

REVENUE DEPARTMENT.

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Regular No. 1807 of 189

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Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 1860

DATED 6th April '97

[Despatch Abstract.]

B.P. submitting a report on the relative merits of the system of charging a fixed fee for the manufacture of laddy yielding trees & the system of selling in auction their usufruct in groups - records pending further report.

BACK PAPERS.

G.O.	No.	Department.	Date.
60	5049	10-12	96
"	9558	22-11	90

FURTHER PAPERES.

G.O.	No.	Department.	Date.

BOARD OF REVENUE (LAND REVENUE), FOREST No. 328, 24TH JULY 1896.

PROCEEDINGS OF THE BOARD OF REVENUE (LAND REVENUE).

READ—the following letter from C. H. MOUNSEY, Esq., Acting Collector of the Chingleput District, to the Secretary to the Commissioners of Land Revenue, dated Saidapet, 1st September 1895, Ref. on No. 3015-GL:—

With reference to Board's Proceedings, No. 271, Land Revenue, dated 3rd August 1895, on the subject of introducing the system of fixed fees for toddy-yielding Government trees in lieu of the auction sale system which now obtains, I have the honour to state that the toddy shops and trees having been sold for 1895-96, the system cannot be introduced for the ensuing lease.

2. I propose to form all Government trees, excluding those held under Bilmukta and similar pattas or likewise reserved hitherto from the operation of the lease, into convenient groups, attach certain groups to each shop and notify before toddy sales that the purchase of a particular shop carries with it the right to tap and to enjoy the usufruct of the trees attached to that shop on payment of a fee of As. 4 per tree and the usual tapping fees. This course will, I have no doubt, not only secure the interests of Government in the shape of enhanced shop-rents and tree-tax, but also obviate much of the difficulty which toddy renters now experience in getting trees at cheap rates. Generally pattadars are said to receive about As. 2 per month for each tree to allow tapping.

3. I would suggest that the fee be paid to the monigar of the village in which the tree to be tapped is situated and not to any village officer and that each monigar and Treasury officer be required to grant a receipt in the enclosed form, taking care to note among other particulars whether the tree is in charge of the Revenue or Public Works department. This information is required to make the necessary apportionment of the total fees thus realized between the two departments. Instructions will issue for the prompt remittance of the fees by the monigars to the taluk treasury along with the ordinary revenue collections. In this connection I beg to enquire whether a report need be made to the Board as at present about the fees thus collected. These collections may, I think, be included as usual in the monthly demand, collection and balance of land revenue under "Land Revenue Miscellaneous" and shown also separately in the remarks column of the statement. This will render the submission of a separate report or return unnecessary.

4. To protect the trees from being over-tapped or otherwise rendered useless, I beg to recommend that the following conditions be inserted in the tapping licenses granted by Abkari Inspectors, a counterpart agreement being obtained from the licensed tapper in each case:—

- (1) No date tree shall be cut into a greater depth than one-third of its diameter.
- (2) Cocoanut trees are not to be tapped for two years in succession.
- (3) No date tree less than 5 feet in height shall be tapped without the Collector's special permission and the initial incision shall not be made at any point less than 5 feet from the ground and every fresh incision shall not be less than 18 inches above the last.
- (4) No tree shall be cut down under any circumstances.
- (5) The licensee shall be bound by such other conditions as may be prescribed from time to time by the Collector, Board of Revenue or Government.
- (6) In case of the breach of any of these conditions, it shall be competent to the Collector or the Divisional officer to impose a fine not exceeding Rs. 2 for each tree.

5. If these suggestions are approved I request that the Board in the Separate Revenue Department may be addressed to issue the necessary instructions.

Note.—Conditions (1) to (6) apply only to Government trees.

BACK PAPERS.

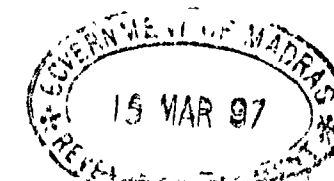
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
					5049		10/12/96

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
					7184 7194	597	77

Revenue (1897) Department.

