

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1065-

Press

~~Mis.~~

359. 860

Dated

20-5-1865.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department.
20th May 1865.

No. 359. Read again letter from the Officiating Conservator of Forests, dated 29th November, and recorded in G. O. 12th December 1863, No. 2,271.

Read also the following Proceedings of the Board of Revenue, dated 15th February 1864, No. 986.

Read again the following Government Order, dated 12th December 1863, No. 1,227, Revenue Department, forwarding for the Board's remarks Captain Beddome's Report on South Canara Forest :—

1. The Board observe from paragraph 20 of Captain Beddome's letter to Government, that the Acting Collector has provisionally introduced the Draft Rules, pending the sanction of Government for their enforcement. The Board therefore infer his approval of the rules ; and they see nothing to object to in them. They appear to contain a full recognition of the rights of the people, and to make all necessary provision to meet the requirements of the public. It is of course to be understood that Rule 4 does not allow of Sirkar Kumeri being cut without the permission of the Revenue Department.

2. The Board have received a petition from some Cassergode Ryots claiming the exclusive right of "Kumaki" to the crest of the hill adjoining their cultivation in every case, the established rule being that a distance of 100 yards on every side is allowed for this purpose.

3. The petitioners assert that it is necessary for them to clear to this extent to keep wild animals from their crops, and that therefore this limited extent is useless for the purpose for which Kumaki is designed, viz., the supply of leaves and brush for manure.

4. The Board attach no great weight to this argument. The existing rule has long been in force, was established by Mr. Harris who fully recognised the rights of the people in the hill sides adjoining their estates and the need of maintaining them, and is approved by those who know the District, while the restriction does not preclude cultivators from collecting leaves, &c., for manure in the Government jungle beyond the limits of the Kumaki.

5. What the petitioners desire is to extend *exclusive rights*, and this the Board deem unnecessary ; but they consider that great care should be exercised by the Forest Department in permitting the cutting of wood on hill sides adjoining cultivation beyond the 100 yards limit, for the denudation of the smaller hills would doubtless re-act injuriously on the cultivation dependant on the Kumaki there situated.

6. The Board proceed to notice the important subject of private claims to forest land in Canara, adverted to by Captain Beddome, and they would beg leave to refer to the correspondence noted in the margin, which contains valuable information as to

From Government, dated 23rd June 1815.	
To do. do. 14th Dec. do. No. 1,552.	
From do. do. 7th Feb. 1820, .. 115, Public.	
To do. do. 25th Sept. do. .. 1,577.	

Kumeri cultivation, to the rights of the Ryots in "Kumaki" land, and to the rights of Government in the Forests.

7. It will be observed that this last right was asserted by the Bednore Government, as far back as A. D. 1660, when the "Shist" or original Government demand on the land is said to have been settled, and forest lands were excluded from the area liable to land tax, as the property of the State.

8. The Board are satisfied that no claim to forest land as a portion of a wurg needs to be admitted, unless unquestionable evidence is forthcoming of a State grant of the land or locality.

of

*Proceedings of the Madras Government, Revenue Department,
20th May 1865.*

No. 360.

ORDER THEREON, 20th May 1865, No. 1,065.

Forests, No. 16.

1. In the first of these papers the Acting Conservator of Forests reported the result of his tour through South Canara.

2. The forests of this District have suffered much from Kumery and extensive felling in past years, but there is still a considerable quantity of valuable timber. Of ripe Teak little is left, but there is a large number of very promising saplings, which will hereafter prove a source of considerable revenue. Blackwood, Poon, Wild Jack, Catechu and Jungle woods of superior quality are still abundant. The Sub-Assistant Conservator estimates the present number of trees in the principal available jungles as follows:—

Teak	4,22,000	Of these 4,00,000 are saplings from 1 foot to 3 feet in girth.
Sandal	3,500	
Jack	3,000	Sound trees of not less than 3 feet girth.
Wild do.	27,200	
Poon	25,800	
Ebony	1,500	
Catechu	25,000	
Jungle woods	2,75,000	

3. The Officiating Conservator considers this estimate rather low.

4. The increased Establishment sanctioned in G. O. 17th October 1863, No. 1,895, will admit of effective conservancy, and every effort must be used to re-place the waste of former years.

