

(1) Number of pages 80(2) Date of repair 3/10/57(3) Initials of the Referencer R

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 4740Press
Mis.Dated 1st August 1890.Not to be folded or roughly handle

No 355
 1-8-80
 pp 574-5
 12-8-80
 1-1

Notification

Under the powers vested in him by Section of Madras Act of 1882, His Excellency the Governor in Council is pleased to make the following rules to regulate the management of the forest and waste lands at the disposal of Government within the Palconda Agency tracts and not included within any Reserved forest.

Rules

1. From and after the date of this notification it shall be unlawful for any person to fell, girdle, sack, lop, tap, uproot, burn, strip off the bark or leaves from, or otherwise damage, any tree growing on the said lands, or to remove the timber from, or collect the natural produce of, such trees or lands, or to quarry or collect stone, lime, gravel or earth possessing any commercial value, upon such lands unless he is authorised so to do by the Collector or some person duly empowered by the Collector in that behalf.
2. The Collector may, by order in writing to be duly notified in the District Gazette, select any areas within the said lands and may constitute them fuel or fodder reserves or

2
Wilderness reserves or grazing grounds, or may direct them to be placed under special fire protection. Upon the limits of these areas being notified in the District Gazette, it shall be unlawful for any person wilfully or negligently to set fire to any trees, timber, grass or other forest produce, or to kindle or keep burning any fire, or to graze cattle or to permit cattle to trespass within such areas except at such places and subject to such conditions as may be prescribed by the Collector by notification in the District Gazette.

3. The Collector may, by order in writing to be duly notified in the District Gazette, prohibit the felling of any specified description of trees. Such trees shall be called reserved trees, and such prohibition may be general or may be applicable only to areas selected under Rule 2 (*supra*).

4. The inhabitants of hill villages shall be permitted to cut and remove free of charge and without license or permit any wood that they may require for actual home consumption, and shall also be permitted to carry on the cultivation known as Kondapodu

3
cultivation; provided that, if the Collector so directs, they shall not be permitted to cut or remove any description of tree notified as a reserved tree under the last preceding rule, nor shall they be allowed to carry on Kondapodu cultivation in any area which it has been proposed, by notification under Section 4 of the Act, to constitute a Reserve Forest or which has been selected under Rule 2 (*supra*).
5. Upon any area being selected by the Collector under Rule 2 of these rules and notified as therein prescribed, it shall be unlawful for any person to hunt, shoot or fish within such areas except under a license granted by the Collector and subject to such conditions as he may from time to time prescribe.

6. Whoever commits any breach or infringement of any of the above rules shall be liable on conviction by a magistrate, to be punished with imprisonment of either description for a term which may extend to one month, or with fine, which may extend to Rs 200 or with both.

7. Any power to select areas, or issue notifications, given by these rules

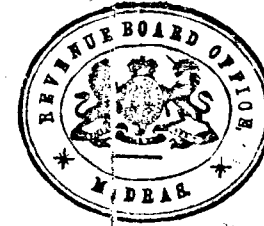
may be exercised from time to time
as occasion requires, and any orders or
notifications made or issued there under
may be cancelled or modified by the autho-
rity making them.

H. G. Cardew J
Ag. Secretary

Print as appendix
D.G. Co. 1-8-90, no. 40

Rev. 4475/80

Rev. 5157/90



Proceedings of the Board of Revenue
(Land Revenue).

Dated 20 June 1890.

Forest No. 662, Miscellaneous.

Mr. Wickstead.

READ G. O. dated 15 May 1890, No. 2998, Miscella-
-neo.

Resolution.

In accordance with the directions commu-
-nicated in the foregoing Proceedings, the
Board has revised the draft Rules proposed
to be made under Section 26 of the Forest
Act for the regulation of Lands at the disposal
of Government within the Palamunda Agency
and begs to submit them for the approval
of Government.

2. With reference to para 2 of the Proceed-
-ings read above, the Board agrees with
the Collector of Vizagapatnam that it is
desirable to extend the Act to the whole of

2/1/90

21/1

22/1

the Agency tracts included within his District,
and accordingly resolve to recommend that the
necessary sanction of the Government of India
be requested to enable this to be done under
Section 5 of the Scheduled Districts Act IX of
1874.

(Price Contract)

A. G. Cordeiro
Ag. Secretary.

The Secretary to Government, R.D.,
with revised draft rules,
and sketch map (to be returned).

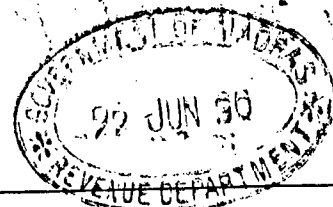
Revenue Department
1890.
Board of Revenue
(Land Revenue)
MADRAS.

