M.R.O. 14—18,000—27-9-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1789 Press —Mis.—

29.30

Dated 2 — 8 — 1865.

Not to be folded or roughly handled

No. 29. Read the following Proceedings of the Board of Revenue, dated 24th July 1865, No. 4,284.

Read again letter from the Collector of Tanjore, dated 12th June 1865, in Board's Proceedings, 27th June 1865, No. 3,562.

Read also the following letter from W. M. CADELL, Esq., Collector of South Canara, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Mangalore, 6th July 1865, No. 94 :—

SIR,

1. I have the honor to reply to the Proceedings of the Board of Revenue, under date the 5th ultimo, and to state that after giving my best consideration to the subject, I am of opinion that as a rule it is neither necessary nor expedient to continue the Kummaky system as existing in this province in the case of fresh or, as they are here termed locally, Hossagame estates.

2. As observed by Mr. Morris nearly the whole of the land suitable for wet crop cultivation in this District is already under cultivation, and the Durkhasts or applications for new estates must, therefore, necessarily very rarely include land capable of being so cultivated. No large tracts of cutivable waste are also here available, and the applications for waste lands are, therefore, generally confined to small blocks or pieces of land, and if Kummaky land is assigned to each of these small blocks, the former would in most cases be greater in extent than the latter. Further it seems to me that the granting of such Kummaky is an infringement on the rights of the villagers generally, and that if carried out in the case of all new Durkhasts, it would deprive them to a large extent of pasturage, and would press especially hard on those Wurgdars, who from the situation of their wurgs have no Kummaky of their own, but must have recourse to the common waste for grazing their cattle and other agricultural purposes.

3. As a rule, therefore, I conceive that Kummaky should not be given in the case of new estates, except under very exceptional circumstances, where the waste may be unusually large, and where, for special reasons, it may be desirable, in the formation of a new estate, to include lands for pasturage, leaves, &c. Such cases, I conceive, ought however to be specially reported to the Board, but even in these, I do not consider that it would be necessary to adopt the rule of 100 yards all round the land applied for on Durkhast, but merely such portions as may, on inquiry, in each particular case, seem to be necessary for the due cultivation of the land and the well being of the landholder.

Resolved that the foregoing letters be submitted to Government with reference to paragraph 10 of their order under date 20th May 1865, No. 1,065. The Board concur with Messrs. Cadell and Morris in considering that it will be unnecessary as a rule to permit "Kummaki" in fresh estates for the future, and that exceptional cases should be submitted to the Board for orders. The Board await Mr. Cadell's report regarding the claims of the Soobramoney Temple should they have been again put forward.

No. 30. ORDER THEREON, 2nd August 1865, No. 1,789.

Land Revenue.

1. The Government consider that all that is necessary in this matter is to authorize the Collector to refuse the exclusive privilege of Kumaki in the case of

Darkhasts for new land, when he is satisfied that such exclusive privilege is not required for the proper working of the new land, and would be injurious to the community.

2. The denial of Kumaki in such cases will in no respect weaken the common rights of the Darkhastdar as regards grazing, fuel, and wood for agricultura implements, &c.

(True Extract.)

(Signed) W. HUDLESTON,
Acting Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

No. 3,562.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 27th June 1865.

Read the following letter from G. L. MORRIS, Esq., Collector of Tanjore, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Point Calimere, 12th June 1865, No. 178:—

1. With reference to the Proceedings of the Board of Revenue, dated 5th June 1865, No. —, and paragraph 10 of the Government Order, Revenue Department, dated 20th May 1865, No. 1,065, I have the honor to state, that I think that the system of giving Kumakki as regards fresh estates in South Canara, may for the most part be discontinued for the future.

2. Nearly all the wet crop land in the District of South Canara, which is capable of being cultivated, has already been brought under the plough, and the fact, therefore, of not allowing Kumakki to any future Durkhastdars, will be but rarely felt as a hardship: for it must be recollected that it is for the cultivation of wet crop land, that Kumakki is so great an assistance, in the way of providing leaves and brush for manure.

3. There may be a little land here and there, which will not be taken up on Durkhast, if Kumakki is not allowed; but such instances will be very rare, and they can be met by its being left discretionary for the Collector after obtaining the sanction of the Board, to allow one hundred yards for Kumakki, where he is satisfied that by so doing, the Government forests will not in any way be encroached on or injured.

4. If the case should be one in which the land applied for could not on the one hand be properly cultivated without the assistance of Kumakki, and Kumakki on the other hand could not be granted without a great chance of future injury to Government property, I should certainly reject the Durkhast, as I am sure that the Government would lose more by such land being cultivated, than by its being allowed to lie waste.

