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M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 864	Press ~~Mis.~~
601-102	
Dated 28-5-	18 60.

Not to be folded or roughly handled

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Proceedings of the Madras Government, Revenue Department, for the month of May 1860.

No. 101. Read the following Proceedings of the Board of Revenue, dated 26th March 1860, No. 1,510 :—

Read letter from the Collector of Chingleput, dated 23rd February 1860, No. 53, reporting on the extent of ground included in the Military Bázár in the Cantonment of Saint Thomas' Mount.

(In Con., 27th February 1860, No. 889).

1. Resolved that the foregoing communication be submitted for the consideration and orders of Government, with reference to paragraph 4 of their Proceedings, No. 812, dated 20th June 1859.

In Con., 21st June 1859, No. 2,951.

2. As directed by Government in the above Order, the Collector of Chingleput has, in communication with the Brigadier Commanding Saint Thomas' Mount, ascertained the Bázár sites which it is desirable to purchase from the Srotriyamdár of Adambákam and the Zamíndár of Palaveram, so as to have the whole of the Military Bázár in the Cantonment on Government land; and now forwards a Statement showing how the several pieces are at present occupied, their extent, the rents they bring to the Proprietors according to the Tahsíldár's Report, and the annual Remissions or Equivalents claimed by the Proprietors.

3. The total extent belonging to the Srotriyamdár, is kanis 2, grounds 20, square feet 600, occupied by 11 dwelling-houses, 153 shops (of which 32 are stated to be empty), a Pagoda Tháná, and Mettu or Custom House, and the annual Remission claimed amounts to Rupees 210-11-3, which the Srotriyamdar is willing to commute for a payment once for all of Rupees 5,267-9-3, the equivalent of 25 years' income. The Collector, however, has been able to verify only the quit-rents, amounting to Rupees 95-9-3, received by the Proprietor on Shop and House sites, aggregating kani 1, grounds 14, square feet 150; the property in the remaining kani 1, grounds 6, square feet 450, being under litigation, and the Srotriyamdár unable or unwilling to produce accounts in support of the amount of Remission to which he alleges he is entitled. The compensation for the admitted extent, or its rents, calculated at the above rate of commutation, is Rupees 2,389-7-3 which, at 5 per cent. interest, would yield an income of about 120 Rupees to the Srotriyamdár, or 25 Rupees more than the rents he will give up to Government.

Paragraph 11.

4. The land now under litigation cannot be safely purchased by private agreement until the suit is decided.

5. The sites belonging to the Zámindár of Palaveram are of trifling extent, measuring in all 21 grounds, including an empty spot of 3 grounds, and are occupied by 41 Shops and 1 House. According to the Tahsíldár's Report, the quit-rents levied on them amount to Rupees 16-6-9, but the Zamíndár claims a remission of Rupees 34-1-10 yearly, and refuses to accept a consolidated payment once for all.

6. In paragraphs 8 to 10 the Collector suggests, as a means of guarding against the probability of paying twice over for the same land, and of rendering future purchases less tedious than those now contemplated, that a Map of the Cantonment should be prepared, showing in distinct colors the land already acquired by Government in full Mirási right from that simply purchased by a remission of Peshcash, &c. The Board think that such a Map is very desirable, and that it might be prepared by the District Engineer, in communication with the Quarter Master General's Department, and the Collector.

(A true Extract.)

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

No. 102. ORDER THEREON, 28th May 1860, No. 864.

1. In an Order of 20th June 1859, No. 812, the Government resolved to purchase the private land lying within the general Bázár of the Cantonment of St. Thomas' Mount; and the Board of Revenue now report the particulars of the land, and the terms of sale proposed by the owners.

2. The land so included in the Bázár, belongs partly to the Srotriyamdár of Adambákam, and partly to the Zamíndár of Palaveram.

3. The Srotriyamdár's portion is something less than 3 kanis, the annual income derived from which he states at Rupees 210-11-3; and he offers to accept as compensation the sum of Rupees 5,267-9-3, being twenty-five years' purchase of his receipts. It appears, however, that a large part of this ground is in litigation; and as the Board remark, cannot safely be purchased by private agreement. The land not concerned in that litigation is 1 kani, 14 grounds, 150 square feet, yielding as verified by the Collector, Rupees 95-9-3 a year. The compensation for this income at the rate above specified is Rupees 2,389-7-3 which the Board notice would at 5 per cent. give the Proprietor an interest of about 120 Rupees or 25 Rupees in excess of his actual receipts.

4. The ground belonging to the Zamíndár is seven-eighths of a káni. The quit-rents received by him on this land amount, according to the Tahsíldár's statement, to Rupees 16-6-9 a year: but the Zamíndár insists on an annual payment of Rupees 34-1-10, or more than double his ascertained income; and he entirely refuses compensation in the form of a capital sum.

