Revenue (1892) Department.

MISCELLANEOUS SERIES.

G.O., No. 3389
No 5748
DATED 26 July 1892.

[Despatch Abstract.]

Recording Board's Proc re appeal against
~~Forest Settlement~~ Officer's decision in Claim
No 15 of 1888 of the Nilambur reserve

BACK PAPERS.

G.O.	No	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O	No.	Department.	Date.	G.O.	No.	Department.	Date.

Confidential

1892.

Board of Revenue

(Land Revenue),

MADRAS.

Ex no 3361 of 93

Commissioner

To

The Secretary to Government,

R. D.,

3389 Secy
26-7-92

GOVERNMENT OF MADRAS
22 JUL 92

Proceedings, dated 18 July 1892,
Forest No. 700 Misc.

Subject.

Requesting the Collector of Malabar to oppose the appeals against Dy. Lr's decision in claim No. 15 of 1888 of the Melanelur Reserve filed by the Melanelur Sirumalpad and the Eraden of Tirukkalur Devaswam.

P.T.O.

G.O. Mis No 3389 dt 26-7-92

Received
Rec'd
25-7-92
Cy
26/7

To the Comm of L.R. Dpd 29/VII

Commissr
The Board has acted
the Collector to apply for
an adjournment & the Board
has acted & him & oppose
the appeal & employ Counsel
so that nothing more need be
done for the present.

Rec'd

Confidential.

REVENUE BOARD OFFICE MADRAS.

Proceedings of the Board of Revenue

(Land Revenue),

Dated 18th July 1892.

Forest No. 700. Miscellaneous.

The Hon'ble Mr. H. W. Bliss.

READ the following Office note from the District Forest Officer, South Malabar, to the Conservator of Forests, Southern Circle, thro the Collector of Malabar, dated 10th July 1892, No. 405, and endorsement of the Collector of Malabar dated 12th July 1892.

Reference:- Your Office note No. 730, dated 25th March 1892.

The claimants, Nilambur Tirumal-pad and Eralan of Irikalur Desom-wam concerned in claims 15 and 26 respectively referred to in my Office-note No. 380, dated 13th March 1892 have appealed against the decisions of the Settlement Officer and the hearing of the cases has been fixed for the 18th instant.

2.

2. A copy of the appeal memorandum in claim 15 received is herewith sent for your perusal. The other memorandum has not yet been received. The grounds of appeals in both the claims must be similar and they all relate to the construction of the Forest Act.

If you consider that Board's views in the points raised by the appellants are necessary before the appeals can be opposed, I request that the same be obtained at an early date and the fact intimated to the Collector by telegram so that he may be enabled to have the cases post-poned.

Forwarded.

Endorsement of the Conservator of Forests, Southern Circle, dated 14th July 1892, No. 1778.

Reference - Malabar Collector's endorsement dated 12th July 1892 on South Malabar D. F. O's No. 405, dated 10th July 1892.

Forwarded in original to the Board together with case 225 of 92 containing the copies of the Forest Settlement Officer's decisions (to be kindly returned).

The decisions are dated 2nd February 1892 and the appeal is dated 15th March 1892 - that is in excess of the 30 days allowed for appeals under Section 10 of the act.

It is a matter for regret that the copy of the appeal is only at this late date sent up for orders by the District Forest Officer.

The hearing of the appeal has been fixed for the 18th instant. I am writing to the Collector to obtain an adjournment to allow of the Board's orders being received.

The grounds of appeal are mainly on questions of interpretation of the Forest Act, upon which it may be necessary to get a legal opinion, and counsel must be employed to defend the appeal before the District Court.

Resolution.

The following urgent telegram will be sent to the Collector of Malabar:-

Your D.F.O's Office-note to Conservator 405/10-7-92. Oppose the appeals and engage Counsel reporting terms for approval.

2. Copy of these Proceedings will be submitted to Government for information.

3. The Collector is requested to report why there has been so much delay in submitting these cases for orders. The papers reached this Board only on the 16th instant, two days (of which one was a Sunday) before the date fixed for hearing, although the notices of appeals must have been received some months ago and the matter, though important, is simple.

(True copies and Extract)

W. Logan
Ag. Secretary.

To

The Collector of Malabar.
The Conservator of Forests, S.C.

Copy to the Secretary to Govt. R.D., the papers in Cutcherry Office with a Copy of Dr. L.O's decision in original, all Enclosures returned.

Case No. 225 of 1892 and 1 Enclosure

D.

When given for copying
When copied
When examined
When signed
} 189

READ AGAIN G.O., No. 189 , . DATED

CURRENT No.

D

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A
LETTER OF GOVERNMENT							
STATEMENT WITH DITTO							
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.							

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only
Q = Copy heading only