

# THE MYSORE GAZETTE.

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

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## PART I.

### Notifications by the Chief Commissioner of Mysore.

#### GENERAL

#### NOTIFICATIONS.

No. 75.

*The 22nd June 1878.*

The following Parliamentary Returns, &c., have been received in this office from Her Majesty's Secretary of State for India, through the Home Department of the Government of India, and can be obtained for perusal on application to the Librarian, Chief Commissioner's office.

#### RETURNS FOR 1877.

1. Annual statement of the navigation and shipping of the United Kingdom for the year 1876.
2. Statistical Abstract for the United Kingdom in each of the last 15 years from 1862 to 1876.  
Twenty fourth number.
3. Annual statement of the Trade of the United Kingdom, with Foreign Countries and British Possessions for 1876.
4. Commercial Reports by Her Majesty's Consuls in China, 1875—76.
5. Commercial Trade Reports from Her Majesty's Consuls, on the manufactures, commerce, &c., of their Consular Districts, Parts I to V, from March to August 1877.
6. Commercial Reports by Her Majesty's Consuls in Japan for 1876—August 1877.



List of Papers placed at the disposal of the Press.

No. of Letters.	Date.	Subject.
1595— 2	31st May 1878 ...	Annual Return of Local Fund Accounts including income and expenditure of the Municipalities of the Town and Cantons of Bangalore should be submitted by 30th September of each year.
1592— 12	Do do ...	Directs that the practice existing in the Ashtagram Division of taking rajinamas from mohatarfa payers be made general throughout the Province.
1759—R. 14	10th June 1878 ...	Sanctions the period for the presentation of rajinamas being extended to 30th July next and to rajinamas being accepted as a measure of relief from those ryots on whose lands arrears of revenue are due.
<i>Coorg Department.</i>		
173—3	6th June 1878 ...	Rules for the guidance of the new Police Force.
179—R. 26	11th do ...	Sanctioning a re-distribution of budget allotments for 1878—79.

Notifications, &c., by the Government of India.

DEPARTMENT OF REVENUE, AGRICULTURE AND COMMERCE.

NOTIFICATION.

FORESTS.

Simla, the 5th June 1878.

No. 588, F.—The following rules have been sanctioned by the Governor General in Council and are published for general information:—

*Rules for the Administration of Forests and Waste Lands in the Territories of His Highness the Maha Raja of Mysore.*

CHAPTER I.

General.

1. In these rules the expression "State forests" means any demarcated forest or plantation, the property of the State, which has been notified by the Chief Commissioner under Rule 9, to be a State forest.

State forests.

The expression "District forests" means all such unoccupied Government waste or forest outside the limits of State and village forests, and not situated in towns and villages, as has not been assigned at the survey settlement to villages as free grazing land for common use or for any other public or municipal purpose.

District forests.

The expression "Cattle" includes, besides horned cattle, elephants, camels, horses, asses, mules, sheep, goats and swine.

Definition of "Cattle."



2. Subject to the general control of the Chief Commissioner of Mysore, the administration of the forests is vested as herein provided in—
- Officers appointed for the administration of forests.
- I—The Conservator of Forests and the other forest officers.  
 II—The Deputy Commissioners or other officers in charge of districts, and the subordinate revenue officers.
3. All police officers shall see that these rules are observed, and shall to the best of their ability aid the forest officers in the exercise of their duties.
- Duties of police officers under these rules.
4. The Chief Commissioner may from time to time, subject to any existing rights, direct village forests to be formed from such portions of waste or forest land as have not been included within State forests. The rules applying to the demarcation and management of State forests shall, with such modifications as are herein provided, or as the Chief Commissioner may from time to time direct, apply to village forests: Provided that such rules shall not abridge or affect any existing rights of individuals or communities.
- Village forests.
5. State forests shall be managed exclusively by the Conservator of Forests and the other forest officers.
- Control of State forests.
6. Village and district forests shall be managed by the revenue officers with the co-operation in certain matters, as hereinafter provided, of the Conservator of Forests and the other forest officers. Where it appears necessary, the management of any district or village forest may be handed over, by order of the Chief Commissioner, to the Conservator of Forests.
- Control of village and district forests.
7. The rights of the State with regard to forest trees, timber, wood and other forest produce on lands in private occupancy, including kans and inam lands, will be exercised by such officers as the Chief Commissioner may from time to time appoint in that behalf.
- State forest rights in occupied and inam lands.

