

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1105

Press
~~Mis.~~

Dated 23-4-

1969

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
23rd April 1869.*

No. 491. Read the following Proceedings of the Board of Revenue, dated 5th March 1869, No. 1,473 :—

Read the following letter from the Officiating Conservator of Forests, to the Acting Secretary to the Board of Revenue, dated Madras, 11th January 1869, No. 1,118.

* No. 219, dated 12th November 1868. I HAVE the honor to forward a letter* from the Officer in charge of the Salem Range, together with copies of correspondence between him and the Collector, by which the Board will perceive that, the Collector will not allow of such a thing as any reservation of Sandal-wood trees on any land to be in future given up on puttah.

2. In paragraph 3 of the Government Order, No. 966, dated 10th of May, 1865, Government have expressed an opinion that, if unoccupied land, containing Sandal trees, is applied for on puttah, the right to the Sandal-wood can be reserved; in paragraph 5 of the Board's Proceedings, recorded in Government Order, No. 1,797, of 5th of August, 1867, the Board have expressed similar views. Sandal trees seldom grow in anything like forest, but are sparingly scattered over the country, delighting in small thickets, hedgerows, and clumps of scrub; if the Collector's views receive the support of the Board, we must either place unnecessary restrictions on the progress of cultivation in these tracts, or year by year the localities yielding this valuable product must be rapidly alienated from Government, until there will not be a Sandal tree left that will not be private property.

3. The restriction objected to by the Collector would never prevent Ryots from taking up the land; it does not do so in Mysore, and where Ryots in the Salem District have Sandal on their lands, they generally sell the trees, before they are fit to be cut, for a nominal price to some contractor. If there is a real objection to the restriction, some clause might be inserted in future puttahs to the effect that all Sandal saplings on coming to maturity should be sold to Government, and Government *only* at a rate fixed by the Collector.

ENCLOSURE No. 1.

From the Deputy Conservator of Salem, etc., Forests, to the Officiating Conservator of Forests, dated 12th November 1868, No. 219.

WITH reference to your letter, No. 940, dated 21st September, a copy of which I forwarded to the Collector of Salem, I have the honor to enclose copies of correspondence with that Officer on the subject, for such orders as you may think fit.

2. I am personally of opinion that it would save much trouble and loss to Government in future years, if a clause, "saving the right in all Sandal-wood trees," were inserted in Puttah-namahs hereafter issued for land in the Sandal-wood tracts, whilst it would, at the same time, render the land available for cultivation.

3. If I mistake not, you informed me that this course had been adopted in Coimbatore.

4. As pointed out to the Collector, the number and age of the trees would, in many cases, not justify a refusal of the land on puttah; but I can see no reason why the applicant should on this account obtain the trees which sooner or later would be of value—not to mention the difficulty which ensues in securing those in the surrounding Government forests.

5. Sandal, as you are aware, invariably grows in patches scattered here and there, and it is therefore impossible to specify tracts to be reserved, without unnecessarily interfering with the spread of cultivation.

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ENCLOSURE No. 2.

From the same Officer, to the Collector of Salem, dated 18th September 1868, No. 159.
WITH reference to Government Order, No. 966, dated 10th May 1865, paragraph 3, and No. 1,797 of 5th August 1867, I have the honor to call your attention to the advisability of reserving, in future Puttanamahs, the Sandal-wood trees existing, or which may hereafter exist, on land applied for and given over for cultivation.

2. I was desirous of obtaining a more definite order on the subject, but Major Beddome considers the expression of the opinions of Government contained in the above sufficient, in which view, on a careful reperusal, I concur, and trust you will think it sufficient to act on.

From the same Officer, to the Collector of Salem, dated 23rd September 1868, Docket No. 126.
REFERENCE:—Letter, No. 159, dated 18th September 1868.
Forwards extract of letter just received from the Officiating Conservator on the subject.

From the Collector of Salem, to the Deputy Conservator of Forests, dated 22nd September 1868, No. 30.

