M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2297 Press ~~Mis.~~

266.267

Dated 15 – 12 – ~~19~~ 1863

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 15th December 1863.

No. 266. Read the following Proceedings of the Board of Revenue, dated 20th November 1863:—

Read again Board's Proceedings, dated 10th March 1862, No. 1,591 and 19th January 1863, No. 278.

Read also the following letter from C. W. READE, Esq., Collector of South Arcot, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Cuddalore, 9th November 1863, No. 302.

SIR,

1. Adverting to paragraph 4 of the Board's Proceedings dated 19th January 1863, No. 278, I have the honor to submit a Statement showing the extent of land and its location which the Poligar of Paroor is desirous of taking in the event of Government allowing him to occupy it on favorable terms.

2. The Statement will be found to contain all the required particulars, and the Board will observe that the existing rates of assessment per acre in the village of Paroor is Rupees 1-14-4 and that of Agarum is Rupees 1-10-6, and the average assessment per acre on land of the same quality under cultivation in the neighbourhood of that now applied for is Rupees 1-14-8 in Paroor and Rupees 1-6-0 in Agarum.

3. The Poligar desires to possess himself of a total quantity of Cawnies 292-10-3, in the two villages at the uniform rate of 1 Rupee per Acre, and I am of opinion that the proposal is only reasonable and may be acceded to. The lands are all near to his residence, but he will have to incur considerable expense in clearing the jungle and the brushwood roots with which it is now covered, and probably no one would be tempted to undertake the conversion of this immemorial waste into cultivable land unless circumstanced as the Paroor Poligar whose object is I conceive laudable, and deserving of encouragement, but which it would be impracticable for him to carry out without some concession of the fixed revenue.

4. It does not appear that previous Darkhasts for any portion of this land have ever been made by other parties, a fact which may be accepted as favoring the proposed grant, and as the Poligar has of course been greatly disappointed after the hopes I had held out to him, I trust the Board will be prepared to support my favorable recommendation of the proposal now submitted.

5. The permanent revenue lost to Government under the grant will be Rupees 290-6-0 as shown in column 9 of the Statement, being the difference of rates between the fixed assessment and the proposed on the total of the land in both villages applied for by the Poligar.

The pensioned Poligar of Paroor, who is the representative of the former Mén Kavilgars of that part of South Arcot, applies for 387 Acres of immemorial waste land in the vicinity of his residence, at the uniform rate of Rupee 1 annual assessment per acre, the average registered rate per acre on the land being Rupees 1-12-0, and the average on cultivated land of the same quality in the vicinity being Rupees 1-10-4 per Acre. In consideration of the antecedents of the applicant's family and of the expectations which he was induced to form of obtaining the land under Lord Canning's Resolution in freehold at Rupees 2-8-0 per Acre, the Board resolve to recommend to Government that his application be granted as a special case.

No. 267. ORDER THEREON, 15th December 1863, No. 2,297.

1. Under the circumstances stated the Government are willing to treat the Poligar with consideration, but the terms proposed by the Board and Collector are unduly liberal.

2. The Government observe that the average registered assessment of the land is 1¾ Rupees per Acre, the average on cultivated land of the same quality in the vicinity being Rupees 1-10-4 per Acre. The Government consider that 1¼ Rupee per Acre (inclusive of road cess) would be a fair rate, three years entire exemption being allowed to enable the Poligar to clear the land, and the assessment being thereafter payable on the whole extent under all circumstances

3. If the Poligar agrees to these conditions he may have so much of the land applied for as is unoccupied and available on a permanent Puttah. The boundaries of the land should be durably marked before transfer, care being taken not to include in the grant any land belonging to others. As regards the land thus made over to him the Poligar will be at liberty to make his own terms with his sub-tenants.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

No. 1,591.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 10th March 1862.

Read the following letter from H. WOOD, Esq., Collector of South Arcot, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated Cuddalore, 14th February 1862, No. 30 :—

1. I have the honor to forward for the favorable consideration of the Board a Petition from the Poligar of Paroor, praying for the grant of certain waste lands situated in the village of Parur, Agarum and Keeranoor in the Taluk of Verdachellum, on an easy rent. I trust his application may be granted.