## CHAPTER II.

*Of State Forests.*

8. Wherever the State forests are not bounded by a road or stream, or other well defined boundary, they shall be demarcated by cleared boundary paths and permanent boundary marks, or in such other manner as the Chief Commissioner may from time to time direct.
- State forests how demarcated.
9. Proclamation of the demarcation and boundaries of every State forest shall be publicly made in the taluk where the forest is situated, and a notification thereof shall be published in the *Mysore Gazette*.
- Proclamation.
10. In State forests no land shall be alienated or leased except by order of the Chief Commissioner of Mysore.
- Alienation of State forests.
11. The following acts are prohibited in State forests:—
- Acts prohibited.
- (1.) Setting fire to the grass or forest, or kindling any fire in it or in the vicinity thereof, without effectually preventing its spread into the forest.
  - (2.) Burning lime or charcoal without permission.
  - (3.) Trespass by men or cattle off the authorized roads and pathways, except as herein provided.
  - (4.) Grazing or pasturing of cattle, except with the permission of the Conservator of Forests.
  - (5.) Felling, girdling, cutting or lopping, marking, burning, stripping off bark or leaves, tapping for gum or resin, or otherwise injuring any trees, shrubs, or bamboos, except with the permission of the Conservator of Forests.



- (6.) Removal of dead leaves, turf, or the surface of the soil, cutting grass, collecting fruits, honey, wax, bark, gum, lac, or any kind of forest produce, without the permission of the Conservator of Forests.
- (7.) Making temporary forest clearings called, Kunuri and every form of cultivation, without the permission in writing of the Conservator of Forests.
12. The Conservator of Forests may, for sufficient reason, with the previous consent of the Commissioner of the Division, close any road or pathway traversing any State forest, by giving public notice of the closing thereof in the taluk or taluks where the forest is situated, provided that some other convenient road shall be opened in lieu of the road thus closed.  
Roads and pathways.
13. The State forests may be entered by persons in pursuit of game and for sporting purposes generally; but such persons shall not bring within the limits of the State forests, except with the permission of a forest officer, any axes or knives, or any carts or other vehicles, pack-bullocks or ponies, other than those actually required for sporting purposes. Provided that no person shall be allowed to enter a plantation or a portion of the forest especially protected from fire, and marked or notified as such, except by permission of the Conservator of Forests or a forest officer duly authorized by him in that behalf. Persons entering any State forest for sporting purposes will be held responsible for any damage done by them to the forest.  
Hunting permitted.
14. Cattle found straying in a State forest may be impounded, and shall be delivered to their owner or his agent on payment of a fine and charges within such time and according to such scale of rates as the Chief Commissioner of Mysore from time to time may direct, and, in default of payment of such fine and charges within such time as the Chief Commissioner may direct, the cattle shall be sold on behalf of Government. The Conservator of Forests may award a portion of the proceeds of such sale, not exceeding one-half, to any person on whose information such cattle were seized. All such fines shall be credited to the Forest Department.  
Cattle trespasses.
15. The Chief Commissioner may grant in any State forest such privileges as may be consistent with the due maintenance of the forest: Provided always that the exercise of any privilege under this rule shall be for the use of the person entitled thereto, and not for the purpose of export or merchandise.  
Privileges may be granted in State forests.

