the Western Himalayas in general, was not different from the rest of India. However, attempts by the Forest Department to secure exclusive control over prime forests were foiled repeatedly in the last three decades of the nineteenth century. In fact, after the passing of the Indian Forest Act in 1878, until World War I, forest use changed little in the Western Himalayas, as the energies of the Forest Department were consumed in defining the limits of their powers. Much of this was spent in negotiating with recalcitrant village communities, as well as in inter-departmental rivalries (Tucker 1983: 164). By 1900, the contours of proprietary rights in land and forests of the Western Himalayas had yet to be fixed, and less than 5 per cent of land was classified as Reserved Forests, the most exclusive category in the Indian Forest Act of 1878, and the favourite of the Forest Department (Baden-Powell 1892 Vol II: 548; Garbett 1938). This contrasts sharply with experiences in several other regions of India, and has a bearing on a better understanding of the process of extending Pax Britannica to forests (Rangarajan 1994).

Demarcation of forests into neat categories with clear property rights can rightly be portrayed as an attempt by the state to make its subjects and landscapes legible (Scott 1998). However, the project of making landscapes and populations legible was embedded in colonial India within the larger project of imposing a ‘rule of law’ in the country. This larger imperative itself arose as a result of internal contradictions within colonialism, as the greed and corruption of company officers competed with company profits (Pathak 2002: 166). In Punjab, where the imposition of the rule of law (exemplified by revenue settlements and protection of private property and rights) and the political economy of forests followed each other within a couple of decades in the mid-nineteenth century, a careful balancing act had to be carried out between the two conflicting demands, and lead to different outcomes in the province.



Peter Vandergeest and Nancy Peluso, in a study of Thailand, have deployed the concept of territorialisation to characterise this process. They define territorialisation as allocation of property rights in land along with a demarcation of resource-use patterns, set within a totalitarian bureaucratic framework and embedded in a spatial grid within the boundaries of a nation state (Vandergeest and Peluso 1995). They argue that such internal territorialisation has progressed linearly through three phases. In the first phase, the state asserts its ownership of all unoccupied lands, particularly forests, and codifies titles and property rights. Thereafter, it proceeds to curtail resource use through a legal classification of forest lands, to be earmarked as permanent forests, unavailable for appropriation for cultivation. Finally, the forests are reclassified according to scientific categories—soils, watershed regimes, wildlife zones, etc.—further eroding user rights of local populations. In the process, the state also determines what practices are legitimate, and constructs ‘genealogies of customary rights’ that excludes and criminalises many others (Peluso and Vandergeest 2001). The process of demarcating forests in colonial India, with minor variations, has also followed a similar trajectory.

Ramachandra Guha has argued that the Indian colonial state, spurred by the rising demand for timber and the prospect of running out of supplies, appropriated large tracts of forests and classified these as state property. This process, which intensified in the mid-nineteenth century, resulted in widespread dispossession of rural communities heavily dependent on forests for subsistence. The Indian Forest Act of 1878, the sequel to the much milder statute of 1865, provided the state with the necessary teeth to accomplish this takeover, through classification of forests into neat categories (Guha 1983). The changeover to a total state control of forests, within a few decades, has been termed as a watershed in defining the state–society relationship around forests in colonial India.

State policies of exclusion have often been thwarted from both within and without, particularly due to conflicting, and sometimes contradictory, interests and responsibilities of competing arms of the state. Therefore, the Revenue Department in colonial India has been characterised as resisting the predatory designs of the Forest Department. Guha (1990) traces the debates surrounding forest legislation in the 1870s and demarcates three distinct positions amongst the actors. The most vocal and aggressive position—annexationists, represented by B.H. Baden-Powell—calls for total exclusion of private rights from the choicest forests. The other extreme—populists, represented by officers of the Madras Presidency—contests the right of the state to deny local populations what they consider as legitimate rights in forests. Guha places a position between these two—the pragmatists, represented by the Inspector General of Forests, Dietrich Brandis—arguing for a middle path. Between the annexationist, pragmatic and populist positions, the particular thrust of the Indian Forest Act of 1878 is seen as evidence of the victory of the annexationist school of thought and the end of the debate (Guha 1990). Other scholars have challenged this portrayal of an unalloyed victory for the hawks. Pathak strongly objects to the reification of such positions and questions the motives that Guha assigns to the various actors (2002). Saberwal (1999) traces

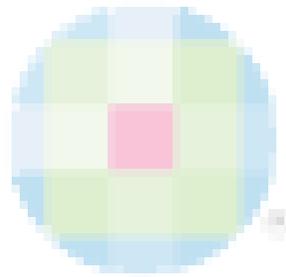
the history of interdepartmental conflict and rivalry in the Western Himalayas well past the colonial period and asserts that the Forest Department never succeeded in fully realising its avowed control over territory and was successfully thwarted, by the Revenue Department in the colonial period and elected representatives in the post-colonial period. Sivaramakrishnan (1997) contradicts the notion of a unified and centralised state with perfect and total command over its territories. In documenting the process in colonial eastern India, he highlights the tension between local authority and central direction and argues that the centralised body of knowledge that passed for scientific forestry was disputed by local officials in Bengal, resulting in a ‘limited conservancy’ within parameters decided locally. Vandergeest and Peluso, speaking for Thailand, argue that the project of territorialisation is ultimately unsuccessful, as a result of continued peasant resistance (Vandergeest and Peluso 1995: 412).

That local populations resist the processes of territorialisation is beyond qualification. In the Indian case, Guha and Gadgil have documented the numerous and continuous peasant and tribal revolts that can be traced directly to the state-sponsored curtailment of forest use consequent to appropriation (Gadgil and Guha 1992; Guha and Gadgil 1989). Several studies attribute some agency to peasant and tribal populations that are affected directly, in deflecting the threat of centralised control and restrictions (Peluso and Vandergeest 2001; Sivaramakrishnan 1999; Vandergeest and Peluso 1995). Agrawal (2001) goes further, arguing that overt peasant resistance to the reservation of large tracts of forest in the Central Himalayas in the early twentieth century forced the state to reterritorialise, through the creation of a separate domain for the exercise of usufruct rights in the form of *van panchayats* (village forest councils).

It is precisely at the interstices of territorialisation and resistance, as well as inter-departmental conflicts and center–local tensions, that various issues can be probed further, to get at the nuances of the project of territorialisation and its relationship to state formation. The history of territorialisation in Kullu provides us with such a unique glimpse of the colonial state in India at a historical moment.