WITH reference to your letter, No. 159, dated 18th instant, calling my attention to the advisability of reserving, in future Puttanamahs, the Sandal-wood trees existing, or which may hereafter exist, on land applied for and given over to cultivation, I think the orders of the Board and that of Government to which you refer are sufficiently explicit to show you that no interference with puttah rights are to be permitted. In cases where land applied for contains Sandal-wood, all that I could do would be either to refuse the application altogether, or to inform the applicant that the land would be put in his possession, and that the Forest Department would be ordered to remove the Sandal-wood trees within a certain time. It is, as the Government observe, of much greater importance to maintain the rights of Puttahdars rather than interfere therewith for the sake of a few Sandal-wood trees.

From the Deputy Conservator of Forests, to the Collector of Salem, dated 23rd September 1868, No. 170.

WITH reference to your letter, No. 30, dated 22nd instant, it would appear that you have not fully understood the request which I made in my letter, No. 159, to which yours is a reply.

2. I have the honor to point out that I made no mention of interfering with the rights of present puttah-holders in this respect, which would, indeed, be manifestly contrary to the orders of Government quoted in my letter, and I had no intention of so doing.

3. The extract from a letter, received from the Officiating Conservator of Forests, which I subsequently forwarded to you, embodies, in fact, my request, save that it does not allude to reserving "Sandal-wood which may hereafter grow on lands applied for cultivation;" and this is a point which is of course, left to your discretion.

4. Paragraph 3 of Government Order, No. 966, dated 10th May 1865, is, as you state, explicit, and expresses exactly what we want done. I do not think it was contemplated that "the Forest Department should be ordered to remove the Sandal-wood trees within a certain time." Many cases occur in which it would be unjustifiable to refuse the land for cultivation, although it contains several Sandal-wood trees; and the idea is, I think, to reserve those trees, to which the applicant can have no claim, and in order to do so to insert a clause when necessary in future puttahs to that effect.

5. I would point out that the Sandal-wood is not an umbrageous tree, and that its presence, if allowed to remain till it arrived at maturity, would in no way affect the crop grown on the land; immediately it arrived at maturity it would be removed.

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6. The absence of some such clause would, I fear, tend to constant objection and complaints from this department on account of lands containing the tree being given up, and to a gradual disappearance of the much prized wood from Government lands; whereas some such arrangement as that now proposed would, I should imagine, satisfy all parties concerned.

From the same Officer, dated 3rd November 1868, No. 205.

WITH reference to my letter No. 170, dated 28th September 1868, I have the honor to request that you will inform me what steps you have taken, or proposed to take, in the matter, as the season for distribution of Puttanamahs is approaching, and the Acting Sub-Collector particularly requested me to get him instructions before then.

2. You will observe the course proposed to be adopted by the Officiating Conservator in his letter to my address No. 940, (an extract of which accompanied my docket No. 126 of 23rd September,) and I shall be glad to be informed if you approve of his suggestion.

From the Collector of Salem, to the Deputy Conservator of Forests, dated 5th November 1868, No. 34.

I ENCLOSE you a letter I have written to my Sub-Collector on the matter of granting land on which Sandal-wood trees exist. In reply to yours of the 3rd instant, No. 205, I can only repeat what I said before in my letter, No. 30, of 22nd September last, either refuse land, or give it without any reserve or restrictions. As for granting land to a Ryot, and for Government to reserve the right to a few Sandal-wood trees which may exist on the same, and which may not be ripe for cutting for five, ten, or fifteen years, such a system is to be deprecated.

From the same Officer, to the Acting Sub-Collector of Salem, 5th November 1868, No. 1,023.

It would appear from the concluding words of the first paragraph of Lieutenant Walker's letter to me, dated 3rd instant, No. 205, that you are awaiting instructions from me as to how you should dispose of applications for land on which Sandal-wood trees exist. I could not do better than forward you a copy of my letter to Lieutenant Walker, No. 30, of 22nd September last, on the subject. As for reserving a tree here and there on a piece of land that has been applied for, I think it inexpedient to interfere with land once given for cultivation. If there are so many trees on the land that it would apparently be advisable to reserve them, I should say refuse the land, and then after the trees have matured and been cut, there will be no objection for handing over the land unrestricted.

