

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 629

Press
~~Mis.~~

228-229

Dated

Apr. 4 - 1918

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
14th April 1864.

No. 228. Read the following Proceedings of the Madras Government in the Military Department:—

Passing orders on a letter from the Collector of Malabar on }
the subject of acquiring the land required by the Military } (Here enter 5th April 1864, No. 1,120.)
authorities adjoining the Powder Magazine at Cannanore.

No. 229. ORDER THEREON, 14th April 1864, No. 629.

1. Communicated (through the Board of Revenue) to the Collector of Malabar for information and guidance.

2. In the event of its being found necessary to take any of the gardens referred to under the Act, the Collector will furnish particulars of the situation, extent, &c., of such gardens in view to the issue of the necessary orders by Government.

(True Extract.)

Deputy Secretary to Government.

To the Board of Revenue, with Proceedings Military Department, No. 1,120.

Exd. S. T. Augustin.

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MILITARY DEPARTMENT.
PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:—

From the Collector of Malabar, Calicut, 5th March 1864, No. 21; to the Secretary to Government, Revenue Department, Fort Saint George.

I have the honor to submit copy of a report just received from the Acting Sub-Collector on the subject of acquiring the land required by the Military authorities adjoining the Powder Magazine at Cannanore.

In reply to Govt. Order dated 16th December 1863, No. 2314. Dated 1st March 1864.

No. 56, with a Plan and Statement, in original, requested to be returned, and also an old Sketch marked A, received with Govt. Order under reply.

2. The appropriation of this ground will be a hardship to the tenants, but if it is an inevitable one, the whole* should be taken under Act VI of 1857. It seems the cost will be Rupees 10,576-12-1. Timber valued at about Rupees 4,000 will become the property of Government on payment of the above sum; so, not considering any compensation given as an act of grace to the tenants, the purchase will cost Government a net sum of about Rupees 6,576-12-1.

3. Mr. Garstin is making inquiries as to whether any Government land can be found which can be made over to the tenants. Unless fresh land is given, he suggests that, after the ground now to be appropriated has become Government property under the Act, the trees in the Gardens should be given to the respective tenants over and above the share which is a very inadequate remuneration that by local usage accrues to them of the purchase money.

I shall be better able to express a distinct opinion on the question of compensation when it is ascertained whether there are, or are not, Government lands available.

Meantime to avoid delay I submit the present information.

From J. H. Garstin, Esq., Acting Sub-Collector of Malabar, Tellicherry, 1st March 1864, No. 56; to M. J. Walhouse, Esq., Acting Collector of Malabar.

In reply to your letter of the 21st December last, giving cover to the Order of Government, dated 16th December 1863, No. 2314, I have the honor to submit the following report on the piece of ground at Cannanore proposed by His Excellency the Commander-in-Chief to be taken up for new Burial-grounds.

The whole of that ground is claimed by His Highness Ali Raja as the property of his family, and he objects to give it up unless Government will give him another piece of ground of equal value somewhere else; and as remarked by Mr. Grant in paragraph 4 of his letter* to the Revenue Board, dated 20th September, No. 229, this will be almost impracticable.

In the Plan forwarded with the Order of Government above alluded to, no distinct boundaries are shown, within which it is proposed to put the Act in force.

I applied, therefore, to Brigadier General Babington to show me the extent of ground which he proposed should be taken up, but, as he had never been over the ground, he was unable to assist me in the matter. He, however, was kind enough to go over the ground with Captain Vertue, the Executive Engineer and myself, and he then proposed that as much as could be taken into the eastward, as possible, up to an old scarp running north and south part of the Church and to the east of it, should be so taken up.

Captain Vertue afterwards marked this boundary on the Plan and found it just took in all that part of the Plan to the north of the Artillery Drivers' Bungalow—which is marked with trees.

As the Plan was getting torn and was very roughly drawn, the Tahsildar, whom I ordered to go over the Gardens and carefully estimate their value, had a new one made which I now enclose.

The work of valuation took up much time, as the items in the Account sent in by the Tahsildar with his report show.

