

469/9th March 1872

Go 644
20-4-72

No. 469.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 19th March 1872.

Read again Board's Proceedings, dated 6th August 1866, No. 5,392, 12th November 1866, No. 8,128, and 7th September 1870, No. 5,635:—

Read also the following letter from A. McC. WEBSTER, Esq., Acting Collector of South Canara, to the Secretary to the Board of Revenue, dated Mangalore, 28th February 1872, No. 247

I HAVE the honour to reply to the Proceedings of the Board, dated 7th September 1870, No. 5,635, with reference to the Neriya Cardamom Jungles in this district.

2. In regard to the papers relating to the Wynaad Cardamom Farm, forwarded to me with the above Proceedings, I have the honour to state that the two farms are not similar. In Wynaad, Cardamoms are grown on lands that are undoubtedly private property. The Neriya Jungles form a portion of a "Sircar Geny," and not of a Muli Warg. It is not known when or how the Warg lapsed to Government and became "Sircar Geny." On our acquisition of the country, we found it entered in that class of Estates, and the Proprietrix has no documents to show how her family obtained it. Her late husband stated, as mentioned in Mr. Cadell's letter of 19th July 1866, No. 132, (Board's Proceedings, 6th August 1866, No. 5,392) that his ancestors obtained it from the Nuggur Government, but that the copper shasam or title-deed was destroyed by fire many years ago. As the Warg is classed as "Sircar Geny," the Government are justified, until better claims are shewn, in considering the proprietary right to vest in them and not in the occupant.

3. Last year, I heard a rumour that a duplicate title-deed had been discovered in a Matt in Mysore, but this document has not been produced, and probably has no existence. The occupant appears content to accept the situation, and to consider herself as a tenant.

4. I do not think that our Forest Department would find it possible to work the jungles at a profit, certainly not at a profit much in excess of the amount of rent now offered. Doubtless a larger quantity of Cardamoms would be produced, but the working expenses would be far greater, and a large and expensive establishment, which must necessarily be entertained if the jungles are to be really effi-

ently worked, would swallow up the increased returns. I am strongly of opinion that the jungles should not be worked by the Forest Department, but should be leased out.

5. When Head-Assistant Collector in this district, I inspected a considerable portion of the jungles, and then recorded my opinion, which I see no reason to change, that there are but few really valuable trees in the jungles, and that if there were such, it would be impossible to work them at a profit. Moreover, I don't think that Cardamom cultivation involves the wholesale destruction of trees. Certainly in the Neriya Jungles the trees which require to be felled for the cultivation form but a very infinitesimal portion of the trees standing on the land, and as the Cardamom plants last for ten years, the number of trees felled annually is not very great. I think Mr. Thomas is mistaken in supposing that owing to the annual destruction of large trees, little but brushwood and saplings are left. The jungles when I inspected them contained enormous trees, and Cardamom cultivation had been going on for very many years, while the Deputy-Conservator of Forests who recently visited the locality informs me that the jungles still contain numbers of large but inferior trees. I may mention also that the softer woods, those that will decay soonest, are preferred by the cultivators, and are felled in preference to the harder trees.

6. For the foregoing reasons, I do not think that the present method of cultivation is ruining the jungles. That more might however be made of them, is, I think, not to be disputed. The present system of short leases gives the occupant no inducement to plant in a systematic manner, as Cardamoms take some years to come to maturity, and remain in full bearing for some years more. As the occupant is liable to be turned out at any time, she would, under these circumstances, lose the value of her labour, and would get no return or but little for the improvements effected. On the other hand, under a long lease the occupant would find it to be to her interest to extend Cardamom cultivation and to plant systematically. Although Government holds the proprietary right in the jungles and can therefore deal with them as it pleases, I do not think that looking to the very long occupation of the family during which they have come to regard the jungles as their private property, it would be right to demand a competition rent. The Board in paragraphs 3 and 4 of their Proceedings of 6th August 1866, No. 5,392, and in paragraphs 3 and 4 of their Proceedings of 12th November 1866, No. 8,128, admitted that a consideration should be shown to the long occupation of the family, and were averse to the jungles being put up to auction, unless the family refused to pay the rent then demanded, Rupees 800, per annum.

7. I have the honour to enclose, a translation of a petition received from Devakamma Hebbarti, the present occupant, and will remark in detail on the different points adverted to. I may add that on my late visit to Neriya, I fully discussed the matter with the occupant's manager.

8. Paragraphs 1 and 2.—In consideration of obtaining a long lease, under which the occupant will have some prospect of deriving adequate benefit from more systematic cultivation, she is willing to pay an annual rent of Rupees 1,500. This is nearly double the rent which was fixed by the Board in 1866, and more than three times that paid since our acquisition of the country up to that year.

