

**KANARA VANA-DUKHA NIWARANI  
SABHA'S ROOMS,  
SIRSI**

*17th January 1887.*

**To**

**HIS EXCELLENCY**

**THE RIGHT HON'BLE LORD REAY, G.C.S.I., C.I.E.,  
GOVERNOR OF BOMBAY IN COUNCIL  
BOMBAY.**

My Lord,

We have the honor most respectfully to submit to your Excellency in Council the accompanying memorial with the exhibits thereof adopted by the general Committee of the K. V. N. Sabha and the ryots of the district. We sincerely hope that your Lordship will be kind enough to give the memorial a full consideration and grant the prayer of your Excellency's memorialists.

We have the honor to be,  
my Lord,

Your Excellency's most obedient servants

A. P. Nadig.

R. N. Karkare.

SECRETARIES KANARA VANA-DUKHA,

NIWARANI SABHA,

SIRSI

To

**HIS EXCELLENCY . .**

**THE RIGHT HON'BLE LORD REAY, C.C.S.I., C.I.E.,**

**GOVERNOR OF BOMBAY IN COUNCIL,**

**BOMBAY.**

**The Humble Memorial of the KANARA  
VANA DUKHA NIVARANI SABHA,  
Sirsi, Kanara District,**

**MOST RESPECTFULLY SHEWETH,**

I. That Your Excellency's Memorialists beg leave to approach Your Excellency in Council with this humble representation, setting forth as shortly as the circumstances of the case render it possible the forest grievances of the people of the district of Kanara and praying for redress in respect of them at the hands of Your Excellency's Government.

II. Your Excellency's Memorialists may be permitted to observe that it was the prevalence and increase of these grievances which led to the establishment of the Kanara Vana Dukha Nivaran, Sabha (or the Kanara Forest Association), its main and special object being to duly represent them to Government and secure relief. But they much regret to state that their attempt to organise themselves into a body for the purpose of constitutionally and loyally bringing to the notice of Your Excellency's Government the defects and shortcomings of the Forest administration in this district and the wrongs it has inflicted upon the inhabitants generally and agriculturists particularly was misunderstood and thwarted by the local officials. In previous memorials submitted to Your Excellency in Council, Your Excellency's Memorialists have mentioned the efforts that were made soon after its establishment by the officials to put down the Association and strike terror among the people with a view to prevent them from joining it. Even now it can be hardly said that the efforts have altogether ceased, though they are not made in the manner which was unfortunately adopted by the officials some time ago. Your Excellency's Memorialists do not, however, intend to dwell in this memorial on that subject, but beg to refer to it solely for the purpose of accounting for the delay that has occurred in making this representation since the establishment of the Association. That delay is greatly

due to the difficulties and troubles the Association has had to undergo since its institution.

III. Your Excellency's Memorialists would beg leave at the outset of this humble representation to assure Your Excellency in Council that, so far from being opposed to forest conservation, they are as anxious as Government that care should be taken to preserve the forests in this district. But their complaint is that the measures which have been adopted and carried out from time to time by the Forest Department have not only operated to the prejudice of the just rights which the ryots of this district enjoyed from times immemorial, but have injuriously affected the agricultural interests of the district and subjected the *ryots* to much annoyance, vexation, and even extortion at the hands of petty forest officers. Agriculture in this district is greatly dependent on forests. For instance, rice fields cannot do without *bena* (grass lands) and *haklu* (dry crop lands). *Bagayats* or garden lands, the cultivation of which prevails more largely than any other in the district, and where cardamums and betelnuts, &c., are grown, especially require what are called *betta* or hilly lands and *bena* (dry crop lands). Again, agriculturists stand in need of bamboos, leaves, shrubs, &c., for the purpose of erecting hedges or for manure or other agricultural purposes. They require wood for ploughs, or constructing cattlesheds, or where their rice fields are on the coast, for boats for the purpose of carrying manure from the place where it can be obtained to their fields. Wood is also required for fuel and agricultural implements. The purposes, in fact, for which the *ryots* in Kanara have to be dependent on the forests are so various and so numerous that Your Excellency's Memorialists refrain from attempting their full enumeration here for fear of making this memorial tediously long. But it is necessary to mention here that from times immemorial the *ryots* exercised certain forest rights, the enjoyment of which was indispensable to their agriculture. Until about 1844 the only restriction enforced in regard to the enjoyment by the *ryots* of their forest rights was that they were not to cut teak, blackwood, sandalwood, poon, and jack-tree in the Government forests. Some years afterwards it was declared that if *ryots* wanted to cut these trees for building purposes, they should obtain the permission of the revenue officers of the district. About 1850-51 it was further ruled that a fee of eight annas per tree should be charged for the trees just mentioned. But as these trees were required generally for buildings of a superior character, and did not much concern the ordinary purposes of the agricultural classes of the district, these classes did not feel oppressed by the rules. This state of things lasted till 1860, at the close of which was issued a Forest Circular for the Permit of Trees in the district of North Kanara, declaring that reserving the seven trees, such as teak, blackwood, and sandalwood, &c., all other kinds of trees and bamboos should be given to the *ryots* for building purposes, to the carpenters for the purposes of carpentry, &c., provided they obtained permits therefor and paid the prescribed fee. The fee charged in the case of trees varied from four annas to one rupee *per khandi*;

that for bamboos varied from two annas to eight annas per cent. (Vide *Exhibit 1.*) These rules were enforced with modifications now and then made in the interval until the year 1874, when what are known as the *Permit Rules* came into force. (Vide *Exhibit 2.*) These rules, oppressive as they were in several respects, were on the whole more liberally conceived than forest laws and orders subsequently passed; but they have been interpreted differently at different times. Some of them are inconsistent with the provisions of the Forest Act, which came into force in 1878, and the orders issued from time to time by the Forest Department; and yet the Department enforces either the rules, or the provisions, or the orders according as it suits the convenience or pleases the zeal of its officers. When *ryots* complain that the Department is trenching upon their just rights and enforcing restrictions, which hamper their agricultural operations, the Permit Rules are put forward for the purpose of showing how liberal the Department is; but the fact is ignored that these rules exist on paper only, and are superseded in practice by provisions and orders which are inconsistent with those rules and which press more severely upon the *ryots* in their practical operation. This point will be best elucidated by a statement of some of the specific grievances from which the *ryots* of this district suffer owing to the curtailment of their forest rights. Those grievances Your Excellency's Memorialists will endeavour to detail below.

IV. *Difficulty of obtaining Grass Lands and Dry Crop Lands.*—From times immemorial the *ryots* of Kanara were allowed to own and use the grass lands (called in Kanarese *bena*) and *dry crop lands* (called *haklu*) adjoining their rice fields, both for the purpose of obtaining leaves and grass for manure and grazing their cattle. That this right was necessary to the cultivation of rice fields and was uninterruptedly for many years exercised by the *ryots* is evidenced by many of the ancient title-deeds, and also by the Government *jamabandi* records, in which it was customary to mention the fact that each *ryot* was entitled to use the grass and dry crop lands assigned for his rice field. (Vide *Exhibits 3 & 4.*) A large portion of these lands has been, however, included in Government forests, and the remainder have been classed as Government waste lands. For the use of the latter (*i.e.*, those classed as waste lands) the *ryots* have to pay assessment in addition to that levied from them in respect of their rice fields. Even if they be willing to pay such assessment, they find it difficult to obtain these lands. (Vide *Exhibits 5 & 6.*) The area of them being limited, and the greater portion being included among forests, the demand for them has become very great, so much so that the Revenue Department with the sanction of the Forest Department disposes of the applications made for such lands by *ryots* by selling them by public auction. The result is that *ryots* outbid one another, and many fail to get them. And even those who are so fortunate as to secure them by paying a heavy price have to pay in addition such price as may be fixed by the Forest authorities for the trees standing on such lands.

V. *Difficulty of obtaining Betta or Hilly Lands required for Bagayats*

or *Garden Lands*.—Just as grass lands and dry crop lands are necessary to the cultivation of rice fields, so *bagoyats* or garden lands stand in need of them, and also *betta* or hilly lands from which their *ryots* obtain leaves and branches of trees for manure. One acre of a garden land requires from 10 to 16 acres of *betta* or hilly lands on an average. But the Survey officers in the district generally give from 4 to 5 acres of *betta* lands for one acre of a *bagayat* or garden land, while no *ryot* owns more than 8 acres of the former. (Vide *Exhibit 7*.) This restriction creates many difficulties. *In the first place*, the area of *betta* or hilly lands allowed for one acre of a *bagayat* land being insufficient, the same trees have every year to be utilised for leaves and branches by the *ryot*. This necessarily leads to their denudation; and the supply of leaves and branches becomes annually scantier for the purposes of the cultivation of the *bagayat* or garden land. This was not the case formerly when the *ryots* were allowed a sufficient area of *betta* lands. They used to divide them into plots, using the trees of one plot one year, the trees of another plot the second year, and so on. *In the second place*, under the system now in force, insufficient as the area of hilly lands allowed for *bagayat* or garden lands is, it is rendered still more so by the fact that the *ryots* are prohibited from cutting and using the leaves of certain trees standing on the hilly lands. (Vide *Exhibit 8*.) And further, they are not allowed to cut any tree or use any leaf, &c., within a distance of 66 feet on either side of the road on such lands. (Vide *Exhibits 8, 9, 10*.) *In the third place*, the *betta* or hilly lands so given to the *ryots* of garden lands are included in protected forests, and they cannot use them freely. (Vide *Exhibit 11*.) And *lastly*, the *ryots* are directed to use only *small twigs and branches*, but what is a small twig or branch is left undefined and its determination depends on the will and pleasure of the Forest officers. (Vide *Exhibit 12*.) From these circumstances it will be apparent to Your Excellency in Council that while the quantity of hilly lands allowed for a *bagayat* land is in itself insufficient, it is rendered still more so by the conditions on which it is allowed. The concession is hedged in with so many restrictions that the grant of so limited an area as from 4 to 5 acres of *betta* lands for one acre of a *bagayat* field becomes practically useless to the *ryot*, and *bagayat* cultivation has therefore suffered considerably in the district.

VI. *Leaves, Branches, and Shrubs*.—These are required by the *ryots* of both rice fields and garden lands for manure. Dry leaves are necessary in summer, and these the *ryots* are allowed to procure from the Government forests. They do not require to be cut, since, when dried, they fall off from the trees of themselves and are then easily collected. But the *ryot* also stands in need of green leaves and branches and shrubs for his agricultural operations, especially manure. It is true that if such leaves be allowed to be cut and used indiscriminately, forest denudation must go on unchecked. But certain leaves may be safely allowed to be cut without any prejudice to the growth of trees in forests. Trees grow all the better where the leaves on the small branches growing in cross directions at the lower parts of them are from time to time cut off. According to the Permit Rules, *ryots* are indeed at liberty

to cut and use green leaves, branches, and shrubs; but this liberty exists only in name, since, according to an order of the Forest Department, no one is allowed to go into the Government forests with a cutting instrument (vide *Exhibit 21*, para. 4; and *Exhibit 11*, para. 8); while another order, issued in 1883, prohibits *ryots* from cutting the green leaves of trees not only in reserved but even in protected forests. The same difficulty is experienced as regards stakes, thorns, and brushwood, which are required by *ryots* for hedges and dams. The Permit Rules allow them liberty to cut and collect these from the Government forests (vide Section I., Clause 5, of the Rules); but orders issued after these rules have taken away the concession. Sago and other palm trees are required for watercourses and various other agricultural purposes, such as the hedges of sugar plantations, &c. According to Clause 7 of Section I. of the Permit Rules *ryots* are allowed to cut from the Government forests such of these trees as are *dead* or *dried*. But no practical benefit is derived from this rule, because the process of drying in the case of such trees is so gradual that until they are *dead* from top to bottom the *ryot* cannot touch them with impunity. If he dare touch them at all, he renders himself liable to prosecution. And when the tree is completely dead or dried, the larger part of it gets rotten and hollow, so that it becomes utterly useless for the purpose for which it is required by the *ryot*.

VII. *Wood required for agricultural purposes.*—Logs of wood are required for various agricultural implements and, according to the Permit Rules, are obtainable according to customary usage. And yet, *in the first place*, they cannot be obtained without payment, though formerly *ryots* used to obtain them free of any charge. *In the second place*, a long time elapses before an application made by a *ryot* for such wood is granted; and till his request is complied with, his agricultural operations have to be suspended. *In the third place*, such implements of agriculture as troughs for cattle to drink water, boats for carrying manure to the fields, troughs for preparing jaggery, instruments especially made for cutting betelnuts, &c., have been excluded from the class of agricultural implements and wood required for them has to be paid for though they are as necessary for the *ryots'* purposes as implements which the Forest Department has included in this class. *In the fourth place*, although the Permit Rules allow the *ryot* liberty to cut trees for such agricultural implements as ploughs, yokes, instruments for levelling ploughed land, &c., yet as the wood required for this purpose must be strong and solid, and as trees yielding such wood have been declared either *reserved* or *protected*, the concession is hardly of any use to the *ryot*. But even supposing it were easy to find out a tree, which being neither *reserved* nor *protected*, could be cut and used for such a purpose, still as the Forest Rules prohibit men from going into the forests with any cutting instrument (vide *Exhibit*, &c., as above), the concession is for all practical purposes rendered useless. Further, if a *ryot* wants wood for a particular purpose, such as for a plough or yoke, &c., he must, according to the rules, be careful to cut and remove so much of a tree

only as is required for that particular purpose and no more. Such a rule may be all right on paper; but it is very difficult to ascertain *exactly* beforehand how much wood is required for a particular agricultural implement and how much of a tree ought to be cut for it. The *ryot* can only form an approximate estimate, and he is, without any intention to defraud Government, apt to cut more or less of a tree than he may absolutely require for his purpose. If, however, he happen to cut more of it than is so required, whether he leaves the surplus wood in the forests or removes it to his farm, in either case he renders himself liable to prosecution on the ground that he has cut more than he was entitled to.

VIII. *Wood required for the Houses, &c., of the Agriculturists.*—Formerly *ryots* enjoyed the right to obtain wood free of charge, for agricultural buildings, whether of a superior or inferior kind. Subsequently fees were charged for such wood. But according to the Permit Rules, fees are chargeable only for wood required for buildings of a superior kind; and the rates are generally very high. That, however, would not have affected the *ryots* much, had not the section of the Permit Rules, which declares that fees are to be charged only for wood required for buildings of a superior kind, been in its practical working very curiously interpreted by the Forest officers. The reasonable and natural intention of the section is that wood of a superior kind only (vide *Exhibit 13*); such as is required for *pukka* or strongly built houses, &c., is to be subjected to the payment of fees. But as wood of an inferior kind is used for the windows or other minor parts of a strongly built house, the Forest officers class it also with wood required for buildings of a superior kind, and charge fees for it even when it is required for agricultural buildings of an inferior or ordinary character. *Further*, whenever the *ryot* wants wood for erecting a building which is necessary for his farming, he has to undergo a great deal of trouble to obtain it at the sacrifice of much valuable time and his agricultural operations. For instance, he must apply for such wood in no other month than September. Doubtless, according to Sections 14 and 15 of the Permit Rules, where an agricultural building accidentally falls or is accidentally burnt, the *ryot* can obtain wood free of charge with the permission of the Forest officers, but in such cases it is difficult to satisfy them that a building has fallen accidentally or is accidentally burnt. (Vide *Exhibit 14*.) Letting that alone, however, generally speaking applications for wood which are required to be made only in September are in the majority of cases disposed of in March. When once an application is granted, and permission to cut a tree is given, the applicant is required within a time fixed by the Forest officers to go with a Forest clerk into the forests and have the tree marked out by him. If the applicant fail to observe that condition, he has to pay a penalty at the rate of an anna per rupee of the amount he has advanced for the tree. (Vide *Exhibit 15*.) The *ryot* must have the tree cut within the 25th of May, and if he fail to do so his permit stands cancelled and he has to pay a penalty of two annas per rupee

of the amount he has advanced for the tree. If he wish to renew the permit, he must pay one-and-a-half the amount of the price he has paid for the tree in addition to the penalty. Again, having cut the tree, he must remove it from the forests before the 10th June, or else he is not allowed to remove it till November, and even then he must pay a penalty at the rate of 50 per cent. of the price he has paid for the tree. And if he fail to remove the tree before December, he forfeits his right to the tree, and cannot recover either the price or the penalty, both of which stand credited to Government. (Vide *Exhibits 15 and 16.*) These rules operate very much to the prejudice of the *ryot*. *Labour* is very dear in many of those parts of Kanara which are close to the forests; it is generally imported; and the *ryot* cannot always be certain of obtaining labourers at the time when he wants them for cutting and removing a tree which he has bought. And the worst effect of these rules is that the tree has to be cut and removed during the season when agriculturists are generally very busy. A still greater difficulty experienced by a *ryot* who wants wood for an agricultural building is this. If the tree, which he has obtained permission to cut, be on a raised ground or in some part of the forests to which access is difficult, it is not easy for him to remove it unless he has the tree cut and then gets it sawed into logs. But this, by the rules, he cannot do without the permission of the Forest officers. Further, from the time the cutting of the tree begins until it is removed, a special peon is placed near it to guard the interests of Government, and his salary has to be paid by the *ryot* requiring the tree in addition to the price he has paid for it. Still further, if any portion of it remain after he has used it for the purpose assigned in his application, and he use this remaining portion for any other purpose, then it becomes liable to confiscation. These restrictions make the *ryots'* position very risky; at every step he has some difficulty to face; and even when he has faced all, he is not certain that the Forest officers will not haul him up before a Magistrate on some suspicion or other.