	C.	AS.	Assessment. RS.	A.	P.
Karoor.....	118	¾	287	2	0
Peeranoor..	7	0	15	10	10
Agarum.....	79	7½	170	14	0
Total....	204	8	473	10	10

2. The ground applied for is almost all jungle, measures 204½ Cawnies of Punjah, and rated at an assessment of Rupees 473-10-10 ; the offer of the Poligar being Rupees 207-13-5.

3. I beg at the same time to forward for the information of the Board a letter from the late Acting Sub-Collector, Mr. Dalyell, explanatory of the position of the Poligar, and the circumstances under which I was induced to forbid any encroachment on the jungles held by his ancestors until other waste in the neighbourhood had been brought into cultivation.

ENCLOSURE No. 1.

From R. A. DALYELL, Esq., Acting Sub-Collector of South Arcot, to H. WOOD, Esq., Collector of South Arcot, dated Cuddalore, 30th July 1860.

1. With reference to Board's Petition No. 591 of 1860, from Ramacharry Iyer and other Ryots of Parur in the Verdachellum Taluk, requesting that certain waste lands may be made over to them, which was forwarded by you to my office for report, I have the honor to state that the land in question is in the immediate vicinity of the house of Mutukistna Kochi Rau, Poligar of Parur.

2. His father received an allowance of Rupees 4,004-12-8, which appears to have been granted either for service or in lieu of Jaghire and Mocasa Villages (which I have been unable to ascertain); this allowance however was reduced by one-half on his father's death in 1839.

3. He is a most respectable man, and has on several occasions given considerable assistance in the detection of offenders who had absconded to his neighbourhood.

4. The matter has been before the authorities some time as it appears that when you were Sub-Collector you issued a verbal order to the effect that Durkhasts were not to be received for this land, and Mr. McDonell also directed that no land should be made over until he had inspected the spot.

5. I am informed that there is a large quantity of waste land a short distance from the house, and that this Durkhast is made merely for the purpose of annoying him. I would therefore beg to suggest that an endorsement be passed prohibiting Durkhasts for any land within half a mile of his house being accepted until the whole amount of available waste in the neighbourhood is taken up.

(True Copy.)

(Signed) H. WOOD, Collector.

ENCLOSURES Nos. 2 and 3.—Petitions.

1. The Board observe that the land is described as immemorial waste overrun with jungle, and such land under the Resolution of the Governor General can, if unassessed, be purchased free of all future demand on account of Land tax for Rupees 2-8-0 per acre, of which 10 per cent. must be paid down, and the remainder may remain as a charge on the Estate bearing 10 per cent. interest payable annually.

2. The Collector will ascertain from the Poligar whether he would be willing to take up any of the land in question on these terms; and if so, will report in what sense the land is said to be assessed, that is, whether it has ever really been charged to the public revenue, or whether it is absolutely immemorial waste, that has never been occupied, and on which the assessment is merely entered in the village Register as in fact classifying the land according to its quality.

3. He will also briefly sketch the connection of the Poligar's family with the locality, and will further state what the quality of the land is, and how far it is capable of paying the assessment now rated on it, when compared with the neighbouring land in occupation.

(True Copies and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To C. W. Reade, Esq., Collector of South Arcot.

Exd. J. Wright.

Enclosure in the Proceedings of the Board of Revenue dated 20th January 1863.

1862. Department.

No. 2801

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 10th March 1862.

No. 1,591.

Requesting further information about the waste lands applied for by the Poligar of Paroor.

No. 278.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 19th January 1863.

Read again the following letters :—

From C. W. READE, Esq., Collector of South Arcot, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Cuddalore, 23rd June 1862, No. 115.

1. I have the honor to acknowledge the Board's Proceedings dated 10th March last, No. 1,591.

2. These Proceedings relate to a proposal by the Poligar of Paroor to take up a quantity of land in three villages contiguous to his residence, and Mr. Wood recommended for the Board's favorable consideration the request of the Poligar for a reduction of nearly one-half the prescribed assessment.