No 4473

To

The Secretary to Government.

Revenue Department.



Proceedings, dated 22 June 1890,
Forest No. 662, Miscellaneous.

Res. 22. Subject.

Submitting for the approval of Govern-
ment revised draft rules under
Section 26 of the Forest Act for the
regulation of lands at the dis-
posal of Government within the
Palkonda Agency; and agreeing
with the Collector of Vizagapatam
that it is desirable to extend the
Forest Act to the whole of the Agency
tracts included within the District
and recommending that the neces-
sary sanction of the Government
of India be obtained to the
extension.

Recd. on 28/6/90

(w. 2/7)

Recd. on 2/7/90

Recd. on 21/7/90

Recd. on 2/8/90

2nd/11/1882

8

149

Notification.

Under Sec. 32 of the Madras
Forest Act (V of 1882) the Right
Honourable the Governor of Fort
Saint George in Council is
pleased to declare that the
provisions of the said Act
and the rules made ~~thereunder~~
shall be applicable to the
Mannagapuram Zemindari
Estate in the Trichinopoly District
now under the management
of the Court of Wards.

under Section
26 of Act

[Signature]
A. G. Collector.

Jy.

1 Fore...



Proceedings of the Court of Wards,

Dated 3rd July 1890.

No. 1535.

Read the following letter from the Collector of Trichinopoly, dated 18th April 1890, No. 1174.

With reference to the Proceedings of the Court of Wards in the Marungapuri Estate of this District, I have the honor to forward an application from the manager of the Estate to have the Forest Act and the rules thereunder made applicable to the Estate Forests. It is the only way to secure proper conservancy and efficient control. I request that the Board will be pleased to move Government to issue a notification under section 32 of the Forest Act.

2. I enclose a draft notification for approval and publication.

Resolution

Submitted to Government.

- The Court supports the Collector's recommendation and requests that the draft notification herewith submitted under section 32(c) of the Forest Act may be approved and published in the Fort. St. George Gazette.
- The Collector proposes to apply to the estate Forests all the rules under the act. It seems sufficient to introduce the rules under s. 26 only as was done in the case of the Kallagundi forests (Board's Proceedings dated 23rd October 1884 No. 3619).

(True copy & Extract)

The Secretary to Govt. R.D.
with a draft notification
Collr. of Trichinopoly with 1 Encl.
Conservator of Forests & Settlements
Madras

A. G. Gardner
As Secretary

Rev. 4825790

Rev. 6145790

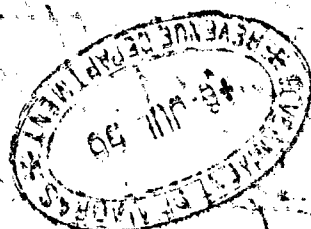
Revenue Department

1890.

Court of Wards,
MADRAS.

To

The Secretary to Government
R.D.



Proceedings, dated 3rd July 1890.
No. 1535.

Read to judge.
Subject.

Submitting to Court with support
the recommendation of the Collector
of Trichinopoly for the issue of a
notification declaring that
the provisions of the Forest Act
shall be applicable to the
Marungapuri Estate forests.

10 413
COURT OF WARDS, 3RD JULY 1890, No. 1535.

PROCEEDINGS OF THE COURT OF WARDS.

READ—the following letter from G. W. FAWCETT, Esq., Acting Collector of Trichinopoly, to the Secretary to the Court of Wards (Land Revenue Department), dated Trichinopoly, 1st April 1890, No. 117-4:—

With reference to the Proceedings of the Court of Wards, dated 1st November 1888, No. 2543, sanctioning proposals for the management of forests in the Marungapuri estate of this district, I have the honor to forward an application from the manager of the estate to have the Forest Act and the rules thereunder made applicable to the estate forests. It is the only way to secure proper conservancy and efficient control. I request that the Board will be pleased to move Government to issue a notification under section 32 of the Forest Act.

2. I enclose a draft notification for approval and publication.

RESOLUTION—dated 3rd July 1890, No. 1535.

Submitted to Government.

2. The Court supports the Collector's recommendation and requests that the draft notification herewith submitted under section 32 (c) of the Forest Act may be approved and published in the *Fort St. George Gazette*.

3. The Collector proposes to apply to the estate forests all the rules under the Act. It seems sufficient to introduce the rules under section 26 only as was done in the case of the Kangundi forests (Board's Proceedings, dated 23rd October 1884, No. 3649).

(A true Copy and Extract.)

D. G. Cardew
Acting Secretary.

To the Secretary to Government, Revenue Department, with a draft notification. ✓

„ Collector of Trichinopoly, with one enclosure.

Copy to the Conservator of Forests, Southern Circle.