(True Copies.)

(Signed) C. J. WALKER, Lieutenant,
Deputy Conservator.

WITH this letter the Officiating Conservator forwards a correspondence, which has taken place between the Collector of Salem and the Deputy Conservator, on the subject of the reservation of Sandal-wood on waste lands applied for, for cultivation.

Principal Collector to Board, dated 16th March 1836, No. 13.
Board's letter to Government, dated 28th April 1836, and Extract Minutes of Consultation, dated 5th May 1836.
Principal Collector's letter, dated 18th May 1836, No. 25.
Board's letter to Government, dated 26th May 1836, and Extract Minutes of Consultation, dated 4th June 1836.
Principal Collector's letter, dated 11th March 1837, No. 27.
Board's Proceedings, dated 10th April 1837.

2. The subject of Sandal-wood revenue in Salem has been discussed in the correspondence noted in the margin, and it will be sufficient here to state that, in their Orders of 10th May 1865 and 5th August 1867, Government disposed finally and definitely of the subject as regarded existing puttah lands, relinquishing all claim to Sandal-wood on such lands.

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Principal Collector's letter, dated 25th April 1837, No. 29.

Board's letter to Principal Collector, dated 8th May 1837.

Principal Collector's letter to Board, dated 27th November 1837, No. 104.

Board's Proceedings, dated 8th January 1838, conveying Extract Minutes of Consultation, dated 27th December 1837, No. 1,807.

Principal Collector's letter to Board, dated 16th January 1838.

Board's Proceedings, dated 29th January 1838.

Collector's letter to Board, dated 30th June 1854, No. 52.

Board's Procs., dated 27th July 1854.

Do. do. " 4th May 1864, No. 2,696.

Do. do. " 27th " " 3,232.

Government Order, dated 4th February 1865, No. 215.

Proceedings, dated 10th Feby. 1865, No. 782.

Government Order, dated 10th May 1865, No. 966.

Board's Procs., dated 18th May 1865, No. 2,588.

Do. do. " 23rd Oct. " " 6,783.

Government Order, dated 5th August 1867, No. 1,797.

Board's Proceedings, dated 9th August 1867, No. 5,198.

3. As regarded waste lands they concurred with the Board that "when Sandal-wood trees grew in any number the best course was not to grant the land, or to grant it on condition of the trees being reserved, or of the applicant buying the trees," as a "matter of detail which should be left to the Collector in consultation with the Conservancy Department * * * and that the proper and, indeed, only course was to reserve and protect such land as produces this wood, the guiding principle being to reserve only when it is more for the general interest of the country that the tract should be kept in a state of nature to yield this product, and its concomitant revenue than to be added to the cultivated area."

4. The Collector being unable to agree with the Officers of the department on this matter of detail, it became necessary to dispose of the points at issue.

5. Lieutenant Walker's proposal is, that all Sandal-wood in the Sandal-wood tracts (these are not defined) should be reserved in the puttahs hereafter granted, and from his letter to the Collector, dated 18th September 1868, it is gathered that in the term Sandal-wood he includes "trees existing or which may hereafter exist."

6. This view is apparently supported by the Officiating Conservator who, however, suggests as an alternative that "a claim might be inserted in future puttahs to the effect that all Sandal-wood saplings on coming to maturity should be sold to Government, and Government *only* at a rate fixed by the Collector."

7. Mr. Pochin, on the other hand, deprecates any such procedure, and proposes either that the lands should be absolutely reserved, or that the Forest Department should remove the Sandal-wood before the land is made over.

