

(1) Number of Pages

(801)

(2) Date of repair

6. 2. 66, 7<sup>th</sup> x

(3) Initials of the Referencer

**MADRAS RECORD OFFICE****GOVERNMENT OF MADRAS***Revenue***DEPARTMENT****G.O. No.**

634

**Press****B.P. No.**

1219 237-38

**Mis-****Dated**

26. 2. 1974 1962.

*Not to be folded or roughly handled*

162/1      163/1

---

*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.

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

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,

*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.

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

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 also; 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.

12th 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

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

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.

16th 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 Kolangodo 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,

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

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 Agamallays (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 *jemmi*, 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 *jemmi* in Malabar would follow this example, and we should have complications introduced over the province, and exclusive rights and privileges asserted by *jennies* 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. 631.

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.

*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.

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.

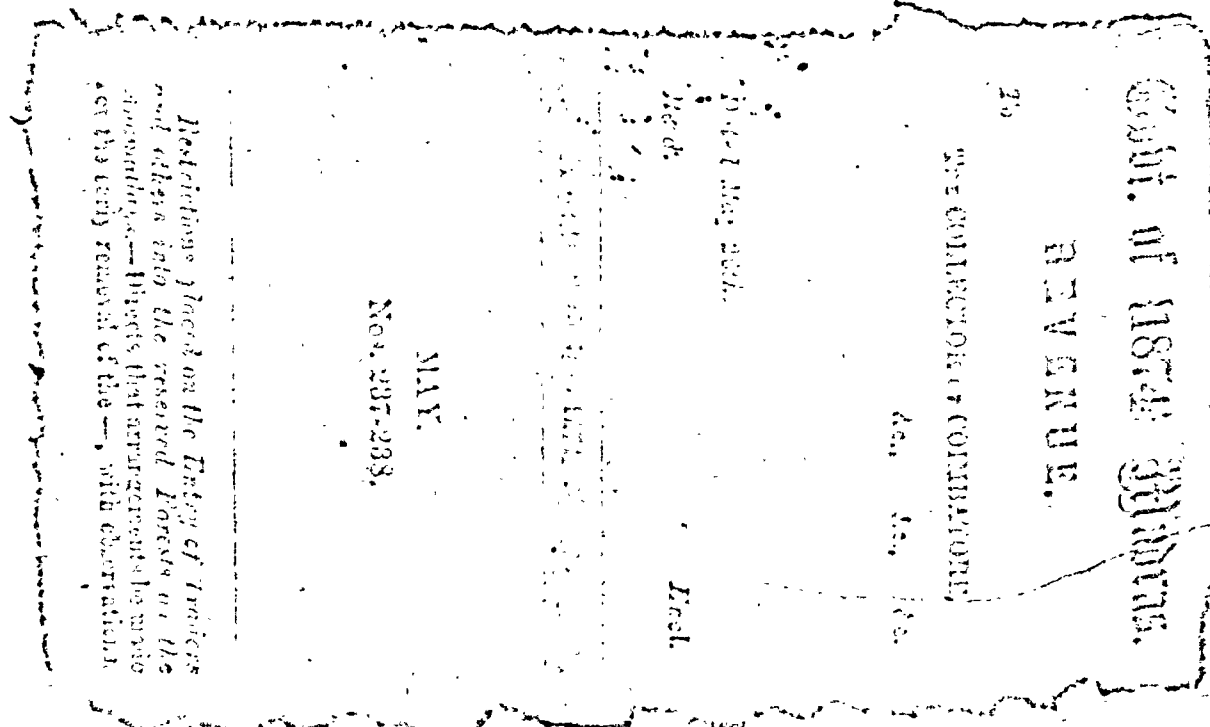
3. The tract is peopled by numerous tribes of hillmen living in villages (*Paddis*), and is traversed by rights of way leading to these villages and into the Cochin hills and country beyond.

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 is no law—must, I think, be forbidden.

