

# MADRAS RECORD OFFICE.

Government of Madras.

*Revenue* DEPARTMENT.

G.O. No. 448

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Dated 2-8-1865.

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Financial Railway  
Department, 21st February 1865.*

No. 90. Read the following Proceedings of Government in the Revenue Department.

Read Proceedings of the Board of Revenue, dated 20th December 1864, No. 8,127.

Read the following letter from A. R. McDONELL, Esq., Officiating Collector of Trichinopoly, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated 5th November 1864, No. 250 :—

1. In continuation of my letter of the 25th ultimo, No. 234, and with reference to paragraph 2 of the same, I have the honor to state, that under orders of Government noted in the margin, the approval of Government is necessary for all proposals to grant Inámdars lands of equal value to those of which they may be

Government, Revenue Department, 14th September 1859,  
No. 1,236.

deprived for public purposes. In this District, a good quantity of Service Inám lands are taken up by the Great Southern of India Railway, which it is absolutely necessary to exchange with other lands of equal value.

2. If all such exchanges be required to be reported to Government, and their sanction obtained before the Inámdars' lands are taken up, it would cause great delay in the transfer of lands urgently required by the Company. R. Ragoonada Row has stated to me that he felt the same difficulty in Kurnool, and brought it to the notice of Mr. Minchin, and eventually obtained Government sanction, through the Board of Revenue, for carrying out such exchanges with approval of the Collector. He, however, does not recollect the date of the Government Order, although he thinks that it was issued in 1861.

3. I trust the Board will agree with me, that it is necessary that similar powers should be conferred on him in this District also.

4. The Board are aware that uncultivated waste of a description which Government may fairly offer, and which the Inámdar would like to have, is rarely to be met with in this District.

5. I will, however, use all endeavours to procure as much land as possible for this purpose from the waste procurable, but am confident that cases will occur in which it will be impossible to effect this. The only alternative left would be to purchase cultivated lands, and grant them in exchange.

6. R. Ragoonada Row tells me that he was compelled to adopt this measure in Kurnool with the concurrence of the Collector of that District.

7. Under these circumstances, I have the honor to request that the Board will be pleased to sanction the adoption, in this District, of a similar course in cases in which it may be found absolutely necessary.

1. Ordered that the foregoing letter be submitted for the orders of Government, in continuation of the Board's Proceedings, No. 7,376, dated 12th November 1864.

2. The Officiating Collector of Trichinopoly, in his letter dated 25th October 1864, No. 234, which was forwarded to Government in the Board's Proceedings above referred to, requested that the rule laid down in Extract from Minutes of Consultation in the Revenue Department, No. 908, dated 2nd July 1858,\* that "No com-

\* Vide Board's Circular No. 2,385, dated 10th July 1858. "pensation for loss of Inám lands taken for "public purposes shall be applied for without at the same time placing Government in a position "to decide upon the validity and extent of the claims to the compensation, by furnishing a State- "ment" setting forth the necessary particulars of the Ináms, may be relaxed in the case of the Ináms which are required for the Erode extension of the Great Southern of India Railway in his District, as otherwise the transfer of land which is now immediately wanted will have to be delayed.

3. Mr. McDonell also requested that R. Ragoonada Row, the Deputy Collector attached to his Treasury, but who was recently engaged in making over land to the Canal and Irrigation Company in Kurnool, might be authorized to purchase, if occasion required, the Ináms that might be wanted for the Railway; as there was little, if any, Government culturable waste in the District of sufficiently good quality to be offered in exchange for such Ináms, and Circar lands would

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consequently have to be purchased and made over to the Inámdars, the Government assessment on the lands being remitted in their favor.

4. In his present letter, Mr. McDonell states that a large quantity of Service Inám lands is required for the Railway, for which it will be *absolutely necessary to give other lands in exchange*; and that if all such exchanges are required to be reported to Government for sanction previous to the Inámdars' lands being taken up, it would cause great delay in the transfer of lands urgently required by the Company.

5. Mr. McDonell further suggests that Ragoonada Row should be allowed to *carry out such exchanges with the Collector's approval*, and in cases where Government waste land is not available for exchange, that he may be authorized to *purchase cultivated land for the purpose*.

6. As regards the course pursued in the Kurnool District by Ragoonada Row in making over land to the Canal and Irrigation Company, the Board find in the instructions issued to him, in Government Order No. 1,566, Public Works Department, dated 21st July 1860, that he was to obtain the *Collector's approval to the price or compensation settled by him before payment*, which payment, however, was to be made without delay, and previous to the land being taken.

7. In the case of *Ináms, whether personal or for service of any kind, land was to be given in exchange*, as in the case of the Jaffir Saib and Sarvapally channels in Nellore, (*vide* paragraph 4, Government Order No. 1,236, dated 14th September 1859,) *either by making over new land, or by converting Pullah land of the Inámdar into Inám*, the title to the Inám being subject to the investigation of the Inám Commissioner, just as if no exchange whatever had taken place.

8. Mr. Minchin, who was then Acting Collector of Kurnool, in a letter dated 1st August 1860, forwarded a Statement of Inám lands purchased by him on account of Government, under

the Government Order noted in the margin, (previous to the appointment of Ragoonada Row to the special duty,) and made over to the Irrigation Company; and requested that sanction might be granted for the payments shewn in the Statement, and that further authority should be given to him to *pay money compensation for Inám lands* which the Company might still require, *where a fair equivalent could not be rendered in Government land*.