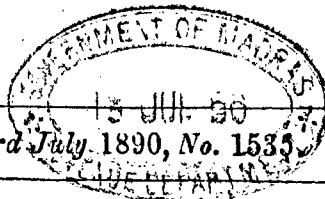
„ „ Examiner of Forest Accounts.

Exd. A. Aubert.

Ans. 4825.

1890.
Court of Wards,
MADRAS.

Printed July th.



80.4740
1-8-90

Submitting to Government, with support, the recommendation of the Collector of Trichinopoly for the issue of a notification declaring that the provisions of the Forest Act shall be applicable to the Marungapuri estate forests.

REVENUE DEPARTMENT.

Current No. 4473/50. 15

From the Board of Rev: (Land Rev.)
Dated 20 June - 1890.

FOR ORDERS.

The rules seem to be right. The Act should be extended to all the Agency lands under the sanction of the G. O. of 8.

25/6/7

Very soon to be ready
27/6

The Board submit for the approval of Govt the revised set of rules under S. 26 of Palkonda. Since we called for in G.O. 2990. dt. 15. May. 90. The revised rules are much better than those formerly sent up and we think it is thought to be approved. There are a few alterations -
Rule 2. the words 'by order in the D. Gazette' have been placed at the beginning. This alteration does not affect the intention of the rule and renders it clearer. The grazing and trespass of cattle within selected areas have also been provided for.
Rule 3. has been rewritten and is now intelligible.
Rules 4 to 6. have been

Rule 7. is an innovation.
It reserves to the authority
making these rules the
power of altering them - that
power exists already ^{under} ~~the~~
§. 64. of the Act, and it seems
~~that it is not~~ hardly necessary to reproduce
~~in detail~~ ^{in detail} it.
that I suggest these rules -

Mr. Wilcock urges the necessity
for early action in paras. 2 & 3.

however, the former Collector,
was against extending

regarding the Extension of
the Act to the Bhadrachalam!

and Rakapali: takes in
Godavery - In-Gamble

supported the present
Collector's proposals in

his letter read in J.O. 2358.
dl. 15 74

he. Sec 64 of the
 Rules made by
 the Governor in Council.
 Rule 7 refers to orders
 & notifications of the (Secretary
 is not under the authority
 of the Rules made by the
 Governor in Council. It
 seems a desirable addition
 to the Rules.

* G.O. 1262. d. 14. Nov. 85.

Current No.

From

Dated

18

FOR ORDERS

A very nice legal question, of considerable importance, is raised by Whitlock's proposal to have the fort & its extension to the 9th Army Trusting of 1895. - Although being a fort. Taking the extension of the fort to the Agency lands of that Treaty in consideration only - and, so far as the Agency portion of the Agency Treaty (which embraces the Indian title) is concerned there is no legal objection to the extension. It is to be seen that the Indian title has a ^{limited} ~~restricted~~ interest in the fort & its extension of those lands, even if the land has not now. It is through the Indian title that the land being at the disposal of fort. - But as regards the Agency lands. It is clear to me that we have no legal ground for extending the fort to any portion of it. The fort has not even a limited interest in any portion of it & extending across it is at the disposal of fort. - as the Agency

of Rs. 50, and as already
noted, they have the support
of the Board. It is submitted
that the Gov: of India may
be addressed in view to
its sanction for the extension
of the Act being obtained -

Rue

26.6.50

The function of the Executive
of the Institute
to the care of the Vi-
sage of the Agency
is not for consideration
in the Judicial rather
than in the Revenue
Dept., but the Executive
of the Court C. P. K. K. K.
was dealt with in the
Revenue Dept. I think
there can be no question
that the proposed should

we must have to have
 for it to do so and action
 must be taken only on
 its being shown to be
 expedient, then only
 we appear to be in
 position to take
 as regards the Japanese
 estate, including an
 application under Section
 32 of the Act. The
 only means by which
 any steps can be taken
 for the recovery of the
 the Forests of proprietary
 estates in the higher
 tracts is by the ex-
 tension of the Forest Act
 to them; the extent
 of its operation will
 depend upon the wishes
 of the various themselves
 or of those under whose
 jurisdiction they are
 for the time being.

Ch
 14/7

FOR ORDERS.

The extension of
 the Forest Act to
 the Vijayapattanam
 Agency tracts

The Hon^{ble} Mr. Rose
 The Hon^{ble} Mr. Jackson
 C.S.

yes

yes

That is to say - their Japanese jurisdiction
 de jure - as well as de facto.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read C.O. 1825/90.

G.O.

The Government concurs in the
 opinion expressed by the Court in
 para 3 of the foregoing Memo. and
 The draft notification submitted
 by the Collector has accordingly
 been amended and will be pub-
 lished in the Fort St. George and
 Trichinopoly District Gazettes.