CURRENT No.



From The Board of Revenue
Land Revenue
Forest Branch

Order Nos. 18604 6th April 97

Recorded pending further report.

No. 77

Dated 22 February 1997

Received 15-3-1997

Registered 15-3-1997

Enclosures

Spare copies

SUBJECT.

Submitting to Govt. a report on the relative system of charging a fixed fee for the usufruct of toddy-yielding trees and the system of selling in auction their usufruct in groups; and requesting the collectors to report what suits private tree owners charge tappers for the right to tap.

AR.
57419
Dist.
Note Regarding the information called for in para 2 of G.O. No. 18504 of 10th Dec/96, the Board has requested the Collector's report. Further report may therefore be awaited.

AR.
5497

10/16/3/97

ENCLOSURE No. 1.

Receipt.		Name of the village.		Date.	
1. No.	2. By whom paid.	3. Number and description of trees applied for.	4. Survey number and nature of the field in which each tree is situated.	5. Whether the field is in charge of Land Revenue, or Public Works department.	6. Amount paid at 4 annas per tree.
			Name of the Monigar or the Treasury officer.		
			Certified that the entries against items 3 to 5 are correct.		
			Date.		
			Karnam.		

Reference on the above, dated 9th October 1895.

Before passing orders on the proposals contained in the foregoing letter the Board desires further information on the following points. It is not clear whether under the proposed system the usufruct fee of 4 annas per tree will be payable by a shopkeeper for all the trees in his group or for only such as he may select for tapping. If the latter is intended it should be stated how the trees not selected by the shopkeeper to whom they are attached are to be disposed of. They may be required by some neighbouring shopkeeper, but apparently the first shopkeeper who has, by hypothesis, paid nothing for them will nevertheless be in a position to levy a monopoly charge for their use by another licensee. The conditions under which transfers of trees will be made from one group to another should be explained as also the necessity for forming trees into groups—a task which would require a very careful adjustment of the requirements of the several shops.

2. The Board believes that there is a demand in the Chingleput district for the leaves and fruit of palmyrah trees; the Collector is requested to state how such demand in respect of Government trees is proposed to be met. The failure to meet such demand is the weak point of the Kistna system referred to in Board's Proceedings, No. 271, dated 3rd August 1895, and the Collector of the latter district is requested to report whether any inconvenience has been caused to the public by the orders contained in paragraph 2 of Board's Proceedings, No. 465, dated 12th August 1893 (printed in Board's Proceedings, No. 271, dated 3rd August 1895).

(Signed) L. M. WYNCH,
Secretary.To the Collector of Chingleput.
" " of Kistna.

READ—again the following letter from C. H. MOUNSEY, Esq., Acting Collector of the Chingleput District, to the Secretary to the Commissioners of Land Revenue, dated Saidapet, 23rd October 1895, Ref. on No. 3015-G1. :—

In reply to your Reference on General Register No. 1195, dated the 9th instant, I have the honour to report as follows.

2. The usufruct fee of 4 annas per tree is proposed to be levied only on such trees as may be selected for tapping.

3. My proposal is to group the trees by villages. In this district, the number of toddy-yielding trees on Government waste and poramboke lands in each village has been fairly ascertained. The accounts maintained in the taluks in connection with the tree-tapping system afford ample information as to the relative importance of each toddy shop, and furnish sufficient data to determine the requirements of each shop. There will thus be no difficulty in making the villages into convenient groups.

4. Each group will be attached to a particular shop, the renter of which will be entitled to select trees within the group for tapping purposes. As the proportion of trees available in each group will ordinarily bear a high ratio to the proportion required for tapping, the renter will not, under ordinary circumstances, have to indent for trees situated beyond the allotted group; there will be no monopoly established in favour of the renter except in respect of the trees which he selects and pays for. This system will check all wish to do mischief to the neighbouring renters.