9. The Board, in their Proceedings No. 3,752, dated 16th August 1860, recommended that the payments shewn in Mr. Minchin's statement should be sanctioned; but observed that, as the Government Order on the arrangements connected with the Jaffir Saib and Sarvapally channels aware that the object of granting land instead of money, for Ináms taken up for public purposes, was to leave the title to such Ináms for subsequent investigation and settlement by the Inám Commissioner.

10. The Government, in Government Order No. 1,871, dated 4th September 1860, sanctioned payment accordingly, and, with reference to Mr. Minchin's further request, observed that *the proper way of dealing with Inám land required is that laid down in paragraph 4 of the Government Order alluded to in paragraphs 7 and 9 above*, but that where land could not be found to be given in lieu, *the Collector should arrange a suitable price for the Inám, and report the matter for the orders of Government through the Board, with full particulars of title*.

11. The Board observe, that upon their representation in Proceedings No. 3,401, dated 30th August 1859, to the effect that Inámdars, who are in undisputed possession of lands required for public purposes, are entitled to be placed in the same position, as regards the occupancy of fresh lands, as they held in respect of the original lands, without being subjected to the great delay that the inquiry ordered by Government in Government Order, dated 2nd July 1858, quoted in paragraph 2 above, would involve, the Government in Government Order, No. 1,244, dated 15th September 1859, concurred with the Board in their view of the subject, and the Board accordingly notified the same to all Collectors in the Circular No. 2,037, dated 26th April 1860, observing that *in the grant of fresh lands for Ináms taken up for public purposes, it is not necessary that applications for such exchanges should be deferred pending full inquiry into the Inámdars' title to the old lands*.

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12. No further modification, therefore, of the original Government order appears generally necessary; nor can the Board trace any Government order, such as that mentioned by Mr. McDonell in paragraph 2 of his present letter, on their records.

13. However, under the circumstances explained by Mr. McDonell, and considering that the Inám Settlement of the Trichinopoly District has not yet been completed, and that the fresh lands which may be now granted, must come under the investigation of the Commissioner, as if no exchanges had been made, the Board recommend that the Officiating Collector be authorized to adopt any one of the following arrangements, (as may be most expedient,) in dealing with the Ináms that may be required for the Erode extension of the Railway in his District, viz. :—

*First.*—For Service Ináms where suitable Government waste is not available, the full annual income derivable from the Inám by the office holder shall be ascertained, and an equivalent sum of money shall be made to him from the Village Cess Fund in satisfaction of all claims to compensation.

In cases when the Kudavarum does not form part of the office emoluments, the Ryot proprietor shall be compensated for his loss of income in the manner provided for Ináms other than Service Ináms.

*Secondly.*—In the case of Ináms other than Service Ináms. If the claimant will not accept, as compensation, an equivalent allotment out of the Government waste, or assignment of the public revenue from occupied land selected by himself, but insists upon a cash payment in purchase of his interests, the Officiating Collector may purchase the Inám at a fair valuation, provided that the validity and nature of the Inám, as defined by the rules, are such as to render the arrangement safe and simple; but where there is a serious doubt on these points, the adjustment of the claim should be deferred until the Inám has passed under the Inám Commissioner's investigations, when, if necessary, additional compensation can be granted for the time that the Inámdar has been out of possession of his lands.

14. The Board suggest that the Inám Commissioner should be instructed to give the Ináms appropriated for the Railway the preference, (if conveniently practicable,) in the order of his operations in Trichinopoly.

15. The Officiating Collector will submit the usual quarterly Statements of the arrangements he may make to the Board for the sanction of Government, as well as the annual Statement required under the Board's Standing Circular, No. XVIII, dated 3rd March 1864, of private lands, &c., taken up for public purposes, and for which compensation has not been paid to the owners; so that any unreasonable delay in the adjustment of claims, on account of Ináms taken for the Railway, can at once be noticed by the Board, and remedied.

16. As regards the employment of Ragoonada Row in effecting the arrangements above referred to, the Government have already passed orders.

ORDER, 18th February 1865, No. 365.

**Miscellaneous.**

1. Transferred to the Financial Railway Department, with the remark that where the course suggested in clause 1 of paragraph 13 of the Board's Proceedings is adopted, a sum equivalent to twenty times the annual payment to be made by the Village Fee Fund must be paid out of that Fund by the Railway Department.

2. The Inám Commissioner will give effect to paragraph 14 of the Board's Proceedings. (True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Financial Railway Department.

In sanctioning the adoption of the course suggested in Clause I of paragraph 13 of the Proceedings of the Board of Revenue, the Governor in Council resolves that a sum, equivalent to twenty times the annual payment to be made by the Village Fee Fund, shall be paid to that Fund by Government in the Railway Department, on account of Village Service Inams that may be required for the Erode extension of the Railway in the Trichinopoly District.

2. Ordered that a copy of the Proceedings above recorded, and the Resolution thereon, be furnished to the Consulting Engineer for Railways, for information and guidance, and for communication to the Agent of the Great Southern of India Railway.

(True Extract).

*G. J. Cunningham*  
Chief Secretary.

To the Consulting Engineer for Railways.

Board of Revenue.

Collector of Trichinopoly.

Revenue Department.

12 July 158 No. 908  
 14 Sept 159 " - 39-40  
 22 Nov 164 " - 277-278  
 8 Dec - " - 79-80  
 8 July 165 " - 272-273  
 17 5 May 160 - 131  
 " - 21 July " - 1566.  
 " - 4 Sept " - 1871.

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