

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2439	Press ~~Mis.~~
162 143	
Dated 9 10 1868.	

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
9th October 1865.

No. 142. Read the following Proceedings of the Madras Government in the
Political Department :—

Passing orders on a letter from the Collector of
Bellary, regarding the quit-rent claimed by
the Jaghiredar of Sundur for the ground occu- } (Here enter 2nd October 1865, No. 247.)
pied for public purposes, &c.

No. 143. ORDER THEREON, 9th October 1865, No. 2,439.

Miscellaneous.

Ordered to be recorded.

(True Extract.)

(Signed) J. GROSE,
Acting Under Secretary to Government.

Ed. S. T. Augustin,

Proceedings of the Madras Government, Political Department,

2nd October 1865.

No. 8. Read the following letter from A. HATHAWAY, Esq., Collector of Bellary, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Bellary, 28th August 1865, No. 66.

I have the honor, as requested, to forward the enclosed letter from the Jaghirdar of Sundur to your address, and to observe that the delay in doing so has mainly arisen from my wish to send, with the said letter, a plan showing the land virtually occupied by Military buildings on the plateau of Ramandroog.

2. At the time of my applying to the Superintending Engineer, he had not an Overseer whose services were available for the above purpose. The plan* in question has, however, lately been furnished to me; and I will there-

* Herewith sent per banghy.

fore lose no further time in forwarding the above letter with the accompanying remarks.

3. It will be observed that the Jaghirdar makes two requests: one, that the authority of the Collector and Magistrate hitherto exercised on Ramandroog may be transferred to the Jaghirdar; and the other, that the usual quit-rent of 1 Rupee per acre, may be paid by Government, from the date of the late Jaghirdar's death, for all land occupied by barracks and other public buildings.

4. As regards the 1st point, the Jaghirdar, or rather probably his Agent for him, (for I doubt very much the present proposals having originated with the former), states that a sanitarium having been formed on Ramandroog, during the life-time of his late father, for the use of troops, the then Collector applied for, and obtained from him, Magisterial power thereon, on the ground that he had no competent official to dispense it, and that a Native Ameen was placed there by the Collector as his Deputy, though he was not formally authorized to delegate his authority to another. He adds that "he is the more anxious on this point, as his independent authority over his own Villagers of Ramandroog is now questioned," as "all fines on Ramandroog, are carried to the Collector's Treasury, even though they may have been imposed consequent upon orders issued under his own authority, and at the Collector's request, and the proceeds of unclaimed cattle found straying on the hill are disposed of in a similar way."

5. The assertions embodied in the above paragraph are, I feel bound to observe, erroneous ones, and made, probably, through an indistinct knowledge of what has taken place.

6. Having had occasion to read through the old records in my office connected with Sundur and Ramandroog, I have drawn up, separately, concise tabular Statements† thereof, thinking they might be interesting and useful to Government.

† Printed copies of these are herewith sent.

7. From the one relating to Ramandroog, it will be seen that the then Collector of Bellary, in his letter to the Board of Revenue, No. 68, of the 26th July 1846, reports that the Rajah of Sundur has agreed to make over the table land of Ramandroog to be managed by Government, any sums collected as Sayer, &c, being received by him, and to give up the Police jurisdiction over the said land.

8. That, in Extract Proceedings, Board of Revenue, November 22nd, 1847, the Collector is directed to submit, for sanction, an application for the increased charges on account of the establishment on the Hill proposed in the Collector's letter of the 30th August, and to furnish the information called for in paragraph 3 of the Extract Minutes of Consultation, dated 2nd November 1847, as to the limits of the transferred land, in view to the Court of Sudder Udalg, being requested to prepare a notification of the transfer of the land in question, and containing instructions to the Courts to take cognizance of offences committed within the prescribed limits, and sent up to the Courts by the Head of Police or the Magistracy.

9. A Notification was accordingly prepared and published in the *Fort Saint George Gazette* of the 24th October 1848; and in an Extract Proceedings, Board of Revenue, under date the 11th January 1849, the Collector is requested to communicate to the Rajah of Sundur, the gratifica-

*Proceedings of the Madras Government, Political Department,
2nd October 1865.*

tion which the Government have derived from his ready acquiescence in their wishes in respect to the Ramanamally tract, and to inform him that, while in the Notification in the Gazette of the 24th October 1848, it was perfectly understood that by the words "transferred to the Government of Fort Saint George" was meant the transfer of the rule and government which must be vested in the Government of Fort Saint George, to enable the Government to extend the jurisdiction of the Criminal Courts and Police authorities of the District of Bellary to the said tract, it was avowedly not meant in any respect to affect the proprietary right of the Jaghirdar.