### THE WAR OF ATTRITION

The joint report by Brandis, Baden-Powell and Stenhouse (1877) (henceforth Joint Report) on the demarcation of forests in Kullu was submitted to the Government of India in late 1876 and made its way to provincial officers by the middle of 1877. It attracted praise for its balanced treatment of the subject and was welcomed by all and sundry as the correct way to proceed on the vexing forest question.<sup>5</sup> In one of the first cautionary notes to the possible implications of the Joint Report, James Lyall, senior Revenue Department official and the last bureaucrat to have carried out a Revenue Settlement in Kullu in 1875, noted that if the provisions of the report are carried out in a ‘harsh and unbending’ manner there may result ‘much injury and annoyance’ to the local population.<sup>6</sup> In a detailed reply, Baden-Powell, co-author of the report and Conservator of Forests, asserted that ‘unless



the reservation . . . is undertaken it is impossible simply that this department can be responsible, either for the safety of the soil, or the continued supply of the timber demanded locally, still less for the supply of *deodar* for export'.<sup>7</sup> With the Indian Forest Act having been approved in 1878, the Government of India increased pressure on the provincial government to implement the Joint Report under the new law. The words used in the report (forest reserves) being similar to the most restrictive category of forests in the law (Reserved Forests), it was assumed that the new demarcation would proceed under the same provisions. The 1878 Act provided for two main categories of forests—Reserved and Protected. Chapter II of the Act described the provisions regarding Reserved Forests and was considered, then and now, to be severe on local rights. Only such acts were permitted as were expressly allowed in the particular forest. In contrast, Chapter IV, dealing with Protected Forests, allowed all acts that were not expressly prohibited in the forest. In spite of assurance from forest officers regarding the well-being of local populations and the exercise of their rights, the stringent provisions for Reserved Forests raised Lyall's doubts.<sup>8</sup> The doubts remained, but the Government of Punjab went ahead and issued a notification in December 1880 to undertake the demarcation and settlement of 62 blocks of forests, as suggested in the Joint Report, under the provisions of Chapter II of the Indian Forest Act.<sup>9</sup>

### **The Issue of Rights and the Permanence of Forests**

As early as February 1881, sharp differences appeared between the Settlement Officer, Alexander Anderson, and Lt. Col. Stenhouse, Deputy Conservator of Forests, over the issue of defining rights.<sup>10</sup> In March 1881, Stenhouse wrote to his superiors, complaining of too many rights being allowed.<sup>11</sup> In a swift reply, William Schlich, the officiating Conservator of Forests, Punjab, agreed with Stenhouse that the record of rights being prepared by Anderson was inadequate to meet the demands of strict conservancy.<sup>12</sup> By May 1881, the Revenue and Forest Departments were sharply divided on the desirable course of action. Forest officials were adamant that only full closure of all forests suggested in the Joint Report as Reserved Forests under the India Forest Act could meet the requirements of forest conservancy. Revenue officials, right up to the provincial level, were convinced that this was unnecessary and would prove to be disastrous for the local populations and harm the peace and prosperity of the region. One particular characteristic was repeatedly highlighted to indicate the anomalous nature of the tract, and hence the difficulty of a strict and full closure of the *deodar* forests. This was that *deodar* preferred the same gentle slopes that were preferred by the people for cultivation, leading to a patchwork-quilt interlocking of villages and precious forests. The closure of large *deodar* forests would necessarily inconvenience a disproportionately high number of people. It was during this deadlock that the blame was laid squarely at the altar of Chapter II of the Forest Act, pertaining to Reserved Forests and its prerequisite of full extinguishment of rights. Colonel Davies, Commissioner of the Jullunder Division suggested that the provisions of Chapter IV of the Forest

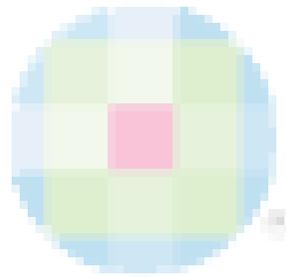
Act, pertaining to Protected Forests, would have been more than sufficient to meet the suggestions given in the Joint Report without causing undue restrictions on the local people.<sup>13</sup> Lyall, now Financial Commissioner of Punjab, quickly put his weight behind his subordinates and supported the use of Chapter IV in dealing with the situation.<sup>14</sup>

Forest officials reacted with predictable dismay at the proposal. Major Bailey, Conservator of Forests, Punjab, asserted that one of the principal objectives of the Joint Report was to 'secure for the use of the people of the country as well as for export a sufficient and *permanent* supply of timber and other forest produce' (emphasis in original).<sup>15</sup> It was argued that 'Reserved Forests are the only kind of forests that can permanently exist' and that the provisions for Protected Forests were far too nebulous to ensure against the 'growth of private rights' and 'prevention of fire'. It was precisely with a view to the well-being of local people and forests that reservation of forests and curtailment of rights was desirable.<sup>16</sup>

It was in the context of the war of the chapters that Lyall pointed out that 'action taken under Chapter II would only affect the demarcated forests'. The need of the hour was to cover all the forests under the demarcation, which could be done only under the provisions of Chapter IV, 'giving all the power required to preserve the forests, to prevent the growth of rights, and to carry out the policy of the joint report'. He recommended that a new notification be issued 'declaring the provisions of Chapter IV applicable to all the forest and waste lands'.<sup>17</sup> This recommendation was accepted and in April 1882, the Government of Punjab reversed its earlier decision to apply the legal provisions for Reserved Forests for the demarcation and issued a fresh notification proclaiming the application of Chapter IV of the Indian Forest Act to all the forests and waste lands of Kullu. The project of intensive territorialisation, initiated by the Forest Department, was transformed by Revenue Department officials into extensive territorialisation.<sup>18</sup>

### **Central Direction, Local Knowledge**

Brandis, Inspector General of Forests, struck back with a detailed memo in July 1882, taking issue with Lyall that *deodar* groves were interlocked everywhere with cultivation and contended that this was so only in limited areas. The memo explained in detail his reservations that Protected Forests constituted under Chapter IV couldn't prevent the growth of rights and destruction by fires. Clearly outlining his programme of intensive demarcation, he suggested that in exchange for extinguishing rights in the demarcated forests, more rights be allowed in the excluded parts. Brandis quoted at length the system that had evolved in the nearby and topographically similar region of Jaunsar in the neighbouring United Provinces, where 142 of a total of 400 square miles had been demarcated as Reserved Forests. Of the 142, 24 had been carved out as first-class reserves with no rights at all and completely at the disposal of the department. The memo proposed that the system followed in Jaunsar, of dividing the Reserved Forests into two classes could be followed in Kullu, whereby a small portion could be liberated from rights.<sup>19</sup>



The Government of India, taking a cue from Brandis' memo, reacted sharply to Punjab's decision to apply Chapter IV instead of Chapter II. In August 1882, in a strongly worded letter, it asked the Government of Punjab to explain its actions. Quoting Brandis, it observed that 'there is a doubt as to the accuracy of information placed before the Government of Punjab, on which the orders of 1st April 1882 were based'. Officiating Inspector General of Forests, William Schlich was dispatched to Kullu to report on the ground situation.<sup>20</sup> Schlich toured Kullu in October 1882, accompanied by local revenue and forest officials. His report vindicated every claim made by the provincial government and its officers that the Government of India had objected to and Brandis had contested.<sup>21</sup> In an effort at working out a compromise during his tour of inspection, he offered to reduce the extent of absolute reserves with no rights to 80 square miles—down from 156 suggested by Brandis and the 220 included in the original notifications.<sup>22</sup>

It was at this point that Anderson took the Forest Department aristocracy at the center completely head on. Taking issue with Brandis on his position that Reserved Forests with no rights were essential because of the adverse impact of grazing on the regeneration of *deodar*, Anderson quoted from an article on grazing that had appeared in the December 1882 issue of the *Indian Forester*, a leading forestry journal of the time.

