M.R.O. 14—10,000—21-4-22

# MADRAS RECORD OFFICE.

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## Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1141 — Press / ~~Mis.~~

627-629

Dated 23 - 5 - 1862.

***Not to be folded or roughly handled***

*Proceedings of the Madras Government, Revenue Department, 23rd May 1862.*

No. 427. Read the following Proceedings of the Board of Revenue, dated 19th February 1862, No. 1,180 :—

Read the following letter from E. B. THOMAS, Esq., Collector of Coimbatore, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated 25th January 1862, No. 17.

SIR,

1. In reply to the Board's Proceedings of the 14th October 1861, No. 5,607, I beg to submit a further report from the Tahsíldár of the Neilgherries, from which, and from all the former evidence submitted with my letters noted in the margin, it is clear that the Burghers have a fair right to compensation. The Board before ordered me to propose a rate, and after due consideration and inquiry I named the low and moderate one of 20 Rupees per Cawny for the 14 Bullahs held on old Puttah by the Burghers. Of this they have had long, clear, and undoubted occupation, and only gave way, with much remonstrance, before Mr. Rae's forcible occupation of their site. These men are just as much entitled as those who still receive public compensation for the occupation of Ootacamund and Wellington.

4th March 1861, No. 47.
13th April „ „ 73.

Seventy and more having been given in other localities by Government and by private individuals; in Coonoor some years back General Dyce gave 1,000 Rupees for 37 Cawnies of far less valuable land.

2. I have just visited the spot again (in company with the Executive Engineer Captain Farewell) a fourth time, and conceded to Mr. Rae (to save further discussion), the boundaries *he* has now selected, 240 acres, on both sides of the stream (though he before agreed to take it all on *one* side, and leave the stream as the natural and best boundary). I found great alteration, by Mr. Rae, in the proposed boundaries, *since* I last visited the spot; he has gone over the stream, built a hut, cut roads and water-courses, and drawn a very irregular boundary line, as the Surveyor's sketch* will show. I think it would have been far better had Mr. Rae kept to the original boundaries *he himself* indicated and agreed to, and at least marked out a less eccentric line of demarcation.

* Executive Engineer of Hills has not yet quite completed it.

3. Some of his new paths and water channels are also cut beyond his own boundary, in Government land, without any leave. On asking Mr. Rae's Superintendent on the ground (an East Indian lad) why the original limits agreed on had been so altered, he said, "Mr. Rae had His Excellency the Governor's personal leave for so doing;" of the truth of this I cannot judge; and I mention the liberties taken by Mr. Rae in altering the former boundaries, chiefly to show how very independent he considers himself of all the local authorities.

4. I have nevertheless assented (to save, as I said above, further discussion), though I am clearly of opinion that the fair and just *rights* of the native tribes have been greatly infringed and disregarded.

5. It remains to be seen whether Mr. Rae will accord to the Hill tribes, the long *used* pathway they are *fully* entitled to, and which he promised to them; to refer *them* to "Civil action," for this (their old and undoubted immemorial right of way) is tantamount to a deprivation; the remedy being one *they* never will or can adopt; and the Superintendent said, he has been "ordered by Mr. Rae (before he went to Bombay) *not* to allow the tribes through the valley." I think this point should be *clearly* settled, as directed by the Board, before Mr. Rae is confirmed in his possession.

In paragraph 11 of 1st June 1861, No. 2,814.

6. I find I was in error in before saying, in my letter of the 10th October 1861, No. 217, that Mr. Rae declined to show his boundaries to *Captain Farewell*, as that officer had not (I now find) visited "Soloor," till now with me. I had understood Mr. Williams the Surveyor to that effect.

The Collector, &c.
Thomas

Translation of an Urzee addressed to E. B. THOMAS, Esq., Collector of Coimbatore, by SOONDRA MUDELIAR, Tahsíldár of Neilgherry Táluq, dated 11th November 1861, No. 259.

