

1965-0 A

200000

INDEX

TO THE

REVENUE ABSTRACT FOR DECEMBER 1889

(FORESTS)..

SUBJECT.	Page and Number in Monthly Volume.		REMARKS.
	Page.	No.	
ADMINISTRATION REPORTS.			
Proposed forms for incorporating information required to be given in Annual Forest Administration Reports	229	388	
BOOKS AND PUBLICATIONS.			
Purchase of copies of the Ready Reckoner for the use of the Conservators of Forests.....	236	402	
BUDGET ESTIMATES.			
Additional provision in the Budget for 1890-91 under the head of Forest Surveys	236	403	
DISMISSALS.			
Dáda Ananda	234	399	
Vithu Ganpat.....	234	397	
FORESTS.			
<i>Ahmedabad—</i>			
Settlement of rights in certain forest lands in the Modása Táluka.....	237	404	
<i>Ahmednagar--</i>			
Notification declaring certain land situated in the Shrigonda Táluka, Reserved Forest	229	389	
<i>Khándesh—</i>			
Forest Settlement and Demarcation Report of the Dhulia Táluka	239	406	
Grant of cash allowances to certain village officers in lieu of their service lands taken up for forests	235	401	
Notification directing the exclusion of certain lands situated in the Nandurbár Táluka from Reserved Forest.....	242	408	
Question relating to rights awarded to Bhils in the Government Forests of certain tálukas of the Khándesh District	227	385	
<i>Panch Maháls—</i>			
Notification under Section 4 of the Indian Forest Act, No. VII of 1878, in respect of the village of Kaliávár	234	398	
<i>Poona—</i>			
Notification directing the exclusion of certain lands situated in the Haveli Táluka from Reserved Forests	232, 241	395, 407	
<i>Sátára—</i>			
Exclusion of Survey No. 33 of the village of Sipur, Táluka Tásgaon, from the forest demarcation limits	234	400	
Rights of inamgárs to forests.....	230	391	
<i>Thána—</i>			
Notification directing the exclusion of certain land situated in the Salsette Táluka from Reserved Forest.....	238	396	

SUBJECT.	Page and Number in Monthly Volume.		REMARKS.
	Page.	No.	
IRRECOVERABLE BALANCES.			
Writing off as irrecoverable certain balances standing against Jetting valad Sultan and Allisáheb Monodinsáheb of Hubli	228	386	
LANDS.			
<i>Sátára</i> Ganesh Vishnu Hasabnis	228	387	
LEAVE OF ABSENCE.			
Bell, Mr. T. R. D.	230	392	
OFFICIAL DOCUMENTS.			
Application from Mahamad Hásan Shekh Nur for copies of certain official documents	230	393	
SCHOOLS.			
Report of the Forest School Dehra Dun for the year 1888-89	229	390	
TREES.			
Rights of service inámdárs to cut trees on the lands held by them	237	405	
Trees in occupied lands in the Kolába District.....	231	394	

ABSTRACT OF PROCEEDINGS
OF THE
GOVERNMENT OF BOMBAY.
IN THE
REVENUE DEPARTMENT
(FORESTS).

DECEMBER 1889.

December 2.

Forests : Questions relating to rights awarded to Bhils in the Government Forests of certain talukás of the Khándesh District.

No. 9119.

385 Letter from the Commissioner, C. D., No. R.—2774, dated 13th June 1889 :—

“ The correspondence which I have now the honour to forward relates to certain rights which were awarded to certain Bhils by Mr. Pollen in the forests of the Chopda and Sánda Talukás, and by Mr. Woodburn in the Shirpur Taluka, of the Khándesh District, which awards were sanctioned by Government Resolutions No. 3284, dated the 8th June 1881, and No. 3558, dated the 31st May 1882.

“ 2. In connection with this subject two questions have arisen. The first is—

‘ Are the rights which have been admitted by Messrs. Pollen and Woodburn as belonging to certain Bhils and certain Bhil families in the Sánda, Chopda and Shirpur Talukás to be continued to the heirs, for all time, of the Bhils whose names are entered in the schedules? ’

the other question is—

‘ Are the rules regulating the enjoyment of privileges in the reserved forest of the Sánda, Chopda and Shirpur Talukás to be held to be the rules, the issue of which was contemplated by Messrs. Pollen and Woodburn with a view to regulating the exercise of certain rights in these forests, recorded by those officers and subsequently confirmed by Government? ’

“ 3. It is on these points that the orders of Government are required.

“ 4. Messrs. Dodgson and Loch answer the first question in the affirmative, and having regard to the phraseology of the awards, extracts from which are quoted by Mr. Dodgson in his letter No. 61, dated the 26th March 1889, I am decidedly of opinion that the rights are continuable hereditarily, but I would restrict the rights to the direct lineal descendants of the Bhils mentioned in the schedules and not to collateral branches of their families, in order to prevent undue destruction of the forests. Mr. Shuttleworth takes quite a different view and thinks that the rights cannot be said to be hereditary.

"5. Messrs. Dodgson and Loch answer the second question in the negative, while Mr. Shuttleworth thinks that the privilege Code can be applied to the exercise of rights by right-holders, but 'it is possible that it may not be desirable to apply the same rules.'

"6. It is suggested in the correspondence that the rules for the regulation of rights might be drafted by a Committee of district officers during the present rainy season. I recommend this suggestion for adoption, and the Committee may, if it finds it practicable, apply the privilege rules to rights, or frame fresh rules regulating and restricting the latter."

Memorandum from the Commissioner, C. D., No. R.—5346, dated 8th November 1889—Submitting in reply to Government reference No. 5605, dated 3rd August 1889, a memorandum No. 5944, dated 9th September 1889, from the Collector of Khándesh, with its accompaniments; and stating as follows:—

"2. There is no doubt regarding the expediency of the arrangement suggested by Government, and as the Collector thinks that there will be no practical difficulty in carrying it out, the Commissioner, C. D., trusts that Government will empower the Forest Settlement Officer to negotiate with the Bhils, as proposed by Mr. Loch."

