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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 624. Press ~~Mis.~~

B.P. ~~No.~~ 12.79. 227-38.

Dated 26. 5. 1874 ~~196~~.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
26th May 1874.

No. 237. Read the following letter from A. WEDDERBURN, Esq., Collector of Coimbatore, to the Secretary to Government, Revenue Department, dated 25th February 1874, No. 24 :—

I HAVE the honour to reply to Proceedings, Madras Government, Revenue Department, 11th February 1874, No. 185, in which I am directed to inquire and report on an alleged oppression of certain *hill-tribes* on the Anamallay Hills, contained in a communication printed in *Native Public Opinion* of the 4th instant, and signed "Contributor."

2. The specified instances of alleged oppression above alluded to are a refusal to allow *merchants* to take provisions to the Kader villages, and that merchants have thus lost Rs. 5,000 of advances, and that the exclusion of *merchants* from the reserved forest caused an unnecessary injury to them and the forest tribes.

3. Government direct that the "general principle to be observed in any direct trade with the wild jungle-tribes (by forest officers)" is laid down in Proceedings, Revenue Department, 1st March 1873, No. 240.

4. The matter at issue is the rules to be observed in regard to persons entering the reserved Teak and Rosewood forest of Tunacadavoo.

5. Government have not as yet, by any published order, proclaimed that the above Teak is a reserved forest; but in all the correspondence since the forest was taken under Government conservancy in 1848-49, this forest is alluded to as "reserved." It has been known as such for more than a quarter of a century.

6. Previous to 1854 the right to collect jungle-produce was made the subject of revenue. Certain merchants purchased the *monopoly* of dealing with the tribes who furnished the products.

7. In consequence of a representation from the then forest officer, Captain Michael, that the merchants grievously oppressed their constituents (the hill-tribes) in forcibly causing them to collect the produce in all weathers at insufficient remuneration, etc., Government declared the hill-tribes to have a right to sell their produce to all or any purchasers, thus closing the former monopoly of the trade.

8. As, however, there was but one set of merchants who dealt directly with the tribes and in jungle-produce, things, as regards monopoly, remained much as before; the rude jungle-man could only take what the merchant offered in the way of barter or truck for the produce (rice, spirits, tobacco, and the like) which the merchants took up to the small clusters of huts situated in and about the reserved forest; and, whatever the transaction, the jungle-man remained in permanent and probably exaggerated debt, which, giving a hold over the tribes, it is not the interest of the virtually monopolizing merchant should ever be cleared off.

9. It may here be remarked that there is no question about "direct trade by forest officers on the part of Government with the tribes;" no such trade exists; the question is solely about the unrestricted right of entry and passage of merchants through the reserved forest up to these tribal hamlets.

10. The merchants, whose interest it is to keep up a monopoly of dealing with the tribes, wish to have an unrestricted passage, at all seasons, without the formality of a Pass.

11. I believe it is admitted that there should be such formality, for without it, the forest becomes no longer a conserved, though it be a reserved, forest; and it is vain to reserve trees from the axe, unless they be preserved from fire.

12. I believe also that a stack-yard is not a more dangerous place to light a fire in than the Anamallay forest for nearly half the year. The dryness of the forest may be estimated by the fact that cattle cannot be grazed in it during the hot months from the total absence of water.

13. Seeing that these conditions exist, it would appear necessary that the forest officer, responsible for the protection of the forest, should take precautions against the danger of fire, and the discretion as to the time of granting Passes should rest with him.

14. From June till November the luxuriant forest will scarcely burn; after that and until the rains, it is like tinder. The parties carrying Arrack and other articles to the indolent and alleged indebted Kaders bivouac in the forest, light their evening fires, and are careless as to extinguishing them,—as an instance, the forest officer's hut was burned down,—and trees are scorched, if not consumed. Mr. Douglas "frequently found the smouldering embers of a fire within a timber depôt." The forest for operations is necessarily closed, and the establishment withdrawn. I need not enlarge on the necessity of Rules and Passes for ingress at such seasons any more than on boardship and in a stable-yard or combustible manufactory. The carelessness of ignorant persons with fire is proverbial.

15. I am not aware that the complaint now reported on originates with the Kaders; they are illiterate, and even if otherwise, would not call the attention of Government to their being in a hopeless state of debt, as is represented by the figure of Rs. 5,000. I doubt if they would acknowledge to as many annas. Mr. Douglas writes that the Kaders absolutely repudiate such or any debt on their part, and some of them take their own goods to market.

16. However that may be, their best chance of extrication from such a burden of debt would be in their taking their produce to the outside of the forest; it is not the interest of the monopolist traders that they should do so; the labour of carrying in their hill creels the produce they have collected far and wide,—at the most a day's journey down hill to the forest entrance,—would not be great, and thus a supervision over fires could be insured at the time that forest operations are closed. A market there would be more readily attended by other traders, and a better price obtained for the produce.

17. I must also remark on the greatness of the alleged debt against these pauper hill-tribes, which, if true, would show that no steps have ever been taken to reduce it, and lead equally to the inference that no steps will ever be so taken so long as this virtual monopoly continues.

18. As regards the operation of the rule of Passes for entry into the forest, Mr. Douglas writes to me, under date 16th December 1873: "(2.) In the first place, I am, I think, warranted in stating that the Kaders are satisfied with the order complained of by the merchants. I have been at some pains to alleviate any anxiety which might have arisen among the tribe, in consequence of misrepresentation by interested parties regarding their rights to produce. They are now thoroughly assured that these will be respected, that they are free to come and go as they please, to deal with whomsoever they choose, and that,

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Proceedings of the Madras Government, Revenue Department,
26th May 1874.

in fact, they and Government are, as it were, co-proprietors of the forests, no one else having any business whatever therein." He further states: "It has lately come to my knowledge that to about 130 Kaders there are 15 or 20 dealers; each man seems to have his particular batch of Kaders, and regards them as his own property, doing is best to convince them that they are so."