5. The Government are glad to learn that the small experimental plantation of Black-wood had been so successful. Though commenced only in 1863, 30,000 saplings had been put down. The Teak-wood plantation had been a failure, but the District seems so well adapted for the growth of Teak, and has such advantages in the way of water carriage that the experiment should be persevered in. The Government approve of the Officiating Conservator's intention of sending the Sub-Assistant, Mr. Thompson, to Nilambur when the sowing operations are going on, in order that he may learn how the seed is treated there.

6. The District, as already stated, has suffered greatly from Kumery; but this kind of cultivation is no longer allowed in any Government forest without express permission, and in the only Talook where "Wargdar" Kumery is carried on, viz., Cassergode, it is limited to jungle of nine years' growth and under. The Government concur with the Officiating Conservator that in Government land, Kumery should be confined to old Kumery ground, and that all applications for permission should be referred to the Forest Department before permission is granted. Much caution should be exercised before allowing it in inaccessible forest tracts, as the Officiating Conservator proposes, because it is of consequence that the country should not be denuded of timber, and the practice does not merit encouragement. As forest trees will not again grow where Kumery has been practised, the clearance of the rank under-growth is advantageous, and Kumery may therefore be allowed in such localities.

7. The Government approve of the Officiating Conservator's proposition to work the Ghát forests, as soon as the larger establishment sanctioned has been properly organized, and a sufficient stock of timber is on hand. They see no reason why the present rates of seigniorage should not be raised, if, as Captain Beddome states, they are too low. The retention of low rates will only induce merchants to

*Proceedings of the Madras Government, Revenue Department,
20th May 1865.*

lay in large stocks in anticipation of the increased charges, which will be levied when the Department itself works the forests.

8. The Government approve of the Officiating Conservator's arrangement with the Collector for periodical publication of a list of the tracts in which felling of timber or firewood is to take place; claims preferred to such tracts should be investigated and decided at once.

9. The claims of the Soobramoney Temple, if still urged, should be enquired into without delay.

10. With regard to "Kummaky" land, the Government have no option but to respect all existing rights. The extension of the system is, however, another question. The Government request the Board's opinion, after communication with the present and late Collectors, as to the propriety of discontinuing the Kummaky system, as regards fresh estates. All existing Kummaky rights would of course be scrupulously respected.

11. The Government quite agree with the Board, as to the rights of the State to the Canara forests.

12. They approve generally of the rules and rates of seigniorage proposed by Captain Beddome, and already put in force by the Collector. They have, however, made a few modifications in the rules.

13. The additions to Rule 16 should be introduced into the rules of all Districts, and a note should be added to the vouchers, stating that the grant of a license is discretionary with the Forest Officer.

14. The Government are glad to receive so favorable a report of the Sub-Assistant Mr. Thompson.

(True Extract.)

(Signed) W. HUDLESTON,

Acting Secretary to Government.

To the Board of Revenue.
the Officiating Conservator of Forests.

Rules for the Conservancy of the Forests of the South Canara District as revised by Government.

1. All parties found felling, burning or lopping trees, or removing timber or firewood from Government jungles and forests in breach or disregard of the prescribed rules will be liable to criminal prosecution for theft, mischief or trespass, as the case may be, under the Penal Code, and to confiscation of the timber, &c.

2. The trees and shrubs which fringe springs and mountain streams (to a distance of 20 yards from each bank) are not to be felled. Parties felling, burning or injuring the same will be liable to criminal prosecution.

3. Charcoal burners or others setting fire to any of the Government jungles or forests will be liable to be prosecuted for "mischief" under the Penal Code.

4. No forest land is ever to be cleared for Sirkar Kumri cultivation without the previous sanction of the Collector, who will first refer the applications for report by the Forest Department. Parties acting in disregard of this rule will be prosecuted.