3. The Board observe that the land being immemorial waste covered with jungle, it was available to the Poligar under the terms of the Resolution of the Governor General, and that the Poligar might purchase it free of all future demand on account of Land tax for Rupees 2½ per acre under the easy conditions as prescribed in the Orders of the Government of India, and I am instructed to ascertain from the Poligar if he be willing to take up any of the land in question on these terms; and in that event I am further requested to submit all particulars in respect of the said land, and as well to give a brief sketch of the connection of the Poligar's family with the locality.

4. I am now in a position to afford the information desired. At the recent settlement of that part of the District, I was visited by the Poligar to whom I had previously communicated what the Board had written, and I personally explained to him the very great advantages offered to him in the proposed arrangement.

Paroor	148	12	374	2	0
Agarum	130	4	284	14	9
Keeranoor	16	8	36	1	6
Total	295	8	695	2	3
Add	204	8	485	13	2
	500	0	1180	15	5

5. The Poligar has now submitted an application for 500 Cawnies of land situated in the three villages named in paragraph 1 of Mr. Wood's letter of the 14th February last. The particulars of these lands I have given in the margin, showing their extent in each village with the total of their assessment, of which further explanation follows.

6. In the past two years a portion of these lands now applied for, situated in the village of Paroor, the residence of the Poligar, has been given on Darkhast to Ryots; the extent with the assessment will be found in the margin. In regard to these lands so appropriated, the Poligar complains that they have been improperly obtained; that they should be considered in his occupancy; and that they have been made over to the holders in view to subject him to inconvenience and annoyance; that he represented this to the Officers on whom it devolved to make over the lands, and he now claims possession of these lands in virtue of an alleged order of the Collector prohibiting their transfer to any one else.

In Paroor.					
In Fasli 1269..	13	8	31	8	0
In Fasli 1270...	81	6	203	7	0
	94	14	234	15	0

7. In reference to this alleged grievance of the Poligar, and the claim founded on it, I may mention that under date the 20th August 1860 the Collector, at the instance of the Poligar, directed that no Ryots were to be allowed to occupy land within a circuit of half a mile round the Poligar's house, and it appears that the lands, the rightful possession of which by the Ryots the Poligar now disputes are beyond and not within that distance, so that there has been no transgression of orders, nor as far as my inquiries go, have I been able to discover any desire on the part of the public servants or others wilfully to annoy or inconvenience the Poligar; and I cannot conceive their motive for so doing, and the Poligar has certainly failed to satisfy me that this declared hostility and opposition have existence save in his own imagination.

8. I am of opinion therefore that the lands already made over to other Ryots agreeably to the Durkhast Rules, cannot now be taken from them in favor of the Poligar; indeed any attempt

of the kind would be illegal, and would eventually lead to actions against Government for damages. The Poligar must therefore make his own terms with the holders of these lands, and I imagine he might readily do so, if not at present, at all events so soon as he has entered on occupation of the tract he now applies for.

9. Excepting these lands as well as C. 1, A. 15, P. 1, in the village of Keranoor already assessed at Rupees 3-14-8, the rest are reported to be immemorial waste, never having at any period been occupied, and the assessment at which they are rated in the Village Registers simply represents the classification of the lands according to their supposed or ascertained quality.

10. The accompanying two Statements furnish every detail connected with the whole of these lands now sought by the Poligar, exhibiting which of them is available to him, and which have already passed into the occupation of others, and these latter cannot therefore be given to him; but I may observe in respect of these lands comprising C. 94, A 14, and assessed at Rupees 234-15-0 as entered in paragraph 6, that less than one third or only C. 30, A. 6, P. 3, bearing an assessment of Rupees 75-2-11 have been brought under the plough, and the remaining two-thirds or C. 64, A. 7, P. 1, assessed it Rupees 159-12-1 still lie waste and covered with jungle. The Poligar desires to possess himself of the whole and on any terms paying the assessment for which they have been given, but as already stated, it would be impossible to eject the holders of these lands either legally or equitably. Although the greater portion has not been cultivated, the assessment for two years has been paid, a very common practice, the Ryots I presume having ulterior objects in view as to their appropriation. The Poligar expresses his readiness to re-imburse the full amount paid up by these Ryots, but I have explained to him that the Government cannot interfere, and that he must make his own arrangements if desirous of securing their lands.