19. The sum of the matter is that the complaint under report is the merchants' and not the Kaders' complaint; that the means of recovering the alleged debt due by the Kaders are to be sought by civil process, and not by unrestricted entry into the forest; that the sole object of the complaint is to continue what must be a profitable monopoly of the produce; that the real interest of the Kader is to take his produce, undeterred by the creditor-chetty, into open market; that the allegation of advance of Rs. 5,000 is a fiction, for what could the Kaders do with money in the forest; that the prevalent system of dealing was one of truck or barter, the Kaders getting the worst of the bargain, as all weaker or more ignorant persons experience; and that the Deputy Conservator should be allowed to exercise his discretion as to Passes.

No. 237A. MINUTE BY THE HON. W. ROBINSON, C.S.I.

THIS correspondence discloses a questionable condition of things. I know this country well, and have been over every part of it, and first rented it for Government in 1849.

2. The so-called reserved forest is as I understand the matter, a great tract of hill table-land, within the Malabar District, and the property of a Malabar *jenmi*, from whom the right to fell certain timber is rented by the Government. The public have full right of access, and I conceive that the Government has no more right to require dealers or travellers to take out a license there than on the Nilgiri Hills.

3. The tract is peopled by numerous tribes of hillmen living in villages (*Paddis*), and is traversed by rights of way leading to these villages and into the Cochin hills and country beyond.

4. This unenclosed and inhabited tract cannot, I conceive be called an "enclosed forest" to which, even were there a law in that behalf, the forest Rules could be made applicable in the exclusive manner proposed.

5. It may perhaps be competent to the Forest Establishment to enclose well-defined portions of the tract, as sholahs are reserved on the Nilgiris, if thoroughfares, etc., are properly provided for, and the rights of the inhabitants protected. But the exclusion of the public—save under a system of license for which there is no law—must, I think, be forbidden.

4th March 1874. (Signed) W. ROBINSON.

No. 237B. MINUTE BY THE HON. J. D. SIM, C.S.I.

I HAVE again gone over these papers, and must say that the Collector's report is, to my apprehension, perfectly satisfactory in every respect.

2. The area of the Anamallays is 380 square miles; the portion reserved as an imperial forest is 75 square miles, of which 40 are the old Government Teak forest, and 35 the tract leased from the Numbidi.

3. The hill-tribes number 204 souls, of whom 108 are in the reserved portion. I submit, therefore, that this tract cannot be designated either vast or inhabited.

4. The tract has been, to all intents and purposes, a close forest for twenty-five years. I cannot agree with my Honourable Colleague that as regards the leased tract we leased no more than the right to fell certain timber; if this be the case, then the lessor can permit cultivation within the tract, rent out the pasturage, and so forth; but these rights he has never even claimed, and their exercise or existence would be fatal to forestry. The rest of the tract like the Anamallays generally is the property of the State.

5. The restriction on free entry into the reserved tract is absolutely necessary for the preservation of the forest from fire. Travellers are notoriously careless about the fires they make at their camping places, and for half the year the forest is as inflammable as a hay-stack. We are yearly put to considerable expense in clearing spaces round our stacks of wood, and only a few years ago a pile of timber, worth a lakh of rupees, was reduced to ashes by a fire caused by the carelessness of traders. Every year numbers of saplings are thus destroyed. It is, therefore, an absolute necessity to exclude people in the dry season, and the requirement of a pass, for which no payment has to be made, seems to me very proper.

6. As regards the hill-tribes, they are free to come and go as they please, and it is very desirable, as a means of reclaiming and civilizing them, that they should go to a common market outside the forest, where they will come into contact with others and obtain a fairer price for their produce, instead of being followed and hunted about by low-country traders who take advantage of their ignorance. As regards the Chetties, they can follow the ordinary course to recover their debts; they have only to take out summonses, and leave the police to serve them. The allegation in the newspaper article that these 200 wild men of the woods owe them Rs. 5,000 is doubtless false; but if true, it shows how much these unfortunate creatures, ignorant as children and fearful of our laws and jails, need protection. There are no public thoroughfares or rights of way; the tracts lead nowhere but to the forest, and travellers do not usually go over such hills when roads and railways are available.

7. I do not see how the existence or non-existence of a forest law affects the question. If the tract belongs to us, we do not need a law; if it does not, a law cannot justly make it ours; it can only legalize an injustice.

8. For these reasons I approve the Collector's arrangements.

12*th March* 1874.

(Signed) J. D. SIM.

No. 237C. MINUTE BY HIS EXCELLENCY THE GOVERNOR.

IT appears from the statement of my Honourable Colleague, Mr. Sim, that the forest tracts in question occupy 75 square miles, of which about half only is a "Government Teak forest," the rest being a tract in which the Government has obtained by lease the right to cut timber. As regards this last-mentioned tract, it

would seem that to exclude from it traders with the hill-tribes for half the year must be as illegal as it is unjust, and no considerations of danger to the trees from the fires which the traders light can (as it appears to me) be held to justify such a course.

2. As regards the "Government Teak forest," whether we have a legal right or not I cannot say; but it seems clear that we can have no moral right to close it for half the year (for that is what has apparently been done) against traders, whose habit it is to seek the indigent hillmen in their own haunts and supply them, in return for jungle-produce which it is important to utilize and which could probably be utilized in no other manner (certainly in no other manner nearly so convenient), with what is, in fact, the means of subsistence. Mr. Wedderburn writes as if he had two objections to opening the traffic during the whole of the year: one the danger to the trees from fire; the other the objection what he has to the dealings of the hillmen with such "monopolists" as these traders at all. For my own part, so far from objecting to such dealings, I think we should do all in our power to encourage them. There can be no greater mistake than to force commercial operations, of whatever kind they may be, out of their natural channel in the supposed interest of those who carry them on; and in this case it is proposed to adopt measures, in the "interest" of a class of persons especially demanding our care and protection, which (for ought we know) may have the effect of preventing them from earning a livelihood at all.

3. I am, therefore, in favour of removing the restrictions which have been imposed.

(Signed) HOBART.

16*th March* 1874.

No. 237D. MINUTE BY THE HON. J. D. SIM, C.S.I.

I HAVE little to add to what I have said in my former Minute.

