

Revenue (1897) Department.

PRESS SERIES.

G.O., No. 638

DATED 27th July 1897

[Despatch Abstract.]

Nilgiri Game and Fish Preservation Act II of 1897

Approving and ordering the publication in the Fort St. George and the Nilgiri District Gazettes of the draft notification submitted by the Board under the provision of the —, accepting the Nilgiri collector's recommendation for the amendment of the rules under sections 21 and 26 (f) of the Forest Act and ordering the publication of the necessary addendum.

BACK PAPERS.

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

FURTHER PAPERS.

~~Ch.~~	No.	Department.	Date.	G.O.	No.	Department.	Date.
8377 457	GO. 5105 29/9/97						

29/9/97



Revenue (1897) Department.

CURRENT No. 545

From
The Board of Revenue,
Madras.

Letter No. 608 Mro.

Dated 25 June 1897

Received 1-7-97

Registered 2-7-97

Enclosures

Spare copies

SUBJECT.

Subj. to Government the
revised draft notification called
for in G.O. No. 250 of 14-4-97 re
the killing of Sambhar in
reserved forests adjoining
certain private estates in the
Madurai District

Order
pass

With reference to
to Progs for no 608 mise of
25th June 1897, the Board
of Rev. is requested to submit
an copy of the Collector's ^{draft} ~~draft~~
caveat, referred to in the last
sentence of para 2,

G.O.	No.	Department.	Date.
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v	1079	60	83-6
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G.O.	No.	Department.	Date.

Under the provisions of Madras Act II
of 1879 Can Act to provide for the protection of game
and acclimatized fish in the district of the Nilgiris
in the Madras Presidency), and in supersession of the
notification ^{in 1895} published at page 825, Part I of the
Fort Saint George Gazette, dated 28 October 1890,
His Excellency the Governor in Council hereby fixes
the undermentioned periods as the seasons during
which it shall not be lawful to shoot at,
kill, capture, pursue, or sell, or attempt to kill,
capture or sell large and small game -
~~respectively~~ ^{respectively} in the year 1897 and future years

Large game }
(including all }
game other than }
hairs & feathered }
game)

The 1st of June to 31st October inclusive.

Small game
(hares and feathers
game)

The 15 of March to the 15th September inclusive.

This notification shall apply to the foregoing local area with the exception of the areas specified in the column of remarks so far as the shooting of Sambar therein under free licenses obtained from the Collector is concerned.

x 2000

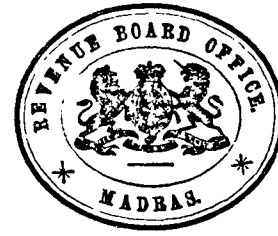
So far as 1897 is concerned problems of the season have already expired and the early on-coming winter will have to be completely different from the past with its very high temperatures.

Local

Local area	Remarks
The north bank of the Bhavani River from Attipadi in Attipadi valley to the junction of the Moyar River.	I. In the Halihal Doof and Pakasuramalai Reserved Forests a margin of 300 yards round the limits of the coffee estate known as the Upper doof.
The west and south banks of the Moyar River from its junction with the Bhavani to the point in the Mudumalai District nearest the Gudalur.	II. In the Pakasuramalai Reserved Forest a limit of 300 yds to the east of the eastern boundary of the estate known as Ibex Lodge.
A line carried thence to the head of the Pandy river (Oucherlong valley).	III. In the Moyar, Kolmalai and the northern Hay Red forests a margin of 300 yds round the limits of the coffee estates known as Leighwood & Northern Hay.
The east bank of the Pandy River to where it falls near the Karkur pass in Malabar Payaghatt.	
A line along the ^{crest} south east of the Oucherlong valley and across the western slopes of the Nilgiri and Mukurti Peaks and Siepara Range to Wallaghatt.	
A line thence along the west crest of the silent valley (Malabar) Range.	
<u>A.B.</u> The District shall include the entire tract known as the Silent valley.	
A line from the south end of the above named range to the Bhavani River at Attipadi in the valley of the same name.	

