(1) Number of pages 16

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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

REVENUE DEPARTMENT

G.O. No. / B.P. No.	1501	Press. / Mis.
Dated	14-9-1878	197 .

Not to be folded or roughly handled

Archives I—5,806—24-2-78.

150
1

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

14th September 1878, No. 1,591.

Read the following paper:—

No. 172. Read again G.Os, dated 29th April and 28th June 1878, Nos. 629 and 982.

Read also the following Proceedings of the Board of Revenue, dated 15th July 1878, No. 1,952:—

Read the following letter from Lieutenant-Colonel R. H. BEDDOME, Conservator of Forests, to J. STURROCK, Esq., Acting Sub-Secretary to the Board of Revenue, dated Ootacamund, 24th June 1878, No. 520:—

I HAVE the honor to inform you that I am in receipt of the Proceedings of the Board of Revenue, No. 1,575, of the 11th instant, on which I wish to make a few remarks.

2. Mr. Logan's remarks on paragraphs 7 and 8 of my report on the Wynaad forests (Proceedings of the Board of Revenue, No. 220, dated 25th January 1878) would lead any one to suppose that all applications for forest land had been referred to Mr. Peet, not that they would only be so in future, the words "will" and "are" are both underscored. I could not but comment upon this, when from what Mr. Peet had told me it was evident that many alienations were going on apparently even without the Collector's knowledge.

3. At the time of my inspection Mr. Peet had only just heard of Mr. Prager's application for a large tract of land within what he considered his reserve; he had not heard this officially and neither he nor I had any means of knowing when it had been applied for, but after inspecting the forest tract and finding it, in my opinion, quite unsuited for permanent coffee cultivation, and after forming my own idea of its value as forest, I addressed my letter, No. 838, of 10th October 1877, to Mr. Logan, remonstrating against its sale; and, getting no answer whatever to this letter, I supposed that the Collector knew nothing about the application or the alienation that was taking place, and when I was accused of not having referred any particular case of contemplated alienation to the Collector's office I could only suppose that this letter had never been received or, if received, that it had been overlooked, which now appears to be the case.

4. Not wishing to reply to Mr. Logan's first remarks only from memory I addressed Mr. Peet on the subject, and I now forward two letters* of his; by which it will be seen that the estimate of 10,000 Rupees as the value of the timber on the 1,040 acres was Mr. Peet's own estimate and considered by him the lowest possible one, and when I then learnt from him that the whole tract had been sold for only 200 Rupees in December without any further discussion or reference notwithstanding my letter of remonstrance, dated the 10th of October, I certainly supposed that either the Collector had never received my letter or that he knew nothing of the sale, and that the alienation had gone on without his knowledge (as apparently the alienations for the native estates have); and, looking at the very low price the land fetched, I feared there might be collusion in some way or other.

* Dated 22nd and 29th January 1878.

5. Mr. Peet informed me at the time of my inspection that the boundary of his proposed reserve had all been demarcated, and one of his letters now forwarded corroborates this.

6. The fact that the land sold for only Rupees 200 does not prove to me that it was not worth more; there may have been no competition; I do not estimate the value of the timber on it to this department at less than Mr. Peet does; my rough estimate at the time of inspection was that the timber alone was worth from 10 to 15 Rupees per acre and Mr. Peet, it will be seen, states a planter has valued the tract at Rupees 40 per acre, which I suppose is since the sale.

7. I had no knowledge whatever that Mr. Peet had ever himself addressed the Collector on the subject of Mr. Prager's application; the only part of the correspondence forwarded to me had no reference whatever to Mr. Prager's application, only to the general question of referring applications for forest land to this department.

8. I trust that all applications for forest land in every district in which this department has a Forest Officer may in future be referred to him for report, and that when the Forest Department and the Revenue Department are entirely at variance on the question, as in this case, that the Collector shall be debarred from sanctioning the sale without a reference to the Board or Government; the necessity for some such rule is, I think, now very obvious.

ENCLOSURES Nos. 1 and 2.—Demi-official letters from Mr. Peet.

SUBMITTED to Government.

2. The instructions conveyed in the Board's Proceedings, dated 25th January 1878, No. 220, will, if observed, prevent any misunderstanding for the future.

3. The Board approve of the suggestion made in paragraph 8 of the Conservator's letter, and if the Government concur, Collectors will be instructed accordingly.

(A true Copy and Extract.)

(Signed) C. A. GALTON.
Acting Secretary.

No. 173. ORDER THEREON, 14th September 1878, No. 1501.

Forests, No. 9.