2. As regards the portion of the Anamallay forest leased from the Kolangode Numbidi, a reference to the lease itself will show that the deed conveys "the sole control, management, and enjoyment of the forest tracts." The only rights reserved are the customary rights of the hillmen to cut jungle-wood for their own use (and not for sale), and the Numbidi's jenm rights to Ivory, etc., and "stump fees" on nine descriptions of timber. Not a word is said of Coimbatore Chetties having any rights whatever.

3. As regards the general character of the dealings between astute Chetties and ignorant wild tribes, I am confident that every officer who knows anything of them practically will describe them as pitiless exaction on the one side and ignorant helpless submission on the other. I beg attention to the reports of Lieutenant Michael and Mr. Martin in 1859.

4. I may observe, however, that the restriction in force (which is all that we have to deal with) extends only to entry within the reserved tract during the dry season, when the forest is highly inflammable and the establishment that looks after it is withdrawn on account of fever. There is nothing to prevent the Chetties entering at other times, and in the dry season they can meet the Khaders,

who are at all times free to go where they please outside. Considering the restriction necessary and lawful, I would certainly maintain it.

4th May 1874.

(Signed) J. D. SIM.

No. 237E. MINUTE BY THE HON. W. ROBINSON, C.S.I.

I SUBMIT, with reference to the Hon. Mr. Sim's Minutes, that as regards the Agamallys (Malabar hills), portion of the tract under discussion, which I know well, having often traversed it and having negotiated the original lease in 1849, it in no way belongs to Government. The hold which the Government has over it is as lessee. But even had we acquired all the rights of the *jenmi*, I do not think that we should assert the right to foreclose the tract against traders, travellers, etc., or enforce the exclusive right of trading with its inhabitants; I think that the precedent would prove a dangerous example. Every *jenmi* in Malabar would follow this example, and we should have complications introduced over the province, and exclusive rights and privileges asserted by *jenmis* which the immemorial custom of the country does not recognize.

2. As regards that portion which is in the Coimbatore District—the Anamallays—I do not think that we can forestall the law now under consideration, and exclude the people of the country indiscriminately from great tracts of highlands to which they have had access from time immemorial, however convenient on purely forest grounds.

3. I entirely agree with the view taken by His Lordship of the commercial aspect of the matter, and do not believe that it is really for the permanent good of the people of the country to assert a monopoly as respects the trade of those hills other than the timber trade and what may be called royalties.

6th May 1874.

Signed W. ROBINSON.

No. 237F. MINUTE BY HIS EXCELLENCY THE GOVERNOR.

HAVING re-considered this subject with reference to the Hon. Mr. Sim's further Minute, I see no sufficient reason to alter my opinion. To close these vast tracts against a legitimate trade which is the only support of a poor and defenceless class, though it be not for the whole but only for half the year, I cannot think would be a desirable exercise of right, even supposing that we possessed it.

7th May 1874.

(Signed) HOBART.

No. 238. ORDER THEREON, 26th May 1874, No. 634.

Forests, No. 7.

THE Governor in Council has given full consideration to the grounds upon which the Collector of Coimbatore supports the restrictions placed on the entry of traders and others from the low country into the reserved forests on the Anamallays during the dry months of the year.

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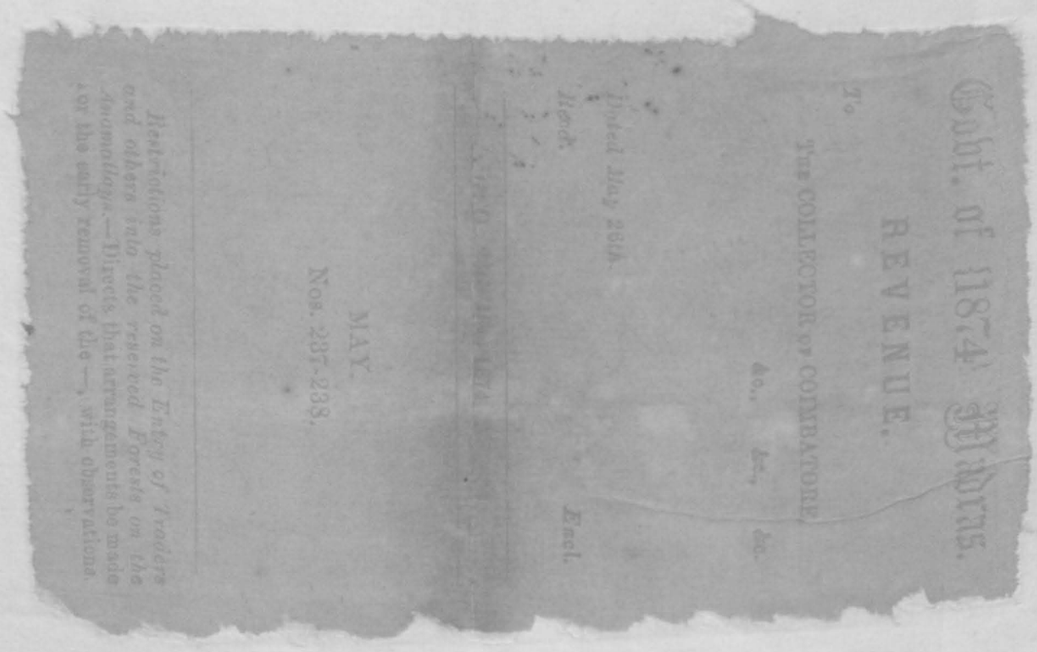
Proceedings of the Madras Government, Revenue Department,
26th May 1874.

2. His Excellency in Council fully recognizes that the action taken was prompted by a desire to secure the interests of Government by protecting these valuable forests from the destructive fires which were once so frequent, but considers that any interference with long existing rights of way is undesirable on grounds of public policy, and desires that arrangements may be made for the early removal of the restrictions that have been imposed.

3. It is observed that Mr. Wedderburn holds that these measures are not without advantage to the wild hill-men, to whose dealings with the traders he apparently takes objection. So far, however, from sharing in these views, His Excellency the Governor in Council would do much to encourage such dealings, as he believes it to be a mistake to attempt to force commercial operations of whatever kind out of their natural channel in the supposed interests of those who carry them on.