## CHAPTER III.

*Of District Forests.*

16. District forests shall be in immediate charge of the Amildar of the taluk, excepting those which, in accordance with rule 6, may be placed in charge of the Conservator of Forests. The Amildar shall be responsible for the due protection of the forests under his care, and it shall be his duty to prevent all injury to such forests. Whenever the district forests in any district or taluk are placed under the control of the Conservator of Forests, in accordance with rule 6, the same shall be notified in the *Mysore Gazette*, and shall otherwise be made known in the chief towns and villages of the district or taluk in such manner as the Chief Commissioner may from time to time direct.  
Control.
17. District forests shall be subject to inspection and periodical report by the forest officers. These officers may also, in communication with the Deputy Commissioner of the District, undertake any operation connected with planting, cutting, thinning, or selling timber in those district forests which, in the opinion of the Conservator of Forests, may require their special attention.  
Departmental inspection.
18. No part of the land of any district forest managed by the Conservator of Forests under rule 6, shall be alienated or leased to occupants or cultivators without the previous inspection by, and the concurrence of a forest officer duly authorized by the Conservator of Forests to inspect and report upon such land.  
Grant of land.



19. Within fifty yards of the banks of a hill stream or any of its feeders, or within a radius of fifty yards from any spring, or within fifty yards of any road, no tree shrub, bamboo or jungle in any district forest shall be cut or burnt, nor shall any wood or grass therein be burnt, except by the special direction of the Deputy Commissioner of the District, or of the officer in charge of any road passing through the forest, to whom the Deputy Commissioner may have delegated the power to give such directions.

20. Kumri cultivation, whether in fresh forest or in old clearings, is prohibited in all district forests, except when the Chief Commissioner may for special reasons allow it.

21. The following nine kinds of trees in district forests are called reserved trees, and the wood thereof reserved wood:—

- (1.) Sandal-wood—*Santalum album*.
- (2.) Teak—*Tectona grandis*.
- (3.) Poon—*Calophyllum latifolium*.
- (4.) Blackwood—*Dalbergia latifolia*.
- (5.) Honne—*Pterocarpus Marsuyium*.
- (6.) Lac, jalari—*Vatica laccifera*.
- (7.) Nandi—*Lagerstromia micocarpa*.
- (8.) Wild Jack, heswa, heb-halasa—*Artocarpus hirsuta*.
- (9.) Karachi, kummar, arsina—*Hardwickia binata*.

The Chief Commissioner may from time to time, by Notification in the *Mysore Gazette*, make such additions to, or reductions in, the class of reserved trees as he may deem fit.

Sandal-wood, Teak and Poon shall not be felled, cut, marked or lopped, without the written authority of the Conservator of Forests. Blackwood, Honne, Lac, Nandi, Wild Jack, and Karachi shall not be felled, cut, marked or lopped, without the written authority of the Deputy Commissioner of the District or of the Conservator of Forests.

22. Except as provided in this rule and in rule 23, any person may enter any district forest and cut, collect, and carry away any firewood, not being bamboo or the wood of a reserved tree.

23. The Chief Commissioner of Mysore may, from time to time, by Notification in the *Mysore Gazette*, make rules regarding the district forests:—

- 1st, to prohibit the felling of firewood in any district forest, within certain specified limits, except for the home use of the surrounding population;
- 2nd, to restrict the felling of firewood in such manner as regards description of wood, manner, time, place, quantity, and persons, as may appear requisite for the conservancy of any forest or jungle;
- 3rd, to provide for payment for such firewood being made at fixed rates or in any other manner;
- 4th, to restrict the felling of wood for the burning of bricks or lime, for the making of charcoal or for smelting iron ore;
- 5th, to limit the number of kilns for burning lime or charcoal and the number of furnaces for smelting ore in any district forest;
- 6th, to cause all such kilns or furnaces to be registered, as also the names of persons employed in such work;
- 7th, to fix the amount of seigniorage to be paid annually or otherwise for each kiln or furnace.



