M.R.O. 14—10,000—21-4-32.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2015	Press / Mis.
Jab. 249	
Dated 20 Oct 1861.	

Not to be folded or roughly handled

Read again letters from the Director of Revenue Settlement recorded in Government Orders 2nd October 1861, Nos. 1,908 and 1,909.

Read also the following papers :—

No. 246. MINUTE BY THE HONORABLE THE PRESIDENT.

WAINAD SURVEY.

1. The accompanying paper contains the replies by the Director of the Revenue Survey, to the queries which were submitted to him in accordance with the Order of Government dated 7th September 1861. Mr. Newill has appended to his answer to these queries certain suggestions and recommendations as to the future conduct of the Survey, and the Government is now in a position to deal with this portion of the subject at once.

2. It appears that, with the exception of a small quantity of escheated land, the whole of Wainád is in the hands of proprietors whose rights are acknowledged ; these owners of land have alienated great portions of their Estates under various conditions or tenures, and it is to the complexity of these that the difficulty experienced by Europeans in procuring land for Coffee cultivation is mainly owing.

3. The Government, on the representation of the Planters, approved last year of a Survey which should embrace, not only the Estates of the proprietors, but also all those minor claims proceeding from the various modes of alienation adopted. It seems, however, to me that the Government, in deciding upon this very detailed Survey, must have been acting under the supposition that the work would, when completed, be useful as a Revenue Survey ; this, however, it appears cannot be the case. In Malabar, the only land assessed is that actually under cultivation, and the Collector will have to ascertain this annually, without any assistance from the proposed Survey.

4. As then it is not a Revenue Survey, what object can the Government have in carrying it out in so very minute a manner at a cost of 4 lacs of Rupees for this small District ?

5. It is simply to enable those who may wish to purchase, or rent land from the Native proprietors, to do so with some assurance that the rights or claims which they seek to extinguish, are known, or may be known to them.

6. It does not, however, appear to me that the Government is justified in expending this large amount, which is altogether for the benefit of individuals, without obtaining from them any return correspondent to the sum drawn from the General Revenue for their advantage.

7. It may perhaps be said that the collateral advantages to the Government or the country, arising out of the settlement of Europeans in Wainád, are sufficient to justify some special encouragement or inducement to them to establish themselves there. For my own part I entertain grave doubts as to the policy of encouraging European colonization—I mean of inducing Europeans to settle in any numbers in any part of India ; it is not, however, necessary to discuss this question at present, as it is perfectly certain that if the profits derived from the cultivation of Coffee, &c., are not sufficient to induce capital and the owners of capital to settle in Wainád, all the encouragement which the Government can hold out will be insufficient to draw them there.

8. Such encouragement is therefore unnecessary ; it is, however, also unjust to the rest of the community, who would be taxed to provide the funds required to stimulate a species of cultivation which in fact requires no stimulus. It appears to me therefore that the instructions to the Director of the Revenue Survey should be very much modified.

9. It is of course desirable that the lands which belong to the Government should be ascertained and their area determined by Survey.

10. A Survey Establishment might be provided for the purpose of measuring the cultivated areas for taxation and the properties of those who may be willing to pay some fixed sum per acre, as the cost of Survey, as suggested by Mr. Newill in paragraphs 18 and 19 of his report ; but I question the advisability of his suggestion in paragraph 17, that the proprietory Estates

might have their boundaries marked out and a registry made of the subordinate rights of property on them; and I am the more convinced of the absence of all reason for this, by the remark in paragraph 25, that in order to make this registry of permanent utility it must be kept up by the compulsory registration of all future transfers of property. From an inspection of the rough plan showing the mode in which the boundaries of Estates are marked out, it appears to me that the trouble and labor must be very great. Every angle is marked with a stone, and as the boundaries are most irregular the number of these marks is excessive; while, in a few years, the jungle will have grown up around them, and they will afford no facilities for the Survey of the property, should it then for any purpose be advisable to carry out a general Survey. I am therefore of opinion that it would not be desirable at present to extend the Survey beyond what the actual requirements of the Government may dictate, and the limits of this appear to be what I have stated above.

28th September 1861. (Signed) W. T. DENISON.

No. 247. MINUTE BY THE HONORABLE E. MALTBY.

