9552

Public Works (1896) Department.

G.O., No. 3211 C

Dated 10th Nov. 1896.

[Despatch Abstract.]

Leasing out of lands on the Anamalai hills. Proc: Revenue Dept. passing orders on papers regarding the — in the Coimbatore Dt. Court Bds. E. IV Circle.

T.C. 10/11

12/11

[P.W. 25. 2,000—23-10-96.]

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Public works (1896) department

Current Number 9550

Government (1896) of Madras.

REVENUE.

Recd. 23. 10. } 1896.

Regd. 23. 10. }

Enclosures

Spare copies 10.

G.O., No. 495, 28th September 1896.

No 3211 W of 10th November 1896 B

Communicated to the Deputy Engr IV Circle in continuation of P.W. memo 3610 C of 20 Octr 1896.

SEPTEMBER.

[illegible] 7/11/96

S.E. IV Circle 11/11/96

Leases.

Passing orders on papers regarding the leasing out of lands on the Anaimalai Hills in the Coimbatore district.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue (Land Revenue), Forest No. 280, dated 4th July 1896 :—

Read—again the following Proceedings of the Board of Revenue (Land Revenue), Forest Mis. No. 858, dated 15th June 1896 :—

Read—the following G.O., No. 256, Revenue, dated 12th June 1896 :—

Read—Proceedings of the Board of Revenue (Land Revenue), Forest No. 211, dated 15th May 1896.

Abstract.—Submitting, with remark, for the orders of Government, Coimbatore Collector's letter reporting upon certain applications for about 50 square miles of land required for coffee cultivation in the Anaimalai reserved forest.

Order—No. 256, Revenue, dated 12th June 1896.

The Government is in general agreement with the Board's views as to the opening up of the Anaimalais. Detailed proposals should be submitted as expeditiously as possible.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Ag. Under Secretary to Government.

To the Board of Revenue (Land Revenue), with map.

Resolution—Forest Mis. No. 858, dated 15th June 1896.

Communicated to the Collector of Coimbatore, who is requested to arrange for a conference with the applicants. The Forest Member of the Board can attend on any day in June or July except from the 6th to the 13th July.

(True Copy and Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

To the Collector of Coimbatore, with map.

Copy to the Conservator of Forests, Southern Circle.
" other Conservators.

Read—also the following letter from HERBERT BRADLEY, Esq., Collector of Coimbatore, to the Secretary to the Commissioners of Land Revenue (through the Conservator of Forests, Southern Circle), dated 26th June 1896, Ref. on Cur. No. 2778 :—

With reference to Board's Proceedings, Forest Mis. No. 858, dated 15th June 1896, communicating G.O., No. 256, Revenue, dated 12th idem, I have the honour to report that a meeting was held at Coimbatore on the 25th instant when the conditions of the proposed leases were discussed with the majority of the applicants for land on the Anaimalais in the presence of the Forest Member, the District Forest-officer and myself. Almost without exception the applicants were present or represented, and I think the conditions drawn up will be accepted by them all.

2. They were as follows, following the order of the suggestions contained in my letter, dated 17th April 1896, Ref. on C. No. 2778, printed in Board's Proceedings, Forest No. 211, dated 15th May 1896 :—

(*a*) That the lease should run for 30 years subject to renewal at the end of that period at a rental not greater than that paid for similar and similarly situated land. This condition is intended to retain the right of Government to increase the rental at the end of 30 years if the value of coffee land shall have increased.

(*b*) That the rent shall be 8 annas per annum payable on or before the 25th of March each year for the whole holding, to be increased to Rs. 2 on every acre which shall have been planted for 5 years.

(*c*) That the lessee shall plant up not less than 10 per cent. of the area of his holding by the end of the tenth year of his lease.

This condition has been materially altered owing to the uncertainty of the labour supply and the difficulty anticipated at the outset in obtaining labour.

(*d*) That no charge shall be made for timber used by the lessee, but the lessee shall not be allowed to carry on trade in timber.

(*e*) That the lessee shall not cut any of the following trees without the permission of the District Forest-officer :—

Teak—*Tectona grandis.*
Rosewood—*Dalbergia latifolia.*
Vengai—*Pterocarpus marsupium.*
Venteak—*Lagerstræmia microcarpa.*
Jack—*Artocarpus integrifolia.*
Wild Jack—*Artocarpus hirsuta.*

(*f*) That the District Forest-officer shall be at liberty to remove any trees from unopened land.

(*g*) That the lessee shall pay the usual land-cess in addition to his rent.

(*h*) That the lessee shall have no right to the minor produce other than coffee, but that all Kaders and other hill tribes shall be at liberty to enter upon the unopened portions of the property for the purpose of collecting minor produce other than coffee, provided that they hold the written authority of the District Forest-officer. This is to meet the possibility of the hillmen stealing coffee on the pretext of gathering wild coffee.

(*i*) That the lessee shall not dispose of any portion of his grant except to persons approved by the Collector. The object of this condition is to meet the objections raised by the applicants that the value of the property will be greatly diminished if they are unable to dispose freely of it, and at the same time to ensure the Government against really undesirable tenants. *Bonâ fide* transfers should not be objected to, but applicants should not be allowed to split up their holdings and sell them or portions of them to a large number of petty men and in fact to speculate in the land.

(*j*) That the lessee shall permit the District Forest-officer or any subordinate of his and any Revenue officer not below the rank of Revenue Inspector to enter the land for the purpose of inspection.

(*k*) That all arrears shall be recoverable under the Revenue Recovery Act.

(*l*) That any portion of the land required for public purposes shall be resumable by Government subject to a refund of the assessment already paid without interest on unopened land, and compensation at Rs. 300 per acre if the land has been cultivated for less than 5 years, and Rs. 800 per acre if it has been cultivated for more than 5 years.

The figures in my former letter were taken from the Shevaroy leases and it is considered that land in the Anaimalais will be more costly to open, and probably more valuable when opened than the Shevaroy lands.

(*m*) That the lessee shall make and maintain through his land to the satisfaction of the Collector a road or if necessary roads to be traced by the District Forest-officer. These roads shall be 6 feet wide with a margin of 6 feet on each side. No deduction from the area of the holding shall be made on account of these roads.

(*n*) That save with the permission of the Collector no products other than coffee or cocoa shall be grown by the lessee.

This condition is inserted as it is considered that if the land is opened for coffee or cocoa it would be practically forest, both these products being generally grown under shade. But if these should fail, and it be desired to grow tea and make complete clearances of the forest, it may be necessary to completely revise the conditions of the lease. For the present therefore it seems desirable to restrict the cultivation to these products. Cardamoms are intentionally exempted as there are very many wild cardamoms in the forests on which the hill tribes partly depend for their livelihood. It is also hoped to induce the hill men to grow cardamoms and there would be constant friction if the planters also grow them. The applicants are not anxious to grow cardamoms.

(*o*) That the lessee shall make a deposit of Rs. 2 per acre in cash or Government securities before entering on the land. This sum shall be adjusted in payment of the assessment and other dues which may fall due.

(*p*) That the lessee shall clear the boundaries of his holding to a width of 12 feet and demarcate them with cairns or otherwise within a reasonable time so as to satisfy the District Forest-officer, and that the deposit provided for in the last clause shall remain intact and the assessment be paid in cash until this is done.