I have condensed all the information contained in it, into the English Statement, herewith forwarded, from which it will be seen that the total estimated value of the Gardens according to the customary mode of estimating is Rupees 10,576-12-1. The number of gardens is 17, which, as I said before, are all claimed by Ali Raja, with the exception of No. 5, which belongs to the Bibi.

Ali Raja's claim to 5 others, Nos. 2, 4, 10, 11 and 12, is however disputed. In estimating the value of Garden in Malabar—Mango and certain other trees are not taken into account—now there are 673 of these trees, valued at Rupees 1,070 standing in these Gardens besides which the wood of all the other trees—that are included in the account—when cut down and sold would probably realize 4,000 Rupees.

The tenants are all unwilling to move; alleging with perfect truth, that the money which they will get according to local usage will not be sufficient to enable them to settle down elsewhere, and they are equally anxious with the Raja to get other lands given them by Government.

The Bibi alone is willing to give up her Garden, No. 5, to Government, but as she might change her mind before the Act was put in force, I would recommend that her Garden should not prove an exception, but that the Act be put in force towards it, as well as all the others.

The 10,500 Rupees at which the value of the land is estimated, would be divided among the landlord or landlords, and the tenants, in the proportion of about 6,500 to 4,000.

As Government wish to deal liberally with the tenants, who, as remarked by Mr. Grant, would suffer most severely—and have called for a suggestion as to the amount of compensation to be given as a matter of grace to them—I would recommend that after the ground has become Government property under the Act, and the estimated value has been divided among the Jennis and Kudiya's according to local usage, that the whole of the trees standing in their respective parambas should be made over to the several tenants for their personal benefit, on the condition that they cut them down when ordered.

It may not be impossible to find some Government land which has been lately re-claimed, not far from Cannanore, which might be given to the owners of the Gardens herein alluded to and in lieu of them, when the value of the Timber might be carried to Government account, thus lessening the cost of purchasing the Gardens very considerably. I am not at all sanguine, however, that any such re-claimed land could be found, but have called on the Tahsildar to report on the subject, and if it should appear that there are any so available, I will communicate the fact to you without delay.

The total Area of the 17 Gardens is 13 Acres, 9 Annas, 3 Amshom (about 13½ Acres). I regret I have been so long in reporting on this matter, but I had no information of any kind to go upon, and the surveying and estimating took a considerable time, besides which, I was out on Jammabundi in the Cherrakal Taluq during a great part of the month of January, so that both my time and the Tahsildar's was fully taken up with other work.

Statement shewing the value of the piece of Ground proposed to be taken up forming new Burials at Cannanore, and the number of Gardens, Trees, Houses, Wells, &c., situated thereon.

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			No. of Coconut trees.	20 times Jenmipatam.			No. of Areca trees.	20 times Jenmipatam.				No. of Jack trees.	20 times Jenmipatam.			No. of Pepper vines.	Value.					Cocoanut trees.	Value.			Areca trees.	Value.			Jack trees.	Value.			Plaintains.	Value.			Cattle Stalls.	Value.			Total of Columns 21, 23, 25 and 27.	Total of Columns 12, 19 and 28.	Number of Mango trees &c., not taken in account.	Value.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
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TELLICHERRY,
1st March 1864.

Transferred to the Military Department.

(Signed) J. D. SIM,

Secretary to Government.

12th March 1864.

ORDER, No. 1120, 5th April 1864.

Before passing final orders on the foregoing paper, the Governor in Council will await the report promised by the Collector of Malabar on the subject of land being available, to give in exchange to the Proprietors of the Gardens referred to.

2. Meanwhile, Government concur in the views expressed by Mr. Garstin and the Collector that the tenants should be liberally dealt with. If any of the Gardens can be obtained by private bargain, at reasonable rates, they should be purchased by such means and not taken up under the Act; and only where they cannot be had at fair prices, or where the title of the Garden is in dispute, should the provisions of the Act be resorted to.

(True Extract.)

Manuella Stoy
Deputy Secretary to Government.

To the Revenue Department. *With 20 spare copies*
,, Quarter Master General.