(Signed) C. G. MASTER,
Acting Secretary to Government.

Exd. F. R. Bantleman.



Govt. of India
REVENUE.

To

The COLLECTOR of COIMBA
&c., &c.

dated May 26th

Rec'd.

Encl.

MAY.
Nos. 237-238.

Restrictions placed on the Ent
and others into the reserved Fo
Anamallays.—Directs that arrangem
for the early removal of the —, with

Revenue Department.

Minute by the Hon. W. ROBINSON, C.S.I.

This correspondence discloses a questionable condition of things. I know this country well, and have been over every part of it, and first rented it for Government in 1849.

2. The so-called reserved forest is as I understand the matter, a great tract of hill table-land, within the Malabar District, and the property of a Malabar *jenmi*, from whom the right to fell certain timber is rented by the Government. The public have full right of access, and I conceive that the Government has no more right to require dealers or travellers to take out a license there than on the Nilgiri Hills.

3. The tract is peopled by numerous tribes of hillmen living in villages (*Paddis*), and is traversed by rights of way leading to these villages and into the Cochin hills and country beyond.

4. This unenclosed and inhabited tract cannot, I conceive be called an "enclosed forest" to which, even were there a law in that behalf, the forest Rules could be made applicable in the exclusive manner proposed.

5. It may perhaps be competent to the Forest Establishment to enclose well-defined portions of the tract, as sholahs are reserved on the Nilgiris, if thoroughfares, etc., are properly provided for, and the rights of the inhabitants protected. But the exclusion of the public—save under a system of license for which there s no law—must, I think, be forbidden.

4*th March* 1874. (Signed) W. ROBINSON.

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REVENUE DEPARTMENT.

MINUTE BY THE HON. J. D. SIM, C.S.I.

I HAVE again gone over these papers, and must say that the Collector's report is, to my apprehension, perfectly satisfactory in every respect.

2. The area of the Anamallays is 380 square miles; the portion reserved as an imperial forest is 75 square miles, of which 40 are the old Government Teak forest, and 35 the tract leased from the Numbidi.

3. The hill-tribes number 204 souls, of whom 108 are in the reserved portion. I submit, therefore, that this tract cannot be designated either vast or inhabited.

4. The tract has been, to all intents and purposes, a close forest for twenty-five years. I cannot agree with my Honourable Colleague that as regards the leased tract we leased no more than the right to fell certain timber; if this be the case, then the lessor can permit cultivation within the tract, rent out the pasturage, and so forth; but these rights he has never even claimed, and their exercise or existence would be fatal to forestry. The rest of the tract like the Anamallays generally is the property of the State.

5. The restriction on free entry into the reserved tract is absolutely necessary for the preservation of the forest from fire. Travellers are notoriously careless about the fires they make at their camping places, and for half the year the forest is as inflammable as a hay-stack. We are yearly put to considerable expense in clearing spaces round our stacks of wood, and only a few years ago a pile of timber, worth a lakh of rupees, was reduced to ashes by a fire caused by the carelessness of traders. Every year numbers of saplings are thus destroyed. It is, therefore, an absolute necessity to exclude people in the dry season, and the requirement of a pass, for which no payment has to be made, seems to me very proper.

6. As regards the hill-tribes, they are free to come and go as they please, and it is very desirable, as a means of reclaiming and civilizing them, that they should go to a common market outside the forest, where they will come into contact with others and obtain a fairer price for their produce, instead of being followed and hunted about by low-country traders who take advantage of their ignorance. As regards the Chetties, they can follow the ordinary course to recover their debts; they have only to take out summonses, and leave the police to serve them. The allegation in the newspaper article that these 200 wild men of the woods owe them Rs. 5,000 is doubtless false; but if true, it shows how much these unfortunate creatures, ignorant as children and fearful of our laws and jails, need protection. There are no public thoroughfares or rights of way; the tracts lead nowhere but to the forest, and travellers do not usually go over such hills when roads and railways are available.

7. I do not see how the existence or non-existence of a forest law affects the question. If the tract belongs to us, we do not need a law; if it does not, a law cannot justly make it ours; it can only legalize an injustice.

8. For these reasons I approve the Collector's arrangements.

12*th March* 1874. (Signed) J. D. SIM.

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REVENUE DEPARTMENT.

MINUTE BY HIS EXCELLENCY THE GOVERNOR.

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2. As regards the "Government Teak forest," whether we have a legal right or not I cannot say; but it seems clear that we can have no moral right to close it for half the year (for that is what has apparently been done) against traders, whose habit it is to seek the indigent hillmen in their own haunts and supply them, in return for jungle-produce which it is important to utilize and which could probably be utilized in no other manner (certainly in no other manner nearly so convenient), with what is, in fact, the means of subsistence. Mr. Wedderburn writes as if he had two objections to opening the traffic during the whole of the year: one the danger to the trees from fire; the other the objection what he has to the dealings of the hillmen with such "monopolists" as these traders at all. For my own part, so far from objecting to such dealings, I think we should do all in our power to encourage them. There can be no greater mistake than to force commercial operations, of whatever kind they may be, out of their natural channel in the supposed interest of those who carry them on; and in this case it is proposed to adopt measures, in the "interest" of a class of persons especially demanding our care and protection, which (for ought we know) may have the effect of preventing them from earning a livelihood at all.

3. I am, therefore, in favour of removing the restrictions which have been imposed.

(Signed) HOBART.

16*th March* 1874.

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REVENUE DEPARTMENT.

MINUTE BY THE HON. J. D. SIM, C.S.I.

I HAVE little to add to what I have said in my former Minute.

2. As regards the portion of the Anamallay forest leased from the Kolangode Numbidi, a reference to the lease itself will show that the deed conveys "the sole control, management, and enjoyment of the forest tracts." The only rights reserved are the customary rights of the hillmen to cut junglewood for their own use (and not for sale), and the Numbidi's jenm rights to Ivory, etc., and "stump fees" on nine descriptions of timber. Not a word is said of Coimbatore Chetties having any rights whatever.