RESOLUTION.—The Forest Settlement Officer should be authorized to purchase up the rights of the Bhils referred to in the correspondence as suggested by the Commissioner, the Collector and Mr. Dodgson, care being taken, that no excessive price is given. The result of the Forest Settlement Officer's proceedings should be reported.

Irrecoverable Balances.

No. 9137.

386 Memorandum from the Conservator of Forests, S. C., No. 1715, dated 22nd July 1889—Submitting copy of the following letter No. 146, dated 4th idem, from the Divisional Forest Officer, S. D. of Kánara:—

"I have the honour in forwarding the accompanying vernacular papers to report that during the years 1881-82 and 1882-83 Jetting valad Sultán and Allisáheb Monodinsáheb of Hubli purchased timber in the Singanhalli Depôt of the value of Rs. 861 and Rs. 633 respectively. Failing to pay within the prescribed time, several notices were served on them but as they were not attended to, the Collector of Dhárwár was eventually requested to recover the amount under Section 81 of the Forest Act. After reference to the Hubli Mámlatdár the Collector replied that he was unable to recover the money as the persons were quite poor and had no property.

"2. I was then directed in your vernacular No. 308 of 24th September 1888 to re-sell the logs, which was done and they fetched Rs. 377 and Rs. 238, respectively. There is thus a balance of Rs. 484 against Jetting valad Sultán and a balance of Rs. 395 against Allisáheb Monodinsáheb, which under the circumstances there appears no other alternative than to write off the accounts."

Memorandum from the Conservator of Forests, S. C., No. 3300, dated 9th November 1889.

RESOLUTION.—The sum of Rs. 879 should in the circumstances reported be written off as irrecoverable.

December 3.

Lands, Sátára.

No. 9153.

387 Memorandum from the Oriental Translator to Government, No. 1427, dated 26th October 1889—Forwarding substance of a petition, dated 2nd idem, from Ganesh Vishnu Hasabnis, inhabitant of Kasbe Shirále, Taluka Válva, Sátára District, who prays, with reference to the orders of Government directing that certain land belonging to him

should be taken up under the Land Acquisition Act for a village tank, that an inquiry may be held on the points referred to in the petition and that the execution of the orders passed in the Resolution may be stayed pending the issue of final orders on the present petition.

RESOLUTION.—Petitioner should be informed that Government decline to reconsider their orders directing the acquisition under the Land Acquisition Act of Survey No. 84 of the village of Ságaon.

Annual Forest Administration Reports : Preparation of —.

No. 9154.

- 388 Endorsement by the Government of India, Revenue and Agricultural Department (*Forests*), No. 1150-F., dated 17th October 1889—Forwarding for information copy of a circular addressed by that Government to certain local Governments and Administrations in which their opinions are asked regarding the proposed forms for incorporating information required to be given in Annual Forest Administration Reports.

RESOLUTION.—Copies of the Circular should be forwarded to the Conservators of Forests for information.

Forests : Ahmednagar.

No. 9157.

- 389 Memorandum from the Commissioner, C. D., No. R.—5455, dated 14th November 1889—Submitting for compliance one from the Collector of Ahmednagar, together with the following letter No. 147, dated 5th idem, from the Forest Settlement Officer, Ahmednagar :—

“With reference to your No. 5849 of the 30th ultimo, which is herewith returned, I have the honour to send with this a draft notification under Section 4 of the Indian Forest Act regarding the Revision Survey No. 65 of Mauze Kauthe, Taluka Shrigonda, for publication in the *Government Gazette*.

“This survey number is at present a Government waste land. It is an alluvial land formed on the bank of the Bhima river. It measures 3 acres and 9 gunthás and is assessed at Rs. 4. It is in close proximity to the Forest Kuran and is therefore required for inclusion in forests.”

RESOLUTION.—The draft notification should be published in the *Bombay Government Gazette*.

Forests : Forest School, Dehra Dun.

No. 9158.

- 390 Circular Resolution of the Government of India in the Revenue and Agricultural Department (*Forests*), No. 34-F., dated 9th October 1889—Communicating remarks on the report of the Forest School, Dehra Dun, for 1888-89.

RESOLUTION.—Copies of the Circular Resolution of the Government of India and its accompaniment should be forwarded to the Conservators of Forests and the Principal, College of Science, Poona, for information.

Inámdár Forests, Sátára.

No. 9164.

- 391 Memorandum from the Remembrancer of Legal Affairs, No. 694, dated 20th June 1888—Submitting for orders one from the Collector of Sátára, who forwards, together with subsequent correspondence, a letter No. 266, dated 30th July 1885, from the Forest Settlement Officer, Sátára, on the forest rights of the inámdár of Jám in the Sátára Táluka; and recording his opinion.

Memorandum from the Remembrancer of Legal Affairs, No. 704, dated 23rd June 1888—Submitting for orders one from the Collector of Sátára, who forwards, together with subsequent correspondence, a letter No. 274, dated 29th July 1885, from the Forest Settlement Officer, Sátára, relating to the forest rights of the inámdár of Boposhi, Táluka Sátára, and recording his opinion.

Memorandum from the Remembrancer of Legal Affairs, No. 181, dated 11th February 1889.

Memorandum from the Commissioner, C. D., No. R.—4791, dated 7th October 1889.

Letter from the Commissioner, C. D., No. R.—5408, dated 13th November 1889.

Letter from the Commissioner, C. D., No. R.—5465, dated 14th November 1889.

RESOLUTION.—The full forest rights of the inámdárs of Jám and Boposhi in their respective villages should be admitted.

December 4.

Leave of Absence: Mr. T. R. D. Bell, Assistant Conservator of Forests.

No. 9186.

- 392 Memorandum from the Conservator of Forests, S. C., No. 3137, dated 2nd November 1889—Submitting copy of a letter No. 178, dated 22nd October 1889, from Mr. T. R. D. Bell, Divisional Forest Officer, Working Plans Branch No. 1, Kánara, who requests in the circumstances stated that his leave may be extended for one day; and stating as follows:—

“2. Mr. Bell availed himself of the privilege leave granted him in Government Resolution No. 6302, dated 27th August 1889, from the 5th of September 1889, afternoon, and he should have resumed charge of the office before noon of the 21st ultimo. But it would appear from his report that he was unavoidably late by one day. I recommend, therefore, that one day's leave applied for be sanctioned.”