11. In the village of Paroor the lands are measured within three boundaries as entered in Statement 1, and to the south of boundary 1 a small portion, eight Cawnies in extent has been cultivated, and it is reported that no difference can be traced between the soil of this spot and the surrounding waste. There is no cultivation in the neighbourhood of the other two boundaries in Paroor, or in either of the other two villages with the exception of the insignificant portion of C. 1-15-1 in Keeranoor mentioned in paragraph 9.

12. In further explanation of Statement 2 I should state that in the village of Paroor 3 and odd Cawnies are cultivated close to the second boundary of the lands therein mentioned, and that the soil of this cultivated spot assimilates with that of the waste applied for by the Poligar; also in the same Statement it will be seen that there is no cultivation in Keeranoor within 160 yards of the boundary of the lands mentioned; but in the village of Agarum, there are a few Cawnies under cultivation close to the second boundary, the soil of which is said to be precisely the same as that of the surrounding waste. There is no other cultivation in these villages.

13. On reference to the old Survey Registers prepared in Fasli 1236 or 1826-27, I find that these three villages Paroor, Keeranoor, and Agarum are entered as Mokassa villages which in former days had paid a very light rent. The Poligar has given me a copy of a Memorial which he states he had addressed to the Governor General of India so far back as the 26th August 1839, but to which he received no reply. In this Memorial he represents his ancestors to have enjoyed Agarum and Boothamoor as Jaghire, and the two villages of Paroor and Keeranoor on a sort of Peshcush tenure like ordinary Zemindars, but that on the assumption of the country by our Government, the villages were resumed and in lieu an annual pension of Rupees 1,004-12-8 was conferred on his father, a moiety of which is continued to himself as the son, the present Poligar, but under the conditions of the grant this will lapse to Government on his death, unless it be further continued as an act of grace in consideration of the poverty of the family and of their ancient origin.

14. There is no reason to doubt the truth of the Poligar's statement. As far as I can learn his family have been for centuries connected with the locality, and they have ever borne a high character for respectability and loyalty, while the present Poligar in his bearing and deportment carries with him evident marks of noble birth.

15. In conclusion I have merely to recommend that, with the exception of the lands noted in paragraph 6, the rest amounting to Cs. $\frac{c}{s}$ 405-2, bearing the money assessment of Rupees 946-0-5 be appropriated to the Poligar agreeably to the terms of the Governor General's Notification of the 17th October 1861, No. 3,264, and as suggested by the Board. It is the desire of the Poligar to liquidate the purchase money at an early date; for the present he recognizes the liberality of Government in permitting him to enter on occupation on payment of 10 per cent of the entire sum, the balance to remain as a charge on the Estate bearing 10 per cent interest payable annually.

ENCLOSURE No. 1.

ABSTRACT.—Statement of waste land originally applied for by the Poligar of Paroor.

ENCLOSURE No. 2.

ABSTRACT.—Statement of waste land subsequently applied for by the Poligar of Paroor.

ENCLOSURE No. 3.

ABSTRACT.—Memorial of Moodookistna Cutche Row son of Bava Saib Ponambala Kutchery Royar Zemindar of Paroor, &c., in South Arcot.

From C. W. READE, Esq., Collector of South Arcot, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated 8th October 1862, No. 212.

1. I have the honor to acknowledge the Board's Circular Miscellaneous No. 6,507, dated 26th ultimo, enclosing copy of the Proceedings of the Madras Government, with their orders under date the 24th idem, No. 2,080.

