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MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 830

32-33

Dated 23-5- 1860.

Press
~~Mis.~~

Not to be folded or roughly handled

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from H. CLEGHORN, Esq., M. D., Conservator of Forests, to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Utakamand, 17th August 1859, No. 755 :—

1. I have the honor to acknowledge receipt of the Proceedings of Government, dated 1st June 1859, No. 737, enclosing Extract from the Proceedings of the Board of Revenue, No. 1,350, dated 16th April 1859, and calling for an opinion as to the sufficiency of the means proposed by the Board for checking the practice of Kumari cultivation. I would have replied sooner, but have just received an interesting letter from Captain W. C. Anderson, Superintendent of the Revenue Survey, Southern Mahratta Country, an Extract from which, along with Mr. Grant's description of the Ponam cultivation in Malabar, are forwarded as enclosures to this communication.

2. In addition to climatic considerations, the chief evils of this rude system of culture are the destruction of valuable timber, at present urgently required for Ship-building and Railways, and the rendering of land unfit for Coffee* cultivation. Where trees do not attain a great size, laterite being near the surface, or where the timber cannot be removed to a road or river from physical obstructions, or where there is extensive Bamboo jungle, there is not the same objection to this cultivation, the clearing of Bamboos is useful and the Kumari yields a supply of millet grain to the Hill tribes.

* *See Mr. Cannan's letter recorded in Ex. Mins. of Cons., dated 30th March* 1859, *No.* 425.

3. In the course of my tours, I have constantly an eye to the extent of Kumari cultivation, and it is a matter of satisfaction to me to find that owing to the practice being disallowed, it has ceased in Mysore, that it has greatly diminished in the Southern Mahratta Country and is rapidly decreasing in Canara. The system is objectionable for the reasons above given, and I think every effort should be made to do away with it as far as possible, although motives of policy may perhaps require that this consumption be gradually brought about. This I would leave in the hands of the Collectors, with this proviso, that no virgin Forest or Forest of old standing be broken up, but that Kumari be henceforth confined to land which has been within twelve years devoted to that purpose.

4. SOUTH CANARA.—*Békal.*—In Békal Táluq there is not *now* any valuable timber, Kumari cultivation has always prevailed there to a great extent, and from its adjoining Malabar, where Kumari is unlimited, it would be difficult to restrict it more than is suggested by the Collector, the prohibition not to cut within nine miles of the Coast and three of the banks of a River is wise, but there are exceptional tracts; and the granting of these should be left to the discretion of the Collector. I may observe that it is more important to reserve on the banks of a River than on the sea shore, where trees do not thrive, and are chiefly valuable for firewood.

5. SOOLIA.—In Soolia, there is much young Teak and Blackwood coming on under the supervision of Mr. Thomson, Forest Overseer, who resides at Pútúr, and any application for Kumari land in the neighbourhood might be submitted to him for previous report.

6. NORTH CANARA.—In North Canara, (Súpa and Yellapúr), where there is much most valuable timber, and the conservancy of which is financially profitable, I would be more careful. I would disallow all Kumari without previous sanction. The Sub-Collectors at Sirci and at Honore, if not able personally to examine the spot, could refer the question to Mr. Müller, Assistant Conservator at Sedasheger, or to Mr. Curry, Forest Overseer at Halliál; permission being granted in each case by the European Revenue Authorities. Great supplies of timber have been made to Public Departments from these two Táluqs, and the Railway pressure is now heavy upon them. We cannot afford to give up any of the fine Forests or Kumari, there are here and there pieces of inferior jungle, where Kumari might probably be allowed without much mischief, but the spot should always be first inspected.

7. PERMANENT CULTIVATION PREFERABLE.—With reference to paragraph 4 of the Proceedings of Government under reply, there cannot be a doubt that it would be better if cultivation was confined to lands *permanently cleared*, and there is every reason to believe that the millets would be produced abundantly in the rich soil of the ghâts, particularly if the plots were enriched by cattle and leaf manure. Perhaps some of the land now used for Kumari culture, would not bear a series of millet crops, but in all probability a judicious rotation would obviate

the necessity of change of a locality. When the cultivation is confined to one kind of cereal, the land is impoverished and nothing would answer so well above ghát after cereals, as Potatoes.

8. Result in Mysore.—It was partly at my suggestion in 1846, that the Kumari culture was prohibited in Mysore, and the Superintendents of Coorg, Naggar and Astagram under the Commissioner have all assured me that the system works well, and I may remark that the same amount of timber would not have been available for Railway purposes, had it not been for this precaution.

9. Result in Belgam.—The result of the rules in Belgám (noted at foot of the Proceedings of Government under reply) will be found clearly given in Captain Anderson's letter, and appears to be very satisfactory.

10. Sanitary considerations.—In regard to the result of Kumari cultivation in a sanitary point of view, I can affirm from personal observation and consultation with my professional brethren that "permanent clearings are of unmixed advantage," the dense thorny scrub which succeeds a deserted Kumari is decidedly more injurious health than to lofty forest open below, and harbours destructive animals to a greater extent.

11. Ponam of Malabar.—The enclosure B. of Mr. Grant shows that the Ponam culture of Malabar is indentical with the Kumari of Canara; the soil, however, of that District is generally richer and the results more profitable. The lands of Malabar being private property, I have never interfered. I may refer to Mr. Beaumont's letter* showing the effect of excessive Kumari on the operations of the Iron Company, and I may add that I hope with Mr. Grant, that the enhanced price of timber will lead the Jemukars to stop Ponam cultivation in many jungles.

