M.R.O. 1—4,002—16-9-48.

(1) Number of pages 8

(2) Date of repair 21.2.50

(3) Initials of the Referencer

MADRAS RECORD OFFICE

Government of Madras

Revenue DEPARTMENT

G.O. No. 184-1849. Press
~~B.P. No.~~ Mts.

(Originally

Dated 19th February 1887

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue, dated 2nd February 1887, Forest No. 54:—

Read—the following letter from G. McWATTERS, Esq., Collector of Salem, to the Secretary to the Board of Revenue (through the Conservator of Forests, Southern Circle), dated 23rd December 1886, No. 3434 (Forest):—

I have the honor to report the settlement of No. 70, Kestur reserved forest, in the Hosúr taluk.

2. I enclose the Forest Settlement-officer's report, together with his usual enclosures—

(1) Register of claim.
(2) Draft notification under section 16, with remarks showing admitted claims.
(3) Sketch of the locality.

3. Further, in accordance with orders, I have added below the District Forest-officer's statement of area and condition:—

STATEMENT of area and condition.

Taluk and Area.	Proposed to be reserved.		Names and areas of reserves now submitted.	Of which	
	Already constituted.	Under settlement including now submitted.		Estimated forest.	Estimated grass land.
	ACS.	ACS.	ACS.	ACS.	ACS.
Hosúr 778,635	..	137,093	No 70, Kestur reserved forest 14,616	13,000	1,616

ENCLOSURE No. 1.

From O. WOLFE-MURRAY, Esq., Forest Settlement-officer and Additional Sub-Collector of Salem, to the Collector of Salem (through the District Forest-officer, Salem), dated Salem, 7th December 1886, No. 1706.

I have the honor to report the conclusion of the settlement of the proposed Kestur reserved forest, No. 70, in the Hosúr taluk, all the events noted under section 16 of the Forest Act having occurred.

2. The block is situated in a most unget-at-able corner in the extreme north-west of the district on the borders of Mysore and the north bank of the Cauvery river. A jungle track along the bank of the Cauvery river from Oddapatti in the Dharmapuri taluk leads to it. Its area is about eighteen square miles and the outline some twenty-five miles, and at present it chiefly forms a grazing ground for Mysore cattle, if rumour does not lie. It consists of Acha forest and grass.

3. The proposal to constitute this a reserved forest was notified in the *Fort St. George Gazette*, dated 21st August 1885, and the proclamation under section 6 was published in the District Gazette, dated 1st May 1886. The latter was duly proclaimed in the few adjoining villages as required by the Act, and notices were also served on all known owners and occupiers of land adjoining the block; no private lands were included within it. Time was given up to 1st September 1886 for preference of claims.

4. We had proposed to visit the block from Kunthukoda but the wet monsoon of July prevented it. The claimants therefore came to Denkanikóta, where three claims were filed in connection with this block, two of which were to rights of way and one to grazing rights. A claim to right of way was admitted and the other two claims rejected. All these claims were disposed of on 16th September last, and the appeal time expired on the 14th ultimo without any appeal being filed.

5. The claim to rights of way related to four different paths, of which only two paths were found necessary and were admitted. The admitted paths are shown on the sketch-map of the block enclosed.

6. The ryots of two villages owning some 200 cattle and 100 sheep claimed right to graze them in the reserve. These villages are situated on the borders of a vast expanse of jungle some twelve square miles in area, near which are only two other villages, and the whole of this area is outside the limits of the block and available for grazing. The claim was rejected.

7. The block is thus free of all rights except the rights of way mentioned above.

8. A draft notification under section 16 of the Act is sent herewith, as also a signed copy of the B register of claims for the block. The admitted rights in the block are entered in the remark column of the former.

9. The date in the above draft notification is left blank. The block being situated where it is, full two months' time will be necessary, from the date on which the notification appears in the *Fort St. George Gazette*, to have it duly published as required by the Act.

ENCLOSURE No. 2.