5. Trees not selected and paid for will be reserved for communal purposes and to meet the extraordinary demands, if any, of the other renters. Necessity of the latter kind will seldom arise, as the applicant renter will have to prove the *bona fides* of his application by showing that there are no trees available within the group allotted to his shop. The whole object of my proposal is to restore to the villagers, the rights and privileges which they have been enjoying from time immemorial, and which they have lost ever since the introduction of the auction system, with due regard to the revenue properly derivable by Government. Before the introduction of the tree-tapping system, the renter or the farmer of a shop as he used to be called was allowed

the free use of Government trees for drawing toddy, but beyond this right he never claimed or exercised any right to the leaves, fruits, fibres and such other usufructs. These were generally available to the villagers either gratis or on payment according to the circumstances of the individual requiring them. The auction system, instead of tending to confine itself to the regulation of the abkari renter's rights, developed itself into a question of monopoly and gave the purchaser unlimited scope to oppress both the renters and the villagers at his pleasure. Nor is the revenue derived commensurate with the rights transferred to the purchaser or those denied to the renters and the public. The average number of trees sold each year in the district is about 600,000 and the rent realised on them is but Rs 3,800 or so. The leaves alone, if sold, should be sufficient to return this amount of revenue.

6. According to my proposal, the sum of Rs. 3,800 will be realised on 15,200 trees, and this is not much too large to expect, seeing that private trees are charged by the owners 2 annas a month. The bulk of the trees will thus be available to the public and may bring some additional revenue by the sale of leaves, &c. The poor will be able to procure thatch for their roofs at a small cost or no cost according to the rules. This will be an appreciable boon tending to their personal welfare at no one's expense.

READ—letter from the Collector of Kistna, dated 14th February 1896, No. 169-Abkari.

ABSTRACT.—Reporting that no inconvenience has been caused generally by the levy of fixed fees for the usufruct of palmyrah trees in tree-tax areas.

Reference on the above, dated 14th April 1896.

The papers read above will be referred to the Conservators of Forests, Central and Northern Circles, for remarks on the proposals of the Collectors of Chingleput and Kistna, respectively.

(Signed) R. C. C. CARR,
Acting Secretary.

To the Conservator of Forests, Northern Circle, with
Collector's letters in original to be perused and forwarded to the
Conservator of Forests, Central Circle.
" Conservator of Forests, Central Circle, who will return
the original letters, which will be forwarded to him by the
Conservator of Forests, Northern Circle.

READ—letter from the Conservator of Forests, Northern Circle, dated 2nd May 1896, R.C. No. 1917.

ABSTRACT.—Submitting remarks on Board's Reference, on Forest Register No. 1195 of 1895 and Nos. 1375 and 1376 of 1896, dated 14th April 1896, regarding levy of a fixed fee on toddy-producing trees.

READ—letter from the Conservator of Forests, Central Circle, dated 15th May 1896, No. 2030.

ABSTRACT.—Informing that the system advocated by the Collector of Chingleput, i.e., to group the trees by villages and to levy a fixed tax per tree for tapping and a fixed fee for the usufruct of each tree, seems to his mind the best for adoption and that the usufruct of such of the trees as have not been taken for tapping should be left out for the public use.

RESOLUTION—Forest No. 328, dated 24th July 1896.

The arrangements proposed by the Collector of Chingleput appear to the Board to be a great improvement upon the former system and may be introduced in that district at once. The result of the new arrangement should be reported to the Board in due course.

2. The Conservators of Forests are requested to state whether the toddy-yielding trees in reserved forests and reserved lands are let for tapping in any of the districts in their circles and if so at what rates and on what terms. It should be specially noticed whether the lessees are allowed to enjoy the usufruct of the trees other than the juice or toddy.

(True Copies and Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

(True Copy.)

(Signed) V. A. PARTHASARATHY MUDALIAR,
Forest Assistant.

To the Collector of Chingleput.
" other Collectors.
" Conservators of Forests.
" the Board of Revenue (Separate Revenue).