* *Recorded in Ex. Mis. of Cons., dated 30th March 1859, No. 425.*

12. Punakad of Salem.—This is an erratic system of rude cultivation, carried on by the Malliallees, a hill tribe inhabiting the Shervaroy and Chittéri Hills of Salem Collectorate. Mr. Fane, Civil Service,† lately directed the atten tion of the Revenue Board to the injuroius effect of this upon the future prospects of Coffee planting.

† *Proceedings of this Board of Revenue, dated 7th July 1859, No. 2,663.*
I understand that the same matter has attracted much attention in the Coffee District of Ceylon.

13. Value of a Kumari.—In conversing with different Revenue Officers, I have heard many opinions as to the profit realized by Kumari cultivation. In a Minute by the Right Honorable the late Governor of Madras, dated 9th March 1857, in Extract Minutes of Consultation, No. 235, Revenue Department, paragraph 171, it was computed on the authority of Mr. J. D. Robinson, at 3 Rupees per acre, which seems to be rather low. I accordingly instructed Mr. Müller to ascertain the actual gains as nearly as possible, he reports as follows:—

"I beg to submit a Statement of what I ascertained from the Kumari people on the spot.

		R.	A.	P.
Expenditure.	Assessment per 1½ acre	1	8	0
	Two men cutting for ten days...	3	0	0
	Raggy seed, nine seers	0	4	0
	Clearing grass for one month one man... ...	4	0	0
	Watching three months, at two Rupees per mensem.	6	0	0
	Gathering Crop	4	0	0
	Rupees...	18	12	0
Receipts.	Raggy, 28 Moodas at one Rupee... ... ,,	28	0	0
Profit...	... ... ,,	9	4	0"

But as the Kumari cultivators, who seldom break ground singly, employ their wives and children for all except felling, which they do themselves, the actual expenditure is reduced to the Assessment, and that in secluded valleys is very often evaded. It is generally believed that one half of the profit goes to the Coast Sarkár, who gives an advance. The Kumari cultivators

live in wretched temporary huts and make a very poor livelihood, offering a great contrast to the substantial homestead of the Canara Raiyat, who is generally well-housed, and lives in considerable comfort.

14. The system of the Hill cultivators is nearly the same in different countries. The Irulars and Kurumbars on the Nílgiris, the Malliallis on the Shervaroys, the Kareans in Burmah, the Ponam cultivator in Malabar, the Kumari Mahrattees in Canara, all endeavour to obtain a precarious subsistence by scattering grain after burning jungle, and thus avoiding the toil of careful cultivation.

15. In a thinly peopled country like Burmah there is little objection, but in the limited *tableau* of Yerkád, where the best land is almost all taken up for Coffee plantation or Fruit gardens, and in the Balaghat Táluqs of North Canara, where the remaining timber is much enhanced in value and not more than sufficient for present demands, there are strong objections to this wasteful and barbarous system. I think that in Government Forests before clearances are made, permission should first be obtained from the Revenue Authorities in communication with this Department, the locality and extent of the clearance being defined.

A.

Extract of a letter from Captain W. C. ANDERSON, Superintendent of the Revenue Survey, Southern Mahratta Country, dated 26th July 1859.

"In the Dhárwár Collectorate, there is no country within 25 or 30 miles of the ridge of the Ghâts and for many years back Kumari cultivation has not been permitted, it was never at any time much resorted to. In the Dhárwár Collectorate, there are tracts of country set aside for Forest reserves, which are of course not permitted to be touched, there are other tracts more or less wooded which were not placed in reserve, and at the time of the Survey were not considered as likely to be ever, or within any reasonable time required for cultivation, so these lands were surveyed up into blocks of 200 and 300 acres, without any Assessment being fixed on them, and the grazing of them sold by auction yearly. Since the Survey and Settlement, however, the demand for land here has exceeded all expectation, all assessed waste nearly has been taken up, at least all of fair or even decent quality, and now applications are beginning to pour in for the breaking up into moderate sized fields with fixed Assessment of these unassessed tracts.

In Belgám, in the Bídi Táluq and also Padshapúr Táluq which run along the Ghâts for some 40 or 50 miles, up till about 1850, Kumari cultivation was extensively resorted to, the increase of population and the increasing demand for timber combined together to induce some restrictions, for it was evident that if this description of cultivation went on increasing as it had done for some years, there would be no wood left in the country, in the first instance it was attempted to restrain Kumari from extending into timber jungle, this did not answer, then about 1852 an Order was given that no Kumari was to be permitted beyond two koss (six miles) from the Ghâts, the success of this mode was very doubtful, for it merely increased the quantity of Kumari within the two koss line. Then, when the Survey of Bídi was completed, Kumari assignments were made, within the limits of which the people may cultivate as much as they please, these tracts are of sufficient area to give a rotation, each spot being capable of growing a crop for two years, and then requiring a fallow of about eight years. In Bídi and Padshapúr, we fixed the limits of Kumari assignments as low as possible, consistently with affording the people the means of getting a subsistence as all the jungle we can keep is required this year. We have in some cases given some slight extension in order to prevent any discontent arising. The limits of the assignments have been well and clearly defind by boundary marks, and little, exceedingly little illicit Kumari has been made anywhere, not 50 acres I am certain in the two Táluqs. The Kumari assignment of each village may be in one or more "Revenue Survey Numbers" or fields, each of which has its Assessment fixed; those who agree for these fields or tracts when first the assignment is made have their names entered and retain these fields as long as they please to pay the Assessment. No questions are asked about how much they cultivate or how much is left waste, the Assessment due on the entire "Number" is paid under all circumstances.

