

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1431	Press ~~Mis.~~
41-42	
Dated	5-10-1864

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
5th October 1864.*

No. 41. Read the following Proceedings of the Board of Revenue, dated 16th September 1864.
Read the following letter from E. G. R. FANE, Esq., Collector of Madras, to W. HUDLE-
STON, Esq., Secretary to the Board of Revenue, dated Sydapet, 1st September 1864,
No. 340 :—

SIR,

1. I have the honor to acknowledge the receipt of the Proceedings of the Madras Govern-
ment, dated 23rd August, No. 1,534, relative to the suspended works at the Káttúr Salt Pans.

2. It is therein observed that the practice of Government, except under special circum-
stances, has always been to give the Ryots of a village, whether it be a Mirássi village or not, the
preference over strangers in the allotment of waste, thereby implying that the resident puttah
holding Payakarris of a village, and the Mirássidars had equal right, and had been equally treated;
and how such an impression has arisen in the minds of the Board or Government I am at a loss
to conceive.

3. I beg to submit, however, that such has not been, and is not the practice.

4. The practice is that for all waste lands in a Mirássi village, the Mirássidars have the
preference over strangers, and after the Mirássidars, the resident puttah holding Payakarris.
If both refuse to take up the land, it is then and then only, made over to a stranger applicant.

5. I beg to draw the attention of the Board to paragraph 7 of the Durkast rules* issued by
Mr. Banbury, and to paragraph 6 of his letter
of 7th November 1863, No. 478, which para-

* One copy sent.

graphs have particular reference to the foregoing practice. The contents of this letter would
have been communicated to the Board on the receipt of their Proceedings of the 11th of June
1864, No. 3,607, but the doing so was rendered unnecessary by the Board having shortly after
suspended the operations at Káttúr. Orders have been issued to proceed with the operation
at Káttúr according to the Board's instructions; and I trust they will not be again suspended,
as without the assistance of Káttúr, the increasing demand for Salt cannot be met.

1. Ordered to be submitted to Government with reference to their order quoted by the
Collector, with copy of the Board's Proceedings, dated 23rd December 1863, No. 8,140, in which
Mr. Banbury's letter of 7th November 1863, to which Mr. Fane refers, is embodied.

2. The Board would suggest for the consideration of Government whether the case is not
one that ought to be disposed of under Act XXIII of 1863.

No. 42. ORDER THEREON, 5th October 1864, No. 1,831.

Separate Revenue, No. 1.

Salt.

1. Resolved that the Board of Revenue be requested
to inform the Collector of Madras, with reference to his
letter submitted by them with their Proceedings above
recorded, that the Government have decided that the
waste land at Káttúr is to be divided rateably to all the Puttadars of the village who may wish
for it. It is wanted for a special, purpose, viz., for Salt pans, and Government having deemed
this arrangement best, desire that it be carried out without delay or question.

2. Mr. Fane overlooks the circumstance of the land being *immemorial* waste, not subject to
Merassy claims as a matter of *right*.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

is to be diverted & eaten

PROCEEDINGS OF THE BOARD OF REVENUE, dated 23rd December 1863.

Read the following letter from G. BANBURY, Esq., Acting Collector of Madras, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Saidapet, 7th November 1863, No. 478 :—

1. With reference to the Board's Standing Circular, No. 5,632, dated 9th September last, I have the honor to submit for their consideration certain points, which will, I trust, induce the Board to pass Orders, modifying, as far as this District is concerned, some of the instructions therein given.

2. The requirements and circumstances of this District are peculiar. The newly proposed rules enjoin, that the Durkhasts should be mainly entertained, and settled through the instrumentality of the village Officers, but in the Madras District the Mirasi tenure, and non-payment of the Puttah Monigars, would frustrate our attempts to carry out this change in the system. The European District Officers, and the Tahsildars, must directly interfere in the matter, constantly stimulate the subordinate Taluk and village officials, and entertain the proposals in the first instance.

3. The alleged Mirasi right will almost neutralize the proposed mode of settlement. The Monigars, to whom we are now about to delegate this new authority, are themselves Mirasidars, they look upon the waste as their own, and naturally cannot be expected to run in opposition to their individual interests, feelings, and prejudices, by becoming the chief movers in granting to outside applicants the lands, regarded in the light of ancestral property. Even supposing a correct moral appreciation of their official position should induce them to act counter to their long established convictions, we cannot expect that without any emoluments they would be very willing agents in this branch of their duties. They are with difficulty prevailed upon to attend even slightly to the primary duty of collections.

4. There can be no doubt, that they regard the Durkhastdars as interlopers, are most unwilling to give them a footing in the village, and would consequently rather hinder, than aid them in their attempts to procure available waste.

5. I submit a Draft of the rules, which would, I think, be suitable for the requirements of this District, and proceed to touch upon the main points, which appear deserving of attention, and which have already been much discussed by the previous Collectors of Chingleput. The settlement of the Durkhasts encroaches to a great extent upon the vested rights which the Mirasidars claim for themselves. Those rights should be duly regarded; but we should not suffer progress to be impeded, and revenue to be diminished, by giving way to the Mirasidars' objections against extension of cultivation, when we know that these objections are often prompted by selfish and inimical motives, and frequently arise from indifference, and absence upon other pursuits.