3. As regards the general character of the dealings between astute Chetties and ignorant wild tribes, I am confident that every officer who knows anything of them practically will describe them as pitiless exaction on the one side and ignorant helpless submission on the other. I beg attention to the reports of Lieutenant Michael and Mr. Martin in 1859.

4. I may observe, however, that the restriction in force (which is all that we have to deal with) extends only to entry within the reserved tract during the dry season, when the forest is highly inflammable and the establishment that looks after it is withdrawn on account of fever. There is nothing to prevent the Chetties entering at other times, and in the dry season they can meet the Khaders, who are at all times free to go where they please outside. Considering the restriction necessary and lawful, I would certainly maintain it.

4th May 1874. (Signed) J. D. SIM.

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REVENUE DEPARTMENT.

MINUTE BY THE HON. W. ROBINSON, C.S.I.

I SUBMIT, with reference to the Hon. Mr. Sim's Minutes, that as regards the Agamallys (Malabar hills), portion of the tract under discussion, which I know well, having often traversed it and having negotiated the original lease in 1849, it in no way belongs to Government. The hold which the Government has over it is as lessee. But even had we acquired all the rights of the *jenmi*, I do not think that we should assert the right to foreclose the tract against traders, travellers, etc., or enforce the exclusive right of trading with its inhabitants; I think that the precedent would prove a dangerous example. Every *jenmi* in Malabar would follow this example, and we should have complications introduced over the province, and exclusive rights and privileges asserted by *jenmis* which the immemorial custom of the country does not recognize.

2. As regards that portion which is in the Coimbatore District—the Anamallays—I do not think that we can forestall the law now under consideration, and exclude the people of the country indiscriminately from great tracts of highlands to which they have had access from time immemorial, however convenient on purely forest grounds.

3. I entirely agree with the view taken by His Lordship of the commercial aspect of the matter, and do not believe that it is really for the permanent good of the people of the country to assert a monopoly as respects the trade of those hills other than the timber trade and what may be called royalties.

6*th May* 1874. Signed W. ROBINSON.

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REVENUE DEPARTMENT.

MINUTE BY HIS EXCELLENCY THE GOVERNOR.

HAVING re-considered this subject with reference to the Hon. Mr. Sim's further Minute, I see no sufficient reason to alter my opinion. To close these vast tracts against a legitimate trade which is the only support of a poor and defenceless class, though it be not for the whole but only for half the year, I cannot think would be a desirable exercise of right, even supposing that we possessed it.

7th May 1874.

(Signed) HOBART.

Coimbatore Collector's
Office 25th February 1874.

No 24 57/621

From,

A. Wedderburn Esqre.,
Collector of Coimbatore.

To,

The Chief Secretary to
Government, Madras.

Sir,

I have the honor to reply to Proceedings
Madras Government Pr. D. 11th February 1874
No. 185, in which I am directed to enquire
and report on an alleged oppression of
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contained in a communication, printed in
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the exclusion of merchants from the reserved

forest caused an unnecessary injury to them and the forest tribes.

3. Government direct that the "general principle to be observed in any direct trade with the wild jungle tribes (by forest officers)" is laid down in Proceedings R.D. 1st. March 1873. No. 240.

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5. Government have not, as yet, by any published order, proclaimed that the above Teak, is a reserved forest; but in all the correspondence since the forest was taken under Govt. conservancy, in 1848/49, this forest is alluded to as "reserved". It has been known as such for more than a quarter of a century.

6. Previous to 1854, the right to collect jungle produce, was made the subject of revenue. certain merchants purchased the monopoly of dealing with the tribes, who furnished the products. 59/634

7. In consequence of a representation from the then forest officer, Captain Michael, that the merchants grievously oppressed their constituents, the Hill tribes, in forcibly causing them to collect the produce, in all weathers, at insufficient remuneration, viz., Govt. declared the Hill tribes to have a right to sell their produce to all, or any, purchasers, thus closing the former monopoly of the trade.

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ever be cleared off.

9. It may here be remarked that there
is no question about "direct trade by Forest
officers, on the part of Government, with the
tribes", no such trade exists - the question is
solely about the unrestricted right of entry
and passage of merchants through the reserved
forest, upto these tribal hamlets.

10. The merchants, whose interest it is
to keep up a monopoly of dealing with the
tribes, must to have an unrestricted passage,
at all seasons, without the formality of
a pass.

11. I believe it is admitted that there should
be such formality - for without it - the forest
becomes no longer a conserved, though it be
a reserved, forest - and it is vain to reserve
trees from the axe, unless they be preserved
from fire.

61
624

12. I believe also that a stack yard is
not a more dangerous place to light a fire
in, than the Anamallay forest, for nearly
half the year. The dryness of the forest may be
estimated by the fact that cattle cannot be
grazed in it during the hot months, from
the total absence of water.

13. Seeing that these conditions exist it
would appear necessary that the Forest Officer,
responsible for the protection of the forest, should
take precautions against the danger of fire -,
and the discretion as to the time of granting
passes, should rest with him.

14. From June till November, the luxuriant
forest will scarcely burn; - after that and
until the rains, it is like tinder - The parties
carrying arrack and other articles to the
indolent and alleged indebted Kaders -

the bivouack in the forest, light their evening
the fires, and are careless as to extinguishing them;
fr as on instance, the forest officer's hut was burned
ho down; trees are scorched, if not consumed.
the Mr. Douglas "frequently found the smouldering
eve embers of a fire within a timber depot". The
9. forest, for operations is necessarily closed; and
is the establishment withdrawn. I need not
off enlarge on the necessity of rules, and passes
tra for ingress at such seasons, any more than
sol on boardships, and in a stable yard, or
an combustible manufactory. The carelessness of
for ignorant persons with fire is proverbial.
10. 15. I am not aware that the complaint
to now reported on originates with the traders.
tra they are illiterate, and even if otherwise, would
at not call the attention of Government to their
a being in a hopeless state of debt, as is repre-
11. sented by the figure of Rs. 5,000. I doubt if
he they would acknowledge to as many annas
hec

Mr. Douglas writes that the traders absolutely repudiate such or any debt, on their part, and some of them take their own goods to market.