Board of Revenue.
(Land Revenue)
Forest No. 608 Dated 25.6.97

W. Woodie
Ag. Secretary.



Proceedings of the Board of Revenue

(Land Revenue),

Dated 25 June 1897.
Forest No. 608 Miscellaneous

READ Government Order, Revenue Department, dated 14 April 1897, No. 250.

Resolution

The Board begs leave to submit the revised draft notification called for in G.O. No. 250 dated 14 April 1897.

2. The drawback referred to in para 2 of G.O. No. 1509 mis, dated 18 March 1897 has since received the careful consideration of the Board. Its Forest Member has had a personal conference with the Collector and the District Forest Officer and it has been ascertained that fresh notifications will not, in all probability, require to be issued very frequently, nor is it desired that the remedy should be made too easy. On the contrary it is deemed desirable that every case should be carefully scrutinized

and

and this can be most satisfactorily secured by insisting on the special sanction of Government in each case. In these circumstances it seems best to follow the advice of the Advocate General as regards the game Act and the draft notification now submitted has been prepared accordingly. As regards the Rules under the Forest Act, the Board submit that the Collector's proposal contained in para 15 of his letter of 27th January 1897 may be accepted. The draft notification submitted by the Collector is also forwarded herewith.

(True Extract)

W. Woodie
Asy. Secretary.

To
The Secretary to Government RD
with draft notification

Revenue (1897) Department.

CURRENT No. 5577



3

From

The Board of Revenue. SR
Madras.

Order

Exd. 18

Form No. 529 Routine

Dated 9 July 1897

Received 13.7.97

Registered 11.7.97

Enclosures

Spare copies

Abstract

SUBJECT.

Furnishing to Government certain draft notification referred to in P.O. 7 M. 608 in regard to killing of Sambar in Reserved Forests adjoining certain private estates in the Taljiri St.

15.10.97

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

REVENUE DEPARTMENT.

NOTIFICATIONS.

Fort St. George, January 10, 1894.

No. 40.—In supersession of the notifications quoted in the margin, His Excellency the Governor in Council is pleased, under sections 21 and 26 (f) of the Madras Forest Act, to make the following rules for the regulation of fishing anywhere within the following limits:—

At page 1117 of Part I of the Fort St. George Gazette, dated 31st December 1886.

No. 214, dated 30th July 1889.

" 99 " 9th March 1891.

" 418 " 22nd Sept. "

" 487 " 27th Oct. "

" 16 " 9th Jan. 1892.

" *405 " 1st July 1893.

*Vide note on page 675, Fort St. George Gazette, dated 5th June 1894, Part I.

(1) the south bank of the Bhavani river from Attipadi, in the valley of that name, to its junction with the Moyar river;

(2) from that point the north bank of the Moyar river as far as the boundary of the Nilgiri district, and thence the boundary of the Nilgiri district as determined for ordinary administrative purposes to the junction of the Moyar river with the Kakanhalla river on the Mysore-Nilgiri boundary, about 4 miles north of Tippiakadu to the Nilgiri Peak.

(3) ~~thence the boundary of the South-East Wynaad division of the Nilgiri district to Nilgiri Peak;~~

(3) ~~thence~~ from that point the western crest of the Nilgiri Hills to its termination below Sispára;

(4) ~~thence~~ thence along the northern, western and southern crests of the Silent Valley range to its southernmost point;

(5) ~~thence~~ from that point to Attipadi;

and of hunting and shooting in all the reserved and rented forests, fuel and fodder reserves, grazing-grounds and areas under special fire-protection within the said limits.

Rules.

