

CONFIDENTIAL.

Revenue (1893) Department.

G.O., No. 1752

Confidential No. 585

DATED 11 May 1893.

[Despatch Abstract.]

According to remarks Board the declining
to recommend to Govt the purchase of Baroth
Haji's private forests situated within the
proposed Kanroth reserve in Malabar

BACK PAPERS.

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

FURTHER PAPERS.

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

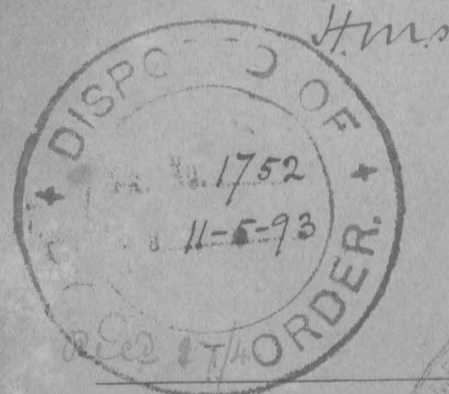
Confidential No. 10.
1893.

Board of Revenue (Land Revenue), MADRAS.

Current Number 2878.

To

The Secretary to Govt.
Rev. Dep.



Proceedings, dated 15 April 1893.
Forest No. 374

Encls 2.

Subject.

Declining to recommend
to Govt. the purchase of Barotti
Haji's private forest situated
within the proposed Kaniyot
reserve in Malabar Dt.,
and requesting the Collector
to explain the action taken
in the payment of damages
and revenue profits claimed
by Barotti Haji.

P. I.O.

C.O. No. 624 d. 13-2-93
D.O. No. 1265 d. 11-11-92
Malabar Manual Vol. II.
D.O. 853 d. 26-11-91
S.B. 911 d. 18-11-91

Order misc No. 1752 d. 11-5-93
See J.H.S.
10/5/93

Recorded with an
expression of concurrence
in the view expressed in
paras 2-4 of the Board's

Profs.
From order. Rul. 10/5/93
To the Commr of Malabar Dt. 10/5/93
with Encl. 22/4-5-93

I am not sure whether the
+ Forest Officer are not right
that it would not be a good
thing for Govt. to buy the Barotti
Haji's for Rs. 10000 + 10000
+ 10000. This Kaniyot Reserve
is at the foot of the Periyar
Mount + is not in the line
of the Periyar River which flows in
S.O. dated 19. 11. 91. Declined to
do. The purchase of it is not
from the Govt. + the high
road to Kaniyot. If I understand
rightly, runs right through it.
The track can easily be moved. The
distance from Tellicherry is made
some 15 miles or less + if a line
of railway is ever laid to Tellicherry
the track will be very
valuable. There is a creek to
provide in the Budget but the
amount may probably be put
down from savings or perhaps
the Financial Dep. can provide
it. C. H. S. 10/5/93

To

The District Forest Officer
North Malabar
Camp Kuttaparamba.

Sir,

In reference to our conversation
of yesterday and today regarding my
Kariath forest, I beg to state that you have
very much overestimated the area of the 4
(really 3) hills adjudged to Government and
underestimated the area of my land. How-
ever as we are both desirous to obviate the
disputes which are certain to arise between
Government lessees and mine, I hereby con-
sent to take Rs 18,000 and 100 logs of wood, by felling
within one year, as detailed in the margin for
my land. As regards my son's offer to give
the land for Rs 5 per acre, I will consider it
if you will make a fairer estimate of the
area of my land which I estimate at 4,000
acres at least. I cannot consent to buy
the Government land as I see no likelihood
of agreeing as to its area. I deny there are 4
hills in the localities shown me. There is no
place as Vanacherry within the boundaries
under

Anyine trees 10 logs } Both seasoned
Aluppa 25 " }
Gall trees 5 " }
Alil both 60 " } not seasoned
Red + White }
100 logs

under dispute. I also deny that the names
Muthrad, Ellorad & Cherkeri are names of
entire hills, they are merely names to small
clearings in a nameless ridge. I must res-
pectfully submit that I am prepared to
contest the boundaries of these hills as
drawn by you on the map as also my
right to damages, which I must submit
is in addition to the Revenue realized
by you for the 3 previous years. However
I again repeat that if the matter is settled
within one month I shall accept Rs. 18,000,
if I am kept waiting for many months
for a reply as in the case of your previous
negotiation, I reserve to myself the right
to cancel this agreement and re-commence
felling as I shall lose some thousands
of Rupees by refraining to give out leases
for timber. As regards your taxing me with
sending my son to settle the matter of
damages with you and then sending the Col-
lector notice of Suit, I must say that I
had to take that course not to be barred by
limitation, as to my every letter you have
replied