The object of this clause, of course, is to compel the lessee to clear his boundaries within a reasonable time.

(*q*) That all disputes as to boundaries between the applicants shall be referred for the orders of the Collector whose decision shall be final.

(*r*) That the lessee shall not interfere with wild elephants except as provided by the Elephant Act I of 1873, and that the tusks of all elephants killed under the provisions of the Act shall be the property of Government.

(*s*) That the lessee shall on no account interfere with the hill tribes, and should it become necessary for him to close any of their customary paths, he shall provide another right of way in its place.

(*t*) That the lessee shall grant rights of way through his land to inspection bungalows and other buildings the property of Government and from such buildings to the nearest drinking water, and shall permit Government officials and the hill tribes to use drinking water passing through his holding.

(*u*) That no mining right shall be conferred by the lease.

(*v*) That the lessee may at any time resign the whole of his holding from the commencement of the fasli year succeeding that in which he gives notice of his intention to do so.

3. A schedule is attached showing the names of the applicants and the extents applied for. Almost the whole of the available land is covered by applications.

Enclosure.

Schedule showing the names of the applicants and extents applied for coffee cultivation on the Anaimalais.

Number of application.	Name of applicants.	Date of receipt.	Approximate area in acres.
1	Mr. C. V. Narasiah	9th October 1895	1,360
2	„ E. W. Windle	9th „ „	2,360
3	„ Rhodes James	14th January 1896	11,200
4	„ W. L. Edmiston (Northern)	29th February „	1,840
5	„ „ (Southern)	29th „ „	9,600
6	„ C. A. Mackenzie	26th March „	2,760
7	Messrs. Binny and Co. (blocks B and C)	4th June „	12,160
8	„ „ („ A)	4th „ „	5,120
9	Mr. H. P. Hodgson	6th „ „	1,920
10	„ H. Scott	15th „ „	1,400
11	„ J. W. Chambers	22nd „ „	1,300
12	Mrs. G. Chambers	22nd „ „	1,400
13	Messrs. O. Scott Skirving Mr. G. L. Chambers	23rd „ „	2,400
14	„ Fergus Wolsey Smith „ J. A. Boyson „ O. Scott Skirving „ G. L. Chambers	23rd „ „	4,500
15	„ J. Campbell	23rd „ „	2,200
16	„ O. Scott Skirving „ J. W. Chambers	25th „ „	500
17	„ A. W. Brodie	26th „ „	980
		Total	63,500 or approximately 100 square miles.

Endorsement by E. D. M. HOOPER, Esq., Acting Conservator of Forests, Southern Circle, dated Coimbatore, 30th June 1896, Ref. on No. 3408.

Forwarded.

Resolution—Forest No. 280, dated 4th July 1896.

Submitted to Government with the recommendation that the conditions adopted at the meeting may be approved.

2. The only important change which has been made in the conditions which have already received the general approval of Government is the reduction in the area to be opened within a prescribed period. Though the percentage now proposed is a small one, it is a minimum binding on every estate however far from the existing line of road; and when the difficulties in the way of securing an ample supply of labour are looked to, the Board is satisfied that it would be impracticable to enforce more stringent conditions. Under the arrangements now proposed, operations on some scale will begin throughout the whole area available, and a complete line of road will be formed at an early date. The conditions which prescribe a deposit of Rs. 2 per acre on the whole area applied for, the annual payment of what is practically a retaining fee of As. 8 on every acre taken up whether cultivated or not, the construction of a road and the clearance of boundaries seem sufficient to ensure that none but *bonâ fide* applications will be received.

(True Copies and Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

To the Secretary to Government, Revenue Department.
„ Collector of Coimbatore.
„ Conservator of Forests, Southern Circle.
Copy to other Conservators.

Read—also Proceedings of the Board of Revenue (Land Revenue), No. 434-R., dated 1st August 1896.

Abstract.—Submitting to Government, with reference to its official memorandum No. 111, dated 24th July 1896, a copy of Board's Proceedings, Forest No. 264, dated 2nd May 1895, containing the form of the lease for lands leased out for coffee cultivation in the Shevaroys.

Read—also telegram from the Collector of Salem, dated 14th August 1896.

Abstract.—Reporting that the forest growth on lands leased out for coffee on the Shevaroys was sold at rates varying from Rs. 4 to Rs. 16 per acre, the average being Rs. 9.

Read—also letter from the Collector of Coimbatore, Reference on Cur. No. 280, dated 14th August 1896.

Abstract.—Submitting map of the Anaimalais as directed by the Board of Revenue.

Read—also telegram from the Collector of Salem, dated 16th August 1896.

Abstract.—Stating that coffee estates under patta on the Shevaroys are assessed at one rupee per acre.

Order—No. 495, Revenue, dated 28th September 1896.

Forest No. 212.

The Government regrets that, after a most careful consideration of the subject, it is unable to accept the Board's recommendations in regard to the conditions to be inserted in the leases which it is proposed to grant for the cultivation of coffee on the Anaimalais.

2. The terms upon which the Government has decided to lease out the forest land on these hills are enumerated below, and the Government Solicitor will be requested to draw up and submit for approval at a very early date the necessary draft lease. Pending the preparation of the lease, the Board will be at liberty to dispose of applications made by individuals who signify their assent to the conditions laid down in this order.

3. Inasmuch as the leases are intended for the use and reference of persons who are not versed in technical phraseology, it is in the opinion of Government desirable that they should be couched in clear and intelligible language resembling rather the form of a legal enactment than that of the lease recently drawn up with regard to the lands cultivated with coffee on the Shevaroy hills. In drawing up the form of lease, the Government Solicitor should therefore curtail, where practicable, the use of the customary legal phraseology, and with this object should arrange the several conditions under separate paragraphs in serial order.

4. The Board will observe that the main difference between the conditions proposed and those which Government has now decided to lay down, consists in the method by which the disposal of the land will be regulated. The decision to sell the leases by auction at an upset price of Rs. 5 per acre will render unnecessary any initial deposit such as that proposed in condition (*o*) of the Board's list. Another condition which has been designedly omitted is that which prohibits the lessee from cultivating other products than coffee or cocoa. In the opinion of Government no such restriction is necessary.

5. While however it has been decided that the principle of sale by auction shall be followed in future, the Government considers that there is no objection to the grant to each of the fifteen* original applicants specified in Board's Proceedings, No. 280, dated 4th July 1896, of an area not greater than 1,000 acres and not less than 160 acres on payment of a fixed price of Rs. 5 per acre. This should be intimated to the several applicants who should at the same time be informed that any application for the purchase of land on these terms must be made and the purchase

* The two applications received from both Mr. W. L. Edmiston and Messrs. Binny and Co., being treated as one.

money forwarded to the District Collector before the close of the current year and that the grant of such applications will be subject to the conditions enumerated in this order.

6. The Government is prepared to undertake the construction of a main road through the land which it is now proposed to lease out for cultivation, and the Public Works Department will be requested to arrange for the immediate tracing of such a road with the necessary principal branches. The requisite width on either side of this tracing should be reserved to Government and excluded from lease. The maintenance of the main road when completed and the construction and maintenance of the necessary branch roads for the use of the public will devolve on the Local Boards.