62 / 624

16. However that may be, their best chance of extrication from such a burden of debt would be, in their taking their produce to the outside of the forest; it is not the interest of the monopolist traders that they should do so. the labour of carrying in their hill creels, the produce they have collected for, and wide, at the most, a day's journey down hill, to the forest entrance, would not be great. and thus a supervision over fires, could be insured, at the time that forest operations are closed. a market there would be more readily attended by other traders, and a better price obtained for the produce.

17. I must also remark on the greatness of the alleged debt against these paupers

hill

hill tribes - which, if true, would show that no steps have ever been taken to reduce it - and lead equally to the inference, that no steps will ever be so taken - so long as this virtual monopoly continues —

18. As regards the operation of the rule of passes for entry into the Forest. Mr. Douglas writes to me under date 16th December 1873:—

"(2) In the first place, I am, I think, "warranted in stating that the Kaders are "satisfied with the order complained of by "the merchants - I have been at some pains "to alleviate any anxiety which might have "arisen among the tribe, in consequence of "misrepresentation by interested parties regard- "-ing their rights to produce. They are now "thoroughly assured that these will be respected, "that they are free to come and go as they "please - to deal with whomsoever they choose,

and

65 295
62 4

"and that in fact, they and Govt. are, as it "were, co-proprietors of the Forests; no one else "having any business whatever therein." He further states, "It has lately come to my "knowledge that to about 130 Kaders, there are "15 or 20 dealers - each man seems to have his "particular batch of Kaders, and regards "them as his own property, doing his best to "convince them that they are so".

19. The crux of the matter is, that the complaint under report, is the merchants', and not the Kaders' complaint; that the means of recovering the alleged debt due by the Kaders, are to be sought by civil process, and not by unrestricted entry into the forest; that the sole object of the complaint, is to continue what must be a profitable monopoly of the produce; that the real interest of the Kader is to take his produce, undeterred by the creditor-chetty, into open market; that the allegation of advance of

Rs. 5,000 is a fiction, for what could the Kaders do with money in the forest; that the prevalent system of dealing was one of truck, or barter, the Kaders getting the worst of the bargain, as all weaker or more ignorant persons experience; and, that the Deputy Conservator should be allowed to exercise his discretion, as to passes.

I have the honor to be,
Sir,
Your most obedt. Servant,

A Mackintosh
Collector.

21/
1874

Minute.

This Correspondence
relates to the
claims and
and appearance
of Thingo Shwe the
Governor
Lecturer
of Kyaikto
for
his services in 1849.

He is Called
Ex-Wundauk
of Martaban
Provincial
Governor
of the Religious
within the
District and the
Province of Martaban
from which
the Petition claim
Lineage is
Shwegyoung
Kyaikto

Ego 1 March/73 Nos 1-2
- 11 February/74 - 85.

Revenue 1874 Septer
No 668.

From,

The Collector of Coimbatore

To,

The Chief Secretary to
Govt Madras.

Dated 25 February 1874
Rec? 27.

No 24

Reporting on an alleged
oppression of certain Hill
Tribes in the Anamallays
provided in the "Arabian Public
opinion" of 4/2/74 -

Wills Aber

The Government are of opinion
that the explanation submitted
in the foregoing letter is satisfac-
tory and that no change
is necessary in the system
of passes.

The establishment of
a market in a convenient
locality is a very desirable
measure and shd be under-
taken as soon as possible

Seen minute
2/4/3.

& minute Sec.

Ego
2/2/74

237

Rec? 22.
Rec 2 May/74 Rec Regt
Ego 4 March/74 R 17.

the Conduct of the Forest Officers as reported is utterly unjustifiable. - the Forest Laws could be made applicable in the exclusive manner now being done in a lawless manner; and I consider that the operations of the Forest Officers as reported in this Correspondence are oppressive & illegal and quite unjustifiable

It may perhaps be competent to the Forest Establishment to enclose well defined portions of the tract - as Sholahs are reserved in the Neilgherries - if thoroughfares be are properly provided for and the rights of the inhabitants properly protected

are full access and easement but has no more right to require dealers & travellers to take out a license there than on the Neilgherry Hills.

The great tract is peopled by numerous tribes of Hill-men living in Villages (Pedda and is traversed by public pathes & rights of way leading to these Villages and into the Coolie Hills & country beyond &c &c

The vast unenclosed and inhabited tract is in no sense wholesome & never can become an "enclosed forest" to which there were there land (without which

protected, but the
exclusion of the
public - save under
a system of licenses
for which there is no
law - must be
exemptions forbidden

4/3

N° 1839.

Revenue 1876 Dept.

Memde by the Hon:
W. Robinson C.S.I.

dated 21 March
rec'd 28 June } 1876

Annamallay Forests.

Ld 28 May/74 No 634

237 C.

Memo

I have again gone over these papers and must say that the Collr's report is a very able & satisfactory one in every respect.

2 The area of the Annamallays is 380 square miles - the portion reserved as an Imperial Forest is 75 square miles - of which 40 are the old pt. Teak Forest - 35 the tract leased from the Nawab.

3 The hill Tribes number 204 souls

of whom 10 A are in the
reserved tenure. ✓ which
therefore that the tract cannot
be designated either rent or
inhabited -

The tract has been
able in ten to 4 hundred & eleven
least for 25 years - I cannot give
his by how the allegation that
as he finds the leased tract he
leased no more than the 40
to fell certain timber - if this
be the case then the lessor can

permit & will alter in the 29 62 41
tract - rent or the better use of
to for th - but these rights be how
ever clear - and there
to exercise or to is evidence would be
fatal to forestry - The test of
the tract like the Amman alleg.
generally is the fertility of the
State - #

The restriction on free entry
into the reserve tract is
absolutely necessary for the
preservation of the forest from
fire - Travellers are notoriously

carcass of what the fires they make
at their camping places - and
for build the you the Fuel is
an inflammable as a hay-stack.
We are yearly but by encroachments
Extending in clearing them round
our stacks - and only a few years ago
a fire of timber with a loss of
upwards one hundred & sixty horses &
a fire caused by the Carcass-
-es of trees. Every one knows how
of scaffolding are thus destroyed.
It is therefore an absolute necessity
to exclude herbs in the Dry-