According to Permit Rule No. I., wood which is required for agricultural buildings of an inferior kind, such as common huts, cattle-sheds, small houses, *chappars*, &c., may be obtained free of charge. But practically the rule confers no benefit on the *ryot*. It is left to the Forest officers to determine what is to be regarded as an agricultural building of an inferior character. *Small houses* are interpreted to mean *temporary* huts, and it is only when the *ryot* wishes to build such huts that he is able to obtain wood, which is of a very inferior character, free of charge. It is customary in this district to have cattle-sheds attached to the house in which the *ryot* lives with his family, because as the jungles are generally close to the villages, the *ryot* is compelled to take special care for the protection of his cattle from the attacks of wild animals. But a cattle-shed attached to a house is classed by the Forest officers as a building of a superior kind, though the Permit Rule abovementioned is distinct in laying down that wood required for a cattle-shed shall be given to the *ryot* free of charge.



It is only when a hut or cattle-shed stands adjacent to a rice field that the *ryot* gets wood free—but even then it is wood of the kind that cannot be turned into squared logs which are necessary for the erection of such sheds. Huts or cattle-sheds built of such wood do not last more than a year or two. The *ryot* is, therefore, compelled almost annually to apply for wood for such buildings and undergo the trouble of repeatedly obtaining permission for it. It is true that the *ryot* is allowed by a Circular of 1883 (Vide *Exhibit 11*, para. 10) to bring from the forests four or five logs of wood from the protected forests in the event of urgent necessity, but these logs, according to the same Circular, must be of dry wood, which has fallen, and which does not belong to the reserved kinds of trees, and whose circumference does not exceed 2 feet. It is not easy to get such wood always, and the conditions are so rigorous that the rule confers no practical benefit on the *ryot*.

Where again a house is repaired or rebuilt with wood either obtained free or on payment, the house is liable to be inspected by Forest officers, who often prosecute people on mere suspicion, charging them with having removed more wood than they were permitted to remove. They even order the removal of that part of the house or building which is built with the wood that they suspect to have been obtained without permission.

IX. *Bamboos required for Agricultural purposes.*—Various kinds of bamboos are required for rafters, houses, huts, and cow-sheds, pandals and *tatties* which are constructed specially for the purpose of drying betelnuts and keeping them, for hedges, ladders, &c. The Permit Rules provide that *ryots* are at liberty to bring as many *bamboos* as they may require. But in practice the *ryots* are compelled to apply for permission to bring the bamboos, and to pay from *four annas* to *one rupee* according to the size of the *bamboos* they may wish to have. It is only in some places which are adjacent to the jungles that *ryots* are able in some cases to obtain *bamboos* in a limited quantity for agricultural purposes. But even then the quantity obtainable is not generally sufficient for the purpose for which it is required, and the *ryots* of places which are not adjacent to the jungles, and especially of places on the coast, cannot obtain the bamboos except on payment. The result is that the provision of the Permit Rules is rendered useless in practice by the enforcement by the Forest Department of conditions quite inconsistent with the provision itself.

X. Canes are required for houses, cow-sheds, packages of rice, &c., for hedges and certain other agricultural purposes. *Ryots* were formerly allowed to bring them free of charge. There is no provision in the Permit Rules about the canes; but no one can get them now without payment.

XI. *Fuel.*—Wood is required by the *ryots* for fuel. Formerly they were able to get it, whether dry or green, as much as they required, of any size, free of charge. But the rules now in force are favorable to some *ryots* and operate to the prejudice of others. For instance, though the poorer classes

of *ryots* living close to the jungles on the coast are allowed to collect small dry sticks the rest of the *ryots* on the coast have to pay two rupees for a hundred head-loads. As to the *ryots* on the ghauts, such of them as are close to the jungles alone have been since 1885 permitted to collect wood for fuel without any payment; but the *ryots* in such towns, as Sirsi, Siddapur, and Banawasi, where *bagayat* or garden cultivation largely prevails, have to obtain such wood on payment. In jungles where dry wood for fuel is not obtainable in sufficient quantities, the *ryots* used formerly to cut the branches and shrubs of inferior kinds of trees. But under the orders of 1879 (vide *Exhibits 17 and 18*) the cutting of green wood from any, and of dry wood from Government Forests has been prohibited. Again, *ryots* require long and thick logs of wood for certain agricultural purposes, such as for drying cardamums and betelnuts during the rainy season, &c. They enjoyed the right to bring these from the forests formerly; and even now the Permit Rules allow that right. But an order issued by the Forest Department after the Permit Rules came into force prohibits the *ryots* from removing logs exceeding 6 feet in length from the Government forests. This restriction as to the length has led to two evils: One is that it has hampered such processes of agriculture as the drying of cardamums, or betel nuts during the rains, which require logs of greater length than six feet. The other evil created by the restriction in question affects the *ryots* on the coast. These, on obtaining wood for fuel, used formerly to convey it to their fields through rivers by means of rafters, made of long pieces selected out of that wood. This mode of conveyance is resorted to even by Government; but the *ryots* on the coast can no longer avail themselves of it as logs of wood of greater length than 6 feet are not obtainable and they are put to the necessity of employing labourers to carry the wood obtained or collected by them for fuel.

XII. *Grazing Lands*.—*Ryots* require a large supply of cattle not merely for their household but mainly and mostly for their agricultural purposes. Formerly these cattle were allowed to be grazed in any jungle without the levy of any fee from their agricultural owners. Now, however, a fee is demanded per head of the cattle. (Vide *Exhibit 19*.) This restriction can hardly be justified on the ground that if cattle be allowed to graze freely, forest cultivation may suffer seriously, because in that case the right to graze would have been disallowed under any circumstances, which it is not.

Again, grazing lands have of late been sold by public auction. In 1881 it was ruled that a fee of two annas should be charged per head of the cattle. This fee is charged in respect of grazing lands in protected forests. (Vide *Exhibits 19, 20, 21, 22, 23*.) And certain other grazing lands are allowed to be used by the *ryots* free of all charge but very few *ryots* have been able to avail themselves of this last concession, for the following reasons:—

(a) Grazing plots have not yet been assigned to villages, the lands of which have not been surveyed and assessed. The *ryots* of such villages

have therefore no grazing grounds for their cattle. (b) A number of grazing plots have been allotted free of charge to some of the villages where the lands have been surveyed and assessed, but they are not sufficient for the cattle of the villages. Although the acreage of such plots is large yet being overgrown with trees, and the ground being stony, they do not grow grass in sufficient quantity for the cattle. (c) In some places these grazing lands are inconveniently situated for the villagers. (d) Many plots used for the grazing of the cattle have been included in protected forests. (e) Where some of these grazing lands which are let for the use of the *ryots*' cattle free of charge are situated on the borders of forests so that the cattle must pass through the forests before reaching the grazing ground, the *ryots* have to pay for being allowed to take their cattle through these forests.

XIII. Your Excellency's Memorialists would now beg to describe shortly some of the general forest grievances of the *ryots* of this district :—

(a) Clay and stone are frequently required by *ryots* for the purpose of constructing cattle-sheds, erecting mounds round their fields, &c. It was customary for them to bring these free of charge from Government lands, but now stone can be brought only with the permission of the Revenue officers and must be paid for. The *ryot* gets practically no benefit of Government Resolution No. 5224, dated 5th August 1883. (Vide *Exhibit 24*.)

(b) Green bamboos were used as an article of diet by the people in the district and largely eaten, but now they are not allowed to touch them. Bamboos grow so profusely in this district that their removal did never and could never diminish their supply or affect their growth in the jungles. Though men are now prohibited from cutting and using them, yet wild animals destroy and eat them, so that the prohibition in the case of the former does no good either to Government or the people.

(c) The *ryots* had formerly the right to cut and use in any way they liked any tree growing or grown on their private lands, such as rice fields and *bagayats* or garden lands. But during the Survey Settlement of 1872-73 it was ordered that no *ryot* was at liberty to cut teak, blackwood, and sandalwood standing on such lands. During the Settlement of 1877-81 *ryots* owning grass lands were deprived of the right to cut any tree standing thereon. At a subsequent Settlement it was, however, declared that the restriction extended only to 19 kinds of trees standing on a *ryot's* grass land while as to other lands owned by him. He was prohibited from cutting five kinds of trees, such as teak, blackwood, sandalwood, honi (*pterocarpus marsupium*) and mutti (*terminalia tomentosa*). (Vide *Exhibits 25 and 26*.) These rules afford a curious contrast with Permit Rule No. 17, according to which *ryots* are not at liberty to cut any tree grown or growing on their private lands, for which they have been paying revenue from the 1st of January 1844. The former rules are obviously inconsistent with the latter rule; but sometimes the one, sometimes the other is enforced and the *ryot* is at a loss to say by which he is bound!

(d) A certain kind of clay is required for the *bagayat* or garden lands. It is generally found on the borders or edges of the *betta* or hilly lands adjacent to these garden lands. The *ryots* are allowed to remove and use it, but this concession affords no practical benefit, because it is subject to the condition that no tree shall be cut or removed in removing the clay. Often the clay cannot be removed unless a tree standing thereon is cut down and removed; or in digging the ground for the clay a tree is apt to fall down. These conditions often deter the *ryot* from removing the clay or as much of it as he may require. It was

customary for the *ryots* formerly to use the place from which such clay was removed as nurseries—that is, after the clay had been removed, they used to sow there cardamum or betelnut seeds, and when these seeds grew into plants they used to remove them to their gardens and plant them there. This operation greatly helped *bagayat* or garden cultivation in Kanara, and assessment was levied from the *ryots* for these places in case they proved productive as nurseries. But now *ryots* are not allowed more than half a *gunta* of such places for nurseries, and assessment is levied from them whether they are productive or not. (Vide *Exhibits 27 and 28.*)

(e) Where a tree standing in a Government forest adjacent to a *ryot's* field is about to fall on the field and injure the crops, the *ryot* has to undergo a great deal of trouble for its removal. He must apply to the Mamledar for its cutting and removal; the Mamledar will then communicate with the Forest officers, who will permit its removal only on such conditions as he may choose to prescribe.

(f) In the assessed villages certain plots have been assigned as village sites, but these are plots on which there are either houses situated, or which are used as roads or they are vacant plots. Where there are houses on the plots so assigned the vacant ground surrounding it is included in Government waste lands and assessed as a grass land. And if these plots contain even a single tree growing in a garden land, then they are included in garden lands and assessed accordingly. These village sites are moreover not conveniently situated near all the rice fields and garden lands in the villages, so that it is only a few of the latter that can derive any benefit from them.

(g) Where there are jungles adjacent to cultivated lands, the *ryots* had the right to cut all trees except the five kinds of reserved trees and superior kind of wood, and within a distance of 20 fathoms clear the jungles around the lands for the purpose of protecting them from wild animals and serpents, and for the convenience of the agriculturists. They had also the right of removing thorny shrubs, small plants which never grow into trees, useless bamboo groups, and other plants which are useless and cause obstruction, from the jungles and *betta* or hilly lands. Government suffered no loss from the exercise by the *ryots* of this right. But according to the Permit Rules, a *ryot* cannot remove such things beyond fifty feet from their lands. According to a proclamation issued in 1883, *ryots* of *betta* or hilly lands alone are at liberty to cut and use thorny shrubs.

(h) In this district the arable lands are in most cases on a lower level, the jungles and hillocks and some *betta* and *vena* lands being generally on a higher level. Water, therefore, flows during the rainy season from the latter to the former and causes much loss. The crops, &c., growing on the lands are also subject to the depredations of wild animals inhabiting the jungles, hillocks, or *betta* or *vena* lands. Therefore *ryots* owning these lands are compelled to dig ditches according to their convenience in the jungles, &c., and erect mounds out of the mud dug out and build hedges upon them, so as to afford an outlet for the water running from the jungles, &c., and prevent the ingress of the wild animals into the fields. These ditches generally are filled with stone, &c., during the rainy season and get blocked so that the water does not flow through them. Hence they have to be dug and cleared from time to time. Government sustains no loss on that account. But now such ditches cannot be dug without the permission of the Government officers. (Vide *Exhibit 29.*)

Where again a rice field or garden land situated as above suffered from a deficient supply of water the *ryots* used to build watercourses in the adjacent jungles, &c., but the Forest Department has ruled that such watercourses shall not be allowed to be erected by the *ryots*. (See *Exhibit 29.*)

(i) Owing to the dense forests the number of wild animals has largely increased, and not to say that these are dangerous to human life, they damage the crops, sugar plan-

tations, &c. Monkeys give the greatest trouble by destroying cardamum and betelnut plants, and cocoanuts in *bagayats* or garden lands. But the *ryot* is helpless before these animals. He is not allowed to keep or use arms or guns (vide *Exhibit 30*), and, what is more, the Forest Department has prohibited him from laying traps for catching them in the Government jungles or forests.

(j) The forest tribes known as *Gowlis*, who from times immemorial made it their occupation to breed cattle in the forests and keep a stock of them in reserve for the *ryot* to buy whenever he wanted, have been driven out from the forests. (Vide *Exhibits 31, 32, 33, 34*.) It is alleged against this class that they denude the forests; but if cattle grazing were calculated to bring about any such result, the Forest Department would have absolutely prohibited it in the forests. Orders have been issued, directing this class of people to leave the forests with their cattle and a few have been allowed to settle on conditions which are very hard and are strictly enforced. These *gowlis* or shepherds have been driven out of the district without any compensation. Cattle-breeding has therefore suffered much in the district.

(k) The *ryots* formerly had the right of using evergreen forests except that they were not at liberty to cut the five kinds of *reserved* trees. But now the *ryots* are allowed to remove nothing from these jungles except pepper, which does not necessarily grow in all such forests, and where it does grow, it does not grow every year as a rule, so that even though the *ryot* pay revenue for such forests he cannot derive much benefit from them, especially as they have been included in Government forests. (Vide *Exhibits 35, 36*.)