5. The Government consider the terms asked for by the Zamíndár to be exorbitant. And as the land is required for a public purpose, it will be taken under the Act, unless the Collector shall be able to bring the Zamíndár to more reasonable terms. It will be bought outright, not rented. That part of the land of the Srotriyamdár which is now in litigation will also be taken under the Act; and the Board of Revenue will be good enough to advise the Government when reporting the price fixed for that land, to whom the amount is to be paid, or how disposed of.

6. As regards the remainder of the Srotryamdár's land, viz., that which is not in litigation, the Government consider the price asked to be high; but as the transaction is not voluntary on the seller's part, they agree to pay the sum asked, being Rupees 2,389-7-3, and the Collector will be instructed to disburse it to the Srotriyamdár.

7. Ordered that the following declaration be made and recorded, under the provisions of Section 2, Act VI of 1857.

"Whereas two spots of land are lying in the Partivákam village in the Palaveram Muttha, "partly occupied by forty-one shops and one house, and measuring twenty-one grounds including "an empty spot of three grounds, and the other lying in the Adambákam Srotriyam village, "occupied by a Mettu or Custom House, a Pagoda, a Tháná Chávidi and seventy-four shops, and "measuring one káni, six grounds, and four hundred and fifty square feet, are required for the "purposes of the Military Bázár of the Cantonment of St. Thomas' Mount; the Governor in "Council, in exercise of the authority vested in him by the provisions of Act VI of 1857, does "hereby declare the said spots of land to be land required for a public purpose."

"2. The Governor in Council also resolves, under Section 3 of the said Act, to direct "Mr. B. Cunliffe, the Collector of Madras, to take the necessary measures for the acquisition of "the said spots of land, and to adjust the claims to compensation on account of them in the "manner provided by the Act."

"3. It is to be understood that this Order is to be acted on in respect to the spot of land "lying in the Partivákam village only after the Collector shall have failed in his endeavours "for purchasing it on reasonable terms."

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

IN CON. 27TH FEBRUARY 1860, No. 889.

From C. J. SHUBRICK, Esq., Collector of CHINGLEPUT,
dated Sydapet, 23rd February 1860, No. 53.

Referring to paragraph 4 of Government Proceedings, No. 812 of the 20th June last, forwarded with the Board's order, No. 2441 of the 24th idem, I have the honor to report that the ground therein referred to in the military bazar at the Mount which has been pointed out by the Brigadier has been found to measure kanis 3, grounds 17, square feet 600, of which kanis 0-21-0 lie within the zemindari of Palaveram and kanis 2, grounds 20, square feet 600, in the shrotrium village of Adambakam.

2. With the exception of a small portion of ground which is not at present built upon, the whole of the remainder is occupied with shops, houses, &c., agreeably to the accompanying statement which also contains the rents paid to the proprietors.

3. It will be seen that while the Palaveram zemindar receives an annual quit-rent of Rupees 16-6-9, according to the enquiries of the tahsildar and the information furnished by the karnum whose accounts were examined in my office, he claims an annual remission to the extent of Rupees 34-1-10 on the plea that his receipts in reality amount to that sum.

4. The zemindar declines a lump payment in lieu of an annual remission, and it remains therefore for Government to decide whether they will accept or reject his offer. In the former event they will succeed to his quit-rents whatever they may be.

5. As regards the kanis 2-20-600 in Adambakam, there is no difference between the amounts stated by the shrotriumdar and those ascertained on enquiry regarding the rents derived from kanis 1-14-150, viz., Rupees 95-9-3 per annum, but in regard to the remaining portion kanis 1-6-450, while the shrotriumdar claims Rupees 115-2-0 as his rents, the karnam will not allow any thing of the kind; and the shrotriumdar, though called upon has been unable to produce any accounts in support of his claims. This he attributes to the karnam siding with some other parties who pretend to have received the ground under an alienation effected by one of his ancestors many years ago, and which appears now to be the subject of litigation in the Courts.

6. The sum which the Government are now called on to decide whether they will remit or not in Adambakam is therefore Rupees 95-9-3 on kanis 1-14-150, leaving Rupees 115-2-0 and kanis 1-6-450 for future disposal.

7. The shrotriumdar has hitherto declined to fix any particular sum as a payment in full of all his claims.

8. While on the subject of these claims, and the mode of settling them, and the experience I have had through a correspondence which has now lasted nearly five years; I would beg to be permitted to suggest that the disposal of future cases relating to the acquisition of land in the cantonment, would be greatly facilitated by the preparation of a map, shewing the lands acquired by Government by purchase from the mirasidars; or by remission of peshkash from the proprietors. The preparation of such a map would shew at a glance by means of different colours the different tenures of land in the cantonment. Red might be used for determining the land purchased by Government from the mirassidars, and black or blue for land taken from the proprietors (zemindar or shrotriumdar,) on remission of peshkash, but without acquiring the mirassi right in the soil; while the remainder might be left white, as shewing the land included in the cantonment for Police purposes, but in other respects uninterfered with.

9. Subsequent additions of land, under whatever tenure acquired, might be shewn according to their proper colour; or their colours altered from black or blue to red, on each occasion of addition or change of particular tenure.