replied that the matter was pending before
the Board & Govt. You are aware how I
have been sent from pillar to post in the
last 7 years and the thousands of Rupees
I was made to spend on account of
the excess of zeal on the part of your pre-
decessor who swore to worry me because
I refused to accept Rs 50,000 for the same
land. You have treated me with every
consideration and I owe you a debt
of gratitude but I regret I cannot
accept your offer of Rs 15,000 so repeatedly
but kindly pressed upon me. You are
aware that I can make this sum in
3 years and still retain the land, though
perhaps in your opinion ruined - but
trees grow fast in the Malabar Hills.

I beg to remain &c.

13 March 1893

1881 Parapravan Bavotti Hajra

1 True Copy.

W. W. W.
Ag Secretary.

Rd

Confidential



Proceedings of the Board of Revenue

(Land Revenue.)

Dated 15th April

1893.

Forest No. 374 Mis

READ the following letter from the Collector of Malabar to the Secretary to the Commissioner of Land Revenue, dated Calicut, 26th March 1893, No. 324 and the endorsement of the Conservator of Forests, S.C. thereon, dated 1st April 1893, No. 700.

I have the honor to forward for the very early orders of the Board & Government a copy of a note dated March 22nd, 1893, by the District Forest Officer, North Malabar, regarding the acquisition by Government of the forests deeded to P. Bavotti Haji in S.A. No 831 of 1888.

2. It will be remembered that the High Court decree was in the favour of Government with respect to 4 hills and in favour of the Haji with respect to the rest of his claim. The Board in its Proceedings, No 1265 Misc, dated November 21, 1892, directed the Forest Settlement Officer to close the Settlement and issue a notification under

1893
REVENUE DEPARTMENT.
Enclosure No. 1
To Current No. 2878

under section 16 of the Act. Mr. Trigg pointed out how difficult it would be to demarcate the boundary between Bavotti Hajji's forest and the remainder of the Namoth reserve, and that it would be even more difficult to define the boundaries of the four hills decreed by the High Court to Government. The District Forest Officer at first suggested that negotiations should be entered into with the Hajji for the interchange of parts of the land decreed to Govt and to himself, in order that there might be a compact block belonging to either party. Mr. Eber Hardie after personal interview with the Hajji, reported that the latter would prefer either to buy the Government hills at Rs. 5 per acre or to sell his portion of the forest at the same price.

3. The District Forest Officer then pointed out that if the forest were made over to the Hajji it would be very quickly destroyed as has been done with the whole of his forests on the north of the Periya Ghat road, and recommended the purchase of the forest by Government. He states that unlike the Periya blocks, the Namoth block is of great value for climatic purposes, besides containing much valuable timber and being more accessible than the Periya blocks. The value of this block for

for climatic reasons will be understood if it is explained that all the forests below the crest of the ghats on either side for 10 miles have been destroyed. In this I entirely agree.

4. Mr. Eber Hardie reports that Rs 5 per acre is a reasonable price, and this amount could be easily realized by the owner in a short time. The present note is the reply for a further report for which I called in order to be able to lay a definite proposal before the Board and Government.

5. I very strongly recommend the acceptance of Bavotti Hajji's terms and the purchase of the forest. I believe that it will be commercially very remunerative to say nothing of its climatic value. I believe the Conservator has recently inspected these forests.

6. Should this proposal not be accepted, some further negotiations with Bavotti Hajji will be necessary. It is perfectly impossible to satisfactorily demarcate the hills decreed to Government, to say nothing of the constant disputes which must occur if we attempt to notify as reserved forests detached hills surrounded by Bavotti Hajji's claim and it will be some time before the reserves can be notified.

7. I request the favor of very early orders as the proposal is only open for a month and the time is rapidly approaching when felling takes place for floating during the next monsoon, for which Bavotti Haji is sure at an early date to grant contracts.

Conservator's Endorsement

I strongly support the Collector's recommendation. The matter is urgent and I send it on at once.

Resolution.