1. I concur in the advisability of limiting Survey operations in Wainád as proposed by the President. To expend four lacs in surveying the entire District would be an expense unsuited to the advantage to be gained. The loss of *time* also would perhaps be even more to be deplored. Much delay must occur in surveying a jungly tract, where the periodical rains and fever continually impede operations; and the public interests require that the Survey Establishment should be employed, in the first instance at all events, in rich and populous Districts, where the land revenue is now endangered by the want of correct registers and maps of the lands.

2. A local Establishment to aid the realization of the revenue by measuring cultivated areas, and to survey the Government lands, as also private Estates when payment is offered for the service, seems sufficient for Wainád.

7th October 1861. (Signed) E. MALTBY.

No. 248. MINUTE BY THE HONORABLE W. MOREHEAD.

I think the course suggested by the President a wise and judicious one.

(Signed) W. A. MOREHEAD.

No. 249. ORDER THEREON, 21st October 1861, No. 2,015.

1. In the first of the letters from the Director of Revenue Settlement noticed above, Mr. Newill furnishes answers to the several queries contained in G. O. 7th September last, No. 1,779, in relation to the Wainád Survey and Assessment. He has appended thereto certain suggestions and recommendations as to the future conduct of the Survey, and the Government are now in a position to deal with this subject at once.

2. The information supplied is shortly as follows:—The Survey if carried out in the manner already approved by Government will cost four* lacs of Rupees and will be almost useless as a Revenue Survey. No charge is at present made for the survey of land taken up, and the greater part of the land being proprietary, it appears that however fair or reasonable it might be to make such a demand, its enforcement is not possible except in the case of Government land the extent of which is small. The same reason precludes the prescription of any condition of occupancy being attached to the grant of lands.

* Up to end of June 1861, Rupees 1,30,146 have been already expended. Vide Memorandum from Director of Revenue Settlement, 6th September 1861, No. 1,374.

3. The greater portion of Wainád being, as already observed, in the hands of proprietors whose rights are acknowledged, and who have alienated considerable portions of their Estates under various conditions and tenures, the Government on the representation of the Planters,

Proceedings of the Madras Government, Revenue Department,
21*st October* 1861.

approved last year of a Survey which should embrace not only the Estates of the proprietors, but also all the minor claims proceeding from the various modes of alienation adopted, and to the complexity of which the difficulty experienced by Europeans in procuring land for Coffee cultivation was mainly owing.

4. But as a *Revenue* Survey this, it now appears, is useless. The peculiar mode of assessment in Wainád requires the Collector to ascertain annually the extent of land actually under cultivation; and if the present Survey affords him no assistance in so doing the question naturally suggests itself—why continue it at so great a cost? It is true that its completion, as at present sanctioned, will enable those who wish to purchase or rent land from the Native proprietors, to do so with some assurance that the rights or claims sought to be extinguished are, or may be, known; but it does not appear that the Government would be justified in expending so large an amount as four lacs solely for the benefit of individuals; SOME return correspondent to the sum drawn from the general Revenue for their advantage should at least be obtained from them: and this the Director of Revenue Settlement shows to be impracticable as a matter of right.

5. The Government will not now go into the question of the collateral advantage of encouraging European colonization. It is sufficient here to observe that if the profits to be derived from Coffee are insufficient to draw capital to Wainád, no other encouragement which Government could hold out would do so. And if no encouragement is required, it cannot be fair / tax the rest of the community to provide funds to stimulate a species of cultivation which in fact requires no stimulus.

6. Another point, too, must be considered. Disproportionate as the expenditure of four lacs would be to the advantage to be gained, the loss of TIME which must occur in surveying a jungly tract, where the periodical rains and fever continually impede operations, is perhaps even more to be deplored. In the first instance the Survey Establishment should be employed, the Government think, where it is most needed, viz., in rich and populous Districts where the land Revenue is now endangered by the want of correct registers and maps of the lands.

7. The Governor in Council, therefore, resolves to instruct Mr. Newill, in communication with Captain Priestley, to modify the Survey arrangements so as to provide for

1. The Survey of the Government lands.
2. The Survey of private Estates when payment is offered for the service.
3. The measurement of the cultivated areas from time to time for purposes of taxation.

8. The necessary reductions which will be reported in due course should be made, as proposed in paragraph 26,* at the close of the present season. By that time, it is hoped, the European Coffee plantations will be nearly completed.

* Director's letter of 21st September, No. 1,434.

