C.F. 73.

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

~~Marine~~ (1896) Department.

G.O., No. 3527 W

DATED 9 December / 96

[Despatch Abstract.]

Forest Lands on the Anamalais: Coms with remarks to ... Department passing or zero on certain questions connected with the lease of —.

No. 6.
2,000—23-10-96.

INDEXED

C.F. 73.

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

P.W. 1/12

P.W.

~~Marine~~ (1896) Department.

G.O., No. 3527 W

DATED 9 December / 96

[Despatch Abstract.]

Forest lands on the Anamalais: Coms with remarks to the S.E. IV Circle, Prs: Rs: Department passing orders on certain questions connected with the lease of —.

T.C. 9/12

INDEXED

10/12

N. 4.
2,000—28-10-96.

C.F. 73.

Dat

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 DEPARTMENT.

No. 3527 W of 9th December 1896.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Prm. in the Rev. Dept — No. 694 of 4. 12. 96.

Communicated in continuation of G.O. No. 3211 W, P.W. dated 10 Nov. 1896, and connd. No. 4551 C dated 2 Dec. 1896. to the Govt. of India, whose special attention is drawn to para 6 of the Rev. Dept. order.

2. In G.O. No. 3377 W dated 24 Nov. 1896, an allotment of Rs. 1000 was made for preliminary expenses in connection with road surveys on the Nilgiri Hills, & the employment of a

+(recommended as No. 4151 C in these offg)

clerk of the necessary number of Lascars was sanctioned. If any further establishment is required, the Supdg Engr should submit an application for the same with the least possible delay.

3. The Supdg Engr will understand that the training of the proposed main road, referred to in para 6 of Govt. No 495 Rds. dated 25th Sept. 1896 is most emergent.

7/12/96

T/B

S. E. IV circle (Chennai Officers Bungalow)

Rev. dept

P. W. Department.

Note for W.

In the statement forwarded to the Financial Department with Memo No. 3842C dated 2nd November 1896, flagged B, Rs(8,320) or 78 lakhs was given as the probable allotment under communications, on the assumption that out of the grant of 22 lakhs proposed by the Government of India under the next contract, 21 lakhs would be available for expenditure by the P.W.D and that the balance 1 lakh (the assignment under the current contract) would be allotted for expenditure by civil officers. The figure .78 given in the Honrable Member's note does not appear in any of the statements furnished to the Financial Department and is apparently a clerical error for .78.

In the revised statement prepared on the assumption that

that the grant available for
expenditure by the P.W.D would
be 18 lakhs and forwarded
to the Financial Department with
Memo No. 4524 C dated 30th Novem-
-ber 1896 flagged C, the allot-
-ment under communications
was fixed at Rs 6539 or .65 lakhs.
The complete file on
the subject of the next Provin-
-cial contract is submitted
herewith.

7/12

Extract from the Note of the Honourable Mr. Bliss C.I.E., in G. O. No. 694 dated 4th December 1896.

In regard to this road, it may be well to point out that unless we can get a special grant for its construction from the Government of India, there is not much chance of work being begun for some years. I should imagine that the lowest estimate of the cost of such a - road would be 3 or 4 lakhs. Now what chance is there of such a sum being forthcoming in the near future? I have not yet finished my investigation of India's proposals for the new Contract, but I find that the Chief Engineer estimates that the total which will next year be available for new roads will be '76. Now this is on the assumption that the allotment to Civil offices under 45, Civil Works is 1.00 only. But this is an absurd sum. The agencies will absorb almost all of it, and the <u>least</u> we can possibly do with is (Say) 3.00, not counting the new Cuddalore Jail. Besides, we have liabilities in Malabar. The position is an impos-sible one and the chance of money being found for a big - road to open up the Anaimalais during the next 3 or 4 years <u>nil</u>.

Public Works (189) Department.

CURRENT No. 11070

Order

From
The Revenue Department.

No. 694 P

Dated 4th Dec 96

Received 7.12.96

Enclosures 2

Spare copies -

SUBJECT.

Passing orders on certain questions connected with the lease of forest lands on the Himalais.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

READ—the following G.O., No. 495, Revenue, dated 28th September 1896:—

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.