The result of excluding cattle from *deodar* forests, as far as natural reproduction goes, has not been at all satisfactory. As a rule, the result of excluding cattle after fellings have been made, is that a dense growth of grass and bushes of all kinds has sprung up, which, if it has not altogether prevented reproduction, has at all events, hindered a large number of seeds from reaching the ground, and has also probably choked many young seedlings before they had the time to overtop the grass.<sup>23</sup>

This was a masterpiece of a chess move, as the author of the article was a forest officer and was referring to his observations from the vantage point of Jaunsar, the favourite example of Brandis.<sup>24</sup> Anderson supported this thesis from his own observations in Kullu, reciting names of forests and villages where he had seen this happen and added that '... It maybe that the reproduction is *in consequence* of the grazing, as Mr. Moir holds. But whether or not, it seems clear that the exclusion of cattle from *deodar* forests is not the *sine qua non* to natural reproduction that it is said to be'. Grazing was, and has been till today, the primary objection that the forest department had been raising against demarcating the forests under Protected rather than Reserved Forest status. The argument ran that it was not possible to close forests to grazing unless these were reserved and closed as in Jaunsar, and until that happened, there was no question of any regeneration. And here was Anderson, quoting a *forest officer* based in Jaunsar about how grazing was actually *good* for regeneration.

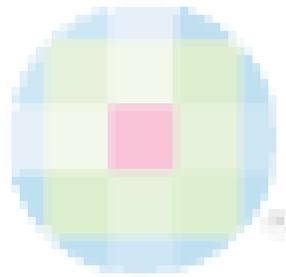
With this one stroke of luck, as it were, Anderson showed senior forest officers, especially those with the Government of India such as Brandis and Schlich, in

very poor light and seized the initiative. The Government of Punjab compiled a powerful response to the report submitted by Schlich in November 1882. Enclosing memos from both Lyall and Anderson, the Government of Punjab refuted every claim made by Schlich and rejected all proposals of a compromise.<sup>25</sup> The Governor of Punjab summarily rejected the suggested reduction in reserves to 80 square miles and quoted from debates in the legislative council during the formulation of the Indian Forest Act in 1878, asserting that the lawmakers always meant the Protected Forests to be maintained permanently.<sup>26</sup> In a similar vein, Anderson quoted Brandis from his memorandum on forest legislation of 1875, where he had argued about the difficulty of defining rights.<sup>27</sup> Summoning all the evidence at his disposal, the Governor launched a frontal assault on the Government of India in July 1883, attacking the authors of the Joint Report for misrepresenting their own recommendations and going beyond its limited scope. In summary, the letter suggested that 'the real point for consideration is not whether proposals made in the Joint Report are to be adhered to or departed from, but how a system of forest demarcation and conservancy suitable to the conditions of the district and the requirements of the case are best secured'.<sup>28</sup>

### **The Compromise**

Finally, as the dust settled on the war of the chapters, final orders were issued in April 1883 and Anderson commenced the task of demarcating forests. Moving towards a middle ground, these orders stipulated the formation of four classes of forests, more than anybody had suggested earlier. The first of these was Reserved Forests under Chapter II. All remaining unoccupied and unclaimed land would be classified as Protected Forests, under Chapter IV of the Forest Act. These were further sub-divided into 1st, 2nd and 3rd classes. The 1st class would be those most valuable forests that could not be completely divested of rights or the ones that were too close to cultivation to be closed with any degree of success. As far as possible, it was proposed to 'throw all rights in these forests' into the 2nd and 3rd classes. The 2nd class comprised of forests not immediately available for extraction owing to their inaccessibility, lack of good timber species or being burdened with rights. Both these classes were to be demarcated with boundary pillars as markers and mapped. The remaining were clubbed together as 3rd class forests, neither demarcated nor mapped, but brought under the purview of the Forest Act and therefore state property (Anderson 1886).

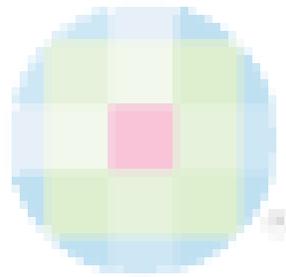
The classification in the new notification represented a compromise worked out at the local level between the Forest and Revenue Departments. Anderson worked assiduously, taking local forest officers along and demonstrating a will to work together. In forging a local consensus, he constantly harked back to the inappropriateness of the central model, criticising Brandis and slighting Schlich while at the same time asserting that 'the policy of excluding valuable forest in order to acquire more extensive powers over the smaller area retained is quite unsuited to the circumstances of Kullu' while pointing out that 'in this Colonel



Stenhouse and Mr. Smith, the local forest officers, agree with me'.<sup>29</sup> The draft rules prepared towards the end of 1884 for Protected Forests of the first two classes were drafted jointly by Anderson and Smith, representing another level of consensus. During the demarcation and recording of rights, Anderson remarked that the final outcome as a result of his settlement was far more extensive *and* much more strict in the allowance of rights than either Brandis or Schlich had suggested.<sup>30</sup>

The Forest Settlement Report, the first draft of which was submitted for approval in 1886, resulted in a territorialised landscape that was a qualitative jump from the contrasting positions that it sprang from. It stood out for four distinguishing characteristics compared to the system prevailing before. First, it constituted a classification of forest classes that not only covered almost the entire forest territory but demarcated forests into vertically graded categories that progressively curtailed peoples' rights with respect to cultivation, fire, grazing and collection of forest produce—from 3rd class Undemarcated Forests to Reserved Forests. It put a large proportion of forests in 1st class protected forests, transferring rights therein to the 2nd and 3rd class forests. The report provided the following break-up of the results of the demarcation—out of the total area of Kullu (1,926 square miles), 1,240 were demarcated into either reserved, 1st class or 2nd class protected forests; of this 530 was wooded territory, significantly in excess of the 400 square miles estimated as forests in 1876, and 178 square miles were reserved and 1st class protected forests, more than twice the area offered by Schlich as a compromise in November 1882. Rights in 1st class forests were strictly recorded, as would have been the case for Reserved Forests, and limits were enforced for the collection of leaf manure and lopping of branches, as to the number of days of the year that a particular right could be exercised. Limits were also imposed as to the height to which a particular tree may be lopped. Sheep and goats were excluded from 1st class forests, except a right of way in certain cases. Cultivation was prohibited in both the 1st and 2nd class forests, one of the pre-conditions for permanence and a prime grouse of Brandis, Schlich and others. More significantly, fire was also prohibited in both classes, thus meeting another objection to the appropriateness of Protected Forests with respect to permanence.