4th March 1874.

(Signed) W. ROBINSON.



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.

12th March 1874.

(Signed) J. D. SIM.

19  
624  
B

REVENUE DEPARTMENT.

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.

16th March 1874.

15  
X  
624  
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 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.

17  
6210  
17  
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.

6th May 1874.

Signed W. ROBINSON.

21 / 19  
19  
634

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.

No 24  
Koon,

57  
6211

21 /  
Coimbatore Collection  
Office 25 February 1874

A. Wedderburn Esq.,

Collector of Coimbatore.

To,

The Chief Secretary to  
Government, Madras.

Sir,

I have the honor to reply to Proceedings  
Madras Government P. D. 11<sup>th</sup> February 1874  
No. 185, in which I am directed to enquire  
and report on an alleged oppression of  
certain Hill tribes on the Annamalai Hills,  
contained in a communication, printed in  
"Native Public Opinion" of the 4<sup>th</sup> 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. 5000 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 B.D. 1<sup>st</sup> 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 Tanacataroo.

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

23 2  
monopoly of dealing with the tribes, who furnished the products. 59/6 1/2

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.

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

the reserved forest - and whatever the transactions  
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  
it 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 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 reserved, though it be

25 3  
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 stock yard is  
not a more dangerous place to light a fire  
in, than the Namallay 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 traders -

the bivouack in the forest, light their evening  
the fires, and are careless as to extinguishing them;  
for as an instance, the forest officer's hut was burned  
had down, trees are scorched, if not consumed.

the Mr. Douglas frequently found these maulstering  
emblems of a fire within a timber depot. The  
9. forest, for operations is necessarily closed, and  
is the establishment withal. I need not  
off enlarge on the necessity of rules, and fences  
for ingress at such seasons. any more than  
not on board ships, or not 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.  
but they are illiterate. and even if otherwise, would  
at not call the attention of Government to their  
being in a hopeless state of debt, as is repre-  
11. -sented by the figure of Rs. 5,000. I doubt if  
they would acknowledge so many annas.

27 4  
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  
62 11  
16. However that may be, their least  
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

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 16<sup>th</sup> December  
1873:-

"(2) In the first place, Sir, I think,  
warranted in stating that the traders 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 29 5  
62 4  
"and that in fact, they and Gout 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 traders, there are  
"15 or 20 dealers. each man seems to have his  
"particular batch of traders, and regards  
"them as his own property, doing his 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 traders' complaint; that the  
means of recovering the alleged debt due by  
the traders, 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 trader is to take his produce,  
undeterred by the creditor-chief, into open  
market; that the allegation of advance of

Rs. 5000 is a fiction, for what could the Raders  
do with money in the forest; that the pre-  
valent system of dealing was one of trucks,  
or barter, the Raders 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,

M. K. K. K.

Collector.

21/6316

Minute

This Correspondence  
discloses an illegal  
and oppressive condition  
of things. I know this  
Country well and have  
been over every part  
of it & first rented  
it for Government in 1849.

The so-called reserved  
forest is a great tract  
of hill table land  
- probably one-quarter  
to one-half the area  
of the Nilgerry Hills -  
within the Malabar  
District and the  
property of a Malabar  
Jummi, from whom  
the right to fell certain  
timber is rented by the  
Government. The  
public

20 March 1874 No. 1-2  
11 February 1874 - 85.

Perman 1874 Sept 20  
No. 668.

To  
The Collector of Malabar

To  
The Chief Secretary to  
Govt. Malabar.

Recd 25 February 1874  
No. 29.

No 24  
No 26 May 1874 634  
Referring to an alleged  
violation of the  
provisions of the  
Forest Act of 1864  
in the "Malabar  
District" of 1874 -

No 23  
No 22 May 1874 734  
No 21 May 1874 17  
No 20 May 1874  
No 19 May 1874

The Government are of opinion  
that the collection of  
in the Government  
factory and that no change  
is necessary in the system  
of work.

