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Revenue Department

Minutes of Consultations

14th July 1857

Back Numbers 8-9

Order No. 688 dated 9th July 1857

பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர்

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள்

செப்பனிட்டு முடித்த நாள் 7/1/07

சரிபார்க்கும் முதல் மு.நி.பா.எ. கையொப்பம்.

சரிபார்க்கும் இரண்டாம் மு.நி.பா.எ. கையொப்பம்.

ஆராய்ச்சி உதவியாளர் கையொப்பம்

Fort Saint George, Revenue Consultation of 14*th July* 1857.

No. 8. Read the following Extract from the Proceedings of the Board of Revenue; dated 24th June 1857, No. 2171.

Read letter from the Acting Collector of Ganjam dated 27th May 1857,* reporting on the complaint of Shaik Ally, Havildar of the 21st Regiment Native Infantry, with reference to the sale by Government of some of his lands in the town of Chicacole.

* *In Consultation 24th June* 1857.

(Here enter No. 71.)

The complaint of Havildar Shaik Ally reported on by the Acting Collector in the foregoing communication, was referred by Government in Extract Minutes Consultation Revenue Department, No. 1054, dated 3d October 1856, to the Board of Revenue for enquiry and disposal.

2. The case as stated by Mr. Knox does not vary materially from the representation originally made to Government on behalf of the complainant. A skeleton ground plan of the relative positions of the new road and the property of the Havildar is however now furnished by the Acting Collector, and places the matter in a clearer light.

3. The spots marked B A D and E on the plan appear to have been the property of Shaik Ally, B representing his house and the other portions the grounds attached to it with a small lane running between A and D E.

4. The two pieces D E were taken by the officers of Government at a valuation of Rupees 31-6-6 for the new road to Calingapatam, but E having been found sufficient the remainder (D) with the old lane was put up to auction and sold at the same rate as it was purchased by Government to a female named Kunchora Jogee who has since built a tiled house on a contiguous spot and attached her new purchase to it as a yard.

5. Mr. Knox regrets that the ground D should have been sold notwithstanding Shaik Ally's representations that he was unwilling to part with more than was required for public purposes, and states that the term "unclaimed" regarding which Government call for information was used incorrectly by Mr. Foord.

Para. 3 *Extract Minutes Consultation.*

6. The spots in question were left in charge of one Ramanah to whom the portions marked D E appear to have been mortgaged for Rupees 20, which amount he received from the officers of Government from the sale proceeds, under a pledge that he would return it if Shaik Ally objected to the payment. The Havildar is apparently aware of this transaction, as the balance Rupees 11-11-6 has been transmitted to him and no objection against it has been urged in any part of the correspondence.

7. Mr. Knox is of opinion that although the Havildar has been improperly deprived of his property against his wish its restoration now would be a hardship to Jogee as the house built by her would be thus deprived of its only yard and lowered greatly in value. The sale besides was bona fide and confirmed by Mr. Fraser under Act XX. of 1852.

8. Mr. Knox proposes to arrange the matter by giving Shaik Ally in addition to the purchase money already received by him, a triangular spot of ground adjoining his house, and so much of Jogee's yard as will make up to him the extent of the spot D which is stated to be about 13×15 yards at the broader and 7 yards at the smaller end.

9. To compensate Jogee for her loss, the extent of which is not ascertainable from the papers before the Board, it is proposed to return to her the 16 Rupees she paid for the ground marked D and the public lane running along side of it.

10. There can be no doubt that the Havildar has good reason to complain his land, to which he seems to attach peculiar value, having been sold in spite of his timely remonstrance. Whether the mortgagee connived at the sale or not, seems of little consequence so far as Government are concerned.

11. The Board however cannot suggest any better arrangement than Mr. Knox has proposed, unless the Havildar would prefer compensation in money, or Government will consent to

re-imburse Jogee for the depreciation in the value of her house by transferring to the Havildar the land purchased by her.

12. As the Havildar's complaint is found to be valid, the Board would suggest that the Officer commanding his Regiment should be requested to explain the matter to him, and ascertain in what way he would wish to be compensated.

(A true Extract.)

(Signed) J. D. SIM, *Acting Secretary.*

No. 9. ORDER THEREON, No. 688; dated 9th July 1857.

Ordered to be referred to the Military Department, in order that the sentiments of Shaik Ally may be ascertained as regards the arrangements proposed by the Acting Collector and Board of Revenue.

(Signed) H. FORBES,
Acting Secretary to Government.

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Revenue Department

Extract from the Proceedings dated the

No. 2171

Extract from the Proceedings of the Board of Revenue, dated 24th June, 1857.