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	8th 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	23rd „ „	2,400
	Mr. G. L. Chambers		
14	„ Fergus Wolsey Smith	23rd „ „	4,500
	„ J. A. Boyson		
	„ O. Scott Skirving		
	„ G. L. Chambers	23rd „ „	2,200
15	„ J. Campbell	25th „ „	500
16	„ O. Scott Skirving		
	„ J. W. Chambers	26th „ „	980
17	„ A. W. Brodie	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 culfivated 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 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 and 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 Govern[illegible]ment 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 Governme[illegible]ment 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 [illegible] these rules the Collector shall have power to decide what portions of a holding [illegible] 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.

RESOLUTION—Forest No. 466-A, dated 3rd October 1896.

Communicated to the Collector of Coimbatore for information and guidance.

2. It will be seen that while Government imposes on the planters more onerous conditions in some respects than were proposed by the Board, it relieves them on the other hand of the duty of constructing a road, and undertakes to do this work itself. In framing its recommendations the Board was largely influenced by its belief that the speedy opening of a road in an isolated and uninhabited tract of this kind could best be secured by enlisting the co-operation of a number of individuals, each interested in the work, as well as in promptly securing the command of a body of organized labour which they would require for other purposes after the completion of the road. If, however, the Public Works Department can succeed in getting the work carried through with equal promptitude, the opening out of the tract need be no wise delayed by the adoption of the conditions now prescribed.

3. Any of the applicants specified in paragraph 5, who may intimate their acceptance of the conditions enumerated in the order, may be permitted by the Collector to enter on the land selected by them immediately after payment of the price fixed by Government.

4. The term "Minor Forest produce" is ordinarily understood to include all produce which is not timber or firewood, but as this definition would hardly meet the requirements of paragraph 7 of the Government Order, the Board submits that it will suffice if a list of the produce which the hill tribes have been in the habit of collecting is appended as a schedule to the lease. The Collector is requested to have a list prepared accordingly.

5. With reference to the conditions prescribed in paragraph 9 (ii) (*a*) the attention of Government is requested to paragraph 3 of Board's Proceedings, No. 211, dated 15th May 1896, in which it is explained that owing to the very high winds prevailing in the locality, the planted areas will require to be protected by the permanent reservation of large belts of forest. The Board doubts if it will ever be safe for a planter to open more than one-half of the area in his occupation, and would therefore deprecate the imposition of a condition involving the payment of the enhanced rate of Rs. 2 upon any higher proportion than one-half of the area, save in the case of land actually cleared. In the opinion of experienced Forest-officers the effect of over-clearing might be most disastrous, and the insertion of any condition, which might act as a stimulus in that direction, is in the Board's opinion inadvisable.

6. Condition VIII of the same paragraph takes the place of conditions (*d*), (*e*) and (*f*) in the Board's proposals, and permits trading in timber subject to the payment of seigniorage, the right of the Forest Department to fell being restricted to

the six kinds reserved under the Board's proposals. For the latter purpose Government has adopted the list of trees which the Board proposed to prohibit planters from felling. As this list was framed with special reference to an entirely different set of conditions, the Collector is requested to report whether he would recommend the inclusion of any other species. The table of rates called for by Government should be submitted at the same time.

7. The supplemental standing order called for in paragraph 10 will be submitted in due course.

(True Copy and Extract.)

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

To the Collector of Coimbatore.
" Secretary to Government, Revenue Department.
" Conservator of Forests, Southern Circle.

Copy to other Conservators of Forests.
" the Land Revenue Section.
" Messrs. Binny & Co., Madras.
" H. Scott, Esq.
" J. W. Chambers, Esq.
" Mrs. G. Chambers.
" the Hon'ble Mr. G. L. Chambers.
" Mr. Fergus Wolsey Smith,
" " J. A. Boyson, } care of Messrs. Binny & Co., Madras.
" " J. Campbell, }
" " C. V. Narasiah,
" " E. W. Windle,
" " Rodes James,
" " C. A. Mackenzie, } through the Collector of Coimbatore.
" " H. P. Hodgson,
" Messrs. O. Scott Skirving,
" Mr. A. W. Brodie,

Ed J. P. Oliver.