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

See my Minute  
2/4/73. No 2

At Mysore 1874

2/12/74

are full  
access and  
exhaust has  
no more right to require  
dealers or travellers  
to take out a license  
there than on the  
Kilgerry Hills.

The great tract  
is peopled by numerous  
tribes of Hill-<sup>Tribes</sup>  
living in villages (Paddi  
and is traversed  
by public paths & rights  
of way leading to these  
villages and into the  
Cochin Hills country  
beyond &c &c

The vast unenclosed  
and inhabited tract  
is in no sense whatever  
& never can become  
an "Enclosed forest" to  
which there were these  
laws (without which)

23  
621

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 his 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 Sholas are  
reserved on the  
Kilgerry - if  
thoroughfares &c are  
properly provided for  
and the rights of the  
inhabitants properly  
protected

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

4/3 ~~J. P. [unclear]~~  
 M. L.

237

of whom 100 are in the  
reserved portion. I submit  
therefore that the tract cannot  
be designated as the tract of  
uninhabited.

The tract has been to  
all intents & purposes a closed  
tract for 25 years. I cannot agree  
with you that the challenge that  
was brought the leased tract be  
considered as having the right to  
be filled with timber. If the  
land is closed then the lessor cannot

29  
permit collection of the <sup>the</sup> <sup>the</sup>  
tract - next to the pasture age of  
to for the tract there is let he has  
been claimed - and  
to exercise it is ten or twelve  
fatal to the tract -  
the tract like the American  
generally is the property of the  
State -

The restriction on free entry  
into the leased tract is  
absolutely necessary for the  
preservation of the tract from  
fire. The wills are not only



them & train a finer breed  
 for their produce. instead of  
 being followed & hunted about by  
 low country trowsers who take ad-  
 vantage of their ignorance.  
 As regards the others - they can  
 follow the ordinary course to secure  
 their debts - they have only to take  
 out search warrants & the police  
 assist them - The only a law  
 in the laws - paper article that  
 these 200 rich men of the world are  
 worth 5000 is quite false - not

if true it shows how much the  
unfortunate are at times - if want  
as children and few fil. of land  
I feel - need protection - I have and  
no public ~~the~~ thing price was by the  
of way - the time the leader has alone  
but the first - and distressed  
Is not a small place nor best  
Hills where roads and railways  
are available.

The Quarter

are available. -  
I do not see how the question  
or non-existence of a great law  
appears the question of ~~the existence~~  
fact  
into the world - If the law is to



1840  
Revenue 1876 Dept.

Minute by the Hon.  
P.D. Am. G.S.

dated 12 March 1876  
and 8 June 3

Cinnamulla Forest.

Q 26 May/74 No. 634

2372

Present.  
Cinnamulla Forest Tracts 57  
624

It appears from the statement of  
the following, to be, 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 leased the right to cut  
timber. As regards this last mentioned  
tract, it <sup>was</sup> ~~is~~ <sup>seems</sup> that to exclude  
from it traders with the hill-tribes for  
half the year <sup>might be</sup> as illegal and  
is unjust and no consideration

L. S. A.

of danger to the trees from the fire  
which the traders ought <sup>(as it appears now)</sup> to be held  
to justify such a course.

As regards the "First Peak Forest" -  
whether we have a legal right  
I cannot say - but it seems clear  
that we have no moral  
right; - to close it for half the  
year (for that is what has apparently  
been done) against trappers where  
what it is to seek the redoubt  
kill-men in their own best haunts.

51.