-season - and the experiment
of a pass - for which no charge
must now to be made - seems
to me very wise.
As it parts the hills on each side
are free to come up as they
please - and it is very desirable
as a means of reclaiming &
civilising them that they should
go to a common market out
side the fence - where
they will come into contact with

Messrs & Mann a fair price
for their produce - instead of
being followed & hunted about by
low-country traders who take ad
vantage of their ignorance.
As regards the Chiefs - they can
follow the ordinary course to recover
their debts - they have only to take
out summonses & the police to
execute them - The alley a lies
in the news - paper article that
there 200 wild men of the woods near
Newcastle 5000 is not true - not

if true, it shows how much the Chiefs
are to be at our times - if we want
as children and fear full of harm
& jail - need the protection - There are
no public thoroughfares or by the
of way - It teaches travellers
but the Priest - and travellers
do not walk per foot
Hills when roads and railways
are available -

I do not see how the existence
or non - existence of a Great Law
affects the question of fact
whether there is any - If there is to

as he do not need a Lawn - if it
does not, as I am sure it will
make it dear - it can only
be like a mere fiction

For the reasons I advance
the Calves arrangement

L. D. Judd

12 3. 74

No. 1840

Revenue 1876 Dept.

Memo. by the Hon:
Lt D. Sim. C.S.I.

dated 12 March
& 8 June 1876

Annamallay Forests.

GO 26 May 1876 No 634

2372.

Annamallay Forest Tracts

57
634

49

It appears from the statement of
lands & Revenue, herein, that the
Forest tracts in question occupy 75
square miles, of which about half
only is a "first class Forest" - the
rest being a Tract in which the
Govt has reserved the right to cut
timber - As regards this last mentioned
Tract, it would seem that to exclude
from it Traders with the hill-tribes for
half the year would be an illegal act
in respect: and no recommendation

39/631.

and restoring them to return [illegible]
produce which is not [illegible] probably
to relieve, and which could [illegible]
be attained in no other manner - (certainly
in no other manner nearly so economical) -
with what is in fact the means of
subsistence - Mr. Wedderburn writes
as if he had two or three lectures to address
the trustees during the whole of the year,
one [illegible] to the Tweed pro-
prietors, the other to the dealers of the hill-men
not such "monopolists" as these
traders at all. For my own part, so far

I danger to the trees from the fires
(as it appears from)
which the traders light can be held
to justify such a course.

As regards the "Jed Flesh Forest" -
whether we have a legal right
I cannot say - but it seems clear
that we have no moral
right - to clear it for half the
year (for that is what has apparently
been done) against traders whose
habit it is to seek the independent
hill-men in their own [illegible] haunts

pair of spectacles to such dealers. I think
we should do all in our power to encourage
them. There can be no greater mistake
than to force commercial operations, &
whatever kind they may be, out of their
natural channel, in the supposed
interest of them who carry them on: and
in this case the wise person to adopt
measures, in the interest of a class of
persons especially demanding our care
& protection, which may (for aught
we know) may have the true effect of
preventing them from earning a livelihood
at all.

I am thankful in favor of receiving the
petitions which have been imposed.

Robert Maudsley

No. 1841

Revenue 1874 Dep.t

3

Minute by H. E. the Governor.

dated March 16
acc. & June } 1874.

Annuaire allay Forests.

GG 26 May/74 No 634

237 C.

163/634

Minute.

I have little to add to what I have said in my former Minute.

As regards the future the Annuaire allay Forests cannot be separated from the Kalangoda Division - a reference to the Map itself will show that the deed conveys "the sole entire management & enjoyment of the Forests Tracts"

with in the allowed tract dry
& dry season - when the forest
is highly inflammable & the
establishment lost looks alive
it is with draw - There is nothing
to prevent the Cattle entering
at other than times - and in the
dry season they can injure the
Reserve - who are at all times
free to go where they please outside -
In declaring the restriction necessary
I have felt I could certainly
maintain it.

L. D. Lim 4/5

49
63H

I submit with the reference to the Honorable Mr Sim's minutes – that as regards the Agamalloya (Melabar Hills) portion of the tract under discussion – which I know well having often traversed it and having negociated the original lease in 1849 – it is in no way belonging to Government. The only hold the Government has over it is as lessee of certain products – teak timber alone I believe – and that has we acquired all the rights of the Jemmi, we should not thereby acquire the

No. 1842.
Revenue 1876 Dept.
Annexed to the Hon.
J. D. Sim. C.S.I.
dated 6 May
Rec. 8 June

Annamallay Rec 6.

GB-26 May 1876 34

237 B.

the right to foreclose the trust against traders travellers &c. or assert the exclusive right of trading with its inhabitants. I can conceive no more dangerous precedent than that Government should assert a right to do so. Every person in Malabar would follow this example and we should have most serious complications introduced over the whole province - and exclusive rights and privileges asserted by persons which the immemorial customs of the Country in no way recognizes.

As regards that portion which is in the Coimbatore District - the Anamallys - I do not think that we can

5/
63

forestall the Land - now under consideration and exclude the people of the Country indiscriminately from great tracts of Highlands to which they have had access from time immemorial however convenient or purely forest grounds.

I entirely agree with the view taken by His Lordship of the Commercial aspect of the matter - and do not believe that it is really for the permanent good of the people of the Country to assert a monopoly as respects the trade of those Hills other than the timber trade and what may be called Royalties.

Sir W Robinson

No. 1843

Revenue 1874 Dep't.

Minute by the
Hon. W. Robinson. C.J.

Dated 6 May
Rec'd. 8 June } 1874

Commanding Fonts.

GO 26 May/74 No 634

237 A

65

53
634

Having considered the request with
reference to the Brd. de Saints petition
dated, I see no reason
to alter my opinion. To close these
vast tracts against legitimate trade
which is the necessity of a poor
and defenceless class; though
it be not for the whole benefit
on behalf the poor, I cannot find
would be a desirable increase of our
right, even supposing that we
suspected it.

Robert
May 7/74.

No. 1844

Revenue 1874 Depth.

Minute by H. E. the Governor.

dated 7 May
Rec. 8 June. 1874.