A great Kumari row occurred in 1853 at Mahableshwar, where the sides of the Hills were becoming fast denuded of wood, the matter was committed by Government to Dr. Gibson and me to define limits within which Kumari should not be permitted. I then for the first time

tried the above plan of dealing with Kumari, it has been in operation there for the last six years and has answered the purposes of Government, and is very popular with the people. You will see that this plan gets rid of all the yearly measuring and assessing (which is such a fruitfle ource of demoralization to all concerned) by bringing this desultory and hitherto unmanageabe species of cultivation under the same defined Assessment and rules as any ordinary cultivation, the change you will readily understand is not popular with the village and low class of District officials, who find one great source of gain cut off. I do not believe that in any case you would find it necessary to assign more than one-third of the lands of a village for Kumari, half this amount would generally suffice. As jungle villages are ordinarily thinly populated and far apart, the lands of each being extensive. You can do but imperfectly, however, without a village Survey, so at least it seems to me, as without one you have no means of indentifying tracts. Awaiting a regular Survey, something might be perhaps done with a rough, eye Survey and defined boundaries which are indispensable. I do not think Kumari is absolutely necessary to the people except near the Gáhts, say within eight or ten miles at farthest, where the fall of rain is so heavy as to interdict ordinary dry crop cultivations on the same land for several successive years. Where permitted you will find the people resort to it very extensively, more so than to any other description of cultivation for several reasons.

It requires no stock or agricultural capital.

It requires less labor than any other description of cultivation, a month in May or June, in felling, burning and sowing and a fortnight for reaping after the rains, affords a subsistence such as it is.

The habits of the people in Kumari Districts are even for Natives idle in the last degree, they detest work, they will come readily and beat for an Anna or Anna and a half a day, while double that money will not induce them to gain a moderate day's labor on roads. If one of these people wants a kumbly he will go and work at harvest time inland for a few days, the moment he has got the necessary 10 or 11 Annas to enable him to buy the cheapest sort of kumbly not another day's work will he do. We had some hope that the assignment plan would spur them to some little exertion as the Assessment is fixed, and is not liable to increase in case of improvements being effected; a hill side may be turned into rice land by terracing for instance. There has been hardly time in Bídi for this: at Mahableshwar, the expected improvements have been here and there made. The easy subsistence afforded by Kumaring appears to be somewhat similar in its effects on the habits of people to that of the Potatœ (before the disease was known) on the Irish.

Now I think I have told you, though in a somewhat desultory manner, all that I can call to mind regarding the past history and present state of Kumari. There seemed to be an extraordinary amount of it going on between Sedashegur and Yellapúr when we came up two months ago. Mr. Müller told me of one case in which 1,000 Candies of Martee of the best description had been destroyed in a single Kumari, and cases of smaller amounts appeared to be exceedingly common. Wood has become ruinously dear, and will I suppose, become dearer for the demand increases daily, and the supply must be decreasing."

(True Extract.)

(Signed) H. CLEGHORN,
Conservator of Forests.

B.

From P. GRANT, Esq., Collector of Malabar, to H. CLEGHORN, Esq., M. D., Conservator of Forests, Madras, Ootakamund, dated Calicut, 5th July 1869, No.I, 663.

1. I beg to inform you that Ponam and Kumari cultivation are the same.

2. Ponam cultivation is carried on extensively along the slopes on the Western Ghàts and on many of the other lower ranges of Hills, but as they are mostly private property, I do not think that any thing can be done by Government to put a stop to it.

3. Once a jungle has been felled and burnt, and the land cropped, a period of eigh or 12 years is allowed to elapse ere another crop is taken off the same land.

4. The Ponam Crop is generally a heavy one and remunerative to the grower. Say a piece of land yields 100 parahs of Paddy, 40 go towards the expenses of cultivation, leaving 60, of which the Government share at the rate of 25 per cent. is 12 parahs: the balance 48 parahs goes to the grower.

5. When the crop is supposed to be ready to be cut, the Government Officials proceed to estimate it as it stands on the ground, considering the localities in which it is grown, their distance from bázárs, &c., it is natural to conclude that the Raiyat has many circumstances in his favor.

6. In accessible parts of the country, the rising value of Timber is likely to lead the Jenmies to put a stop to Ponam cultivation in many jungles.

Statement exhibiting the extent of Ponam cultivation and the Revenue thereon during the last 5 Faslis.

Fasli.	Acre.	Revenue. R.	A.	P.	Remarks.
1263.....	18,285	11,226	5	9	
1264.....	22,097	14,134	1	6	
1265.....	22,296	14,566	11	4	
1266.....	25,161	16,178	10	7	Average per acre is 0-10-2.
1267.....	25,947	16,574	5	9	
Total.	1,14,486	72,680	2	11	
Average.	22,897	14,536	0	7	

(Signed) P. GRANT, *Collector.*

ORDER THEREON, 23rd May 1860, No. 830.

1. In this paper Dr. Cleghorn replies to the reference made to him in the Order of the 1st June 1859, No. 737, on the subject of Kumari cultivation in Canara, and the proper measures to be taken for checking it. The practice referred to is that of felling and burning the timber and jungle on portions of forest, cultivating the ground for a single year or two years, and then leaving it, to repeat the same process on another spot. It is of course very destructive to timber. It prevails in the jungles of the Western Coast, but not to its former extent; in Mysore and in Belgám and Dhárwár it has been almost put an end to; in Canara also much has been done during the last ten years to check it, but it is still largely practised; in Malabar where the forests are private property, there has yet been no interference with it on the part of Government.

* *Board's Proceedings, No.* 1,350.

2. On the 16th April 1859* the Board of Revenue laid before Government a long and full report on the subject, based on one from the Collector, which was also submitted to Government. Two principal questions were discussed in that paper; First, what are the real rights of the holders of what is called Warag Kumari; Second, how Kumari cultivation should now be dealt with.