10. In his letter (No. 82) of the 19th May 1860, the present Collector reported to the Board of Revenue that while the Rajah of Sundur declined to part with the Hill, he was perfectly willing to allow Government to take whatever measures they like with reference to the extension of the present barracks, and the maintenance of authority and order.

11. The Government of Madras, in their Proceedings of the 18th June, of the same year, informed the Collector that they saw no reason for taking the Revenue Administration of Ramandroog out of the hands of the Collector; and in their Proceedings, No. 2334, of the 26th idem, they expressed their concurrence with the Board of Revenue, and Commander-in-Chief, in their opinion that it is not desirable to constitute Ramandroog a Military station.

12. I do not see how, after such deliberate cession of authority over this tract by the late Rajah, and the acquiescence in the same by the present Rajah for about four years, the Government can fairly be expected to yield it up to the Rajah.

The late Rajah died on the 19th November 1861.

13. On the faith of this arrangement, Barracks, Hospital, &c., have been erected by Government at a large expense, and private individuals have laid out large sums in erecting houses, forming gardens, &c.

14. As regards the two points, which, according to the Rajah, mainly excited his anxiety to obtain the now solicited re-transfer of authority to him, I may observe that the first related to a demi-official communication from me to Mr. Macartney, the Agent of the Rajah, in which I pointed out that any notices which he might wish published, for the information of the residents on Ramandroog, in matters connected with Ramandroog, should not be sent direct by him to my Sub-Magistrate, but through me, the Rajah having no independent authority on Ramandroog by which of course was meant, in such matters as the one alluded to in the said correspondence.

15. As regards the fines said to have been imposed, consequent on an order issued by the Rajah, at the request of the Collector, and carried to the credit of Her Majesty's Government, the Rajah is under a misconception of what really took place. A notice from Mr. Macartney was sent, through the Collector, to the Sub-Magistrate, on the 4th June 1861, No. 9, prohibiting the cutting of trees on the Hill, which, on the 13th idem, was modified, so far as the Sub-Magistrate was concerned, by instructions to the effect that the previous practice of his punishing, under the Penal Code, all parties apprehended by the Police, while cutting down trees within the limits of the tract transferred to the British Government, was to remain in force, and that the Rajah would deal with similar acts committed beyond such limits.

16. The fines collected were for offences committed within the first named limits.

17. Similarly, the fines collected for cattle which trespassed on gardens, &c., belonging to Residents on the Droog, were paid into the Treasury of Government, at whose expense, the Pound was constructed, and the Pound keeper is paid.

18. The question of payment by Government of quit rent for the ground occupied by them for Barracks, &c., is one, the decision of which rests with Government.

19. The area required for the above buildings, &c., is 133 acres, 3 roods, 34 poles, 1016 square feet.

*Proceedings of the Madras Government, Political Department,
2nd October 1865.*

From the RAJAH of Sundur, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Sundur, 9th May 1865, No. 1.

In conformity with the Order of Government (No. 116 of the 28th April 1865) on my Agent's letter, No. 23, of the 28th March 1865, I have the honor to submit to Her Majesty's Government, for their consideration, the matter already laid before them by my Agent, with my full consent and approval.

2. During the life-time of my late father, a Sanitarium having been formed on Ramandroog, for the use of the Troops and European population of Bellary, generally, the then Collector applied for, and obtained from him, Magisterial power there, on the ground that he had no competent official to dispense it. A Native Ameen was placed there by the Collector, as his Deputy, though he was not formally authorised to delegate his authority to another. This arrangement, however, has been allowed to continue down to the present period. As I do not see any necessity for its continuance, now that the ground on which it rested no longer exists, I have the honor to request that the Collector's authority on Ramandroog may be dispensed with. I am the more anxious on this point, as my independent authority over my own villagers of Ramandroog is now questioned—an authority which I hold under the seal of the Governor General of India. All fines on Ramandroog are carried to the Collector's Treasury, even though they may have been imposed consequent upon orders issued under my authority, and at the Collector's request, and the proceeds of unclaimed cattle, found straying on the hill, are disposed of in a similar way.

