

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2919

Press
Mis.

507.508

Dated

27-11-1865.

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Revenue Department,
27th November 1865.*

No. 507. Read the following Proceedings of the Board of Revenue, dated 26th October 1865, No. 6,875.

Read the following letters:—

From the Collector of Madras, to the Secretary to the Board of Revenue, dated Saidapet, 28th May 1862, No. 181.

1. As directed in Board's Standing Circular, No. 3,231, dated 20th instant, I have the honor to report upon the Salt Mirassi privileges existing in this District, and alluded to in paragraph 6 of the Government Proceedings accompanying the Circular.

2. These privileges consist in receiving from the Government, at the salt pans of the old Chingleput District, certain varying rates for the salt delivered, as specified at page 251 of the Appendix to Plowden's Salt Report, and, when the formation of new pans is requisite, in the right to have these pans distributed to the several Mirassidars of the village in which the pans are situated.

3. This last right has not, in the old Chingleput District, been exercised for very many years, as the quantity of salt demanded annually has not sufficed to keep all the existing pans in work.

4. In the pans north of Madras, though also in the old Chingleput District, this privilege has not been observed. Several hundred new pans have been formed to meet the increasing wants of the Madras Kotars, and have been distributed by the Superintendent of Salt, under the orders of the Collector, to various individuals who have been supposed capable of working them. A due proportion having always been granted to the Mirassidars, they have not complained at this issue of pans to others, though, had they brought a suit to recover for this alleged infringement of their Mirassi rights, it might have been difficult to answer them.

5. On the last occasion of new pans being given away to applicants, the Government took objection to the practice, and supposing that the grant involved a valuable consideration, directed that the practice should cease, and that the new pans should, in future, be disposed of by auction. (Government Proceedings, 17th February 1860, No. 250.)

6. If an extension of pans should be required, it is possible that the Mirassidars, on finding that the gratuitous issue to them of pans has been discontinued, may object to their lands being made over to strangers, and may question, by a Civil action, the right of the Government thus to transfer them. They appear to me to have Section 6, Regulation I. of 1805 in their favor, and that the manufacture of salt should, like the cultivation of their lands, be offered to them, before being given to strangers.

7. As to the various rates paid for salt manufactured in the southern pans of the District, and the cause of such payment, I would beg a reference to paragraphs 31 and 42 of my letter to Mr. Pelly, dated 26th July 1860.

8. The Government pledged themselves, in 1805, to take salt at certain prices, which were equivalent to the profits obtained by the pan-holders, before the salt monopoly was established; and those prices are guaranteed by Section 4 of the Regulation above-named. The quantity to be manufactured having been fixed by the Collector; it should be distributed over each class of pan in fair pro-

portion. The Government cannot, in my opinion, fill the local Kotars from any other quarter at which they may be able to procure cheaper salt, but are bound, I think, to take it from the neighbouring pans. Section 5 points out their discretionary powers in this respect, and by it, I conceive, that the local manufacturers are entitled to compensation, if the Government obtain their salt from elsewhere, as the "usual" place of manufacture would not have been respected, though, should the course of trade render the salt depôt unnecessary, it may, I think, be closed, and with it the pans, without granting compensation to the pan-holders, for this cessation of manufacture would have been caused, not for a Government purpose, but by a deviation in the trade which the Government could not control.

9. They can limit the quantity to be stored at any particular Kotar, and in this manner contract the purchases made, wherever the price was comparatively high; but as the highest bears but a very small proportion to the monopoly rate, it would be bad policy to restrain manufacture below the probable demand.

(True Copy.)

(Signed) E. G. R. FANE,
Collector.

From the Collector of South Arcot, to the Secretary to the Board of Revenue,
dated Tindevanam, 6th October 1862, No. —.

1. I have the honor to report on the subject of the Mirassi privileges enjoyed by the salt manufacturers of this District, as required in paragraph 6 of the Orders of Government, dated 12th May last, No. 1,043, and received by me with the Board's Circular Proceedings of the 20th idem, No. 3,231, Standing.

2. I considered it to be the immediate province of the Deputy Collector in charge of the Salt to institute the inquiries needed, to enable me to furnish the Government with accurate and reliable data, in regard to the important matter on which they desired information; and I accordingly called upon Mahomed Esuff carefully to ascertain every particular calculated to throw light on the "nature and extent" of the salt Mirassi privileges, and he was charged especially to find out whether, in the view of those interested, or from any record extant, there was ground for the belief, that "Government are in any way pledged or bound to continue or extend the manufacture when equally good salt can be obtained at a cheaper rate from other pans," or, I may add, when the necessity for its manufacture, as at present, ceases.

