

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 4429

DATED 24 Aug 97

[Despatch Abstract.]

Passing orders on the question of ^{excluding} certain lands erroneously
included within the notification under Sec 16 of the M. L. Act
issued in respect of the Cheraulhadri reserve, Malgiri St.

BACK PAPERS.

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

FURTHER PAPERS.

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

Revenue (1897) Department.

CURRENT No.



Can be 6727.

From

The Secretary to the Commissioners

of the Revenue

Board of Revenue

Madras

Order no 4429. dt 26 Aug 97

From the map submitted by the Forest Settlement Officer and (b) Survey Nos 291, and 264 and a piece of land at the north east corner of the reserve which though not specifically dealt with by the Forest Settlement Officer did not specifically deal with the amended boundary description intended to include them. in respect of the reserve.

boards it appears that the boundaries as set forth in the final notification of reservation under Sec 16 of the act. included (a) Survey nos 260 & 265 which were specifically ordered to be included by the Forest Settlement Officer and (b) Survey Nos 291, and 264 and a piece of land at the north east corner of the reserve which though not specifically dealt with by the Forest Settlement Officer did not specifically deal with the amended boundary description intended to include them. in respect of the reserve.

Dated 2nd August 1897.

Received

Registered

Enclosures

Spare copies

SUBJECT

Submitting to Government a plan of the Cherambadi Reserve in the Kilgiri district showing the boundaries as initially and finally notified and requesting the publication in the Fort Saint George Gazette of the amended boundary description intended to include them. in respect of the reserve.

2. In the opinion of the Forest P.T.O.

2.8.97

officer

It appears also that the notification under section 16 of the Act omitted to describe a portion of the boundary finally settled.

In the opinion of the Govt the erroneous inclusion of Survey nos 260 & 265 & the omission ^{about} ~~last~~ ^{about} which may be treated as clerical errors & remedied by the publication of a revised notification. With respect however to the erroneous inclusion of the land mentioned in (b) above the Govt considers that the ~~only~~ safest & probably only strictly legal remedy would be to formally disafforest them.

The Board is therefore requested to submit a draft notification under Sec 24 of the Act with respect to these lands. After the sanction of the Govt of India to this notification has been obtained, the revised notification ~~consequently~~ ^{consequently} under Sec 16 should be prepared & submitted for the approval of Govt.

11/11/97. 11/11/97

BACK PAPERS.

G.O.	No.	Department.	Date.
	1272	R	7-7-97.
	972	mis	11-2-97.
	277	mis	15-1-97.
	225	27	25-6-97.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

The Hon: Mr J. P. C. 18

Re: inclusion of certain lands from a reserved forest

X enclosed in green lines and forming the northern & south-western portion of the block as notified under Sec 4.

See Present Current 11-4-97

* There are S. No. 264, 260 & 265, 291. and a S. No. at the N.E. Corner of the block as notified under Sec 16 (number not given in map)

Read again S.O. 972 mis 18-2-97. Cuo 6727 of 97.

For orders

Please see note under G. 6 972 mis dated 18-2-97. The map submitted shows that there are two pieces of land which were included in the notification under Sec 4 but were excluded from the terms of the notification under Sec 16. They may be considered to have been thrown out at Settlement. The question is therefore whether the lands included in the terms of the notification published under Section 16 but which were not included within the boundaries (indicated) settled by the Forest Settlement officer, should be excluded from the boundaries of the reserved forest by the publication of an amended boundary notification or by formal disafforestation under Section 24 of the Forest Act.

2 It is desired that the S. No. in question were included both in the notification under Sec 4 and that under Sec 16 (though the claims in respect of S. No. ^{either preferred or} ~~do not appear to have been~~ settled by the Forest Settlement officer

except S. No. 260 & 265 which were ^{the} ~~orders~~ ^{enclosed} from reservation

19/8/97

To The Secy (R) with enclosure

6.8.22ms

So that ~~differs~~ strictly speaking, disafforestation, it would appear, is the proper course to be adopted in the present case. Moreover S. No 264 is said to be patta land and the rights in respect thereof extinguished by a notification having the force of law cannot, ^{effectually} ~~being~~ it is submitted, be restored until the land is disafforested with the sanction of the Govt of India. Orders are requested.

