Revenue (1897) Department.

PRESS SERIES.

G.O., No. 499-99A

Dated 28th June 1897.

[Despatch Abstract.]

Reserved Forest.

The draft notifn, under section 16 of the Madras Forest Act, for the constitution of the Bandar Fort extension, No. I blo in the Bandar taluk, as a —, ordered to be published in the Fort St. George and the Kistna 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.

Revenue (1897) Department.

Print

Secy

28/6/97

CURRENT No. 5083

SECL. GOVT. MADRAS 18 JUN 97 REV. DEPT.

Forest No 107

Order No. 499 **dated** 28th June 1897.

The draft notification will be published in the Fort St George and Kistna Dt gazettes, the 15th September 1897 being entered as the date from which reservation shall take effect.

28.6.97

28/6/97.

To the Bd: LR with map.
4
1 Suptdt: of P with notification.
1 Supt of forest Surveys

25/3 Ford 21-7-97

Encl No 499A.

Copy to J. Rand agri: Dept.

28.6.97

2 U.C. dtd 21.7.97

6m 25.6.97

From The Secretary to the Board of Revenue Land Revenue Madras.

Forest No. 215.

Dated 2nd June 1897.

Received 18.6.97

Registered "

Enclosures 4.

Spare copies

SUBJECT.

Submg. draft Notifn. for the constitution of the Bandar Fort extension I in the Bandar taluk, Kistna Dt. as a reserved forest

gm 18/6.

BACK PAPERS.

G.O.	No.	Department.	Date.
	105		6.12.93.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Octavd. June 28, 1897.

No. 77-97

DRAFT NOTIFICATION.

His Excellency the Governor in Council is pleased to declare, under the provisions of section 16 of the Madras Forest Act (V of 1882), that, from the 1897, the area, the boundaries of which are set forth in the schedule appended to this notification, shall be constituted "reserved forest."

SCHEDULE.

District.	Taluk.	Name of forest.	Boundaries.
Kistna..	Bandar..	Bandar Fort extension No. I.	*North.*—Starting from a point on the Bandar-Upputeru river where the Dingiela yela Shinki (creek) flows into it and about 21·60 chains north of the north-west corner of survey No. 94 of Bandar village, along the southern bank of the Upputeru river to the north-west corner of the Bandar Fort reserved forest No. 53 where the Tummalapalem kaluva joins that river. *East and South.*—Thence along the western boundary of Bandar Fort reserved forest (along the Tummalapalem kaluva and Shoklaparu Shivara creek) to a point on the latter creek about forty-three chains south-west of the junction of that creek with the Tummalapalem creek. *West.*—Then a demarcated line north-west for about five chains; then north-east for about thirty-four chains and then a straight line north to the starting point.

REMARKS I.—The right on behalf of the fishermen of Gilakaladindi, Garaladibba and Polatitippa, hamlets of Bandar, to fish in the Tummalapalem kaluva and in the creeks within the reserve, is admitted as a public right.

II. The right of navigation by the public over the Tummalapalem kaluva is admitted subject to the control of the Port officer.

(Signed) A. W. LUSHINGTON,
District Forest-officer.

(Signed) E. A. SMITH,
Forest Sett.-officer.

R. R. Wodie.
Ag. Secretary.

11—10 aw

Draft

NOTIFICATION.

His Excellency the Governor in Council is pleased to declare under the provisions of section 16 of the Madras Forest Act V of 1882 that from the 189 . the area, the boundaries of which are set forth in the Schedule appended to this Notification shall be constituted "Reserved Forest."

District.	Taluk.	Name of Forest.	Boundaries.	Remarks.
1	2	3	4	5
Kistna	Bandar	Bandar Fort Extension I.	North:— Starting from a ... river where the Dingiela ... And about 21.60 Chains ... F.S. No: 94 of Bandar ... bank of the Upputeru river ... Bandar Fort Reserved Fo... Jummalapalem Kalwa ... East and South:— Rese... =ary of Bandar Fort ... Jummalapalem Kalwa ... Creek) to a point ... Chains South west of ... with the Jummalapale... West:— Then a demarcated ... then North east for ab... line North to the Starting ...	I. The right on behalf of the fisher= =men of Gilakaladindi, Gavala =dibba and Polatitippa = hamlets of Bandar, to fish in the Jummalapalem Kalwa and in the Creeks within the Reserve is admitted as a public right. II. The right of navigation by the public over the Jumm= =lapalem Kalwa is admitted subject to the Control of the Port Officer.

