M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No.	161	Press ~~Mis.~~
122-123		
Dated	31 — 1 — 1860.	

Not to be folded or roughly handled

No. 122. Read the following Proceedings of the Board of Revenue, dated 6th December 1859, No. 5037.

Read again letter, dated 14th June 1859, No. 199, from the Collector of Chengalpat, explaining the discrepancies noticed by Government in the statements of lands taken up for the northern and western trunk roads in that district.

(In Con. 17th June 1859, No. 2799.)

Read also letter, dated 24th September 1859, No. 361, submitting further explanations in reply to the Board's Proceedings of the 8th idem.

(In Con. 29th September 1859, No. 4853.)

Resolved that the letters above recorded be submitted for the consideration and orders of the Honorable the Governor in Council, with reference to Extract Minutes Consultation, 4th February 1858, No. 153, paragraphs 3 to 7; the explanation called for in paragraph 8 as regards the Railway lands having been forwarded, and orders passed thereon in the correspondence quoted in the margin.

In Con. 11*th February* 1858, *No.* 628.
To Government 10*th June* 1859, *No.* 2199.
From do. 9*th July* 1859, *No.* 372.
F. R. D., in Con. 14*th July* 1859.

2. The information called for with reference to the northern and western trunk roads was, 1st, as to the discrepancies apparent between the statements furnished in 1855 and 1856, and 2nd, as to the principle on which the landlord's and râiyat's shares of the gross produce were determined, the data on which the share of the former was converted into money, and how the Collector satisfied himself that the annual compensation which he recommended consisted of the sums paid to the proprietors for several years by the holders of the lands taken up, and that it had not been raised by them to suit the present purpose.

Year.	*Extent taken up.*			*Assessment.*		
	C.	*A.*	*C.*	*Rs.*	*A.*	*P.*
1855	97	8	7	442	4	0
1856	194	1	14	716	10	5
Excess.	96	9	7	274	6	5

From Chengalpat, 21*st July, in Con.* 11*th August* 1855, *No.* 177.
Do. 8*th August, in Con.* 29*th September* 1856, *No.* 268.

3. In regard to the discrepancies noticed in the accounts submitted in 1855 and 1856, in the latter of which an excess of kánis 96-9-7, assessed at Rupees 274-6-5 was exhibited over the accounts of the former, as shewn in the margin, the Collector explains that from the accounts of 1855, Anádí bunjer and purampoku lands were excluded, while in those of 1856 they were included; and that these facts were mentioned in the letters accompanying those accounts. The Board find that the Collector's statement is substantially correct, but they do not think that the fact was so prominently brought to notice as it should have been.

4. The statements of 1856 have been verified by the Public Works Department, and a comparison of the results thus obtained by measurement, with the accounts of 1856, is given in the statements C. and D. forwarded with the Collector's letter of the 14th June 1859, with an explanation of variations. It will be seen from them, as well as from the abstract appended to paragraph 4 of the letter itself, that although considerable differences have been found in many villages, there has been on the whole an increase of kánis 15-2-14 assessed at Rupees 32-4-10; thus showing that the accounts of 1856 were in the main, free from exaggeration, notwithstanding many inaccuracies in details.

In Con. 17*th June* 1859, *No.* 2799.

5. Adverting to the remarks of Government in paragraph 5 of their order under reply, viz. that in 1855, retrospective compensation was recommended for the lands of three villages, from Fasli 1259, whereas in 1856, the compensation for the same lands is dated in the case of one village, from Fasli 1248, and in that of the other two from Fasli 1258. Mr. Shubrick states that he is unable to explain the difference, the

Chambrambákam.
Puduváyal.
Atlipet.

táluq accounts throwing no light on the subject, and the Sarishtadars who prepared the Huzur accounts having both left the district. In the accounts now submitted, the compensation has been reckoned in the case of Chambrambákam also from Fasli 1258, the proprietor being left to establish his claim from Fasli 1248, if he can. It may be added that there is no information obtainable from the records of the District Engineer as to the period when the lands of the above village were included in the western road; and even if the records of the late road department could be referred to, their examination would have no result as owing to the many capricious and unauthorised changes made in the direction of the line by the officer in charge of the work, it would be impossible to determine when the lands through which the road now passes, were actually incorporated with it.