1896.

Board of Revenue

(Land Revenue),

MADRAS.

GOVERNMENT OF MADRAS
24 OCT 96
REVENUE DEPARTMENT

Printed October 23rd.

Proceedings, Forest No. 466-*A*, *3rd October* 1896.

Communicating to the Collector of Coimbatore, for information and guidance, with remarks, Govs ernment Order passing orders on Board's proposals for the leasing out of the Anaimalai forest in the Coimbatore district for coffee cultivation.

PROCEEDINGS OF THE BOARD OF REVENUE (LAND REVENUE).

READ—the following letter from HERBERT BRADLEY, Esq., Collector of Coimbatore, to the Secretary to the Commissioners of Land Revenue, dated 21st October 1896, Ref. on C. No. 280 :—

I have the honour to draw attention to the following points suggested by Government Order, No. 495, dated 28th September 1896, which has been communicated to me direct, and to request that, if the Board agrees with me, the Government may be moved to make a few slight modifications in the order.

2. The purport of the orders of Government has already been communicated to the fifteen original applicants and several of them have already replied. Some have requested that the period for putting in their applications (paragraph 5 of the Government Order) may be extended on account of the approach of the north-east monsoon and the great difficulty of visiting the hills and making selections now. Two have requested that the period may be extended until six months after the main road referred to in paragraph 6 of the Government Order has been opened. But I have informed them that I cannot support their request. I imagine that the line taken by the road will ultimately depend upon the direction in which the lands applied for lie and it will take perhaps some years to construct, so that this request is out of the question. But in as much as little or nothing can be done in the way of clearing and opening land for some months to come, I would recommend that the period for making applications allowed to the fifteen original applicants may be extended until the 31st of March.

3. With regard to paragraph 4 of the Government Order, I have to request instructions whether it is intended that the land should be allowed to be cultivated with such crops as sugar cane, plantains, &c., or only with the crops generally grown by European planters in hill ranges. If the former, I expect that a good deal of the land will be taken up temporarily by Natives for plantains, a most exhausting crop, and after a few years, when the forest has been destroyed, I fancy a certain proportion of the cultivation will be abandoned. The rate of assessment appears low for plantains. I would therefore respectively submit that, unless it is intended that crops of all kinds may be grown, the fact should be distinctly stated. There will probably be considerable trouble about water rights, if plantains, for instance, are allowed to be grown, and I fear that if tea is planted to any extent or any other similar crops for which it is necessary to clear whole hill sides, the results will be floods in the west coast rivers, which may endanger British Cochin.

4. With regard to paragraph 5 in addition to those mentioned in my letter of the 26th June, printed in Board's Proceedings, Forest No. 280, dated 4th July 1896, the following fresh applications have been received :—

Name of applicant.	Date of receipt.	Approximate area in acres.
W. Rhodes James	29th June 1896.	860
F. Wolseley Smith	3rd July "	320
W. Rhodes James	5th " "	3,000
C. V. Narasiah	6th " "	400
A. W. Brodie	21st " "	920
Do.	23rd " "	980
H. G. Morrison	30th " "	980
Do.	30th " "	510
Messrs. Stanes and Company	11th Aug. "	800
Do do.	11th " "	765
C. S. Krishnasami Iyer	18th " "	150
Do.	18th " "	120
Do.	18th " "	170
Captain I. J. Allan	21st " "	1,960

There are four new applicants, and in addition to this Mr. Rhodes James, whose first application was for Messrs. Finlay Muir and Company, has put in an application on his own behalf. I request instructions whether these new applicants are to be required to buy their blocks or be allowed to select them at the upset price.

5. With regard to paragraph 6 of the Government Order, I request to be informed whether I am in any way to supervise the work of the officer of the Public Works Department who has been deputed to trace the road. Mr. Loam has arrived in the district and shown me a paper signed by the Chief Engineer directing him to report himself to me, but I have received no instructions as to the way in which Mr. Loam is to be employed, or as to the direction which the main road is to take.