REGISTER of claims to lands, rights to forest produce or easements in the proposed Kestur Reserved Forest, No. 70, in the Hosúr taluk, Salem district.

Number of claims.	Names of claimants.	Date of presentation of claims.	Nature and extent of claims preferred.	Brief summary of the evidence adduced in support of claims.	Brief summary of the District Forest-officer's arguments and evidence produced by him.	Brief abstract of decision and final disposal of the claims by the Forest Settlement-officer.
1	2	3	4	5	6	7
550 of 1886. I.	Bomme Gouda, munsif of Bayalpatti and Manchukondapalli, Hosúr taluk.	17th July 1886.	Claims right of way for men, cattle and pack-animals over a path running from Manchukondapalli southward through the reserve down to the Cauvery river.	The ground of claim is long custom.	The District Forest-officer objects to the claim on the ground that the claimants if they wish to reach the Cauvery river can cross No. 71 reserve and go down to it by a path leaving Miganhalli through that reserve.	There is no question that the route pointed out by the District Forest-officer would be a very circuitous route, and it is not a sufficient alternative. As, however, he objects to the path claimed being admitted, the simplest way appears to me to reject the claim as far as this path is concerned, and to allow the claimant right of way to the Cauvery *viâ* Kestur. The latter path is admitted and described in the order on claim No. 552 of 1886 *below*, and it is a very little longer route than the path he claims. The present claim is therefore rejected. (Signed) O. WOLFE-MURRAY, Forest Settl.-officer and Addl. Sub-Collr. 16th September 1886.
552-A of 1886. II.	Muddu Mallah of Tattakadu, munsif of Kestur and Tattakadu, Hosúr taluk.	Do. ..	Claims on behalf of his ryots of the villages below the right to graze their sheep and cattle in the reserve south of Kestur—	Do. ..	The District Forest-officer objects to the admission of the claim on the ground stated in his general answer which are as follows :— (1) That the right claimed is only a privilege exercised with or under the permission of Government, tacit or expressed ; (2) That the land over which the right is claimed is at the disposal of Government and that they can dispose of the forest produce (grass) or grant the land on patta or otherwise, which course of action would at once exclude claimants from their alleged rights ; (3) That before the hill farms were abolished in 1854, the	These villages are situated on the borders of a vast expanse of jungle some twelve square miles in area, near which are only two other villages, and the whole of this area is outside the reserve and available for grazing. The claim is rejected for the reasons given in the orders on claims Nos. 12 and 77 of 1885, which are briefly as follows :— From the arguments of the District Forest-officer it is easily seen that the claimant's plea of long uninterrupted custom falls to the ground. Every day probably lands are given out on putta over which the communal privilege of grazing had been before exercised and the puttadar is entitled to and does exclude all alien cattle that had hitherto enjoyed that privilege. Every such instance of leasing out land on putta may be said to be an interruption of

Name of village.	Number of houses.	Number of cattle.	Number of sheep.	Area under cultivation.
Kestur	20	130	90	130
Tattakadu ..	15	80	..	80
	35	210	90	210

Register of claims to lands, rights to forest produce or easements in the proposed Kestur Reserved Forest, No. 70, &c.—*continued.*

Number of claims.	Names of claimants.	Date of presentation of claims.	Nature and extent of claims preferred.	Brief summary of the evidence adduced in support of claims.	Brief summary of the District Forest-officer's arguments and evidence produced by him.	Brief abstract of decision and final disposal of the claims by the Forest Settlement-officer.
1	2	3	4	5	6	7
552-B of 1886. III.	Muddin Meliah of Tattekadu, munsif of Kestur and Tattekadu, Hosúr taluk.	17th July 1886	Claims right of way for men, cattle and pack-animals over the undermentioned paths within the reserve:— I. Path from Kestur to Dubbagúli. About five miles of this path are within the reserve, it leaves Kestur southwards and runs south by east to the Cauvery bank, thence down the Cauvery for two miles to the reserve boundary. II. Path from Tattekadu to Muneshwaran temple in Mysore, running north-west from the former for about a mile to its exit from the reserve. III. Path running due south from Kestur to the Cauvery and striking it at Muthiadalli. Claimant states that this path is only used to take cattle down to drink.	The ground of claim is long use.	Right of way is admitted for men, cattle and pack-animals over the paths Nos. I and II described in column 4. They are not to exceed six yards in width. The claim to right of way over path No. III is rejected for the reasons stated by the District Forest-officer. (Signed) O. WOLFE MURRAY, Forest Settlement-officer and Addl. Sub-Collr. 16th Sept. 1886.