1. The land (referred to in your Order of the 2nd instant, No. 451) appropriated by Mr. Rae for the cultivation of tea, belongs to the Ryots of Soloor, a hamlet of Todanad village. The Burghers have grass Puttahs for 14 Bullahs of land in that locality. It has been ascertained from careful inquiries made of the Ryots of neighbouring village, as well as the Monigar and Curnum, that the land in question was long cultivated, and that the father of the complainants about 15 years ago raised a dam across the stream running through the land, and led a channel from it, to water garlic and other crops with which the land was then cultivated. In proof of this statement the channel is still in existence, and the land undoubtedly appears to have been formerly under cultivation. I also beg to report that it appears that when the above land was under cultivation, the cattle of the Burghers were grazing in another locality, which they were obliged to abandon in consequence of its being infested with tigers. They then turned the 14 Bullahs of arable lands into pasturage about 12 years ago, on which they ever since grazed their cattle. The complainants hold six grass Puttahs, viz., Nos. 151, 152, 153, 154, 155 and 157 for the above extent measuring 14 Bullahs, and pay the Government demand thereon. Before Mr. Rae had given cause to this complaint, I have been to Soloor on many former occasions for examining crops and on other Revenue purposes, when I asked the Burghers the reason of their keeping under grass such fine land in the immediate vicinity of the village, and cultivating lands at a distance, and was then told by them that they formerly had it under the plough, but in consequence of there being no other such suitable land for pasturage, they hold it on grass Puttahs. The Monigar and Curnum also corroborated this statement. The Burghers brought the above facts to notice four or five years before this complaint had emanated, so that there is no reason to doubt their veracity. Although the boundaries of Puttah lands on the Hills cannot be accurately ascertained by documentary evidence, yet from the foregoing circumstances, and from the long occupancy of the land by Burghers, it cannot in the least be doubted that the above is their own pasture land.

2. The land measures in extent 14 Bullahs assessed at Rupees 20-4-4, but paying a quarter for grass, viz., 5-1-0, which the Burghers pay annually to Government through the Monigar. In February last I instituted similar inquiries on the subject in consequence of the Burgher complaints, and reported to you in my Urzee of the 15th of that month, No. 25. The Ryots of other villages who often visit the above village, also testify to the statements of the complainants.

(True translation.)

(Signed) E. B. THOMAS, *Collector.*

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In Cons. 11th October 1861, No. 6,472.

1. Ordered to be submitted to Government, with reference to their Proceedings, dated 10th October 1861, No. 1,965, Revenue Department.

2. The Board see no reason to doubt that the land occupied by Mr. Rae is that included in the grass Puttahs of the Burghers, for which, as appears from the Tahsíldár's report, they pay the Government demand, and are entitled to compensation as already recommended.

(True Copies and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

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No. 428. Official Memorandum from the Secretary to the Board of Revenue, Madras, dated 18th March 1862, No. 144.

In reply to an Official Memorandum from the Secretary to Government in the Revenue Department, dated 7th instant, No. 45, the undersigned has the honor to state that the land referred to in the Board's Proceedings of the 19th ultimo, No. 1,180 is 14 Bullahs the equivalent of which is 40 Cawnies and 46 Goolies, and that the assessment mentioned in paragraph 2 of the

*Proceedings of the Madras Government, Revenue Department,*
*23rd May* 1862.

Tahsíldár's Urzee, viz., 20-4-4 is evidently the assessment of the whole extent of 14 Bullahs and not the rate per Bullah, for this rate which would be excessive does not exist among the dry rates of Coimbatore. The maximum rate of dry assessment in this District is only Rupees 8-13-0 per Bullah as fixed at the time of survey, and Rupees 6-7-5 as existing at present, the rates descending as low as Annas 4-8, and there are intermediate rates at Rupees 1-8-8, 1-7-6, and 1-5-2 per Bullah.

(By order.)

(Signed) W. HUDLESTON, *Secretary.*

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No. 429. ORDER THEREON, 23rd May 1862, No. 1,141.

