M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 219	Press ~~Mis.~~
66-67	
Dated 5 11 1861.	

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 5th November 1861.

No. 66. Read the following Proceedings of the Board of Revenue, dated 7th November 1860, No. 5,150 :—

Read again letter, dated 17th September 1860, No. 371, from the Collector of Madras, requesting sanction for the amount of compensation to be paid on account of certain lands taken up for the Northern and Western Trunk Roads.

(In Cons. 19th September 1860, No. 4,674.)

Read also letter, dated 17th October 1860, No. 419, from the same Officer, furnishing the explanation called for in the Board's Proceedings of the 4th idem.

(In Cons. 18th October 1860, No. 5,290.)

1. Resolved that the letters above recorded, be submitted for the consideration and orders, of the Honorable the Governor in Council.

In Cons., 2nd February 1860, No. 514.

2. In their Proceedings, dated 31st January 1860, No. 161, the Government reviewed the circumstances connected with the lands in question, and sanctioned the compensation due on the culturable portion, requesting the Board to report the amount thereof before an order for the actual disbursement was passed. In regard to the "Poramboke" and "Anady" waste, certain principles were laid down, according to which it was ordered that speedy arrangements should be made for coming to a settlement of the compensation due on them.

3. The Collector now reports that the amount of compensation due on account of the culturable lands is Rupees 6,345-13-0, besides an abatement of Peshkash to the extent of Rupees 528-13-1. These sums, the Board recommend for sanction.

4. The compensation due for the Poramboke and Anady waste is stated as Rupees 1,081-12, with a further remission in the Peshkash of Rupees 90-2-4. These terms seem to the Board very high, but the Collector could make no better, and as the land was taken without any previous arrangement with the owners, the Board recommend that the compensation sought be granted. The exclusion of Poramboke from the assets on which the Peshkash of an Estate was calculated, is simply owing to its having been then unproductive, and is quite different in its bearing on the ownership of the land from the exclusion of Muhturfa, Sayer, &c., which under Regulation XXV of 1802, could not lawfully be made over to a Zamíndár. The principal laid down in G. O., 31st January last, No. 161, is just, and correct, but it must be acted on *before* land is taken up, or Government place themselves at the mercy of the owners.

In Cons., 2nd February 1860.

(A true Extract.)

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

No. 67. ORDER THEREON, 5th November 1861, No. 2,119.

1. These Proceedings relate to compensation for certain Zamíndári and Shrótrium lands, taken up some years ago for the Northern and Western Trunk Roads in the Madras District. The subject has been already on several occasions under the consideration of Government, and in their last Orders of 31st January 1860, No. 161, it was directed that compensation should be granted for the culturable (Shaikál) land taken, at the actual rate of assessment, as soon as the real extent of land so occupied was known: and as regarded the claim made for "Poramboke" and "Anady" waste, the Government demurred, for reasons given, to pay in such cases at the same rate as for productive and valuable land.

2. The Board, in pursuance of the instructions contained in the abovementioned order, have obtained statements from the Collector of Madras, from which it appears that the culturable lands occupied are Cawnies 124-5-8 in extent, bearing an assessment of Rupees 528-13-1. This sum is, the Board recommend, to be deducted permanently for the future from the Peshkash of the proprietors, viz., Rupees 181-14-10 on account of Shrótrium, and Rupees 346-14-3 for Zamíndári villages: and as regards the past, a sum equal to the assessment for 12 years, from Fasli 1258 to 1269, both inclusive, viz., Rupees 6,345-13-0, is to be disbursed to the proprietors.

3. The principles laid down by Government for the treatment of "Poramboke" and "Anady" waste, were, that its actual state and marketable value at the time should be considered; that this would be generally small; that in many cases proprietors would be willing to give up such pieces free, in consideration of the benefit their estates would be likely to receive; that even if this were not the case, they would probably consent to a price fixed by private agreement or arbitration; and that course failing, the land would have to be taken under the Act. This plan was to be adopted both in Multha and Shrótrium villages, except where the latter were held for a term only, or where an assignment of land had been made for the purpose of yielding a certain annual sum: in these cases Government were not prepared to pay for unreclaimed waste required for a public purpose.

4. In the present case, however, the lands were taken without any agreement with the proprietors who declare* that they were cultivable, and as they have been occupied by the road for twelve years, the Collector finds it difficult to show the contrary. After personal discussion with the proprietors, Mr. Cunliffe has fixed the average *dry* assessment on *Nanja*, and *half* that average on *Punja*, "Anady" and "Poramboke." The result is that Cawnies 72-1-10 of this description of land are assessed at Rupees 90-2-4, which sum the Collector recommends should be deducted from the Peshkash, while Rupees 1,081-12-0 are to be granted as compensation for the past twelve years.