9. The following table shows the persons who have applied for the jungles together with their estimate of the profits:—

together with their estimate of the profits

Name of applicant.	Estimated produce in Cardamoms.		Loss from theft of crop, etc.		Net produce.		Working charges.	Net profits.	Amount of Dargahast now offered.	Terms.
	Can-dies.	Value.	Can-dies.	Value.	Can-dies.	Value.				
1. Dharmastalla Hegade, and his partner, Annappaiya.	12	RS. 12,000	6	RS. 6,000	6	RS. 6,000	RS. 3,000	RS. 3,000	RS. 3,000	On 3 Vydas Bharty. The lease to be permanent or for a term of not less than 32 years. If the lease were for 25 years. If the lease were for 15 years. If for less than 15 years, does not require it. Does not require the farm for himself, it being too far removed from his village. Agree to Mr. Thomas' proposals to charge a tax of 1 Rupee, per acre, on cultivated plots and 2 Annas for reserved waste. Applied for land but stated no fixed sum.
2. Goondy Narayana Bhatta.	15	15,000	7	7,000	8	8,000	5,000	3,000	2,000 1,600	
3. Padvatnaya.....	16	16,000	4	4,000	12	12,000	6,000	6,000	...	
4. Mr. J. S. Middleton ...	{	...	...	...	...	...	...	...	...	
5. Mr. S. Jupp.....		...	...	...	...	...	...	...	...	
6. Mr. Hepburn	{	...	...	...	...	...	...	...	...	
7. Mr. C. W. Rolland		...	...	...	...	...	...	...	...	

11. Hegade and his

10. With reference to the first individual, the Dharmastalla Hegade and his partner Annappaiya, I do not say that their offer was dictated by animus, but at the time the offer was made he and the occupant were not on good terms, and looking to the very large amount of rent offered, as compared with the offer of other individuals, and to the fact that they actually offer as much if not more than the estimated profits, I think that it must be assumed that some other consideration than that of profit, prompted the offer. It is of course impossible to estimate the actual profits from the jungles, but I am inclined to think that they are between the two extremes mentioned in the Statement, and think that as a competition rent is not to be asked, and as the Board are willing to show some consideration to the long occupancy of the family, the offer made by the applicant is fair and should be accepted.

11. Paragraph 3.—The present occupant applies for permission to cut Coomery. In 1865, the cultivation of Coomery which had up to that year been allowed was stopped, and the occupant now requests permission to resume the cultivation for the support of the Malekudies (jungle tribes) inhabiting the jungles, and by whom Cardamom cultivation is carried on. I beg to support the application. I do not think that the felling of Coomery in certain tracts in the forests would be attended with the least harm, and in this opinion Mr. Cherry who has seen the jungles, concurs. The blocks to be set apart for Coomery would of course have to be inspected by the Forest Department and demarcated, and will provide a sufficient extent of jungle for the annual clearance of 300 acres. The occupant will not be allowed to fell Coomery out of those limits, and as it will be immaterial to Government how much is annually felled within the limits, a survey will not have to be made each year. The village officers will only have to take care that Coomery is not felled in other parts of the jungle. The assessment on

the Coomery (Rupees 300 per annum) is additional to the rent of the Cardamom Jungles (Rupees 1,500, per annum) and should be entered in Devakamma's name for the period of the lease, twenty years.

12. The occupant also wishes to be allowed to fell any trees she likes for Cardamom cultivation. I see no reason whatever for placing any restriction on her in this respect. As I have before observed, the trees would, from the inaccessible nature of the ground, be of no use to Government, and a restriction besides being very difficult of enforcement, would be of little benefit.

13. Paragraphs 4 and 5.—I see no objection to agreeing to these requests. The occupant now has the privilege of cutting any trees she likes for her own use, and it will be sufficient, I think, if she is restricted to this and forbidden to sell the timber to others. As regards the permission to draw toddy from the Sago palm trees, growing in the jungles, I do not think it will be necessary to insert a clause in the lease, binding Government not to let the privilege to others. It is very unlikely that any one else will desire to obtain the right to do so, and it will be sufficient, I think, to place on record that the privilege will not be leased to others. The Malekudies now draw the toddy, and I see no reason whatever for restricting them from doing so.

14. Paragraph 6.—This paragraph has been inserted to provide for any future alteration of the limits of the farm when settling the boundary between this district and Mysore.