The second major feature of the settlement was the creation of a supra-tenure in the form of special regulations applied irrespective of their location. Thus, a list of twenty species was proposed as Reserved and restrictions were placed on their use over and above the restrictions on the forests where these occurred. These restrictions took the form of restricted timing of collection (for example, one week, twice a year for lopping of blue pine) or even the height to which certain trees could be lopped. It also resulted in a *de facto* freezing of rights in time, effectively preventing the acquisition of new rights. Although a list of rights in every class of forest was prepared, every right allowed to be exercised in each 1st class forest was separately recorded 'in order to enforce a penalty against any act not included in the list, and in that way prevent the springing up of new rights'.<sup>31</sup>



Even dry and fallen trees of *deodar*, walnut, box and ash were not allowed to be used by the rightholders.

Third, rights themselves were differentiated along ownership of land by linking property rights in forests with the payment of land revenue, effectively restricting the legal rights to forests through a vertical differentiation of society. This had particularly serious repercussions on the non-cultivating population, divesting them of legitimacy in their claims on forests. Such an appending of forest rights to land revenue introduced a dimension in nature–society interactions in Kullu that was a radical departure from pre-British customs. Access to forests in Kullu was unrestricted for local populations, subject to rights of the King for hunting, snaring of hawks and customary rights of nomadic pastoralists. Coupled with the injunction on acquisition of new rights, this vertical perspective on property rights exacerbated social divisions and exploitative relations.

Last, greater powers were assumed by the forest officials than ever before. Whereas earlier, the *Negi* or the headman was authorised to sanction up to forty trees of the inferior kind for house construction in almost all forests, the new settlement restricted this authority to ten trees in the 2nd and 3rd class forests and only for repairs. Only a Forest Officer had the power to sanction trees for new houses and as far as possible, these were to be given from 2nd and 3rd class forests. In addition, these trees were from now on to be paid for at subsidised rates. It is important here to reiterate that the 1st class forests were very close to cultivation and habitation, which was the reasoning put forward for the impossibility of demarcating them as reserved, and the 2nd class forests were mostly far from villages. With the shifting of rights from 1st class to 2nd class forests, in addition to the temporal restrictions on use of forest resources, the new rules were to have a profound impact on life in the Kullu valley.

The Settlement Report, representing the new *détente* in the form of vertical territorialisation, reflected the casual sanguinity of the bureaucracy in having surmounted the troubling conflicts and establishing a rule of law over the forests. The general feeling was that 'The course of forest conservancy in the past has been a gradual imposing of such restrictions as experience showed to be necessary. The people have learnt to accept them, and a similar procedure in the future will, it is believed, be found satisfactory for the forests as well as the people'.<sup>32</sup> That was, alas, not to be.

#### THE IRRELEVANCE OF LEGAL CATEGORIES AND THE FUTILITY OF BOUNDARIES

Anderson, in association with local forest officers, demarcated more than 1,200 square miles of state forests between 1883 and the middle of 1886. During this period, the barrage of correspondence relating to forest issues in Kullu slowed to a trickle, reflecting the consensus on the course of action. However, dissenting murmurs could be heard with the publication of the report and cracks in the *détente* began to appear by early 1887.<sup>33</sup>

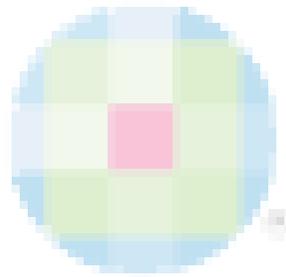
## Fire, Timber and Grazing

Without waiting for the proposals to be sanctioned, which required these to go through the provincial government to the Government of India, D.C. Johnstone, Assistant Commissioner and O. Down, Deputy Conservator of Forests implemented the new proposed rules and cracked down particularly on fire. There was a drought in the region, with rains failing in the summer of 1886 as well as 1887, and there was much distress. The situation was compounded when officials began enforcing the new rule requiring permission of a forest officer before burning of grasslands. Johnstone, in sympathy with his colleagues in the Forest Department, believed ‘that the people often purposely set fire to grasslands when their herds and flocks are badly off for fodder, on the principle that being fined is a lesser evil than having severe mortality of cattle and sheep’. He solved his predicament with respect to the administration of justice in the following manner:

the difficulty when no actual perpetrator is found, and where no clue is available as to whether the fire was accidental or not, is to know whether to treat the fire as one for which the zamindars should be held responsible . . . . In most instances, I had to prosecute, for in these cases there was practically nothing to guide the judgment, and to let off one batch of zamindars would have involved letting off the whole in every such case.<sup>34</sup>

During the single summer of 1887, Johnstone served sentences in sixty-eight cases of fire in his court, amounting to a total fine of more than Rs. 6,000,<sup>35</sup> attracting a barrage of protests from local residents. Zamindars complained to higher officials, particularly the Commissioner and Superintendent of Jullunder division and the Financial Commissioner of Punjab. Petitions continued throughout the summer and autumn of 1887, detailing the injustices perpetrated against the people.<sup>36</sup> The petitions, many times authored by European settlers in the valley on behalf of local residents, also complained about the impracticality of the new rules regarding timber for house construction and expressed incredulity at being fined for collecting dead leaves from the forest. But most of all, the people were incensed at the enormity and unfairness of the fines. People complained that the figures of trees destroyed by fire that were quoted were completely false as the areas under question were grasslands burnt every year and therefore had no trees. Even where forest fires erupted due to the exceptionally dry weather, residents claimed that they did their best to put them out, but that these acts were ignored and the people were fined anyway.<sup>37</sup>

It was also alleged that people were so distressed that there was an exodus from certain areas. Johnstone defended himself against the accusation of inciting a flight of people and asserted that ‘I do not believe that the fines were the cause of the departure of the poor zamindars . . . . A succession of bad harvests is the real reason, and not fines of a few annas per accused.’<sup>38</sup> Coming down on his side,



Gordon Young, Commissioner of the Jullunder Division, blamed the lower functionaries of the forest department for overstating their case and being generally over-enthusiastic and defended Johnstone’s punitive measures.<sup>39</sup> The Financial Commissioner, however, was not amused. He severely reprimanded Johnstone and ordered that the forests be divided into ‘dangerous and non-dangerous zones’ with respect to prospects of damage by fire and the restrictions on firing be removed in the non-dangerous zones.<sup>40</sup> Such a redrawing of boundaries was obviously anathema to the Forest Department; it would have undone the work of a decade at securing some sort of boundaries. But the Financial Commissioner would have none of it. In desperation, Col. Bailey, Conservator of Forests, Punjab, responded to the Commissioner’s orders with an impassioned appeal to respect the demarcation already carried out and to restrict the new fire boundaries within the existing ones.<sup>41</sup>

However, the problem was not merely of burning. There were heaps of complaints about restrictions on timber for house construction as well. The Forest Department, knowing fully well that the most valuable demarcated areas were adjacent to cultivation and habitation, was coming down heavily on trees felled on private lands on the plea that this was necessary to prevent encroachment on state property. Boundaries were being challenged on that front too, irrespective of where the fire lines were drawn. Just as boundaries to grazing were challenged earlier with respect to regeneration of *deodar* against the convictions of forest officers, fire and timber were forcing the local administration to redraw boundaries at every stage, putting pressure on the already tenuous compromise and consensus around the Anderson Settlement.