9. The Government do not acquiesce in the advisability of demarcating the proprietary Estates, and registering the subordinate rights of property in them, as proposed by Mr. Newill in paragraph 17 of his letter under review; they are the more convinced of the uselessness of the latter proposition by the remark in paragraph 25 of the same letter, that in order to make the registry of permanent utility, it must be kept up by the compulsory registration of all future transfers of property. And as regards the former, the trouble and labor which must of necessity be incurred in marking out these most irregular boundaries will, by the growth of jungle, be almost entirely lost in a few years, and the old marks will thus afford no facilities for the survey of the properties should it be, at any future time, considered advisable to carry out a general Survey.

10. Under this view the retention of a separate Settlement Establishment as proposed in paragraph 24, will be unnecessary.

11. Mr. Newill's letter of 23rd September, No. 1,439, recorded in G. O. 2nd October last, No. 1,909, referred to at the head of this paper, will be transmitted to the Board of Revenue for consideration and report on the propositions it contains relative to the assessment to be fixed on

paddy and dry cultivation other than that of Coffee in Wainád. The Government will only remark here that the argument in paragraph 4 is unsound. It cannot be good policy for Government to encourage the cultivation of paddy in Wainád, if it can be more cheaply imported from other places; or to withdraw capital and labor from the cultivation of Coffee, if it be more profitable than that of grain.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

28-2-61 Gr.

Wynaad Survey

3

The accompanying papers contain the replies by the Revenue Survey to the queries which were submitted to them in accordance with the orders of Govt. dated 7 Sept. 60. Mr Prevett has appended to his answers to these queries certain suggestions and recommendations as to the future conduct of the Survey, and the Govt. is now in a position to deal with this portion of the subject above. —

It appears that with the exception of a small quantity of escheated land - the whole of Wynaad is in the hands of proprietors whose rights are acknowledged, these owners of land have alienated great portions of their estates under various conditions or tenures - and it is to the complexity of these that the difficulty experienced by Europeans in procuring land for Coffee cultivation is mainly owing —

The Govt. on the representation of the planters, approved last year of a Survey which should embrace, not only the estates of the proprietors, but also all their minor claims proceeding from the various modes of alienation adopted -

It seems however to me that the Govt, in deciding upon this very detailed survey, must have been acting under the supposition that the work would, when completed, be useful as a Revenue Survey. This however it appears cannot be the case. In Malabar, the only land assessed is that actually under cultivation, and the Collector will have to ascertain this annually, without any assistance from the proposed Survey. If then this not a Revenue Survey what object can the Govt have in carrying out in a any minute a manner Survey as a copy of Land Surveyor for the small district? It is simply to enable those who may wish to purchase, or Rent land from the Native proprietor, to do so with some appearance that the right or claims of that he sells to Entry will be known to him - It does not however appear to me that the Govt is justified in expending this large amount, which is altogether for the benefit of Individuals, without obtaining from them any return corresponding to the sum drawn from the general Revenue for their advantage -

It may perhaps be said that the Collateral advantage to the Govt or the country, arising out of the settlement of Europeans in Wynaad, are sufficient to justify some special encouragement or inducement to them to establish themselves there - for my own part I entertain grave doubts as to the policy of encouraging European Colonization. The mean of inducing Europeans to settle in any number in any part of India - does not however necessary to discuss this question at present, as it is perfectly certain that if the profits derived from the cultivation of Coffee are not sufficient to induce Capital & Settlers in Wynaad, all the encouragement which the Govt can hold out will be insufficient to draw them there - Such encouragement is therefore unnecessary - this however, is also unjust to the rest of the community, who would have to provide the funds required to stimulate a species of cultivation which in fact requires no stimulus - It appears to me therefore that the Instructions to the Heads of the Revenue Survey should be very much modified -

It is of course desirable that the Lands which belong to the Govt should be ascertained and their Area determined by Survey - -

