

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 737	Press ~~Mis.~~
28-29	
Dated 4-4-18	by.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
4th April 1861.*

No. 28. Read the following letter from Major W. H. WAPSHARE, Secretary Ootacamund Improvement Committee, to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Ootacamund, 20th March 1861 :—

SIR,

1. I have the honor by desire of the Ootacamund Improvement Committee to bring the following subject to the notice of Government.

2. On the 19th ultimo the Committee personally inspected the ground below the market place with a view to lay down a plan for its drainage before the setting in of the monsoon. Such a plan was determined on, and Mr. Sub-Engineer Williams directed to carry it out as speedily as possible. The Members observed on this occasion that a portion of the waste land in this part had been apparently newly enclosed with a rough bamboo fence, and since then it appears to have been extended to within a few yards of the margin of the channel which feeds the lake. On the Secretary making inquiry from the Tahsildár on the subject of this enclosure, he was informed, that it was land held on "Patta."

Under this authorized obstruction the Committee have been compelled to change their original plan to the prejudice of the work to be performed.

3. The Committee desire to take this opportunity of bringing under the consideration of Government the serious impediment that must accrue, and already has been to a certain extent thrown in the way of projected improvements by the alleged tenure of land on these trivial Pattas.

4. In the case of the desired improvements of the lower part of the Bazar, where it has been sought to remove tenements erected on the absolute refuse and sweepings from the general Bazar, the Committee found a grave difficulty thrown in their way by being met with the allegation that each strip of land was held on a Patta and in consequence they had to pay heavily for what would otherwise have been of little or no value. Seeing how much a pretension of this kind admits of abuse, and how it may seriously impede improvements by compelling the payments of sums of compensation almost incalculable, how, if all the pretended Pattas have really been granted, they must have been so either in ignorance or a wanton disregard of what the public interests might demand, and how much at the same time it is open to question whether some at least of them have a legal validity the Committee are induced to request that the Government will invest them with authority to call for the production of all Pattas, to investigate them and the circumstances connected with them, and to report upon the same to the Collector with a view to the ultimate decision of the Government upon those to which they may find that a just and legal exception can be taken.

No. 29.

ORDER THEREON, 4th April 1861, No. 737.

1. In this letter the Ootacamund Improvement Committee report that their plans for draining and improving the Bazar at Ootacamund are greatly impeded by claims to land founded on alleged Pattas, and they ask for authority from Government to investigate these claims, some of which they appear to consider invalid, and report on them to the Collector for the final adjudication of Government.

2. The Governor in Council grants the authority asked for, which he considers to be necessary to the effective action of the Committee. The Collector will be instructed by the Board of Revenue, to give the Committee all the aid in his power in these inquiries; and to direct the Tahsildár and other Revenue Officers on the Neilgherries to furnish without delay any information that the Committee may desire.

3. With reference to paragraphs 3 and 4 of the letter, the Government observe that where land held on *bona fide* Patta from a time anterior to the appointment of the Committee, is required to be taken for purposes of improvement, compensation must be paid to the holder.

proving the Bazar
at

Proceedings of the Madras Government, Revenue Department,
4th April 1861.

But this compensation will be only for the value of the land taken in its present state. The Government will be prepared to put Act VI of 1857 in operation where necessary, for the purpose of obtaining land required by the Committee. The land however must have been in *bona fide* enjoyment, which does not seem to have been the case with that referred to in paragraph 2 of this letter which is styled "waste."

4 The preceding paragraph refers only to tenures dating from before the constitution of the Committee; Pattas newly given since that time are invalid, as the grant of Pattas within the station was abolished by the order of April 4th 1860, adopting the recommendations in Sir Charles Trevelyan's Minute on the Neilgherries. The Collector will be called on to report whether any new Pattas have been given within the station since that time; and will be directed to cancel all that have been so issued.

(Signed) J. D. BOURDILLON,
Secretary to Government.

R. D.

N^o 737

Proceedings of the Madras Govt.

Under date the 4th April 1861

Read the following
letter from the Secy to the
Colo. Inq. Comtee.

Reports the circum-
stances under which the
Comtee have been compelled
to change their orig. plan to
the prejudice of certain work
to be performed, & requests
that the Comtee be invested
with authority to call for the
production of all puttahs
for investigation & report.

(H. C. 20th March 1861)

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for draining and im-
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from Govt. to investigate
these claims, some of
which they appear to
consider invalid, and
report on them to the
Colo. for the final
adjudication of Govt.

2. — The Govt. grants
the authority asked for,
which he considers
to be necessary to the
effective

effective action of the
Committee. The follo.
will be instructed by
the Bd of Rev. to give
the Comtee all the aid
in his power in these ^{enquiries}
and to direct the Land
-holder and other Rev.
Officers on the Mil-
-garies to furnish
without delay any
information that the
Comtee may desire.

3. — With reference to para
3 & 4 of the letter, the
Govt. observe that the
Land
constitution

land held on bonafide Putta from a time anterior to the appointment of the Courtee, is required to be taken for purposes of improvement, compensation must be paid to the holder. But this compensation will be only for the value of the land taken in its present state. The Govt^y will be prepared to put Act 6

6 of 1854 in operation where necessary, for the purpose of obtaining land required by the Courtee. The ^{however} land ~~also~~ must have been in bonafide enjoyment, which does not seem to have been the case with that referred to in para 2 of this letter which is styled "waste". 4. - The preceding paragraph refers only to tenures dating from before the constitution.

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AA

13 Copies
Board of Revenue Piff.
Colacamund Dist. Comtee

Authority to the Cote Inspt.
Comtee to investigate claims
to Putter lands.

Revenue 1861 Depar'tt.
No. of Govt for April.

No 737.

Pro: of the Madras Govt.
Dtd 4th April 1861.

From the Collr of Coimbatore
Dated 4th April 1861 C No 865
in Pro: 23rd April A. 714.

Grant authority to
investigate the claims of
certain Patta lands in
connection with the improve-
ment of the Ashtanam
Bazar.

No 28 & 29.