

Revenue (1897) Department.

PRESS SERIES.

G.O., No. 187

DATED 19th March

[Despatch Abstract.]

Reserved Forest

The draft notification for the proposed constitution of the Penni as addition block, Erode taluka, as a — ordered, with remarks to be published in the Fort St. George and Coimbatore District Gazettes.

BACK PAPERS.

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

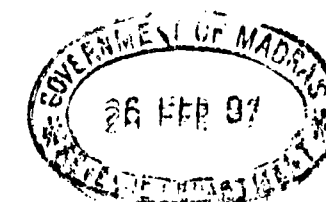
FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	CN ^o 2027/00						

Order

Revenue (1897) Department.

CURRENT No.



From
The Board of Revenue
Land Revenue,
Madras

Forst No. 172 Mv.

Dated 26th February 1897

Received 26/2

Registered 1/3

Enclosures 3

Spare copies 4

SUBJECT.

Informing Govt that, for reasons
stated within, the issue of a Supplementary
Notification in respect of the Semminadai
Block Erode Taluk, Coimbatore Dt,
is not necessary.

BACK PAPERS.

G.O.	No.	Department.	Date.
	123		22.12.26
	531276		22.12.26
	513 mio		2.12.26

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Place early out
23/12/26

NOTIFICATION.

Fort St. George, March 19, 1897.

No. — His Excellency the Governor in Council is pleased to declare, under the provisions of section 4 of the Madras Forest Act (V of 1882), that it is proposed to constitute the area the boundaries of which are set forth in the schedule appended to this notification, as a "reserved forest" under the Act.

SCHEDULE.

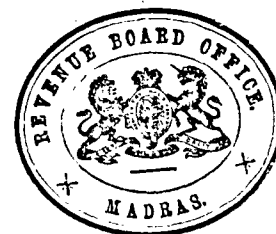
No. of block.	Name of block.	Number and name of village.	Survey number.	No. of block.	Name of block.	Number and name of village.	Survey number.
41 A	Sennimalai addition.	175. Sennimalai	670 b 670 c 670 d 670 e 670 f	41 A	Sennimalai addition.	172. Ekkatam-palayam.	521 a 521 f 521 g 521 h 521 i 521 j

2. His Excellency the Governor in Council is further pleased to appoint M.R.Ry. P. S. Singaravelu Pillai to be the Forest Settlement-officer who shall inquire into and determine the existence, nature and extent of any rights claimed by, or alleged to exist in favour of, any person in or over the land comprised within such limits, or to any forest produce of such land, and deal with the same as provided in chapter II of the said Act; and the District Forest-officer, Coimbatore, for the time being, to attend on behalf of Government during the inquiry.

3. His Excellency the Governor in Council is further pleased, under the authority vested in him by section 14 of the said Act, to appoint the Collector of Coimbatore to hear appeals from orders passed by the Forest Settlement-officer under sections 11, 12 and 13 of the said Act.

G. STOKES,
Ag. Secretary to Government.

(with
Grade
Tomb
Cavalry
24)
(11/2)



Proceedings of the Board of Revenue

(Land Revenue),

Dated 20th February — 1898.

Forest No.

172

Miscellaneous.

READ *Government Order, Revenue Department, No. 810,*
dated 2nd February 1897.

Resolution.

With reference to the observation of Government in the order read above, the Board respectfully submits that, as stated by the Collector in his letter submitting the draft erratum, the omissions brought to notice were mere clerical errors which had crept into the former notification. The entry of Survey No. 670 a.c.d.f.g. for instance, is corrected into Survey No. 670 a to j. This does not imply that the sub-divisions b, e, h, i & j are newly included. This view is strengthened by the fact that in the case of Survey No. 521 there is no difference

Read again 8.616 mis D1. 2.97
also C. No. 1791 of 97

From

The Board of Revenue, Land Revenue.

Dated

20. 2. 1897.

The Hon. Mr. T. George C. J. E.

FOR ORDERS.

Please see note under 8.610 mis 8
2. 2. 97. In the current. The Board again
seeks to justify the propriety of publishing
the draft erratum by ^{again} referring to what
was intended to be included within the limits of
the block and not what was actually expressed
in the notification. Orders are solicited.
It is quite plain that the notification
under Sec 4 was intended ^{by the Forest Dept} to include the
Survey sub no. not specified; but, whatever
the intention was, there is nothing in the noti-
fication to show that it refers to these sub no.
In these circumstances, the fact that the
omission was due to a clerical error is
immaterial, unless it be thought that the
Court would hold the extent specified to be of
more importance than the sub no. mentioned, a
view which I submit, no Court is likely to take.
If the extent ^{did} not tally with the no. mentioned
any Court would hold that the extent and not the
number was wrong. In these circumstances,
a supplemental notification seems necessary.