3/ From the description of the southern boundary contained in S.O No. 25 & 11-1-88, it appears that the portion of the southern boundary (between the red cross marks) was not described in the notification under Sec 16. But as the description of this portion ~~after another previously~~ is included in the amended notification submitted by the Board, the publication of the amended notification (which, it is submitted, should be done after the publication of the disafforestation notification) will set the matter right.

For the reason stated at the foot of ^{last} page of this note it is submitted the disafforestation is the safest & probably the strictly legal course with respect to those lands which the F.S.O did not originally.

* please see instructions (para 3) contained in Govt of India

Circular No. 107 & 20-6-93

in f.o 2750 mis 26-7-93

(for another account).

Page B

Yes
28
20/8/97

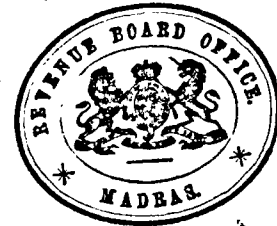
11/19/97

Yes
28

deal with though it wd now appear that they were intended to be included. In the respect to the land defendant ordered to be included by the F.S.O. (Suo 260 & 265) it is submitted that their inclusion in the draft notification under Section 16 may be treated as a clerical error & that an erratum would be sufficient. They would then form an enclosure under Suo 291 and be disafforested.

11/19/97
18.5.97

16.5.97



Proceedings of the Board of Revenue

(Land Revenue),

Dated 2nd August

1897.

No. 763

Miscellaneous

READ again Board's Proceedings n^o. 732 mis d/ 21 July 1897, recording plan,
GO: recording B.P. recording pending receipt of certain
letters from the Collector of the Kilgiris, submitting reply
regarding the reservation of the Bherambadi Reserve
in the Kilgiri district.

.. Board's Proceedings n^o. 625 mis d/ 29th June 1897.
H.C. " " " n^o. 211 mis d/ 4th March 1897, Com-
municating to the Collector of Kilgiris GO. RD re-
questing the Board of Revenue to cause a map to be
prepared, correctly defining the boundary line with
regard to the Bherambadi Reserve, Kilgiri district.

.. Board's Proceedings n^o. 1580 mis d/ 4.12.96
also letter from the Collector of Kilgiris d/ 9th July 1897

RC n^o. $\frac{1838}{95-96}$.

Resolution

Submitted to Government with reference to
GO

Go. Rev: mis n^o 972 d/ 18th February 1897.

2. From the plan now furnished by the collector it appears that old settlement n^o 59 assumed by the Forest Settlement officer in his decision on claim II of the bherambadi reserve to be identical with new settlement n^o 229, is in fact merged in new settlement n^o 233 which constitutes the Reserved forest. side page 7 of Co. 252/11-1-95

3. As the amended boundary notification already submitted with B.P. n^o 1580 mis d/ 4-12-96 appears from the plan to be in accordance with the boundary intended by the Forest Settlement officer, the notification may be the Board considers, be now approved and ordered to be published in the Forest Saint George Gazette.

(True extract)

Reclan
Secretary

To the Secy to Govt RD with Colbr's letter
and its enclosures in orig. blue ink.

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

READ AGAIN G.O. No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOV. MENT

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LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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Co. Rev. mis w^e 9722/18th February 1897.

From tt

Treasury Board Office,
(Separate Revenue),
On Receipt, Bombay, Colacacum
1897.

My dear Sir
In the arrangement
made consequent on the being
granted him for one month and
20 days' furlough he has been
appointed to act as my Secretary
This will leave the Office of
by Commissioner Central Division
temporarily vacant. I presume that
the appointment is to be filled by
an officer from this Department - and
I hope, by the arrival of Mr. W. C. F.
Lippett from the acting Secretary
He is the person appointed to be
not already acting as Secretary

Commissioner and is fully qualified
for the post, in which he has
already acted for a short time
on a previous occasion.
Yours sincerely
W. C. F. Lippett

Forwarded
By: Secretary
13.5.97

When given for copying _____
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When examined _____
When signed _____

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DETAIL

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
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