Rm
 18.7.90.

Ch
 19/7

This is a similar case to that of
 Jeyapoor - The Manager of the
 estate, but the high air guardian
 applies to have the Forest Act, or
 part of it, applied to the estate
 in question. No doubt it will be a
 good thing if it can be done.
 However, I doubt, I think, whether
 anyone but the guardian can act
 in the matter. The notification
 is not yet drawn up - No. 1.
 Will the guardian be applying to
 the Court of Wards for the same?

To Council notified that the Forest
 Act is therefore under Sec. 26 of the
 The Court of Wards has been asked for the
 same.

A Supdt. South Press. Note that the Chief Clerk Mr. G. 1.11.01 which
 is dated 1.11.01 in his letter No. 2543 of April 1.11.90
 is not yet up - so it is impossible to have
 the same now. The case had
 been referred to the Adv. 25/7/90
 and with the Jeyapoor case.

S.K.
 17.7.90

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Cuo. 4825/50

Notification extending the Madras Forest Act (V of 1882) and the rules made under it to the Mannapuri Estate in the Trichinopoly District.

The Hon. J. Grose.

The Hon. J. H. Garstin, Esq.

Read Cuo. 4473/50. and Cuo. 4825/50

order B. 4740 D/1st August 1890

The revised set of rules under s. 26. of the Forest Act for ~~the~~ the Palkonda Agency tract, submitted with the ^{first of the} above ~~papers~~, is approved, and the notification will be published in the Fort St. George and Vizag District Gazette.

JG 21/7

29/7/90

2. The question of extending the Forest Act to the whole of the Agency tract of Vizagapatnam will be referred to the Advocate Genl for opinion. ^{One of the chief} ~~The main~~ objects of ^{the proposed extension} extending the Act ~~is~~ ^{is} to obtain control over the forests situated in the Jaypore Estate. The Govt assumed charge of this Estate under Rule VIII of the rule

Sw: 19/7
22/7

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read

to be furnished with the
Advocate Genl's opinion
as to the person by whom the
representation, required by
that section, can be made.

Run
25-7-50.

to the Adv. Genl. through
the Govt. Solicitor
with papers in original
to the Board. (Land Rev.)
Court of Wards
in support of Govt. Press

4. In the second of the papers,
read above, the Court of Wards
submit for approval a petition
to extend ^{certain} provisions of the
Forest Act to the Marimangalam
estate in the Trichy district.
This estate is under the
Court of Wards and the
Manager has made the
required representation
under s. 32. of the Forest Act, as

rules framed under Act. 24.
of 1839, and by G.O. 2042. A. Ind.
of 28. Nov. 89 W. H. D. Taylor, C.S.
was appointed manager on
the pay of a Sub. Collector.
Under G.O. 397. of 4. March 50.
one Valerotti Krishnayya
was appointed as guardian.
The management of the
estate is vested by the rule,
above quoted, in the Agent
under the orders of the
Board of Rev., and the
Manager is the Agent's
representative.

3. The question, on
which the advice of the
Advocate Genl is required,
is whether in the case of the
Forest Act being extended
to Jaypore, its provisions
could legally be applied
to that estate. ~~As to the Govt.~~
~~consider that the only~~
section, applicable to the
case, is s. 32, and desirous

to be furnished

To have the ^{Forest Act & the} ~~rules~~ rules ~~made~~
 thereunder made applicable
 to the forests in ^{the Province} the State.
 It seems doubtful whether
 anyone but the Guardian
 of the mines has power to
 act under s. 32, and the
 Gov^t resolves to refer the
 case also for the opinion
 of the Advo. Gen^l.

Recd.
 25.7.80.

July
 25/77

Note When the Advo. Gen^l's
 opinion is received, the
 notice will be redrafted
 here - The Pro^{se} of the Cop^y was
 noted by the Hon^{ble} Member
 as not being put up,
 will be called for from
 the Court. It was not
 communicated to Gov^t.

Recd.

DP.
 24.1.80

Extension of the
 Forest Act in
 Vizagapatnam.

The Hon. W. G. Rose.
 The Hon. W. G. Saratam.
 C.S.

Draft G.O.
 from order.

MISCELLANEOUS SERIES.

REVENUE DEPARTMENT.
G.O., DATED 1st August 1889.
No. 4740

4586
25/10/92

G.O. 4740 MIO
1-8-1890

When given for copying

[Despatch Abstract.]

Approving the revision of rules under Sec. 26 of the Forest Act for the Palkonda Agency & referring the question of extending the Forest to the whole of the agency to acts of vizag for the opinion of the Revenue General.

13.2.06
23.2.06
15-8-12

27/5/14

10-5-12
21-1-26 II ✓
7.7.28 II ✓

10/6/12
10/6/83 II