10. A map of this kind would greatly facilitate future enquiries, the land required by Government could be marked out on it, and its acquisition immediatly arranged with little or no trouble; while it would act as a security against Government being fraudulently called upon to pay twice over for the same land. At present the want of such a map renders it necessary on every occasion to refer to the karnam's accounts, to trace a piece of land, and ascertain whether it has been paid for or not—a troublesome and an indifferent security.

11. Since the above was written the shrotriumdar has come forward and expressed his willingness to accept a lump payment in full for kanis 2-20-600, of Rupees 5,267-9-3; being at the rate of 25 years' purchase of his pretended annual receipts of Rupees 210-11-3. For his real receipts of Rupees 95-9-3, the same number of years' purchase would give Rupees 2,389-7-3.

Enc. 1.

Abstract.—Statement shewing the extent of private land included within the limits of the military bazar in the cantonment of St. Thomas' Mount.

Exd. J. Tulloch.

Revenue Dept

No 864

Proceedings of the Madras Government

Under date the 28th May 1860

Read the following

Procs of the Board of Revenue.

Reporting on the Military Bazar sites at St Thos' Mount which it is desirable to purchase from the Shrotriumdar of Adambákam and the Zemindar of Palaveram so as to have the whole of the Bazar on Government Land. (Here enter 26th March 1860 No 1510)

Shr Triyandár
Zamindár

Order thereon

In an Order of 20th June 1859 No 812, the Government Resolved to purchase the private land lying within the general Bazár of the Cantonment of St Thos' Mount, and the Board of Revenue now report the particulars of the land, and the terms of sale proposed by the Owners

2— The land so included in the Bazar belongs partly to the Shrótriamdár of Adambákam, and partly to the Zamindár

Zamindar of Pelaveram.

3 The Subdivisional portion is something less than three Kanis, the annual income derived from which he states at Rs. 210-11-3; and he offers to accept as compensation the sum of Rupees 5,267. 9. 3, being twenty five years purchase of his receipts. It appears however that a large part of this ground is in litigation; and as the Board remark, cannot safely be purchased by private agreement. The land not concerned in that litigation is 1. 14. 150 N. Gr. yielding as verified by the Collector, Rs. 95-9-5 a year. The compensation for this income at the rate above specified is Rupees 2,389. 7. 3 — which the Board notice worked at 5 per cent give the proprietor

proprietor an interest of about 120 Rupees or 25 Rupees in excess of his actual receipts.

4. The ground belonging to the Zamindar is seven eighths of a Kani. The great rents received by him on this land amount, according to the Sahsildars Statement, to Rupees 16-6-9 a year: but the Zamindar insists on an annual payment of Rupees 34-1-10 or more than double his ascertained income; and he entirely refuses compensation in the form of a capital sum.

5. The Government consider the terms asked for by the Zamindar to be exorbitant. And as the land is required for a public purpose, it will be

be taken under the Act, unless the Collector shall be able to bring the Zamindar to more reasonable terms. It will be bought outright, not rented. That part of the land of the Shrotriamdar which is now in litigation will also be taken under the Act; and the Board of Revenue will be good enough to advise the Government when reporting the price fixed for that land, ~~how the price fixed is to be disposed of~~ to whom the amount is to be paid, or how disposed of.

6. As regards the remainder of the Shrotriamdar's land, viz: that which is not in litigation, the Government consider the price asked to be high; but as the transaction is not voluntary,

order requested. Yes give it.

voluntary on the seller's part, they agree to pay the sum asked, being Rupees 2389-73, and the Collector will be instructed to disburse it to the Shrotriamdar.

7. Ordered that the following declaration be made and recorded, under the provisions of Section II Act VI of 1857.

~~Under the provisions of Act VI of 1857, Section II, the Governor in Council records that the following declaration be made and recorded~~

* Whereas two spots of land one lying in the Portiwakam village in the Paleiveram Mutha partly

Mutha

partly occupied by forty one Shops and one house, and measuring twenty one grounds including an entire spot of three grounds, and the other lying in the Arlambúkam Shrotriam village occupied by a Mattu or Custom house, a Pagoda, a Thána Chávidi and Seventy four shops and measuring one Káni six grounds and four hundred and fifty Square feet are required for the purposes of the Military Bazar of the Cantonment of St. Thos' Mount; the Governor in Council, in exercise of the authority vested

vested in him, by the provisions of Act VI of 1857, does hereby declare the said spots of land to be land required for a public purpose."

2 "The Governor in Council also resolves under Section III of the said Act, to direct Mr. B. Cunliffe the Collector of the United districts of Madras and Chingleput to take the necessary measures for the acquisition of the said spots of land and to adjust the claims to compensation or account

A

of them in the manner provided by the Act"

3 "It is to be understood that this order is to be acted on in respect to the Spot of land lying in the Partivakam Village only after the Collector shall have failed in his endeavours for purchasing it on reasonable terms."

14-15
31-5-60

11 Copies. Board of Revenue
1 " Acct. Genl. Civil Engr.
3 " Civil Auditor
7 " Military Depts.