...ot on the Bandar Upputeru ... Shinki (creek) flows into it ...th & the Northwest corner ...illage—, along the Southern ... the Northwest Corner of the ...ot No: 53 where the — ... river ... comes that river ... along the western bound= ...erved Forest (along the ... and Thoklapam Thivara ... latter Creek about 48 ... junction of that Creek ... creek. ...e Northwest for about 5 Chains; ...4 Chains and then a straight ...ont.

Ag. Chief Forest Officer 3.1.97

E. H. Smith

Forest Settlement Officer

3 R 14-7-97

Reg. No.
10 JAN 1897

REVENUE DEPARTMENT.

1897.

Board of Revenue

(Land Revenue),

MADRAS.

Printed June th.

Proceedings, Forest No. 215, 2nd June 1897.

JUNE.

Submitting to Government, for approval and publication in the *Fort St. George Gazette*, draft notification under section 16 of the Madras Forest Act for the constitution of the Bandar Fort extension I in the Bandar taluk, Kistna district, as a reserved forest.

PROCEEDINGS OF THE BOARD OF REVENUE

(LAND REVENUE).

READ—the following letter from E. A. SMITH, Esq., Special Deputy Collector on Forest Settlement duty, Nellore, &c., Districts, to the Collector of Kistna (through the District Forest-officer, Kistna), dated 18th December 1896, Ref. No. 50:—

I have the honour to report the conclusion of the settlement of the proposed Bandar Fort extension I in the Bandar taluk of your district.

2. The initial notification, under section 4 of the Madras Forest Act, proposing to constitute this area into a reserved forest, appeared in the *Fort St. George Gazette*, dated 19th December 1893, and the proclamation, under section 6 of the Act, was published in the District Gazette, dated 7th April 1894. The time allowed for the presentation of claims expired on the 7th July 1894.

3. Mr. J. T. Lever was originally appointed to settle this block and then Mr. R. H. L. Lushington, and by notification published at page 1241 of the *Fort St. George Gazette*, dated 5th November 1895, I was appointed the Settlement officer.

4. The block was inspected, perambulated and enquired into by me in December 1895 and October 1896. Four claims were preferred for the following rights:—

(i) Two claims to a right to fish in the creeks passing through the reserve.
(ii) One claim to a right of navigation over the Tummalapalem kaluva.
(iii) One claim to a patta field.

The claims to a right of fishery in the kaluva and creeks and the claim to a right of navigation over the Tummalapalem kaluva involved in items Nos. 1 and 2 were admitted, while the claim to a patta field, involved in item No. 3, was rejected, as the field for which patta is held does not lie within the extension.

5. The reserve is thus free of all rights except those stated above.

6. The following are submitted herewith:—

(i) A signed copy of B. register of claims.
(ii) The draft notification under section 16.
(iii) The sketch-map of the reserve.

7. The date from which reservation is to take effect has to be inserted in the draft notification.

ENCLOSURE No. 1.

B. REGISTER of claims to Lands, rights to Forest produce or easements in the proposed Bandar Fort extension I reserved forest, Bandar taluk, Kistna district.