24. In district forests, other than those which have been specially dealt with under rule 23, the following articles of forest produce may be cut, collected, and carried away by the land-cultivating ryot for his own use, but not for sale or transfer:—

Privileges granted to cultivating ryots.

1st.—Wood for agricultural implements, but not for carts, from unreserved trees only.

2nd.—Unreserved wood, thorns, and bamboos for fences, stack floors, and cattle pens.

3rd.—Branches of unreserved trees for manure and litter.

4th.—Grass for thatching.

25. The Chief Commissioner of Mysore may, if necessary, either for the purpose of preserving any forest, or because the ryots of any locality have abused the privileges granted to them by rule 24, withdraw from any locality the whole or any part of the privileges detailed in such rule.

Privileges when withdrawn.

26. The Chief Commissioner may, from time to time, by Notification in the *Mysore Gazette*, make rules to regulate the disposal by sale, license or otherwise, of all descriptions of wood and bamboos, as well as to regulate the grazing of cattle, and the collection of gums, resin, lac, beeswax, and other forest produce in district forests.

Bamboos, unreserved woods, pasture and collection of minor forest produce.

27. The Chief Commissioner may, from time to time, exempt certain taluks or portions of taluks from the ordinary operation of the forest rules, and may permit unreserved wood and bamboos in district forests to be cut, collected, and carried away by the agricultural population for building their houses and carts without payment. In taluks so exempted, such permission shall be given to cultivating ryots alone.

Taluks exempted from ordinary operation of forest rules.

As regards any person other than a cultivating ryot, the forest rules shall be considered in full force throughout the whole Province of Mysore.

The Chief Commissioner may, at any time, remove, if necessary, from the list of exempted taluks or exempted localities, any taluk or locality, and re-introduce the full action of the forest rules in such taluks or localities.

#### CHAPTER IV.

*Of the State forest rights on lands in the occupancy of other persons and on Inam lands and in public places.*

23. On all lands throughout Mysore, excepting those in respect of which the right to sandal-wood is expressly alienated, the sandal-wood tree is the property of the State. The rights of the State with regard to sandal-wood shall be exercised under such rules as the Chief Commissioner may from time to time prescribe by Notification in the *Mysore Gazette*.

Sandal-wood.

29. Reserved trees, as defined in rule 21, standing on lands taken up, or which may hereafter be taken up by private individuals under the operation of the survey and settlement rules, shall be the property of the State for one full year from the date of such lands having been so taken up. In special cases this time may be extended to two years by order of the Chief Commissioner. During that period of time the Government shall have the right of removing all such reserved trees. All such trees, with the exception of sandal-wood, left standing on such lands after the close of one year from the date of occupancy, shall become the property of the occupant of the land. Sandal-wood trees growing, or that may thereafter grow up on such lands, shall always be the property of the State, and shall not become the property of the occupant at any time.

State forest rights in lands taken up under settlement rules.



30. Bamboos or trees of any kind (excepting sandal-wood and teak) standing on lands in the occupancy of private individuals, in taluks in which the survey and settlement have not yet been completed, may be cut, sold and carried away whenever such trees or bamboos have been planted by the present holder, or by his own immediate ancestors, or by the former occupant of the land from whom the present holder may have legally purchased the patta rights. Such trees and bamboos shall not be removed without a pass, to be obtained under such rules as the Chief Commissioner may make from time to time by publication in the *Mysore Gazette*: Provided that no payment shall be made for such passes.

State forest rights in unsurveyed and unsettled taluks.

All other trees and bamboos, except sandalwood and teak, on such lands may be bought by the occupant under such rules as may be laid down in accordance with rule 26: Provided that such trees shall not be sold or given away by the Government to any other than the occupant of the land.