1. No person shall shoot at, wound or kill the females or immature males of any of the following animals within the limits of any reserved or rented forest or of any fuel or fodder reserve, grazing-ground or area under special fire-protection:—

- (1) Bison or gaur.
- (2) Sambar.
- (3) Spotted-deer.
- (4) Ibex.

- (5) Antelope.
- (6) Barking deer.
- (7) Four-horned deer.

2. No person shall kill, wound or shoot at any mature male sambar or spotted deer if it is hornless or if its horns are in velvet.

3. No person shall kill, wound, shoot at or capture pea-hens at any time throughout the year or the hens of jungle-fowl between the 1st of March and the 1st of October of each year. No person shall take the eggs of pea-hens or of jungle-hens at any time throughout the year.

Unless with the sanction of Govt.

Do.

4. No person shall hunt, kill, wound or shoot at any game as defined in Madras Act II of 1879, within any of the reserved or rented forests, fuel or fodder reserves, grazing grounds or areas under special fire protection comprised within the aforesaid limits, until he has obtained a license from the Collector of the Nilgiris.

5. Any person may obtain from the Collector a license to shoot game on payment of a fee of Rs. 30. The Collector may refuse to grant a license only if the applicant has been convicted of an offence against the rules under the Forest Act relating to hunting, shooting and fishing, or against the provisions of Act II of 1879. The license shall not be transferable and shall be available only for the currency of the fasli year to which it relates whether it be taken out at the commencement of, or during the currency of the year.

The Collector of the Nilgiris shall, however, have authority, at his discretion, to reduce the payment for each license to Rs. 5 in the case of non-commissioned officers and soldiers of Her Majesty's forces on proof to his satisfaction that the application for the license is for *bond fide* sporting purposes.

6. The seasons during which such licenses shall permit hunting or shooting of game in the reserved or rented forests or other areas specified in rule 4 comprised within those limits, shall be duly notified, from time to time, by the Collector of the Nilgiris and shall be clearly endorsed on the licenses.

7. The Collector may from time to time, by notification in the District Gazette, declare all or any rivers, streams or lakes closed against fishing during any year, or part of a year within any part of the aforesaid scheduled area and may similarly declare the whole or any part of any reserved or rented forest, fuel or fodder reserve, grazing-ground or area under special fire-protection within such scheduled area, closed against shooting or hunting for the whole or any part of any year. He may also prohibit within the same areas and for like periods the pursuit, killing or capture of any particular species of game or fish.

8. The poisoning of water, the dynamiting of fish, the setting of cruives or fixed engines for the capture or destruction of fish, the damming and baling of water for the capture of fish, the netting of fish with nets, the meshes of which are under $1\frac{1}{2}$ " square, and the setting of traps and snares for the capture of game are absolutely forbidden anywhere within the limits of the scheduled area in which these rules are in force.

9. Any breach of the above rules within any area reserved under Section 16 of Act V of 1882 will render the offender liable on conviction before a Magistrate, to the punishment provided by Section 21 of the Act and any breach of the above rules in any of the abovementioned areas, other than those reserved under Section 16 of the Act, will render the offender liable on conviction before a Magistrate to imprisonment for a term which may extend to one month or to fine which may extend to Rs. 200 or both. Erratum dated 6th April 1894, page 414, *Fort St. George Gazette*, Part I, dated 10th April 1894.

The following notifications, issued under Act II of 1879, which still remain in force, are reproduced below:—

No. 41—It is hereby notified under section 5 of the Nilgiri Game and Fish Preservation Act, 1879, that, with the view to protect acclimatized fish which may be believed to be in the undermentioned streams and lakes within the Nilgiri district and specified in the schedule to the said Act or which may be hereafter introduced therein, His Excellency the Governor in Council hereby prohibits the

Fort St. George Gazette, 25th November 1884, page 231.

poisoning of the waters of the said streams and lakes and the throwing of dynamite or any other deleterious matter therein, and the use of nets of a mesh below one inch and a half:—

Streams and Lakes.