~~39~~  
6211

and supply them ~~in~~ return for perfect  
produce which it is ~~not~~ <sup>most</sup> important  
to obtain, and which could ~~very~~ probably  
be obtained in no other manner - (certainly  
in no other manner <sup>in</sup> so <sup>an</sup> <sup>unusual</sup> -  
with what is in fact the means of  
subsistence - Mr. Wedderburn writes  
as if he had two objections to offering  
the trustee during <sup>the</sup> ~~the~~ <sup>style</sup> of the year,  
one that the danger to the trees from  
fire, the other the objection which he  
has to the dealings of the bill-men  
with such "monopolists" as these  
traders at all. For our part, so far

I am objecting to such dealings. I think  
 we should do all in our power to encourage  
 them. There can be no peace, no restoration  
 of free commercial operations, of  
 whatever kind they may be, out of their  
 natural channel, in the supposed  
 interest of them who carry them on; and  
 in this case we are prepared to adopt  
 measures, in the interest of a class of  
 persons especially deserving our care  
 & protection, which may <sup>be</sup> ~~be~~ <sup>accepted</sup> ~~accepted~~  
 in kind) may have the ~~same~~ effect of  
 preventing them from carrying a livelihood  
 at all.  
 I am therefore in favor of removing the  
 restrictions which have been imposed.  
 Robert Marshall

N. 1841  
Revenue 1874 Deft.

Minute by H. E. the  
Governor.

dated March 16;  
recd. 8 June } 1874.

Amamallay Tracts.

26 May/74 No 634

237C

55  
122  
5631  
Minute  
I have little to add to  
what I have said in my  
former Minute.

As regards the future of  
the Amamallay Tracts  
leased from the Khamti  
Numbi - a reference to  
the lease itself will show  
that the dead company - "the"  
sole control, management  
& enjoyment of the Tracts

with in the U.S. Forest tract. Dry  
the dry season - when the forest  
is highly inflammable & the  
situation is imminent but looks after  
it is with a view - There is nothing  
to prevent the Chatter entering  
at other times - and in the  
dry season they can visit the  
Khadias - who are at all times  
free to go where they please <sup>outside</sup> - Can  
be during the restriction necessary  
I have felt I would certainly  
maintain it.

L. D. S. 4/5

N. 1842.  
Revenue 1896 Dept  
Minute by the Hon.  
J. D. Ann. C.S.I.

dated 4 May  
rev. 8 June

Annamallay, Pres G.

GD-26 May 1946 34

237 B.

1900  
634  
I submit in the  
reference to the Honorable  
Mr. Sini's minutes - that  
as regards the Agamallay  
(Nicholas Hill) portion  
of the tract under  
discussion - which I  
know well, having often  
traversed it and  
having negotiated in  
the original lease in 1849 -  
that it in no way belongs  
to Government. The only  
hold the Government  
has over it is as lessee  
of certain products - teak  
timber alone I believe -  
and that had we  
acquired all the rights  
of the firm, we should  
not thereby acquire the

the right to foreclose  
the trust against traders  
travellers &c. or to assert  
the exclusive right of  
trading with its  
inhabitants. I can  
conceive no more  
dangerous precedent  
than that governments  
should assert a right  
to do so. Every principle  
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  
princes which the  
immemorial custom  
of the country in no way  
recognizes.

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

51  
621

<sup>63</sup>  
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.

I entirely agree with  
the view taken by His  
Lordship of the Commercial  
Aspect of the matter.  
- and do not however  
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.

W. W. W. W.

N<sup>o</sup> 1843

Revenue 1874 Def<sup>t</sup>

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

Dated 6 May  
recd. 8 June } 1874

Ammamallay Forests.

20 26 May/74 No 634

237A

65

65

53  
624

Having reconsidered the report with  
reference to the Trade. In this particular  
Minute, I see no sufficient reason  
to alter my opinion. To close the  
port to legitimate trade  
which is the <sup>only</sup> support of a poor  
and defenceless class, ~~even though~~  
it be not for the whole ~~is~~ but  
nearly the price, I cannot think  
would be a desirable exercise of  
rights, even supposing that we  
proposed it.

Robert

May 7/74.

N<sup>o</sup> 184  
 Revenue 1874 Dep<sup>t</sup>  
 Memo by H. E. the  
 Governor.

dated 7 May  
 rec<sup>d</sup> 18 June. } 176.