(l) Forced labour is employed for the collection of myrobollums (*i.e. hurdas*). Formerly the collection used to be let on contract. But now they are collected and sold direct by Government. In each *Taluka* there are depôts in different places for their collection; and in each depôt there are Forest officers employed. The officers pay wages in advance to poor cultivators or labourers for the collection of the *hurda*. The wages for a *basket* containing two maunds of *hurdas* with a mileage of three pies for their removal to the depôt was formerly two annas, but since last year it has been increased to three annas. Now this collection of *hurdas* causes much inconvenience and annoyance and loss to the people for the following reasons:—(1) The collection takes place in the very months when labour is required for agriculture, so that the wages of agricultural labour have increased; (2) agriculturists are pressed into service for their collection against their will; (3) *hurda* trees do not grow in large numbers in one and the same place. The trees lie detached from one another, and *hurdas* grow daily in small numbers, so that when a cultivator is employed to collect them and paid three annas a basket for these miserable wages, he has to spend much time and trouble and employ himself for days together; (4) a man so employed has to wander from one village to another in search of them, so that looking to the number of days that have to be spent for collecting the required number by each man employed, he may be said to get on an average for this work half an anna a day at the most. Even when he has been able to collect them, only such of them are accepted in the depôt as are good, and he has to make up the deficiency. The depôts are generally from two to ten miles distant from the houses of the cultivators. (5) People rather than subject themselves to the oppression of the Forest officers engage others privately for the collection of the *hurdas*, paying them higher wages than they themselves receive from the Forest officers or buy *hurdas* and bring them from the adjoining Mysore territories. It is needless to say that such a state of things opens the door to extortion and corruption on the part of the lowest classes of Forest officers. When the *hurdas* are collected and brought to the depôts, the *ryots* have to accompany the Forest officers for the purpose of seeing whether any *hurdas* have been left uncollected. For this additional trouble, which may take days together, the *ryots* receive no wages.

XIV. Having stated some of the forest grievances of this district, Your Excellency's Memorialists will now beg to submit the suggestions, which they crave leave to make and which, if Your Excellency in Council be graciously pleased to carry them out, will afford them the needed redress. Your Excellency's Memorialists do not ask for a restoration of all the forest rights they enjoyed formerly. Not only do they believe any such restoration to be impracticable in view of the deliberate policy sanctioned and embodied in the Forest Act of 1878, but as they have already declared at the outset of the memorial, they are not opposed to the conservancy of forests, which is, they are aware, calculated to increase their general resources and the productive capacities of the district. But your Excellency's Memorialists trust that by the statement of their grievances made above it has been rendered clear that the spirit of the Forest rules and the rigor with which they have been carried out are not just to the people or essential to the success of that policy. On the other hand, Your Excellency's Memorialists venture to submit that the rules have thwarted the object of the policy by arraying the people against it. Your Excellency's Memorialists beg therefore to pray as follows :—

1. *Grass lands* and *dry crop lands* being necessary to the cultivation of rice fields, such of the former as were formerly held and used for the purposes of the latter by their *ryots*, but have now been included in either Government waste lands or forests, should be restored to the cultivators, who should be held liable to pay assessment to Government for them and have the right to use the trees, leaves, &c., thereon. Where the grass lands and dry crop lands were not used for the purposes of rice fields, they should be surveyed, and sold to *ryots*, if there be any willing to buy them, either by private sale or public auction.

2. From ten to sixteen acres of *betta* or hilly lands should be given to the *ryot* of a *bagayat* land, according to the necessities of each.

3. *Ryots* should be allowed to cut all but large branches of trees.

4. Stakes, bamboos, thorns, and shrubs should be allowed to the *ryots* free of charge as these are required for the hedges of their farms.

5. Dead palm trees (*i.e.* such as have become dry at the top) should be allowed to be cut, as they are required for watercourses, the hedges of sugar plantations, &c.

6. All kinds of trees except those belonging to the reserved class and first class should be allowed to be cut, where wood is required by a *ryot* for agricultural purposes, such as erecting sugar mills, rice grinding mills, troughs for cattle, &c. The circumference allowed in the case of such wood should be at least three feet, and *ryots* ought to be at liberty to cut it without permission. It is only in the case of reserved or first class trees that permission should be required.

7. As to wood required for various agricultural purposes it should be ruled as follows :—

(a) Teak, blackwood, sandalwood, ebony, and *Soorhoni*, and *analeykayi*, should be declared reserved and sold whenever Government like.

(b) *Mutti*, *Baligi*, *Kurrimootul*, *Halasu*, *Hebbahalasu*, *Shewani*, *Khair*, *Tippe*, and *Dewadaru*, should be included in the first class of trees and sold at two rupees per *khandi*.

- (c) *Gandi, Jambé, Hongalu, Hannerlu, Masi, Voti, Nanja, Sagdi, Beelkumbi, Sumpige, Dudsul*, should be placed in the second class and sold at one rupee per *khandi*.

All other trees should be divided into two classes—one superior, the other inferior—and trees belonging to the former class should be placed in the third class and sold at 8 annas per *khandi*, while those in the inferior kind should be placed in the fourth class and sold at lower prices.

These prices should be fixed for the benefit of the agriculturists alone, who should be prohibited from selling any wood they may buy or obtain from the forests of Government. For classes other than agricultural any prices may be fixed.

8. It should be ruled that wood which is three feet in circumference is fit for superior houses, and wood smaller in circumference for inferior kinds of buildings.

9. *Ryots* should have the right of obtaining free of charge at least 25 *khandis squared logs* of the first and second class of trees for building houses of a superior character. But this right should be enjoyable only once in ten years except for special considerations. If the *ryots* require more wood of the said two classes for other purposes than those of buildings of a superior kind they should obtain the wood on payment of the fee prescribed for others than agriculturists.

Mamledars and Mahalkaris within their respective jurisdictions should have the right to issue permits for obtaining wood free of charge to the extent of twenty *khandis* and on payment to the extent of forty *khandis*. In the event of a greater quantity being required, the permission of the Collector should be required.

10. Wood to the extent of sixty *khandis* should be given at the rates specified above. In other cases higher rates may be charged.

11. Squared logs should be allowed free of charge to public temples, and *dharamshalas*.

12. Wood permitted to be taken should be allowed to be sawed into logs in the jungles where otherwise the person permitted is likely to be put to great expense.

13. *Ryots* should be allowed to collect and use wood of three feet in circumference except that of the reserved and the first class for ordinary houses, huts, cow-sheds, pandals, &c. No permission or permit should be required for this. If wood of the same kind of larger circumference be required, the permission or permit of the Mamledar or Mahalkari should be required.

14. *Ryots* should be at liberty to bring various sorts of bamboos, canes, wood for fuel, green-wood, stones, and clay, from Government forests when they are required for houses, cow-sheds, huts, hedges and other agricultural purposes.

15. *Ryots* should have full and absolute ownership over trees grown or growing or to grow on their *private* lands—*i.e.* lands which they occupy paying revenue to Government, including the dry crop and grass lands and hilly lands which they are entitled to use.

16. *Ryots* should have the right of removing *free of charge* mud from the hillocks near their *bagayat* lands for using it for the purposes of the latter and the place on the hillocks from which the mud is removed should be allowed to be used as nurseries. If for removing the mud it becomes necessary to cut a tree that should be allowed if information be previously given to the village officers. If the tree so cut is of a kind which the *ryot* is not entitled to remove and use, the village officers should take possession of it and dispose of it as they like.

17. *Ryots* should have the right to cut trees which have fallen on their farms or houses suddenly or which are likely to fall, after information given to the village officers.

18. The Collector should have the right of giving waste lands adjacent to cultivated lands for the purpose of enabling their cultivators to build houses, and if there are trees thereon of a class which cannot be obtained free of charge, then the cultivator should have the right of buying them.

19. *Ryots* should have the right to cut all kinds of trees except those of the reserved and the first class to a distance of 20 fathoms from their fields.

20. *Ryots* should have the right of digging trenches, digging ditches, erecting hedges and mounds, around their lands on the borders of Government forests where these latter are adjacent to them.

21. *Ryots* should have the right of opening channels in Government forests for the conveyance of water in the rainy season.

22. *Ryots* should have the right to graze cattle in Government forests and lands according to their convenience.

23. Each *ryot* should be allowed to have at least one gun and use it for the safety of himself, his family, and his cattle. He should be at liberty to go into the jungles and kill wild animals and to lay traps for catching them.

24. People should be at liberty to remove and use the barks of palm trees for their maintenance.

25. *Ryots* on the coast who are obliged to keep boats for carrying manure, &c., should have the right to obtain with the permission of the Mamledar or Mahalkari, as the case may be, wood for constructing those boats. This right should be allowed once in four years except in special cases.

26. *Gowlis* or cowherds should be allowed to remain in the jungles with their cattle.

27. No permission should be given for cutting wood for trading purposes or for carrying it to other districts where such carriage is likely to cause difficulty and inconvenience to the *ryots*.

28. Government should have rights over trees of the reserved class in such ever-green forests, as have been under old sanads enjoyed by *ryots* on payment of revenue. And as for trees of the first class in those forests, the owners of the latter should be allowed to use them as they like on payment of half the prescribed value of these trees with the permission of the Mamledar or Mahalkari. As for other produce in the said forests their owners should have absolute ownership over them.

29. The collection of forest produce sold by Government, such as *hurda*, &c., should be let on contract. That would save Government the cost of maintaining an establishment for the collection and sale of such produce. The *ryot* should have full right of ownership over such produce where it grows on his own lands.

30. *Ryots* should not be forcibly employed for the collection of *hurda*. Such people should be employed for their collection as may be willing. Their wages should not be paid in advance but must depend on the quantity they are able to collect and bring.

31. Facilities should be given to *ryots* for obtaining, without delay, *permits*. The village officers must be furnished with a book with the seals of Government, and they must be directed to record therein the nature of any written or oral application, the date when it is made, and the *ryot's* signature must be obtained thereon.



32. A proclamation should be issued stating the forest rights of the people, and the draft rules enforcing those rights for the guidance of the district or village officers, and people should be called within a specified time to state their objections to those draft rules. And when those rules are passed a copy of them (translated in the vernacular of the district) should be furnished to the *patel* of each village and the leading *ryots* thereof.

33. The forest tribes, who have been turned out of the jungles, and whose houses have been destroyed by the Revenue and Forest officers, should have their grievances enquired into and redressed either by reinstatement or suitable compensation.

XV. That, in conclusion, Your Excellency's Memorialists would crave leave to submit that an enquiry is necessary into the Forest administration of Kanara, and that if an enquiry be directed by means of a Commission, the Memorialists and the *ryots* of the district feel sure that they will be able to offer satisfactory evidence to show that their grievances are by no means imaginary, and that these grievances have subjected the *ryots* to much hardship in this district. At such an enquiry it will be convenient for the *ryots* to specify more fully and substantiate their grievances, neither of which can well be done in a memorial. Your Excellency's Memorialists, therefore, earnestly beg of Your Excellency in Council to be so pleased as to grant them an inquiry, and thus to set at rest this question which is full of distress to the *ryot* and doubtless disagreeable to the Government.

And for this, as in duty bound, Your Excellency's humble Memorialists will ever pray.

Signed by 3,690 persons on the day when the memorial passed.

*Despatched on 17th January, 1887.*

# EXHIBIT 1.

[TRANSLATED FROM CANARESE.]

## FOREST CIRCULAR ISSUED IN RESPECT OF PERMITS TO CUT TREES IN NORTH KANARA.

As the rules hitherto in force regarding the said subject do not work properly, the rules given hereunder will be brought into force from the 1st of January [next]. After the enforcement of these rules, the rayats, cabinetmakers, and other people will be able to get wood and timber from Government without the least difficulty or delay, for the purpose of building houses, for handicraft and for building *fatemars* and boats, &c. Therefore all people will understand these rules properly and act accordingly. People acting contrary to these rules will be liable to punishment.

1. The permits for trees and bamboos will be issued from the office of the Assistant Conservator of Forests.

2. Except the seven kinds of trees mentioned in paragraph 11, seigniorage will be charged on other kinds of trees for building houses, shops, temples, for handicraft work of cabinetmakers and all other artificers and also for building *fatemars* and boats, at so much per Bombay Khandi, and bamboos at so much per hundred, according to the rates given below :—

Particulars.	Khandi.	Per hundred.	Three Talukas above the Ghauts.			Three Talukas below the Ghauts.		
			Rs.	as.	ps.	Rs.	as.	ps.
1. Mathi, Jambe, and Nandi, these 3 kinds of trees .....	1	...	1	0	0	0	8	0
2. Other kinds such as Honagalu ...	1	...	0	8	0	0	4	0
3. For building Fatemars.....	1	...	1	0	0	1	0	0
4. For building Boats .....	1	...	0	4	0	0	4	0
5. Bamboos .....	...	100	0	8	0	0	8	0
6. Shijju .....	...	100	0	4	0	0	4	0
7. Shame .....	...	100	0	2	0	0	2	0

3. Persons requiring trees, &c., should mention in their application the name of the forest, the description of the trees, the estimated number of Khandis required, the number of bamboos, *shame* laths, &c. If trees cannot be given from the forest mentioned in the application, they will be given from some other forest.

4. The applicants should present their applications within the time mentioned below, otherwise their applications will be rejected for being beyond time.

(1) Applications should be presented between the month of June and the end of August in each year. After that, permits will be issued from the beginning of October.

(2) As soon as the permits are obtained as aforesaid, the trees required shall be cut in that forest, and squared, and the seigniorage that will be fixed by the Mutsadi on measuring the wood shall be paid in full and the wood cut shall be removed from the forest within six months from the beginning of October, to the end of March. And the wood not so removed will be confiscated.

5. Applications should be presented directly to our office. If not convenient to do

so, they shall be presented before the below mentioned superior officers of the Forest Department appointed in each Taluka :—

\* \* \* \* \*

6. The applicants shall produce with their applications the amount of seigniorage according to the said rates for the estimated number of Khandis mentioned in their applications. As soon as those applications accompanied by a list reach our office through the Overseers and Mutsadis, &c., permits will be prepared and forwarded within the period fixed for it. The permits thus forwarded will be delivered to the respective applicants through the Overseers or Mutsadis.

7. As soon as the trees are cut according to the permits, and made ready, information shall be given to the Mutsadis of the respective Firkas. After the timber is measured by the Mutsadi, the amount of seigniorage for the number of Khandis shall be paid in full, and the timber shall be stamped and then taken away from the forest. If the timber then in possession of the applicant exceed the number of Khandis mentioned in the permit, seigniorage shall be paid on account of the excess timber. If it be less, the portion of the money already paid by the permit holder shall be returned to him on account of the deficit.

8. If the pieces of timber cut being very heavy cannot be conveniently removed, only such big pieces may be cut into one or two logs [? two or three] with a saw by permission of the Mutsadi and taken away. But the timber shall not be turned into more pieces than these.

9. The rayats are at liberty to cut and take small trees of inferior kind and bamboos without obtaining permission, for the purpose of making implements for agricultural purposes, &c., such as ploughs, yokes, the implements called koradu and kurani, and for making hedges, erecting sheds, and temporary huts for watching fields in the rainy season &c. But the trees mentioned in para. 11 shall not be cut; nor shall other kinds of trees or plants which are capable of growing in future into large timber trees be cut.

10. If the carts of people carrying on traffic be broken while in transit and cannot be moved, they may take without permission pieces of wood required for repairing such carts only, from the small trees of inferior kinds standing in the vicinity of the road. But no more wood shall be cut under that pretext.

11. Besides the trees described in para. 2, if Teakwood, Sisum, Halasu, Hebhalasu, Surhonne, Bettahonne, Ebony, these seven kinds of trees be required and applied for, the nature of the application will be taken into consideration and such order will be passed on it as may be deemed proper.

12. Except the inferior kind of wood mentioned in the paragraphs 9 and 10, if any persons cut trees or bamboos, otherwise than by obtaining permission, they will be charged with the offence of trespass and punished severely.

S. MULLER,  
Assistant Conservator.

Shedashegur, December 31st, 1860.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

## EXHIBIT 2.

[TRANSLATED FROM CANARESE.]

REVENUE CIRCULAR No.  $\frac{23}{4544}$ .

From the TALUK KACHERI, SIRSI.

### *Order to the Village Accountant and the Patel.*

A Kanarese printed copy of permit rules recently framed regarding forests, received with the Huzur Order No. 77, dated 10th February, 1874, is hereto appended. Having acquainted yourselves with it, you should give instructions to all the *ryots*; and act accordingly. If any information be required regarding the rules they should be asked and obtained from this office.