3. The Deputy Collector has fully carried out my instructions, and in the accompanying copy of a Report to my address, the Board and Government will find the subject of the manufacture of salt in this District, from the earliest times, fully and ably discussed. Mahomed Esuff has apparently collated every information available, and I have nothing to add which could throw additional light on the matter.

4. The extent and nature of the Mirassi privileges appertaining to the salt Ryots, at each of the four places of manufacture in South Arcot, are clearly defined; and it is, I think, satisfactorily

shewn that Government are not "pledged or bound to continue or extend the

Merkanum. Teagavelly.
Gundalum. Killay.

manufacture when equally good salt can be obtained at a cheaper rate" elsewhere. Neither do the manufacturers, nor those interested in the existing system, make any claim of the kind, and there is nothing on record to support it. How far the Government might think it equitable, or consistent with those principles which have ever regulated its treatment of immemorial and prescriptive rights and privileges, is another question; and it is one which could necessarily be considered and dealt with when the discontinuance of the present system of manufacture was resolved upon. At present, therefore, any suggestion on this head would be premature.

5. I must express my dissent from the opinion put forth by the Deputy Collector, in the 8th paragraph of his Report, where he advocates the system of "Tuccavy." My experience is decidedly opposed to the grant of such advances, either to the manufacturers of salt, or to the land Ryots. It was, I believe, the prominent evils attending the system that led to its entire prohibition. With all the caution observed in distributing the Tuccavy, not one-half of the money ever reached the hands of those whom it was intended to benefit, while the prospect of the advances induced improvident habits, and, in place of assisting the Ryots, it more frequently involved them in pecuniary embarrassments.

6. The various documents in my office, to which Mahomed Esuff had every access, and to which he makes reference in his Report, are all on the records of the Revenue Board; so that, if necessary, they can be readily appealed to, in proof of the correctness of the inferences drawn from them by the Deputy Collector, in support of his views.

7. It is hardly out of place, I think, to notice here the ability and zeal which the Deputy Collector, in immediate charge of the Salt Department, has invariably displayed in the execution of all the duties with which I have entrusted him, and I do so, on this occasion, because I am of opinion that, in view of the importance of the department over which he so efficiently exercises immediate control, he is entitled to consideration, while Mahomed Esuff's superior education and attainments really qualify him for almost any post under Government within the reach of a Native of this country. As a Magisterial Officer, I do not hesitate to pronounce his qualifications to far exceed those of any Native public servant I have ever met; and I confidently trust that the Board will be pleased to give support to my recommendation, that Mahomed Esuff be promoted, at an early date, to a higher grade in the rank of Deputy Collector than he now holds.

(True Copy.)

(Signed) G. BANBURY,
Acting Collector.

From the Deputy Collector of South Arcot, to the Collector of South Arcot, dated Cuddalore, 24th September 1862, No. 726.

1. With reference to your letter, dated 2nd June 1862, No. 278, requesting me to report upon paragraph 6 of the Government Proceedings, dated 12th May 1862, No. 1,043, I have the honor to state, that the question now mooted by Government being one of vital importance to the interests of a large class of Ryots, who manufacture salt in this District, it is necessary, to its proper understanding, to enter into their early history in connection with the salt pans. In the

absence of any authentic information upon the subject from the records of this District, I have been necessarily led to prosecute my inquiries among the old and respectable Ryots, and the result I have the honor to submit as follows.

2. The right of Mirassi, as regards salt pans, exists, so far as this District is concerned, in the Merkanum Division, and is contended for by a large class of salt manufacturers belonging to the Madali caste, generally known by the name of Kondacutle Vellalers. It would appear that, prior to the advent of the British supremacy in Southern India, and during the régime of its Native Princes, the ancestors of these people emigrated to these parts, and having, in course of time, cleared the country round, divided it into villages, and formed settlements, now known by the names of Merkanum, Kandadoo, &c. These villages are situated within two to four miles of each other, and divided by a salt-water inlet.