2. Survey establishments might be provided for the purpose of measuring the cultivated Area for taxation and the properties of those who may be willing to pay compound sum per Acre. as the cost of Survey - as suggested by Mr Newill in Paragraphs 16 & 19 of the report - - but I question the advisability of the suggestion in Paragraph 17. That the proprietary estates might have their boundaries marked out and a registry made of the subordinate rights of property in them - and I am the more convinced of the absence of all reason for this, by the remark in para: 25 - that unless to make the registry of permanent utility it must be kept up by the compulsory registration of all future transfer of property - from an inspection of the rough Plans showing the mode in which the Boundaries of Estates are marked out - it appears that the trouble & time that the labour must be very great. Each angle is marked with

a stone and as the boundaries are most irregular the number of them make it exceedingly difficult, in a few years, the jungle will have grown up around them & they will appear so facilitate for the Survey of the Properties should it be then found necessary to be advisable to carry out a general Survey. I am therefore of opinion that it would not be desirable at present to extend the Survey beyond what the actual requirements of the Govt may dictate and this limit I think appear to be what I have stated above

W Dennison

- I concur in the advisability of limiting
Survey operations in the Wynaad as proposed
by the President - To expend 4 Lacs in sur-
veying the entire District would be an expense
unsuited to the advantage to be gained - The loss
of time also would perhaps be even more to be
deplored - Much delay must occur in surveying
a jungly tract, where the periodical rains & peace
continually impede operations, and the public
interests require that the Survey establishment
should be employed, in the first instance at all
events, in such & portions Districts where the land
revenue is now endangered by the want of correct
registers & Maps of the lands -
- A local establishment to aid the realization
of the revenue by surveying cultivated areas,
& to survey the Govt lands, or also private
Estates when payment is offered for the service
seems sufficient for Wynaad

Ellis

7 Oct/61

Mem: Lee
wrote me yesterday
by the Despatch
Mail of Saturday
Oct 5th

Recd 8th Oct 1861

Revenue 1861 Oct 7 No 2

Copy of Post Office Letter dated 5th Oct.

Dated 28th Sept 1861

Received 4th Oct 1861

Copy in a Ltr to C.
dt 14 & 22 Oct/61 No. 248

Ordered that a communication be made to the Secretary of Madras requesting that he will move the Madras Government to direct the Director of Revenue Settlements to depute one of his Assistants to the Wynaad to report on the subject of this letter -

No 246.

Recd 8th Oct 1861

Revenue Department

No. 2015

Proceedings of the Madras Government

Under date the 21st October 1861

Read again Letters

from Director of Revenue

Settlement recorded in Govt

Order 2d October 1861. Nos 1908, 1909

Read also the following Papers

Minute by the Hon'ble the President

Stated that a very minute Survey of Wynaad is not necessary and that the instructions to the Director of Revenue Settlement on the subject should be modified

Here enter 28th Septr 1861

Minute by Hon'ble E. Maltby

Here enter 7th October 1861

Do by Hon'ble W. Morehead

Here enter

In the first of the letters from the Director of Revenue Settlement noticed above Mr Newill furnished answers to the several queries contained in G. O. 7th September last No 1779 in relation to the Wynaad Survey and assessment

Copy in a Dr & Co.
Dd 14 & Feby/62. No 28.

Revenue 1861 Department
Rec'd for Dated 21 October

No.

Minute by the Hon'ble R. Maltby
Dated 18th October 1861.

No.

Minute by the Hon'ble W. Morehead
Dated 21 October 1861

No 2447 - 248.

No 2048. 24th Octr

assessment. He has appended thereto certain suggestions and recommendations as to the future conduct of the Survey, and the Govt are now in a position to deal with this subject at once.—

2 The information supplied is shortly as follows. The Survey if carried out in the manner already approved by Govt will cost four lacs of Rupees and will be almost useless as a Revenue Survey. No charge is at present made for the survey of land taken up, and the greater part of the land being proprietary, it appears that however fair or reasonable it might be to make such a demand, its enforcement is not possible except in the case of Govt land

× Up to end of June 1861 Rs 1,30,146 have been already expended - vide Memo from Dir of Revl Settt 6th September 1861 No 1374

land the extent of which is small. The same reason precludes the prescription of any condition of occupancy being attached to the grant of lands.—

3 The greater portion of Wynaad being as already observed in the hands of proprietors whose rights are acknowledged and who have alienated considerable portions of their estates under various conditions & tenures, the Govt on the representation of the Planters, approved last year of a survey which should embrace not only the estates of the Proprietors, but also all the minor claims proceeding from the various modes of alienation adopted, and to the complexity of which

which the difficulty experienced by Europeans in procuring land for Coffee cultivation was mainly owing.