Dated 20th January, 1875.

*Rules regarding the cutting of the trees and bamboos in the district of Kanara, copied from the Bombay Gazetteer, Volume XV., Part 1.*

It is the desire of the Government of Bombay that in future supplies of timber should be cut by the officers of the Forest Department, and collected in convenient depôts, where it will from time to time be sold by public Auction under the rules that may be in force. In this way people will be able to procure timber at the sales, but it is necessary to make provision so that the people of the district may have the means of getting wood, bamboos &c. which they may require for their own wants, and not for purposes of trade. The following rules regarding permits to cut wood &c. on Government land are therefore published :—

- I. The people may, in accordance to customary usage, cut and collect in Government Forest of their own villages, when not specially reserved for the growth of timber or other conservancy purposes, the following sorts of Forest produce : (1) Bamboos of sorts ; (2) Jungle wood for small houses, huts, chappers, cattle-sheds &c. ; (3) Dry wood for fuel ; (4) Leaves and grass for Manure &c. ; (5) Thorns and brushwood and stakes for hedges and dams ; (6) wood for Agricultural implements ; and (7) Dead sago and other palm trees for water courses &c., excepting always squared timber for houses of superior description, planks for solid wheels of carts, wood for rice grinding mills or the rollers of sugar mills, and any other descriptions that may from time to time be prohibited.

They must not trade with the wood &c. so cut and must not cut or destroy any trees of the kind excepted under section 5. The headman, *Patil*, and accountant, *Kulkarni*, will be responsible that this rule is not abused. In the case of the villages within the boundary of which there is no forest, an adjacent tract beyond the boundary will be set apart for the use of the villagers (this they must take great care of, as they will not get any more when this is exhausted), who must, however, before resorting to it, produce before the *Patil* or other officer in charge of it, a permit from their own village officer.

II.—Except in such villages as the Collector, acting in concurrence with the Con-

servator of Forests, may exclude from the operation of this rule, owners and cultivators of land are permitted to clear away all small brushwood and thick low jungle within 50 feet of the boundaries of their cultivated land, so as to secure their cattle from the depredations of the wild animals, and they may use the brushwood and small wood cut for their own purposes, but this provision does not extend to any trees of the nature specified in rule V.

III.—Except as provided for in the above two sections, no one is to cut wood of any description in any Government land in Kanara without a permit in writing from the *Mamlutdar* or *Mahalkari* of the district, and any one found cutting wood &c. without such permit will be liable to be prosecuted according to law.

IV.—Persons requiring permits should apply to the *Mamlutdar* or *Mahalkari* of the district, stating the quantity and the description of the wood, the purpose for which it is required, and the number of trees required, and depositing the fees according to the rates which may be in force. A form of permit to cut is annexed.

V.—Permits for cutting the trees noted in the margin shall not be given without the special sanction of the Collector, and for cutting these special rates will be imposed and from time to time, as found necessary, fixed by the Collector in communication with the Conservator of Forests.

1. Teak. 2. Sandal. 3. Blackwood. 4. Ebony.  
5. Honi (*Pterocarpus Marsupium*). 6. Poon (*Surhoni, Catophy Unn elatum*). 7. Matti (*Terminalia-tomeniosa*). 8. Balghay (*Vitex Altissima*). 9. Karimutal (*Ongemia Dalbergiodes*). 10. Shivni (*Gwelina Arborea*).—Any other which may from time to time be added.

VI.—Subject to the conditions of the Rules XXIV to XXVII, and if the fees are less than Rs. 25 (£2-10s.), and the *Mamlutdar* or *Mahalkari* sees no objection to the grant, he may give a permit. If the fees are more than Rs. 25 he should report the case to the Assistant Collector with his opinion. The Assistant Collector may sanction the issue of any permit the fees on which do not exceed Rs. 60 (£6), provided that no person shall be permitted to cut more than 50 *khandis* (625 cubic feet) of squared timber within ten years without the special permission of the Collector. The Collector shall not sanction the issue of any permit in excess of 100 *khandis* (1250 cubic feet) without a previous reference to the Revenue Commissioner through the Conservator of Forests. For every grant of more than 50 *khandis*, it shall be competent for the Conservator, in communication with the Collector, to exact special rates not exceeding twice the ordinary rates in force.

VII.—A register shall be kept of all applications in each village, and no permit shall be granted till the register shall have been examined and it shall appear that applicant has had no grant within a reasonable period, and that he is *bond fide* in want of timber for the purpose indicated.

VIII.—Permits should be granted as soon as possible after the date of application, and should be issued for as short a period as is consistent with the facilities of cutting the timber. The permit should specify the number of trees to be cut and the village *Firka* or Forest in which the wood is to be cut, and due intimation should be given to the *Patil* and *Kulkarni*; the exact trees to be cut will be pointed out to the applicant by the forest subordinates deputed for that purpose.

IX.—Permission will not be given except in emergent cases to cut timber from the 31st of May to the 31st of October.

- X.—No person should continue to cut after the expiry of the time mentioned in his permit, but he should, if necessary, apply for an extension of time.
- XI.—The person to whom a permit is granted should report to the *Patil* or to the *Mamludar* or *Mahalkari* as soon as he has cut the number of trees specified in the permit and the wood is ready for measurement, and no wood should be taken away from the forest till it has been measured and stamped with the permit mark (S).
- XII.—The wood will be measured after being squared, except in the case of bamboos, firewood, and poles, and in measuring it, all logs of  $\frac{1}{4}$  *khandi* ( $3\frac{1}{2}$  cubic feet) and upwards, and all branches capable of producing logs of that size will be estimated. If the total quantity is less than that entered in the permit, another tree or trees will be pointed out, or the difference of the fees will be returned to the grantee. If the tree pointed out to the applicant yield a greater quantity of timber than that permitted, the excess will be charged. This measurement or stamping of the timber out on permit will be done by a fit and responsible subordinate of the Forest Department.
- XIII.—When any person has received a permit under rule IV. he must not use the timber for any other purpose than that assigned in the application for permit and if he is found so using it, it will be liable to confiscation, and after enquiry such case should be reported to the Collector, who will, if he considers it necessary, pass orders for confiscating the wood and for prohibiting that person from ever receiving a permit under these rules.
- XIV.—The whole or part of the fees will be remitted in the following cases :—
- 1st.—Works of public utility; (1) Village chaukis or offices; (2) Village schools; (3) Dharmshalas or rest houses; (4) covers, fences &c. of public wells; (5) Bridges over nalas and watercourses; (6) works of *bona fide* public utility when paid for by private contribution or out of local funds not particularised above.
  - 2nd.—Repairs of village churches, temples, *mathas* or monasteries, mosques, and grants for religious edifices not the property of individuals but public as regards whole sections of the community.
  - 3rd.—Reconstruction of houses injured or destroyed by fire, flood, or similar calamity, if the houses so injured or destroyed belong to persons paying revenue to Government or their tenants, or to lowly paid Government servants. Construction of houses which Government servants may be obliged to erect in consequence of their being stationed at newly established revenue and police stations where there is not sufficient house accommodation.
  - 4th.—In cases of distress or poverty not coming under the above heads, the Conservator is authorised to remit the permit fee to the amount of Rs. 15 (£1-10s.)
- XV.—The Assistant Collector or Deputy or Assistant Conservator of Forests will have authority to remit the fees up to Rs. 15 in any one case. All cases in which a larger sum is to be remitted should be reported for the orders of the Collector, or, if necessary, of the Revenue Commissioner or Government.
- XVI.—The number and date of the order for remission should be noted on the back of each free permit and the full value of the fees should be credited to the forest revenue, corresponding debit being made of the sum remitted.

- XVII.—The owners or occupants of lands which have not paid revenue to Government from a date anterior to 1st January 1844 may purchase the right of ownership in the timber growing in their fields on application to the Collector, who, in concert with the forest officer, will fix its value.
- XVIII.—All timber passing in or through the district of Kanara without a pass or *rahadari* from some officer authorised to give passes will be liable to detention for inquiry.
- XIX.—The *Mamludars* or *Mahalkaris* or any subordinate forest officer having special sanction will give passes or *rahadari* for all timber carts on application and after inquiry.
- XX.—When timber &c. is to be exported beyond the inland frontiers of the district above the Ghats the *Mamludar* or *Mahalkari* or any subordinate forest officer having special sanction will give a pass on *green paper* which must be exchanged at the appointed frontier *naka* for a similar pass on *white paper*. Passes on *white paper* will not be effective for passing timber at any of the stations in Kanara, but are only of use in other districts. Forms of these papers are annexed (B and C).
- XXI.—All wood &c. bought at public sales (Revenue, Magisterial, Civil, or Forest) is entitled to a pass for export.
- XXII.—Passes for export may also be issued for wood &c. granted on seigniorage and converted to the use for which it was originally granted when it is desired to export it, provided that such wood when sold to outsiders should be charged on export an additional fee of fifty per cent on the seigniorage paid or remitted at the time of cutting.
- XXIII.—This additional fee may be reduced or remitted by the Collector or his Assistants or Deputies in cases of wood so exported when it is given for charitable purposes or where the grantee moves his abode to another district.
- XXIV.—Permits to cut wood in the Government forest will not be granted to any persons who are able without difficulty to supply themselves with the timber or other articles they require from the timber depôts.
- XXV.—In the event of any villager to whom by usage a permit to cut in the Government forests would have been granted being refused a permit on account of the proximity of a timber depôt, such person may, at the Collector's discretion, be excused from the necessity of purchasing his timber by public auction, and it may be issued to him from the depôts on payment of a price calculated to cover the cost of cutting and carting (including superintendence) and the seigniorage fees of the district as may from time to time be fixed, these fees, but not the cost, being remitted in cases coming under rule XIV.
- XXVI.—Permits to cut wood in the Government forests will not be given to cultivators who have many suitable trees other than fruit trees (which are excepted) standing in their own estates.
- XXVII.—Whenever it is discovered that large and valuable trees have been cut down without permission in the Government forests adjoining any village or town, and there is a clear and reasonable presumption that such trees must have been cut with the cognizance of such villagers or towns-people, and they fail when called upon to supply any information which may lead to

the apprehension of the actual depredators, then Section 37 of Regulation XII. of 1827 which is printed below will be put in force.

‘ When robbery has been committed within the boundary of a village or the perpetrators of a robbery have been satisfactorily traced thereto, and neglect or connivance be charged against the inhabitants or the police establishments with regard to prevention, detection, or apprehension, it shall be competent to the Magistrate to investigate the matter as a criminal offence, and if the fact be well substantiated, to exact a fine not exceeding the value of the property lost, the whole or part of which may be awarded in compensation to the owner, according as the degree of caution and activity which he evinced on the occasion may deserve.’

[Translated from Canarese.]

The following is the list of rates of seigniorage fees to be levied on different kinds of trees cut on permit and referred to in rules received by the Revenue Commissioner of Southern Division, from the Collector of Kanara with his letter No. 3593, dated 18th December, 1871 :—

*First Class at Rs. 3 per Khandi.*

- |                          |                             |
|--------------------------|-----------------------------|
| 1. Halasu.               | 1. Wild Tamarind (Kadu      |
| 1. Jambi.                | Hunasi) or Bekalambi.       |
| 1. Mhasi alias Fudagusa. | 1. Nandi.                   |
| 1. Wote.                 | 1. Sampige.                 |
| 1. Nanja alias Bokli.    | 1. Kharasing alias Gansang. |
| 1. Heddi.                | 1. Honagalu alias Kendalu.  |
| 1. Sagadi.               | 1. Dodalasu.                |
| 1. Kawanchi.             | 1. Dindalu.                 |
| 1. Kalamb.               | 1. Wombi.                   |
| 1. Holematti.            | 1. Dewadar, or fur.         |

*2nd Class that is all the trees not included in the other two Classes, at Rs. 1-8 per Khandi.*

*3rd Class at Re. 1 per Khandi.*

- |                |             |
|----------------|-------------|
| 1. Wild Amati. | 1. Jarla.   |
| 1. Atti.       | 1. Goli.    |
| 1. Ala.        | 1. Arle.    |
| 1. Basti.      | 1. Charmal. |

(Sd.) W. PEYTON, Major,  
Conservator of Forests, S. Division.

(Sd.) A. R. MACDONALD,  
Collector of Kanara.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.



## EXHIBIT 3.

[TRANSLATED FROM CANARESE.]

From the COMPANY'S GOVERNMENT [represented by] MALCOM LUIS SAHEB,  
Head Assistant Collector of the District of Kanara.

The Mulapatha given in writing to Kolarappa son of Basawa of the village of Kop in the Taluka of Sonda; the terms whereof are as follows:—Geni No. 1 situate in the village aforesaid, and standing in the name of your father, which bore Shista (standard assessment) Warahas (pagodas)  $10\frac{1}{2}-\frac{1}{4}-\frac{1}{4}$  (Rs. 42-4-7) Shamil Warahas  $6\frac{1}{2}-1\frac{1}{4}-\frac{1}{2}$  (Rs. 26-12-6) thus in all bearing Warahas of old assessment  $17-2\frac{1}{4}-\frac{1}{4}$  (Rs. 69-1-1) which in the survey settlement was assessed at Warahas  $26-4\frac{1}{2}-\frac{1}{4}$  (Rs. 106-0-1), but for which in Fasli year 1235 (1825 A. C.) Warahas  $18\frac{1}{2}$  (Rs. 74), were levied,—this land, which from of old continued to be held on lease from Government, was held by the Aya (priest) of Jangamas in the cyclical years Nala and Pingala. But being unable to manage it he committed defaults and surrendered it to Government. After that, your paternal uncle Kolarapa held it till the cyclical year Shiddharthi. After his death your father and yourself held it on lease from the said cyclical year Shiddharthi. Now you having applied for the land and executed a bond dated the 29th of June in the Fasli year 1235 to the effect that if the said land be given to you on Mula (perpetual tenancy) at the Haidari assessment of Warahas  $26-4\frac{1}{2}-\frac{1}{4}$  (Rs. 106-0-1) you would bestow labour and make improvements, and you would continue to pay the Government assessment in such instalments as might be fixed for its payment, an order dated the 31st of August 1807 has been received from Madras. According to that order your offer is accepted and the royalty usually received is remitted by way of favour to the rayats and tenants, and the proprietorship of the land bearing the aforesaid assessment is made over to you from cyclical year Vyaya for the purpose of cultivating and improving it. The description and four boundaries of the said land are as follows:—

[Here follows the description of eleven pieces of land which is not translated.]