3. This class of people in intelligence, wealth, and enterprise far surpass others, and are specially devoted to agricultural pursuits; but in this instance, either from the sterile nature of the surrounding soil for agricultural purposes, or its eligibility for the production of an article far more remunerative than grain, they appear to have devoted themselves to the latter; so a large tract of land, contiguous to the back-water, was re-claimed and divided into lots or shares, and the manufacture proceeded from season to season; the produce being divided between the Ryots and the Sovereign, at the rate of five to one share, respectively.

4. The result of this arrangement proving, however, scanty and precarious, a grant of Nunjah land, called "Cawny Atche," was bestowed on each of the Ryots, in proportion* to the number of ullums he held, to stimulate him to further exertions.

* 2½ Cawnies to four men's holding or ullums.

5. The inducement thus afforded continued until the country had passed under the Mahomedan rules, when Royajee, the Prime Minister of the then reigning Nawab of Arcot, withdrew it, and substituted an equal division of the net proceeds of the sale between Circar and the Ryot if Oolcoody, or four to six shares if Poracody. Subsequently, after the introduction of the monopoly by the British Government, this principle was acted upon, the rates having been calculated, on an average of the net proceeds of the sales, for five preceding Fuslies.†

† In accordance with the provision of Section 4, Regulation I. of 1805.

6. These rates have since undergone some slight modifications, as may be observed by the annexed Statement; but, upon the whole, the main principle has not been deviated from, although the price of the article has arisen from twenty-five to one hundred and eighty Rupees per garce.

7. Simultaneous with the creation of the pans, a staff of village officials was entertained; each had his duty assigned to him, as indicated by his official designation, and was remunerated by fees from the sale proceeds of the produce.

One Monigar.
One Curnum.
One Shroff.
One Tookry.
One Nugasolay, or measuring man.

These continued up to 1850, when they were commuted, under the orders of Government, to fixed salaries paid each month; and as a detailed and copious account on this subject appears to have been submitted to Government by Mr. Bird, late Collector of this District, in his letter, dated 18th July 1850, I shall refrain from dwelling further upon it.

8. Thus, under the auspices of the Native Sovereigns, upwards of five hundred years ago, were these salt pans first created and bestowed upon the Vellalers; they are now their Meras (inheritance), and as such, have been in their occupancy ever since, and descend, like other immoveable property, in their families. They are subject to transfer, sale, mortgage, gift, &c., at the will and pleasure of the Ryot; but these privileges do not give him absolute right to the soil. Regulation XXV. of 1802 ignores it, and vests it in the paramount power. His tenure depends upon this fulfilment of the conditions under which he is permitted to hold it, viz., to keep it up from relapsing into waste; to prepare and improve it when the manufacturing season arrives; to provide

means for the manufacturer to raise a given quantity; and to guard against speculation, &c. Breach of any of these conditions, either wilful or otherwise, renders it liable to be revoked by the Sovereign. For years past, the system of Tuccavy prevailed in the pans; a system as wise in its policy, as it was benevolent in its intention; but having been found to be opened to much and serious abuse, it was discontinued. The occupancy then of a salt pan in Mirassi, is governed on the same principle as a grain land. Indeed, the analogy is striking.

9. Originally, the area of salt pans under cultivation would appear to have been not very extensive. Latterly, in 1823, during the time of Mr. Hide, it was augmented by the creation of new pans called Carumboo from a large tract of waste land, at the joint expense of the Government and the Mirassidars; these pans have been under cultivation with the Shaikal, or old cultivated pans, ever since, and classed under the category of Mirassi lands. They are improved and prepared annually at the expense of the manufacturers.

10. An attempt was made by Mr. Ashton, a late Collector of District, in 1839, to cultivate these pans in Amani, but was directed to desist, under the orders of the Board, who were appealed to by the Mirassidars against the interference of the Collector with lands which they claimed on the score of Mirassi, long occupancy, and large sums laid out by them annually for their improvement. The grounds are fair and tenable, and cannot be gainsaid; but they go further and lay claim to the whole extent of the waste land in and about their villages by right of Mirassi. It could only be sustained on the plea of its having been originally re-claimed by their ancestors, though it does appear very strange, by Mr. Ashton's Jumabundy Report, dated 26th November 1839, that no objections were ever raised by them, when portions of it were given away to applicants other than themselves.