In the end, the local consensus broke down along the familiar inter-departmental fault lines. Col Bailey, responding to the Commissioner’s sympathies with the people, reverted to the ‘good for the people’ argument, arguing that all the Forest Department ever wanted to do was to secure the well-being of the country for posterity.<sup>42</sup> The new Conservator who replaced Bailey shortly, H.C. Hill, went back to the old debate regarding extensive demarcation as against intensive demarcation and concluded that it was most undesirable to have demarcated so much in the first place and suggested that the policy of a smaller area of strict reserves under Chapter II of the Indian Forest Act would have been better.<sup>43</sup> The debate had come full circle indeed.

## Epilogue

The story continued in Kullu and the redrawing of the boundaries never ceased. After the tumultuous events of 1887, the Settlement Report was sent back for revision. It was resubmitted in 1892, leading to further discussion along similar lines (Sharma 1996). The rules and the record of rights in Kullu forests was finally accepted and notified by the Government of India in June 1897 (Singh 1998). Major fires broke out in 1917, 1921 and 1944 (Aggarwal 1957). The Punjab Government set up a commission of enquiry in 1935 to report on the difficulties

experienced by the people because of the system of forest administration and suggest remedial measures (Garbett 1938). In the post-colonial period, restrictions were routinely relaxed on grazing; even Reserved Forests hitherto closed to livestock were opened to herds, in response to popular pressure now working through elected representatives of the people (Saberwal 1999). The project of drawing permanent boundaries around forests could not be accomplished in any real sense; it was forever being negotiated.

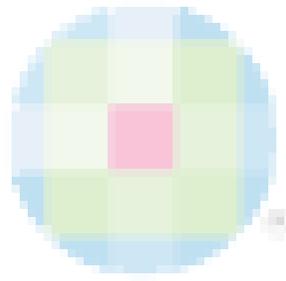
### CONCLUDING REMARKS

The relationship between the history of state–society interface and state capacity to enforce exclusion can be seen in the attempted exclusion of local residents from the Great Himalayan National Park in 1999. The negotiations around the creation of the Park started in 1984, with the notification of intent to exclude. Several actors joined the negotiations in the intervening years, most notably local and state politicians, acting as conduits between state and society. The new boundaries that were put in place in 1999 were rejected by the people and negotiated through elected representatives, leading to a severe loss of authority and legitimacy for the Forest Department that was responsible for enforcing the new boundaries. More generally, the outcome of any attempt to territorialise, irrespective of the positions taken by different state actors, is determined by the capacity of the state to implement the new discursive and physical boundaries. However, this capacity is itself determined in large measure by the history of territorialisation. Skaria characterises the process of demarcation as a rite of passage for scientific forestry, that was ‘geared to the specificities of the region’ as it tried to work out ‘a system of excluding people from forests which pre-empted active hostility’, which ultimately resulted in several privileges to the Dangis in Reserved Forests (Skaria 1998: 608–10). Arguing for Thailand, Vandergeest and Peluso (1995) contend that there is an inverse relationship between the success of territorialisation and the number of institutions that may legitimately enforce restrictions. ‘Where different legitimating authorities conflict in their allocation of rights, the one that is most enforceable in practice (*de facto*) will have a greater influence on behavior than *de jure* controls’ (Vandergeest and Peluso 1995: 418). This certainly seems to be true for Kullu in the late nineteenth century. Legitimacy emerged as the currency in Kullu in the 1880s, as forest officials were alienated for allegedly excessive restrictions. It may be pertinent here to note that the situation is not very different in the late twentieth century as well, with the Revenue Department retaining its edge, and the addition of elected representatives to the list of ‘legitimizing authorities’. The overriding de-facto authority of elected representatives in Kullu helped the people in rejecting the restrictive legal bracketing of ‘rightholders’ according to a narrow reading of the settlement records. The mirage of permanent boundaries around forests, in the face of failure to territorialise, has forced the Forest Department to invent new dimensions of imagining territory and create discourses for legitimacy. Looking at ‘genealogies of customary rights’ in three

countries and five regions in South-east Asia, Peluso and Vandergeest (2001) find great variation in the outcomes of the project of territorialisation, in proportion to the capacity of the state in implementing exclusionary policies. Across India, the ‘creation of a managed arable landscape had long been the imperial ideal. Now it had its counterpart in the forest lands’ (Rangarajan 1998: 583). However, this desire did not always translate into reality, and was limited by state capacity; a state apparatus embedded in local practices compromised the authority to enforce exclusion (Herring 2002: 266).

Territorialisation may be a project that is doomed to fail, but the study of its nuances in Kullu provides us with a few insights. First, in the light of this evidence, the debate on territorialisation through legal categories may be viewed from a fresh perspective. In the discussions on India, the Forest Department has very often been cast as the villain of the piece, willful and scheming, encroaching on the rights of people. However, the roles could be recast in terms of the binary that worked itself out in Kullu—extensive territorialisation, as in large areas with limited and progressively curtailed rights, versus intensive territorialisation, as in small and compact areas with summarily commuted rights. This binary takes us further in explaining the geographical and institutional diversity of outcomes in the territorialisation project in colonial India, as witnessed in the widely divergent experiences in Punjab (Singh 1998), Bengal (Sivaramakrishnan 1997, 1999), Canara (Buchy 1998), Madras (Pathak 2002), North-west Provinces (Agrawal 2001, Forthcoming) and Central Provinces (Rangarajan 1996, 1998).

Rangarajan, speaking for the process in Central Provinces during the same period, puts the difference between departmental positions in perspective: ‘The disagreement centered on how this could be achieved, whether through stringent rules in the short term, the forester’s favorite approach, or through more flexible arrangements in the long term as desired by civil officials’ (Rangarajan 1998: 580). Skaria also documents the coexistence of proponents of the extensive and intensive positions, but he reverses the order as it unfolded in the Dangis. The failure of earlier efforts at extensive demarcation did not allow for restricting the rights of local residents severely, and the intensive demarcation of small reserves was a response arising from practice of forestry. According to Skaria, this new understanding was enshrined in the 1878 Act, as was recommended for Dangis by Brandis (Skaria 1998: 608). A similar result can be seen in Canara in the late nineteenth century, where ‘not a single square foot of forest in North Canara had been overlooked or failed to appear in the records of the administration’. However, this was accompanied by instituting new categories of state forests—*betta* lands, minor forests—that represented vertically organised rights *according to ownership of revenue-paying land* in spatially distributed categories (Buchy 1998: 656) The local categories, which had evolved through local practices over a few decades, were subsumed within the legal categories—*betta* lands were designated Protected Forests in 1897—but they did not lose their original characteristics (Buchy 1998: 648). In fact, the rationale for the revision of the Indian Forest Act of 1865 was, in the words of Hon’ble Mr Hope in the Viceregal Council in 1878, that ‘It obliged



you . . . either to take entirely, or to let alone entirely' (quoted in Ribbentrop 1900: 109).

