

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 4675

DATED 7 Sept 97

[Despatch Abstract.]

Passing orders on the question of the grant of a piece of land to the Education on the Eastern Slope of the Anamalai Hills.

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.

From

The Board of Revenue, Land Revenue, ...

Forest No. 788 Misc.

Dated 26th Aug 1897

Received

Registered

Enclosures

Spare copies.

SUBJECT.

Stating that the letter dated by the Collector of Coimbatore, no. 14-15-97, applied for by Mr. ... and granted to him on the ... was submitted for the information of Government in B.P. 823-12, dated 10th March 1897, recorded in G.O. 1567, dated 22-3-97; requesting the ... to report the terms of the lease and seeing no objection, the grant should be converted into a patent under section 18 of the Forest Act.

Let

On Order

20/8/97

No. 176

With reference to the Prop. for no 788 misc of 9th August 1897, the Board of Rev: is requested to submit for information of Government for resubmit to Govt for reference the letter from the Collector of Coimbatore returned with G.O. misc. no 1567, Rev: of 22nd March 1897

16. viii. 97

Cotacmand 17th August 1897

To

The Bd of Rev: (412)

13/8/97

14/5

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Ref. ^{Cur} on NO 54/~~400~~ of 1897-98.

Coimbatore Collector's Office,
South Forest Branch.
31st July 1897.

From

Herbert Bradley Esquire.,

Collector of Coimbatore.

To

The Secretary to the Commissioners of
Land Revenue, Madras.

Sir,

I have the honor to request the favour of orders as to the land granted by me to Mr. Edmiston and referred to in the concluding paragraph of my letter dated February 27th 1897, Ref. on Cur. NO 1892 of 1896-97.

2 The land is near the Lower Purochi ^{Forest} Ranger's hut and is not in any way connected with the land opened for coffee cultivation on the Anamalais from which it is some miles distant.

3 I would suggest that I should be empowered to grant a patte for it under section 18 of the Forest Act.

I have the honor to be

Sir,

Your most obedient Servant.

(Signed) Herbert Bradley.

Collector.

(True Copy)

Recess

Secretary



3,000
10-12-96.

Proceedings of the Board of Revenue
(Land Revenue).

Forest NO788 Misc, dated 9th August 1897

* Copy attached.

Read Endorsement of the Conservator of Forests, Southern Circle, dated 30th July 1897, R.O. NO 505, forwarding letter from the Collector of Coimbatore, dated 21st July 1897, Ref. A. NO. 54
400.
Cur

Resolution The letter quoted by the Collector was submitted for the information of Government in Board's Proceedings 333 Misc, dated 10-5-97 and was recorded in G.O 1507 MIs, dated 22-5-97, from which the Board understands that Government accepted as an accomplished fact the grant which the Collector reported he had actually made to Mr. Edmiston of 5 acres of grass land in the Annamalai Reserved Forest outside the area thrown open for coffee cultivation.

2 The Collector is requested to report the terms of the lease. The Board sees no reason why the ~~lease~~ grant should be converted into a patta under section 18 of the Forest Act.

(True Extract)

Reed
Secretary

To the Collector of Coimbatore.

To the Conservator, S.C

Copy to the Secretary to Government, B.D ✓

189 .
Board of Revenue
(Land Revenue),
MADRAS.

To

Revenue (1897) Department.

CURRENT No.

Order

From

*The Board of Revenue, L.R.
Madras.*

18/8/97

Forest No. 643 Rentine.

Dated *20 August 1897*

Received

Registered

Enclosures

Spare copies

Subject.

SUBJECT.

*Resubmitting to Government
letter from the Collector of Coimbatore
dated 27.2.97 No. 1822 reporting
that he has not allowed Mr.
Windle to take up 20 acres of
land at Paralai.*

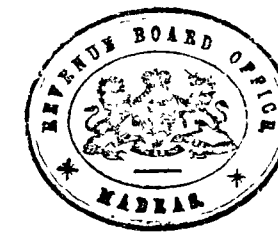
BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

5,000
1-6-90.



Proceedings of the Board of Revenue

(Land Revenue),

Dated 20 August 1897.

Forest No. 643 Mis.
Routine.

READ *Official memorandum from the Acting Assistant
Secretary to Government, Revenue Department,
No. 176, dated 17 August 1897.*

Resolution

Ordered accordingly

/ True Extract /

Receives

Secretary

To. *The Assistant Secretary to Government, R.D. ✓
with letter in original to be ret'd*

189 .
Board of Revenue
(Land Revenue),
MADRAS.

To

Proceedings, dated 189 ,
No. Mis. Routine.
Subject.

D 1,000-8-4-97.

REVENUE DEPARTMENT.

C No. 6966 27318 of 97

From the Board of Rev: , Land Revenue.

Dated 9th and 20th Aug: 1897.

The Hon: Mr. Justice C. J. J.
The Hon. Sir Henry Bliss K.C.S.J.

FOR ORDERS.

As the land is in a Reserve the provisions & express sanction of Govt is necessary to give the E any right over it. The assessment and not be altered. Govt has agreed to it. Obligation to pay all cesses imposed on rent value and be inserted in the lease.

29
24/9/97

W
31/9/97

With its Progs in G.O. misc No. 1567 Rev: of 22nd March 1897, the Board of Rev: in March last submitted a letter from the Collector of Coimbatore reporting that in accordance with the terms of G.O. No 100 Rev: of 16th Feb: 1897 he had declined to grant 20 acres of land applied for by Mr. Wandle for building purposes. The Collector, at the same time stated that he had allowed Mr. Edmiston to take up 5 acres of grass land on the Coimbatore slope of the hills on a lease of Rs 11-8-11 per acre for building a store shed and added that Mr. Edmiston's case did "not appear to come within the purview of the Govt order" of Feb: 1897 quoted above.