6. With regard to paragraph 8 (ii), I would submit that four-fifths of each block is too much to expect each planter to open for coffee at any rate. Belts for protection from the wind will have to be left and there must be other places which are too steep or rocky to plant, or perhaps where the soil is unsuitable, and I imagine that it would be found that not more than three-fifths or even half of the area will be planted at any rate with coffee.

7. I would suggest, with reference to paragraph 8 (vi), that some penalty should be imposed upon the lessee if he fails to clear his boundaries within six months of the issue of the lease, or clear them within three months of notice being given by the District Forest-officer. The clearance of the boundaries will be no easy matter, and unless the District Forest-officer can recover, say, twice or three times the cost from the lessee if he fails to clear them, I fear that all the clearing of boundaries will fall upon that officer and it will be impossible for him to carry all the work out in a reasonable time.

8. With regard to paragraph 8 (viii) I beg to append an extract from an office-note written by the District Forest-officer with which I fully concur :—

"By this ruling the District Forest-officer might find it difficult to obtain timber for building the inspection rest-houses which will be necessary, as the first four of the trees named occur only in the deciduous forest and the last two sparsely in the evergreen within the limits of which, two or three rest-houses will be wanted, and he might also under some circumstances not be able to meet the requirements in firewood.

"The restrictions on trading are so small as hardly to exist. It might be possible for one or more lessees to join together in creating and carrying on an extensive trade in timber and fuel, while with the facilities afforded by the proposed Government roads and the possibility of a railway to Pollachi in the near future would prove very remunerative and seriously hamper the Forest Department in the working of the leased forest. At the conference held in Coimbatore on the 25th July, we kept the list of trees to be cut by lessees with permission only, small, so as not to hamper them; but the position we took up then has now been so completely reversed, that I think we should ask for permission to add eight or ten trees to those the District Forest-officer is now allowed to cut under certain conditions."

I would therefore recommend that the lessees should not be permitted to remove wood from the hills at all.

9. With regard to paragraph 8 (ix), I append an extract from the District Forest-officer's office-note :—

"There are *Mulcers*, living at the foot of the hills mostly, a small number of men, some of whom work as cutting-coolies for the Forest Department; *Pulayars* who can work as coolies; *Mudurars* who are cultivators and dislike work as coolies; *Malai Mulcers* of whom there are a very few families, who have migrated to the hills and are now established there, and *Kaders*, some 120 men and 300 or 400 individuals in all, probably. All the abovenamed tribes collect minor produce, but the last named only, are dependent on it, as they are not cultivators and are unwilling coolies. These people live almost entirely on the side of the hills affected by the new proposals, and their collecting ground is for the most part within the evergreen forest-covered area. Under paragraph 8 (ii) not less than four-fifths of each holding will be chargeable with Rs. 2 rental by the 21st year, and in the evergreen forest, where land is likely to be mostly sought after, this limit will be actually reached, no doubt, at a much earlier date.

"In the register of claims relating to the Anaimalai reserved forests, printed in Board's Proceedings, Forest No. 512, dated 22nd September 1886, specific claims *2*, page 47, and *29* and *38*, page 61, relate to the collection of forest produce by hill tribes, and are admitted, and in claim *40* on page 62 the District Forest-officer himself brings the rights of the hill tribes to collect minor produce to notice, and the Forest Settlement-officer admits them, for all the hill-tribes, all over the Anaimalais throughout the year; and in paragraph 9 of Government Order No. 1612, dated 2nd August 1879, Government refers to the prescriptive rights of the hill tribes, in regard to the minor produce. I fear that a joint right of collection in unopened land, with the

lessees would mean none at all, as they are a timid race, and it would require very little obstruction on the part of an overseer or his maistries, to keep them permanently away from the holding.

"Would it not be possible to ask Government to reconsider the matter on behalf of these hill-people, whose collecting ground will become more circumscribed each year and grant them meanwhile the exclusive right of collection in the uncleared lands? It means everything to them and is little for individual lessees to lose and may be a source of trouble to them by bringing them into conflict with their neighbours. At least, it might be insisted upon that though the sole right to buy the minor produce on his holding belongs to the lessee, he is bound to employ the services of the hill-tribes for its collection, to the exclusion of all others and to remunerate them according to market value. In some instances, as the *Canarium strictum* yielding the dammer, a valuable gum, a lessee would take this produce free, but would have to pay for the wood if he cut the tree, and wished to remove it beyond the limits of the Anaimalais."