2. I am directed without delay to furnish the information required in paragraphs 3 and 4 of the Government Orders, and reserving my reply on the subject of the latter paragraph until I have the requisite data, I desire at once to address the Board on the subject of paragraph 3.

3. I beg to report that in this District no actual applications for lands under the terms of the late Governor General's Notification of the 17th October last have been made, and consequently that no "arrangements have been already completed" under that authority, but I beg to call the attention of the Board to my letter of the 23rd June last, No. 115, to which I have received no acknowledgment. In that letter it will be seen that a case of the kind contemplated by the Notification in question has arisen in this District, and is still pending disposal by the Board. It is important to remark in this case that originally no application was made by the Poligar of Paroor to possess himself of land under the favorable conditions set forth in the Notification of the 17th October. The Board will recollect that my predecessor Mr. Wood at the instance of the Poligar merely solicited a grant of certain waste land on a reduction of one-half the ordinary assessment, in answer to which the Board themselves suggested (*vide* their Proceedings of the 10th March 1862, No. 1,591), that the land applied for by the Poligar was available to him, as immemorial waste at Rupees 2½ per acre, agreeably to the Notification in question; and at the Board's express instructions I communicated their decision to the Poligar, and all particulars connected with the subsequent negotiations in respect of this land are now before the Board in my letter already adverted to; and my object in losing no time in addressing you on the subject, is to express the earnest hope that the Board will not hesitate to abide by my recommendation in favor of the Poligar, made at their own instigation, and to the terms of which I can but feel that I am as much pledged as no doubt the Board will feel themselves to be. The Poligar's hopes have been raised, he has formed sanguine expectations of creating an estate for his family not only to increase his own dignity of position, but with the laudable object of leaving to them on his death some property, out of which in time to come his children and posterity may be able to realize an independent maintenance.

23rd June 1862, No. 115.

4. I am sure, after what has passed between the Poligar and myself and in view of the almost pledge given to him on the subject, the Board will agree with me that the case is one which equitably, if not legally must be held to fall within the exceptional clause of the Secretary of State's despatch, declaring that all existing arrangements are to be maintained, and that the partial rescinding of the Notification of October last is not to have retrospective effect. It is hardly neces-

sary that I should dwell further in support of this view, for I do not anticipate that the Board will adopt any other, still, as the word "completed" made use of in connection with arrangements under the Notification, leaves perhaps a loophole by which the Poligar might be deprived of the boon on which his hopes have been so built, I confess I am most anxious, as a mere act of justice as I view it, to use my utmost endeavours and influence to secure to him all the advantages and privileges originally unsought by himself, but which under the Board's authority have been held out to him by me as Collector of the District; and on which the Poligar has now for some months past been calculating with no slight pleasure and satisfaction.

5. At an early date I hope to supply in detail the information sought in paragraph 4 of the Government orders under acknowledgment.

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1. The Board observe that their Proceedings dated 10th March 1862 will not bear the interpretation put upon them in the first of the above letters. All that the Board therein stated was that immemorial waste land *if un-assessed* could be dealt with under the terms of the Governor General's Resolution, and they called on the Collector to ascertain whether the applicant would be willing to take up the land in question on those terms, and if so to report in what sense the land was said to be assessed.

2. The Board therefore cannot admit that any pledge has been given by them as to the terms on which this land may be obtained, and bearing in view the modifications which have taken place in the scheme for disposing of waste land, and the manner in which the new Rules have been applied by the Government in other localities, the Board are not disposed to recommend to Government that the land sought in the present case shall be dealt with as unassessed waste, and sold under the Rules.

3. The Board find on reference to former correspondence on their records that the ancestors of Mutukistna Kacha Row were then Kavilgars, and that on the abolition of that office and resumption of the emoluments and privileges attached to it, a pension was granted in 1806 to the father of Mutukistna Kacha Row which on his death in 1839 was continued on a reduced scale to Mutukisna Kacha Row himself.