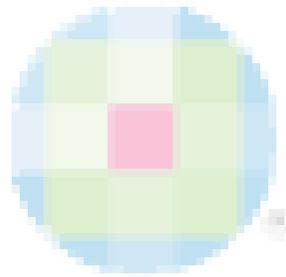
The experience of Kullu also troubles the assumption of territorialisation through legal categories alone. As internal divisions frustrated attempts at demarcation of boundaries, the compromise in Kullu can be seen as a less legal and more nuanced attempt at addressing the problem of boundaries. It would be pertinent to mention here that not only did the interpretation of legal categories extend the law substantively, but that at the same time it opened avenues for a gradual territorialisation on the vertical dimension. The progress of territorialisation in Kullu on the vertical dimension is beyond the scope of this article, but it needs to be emphasised that the vertically arranged forest categories allowed for the possibility of a compromise, to transcend the deadlock between Reserved and Protected Forests or between extensive and intensive positions. Neither was this outcome restricted to Kullu. Pathak (2002) makes a strong case for the contingent nature of laws and legal provisions. He argues that legal provisions are abstracted from practices that are themselves embedded in localities. However, the reverse can also be argued to be true, as when received legal categories are transformed when applied to existing practices, as evidenced from the experiences in Kullu, Central Provinces, Canara and Madras. In Kullu, it took the form of creating a hybrid between Reserved and Protected Forests—the 1st class Protected Forest. Several rights were allowed to local people in these forests, contrary to provisions for Reserved Forests in the law, but they were fixed and restricted by shifting the burden to 2nd class forests. The boundaries that were drawn and redrawn, in the nineteenth century and the twentieth, were driven by the search for legitimacy by state actors in particular, and the state in general.

The struggle for legitimacy, so crucial to enforcement, is complicated by the presence of several actors at widely varied levels and operating on different scales. In Kullu, this matrix has worked itself into two interconnected axes. The first, the tensions between the central monopoly and local diversity, is played out and shifts between the local versus the provincial levels and the central versus provincial levels at different times. The other axis, inter-departmental conflicts and rivalry, is never far from the surface, but is occasionally buried in favour of local consensus. Rangarajan cautions against over-emphasising the conflicting priorities of different departments, arguing that 'there was a broad consensus, especially on the need to restrain and control the activities of local tree users', the disagreement being on how to achieve that particular objective (Rangarajan 1998: 580). The two axes are constantly struggling for balance, seeking legitimacy, forever denied by the people to any actor for too long. In the context of territorialisation, power is always being negotiated with respect to enforceability. The compromise at the national level, represented by the Indian Forest Act of 1878, recognised this tension between conservation and/or political economy on the one hand, and legitimacy and authority on the other (Pathak 2002: 108–12, 129). In the context of the forests of Kullu, the ideal of permanent boundaries is doomed to failure, as challenges from below along the issues of grazing, fire, medicinal plant collection and timber for house

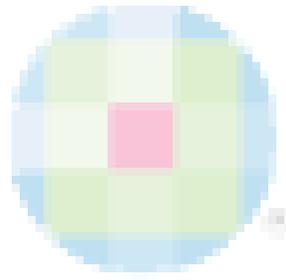
construction force the state apparatus to renegotiate the equilibrium of legitimacy and necessitate a redrawing of the boundaries. In this way, by the balancing of conflicting interests on a shifting fulcrum, territorialisation in Kullu also forced the colonial state to emerge as an entity embedded in society rather than separate from it, and laid the foundations of the state–society relationship for the years to come.

## Notes

1. Kullu, the territory now known as Kullu District in the state of Himachal Pradesh, was a sub-division in Kangra district in Punjab province during the period under discussion. It was merged with Himachal Pradesh in 1966.
2. The nomenclature of colonial bureaucracy is liberally sprinkled all over this article. It will be useful at this stage to provide a brief introduction. Territories below the provincial level (e.g., Punjab) were Division (as in Jullunder Division), District (as in Kangra) and Sub-division (as in Kullu). At each level, the corresponding Revenue Department Official was Financial Commissioner (Provincial), Commissioner and Superintendent (Divisional), Deputy Commissioner (District) and Assistant Commissioner (Sub-division). Above all these, was Secretary to the Government of Punjab (usually in charge of Revenue, Agriculture and Forests) and the Secretary to the Government of India. The Forest Department was organised in parallel to this structure. The basic unit was the Forest Division (such as Beas Division, under which Kullu fell), which was much smaller than the Division in the Revenue Department's jurisdiction. The Deputy Conservator of Forests was the senior officer of the level of the Forest Division. Above this was the Conservator of Forests at the Provincial level (Punjab). The top official in the Forest Department was the Inspector General of Forests, in charge of the whole country.
3. This ratio of forests to total area is not unusual in Kullu. Even in the Great Himalayan National Park, only a third of the area is under forest, the rest being equally divided between permanent snow and rocks above the line of possible life, and the expansive alpine meadows above the line of tree growth and below the permanent snow.
4. Sivaramakrishnan has used the term—zones of anomaly—in describing 'geographic spaces in the terrain targeted by the Permanent Settlement [of 1793] in Bengal where its application was thwarted' (Sivaramakrishnan 1999). I am deploying the term in a broader sense, signifying spaces of resistance within the state apparatus created by regional and provincial actors and deployed against central direction, by creating an identity that was essentially anomalous and therefore not amenable to universal principles.
5. A. Brandreth, Commissioner and Superintendent, Jullunder Division, to Secretary to Financial Commissioner, Punjab, No. 1935, dated Jullunder, 13 August 1878, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
6. E.B. Francis, Officiating Secretary to Financial Commissioner, Punjab, to Secretary to Government, Punjab, No. 943, dated Lahore, 21 August 1879, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
7. B.H. Baden-Powell, Conservator of Forests, Punjab, to Secretary to Financial Commissioner, Punjab, No. 115C.L., dated Simla, 3 September 1878, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
8. F.C. Channing, Settlement Secretary to Financial Commissioner, Punjab, to Officiating Secretary to Government, Punjab, No. 276S, dated Lahore, 24 March 1881, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.



