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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue, DEPARTMENT

G.O. No. 2821, Press Mis. (Spare copy)

Dated 11. 11. 1868 197 .

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
11th November 1868.

No. 155. Read the following Proceedings of the Board of Revenue, dated 30th September 1868, No. 6,926:—

Read the following letter from the Collector of Salem, to the Acting Secretary to the Board of Revenue, dated 1st September 1868, No. 210.

1. In reply to your Official Memorandum, No. 915, dated 21st August 1868, I am at a loss to account for, or say on what grounds the Contractor Kishnama Naidoo sets up his claim to fell timber on the slopes of the hills of the Kolroy Mallais, where the Polligars themselves have hitherto asserted no such right. Very likely as the Survey Department placed their marks near the foot of the slopes, the opinion was entertained that, beyond these boundaries, towards the Kolroyen Hills at least, the Government did not make any claim. There is at this moment a suit pending in the Principal Sudder Ameen's Court on this point; the above Kishnama Naidoo having sued the Deputy Conservator of Forests for having interrupted his people from felling timber on the slopes of these said hills.

2. I have already forwarded to the Board a copy of the lease of contract obtained by Kishnama Naidoo from the Peria Kolroyen Jagheerdar, and they will see that no mention is made of the slopes of the hills. The Board is well aware that the "*watershed*" is the recognised boundary between villages in North and South Canara and other hill districts. The old sunnuds granted always entered the *watershed* as the boundary in the properties spoken of. Before this contract of Kishnama Naidoo, I am unware of any of the Polligars having asserted the claim now set up.

3. When on these hills with Lieutenant Walker last October, I observed that there were stones, pillars, (lying on the ground,) and mounds of stones on the breasts of the ghauts, which, to both of us, bore the appearance of boundary marks.

4. As to paragraph 5 of the Government Order, No. 2,977, dated 14th December 1867, endeavours have several times been attempted to effect a satisfactory arrangement with the Contractor Kishnama Naidoo, but without success. Doubtless he fancies that, by his determined opposition, Government will be inclined to stop further proceedings in the matter of renting out the hills from the Jagheerdar, and that the depredations made on the adjoining Government Jungles, under color of passes issued by him, may be carried on unmolested.

5. As the Contractor cannot be brought to terms, the only way for the Government to proceed is to allow the contract to continue. He will have to pay the amount due yearly by him to the Government, instead of the Jagheerdar, and after the Government have sanctioned the taking up of the lease offered by Lutchma Gounden, arrangements can be made to superintend the collections on the cultivation, &c., by which supervision over the acts of this Contractor can be carried on, and thus prevent the Government Jungles being clandestinely plundered. I will send for the Contractor and again endeavour to get him to come to some proper arrangements, and, if successful, report the result to you. The enclosures received are returned.

ENCLOSURES Nos. 1 to 6.—Correspondence.

THE Board do not anticipate any satisfactory arrangement being come to with the Contractor.

2. The circumstances of the case, as explained by these papers, shew that his position affords exceptional opportunities for illicit gains; and until by the arrangement proposed these are curtailed, there seems little chance of his voluntarily resigning them.

3. As the destruction of the forests, both Government and private, in the Kolroyen threaten extensive injury to the climate of the district, with which the public revenue as well as the public welfare is so intimately connected, the Board urge the renting of the polliem as a step in the right direction, and one dictated by considerations which outweigh the objections of possible pecuniary loss, and departure from general principles.

4. As regards the slopes, the Board suggest that the Collector be directed, in communication with the Deputy Conservator, to demarcate as a Government reserve whatever has not hitherto been claimed and enjoyed by the Polligars, and to warn the Contractor of such parts.

5. These forests will be laid down in the complete Survey Maps which Government have recently ordered.

6. The Board await the observations of the Collector, called for in Government Order, dated 14th August 1868, No. 2,167, before reporting on the merits of the suit. The Collector should state whether the three months' extension from 29th July was granted. As the right of Government is contested, the Board think the Collector should apply to be made a defendant, and conduct this part of the case.

No. 156. ORDER THEREON, 11th November 1868, No. 2,821.

Forests, No. 4.

1. On the grounds set forth in paragraph 3 of the Board's Proceedings recorded above, the Government will no longer withhold their sanction to the arrangement recommended by the Board in their Proceedings under date 18th July 1868, No. 5,233. The Board will accordingly authorize the Collector to lease the Peria Colroyen Jaghire on the terms proposed.

2. The adoption of the course now proposed in paragraph 4 of the Board's Proceedings should be made dependent on the result of the suit now pending between the Contractor and the Deputy Conservator of Forests. In the G. O. under date 14th August 1868, No. 2,167, the Collector of Salem was called upon to submit his observations upon the Conservator of Forest's letter reporting the institution of the suit, and he was directed to send an immediate reply to paragraph 3 of the G. O. under date 14th December 1867, No. 2,977, in which a report on the Contractor's alleged claims to the slopes of the hills was called for. As no reply was received to this order, issued upwards of two months back, and as the suit came

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on for hearing on the 29th ultimo, the Collector has been directed by telegraph to apply to the Court to be made a supplemental defendant in suit, and for a further extension of time for filing the answer. The Collector will be required to submit, through the Board of Revenue, an explanation of the delay which he has allowed to take place in forwarding the information called for by Government.

(True Extract.)

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

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

Exd. S. T. Augustin.

Govt. of 1868. Madras

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated November, 11th.

Recd. Encl.

G. O., 11th November 1868, No. 2,821.

NOVEMBER.

Nos. 155-156.

Peria Colroyen Jaghire.—Board of Revenue to authorize the Collector of Salem to lease it on the terms proposed. Collector to submit explanation in delaying to submit his observations in connection with the suit instituted against Lieutenant Walker.