See also letter, 24th in Con. 29th September 1859, *No.* 4853, *paragraph* 3.

Paragraph 2 *of Collector's letter, 24th in Con. 29th September* 1859, *No.* 4853.

6. In regard to the principle on which the landlord's and râiyat's shares of the gross produce have been divided, the Collector explains that the vara-chittahs of the villages furnished the only data on the subject, and that the Karanams' accounts alone were available for ascertaining whether the lands had been cultivated or not. That as the order of Government, dated 20th June 1857, No. 613, has laid down the principle that the full tirvai shall be remitted in granting compensation, and as no tirvai has ever been fixed on individual fields in proprietary villages, the *varum* or share of the produce has been substituted for it, and converted into money to fix the amount of the remission; and that the assessment or *varum* of the cultivated lands having been ascertained for the different descriptions of wet, dry and garden, the same rates have been applied to the uncultivated portion of each description, as well as to the *adjoining* purampoku lands, and thus the final result obtained.

In Con. 6th July 1857, *No.* 2406.

Paragraph 1 *of letter, dated 24th in Con. 29th September* 1859, *No.* 4853.

		Annual remission.			*Arrears.*		
Western road.	*Mutthás.....*	222	14	9	2,452	2	3
	Srótriyams..	90	10	4	997	1	8
	Total...	313	9	1	3,449	3	11
Northern road.	*Mutthás....*	264	13	2	2,913	0	10
	Srótriyams.	159	12	2	1,757	5	10
	Total....	424	9	4	4,670	6	8
	Grand Total...	738	2	5	8,119	10	7

7. The Baord now beg to recommend that sanction be granted for the annual remission of Rupees 738-2-5 from the aggregate peshkash of the villages enumerated in statements C. and D. commencing from Fasli 1269; and that payment of the arrears due to the proprietors from Fasli 1258, amounting to Rupees 8,119-10-7, be authorised. The Board do not deem the explanation afforded by the Collector, in regard to the discrepancies noticed by Government, as quite satisfactory, but as it appears to be the best that can now be supplied, and as the adjustment of the compensation has been long in abeyance, they trust that it may be accepted. The Board believe that the statements now forwarded may be relied on as sufficiently accurate.

(A true Extract.)

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

No. 123. ORDER THEREON, 31st January 1860, No. 161.

The discrepancies in the statements furnished by the Collector of Chengalpat as to the compensation due in his district for land taken for the roads shew a very defective state of the account department of his Kach'hari; but on the Board's assurance that the present statements are "sufficiently accurate," the Government will accept them as representing the facts. They must add however that the statements ought to have been submitted by the Collector immediately after the land was taken, when it would have been made more easy to determine the actual facts, than after the lapse of several years.

2. In accordance with the recommendation of the Board in their Proceedings of May 11th 1857, No. 1499, the Government now resolve to grant compensation for the culturable (shaikál) land taken; but as this amount is not found in the papers, the information must be procured from the Board of Revenue before an order for the actual disbursement can be passed.

3. With respect to the compensation claimed for "purampoku" and "anádi" waste further consideration seems to be necessary. In mutthás the Government do not claim the power of taking such land for public purposes without payment, except where their right to it may have been specially reserved. "Mutthás are held," they have remarked "under the same terms as the "zamíndáris of the Northern Circars viz. by a sanad-i-"Mílkíat Istímrár under Regulation XXV of 1802 "and under this document the proprietary right in the soil was solely vested in the mutthádárs "and their heirs for ever." In Section XV Regulation XXX of 1802 the right of these proprietors to turn to account and dispose of the waste lands of their estates is specially noticed, and Government have no desire to infringe upon this right of property. But at the same time where a thing is to be bought, whether land or anything else, its actual state and marketable value at the time are to be considered, and it cannot be equitable that land unreclaimed or irreclaimable, yielding nothing and often incapable or unlikely in the extreme ever to yield anything to the proprietor should be paid for at the same rate as productive and valuable land.