1896.
Board of Revenue
(Land Revenue),
MADRAS.

Printed September 3rd.

*Proceedings, Forest No. 328, 24th
July 1896.*

Passing orders on Chingleput Collector's proposal regarding the grouping of toddy-yielding trees in his district and introduction of a fixed fee for their usufruct and requesting the Conservators of Forests to state whether such trees in reserved forests and reserved lands are let for tapping in any of the districts in their circles.

BOARD OF REVENUE (LAND REVENUE), FOREST No. 77, 22ND FEBRUARY 1897.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

READ—the following Government Order, Mis. No. 5049, Revenue, dated 10th December 1896:—

Read—Proceedings of the Board of Revenue (Land Revenue), Forest No. 495, dated 23rd October 1896.

Order—Mis. No. 5049, Revenue, dated 10th December 1896.

Before approving the introduction of the system of obtaining a revenue by the system of charging a fixed fee for the usufruct per tree, the Board is requested to submit a report on the relative merits of the system in question and the system now in force of selling in auction the usufruct in groups, and to state how it is proposed to ascertain the fixed fee that may fairly be charged. The fee must vary in different districts with reference to the circumstances of each place.

2. It should also be ascertained, for the information of Government, what sums private tree-owners charge tappers for the right to tap.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Under Secretary to Government.

To the Board of Revenue, Land Revenue.

RESOLUTION—Forest No. 77, dated 22nd February 1897.

The Board resolves to submit the report called for by Government in its order Mis. No. 5049, dated 10th December 1896.

2. The system of selling by public auction the lease of the usufruct of trees standing on Government waste and poramboke lands was sanctioned in Government Order, No. 955, dated 22nd November 1890, and introduced in 1891–92. The right to the usufruct included the right to let out trees for tapping, and the farmers were permitted to make their own terms with the tappers.

3. In April 1892 Mr. Arundel, the then Collector of Kistna, drew attention to the evils attendant on the lease of the usufruct of toddy trees. He found that the auction system was calculated to foment disputes, particularly in rented tracts in which arrack was distilled from toddy, and that it was likely to discourage applications for tapping. He proposed, therefore, that a fixed fee of As. 2 per tree *per annum* should be levied on every tree tapped to cover usufruct. The Board, however, considered that the auction system had not had a fair trial and that it was at that time premature to modify it.

4. In April 1893 Mr. Atkinson, the present Collector of Kistna, repeated the objections urged by Mr. Arundel, and endorsed the proposals of the Assistant Commissioner (Salt and Abkari) to levy a fixed fee of As. 4 on each tree tapped. The main reasons urged by the Assistant Commissioner for advocating a departure from the auction system were that the lessees of the usufruct demanded exorbitant rates, with the result that supply was much restricted and the people were driven to

illicit practices. The Board in the Separate Revenue Department forwarded the papers to the Land Revenue Branch, with an expression of its opinion that the proposed plan might be tried, provided that some precautionary measures were adopted to prevent exhaustion of the trees. The Board in the Land Revenue Department, however, negatived the proposal on the ground that it would entail a vast amount of

* Board's Proceedings, No. 3319, Separate Revenue, dated 1st June 1893, forwarded to Government as enclosure to Board's Proceedings, No. 465, dated 12th August 1893.

should have the right of drawing toddy from Government trees on the payment of a fixed fee, of say As. 4, to be collected by the Land Revenue Department and paid over to the auction purchaser.

5. In replying to this enquiry, Mr. Atkinson proposed to meet the difficulty by providing that, together with the tree-tapping fee levied by the Abkari Department, an extra fee of As. 4 should be collected by the same department from the license holder on account of the usufruct of the trees and credited to the Land Revenue Department, thus dispensing with the auction system or the interference of middlemen. He pointed out also that the adoption of his proposal would—

- (a) prevent the mutual jealousy of arrack and toddy renters;
- (b) discourage extravagant and indiscriminate cutting of the leaves of trees;
- (c) do away with all the disputes that used to exist between the abkari renters and the purchasers of the usufruct under the auction system; and
- (d) prevent the possibility of either a toddy or an arrack renter obtaining a practical monopoly of toddy-producing trees by purchasing the usufruct to the exclusion of his rival renter, except in respect of the trees which he selects and pays for according to the new system.