Memorandum from the Accountant General, No. G.A.—2341-25657, dated 19th November 1889:—

“Under Article 291 of the Civil Service Regulations extension of privilege leave for one day is admissible to Mr. T. R. D. Bell.”

RESOLUTION.—In the circumstances stated the proposed extension of leave is sanctioned and should be notified in the *Bombay Government Gazette*

December 5.

Official Documents.

No. 9222.

- 393 Petition from Mahamad Hasan Shekh Nur, late Range Forest Officer, Shirpur, Khándesh District, dated 15th October 1889—Stating that he applied to the Divisional Forest Officer, West Khándesh, for copies of the documents connected with the order dismiss-

ing him from the service as he intends to lay his grievances before Government, but that his application was refused; and praying that the documents may be furnished to him.

Petition from Mahamad Hasan Shekh Nur, dated 13th November 1889.

RESOLUTION.—The petitioner should be informed that Government decline to comply with his request.

December 6.

Trees in occupied lands in the Kolába District.

No. 9241.

394 Memorandum from the Commissioner, S. D., No. 3536, dated 3rd December 1887—Submitting with reference to paragraph 5 of Government Resolution No. 7908, dated 18th November 1887, one from the Conservator of Forests, S. C., together with a letter No. 2846, dated 19th August 1887, from the Collector of Kolába, who makes remarks; and states as follows:—

“2. When there has been a felling by Government previous to the introduction of Rule 98 A of the rules under the Land Revenue Code, the Government trees are those which, for some reason, have escaped that felling; and are usually few and mixed up with second growth belonging to the occupants.

“3. In these cases the Collector has hitherto been selling on his own authority, and giving receipts purporting to be for a sale of all rights in the tree.”

the Commissioner stating as follows:—

“2. The practice in the Kolába District is for the Collector to sell all rights in trees in those survey numbers, be they warkas or rice, in which there has been a felling by Government previous to the introduction of Rule 98 A of the rules under the Land Revenue Code. This practice is unauthorized under Rule 98 A but both the Collector and the Conservator consider that this should be legalized. Undersigned supports this proposal but agrees with the Conservator (paragraph 3 of his memorandum) in considering that Rule 98 A should continue to be applied to trees on lands referred to in Mr. Sinclair's paragraph 4, and unless this is done the right of Government to after-growth of these trees will have to be given up, which Mr. Sinclair also does not wish done. He wishes to accomplish this object by executive orders instead of by a rule under the Land Revenue Code.”

Memorandum from the Commissioner, S. D., No. 3550, dated 17th October 1889—Submitting for information and orders with reference to Government memorandum No. 7203, dated 25th September 1889, a letter No. 3667, dated 8th October 1889, from the Collector of Kolába; stating that Government Resolution No. 6303, dated 27th August 1889, does not dispose of the points raised in the correspondence referred to and set forth in the Collector's letter; and making remarks.

Memorandum from the Conservator of Forests, N. C., No. 3882, dated 12th November 1889—Submitting remarks on the above; and stating as follows:—

“10. Government are very desirous, and rightly so, that village officers should feel and should exercise their responsibilities in respect of the protection of Government timber in forest and other lands, and that the work of the lower forest establishments should be placed under the cognizance of these and other district officers. This required co-operation of and supervision by village officers was secured in a great measure by a standing order Mr. Lionel Ashburner, c.s.r., issued, when Commissioner, N. D., requiring every pátíl and taláti to submit a report quarterly to the Divisional Forest Officer, through the Mámlatdár, of the state and condition of the trees belonging to Government in the forest reserves and upon máلكi numbers outside of forest limits. These reports have since been discontinued. But they had a wholesome effect, for the forest subordinate realised that there was somebody behind him to report the results of his stewardship; and the very fact of such reports having to be made kept alive in the minds of village officers the knowledge of their responsibilities. The Commissioner, Central

Division, has recently passed an order to continue the submission of quarterly reports by village officers upon Government timber, &c., within and outside of forest reservations, and if Government were to give a standing order to this effect it would bring the lower subordinate revenue and forest officers more into line than they are at present in the protection of the timber property of Government in the districts. It is true it might create a little friction among the two classes of subordinates but healthy friction is desirable as conducive to efficient administration. And it is possible that some fabricated reports might be submitted, but the remedy for this lies not in dispensing with reports but in punishing the subordinates who do not perform their duty correctly and conscientiously."

RESOLUTION.—The proceeding of the Collector of Kolába described in paragraphs 2 and 3 of Mr. Sinclair's letter No. 2846, dated 19th August 1887, is confirmed.

2. Government as at present advised do not approve of the proposal made by Mr. Sinclair to remove Kolába from the operation of Rule 98 A of the rules under Section 214 of the Land Revenue Code and to cancel amended Rule 2 under Section 75 of the Indian Forest Act, 1878, as published in Government Notification No. 343, dated 15th January 1883.

3. The Commissioners, N. D. and S. D., should be requested to report on the suggestion made by the Conservator of Forests, N. C., in the concluding portion of paragraph 10 of his memorandum.

December 10.

Forests: Exclusion from reserved — of certain lands in the Haveli Taluka of the Poona District.

No. 9319.

395 Memorandum from the Commissioner, C. D., No. R.—4875, without date—Submitting memoranda from the Conservator of Forests, N. C., and the Collector of Poona, together with the following letter No. 176, dated 31st August 1889, from the Forest Settlement Officer, Poona:—

"Referring to your letter No. 5530, dated 22nd ultimo, and previous correspondence, I have the honour to forward herewith for submission to Government extract paragraphs 1 @ 3 of this office No. 44, dated 20th March last, and to request that under the circumstances explained you will be so good as to recommend the disforestation of the lands in Kolavdi and Khámgaon Tek, which have either been given or proposed to be given in exchange for other occupied land required for forest. The Conservator of Forests has now no objection to the disforestation of these lands, vide his endorsement No. 830, dated 18th May 1889, Both the lands were previously notified under Section 34 of the Forest Act.