3. The chief consideration in desiring to check Kumari has always been its destructiveness to the forests. It is this which has repeatedly drawn forth the strong opinions of the Bombay Conservancy against the license allowed to it in Canara; and it was for the same reason that the Board's report was referred for the opinion of the Conservator of Forests of this Presidency. Dr. Cleghorn's present letter is a reply to that reference.

4. The subject of Warag Kumari appears to be now brought before Government for the first time; but it is one which calls for a decision. It is fully discussed in the Collector's report and the Board's Proceedings. It appears that certain proprietors of land in parts of Canara, and

some persons not holding land at all, claim to have exclusive and proprietary rights of Kumari over extensive tracts of forest land, so that no other persons can cut Kumari within those tracts without their permission; while their own rights, they allege, to make or allow Kumari there at pleasure, can no more be interfered with by Government than their rights over their ordinary landed Estates. These claims appear to have been acquiesced in for many years by the Revenue Authorities of the District; but when subjected to investigation by a late Collector, (Mr. Blane) they were found to stand on no good foundation.

5. The Canara term Warag or Warg is well known; it has usually been understood, from the days of Sir T. Munro downwards, to signify the landed Estate; but Mr. Blane shows conclusively that it is only so used in a secondary sense. He points out that the term Warag or Warg really signifies, not an Estate, in the English meaning of the word but

Proceedings, paragraph 16. simply an "Account" or list.* A Raiyats Warag signified his account with the Government, just as the same term is used by a shopkeeper in Canara to signify the account of each of his customers with him. It became usual to use the word in speaking of a Raiyat's holding, and in process of time the word has come to be employed in Revenue language to signify the Estate. As the Warag and the Pattá, in the cases now in question, contained a certain amount of "Kumari sist," the extent of forest for which it was payable being, it seems, also stated, it came to be supposed, in consequence of the double meaning above referred to, of the term Warag, that these forests were part of the "Estate;" but this was a great error.

Board's Proceedings, paragraphs 13 *and* 14. 6. Mr. Blane was of opinion, after careful consideration, that the entry of "Kumari sist" in a Waragdárs Pattá gave him no claim whatever to any forest as property; that it was simply of the nature of a rent, such as grazing rents or rents of the privilege of collecting wax and honey. And he was led to the conclusion that the item of Kumari was in like manner formerly rented out, on account of the difficulty of watching the Kumari cutter. On the adoption of yearly Pattás by Colonel Munro, rents of all kinds were included in them. Most of those miscellaneous items have since been transferred to "Extra Revenue," but the Kumari sist being connected with the land was allowed to remain; and the distinction between this and the assessment on the holder's land being lost sight of, and the term Warag having come as above explained to be used in the sense of "Estate," the idea arose that these forests formed a part of the Estate.

7. In confirmation of this view it is now further stated by Mr. Fisher, after examination of the old accounts, that the yearly accounts from Fasli 1209, (1799, 1800,) being apparently the first year of Pattás, to Fasli 1225, carefully distinguished the sist or assessment of rice land from that of Kumari; and that up to Fasli 1231, (1821-22,) the Kumari collections were entered in the Muhtarafa accounts as

† *Boards Proceedings paragraph* 31. "Kumari Koralaya,"† a proof of the view then taken of the nature of this item as a casual and variable branch of Revenue. Since that year it has been entered under the head of land Revenue by order of the Board, because issuing from the land; but that of course does not alter its nature.

8. The Board give their decided opinion against the validity of any claim to proprietary rights in forest, based on the entry of "Kumari sist" in the pattá or the account of

Paragraph 33. any Estate. They regard it as simply a rent or farm of the privilege of cutting Kumari in the tract in question; the continuance of which must depend on the pleasure of Government. The facts detailed in their Proceedings seem fully to bear out this view.

9. Besides the "Waragdár Kumari" there is another species of private Kumari, styled "Múlpattá Kumari," because based on permanent Pattás given by the Officers of Government. This appears to be of very limited extent. The Board have called for

Paragraph 40. information respecting it, and meanwhile have properly prohibited the issue of any new Múlpattás for Kumari.

The following is the meaning of this term as explained by the Collector, Mr. Harrison in 1822.

"Kumari Koralaya is the jungle of the ghâts to cut down with the Koralaya or bill-hook "by a race of men (Mallei Kudigul) who inhabit the ghâts and never descend into the lower "country. They depute a head man to the renter on the part of the Sarkar, annually, to arrange "their barter of hill produce, such as Cassia, Pepper, Cardamons, Raggy and Wax. The renter "gives them cloths, Rice, Tobacco and Arms in return. For this permission he enters with "Darkhast with the Sarkar."

10. In paragraphs 25, &c., the Board give some statistics of the present Kumari cultivation. The total extent in Fasli 1266 is given at 17,084 acres; of which 8,556 was Sarkár Kumari, and 8,528 Warag Kumari. But in as much as Kumari is repeated on the same ground only once in twelve years (more in some localities and less in others), the real extent of land subjected to this kind of treatment is more than 200,000 acres. The number of Kumari Warags is 1,754; of which 140 contain Kumari only. Out of the 8,528 acres of Warag Kumari,

Paragraph 27. 5,983 is in the Békal Táluq; but the total assessment of this large extent is no more than 527 Rupees, being at the rate of Rupees 0-1-5 an acre, even admitting the returns of the extent to be correct. And again, taking the total extent of land operated upon at twelve times the extent cut in one year, the actual extent in this one Táluq will be 70,000 acres, and the average assessment per acre only half a pie. It is believed, however, that the returns of Kumari cannot be relied on, and that the real extent is even much more than the accounts show.