* From Collector 17th October 1860, No. 419.

5. The Board consider these terms very high, but recommend as the land was taken without previous arrangement and as the Collector can make no better bargain, that they should be accepted. The Governor in Council accordingly authorizes the Collector to grant compensation both for cultivable and uncultivable lands according to Statement C accompanying his letter of the 17th September last, deducting from the Peshkash in future years the sums already mentioned. This, however, is to be considered as a special concession, not to be drawn into a precedent.

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

No. 4,517.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 4th October 1860.

Read the following letter from B. CUNLIFFE, Esq., Collector of Madras, to J. D. SIM, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Saidapet, 17th September 1860, No. 371:—

A for Srotriyam lands.
B for Zari Zemindari lands.
C Abstract of the two Statements.

1. Referring to the 1st paragraph of the Board's Order of the 7th February last, No. 685, forwarding the Proceedings of the Madras Government dated 31st January last, No. 161, I have the honor to submit herewith Statements A and B (with an Abstract C), showing in detail the amount of compensation to be paid for the culturable Sheigal land taken for the northern and western roads in the Srotriyam and Zari Zemindari villages, amounting together to Rupees 6,345-13, inclusive of arrears of compensation from Faslis 1258 to 1269, and to request that the sanction of Government may be obtained for the disbursement of the same, as well as to deduct Rupees 528-13-1 commencing with the present Fasli 1270 from the Peishkash of the proprietors.

2. Referring to the observations of Government contained in the 3rd, 4th and 5th paragraphs of their Proceedings under reply, prescribing the mode of paying compensation for the Porumboke and Anadi lands claimed by the Srotriyadars and Zemindars, to which my attention is directed in the 2nd paragraph of the Board's Order, I have, after mature consideration and personal discussion with the proprietors, fixed the average Punjah assessment of the villages on Nunjah Anadi and Porumboke, and half of that average on Anadi and Porumboke Punjah as entered in the statements. The compensation due on Kanis 72 A. 1 C. 10 of the description of land mentioned, amounts to Rupees 90-2-4 per annum. Should this proposition meet with the approval of the Board, I have the honor to request the sanction of Government for remitting the amount from the Peishkash if the several proprietors, and for disbursing to them Rupees 1,081-12, being the arrears of compensation due from Faslis 1258 to 1269.

3. Referring to the remarks of Government in the 1st paragraph of their Proceedings dated 31st January last, No. 161, on the "very defective state" of the Account Department of the late Chingleput Collector's Cutcherry, I beg to state that the two incorrect statements of compensation which gave rise to this remark were prepared by the late Serishtadar, Shama Row, in consultation with the late head clerk, Chenganah Sastri, both of whom have left this Office on promotion, the former as Deputy Collector of Kurnool, and the latter as Serishtadar under the Director of Revenue Settlements.

4. Allowance must, however, be made for the difficulties attending an attempt to arrive at a knowledge of facts occurring so long ago.

5. As usual, a winding up at this late period is very unsatisfactory, and proprietors will now be paid more than they would have required at the time, and more than is their due, considering the benefits which the road would naturally confer upon their Estates.

ENCLOSURE No. 1.

ABSTRACT.—Statement showing the extent of land taken from the Srotriyam villages for the high western and northern roads, and the amount of compensation proposed.

ENCLOSURE No. 2.

ABSTRACT.—Statement showing the extent of land taken from the Zemindari villages for the high western and the northern roads, and the amount of compensation proposed in the Zillah of Madras.

ENCLOSURE No. 3.

ABSTRACT of Statements A and B.

The Board request the Collector of Madras to report why the assessment of *Nunjah* Anadi and Porumboke has been fixed at the rate for Punjah lands, and that of *Punjah* Anadi and Porumboke at half the above rate, while the Order of Government, dated 31st January 1860, No. 161, paragraph 3, requires that "the actual "state and marketable value" of the lands should be considered in adjudging the amount of compensation. They will be glad to be informed also whether the Porumboke lands referred to in the foregoing letter were excluded from the assets of the Estates or not.

In Cons., 2nd February 1860, No. 514.

(A true Copy and Extract.)

(Signed) J. D. SIM,
Secretary.

