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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 1187 Press
~~B.P. No.~~ ~~Mis.~~

Dated 31-5-1879. ~~196-~~ .

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

31st May 1879, No. 1,187.

No. 641. READ THE FOLLOWING PAPER:—

Despatch from the Right Honorable the Secretary of State for India.

Revenue (Forests), INDIA OFFICE, LONDON, 20th February 1879.

No. 1.

MY LORD DUKE,—The Government of India have lately brought under my consideration the action taken by your Government in regard to the rights of the State in the forest lands of the South Canara District, and have drawn my special attention to the very limited progress which has been made in the proper demarcation of State forests in the Madras Presidency, and to the principles advocated in certain quarters which, in their opinion, are unnecessarily lax in respect to the maintenance of the rights of Government.

2. In Lord Salisbury's Despatch, dated 14th December 1876, a copy of which was doubtless communicated to your Government, distinct instructions were issued that no irrevocable steps should be taken as to the resignation of any State rights in the forests of the South Canara District, pending the decision of the High Court of Bombay in the similar question which had been submitted to it in regard to the forest rights of the Bombay Government in the North Canara District. I was then aware that, owing to your Government of 1874 having taken a different view of the private rights of individuals in the South Canara forests from that held by their predecessors in office, orders had been issued to the Collector of the South Canara District to undertake an inquiry into those rights in terms which were calculated to weaken very considerably those forest rights which the State had, up to that date, been considered to possess; but as the Government of India had informed your Government that no further surrender of forest rights should take place, I did not think it necessary to prohibit the continuance of this inquiry.

3. I now learn that, though no land has been absolutely abandoned which has hitherto been presumed to be Government property, the effect of this inquiry has been to weaken the control of the Government over such lands, and to create a wide-spread impression among the people that the great mass of the forest lands of the district would be relinquished by the State. I am also informed that what is termed "kumeri" cultivation is allowed over a much larger area than that in which it was formerly permitted, and that a more extended enjoyment of "kumaki" lands has been authorized.

4. As it is very undesirable that valuable State rights should be in any way relinquished until the question now under the consideration of the High Court at Bombay is finally determined, I must request your Government to give immediate instructions to the local officers of the South Canara District to continue to deal with all forest questions in accordance with the practice which was in force in the district up to 1874, and to take care that no further privileges are allowed the ryots, either in regard to "kumaki" lands or "kumeri" cultivation, than were accorded to them at that date.

5. As I understand that the Collector of South Canara expected that the inquiry into the forest rights to which I have adverted above would be completed about the close of the last official year, I conclude that his report upon the subject has already been submitted to your Grace in Council, and I shall be glad to receive a copy at your early convenience, with the observations of your Government thereon. You will, of course, understand that no final orders should be passed on this report until the matter has been submitted, through the Government of India, for my consideration.

6. I have on several occasions drawn your attention to the importance which I attach to a proper demarcation of the State forests in your Presidency, and I am aware, from your Despatch, dated 25th October last, No. 12, that you have deputed Captain Campbell Walker to the duty of selecting and demarcating such tracts of forest as are to be treated as close reserves, and in my despatch, dated 31st December, No. 17, I have approved of your proceedings; but I am disposed to concur with the Government of India in considering that this officer is hardly likely to be able to accomplish very much without a staff of officers and subordinates to assist him. I shall accordingly be prepared to sanction any measures which you may consider necessary to aid him in conducting this important work, and I rely upon your Government to take such steps as will ensure its being completed within some reasonable time.

7. It is also very necessary that detailed surveys should be at once made of all Government forests, as, without these, it will be difficult to settle their boundaries in a satisfactory manner, or efficiently to guard against encroachments after demarcation.

8. In my recent Despatch, dated 31st December 1878, No. 17, I have adverted to the urgency of Forest legislation in Madras, and though I am aware that the passing of a Forest Act for your Presidency has been in some measure delayed by the discussions which have taken place as to the practicability of making the Imperial Forest Act of general application, I trust that the draft of an enactment on the subject has now been prepared, and that there is a prospect of its being passed into law with the utmost possible despatch.