Order of Government 20th June 1857 *paragraph* 6 *No.* 613.

4. The Collector, Mr. Shubrick's plan of treating all this land as if it were under cultivation, and making an annual deduction on its account from the proprietor's peshkash requires therefore to be revised. In many instances a proprietor may be willing as on former occasions to place pieces of such land at the disposal of Government when they are required for a public purpose which is likely to benefit his own estate as well as the general community. But where this is not the case, a Collector should endeavour to obtain the land with the proprietor's consent, its price being fixed by private agreement or arbitration, and if he fails in this endeavour the land must be taken under the Act. The actual value of unreclaimed land, which in many instances may not be fit for agricultural purposes will, as already observed, be small.

5. The case of srótriyam villages is distinct, since in some instances the srótriyams are held for a term only and in others an assignment of land has been made for the purpose of yielding a certain annual sum. In these cases the Government are not prepared to pay for unreclaimed waste land which may be required for public purposes. But where an entire village has been clearly given over in perpetuity on srótriyam tenure, the same course may be followed as has been above laid down for mutthá villages.

6. The Government trust that the Board acting on these instructions will make speedy arrangements for coming to a settlement regarding these lands and submitting the necessary statements.

(Signed) T. PYCROFT,
Chief Secretary.

IN CON. 29TH SEPTEMBER 1859, No. 4853.

From C. J. SHUBRICK, Esq., Collector of CHINGLEPUT,
dated Sydapet, 24th September 1859.

In reply to paragraph 1 of the Board's letter, No. 3558 of the 8th instant, I have the honor to state that the principle followed in calculating the compensation for porumboke, was the same as that for sheigal or naik, and corresponds with the system pursued in Government villages, viz., the assessment or varum of the cultivated land being ascertained, the adjoining porumboke was assessed at the same rate. This is the unvarying practice whenever porumboke land is broken up and brought under cultivation, and I am not aware of any other that can be substituted for it. I think there can be no question that a landlord is entitled to rent for his land when used, whatever way be its quality, just as he would charge ground rent for a house even when built on land which it would not pay him to cultivate; and in regard to landlords of proprietary estates in this country, it seems to be distinctly recognized by Government in paragraph 6 of their Minutes of Consultation, No. 613 of the 20th June 1857, where they say it was not intended "at the time of the permanent settlement to give any portion of the land altogether free of rent;" from whence the conclusion must be drawn that he may claim rent from every portion of his land.

2. In regard to paragraph 2, the enclosed copy of a letter from the District Engineer, No. 886 of the 21st instant, will shew that he has no information as to when the lands of Chembrumbaukum, &c. were included in the trunk roads, not having the records of the late road department by him. The 2d paragraph of his letter will acquaint the Board that even if he was possessed of those records, they would be of little use from the capricious and unauthorized changes in the lines of road made at various times by the officers of the road department. The changes referred to were made by the late Captain Heathorn, to improve the direction of the road on both banks of the Palaur at Chingleput, and were made without consultation with me or any authority, but that given him by himself. Compensation has not been claimed for the extra land included in the road by these changes, but the Board can easily understand the confusion they would make in zemindary villages, where our talook accounts might shew one measurement, being that of the land originally taken up, and the zemindars another, viz., the original portion with the subsequent addition I merely refer the Board to these changes, to enable them to understand that the road accounts would afford no data to fix the lands actually incorporated in the roads.