To B. Cunliffe, Esq., Collector of Madras.

Exd. J. Wright.

3

In Con. 18th October 1860, No. 5,290.

From B. CUNLIFFE, Esq., Collector of MADRAS,
dated Saidapet, 17th October 1860, No. 419.

Referring to the Board's Proceedings of the 4th instant, No. 4,517, I have the honor to state that the principle just as it was laid down by Government, in their order of the 31st January last, No. 161, paragraph 3, for adjudging compensation for Ayadi and Poramboke lands, was found difficult of application, when the subject was discussed with the proprietors. They, as usual, declared that the lands taken up were cultivable, and would now have been cultivated, and were so on each side of the road.

2. The best terms I could come to with them were those which I have recommended, being Rupees 2-6-11 for Nunjah and Rupees 1-0-4 for Punjah annually. The Poramboke was excluded from the assets of the estates; but the Government have recognised the right of the proprietors in it.

Exd. J. Tulloch.

The Collr's letter - see P3 7
Govt Order of 31 Jany 1860 No 161

1860 Depart.

Encr. 2 in Proceedings of the Board of Revenue to the Secretary to Government R. D. dated 7th November 1860 No. 5130.

RR 2569/60.

Letter from the Collector of Madras to the Board of Revenue dated 17th October 1860 No. 419. regarding Compensation to certain land holders.

~~the purpose, and to~~
~~that purpose~~ ~~personally~~ - were
25th Sept excluded from the
Office of the Estates
at Leh, on that
day.

4 Oct. 1860

Per Madras

Secy

1860 Depart

A

Two letters from the Collr
of Kaira, and one from Capt
Ogilvie

Nos 3 & 4

To
The Secretary to the
Govt of India
Foreign Department

No 2599/60.

Sir,

I have the honor to forward
herewith for the information
of the Right Honble the
Governor in Council, copies
of the papers noted in the
annexed list.

I have &c
(Signed) [illegible]
Secy to Govt
Bombay Castle
9th Nov 1860

A. Statement sho
Western and N

Garden

Total

Names of Villages	Extent of Sejal and Saik	Rate per Kani cal = culated on the aver = age Num = ber of the last 10 years	Amount of apprs = ment	Extent of Anadi and Puram = boke	Rate per Kani cal = culated on the aver = age Num = ber of the last 10 years i. e. rate given in Col. 10.	Amount of apprs = ment	Total of columns 18 and 21.	Extent of Sejal and Saik	Amount of apprs = ment	Extent of Anadi and Puram = boke	Amount of apprs = ment.	Total extent of Sejal, Saik, Anadi & Puram = boke	Total apprs = ment per annum	Amount of com = pensa = tion to be given for 12 years from Fasli 1258 to 1269.
	16	17	18	19	20	21	22	23	24	25	26	27	28	29
	Rs A C	Rs A P	Rs A P	Rs A C	Rs A P	Rs A P	Rs A P	Rs A C	Rs A P	Rs A C	Rs A P	Rs A C	Rs A P	Rs A P
1 Koyambedu	2 8	6 1 10	15 3				15 3	1 10 4	1 1 5	2 10 12	5 15 10	3 11 6		
2 Nazarathpettai								1 10 8	4 14 5	1 4	1 1 5	2 10 12	5 15 10	3 11 6
3 Vedal								1 11	4 10 10	2	2 4	1 2 14	4 13 2	5 7 14 0
4 Irungadukottai								1 1	6 8	5 12 8	10 10 1	6 13 8	17 2 1	20 5 9 0
5 Kodaipettai								4 7 6	8 3 3	6 15 6	4 4 10	11 6 12	12 8 1	15 0 1 0
6 Mevalurkuppam								9	1 11 8	2 1 6	2 4 3	2 10 6	3 15 11	4 7 15 0
								2 12	24	1 10 11	11 4 8	3 12	3 2 8	3 8 0
	2 8						15 3	10 13 11	4 2 5 4	2 17 10	6 19 5	7 2 8	4 4 7	4 9 9 5 7 1 5
1 Pudupoil								8 11 4	3 2 7 10	1 3	2 7 2	7 1 14	3 4 15	4 19 4 0
2 Nallur								7 1 10	6 9 6 9	2	8 5	7 3 10	6 9 15	2 8 3 9 6 0
3 Athipattur	2	21 14	43 12				43 12	4 12 4	5 1 12 1			4 12 4	5 1 12 1	6 2 1 1 0
	2		43 12				43 12	17 12 12	15 3 10 8	1 5	2 15 7	19 1 12	15 6 10 3	18 7 9 11 0
Grand Total	2 2 8		44 11 3				44 11 3	28 10 10	18 1 14 10	18	15 6	22 5 2	4 7 10	20 4 4 0 2,45 1 0 0