"2. As regards the plots occupied by huts in Khámgaon Karyat and Vinzar, I agree with you that there is no necessity of disforesting any of them provided the Forest Department allows their owners the privilege of remaining in them with standing compound for their cattle, the area being 4 acres 20 gunthás in each place, i.e., 20 gunthás per hut as settled by Mr. Steward. The orders of Government should also be obtained on this point.

"3. A draft notification under Section 26 of the Forest Act as regards the lands proposed to be disforested is enclosed."

Letter from the Government of India, Revenue and Agricultural Department (Forests), No. 1217-F., dated 25th November 1889:—

"In reply to your letter No. 8025 of the 22nd ultimo, I am directed to convey the sanction of the Government of India to the issue by the Government of Bombay of a notification under Section 26 of the Indian Forest Act (VII of 1878) declaring

that, from a date to be fixed in such notification, survey numbers 81 (in part) and 82 of the village of Khámgaon Tek, and 83 and 84 of the village of Kolavdi in the Haveli Táluka of the Poona District, the aggregate area of which is stated to be 69 $\frac{37}{40}$ acres, shall cease to be Reserved Forest."

RESOLUTION.—The requisite notification under Section 26 of the Indian Forest Act No. VII of 1878, directing the exclusion of the lands in Kolavdi and Khámgaon Tek from reserved forests from 1st January 1890, should be published in the *Bombay Government Gazette*.

2. As regards the lands in Viuzar and Khámgaon Karyat the arrangement proposed in paragraph 2 of the Forest Settlement Officer's letter is approved and sanctioned.

Forests: Exclusion from reserved — of certain land in the Sálsette Táluka of the Thána District.

No. 9321.

396 Memorandum from the Commissioner, N. D., No. 2691, dated 29th August 1889—Submitting memoranda from the Conservator of Forests, N. C., and the Collector of Thána, together with the following letter No. 118, dated 9th idem, from the Forest Settlement Officer, Thána:—

"I have the honour to submit for publication in the *Bombay Government Gazette* a draft notification under Section 26 of the Indian Forest Act.

"2. The land specified in the schedule was never intended to be included in Reserved Forest; it is detached from the main body of Survey No. 481, a fact apparently which was not noticed at the time, with the result that the whole of that number was notified under Section 19 of the Indian Forest Act. This error having now been brought to light a draft notification as above is submitted."

and recommending that the notification may be published.

Letter from the Government of India, Revenue and Agricultural Department (*Forests*), No. 1110 F., dated 10th October 1889:—

"In reply to your letter No. 6787, dated the 11th ultimo, I am directed to convey the sanction of the Government of India to the issue by the Bombay Government of a notification, under Section 26 of the Indian Forest Act (VII of 1878), declaring that from a date to be fixed in such notification, a part of Survey No. 481 of the village of Páhpákhádi in the Sálsette Táluka of the Thána District, the area of which is stated to be 71 $\frac{1}{40}$ acres, shall cease to be Reserved Forest.

"2. I am to request that the position and boundaries of the area so excluded may be clearly defined in the notification to be issued."

Memorandum from the Commissioner, N. D., No. 3722, dated 28th November 1889—Forwarding with reference to Government memorandum No. 8167, dated 26th October last, the following letter No. 7868, dated 22nd November 1889, from the Collector of Thána:—

"With reference to your No. 3410 of 30th ultimo, I have the honour to forward a fresh notification under Section 26 of the Forest Act prepared by Mr. W. S. Owen, Forest Settlement Officer, in accordance with the instructions of Government.

"2. It will be seen that the area of the land in question is shown to be 91 acres 36 gunthás in this notification as against 71 acres 1 guntha entered in the previous notification.

"3. I append a copy of Mr. Owen's No. 182 of 15th instant, in which he explains how the difference has arisen."

RESOLUTION.—The requisite notification directing the exclusion of the land in question from Reserved Forest from 1st January 1890 should be published in the *Bombay Government Gazette*.

December 14.

Dismissals: Forest Department.

No. 9443.

- 397 Petition from Vithu Ganpat Khade, inhabitant of Páli, Táluka Sudhágad, Sachin State, dated 9th October 1889—Appealing against the orders of his dismissal from the post of peon in the office of the Divisional Forest Officer, Kolába; and praying that for the reasons stated his case may be reconsidered.

Petition from Vithu Ganpat Khade, dated 25th November 1889.

RESOLUTION.—Petitioner should be informed that Government will not interfere.

December 19.

Forests: Panch Maháls.

No. 9565.

- 398 Memorandum from the Commissioner, N. D., No. 3753, dated 1st December 1889—Submitting one No. 2897, dated 21st November 1889, from the Collector of the Panch Maháls, who forwards the following letter No. 25, dated 16th idem, from the Forest Settlement Officer, Panch Maháls:—

“I have the honour to report, with reference to paragraph 1 of Government Resolution No. 5742 of 7th August 1889, that the necessary exchanges for the acquisition of Kaliáváv village have now been effected. As some little time must elapse before the other forest areas referred to in the above-quoted Resolution can be fully acquired, I beg to submit a draft notification under Section 4 of the Act provisionally reserving Kaliáváv village, and request that it may be published in the *Government Gazette*.”

the Commissioner recommending that the draft notification may be published in the *Bombay Government Gazette*.

RESOLUTION.—The draft notification submitted by the Forest Settlement Officer, Panch Maháls, should be published in the *Bombay Government Gazette*.

Dismissals: Forest Guards.

No. 9566.

- 399 Letter from the Conservator of Forests, S. C., No. 3534, dated 30th November 1889:—

“With reference to paragraph 3 of Government Resolution No. 8380 of the 4th instant, I have the honour to report that the guard Dáda A'nanda was dismissed the Government service for misbehaviour immediately after the trial of Yellappa Piráji, the guard referred to in paragraph 4 of the Resolution.”

RESOLUTION.—Recorded.

Forests: Sátára.

No. 9570.