3. As regards communicating with the officers who prepared the former accounts, there would be no use in my doing so, when they are at Salem and Kurnool. To afford information, they would have to come to Sydapet. I am, therefore, unable to give any further explanation to paragraph 5 of Minutes of Consultation, No. 153 of the 4th February 1858, than that contained in paragraph 7 of my letter of the 14th June last, No. 199. I can only suggest, if the accounts of compensation from Fusly 1258, are not passed as satisfactory, they should be submitted to arbitration.

4. In respect to paragraph 3, the date of the Fusly in paragraph 7 of my letter, should have been 1268, to correspond with the accounts, instead of 1269, which I took from looking at paragraph 5 of Minutes of Consultation above adverted to when writing it. That date, though entered in my letter of the 21st July 1855, has been found to be wrong.

5. The variations in column 3 of Statements A. and C., are easily explained; they should both have been the same, but in copying Statement C. the copyist erroneously entered column 3 of the accompanying statement, submitted with my letter, No. 268 of the 8th August 1856, and returned with Mr. Acting Secretary Sim's letter, No. 3178 of the 29th September 1856, instead of column 4, the contents of which column are entered in Statement A. I request the favor of the Board to make the necessary corrections in Statement C. to make column 3 of both statements correspond.

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ENC. 1.

Copy of a letter from the District Engineer of Chingleput.

Exd. J. Tulloch.

In Con. 17th June 1859, No. 2799.

From C. J. SHUBRICK, Esq., Collector of CHINGLEPUT,

dated Sydapet, 14th June 1859, No. 199.

I have the honor to reply to Extract from Minutes of Consultation, No. 153 of the 4th February 1858, received with the Board's Proceedings, No. 600 of the 11th idem. Having already furnished the information called for by Government in para. 8 in regard to the lands taken for the Railway, in my letters of the 25th February and 8th April, Nos. 51 and 109, I will now confine myself to explaining the discrepancies pointed out by Government between the accounts furnished by me in 1855 and 1856, regarding the lands lying in moottah and shrotriem villages, appropriated for the western and northern roads in this district.

2. As observed by Government in para. 3, the accounts furnished in 1855 represented Cawnies 97-8-7 assessed at Rupees 442-4 as requiring to be remitted from the peshcush of the proprietors, while those of 1856 brought the land up to Cawnies 194-1-14, and the assessment to Rupees 716-10-8; the excess being Cawnies 96-9-7, and the assessment Rs. 274-6-5. The Government considered that as the accounts of 1855 professed to be the same as those prepared in 1848 with one or two very slight modifications, and no additions to the roads had been made since the former period, it was difficult to conceive they did not contain the entire extent of land included in the roads, and that consequently further explanation relative to the excess was necessary.

3. In regard to these discrepancies of measurement, my letter, No. 177 of the 21st July 1855, forwarding the accounts of 1855, expressly stated that avady and porumboke lands had been excluded, and consequently that sheigal lands had alone been brought into the accounts as requiring to receive remission; while my letter, No. 268 of the 8th August 1856, forwarding the accounts of 1856, expressly stated that all the lands included in the roads had been brought into them. The difference therefore between Cawnies 97-8-7 and Cawnies 194-1-14 is caused by the addition in the latter of the laik avady and porumboke lands excluded from the former.

4. Having had the measurements of 1856 verified by the Public Works Department—the Tahsildars and Overseers going over the roads and measuring them together; the result shews, that while considerable differences have been discovered in many villages between the present measurements and those of 1856, there has been an increase, on the whole, in the present measurements of Cawnies 15-2-14, and that the measurements of 1856 are therefore proved to have been free from exaggeration. Statements A and B will shew the measurement and proposed remissions of 1856 in detail, and Statements C and D those now proposed to be substituted as more correct. Annexed is a comparison of the 4 Statements in their final results.

