M.R.O. 14—18,000—27-9-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2014 Press ~~Mis.~~

22-23

Dated 2-11-1864.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 2nd November 1864.

No. 22. Read the following Proceedings of the Board of Revenue, dated 18th October 1864, No. 6,850.

Read the following letter from G. BANBURY, Esq., Acting Collector of North Arcot, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Chittoor, 5th October 1864, No. 248 :—

1. With reference to Government Proceedings dated 22nd August 1864, communicated to me from Board's office on the 25th idem, I have the honor to state that there appear to me grounds for re-considering the matter of compensation sanctioned by the above Proceedings. When considering whence the sum of Rupees 3,537-14-4 was procurable, I looked through the papers, and the following reasons induce me to urge a re-consideration of the matter.

2. The road in question leading from Vellore to Arnee was commenced in the year 1853 and marked out. Work went on year by year, and the line was completed in 1861-62. No claim for compensation was made until 1857, and then only on behalf of the Ryots. Correspondence ensued between the Collector and Engineer, but I cannot find that the claim was acquiesced in by the latter officer, or the measurements of the land asserted to be occupied by this line ever checked by the Engineer's Department.

3. In May 1862, a form was sent from this office to the Kolattoor Jaghiredar with a letter stating that the question of his compensation was about to be settled, and requesting him to fill up the form. This he accordingly did. Thereupon Mr. Fraser sent him an order dated 22nd July 1862, saying he was entitled to no compensation, nor to any deduction from his Peishcush, but that the Ryots alone were entitled to consideration ; with this order the Jaghiredar appeared perfectly satisfied, as he raised no objection thereto.

4. On the 1st December 1862, a letter was written to the Sub-Collector on the subject, and he subsequently submitted the account which forms enclosure No. 1 in the Sub-Collector's letter quoted in the Government Proceedings above alluded to.

5. In the account submitted to the Board, and upon which sanction was accorded, there are several errors. Peramboke lands have been included in the amount of compensation, together with interest thereon to be bestowed upon the occupant Ryots. It is difficult to say to whom this is to be disbursed ; as there are certainly no occupant Ryots to give it to. Again, there are certain Inâms included in the above compensation amount, viz., Rupees 2,160, which ought not to appear there, as the owners have already received other lands in lieu thereof from the Jaghiredar, and have given Kyfeats saying they have no claim to any compensation, and require none ; there is no one therefore properly entitled to receive this item. Moreover small portions of the tract said to be occupied by the line have subsequently been brought under cultivation ; for this certainly no compensation or permanent deduction in the Peishcush should be allowed.

6. Under these circumstances, I request the Board will inform me whether I am to submit a revised account, or whether from the following reasons they would decline granting any compensation, consequent interest, and permanent deductions :—

First.—That many years have elapsed since the line was marked out, and the Kolattoor Jaghiredar made no application until four years after the work commenced, when he only asked for some consideration to be shown to the Ryots.

Second.—That all were apparently quite content when Mr. Fraser told them they had no fair claims to compensation.

Third.—That neither the Arni, nor the Kolattoor Sub-Jaghiredar have ever asked for any reduction in Peishcush or compensation for themselves until the form was sent from this Office to be filled up when the Kolattoor Jaghiredar alone requested that indemnification might be granted him.

Fourth.—That the Jaghire was not granted upon any Peishcush fixed with reference to the assessment derivable, but that the comparatively insignificant sum of Rupees 10,000 was ordered to be paid as a sort of fief to the State, in token of submission or vassalage.

Fifth.—That besides this there are four other roads through this territory for which compensation has neither been claimed nor granted.

Sixth.—That this road leading to the large town of Vellore is most advantageous to the residents in this Jaghire and improving to the estate.

Seventh.—Finally it was proposed, and sanction accorded, that the payment amounting to Rupees 3,537-14-4 should be disbursed from local funds. In the first place there are no assets available; and secondly, this charge could not be debited to this head, as the line is included under "Imperial," and was moreover chiefly constructed before the local funds were established. Moreover it is clearly not debitable to "Local Funds," as the Ryots in the Jaghire do not contribute the two per cent. which mainly creates this income. Colonel Boileau objects to the charge, and says that as there is no item in the Budget from which this expenditure can be met, "a special reference on the subject to the Government of India will have to be made before funds "can be allotted to meet the charge;" but I doubt whether under the above circumstances, the Board would wish this course to be adopted.

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1. The Board consider that the Acting Collector has shown good grounds for revising the award of compensation, which revision should proceed on the following principles.

2. The Jaghiredar is entitled to compensation for his loss of income *if he claims it*, without reference to the fact that by a private arrangement he had made over that income to a relative.

3. In estimating this loss, the culturable Peramboke land should be included at a reasonable valuation, and also the assessment derivable by the Jaghiredar under ordinary circumstances from the land which he has given *rent-free* to the Inámdars, whose lands were occupied by the road.

4. As these Inámdars claim no personal compensation, this item will be omitted from the calculation of compensation due to Ryots.

5. In the same way will be omitted the unoccupied Peramboke from this part of the calculation.

6. The Ryots are however entitled to compensation for the loss of their individual holdings *if they claim it*, and on this point the Acting Collector should satisfy himself in the first instance. There seems no doubt that some kind of claim was originally advanced, although its nature is not clear.

7. From what is stated by the Acting Collector, it is clear that the charge for compensation is debitable to Imperial and not to Local Funds.

No. 23.

ORDER THEREON, 2nd November 1864, No. 2,014.

Land Revenue.

Ordered to be recorded.

(True Extract.)

Under Secretary to Government.

Exd. T. O'Connor.

No. 6,850.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 18th October 1864.

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(True Copies and Extract.)

Secretary.

To G. Banbury, Esq., Acting Collector of North Arcot.

Copy to J. D. Sim, Esq., Secretary to Government, R. D., for information.

Exd. J. Wright.

1864. Department.

No. 2772.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 18*th October* 1864.

No. 6,850.

Mentioning the principles on which the award of compensation claimed by the Kolatoor Jaghiredar should be proceeded with, and stating that the charge is debitable to Imperial instead of to Local Funds.