7. With reference to condition (ix), the Government desires the Board to draw up a definition of "minor produce" to be communicated to Government, and after approval, to the Government Solicitor for incorporation in the draft lease.

8. The Government now proceeds to enumerate the rules and conditions which it has been decided shall regulate the leasing out of the portions of the Anaimalai forest in the Coimbatore district situated on the south-west or Travancore-Cochin side of the water-shed, that runs through the reserve from the south-east to the north-west—

(i) The leases shall run for a term of thirty years and shall be sold by auction at an upset price of Rs. 5 per acre subject to the condition that no lot shall exceed 1,000 acres or be less than 160 acres in extent. The detailed conditions which shall attach to such auctions are shown in the appendix to this order.

(ii) (*a*).—The initial assessment shall be eight annas per acre per annum; but from and after the beginning of the sixth year of the lease two rupees per acre shall be chargeable on so much of the holding as shall have been cultivated and eight annas per acre on the remainder provided that the assessment shall not be less than the following:—

In the	6th year	Rs. 2 per acre on	$\frac{1}{20}$	of the holding and 8 annas per acre, on the balance.	
,,	7th ,,	,,	$\frac{1}{10}$	,,	,,
,,	8th ,,	,,	$\frac{3}{20}$	,,	,,
,,	9th ,,	,,	$\frac{1}{5}$	,,	,,
,,	10th ,,	,,	$\frac{1}{4}$	,,	,,
,,	11th ,,	,,	$\frac{3}{10}$	,,	,,
,,	12th ,,	,,	$\frac{7}{20}$	,,	,,
,,	13th ,,	,,	$\frac{2}{5}$	,,	,,
,,	14th ,,	,,	$\frac{9}{20}$	,,	,,
,,	15th ,,	,,	$\frac{1}{2}$	,,	,,
,,	16th ,,	,,	$\frac{11}{20}$	,,	,,
,,	17th ,,	,,	$\frac{3}{5}$	,,	,,
,,	18th ,,	,,	$\frac{13}{20}$	,,	,,
,,	19th ,,	,,	$\frac{7}{10}$	,,	,,
,,	20th ,,	,,	$\frac{3}{4}$	,,	,,
,,	21st ,, and subsequently	,,	$\frac{4}{5}$	,,	,,

(*b*) No assessment shall, in any case, be leviable on public roads accepted as such by the Collector.

(iii) The assessment shall be leviable in respect of the official year ending 31st March and shall be payable on or before the 1st March.

(iv) The land-cess and village-cess and any other cess imposed by law shall be paid by the lessee.

(v) All arrears shall be recoverable under the Madras Revenue Recovery Act, II of 1864, and if they are not paid within a date to be specified by the Collector, the Government shall further be at liberty to enter upon and resume possession of the land, in which case the lease shall thereupon determine.

(vi) The lessee shall within six months of the issue of the lease clear and demarcate the boundaries of the holding to the satisfaction of the Collector, and shall subsequently, in like manner clear and demarcate them within three months of any special requisition to that effect made by the District Forest-officer; in default the District Forest-officer may cause the holding to be demarcated and the cost shall be recovered from the lessee by the Collector as an arrear of land revenue.

(vii) All disputes as to boundaries between the lessees of adjacent lands shall be referred for the orders of the Collector, whose decision shall be final.

(viii) The officers of the Forest Department shall not interfere with trees which are left standing on cleared land, or which in the Collector's opinion may be required as windguards, but shall have power to remove trees of the undermentioned species from other land which has not been cleared and to dispose of them by sale or otherwise :—

Teak—*Tectona grandis.*
Rosewood—*Dalbergia latifolia.*
Vengai—*Pterocarpus marsupium.*
Venteak—*Lagerstræmia microcarpa.*
Jack—*Artocarpus integrifolia.*
Wild jack—*Artocarpus hirsuta.*

For the purpose of clearing the land or of erecting buildings on his holding the lessee shall be at liberty to fell any tree, and may use or dispose of trees so felled at his pleasure subject to the proviso that no timber shall be transported beyond the limits of the Anaimalai forest except on payment to the Forest Department of a fixed seigniorage for each kind of tree. In the case of classified trees the seigniorage shall be leviable at such rates as may from time to time be fixed not exceeding three-quarters of the maximum rates which have been or may be notified under section 26 of the Madras Forest Act as applying to the district of South Coimbatore. In the case of reserved trees the Board of Revenue will be requested to frame and submit a table of rates for the approval of Government. No fees shall be leviable in respect of trees which are neither reserved nor classified.

(ix) The lessee shall enjoy the free use of the minor forest produce of his holding, subject to the condition that Kaders and other hill tribes shall be at liberty to enter upon the unopened portions thereof for the purpose of collecting minor produce, provided that they hold a written authority from the District Forest-officer.

(x) The lessee shall enjoy no mining rights.

(xi) The lessee shall grant rights of way through his land to inspection bungalows and other buildings the property of Government, and from such buildings to the nearest drinking water, and shall permit Government servants and the hill tribes to use the water passing through his holding for domestic purposes and for their animals.

(xii) Any portion of the leased land required for public purposes shall be resumable by Government subject to a refund without interest of the assessment already paid on unopened land, or to compensation at the rate of Rs. 100 per acre if the land has been cultivated with coffee, tea or cinchona for one year, Rs. 200 if so cultivated for two years, Rs. 300 if so cultivated for three years, Rs. 400 if so cultivated for four years or Rs. 500 if so cultivated for five years or a longer period. In the case of land which has been cultivated with other products, the cost of clearing only shall be refunded.

(xiii) The lessee shall permit any Government servant authorized in that behalf to enter upon the leased land for the purpose of inspection or to make any survey or to enquire into any offence against any law or for any other purpose specified by the Collector in writing.

(xiv) The lessee shall not be restricted from transferring his rights in the leased land, provided that the obligations to which he is subject shall be binding on the transferee, and that the Collector shall have power to impose an assessment of rupees four per acre on the entire holding if any transfer is made of a portion thereof less than 100 acres in extent.

(xv) The lessee shall not interfere with wild elephants except as provided by Madras Act I of 1873, and the tusks of all elephants killed under the provisions of the Act shall be the property of Government.

(xvi) The lessee shall on no account interfere with the hill tribes, and should it become necessary for him to close any of their customary paths, he shall provide others in their place to the satisfaction of the Collector.

(xvii) The lessee shall not be at liberty to give up a part of his holding, but may resign the whole thereof at any time after twelve months' notice.

(xviii) The lease shall be subject to renewal at the option of the lessee, provided that the assessment on opened land may be enhanced on renewal of the lease to a sum not exceeding rupees four per acre on the cultivated area.

(xix) If the lease is not renewed the lessee shall surrender the land with every thing standing thereon to Government.

(xx) For the purpose of these rules the Collector shall have power to decide what portions of a holding are "cleared," "opened," "unopened" or "cultivated," as the case may be. He shall also have power to decide what cultivation is entitled to the compensation admissible under condition (xii).

9. Land which has once been relinquished under condition (xvii), or which has been resumed by Government, will on re-sale by auction be liable to pay the full assessment of rupees two per acre on all cleared or cultivated portions from the commencement of the new lease and the terms of condition (ii) shall be applicable only to the portions thereof unopened at such date.

10. A supplemental standing order embodying the rules laid down in these Proceedings should be submitted for the approval of Government as soon as the form of lease to be issued has been settled.