In all eleven pieces of land which measure guntas  $1428\frac{1}{2}-\frac{1}{2}$  and bear a Haidari assessment of warahas  $26-4\frac{1}{2}-\frac{1}{4}$  (Rs. 106-0-1) as detailed above are given to you. In accordance with the old right of enjoyment, you are to enjoy the below mentioned lands for helping you in cultivating the aforementioned land. The piece of land situate above the field called Santedari,—measuring guntas  $7\frac{1}{2}-\frac{1}{4}$ ; the piece of land situate above the field called Maranagadde measuring guntas  $42\frac{1}{2}$ ; the hakal land situate above the field called Hennumhali, measuring guntas  $30\frac{1}{4}$ ; the hakal land situate above the field called Nandi Maranagadde measuring guntas  $49\frac{1}{2}$ ; the hakal land situate above the field called Belalakatte measuring guntas  $27\frac{1}{2}$ ; the hakal land situate above the field called Badagi-gadde measuring guntas  $37\frac{1}{2}-\frac{1}{2}$ ; the hakal land situate above the field called Jali-kodal-gadde measuring guntas  $68\frac{1}{2}-\frac{1}{2}$ ; in all 7 pieces of hakal land which measure guntas  $263\frac{1}{2}-\frac{1}{2}$ . As has been continued to be enjoyed from olden times, you are to enjoy the land measuring in the aggregate guntas  $1692\frac{1}{2}-\frac{1}{4}$  together with betta, hadi, the aforesaid hakal, jack fruit, mangoes, Necke, Tumbe, watercourse, water, stones, cocoanut, betelnut, and other things; you are to get the land entered in your name in the Government [accounts], and agreeably to your Darkhast, you are to pay from time to time instalments that may be fixed, of the survey assessment of Warahas  $26-4\frac{1}{2}-1$  (Rs. 106-0-1) until (the settlement of) permanent assessment; and after that, you are to pay the amount of assessment that may be fixed at the time of the settlement of the district, without pleading the excuse of loss, and

enjoy the land from generation to generation. In the inquiries made in regard to the proprietorship of the said land, 1 Krishnappa Patil of Gugasur, 1 Anantappa Patil of Gotagadi ; 1 Chanasasapa Patil of Daraganaballi ; 1 Gauri Malapa of Kashee ; 1 Mudivirapa Patil ; 1 Bhima son of Parasha Talawar ;—these persons have executed a bond certifying the fact that there being no proprietors from of old to own the said land, your father has been enjoying it from the year Shiddharthi and that there is no other proprietor to own it. Therefore should any persons come forward claiming the right of proprietorship thereto, their claims of proprietorship to that land will not be valid. To this effect the Mulapatta is passed in writing. Dated the 11th of September in the Fasli year 1236, corresponding with the Christian year 1826, Shaliwahan Shak year 1748, Monday the 10th of Bhadrapad shuddha in the cyclical year Vyaya. Camp the town of Mangalore.

Signature in English characters.

Compared by **SOMAYA**,  
Clerk of the office of the Sub-Collector,  
in his own handwriting.

Translated by  
**DURGAPPA KRISHNAYA**,  
Sworn Translator.

26-12-86.

## EXHIBIT 4.

[ Translated from Canarese. ]



Alexander Reid Saheb.

The Patta given in writing to Jogi Puttappa of Majare (hamlet) kudalgadde in Manza Mavinamane in Magane Kulenad in the Taluka of Supa on the 28th of February in the cyclical year *Durmati*, (1801 A.C.) is as follows: The assessment payable by you is fixed in this cyclical year *Durmati* as follows:—

[ Pegodas. ]

14½-1-½ ( Rs. 58-7-6 ) Shista. ( standard assessment. )

Former assessment      Present increase.

Pegodas. 14½-1-½ ( Rs. 58-7-6 )      ”

10½-1-¼ ( Rs. 42-7-1 ) Samilat. ( additional assessment. )

10½-1-¼ ( Rs. 42-7-1 )      ”

25-2-¾ ( Rs. 100-14-7 )

25-2-¾ ( Rs. 100-14-7 )      ”

Decrease there in.

5-2-¾ ( Rs. 20-14-7 )

Decrease in profit.      3-2-¾ ( Rs. 12-14-7 )  
Sunawani Decrease in.      2-0-0 ( Rs. 8-0-0 )

Balance after deducting the same.

20-0-0 ( Rs. 80-0-0 )

Remitted there in.

2-4½-0 ( about Rs. 9-12-8 )

Net assessment after deductions.

17½-½ ( Rs. 70-3-4 )

Instalments for it.

First Instalment. .... 2½-1¼-¼ ( Rs. 10-8-9 )

Second Instalment. .... 4-3¾-½ ( Rs. 17-9-10 )

Third Instalment. .... 4-3¾-½ ( Rs. 17-9-10 )

Fourth Instalment. .... 4-3¾-½ ( Rs. 17-9-10 )

Fifth Instalment. .... 1½-2½-¼ ( Rs. 7-1-1 )

Total. .... 17½-½.      Rs. 70-3-4.

You are to pay total pagodas 17½-½, according to the instalments and obtain receipts. You are to continue to enjoy the land Hadi, Hakal &c. covered by the said shista in accordance with the ancient custom.

( Signed by )

A. R.

Translated by.

Durgappa Krishnaya.

7th January 1887.

( Sworn translator. )

The following is the description of some of the Mulapattas granted by Government at different dates, conferring upon various persons the rights of enjoyment over the lands known as Hadi, Hakalu, &c. adjoining their lands paying assesment to Government. :-

Name of Person.	Place.	Date.	Nature of the land.	Name of the officer who granted the Patta.
Basal Keshaya. ... ..	Supa. Koolirad walagina Mavin- mane.	1218 Fasali. 28th February 1809 A.C.	Betta, Bena &c.	Alexander Read Saheb.
Siwanpal Raraya.... ..	do. do. Kodagalagadde... ..	do. ... ..do. ... ..do. ... ..	... do. ... ..	... do. ... ..
Somin Mani Ganapya. ... ..	do. ... ..do. ... ..	do. ... ..do. ... ..do. ... ..	... do. ... ..	... do. ... ..
Ambadi Timmanna Begde.	do. ... ..do. ... ..	Rakatakshi. ( 1804 A. C. )	Hadi, Hakal &c.	... do. ... ..
Kotonpal Timaya Hhatta.	do. ... ..do. ... ..	Durmati. 28th February 1801 A. C.	... do. ... ..	... do. ... ..
Abupal Jogi. ... ..	do. ... ..do. ... ..	do. ... ..do. ... ..do. ... ..	... do. ... ..	... do. ... ..
Sati Mani Mada gowda....	do. ... ..do. ... ..	do. ... ..do. ... ..do. ... ..	Bena, Betta &c.	... do. ... ..
Kalachi Upadhi. ... ..	do. ... ..do. ... ..	1218 Fasal 28th February 1809 A.C.	... do. ... ..	... do. ... ..
Kiregeripal Putta Hegde.	Mavinamae in MagnaKulenad in Taluka Supa.	Raktakshi. January. 1804 A. C.	Hadi, Hakul &c.	... do. ... ..
do do. do. ... ..	do. ... ..do. ... ..	... ..do. ... ..do. ... ..	... do. ... ..	... do. ... ..
Daiwadaker Naras Bhatt.	Soda.(M.)Totada sime Agasalgrma.	Durmati 28th Febuary. 1801 A. C	... do. ... ..	... do. ... ..
Manaji Dewai Bhatt.... ..	Sersi. ( M. )Kalegar gram. ... ..	Raktashi 1st Decemder. 1804 A. C	Hadi, Hokul &c.	... do. ... ..
Daiwadakeri Naras Bhatt.	Agasal Soda. ... ..	Rudhirodgari. ( 1803 A. C. )	... do. ... ..	... do. ... ..
Timmana Bhatta Aremane- phalgutta.	do. ... ..do. ... ..	1224 Fasali. 30th April. 1815 A. C.	... do. ... ..	William Campbell. Asstt. Collector.
Sanana Dewanna. ... ..	Sirsi ( M. ) Manajawalligram.	do. ... ..do. ... ..do. ... ..	... do. ... ..	... do. ... ..
Puttappa Jogi. ... ..	Supa.( T. )Kulinad Kodalgadde.	1223 Fasali 11th February. 1814 A.C.	Hadi, Hakul &c.	... do. ... ..
		Krodhan 10th February. 1805 A- C.	Hadi, Hakul &c.	Alexander Wilson.

A.P. Nadig.  
R.N. Karkare.  
SECRETARIES OF  
KANARA-VANA DUKH  
NIWARNEE SUBHA.  
SIRSI.

The mulpattas of the kind described in Ex. No. 3 and this ( No 4 ) have been given by Govenment on various occasions in the long past, to number of ryots in various Talukas of this District.

EXHIBIT 5

[Translated from Canarese.]

Inward Register, No. 601

From BLATHWAITE esq; Collector of North Kanara.

To Mr. MALAYA SHIVYA gouda residing at Targal in the Firka of Huncharta Taluke Sirsi.

With reference to your petition dated the 12th May 1886, registered at No. 2,696, praying among other things, that the land survey No. 107 may be granted to you, it is ordered as follows.

I have looked over the facts and have called and perused the former proceedings in connection with your petition, and I do not think it proper to interfere with and alter the order previously issued by the First Assistant Collector, to the effect that *as there is forest all around the land you apply for, it cannot be given for cultivation.* Therefore the land cannot be granted as prayed for, by you.

Dated 24th September, 1886.

(Signed) In English,

DAFTERDAR.

(Signed)

Collector of North-Kanara.

Translated by

K. Anandrow.

Sworn Translator.

EXHIBIT 6

[ Translated from Canarese. ]

Revenue Circular No. 30.

From the Taluk Katchery of Sirsi.

The circular order issued to the village officers is as follows:—

When any one applies for cultivating perposes *any waste land* situate in your villages you should immediately make an inquiry as usual and a report stating the *area* of the land, the *assessment* thereof, what kinds of *trees* and *how many* there are in it and what would be the weight, in CANDIES of each tree, in what condition they are, whether there is any *by-forest* near the land, whether there is any river or any stream near the land, how far it is, and the condition of the land.

When such reports are received I shall make any inquiry I may find necessary, and if I should think it proper to allow the land for cultivation, I shall submit the matter for the orders of the Collector at the time of Jama-bandi and let you know the orders passed; but you should keep such applicants present at the time of Jama-bandi; you should not fail to do this.

Dated 26th of February 1875.

( Signed ) in English,

Mamlatdar.

Translated by

K. Anandrow.

Sworn Translator.

EXHIBIT 7

[Translated from Canarese.]

Rules contained in the Survey Commissioner Colonel Anderson's letter No. 639 dated 25th February 1876:—

1. What is the highest number of acres of *Betta* land necessary for *one acre of garden land*?

2. If any one now possesses *Betta* land at the rate of more than 8 acres for every one acre of garden land, *Betta* land only at the rate of 8 acres for every one of garden land should be apportioned to him.

3. If any one possesses now at the rate of less than 4 acres of *Betta* land for every one of garden land, and if there is land void of valuable trees available, he should be granted additional land necessary to make on an average 4 acres of *Betta* land for every one of garden land.

4. If the *Betta* land now in the possession of any one is more than four, but less than 8 acres, for every one acre of garden land, *Betta* land equal in extent to the *Betta* land he now holds should be apportioned to him.

5. *Boundary marks* should be caused to be put, by the respective ryots themselves, round the corners and on the edges of the *Betta* lands so apportioned to them.

6. The *expenses* incurred on account of the said boundary marks are to be collected *from the owners of the garden lands*.

7. A list showing the place where each garden land is situate, the name if it has any, its extent, acreage, the name of the proprietor and the name of the person occupying under him together with the extent of the *Betta* land assigned to him should be prepared.

8. In cases where the limits of the *Betta* land (assigned to a ryot) are fixed, the cultivator should be clearly given to understand that if he encroaches beyond the limits he shall be prosecuted in respect of such encroachment.

(Signed) ANDERSON.

Translated by

K. Anandrow.

Sworn Translator.

10th December 1886.

EXHIBIT 8

[ Translated from Canarese. ]

Revenue Circular No. 23.

NOTIFICATION.

This is to inform all people that none but the owners of garden lands may, according to the customary usage, remove for the use of their own respective garden lands, leaves of trees other than those that have been heretofore or may hereafter be prohibited, situate in *Betta* lands; and from lands which are not surveyed leaves may be taken from within the limit used for that purpose up to this time; and after the survey is made, they should be taken from the places the limits of which will be determined at the time of the survey; and in places where revised assessments are levied they should be taken from places which are marked out as *Betta* lands. Of the trees situate in *Betta* lands, besides the trees that have been prohibited, other kinds of trees also are not to be cut by *even* the owners of the garden lands without the permission of Government; they may *lop off only leaves and small branches*: they should *touch neither large branches nor trees*. Only the Collector is authorized to give permits for cutting trees. Therefore the people are hereby warned that if they go beyond what has thus been granted them out of favor for their use the concession allowed will be withdrawn and those who cut down trees or branches without permission will be prosecuted on the charges of theft, mischief and so on. *The trees by the sides of tracks and roads, should be preserved with special care.*

Dated 26th September 1878.

(Signed) In English,  
the Collector of Kanara.

Translated by

K. Anandrow.  
Sworn Translator.

10th December 1886.



EXHIBIT 9

[ Translated from Canarese. ]

Revenue outward No. 24.

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From the Katchery of the Taluka MAMLATDAR of Sirsi.

Order to the Village Officers is as follows :—

Some time ago orders were issued to you to the effect that people cut leaves of trees that are on the road-sides close to the *Betta* lands and other places; that people should be told not to cut leaves of such trees; and that they should be preserved for affording shade. On the same subject another strict order bearing No. 384 is now received from the Huzur. Therefore it is hereby ordered that you should give information to all people that they should not cut leaves of trees on the road-sides which are intended for shade, and that if any one in disobedience of this order should cut, proceedings will be taken against him according to law. Be good enough to take measures accordingly.

Dated 31st March 1879.

( Signed ) in English,  
Mamlatdar.

Translated by

K. Anandrow.

Sworn Translator.

EXHIBIT 10

[ Translated from Canarese. ]

.. Outward No. 1642.

From the office of the Assistant Conservator of forests at Siddapur,  
in the District of Kanara.

Dated the 13th of October 1879.

From

**STOBE** Esq. Assistant Conservator in the District  
of Kanara.

To the RAV SAHEB MAMLATDAR of Taluka SIRSI.

Compliments:—

From an English Memo bearing No. 1033, dated the 22nd of March 1879 received from the Collector, it appears that *rules* have been prepared on the subject of *allowing ryots to cut leaves* from the *Betta* and *Hudi* lands and that they have been sent to the Talukas for being brought into force.

You will be good enough to issue orders to the Patels and Kulkarnies of all the villages to the effect that in accordance with the provisions contained in the said rules the people are to be informed that they *should not cut leaves of trees on the sides of the road and of other forbidden trees, that they should not touch the trees* and that they should be very careful that they in no way deviate from acting in obedience to the rules. If in our or in our subordinate officers' frequent circuits through the villages it should come to our notice that any one has acted contrary to the said rules *measures* will be *first taken against the Kulkarnies and Patels* of such villages and the offenders also will be proceeded with according to law.

Be good enough to give strict orders to the village-officers of your Taluka in respect of this matter and to see that the orders are properly attended to and also be good enough to write to this office to inform of your having taken steps to have the rules properly observed.

(Signed)

ASSISTANT CONSERVATOR  
OF KANARA.

Translated by

**K. Anandrow.**

Sworn Translator.

# EXHIBIT 11.

..

[TRANSLATED FROM CANARESE.]

NOTIFICATION.

OUTWARD No. 3798.

RULES FOR GUIDANCE FRAMED WITH THE MUTUAL CONCURRENCE OF THE  
CONSERVATOR OF FORESTS, S. D., AND THE COLLECTOR OF KANARA.

## *I.—Regarding the forest of leaves.*

1. There appears no objection to cut by root and use for hedges and fuel by turning into firewood the thorny and other wild plants of the description of Mungari, Kari, Gonagal, Churnu or the plant of Mulluhannu, Pargi plant, Pandara, Nelli, Kadshige, Kavli, Tulsi, standing in the forest of leaves assigned to the ryots, for taking leaves for the use of gardens. If they (the ryots) cut and remove every year the brambles growing in the forests of leaves enjoyed by them it will be convenient for the growth of other trees.

2. The leaves of all plants of the aforesaid forests of leaves except of the 6 kinds which are among the prohibited ones, viz., teak, sandalwood, blackwood, Honne, Anale, Sige, may be taken and used for garden. The leaves of only the abovementioned 6 kinds should not be taken.

3. Similarly people may, without any objection remove and use for burning purposes as much dry firewood fallen in the forests of leaves as can be obtained. But the dry trees capable of being turned into square timber which are likely to prove very useful are not to be cut and used for fuel, nor are they to be used for the purposes of buildings by making beams and other things of them. Such valuable square timber may be obtained at the auction sale that is held from time to time according to convenience by the officers of the Forest Department.

4. The small twigs cut while taking leaves in the forests of leaves, may be taken away by the people at their pleasure and used for fuel. But no damage should be caused by cutting large branches from the stem.

5. There is no objection to put up a hedge at the boundaries of their own betta. This rule is applicable only to the betta land which is duly determined as such by the Survey Department.