With these remarks I fully concur and recommend the concessions proposed by the District Forest-officer to the hill-tribes.

10. *Paragraph* 8 (xi).—I presume the word should be "to inspection bungalows and other buildings" not "to inspect bungalows, &c."

11. With regard to the appendix, I beg to point out that the words "Anaimalai forest reserve" in the first sentence require modification. The leased forest which is situated in Malabar district has been declared part of the Tunacadavu reserve in Coimbatore district—*vide* Notification No. 215, dated 27th November 1883, *Fort St. George Gazette*, and it is obvious that applications cannot be received for this. Nor is it advisable that the portions of this district immediately adjoining the leased forest should be allowed to be cultivated. For the Government still holds the lease of the leased forest for 70 years during which the rent increases from Rs. 2,500 to Rs. 5,000 and it is essential for the working of this forest that the sources of the water-supply which are already scanty should be strictly preserved. Further, the forest adjoining the leased forest can be profitably worked along with the latter. Accordingly a line was drawn on the maps with the concurrence of the Forest Member of the Board beyond which it was not proposed to receive applications for land. This line excludes (*a*) the leased forest, (*b*) the land to the east of it containing the sources of the streams which flow through it, (*c*) all the land lying west of a line drawn south-south-east from Umayamalai to the Varigali Ar, and thence southwards along a tributary of the Panatti Ar to that river itself, thence southwards along that river to its junction with the Parayankadavu Ar, thence west-north-west along the Periya Ar to the British Cochin boundary. The first cannot, of course, be granted, the second and third contain much fine timber which can be worked with the leased forests, and the third is not from its elevation adapted to the growth of tea, coffee, or cinchona. It will be easy to draw up a schedule giving the boundaries of the land, the leasing of which is recommended.

12. I would suggest that the requirement that a notice regarding the sale of land shall be posted on the land itself may be omitted from the proposed Board's Standing Order. It is impossible to carry it out at present without a degree of trouble and labour which will be totally incommensurate with the advantage gained by it. The greater part of the land is covered with dense forest and it is almost impossible to say accurately even with the map, where a particular point in the forest is. The map itself contains a foot-note that "the tract covered with dense forest, the minor details are only approximately depicted." It is easy enough to select a block on the map, make an estimate of its area and give a rough description of its boundaries. But it is quite another matter to find the land itself and post a notice on it. Should an application be received for 160 acres, it will be just two inches square on the map and unless it happens to be on the top of a well-known hill, it will be almost impossible to find it on the ground. No subordinate officers could do so and the District Forest-officer would find it very difficult. I would suggest therefore for the present that in place of the notice to be posted on the ground a notice to all holders of land under these rules in the Anaimalais should be substituted.

13. Further I think every applicant should be required between the receipt of his application and the auction sale to cut a rough boundary round the land applied for in order that it may be possible to measure it satisfactorily and if he should fail to take it up and there should be no bid for it at the sale, the estimated damage to have been done by him in cutting the boundary should be deducted from his deposit.

14. I presume that if there be no bid at the sale above the upset price, the applicant should obtain the land at Rs. 5 per acre.

15. Fresh applications for land have been received since the Government Order and inquiries are being made as to the conditions on which land will be granted. I request that I may be informed whether I am to give the applicants copies of the appendix to the Government Order and inform them that these are only draft conditions or whether I am to refer them to the Board's Standing Order which will be published hereafter. Apparently—*vide* paragraph 2 of the Government Order—it is intended that applications should be disposed of in anticipation of the preparation of the leases and if I am to communicate copies of the appendix to applicants I request that I may be supplied with 50 printed copies of it.