3. The plateau of Ramandroog is not rented by the Madras Government, the proprietors of houses only paying quit-rent, though I can see no sufficient reason for exempting the ground occupied by the Barracks and other public buildings from the usual quit-rent of Rupees 1 per acre; and I have the honor, therefore, to request that my claim on this account (from the date* of my late father's death, who it appears allowed the exemption) may be sanctioned.

• 1861.

I am the more desirous to dispense with the Collector's assistance on Ramandroog, as I am a loser both pecuniarily and in status thereby, and although my late father may have wished or consented to delegate certain authority to the Collector of Bellary, that could only remain in force during his life-time, while it will doubtless be admitted that he had the power to withdraw it, had he chosen to do so. I would observe that I have never endorsed such authority, and would venture to suggest that the ends of Military discipline are sufficiently secured by the authority vested in the Commandant by the Articles of War.

5. In submitting these points for the consideration of Her Majesty's Government, I am anxious to express that I do so through no dissatisfaction with any particular act of the present Collector of Bellary, for whom I entertain the highest esteem, but that I object to the present arrangement chiefly on political grounds, while denying its necessity.

No. 9. ORDER THEREON, 2nd October 1865, No. 247.

The Government concur with the Collector in thinking that the Jaghirdar, who is less than 18 years of age, had probably little to do with this application, and he is apparently not well informed of the origin of the present state of affairs at Ramandroog.

2. As regards the quit-rent claimed for the ground occupied for public purposes, the Government observe that in the Tahanama of the late Jaghirdar, forwarded by the Collector to the Revenue Board on 5th August 1847, it was expressly provided that an assessment should be fixed according to the local usage on the area occupied for public and private purposes, and the amount paid annually to the Jaghirdar, but from the last paragraph of the Collector's letter it would seem that no such assessment has ever been paid by Government.

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3. It is presumed that the late Jaghirdar waived his claim to it, as is suggested in the Jaghirdar's present letter, but the claim now submitted for payment of the amount due since his father's death must at once be admitted and adjusted.

4. The Collector will at once carry out this order, and maintain the annual payment in future, and he will explain how it happened that this condition of the Tahanama has been allowed to lie dormant so long.

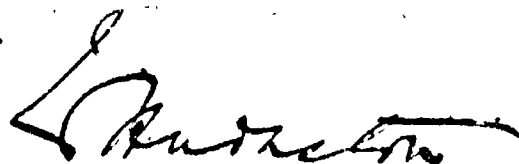
5. He will report, for special sanction, the amount of arrears now to be paid, and that of the future annual payment.

6. As to the Jaghirdar's claim to resume the Police and Magisterial administration of the Droog which was ceded to Government by his father in the same Tahanama, the Government desire that the Collector will personally explain to the Jaghirdar the terms of this cession, and of the Notification that was published in the *Gazette* in accordance with it, and point out to him that recognising this cession as a *permanent* arrangement, indispensably necessary for the establishment of the Sanitarium, the Government have incurred all the expense entailed by its institution and maintenance, and they cannot now admit his claim to resume what was ceded, or consent to a change which would lead to endless difficulties, or compel the abandonment of the Sanitarium.

7. The Collector will also explain to the Jaghirdar the mistake into which he has fallen, as regards fines for cattle trespass, which are not credited to Imperial but to Local Revenue, and must be expended for local purposes on the Droog; but the fines levied for unauthorized felling of trees, which is in fact a trespass on the Jaghirdar's property, must all be paid to him, his proprietary right remaining intact, and being specially reserved by the Tahanama.

8. The Collector will take care that the conditions of this Tahanama are scrupulously observed in future. It would seem from his letter that there has been considerable laxity in the matter in times past.

(True Extract).



Acting Secretary to Government.

To the Collector of Bellary, with plan.
" Revenue Department.
" Revenue Board.
" Accountant General.

RECORDED.

Exd. J. H. Burns.

S. P. S. Chinn

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Proceedings of the
Madras Court in
the Political
Depant.

Dated 22nd 3rd Oct.
Revised 52nd 9 1865.

Rev of Gov^t. P. M. A. 24th 1865
of 5th May 1866 C. P. 134th

Having orders on ad.
letter from the Collector of
Bollam regarding the quicksand
claimed by the possessor of land
for the ground reserved for public
purpose.

No 142 143.

RECORDED.

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9-2045/65

Revised - 2