15. Paragraphs 7, 9, 10 and 11.—These relate to matters of administration, and cannot be inserted in the lease. The occupant states that she is put to much trouble by the people from Mysore who come down and steal the cardamoms. I informed her that she has her remedy at law. It would be most advisable that the boundaries between this district and Mysore should be fixed at an early date not only in the vicinity of the Neriya Cardamom Jungles but along the whole line. A Cardamom Jungle formerly belonging to the Goondia Hegade had to be given up by him, owing to the difficulty of guarding it from the incursions of the Mysore people, and when at Seerady last month, I heard that the jungle is now claimed as belonging to Mysore. Other disputes are cropping up, and will continue to do so,

To Board, 9th August 1871, No. 1,139.

Do. 21st " " " 1,171.

Board's Proceedings, 22nd September 1871, No. 4,071.

Do. 30th October 1871, No. 4,537.

* To Board, 18th August 1871, No. 1,161.

until the boundary is fixed. The Board are aware from the marginally noted correspondence that the boundary of the Neriya jungles is now under dispute, and I am awaiting the receipt from Madras of papers* bearing on the subject before disposing of the matter.

16. Paragraph 8.—Provides for the Forest Department working the jungles as far as they are able.

17. As the present lease will expire on the 30th June next, I have the honour to solicit the early orders of the Board on the subject.

ENCLOSURE No. 1.—Translation of petition.

MANY considerations combine to favour the grant of a twenty-five years lease to Devakamma Hebbarti whose family have been in possession of the jungles since before the country passed under the British Government. The rent offered for the Cardamom cultivation viz., Rupees 1,500 is fair, and the inaccessible situation of the jungles on the border between South Canara and Mysore renders it unnecessary if not impossible to conserve them in the same way as forests situated nearer the coast.

2. The Board concur with the Collector in thinking that the cutting of Coomery in a portion of the jungles demarcated and set apart for the purpose by the Forest Department is unobjectionable. Devakamma Hebbarti wishes to cut 300 acres a year, paying one Rupee an acre, and requests that 900 acres may be marked out for the purpose in each of the four jungles. Similarly, the occupant may be allowed to cut trees for Cardamom clearings and domestic use but not for sale. Before deciding this point however it seems advisable to submit it for the

orders of Government who have prohibited Coomery cultivation in Government Forests except after previous permission to be granted sparingly and never for spots in the timber forests. A copy of these Proceedings will be communicated to the Conservator, so that he may have an opportunity of addressing Government on the subject if he wishes to do so. It is observed however that Mr. Cherry the Local Forest officer agrees with the Collector.

3. The same circumstances which make it expedient to allow Coomery cultivation make it also expedient to allow the hill tribes to use but not to sell the toddy of the Sago palms.

4. With regard to the boundary dispute the Board find that whilst Mr. Sturrock was in Madras he examined the papers referred to in paragraph 15 and took such notes of the contents as appeared to him to make it unnecessary for the papers to be sent to the district. The letter applying for the papers was then recorded, but by a mistake in the Board's Office this fact was not communicated to the Collector. He will now state if he still requires the papers or any of them.

(A true Copy and Extract.)

Secretary.

To the Officiating Chief Secretary to Government, R. D.,
with copies of Board's Proceedings, Nos. 5,392 and 8,128 of 1866,
and No. 5,635 of 1870, and translation of petition.

„ the Acting Collector of South Canara.

„ the Conservator of Forests.

Exd. G. Turton

Exd. G. Turton
I will allow the old lady another year on her present terms for the time for enquiry - I mean while until call on the new address for her new address by Mr. Malabar & Travancore
Cochin for all information they can get & give a Cardamom cultivation. Is this any good? he can send telegram into the

A. M. C. Webster Esq.
 Ag. Collector of South Canara.

Humble petition of Devaki Amma of
 Neriya, in Mularnidagala village, Sisila
 Magary, in Aparangady Taluk, dated
 17th January 1872.

I request that the Cardamom
 jungles now under my enjoyment, namely
 1. Ambatte, 2. Banchar, alias Kubbinnale,
 3. Iti & 4. Peraje, may be granted to me
 on permanent lease for a term of 20 years
 from July, Tusi 1282.

I shall pay a rent of Rs 1500
 annually according to the several Kists.
 I will also clear 10 acres annually in
 all the above-mentioned jungles, for the
 cultivation of Cardamom.

I pray that 900 acres may be
 marked out in each of these jungles for
 the cultivation of Kurneri. I pray that
 the Kurneri may be assessed in my name.
 I shall clear every year about 300 acres
 of Kurneri, and raise thereon such crops
 as it may produce, and pay at the
 rate of 1 Rupee per acre, as the Kurneri
 assessment. There should be no obstacle
 to my cutting such trees as may be ne-
 cessary, in the Cardamom jungles, for
 raising Cardamom.

1872: Dep.
 No 1084
 1872.

Board of Revenue,
 MADRAS.