6. The fact of the people having thus been allowed for the present the enjoyment of the said land, by no means gives them the right of cutting by the root the trees standing therein and thus causing damage, or of collecting for removal, or selling such fruits as gallnuts, Shegekai, &c.; but as Shegekai is an article of consumption used by the people, no one should be prevented from taking away for consumption only in small quantities to the extent of 5 seers or a quarter of a maund for each household. If they collect more with a view to make profit they shall be liable to be prosecuted in the usual way.

## *II.—Regarding the Protected Forests.*

7. [People] are at liberty to remove by head loads and use any quantity of dry fallen firewood from protected forests; but if it is to be removed in carts the prescribed fees mentioned in the former orders should be paid.

8. There is no objection to take dry leaves fallen in the said forest if they are required for manure. But green leaves are by no means to be lopped off and carried away.

9. There seems no objection to remove such thorny plants as Mungari, Kari, Gonagal, Churna or Mullu Hanuu, Parigi, Pandari, Nelli, Kada Shege, Tonashi, Kakali, situated in such forests, by cutting them at the root for using them for hedges of fields, or for fuel. By doing so, not only the growth of other plants will be facilitated but also grass will grow in the forest, which will be of great use for feeding cattle. But on the ground of this privilege, people are in no way to act on the understanding that they have obtained the right of cutting by root, trees, large or small, or branches other than those mentioned above. If it comes to notice that they have acted in that way they will be liable to prosecution as usual.

10. People should not be prevented from occasionally using under emergent circumstances for buildings ready to fall, 4 or 5 round logs of any dry wood fallen in the forest except that of the prohibited kind, the circumference of which (logs) is less than two feet, at a time when there is likelihood of sustaining loss by the fall of their houses. But they are by no means to be allowed to remove and use a large quantity of such wood, or dry square timber for the use of their houses. Such wood may be obtained at the auction held from time to time by the forest officers.

Dated 28th June, 1883.

W. PEYTON, Colonel,  
Conservator of Forests, S. D.

RICHARD E. CANDY,  
Collector, Zilla Kanara.

Forwarded to NADIG ANANTAPPA, residing at Sirsi, on the 28th Oct., 1883.

(Sd.) S. MANJU,  
Forest Ranger, Sirsi.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

26-12-86.

## EXHIBIT 12.

[TRANSLATED FROM CANARESE.]

Dated the 24th of October, 1876.

Order from the COLLECTOR SAHEB.

The undermentioned trees being forbidden ones their leaves must not be cut:—

(1) teak, (2) blackwood, (3) sandalwood, (4) *Honne* (*Rottleria tinctoria*), (5) *Hebelasu* (*Artocarpus Hirsuta*), (6) *Halasu* (*Artocarpus integrifolia*), (7) Sur-Houne (*Boswellia thurifera*), (8) and the Ebony trees.

Gallnuts, mimosa abstergens and cinnamon have recently been included.

2. The leaves of all the other trees may be taken; but care must be taken that the limit fixed in connection with this is not transgressed. Leaves and small twigs may be cut, but big twigs, large branches of trees or trunks should not be cut.

3. The ownership of trees grown in *betta* lands belongs solely to Government. Unless special permission is obtained those trees are not to be cut, nor in case the trees have fallen of themselves are they to be removed. The owner of such *betta* lands should present an application which will be disposed of in the usual manner.

4. Rayats can remove for their own use from within the limits of their villages fallen leaves and small dry fallen sticks which are not of the forbidden trees. But they should not take them away for sale. They should not also touch the trees.

5. Wild pepper, &c., grown in small woods (Kanu) for which assessment is paid may be removed by persons paying the assessment.

Translated by  
K. ANANDROW,  
Sworn Translator.

## EXHIBIT 13.

[Copied from the Government Gazette.]

REVENUE DEPARTMENT,  
BOMBAY CASTLE, 15th January, 1881.

No. 299.—In exercise of the power conferred by section 29 of the Indian Forest Act, 1878, the Governor in Council is pleased—

- (a) to declare the below-mentioned classes of trees in the protected forests of the Districts of Kanara, Dharwar, Belgaum and Kaladgi respectively to be reserved from the 1st of February 1881;
- (b) to prohibit from the 1st of February 1881 the collection or removal of timber or any forest-produce of the below-mentioned descriptions in any such Forest in the Districts of Kanara, Dharwar and Belgaum respectively, without the previous written permission of the Deputy or Assistant Conservator of Forests within whose charge such forest lies, or of some subordinate Forest Officer duly authorized by such Deputy or Assistant Conservator to grant such permission, or otherwise than in accordance with the conditions on which such permission is granted.

Classes of Trees referred to in Clause (a).

Consecutive Numbers.	Native Names.	Botanical Names.
	(1) In	<i>the Kanara District.</i>
1.	Sagwan .....	Teak or Tectona Grandis.
2.	Gundada Mara .....	Sandal-wood or Santalum Album.
3.	Sheshum .....	Black-wood or Dalbergia Latifolia.
4.	Abnoos .....	Ebony or Diosphyros Ebenum.
5.	Honi .....	Pterocarpus Marsupium.
6.	Surhonay .....	Poon or Callopyllum Elatum.
7.	Pannas .....	The Jack tree or Artocarpus Integrifolia.
8.	Pat Pannas .....	Artocarpus Hirsuta.
9.	Balghay .....	Vitex Altissima.
10.	Kurrimootal .....	Ongnia Dalbergioides.
11.	Nana .....	Lagerstraemia Microcarpa.
12.	Shewani .....	Gmelina Arboria.
13.	Mutti .....	Terminalia Tomentosa.
14.	Herda .....	Terminalia Chebula.
15.	Jamba .....	Xylia Dalabriformis.
16.	Bendi .....	Thespesia.
17.	Khair .....	Acacia Catechu.
18.	Shigi Kai .....	Soapnut or Acacia Conceinna.
19.	Ippi Mara .....	Bassia Latifolia.
	* * *	* * *

Descriptions of Forest produce referred to in Clause (b).

- (1) In the Kanara, Dharwar, and Belgaum Districts—Myrobalam (Hirda) or fruit of the Terminalia Chebula.
- (2) In the Kanara District only (1) Soap pods or fruit of the Acacia Concinna ; (2) Ippi or Mowa flowers of the Bassia Latifolia ; (3) Catechu or produce of the Acacia Catechu.

EXHIBIT 14

[ Translated from Canarese. ]

From the Taluka Katcheri of Sirsi.

You should give information to the patels and ryots of your Firka to the effect that if the ryots of your Firka intend applying for *timber* either on account of their houses having been burnt or for the repairs of temples they should send such applications before the end of this month and that applications received after that time will not be accepted and make a report to inform having done so. Applications received here will be sent to you for enquiry and report which should contain information on the following points.

1. If the applicant applies for timber for building a house it should be stated whether he is a land-holder or a tenant cultivator; if he be a land-holder how much assessment he pays annually; besides whether he had got timber free of duty at any time previously; if he had got so, how many years ago it was, and whether in connection with forest or other cases against him any orders have been passed to the effect that he won't be given any timber.
2. If the applicant applies for timber for temple purposes you should report whether the temple is a village-temple, what allowance it gets and it is close to what high roads. This and other information you should send in a report without delay and within three days from the date of receipt of the application sent to you.

Dated the 12th July 1881.

( Signed )

Govindrao Mamlatdar.

Translated by

K. Anandrow.

Sworn Translator.

EXHIBIT 15

[Translated from Canarese.]

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Circular No. 64.

To the Rav Saheb Mamlatdar of the Taluka of Sirsi.

From CANDY Esq. Acting Collector of Kanara, compliments:—

It has come to my notice that people, who have obtained permits in respect of bamboos or timber, do not go at the **proper time** to the Forest officers either to **mark out** the trees or to point out the places from whence the bamboos are to be cut; that they wish to mark out the trees which under the orders in force cannot be allowed to be cut, that is to say they ask for trees of the prohibited kinds; that after a lapse of some time they say that the trees or bamboos which they had applied for are not necessary, and ask the fees they had paid in to be refunded in full, and that this negligence on the part of permit holders puts the Revenue and Forest officers to much trouble. Therefore it is hereby notified for the information of the public that in making refunds to such indifferent permit-holders a **deduction of one anna per Rupee** should be made according to the Circular order No. 22 issued by **Mr. Macdonald** on the 16th of September 1878.

It will also be within the power of the Collector to extend the period of the permit to be availed of or remit, the fine in the case of those permit-holders, carelessness on whose part is not proved.

You are to give proper information of this from time to time to all the permit holders and to bring into effect the orders mentioned above.

Dated 3rd February 1883.

(Signed.) in English,

Collector of Kanara.

Translated by

**K. Aanandrow.**

Sworn Translator.



## EXHIBIT 16.

[TRANSLATED FROM CANARESE]

REVENUE CIRCULAR No. 22.

To RAO SAHEB, MAMLUPTAR of the TALUKA of SIRSI.

From MACDONALD SAHEB BAHADUR of the DISTRICT of KANARA.

### Compliments :

In order that permits may not remain unexecuted beyond the dry season rules have been framed as follows :—

1. If the person who has obtained a permit fails to present himself before the officer of the Forest Department before the 25th of May of the year in which the permit is issued, for the purpose of getting his trees marked out, his permit shall be cancelled, and the amount of seigniorage received shall be returned to him.

2. If the permit holder fails to cut the trees though marked out, within the 25th of May, his permit shall be cancelled ; and from the amount of seigniorage paid, a sum of money at 2 annas in the rupee being deducted on account of expenses, the balance shall be paid back to him. The amount so deducted shall be credited to Government. If that person subsequently apply for a permit within two years, he shall not be granted the permit unless he pay a seigniorage one time and a half of the usual rate.

3. If the permit holder, after cutting the trees, fail to keep the timber ready for taking measurements within the 25th of May or to remove it from the forest within that time after it is measured, the Forest Inspector or the Mamlutdar of the Taluka shall take special measures regarding it, that is to say, if it remains yet to be measured he shall cause it immediately to be measured and removed from the forest ; if the permit holder has simply to remove the timber from the forest, and he fails to do so within the 10th of June next, the permit holder shall not be allowed to remove that timber from the forest till the month of November next. And in the month of November, he may be permitted to remove the timber provided he pays a fee at the rate of 50 per cent. in addition to the amount of seigniorage which he shall have paid according to the usual rate. The permit holder who is thus granted permission, must remove his timber from the forest before the end of December following. Otherwise, he shall forfeit his right to that timber after the end of December. The timber shall be sold by auction by order of the Collector, and the sale proceeds shall be credited to Government. And the permit holder shall forfeit the fees paid by him.

4. If there be any delay in marking the trees, cutting the trees, in getting the wood thereof measured, or in removing the wood from the forest within the proper time, and if it be found that the delay was not caused by the negligence of the permit holder, the matter will be duly taken into consideration. And if the reason of such delay be found to be proper one, three months' time will be allowed to the permit holder to enable him to remove the wood in the next season, without making any further demand from him. In making the concession to the permit holder as aforesaid, any negligence on the part of the Government officers, sickness of the permit holder or any family affliction shall be deemed to be proper reasons.

5. As regards the permits free of charge—if persons who obtain free permits in each

year fail to remove their wood from the forest within the 25th of May, and if they fail to show proper reasons for concession as stated in the case of permits charged, they shall forfeit their right to such wood. If the permit holder fails through his negligence to remove the wood given to him free of charge, he shall not get wood free of charge for the subesquent three years.

6. As regards the steps to be taken in respect of wood exceeding the quantity mentioned in the permit, circular No. 9, dated the 19th of August 1878 is issued. That circular is not in any way affected by the rules given above. The same circular is to be enforced in such cases. Since these rules are applicable to the permits that will be granted in future, they should be properly explained to the applicants at the time of granting permits.

7. A copy of these rules should be furnished to each of the villages and properly published in order that they may be known to all people.

Karwar, dated 26th September, 1878.

Signature in English.  
Collector, Karwar.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

26-12-86.

**EXHIBIT 17.**

[ Translated from Canarese. ]

Revenue outward No. 258.

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From the Court of the Second Class Magistrate of the Taluka of Sirsi.

Agreeably to the Huzur order bearing outward No. 62 dated the 14th January 1879, it is directed as follows:—

In accordance with the new rules, if any man cuts fuel from the Government forest without permission, without making about it a report to the Mamlatdar the offender together with the property the subject-matter of the offence should be apprehended and prosecuted before the Magistrate. You are to give full information of this together with a copy of this order to all the Patels in your division and you are also to inform them that the least carelessness in this matter if come to our notice will be severely dealt with.

Dated the 31st January 1879.

( Signed ) in English,  
Magistrate.

Translated by

**K. Anandrow.**

Sworn Translator.

## EXHIBIT 18.

[TRANSLATED FROM CANARESE.]

CIRCULAR No. 21.

THE OFFICE OF THE ASSISTANT CONSERVATOR OF FORESTS IN THE  
DISTRICT OF KANARA, CAMP KARKI SAVAL.

*Dated the 12th November, 1879.*

From STOBIE SAHEB, the Assistant Conservator in the District of Kanara.

To the AZUM FOREST RANGER at SIRSI and the FOREST INSPECTOR of the  
Taluka of Sidapur.

Order is as follows :—

A memo. bearing No. 1405, dated the 10th July 1879 has been received from His Honor, the Conservator of Forests, Southern Division, to the effect that rayats cause a good deal of damage by cutting tender plants for firewood for the rainy season, that this fact has come to the notice of the Conservator, that he finds that in that respect a clear provision is made in the rules made in respect of permits, that the rayats have permission to cut free of charge dry fuel of the third class produce and to store the same, that Forest officers are to see that the rules are not infringed and damage caused to the jungle, and be very watchful in this respect. That if any one acts against the rules a list should be prepared and he should be sent before the Mamlutdar or Mahalkari, and with their permission the rayats should be given clear instructions that undried firewood is forbidden to be cut, that dry wood may be cut by them for purposes of fuel and that notwithstanding this if any one subsequently commits any offence of this nature he shall be liable to punishment. This fact should at once be communicated to all the village officers, for their information and after doing so if any person acts against these instructions a proper case should be made against him and report made to this office in respect thereof. Be good enough to make a report after carrying this into effect.

Translated by  
K. ANANDRAOW,  
Sworn Translator.

## EXHIBIT 19.

[TRANSLATED FROM CANARESE.]

Inward  $\frac{\text{No. 3249.}}{6-10-81.}$

To RAO SAHIB, RANGER of the TALUKA of SIRSI.

The Petition made in writing by the undersigned rayats of Sadashivahali and other villages of the Magna of Sonda in the Taluka of Sirsi on the 5th of October 1881, is as follows :—

A Notification has been issued directing that a tax of 2 annas should be paid on each head of cattle including cows and calves which we have been rearing at our own houses ; and great severity is used in collecting the tax accordingly, and some tax has been even collected from some of the rayats. As none of the rayats is willing to pay the tax, the cattle belonging to every one of the rayats who do not pay the tax when left to graze on betta, bena and such other lands set apart for grazing cattle free of tax, are driven into the cattle pound at Sirsi and fines imposed. In this manner the tax is being collected. The tax is also being collected by preventing people from letting out their cattle from their cattle sheds for grazing in the betta and bena lands. In this manner we are subjected to great annoyance and injustice, and we are unnecessarily put to loss. We therefore beg to represent as follows :—

We keep cattle simply for the purpose of cultivating the lands in our possession. And it is necessary for us to keep a large number of cattle for that purpose. Each person keeps from 10 to 100 heads of cattle ; and we cannot afford to pay fees at the rate of 2 annas per head of cattle. Up to now we used to graze our cattle during the rainy season in the betta and bena lands which have been enjoyed by us free of assessment from time out of memory as auxiliary lands to the rice fields and garden lands in our enjoyment, and also in Government forests. And for the dry season we used to set apart a portion of the grass grown in betta and bena allowed for the use of our aforesaid lands, and allow it to grow and dry, and use it for fodder for our cattle in the dry season. And none had up to now a right to graze his cattle in the betta and bena lands belonging to another person.