6. It was clear that, while the proposed method was calculated to render the collection of revenue an easy task, it gave the tapper the right to enjoy the complete usufruct of the tree, including also the right to take leaves and fruits. The Board accordingly sanctioned the introduction from 1st October 1893 of the system of levying a fixed fee of As. 4 for the usufruct in those portions of the Kistna district in which the tree-tax system prevailed. It was authorized as an experimental measure, but when a report of its successful working in the first year was received, the Board allowed† the Collectors of other districts to adopt it, if they considered the system of sale by auction did not work well.

† Board's Proceedings, No. 271, dated 3rd August 1895.

7. In September 1895, the Collector of Chingleput, in advocating the fixed fee system,‡ pointed out that the revenue derived under the old system of auction sales was not commensurate with the rights transferred to the auction purchaser, nor those denied to the renters and the public, and that ever since the introduction of the auction system the public had lost the rights and privileges which they had been enjoying from time immemorial in the matter of leaves and fruits of trees. He urged that under the new system all trees not selected would be available to the public for the exercise of their communal privileges.

8. It is understood that the tree-tax system has now been introduced into all the districts of the Presidency, except Bellary and Anantapur, and there can therefore be no objection to the new system of collecting the revenue from the usufruct of the trees. The Board hopes that the financial effect of this measure will also be encouraging, but it is not at present prepared to assert any opinion in the matter. So far as the Board is aware, the system has only been recently introduced into all, or portions of all, districts in the Northern Circle except Bellary and Anantapur, and of Cuddapah, Salem, Chingleput and Tanjore in the Central Circle, and of South Canara

in the Southern Circle. The system is now being tried only as an experimental measure in districts where the Collectors concerned consider the auction system to be a failure, and it would be premature to judge of the results at present.

9. With reference to the concluding portion of paragraph 1 of the Government Order read above, the Board submits that except in Ganjam where the Collector's proposal to levy a fee of As. 2 has been approved, a uniform rate of As. 4 has been proposed and sanctioned for the other districts, in which the system is being tried. In the Assistant Commissioner's proposals referred to in paragraph 4 *supra*, that officer stated that the actual market value of the usufruct of a palmyrah tree *per annum* varied from 3 to 6 annas, and the Board therefore accepted a fee of 4 annas as a fair average. Except in Ganjam, the 4-anna rate appears to have been accepted as reasonable.

10. The sums that private tree-owners charge tappers for the right to tap must also vary with the circumstances of each village and the demand in the neighbourhood for the toddy drawn from the trees. The Collectors of all districts will be requested to report on this point in compliance with paragraph 2 of the Government Order. It has been reported that in Chingleput a fee of As. 2 per tree *per month* is charged by private owners.

(True Copy and Extract.)

Ree
Secretary.

To the Secretary to Government, Revenue Department,
with copy of Board's Proceedings, Forest No. 328,
dated 24th July 1896. ✓

" all Collectors.
" all Conservators of Forests, with a copy of Board's
Proceedings, Forest No. 495, dated 23rd October 1896.

Exd. Shaik Karim.

REVENUE DEPARTMENT.

1897.

Board of Revenue

(Land Revenue),

MADRAS.

Printed March th.

Proceedings, Forest No. 77, 22nd
February 1897.

Submitting to Government a report on the relative merits of the system of charging a fixed fee for the usufruct of toddy-yielding trees and the system of selling in auction their usufruct in groups; and requesting the Collectors to report what sums private tree-owners charge tappers for the right to tap.

When given for copying _____
When copied _____ 189.
When examined _____
When signed _____

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. 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.—

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