*Proceedings of the Madras Government, Revenue Department,
26th May 1865.*

5. A list of all timbers allowed to be felled by merchants and Ryots, and the seigniorage payable thereon is published in the District Gazette, and may be obtained by applying either at the Collector's Office or at the Office of the Forest Department. A copy will also be kept in each village of consequence in the District.

6. All trees sold to merchants on seigniorage must be marked by the Forest Department before they are felled.

7. Ryots in possession of Kumaki land are allowed to cut all timbers on that land free of charge, except Teak, Black-wood, Jack, Wild Jack, Poon, and Sandal.

8. Kumaki land is limited to 100 yards from the cultivated land to which it is attached.

9. Felling of the six timbers mentioned in paragraph 7 on Kumaki land is reserved to the Forest Department, and will not be granted on seigniorage except to the Ryot in possession of the Kumaki.

10. Ryots who have not sufficient timber for their requirements on their Kumaki land are allowed to cut the unreserved kinds of timber, free of charge, for agricultural purposes within their village boundaries, but if they require the reserved kinds of timber they must pay the fixed seigniorage.

11. All trees must be felled within three feet from the base.

12. Villagers are in all cases allowed to cut firewood from low scrub jungle for their own use, free of taxation.

13. Where firewood is liable to taxation the seigniorage payable thereon is notified in the District Gazette, and in the villages to which the rules may be applicable.

14. The seigniorage upon bamboos shall be levied at the rate published in the District Gazette. Ryots are allowed to cut bamboos for agricultural purposes, or for the *bona fide* erection of their houses, free of taxation.

15. Charcoal burners shall not fell the reserved timbers, and may only fell unreserved timbers in such localities as shall be assigned to them by the Forest Department. In cases where seigniorage is payable upon charcoal it will be published in the District Gazette.

16. Parties wishing to fell timber in Government Forests must first pay the seigniorage for the number of Candies required in advance into one of the Talook Treasuries, and will receive same. The Forest Department on receipt of the voucher will, at their discretion, grant a printed license for the number of Candies paid for, and attach thereto the duplicate voucher, the name of the wood being specified, or (if not one of the reserved kinds) the same being entered as jungle-wood. When the timber is cut by merchants it will be measured in the river by the Forest Department, and the license given up at the Tannah Station. When cut by villagers, after the timber has been brought in, the voucher will be delivered up to the Pottail or Forest Duffadar, and forwarded to the Tahsildar. It is to be understood that the payment of the seigniorage does not entitle the payer to a license, but that it is discretionary with the Forest Office to grant or refuse the license. In the latter case an order for the refund of the money paid will be furnished to the payer.

17. The portion of the forest in which the felling is to take place shall be specified in each license, as well as the Tannah Station or village where the license is to be given up.

18. The time allowed for merchants' licenses to run shall not exceed 12 months. Licenses for felling near villages are not to run more than three months.

19. Any one felling trees in the forests or removing the same within the limits of the Tannah Stations must be ready to produce both his voucher and license when required.

20. Time-expired licenses must be given up, even though the timber paid for has not been removed.

21. All confiscated timber shall be arranged and numbered off into lots by the Forest Officer, and shall be sold by public auction after due notice shall have been given in the District Gazette, and also if the timber is of much value, in the "Fort Saint George Gazette." All purchasers will be required to pay the price of the timber purchased into the Talook Treasury, and to produce the Tahsildar's vouchers for the same before they remove the timber.

22. In the event of the confiscated timber being sold by auction, 50 per cent of the net profits will be paid to the informer, whether he belongs to the Forest Department or not.

Ed. S. T. Augustin.

Revenue Department
3

Proceedings of the Madras Government
Under date the 14th January 1864.

Read again letter from the Off. Secy. Govt. of Madras dated 12th Decr 63 and recorded in the following

Proceedings of the Board of Revenue.

Submitting to Government
1 Board's remarks on Captain
1 Beddome's Report on South
Canara Forests.

(Here entered 15th Feb. 1864.
No. 986.)

In the first of these papers the

Acting Conservator of

Forests reports the result

of his recent tour through

South Canara.