31. All inamdars who, by the terms of their sannads, or by judicial decision, are entitled to the timber and sandal-wood in their inam villages, may fell and sell without previous reference any such timber (excepting sandal-wood). The Conservator of Forests may cause any sandal-wood growing in such inam lands to be cut and sold on behalf of the inamdars under such rules as may from time to time be made by the Chief Commissioner, and notified in the *Mysore Gazette*.

Forest rights of inamdars.

32. Inamdars who are not entitled by sannad or by judicial decision to the timber and sandal-wood growing on their inam lands, may cut and sell all wood (with the exception of teak and sandal) growing on such lands.

Forest rights of inamdars not entitled to timber and sandal-wood.

No trees, wood, or timber shall be removed from inam lands without a pass, to be obtained under such rules as the Chief Commissioner may from time to time make and notify in the *Mysore Gazette*: Provided that no payment shall be made for such passes.

Free passes.

33. Fruit-trees in public topes, or on Government land not in the occupancy of private individuals shall not be cut down or lopped without sanction of the Chief Commissioner.

Trees in topes.

## CHAPTER V.

### *Of the transport of wood and other forest produce.*

34. The Chief Commissioner of Mysore may, from time to time, by notification in the *Mysore Gazette*, make rules to regulate the transit of timber and other forest produce. Such rules may (among other matters):—

Rules to regulate the transit of timber.

1st, prohibit the moving of timber or other produce without a pass from a forest or a revenue officer authorized to issue the same; or otherwise than in accordance with the conditions of such pass;

2nd, provide for the issue, production, and return of such passes, and for the payment of fees therefor;

3rd, provide for the stoppage, reporting, examination and marking of timber or other forest produce in transit.

35. All persons importing any timber or other forest produce from the Presidency of Madras into Mysore on roads running through the State forests of the Mysore District of the Ashtagram Division shall confine themselves to such roads as may from time to time be notified by the Chief Commissioner in the *Mysore Gazette*, and as may be marked by sign posts at their entrance into and exit from the forests.

Timber imported from Madras.

36. All timber, wood, and bamboos found adrift or stranded on any river or the banks of any river, within the limits of the Mysore Territory, shall be the property of Government, unless proof of ownership be given as hereinafter provided. All such timber, wood, and bamboos shall be collected at such stations as the Conservator of Forests may

Drift and unclaimed timber.



from time to time direct, and notices shall from time to time be published in such manner as the Chief Commissioner of Mysore may direct, stating the number and description of pieces of drift timber, wood, and bamboos collected at such stations.

37. All claims to the ownership of drift and unclaimed timber, wood, and bamboos must be made within two months of the publication of the notice relating thereto, after which no claims to such ownership shall be received, and if no person has established his title to the said timber, wood, or bamboos, the same shall be sold on account of Government.

*Notice inviting claimants.*

38. All such claims shall be settled by the Conservator, or by such officer as he may authorize : Provided, however, that he may decline arbitrating between rival claimants regarding such timber, wood, or bamboos, and refer them to a civil suit.

*Claims by whom settled.*

Upon such award the owner must pay all salvage and other expenses which may have been incurred on account of such articles before removal.

*Claimed timber-how redeemed.*

39. All timber marks used by traders in timber, wood, or bamboos in Mysore, shall be registered at such place and in such manner as the Conservator of Forests may from time to time direct ; and every such trader shall also deposit at that office a distinct and clear impression of all marks used by him, and also copies certified in such a manner as the Conservator of Forests may from time to time direct, of all other marks which he may use for the purpose of marking his property in pursuit of his trade.

*Timber marks used by traders.*

## CHAPTER VI.

### *Of the punishment of offences against these rules.*

40. For every breach of rules 11, 13, 15, 19, 20, 21, 24, 30, 31, 32, 33, 35, 39, or of any rule made by the Chief Commissioner under the power granted him in sections 23, 26, 28 and 34 of the present rules, the offender shall be liable, on conviction before a Magistrate having jurisdiction in the case, to a fine not exceeding Rs. 500, or in default of payment, to such imprisonment as is provided in section 67 of the Indian Penal Code.