C. 157
17-1-97

C. 10/3/97.
R. 15/3/97.

877
83.

difference in the extent of the field as now submitted
and that as entered in the notification under Sec. 4.
The sketch map which is the same as that which
accompanied the initial notification also shows
that no additional area is included within
the Reserve by the issue of the erratum.

2. In these circumstances, it seems to the Board
that no supplementary notification is necessary.
In the case of the Ramagodo block referred to
by Government, the inclusion of an additional
area was apparent.

(True Extract)

Recd
Secretary

To. The Secretary to Government R.D.
with 2 enclosures & a map to be ret'd

Unless the Bd proposes to publish the amended notification de novo as required by Sec 6 of the Forest Act in order to give the persons interested in the land no newly included the opportunity of representing claims which the law prescribes.

7.2.97
11/4/97.

FOR ORDERS.

The supplementing of the sums necessary. So long as the fields were omitted it does not matter whether they were omitted by a clerical error or any other kind of error.

14/3/97

Rev 5.1.
Read S.O 610 & 2.2.97

Cus 1791/97.

S.O. No 187 of 19th Mar. 1897.

The Govt has no doubt that it was originally intended to include the whole of S. No 521 and 670 within the limits of the reserve; but the ~~fact~~ intention cannot be inferred from the terms of the published notification under ~~section~~ Sec 4 of the M. J. Act. That notification expressly refers to certain ~~specified~~ sub divisions ^{but} contains no mention of the sub divisions ^{specified} in S.O 610 & 2.2.97. Whether this omission was due to a clerical mistake or not is immaterial for the fact remains that the land included therein has not been actually notified under Sec 4. The statement contained in para 1 of the B.P. regarding the area entered in the initial notification against S. No 521 does not affect this conclusion; for ~~it is~~ there is little doubt that if the question came before the Courts, it would be held that ~~the omission was~~ ^{the omission was} ~~not a clerical mistake~~ ^{not a clerical mistake} the omission duly to mention all the sub-divisions in the initial notification was not rectified by noting the total area therein. In these circumstances, the Govt considers that a fresh notification

under sec 4 is legally necessary and that the
 procedure laid down in the succeeding sections
 must be formally complied with, ~~by before the~~
~~small area affected can be constituted part~~
 of the reserve. The necessary notification
 has been prepared in the Govt office and will now
 be published in the F.S.G. & Coimbatore
 District Gazette.

P.O.
 17.3.97

11/9/97

15-4-97

25/3

*
 The notification is now being
 prepared for the purpose of
 the notification in the
 District Gazette.

17.3.97

109

Government (1897) of Madras. REVENUE.

Recd.

Regd.

1897.

Enclosures

Spare copies

G.O., No. 187, 19th March 1897.

MARCH.

Reserved Forest.

The draft notification for the proposed constitution of the Sennimalai addition block,
 Erode taluk, as a —, ordered, with remarks, to be published in the Fort St. George and
 Coimbatore District Gazettes.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—again the following G.O., Mis. No. 610, Revenue, dated 2nd February 1897:—

Read—the following Proceedings of the Board of Revenue (Land Revenue), Forest Mis. No. 1624, dated 14th December 1896:—

Read—Endorsement of the Conservator of Forests, Southern Circle, dated 28th November 1896, Ref. on C. No. 2046, forwarding letter from Herbert Bradley, Esq., Collector of Coimbatore, dated 26th November 1896, Ref. on C. No. 378-F of 1896.

Resolution—Forest Mis. No. 1624, dated 14th December 1896.

With the letter read above, the Collector submits an erratum in respect of the Seninimalai block in the Erode taluk, now under settlement, in view to rectify certain clerical errors in the extent of some of the fields comprised within the reserve which were not noticed at the time of submission of the initial notification. The said erratum not being drawn up in proper form, the Board has prepared the following in its office and submits it to Government for early publication in the *Fort St. George Gazette*:—

Erratum Notification.

* * * * *

(True Copy and Extract.)

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

To the Secretary to Government, Revenue Department,
with a map and an area statement and the letter
in original (to be returned).

Order—Mis. No. 610, Revenue, dated 2nd February 1897.