(True Extract.)

Ag. Secretary to Government.

To the Board of Revenue (Land Revenue).
„ the Government Solicitor.
„ the Collector of Coimbatore.
„ the Public Works Department.
„ the Local and Municipal Department.
„ the Financial Department.

APPENDIX.

Rules for the leasing out of lands on that portion of the Anaimalai forest reserve in the Coimbatore district which lies on the slopes draining towards Travancore and Cochin.

I. Applications for land in this reserve shall be addressed to the Collector of the district and shall be accompanied by a tracing of the topographical map of the Survey of India on which shall be marked the block of land applied for. The applications shall contain the following particulars :—

(*a*) The estimated area of the land applied for.
(*b*) The situation of the land and its boundaries as accurately as can be stated.

II. No lot shall exceed 1,000 acres and no lot shall be less than 160 acres, unless otherwise specially ordered by Government.

III. Every lot shall be compact and shall include no more than on one block of land capable of being surrounded by a ring fence. A block of land will be regarded as fulfilling this condition although a public road may pass through it.

IV. On receipt of an application under rule I, the Collector shall require the applicant to deposit 10 per cent. of the upset price, which deposit will be refunded in case the lease of the land be not bought in by the applicant, and shall thereupon advertise the lease of the land for sale at the Collector's office at a specified hour and on a specified date which shall not be less than three months after the deposit of such sum.

V. A notification of the intended sale of the land specifying the locality, the boundaries, the approximate extent and annual assessment of the land, and the place, time and conditions of sale shall be posted for three clear months on the land itself as well as in the offices of the Collector and of the Tahsildar of the taluk. An advertisement of the intended sale shall also be inserted in the District Gazette and published in one or more of the principal papers of Madras, Calcutta, Ceylon and Singapore. If the sale be not completed on the date fixed in the notification the Collector, subject to the provisions of rule VIII, may postpone the sale for a period not greater than seven days to a date to be specified by him and to be intimated to all the parties that may be present and to be posted up in his office.

VI. The Collector shall send to the applicant by registered letter written notice of the place and time of sale; but no sale shall be postponed in consequence of the non-receipt of such notice or delayed in consequence of the non-appearance of the applicant.

VII. If the applicant withdraws his application prior to the date of sale, it shall be discretionary with the Collector to proceed with the sale or not as he considers best for the public interests. In such case, the applicant will be entitled to the refund of so much only of his deposit under rule IV as may not have been expended in publishing the advertisements and notifications under rule V.

VIII. The lease of the land shall be brought to sale on the day appointed, provided—

(*a*) that the application has not been withdrawn, or that if withdrawn, the Collector has decided under rule VII to proceed with the sale, and

(*b*) that no claim of private proprietorship or exclusive occupancy or of any other right incompatible with the lease of the land under these rules has been preferred and admitted by the Collector as sufficient ground for the postponement of the sale.

At the appointed time the approximate area of the land as plotted on the map shall be announced and the lease of the land for a period of 30 years shall be put up for sale at an upset price of Rs 5 per acre and sold to the highest bidder above the upset price, subject to the following annual assessment payable on or before the first March of every year :—

(i) During the first five years of the lease, eight annas per acre per annum on the whole holding.

(ii) From and after the beginning of the sixth year of the lease, two rupees per acre per annum on so much of the holding as shall have been cultivated and eight annas per acre per annum on the remainder, provided that in no year after the first five years shall the assessment be less than the following :—

In the 6th	year	Rs. 2	per acre	per annum on	$\frac{1}{20}$	of the holding and 8 annas per acre per annum on the balance.
„ 7th	„	„	„	„	$\frac{1}{10}$	„ „
„ 8th	„	„	„	„	$\frac{3}{20}$	„ „
„ 9th	„	„	„	„	$\frac{1}{5}$	„ „
„ 10th	„	„	„	„	$\frac{1}{4}$	„ „
„ 11th	„	„	„	„	$\frac{3}{10}$	„ „
„ 12th	„	„	„	„	$\frac{7}{20}$	„ „
„ 13th	„	„	„	„	$\frac{2}{5}$	„ „
„ 14th	„	„	„	„	$\frac{9}{20}$	„ „
„ 15th	„	„	„	„	$\frac{1}{3}$	„ „
„ 16th	„	„	„	„	$\frac{11}{20}$	„ „
„ 17th	„	„	„	„	$\frac{3}{5}$	„ „
„ 18th	„	„	„	„	$\frac{13}{20}$	„ „
„ 19th	„	„	„	„	$\frac{7}{10}$	„ „
„ 20th	„	„	„	„	$\frac{3}{4}$	„ „
In and after the 21st	„	„	„	„	$\frac{4}{5}$	„ „

(iii) No assessment shall be leviable on public roads accepted as such by the Collector.

For the purposes of calculating the assessment leviable in any year the Collector shall be the sole judge whether the land is or is not "cultivated."

Every lease granted under these rules shall run from the date of its execution ; but the assessment payable thereunder shall be leviable in respect of the official year and shall fall due on the 1st March in each year of the lease.

IX. Every bidder shall deposit 10 per cent. of the upset price before bidding and the successful bidder shall pay the remainder of the purchase money plus all expenses under rule V within thirty days on pain of forfeiture of his deposit.

X. Arrears of annual assessment shall be recoverable as provided under section 66 of the Madras Forest Act V of 1882 in the same manner as arrears of ryotwari land revenue are or may be recoverable by the law for the time being in force in the Madras Presidency.

XI. Lands, the lease of which has been sold under these rules, shall continue subject to all taxes payable by law.

XII. The existing and customary rights of Government, of other proprietors and of the public in existing roads and paths and in streams running through or bounding lands leased under these rules are reserved and in no way affected by such leasing.

Exd. C. M. Brisson.

40 Copies.

To be substituted for the G.O. sent on 12-10-96: the only alteration will be found on page 6, the last of the papers read having been omitted in the copies previously issued—

Government {1896} of Madras.

REVENUE.

Recd. } 1896. *Enclosures*

Regd. *Spare copies*

G.O., No. 495, 28th September 1896.

SEPTEMBER.

Leases.

Passing orders on papers regarding the leasing out of lands on the Anaimalai Hills in the Coimbatore district.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue (Land Revenue), Forest No. 280, dated 4th July 1896 :—

Read—again the following Proceedings of the Board of Revenue (Land Revenue), Forest Mis. No. 858, dated 15th June 1896 :—

Read—the following G.O., No. 256, Revenue, dated 12th June 1896 :—

Read—Proceedings of the Board of Revenue (Land Revenue), Forest No. 211, dated 15th May 1896.

Abstract.—Submitting, with remark, for the orders of Government, Coimbatore Collector's letter reporting upon certain applications for about 50 square miles of land required for coffee cultivation in the Anaimalai reserved forest.

Order—No. 256, Revenue, dated 12th June 1896.

The Government is in general agreement with the Board's views as to the opening up of the Anaimalais. Detailed proposals should be submitted as expeditiously as possible.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Ag. Under Secretary to Government.

To the Board of Revenue (Land Revenue), with map.

Resolution—Forest Mis. No. 858, dated 15th June 1896.

Communicated to the Collector of Coimbatore, who is requested to arrange for a conference with the applicants. The Forest Member of the Board can attend on any day in June or July except from the 6th to the 13th July.