Moottahs.	1856. Extent. Cs.	A.	C.	1856. Assessment. Rs.	A.	P.	1859. Extent. Cs.	A.	C.	1859. Assessment. Rs.	A.	P.	Decrease. Extent. Cs.	A.	C.	Decrease. Assessment. Rs	A.	P.	Increase. Extent. Cs.	A.	C.	Increase. Assessment. Rs.	A.	P.
Western Road.....	86	2	8	201	15	2	97	8	6	222	14	9	...	.....	.....	...	.....	.....	11	5	14	20	15	7
Northern Road.....	53	6	10	239	5	6	60	9	2	264	13	2	...	.....	.....	...	.....	.....	7	2	8	25	7	8
Total...	139	9	2	441	4	8	158	1	8	487	11	11	...	.....	.....	...	.....	.....	18	8	6	46	7	3
Shrotriems.																								
Western Road.....	37	14	8	110	3	2	32	1	8	90	10	4	5	13	...	19	8	10	2	7	8	.....	.....	.....
Northern Road.....	16	10	4	165	2	7	19	1	12	159	12	2	...	.....	.....	...	5	6	2	6	14	5	6	5
Total...	54	8	12	275	5	9	51	3	4	250	6	6	5	13	...	19	8	10	2	6	14	5	6	5
Grand Total...	194	1	14	716	10	5	209	4	12	738	2	5	5	13	...	19	8	10	20	15	4	51	13	8
																Deduct Decrease...			5	13	...	19	8	10
																Net Increase...			15	2	4	32	4	10

The reasons for the increase and decrease will be found in the remarks opposite to each village in Statements C and D.

5. In regard to the demand made by Government in para. 6, that I will explain the principle on which the landlords' and royts' shares have been divided, and how I satisfied myself that the compensation which I proposed consisted of the sum actually paid to the proprietors, seeing that the lands had never been assessed, I have already explained, in my letter to the Board, No. 51 of the 25th February last, para. 5, that the Varachuttrums of the villages furnished the only data on the subject, and that the Curnum's accounts were alone available for ascertaining whether the lands had been cultivated or not. This question of Government, though natural at the time, does not appear to call for further answer now, as the principle on which remissions are to be granted is laid down in paras. 5 and 6 of Extract from Minutes of Consultation, No. 613, dated 30th June 1857. In carrying out the order of Government which provides that the full teerwa shall be remitted, it is only necessary to explain that as no teerwa has ever been fixed on individual fields in proprietary villages, the varum or share of the produce has to be substituted for it, and converted into money to fix the amount of remission. This varum is evidently due to the proprietor, whether for lands cultivated or uncultivated, inasmuch as the latter might become the former, if not taken for roads or other public purposes, and he is entitled to rent for it when so taken. Accordingly adopting one uniform system for calculating the assessment on all the lands included in the roads, the assessment or varum of the cultivated lands having been ascertained for the different descriptions of wet, dry and garden, the same rates have been applied to the uncultivated portion of each description, and the final result arrived at for the whole.

6. With this explanation, I request permission to commence remitting to the proprietors, from Fusly 1269, the sums set opposite to each village in Statements C and D, and pay them their arrears in full up to the end of Fusly 1268, according to Statements E and F. The annual remissions, it will be seen, will amount to Rupees 738-2-5, and the arrears to Rupees 8,119-10-7 as shewn in the following abstract of those Statements.

Moottahs.	Annual Remissions.			Arrears.		
	Rs.	A.	P.	Rs.	A.	P.
Western Road.....	222	14	9	2,452	2	3
Northern Road.....	264	13	2	2,913	...	10
Shrotriems.						
Western Road.....	90	10	4	997	1	8
Northern Road.....	159	12	2	1,757	5	10
	738	2	5	8,119	10	7

7. I am unable to explain the difference between Fusly 1248 and Fusly 1259 pointed out by Government in para. 5, as the talook accounts do not throw any light on the subject, and the Sheristadars who prepared the Hoozoor accounts have both gone away, one to Salem on pension, and the other as Deputy Collector to Kurnool. In the accounts now submitted, the compensation for Chembrumbaukum has been dated from Fusly 1259, the proprietor being at liberty to establish his claims from Fusly 1248 if he can.