6. Due consideration should be given to the Mirasidars and Payakarris holding Puttahs. They should be regarded as the Ulkudies of other Districts; hitherto the Payakarris' claims seem to have been altogether ignored. It has hitherto been the custom, when a Durkhast is about to be settled, to issue a notice to the Mirasidars calling upon them to come forward within a period of 30 days, and urge any thing they may have to say against the delivery to the proposer; this might be modified and reduced to 21 days. It is in this District, I think advisable, that this notice should be issued and signed by as many of the Mirasidars as are available, as proof of its having been duly served; the Payakarris, when holding Puttahs, might also be included in this notice, and their claims be taken into consideration after those of the Mirasidars.

7. The Kararnamahs or stipulated agreements should, I think, be retained. They are now the practice of the District; they prevent undue retention of available lands for selfish and hostile reasons, and enable us to dispose of many cases, in favor of the party consenting to the agreement, when the opponents are reluctant to do so; nicely balanced claims are thus frequently summarily settled. The person executing the Kararnamah, or as it was termed in South Arcot "Vishesha Muchilkah," binds himself to pay the assessment of the land he undertakes whether he cultivates or not; and claims for remission under this head are but rarely entertained.

is to be divided into

8. In my letter to the Board dated 26th ultimo, No. 442, I pointed out the system, which now prevails regarding the disposal of waste, when tendered for by a Mirasidar. Formerly it was the practice to let the Mirasidar have all the waste he asked for, whether the other Mirasidars objected or not; this has now been altered, and should any objections be urged, the available lands are divided amongst the several Mirasidars according to their respective shares; this latter arrangement is more in consonance with their own feelings and prejudices; it works fairly, and inight, I would suggest, be allowed to remain.

ENCLOSURE No. 1.—Draft Rules.

1. The Board observe that under the Durkhast Rules recently circulated, any one wishing to take up land for cultivation is at liberty to make his Durkhast either to the village officers or to the Tahsildar. Payakari Ryots have therefore the means of obtaining land by direct application to the Tahsildar, whenever they find that the village officers refuse to receive their Durkhasts.
2. With regard to paragraphs 6 and 7 of the Collector's letter, the Board will not object to the Collector adhering to the practice hitherto followed in the Madras District till further orders.
3. The Acting Collector may issue any subsidiary rules that he may think expedient on this point, but there is no occasion to introduce an entirely different set of rules in the place of those already sanctioned.

(A true Copy and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To G. Banbury, Esq., Acting Collector of Madras.

Exd. J. Wright.

Passing orders on certain points relating to the Durkhast Rules.

No. 8,140

Dated 23rd December 1863.
C. L. O. L. H. H.

PROCEEDINGS OF THE BOARD OF REVENUE,
No.

Dec 24/5/64

1863. Department

Enclosure No. 1 of No. 442 of Dec. 16th 1863. By order of the Board.

I have appeared there
and looked the fact that
the land in question is
Memorial Waste and
therefore neither Mirasidars
nor Pattadars can claim
a preference over others or over
Zach other as a matter of
right.
As to bringing Act XXIII of
1864 into operation, it seems
bore that the delay alone
is a fatal objection in this case.
He should lose the year.
I do

have decided that the
waste land at Kattu
is to be divided and

8. In my letter to the Board dated 26th ultimo, No. 442, I pointed out the system, which now prevails regarding the disposal of waste when the land is for sale.

Recd. 23 Aug/64 No. 350-351
 13 Sept 1864 - 218-219

Recd. 18 Sept 1864
 Pro. of Gov. for Collector,
 17-24/5

Proceedings of the
 Board of Revenue

Dated 16th
 Disp. 16th
 Recd. 17th } September 1864
 C. 1. & 2. 20/2/5

S.O. 1821. 5 Oct 1864
 500

Submitting letter
 from the Collector of Madras
 explaining how waste lands
 are disposed of and also
 stating that orders have
 been issued to proceed with
 operations at Kattur salt
 pans.

No. 441.

C 30 Sept 1864

Revenue Department
 1864

Proceedings of the Madras Government
 under date the 5th Sept 1864.

Read the follow-
 ing Pro. of the Board,
 Revenue

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 from the Collector of
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 at Kattur salt pans.

(Here enter 16th Sept
 1864, No. -)

Resolved that
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 with reference to his letter
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to all the Kuthadars
of the Village who may
wish for it. It is want-
ed for a special pur-
chase vizt. ^{for} salt pans
and Govt having deem-
ed this arrangement
best, they ^{desire} direct that
it be carried out with-
out delay or question.

M^r. Lane over-
looks the circum-
stance of the land
^{being} ~~being~~ immemorial
Waste - not subject
to messy claims as
a matter of
right.

J. R.

Revenue, 1864 & 1865.
No. of feet per section

21. 1831.

2. of the section 1864
25. section 1864.

According to the
table and a station in
the section which be
divided, namely to all
stations of the village
for the manufacture of
steel.

No. 41. 442.