1. Ootacamund lake and stream issuing therefrom.
2. Marlimund reservoir in Ootacamund.
3. Lawrence Asylum lake and stream issuing therefrom.
4. Pykara river and its confluents from their sources down to the limits.
5. Avalanche or Kunda river and its confluents.
6. The Karteri and its confluents.

No. 42.—The Governor in Council hereby notifies under section 5 of the Nilgiri Game and Fish Preservation Act (II of 1879, Madras) that from and after this date until further orders, the catching or killing of fish is prohibited in the Bay of the Ootacamund Lake at the foot of Awdry House. The limits within which fishing is prohibited as above will be demarcated by posts erected by the Nilgiri Game Association, one of which shall be placed below St. Thomas' Church and the other below Black Wood Cottage.

Fort St. George Gazette, 2nd November 1883, page 980.

No. 43.—Under the provisions of Madras Act II of 1879 (an Act to provide for the protection of game and acclimatized fish in the district of the Nilgiris in the Madras Presidency) and in supersession of the notification published at page 70, Part I, of the *Fort St. George Gazette* of the 8th February 1881, His Excellency the Governor in Council hereby fixes the undermentioned periods as the seasons during which it shall not be lawful to shoot at, kill, capture, pursue, or sell, or attempt to kill, capture, or sell large and small game, respectively, in the year 1891 and future years, viz:—

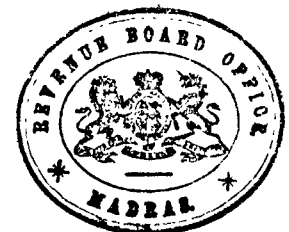
Large game (including all game other than hares and feathered game.)	The 1st of June to the 31st of October inclusive.
Small game (hares and feathered game)...	The 15th of March to the 15th of September inclusive.

C. A. GALTON,
Secretary to Government.

Extract from Rules under Act II of 1879, Nilgiri Game and Fish Preservation.

3. All Police officers and Heads of Villages are required to give every possible assistance in the detection of persons violating these provisions, and to give information to the Magistrate, and Section 9 of the Act empowers Magistrates, to award to any person by whose aid or information a conviction is obtained, half of the fine inflicted on the offender.

*Extract from
St. George's
8/4/80*



Proceedings of the Board of Revenue

(Land Revenue),

Dated 9. July 1897.
Joshi No. 529 Mis. Routine.

READ Official Memorandum from Government,
Revenue Department, No 134, dated 3.7.97

Resolution

Furnished.

(True Extract)

Ag. Secretary
To the Secretary to Government R.D. ✓
with notification

189
Board of Revenue
(Land Revenue),
MADRAS.

To

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

The Hon: Mr. G. C. 22.

(Please see note on next page)

To the Hon. the C.S.

Public Dept for
favour of counter
initials.

27/7/97

25/7/97 B

Done 27/7/97

16-8-97
To the Board of Rev: Land Rev:
Capt. Fort Pass
Copy to the Public Dept
not to be printed as appx to
60.

23/7/97

A Read again G.O. n° 250
also Cus. 52,53 of 97
14.4.97
5297 7 97

Forest No 136

Order No 638 of 27th July 1897.

The revised draft
notification, now submitted by
the Board of Rev: is approved
and will be published in the
Fort St George and the Nilgiris
District Gazettes. The Collector's
recommendation contained
in para 15 of his letter, Cus
n° 61-B, of 20th Nov: 1896. re-
garding the amendment of the
rules issued under Secs 21 and 26
of the Forest Act is also
accepted and the following
Addendum will also be pub-
lished in the Gazettes above
referred to.

Addendum

In rules 1 and 2 of the
rules published as notification
n° 40 at pages 113-114 of Part
I of the Fort St George Gazette
of 30th January 1894, add at
the beginning the words "rules
with the sanction of Govt."