THE special rule in paragraph 4 of G.O., 22nd September 1871, No. 1656, requiring a reference to the Conservator before the sale of forest land in the Wynaad and on the Nilgiris, appears to have been overlooked in Malabar; but as the practice is now altered, no further orders on the subject would be required were it not for the defect in the general rules noticed by the Conservator.

2. The Board will now instruct all Collectors that, in the event of a difference of opinion with the Conservator as to the sale or grant of forest land, the case is to be reported to the Board, who will, if they think proper, make a further reference to Government.

(True Extract.)

(Signed) L. A. CAMPBELL,
Under Secretary to Government.

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

Exd. A. Raitt.

1501/2

No. 1,952.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 15th July 1878.

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3. At the time of my inspection Mr. Peet had only just heard of Mr. Prager's application for a large tract of land within what he considered his reserve; he had not heard this officially and neither he nor I had any means of knowing when it had been applied for, but after inspecting the forest tract and finding it, in my opinion, quite unsuited for permanent coffee cultivation, and after forming my own idea of its value as forest, I addressed my letter, No. 838, of 10th October 1877, to Mr. Logan, remonstrating against its sale; and, getting no answer whatever to this letter, I supposed that the Collector knew nothing about the application or the alienation that was taking place, and when I was accused of not having referred any particular case of contemplated alienation to the Collector's office I could only suppose that this letter had never been received or, if received, that it had been overlooked, which now appears to be the case.

4. Not wishing to reply to Mr. Logan's first remarks only from memory I addressed Mr. Peet on the subject, and I now forward two letters* of his; by which it will be seen that the estimate of 10,000 Rupees as the value of the timber on 1,040 acres was Mr. Peet's own estimate and considered by him the lowest possible one, and when I then learnt from him that the whole tract had been sold for only 200 Rupees in December without any further discussion or reference notwithstanding my letter of remonstrance, dated the 10th of October, I certainly supposed that either the Collector had never received my letter or that he knew nothing of the sale, and that the alienation had gone on without his knowledge (as apparently the alienations for the native estates have); and, looking at the very low price the land fetched, I feared there might be collusion in some way or other.

* Dated 22nd and 29th January 1878.

5. Mr. Peet informed me at the time of my inspection that the boundary of his proposed reserve had all been demarcated, and one of his letters now forwarded corroborates this.

6. The fact that the land sold for only Rupees 200 does not prove to me that it was not worth more; there may have been no competition; I do not estimate the value of the timber on it to this department at less than Mr. Peet does; my rough estimate at the time of inspection was that the timber alone was worth from 10 to 15 Rupees per acre and Mr. Peet, it will be seen, states a planter has valued the tract at Rupees 40 per acre, which I suppose is since the sale.

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the question, as in this case, that the Collector shall be debarred from sanctioning the sale without a reference to the Board or Government; the necessity for some such rule is, I think, now very obvious.

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SUBMITTED to Government.

2. The instructions conveyed in the Board's Proceedings, dated 25th January 1878, No. 220, will, if observed, prevent any misunderstanding for the future.

3. The Board approve of the suggestion made in paragraph 8 of the Conservator's letter, and if the Government concur, Collectors will be instructed accordingly.

(A true Copy and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department,
with 2 original enclosures to be returned.
„ the Conservator of Forests,
Copy to the Collector of Malabar.

Exd. W. H. French.

Received 15th July 1878
Read 20th July 1878
Answered 25th July 1878

Revenue Department
No 23389

BOARD OF REVENUE, MADRAS.

PROCEEDINGS, 15TH JULY 1878, No. 1,952.

Enclosures Exd.

Received 15th July 1878
Read 20th July 1878
Answered 25th July 1878

JULY.

No. 1,952.

Land in Wynaad in Malabar District—already marked by Forest Department for reservation.—Submitting to Government remarks of Conservator of Forests regarding sale of considerable tract of — to private individuals without reference to that department.

1501
4

For Orders

Board's Proc. 15th July 78 No 1952.
Received 1st August.

The Board forward a further letter from Col: Beddome stating exception to, rendering remarks by, Mr. Logan's explanation regarding a piece of forest-land that was sold for coffee cultivation. The Forest Dept: wished to reserve it & Col: had written to the Collector objecting to its alienation. 2. It is evident that the General Rules requiring Collectors to communicate with the Conservator before granting

T. Sel f.o. 25th April 78 No 629
— 28 June 78 No 982

Vide f.o. 16th July 78
No 2041. embodied
in B/T f.o. 151/6

any land for cultivation
in tracts of woodland
under the Conservancy
Dep:"
and the Special Rule
that on the Nilgiris
& in the Wynaad
"the Conservator will
will be consulted
previous to the sale
of any such Forest
land" had lately
also been dispensed
in Malabar.
3. As however there
is now a change
in this matter
the Conservators
present letter would
call for no order
Were it not that
he further shows
a Want in the
Rules namely
some provision for
the settlement of
a difference of opinion
between the Conservator
& Collector.
When all the forest
that is Wanted is
demarcated & Reserved

O para 4
L.O. 29 Sept. 71
No: 1856

Govt. merely notice that
the letter do not require
under the more recent
rules.