11. In paragraphs 22 and 23, the Board state from Mr. Fisher's Report the present state of the local rules as to Kumari cultivation.

Sarkár Kumari.—1st. Kumari is prohibited within nine miles of the sea, and three of a river.

2nd. In North Canara, only the jungle tribes are allowed to cut Kumari; and each person is allowed to have no more than 1½ acre.

3rd. The Assessment, which was formerly at so much a "knife," is now one Rupee an acre in North Canara, and half a Rupee in South Canara.

4th. Warag Kumari seems to have been abolished except in the

Warag Kumari. Táluq of Békal, the settlement being now made with the actual cultivators; but double the amount of his Kumari sist is paid to the Waragdár by the Revenue Officers out of the individual collections, if they amount to so much; if not the whole sum collected is paid to him. The Waragdár is also permitted

Collector's Report, para. 29. in this latter case to cut as much Kumari as will make up what is wanting of double the amount of his Kumari sist.

Sums received under this rule from the Kumari cutters,

Ibid para. 30. in excess of those paid to the Waragdár's, are in deposit in the Collector's Treasury.

5th. This rule respecting Waragdár Kumari does not extend to the Táluqs noted below. In Súpa and Yellápúr Waragdár Kumari has been abolished, the sist being simply remitted to the Waragdár; in Békal on the contrary, Waragdár Kumari has not been interfered with.

12. The Collector's recommendations for the future regulation of Kumari are as follows; they are approved by the Board.

1st. In Békal Táluq, things to remain unchanged, (see preceding paragraph), except that the prohibition against Kumari within certain*

* *Nine miles from the Sea Coast, and three miles from the banks of any River.* distances of the Sea and of Rivers, is to be relaxed at the Collector's discretion.

2nd. In the other Táluqs of South Canara, the Waragdárs to be allowed one acre of annual cultivation for every half Rupee of Kumari sist included in their Pattá, and ten acres of forest to be allowed for every acre of cultivation; in view to a ten years rotation. A certain space to be assigned to each Waragdár, within which he must cut Kumari, if at all. Tracts producing or capable of producing valuable kinds of timber to be excluded and preserved.

3rd. In the Coast Táluqs of North Canara, Waragdárs to be allowed one acre of Kumari for every Rupee included as Kumari sist in their Pattás, being double the rate charged in South Canara. A locality within which to cut being assigned to each, as in South Canara.

4th. Kumari to be prohibited in Yellápúr and Súpa Táluqs, except in localities to be specially excepted by the Collector.

13. The purport of Dr. Cleghorn's remarks on these proposals is as follows:

1st. No forest of old standing should be allowed to be broken up; but Kumari to be henceforth confined to land so cultivated within the last twelve years.

2nd. He agrees to the Collector's proposal respecting Békal, as the Táluq does not now contain valuable timber.

3rd. In Soolia Táluq, where there are valuable timber plantations coming forward, all applications for Kumari land should be submitted to the Forest Overseer.

4th. All Kumari in Súpa and Yellápúr to be disallowed without previous sanction. If the Sub-Collectors cannot personally examine the spot, to refer the applications for report to the Assistant Conservator at Sedashegar or the Forest Overseer at Halliál.

14. Dr. Cleghorn also gives his opinion, as requested by Government respecting the several pleas urged in defence of Kumari.

1st. It is pleaded that Kumari is necessary to the subsistence of certain tribes; Dr. Cleghorn was asked whether permanent clearing and cultivation would not be better for them. He replies decidedly in the affirmative; (paragraph 7), and he describes (end of paragraph 13), the degraded condition of the Kumari cutters; who are kept abjectly poor by the Coast Sánkárs and others, who enjoy the greater part of the fruits of their labor. Again it is urged in defence of Kumari that it diminshes Malaria and Fever. But here also Dr. Cleghorn's opinion is adverse. He declares in very decided terms (paragraph 10) that while permanent clearings are of unmixed good, the dense thorny scrub which succeeds Kumari cultivation is decidedly more injurious to health than lofty forest open below. In other words that instead of promoting the healthiness of a locality, Kumari has the opposite effect.

* *No.* 737, *paragraph* 3.

15. In the Order of Government of June 1st* 1859, the idea is thrown out that Kumari must be profitable, in order to attract so many persons. It appears from Dr. Cleghorn's letter that this is really the case. In paragraph 13 he gives the details of the cost and returns of one and half a acre of Kumari, as ascertained from the cultivators themselves by Mr. Müller, Assistant Conservator; and there could not be a better source of information on the subject. From this it appears that the value of the crop is 28 Rupees, or 18 Rupees an acre. The deductions for clearing and cultivating would, indeed, reduce this to about 6 Rupees an acre if really paid out; but in point of fact the cultivator and his family do all the work, so that the only actual expense is the Assessment, which in North Canara is one Rupee an acre, and in South Canara half Rupee.

16. It now remains for Government to decide as to the future treatment of Kumari. First, of Waragdár Kumari as above described: the Government see no good reason why this should be dealt with so tenderly as the Collector and the Board advise. Both those authorities wholly disallow any claim of right on the part of the Waragdárs; and if it is fair and just to abolish these Kumari rents in Súpa and Yellápúr, simply remitting the annual payments on that account, no reason appears why the same should not be done in all the other Táluqs also. The Waragdárs have, it appears, no better ground of right in other parts than in those two Táluqs; yet in other Táluqs, though Waragdár Kumari is abolished, double the amount of the sist is paid to the Waragdár. The proper course will be simply to remit the sist, as in Súpa and Yellápúr; and this will be done for the future.