So much of the draft erratum as relates to mere corrections of area will be published in the *Fort St. George* and *Coimbatore District Gazettes*; but the Government observes that the remaining portion apparently has the further effect of including within the limits of the block certain areas not mentioned in the notification under section 4, viz., survey Nos. 670 b, e, h, i, j and 521 e, f, g, h, i, j. The Board's attention will be invited to G.O., Mis. No. 5318, dated 22nd December 1896 where it was pointed out that in such a case as this, a supplemental notification under section 4 is legally necessary in order to carry out the settlement of an area not included in the initial notification. The necessary supplemental notification should be submitted at an early date.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

To the Board of Revenue (Land Revenue),
with map and enclosure.
„ Superintendent, Government Press, with erratum
in the Board's Resolution (as corrected by Government).

Read—also the following Proceedings of the Board of Revenue (Land Revenue), Forest Mis. No. 172, dated 20th February 1897:—
Read—G.O., Mis. No. 610, Revenue, dated 2nd February 1897.

Resolution—Forest Mis. No. 172, dated 20th February 1897.

With reference to the observation of Government in the order read above, the Board respectfully submits that, as stated by the Collector in his letter submitting the draft erratum, the omissions brought to notice were mere clerical errors which had crept into the former notification. The entry of survey No. 670 a, c, d, f, g, for instance, is corrected into survey No. 670 a to j. This does not imply that the sub-divisions b, e, h, i and j are newly included. This view is strengthened by the fact that in the case of survey No. 521 there is no difference in the extent of the field as now submitted and that as entered in the notification under section 4. The sketch map which is the same as that which accompanied the initial notification also shows that no additional area is included within the reserve by the issue of the erratum.

2 In these circumstances, it seems to the Board that no supplementary notification is necessary. In the case of the Ramagodo block referred to by Government, the inclusion of an additional area was apparent.

(True Extract.)

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

To the Secretary to Government, Revenue Department,
with two enclosures and a map to be returned.

ORDER—No. 187, Revenue, dated 19th March 1897.

Forest No. 53.

The Government has no doubt that it was originally intended to include the whole of survey Nos. 521 and 670, within the limits of the reserve; but the intention cannot be inferred from the terms of the published notification under section 4 of the Madras Forest Act. That notification expressly refers to certain sub-divisions but contains no mention of the sub-divisions specified in G.O., No. 610, dated 2nd February 1897. Whether this omission was due to a clerical mistake or not is immaterial, for the fact remains that the land included therein has not been actually notified under section 4. The statement contained in paragraph 1 of the Board's Proceedings regarding the area entered in the initial notification against survey No. 521 does not affect this conclusion; for there is little doubt that if the question came before the courts, it would be held that the omission duly to mention all the sub-divisions in the initial notification was not rectified by noting the total area therein. In these circumstances, the Government considers that a fresh notification under section 4 is legally necessary and that the procedure laid down in the succeeding sections must be formally complied with, before the small area affected can be constituted part of the reserve. The necessary notification has been prepared in the Government office and will now be published in the *Fort St. George* and *Coimbatore District Gazettes*.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

To the Board of Revenue (Land Revenue), with map.
„ the Superintendent, Government Press, with notification under section 4.

NOTIFICATION.

His Excellency the Governor in Council is pleased to declare, under the provisions of section 4 of the Madras Forest Act (V of 1882), that it is proposed to constitute the area, (in the Erodetaluk, Coimbatore district), the boundaries of which are set forth in the schedule appended to this notification, as a "reserved forest" under the Act.

SCHEDULE.

No. of block.	Name of block.	Number and name of village.	Survey number.	No. of block.	Name of block.	Number and name of village.	Survey number.
41 A	Sennimalai addition.	175. Sennimalai	670 b 670 c 670 A 670 i 670 j	41 A	Sennimalai addition.	172. Ekhatam-palayam.	521 e 521 f 521 g 521 A 521 i 521 j

2. His Excellency the Governor in Council is further pleased to appoint M.R.Ry. P. S. Singaravelu Pillai to be the Forest Settlement Officer who shall inquire into and determine the existence, nature and extent of any rights claimed by, or alleged to exist in favour of, any person in or over the land comprised within such limits, or to any forest produce of such land, and deal with the same as provided in chapter II of the said Act; and the District Forest Officer, Coimbatore (North), for the time being, to attend on behalf of Government during the inquiry.

3. His Excellency the Governor in Council is further pleased, under the authority vested in him by section 14 of the said Act, to appoint the Collector of Coimbatore to hear appeals from orders passed by the Forest Settlement Officer under sections 11, 12 and 13 of the said Act.

Erd. Shaik Karim.

25 Copies.

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O. No.
189.

PAYED.

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITO.

PAPERS NOT FILED UP BEING MEANT FOR DESPATCH
IN ORIGINAL.

E.B.—

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B = Not to be printed.
P = Print abstract only.
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