11. This, however, furnishes only another argument, strengthening what has been already advanced, touching the absolute right of the sovereign to the soil; it is a tacit acknowledgment of the fact; for what would a piece of land, no matter whether Shaikal or Carumboo, Mirassi or otherwise, avail the Mirassidar, if the Government chose to interdict the manufacture upon it. This they have a perfect right to do by Section 4, Regulation XXV. of 1802, and Regulation I. of 1805 enjoins the manufacture expressly for, and on account of, Government. Generally preference is given to the Oolkudy when applications are made for salt pans, and this in conformity with instructions conveyed in a Despatch from the Home Authorities. In case of inability to take them up, they are given away to others.

12. Under any circumstances, however, it does not appear that "Government are in any way pledged or bound to continue or extend the manufacture" in these pans: when the salt monopoly was introduced, the Mirassidars were called upon to cultivate these pans. They did so, and have done so ever since, and remunerated at old and established rates; but no agreement, verbal or written, expressed or implied, appears to have passed between the State and the Mirassidars, obligatory on the former to "continue or extend the manufacture" in these pans. It never could be so without rendering the provisions of Regulation XXV. of 1802, Section 4, nugatory.

13. On the other hand, so long as the manufacture continues, the Government are bound to the fixed rates of Kudivarum which have obtained the sanction of long and immemorial usage: nay, the provisions of Section 4, Regulation I. of 1805, renders it imperative, unless they are altered by the mutual consent of the Ryot and the State.

14. As regards the southern pans of this District, it does not appear that any Mirassi, or the shadow of it, has ever existed then. The pans were created under the Mahomedan Government, and subsequently augmented by new ones granted to applicants, under the authority of the British Government. They are cultivated by Ryots without that class distinctions among them, as "Oolkudy or Porakudy," and their right in respect of transfer by sale, gift, &c., is precisely the same as that of a Mirassidar, or any cultivator of a common grain land.

15. Certain Russums were originally in existence in Killay, and an Aulam Manium in Teagavelly; none in Goondalam. These Russums were paid to officers for duties performed in

Revenue Department

N^o 2919.

Proceedings of the Madras Government
Under date the 27th November 1865

Read the following
Pro: of the Board of Rev^y

Submitting with remarks
letters from the Collectors of
Madras and South Arcot report-
ing on the Salt Mirasid privileges
existing in those districts.

(Here enter 26th October 1865
1865)

The Government ob-
serve that these reports were
called for by Government
when fixing the rate to be paid
to the manufacturers of salt
under the Govt. Monopolies
Mr. Pelly having pointed out
that in Madras and South Arcot
exceptional rates existed in-
based on asserted Mirasid rights

These Districts were
therefore left for future dis-
posal when the G.O. of 12th May
1862 was issued.

Subsequently

in m. 7
JAD
GPO
WOL

Subsequently on 28th July
1862 by an order No. 1605 B.C. the
rate of Rs. 10 per garce or
Annas 1-4 per Indian maund
was sanctioned for S. Arcot.

Thus the only question
left for disposal is the rate
to be paid in the Madras Dist.
where, as stated by Mr. Pelly
in his letter of 18th January 1861,
the bulk of the salt is paid
for at Rs. 10-9-7 per garce -
tho' in some instances the
claim of special privileges
has been allowed to raise
the price to rates varying from
Rs. 12-6-0 to Rs. 26-2-0 per garce.

The Government see no
necessity at present for
introducing any change even
this matter and leave it
to the Board to bring it for-
ward whenever they think
the necessity has arisen.

The Collector's letter
to Mr. Pelly of 26th July 1860
referred to in para 2 of his
letter.

What can be the privilege
which has added 150 per
cent to the price paid
by Mr. W.

It is scarcely the case that
they have "added" to the price.
The position is that
at the introduction of the monopoly
the "banum" or "produce sharing"
of the zamindars claiming to be
innocent was in their
vestibles found to be so large
as to require to be commuted
into an annuity by long
negotiation. It is an equitable
settlement. Compensation. L.B.

Perhaps

letter to the Board dated
28th May/62, does not ap-
pear to have come before
Government.

L.R.

of the Board of Revenue Dec 29/60

Received 1865 of the
Pro: of Gov for claim

2 Nov 29 19.

Pro: of the Veterans Fund
of 27 September 1865

Transd of Nov 16 29/69
CM 3234.

See list

Co No. 229

12-5-62

77-78

17-2-60

Henry Anderson

the rates to be paid
for salt chloride
leges in cladding and
South Street.

Nov 27 1878