- 400 Memorandum from the Commissioner, C. D., No. R.—232, dated 21st January 1888—Submitting, for sanction, one from the Collector of Sátára, together with copy of the following letter No. 11, dated 6th idem, from the Forest Settlement Officer, Sátára:—

"When settling the claims of the rayats over Survey No. 33* of the village of Sipúr, Táluka Tásgaon, I found that Mr. Muir Mackenzie had obtained the said number and other numbers, viz.,† 159, 160, 161, 162, on condition that the occupants thereof would be allowed free grazing in Survey No. 33. But when this arrangement was made Mr. Muir-Mackenzie omitted to bring the matter to your notice for the purpose of obtaining the previous sanction of Government. I have therefore the honour to request that you will be good enough to obtain sanction of Government to this arrangement. Pending receipt of Government sanction decision in this case has been deferred."

* No.	Area.
33	A. g. 96 9

† No.	Area.
159	A. g. 80 34
160	96 11
161	103 34
162	94 4
	<hr/> 375 3

Memorandum from the Conservator of Forests, N. C., No. 5977, dated 15th February 1888.

Memorandum from the Commissioner, C. D., No. R.—3528, dated 24th July 1889.

Memorandum from the Commissioner, C. D., No. R.—5606, dated 22nd November 1889:—

"Submitted with compliments to Government in reply to the Under Secretary's memorandum No. 1349, dated the 27th February 1888, which with its accompaniments is herewith returned.

"2. From the accompanying correspondence which took place between this office, the Conservator of Forests, N. C. and the Collector of Sátara, consequent on the Government memorandum above referred to, it will be seen that the parties concerned are not at all disposed to give up their grazing right in the Survey No. 33. The Commissioner gathers from these papers that these persons own 129 head of cattle and the most desirable course would be to limit the concession to that number, as suggested by Mr. Shuttleworth; but this would not be fair dealing, as, most unfortunately, the concession was granted without any stipulation whatever, and if the condition, which the Conservator now wishes to enforce, had been mentioned when the Forest Officer negotiated for the other numbers belonging to the parties concerned he would not most probably have succeeded in acquiring them. But the promise having been made should be upheld and as it will in that case, be hopeless to attempt to afforest No. 33, Mr. Moore is most reluctantly compelled to recommend the exclusion of that number from the forest area."

RESOLUTION.—Government concur in the views expressed by the Commissioner. In the circumstances no further proceedings under the Indian Forest Act should be taken in respect of Survey No. 33 of Sipúr which should be excluded from the forest demarcation limits.

Forests : Khándesh.

No. 9571.

401 Memorandum from the Commissioner, C. D., No. R.—5353, dated 12th November 1889—Submitting for instructions a letter No. 6791, dated 11th October 1889, from the Collector of Khándesh, who enquires with reference to Government Resolution No. 8680, dated 28th December 1888, whether Government have sanctioned the giving to village officers of cash allowances in lieu of service inám lands taken up for forests; and stating as follows:—

"2. The Commissioner, C. D., is of opinion that the compensation for service lands should not be paid in cash, and that the orders contained in Government Resolution 3576, dated the 1st June 1888, should be applied to this case."

Memorandum from the Conservator of Forests, N. C., No. 4038, dated 26th November 1889:—

"In returning these papers the Conservator of Forests has the honour to report that he is disposed to concur with the Commissioner in the opinion that cash compensation should not be paid for service inám lands, but that a cash allowance might be granted, being treated as watan allowances."

RESOLUTION.—The grant of cash allowances to certain village officers in lieu of their service lands taken up for forests at the rates proposed by the

Forest Settlement Officer in the statement appended to his letter No. 216, dated 30th July 1888, is sanctioned. The allowances should be treated as watan allowances wherever the service land taken was watan.

Books and Publications: Purchase of copies of the Ready Reckoner for the use of the Conservators of Forests.

No. 9575.

- 402 Letter from the Conservator of Forests, S. C., No. 2148, dated 23rd August 1889—Requesting sanction to purchase 300 copies of the Ready Reckoner, being a collection of tables for the measurement of timber according to the cubic foot standard, from Messrs. Wyman & Sons, London.

Letter from the Conservator of Forests, S. C., No. 2506, dated 16th September 1889 :—

"In reference to your No. 3441 of the 10th instant, I have the honour to state that the cubic foot has been introduced as the standard of measurement in place of the Gaj, quarter and tassar mode of notation. The tables are required at the depôts and in the jungles for measuring up timber. The introduction of the cubic foot as a standard of measure will save a great deal of labour besides being a more suitable unit than that now employed with its numerous sub-divisions.

"I enclose a copy of the present and proposed tables from which you will readily see the advantage of the latter."

Letter from the Conservator of Forests, S. C., No. 3063, dated 23rd October 1889—Replying to Government memorandum No. 7809, dated 16th idem; intimating that the cost price of the unbound tables is about two annas two pies; and stating how he proposes to distribute the copies.

Memorandum from the Conservator of Forests, N. C., No. 3960, dated 15th November 1889.

Letter from the Conservator of Forests, Sind Circle, No. 1282, dated 28th November 1889.

} Reporting with reference to Government memorandum No. 8623, dated 13th November 1889, that 200 copies and 7 copies of the Ready Reckoner will be required by them respectively for the use of the Forest Circles in their charge.

RESOLUTION.—The purchase of the number of copies of the tables required by the Conservators of Forests for their respective circles is sanctioned. The copies should be obtained from England in accordance with the orders contained in Government Resolution, Financial Department, No. 2200, dated 7th June 1889.

Forest Surveys: Additional provision in the Budget for 1890-91 under the head of —.

No. 9576.

- 403 Letter from the Accountant General, No. B.—18987, dated 11th September 1889 :—

"With reference to Resolution No. 6496, dated 4th September 1889, directing that an additional provision of Rs. 4,800 should be made in the Budget for 1890-91 under the head 'Forest Survey,' I have the honour to point out that the Government of India in consenting to the arrangement for the conduct of Forest Surveys in the Bombay Presidency, referred to in their letter No. 1095-F., dated 5th November 1888, did so on the understanding that the annual expenditure should not exceed Rs. 71,000, vide paragraph 2 of the letter of Government to the Government of India, No. 5303, dated 7th August 1888. The confirmation of that Government will therefore be necessary if the expenditure is to be increased to Rs. 76,000 as now sanctioned."