8. Both Major Beddome and Lieutenant Walker have evidently misapprehended the intentions of the Board and Government. The entry in *all* puttahs hereafter issued of a *general* reservation of existing Sandal-wood trees was never contemplated, much less the reservation of trees which might hereafter exist. It was intended that when in any particular plot of land Sandal-wood trees existed in such numbers as to render reservation expedient, *then* that particular plot of land, with the trees, was to be reserved and protected; or the trees were to be sold to the applicant; or the land was to be granted subject to the conditions that the trees were to remain the property of Government. Major Beddome's and Lieutenant Walker's plan is at variance with this decision, and, in fact, aims at converting "Sandal-wood" into a Royalty on all lands not now occupied.

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9. Looking to the small amount of revenue derived from Sandal-wood, in comparison with that from the spread of cultivation, and bearing in mind that there is not even the excuse of a monopoly to guard, the Sandal-wood trees on private land being free, the Board are of opinion that there are no adequate grounds for inflicting on cultivators the annoying restrictions involved in the course advocated by Major Beddome and Lieutenant Walker, and they consider that the measures already approved by Government provide for the Forest revenue and rights of Government in this matter so far as it is advisable to protect them.

No. 492. ORDER THEREON, 23rd April 1869, No. 1,105.

Forests, No. 12.

THE interpretation given by the Board of Revenue of the intentions and orders of Government, in regard to Sandal-wood trees, in the Salem District is correct.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.
,, the Officiating Conservator of Forests.

Ed. E. C. Shunker.

Rev: *C. J. P. 4*
7/2 85
 1869.

Board of Revenue,
 MADRAS.

PROCEEDINGS, 5TH MARCH 1869, No. 1,473.

Recd 16 Encl.
Received 17

Recd 1105. 25 April

MARCH.
 No. 1,473.

Sandal-wood trees—on waste lands applied for, for cultivation in Salem District.—Letter from Officiating Conservator of Forests forwarding correspondence between Collector and Deputy Conservator regarding reservation of, submitted to Government with remarks.

10th May 1836 No 5-6
7 June " " " 29-30
27 December 1837 " 28-29
11 February 1845 " 77-78
10 May " " " 162-3
13 October " " " 223-4
5 August 1867 " " 76-77

12-5-75

12-5-75

1105

REVENUE.

THE BOARD OF REVENUE.

No

60

Dated 11th May 1869

Recd

105

G. O. 2000 A. M. 1869. No. 1105.

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Forward

No 1105 Revenue Department

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 23 April 1869

Read the following. Proceedings of the Board of Revenue

Submitting with remarks letter from
Offg Conservator of Forests forwarding
correspondence relative to reservation of
Sandalwood on certain waste lands applied
for for cultivation in Salem District.

Here enter 5 March 1869 No 1473

*I would keep the
whole draft*

W.D.

M.A.

14 To the Board of Revenue
15 To the Offg Conservator of Forests correct.

*14
15*

The interpretation
given by the Board of Revenue
of the intentions and orders
of Government in regard
to sandalwood trees in the
Salem District is perfectly

2. Any reservation
of rights in trees growing
on existing puttah lands
or in trees likely in future
to germinate on these
lands

lands, or on other lands now
waste, which may hereafter
be taken up for cultivation is
clearly quite out of the question.

3. As observed by
Government in para 3 of their

order under date 5 August

1867 No. 1797, the due main-

tenance of puttah rights

is a matter of far more

importance than the

item of Forest revenue de-

rived from Sandalwood

and all that can be done

in the direction desired

by the Officiating Con-

servator, is to permit him

to make a representation

to the Collector of the

District whenever he is of opinion

that

that the sandalwood already
growing on any tract of land
is of sufficient importance
to authorize the Collector
in treating the land excep-
tionally. —

4 It will then be for
the Collector to determine
whether the land shall be
reserved altogether, or
shall be granted for cul-
tivation on special condi-
tions. Should the Collec-
tor not concur with the
Conservator in considering
that the land deserves
of special treatment, he
will submit the case for
the orders of the Board
of Revenue, by whose decision
the

The Conservator must abide

by the
the

W. J. F. L.