

*Proceedings of the Madras Government, Revenue Department,
31st March 1871.*

No. 504. Read the following Proceedings of the Board of Revenue, dated 4th March 1871, No. 965:—

Read the following letter from the Acting Collector of South Canara, to the Acting Secretary to the Board of Revenue, dated Mangalore, 19th January 1871, No. 122.

With reference to the Board's endorsement, dated 29th November last, on the Proceedings of Government, dated 21st idem, No. 1,824, Revenue Department, I have the honour to submit a report on the Reverend Mr. Hartmann's letter to His Excellency the Governor.

2. Mr. Hartmann is dissatisfied with the operation of the existing darkhast rules with reference to the members of his congregation, and proposes—

First.—To give a right of citizenship (which he states to be) not at present existing.

Second.—To fix the boundaries where needed for the waste land of each village.

Third.—To limit the right of proximity to a fixed amount of land, giving a claim to waste land in proportion to the amount of Government tax paid for puttah land.

3. With reference to the Reverend Mr. Hartmann's first suggestion, I beg to state that, under our darkhast rules, the neighbouring wargdar (proprietor) has the preferential right to waste land in the vicinity of his warg. In cases where no one has a preferential right, and there are several applicants, the land is sold by auction, subject to assessment. I consider that any alteration of this rule in favour of a particular class of the population would be unfair to the landed proprietors of the village. Under the rule, the members of Mr. Hartmann's congregation are at liberty to purchase, at auction, any waste land which may be put up for sale, and I do not think that they can reasonably expect to obtain land, for which there are several applicants, on any other condition.

4. The Reverend Mr. Hartmann's second suggestion would involve a survey of the district.

5. The third suggestion, as far as I can understand it, for it appears to be opposed to the third part of paragraph 3 of the letter, would, in effect, confiscate the right of the wargdars of a village to obtain for cultivation the waste land within its boundaries. It would be most arbitrary and unjust to say to a proprietor: "Your rights as a villager to the waste land will be limited to such lands as are within, say, 200 yards of your estate, and you will not, in future, be allowed to take up more than ten acres of the other waste lands in the village."

6. With reference to paragraph 6 of Mr. Hartmann's letter, I beg to observe that the proposition to assess certain lands at 4 Annas per acre is now before the Board. The effect of this measure will be, as Mr. Hartmann states, that a great part of the waste land in the Udipi Taluq will be taken up. Whether it is advisable or otherwise that the Government rights to a share of future produce on such lands should be given up for the assessment proposed is a question which will doubtless receive consideration.

Proceedings of the Madras Government, Revenue Department,
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SUBMITTED to Government, with reference to Government Order, 21st November 1870, No. 1,824.

2. The Board believe that the present darkhast rules in South Canara are fair, and in accordance with long-established usage, and that such an alteration of them as Mr. Hartmann proposes is one which, it is probable, the Government have no power to make, and which would, at all events, be regarded by the wargdars as an act of spoliation.

3. The general question as to the power of Government over the extensive forests and other wastes in South Canara, and the manner in which they should be dealt with, is now under the consideration of the Board, but it is a subject of peculiar difficulty and complication.

No. 505.

ORDER THEREON, 31st March 1871, No. 602.

Miscellaneous.

ORDERED that copy of the Acting Collector's letter be furnished to Reverend Mr. Hartmann for his information, together with copy of G. O., dated 21st November 1870, No. 1,824.

2. The Government are not prepared to make any change in the darkhast rules of South Canara, but they desire that the Collector will ensure that no undue obstacles are thrown in the way of the poorer applicants for land, while maintaining proper regard for vested right.

(True Extract.)

(Signed)

W. HUDLESTON,

Secretary to Government.

To the Reverend R. Hartmann, with G. O. No. 1,824.
.. the Board of Revenue.

Ed. F. R. Bantlemaa.

Revenue Dept.

77-602.



Pros of the Madras Govt

Under date the 31st March 1871.

Read the following

Pros of the Bd. of Revenue

Submg. Collector's report on
modifications in Darkhast rules
of S. Canara &c suggested by
Rev. Mr. Hartmann of Basel
Mission.

W. E. 4. Mar. 1871. No. 602.

I would like to have
this question in Council

J. P. S.

W. E.

Ordered that copy of
the Acting Collector's letter
be furnished to Rev. Mr.
Hartmann for his informa-
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of G. O. dated 21st
November 1870, No. 1824.

The

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(Addition added
in Council C. 28
March. 1871.

L.D.
Sec. Sec.

1. Robert R. Hartmann with 8 Co.
th. — Robert R. Hartmann

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