PROCEEDINGS, 19TH MARCH 1872, No. 469.

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Received

28th

MARCH.

No. 469.

Cardamom Jungles—at Neriya, in South
 Canara District.—Letter from Collector regard-
 ing the grant of a lease of—to Devakamma
 Hebbarti, submitted to Government with re-
 marks.

20. 1872
 No 614-20 April

I have to agree that the

have cleared on our consideration
 that there are eight objections to
 a long a lease—25 years—
 I think at 4 all hands.

the tract is of our

than 34 cent—5 per cent

20000 "the Thomas says.

They can train several ra-
 cles the timber—20. have 54 the
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a lease is the lease
 4 the within is the the the
 any is from west in the north of

The Sir's letter mentioning the
 to arrangements in the hills
 is a gift in the case—
 I have no objection to the petition requiring registration
 by Mr. Thomas giving a long lease to the petition
 thought. but I must have the petition to be registered
 in the name of the Government. I can give the best information
 in the name of the Government. I can give the best information

4. I request that orders may be passed allowing me to cut as many trees as I may require for my own use, from the said Cardamom jungles, without paying Government any compensation or Saigniorage for the same, and I shall not sell any timber to others.

5. The Malakudiyas should be permitted to draw Toddy from the Sago palm trees standing in all these jungles, for their own use, but not for sale. I therefore pray that orders may be issued not to farm to others the privilege of drawing toddy from these trees.

6. When fixing the limits of these jungles, should any portion of them be found included within the limits of the Mysore Territory, I shall not demand any remuneration for the same. But the Genichit now executed should be cancelled, and a separate rent be fixed on the land that may be subsequently marked out for a fresh Genichit be allowed to be executed for the above term. Should circumstances compel me to make over the jungles within the term of the Genichit, Government should take charge of them, on my making them over to them. Should

I however find it convenient to keep them during the whole term, Government shall not be competent to resume them before the expiration of the term of 20 years. 7. As long as the jungles remain in my possession, only Government Officers of Canara, can enter them without my permission, but no ryots or merchants or any Officers of the Mysore Government will be allowed to do so without permission.

8. I will not object to officers of the Forest Department cutting trees from these jungles whenever necessary, nor will I ask any remuneration for any trees so cut or carried by them.

9. I request that orders may be given, permitting my men who are employed in watching the Cardamom jungles, to carry arms at the time the Cardamom is harvested, for self defence, as well as for the protection of my property. They will do no harm to any one by carrying arms with them.

10. I request that the counterpart of the Genichit which I shall have to execute may be granted to me.

11. I request that the Government will fix the limits of the jungles, as soon as possible, and set up boundary stones.

12. Should I fail to pay, according to the several lists, the assessment I have agreed to pay for these jungles, namely 1500 Rs, I beg that the same may be recovered from me according to the rules now in force under the Rent Recovery Act.

(Signed) Devaki Amma.

(True Translation)

M. M. M. M. M.
Collector

20/11/04

Old No. 73, K
Paper
Press
Miscellaneous
Routine
Date
taken
out.

1084

1872 D.P.H.

Enclosure

In a letter from the office
of Serjeant Major to the
Secretary to the Board
of Revenue, Madras,
dated 28th February 1872,
No 247.

July 1872 1021/72

Translation of Petition
of Devaki Amma of
Deringa, dated 17th January
1872 -

Sub.

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Revenue Department.

No. 6444-

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 20th Oct. 1872.

Read the following Proceedings of
Board of Revenue.

Submg to Govt with remarks
letter from Colr regarding the grant of
a lease of Candamam Jungles at Kinnig
in S. Canara Dist to Devakamma

H.E. 19th March 1872 No. 46

The Government
fully recognise the claims
of the family to be main-
tained in the position
which they have enjoyed
probably for the last
century, but they are not
satisfied that the informa-
tion available as to the
value of the Candamam
Jungles is sufficient to
estimate fairly what
amount should be paid
in satisfaction of the Govt.
due. The Govt think

it

it will be better to continue
the expiring lease on the
existing terms for a
period of one or two years,
so as to allow of more
extended inquiry, and
desire that the Board
will obtain from Major
Beddome a statement
of his views as to the best
mode of developing the
Cardamom Cultivation
in this tract without
depriving the family of
their advantages, and call
upon the Collector of Malabar
and the Resident in
Travancore & Cochin to
furnish them with all
the information they can
get, or give, as to the
system of Cardamom
Cultivation in those provinces,
and the conditions of renting or
realising the value of the crop
On receipt of this

Encl. 1

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information the
question of the
terms of the future
lease can be
considered.
S.B.

M. Board of Rev Dec 22 April 72