1. The Governor in Council observes that the extent of the land in question is 40 Cawnies and 46 Goolies, assessed at Rupees 20-4-0, but actually paying only Rupees 5-1-0, as it is held on a "Grass" Puttah.

2. The Collector, Mr. Thomas, proposes that compensation should be paid at the rate of 20 Rupees per Cawny, which is equivalent to about forty times the full assessment, and one hundred and sixty times the actual assessment paid yearly during the last twelve years.

3. The Governor in Council considers such a rate wholly inadmissible for land which has been held merely for pasturage and in no way improved by the occupants. He considers that 200 Rupees, nearly forty times the assessment paid, will be liberal compensation, and sanctions the grant of that amount.

4. The Board will arrange with the Accountant General for the provision of the necessary funds from the Budget of 1862-63.

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

Note.

In the case of Plaintiff
& Mrs. Rae at Shelton
especially decided some
40 Cases & held on
"praid" Putt at by the
Burghers - & his claim
compensation for the
cause.
The Burghers' eij Att Gen
fully established &
Ct. have decided
that the compensation
must

must be paid by the State first by Mr Rae he cause they had alre[ady] painted the land. The only preston is the want of compensation

There are "40" Carriages attached at 30¼ Rs. but actually paying Rs. a only 5-1-0, as they are used only for pageantry purposes.

I shd. therefore beg. leave that for Thrale pay 870 Rs - i.e 40 times the full added men & 160 times the actual Lascar men hired for ½ year only. This deficit to me on all reasons for land in use is merely added for pasturage - It is true that for here we paid 70 Rs. per Carriage for land in other parts of the Hills - but I depict this as a precedent to

Revenue Depart.

No. 1141.

Proceedings of the Madras Government under date the 23d. May 1862

Read the following papers -

Bo: of the Board of Revr.

Submitting a letter from the collector of Coimbatore stating that the Burghers are entitled to compensation for the land occupied by Wr. Rae.

(Here enter 19th Feby/62 No. 1180).

Offl. Memo from the Secy. to the Board of Revenue

Stating that the land referred to in Board's Bo: dated 19th Feby. 1862 No. 1180 is 14 Puttahs, the equivalent of which is 40 cawnies and 46 Goolies.

(Here enter 18th March 1862 No. 1441)

The Governor in council observes that the extent of the land in question is 40-46 cawnies-goolies assessed at Rupees 20-4-0 but actually paying only Rs. 5-1-0, as it is held on a "Grant" Puttah.

The Collector, Wr. Thomas

Market value.

Whatever land for or any land for an road is also dispute the matter should be decided & value ascertained. Burghers estate & the fictitious value ascertained by first must be ascertained by others.

I should say 200 R or £20 would be a handsome price for land Ten tiny to thirty yards.

For orders.

L.D.

Thomas, proposes that compensation should be paid at the rate of 20 Rs. per tawny - which is e= =quivalent to about 40 times the full assessment and 160 times the actual assessment paid yearly during the last 12 years -

The Governor, in Council considers such a rate wholly inadmissable for land which has been held merely for pasturage and in no way improved by the occupants - He con= =siders that 200 Rupees nearly 40 times the assess= =ment paid, will be liberal compensation, and sanctions the grant of that amount -

The Board will arrange with the Account= =ant General for the provision of the necessary funds from the

Budget



Budget of 1862/3 -

I & L

14 Copies to the Board Rev Dep.t 2 do
3 - do - Accts Genl's
3 - do - Civil Paymasters

Regarding compensation for the land occupied by Mr Rae in Coimbatore Dist.

Pro: 10th October 1861 No. 146-147

Revenue 1862 Sept.
Pro: of Govt. for May.

N: 1161.

Pro: of the Madras Govt.
Dt 23: May 1862

Pro of the Bd of Rev Dt 15 May
62 Re. N 1153

(Passing) orders on
papers from Revenue
Board regarding) com:
pensation to Burgers for
land occupied by Mr
Rae in Coimbatore Distt.

N 427 at 429.