Murad's Distric
Collector's Kacher
Pasaipet 17th Sep
18

Asst. Collector

Collector

Ashpet Western Road
Ashpet Eastern Road

B Statement

High Western of the

Names of Villages	Garden: Extent of Sheijal and Loss K	Garden: Rate per Kani calculated on the average produce of the last 10 years	Garden: Amount of Assessment	Garden: Extent of Anaïdi and Porambokes	Garden: Rate per Kani calculated on the average Nanjah produce of the last 10 years, as rate given in Col. 10.	Garden: Amount of Assessment	Garden: Total of Columns 18 & 21	Total: Extent of Sheijal and Loss	Total: Amount of Assessment	Total: Extent of Anaïdi and Porambokes	Total: Amount of Assessment	Total: Total extent of Sheijal Land Anaïdi and Porambokes	Total: Total of Assessment per Annum	Total: Amount of Compensation to be given for 12 years from Faslee 1258 to 1269.
	16	17	18	19	20	21	22	23	24	25	26	27	28	29
	Kls a c	Kls m r	Kls m r	Kls a c	Kls m r	Kls m r	Kls m r	Kls a c	Kls m r	Kls a c	Kls m r	Kls m r	Kls m r	Kls m r
1 Santhaveliar								6 1 0	15 10 7	7 15 6	6 5 7	14 0 6	22 0 2	264 2 0
2 Mambakam								2 7 6	5 2 1	11 0 6	8 11 2	13 7 12	13 13 3	165 15 0
3 Thandalam	0 5 6	8 12 8	2 15 3	0 0 14	5 1 4	0 4 5	3 3 8	2 9 10	9 6 10	5 14 0	4 1 11	8 7 10	13 8 9	162 9 0
4 Settipatteu	0 2 2	8 12 8	1 2 8	0 3 14	1 14 5	0 7 4	1 10 0	1 12 8	3 8 7	6 11 12	4 10 6	8 8 4	8 3 1	98 5 0
5 Bimanthangal								2 0 14	3 15 0	5 15 4	5 5 2	8 0 2	9 4 2	111 2 0
6 Chembrambakam								14 9 8	56 13 8	0 0 0	0 0 0	14 9 8	56 13 8	682 4 0
7 Palanjur								12 0 8	17 5 11	1 0 14	0 0 109	13 1 6	18 0 8	216 8 0
8 Vellanthangal								2 4 10	6 12 5	1 14 10	1 4 6	4 3 4	8 0 11	96 11 0
9 Kattagharam										0 15 0	0 0 9 11	0 15 0	0 9 11	7 7 0
10 Nellkundram								1 7 2	5 1 10	1 8 10	5 4 11	2 15 12	10 6 9	125 1 0
	0 7 8	0 0 0	4 1 11	0 4 12	0 0 0	0 11 9	4 13 8	45 5 2	123 12 11	42 15 14	37 0 5	88 5 0	160 13 4	1930 0 0
1 Panapakam								11 13 10	57 3 1	1 12 12	8 6 2	13 10 6	65 9 3	786 15 0
2 Kilamattalambédu								10 2 6	59 1 10	1 9 10	6 10 8	11 12 0	66 6 6	796 14 0
3 Peruvoel								8 9 12	51 15 4	16 0	7 6 10	9 15 12	59 6 2	712 10 0
4 Alingivakam								7 10 8	18 15 0	8 10 0	8 5	8 3 2	18 9 10	223 6 0
5 Padiyanellur								9 9 0	30 7 0	4 5 6	7 0 8	13 14 6	37 7 8	449 12 0
6 Kandigai								2 8 8	5 10 8	0 8 0	0 12 0	3 0 8	6 6 8	77 0 0
								30 3 12	223 14	10 2 6	30 12 9	60 8 2	263 14 1	3046 9 0
Grand Totals	0 7 8	0 0 0	4 1 11	0 4 12	0 0 0	0 11 9	4 13 8	95 10 14	346 14 3	53 2 4	67 13 2	148 13 2	414 11 5	4976 9 0

Madras District
Collectors Kacheri
Said 17th Sept. 1860

Collector.

C.