16. There is another point which I think requires consideration and that is whether arrangements should not be made to permit planters to occupy lands unfit for planting and house-sites on special terms other than those included in the Government Order. Thus near Paralai and on the western slopes of Perungundrumalai and here and there in other places there are grass lands which are unsuitable for planting, but which will be readily taken up for grazing provided that they are granted on special terms. But it is not likely that they will be taken up in the blocks of land four-fifths of which have to be planted in the first 20 years of the lease. Again, it is probable that in many of the 1,000 acre blocks now proposed there may be no sites suitable for planters' houses. It is therefore, I think, a matter for consideration whether small blocks on the tops of hills of say 10 acres in extent each should not be granted under special terms as house-sites.

RESOLUTION—Forest No. 494, dated 23rd October 1896.

The Collector's letter will be submitted for the orders of Government.

Paragraph 2.—The Board supports the Collector's recommendation that the time within which selections must be made by original applicants may be extended up to the 31st March. The selections must ordinarily be made by experienced planters who cannot at this season leave the plantations now under their management.

Paragraph 3.—The attention of Government is earnestly requested to the Collector's remarks in this paragraph. The Board understood paragraph 4 of the Government Order to mean nothing more than that it was intended to make no restriction with regard to the cultivation of tea and other plantation products, but as the rules stand there is nothing to prevent the devastation of the forest by wholesale kumari. A reference to the correspondence in connection with the Shevaroy leases will show that it was the necessity of guarding against this kind of thing which led the Forest Member of the Board to propose the introduction of forest leases instead of the disafforestation of the land.*

* Board's Proceedings, No. 416, dated 28th March 1894, end of paragraph 1.
Board's Proceedings, Mis. No. 925, dated 12th July 1894, end of paragraph 3.

Paragraph 4.—The Board considers that the right of selection up to a limit of 1,000 acres should be given to every one who applied before the issue of Government Order, No. 495, Revenue, dated 28th September 1896.

Paragraph 5.—The orders of Government are requested as to the manner in which it is proposed that the Public Works Department shall construct the main road. At present nothing seems to have been done beyond directing an Engineer to report himself to the Collector. That officer, however, can do no more than instruct the District Forest-officer to indicate to the Engineer the line which it was proposed to adopt for the six-foot road to be made and maintained by the planters.

Paragraph 6.—The Board in its Proceedings, Forest No. 466-A, of the 3rd instant, has already recommended that planters should not be encouraged to clear more than one-half of their holdings.

Paragraph 7.—The Board supports the Collector's recommendation that it should not be left to the option of lessees to have their holdings demarcated by the District officer, and thus save the trouble of doing it themselves.

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ed) R. C. C. CARR,
Acting Secretary.

ppendix.

" Collector of Coimbatore.
" Collector of Nilgiris, Southern Circle.
Copy to the Conservator of Forests, Southern Circle.
" other Conservators of Forests.
" Land Revenue Section.

Bad. C. M. Brisson.

Badger Clerk
Please send a note to
the Fort treasurer for
12 ashlaing bonds for
Blis advance on the grass
pass in his bill herewith
vide L.O No 684 dated 4th Oct/96
Also the Specimen of the file
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Note submitted 7/12/96. Fundyales are the
linked file. Maj 7/12
Mr Stokes is away today & send these papers
in accordance with his verbal instructions last night

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Paragraph 7.—The Board supports the Collector's recommendation that it should not be left to the option of lessees to have their holdings demarcated by the District officer, and thus save the trouble of doing it themselves.

Paragraph 8.—The Board has already called on the Collector to submit an amended list of trees with regard to which the right of felling is to be retained by the Forest Department.

Paragraph 9.—The Board understands condition IX to mean that lessees shall be entitled to the use of the minor forest produce in their holdings, but that its collection for trade purposes shall continue to vest in the Forest Department through the agency of the Kaders and other hill tribes. If the Board's view is incorrect, the remarks of the District Forest-officer would seem to merit serious attention.

Paragraph 10.—The necessary correction has been made in the printed copy of the Government order.

Paragraph 11.—It should be made clear that the Collector will be at liberty to reject any application, if for any reason he considers that it is not desirable to give the land in question on lease.