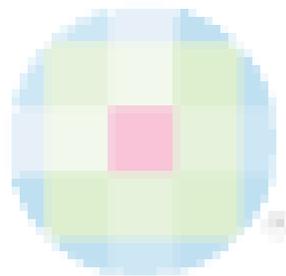
9. F.D. Cunningham, Officiating Secretary to Government, Punjab, to Secretary to Financial Commissioner, Punjab, No. 216F, dated Lahore, 25 April 1881, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
10. A. Anderson, Assistant Commissioner, Kullu, to Deputy Conservator of Forests, Kullu, No. 43, dated camp Jagatsukh, 14 February 1881, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
11. Col. W. Stenhouse, Deputy Conservator of Forests, Punjab, Beas Forest Division, to Conservator of Forests, Punjab, No. 288C, dated 14 March 1881, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
12. W. Schlich, Conservator of Forests, Punjab, to Deputy Conservator of Forests, Beas Division, demi-official dated camp via Chakrata, 2 May 1881, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
13. Col. W.G. Davies, Commissioner and Superintendent, Jullunder Division, to Secretary to Financial Commissioner, Punjab, No. 1247, dated Jullunder, 25 May 1881, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
14. F.C. Channing, Secretary to Financial Commissioner, Punjab, to Conservator of Forests, Punjab, No. 129C.S., dated 27 September 1881, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
15. 'Memorandum on the Settlement of rights in Kullu Forests, with special reference to Financial Commissioner's No. 129, dated 27 September 1881', Major F. Bailey, Conservator of Forests, Punjab, to Secretary to Financial Commissioner, Punjab, p. 17, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
16. Ibid.: 19.
17. F.C. Channing, Secretary to Financial Commissioner, Punjab, to Secretary to Government, Punjab, No. 108, dated Lahore, 11 February 1882, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
18. I use the terms 'demarcation' and 'territorialisation' separately and non-interchangeably. Demarcation refers to the drawing of boundaries around forests that delineate them as state property. The use of symbols such as fire-lines and boundary pillars that have been a feature of demarcation in Kullu serve as much to demarcate as to territorialise, as in allocation of property rights and determination of resource-use patterns in forests. However, territorialisation is much more than demarcation and entails a configuration of authority and power, *through* demarcation.
19. 'Memorandum on the Forests of Kullu, Punjab, by D. Brandis, Inspector-General of Forests, on special duty, Ootacamund, the 20 July 1882', Home Department, Forests, Government of India, 1882.
20. A. Mackenzie, Secretary to Government of India, to Junior Secretary to Government of Punjab, No. 707F, Home Department (Forests), Simla, 21 August 1882, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
21. A. Mackenzie, Secretary to Government of India, to Junior Secretary to Government of Punjab, No. 666F, Home Department (Forests), Simla, 21 August 1883, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
22. 'Note by J.B. Lyall, Esquire, Financial Commissioner, Punjab, regarding the treatment of the Forests in the Kullu part of the Kangra District', enclosure in F.C. Channing, Senior Secretary to Financial Commissioner, Punjab, to Junior Secretary to Government, Punjab, No. 328, dated 12 March 1883, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
23. A. Anderson, camp Gopipur, Dehra, to Financial Commissioner, Punjab, demi-official, dated 14 March 1883, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
24. E. McA. Moir, Deputy Conservator of Forests, Tons Division, NWP, 'Cattle Grazing in *Deodar* Forests', *Indian Forester*, VIII(3–4), December 1882: pp. 274–77.
25. H.C. Fanshawe, Officiating Junior Secretary to Government, Punjab and its Dependencies, to A. Mackenzie, Secretary to the Government of India, Home Department (Forests), dated Lahore, 5 July 1883, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
26. Ibid.
27. A. Anderson, Forest Settlement Officer, Kullu, to Commissioner and Superintendent, Jullunder Division, No. 107, dated Dharmasala, 16 January 1883, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
28. H.C. Fanshawe, Officiating Junior Secretary to Government, Punjab and its Dependencies, to A. Mackenzie, Secretary to the Government of India, Home Department (Forests), dated Lahore, 5 July 1883, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
29. A. Anderson, Forest Settlement Officer, Kullu, to Commissioner and Superintendent, Jullunder Division, No. 133, dated camp Hoshiarpur, 22 March 1884, Printed Correspondence of Forests in Kullu, Basta #21, Serial #320, Kangra DC Records, Himachal Pradesh State Archives, Shimla.
30. Ibid.: 16–19.
31. Ibid.: 19.
32. Ibid.: 7.
33. 'Copy of a Note by the Hon'ble E.G. Wace, Financial Commissioner, Punjab' in Report on the Forest Settlement of Kullu, Kangra District, Proceedings of the Punjab Government, Forest Department, April 1894, Nos. 30–121, Oriental and India Office Collections, British Library, London, No. 32.
34. 'Zamindar' was the generic name given to a land-revenue paying cultivator in Kullu. Literally translated, it meant 'the owner of land'. It should not be confused with the zamindars in Bengal and Central Provinces, who were large estate holders created by the British to facilitate the extraction of land revenue.
35. 'Statement showing the total fires in Kullu Forests and other forest offences, with total fines inflicted in the court of Assistant Commissioner, Kullu', Report on the Forest Settlement of Kullu, Kangra District, Punjab Government, Revenue and Agriculture Department (RAD) (Forests), A Proceedings, April 1894, Nos. 30–121, Oriental and India Office Collections, British Library, London, No. 37.
36. 'Translation of a petition by the Zamindars, of tehsil Plaich, in Kangra District, to His Honor the Lieutenant-Governor of the Punjab and the Financial Commissioner, Punjab', Report on the Forest Settlement of Kullu, Kangra District, Punjab Government, Revenue and Agriculture Department (RAD) (Forests), A Proceedings, April 1894, Nos. 30–121, Oriental and India Office Collections, British Library, London, No. 40.
37. M.M. Carleton, to Financial Commissioner, Punjab, demi-official, dated 20 September 1887, Report on the Forest Settlement of Kullu, Kangra District, Punjab Government, Revenue and Agriculture Department (RAD) (Forests), A Proceedings, April 1894, Nos. 30–121, Oriental and India Office Collections, British Library, London, No. 44.
38. 'Copy of Note, dated 10 October 1887, by D.C. Johnstone, Esquire, late Assistant Commissioner, Kullu', Report on the Forest Settlement of Kullu, Kangra District, Punjab Government, Revenue and Agriculture Department (RAD) (Forests), A Proceedings, April 1894, Nos. 30–121, Oriental and India Office Collections, British Library, London, No. 46.
39. Col. G. Gordon Young, Commissioner and Superintendent, Jullunder Division, to The Hon'ble Colonel E.G. Wace, Financial Commissioner, Punjab, Report on the Forest Settlement of Kullu, Kangra District, Punjab Government, Revenue and Agriculture Department (RAD) (Forests), A Proceedings, April 1894, Nos. 30–121, Oriental and India Office Collections, British Library, London, No. 45.
40. Senior Secretary to Financial Commissioner, Punjab, to Commissioner and Superintendent, Jullunder Division No. 5964, dated 25 October 1887, Report on the Forest Settlement of Kullu,