17. In Békal Táluq alone Waragdár Kumari has not been abolished, and the continuance of the existing system is recommended both by the Collector and by the Board. The practice stands on no better ground of right there than in North Canara; but the reasons given for permitting its continuance are; First, that this Táluq adjoins Malabar, where there is no check on Kumari; and second, that it is so general in the Táluq. The south part of Békal not only adjoins Malabar, where, has already said, Kumari is unrestricted, but also forms a part of the old Nair kingdom, and has still its Nair population and customs. The idea of an inherent right to the waste does not appear to be extinct, and the Kumari cultivation is there carried on as a regular part of their farming by the resident landholders, and not by wandering tribes unconnected with the soil, as in North Canara. At once to stop the Kumari which is there cultivated as in Malabar, would be harsh. The Government therefore assent to the Board's recommendation that Kumari in the Békal Táluq should be allowed to continue for the present but they wish the Board to consider and report whether there is any reason why the tax payable should not be raised to one Rupee, the rate levied in North Canara. Even that rate is very light compared with the profit derived, as noticed above in paragraph 15.

18. The Government also assent to the Board's recommendation (para. 4) that the Collector should be allowed to relax the rule as to distance from a river, when he shall consider it proper; but they wish this permission to be used with much moderation.

19. With regard to Sarkár Kumari, it seems to be a great evil even as respects the interests of the cultivators themselves. It appears certainly to retard the improvement of the Forest races, and tends to keep them in their present degraded condition. It has been already noticed that in Mysore the practice of Kumari cutting has been entirely abolished; and that in the jungle Districts of Bombay it has been so very nearly. The Government now prohibit Sarkár Kumari, or Kumari cultivation in Government forests, without previous permission. This permission should be given sparingly, and never for spots in the timber forests.

20. It only remains lastly to direct that the collections on account of abolished Waragdár Kumari held in deposit as noticed above,* be now brought to account.

* *Item fourth in paragraph* 11.

(True Extract.)

Secretary to Government.

To the Board of Revenue.
" Conservator of Forests.

Exd. Wm. Thomas.

Revenue Department

No. 830.

Proceedings of the Madras Government.

Under date the 23d May 1860

Read the following letter from the Conservator of Forests.

Submitting opinion as to the sufficiency of the means proposed by the Board of Revenue for checking the practice of Kumari cultivation, and suggests that this sort of cultivation be henceforth confined to land which has been within 12 years devoted to that purpose.

(Vide enter 17th Aug. 1859 No. 755)

In this paper Dr. Cleghorn replies to the reference made to him in the order of the 1st June 1859 No. 737, on the subject of Kumari cultivation in Canara, and the proper measures to be taken for checking it. The practice referred to is that of felling and burning the timber and jungle on portions of forest, cultivating the ground for a single year or two years, and then leaving it to repeat the same process on another

another spot. It is of course very destructive to timber. It prevails in the jungles of the Westerncoast, but not to its former extent; in Mysore and in Belgaum and Darwar it has been almost put an end to; in Canara also much has been done during the last ten years to check it, but it is still largely practiced; in Malabar where the forests are private property, there has yet been no interference with it on the part of Govt.

2. On the 16th April the Board of Revenue laid before Govt. a long and full report on the subject, based on one from the Collector, which was also submitted to Government. Two principal questions were discussed in that paper; First, what are the real rights of the holders of what is called warag kumari; Second, how kumari cultivation should now be dealt with.

× Bd's Pro. No. 1350 of 1859

3. The chief consideration in

Warag

desiring to check kumari has always been its destructiveness to the forests. It is this which has repeatedly drawn forth the strong opinions of the Bombay Conservancy against the license allowed to it in Canara, and it was for the same reason that the Board's present report was referred for the opinion of the Conservator of Forests of this Presidency. Dr. Cleghorn's present report is a reply to that reference.

4. The subject of warag kumari appears to be now brought before Govt. for the first time; but it is one which calls for a decision. It is fully discussed in the Coll'r's report and the Board's Proceedings. It appears that certain proprietors of land in parts of Canara, and some persons not holding land at all, claim to have exclusive & proprietary

proprietary rights of kumari over extensive tracts of forest land, so that no other persons can cut kumari within those tracts without their permission; while their own rights, they allege, to make or allow kumari there at pleasure, can no more be interfered with by Govt. than their rights over their ordinary landed estates. These claims appear to have been acquiesced in for many years by the Revenue authorities of the District; but when subjected to investigation by a late Collector (Mr Blane) they were found to stand on no good foundation.

5 The Canara term vaag or vaarg is well known; it has usually been understood, from the days of Sir T. Munro downwards, to signify the landed estate; but Mr Blane shows conclusively that, [it is only as used in a secondary sense] in the interpretation of the term

* Vaag, a page.

Pro: para 16

paigate

He points out that the term vaag or vaarg really signifies not an estate, but simply an "account" or list. A ryot's vaarag signified his account with the Government, just as the same term is used by a shopkeeper in Canara to signify the account of each of his customers with him. It became usual to use the word in speaking of a ryot's holding, and in process of time the word has come to be employed in revenue language to signify the estate.

Note. The Canara officers know that the fields of a Marg are often scattered in distant places & did not therefore use the word Marg as an estate in the sense + it is only so used in a secondary sense.

Note. The expression they used to them, they could not receive [illegible] rather say that they did not receive [illegible] or something

As the Wavag and
the Puttah, in the
cases now in question
contained a certain
amount of "Kumari sist,"
the extent of forest for
which it was payable
being, it seems, also
stated, it came to be
supposed, in consequence of the double meaning alone repaired by the term Wavag, that these
forests were part of the
"estate," but apparently
this was a great error.