Paragraph 12.—The Board considers that the Collector's suggestions may be adopted until the country has been opened out to some extent. The posting of a notice on the land itself would under existing conditions be of no practical value. It must be remembered that the tract is pure forest unbroken even by grassy hills save in very rare instances.

Paragraph 13.—The Collector's proposal has much to recommend it, but the Board hesitates to suggest any addition to the conditions which already tend to deter applicants from taking the trouble of selecting lots to be bid for by others.

Paragraph 14.—The application unless withdrawn amounts to a bid for the upset price of Rs. 5 per acre.

Paragraph 15.—Fifty copies of the appendix will be supplied to the Collector for distribution in the manner proposed.

Paragraph 16.—It is at present premature to consider what should be done with regard to grass lands which are not likely to be taken up under the conditions prescribed. As above noted, there is not much land of this kind in the tract under discussion. Applications for house-sites may be referred for special orders when received.

(True Copy and Extract.)

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

To the Secretary to Government, Revenue Department.
" Collector of Coimbatore, with fifty copies of the appendix.
Copy to the Conservator of Forests, Southern Circle.
" other Conservators of Forests.
" Land Revenue Section.

Bvd. C. M. Brisson.

REVENUE DEPARTMENT.

1896.

Board of Revenue

(Land Revenue),

MADRAS.

GOVERNMENT OF MADRAS
15 NOV 96
REVENUE DEPARTMENT

Printed October 28th.

Proceedings, Forest No. 494, 23rd October 1896.

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Submitting, for the orders of Government a further report from the Collector of Coimbatore on the subject of lease of lands on the Anaimalais for coffee cultivation.

F 15 3,000—14-7-94.

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read again G. O. No. 495 dated 28th September 1896.

Read Proceedings of the Board of Revenue (Land Revenue) dated 3rd October 1896, Forest No. 466 A.

† copy attached

Read letter from the Hon: Mr. H. P. Hodgson, dated 20th October 1896, making certain suggestions in regard to the leasing of the Anamalai lands &c.

Read Proceedings of the Board of Revenue (Land Revenue) dated 23rd October 1896, Forest No. 494 Press.

† copy attached

Read Proceedings of the Board of Revenue (Land Revenue) dated 28th October 1896, Forst No. 1420 Mis, submitting for the orders of Govt. in continuation of Board's Proceedings Forest No. 494 dated 23rd October 1896 Messrs Binny and Co's remarks on the proposals of Govt. to grant lease of lands for coffee cultivation on the Anamalais in the Coimbatore District.

Order thereon, No. 694 4th December 1896.

In para 5 of its Proceedings No. 466 A dated 3rd October 1896, the Board urges the desirability of restricting the imposition of the enhanced rate of assessment of Rs. 2 per acre to one half instead of four-fifths of the holding on the ground that the orders already issued are likely to act as a stimulus towards over-clearing, the effe

effect of which might in the Board's opinion be most disastrous.

A similar modification is suggested by Messrs Binny and Co: and the Honourable Mr. Hodgson. Messrs. Binny and Co: however urge that the percentage upon which the enhanced rate is leviable should be calculated upon the land available for coffee within the holding instead of upon the whole area. As the Board points out however the adoption of this course might lead to controversies as to the extent actually cultivable with coffee. The Government therefore considers it preferable to accept the Board's recommendation in the matter and resolves in supersession of its previous orders to direct that the enhanced rate of assess -ment of Rs. 2 per acre shall not be imposed upon more than 50 per cent. of each holding unless a larger proportion is actually cleared, in which case the whole amount so cleared will be - chargeable with the enhanced rate. Subject to this modification the periods within which the enhanced rate will be chargeable upon fixed proportions of the hoding will remain unchanged.

2. In para 6 of the same Proceedings the Board points out that the special list of valuable trees previously submitted to Govt. will not necessarily be suitable for adoption in view of the orders contained in G. O. No. 495 Revenue dated 28th September 1896. The Government will be ready to consider any recommendations which the Board may submit for the alteration of the list.

3. In the Board's Proceedings No. 494 dated 23rd October 1896, the Board concurring with the Collector recommends an extension up to the 31st March 1897 of the time within which selections may be made by the original applicants. For similar reasons Messrs Binny & Co request an extension of the concession will be granted and the Board will be requested to intimate the fact to other applicants than Messrs. Binny and Co..