(True Copy and Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

To the Collector of Coimbatore, with map.
Copy to the Conservator of Forests, Southern Circle.
" other Conservators.

Read—also the following letter from HERBERT BRADLEY, Esq., Collector of Coimbatore, to the Secretary to the Commissioners of Land Revenue (through the Conservator of Forests, Southern Circle), dated 26th June 1896, Ref. on Cur. No. 2778 :—

With reference to Board's Proceedings, Forest Mis. No. 858, dated 15th June 1896, communicating G.O., No. 256, Revenue, dated 12th idem, I have the honour to report that a meeting was held at Coimbatore on the 25th instant when the conditions of the proposed leases were discussed with the majority of the applicants for land on the Anaimalais in the presence of the Forest Member, the District Forest-officer and myself. Almost without exception the applicants were present or represented, and I think the conditions drawn up will be accepted by them all.

2. They were as follows, following the order of the suggestions contained in my letter, dated 17th April 1896, Ref. on C. No. 2778, printed in Board's Proceedings, Forest No. 211, dated 15th May 1896 :—

(*a*) That the lease should run for 30 years subject to renewal at the end of that period at a rental not greater than that paid for similar and similarly situated land. This condition is intended to retain the right of Government to increase the rental at the end of 30 years if the value of coffee land shall have increased.

(*b*) That the rent shall be 8 annas per annum payable on or before the 25th of March each year for the whole holding, to be increased to Rs. 2 on every acre which shall have been planted for 5 years.

(*c*) That the lessee shall plant up not less than 10 per cent. of the area of his holding by the end of the tenth year of his lease.

This condition has been materially altered owing to the uncertainty of the labour supply and the difficulty anticipated at the outset in obtaining labour.

(*d*) That no charge shall be made for timber used by the lessee, but the lessee shall not be allowed to carry on trade in timber.

(*e*) That the lessee shall not cut any of the following trees without the permission of the District Forest-officer :—

Teak—*Tectona grandis.*
Rosewood—*Dalbergia latifolia.*
Vengai—*Pterocarpus marsupium.*
Venteak—*Lagerstræmia microcarpa.*
Jack—*Artocarpus integrifolia.*
Wild Jack—*Artocarpus hirsuta.*

(*f*) That the District Forest-officer shall be at liberty to remove any trees from unopened land.

(*g*) That the lessee shall pay the usual land-cess in addition to his rent.

(*h*) That the lessee shall have no right to the minor produce other than coffee, but that all Kaders and other hill tribes shall be at liberty to enter upon the unopened portions of the property for the purpose of collecting minor produce other than coffee, provided that they hold the written authority of the District Forest-officer. This is to meet the possibility of the hillmen stealing coffee on the pretext of gathering wild coffee.

(*i*) That the lessee shall not dispose of any portion of his grant except to persons approved by the Collector. The object of this condition is to meet the objections raised by the applicants that the value of the property will be greatly diminished if they are unable to dispose freely of it, and at the same time to ensure the Government against really undesirable tenants. *Bonâ fide* transfers should not be objected to, but applicants should not be allowed to split up their holdings and sell them or portions of them to a large number of petty men and in fact to speculate in the land.

(*j*) That the lessee shall permit the District Forest-officer or any subordinate of his and any Revenue officer not below the rank of Revenue Inspector to enter the land for the purpose of inspection.

(*k*) That all arrears shall be recoverable under the Revenue Recovery Act.

(*l*) That any portion of the land required for public purposes shall be resumable by Government subject to a refund of the assessment already paid without interest on unopened land, and compensation at Rs. 300 per acre if the land has been cultivated for less than 5 years, and Rs. 800 per acre if it has been cultivated for more than 5 years.

The figures in my former letter were taken from the Shevaroy leases and it is considered that land in the Anaimalais will be more costly to open, and probably more valuable when opened than the Shevaroy lands.

(*m*) That the lessee shall make and maintain through his land to the satisfaction of the Collector a road or if necessary roads to be traced by the District Forest-officer. These roads shall be 6 feet wide with a margin of 6 feet on each side. No deduction from the area of the holding shall be made on account of these roads.

(*n*) That save with the permission of the Collector no products other than coffee or cocoa shall be grown by the lessee.

This condition is inserted as it is considered that if the land is opened for coffee or cocoa it would be practically forest, both these products being generally grown under shade. But if these should fail, and it be desired to grow tea and make complete clearances of the forest, it may be necessary to completely revise the conditions of the lease. For the present therefore it seems desirable to restrict the cultivation to these products. Cardamoms are intentionally exempted as there are very many wild cardamoms in the forests on which the hill tribes partly depend for their livelihood. It is also hoped to induce the hill men to grow cardamoms and there would be constant friction if the planters also grow them. The applicants are not anxious to grow cardamoms.

(*o*) That the lessee shall make a deposit of Rs. 2 per acre in cash or Government securities before entering on the land. This sum shall be adjusted in payment of the assessment and other dues which may fall due.

(*p*) That the lessee shall clear the boundaries of his holding to a width of 12 feet and demarcate them with cairns or otherwise within a reasonable time so as to satisfy the District Forest-officer, and that the deposit provided for in the last clause shall remain intact and the assessment be paid in cash until this is done.

The object of this clause, of course, is to compel the lessee to clear his boundaries within a reasonable time.

(*q*) That all disputes as to boundaries between the applicants shall be referred for the orders of the Collector whose decision shall be final.

(*r*) That the lessee shall not interfere with wild elephants except as provided by the Elephant Act I of 1873, and that the tusks of all elephants killed under the provisions of the Act shall be the property of Government.

(*s*) That the lessee shall on no account interfere with the hill tribes, and should it become necessary for him to close any of their customary paths, he shall provide another right of way in its place.

(*t*) That the lessee shall grant rights of way through his land to inspection bungalows and other buildings the property of Government and from such buildings to the nearest drinking water, and shall permit Government officials and the hill tribes to use drinking water passing through his holding.

(*u*) That no mining right shall be conferred by the lease.

(*v*) That the lessee may at any time resign the whole of his holding from the commencement of the fasli year succeeding that in which he gives notice of his intention to do so.

3. A schedule is attached showing the names of the applicants and the extents applied for. Almost the whole of the available land is covered by applications.

Enclosure.

Schedule showing the names of the applicants and extents applied for coffee cultivation on the Anaimalais.

Number of application.	Name of applicants.	Date of receipt.	Approximate area in acres.
1	Mr. C. V. Narasiah	9th October 1895	1,360
2	„ E. W. Windle	9th „ „	2,360
3	„ Rhodes James	14th January 1896	11,200
4	„ W. L. Edmiston (Northern)	29th February „	1,840
5	„ „ (Southern)	29th „ „	9,600
6	„ C. A. Mackenzie	26th March „	2,760
7	Messrs. Binny and Co. (blocks B and C)	4th June „	12,160
8	„ „ (block A)	4th „ „	5,120
9	Mr. H. P. Hodgson	6th „ „	1,920
10	„ H. Scott	15th „ „	1,400
11	„ J. W. Chambers	22nd „ „	1,800
12	Mrs. G. Chambers	22nd „ „	1,400
13	Messrs. O. Scott Skirving Mr. G. L. Chambers	23rd „ „	2,400
14	„ Fergus Wolsey Smith „ J. A. Boyson „ O. Scott Skirving „ G. L. Chambers	23rd „ „	4,500
15	„ J. Campbell	23rd „ „	2,200
16	„ O. Scott Skirving „ J. W. Chambers	25th „ „	500
17	„ A. W. Brodie	26th „ „	980
		Total	63,500 or approximately 100 square miles.