Read letter from the Acting Collector of Ganjam dated 27th May 1857 (Inlos 24th June 1857) forwarding on the complaint of Shaik Ally, Havildar of the XXIst Regiment N. I. with reference to the sale by Government of some of his lands in the Town of Chicacole.

(Here enter No. 7)

The complaint of Havildar Shaik Ally, reported on by the Acting Collector in the foregoing communication was referred by Government in Extract Minutes Consultation Revenue Department No. 1054 dated 3rd October 1856 to the Board of Revenue for enquiry and disposal.

2. The case as stated by Mr. Stone does not vary materially from the representation originally made to Government on behalf of the complainant. A Skeleton ground plan of the relative positions of the new road and the property of the Havildar

Ravildar is however now furnished by the Acting Collector and places the matter in a clearer light.

3. The spots marked **B A D** and **E** on the plan appear to have been the property of Shaik Ally, **B** representing his house and the other portions the grounds attached to it with a small lane running between **A** and **D E**.

4. The two pieces **D E** were taken by the Officers of Government at a valuation of Rupees 31-6-6 for the new road to Calinga-patam, but **E** having been found sufficient the remainder **D** with the old lane was put up to auction and sold at the same rate as it was purchased by Government to a female named Ranchora Sogee who has since built a tiled house on a contiguous spot and attached her new purchase to it as a yard.

5. Mr Knox regrets that the ground **D** should have been sold notwithstanding Shaik Ally's representations that he was unwilling to part with more than was required for public purposes, and states that the term "unclaimed" regarding which

Para 3 Extract Minutes Consultation

which Government call for information was used incorrectly by Mr Ford.

6. The spots in question were left in charge of one Ramanah to whom the portions marked **D E** appear to have been mortgaged for Rupees 20 which amount he received from the Officers of Government from the sale proceeds, under a pledge that he would return it if Shaik Ally objected to the payment. The Ravildar is apparently aware of this transaction as the balance award of this transaction as the balance Rupees 11-11-0 has been transmitted to him and no objection against it has been urged in any part of the correspondence.

7. Mr Knox is of opinion that altho the Ravildar has been improperly deprived of his property against his wish its restoration now would be a hardship to Sogee as the house built by her would be thus deprived of its only yard and lowered greatly in value. The sale besides was bona fide and confirmed by Mr Fraser under Act XX of 1852.

8. Mr Knox proposes to arrange the matter by giving Shaik Ally an addition

addition to the purchase money already received by him, a triangular spot of ground adjoining his house and so much of Jogee's yard as will make up to him the extent of the spot **D** which is stated to be about 13 × 15 yards at the broader and 7 yards at the smaller end.

9. To compensate Jogee for her loss, the extent of which is not ascertainable from the papers before the Board, it is proposed to return to her the 16 Rupees she paid for the ground marked **D** and the lane running along side of it.

10. There can be no doubt that the Havildar has good reason to complain his land, to which he seems to attach peculiar value, having been sold in spite of his timely remonstrance. Whether the Mortgagee connived at the sale or not, seems of little consequence so far as Government are concerned.

11. The Board however cannot suggest any better arrangement than Mr Knox has proposed, unless the Havildar would prefer compensation in money or Government

Government will consent to reimburse Jogee for the depreciation in the value of her house by transferring to the Havildar the land purchased by her.

12. As the Havildar's complaint is found to be valid the Board would suggest that the Officer Commanding his Regiment should be requested to explain the matter to him and ascertain in what way he would wish to be compensated.

(A true Extract)

(Sd) J. Dickinson
Ag Secretary.

To,
A. Forbes Esq.
Ag Secretary to Government
Revenue Department.

Dito Covs 14th Inst.

No. 737

Extract from the Proceedings of the Board of Revenue

Dated 24th June 1857.
Rec'd 26th ditto

2 Encls:
Extract from Do. 17th Inst.
Returned with Rev. Bo's 73/60

Submitting a letter from the A/ Collector of Ganjam reporting on the complaint of Shaik Ally, Tahildar of the 21st Regiment N.I. with reference to the sale by Government of some of his lands in the Town of Chicacole, and suggesting that the officer Commanding his Regiment be requested to ascertain from him in what way he would wish to be compensated for the loss of his property.

No. 688. 9th July
With an Order -

No. 688

Ordered to be referred to the Military Department in order that the sentiments of Shaik Ally may be ascertained as regards the arrangements proposed by the Acting Collector and Board of Revenue. —

Fort St. George
9th July 1857

To Copies to the Mily Dept
with 2 Encls Circ 10

No. 889.