I have, &c.,
(Signed) CRANBROOK.

His Excellency the Most Noble
The Governor in Council, Fort St. George.

No. 642. ORDER THEREON, 31st May 1879, No. 1,187.

Forests, No. 23.

THE Revenue Board will instruct the Collector of South Canara to continue until further orders to deal with all forest questions in accordance with the practice in force in that district up to 1874, and to take care that no further privileges are allowed to ryots either in regard to "Kumaki" lands or "Kumeri" cultivation than were accorded to them at that date.

2. The question of the staff of officers and subordinates to be appointed to enable Captain Walker to complete the demarcation of the whole of the State Forests in the Presidency, which are to be treated as closed reserves, within a reasonable time, will be disposed of separately.

3. Paragraph 7 of the despatch will be communicated to the Superintendent of Revenue Survey, who will submit a scheme in full detail for giving effect to the wishes of the Secretary of State by surveying in detail, at once, all the Government Forests in the Presidency.

(Signed) J. H. GARSTIN,
Acting Secretary to Government.

To the Board of Revenue.
„ the Conservator of Forests.
„ the Superintendent of Revenue Survey.

Exd. T. D. Ryan.

23-2-94
26-11-07

Govt. of Madras.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated May 31st.

Printed June 10th.

Rec'd. *Encl.*

G.O., 31st *May* 1879, No. 1,187.

MAY.

Nos. 641-642.

Forests in Canara.—Directing the Revenue Board to instruct the Collector of South Canara to continue, until further orders, to deal with all questions about — in accordance with the practice in force in that district up to 1874, and to take care that no further privileges are allowed to ryots either in regard to "Kumeri" lands or "Kumeri" cultivation than were accorded to them at that date.

(R 7016 [20.7 1879])

Vide Dev. Sy/80.

3

3

India Office,

London, 20th February 1879.

Revenue (Forests),

No. 1.

To His Excellency The Most Noble The Governor in Council, Fort St. George.

MY LORD DUKE,

Para. 1. The Government of India have lately brought under my consideration the action taken by your Government in regard to the rights of the State in the forest lands of the South Canara District, and have drawn my special attention to the very limited progress which has been made in the proper demarcation of State forests in the Madras Presidency, and to the principles advocated in certain quarters which, in their opinion, are unnecessarily lax in respect to the maintenance of the rights of Government.

2. In Lord Salisbury's Despatch, dated 14th December 1876, a copy of which was doubtless communicated to your Government, distinct instructions were issued that no irrevocable steps should be taken as to the resignation of any State rights in the forests of the South Canara District, pending the decision of the High Court of Bombay in the similar question which had been submitted to it in regard to the forest rights of the Bombay Government in the North Canara District. I was then aware that, owing to your Government of 1874 having taken a different view of the private rights of individuals in the South Canara forests from that held by their predecessors in office, orders had been issued to the Collector of the South Canara District to undertake an inquiry into those rights in terms which were calculated to weaken very considerably those forest rights which the State had, up to that date, been considered to possess; but as the Government of India had informed your Government that no further surrender of forest rights should take place, I did not think it necessary to prohibit the continuance of this inquiry.

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spread impression among the people that the great mass of the forest lands of the district would be relinquished by the State. I am also informed that what is termed "kumeri" cultivation is allowed over a much larger area than that in which it was formerly permitted, and that a more extended enjoyment of "kumaki" lands has been authorized.

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7. It is also very necessary that detailed surveys should be at once made of all Government forests, as, without these, it will be difficult to settle their boundaries in a satisfactory manner, or efficiently to guard against encroachments after demarcation.