4. The Board has correctly interpreted para 4 of G. O. No. 495 Revenue dated 28th September 1896. It was not intended to permit cultivation of all kinds but only of plantation products such as coffee, tea, cocoa and cinchona.

5. The fresh applications for land received by the Collector during the period 29th June 1896 to 21st August 1896 may be treated in the same manner as those mentioned in Board's Proceedings No. 280 dated 4th July 1896.

[illegible] question of the direction of the [illegible] designed to open up the Anaimalais must be left to the Col -lector and his district Forest Officer who should in commu -nication with the Public Works Officer in charge of the road arrange as far as possible to adopt the most convenient line. The Collector should bear in mind that the object in view is the construction of a main road along the trace which is most suitable having regard on the one hand to the difficulties of making a road and on the other to the desirability of taking it through the heart of the country to be opened up. The tracing and construction of the road are matters to which Government attaches great importance and must be carried out with as much expedition as possible. The special attention of the Public Works Department and of the Collector will be drawn to this matter , but the Government cannot give any positive assurance as to the date within which the road will be completed as requested by the Honourable Mr. Hodgson in his letter dated 20th October 1896

7. The Government accepts the Collector's suggestion that a penalty shoud be imposed on the [illegible] if he fails to clear his boundary within six months of the issue of the lease or within three months of notice being given by the Collector.

8. With referenee to para 9 of the Collector's letter No. 280 dated 21st October 1896it should be made clear that the lessee is merely entitled to the use of the minor forest produce and that its collection for trade purposes shall continue to vest in the Forest Department through the agency of kaders and other hill tribes.

9. With reference to para 11 of the same letter a provision should be inserted in the draft standing order empowering the Collector to reject any application if for - special reasons he considers it inexpedient to give the land applied for on lease.

10. The Government agrees with the Board in considering that it is desirable to omit at least for the present the requirement that a notice regarding the sale of land should be posted on the land itself and that it is unadvisable

to adopt the Collector's suggestion that each applicant should cut a rough boundary round the land for which he applies before it is put up for auction.

11. With reference to para 14 of the Collector's letter, Government considers that it should be expressly stated in the Standing Order that an application not withdrawn amounts to a bid for the land at the upset price of Rs. 5 per acre.

12. In para 2 of their letter Messrs. Binny and Co: ask for some assurance that the main road or branches traced out by Government will touch all the plots of land that may be applied for, or that the trace of the roard shoul be published at once. The Board proposes to publish the trace, but subject to the proviso that it may be deviated from as the work proceeds and this proposal meets with the appoval of Government. Messrs. Binny and Co: further suggest that a lessee should be permitted to relinquish not less than one half of his holding. The Government agrees with the Board in considering that there is no necessity to provide for partial relinquishments now that the proportion ordinarily assessable with the enhanced rate of Rs. 2½ per acre has been reduced to 50 per cent.

The Honourable Mr. Hodgson urges that a clause should be inserted in the form of lease reserving to Government the right to grant permission to any lessee to cut a cart road through any of the leased lands to connect his holding with the main or one of the principal branch roads, the Collector being empowered in case of dispute to decide whether such road is necessary or not. This suggestion commends itself to Government. The question of the payment of compensation to the lessee through whose holding such a road is constructed is one which must be decided as the circumstances of each particular case may require.

14. Mr. Hodgson further points out that, when an unopened portion of a holding is resumed the resumption is under the orders already issued subject merely to the refund without interest of the assessment paid on such portion; but as Mr. Hodgson points out it is only equitable that the purchase money paid in respect thereof should also be refunded. The necessary alterations should be made.

A.

15. A copy of these Proceedings will be furnished to the Government Solicitor in order that he may embody in the draft lease now under preparation such modifications of the conditions previously sanctioned as may be required.

(True Extract)

for Ag: Secretary to Government.

To the Board of Revenue(Land Revenue)
To the Public Works Deptt.
To Messrs. Binny and Co:.
To the Govt. Solicitor.