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Enc. 1—A.

Abstract.—Statement shewing the amount proposed to be remitted in 1856 from the peshcush in the moottah villages on account of lands taken up for roads, &c., in the district of Chingleput.

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Enc. 2.—B.

Abstract.—Statement shewing the amount proposed to be remitted in 1856 from the peshcush of certain shrotriem villages on account of lands taken up for roads, &c., in the district of Chingleput.

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Enc. 3.—C.

Abstract.—Statement shewing the extent of land taken up for roads as ascertained by measurements in 1859 in the moottah villages, Zillah Chingleput.

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Enc. 4.—D.

Abstract.—Statement shewing the extent of land taken up for roads as ascertained by measurements in 1859 in the shrotriem villages, Zillah Chingleput.

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Enc. 5.—E.

Abstract.—Statement shewing the amount of compensation proposed to be given retrospectively from Fusly 1258 to 1268 on account of lands taken up for roads in the moottah villages in the district of Chingleput.

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Enc. 6.—F.

Abstract.—Statement shewing the amount of compensation proposed to be given retrospectively from Fusly 1858 to Fusly 1268, on account of lands taken up for roads in the shrotriem villages in this district.

Rev Dept.

N° 161.

...ings of the Madras Government
Under date the 31st January 1860.

Read the following
Proceedings of the Board
of Revenue-

...mitting with the
...rvations letters from
... of Chingleput ex-
... discrepancy noticed Vide order 6 Dec 59 N°5853
...nt in the statements
...ew rep for the 2nd=
...estern trunk roads
...ied-

The ~~Engr~~ discre-
-pancies in the statements
furnished by the Collector
of Chingleput as to the
compensation due in his
District for land taken
for the ~~Western~~ roads shew
a very deplorable state of
~~discredit to the~~ the accounts
Department of this Board
-cers; but on the Board's
assurance that the presen
statements to

1859 Oct. 6

Collector No 2 with the
Board's Rept to the Govt
& Govt Order thereon
6th Oct 1859 No 5035

C. C. Recd.

P 23th/59

Letter from the Collector
of Chingleput to the Secy
to the Board of Rev dated
14th June 1859 No 192
regarding the Compensation
for the Western Trunk
Road.

Statements are "sufficiently accurate," the Government will accept them as representing the facts. They must add however that the Statements ought to have been submitted by the Collector immediately after the land proclamation, when it would have been ~~certainly~~ much more easy to determine the actual facts, than after the lapse of several years.

2. In accordance with the recommendations of the Board in their Proceedings of May 11/57, No 1499, the Government resolve to grant compensation to the ~~owners~~ claimants in their present proceedings for the cultivable (shaikali) land taken, but as this amount is not

For contentions see separate paper. -

found in the papers, the information must be procured from the Board of Rev. before an order for the actual disbursement can be passed.

3. With respect to the claimed compensation for Forest "bokre and Cuccidi" waste further consideration seems to be necessary. The Government are not aware that at present any claim has been admitted to compensation for such land and it appears that the Collector of Chingleput omitted claims of this kind from his first list, and only admitted them after receiving the order of Government

of June 20/57, which
in its general terms
gave them standing
ground.

4 The Government
have now ~~compelled~~ re-
considered ~~the subject~~ that decision,
and independently of
the universal practice
here, as they believe,
of ~~passed~~ to these claims,
~~it appears to them, & they cannot admit~~
that they are not based
on equity - where a thing
is to be bought, whether
land or anything else,
its proper price is its
actual marketable value
at the time and in its
actual state. It cannot
be equitable then that
land unreclaimed or ir-
reclaimable, yielding
nothing, and often an
incapable

incapable or unlikely in
the extreme ever to yield
anything to the proprietor
should be paid for at the
same rate as productive
and valuable land.