*Penalties.*

41. Nothing in these rules shall be construed to prevent any person from being prosecuted under any other law for any act which constitutes an offence against these rules, or from being liable under such other law to any higher punishment or penalty than that provided by these rules : Provided that no person shall be punished twice for the same offence.

*Prosecution under other laws.*

42. Any axes, knives, carts, boats, or other tools, vehicles, or implements, as also all cattle used in the commission of any offence against these rules or against any rule made by the Chief Commissioner under the powers granted him, as stated in rule 40, and all timber, wood, or other forest produce which has been obtained in a manner contrary to such rules, whether entire or cut up or sawn up, and whether found within or outside the limits of the forests, and all timber, wood, or other forest produce, in transit by land or water, which is not covered by a pass required by such rules, may be confiscated.

*Tools, timber, and other articles may be confiscated.*

43. Any police officer or person employed as an officer of Government to prevent infringement of these rules may arrest without warrant, notwithstanding anything contained in the Criminal Procedure Code, any person infringing any of such rules, and may seize any implements used in such infringement, and any timber or other property liable to confiscation under these rules.

*Arrest and seizure in case of infringement of rules.*

44. Any person arrested on the ground that he has committed an infringement of such rules shall forthwith be taken before a Magistrate, who may, if he see reasonable cause, order him to be detained in custody until the case shall have been disposed of.

*Procedure in case of arrest.*



45. When any timber or other property shall be seized as liable to confiscation under these rules, any Magistrate may, upon information, summon the person in possession of such timber or other property, and upon his appearance, or in default thereof, may examine into the cause of the seizure of such timber or other property, and may adjudge the same to be confiscated and sold on account of the Government.
- Procedure in respect of property seized as liable to confiscation.
46. Any police officer or officer of Government who shall vexatiously and unnecessarily seize the goods or chattels of any person under the pretence of seizing property liable to confiscation, or who shall vexatiously and unnecessarily arrest any person, or commit any other excess beyond what is required for the execution of his duty, shall be liable to a fine not exceeding Rs. 500, or to imprisonment of either description as defined in the Indian Penal Code for a term not exceeding three months.
- Penalty for vexatious seizures and arrests.
47. All fines and penalties under these rules shall be enforced by a Magistrate in the manner prescribed in the Code of Criminal Procedure, and the rules therein contained for the trial of cases and for appeals shall be applicable to confiscations adjudged under these rules.
- Enforcement of confiscations and penalties under rules.
48. When any confiscation or penalty shall be adjudged under these rules, the Chief Commissioner may, within three months after final judgment, call for the proceedings of the case, and, if he shall see cause, may direct that the seizure or any part thereof be restored, and may remit the penalty or part thereof, and direct that the offender be discharged.
- Remission of penalties.
49. The Chief Commissioner of Mysore may, from time to time, by notification in the *Mysore Gazette*, make rules to regulate the rewards to be paid to officers and informers out of the proceeds of fines and confiscations under these rules.
- Rewards to informers.

A. O. HUME,  
Secy. to the Govt. of India.

## FOREIGN DEPARTMENT.

### NOTIFICATIONS.

#### GENERAL.

*Simla, the 14th June 1878.*

No. 1582 G.—Captain F. A. Wilson, late Tutor to His Highness the Maharaja of Mysore, is graded as a Supernumerary Political Agent of the 3rd class, with effect from the 13th May 1878.

*Simla, the 14th June 1878.*

No. 1588 G.—Mr. J. D. Gordon, c. s. i., Guardian to His Highness the Maharaja of Mysore, is appointed to be Chief Commissioner of Mysore and Coorg, with effect from the 1st April 1878, *vice* Mr. C. B. Saunders.

A. C. LYALL,  
Secy. to the Govt. of India.