Endorsement by E. D. M. HOOPER, Esq., Acting Conservator of Forests, Southern Circle, dated Coimbatore, 30th June 1896, Ref. on No. 3408.

Forwarded.

Resolution—Forest No. 280, dated 4th July 1896.

Submitted to Government with the recommendation that the conditions adopted at the meeting may be approved.

2. The only important change which has been made in the conditions which have already received the general approval of Government is the reduction in the area to be opened within a prescribed period. Though the percentage now proposed is a small one, it is a minimum binding on every estate however far from the existing line of road; and when the difficulties in the way of securing an ample supply of labour are looked to, the Board is satisfied that it would be impracticable to enforce more stringent conditions. Under the arrangements now proposed, operations on some scale will begin throughout the whole area available, and a complete line of road will be formed at an early date. The conditions which prescribe a deposit of Rs. 2 per acre on the whole area applied for, the annual payment of what is practically a retaining fee of As. 8 on every acre taken up whether cultivated or not, the construction of a road and the clearance of boundaries seem sufficient to ensure that none but *bonâ fide* applications will be received.

(True Copies and Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

To the Secretary to Government, Revenue Department.
„ Collector of Coimbatore.
„ Conservator of Forests, Southern Circle.
Copy to other Conservators.

Read—also Proceedings of the Board of Revenue (Land Revenue), No. 434-R., dated 1st August 1896.

Abstract.—Submitting to Government, with reference to its official memorandum No. 111 dated 24th July 1896, a copy of Board's Proceedings, Forest No. 264, dated 2nd May 1895, containing the form of the lease for lands leased out for coffee cultivation in the Shevaroys.

Read—also telegram from the Collector of Salem, dated 14th August 1896.

Abstract.—Reporting that the forest growth on lands leased out for coffee on the Shevaroys was sold at rates varying from Rs. 4 to Rs. 16 per acre, the average being Rs. 9.

Read—also letter from the Collector of Coimbatore, Reference on Cur. No. 280, dated 14th August 1896.

Abstract.—Submitting map of the Anaimalais as directed by the Board of Revenue.

Read—also telegram from the Collector of Salem, dated 16th August 1896.

Abstract.—Stating that coffee estates under patta on the Shevaroys are assessed at one rupee per acre.

Read—also Minute by the Hon'ble Mr. Bliss, C.I.E., dated 15th September 1896.

Order—No. 495, Revenue, dated 28th September 1896.

Forest No. 212.

The Government regrets that, after a most careful consideration of the subject, it is unable to accept the Board's recommendations in regard to the conditions to be inserted in the leases which it is proposed to grant for the cultivation of coffee on the Anaimalais.

2. The terms upon which the Government has decided to lease out the forest land on these hills are enumerated below, and the Government Solicitor will be requested to draw up and submit for approval at a very early date the necessary draft lease. Pending the preparation of the lease, the Board will be at liberty to dispose of applications made by individuals who signify their assent to the conditions laid down in this order.

3. Inasmuch as the leases are intended for the use and reference of persons who are not versed in technical phraseology, it is in the opinion of Government desirable that they should be couched in clear and intelligible language resembling rather the form of a legal enactment than that of the lease recently drawn up with regard to the lands cultivated with coffee on the Shevaroy hills. In drawing up the form of lease, the Government Solicitor should therefore curtail, where practicable, the use of the customary legal phraseology, and with this object should arrange the several conditions under separate paragraphs in serial order.

4. The Board will observe that the main difference between the conditions proposed and those which Government has now decided to lay down, consists in the method by which the disposal of the land will be regulated. The decision to sell the leases by auction at an upset price of Rs. 5 per acre will render unnecessary any initial deposit such as that proposed in condition (*o*) of the Board's list. Another condition which has been designedly omitted is that which prohibits the lessee from cultivating other products than coffee or cocoa. In the opinion of Government no such restriction is necessary.

5. While however it has been decided that the principle of sale by auction shall be followed in future, the Government considers that there is no objection to the grant to each of the fifteen* original applicants specified in Board's Proceedings, No. 280, dated 4th July 1896, of an area not greater than 1,000 acres and not less than 160 acres on payment of a fixed price of Rs. 5 per acre. This should be intimated to the several applicants who should at the same time be informed that any application for the purchase of land on these terms must be made and the purchase money forwarded to the District Collector before the close of the current year and that the grant of such applications will be subject to the conditions enumerated in this order.

* The two applications received from both Mr. W. L. Edmiston and Messrs. Binny & Co., being treated as one.

6. The Government is prepared to undertake the construction of a main road through the land which it is now proposed to lease out for cultivation, and the Public Works Department will be requested to arrange for the immediate tracing of such a road with the necessary principal branches. The requisite width on either side of this tracing should be reserved to Government and excluded from lease. The maintenance of the main road when completed and the construction and maintenance of the necessary branch roads for the use of the public will devolve on the Local Boards.

7. With reference to condition (ix), the Government desires the Board to draw up a definition of "minor produce" to be communicated to Government, and after approval, to the Government Solicitor for incorporation in the draft lease.

8. The Government now proceeds to enumerate the rules and conditions which it has been decided shall regulate the leasing out of the portions of the Anaimalai forest in the Coimbatore district situated on the south-west or Travancore-Cochin side of the water-shed, that runs through the reserve from the south-east to the north-west—

(i) The leases shall run for a term of thirty years and shall be sold by auction at an upset price of Rs. 5 per acre subject to the condition that no lot shall exceed 1,000 acres or be less than 160 acres in extent. The detailed conditions which shall attach to such auctions are shown in the appendix to this order.

(ii) (*a*) The initial assessment shall be eight annas per acre per annum; but from and after the beginning of the sixth year of the lease two rupees per acre shall be chargeable on so much of the holding as shall have been cultivated and eight annas per acre on the remainder provided that the assessment shall not be less than the following:—

In the	6th	year	Rs. 2 per acre on $\frac{1}{10}$	of the holding	and 8 annas per acre, on the balance.
,,	7th	,,	,, $\frac{1}{10}$	,,	,, ,,
,,	8th	,,	,, $\frac{3}{20}$	,,	,, ,,
,,	9th	,,	,, $\frac{1}{5}$	,,	,, ,,
,,	10th	,,	,, $\frac{1}{4}$	,,	,, ,,
,,	11th	,,	,, $\frac{3}{10}$	,,	,, ,,
,,	12th	,,	,, $\frac{7}{20}$	,,	,, ,,
,,	13th	,,	,, $\frac{2}{5}$	,,	,, ,,
,,	14th	,,	,, $\frac{9}{20}$	,,	,, ,,
,,	15th	,,	,, $\frac{1}{2}$	,,	,, ,,
,,	16th	,,	,, $\frac{11}{20}$	,,	,, ,,
,,	17th	,,	,, $\frac{3}{5}$	,,	,, ,,
,,	18th	,,	,, $\frac{13}{20}$	,,	,, ,,
,,	19th	,,	,, $\frac{7}{10}$	,,	,, ,,
,,	20th	,,	,, $\frac{3}{4}$	,,	,, ,,
,, and subsequently	21st	,,	,, $\frac{4}{5}$	,,	,, ,,

(*b*) No assessment shall, in any case, be leviable on public roads accepted as such by the Collector.

