M.R.O. 14—10,000—21-6-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2179	Press ~~Mis.~~
47-48	
Dated 9. 10.	18 62.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 9th October 1862.

No. 117. Read the following Proceedings of the Board of Revenue, dated 26th September 1862 :—

Read the following letter from G. S. FORBES, Esq., Collector of Ganjam, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated Chetterpore, 9th September 1862, No. 231.

SIR,

I have the honor to forward for the favorable consideration of the Board and of Government a letter addressed to me by Mr. John Burgess, an applicant for the purchase of waste land in this District. The object of the letter is to obtain a relaxation of the rules recently received from the Secretary of State analogous to that permitted in the Punjab and North-West, where actual purchasers have been left undisturbed. Mr. Burgess accordingly asks to be permitted to purchase his land without being subjected to competition, at the rates announced in the late Viceroy's order on the subject. There can be no doubt, I think, that he has sustained loss from the circumstance of those orders having been held in abeyance and subsequently modified.

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1. Ordered to be submitted for the decision of Government.

2. The Board observe that applications for 5,000 acres of waste lands in the following proportion :—

Mr. John Burgess.....	2,000 Acres.
„ Robert Burgess.....	2,000 „
„ A. M. Buchanan.....	1,000 „

with specification of boundaries were notified by the Collector under date 31st May 1862, and published in the District Gazette, and the Board do not doubt that expense has already been incurred by the parties in connection with their applications.

3. The Secretary of State, in paragraph 76 of his Despatch on the Resolution of the Governor General, declares his intention that all arrangements for the purchase of waste that "have been actually completed under the provision of the Resolution shall so far as is compati-"ble with law, be scrupulously carried into effect."

4. The Board must leave it to Government to decide the effect of these instructions on the present case. They will merely observe, that the decision must rule all other cases similarly circumstanced in this Presidency.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 118. ORDER THEREON, 9th October 1862, No. 2,179.

1. Resolved that the Board of Revenue be informed that the Government see no sufficient reason for a compliance with the request of Mr. Burgess that he may be permitted to purchase the waste land he has applied for, without its being subjected to competition, and at the rates communicated in the Resolution of the Government of India, dated 17th October 1861. This Government in their Order dated 27th February 1862, directing the registry of applications that might be made for waste lands, clearly laid down that "possession could not be given until "the final orders of the Supreme Government were received."

2. The Board in paragraph 3 of their Proceedings allude to paragraph 76 of the recent Despatch of the Secretary of State as making an exception in favor of arrangements actually completed, but in the present case there was nothing like a complete purchase, nor anything done by the Officers of Government beyond taking the preliminary steps prescribed by the draft Order submitted to the Government of India on the 25th February last, viz., the lands were marked out and a notification of the application made in the District Gazette, whatever may have been done beyond that was done by the applicant himself and at his own risk.

(Signed) T. PYCROFT,
Chief Secretary.

Revenue Department.

N°

Proceedings of the Board of Revenue
dated 26th September 1862.
Read the following.

N° 231

From G.S. Forbes Esqr
Collector of Ganjam.

To W. Ruddleston Esqr
Secretary Board of Revenue
Chepauk.

Sir,

I have the honor to forward for the favorable consideration of the Board and of Government a letter addressed to me by Mr John Burgess an applicant for the purchase of waste land in this District. The object of the letter is to obtain a relaxation of the rules recently received from the Secretary of State analogous to that permitted in the Punjab and North West where actual purchasers have been left undisturbed. Mr Burgess accordingly asks to be permitted to purchase his land without being subjected to competition at the rates announced in the late Viceroys order on the subject. There can be no doubt I think that he has sustained loss from the circumstance of those orders having been held in abeyance and subsequently modified.

Ganjam District Collrs
Cutchery - Chetterpore
9th September 1862.

I have &c
(signed) G.S. Forbes
Collector

Orders

Ordered to be submitted for the decision of Government.

2 The Board observe that applications for 5000 Acres of waste lands in the following proportion.

Mr John Burgess —— 2000 Acres
" Robert Mc —— 2000 "
" A. M. Buchanan —— 1000 "

with specification of boundaries were noticed by the Collector under date 31st May 1862 and published in the District Gazette, and the Board do not doubt that expense has already been incurred by the parties in connection with their applications.

3 The Secretary of State in para 7b of his Despatch on the Resolution of the Governor General, declares his intention that all arrangements for the purchase of waste that "have been actually completed under the provision of the Resolution shall so far as is compatible with law, be scrupulously carried into effect."

4 The Board must leave it to Government to decide the effect of these instructions on the present case: They will merely observe, that the decision must rule all other cases similarly circumstanced in

in this Presidency.

A true Copy & Extract

Secretary

To
The Honorable T. Pycroft
Chief Secretary to Government
with 8 Enclosures.

[illegible] 2 of 27th February 1863 Re 2000 Acres [illegible] Purchase [illegible] Waste Lands [illegible] Government [illegible] Resolution [illegible] Despatch [illegible] Secretary of State [illegible] Rejection [illegible] Applications [illegible] Dec 5-6-7-9th [illegible] Letter [illegible] Collector [illegible] Enclosures [illegible]

Copies in Collectorate.

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Copies in Collectorate.

Revenue Department

No. 2179

Proceedings of the Madras Government

9th October 1862

Read the following Rep.
of the Board of Revenue.

Submitting with Boards Remarks a letter from the Collector of Ganjam, forwarding for the favourable consideration of the Board and Government an application from Mr. Burgess for Waste lands in his District.

(Here enter 26th Sept. / 62)

Resolved that the Board of Revenue be informed that the Government see no sufficient reason for a compliance with the request of Mr. Burgess, that he may be permitted to purchase the waste land he has applied for, without its being subjected to competition, and at the rates communicated in the Resolution of the Government of India dated 17th October 1861. This Government in their order dated 27th February 1862 directing

No. 24 of Revenue Sd. 26 Sept. 1862.

Rev. 1862 Oct. 2
Original Proceedings
Proceedings of the Board
of Revenue.

Date 26 Sept. 1862
Rec'd 2 Oct. 1862
Ans. 9 Oct. 1862

No 2179 9 Oct.

Submitting with the following Remarks a letter from the Collector of Ganjam, forwarding for the favourable consideration of the Government an application from Mr. Burgess for Waste Lands in his District. —

Read

directing the registry of applications that might be made for vacated lands, clearly laid down that "possession could not be given until the final orders of the Supreme Government were received".

2 The Board in para 3 of their Proceedings allude to para 76 of the recent despatch of the Secretary of State as making an exception in favor of arrangements actually completed, but in the present case there was nothing like a complete purchase - now any thing done by the Officers of Govt beyond taking the preliminary steps prescribed by the draft orders submitted to the Government of India on the 25th February last - Viz. the lands were marked out and a classification of

of the application made in the District Gazette - whatever may have been done beyond that was done by the Applicant himself and at his own risk.

14 Copies to the Board of Revenue with 1 enclosure each

Application from
Mr. Burgess forwarded
Cuddr in Ganjam —

Revenue 1862 Septr.
Pro: of Govt. for October
No. 2179.

Pro: of the Madras Govt.
Dy 9th October 1862.

Passing orders on
Boards Proceedings sub-
-mitting Mr. I. Burgess
application for waste
land in Ganjam.

No 117 & 118