Abstract of Statements A & B

1	2	Shejgal & Saik lands.						Anadi & Puramboke						Total					
		3			4			5			6			7			8		
	Names of the Roads	Extent.			Assessment per Annum.			Amount of compensation to be given for 12 years.			Extent			Assessment per Annum			Amount of compensation to be given for 12 years.		
		Ha	A	Ch	Rs	A	P	Rs	A	P	Ha	A	Ch	Rs	A	P	Rs	A	P
Statement A	Western Road	10	13	14	28	4	2	"	"	"	17	10	6	19	5	7	"	"	"
	Northern Road	17	12	12	153	10	8	"	"	"	1	5	"	2	15	7	"	"	"
	Totals	28	10	10	181	14	10	2,183	2	"	18	15	6	22	5	2	267	14	"
Statement B	Western Road	45	5	2	123	12	11	"	"	"	42	15	14	37	"	5	"	"	"
	Northern Road	"	"	"	223	1	4	"	"	"	10	2	6	30	12	9	"	"	"
	Totals	95	10	14	346	14	3	4,162	11	"	53	24	6	67	13	2	813	14	"
C	Western Road	56	3	"	152	1	1	"	"	"	60	10	4	56	6	"	"	"	"
	Northern Road	68	2	8	376	12	"	"	"	"	11	7	6	33	12	4	"	"	"
	Grand Totals	124	5	8	528	13	1	6,345	13	"	72	1	10	90	2	4	1,081	12	"

1	2	Total											
		9			10			11					
	Names of the Roads	Extent.			Assessment per Annum.			Amount of compensation to be given for 12 years.					
		Ha	A	Ch	Rs	A	P	Rs	A	P			
Statement A	Western Road	28	8	4	47	9	9	"	"	"			
	Northern Road	19	1	12	156	10	3	"	"	"			
	Totals	47	10	"	204	4	"	2,451	"	"			
Statement B	Western Road	88	5	"	160	13	4	"	"	"			
	Northern Road	60	8	2	253	4	1	"	"	"			
	Totals	148	13	2	414	11	5	4976	9	"			
C	Western Road	116	13	4	208	7	1	"	"	"			
	Northern Road	79	9	14	410	8	4	"	"	"			
	Grand Totals	196	7	2	618	15	5	7,427	9	"			

6345-13-1
1081-12
7427-9

528-13-1
90-2-4
618-15-5
7427-9

...District,
...to's Kacheri,
...ast 17th Sept 1860.

Geo. L. Dias
Board Clerk

Chairman

1860 Decr 4th

Copy Letter from the Collr of Chingleput dated 17th Septr 1860

No 371

To

The Secretary to the Board of Revenue

Fort St. George.

Dated 8th Octr 1860.

Received 5th Octr 1860

Entered

Rec'd Dep't

No 219

Proceedings of the Madras Government

Under date the 3rd Novr 1860

Read the following Proceedings of the Board of Revenue.

Submitting with the Board's recommendation correspondence with the Collr of Madras requesting sanction for the amount of compensation to be paid on account of certain lands taken up for the Northern and Western Trunk Roads.

(Here enter 7th Novr 1860 No 5750)

These Proceedings relate to compensation for certain Zemindary and Sotriyam lands, taken up some years ago for the Northern and Western trunk roads in the Madras District. The subject has been already on several occasions under the consideration of Government, and in their last

last order of 31st January 1860, No. 161, it was directed that compensation should be granted for the cultivable (Shaikâl) land taken, at the actual rate of assessment, as soon as the real extent of land so occupied was known; and as regarded the claims made for "Paramboke" and "Anadi" waste, the Govt determined, for reasons given, to pay in such cases at the same rate as for productive and valuable land.

2. The Board, in pursuance of the instructions contained in the abovementioned order, have obtained statements from the Collector of Madras, from which it appears that the cultivable lands occupied are Acres 1216-5-8 in extent, bearing an assessment of Rupees 528-13-1. This sum is, the Board recommend, to be deducted permanently for the future

(1m)

from

from the Peishcush of the proprietors Viz. Rupees 181-14-10 on account of Sirotriyam, and Rupees 346-14-3 for Zamindari villages: And as regards the past, a sum equal to the assessment for 12 years, from Fas 1258 to 1269, both inclusive, Viz. Rupees 6345-13-0, is to be disbursed to the proprietors.