8. In my recent Despatch, dated 31st December 1878, No. 17, I have adverted to the urgency of Forest legislation in Madras, and though I am aware that the passing of a Forest Act for your Presidency has been in some measure delayed by the discussions which have taken place as to the practicability of making the Imperial Forest Act of general application, I trust that the draft of an enactment on the subject has now been prepared, and that there is a prospect of its being passed into law with the utmost possible despatch.

I have the honour to be,

My Lord Duke,

Your Grace's most obedient humble Servant,

Crankwood

No 14.

Revenue (Forests)
20th Febr 1879.

The
Secretary to Govt St George
No 1.

21

Rec'd 1187 - 21 Feby 1879

Rec'd 15th March 1879.

Commenting on the action taken by this Government in regard to the rights of the State in the forest lands of the South Canara District and on the limited progress made in the proper demarcation of State forests in this Presidency; calling for a copy of the report of the Coll.r of South Canara respecting forest rights, and adverting to the subject of Forest legislation in Madras.

Rec 21-4-79. Rec 23-6-79
Rel 5-79. R 29-5-79.

9

Memorandum
Selection & survey of Forest reserves

1. The extent & limits of Forest reserves in any tract must depend in some measure at any rate on the position & extent of the adjoining proprietary estates/Zemindaries/ & the nature & extent of the communal rights of the villages whose boundaries may lie within the tract. In fact when dealing in detail with the proposed boundary of a reserve it will be necessary to know at every point whether the land is Government or Zemindari & if Government what particular village is concerned.

2. It follows that the limits of Forest reserves cannot be definitively fixed until the boundaries of Government villages or Zemindaries/if any/ within or abutting on the forest have been settled & demarcated.

3. A considerable extent of what is presumably forest clad country within the Madras Presidency has been topographically surveyed & the boundaries of Zemindaries & in many cases of villages also, have been demarcated and laid down by Theodolite & chain. In such country the selection & demarcation as well as survey of forest reserves will be much facilitated since maps can readily be supplied to the Forest Department.

The boundaries of the reserves when once they have been decided on can be readily marked out & laid down on the maps & no further operations will be necessary.

4. The forest clad portions of the districts of Coimbatore Madura & Tinnevelly are not included within the area topographically surveyed & in dealing with these & other portions of country the difficulty at

* See statement attached will follow

at the outset will be the absence of a reliable map showing the boundaries referred to in para 2 & the physical features of the country.

In all cases however the Atlas sheets of the Presidency are available & by enlargement the detail can be made to form the bases of sketch maps on which the position and general direction of boundaries can be shewn.

5. The best course to follow in order to expedite the completion of the demarcation & survey of boundaries within or adjoining forests proposed to be reserved in Districts not yet topographically surveyed, would be to make a rough preliminary selection of boundary lines for each reserve or group of reserves. These lines should be as straight as possible to facilitate demarcation or else they should follow existing

existing roads or streams.

The lines so selected should be marked out in a temporary manner, and should be considered to indicate approximately the limits of the area which was to be specially taken up for demarcation & survey by this Department. A few surveyors should accompany the selectors & one surveyor should be left at each reserve to take up the work, which would include the permanent demarcation of Zemindari & village boundaries, the preparation of an eye sketch of such boundaries & of the boundary of the reserve as temporarily selected, which should not be permanently demarcated, the survey of the Zemindary & village boundaries, & the sketching of details to complete the map.

6. The reserve boundary should be finally decided on with the aid of the Zemindary and village boundary sketch which should be forwarded to the officer making the selection as soon as possible.

7. This officer should revisit the ground & with the boundary sketch in hand give final orders for the permanent demarcation of the reserve boundary.

This boundary should be shewn in the village boundary sketch which should serve the purpose of a map of the reserve until the survey map has been completed.

8. The clearing away of jungle between the boundary marks is necessary for the surveyor & this duty must be performed at the time of demarcation. The clearing become rapidly overgrown & therefore the survey must follow close on demarcation of boundaries. The selector could of course outstrip a large staff of surveyors whose

whose operations are comparatively slow but there would be no objection in his doing so since his selections are of no practical value until the boundaries have been permanently marked.