5 In point of fact,
the Government in pay-
ing every year the full
amount of the assess-
ment of cultivable
land give more than
its value, for it is
morally certain that
the land does not re-
peatedly yield that
return satisfactorily
every year. It appears
to the Government that
the universal practice
of the country, as
they believe it to be,
which permits the
Sovereign power to

take Porambo Tic and Cuádi
possible without payment
is in fact just and
equitable. If in this
case the proprietor sac-
rifices to a slight ex-
tent a possible future
good he obtains in the
case of cultivable land
an undoubted advan-
tage.

6 With these re-
marks the Governor in
Council resolves to refer
back this part of the sub-
ject to the Board of Revenue
for further consideration
and report. It appears
clear that Government
are not bound to pay
for Porambo Tic and
Cuádi waste at the
same rate as for cultivable
land. The point which
they wish the Board
to report on is whether
the universal custom
that nothing shall
be paid for such land
is equitable, for the
reason suggested in the
preceding paragraph, or
whether any thing is
fairly due for the possi-
bility of future profit
from the land, and if so
how the amount so due
is to be computed.

Para 3 — With respect to the compensation
claimed for "Poonspoke" & "Nuddi"
waste further consideration seems
to be necessary. — In Mootahs the
Govt do not ~~sport a right~~ claim the power of taking
such land for public purposes
without payment, except where
their right to it may have been
specially reserved — "Mootahs
" are held," they have remarked "under
" the same terms as the Zemindaries
" of the Northern Circars viz by a
" Sunnud & Muthaat Istemrar under
" Reg XXV of 1802 & under this document
" the proprietary right in the soil was
" solely vested in the Mootahdars
" & their heirs for ever".
See Sect XV Reg XXX of 1802 the right
of these Proprietors to turn to account
& dispose of the waste lands of their
Estates is specially noticed, and Govt
have no desire to infringe upon
this right of property. — But at
the same time where a thing is
to be bought, whether land or
anything else, its actual state
& marketable value at the time
are to be considered & it cannot

Order of Govt 20 June 1857
Para 6 No 613.

Zemindárs

Ryots

Mootahdárs

16th January 1858

be equitable that land unreclaimed or irreclaimable, yielding nothing & often incapable or unlikely in the extreme ever to yield anything to the Proprietor should be paid for at the same rate as productive & valuable land. -

4 The Collector, Mr Shabnick's plan of treating all this land as if it were under cultivation, & making an annual deduction on its account from the Proprietor's Reckoning required thereon to the Proprietor - seems - In many instances, a Proprietor may be willing as heretofore on former occasions to place pieces of such land at the disposal of Govt when they are required for a public purpose which is likely to benefit his own Estate as well as the general community. But where this is not the case, a Collector should endeavour to obtain the land with the Proprietor's consent if possible, its price being fixed by private agreement or arbitration, and if he fails in this endeavour and if such be unsuccessful the land must be taken under the act. - The actual value of unreclaimed land, which in many instances may not be fit for agricultu-

- ral purposes will, as already observed, be small.

5 - The case of Shotteem Village is distinct, since in some instances the Shotteems are held for a term only and in others an enjoyment of land has been made for the purpose of yielding certain annual sums. - In these cases the Govt are not prepared to pay for unreclaimed waste land which may be required for public purposes. But where an entire Village has been clearly given over in perpetuity on Shotteem tenure, the same course may be followed as has been above laid down for Mootah Villages.

6. - The Govt trust that the Board acting on these instructions will make such arrangements for coming to a settlement regarding these lands & submitting the necessary statements -

11 Copies
To the Board of Revenue
with Govt Order

Revenue 1860 Departt.
Pro: of Govt. 31st January.

No 161.

Pro: of the Madras Govt.
D/ 31st January 1860.

Recd 7th November 60 No 2569.
Answd 12th Novr No 2160

Regarding Compensation
ne for Lands taken up for
the North and Western trunk
roads in Chengalpat.

No 122 & 123.

23d Jany Rect