M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No.	1695	Press ~~Mis.~~
44-45		
Dated	14 —12—	1859.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, for the month of December 1859.

No. 44. Read the following Proceedings of the Board of Revenue, dated 10th November 1859, No. 4603.

Read Proceedings of the Madras Government, dated 7th October 1859, No. 1368, Revenue Department.

(In Con. 8th October 1859, No. 5032.)

Paragraphs 4 to 7 of this paper, allude to the subject of offers being made for land along the line of the railway not with a view to cultivation, but for the purpose of supplying the railway with gravel. Government point out that culturable land may thus be rendered unfit for cultivation, and instruct the Board to report the course which ought to be followed for the protection of the public interests both in mirasi and non-mirasi villages.

2. Under the views which the Board have expressed on the subject of mirasi rights, they do not consider that separate rules are necessary for the Government or ain villages, along the railway from Madras to the Malabar frontier, whether these villages are situated in what are styled mirasi or non-mirasi districts. According to the Board's opinion the control over the waste in these districts is vested in Government, the so called Mirasidars having no right but what belongs to resident land-owners in general, viz. an offer of the land for cultivation, before it is given away to stranger applicants, and the rights of pasturage and fuel for their own convenience, while the land remains unreclaimed and is not required for public purposes.

See more particularly Board's Proceedings, dated 14th May 1856, *No.* 1458.

3. Substantially the Government have acted on this view, as has been shown in various ways. The waste has been freely taken up for public purposes and assigned away in endowments. Chunam quarries and forests have been rented out for the profit of the State and not of the Mirasidars, and in Extract Minutes Consultation, dated 23rd January 1857, No. 93, paragraphs 2 and 8, the right of Government "as the paramount authority" to the waste, is declared.

In Con. 31st March 1857, *No.* 444.

4. To prevent, therefore, culturable land being rendered unfit for agricultural prposes'u the Board are of opinion that the following general rules may be promulgated ;—

I. Remission will not be allowed when a ryot renders a part of his land unfit for cultivation, nor will he be allowed to resign such part of his holding and retain the rest.

II. Grants of unoccupied land for the purpose of cultivation will be annulled, and the land taken away if the grantee violates the condition of the grant, by excavating the land.

III. Parties wishing to excavate gravel must apply to the Collector, specifying the pieces of ground and the terms which they are willing to offer. No excavation must be made without the Collector's permission.

5. Malabar is not included in the above remarks. In that province all the land is strictly private property, and Government could hardly, therefore, interfere, nor does its interference appear necessary. The hills would furnish an ample supply of gravel, and the interests of the landowners would lead to the excavations being made in such a manner as to fit the ground for cultivation.

(A true Extract.)

(Signed) W. HUDLESTON, *Acting Secretary.*

No. 45. ORDER THEREON, 14th December 1859, No. 1695.

The proposed rules are approved ; on the supposition that Rule 3 is intended to apply to waste land only.

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

Memo re Rev. 2112 -

It seems to me that the Board are right in their 2nd Para - Practically there seems no reason for difference of treatment between "Minors" interests & other interests.

Of the proposed rules in Para 4, the first & second seem unobjectionable; while the 3rd is add to impose on the addition that a stipulation of the effect proposed shd be included in future Leases, Licences, under the last rules of Govt., there will

No. 4603.

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(A true Extract.)

Acting Secretary.

To

J. D. BOURDILLON, Esq., Secretary to Government, R. D.

Exd. J. Wright.

Con. 21st Oct. 59. N. 29. 3.

Revenue 1859 Depart.
Prov. Govt. Dft.
No. 2112

Proceedings of the Board of Revenue

Dated 10th
Dispd 16 } Nov. 1859.
Rec'd 17

No. 4603

D. B. 29th Jany 1860 C. N. 245 in Cons.
No. 1695. 14 December

Submitting the Report called for by Government on the Correspondence following upon cases where applications are made for lands along the line of the Railway not with a view to cultivation but for speculating in the Railway and Canal in order to secure the public interests both in Mirasi and non-Mirasi villages.

21 Nov. 59 5 Dec. 13

Wells and Order

No. 1695 1695

The proposed rules are approved, on the supposition that Rule No. 3 is intended to apply to waste land only.

Fort St. Geo.
14 Dec. 1859.

6 Copies
To the Board of Revenue. Cyf. 16