ENCLOSURE No. 3.—Draft notification.

ENCLOSURE No. 4.—Sketch-map.

Endorsement by Lieut.-Colonel I. CAMPBELL WALKER, Conservator of Forests, Southern Circle, dated Madras, 5th January 1887, No. 2289.

Submitted with the recommendation that the 31st March be the date from which the reserved forest shall be constituted, and the request that the Board and Government will kindly expedite the publication of the notification to admit of Forest Settlement-officer's proclamation being served on the few claimants and others interested within that date.

Resolution—dated 2nd February 1887, Forest No. 54.

The draft notification under section 16 relating to the Kestur block will be submitted to Government for approval and publication in the *Fort St. George Gazette*, the 1st May 1887 being recommended as the date from which the reservation should take effect.

(True Copies and Extract.)

(Signed) H. A. SIM,
Acting Sub-Secretary.

To the Secretary to Government, Revenue Department,
with a draft notification, and sketch-map (to be returned).
„ Conservator of Forests, Southern Circle.
„ Collector of Salem.
Copy to the Conservator of Forests, Northern Circle.
„ „ Examiner of Forest Accounts.

ORDER—dated 19th February 1887, No. 184, Revenue.

Forest, No. 28.

The draft notification is approved and will be published in the Fort St. George and the Salem District Gazettes, the 1st May 1887 being entered as the date on which the notification shall come into force.

(True Extract.)

(Signed) J. F. PRICE,
Ag. Secretary to Government.

To the Board of Revenue, with map returned.
„ the Superintendent, Government Press.

No 184-A.

Copy to Government of India, Revenue and Agricultural Department (Forest).

(Signed) J. F. PRICE,
Ag. Secretary to Government.

NOTIFICATION.

His Excellency the Governor in Council is pleased to declare, under the provisions of section 16 of the Madras Forest Act (V of 1882), that from 1st May 1887, the area, the boundaries of which are set forth in the schedule appended *to this notification*, will be constituted a reserved forest.

SCHEDULE.

District.	Taluk.	*Number and* Name of the *Block.*	Situation and Boundaries.
Salem ..	Hosur ..	Kestur Block No. 70.	On the Cauvery River south of Kestur. *North.*—The path from Mundayal in Mysore to Tattakadu, the Tattakadu cultivation along the path, and the path from Tattakadu to Kestur, the Kestur cultivation along the path, and then a line north-eastward over Samarikottai-betta hill to the Melpatti cultivation. *East.*—The Bilikal reserve boundary along the Sadhana Mutta halla or Melpatti river. *South.*—The district boundary along the Cauvery river. *West.*—The district boundary along the Cauvery river and along the Mysore frontier.

REMARKS.—Right of way to a width not exceeding six yards is allowed for men, cattle and pack animals over the following paths within the block :—

1. Path from Kestur to Dubbaguli.—About 5 miles of this path are within the reserve. From Kestur it runs south by east to the Cauvery bank, thence down the Cauvery for two miles to the reserve boundary.
2. Path from Tattakadu to Muneshwaran temple in Mysore, running north-west from the former for about a mile to its exit from the limits of the block.

Ed. W. H. French.

100 Copies.

Govt. of {1887} Madras.

REVENUE.

Issued

Recd. *Encl.*

G.O., 19th Feby. 1887, Nos. 184, 184A.

FEBRUARY.

Reserved Forest.

Notification under section 16 of Act V of 1882 for constituting the Kestur block a —, approved and ordered to be published in the Fort St. George and the Salem District Gazettes.