Letter from the Government of India, Revenue and Agricultural Department (Forests).
No. 1238-F., dated 30th November 1889 :—

"In reply to your letter No. 7357 of the 30th September last, I am directed to state that the Governor General in Council is pleased to confirm the orders of the Government of Bombay increasing by Rs. 4,800 the sum (Rs. 71,000) provided in the Budget Estimate of the Bombay Forest Department for 1890-91 to meet expenditure on Forest Surveys in that Presidency."

RESOLUTION.—Copies of the letter from the Government of India should be forwarded to the Accountant General, the Survey and Settlement Commissioner and the Conservators of Forests, N. and S. Circles, for information with reference to Government Resolution No. 6496, dated 4th September last.

Forests: Ahmedabad.

No. 9577.

404 Letter from the Commissioner, N. D., No. 3626, dated 18th November 1889 :—

"With reference to paragraph 2 of Government Resolution No. 1551, dated 6th

Extract paragraphs 8 and 9 from Ahmedabad Collector's No. 1463, dated 17th May 1889.

Extract paragraphs 1 and 2 from Commissioner, N. D.'s endorsement No. 1636, dated 30th May 1889.

Extract paragraphs 2, 3 and 4 from Conservator's No. 1297, dated 13th June 1889.

Extract paragraph 2 from Commissioner's endorsement No. 1848, dated 15th June 1889.

Collector's No. 2653, dated 15th August 1889, and accompaniments (in original).

Commissioner's No. 2593, dated 21st August 1889.

Conservator's No. 2687, dated 23rd August 1889.

March 1888, I have the honour to submit a copy of the correspondence as per margin regarding the settlement of rights in certain forest lands in the Modasa Peta of the Ahmedabad District, from which it will be seen that the Forest Settlement Officer has now defined the right of free-grazing and grass cutting in Survey No. 44 of Saraspur and of grazing over 292 acres and 6 gunthás

in Survey No. 118 of Kan, and that the Conservator of Forests, N. C., has no further objection though he considers that the grazing of the large number of animals will be harmful to the forests in question."

RESOLUTION.—Recorded.

Forest Rights of Inámdárs: Rights of service inámdárs to cut trees on the lands held by them.

No. 9578.

405 Memorandum from the Commissioner, C. D., No. R.—1539, dated 27th March 1889—Stating with reference to paragraph 2 of Government Resolution No. 5987, dated 6th September 1888, and in reply to Government memorandum No. 2271, dated 23rd March 1889, that he proposes to discuss the subject with his brother Commissioners in Committee in the ensuing rains and that a joint report will then be submitted to Government.

Joint letter from the Commissioners of Divisions, No. 3497, dated 8th November 1889—Submitting the following report called for in paragraph 2 of Government Resolution No. 5987, dated 6th September 1888, on the subject of forest rights in service holdings to which Gordon's settlement has not been extended.

"Government Resolution No. 5987 of 6th September 1888 calls for the opinion of the Commissioners on the question of inámdárs' rights to trees in service holdings, other than those to which Gordon's settlement has been extended. All district officers' watans, however, which have not fallen under Gordon's settlement, have either already come under some other analogous non-service settlement (e.g., the several settlements in Gujarát) or will eventually do so (there are only a few stray cases of the latter kind where a non-service settlement is delayed). Inámdárs' rights in the case of all such holdings will necessarily be governed by the terms of the settlement in each case. All

district hereditary officers' watans are, therefore, excluded from the scope of the present enquiry. The question will affect only the holdings of—

I—Village servants useful to community comprising (a) those whose services, though formerly of use, are not now required; and (b) those whose services are still useful to the community, such as the village carpenter, potter, &c.

II—Village servants useful to Government.

"2. Holdings coming under Class I, head (a), have had a quit-rent of eight annas in the rupee imposed upon them, and have been converted into private property. The inámdárs of all such holdings would, therefore, have the same complete right over trees as the holder of any personal inám land.

"3. Holdings under Class I, head (b), have also been subjected to a quit-rent of four annas in the rupee, but they are still regarded as *service* watans, and are continuable only so long as service required by the community is performed. As soon as the land ceases to be held for such service, it is liable to be resumed by Government (Government Resolution No. 6310 of 25th August 1883). Resumption, however, has been held to mean only the levy of full assessment; possession is not to be disturbed in case of old alienations (Government Resolution No. 656 of 23rd January 1885). So that even where such land has been alienated, the holder retains the right to be in occupation subject only to the payment of full assessment. His right to trees should not, consequently, be held in any way inferior to that of an ordinary survey occupant, and we find that in disposing of a reference from the Panch Maháls District, in connection with the question of the right to trees on the lands held by this class of village servants, Government were pleased to lay down the principle that these village servants had exactly the same rights in the land as other occupants have in lands occupied by them (Government Resolution, Revenue Department, No. 3876 of 21st May 1883).

"4. We are aware that a different ruling has been laid down on this question in Government Resolution No. 7633 of 9th November 1887, but we are of opinion, for the reasons above given, that the former ruling (Government Resolution No. 3876 of 21st May 1883) is not only more liberal but more equitable.

"5. The only class whose claims remain to be considered are 'village servants useful to Government.' On this subject no distinct orders would appear to have been passed, prior to the issue of Government Resolution No. 419 of 17th January 1887, which lay down the principle that '*prima facie*, lands held for service are not held under a proprietary title.' The correctness of this principle can admit of no question. Whether the lands are held by watandárs and are continuable hereditarily, or whether they are held merely as the remuneration of non-watandári servants, they are absolutely the property of Government, though in the case of watan lands their occupation is subject to the provisions of the Watan Act.