(iii) The assessment shall be leviable in respect of the official year ending 31st March and shall be payable on or before the 1st March.

(iv) The land-cess and village-cess and any other cess imposed by law shall be paid by the lessee.

(v) All arrears shall be recoverable under the Madras Revenue Recovery Act, II of 1864, and if they are not paid within a date to be specified by the Collector, the Government shall further be at liberty to enter upon and resume possession of the land, in which case the lease shall thereupon determine.

(vi) The lessee shall within six months of the issue of the lease clear and demarcate the boundaries of the holding to the satisfaction of the Collector, and shall subsequently in like manner clear and demarcate them within three months of any special requisition to that effect made by the District Forest-officer; in default

the District Forest-officer may cause the holding to be demarcated and the cost shall be recovered from the lessee by the Collector as an arrear of land revenue.

(vii) All disputes as to boundaries between the lessees of adjacent lands shall be referred for the orders of the Collector, whose decision shall be final.

(viii) The officers of the Forest Department shall not interfere with trees which are left standing on cleared land, or which in the Collector's opinion may be required as windguards, but shall have power to remove trees of the undermentioned species from other land which has not been cleared and to dispose of them by sale or otherwise :—

Teak—*Tectona grandis.*
Rosewood—*Dalbergia latifolia.*
Vengai—*Pterocarpus marsupium.*
Venteak—*Lagerstrœmia microcarpa.*
Jack—*Artocarpus integrifolia.*
Wild jack—*Artocarpus hirsuta.*

For the purpose of clearing the land or of erecting buildings on his holding the lessee shall be at liberty to fell any tree, and may use or dispose of trees so felled at his pleasure subject to the proviso that no timber shall be transported beyond the limits of the Anaimalai forest except on payment to the Forest Department of a fixed seigniorage for each kind of tree. In the case of classified trees the seigniorage shall be leviable at such rates as may from time to time be fixed not exceeding three-quarters of the maximum rates which have been or may be notified under section 26 of the Madras Forest Act as applying to the district of South Coimbatore. In the case of reserved trees the Board of Revenue will be requested to frame and submit a table of rates for the approval of Government. No fees shall be leviable in respect of trees which are neither reserved nor classified.

(ix) The lessee shall enjoy the free use of the minor forest produce of his holding, subject to the condition that Kaders and other hill tribes shall be at liberty to enter upon the unopened portions thereof for the purpose of collecting minor produce, provided that they hold a written authority from the District Forest-officer.

(x) The lessee shall enjoy no mining rights.

(xi) The lessee shall grant rights of way through his land to inspection bungalows and other buildings the property of Government, and from such buildings to the nearest drinking water, and shall permit Government servants and the hill tribes to use the water passing through his holding for domestic purposes and for their animals.

(xii) Any portion of the leased land required for public purposes shall be resumable by Government subject to a refund without interest of the assessment already paid on unopened land, or to compensation at the rate of Rs. 100 per acre if the land has been cultivated with coffee, tea or cinchona for one year, Rs. 200 if so cultivated for two years, Rs. 300 if so cultivated for three years, Rs. 400 if so cultivated for four years or Rs. 500 if so cultivated for five years or a longer period. In the case of land which has been cultivated with other products, the cost of clearing only shall be refunded.

(xiii) The lessee shall permit any Government servant authorized in that behalf to enter upon the leased land for the purpose of inspection or to make any survey or to enquire into any offence against any law or for any other purpose specified by the Collector in writing.

(xiv) The lessee shall not be restricted from transferring his rights in the leased land, provided that the obligations to which he is subject shall be binding on the transferee, and that the Collector shall have power to impose an assessment of rupees four per acre on the entire holding if any transfer is made of a portion thereof less than 100 acres in extent.

(xv) The lessee shall not interfere with wild elephants except as provided by Madras Act I of 1873, and the tusks of all elephants killed under the provisions of the Act shall be the property of Government.

(xvi) The lessee shall on no account interfere with the hill tribes, and should it become necessary for him to close any of their customary paths, he shall provide others in their place to the satisfaction of the Collector.

(xvii) The lessee shall not be at liberty to give up a part of his holding, but may resign the whole thereof at any time after twelve months' notice.

(xviii) The lease shall be subject to renewal at the option of the lessee, provided that the assessment on opened land may be enhanced on renewal of the lease to a sum not exceeding rupees four per acre on the cultivated area.

(xix) If the lease is not renewed the lessee shall surrender the land with every thing standing thereon to Government.

(xx) For the purpose of these rules the Collector shall have power to decide what portions of a holding are "cleared," "opened," "unopened" or "cultivated," as the case may be. He shall also have power to decide what cultivation is entitled to the compensation admissible under condition (xii).

9. Land which has once been relinquished under condition (xvii), or which has been resumed by Government, will on re-sale by auction be liable to pay the full assessment of rupees two per acre on all cleared or cultivated portions from the commencement of the new lease and the terms of condition (ii) shall be applicable only to the portions thereof unopened at such date.

10. A supplemental standing order embodying the rules laid down in these Proceedings should be submitted for the approval of Government as soon as the form of lease to be issued has been settled.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

To the Board of Revenue (Land Revenue).
„ the Government Solicitor.
„ the Collector of Coimbatore.
„ the Public Works Department.
„ the Local and Municipal Department.
„ the Financial Department.

APPENDIX.

Rules for the leasing out of lands on that portion of the Anaimalai forest reserve in the Coimbatore district which lies on the slopes draining towards Travancore and Cochin.

I. Applications for land in this reserve shall be addressed to the Collector of the district and shall be accompanied by a tracing of the topographical map of the Survey of India on which shall be marked the block of land applied for. The applications shall contain the following particulars :—

(*a*) The estimated area of the land applied for.
(*b*) The situation of the land and its boundaries as accurately as can be stated.

II. No lot shall exceed 1,000 acres and no lot shall be less than 160 acres, unless otherwise specially ordered by Government.

III. Every lot shall be compact and shall include no more than on one block of land capable of being surrounded by a ring fence. A block of land will be regarded as fulfilling this condition although a public road may pass through it.

IV. On receipt of an application under rule I, the Collector shall require the applicant to deposit 10 per cent. of the upset price, which deposit will be refunded in case the lease of the land be not bought in by the applicant, and shall thereupon advertise the lease of the land for sale at the Collector's office at a specified hour and on a specified date which shall not be less than three months after the deposit of such sum.

V. A notification of the intended sale of the land specifying the locality, the boundaries, the approximate extent and annual assessment of the land, and the place, time and conditions of sale shall be posted for three clear months on the land itself as well as in the offices of the Collector and of the Tahsildar of the taluk. An advertisement of the intended sale shall also be inserted in the District Gazette and published in one or more of the principal papers of Madras, Calcutta, Ceylon and Singapore. If the sale be not completed on the date fixed in the notification the Collector, subject to the provisions of rule VIII, may postpone the sale for a period not greater than seven days to a date to be specified by him and to be intimated to all the parties that may be present and to be posted up in his office.