Amamallay Trusts.

GO 26 May 74 No 634

237 St

77/624

No. 634

Revenue Department.

PROCEEDINGS of th MADRAS GOVERNMENT.

Under date the 26th May 1874.

READ the following Letter from the Collector of Coimbatore

Regarding the Kader and Malasar tribes who inhabit the Anamallai Forests

H. E. 25. Feb: 1874 No. 24

Minute by Hon: Mr. Robinson. C.S.I. — H.E. 4: March 1874
" - by Hon: J.D. Sim C.S.I. — " 12 — "
" - by H.E. the Governor — " 16 — "
" - by Hon: J.D. Sim. C.S.I. — " 4: May —
" - by Hon: W. Robinson C.S.I. — " 6: " —
" - by H.E. the Governor — " 7: " —

I Sim
See my minute
Sec
19.5

The Government have given full consideration to the grounds upon which the Collector of Coimbatore supports the restrictions placed on the entry of traders and others from the low country into the reserved Forests on the Amamallays during the dry months of the year.

2. They quite recognize that the action taken was

precipitated

prompted by a desire to secure the
interests of Govt by protecting the
valuable forests from the destructive
fires which were now so frequent,
but they consider that any interference
with long existing rights of way &
watercourses on grounds of fund
and desire that arrangements may be
made for the removal of the restrictions
that have been imposed.

3 They notice that Sir
Wedderburn holds these measures
not to be without advantage to
wild hill men, to whose dealings
with the traders he apparently takes
objection. So far, however, from
sharing in these views, His Excellency
the Governor in Council would do much
to encourage such dealings, as he
believes it to be a mistake to attempt
to force commercial operations, of
whatever kind they be, out of their
natural channels, in the supposed
interests

71
who carry them

79/631

The Collector of Coimbatore
& Board of Revenue
& Inspector of Forests

Ry Letter
1874

79/631

(80)

Note

1 It is submitted (1) that the restrictions that have been imposed are not extended over the wide area that has been supposed & (2) that their conception is not a novel one.

2 As to (1st) it is observed that in para 4 of his letter Mr Wedderburn limits it to the Reserved Teak and Rosewood Forest of Toonicadavoo.

Toonicadavoo is the head quarters of the Forest Officer. It is about 7 or 8 miles from the foot of the Hills, and is reached by a rough cart-ghaut, and cart-road made a few years ago by the Forest Officer to bring down timber. Previously there was only a track or Forest bridle path and a rude timber slip. Toonicadavoo is not a native village

Village. No Kaders now live at or near it but the traders from the low country finding it easy of access choose it as their halting place.

3. As to the 2d. point it is to be noticed that prior to 1864 all and any traders were not allowed to enter the Forest. The privilege of dealing with the Kaders was a monopoly farmed out by Government. Col: Meeham wrote an interesting account of the Kaders at this stage of their history and it was mainly through his representations as to the state of virtual slavery to which these people were reduced, that the monopoly was abandoned and nominal free trade allowed. This it is not desired to check but simply to regulate. It has been shown that such regulation

+ put up.

is

o See plate 5. page 108 Logan's Travels of S. India.

is not a new idea and it is submitted to be absolutely necessary to the conservation of the Forest.

4 The mischief that these parties of traders have done in a series of years has been incalculable. Year after year have fires been let out through their carelessness. The Forest Officers rustic bungalow has not once only been burnt down but many times. The young teak saplings have been destroyed, the older trees seriously damaged, and immense loss been caused to Government by the destruction of felled timber.

5. There remains the question whether cultivators entry though injurious to the forest should still be allowed in the interests

interests of the Traders.

In 59 after the abolition of the monopoly one who knew the Traders well wrote as follows: "A measure of honey equivalent" to 4 quart bottles is sold by the" Traders to the Bazarmen for" 4 Annas - or less by 28 times " their market value. A measure" of Cardamums for 4 Annas" which is sold in the low lands" for Rs 1-9-7.

"The rate at which the Traders" are supplied with rice of the " coarsest kind in exchange being " from 4 to 6 measures per Rupee." I have merely stated these facts " to enable you to perceive how " lucrative and desirable must " be the trade to these merchants" with the above data, and how," advantage is taken of the ignorance" and want of the Traders to extract" out as it were from them the " hard earned, perilous and " valuable"

See Lt. Martin's Report put up with Bn. Ofc. para 7.

para 6 of G.O. 9th May 59 No 838.

valuable products of these Hills.

73/631 On this the Government rightly remarked that the contraders "derive no small profit from the exchange".

6. The Acting Under Secretary once spent a week amongst these Hill-people, and he well remembers asking them (as in scanty Cotton cloths they sat shivering in the rain and wind) why they had no Cumblies, and receiving for answer "the chetties did not allow them". Enquiry showed that the Chetties always made out that these people were in their debt, and that they could therefore give them nothing more than they were in the habit of giving!!!

7. ⊕ "The hill-men are so simple-" minded, that dealing with them" is very profitable to the acute low-" lander, who will pay large bribes" to any person whose influence can

secure

⊕ Annals of Rural Bengal Pg. 218-14.

secure for him a footing among them - Under the protection of the village head, a Hindu Shop Keeper or usurer sometimes finds his way into the Santals' retreats; and from that day, honesty, peace, and prosperity depart from the hamlet."

The truth of these remarks as regards the Santal has been fully recognized by the Govt of Bengal and it is submitted that they are not inapplicable to the present case.

8. The Hader must meet the trader but it is not necessary that the latter should enter the forest or the Hader village. The two parties can meet in a selected spot on the outskirts of the Forest as originally proposed in the draft order. This will do the fair dealer no harm and will be a gain to the Haders for more buyers will come to such a market.

9. Besides these few traders no

no others at the present time enter that portion of the Forest now under reference.

Parties of travellers making their way across it to the West Coast are it is believed now quite unknown. Such use of the Forest tracks seems to have ceased with the tobacco smuggler who formerly found in it their unfrequented & state full protection for his & illicit occupation.

Yule

† See Capt. Colton's Journal of his expedition across from the West in 47.

80.

(80) / 638