The Collector of Malabar recommends the purchase of that portion of the proposed Kannerit reserve, which has been adjudged by the High Court to belong to P. Bavotti Haji, and the Conservator of Forests, S.C. strongly supports the proposal. The acquisition of the property is urged on the following grounds:—

(1) that it is of great value for climatic purposes;

(2) that it is of high commercial value, and (3) that it is difficult to demarcate it out from the rest of the reserve.

2. The Board does not consider that the commercial value of the forest is of ~~any~~ consequence, if its climatic importance be not

not such as to make its acquisition desirable. On this latter point, the Board thinks that the case is not strong enough for purchase. Mr. Rhodes Morgan's account of the Kannerit forest, given in Volume II of the Malabar Manual, page 339, shows that even upwards of six years ago the whole of the forests covering nearly 40 square miles of which the portion now proposed for acquisition (nearly 6 square miles) formed a part, had been ruthlessly hacked to pieces with the exception of a few patches near the crest of the ghats. And yet no destructive floods or landslips have hitherto been reported. It is also observed that no important streams take their rise from the forest in question and that rivers in Malabar are not sources of irrigation.

3. As regards the alleged difficulty in demarcation, the Board considers that the Forest Settlement officers ought to be able with the help of the records in the Civil Suit and of the plan prepared by Mr. Lushington of the Survey Department, and admitted by the Courts, to mark out the tracts decreed to Bavotti Haji by the Appellate Courts, and thus

thus close the Settlement of the reserve without delay. If Bavotti Haji be dissatisfied with such demarcation, he must be left to seek redress in Courts in the ordinary course.

4. The Board is of opinion that the reasons put forward for the purchase of the tract in question, are thus inconclusive, and is therefore not prepared to recommend the proposal for the acceptance of Govt.

5. The collector should have reported what action was taken by him with reference to Government Order, 18 February 1893, Misc. No. 624, Revenue, communicated with Board's Proceedings, 20 February 1893, Forest No. 120. The District Forest officer states that the money has been paid to, and a receipt taken from, Bavotti Haji, but it is not clear whether the receipt is in due form and an acquittance in full of all demands. Of course, the District Forest Officer had no authority to make the payment on any other terms. In his letter to the District Forest Officer, dated 13 March 1893, submitted with the paper read above, Bavotti Haji alludes to some outstanding claim for damages, besides meane profits

profits for 3 years. The collector is requested to explain what this means.

6. It is presumed that the collector has not adopted the irregular course, suggested by the District Forest Officer, of stopping the removal of timber cut by Bavotti Haji in his forest.

1 True copy & Extract

^{however}
Ag. Secretary

To
The collector of Malabar
The Conservator of Forests, S.C.
Copy to the Secretary to Govt. R.D.
with copy of Bavotti Haji's letter
+ D.F.O.'s office note of 22 March 1893
No. 3666. (to be ret'd)
1578

2001

Current No.

From

Dated

18 .

FOR ORDERS.

I think the forest may be
bought for the price named
viz: 10000 + 100 cogs of
timber. Ten years of
careful conservation will
freely increase its value.
I don't think there is much
reason for buying it on
climatic grounds. I bought
I know the floods in the
district were often to
great heights. The bridge
over it on the Mysore road
was ~~destroyed~~ ^{in 1890} by a
flood. I think the river may
put on such a run.

27/4/90

Cash Finance if they can let
us have the money.

I think the climatic reasons are ruled out.
Remains the question of acquiring the plot
as a commercial speculation. This may
or may not be a profitable one to go to.
Apparently it will not be for some time
to come, and as we have not got the money
I would agree with the Board. ^{20/5/90}

I agree with the Board and
would not purchase the forest
then and no climatic reasons
for the purchase of any forest
in Malabar, and where the
ghats have been denuded
for ten miles on each side of
this small block of 3600 acres.
The preservation of it cannot
make much difference in
respect of floods in the district
or any other rivers.

It is impossible at this period
of the year to indicate any
general budget savings which
could be appropriated to the
purpose, unless the money
can be saved out of the Forest
budget - which I imagine can
only be done by at the expense
of the reorganization of the
District Admin. - I don't think
the money can be found.

WLS
20/5/90

See
2/5/90

FOR ORDERS.

B.P. re: the purchase
of the Harrold forest

H.M.S.

Print on the back of
the current

First copy sent to Press.

Returned for Signature.

Despatched.

READ AGAIN G.O., N.
189 ,

DATED

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