6. Mr. Blane was of opinion, after careful consideration, that the entry of "Kumari sist" in a Wavagdár's puttah gave him no claim whatever to any forest

forest as property;
that it was simply
of the nature of a
rent, such as grazing
rents or rents of the
privilege of collecting
wax and honey. And
he was led to the con-
clusion as, that the
item of Kumari was in
like manner formerly
rented out, on account
of the difficulty of
watching the Kumaree
cutter. On the adop-
tion of yearly puttahs
by Col. Munro, rents
of all kinds were
included in them.
Most of those mis-
cellaneous items
have since been
transferred

transferred to "extra revenue," but the Kumari not being connected with the land was allowed to remain, and the distinction between this and the assessment on the holder's land being lost sight of, and the term Varag having come as above explained to be used in the sense of "estate", the idea arose that these forests formed a part of the Estate. In

Bd's Pn: Para 31.

7. In confirmation of this view it is now further stated by Mr Fisher after examination of the old accounts, that the yearly accounts from Fusly 1209 / 1799 / 1800 / being apparently the first year of publicks, to Fusly 1225, carefully distinguish the sist or assessment of rice land from that of Kumari; and that up to Fusly 1231, / 1821 / 22 / the Kumari collections were entered in the Motarfa accounts as "Kumari Koralaya" *, a proof of the view then taken of the nature of this item as a casual and variable branch of revenue.

Since

* "Kumari Koralaya is the jungle of the ghats cut down with the Koralaya or bill-hook by a race of men (Allalli Kudigul) who inhabit the ghats & never descend into the lower country. They depute a head man to the renter on the part of the Sirkar, annually, to arrange the barter of hill produce, such as Cassia, Pepper, Cardamoms, Raggy & Wax. The renter gives them cloths, rice, tobacco and arms in return. For this permission he enters with Darkhast with the Sirkar."

x The following is the meaning of this term, as explained by the Collr: Mr Harrison, in 1822

Since that year it has been entered under the head of land revenue by order of the Board, because issuing from the land; but that of course does not alter its nature.

8. The Board give their decided opinion against the validity of any claim to proprietary rights in forest, based on the entry of "Kumari sist" in the puttah or the account of any estate. They regard it as simply a rent or farm of the privilege of cutting Kumari in the tract in question; the continuance of which must depend on the pleasure of Govt. The facts detailed in their Proceedings seem fully

Para 38

fully to bear out this view.

9 Besides the "varag-dar Kumari" there is another species of private Kumari, styled "Milpatta Kumari", because based on permanent pattahs given by the Officers of Govt. This appears to be of very limited extent. The Board have called for information respecting it, and meanwhile have properly prohibited the issue of any new Milpattas for Kumari.

Para 40

10. In paras 25 &c the Board give some statistics of the present Kumari cultivation. The total extent in Fasly 1266 is given at 17,084 acres of

of which 8,556 was Sarkar Kumari, and 8,528 varag Kumari. But inasmuch as Kumari is repeated on the same ground only once in twelve years (more in some localities and less in others), the real extent of land subjected to this kind of treatment is more than 200,000 acres.

The number of Kumari varags is 1,754; of which 148 contain Kumari only. Out of the 8,528 acres of varag Kumari, 5983 is in the Bekal Taluq, but the total assessment of this large extent is no more than 527 Rupees, being at the rate of Rupees 0-1-5 an acre, even admitting the returns of the extents to be correct.

Para 27

correct. And again, taking the total extent of land operated upon at twelve times the extent cut in one year, the actual extent in this one Taluq will be 70,000 acres, and the average assessment per acre only half a rupee. It is believed however that the returns of Kumari cannot be relied on, and that the real extent is even much more than the accounts show.

11. In Paras 22 and 23, the Board state from Mr. Fisher's report the present state of the local rules as to Kumari cultivation.

Sarkar Kumari

1st. Kumari is prohibited within nine miles of the sea

sea, and three of a river.

2d. In North Canara, only the jungle tribes are allowed to cut Kumari; and each person is allowed to have no more than 1½ acre.

3d. The assessment, which was formerly at so much a "knife," is now one rupee an acre in North Canara, and half a rupee in South Canara.

4th. Varag Kumari seems to have been abolished except in the Taluq of Bekal, the settlement being now made with the actual cultivators; but double the amount of his Kumari

Varag Kumari

Kumari Sist is paid to the Varagdar by the revenue Officers out of the individual collections, if they amount to so much; if not, the whole sum collected is paid to him. The Varagdar is also permitted in this latter case to cut as much Kumari as will make up what is wanting of double the amount of his Kumari Sist.

Sums received under this rule from the Kumari cutters, in excess of those paid

Collector's Report, 1829.

paid to the Varagdárs, are deposit in the Collectors treasury.

5th This rule respecting Varagdár Kumarí does not extend to the Tálugs noted below.

In Soopah and Yellápoor Varagdár Kumarí has been abolished, the sist being simply remitted to the Varagdárs; in Bélgal on the contrary, Varagdár Kumarí has not been interfered with.

The

Collr's Report P. 50

12. The Collector's recommendations for the future regulation of Kumarí, are as follow: they are approved by the Board.

1st. In Bélgal Tálug, things to remain unchanged, (see preceding para), except that the prohibition against Kumarí within certain distances of the sea and of rivers, is to be relaced at the Collector's discretion.

2nd. In the other Tálugs of South Canara, the Varagdárs to be allowed one acre of annual cultivation for every half rupee of Kumarí dist included in their pottah

× 9 miles of the sea Coast, and 3 miles of the banks of any river

Canara.

4th. Kumari to be prohibited in Yellapore and Soopah Talugs, except in localities to be specially excepted by the Collector.