VI. The Collector shall send to the applicant by registered letter written notice of the place and time of sale; but no sale shall be postponed in consequence of the non-receipt of such notice or delayed in consequence of the non-appearance of the applicant.

VII. If the applicant withdraws his application prior to the date of sale, it shall be discretionary with the Collector to proceed with the sale or not as he considers best for the public interests. In such case, the applicant will be entitled to the refund of so much only of his deposit under rule IV as may not have been expended in publishing the advertisements and notifications under rule V.

VIII. The lease of the land shall be brought to sale on the day appointed, provided—

(*a*) that the application has not been withdrawn, or that if withdrawn, the Collector has decided under rule VII to proceed with the sale, and

(*b*) that no claim of private proprietorship or exclusive occupancy or of any other right incompatible with the lease of the land under these rules has been preferred and admitted by the Collector as sufficient ground for the postponement of the sale.

At the appointed time the approximate area of the land as plotted on the map shall be announced and the lease of the land for a period of 30 years shall be put up for sale at an upset price of Rs. 5 per acre and sold to the highest bidder above the upset price, subject to the following annual assessment payable on or before the first March of every year:—

(i) During the first five years of the lease, eight annas per acre per annum on the whole holding.

(ii) From and after the beginning of the sixth year of the lease, two rupees per acre per annum on so much of the holding as shall have been cultivated and eight annas per acre per annum on the remainder, provided that in no year after the first five years shall the assessment be less than the following :—

In the	6th	year	Rs. 2 per acre	per annum on	$\frac{1}{20}$	of the holding and 8 annas per acre	per annum on the balance.
„	7th	„	„	„	$\frac{1}{10}$	„	„
„	8th	„	„	„	$\frac{3}{20}$	„	„
„	9th	„	„	„	$\frac{1}{5}$	„	„
„	10th	„	„	„	$\frac{1}{4}$	„	„
„	11th	„	„	„	$\frac{3}{10}$	„	„
„	12th	„	„	„	$\frac{7}{20}$	„	„
„	13th	„	„	„	$\frac{2}{5}$	„	„
„	14th	„	„	„	$\frac{9}{20}$	„	„
„	15th	„	„	„	$\frac{1}{2}$	„	„
„	16th	„	„	„	$\frac{11}{20}$	„	„
„	17th	„	„	„	$\frac{3}{5}$	„	„
„	18th	„	„	„	$\frac{13}{20}$	„	„
„	19th	„	„	„	$\frac{7}{10}$	„	„
„	20th	„	„	„	$\frac{3}{4}$	„	„
In and after	the 21st	„	„	„	$\frac{4}{5}$	„	„

(iii) No assessment shall be leviable on public roads accepted as such by the Collector.

For the purposes of calculating the assessment leviable in any year the Collector shall be the sole judge whether the land is or is not "cultivated."

Every lease granted under these rules shall run from the date of its execution; but the assessment payable thereunder shall be leviable in respect of the official year and shall fall due on the 1st March in each year of the lease.

IX. Every bidder shall deposit 10 per cent. of the upset price before bidding and the successful bidder shall pay the remainder of the purchase money plus all expenses under rule V within thirty days on pain of forfeiture of his deposit.

X. Arrears of annual assessment shall be recoverable as provided under section 66 of the Madras Forest Act V of 1882 in the same manner as arrears of ryotwari land revenue are or may be recoverable by the law for the time being in force in the Madras Presidency.

XI. Lands, the lease of which has been sold under these rules, shall continue subject to all taxes payable by law.

XII. The existing and customary rights of Government, of other proprietors and of the public in existing roads and paths and in streams running through or bounding lands leased under these rules are reserved and in no way affected by such leasing.

Exd. C. M. Brisson.

10 Copies.

B/ [illegible]

Grant for Archaeological Works during 1897-98.

DEPARTMENT.

No. 3207 W, d/ 10th November 1896.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

From the Superintendent Archaeological Survey No. 167 d/ ~~5 October~~ 30/9/96 1896

Endorsement thereon in the Public Dept. No. 2001 d/ 3rd October 1896

Communicated to the officers concerned.

2. A sum of Rs 200 will be provided in the Provincial Civil Works budget for 1897-98 for the conservation of the archaeological works enumerated in the Superintendent's letter read above.

A.S.H. 2.11.96

[signature] 30/10/96

Recd 10/11/96

To

The S.Es II, IV + VI circles.

" Exar P.W. Accts

" Public Dept.

" [illegible] Dept. Kr 5/11

- P. W. 40. 50 [illegible] 9-96.

H.E. 30/10 R 3/11.

~~Financial~~ Stat. works

Public Works (1896) Department.

CURRENT No. ~~32 16~~ ~~2500~~ 8956

CHIEF SECRETARY
1. OCT. 1896
GOVERNMENT OF MADRAS

Endt ~~Order~~ No. 2001

Transferred to the Public Works Department.

W. Francis.

Ag. ~~Asstt~~ Under Secretary

B

J.S.B. 2/10/96

Ootacamund
3d Octr 1896

Med 3/

From The Superintendent, Archaeological Survey, (Madras)

No. 167.

Dated 30th September 1896.

Received ~~1st~~ 5th } October

Registered ~~2~~ 2d

Enclosures — 1

Spare copies. —

SUBJECT.

Budget estimate for the Conservation of ancient monuments, 1897-98.

B

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No. 2705 W 29-10-95 ✓
" 1650 W - 3-7-94 ✓
" 2683 W - 7-10-91 ✓
" 2437 W - 10-9-91 ✓

BACK PAPERS.

G.O.	No.	Department.	Date.
861	4-11-95	Misc	
5.0	1650 W	P.W.	3-7-94
"	2683 W	-	7-10-91

FURTHER PAPERS.

G.O.	No.	Department.	Date.
Power	1149 7/97		

CURRENT No. ~~2216~~ 2500

Archæological Survey, (Madras,)
Bangalore,
30th September 1896.

No. 167.

From

A. REA, Esquire,
Superintendent, Archæological Survey,
(Madras,)

To

The Chief Secretary
to the Government of Madras.

Sir,

With reference to G.O. No. 2683 W., dated 7th October 1891, I have the honour to submit a budget estimate for the conservation of ancient monuments during 1897-98.

2- An estimate for repairs to the Buddhist Stupa at Jaggayyapeta was received from the Collector of Kistna. It amounts to Rs 15-6-6.

3- The Collector of Salem reported that the Krishnagiri Fort (No. 86 in the revised list) was largely overgrown with vegetation. A sum of Rs 50 might be allotted for the work.

4- An estimate amounting to Rs 15, for clearing vegetation from the Fort at Dindigul has been received.

5- The Superintending Engineers of the

2

First and Second circles have sent Nil returns.

6- G.O., No. 239, Marine Department, dated 19th June 1894, sanctioned a monthly allowance of Rs 10 to the Light house Superintendent at the Seven Pagodas, – Rs 120.

7- The total amount of the above items is Rs 200.

I have the honour to be
Sir,
Your most obedient servant,

[signature]
Superintendent.

× B.N. 1650 [illegible] 3.7.94

rtm[illegible] | Date.

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-91

RS.

Date.

[illegible]
8956/96