Until last year lands lying fallow for some years were sold by auction for grazing cattle. And this practice was also a source of annoyance to us. But now every one is at liberty to graze his cattle at any place he chooses such as betta and bena and other auxiliary lands attached to the lands of others. Hence the result is one person grazes his cattle in another's Kumki (*i. e.* auxiliary) land, and the people of one village graze their cattle in the betta and bena lands belonging to another village. This being the case, we find it difficult to get sufficient fodder for our own cattle ; and we also find it difficult to reserve grass in the bena land and allow it to grow for use during the dry season, and we fear we shall be put to severe difficulties in the ensuing dry season in feeding our cattle. We were not aware up to now that there were lands set apart for grazing cattle (Gurcharn) attached to our respective villages. Now we hear that separate lands are set apart as Gurcharn for every one of the villages. But these lands do not at all appear likely to be of any use to us in grazing our cattle. Because there are 10 or 12 hamlets in each village. And sufficient land has not been set apart for grazing the cattle of all those hamlets and the land thus set apart being a hilly tract, it is all covered with forest trees. Such places do not produce sufficient grass fit for fodder

nor can such places be expected to produce much grass. Moreover the places set apart for (Gurcharn) are not in the vicinity of all hamlets. Some people have to walk a distance of 3 miles, and others about 5 miles to reach those places, and our cattle have also to cross hills and villages before they reach the grazing ground. Under these circumstances it is impossible for us to utilize those places for grazing our cattle. Notwithstanding all these difficulties, people of some of the hamlets that are situated somewhat nearer the places set apart for grazing cattle, would have grazed their cattle in those places. But if they wish to take their cattle to those places they cannot do so unless they pass through Government forests lying in the middle. And as soon as the cattle enter the Government forests on their way to 'Guracharan,' they are seized and put into the cattle pound. Thus we have been subjected to great difficulties. Since it is necessary for every rayat to keep cattle for agricultural purposes, to make him liable to pay the tax aforesaid is to put every rayat to unnecessary loss. We therefore beg to make a representation as follows:—We pray that we may be permitted to graze our cattle as before in the Kumki lands such as betta and bena attached to our lands and to grow grass in them so as to use it during the dry season; and that the aforesaid tax may be remitted. If the aforesaid prayer cannot be granted, we pray that proper orders may be endorsed at the foot of this petition as to how we should act.

[There are the signatures of 38 persons.]

[ORDER.]

The Petitioners are informed as follows:—In accordance with the order passed last year to the effect that if cattle be grazed in Government forests, that is to say, in the protected jungles, a fee of annas 2 should be levied per head, fees were collected last year in the villages in which the Survey Settlement has been introduced. This year it having been determined by the First Assistant Collector and Mr. Woodrow, Assistant Conservator, that even in villages where the Survey Settlement has not been introduced, cattle fees should be collected from *all people* on account of Gurcharana, the work of collecting the said fees is being carried on. And accordingly the fees have been collected in the other villages. But only in your part of the villages namely Mudangad, Bhairambe and others, you appear to refuse flatly to pay the fees. But these fees are levied under a Resolution passed by Government and it is applicable to the whole of the district; the people of other villages, considering that paying these fees is more profitable to them than the old system of farming the pastures have been willingly paying the fees. Because single individuals used to farm the grazing ground in certain portions of the district and they used to collect more money from the people and thus harass them. That system of farming has been abolished and the system of collecting fixed fees has been introduced and people are satisfied with it. Under these circumstances it is astonishing that you alone should in this manner offer resistance and disobey the order of Government.

The lands known as betta and bena are not lands for which you pay any assessment. Bena is wholly a jungle and you have for a long time past been cutting from year to year all the small trees that grow there, and destroying the jungle; and having enclosed the place with hedges you call it your bena. It is reasonable to say that you have a right to the land for which you pay assessment. But you cannot claim at all any right to the Government forest land.

You do not pay assessment on account of the land called betta. The forest rules provide that you may according to customary usage cut loppings at places where you have continued to cut them from olden times for the purpose of covering the roots of betelnut trees. But any other produce of such betta belongs to Government. And you are to

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understand that it is simply as a matter of favour on the part of Government that you are allowed to cut loppings of trees other than those of the prohibited kinds standing in betta land. I therefore do not think it proper on your part to suppose that you have a full right to betta lands.

For these reasons a notification has been published in the *Government Gazette* dated the 1st of March 1879 which includes all the lands not paying revenue to Government in the protected jungles. Therefore if you graze your cattle in Government lands called betta and hena it is necessary to collect fees from you according to the Government Resolution, and the work of collecting such fees is being duly carried on. And it is but consistent that if any person forcibly graze his cattle in protected land without paying the fees, and thus disobey the Government order, cattle, as a matter of course, will be seized and put into the cattle pound.

Now at least you should pay the fees on account of your cattle. If you graze your cattle in Government protected forests without paying the fees, steps will be taken against you according to section 69 of the Forest Act.

Notices were formerly issued on this subject by the Mamlutdar of Sirsi and published in each village. That being so, it is not proper on your part to raise any groundless objections. Let this be known to you.

(Sd.) SHESHO MANJU,  
Forest Ranger, Sirsi.

Dated 6-10-81.

Outward  $\frac{\text{No. 3342.}}{6-10-81.}$

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

26-12-86.

## EXHIBIT 20.

[TRANSLATED FROM CANARESE.]

To HER MAJESTY'S GOVERNMENT.

The petition made in writing on date the 14th of September 1881 by the undersigned people of Thoranashe and other villages in the Taluka of Sirsi, is as follows :—

There are betta and bena lands about the garden and rice lands which we have been enjoying on payment of assessment. Betta and bena lands are indispensibly necessary for the cultivation of every land. Since the time the said lands [first] came to be occupied [for cultivation] and from very ancient times successive Governments set apart betta and bena tracts for particular lands as auxiliary lands. And accordingly we continued till now to enjoy the particular betta and bena tracts for the use of the particular lands held by us and utilized the leaves of small trees, grass, &c. grown in the said betta and bena tracts, and in rainy season we used to bring from Government forests also all the things necessary for the cultivation of the said lands and for raising crops in them and apply those things to their respective purposes, and thus earn our livelihood. And in order that the wild animals might not do harm to ourselves and to our crops, we used to cut off thorny plants &c., which were utterly useless and which grew in the said betta and bena tracts, and preserve, to the best of our ability, the different kinds of wild trees grown therein which were useful to us for leaf manure for our lands. In this manner we enjoyed them (the trees) in such a way as to help their flourishing growth day by day. And we used to graze our cattle in the betta and bena tracts attached to our garden lands, and also in forests when necessary, and collect grass therefrom for the dry season.

But the officers of the Forest Department every now and then warn us, the rayats, that we should not use any of the produce of the said betta and bena tracts other than the leaves and the dry fallen wood, and thus obstruct us. And even as regards the leaves, they tell us to take loppings and leaves of only a few kinds of trees other than those of several kinds of trees which they say are prohibited. It is impossible to cut such small loppings by climbing the trees, and consequently we cannot get even leaves sufficient for our purpose. And even as regards the thorny plants they have made a rule for some years past that they should be cleared away only within fifty feet of the garden lands and not beyond that limit. This being the case, the growth of the forest extends up to the garden lands and the wild animals have become a source of annoyance to our cattle and to the crop in our lands. Moreover, this year they have made a rule that we may graze our cattle in any place we like on payment of two annas per head of cattle, and if the aforesaid fees are not paid we are to graze the cattle only in places which are set apart for pasturage, and we should not graze them even in our own betta and bena tracts; and they have begun the work of collecting the said fees on cattle. Owing to this rule, cattle graze in all places, and we find it difficult to get a supply of grass for the dry season. Several other prohibitions of this kind have been imposed upon us; and thus all these prohibitions have subjected us to great hardships.

\* \* \* \* \*

We therefore most humbly pray that a just order may presently be passed on this petition.

*(Here there are signatures of 11 persons.)*

INWARD No.  $\frac{3098}{15.9.81}$

Order in reply to this is as follows :—

You have refused to pay the pasturage fees, and without paying the fees up to this time as others have paid, you have presented this petition to me. You have not mentioned



the really important point in this petition but you have mentioned several others. Since you have mentioned several things other than those relating to pasturage—the subject with which we are now concerned, I ought not to entertain this petition. However since you have now refused to pay the pasturage fees, I will entertain this petition, and mention below what rights you possess in betta or bena tracts, &c., under the rules and circular orders &c. relating to all the particulars mentioned in the petition.

Under Forest Circular No. 670 dated the 31st of March 1879 issued by the Collector, you have a right to cut leaves and loppings of trees, other than those of the prohibited kinds of trees grown in the lands which you enjoy as betta lands, required for manure for the use of your gardens. Excepting that, it does not appear that you have any other right. The betta lands are not lands paying revenue [to Government.] Therefore all the produce of betta lands belongs to Government. You may perhaps cut grass grown in the betta lands and use it like leaves for manure. But you are not at liberty to graze cattle in the betta lands. Besides, the betta lands being included in the protected (forest) lands, if cattle be grazed in that land, fees must at once be paid.

You may cut thorny and creeping plants which check the growth of leaves of trees. But small plants are not to be destroyed on that account.

The land, which you call bena, is not land paying revenue. You have no right whatever to such land. Under the orders hitherto issued you acquire no right whatever to cut leaves in Government forests.

There is no objection if you cut thorny bushes within 50 feet of your land to prevent deperadation by wild animals. But trees of the prohibited kinds, &c., are not to be cut and destroyed. The thorns and branches of bamboo clamps may be cleared away; and the wood cut in this mnnner may be used for fuel.

If you graze your cattle in Government lands such as betta and bena other than the tract set apart for pasturage, without paying the fees, your cattle will be taken and put into the *cattle-pound*, and steps will be taken to impose fines on you on account of your cattle, according to the Forest Act. There is no objection either to graze cattle or to grow and cut grass for storage for dry season in betta lands from which you take leaves, on payment of fees.

Under section 1 of the forest rules and the circular number 51, there is no objection whatever if you take things for the cultivation of lands.

SHESHO MANJU, Ranger.

The 14th of September, 1881.

Outward No. 3131.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

26-12-86.

EXHIBIT 21

[ Translated from Canarese. ]

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To the RAV SAHEB MAMLATDAR of Taluka Sirsi.

From

MACDONALD Esq. Collector of North Kanara.

The below-mentioned rules should be observed with regard to grazing ground in all the villages on the Ghats where the Survey settlements have been introduced.

- I. That grazing should not be allowed under any circumstances unless special permission in the villages where land is not cultivated or where there are no houses.
- II. That, in uninhabited but cultivated villages grazing should not be allowed henceforward if none is allowed now.
- III. That in the other villages grazing grounds may be farmed by an auction sale. But a portion should be set apart for the village cattle; and sheep flock should not at all be allowed to graze upon it.
- IV. That people should be prohibited from entering the forest with axe and such other tools. Because tender plants, twigs and leaves are cut off for purposes of making beds for cattle which causes a good deal of damage to the Jungles. But this prohibition does not apply to Government. So servants who cut wood on behalf of Government and persons who hold permits.

Dated the 26th June 1886.

Translated by

K. Anandrow.

Sworn Translator.

## EXHIBIT 22.

[COPIED FROM THE GOVERNMENT GAZETTE.]

### NOTIFICATION.

REVENUE DEPARTMENT,  
BOMBAY CASTLE, 22nd March, 1883.

No. 2419.—The following rules made by the Governor in Council under Section 31, (i) of the Indian Forest Act, 1878, for regulating the pasturing of cattle in the protected forests in the districts of Kanara, Belgaum and Dharwar are published, with the previous sanction of the Governor General in Council.

1. In every protected forest a fee shall be charged at such rates as shall from time to time be sanctioned by Government, for the pasturing of cattle within such limits as shall from time to time be assigned by or under the orders of the Conservator of Forests for this purpose.

2. No person shall pasture cattle in any portion of any such protected forest so assigned without previously paying the prescribed fee.

3. Nothing in these rules shall be deemed to abridge or affect—

(a) any recorded right of any private person in any protected forest, or

(b) any existing grazing right of any private person in any protected forest declared under Section 34 of the Act and in which rights of private persons have not been enquired into, settled, and recorded.

Collector.

Circular No. 98.

## EXHIBIT 23.

[TRANSLATED FROM CANARESE.]

CIRCULAR No. 25.

From the TALUKA CUTCHERI, Sirsi.

*An order issued to the Village Officers.*

Since the work of collecting the fees levied on pasturage in the protected and reserved forests is commenced from the month of May, inconvenience is caused in preparing accounts. Hence it has been resolved that it should be commenced from the 1st day of August in every year. Therefore in future you are to commence the work [of collecting the fees] from the 1st of August and exert yourself to the best of your ability to finish the work of making collections speedily. And in order that permits may be issued to the people in respect of the money collected from the month of August, accounts should be closed on the 25th day of each month, and statements of individuals (Kulwar-patrak) prepared according to the old form, and after comparing the same with the cash accounts, they should be forwarded on the day following the date on which the accounts are closed.

From the collection of fees made last year, it has been found that in some villages fees have not at all been collected while in others the fees collected seem to be less although the number of cattle is large; and it has come to our notice that people pasture their cattle in protected and reserved forests contrary to the strict rule to the effect that cattle should not, without the payment of fees, be allowed to graze beyond the limits of free pastures. Henceforth this should by no means be allowed. The rules and orders bearing on this subject should be clearly made known to all people and duly brought into force. The cattle grazed beyond the limits of free Gairan contrary to the orders and rules must be seized and put into the cattle-pound; and the people must be informed that they will be, if found necessary, prosecuted for damage should they repeat to do harm in this way to the forests, so that they may not act in like manner in future.

If the village officers be found to be either negligent or delaying in the work of collecting fees severe steps will be taken against them.

Dated 22nd April, 1883.

Mamiutdar.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

26-12-86.

EXHIBIT 24

[ Translated from Canarese. ]

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Circular No. 18.

From the Taluk Katchery of Sirsi.

To The Village officers.

Order:—In accordance with the the Circular No. 42 dated the 11th of December 1883 received from the Huzur, you are informed that the fees accruing from the land assigned from the Protected Forest for taking *sand* and *stones* must be credited to the Forest Department as in the case of the Reserved Forest. But the Government Resolution No. 5224 dated the 5th of August 1883 provides that the Forest Department should arrange to let the village people have *earth* and *stones free of charge* for building and other purposes of their own and to see that *no unnecessary hindrance* is offered them. Therefore they are to be *exempted from payment* in such cases. Be this known.

Dated 30th January 1884.

( Signed ) Mamlatdar.

Translated by.

K. Anandrow.

Sworn Translator.

## EXHIBIT 25.

[TRANSLATED FROM CANARESE.]

REVENUE CIRCULAR No. 75.

To RAO SAHEB MAMLUTDAR of TALUKA SIRSI.

Compliments from G. W. VIDAL, Esq. Acting Collector, Kanara.

1. Government have published a notification No. 1518, dated the 18th of February 1884 as to which of the trees standing in occupied survey numbers are to be *reserved* as belonging to Government. In conformity with the said notification the following order is passed stating briefly as to what kind of trees are reserved by Government and what arrangements are to be made regarding the trees so reserved.

2. Under section 8 of the survey rules, the trees standing in all the villages where survey settlement was introduced before the end of the year 1881, are generally reserved by Government. It is to be understood that the trees not mentioned in the said rules are not reserved by Government.

3. It is to be understood that in villages where survey settlement was introduced in the years 1882 and 1883, *Matti* and *Honne* trees are also reserved by Government in addition to the trees reserved under section 91 of the rules framed under the Land Revenue Code; and it is also to be understood that the trees entered in the list of trees proposed to be reserved at the time of survey settlement are now given to the occupants of the several survey numbers, with the exception of the trees that are mentioned above.