22/7/97

11/7/97

P. T. O. for note

The present revised draft is submitted by the Board in accordance with G.O. no 250 Rev. of 14th May 1897 wherein the Govt. expressed its concurrence in the Advocate General's view that the hilo-vin Game Act ^{if} once introduced into any locality could not be withdrawn therefrom (unless of course by special legislation) and that if the planters were to be allowed to shoot sambar deer outside their estates the proper procedure to be adopted was to issue from time to time orders under Sec 3 of the Act fixing a close season for the ^a whole tract expressly excluding therefrom ^{these} parts thereof wherein such shooting was to be allowed.

The Board now states that the matter has received its careful consideration and that the revised draft notⁿ now submitted has been drawn up by its Forest member in consultation with the D.F.O. and the Collector of the hilo-vin. The decision arrived at

A

H

Para 15 of letter
letter on page 4
B.P. flagger B.

on the general question is in the Board's opinion ^{advantageous} as it would enable Govt. to scrutinize each case when it comes up for orders. It is not anticipated that there would be a large number of cases in which planters would ask for the concession. The Board has also requested that the recommendation ⁺ of the Collector in regard to the amendment of the Forest rules may be accepted. It is submitted that this may be done.

As regards the revised notⁿ now submitted, the Board has omitted to give the no. of the old notⁿ in the preamble. This omission will now be supplied, &c. &c. but it seems unnecessary to mention the fact in the order. The old notⁿ further was issued in the Public Dept. but ^{as} all ~~the~~ ^{correspondence} ^{have of late been} papers on the subject ~~have~~ dealt with in the R.O. where the notⁿ in question was also once republished. In 1894, it is presumed that the present notⁿ ^{should} ~~will~~ also issue in the R.O.

H

B.M.
17. VII. 97

119.7.97 1111
11.7.97

Government { 1897 } of Madras.
REVENUE.

Recd.

Regd.

} 1897.

Enclosures

Spare copies

G.O., No. 638, 27th July 1897.

JULY.

Nilgiri Game and Fish Preservation Act II of 1879.

Approving and ordering the publication in the Fort St. George and the Nilgiri District Gazettes of the draft notification submitted by the Board under the provisions of the —, accepting the Nilgiri Collector's recommendation for the amendment of the rules under sections 21 and 26 (f) of the Forest Act and ordering the publication of the necessary addendum.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—again G.O., No. 250, Revenue, dated 14th April 1897.

ABSTRACT.—Agreeing with the Advocate-General in considering that it is not legal to withdraw by a notification portions of the Nilgiri district from the operation of the Nilgiri Game and Fish Preservation Act II of 1879, and requesting the Board of Revenue to submit a revised draft notification on the lines suggested by the Advocate-General.

READ—the following Proceedings of the Board of Revenue (Land Revenue), Forest Mis. No. 608, dated 25th June 1897:—

Read—G.O., No. 250, Revenue, dated 14th April 1897.

Resolution—Forest Mis. No. 608, dated 25th June 1897.

The Board begs leave to submit the revised draft notification called for in G.O., No. 250, dated 14th April 1897.

2. The drawback referred to in paragraph 2 of G.O., Mis. No. 1509, dated 18th March 1897, has since received the careful consideration of the Board. Its forest member has had a personal conference with the Collector and the District Forest-officer and it has been ascertained that fresh notifications will not, in all probability, require to be issued very frequently, nor is it desired that the remedy should be made too easy. On the contrary it is deemed desirable that every case should be carefully scrutinized and this can be most satisfactorily secured by insisting on the special sanction of Government in each case. In these circumstances it seems best to follow the advice of the Advocate-General as regards the Game Act and the draft notification now submitted has been prepared accordingly. As regards the rules under the Forest Act, the Board submits that the Collector's proposal contained in paragraph 15 of his letter of 27th January 1897 may be accepted. The draft notification submitted by the Collector is also forwarded herewith.

(True Copy and Extract.)