"6. Admitting these facts to the fullest extent, however, we are of opinion that no good grounds can be shown for treating this useful class of village servants with less liberality than the rest in the matter of their rights over the trees standing on their service lands. Most of these lands are held hereditarily; all of them are inalienable; and as shown by Mr. Younghusband, Assistant Collector of Ahmedabad, in his report No. 737 of 8th November 1888, the temptation which exists in the case of ordinary survey occupants of throwing up the land after denuding it of the timber standing thereon does not exist in the case of these holdings. The land, moreover, being held by the same family from generation to generation the trees in almost all cases have been planted and reared by the present holders of the land or by their ancestors. It is reasonable, therefore, that such benefits as arise from the trees where productive should also go to the holders.

"7. We would further submit that while the ordinary survey occupant pays a certain amount of assessment for the land he occupies the village servant renders service (in return for which that assessment is foregone), the only difference being as above pointed out that whereas the survey occupant can throw up his land after removing all the trees standing on it, the village servant cannot do so without losing his hereditary service, *a sacrifice that has never yet been made to our knowledge*. We fail to see, therefore, why any distinction should be made between rights enjoyed in return for a certain amount of assessment and those enjoyed in return for service.

"8. We beg to submit reports from the Collectors in the three Divisions, which indicate a general concurrence on their parts in the views above expressed."

RESOLUTION.—Government sanction the proposals made by the Commissioners, which should be generally acted on. Whatever trees are reserved in the case of ordinary occupants should be reserved also in those service lands to which a settlement converting them into private property has not been applied.

December 20.

Forests, Khândesh: Forest Settlement and Demarcation Report of the Dhulia Táluka.

No. 9620.

406 Memorandum from the Commissioner, C. D., No. R.—5318, dated 7th November 1889—
Submitting letters from the Conservator of Forests, N. C., and the Collector of Khândesh,
together with a letter No. 151, dated 27th August 1889, from the Forest Settlement
Officer, Khândesh, who forwards his Forest Settlement and Demarcation Report of the
Dhulia Táluka.

RESOLUTION.—The reports now submitted deal with the Forest Demarcation and Settlement of the Dhulia Táluka of the Khândesh Collectorate. The area of old forest demarcated before 1878 and notified as Reserved Forest under Section 34 of the Indian Forest Act was 9,261 $\frac{3}{8}$ acres. Subsequently 12,320 $\frac{1}{10}$ acres were after notification under Section 4 notified as Reserved Forest under Section 19, and an additional area of 4,921 $\frac{3}{8}$ acres was notified as proposed Reserved Forest under Section 4. Under Section 28 of the Act 96,271 $\frac{1}{8}$ acres have been notified as Protected Forest. The Forest Settlement Officer, Mr. Dodgson, now proposes that—

(1) of the original old forest a small patch of 28 $\frac{1}{2}$ acres immediately adjacent to the village site of Laling should be disforested;

(2) of the 4,921 $\frac{3}{8}$ acres notified only under Section 4, 2,031 $\frac{1}{10}$ acres should not be included in forest, and that the remainder in respect of which the requisite inquiries have been instituted should now be notified under Section 19;

(3) of the Protected Forest 5,732 $\frac{1}{10}$ acres should be disforested and the rest converted into Reserved Forest, being first notified under Section 4 and subsequently under Section 19;

(4) 9,492 $\frac{2}{3}$ acres of land now waste but of which the inclusion in Reserved Forest is desirable should be notified first under Section 4 and afterwards under Section 19; and that

(5) 3,270 $\frac{1}{4}$ acres now in occupation should eventually as opportunity offers be obtained for inclusion in Reserved Forest.

The total forest area under Mr. Dodgson's scheme would when his proposals have been carried out amount to 1,27,745 $\frac{2}{10}$ acres, or 26·3 per cent. of the total area of the táluka.

2. The proposals submitted have been framed with much care by Mr. Dodgson who has throughout been in consultation with the Divisional Forest Officer, Mr. Fagan, and it is satisfactory to observe that save in a few instances these two experienced officers are in accord, and that Mr. Dodgson's recommendations as modified in some respects by the Collector, Mr. Loch, who has devoted to the question much judicious consideration, are unreservedly accepted in so far as the demarcation is concerned by the Conservator of Forests, N. C., and are approved by the Commissioner, C. D. This consensus of opinion on the part of the Land Revenue and Forest Officers materially simplifies the task of Government in disposing of the proposals.

3. The Governor in Council is accordingly pleased to sanction the demarcation as recommended by Mr. Dodgson, with the following alterations advocated by the Collector, the Conservator, and the Commissioner:—

(1) the whole of Survey Nos. 94, 95, 98 and 100 in the village of Nurnagar should be included in forest;

(2) the whole of Survey Nos. 151 and 153 of Aklad and of Survey No. 193 of Shirdhana should be included in forest;

(3) the whole of Survey No. 166 of Shirdhana should be excluded from forest;

(4) the 277 $\frac{31}{40}$ acres in the village of Ráver which Mr. Dodgson proposes to exclude from forest should be retained in forest;

(5) the 289 $\frac{1}{8}$ acres in Dedargaon proposed for exclusion from forest should be retained in forest;

(6) the 10 $\frac{1}{4}$ acres in Mordara which Mr. Dodgson suggests should be excluded from forest should be retained in forest;

(7) in the draft notification under Section 4 submitted by Mr. Dodgson where portions only of numbers are proposed to be constituted Reserved Forest the whole number should as recommended by Mr. Shuttleworth be notified or, if it is undesirable so to notify the whole number, it should be omitted from the notification.

4. The requisite notifications to give effect to these orders should now be published and the Government of India should be moved to sanction the exclusion from Reserved Forest of the 28 $\frac{1}{2}$ acres of old forest in Laling, the further retention of which in forest is deemed undesirable.

5. Prompt action should at once be taken to remove from within forest limits the Wanjára cattle dealers, with their huts and cattle, who have squatted in the forest lands of the Mordara village, and to compel the removal from the forest lands of Dedargaon on which they have encroached of the Gavlis who seem to have unauthorizedly established themselves there with their cattle and to be causing serious injury to the forest. Seeing that the Dedargaon forest lands are included in the catchment area of the reservoir which is to provide the water-supply of Dhulia it is essential that these lands should be strictly conserved, that all possible measures should be adopted to prevent the pollution in any form of the water of the reservoir, and that the occupied lands in the catchment area should be acquired and placed under forest conservancy.