- Kangra District, Punjab Government, Revenue and Agriculture Department (RAD) (Forests), A Proceedings, April 1894, Nos. 30–121, Oriental and India Office Collections, British Library, London, No. 49.
41. Conservator of Forests, Punjab, to Secretary to Financial Commissioner, Punjab, No. 299, dated 27 November 1887, Report on the Forest Settlement of Kullu, Kangra District, Punjab Government, Revenue and Agriculture Department (RAD) (Forests), A Proceedings, April 1894, Nos. 30–121, Oriental and India Office Collections, British Library, London, No. 49.
  42. 'Note on Mr. Anderson's Kullu Settlement Report, by Lieutenant-Colonel Bailey, Conservator of Forests, Punjab', Report on the Forest Settlement of Kullu, Kangra District, Punjab Government, Revenue and Agriculture Department (RAD) (Forests), A Proceedings, April 1894, Nos. 30–121, Oriental and India Office Collections, British Library, London, No. 35.
  43. 'Copy of a Note by Mr. H.C. Hill, Conservator of Forests, Punjab, Note C, Mr. Anderson's Report on Kullu Forest Settlement', Report on the Forest Settlement of Kullu, Kangra District, Punjab Government, Revenue and Agriculture Department (RAD) (Forests), A Proceedings, April 1894, Nos. 30–121, Oriental and India Office Collections, British Library, London, No. 31.

## References

- Aggarwal, G. (1957), *Fourth Working Plan for the Kullu and Seraj Forest Divisions, 1949–80*. Simla: Government Printing.
- Agnihotri, I. (1996), 'Ecology, Landuse and Colonization : The Canal Colonies of Punjab', *Indian Economic and Social History Review*, 33: 37–58.
- Agrawal, A. (2001), 'State Formation in Community Spaces? The Forest Councils of Kumaon', *Journal of Asian Studies*, 60: 1–32.
- (Forthcoming), *Environmentality: Technologies of Government and the Making of Subjects*. Durham: Duke University Press.
- Anderson, A. (1886), *Report on the Demarcation and Settlement of the Kullu Forests*. Lahore: Punjab Govt. Printing.
- Baden-Powell, B.H. (1892), *Land-Systems of British India: Vol I–III*. New York and London: Johnson Reprint Corporation.
- (1907), *Administration of Land Revenue and Tenure in British India*. New Delhi: Ess Ess Publications.
- Baker, Mark (2001), 'Colonial Influences on Property, Community, and Land Use in Kangra, Himachal Pradesh', in A. Agrawal and K. Sivaramakrishnan (eds), *Agrarian Environments: Resources, Representations and Rule in India*. Durham: Duke University Press.
- Brandis, D., B.H. Baden-Powell and W. Stenhouse (1877), 'Suggestions Regarding the Demarcation and Management of the Forests in Kullu'. Calcutta: Office of the Superintendent of Government Printing.
- Buchy, M. (1998), 'British Colonial Forest Policy in South India: An Unscientific or Unadapted Policy?', in R. Grove, V. Damodaran and S. Sangwan (eds), *Nature and the Orient: The Environmental History of South and Southeast Asia*. Delhi: Oxford University Press.
- Gadgil, M. and R. Guha (1992), *This Fissured Land: An Ecological History of India*. Delhi: Oxford University Press.
- Garbett, G.C. (1938), *Report of the Punjab Government Forest Commission*. Lahore: Civil and Military Gazette Press.
- Guha, R. (1983), 'Forestry in British and Post British India: An Historical Analysis', *Economic and Political Weekly*, XVII: 1882–96.
- (1990), 'An Early Environmental Debate: The Making of the 1878 Forest Act', *Indian Economic and Social History Review*, XXVII: 65–84.



- Guha, R. and M. Gadgil (1989), 'State Forestry and Social Conflict in British India', *Past and Present*, 123: 141–77.
- Herring, R. (2002), 'State Property Rights in Nature (with Special Reference to India)', in J. Richards (ed), *Land, Property, and the Environment*. Oakland, CA: ICS Press.
- Pathak, A. (2002), *Laws, Strategies, Ideologies: Legislating Forests in Colonial India*. Delhi: Oxford University Press.
- Peluso, N. and P. Vandergeest (2001), 'Genealogies of the Political Forest and Customary Rights in Indonesia, Malaysia, and Thailand', *Journal of Asian Studies*, 60: 761–812.
- Rangarajan, M. (1994), 'Imperial Agendas and India's Forests: The Early History of Indian Forestry, 1800–1878', *Indian Economic and Social History Review*, 31: 147–67.
- (1996), *Fencing the Forest: Conservation and Ecological Change in India's Central Provinces, 1860–1914*. Delhi: Oxford University Press.
- (1998), 'Production, Desiccation and Forest Management in the Central Provinces 1850–1930', in R. Grove, V. Damodaran and S. Sangwan (eds), *Nature and the Orient: The Environmental History of South and Southeast Asia*. Delhi: Oxford University Press.
- Ribbentrop, B. (1900), *Forestry in British India*. Calcutta: Office of the Superintendent of Government Printing.
- Saberwal, V. (1999), *Pastoral Politics: Bureaucrats, Shepherds and Conservation in the Western Himalaya*. Delhi: Oxford University Press.
- Saumarez Smith, R. (1996), *Rule by Records: Land Registration and Village Custom in Early British Punjab*. Delhi: Oxford University Press.
- Scott, J. (1998), *Seeing like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven and London: Yale University Press.
- Sharma, H.C. (1996), *Forest Settlements in Himachal Pradesh*. Dehradun: Bishen Singh, Mahendra Pal Singh.
- Singh, C. (1998), *Natural Premises: Ecology and Peasant Life in the Western Himalaya 1800–1950*. Delhi: Oxford University Press.
- Sivaramakrishnan, K. (1997), 'A Limited Forest Conservancy in Southwest Bengal, 1864–1912', *Journal of Asian Studies*, 56: 75–112.
- (1999), *Modern Forests: Statemaking and Environmental Change in Colonial Eastern India*. Stanford: Stanford University Press.
- Skaria, A. (1998), 'Timber Conservancy, Desiccationism and Scientific Forestry: The Dangs 1840s–1920s', in R. Grove, V. Damodaran and S. Sangwan (eds), *Nature and the Orient: The Environmental History of South and Southeast Asia*. Delhi: Oxford University Press.
- Stebbing, E.P. (1922), *The Forests of India: Vol I*. London: John Lane and Bodley Head Limited.
- Tucker, R. (1983), 'The British Colonial System and the Forests of the Western Himalayas, 1815–1914', in R. Tucker and J. Richards (eds), *Global Deforestation and the Nineteenth-Century World Economy*. Durham: Duke University Press.
- Tucker, R. and J. Richards (eds). (1983), *Global Deforestation and the Nineteenth-Century World Economy*. Durham: Duke University Press.
- Vandergeest, P. and N. Peluso (1995), 'Territorialization and State Power in Thailand', *Theory and Society*, 24: 385–426.