The Forests of this

District have suffered

much from Kummery and

extensive felling in past

years, but there is still

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of

Of ripe Teak little is left, but there is a large number of very promising saplings which will hereafter prove a source of considerable revenue. Blackwood, Poow, Spar, Wild Jack, Catechu and Jungle woods of superior quality are still abundant.

The Sub Assistant Conservator estimates the present number of trees in the principal available jungles as follows.

Teak 4,22,000 { of these 4,00,000 are saplings from 1 1/2 to 3 ft in girth.

Sandal 3,500 - young Jack

Jack 3,000
Wild 27,200
Poow 25,800
Ebony 1,500
Catechu 25,000
Jungle woods 27,500

Said trees of not less than 3 feet in girth.

The officiating Conservator considers this estimate rather low.

The increased establishment of tax collectors, with the view of effective conservation, and many efforts must now be used to replace the

G.O. 17 Oct. 1863 No 189

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The Government
are glad to hear
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The Teakwood
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The District as
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growth and under - The Government concurs with the Officiating Conservator that in Government land, Quarry should be confined to old Quarry ground, and that all applications for permission should first be referred to the Forest Department. The Government would not allow it in inaccessible Forest tracts - as the Officiating Conservator proposes - because it is of consequence that the country should not be denuded of timber and the practice does not merit encouragement. As forest trees will not again grow where Quarry has been practised the clearance of the rank undergrowth is advantageous and Quarry may therefore be allowed

For Order

in such localities -

1. The Board of Revenue will be requested to report on the Quarry Pattahs of the Bazarod^{Salok} stating their number and the extent of Quarry entered in, them. The Board will also state their opinion as to whether Government are in any way bound to continue such pattahs of this description - and if they consider that the existing pattahs cannot be cancelled they will consult the Collector as to the propriety of buying them up, and the compensation which

which should in that
case be awarded.

The Government
approve of the officiating
Conservator's proposition
to work the haunt forests,
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The claims of the
Sobras over temple should
be engaged into without delay.

With regard to
"Kummaraj"

"Kummaiky" land. The Government having no intention but to respect all existing rights. The continuance of the system is however another question. The District of Canara is more lightly assessed in general than any other, and on this ground there is no reason why a tract of land should be attached free of assessment to every holding. In all other districts the ryot pays for all the land he holds, whether he cultivates it or reserves it for other purposes and it is not apparent why on

Mr. P. Lees

different course should be followed only in South Canara. The arrangement moreover as a ^{one} ~~claiming~~ every holder, however large or small his holding may be, claims a space of 100 yards all round his holding. Many have no Kummaiky at all, and as population and cultivation increase a very large number ^{gradually} will be in this position. The Government request the Board's opinion after communication with the present & late Collectors, as to the propriety of ^{provisionally} ~~allowing~~ more Kummaiky hereafter, ^{on fresh settlements} the ryot of South Canara being required like the ryot

ryot of every other district,
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Rule X

have the right of felling
the reserved trees on the
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The additions to
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The Government are
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Captain

10
Captain Beedome
should arrange with the
Collector for the early de-
marcation of the Forests.
He will also forward a
map of the district show-
ing their position and
extent.

J. D. S.

9-10-99

Revenue Department

82-1065 11

Proceedings of the Madras Government
under date the 20th May 1865-

Read again letter
from the officiating Conserva-
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and recorded in L.O. 12th Dec^r
1863, No 2271-

Read also the fol-
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Recd. Pro 20 May 1865- L.O. 357

1865

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229 Feb 14/84 187

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114 To the Board of Revenue & Secretary, Revenue Dept. D. 25 July, 65.
4 & the Offg. Commissioner of Forests N. O. O.

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9-10-99

Revenue 1865 Sept
Pro of Court for May

No 1165

Pro of the Hudson's Bay Co
Sept 20th May / 65

Pro No. 215-216
12-12-63

Judg 284
23-6-1815

Pro No. 720
22-12-1815

Pro 115
7-2-1820

Pro of the Board of Recd 24 July
/ 65 CA 2058

Referring orders on the Re:
sett. of the Town of New Can:
simulation in the Northern
Forest.

359-360-