4. Where the survey settlement will be introduced in future, the trees of the kind called *Matti* and *Honne* will also be reserved in addition to the trees generally reserved under section 91 of the rules made under section 214 of the Land Revenue Code.

5. As regards the disposal of trees of the reserved kind now standing in the occupied lands, it is stated in paragraph 7 of the aforesaid Government notification No. 1518 that they should be removed by the people of the Forest Department without delay. This order is applicable only to such trees as will be required to be cut for clearing the land for the purpose of carrying on cultivation of the land. But it is not applicable to all roadside trees purposely planted by Government or under the orders of Government, or the trees standing in a grove, or trees round temples or places of encampment declared to be such by the Collector. Such trees must necessarily be preserved even in future.

6. With the exception of the roadside trees, or trees in groves, or round temple or places of encampment, all other reserved trees standing in other places are, as mentioned above, to be cut and removed by the Forest Department. If any trees be disposed of under section 93 of the rules made under the Land Revenue Code, a remark shall be written in village form No. 1 against the survey number showing clearly the manner in which the trees were disposed of. If any trees be reserved such road-side trees &c. the number and description of such trees should be entered in detail in the said register; and the entry so made should be signed by the village officers; and the Taluka officer shall also affix his signature to it. And the Assistant Collector in charge of the Taluka should carefully see whether the entries to be made as aforesaid are duly made without any mistake.

7. Since the control and lien over the reserved trees in the occupied numbers is now to

be transferred to the Conservator under the orders of Government, a statement should be prepared giving therein in detail the number of reserved trees standing in several survey numbers from the list of trees in villages where the survey settlement has been introduced; and the same should be forwarded without delay to the different Divisional Forest officers to enable them to take measures for the removal of the said trees. Also similar statement should be sent (to them) as soon as a survey settlement will hereafter be introduced in each village.

8. Where there are no reserved trees in survey numbers, a note should be made in the village form No. 1 against every one of such survey numbers, to show clearly that it does not contain trees of reserved kind ; and such note should be signed as directed above.

9. It should be well borne in mind by all officers that all the officers concerned with such duties should, before making every entry necessary to be made in village form No. 1, ascertain to their satisfaction whether all the reserved trees that ought to be cut and removed have been removed ; whether there are no more such trees in those numbers other than those reserved purposely for shading, &c. ; whether the lists of trees have been correctly prepared and whether proper inspection has been made and so on. As stated in para 5 of the Government notification No 3462 and para 7 of No. 3906, published in 1883, the afore-said notification No. 1518 and the rules from No. 93 to 98 regarding the concession of right over trees to the occupants of the survey numbers or reserving it by Government, are not applicable to betta lands or trees standing in *Kanu* or *Hadi*. It is to be clearly understood that all the trees of all kinds standing on such betta, Kanu or Hadi belong to Government as directed in the Government notification No. 114 dated 13th October 1871.

Acting Collector.

Dated 26th June, 1884, Karwar.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

26-12-86.

## EXHIBIT 26.

[TRANSLATED FROM CANARESE.]

The details contained in the orders passed [regarding the produce of trees,] at the time of Survey Settlement in Sirsi and other Talukas in the district of Kanara.

Year.

1870. The produce of trees standing in cultivated land may be taken by the occupant of the number free of charge. The produce of trees standing in a Pardi number may be taken by the owner of that number. The produce of trees standing in number lying waste or uncultivated, shall every year be put up to auction.
1873. The trees standing in an occupied number shall be enjoyed by the occupant of that number except Sisum (blackwood), teakwood, and Sandalwood trees.
- 1878 1880. The trees standing in Hakal number are not given to the occupant of the number. It will be settled by the officers of the Forest Department. The right to teakwood, blackwood trees in all the numbers is reserved by Government.
1882. Ebony, Honne, Sur-honne, Pachpanas, Balagi, Karimutal, Nana, Shivani, Gall-nut, Jambe, Bhendamara, Matti, Khairamara, Shigekai Ippi, these 15 kinds of trees standing in Khushki (dry land) and Hakal (high land) numbers, are also reserved by Government. The occupant has a right to the remaining kinds of trees. Teakwood, blackwood, and Sandalwood trees grown in all the lands are reserved by Government.

1883 |  
1884 | As aforesaid.  
1886 |

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.  
26-12-86



## EXHIBIT 27.

[TRANSLATED FROM CANARESE.]

REVENUE CIRCULAR No. 25.

From the TALUKA CUTCHERY of SIRSI.

An order to the Firka Patels and Shyanbhogs is as follows :—It being a very common practice among the ryots of this Taluka to remove earth from the Government land adjoining their respective garden lands and in such lands to sow in beds Cardamom Seeds without permission and when the plants grow up to transplant them in their own gardens and vacate the Government land, a report was made to the Divisional officer soliciting instructions how to proceed in the matter. Below the said report an endorsement order dated the 22nd of March bearing No. 2763 from the Division Office has been passed to the effect that some ryots have the liberty for removing earth necessary for garden purposes from the Government land, that the practice of sowing Cardamom Seeds and preparing plants in the pits created by such removal of earth, appears to have been continued for a long time past, that though those pits are used for some days for preparing the plants, it does not appear that any cultivation is made therein, that therefore no further steps need be taken in respect of pieces of land which measure half a gunta or less in extent, but that steps should be taken to see that the ryots do not under any circumstances whatever cut trees and destroy them while removing earth, that they do not annex such lands, and that if the lands exceed half a gunta measures should be taken as usual to levy assessment thereon. Therefore you should bear well in mind the contents of this order and bring it into force in future.

MAMLUTDAR.

The 28th of April, 1884.

Translated by  
K. ANANDROW,  
Sworn Translator.

## EXHIBIT 28.

[TRANSLATED FROM CANARESE.]

### NOTICE.

From the OFFICE of the MAMLUTDAR of the TALUKA of SIRSI.

Notice is hereby given to Devappa Kodemane inhabitant of Shivgam as follows :—

It has been brought to our notice that you have occupied without permission a piece of land measuring 0-0-12 forming part of the *beta* land bearing Survey No. 78 in the said village and have planted therein Cardamom plants, &c. Therefore you are given to understand that you should remove the plants, &c., planted in the said piece of land and vacate the land and deliver possession of it to Government within ten days from the date of the receipt of this notice, and that in default, proper steps will be taken according to law. Be this known to you. Dated the 20th February, 1885.

(Signed) VENKAJEE N.,  
for Mamlutdar.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

26-12-86.

## EXHIBIT 29.

[TRANSLATED FROM CANARESE.]

REVENUE CIRCULAR No. 8.

From the TALUKA CUTCHERI, SIRSI.

*Order to the Shanabhags and Patels.*

In accordance with the Circular No. 5398 received from the District Collector and Inward No. 115, it is ordered as follows:--

The Ryots, in order to establish their right carry on the work of building permanent walls, opening permanent ditches, &c., on lands belonging to Government. Although there is a previous order, that permission should be obtained for carrying on such work they do not pay the slightest attention to it. This is not proper. All the people of your village should be clearly given to understand that hereafter none shall carry on the work of opening ditches, &c., in lands belonging to Government, without permission; and that even for opening ditches, &c., in lands belonging to the respective individuals, they should obtain permission. You should take care that such work may not be carried on. If anything done in violation of this comes to notice, you will be held responsible for it, and strict measures will be adopted.

MAMLUTDAR.

Dated October, 1874.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

26-12-86.

## EXHIBIT 30.

[TRANSLATED FROM CANARESE.]

INWARD No. 1763.

THE OFFICE OF THE CONSERVATOR OF THE DISTRICT OF KANARA, CAMP SIDDAPORE,

*Dated 31st October, 1879.*

From J. C. STOBIE, Esq., Acting Conservator.

Order to Azam Rangers and Foresters of Siddapore and Sirsi :—

You should clearly make known to all men that none should enter the forests belonging to Government with a gun.

If, after the publication of this, any person should be found entering a forest with a gun, we will take severe measures against him, and make him liable to punishment; besides this, we will take steps so that his license may be cancelled by the District Collector, and that such persons may not be given any license in future. Having made this fact clearly known to all the servants of the Forest Department under you, you should give them strict orders to the effect that if they should find any one entering a Government forest with a gun, they should at once seize him and produce him before a Magistrate, and file a complaint against him; besides this, they should report this to their superiors.

Bears the signature of the Assistant Conservator of Sirsi and Siddapore, District Kanara.

Forwarded through the Mamlutdar of Sirsi :—

I desire that the contents of the abovementioned order should be notified to all people, and that steps should be taken so that they may not enter any (Government) forest with a gun. Date aforesaid.

Signed by the Conservator in charge Sirsi and Siddapore.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

26-12-86.

## EXHIBIT 31.

[TRANSLATED FROM CANARESE.]

VILLAGE OUTWARD No. 2338.

From the Office of the MAHALKARI of PETHA MUNDAGOD.

*Order to the village officers of Rampur.*

In the matter of a petition to the Huzur made by Babu and three other shepherds, who were once tenants of sundry lands in your village and have since removed to another village, inquiries were made and depositions taken. These four petitioners have agreed to reside and carry on cultivation in the Rampur village keeping 36 heads of cattle in all as shown against their respective names in the margin, and they have also agreed to drive the remaining cattle beyond the limits of this district within five days. I therefore give directions as follows:—

1 Babu son of Dhulu .....	10
2 Kalu son of Janu.....	10
3 Vittu son of Babu .....	10
4 Thakku .....	6

reside and carry on cultivation in the Rampur village keeping 36 heads of cattle in all as shown against their respective names in the margin, and they have also agreed to drive the remaining cattle beyond the limits

These four persons should be allowed to retain only 36 heads of cattle in all including bullocks, buffaloes, she buffaloes, cows or calves and to settle as cultivators. The remaining cattle belonging to them must be driven at once beyond the limits of this district immediately on receipt of this order. You are to send a messenger and ascertain to what particular place in another district the cattle have been driven, and make a report to me regarding the matter within five days after the receipt of this order.

The remaining 36 heads of cattle referred to above should be pastured only in such forest as is assigned for pasturing the village cattle; but they should not be allowed to graze any where they like. The cattle should not at all be allowed to enter the Government protected forests. You should get instructions as to which forests are declared protected forests, by looking into the map just now in this office, and take these instructions with you, and communicate them to the shepherds, and keep a strict supervision.

Besides taking such measures as not to allow more cattle than the prescribed number to remain [in your village], you are also to range about in the forests from time to time and make necessary arrangements so that the cattle driven out as directed in the first part of the circular may not come back, and that no other cattle belonging to other shepherds or Maratha cowherds may join them. You should look upon this as your responsible duty.

The Police and Forest authorities will be on the look out to see how far these directions are carried out, and I too will make inquiries from time to time. If anything be found amiss, severe notice will be taken of your negligence. All instructions have been given to you personally.

The Signature of  
MANJUNATHAYA,  
Mahalkari.

The 23rd of March 1880.

Translated by  
K. ANANDROW,  
Sworn Translator.

## EXHIBIT 32.

[TRANSLATED FROM CANARESE]

Outward No. 2246.

### NOTICE.

From MEHERBAN the DIVISIONAL ASSISTANT CONSERVATOR of FORESTS,  
ZILLAH KANARA.

Order is hereby issued to the shepherds named in the margin :—

	cattle.
<i>In Gunjavati.</i>	
1 Gangu bin Biru.....	20
2 Dhulu bin Kusu .....	20
3 Apa bin Vittu .....	16
<i>In Mainalli.</i>	
4 Bhagu bin Savu .....	20
5 Dhondu bin Bhaiya .....	20
6 Janu bin Vittu .....	20
<i>In Yarebail.</i>	
7 Bapu bin Joti .....	20
8 Dhaklya bin Vittu .....	20
9 Bhagya bin Paddy .....	20
10 Saku bin Jaku .....	20
<i>In Rampur.</i>	
11 Babu bin Dulu .....	10
12 Kalu bin Janu .....	10
13 Vittu bin Babu .....	10
14 Thakku Gavali .....	6

It has come to our notice that notwithstanding the order of the Meherban Collector Saheb Bahadur of Zillah Kanara permitting you to live in the respective parts of the Mundagod Petha with a definite number of cattle without damaging the forest, you have, kept a number of cattle exceeding that mentioned in the order issued to you, and further, you have even given shelter to your relatives and friends to live with you with their respective cattle. Therefore it is hereby ordered as follows :—

Each separate family is to live with the fixed number of cattle shown above in the respective villages assigned to you and should pasture the cattle in a way not causing any damage whatever to the forest. If, you keep a number of cattle exceeding that mentioned in this order, or, if it comes to our notice that on the score of the permission given to you, you afford shelter to other shepherds, you shall not only be expelled forthwith beyond the limits of this district, but shall also be prosecuted according to law on the charge of cattle trespass. Be this known to you.

(Signature in English characters.)

Assistant Conservator of Forests.

Dated the 22nd September, 1881, Yellapur.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

## **EXHIBIT 33.**

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[TRANSLATED FROM CANARESE.]

Order to the applicant Babu bin Kalu Dhangar, inhabitant of Balshetti Kopp in the Taluka of Supa is as follows :—

You had made an application asking for a copy of the circular order issued from the Huzur (District Collector) to the effect that Shepherds and Cowherds should not be allowed to remain in these villages. As to that, a memorandum No. 1535 dated the 11th of January 1884, is received from the Huzur directing that the matter should be disposed of by informing the applicant that a copy of the said order cannot be granted. Let this be known to you. A stamp worth 8 annas sent by you is herein enclosed which you will receive. The 11th of February, 1884.

H. INGLE,  
Deputy Collector.

Outward No, 369.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

26-12-86.

## EXHIBIT 34.

[TRANSLATED FROM CANARESE.]

To the MEHERBAN the COLLECTOR SAHEB BAHADUR of Zilla Kanara.

The petition of Babu bin Kalu, a shepherd, of Balshetti Kopp in the taluka of Supa in the Kanara Collectorate is as follows :—

About two months ago I and some others made a representation to your honour praying for permission to reside with all our cattle in the village aforesaid. In connection with it the Rao Saheb Mamlutdar of Haliyal took our depositions and sent up the matter to your honour ; but as yet we have received no order. The rainy season has come very near and therefore I beg to make a representation again. I pray that, as requested in the former petition, an order may be passed permitting us to reside in this village with our cattle. Dated the 26th of May 1885.

Sd. (Mark of Babu bin Kalu.)

ORDER.—No permission can be granted as requested by you. May 30th, 1885, Karwar.

(Signed) J. H. TODD, Collector.

(Signed) SANTAPPA VENKATRAO, Daftardar.

Translated by

K. ANANDROW,  
Sworn Translator.



## EXHIBIT 35.

[TRANSLATED FROM CANARESE.]

DATED THE 13th of October, 1871.

*Resolution No. 5114 of the Government of Bombay.*

Two questions have been raised in this matter :—

*First.*—With regard to the right of the rayats to cut wood in betta (forest) lands, before the lands are surveyed and the boundary marks put up.

*Second.*—With regard to the right of the rayats, who pay nominal rents to Government for taking leaves and pepper from the forests called Kana or Hadi, to cut wood in such forests.

3. As regards the first question, the Government have passed the following Resolution :  
The rayats may be allowed to take leaves of all trees, except of the trees that have been reserved, standing in the betta forests which the rayats generally think to be their own. But the Mamlutdars have no power to grant permits to cut trees in those forests, as they can grant them to cut trees in forests to which the survey settlement has been extended. The Assistant Collector of the division alone shall grant such permits. It has been resolved that the permission here referred to should be given only by the Collector [of the district] and shall communicate the matter to the Deputy Conservator. In cases where applications are made for more wood than is necessary for ordinary agricultural purposes, he should obtain the consent of the Deputy Conservator before granting the permission applied for.

The payment of a nominal rent for taking leaves and pepper from the forests called *Kana* or *Hadi* does not entitle one to cut trees in such forests. As regards cutting such trees, the usual permit rules should be enforced.

Translated by  
DURGAPPA KRISHNAYA,  
Sworn Translator.

26-12-86.