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

To the Secretary to Government, Revenue Department,
with draft notification.

READ—Proceedings of the Board of Revenue (Land Revenue), Forest No. 529, Routine, dated 9th July 1897.

ABSTRACT.—Furnishing to Government certain draft notification referred to in Board's Proceedings, Forest Mis. No. 608, dated 25th June 1897, in regard to killing of Sambur in reserved forests adjoining certain private estates in the Nilgiri district.

ORDER—No. 638, Revenue, dated 27th July 1897.

Forest No. 136.

The revised draft notification, now submitted by the Board of Revenue, is approved and will be published in the Fort St. George and the Nilgiri District Gazettes. The Collector's recommendation

contained in paragraph 15 of his letter, Cur. No. 61-B., dated 20th November 1896, regarding the amendment of the rules issued under sections 21 and 26 (f) of the Forest Act is accepted and the following addendum will also be published in the Gazettes above referred to.

Addendum.

In rules 1 and 2 of the rules published as notification No. 40 at pages 113-114 of Part I of the *Fort St. George Gazette*, dated 30th January 1894, add at the beginning the words "Unless with the sanction of Government."

(True Extract)

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

To the Board of Revenue (Land Revenue).
" the Superintendent, Government Press.
Copy to the Public Department.

APPENDIX.

NOTIFICATION.

Under the provisions of Madras Act II of 1879 (an Act to provide for the protection of game and acclimatized fish in the district of the Nilgiris in the Madras Presidency), and in supersession of the notification No. 498 published at page 825, Part I of the *Fort St. George Gazette*, dated 28th October 1890, His Excellency the Governor in Council hereby fixes the undermentioned periods as the seasons during which it shall not be lawful to shoot at, kill, capture, pursue, or sell, or attempt to kill, capture or sell large and small game, respectively, in the year 1897 and future years, viz.—

Large game (including all game other than hares and feathered game).	The 1st of June to 31st October inclusive.
Small game (hares and feathered game)	The 15th of March to the 15th September inclusive.

This notification shall apply to the following local area with the exception of the areas specified in the column of remarks so far as the shooting of sambur therein under free licenses obtained from the Collector is concerned:—

Local area.	Remarks.
The north bank of the Bhavani river from Attipadi in Attipadi valley to the junction of the Moyar river.	(1) In the Halibaldroog and Pakasuraimalai reserved forests a margin of 300 yards round the limits of the coffee estate known as the Upperdroog.
The west and south banks of the Moyar river from its junction with the Bhavani to the point in the Mudumallah district nearest to Gudalur.	(2) In the Pakasuraimalai reserved forest a limit of 600 yards to the east of the eastern boundary of the estate known as Ibex Lodge.
A line carried thence to the head of the Pandi river (Ouchterlony valley).	(3) In the Moyar, Kpimalai and northern Hay reserved forests a margin of 300 yards round the limits of the coffee estates known as Leighwood and Northern Hay.
The east bank of the Pandi river to where it falls near the Karkur pass in Malabar Payenghaut.	
A line along the south crest of the Ouchterlony valley and across the western slopes of the Nilgiri and Mukurti peaks and Sispara ranges to Wallaghaut.	
A line thence along the west crest of the Silent valley (Malabar) range.	

N.B.—The district shall include the entire tract known as the Silent valley, a line from the south end of the above-named range to the Bhavani river at Attipadi in the valley of the same name.

Exd. Shaik Karim.

40 Copies.

First copy sent to Press.

Returned for signature.

Despatched in print.

Number of copies required. { Order complete.
Letter only.
Order complete with Letter.

And again G.O., No.
189.

DATED

Coverage No.

Enclosure to C. No.

Order of Government

Letter of Government.

Statement with ditto.

Papers not filled up, being meant for separator
in original.

N.B.—

- A = Print in full.
- B = Not to be printed.
- P = Print abstract only.
- Q = Print heading only.