Govt. say that there do
further cause of opinion
exist reference could be
made to the Bd of Rev
& if necessary to Govt.

150/5

there will be no
difficulty but in the
meantime it is
clear that the Depn.
does not consider
himself bound to
abide by the Forest
Depart. views
4. Apparently the course was
intended in the L.O.
last quoted & it is
suggested by the Board
that there should as
recommended by
Col: Beddome be
always a reference
to the Board or
Govt: before a Collector
sanctions the sale
of land in opposition
to the views of the
Forest Dep:
5 Lastly Col Beddome
& the Depty Conservator
bring to notice that
under the present
Waste land Rules
there is nothing
to prevent
applicants from taking
up land on felling

yes

See in Con. Proc. No
29th Jany 78 & the
end & para 3 of Col
Beddomes letter in
L.O. 29th April 78 No 629.

all the timber" & giving up the land in it before the 4th year when application is taken.

Some provision as in the Tasmanian Rules that the grantees are to plant out a certain portion each year seems required where for three years a man can hold land free of payment. If the Rule were not complied with the unplanted portion might be resumed & there might be a condition at the time of sale.

It is understood that at the "free Selectors" of Australia obtain land subject always to some restriction i.e. they are required to fence & plant or cultivate a certain portion within 2 or 3

+ "the application will be taken for the 4th year" (para 4 p.o 22 Apl 71. No 1656).

Mr. Lean thinks also Col Bs observations are not supported by fact as his own Station timber (of no export value) is taken up & timber (of the Post-Col Bs imagination not of Portland) felled & the land then abandoned - his specific case is before us.

I endorse the opinion of Mr Surveyor Bell

+ in p.o 29th April 78 No: 629.

See letter of the 30th ult: No 718 & pt up.

Send up the Correspt: Col Reddons & if agreeable with this case how has this been prepared & in telling the Post Master that his communications are not always delivered

29/5 WH.

50/6

grass under pain of having the grant or other unauthorized portion taken from them.

6. The Post Master has asked Col Reddons first + letter regarding the alienation that gave rise to the present correspondence have asked that the Collectors & Postmasters may be communicated to them.

Lands

With reference to paragraph 5 of this memorandum it is observed that land sold under the Waste Lands Rules can hardly be dealt with to be granted & resumed in the manner suggested.

C Bell

Lemur generally in
Lt. A.P. remarks. but
is binding the papers P.S.
Jol. state to what the present
order on the subject of granting
land in jungle tracts ar-
tolerably plain that the
sale in these Kilt tracts
is of the right of occupancy
Rs. Chundoo is to pay
for. his subject to the
pay. to passed after
he is to be allowed for
clearing & reclamation
in accord.ce with the
long established principle
of "Cowle" for principal
waste. Jol. add that
while the Forest Dept not
unnaturally view it as
as paramount. the
Govt Law Provides the
claims of the community
in the matter of extending
cultivation & the spread
demands of population
C 28-8-78
Pa 4-9-78
Pa 11-9-78
Copies plus typ &c. S.P.

Draft + enclose

Draft

Do 9338

1501
7

Rev. Dept.

Do 1501

Proceedings of the Madras Government
Under date the 14th September 1878

Read again G.Os. dated
29th April and 28th June 1878 Nos.
629 and 952.

Read also the following
Proceedings of the Board of
Revenue, dated 15th July 1878 No 1952.

The special rule in the
Memorandum in para: 4 of G.O. 22nd
September 1871 No 1656, requiring
a reference to the Conservator
before the sale of forest land in the Wynaad
the Nilgiris appears to have been
overlooked in Malabar, but as
the practice is now altered no
further orders on the subject
would

MP 12/9

would be required were it not
for the defect in the Board rules noticed by the Conservator.

2. The Board will now instruct all Collectors that, in the event of a difference of opinion with the Conservator as to the sale or grant of Forest land, the case is to be reported to the Board who will, if they think proper, enable a further reference to Government.

14 Feb. Board of Revenue Dec. 21 Dept.
21 " Conservator of Forests 8

1301/8