No.	Names of claimants.	Date of presentation of claims.	Nature and extent of claims preferred.	Brief summary of the evidence adduced in support of claims.	Brief summary of the District Forest-officer's arguments and evidence produced by him.	Brief abstract of decision and final disposal of the claims by the Forest Settlement-officer.
1	2	3	4	5	6	7
1 2	Pattabi Rama Aiyar, kurnam of Bandar.	5th Dec. 1896.	Claims on behalf of the fishermen of Gilakaladindi, Garaladibba and Polatitippa, hamlets of Bandar, right to fish in the Tummalapalem kaluva and in the creeks within the reserve.	....	Does not admit as a right, but says it will be continued as a privilege subject to such provision as may be ordered from time to time by the Collector.	The general, if not the universal, law of civilized nations recognizes in all citizens a common and general right of fishing in the sea and in all bays, coves, branches and arms of the sea and in all navigable and tidal waters (*vide* I.L.R., 12 Madras, 43, and VIII Madras, 467) and the creeks in question, being both tidal and navigable, there can be no doubt that the claimants have a common and general right to fish in them. The claim is therefore admitted. (Signed) E. A. SMITH, Forest Sett.-officer. 11th October 1896.
2 4	Pisinguswami of Garaladibba, hamlet of Bandar.	11th Oct. 1896.	Claims on behalf of the fishermen of Gilakaladindi, Garaladibba and Polatitippa, hamlets of Bandar, right to fish in the Tummalapalem kaluva and in the creeks within the reserve, and says that the kaluva and creeks are tidal and navigable and that the fishermen have exercised the right to fish therein from time immemorial.	....	Admits claim ..	Claim admitted, subject to the control of the Port officer, the creek being a tidal and navigable one. (Signed) E. A. SMITH, Forest Sett.-officer. 16th October 1896.
3 1	Pattabi Rama Aiyar, kurnam of Bandar.	5th Dec. 1895.	Claims on behalf of the public right of navigation over the Tummalapalem kaluva.	....	Contests claim ..	Claim rejected as unnecessary, as according to the Tahsildar's report the claimant holds patta for survey No. 101-A which does not lie in this reserve. (Signed) E. A. SMITH, Forest Sett.-officer. 16th October 1896.
4 3	Khan Sahib C. Mahommed Khassim Sahib Bahadur, retired Assistant Engineer, Bandar.	9th Dec. 1895.	Claims right to survey No. 120 of Polatitippa, measuring 50 acres, assessed at As. 8 per acre, of which 25 acres are included within the reserve.	Claimant did not produce his patta although called upon to do so. The Tahsildar of Bandar reports that there is no such number as 120 in Polatitippa, the last number being 101 and that the land for which claimant holds patta is a part of 101, the whole of which is included in Bandar Fort extension 3.		

ENCLOSURE No. 2.—Draft notification.

ENCLOSURE No. 3.—Sketch-map.

Endorsement by the Collector of Kistna, dated 5th January 1897, Dis. No. 1745.

Forwarded to the Secretary to the Commissioners of Land Revenue, through the Conservator of Forests, Northern Circle.

2. Statement of area and condition is enclosed.

ENCLOSURE No. 1.

STATEMENT of area and condition.

Total area of the taluk.	Extent of occupied and unoccupied Government land in the taluk.	Area of reserves already notified under section 16.	Area of reserves under settlement.	Area of reserves submitted for notification under section 16.	Character of land proposed for reservation.	Sketch-map.
1	2	3	4	5	6	7
SQ. MLS. Bandar taluk. 514	ACS. Occupied 95,369 Unoccupied .. 176,714	ACS. 27,700	ACS. 650	ACS. Bandar Fort Extension I. .. 570	Mangrove forest.	..

Endorsement by A. W. PEET, Esq., Conservator of Forests, Northern Circle, dated Waltair, 13th January 1897, R. C. No. 1247.

Forwarded.

RESOLUTION—Forest No. 215, dated 2nd June 1897.

The draft final notification, received with the letter read above, will be submitted to Government for approval and publication in the *Fort St. George Gazette*.

2. The block which forms an extension of the existing reserve lies in the Bandar taluk and covers an area of 570 acres, as finally settled. It may be declared reserved from 15th September next.

(True Copies and Extract.)

Ag. Secretary.

To the Secretary to Government, Revenue Department,
with draft notifications (one original and two printed),
and a sketch-map, to be returned.
" Collector of Kistna.
" Conservator of Forests, Northern Circle.
" Forest Settlement-officer, Kistna, &c., Districts.