13. The import of Dr Cleghorn's remarks on these proposals is as follows.

1st. No forest of old standing should be allowed to be broken up; but Kumari to be henceforth confined to land so cultivated within the last twelve years.

2nd. He agrees to the Collector's proposal respecting Bétal, as the Talug does not now contain valuable timber.

In

16

Puttah, and ten acres of forest to be allowed for every acre of cultivation, in view to a ten years rotation. A certain space to be assigned to each Varagdar, within which he must cut Kumari, if at all. Tracts producing or capable of producing valuable kinds of timber to be excluded and preserved

5th. In the coast Talugs of North Canara, Varagdars to be allowed one acre of Kumari for every rupee included as Kumari in their puttahs, being double the rate charged in South Canara. A locality within which to cut being assigned to each, as in South Canara

3rd. In Sodia taluq, where there are valuable timber plantations coming forward, all applications for Kumari land should be submitted to the Forest Overseer.

4. All Kumari in Sapah and Yellapoor to be disallowed without previous sanction. If the Sub Collectors cannot personally examine the spot, to refer the applications for report to the Asst Conservator at Sedashegar or the Forest overseer at Halliál.

14. Dr Cleghorn also gives his opinion, as requested by Govt respecting the several pleas urged in defence of

of Kumari.

1st. It is pleaded that Kumari is necessary to the subsistence of certain tribes: Dr Cleghorn was asked whether permanent clearing and cultivation would not be better for them. He replies decidedly in the affirmative, (Para 7), and he describes (end of Para 13) the degraded condition of the Kumari cutters; who are kept abjectly poor by the Coast Sáukars & others, who enjoy the greater part of the fruits of their labor.

Again it is urged in defence of Kumari that it diminishes Malaria & fever. But here also Dr Cleghorn's opinion is adverse. He declares in

in very decided terms (para 10) that while permanent clearings are of immixed good, the dense thorny scrub which succeeds Kumari cultivation is decidedly more injurious to health than lofty forest open below. In other words that instead of promoting the healthiness of a locality, Kumari has the opposite effect.

15. In the order of Government of June 1859, the idea is thrown out that Kumari must be profitable, in order to attract so many persons.

x No 737 of 1859, para 3.

At

It appears from Dr. Cleghorn's letter that this is really the case. In para 13 he gives the details of the cost and returns of one and a half acre of Kumari, as ascertained from the cultivators themselves by Mr. Müller Assistant Conservator; and there could not be a better source of information on the subject. From this it appears that the value of the crop is 28 Rs,

06

or 18 Rs an acre. The deductions for clearing & cultivating would, indeed reduce this to about 6 Rs an acre if really paid out, but in point of fact the cultivators and his family do all the work, so that the only actual expense is the assessment, which in North Canara is one Rupee an acre, & in South Canara half Rupee.

16. It now remains for Government to decide as to the future treatment of Kumari. ~~The practice of which is unwarranted by condemned as mischievous.~~

First of

First of Varagdar Kumari as above described: the Government see no good reason why this should be dealt with as heretofore by the Collector and the Board advise. Both those authorities wholly disallow any claim of right on the part of the Varagdars; and if it is fair and just to abolish these Kumari rents in Sodashe and Yellapore, simply remitting the annual payments on that account, no reason appears why the same should not be done in all the other Talugs also. The Varagdars have, it appears, no better ground of right in other parts than in those two Talugs; yet in other Talugs, though Varagdar Kumari is

is abolished, double
the amount of the cist
is paid to the parayaar.
The proper course will
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existing system is re-
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Collector and by the
Board. The practice
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ground of right there
than in North Canara,
but
the reasons given for per-
mitting it in Tirthalee &c
1st that this taluq ad-
joins Malabar, where
there is no check on
Kumari; and 2nd
that it is so general in
the taluq. Further,
The south part of
Betwal

In permitting its continuance

Betwal (as far as the
Chandragerry river)
not only adjoins Ma-
labar, where, as already
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restricted, but also forms
a part of the Old Nair
Kingdom, and has
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vation is there carried
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would be harsh. The

Govt

Government therefore assent to the Board's recommendation that Kumari in the Belur Taluq should be allowed to continue for the present, but they wish the Board to consider and report whether there is any reason why the tax hereafter should not be raised to one Rupee, the rate levied in North Canara. Even that rate is very light compared with the profit derived, as noticed elsewhere in Para 15

~~continued under the present rules.~~

18 The Government also assent to the Board's recommendation (Para 44) that the Collector should be allowed to relax the rule as to distance from a river, when he shall consider it proper; but they wish this permission to be used with much moderation.

19 With regard to Sarkar Kumari, it seems to be a great evil as respects the interests of the cultivators themselves, as well as those of the rayats. It appears certainly to retard the improvement of the forest races, and tends to keep them in their present degraded condition.

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20 It only remains lastly to direct that the collections on account of abolished varagdár Kumari, held in deposit as noticed above, be now brought to account.

× Item fourth in para 11.

10 Copies
Board of Revenue Circ. 25
40 Conservator of Forests 15

1860.

9-10-99
21-4-62
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Revenue 1860 Departt.
Pro: of Govt. 31st May.

No 830.

Pro: of the Madras Govt:
D: of 23d May 60.

Pro: of the Board of Revenue
D/ 27th Augt 60 & 4 Encs.
in Pro:
" Form D/ 14th Septr 60 (Nr 2353
(Referred to para 5 to 8 of the Order)
" Form D/ 14 Septr 60 (Nr 2349.
" Form D/ 14 Septr 60 (Nr 2355

Passing orders on the subject of checking the practice of Kurnam Calculation.

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No 32 to 33.

160 21st May