4. Under these circumstances the Board see no very strong grounds for a special recommendation on his behalf, but if he is still desirous of taking up a large tract of the waste in the vicinity of his house if favorable terms are conceded to him, the Board are prepared to take into consideration any reasonable proposition supported by the Collector, who will in submitting it supply full information as to the existing rate per acre on the land sought, and on land of the same quality under cultivation in the neighbourhood, and as to the fact of previous applications for the land having been made by other parties or otherwise.

5. It is scarcely necessary for the Board to say that the applicant's proposal to oust parties now in possession of land desired by him, and paying for it the regulated assessment, cannot be entertained for a moment.

6. Mr. Reade properly impressed this upon him.

(True Copies and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To C. W. Reade, Esq., Collector of South Arcot.

Exd. J. Wright.

of the applicants Family and of the
representation which he was induced
to form of obtaining the lands under
Lord Cornwallis Resolution in
Freehold at Rupees 2-8 per Acre
He Board resolve to recommend
to Government that his application
be granted as a special Case -

(A true Copy and Extract)

Sir C. L. Lushington

Secretary to Government Revenue Dept.

Secretary

H. St. Clair George

with Enclosures & Copies of Board's
Proceedings of 10th March 1862 & 19th Jany 1863

Enclosure in the Proceedings of the Bd of Revenue to the Secretary to Govt P.C. dated 28th November 1863

1863. Department.

Rn 2869/63

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 19*th January* 1863.

C-3 ols

No. 278.

Passing orders on the proposal of the Poligar of Paroor to take up a quantity of waste land contiguous to his residence.

Revenue Department
No. 2297.

Proceedings of the Madras Government
Under date the 15th December 1863.

Read the following Report:
- Proceedings of the Board of Revenue

Recommending that the Application of Parvon Poligar for certain Punjah Lands be granted to him as a special case.

(Rec'd under 20th Nov. 1863. No.)

Under the circumstances stated the Government are willing to treat the Poligar as suggested in Board's Proceedings, but the terms proposed by the Board and Collector are manifestly illiberal.

The Government observe that the average rental of the lands is 1 3/4 Rupee per acre - the average assessment of the lands is 1 3/4 Rupee per acre - the average cultivated lands of the same quality in the vicinity letting for Rs. 1-10-4 per acre. The Government think a remission of 1/4 per cent would be sufficient

Viscount Monck (Gov.)

24th September 62 No. 462-462A 463.

No. 266.

25 Nov 62 R 20 Con

Revenue
1863.
Pros: of Govt for Dec.
No. 2861.

Proceedings of the Board of Revenue

Dated 20th Nov. 1863.
Desp. 20th Nov. 1863.
Rec'd 24th
C.B.
No.
Enclosed

S.O. No. 2297. 15 Cen

Recommending that the application of Parvon Poligar for certain Punjah Lands be granted to him as a special case.

Wm. Chas

Secretary of State in Council's Despatch (Statistical) No. 3 dated 13th December 1865

For Orders

I should myself think a reduction of 25 per cent quite sufficient - this would make the rate 1 1/4 R. He would then pay Rs. 484 - being 193 Rs less than the registered assessment & Rs 97 more than the Collr & Bd propose.

I conclude that he is to pay on the whole extent - letting a permanent Pottah (with) of course, the power of charging & that rent he pleases on sub-tenants.

I D L

rate - three years entire exemption being allowed to enable the Poligars to clear the land - and the assessment being thereafter payable on the whole extent under all circumstances -

If the Poligar etc agrees to these conditions he may have so much of the land applied for as is unoccupied and available on a permanent Puttah - The boundaries of the land should be durably marked before transfer, care being taken not to include in the grant any land belonging to others - As regards the land thus made over to him the Poligar will be at liberty to make his own terms with his Sub-tenants. -

14 Copies Letter B. of Revenue Dept. 10 Dec.

Revenue 1863 Dept
Pro: of Govt for Decr.

No: 2297.

Pro: of the Madras Govt:
dt 15th Decr/63.

Poligar of Paroor
in South Arcot grants
certain number of
acres of immemorial
waste land in the
vicinity of his residence
on favorable terms—

No: 266 & 267