23/10/97

FOR ORDERS.

2. The Anamalai rules were intended to apply to the reserved forests lying on or on the Travancore and Cochin or the western slope of the hills and the Collector had not stated that the land granted by him to Mr Edmiston was reserved forest. When therefore the papers were received in the Office it was thought sufficient to "record" them. The Under Secy however drew special attention to the Collector's statement about the grant made by him to Mr Edmiston and the Secy added "I presume the grant will have to be cancelled or may it be confirmed?" When the papers were circulated, the H.S.M. passed the draft as it originally stood without any remarks and the order "Recorded" was accordingly allowed to go out.

3. The Collector has since asked for orders as to the land above referred to and suggested that he should be empowered to issue a patta for it under Sec 18 of the Forest Act. The Board in submitting the papers to Govt states

States that it understands from the G.O. of March 1897 "that the Govt. has accepted as an accomplished fact" the grant above referred to, expresses its opinion that there is no reason to convert the grant into a patta under Sec 18 of the Forest Act and has asked the Collector to report the terms of the lease.

4. As already indicated in para 2 above, when the papers were originally submitted to Govt there was nothing to show that the grant made by the Collector was of land forming part of a reserved forest. If there was, the Board's attention would have been drawn to the decision arrived at in para 5 of G.O. No. 412 Rev. dt 9th June 1896 and the Board told that in making the grant, the Collector had acted ultra vires. There is, it is submitted, no doubt that under Sec 18 of the Forest Act that the previous sanction of Govt is necessary for such grants and that the sanction should be express and not implied.

The

the Collector and the Board may be told so

5 The next question for consideration is whether the grant made by the Collector should now be confirmed by the ^{Gout} ~~Collector~~ and whether the instrument of transfer should be a lease or a putta. In the case of lands on the western slope of the hills, the Gout has since decided that there is no objection to the grant of small blocks of land for building purposes provided that the grantees pay the full 2-Rupree rate of assessment per acre in respect of them from the very beginning (vide para 4 of G.O. No 317 Rev. dt 11th May 1897). The Collector has proposed only 3 annas per acre in respect of Mr Edmiston's land. This land no doubt is on the eastern slope of the hills and does not strictly fall within the coffee cultivation zone in respect of which special rules have been ^{issued} ~~announced~~ by Gout but the land presumably is intended to be ~~shaded by the surrounding forest~~ ^{an} adjunct to Mr Edmiston's coffee estate and the assessment proposed may perhaps

The Gout
has accepted
the rate. A
Wm
27/5/97

perhaps be therefore considered to be inadequate ~~inconvenient~~. In other respects there does not appear to be any objection to confirming the grant made by the Collector.

6 As regards the question whether a putta or lease should be issued in respect of the land, it is submitted that, if express provision is to be made for the payment of land & village cesses, there does not appear to be any objection to endorsing the Board's preference for a lease. As Act IV of 1893; Sec 7, at present stands, village cess can hardly be levied on a piece of land leased out by Gout unless it be made a condition of the lease itself. This point has been submitted for orders in another connexion.

Wm
26 VIII-97

Wm
27/5/97

Levy (from orders)

DO 7/9/97

Read eno 6966 & 7318 of 97

Order - mise no 4696 d/7 Sept 97

When recording the papers forwarded with B.P. for no 232 mise d/ 10th March 1897, the Govt was not aware that the piece of land which the Collector of Coimbatore had granted to Mr. Edmiston formed part of a reserved forest. Under Sec 18 of the Forest Act the previous and express sanction of Govt is necessary before a grantee can exercise any legal right over any part of a ^{Govt reserve} ~~reserved~~ forest. ~~I am~~ ~~aware~~ ~~however~~ ~~of~~ ~~the~~ ~~fact~~ ~~that~~ ~~the~~ ~~matter~~ ~~was~~ ~~duely~~ ~~brought~~ ~~to~~ ~~the~~ ~~notice~~ ~~of~~ ~~Govt~~ ~~N.E.~~ ~~the~~ ~~G.~~ ~~in~~ ~~C~~ ~~is~~ ~~now~~ ~~pleased~~ ~~to~~ ~~accord~~ ~~his~~ ~~formal~~ ~~sanction~~ ~~to~~ ~~the~~ ~~grant~~ ~~referred~~ ~~to~~ ~~on~~ ~~the~~ ~~terms~~ ~~proposed~~ ~~by~~ ~~the~~ ~~Board~~ ~~provided~~ ~~that~~ ~~it~~ ~~is~~ ~~made~~ ~~an~~ ~~express~~ ~~condition~~ ~~of~~ ~~the~~ ~~lease~~ ~~that~~ ~~the~~ ~~lessee~~ ~~shall~~ ~~be~~ ~~liable~~ ~~to~~ ~~pay~~ ~~land~~ ~~and~~ ~~village~~ ~~cesses~~ ~~and~~ ~~any~~ ~~other~~ ~~cess~~ ~~which~~ ~~the~~ ~~Govt~~ ~~may~~

may by law impose on holders
of land on ryotwari tenure.

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b2N

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7/18/97

L

The Board of Rs. (Qd) 10-9-97
initial for [unclear] in [unclear]
[unclear] 23/12/97

BM
6.12.97

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

READ AGAIN G.O., No _____ DATED _____
189

CURRENT No. _____

ENCLOSURES TO G. 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.—

A = Copy in full.
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