Amamallay Forests.

GO 26 May 174 No 634

237 F

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 26<sup>th</sup> May 1874.

Read the following letter from the  
 Collector of Coimbatore

Regarding the Kader and Ambly  
 tribes who inhabit the Amamallay  
 Forests

H. E. 25 Feb: 1874 N. 24

Memo by Hon: Fr. Robinson C.S. J.  
 - " - by Hon: J. D. S. C.S. J.  
 - " - by H. E. the Governor  
 - " - by Hon: J. D. S. C.S. J.  
 - " - by Hon: W. Robinson C.S. J.  
 - " - by H. E. the Governor

H. E. 4 March 1874  
 12 -  
 16 -  
 4 May -  
 6 -  
 7 -

See new  
 Dec 19. 5

2575

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  
 prompted

prompted by a desire to secure the  
interests of G.O. by protecting the  
valuable forests from the destructive  
fires which were once so frequent,  
but they consider that any interference  
with long existing rights of way is  
undesirable on grounds of policy  
and desire that arrangements may be  
made for the <sup>early</sup> removal of the <sup>respective</sup>  
rights have been employed.

3. They notice that Mr.  
Wedderburn holds these measures  
not to be without advantage to  
wild silk 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 the  
natural channels, in the support  
of interests.

who carry them

W

79  
624

The Collector of Combar  
B of Meer  
Inspector of Forests

sup  
15/7/6

79  
624

Off

Note

[illegible]

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

2 As to (41st) it is presumed that in para 4 of his letter Mr Wedderburn limits it to the Reserved Teak and Rosewood Forest of Loomcadavoo. Loomcadavoo is the headquarters 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. Loomcadavoo is not a native village.

Villages. No traders 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 2<sup>d</sup> point it is  
to be noticed that prior to 1854  
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. Michael was an interest-  
ing 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.  
Thus it is not desired to check  
but simply to regulate. It has  
been shown that such regulation

+ put up.

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 in-  
calculable. Year after year  
have fires broken out through  
their carelessness. The Forest  
Officers rustic Lingaloo has  
been burnt down not once only  
but many times. The young  
teak saplings have been destroy-  
ed, the older trees seriously  
damaged, and immense losses  
have caused to Government by  
the destruction of felled timber.

5. There remained the  
question whether, even restricted,  
entry though injurious to the forest  
should still be allowed in the  
interests

o see plate 5. page 108  
"Elephant's Forest" p. 108.

interests of the Naders.

In 59 after the abolition of the monopoly, one who knew the Naders well wrote as follows:

"A measure of honey equivalent to 4 quart bottles is sold by the Naders to the Bazarman for 4 Annas - or less by 28 times their market value. A measure of Cardamoms for 4 Annas which is sold in the low lands for Rs 1-9-7."

The rate at which the Naders are supplied with rice of the coarsest kind in exchange being from 1/2 to 6 measures per Rupa. I have merely stated these facts to enable you to perceive how lucrative and desirable must be the trade to these merchants with the aboriginals, and how, disadvantageous to the ignorant and ignorant of the Naders to be enriched out as it were from them the hard-earned, perilous and valuable."

See Mr. Martin's report put up with B. O. Lu. para 7.

para 6 of P. O. 9<sup>th</sup> May 59 No 838.

valuable products of these Hills. On this the Government rightly remarked that the traders "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 clothes they sat shivering in the rain and wind, why they had no umbrellas, and receiving for answer "the Chetties did not bring 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!!!

Annals of Pondicherry  
Pg. 210-15.

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

secure

secure for him a footing among them. Under the protection of the village head, a Hindu Shopkeeper 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

75  
621

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 their unfrequented and state full protection for his illicit occupation.

Yours

Yours

+ See Capt. Cotton's Journal  
of his expedition across  
from the West in 47.

80.

80

63m

not a ...  
...  
...  
...  
...