The following is a rough estimate of the staff required for the demarcation and survey annually of 400 square miles of Forest country.

		Per annum
1	Sub Assistant Cs.	2040
2	Head Surveyors	2160
9	Deputy Surveyors	5820
10	Demarcators	2400
80	Peons Stone Cutters &c.	9600
	Total Rs	22020
	Contingencies	2980
	Grand Total Rs.	24000

9 In considering the time
1 necessary for the execution

of the work it must be borne in mind that a very large proportion of the forests are so malarious that the Surveyors could work only at certain seasons, & that in any case there must always be a considerable amount of sickness.

A. D. C. S
4-4-79

Compd. Rs.

Forwarded to the Hon: W. Huddleston in connection with the draft letter to the Secy of State about the forests in S. Canara.

[illegible]
5/4/29

[illegible]
[illegible]
5/4

I re-circulate the draft letter to the Secy of State on the question of the Forests in S. Canara &c. as directed by the Govr.

The G.O. alluded to in this para is also put up with its enclosures but does not seem to be the one it was presumably meant to refer. Such papers relating to Kumaki as can be traced in the Office, are put up as requested by the Hon: Mr Huddleston.

I find that (partly from memory of the conversation with Col. Cole) I mis-stated the amount of forests in the Presidency excluding forests made over to the Forest Dept. & those already [illegible]

The particular G.O. to Dr. [illegible] is not forthcoming. It must have been about 1792/4. There is evidently a good deal of confusion in the minds of the officers between Kumri & Kumaki. Dr. quite distinct subjects. It is the Kumaki G.O. that I want perhaps there may [illegible] G.O. in the dispatch is [illegible] in draft, as also any other

For the Topographical
Sketch are about
4000 Sq: miles -
and in total are
is about 14890 Sq: miles
Q 2 2. 6343 Inhabitants
living & being about
52 to each Sq: mile.
agreed. as shown in
Colonel Scott's Memo:
on pontage.
Assuming that 2 or 3
Inhabitants
Col: Scott considers
necessary called forth
as militia & paying
600 Sq: miles
annually to Dem
Light Dragoons he
proposed with 3
Inhabitants in about
7 years -

2/1/4/29

Adds. Glazing &c C. Brockhurst.
Numerical Statistics Published
Extract Sketch enclosed.

Rec'd the following Papers.

Abstract — Despatch from the Lord Mayor of London dated Feb. 20th 1779 No. 1 Enclosure (Journal) regarding the proceedings of the following in respect to the Foreign Canons, the application for establishing Gunsalle Copper &c. &c. also to demarcate State Letters to demarcate State Letters & the Duty of Postmaster General of the Revenue Fisheries the Revd.

Lr. 0 Dec 1187

The Revd Board with instructions to the Collectors of Customs Duties to take particular notice of the Foreign Canons & to distinguish the same in the Entries & Clearances with the Duties imposed by the Act 5th Geo. 3rd, and to take care that no Foreign Canons are landed & Entered in the Kingdom without the Duties imposed by the said Act being first paid.

2. Requesting that the Collectors & Officers subordinate to the Collectors shall take the most effectual measures to prevent the Importation of Foreign Canons & to detect the Persons who shall be guilty of such Practices in the most private manner, with as little Noise & Expence as possible.

3. Copy of the Despatch which is sent to the Collectors of Customs Duties with the Instructions & Directions therein contained.

Draft

Minute thereon

Sir, As it appears that the Draft is in the Words of the Despatch in this passage.

14 Feb. Order of Privy Council
31 The Commissioners of Customs
19 The Lords of the Treasury

31 May 1779

C 21-4-79 R 20-5-79.
R 1-5-79. R 29-5-79.

Dupl. fo. 3.

Recd. for assignment
with Memorandum of the
Contents as left for
Mr. Thurlow

Dupl. of 3d March 76.
Lo. 503. R.J. is the
Person signing Counter
part.