Ed. W. D'Mca.

499

Government {1897} of Madras.

REVENUE.

Recd. } 1897. Enclosures

Regd. } Spare copies

G.O., Nos. 499, 499A, 28th June 1897.

JUNE.

Reserved Forest.

The draft notification, under section 16 of the Madras Forest Act, for the constitution of the Bandar Fort extension No. I block, in the Bandar taluk, as a —, ordered to be published in the Fort St. George and the Kistna District Gazettes.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue (Land Revenue), Forest No. 215, dated 2nd June 1897 :—

Read—the following letter from E. A. SMITH, Esq., Special Deputy Collector on Forest Settlement duty, Nellore, &c., Districts, to the Collector of Kistna (through the District Forest-officer, Kistna), dated 18th December 1896, Ref. No. 50 :—

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5. The reserve is thus free of all rights except those stated above.

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Enclosure No. 3.—Sketch-map.

Endorsement by the Collector of Kistna, dated 5th January 1897, Dis. No. 1745.

Forwarded to the Secretary to the Commissioners of Land Revenue, through the Conservator of Forests, Northern Circle.

2. Statement of area and condition is enclosed.

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Sq. mls. Bandar taluk. 514	Acs. Occupied 95,369 Unoccupied .. 176,714	Acs. 27,700	Acs. 650	Acs. Bandar Fort Extension I. .. 570	Mangrove forest.	..

Endorsement by A. W. PEET, Esq., Conservator of Forests, Northern Circle, dated Waltair, 13th January 1897, R. C. No. 1247.

Forwarded.

Resolution—Forest No. 215, dated 2nd June 1897.

The draft final notification, received with the letter read above, will be submitted to Government for approval and publication in the *Fort St. George Gazette*.

2. The block which forms an extension of the existing reserve lies in the Bandar taluk and covers an area of 570 acres, as finally settled. It may be declared reserved from 15th September next.

(True Copies and Extract.)

(Signed) N. S. BRODIE,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with draft notifications (one original and two printed), and a sketch-map (to be returned).
„ Collector of Kistna.
„ Conservator of Forests, Northern Circle.
„ Forest Settlement-officer, Kistna, &c., Districts.

Order—No. 499, Revenue, dated 28th June 1897.

Forest No. 107.

The draft notification will be published in the Fort St. George and Kistna District Gazettes, the 15th September 1897 being entered as the date from which reservation shall take effect.

(True Extract.)

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

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

Endorsement No. 499 A.

Copy to the Government of India, Revenue and Agricultural Department.

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

NOTIFICATION.

His Excellency the Governor in Council is pleased to declare, under the provisions of section 16 of the Madras Forest Act (V of 1882), that, from the 15th September 1897, the area, the boundaries of which are set forth in the schedule appended to this notification, shall be constituted "reserved forest."

Schedule.

District.	Taluk.	Name of forest.	Boundaries.
Kistna..	Bandar ..	Bandar Fort extension No. I.	*North.*—Starting from a point on the Bandar-Upputeru river where the Dingiela yela Shinki (creek) flows into it and about 21·60 chains north of the north-west corner of survey No. 94 of Bandar village, along the southern bank of the Upputeru river to the north-west corner of the Bandar Fort reserved forest No. 53 where the Tummalapalem kaluva joins that river. *East and South.*—Thence along the western boundary of Bandar Fort reserved forest (along the Tummalapalem kaluva and Shoklaparu Shivara creek) to a point on the latter creek about forty-three chains south-west of the junction of that creek with the Tummalapalem creek. *West.*—Then a demarcated line north-west for about five chains; then north-east for about thirty-four chains and then a straight line north to the starting point.

Remarks I.—The right on behalf of the fishermen of Gilakaladindi, Garaladibba and Polatitippa, hamlets of Bandar, to fish in the Tummalapalem kaluva and in the creeks within the reserve, is admitted as a public right.

II. The right of navigation by the public over the Tummalapalem kaluva is admitted subject to the control of the Port officer.

Exd. Shaik Karim.

15 Copies.