5. I am of opinion, therefore, that Kumakki should, as a general rule, be discontinued for the future in South Canara, it being left open to the Collector to report any special cases to the Board of Revenue, in which he might consider that such a concession would be beneficial both to the Durkhastdar and to Government.

The Board await Mr. Cadell's report.

(A true Copy and Extract.)

(Signed) R. A. DALYELL,
Acting Secretary.

To G. L. Morris, Esq., Collector of Tanjore.
„ W. M. Cadell, Esq., Collector of South Canara.

Exd. J. Wright.

Enclosure to Mr. Hudleston's
Letter to the Secy. to Govt. R.D.
No. 4284 -
dated 24th Aug. 1865

Rec. 28th/65

1865. Department

No.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 27th June 1865.

No 3,562.

Awaiting Mr Cadell's report regarding th
discontinuance of Kummaki in South Canar
as a general rule.

17

No. 4,284.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 24th July 1865.

Read again letter from the Collector of Tanjore, dated 12th June 1865, in Board's Proceedings 27th June 1865, No. 3,562.

Read also the following letter from W. M. CADELL, Esq., Collector of South Canara, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Mangalore, 6th July 1865, No. 94:—

1. I have the honor to reply to the Proceedings of the Board of Revenue, under date the 5th ultimo, and to state that after giving my best consideration to the subject, I am of opinion that as a rule it is neither necessary nor expedient to continue the Kummaky system as existing in this province in the case of fresh or, as they are here termed locally, Hossagame estates.

2. As observed by Mr. Morris nearly the whole of the land suitable for wet crop cultivation in this District is already under cultivation, and the Durkhasts or applications for new estates must, therefore, necessarily very rarely include land capable of being so cultivated. No large tracts of cultivable waste are also here available, and the applications for waste lands are, therefore, generally confined to small blocks or pieces of land, and if Kummaky land is assigned to each of these small blocks, the former would in most cases be greater in extent than the latter. Further it seems to me that the granting of such Kummaky is an infringement on the rights of the villagers generally, and that if carried out in the case of all new Durkhasts, it would deprive them to a large extent of pasturage, and would press especially hard on those Wurgdars, who from the situation of their wurgs have no Kummaky of their own, but must have recourse to the common waste for grazing their cattle and other agricultural purposes.

3. As a rule, therefore, I conceive that Kummaky should not be given in the case of new estates, except under very exceptional circumstances, where the waste may be unusually large, and where, for special reasons, it may be desirable, in the formation of a new estate, to include lands for pasturage, leaves, &c. Such cases, I conceive, ought however to be specially reported to the Board, but even in these, I do not consider that it would be necessary to adopt the rule of 100 yards all round the land applied for on Durkhast, but merely such portions as may, on inquiry in each particular case, seem to be necessary for the due cultivation of the land and the well being of the landholder.

Resolved that the foregoing letters be submitted to Government with reference to paragraph 10 of their Order under date 20th May 1865, No. 1,065. The Board concur with Messrs. Cadell and Morris in considering that it will be unnecessary as a rule to permit "Kummaki" in fresh estates for the future, and that exceptional cases should be submitted to the Board for orders. The Board await Mr. Cadell's report regarding the claims of the Soobramoney Temple should they have been again put forward.

(A true Copy and Extract.)

Acting Secretary.

To W. Hudleston, Esq., Acting Secretary to Government, R. D.,
with copy of Board's Proceedings, 27th June 1865, No. 3,562.

Copy to C. L. Morris, Esq., Collector of Tanjore.
to W. M. Cadell, Esq., Collector of South Canara.

Extd. J. Wright.

Pro. 20 May/65 No 359-36

Recd: 1865 Department.
Proc of Govt for August

No. 2058.
PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 24th July 1865.
Desp 26th
Recd 27th
E1.

No. 4,284.

Submitting with remarks letters from Messrs Cadell and Morris on the subject of discontinuance of Kummaky system in case of fresh estates in South Canara District.

No 1789. 2 Aug 2d
With Order

No 29 & 30

C 25 July /65 R 31st

No 1789.

The Govt. consider that all that is necessary in this matter is to authorize the Collr to [illegible] the exclusive privilege of Kummaki in the case of [illegible] for [illegible] lands. Where he is satisfied that such exclusive privilege is not required for the proper working of the said land & would be injurious to the community. The denial of Kummaki in such cases will in no respect weaken the common rights of the [illegible] as regards grazing, fuel, and wood for agricultural implements &c.

[illegible]
2d August /65.

14 Copies [illegible] Bd of Revl [illegible]