3. The principles laid down by Government for the treatment of "Paramboke" & "Anadi" waste, were, that its actual state and marketable value at the time should be considered; that this would be generally small; that in many cases proprietors would be willing to give up such pieces free, in consideration of the benefit their estates would be likely to receive; that even if this were not the case, they would probably consent to a price fixed by private arrangement

agreement

las. agreement or arbitration.
No. and that course failing, the
con land would have to be taken
for under the Act. This plan was
tak to be adopted both in Mulla
and Srotriyam villages, except
ten where the latter were held for a
hav term only or where an assignment
cla of land had been made for the
an purpose of yielding a certain
der annual sum: in these cases
to Govt. were not prepared to pay
na for unreclaimed waste required
va for a public purpose.

2. 4. In the present case
it has been found impossible
con to adhere to these principles. They
and must, as the Board observe, (para 4)
for be acted on before land is taken
for up. The proprietors of these lands
cul declared x that they were cultivable,
ha and as they have been occupied
and by the road for twelve years,
13. the Collector found a difficulty
re in shewing the contrary. After
pe personal discussion with

the Dy

Owners the lands were taken without an agreement with Proprietors Mg.

x From Collr 14th Octr 1860 No. 419

proprietors

tion, Mr. Sinclair fixed the average dry assessment on Nunjah, and half that as average on Punjah "Anadi" and "Panampoke". The result is that Canonies Kanis 72-1-10 of this description of land are assessed at Rupees 90-2-4, which sum the Collr recommends should be deducted from the Peishcush, while Rupees 1081-12-0 are to be granted as compensation for the past twelve years.

5. The Board consider these terms very high, but recommend as the land was taken without previous arrangement, and as the Collr can make no better bargain, that they should be accepted. The Governor in Council accordingly authorizes the Collector to grant compensation both for cultivable and uncultivable lands according to Statement C. accompanying his

his letter of the 17th Sept.r last,
dedueting from the pesheush
in future years the sums already
mentioned. This Govt
is to be contended
as a special con-
cession - not to
be drawn into
a precedent

The Govt are quite
of the opinion expressed by the
Collector (para 5 of his letter
of 17th September) that the pro-
prietors have thus received
more than their due. The long
delay in the settlement of these
claims, and the unsatisfactory
result, are additional argu-
ments, if such were wanted,
for the necessity of a speedy
determination of the rights of
parties and of the terms on
which such lands should be
appropriated.

14 Copies & Sig.d Dup.
Qu.r Gen.l
3 — Acct Genl
3 — Civil Pay.r

Letter Duly Rec.d
& Acknowl.d
28/10
5

This is an awkward
case to deal with -
pt. took the land
without coming to any
agreement with the
owners and are not
now in a position to
dictate terms -

I have put the
concession as a special
case to meet the
views by expressed
views of pt. but I doubt
if the Courts would
allow that a proprietor
was not entitled to
the fair market value
of his land whether in-
cluded or not in the
assets - supposing of
course that the land
was not already ap-
-plied to some public
purpose at the time
of the Grant being
granted - Ex: gr. land
occupied by a Fort -
Road, Canals &c

What I mean is

that exclusion from the assets, is not necessarily reservation to prt. The Regn. XXV of 1802 and the Zemy. Sunnuds reserve to prt. Inams - the Salt - Abkary &c. - Over these the Zemr. has no right - But the statement of assets was merely a valuation of the sources of income on which the Peshcush was fixed - of course "Poramboke" or unculturable land & "Anady Bunjer" or land not cultivated within memory was left out or excluded, as they had no value - but this exclusion or omission does not, I apprehend, make them less the property of the Zemr. and if he cultivates them he pays nothing extra to prt. for so doing - I think that fair compensation is claimable for such land

c17th Novr.

L.R.

(13)

Compensation for Lands taken up for [illegible] and Trunk Roads

- I pass the draft - granting the compensation recommended - As the land was taken without first making terms for it, we must now compromise. - I only wanted to take care [illegible] that we did not pay for what was already our own. -

- I hold that a Zemindar is entitled to compensation for any waste land (Anadi bunjer included) which is taken by Govt. for public purposes - the only exception being those kinds of Poramboke (sites of tanks, Roads, Forts &c) which either by the terms of the Sunnud or by the law of the country are reserved to the State. - The amount of compensation depends of course on the value of the land taken.

122-3
31-1-60

Revenue 1861 Department.

Pro: of Govt. for November

No 2119.

Pro: of the Madras Govt.

Dd 5th November 1861.

Authorizing the Collector of Madras to grant compensations for certain Zamindari and Shrotriem lands for the Northern and Western Trunk Roads in the Madras District.

No: 66 to 67.