4 But as a Revenue Survey, this, it now appears, is useless. The peculiar mode of assessment in Wynaad requires the Collector to ascertain annually the extent of land actually under cultivation; and if the present survey affords him no assistance in so doing the question naturally suggests itself — why continue it at so great a cost? It is true that its completion, as at present sanctioned, will enable those who wish to purchase or rent land from the Native Proprietors to do so with some assurance that the rights

or

or claims sought to be extinguished are, or may be, known; but it does not appear that the Gov^t would be justified in expending so large an amount as four lacs solely for the benefit of individuals; Some return corresponding to the sum drawn from the general Revenue for their advantage should at least be obtained from them: and this the Director of Revenue Settlement shows to be impracticable as a matter of right. —

5 The Gov^t will not now go into the question of the collateral advantage of encouraging European Colonization. It ~~is sufficient here to observe~~ ~~safely assumed however~~ that if the profits to be derived from Coffee are insufficient to draw Capital

to

to Wynaad, no other encouragement which Govt could hold out would do so. And if no encouragement is required, it cannot be fair to tax the rest of the community to provide funds to stimulate a species of cultivation which in fact requires no stimulus.

6. Another point too must be considered. Disproportionate as the expenditure of 4 lacs would be to the advantage to be gained, the loss of time which must occur in surveying a jungly tract, where the periodical rains and fever continually impede operations, is perhaps even more to be deplored. In the first instance the Survey Establishment should be employed, the Govt think, where it is most needed, in rich and populous Districts where the land revenue is now endangered by the want of correct registers and maps of the lands.—

7. The Governor in Council therefore resolves to instruct Mr Newill to communicate with Capt Priestley to modify the Survey arrangements so as to provide for

1. The Survey of the Govt lands.
2. The Survey of private Estates when payment is offered for the service.—
3. The measurement of the cultivated areas from time to time for purposes of taxation.—

8. The necessary reductions which will be reported in due course should be made as proposed in para 26, at the close of the present season. By that time, it is hoped, the

× Director's letter of 21st Septr No 1434

[illegible] European coffee plantation
[illegible] not be nearly completed

9. The Govt. do not
[illegible] acquiesce in the advisability
of demarcating the Proprietary
estates, and registering the
subordinate rights of property
in them, as proposed by Mr.
Newill in para 17 of his
letter under review; they are
the more convinced of the
uselessness of the latter pro-
position by the remark in
para 25 of the same letter
that in order to make the
registry of permanent utility
it must be kept up by the
compulsory registration of
all future transfers of
property. And as regards
the former, the trouble and
labor which must of necessity
be incurred in marking
out

out these most irregular bo-
ries will by the growth of
jungle be almost entirely
lost in a few years and the
old marks will thus afford
no facilities for the survey
if the Properties should it
be, at any future time, con
sidered advisable to carry
out a general survey. —

10. Under this view
the ~~necessity~~ propriety of a separate
settlement establishment
as proposed in para 24
~~would be avoided~~ will be unnecessary. —

11. Mr. Newill's letter
of 23rd September, No. 1439,
recorded in G. O. 2nd October
last No. 1909 referred to at
the head of this paper
will be transmitted to the
Board of Revenue for
consideration and report
on the propositions it contains
relative

=ulative to the apeſsment
=nt be fixed on paddy and
dry cultivation other than
that of Coffee, in Wynaad.

The Govt will only
remark here that the argument
in para 4 is unsound. It
cannot be good policy for
Govt to encourage the culti=
=vation of Paddy in Wynaad
if it can be more cheaply
imported from other places
or to withdraw capital and
labor from the cultivation
of Coffee, if it be more profit=
=able than that of grain. —

Cyn

With Rr [illegible] Letter

14 Copies Board of Revenue &c
13 " Dr of Revenue Settlement
7 " Supt of Rw: Survey

to Letter Dispd 22

Rec'd Dft to C.S.
2 Feby 1862 No 8-

Relating to the Survey Revenue Wynaad

Revenue 1861 Depart.
Pro: of Govt. for October

No 2015

Pro: of the Madras Govt.
Dated 21st October 1861.

Forwards Copy Rec'd 11th Feby 62
No 642. (stating that there is no objection on the part of Govt to take up the question of the Calicut Estate)

Letter from the Director of Revenue Settlement regarding the Survey of Wainad, with orders thereon.

No 246 at 249.

Rec'd 15th October 1861