6. Steps should be taken as opportunity occurs to secure for forest the other lands now under occupation which Mr. Dodgson advises should eventually be converted into Reserved Forest.

7. No orders by Government are required concerning Mr. Dodgson's proposals for the distribution of the various forest blocks in the Dhulia Táluka amongst ranges in or beyond the limits of that táluka. The suggested allocation of some of these blocks in ranges in other tálukás does not appear necessary, but in any case this question is one for the decision of the officers of the Forest Department, and until they deem action necessary in this direction no steps need be taken.

8. The proposals made by the Divisional Forest Officer regarding the working of the anjan-growing tract for anjan, of the scrub jungle area for thorns and fuel, and of certain forests for tarwad bark, are approved by the Collector, the Conservator and the Commissioner, and are sanctioned pending the introduction of working plans prepared by the Working Plans Branch.

9. As regards the closure or opening of forests to grazing the kurans included in forests should be absolutely closed to grazing, and as previously ordered one-third of the area of each forest block should be closed to permit of reboisement, the rotation system being followed. The orders contained in paragraphs 2 and 3 of Government Resolution No. 4027, dated June 3rd, 1889, relating to the setting apart of certain waste lands for grazing purposes and of letting out the unassessed waste to the villagers for grazing at a fixed annual rent of one anna per acre should be held to be applicable to the Dhulia Táluka. With the grazing thus provided in addition to that which the unclosed forest areas and the occupied lands will provide, the Governor in Council, having due regard to Mr. Dodgson's observation in paragraph 14 of Part III of the Report that "the Forest Department has under its charge in the Dhulia Táluka vast

tracts of land utterly unsuited to any thing but grazing", considers ample allowance will be made for the grazing needs of the people of the táluka. In the unclosed forests the number of cattle admitted to graze should not exceed one cow, bullock or buffalo per acre: while 2 acres per head may be allowed in waste lands outside.

10. The question of the admission of sheep and goats, judging by experience in other parts, is mainly one of grazing during the time that arable land is not open. In Gujarát immense flocks are introduced so soon as the harvest of early crops is over, the sheep, &c., having during the previous four or five months been in the large tracts of waste in contiguous Native States. Mr. Shuttleworth would compel the Thiláris who have used Dhulia for their monsoon camps to find ground in Native States in the same way, and they certainly could do so. Khándesh generally has progressed from the condition of a pasture to an arable country, which the contiguous Native States have not. The Governor in Council considers that the forests should be closed to sheep and goats except in such portions as in the opinion of the Divisional Forest Officer can now tolerate sheep-grazing. Opening a portion of immature forest would be a mistake, as the concentration of numbers thereon would make its depasturing more complete. Notification should be given to the Thiláris, and communicated as widely as possible without delay, that from and after the date of such notification shepherds coming to the Dhulia forests will in 1890 have to pay double the existing rate of fees, and such as do come should be distinctly informed that the forests will in 1891 be absolutely closed, except such portions as the Divisional Forest Officer may open for sheep grazing as mature forest. It appears clear to the Governor in Council that the forest grazing area must be reserved for cattle of the villagers, and that goats and sheep must be excluded from the forests quite independently of the question whether they do harm to the open area of forests. Allowance must be made for the extension of cultivation, and the increase of cattle kept by the villagers.

11. The tracing of the forest demarcation submitted by Mr. Dodgson should with the alterations in the demarcation now directed be, as suggested by the Conservator of Forests, lithographed or photographed at the Government Photozincographic Office.

In future reports the average rate at which assessed waste has been taken up should be stated.

In the circumstances stated in paragraph 7 of Part III of the report the Governor in Council is pleased to direct that in future forest settlement reports, the statement called for under Part III—2 (B) of paragraph 3 of Government Circular No. 7677, dated 22nd September 1885, should as suggested by Mr. Dodgson be omitted.

12. Messrs. Dodgson and Fagan are entitled to much credit for the careful and intelligent manner in which they have jointly carried out the Dhulia Táluka demarcation and for their full and interesting reports and Government acknowledge with thanks the assistance rendered by Messrs. Loch, Shuttleworth and Moore in their useful and judicious comments on the proposals submitted.

December 23.

Forests: Exclusion from Reserved — of certain land in the Haveli Táluka of the Poona District.

No. 9709.

407 Letter from the Government of India, Revenue and Agricultural Department (*Forests*), No. 1237-F., dated 30th November 1889:—

"In reply to your letter No. 8385 of the 4th instant, I am directed to convey the sanction of the Government of India to the issue by the Bombay Government of

a notification, under Section 26 of the Indian Forest Act (VII of 1878), declaring that, from a date to be fixed in such notification, Survey No. 61 of the village of Vadgaon Shinde in the Haveli Taluka of the Poona District, the area of which is stated to be 4 $\frac{1}{4}$ acres, shall cease to be Reserved Forest."

RESOLUTION.—The requisite notification directing the exclusion of the land in question from Reserved Forests from 15th January 1890 should be published in the *Bombay Government Gazette*.

Forests: Exclusion from reserved — of certain lands in the Nandurbár Taluka of the Khándesh District.

No. 9711.

408 Letter from the Government of India, Revenue and Agricultural Department (*Forests*), No. 1266-F., dated 10th December 1889:—

"In reply to your letter No. 8903 of the 25th ultimo, I am directed to convey the sanction of the Government of India to the issue by the Government of Bombay of a Notification, under Section 26 of the Indian Forest Act (VII of 1878), declaring that, from a date to be fixed in such notification, the lands described in the list appended to your letter, aggregating in area 420 acres, and which are situated in the Navápur Peta of the Pimpalner (now Nandurbár) Taluka, Khándesh District, shall cease to be reserved forest."

RESOLUTION.—The requisite notification directing the exclusion of the lands in question from reserved forests from 15th January 1890 should be published in the *Bombay Government Gazette*.



(22) S

Imp 15817 Dated 24.12.09