

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2214

Press

655-656

Mis

Dated 24-8-1866.

Not to be folded or roughly handled

Handwritten signature

*Proceedings of the Madras Government, Revenue Department,
24th August 1866.*

No. 655. Read the following Proceedings of the Board of Revenue, dated 16th August 1866, No. 5,772.

Read the following letter from the Collector of Salem, to the Acting Secretary to the Board of Revenue, dated 26th July 1866, No. 136:—

1. I have the honor to report upon the enclosed Petition, No. 1,708 of 1866, addressed to the Board of Revenue by Pattaberamien.
2. Pattaberamien made an application, in 1863, for a certain piece of land for cultivation in the Namkul Talook. The application was forwarded to Ramiengar, the Deputy Collector of the Namkul Division, for disposal.
3. Ramiengar referred the application to the Tahsildar of Namkul, who reported on the 9th of June 1863, to the effect, that the land applied for was Kuttookadoo land, or land upon which trees, &c., are thickly planted for the preservation of the river banks, as well as the prevention of flood from beating against the adjoining cultivation; that the making over of such lands had been from time to time prohibited, and strictly so by Mr. Brett, the late Collector; and that, therefore, he could not recommend the land being made over for cultivation. On this, an order was sent to the Tahsildar, by the Deputy Collector, on the 6th of February 1864, stating that the Ryots of the village had, in a Mahazur given before him, stated that there was no objection to the land being made over to the applicant; and that it so appeared to him also on personal inspection, and that, therefore, the Tahsildar should once more inspect the land, measure it, take a document from the villagers, and report the result. The Tahsildar in his reply, dated the 25th March 1864, reported that the extent of the land was Acres 3-2-11; that the Ryots had given a Mahazur stating that there was no objection to the land being made over, and that as trees were growing in the adjoining portion of the river, and that as a Vagunny was under construction by the Public Works Department for the support of the river bank, there was no more objection to the land being made over to the applicant. In the meanwhile, Captain Gahagan, the Superintending Engineer, wrote to the Deputy Collector, stating that he had heard from his Sub-Engineer that Kuttookadoo lands were being made over for cultivation, and remonstrating against such a measure. In his reply to Captain Gahagan, Ramiengar questions the information given him, but states that the application of the Petitioner was pending before him, and assures him that he was alive to the importance of preserving Padoogay or Kuttookadoo lands.
4. On the 7th of April 1864, the Deputy Collector sent to me with a Yadast the Tahsildar's last Urzee, and stated, simply, that from that Urzee, and from his personal inspection, there was no objection to the land being made over to the Petitioner. Neither the Tahsildar's first Urzee, nor the correspondence with the Superintending Engineer, was sent to me with this Yadast. Finding from the enclosures to the Tahsildar's Urzee that the Ryots had, in the first instance, given a Mahazur objecting to the land being made over for cultivation, and afterwards consenting to its being made over, and that the land was frequently refused to former applicants, on the ground of its being required for Kuttookadoo, I returned, on the 19th of July 1864, the Urzee to Ramiengar, stating that, as all proceedings connected with the case had not been sent to me, I could not pass an order upon it, but that, as the Deputy Collector (after personal inspection) was of opinion

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that the land might be made over for cultivation, there was no occasion to ask for my opinion in making it over. Here the matter rested till January 1865, when Petitioner addressed a petition to Mr. Pochin, the late Acting Collector. This petition was sent to the Deputy Collector, Mr. Leggatt, who reported on the 6th March 1865, to the effect that he rejected the Petitioner's application, as the land being Kuttookadoo, it should not be given for cultivation. He also sent me a letter which Ramiengar addressed, the Superintending Engineer on the 17th November 1864, wishing to know if there was any objection to the land being made over for cultivation, and the Superintending Engineer's reply, stating that it should not be made over, and that the Vagunny, referred to in the Tahsildar's Urzee, was three miles from this land. On Petitioner appealing to me against Mr. Leggatt's order, I saw no reason to interfere with it, and accordingly upheld it.

5. Deputy Collector Ramiengar endeavoured to make over the land to Petitioner, though he knew well that it was a Kuttookadoo land, and his proceedings in this case, as well as in another in which he made over a Kuttookadoo land to one of his office Gumastah's relatives, notwithstanding the remonstrances of the Public Works Department against such a measure, were not satisfactory. I went over all the Kuttookadoo lands very lately, and I am as strongly of opinion as my predecessor, Mr. Brett, that they should be preserved intact.

ENCLOSURE No. 1.—Petition.

1. The Board concur with the Collector in considering that the land applied for by Petitioner should not be made over to him, and the following endorsement will be passed on the Petition:—

"The Board have received a report from the Collector on the subject of this
"Petition, and decline to interfere on Petitioner's behalf."

2. The orders of Government will be requested on the last paragraph of the Collector's letter, and Mr. Arbuthnott should lose no time in reporting the particulars of the other case to which he alludes.

No. 656. ORDER THEREON, 24th August 1866, No. 2,214.

Miscellaneous.

Miscellaneous.

1. The Board should call for the records in both the cases referred to in paragraph 5 of the Collector's letter, and submit them with their own opinion. The Collector should be requested to explain why he declined to give any opinion on the case referred to him; the entire record being at his command, if called for.

2. Kuttookadoo lands should be strictly reserved, and should on no account be granted to private individuals without the previous sanction of the Board of Revenue, who will of course consult the Superintending Engineer before giving such sanction.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

In answer to the St. of Rue Smith

Passing endorsement on Petition No. 17 of 1866 complaining of rejection of Petitioner's application for certain land in Salem district, and requesting orders of Government on Collector's proposal to preserve all Kuttukadac lands intact.

SC 402214-26.0001

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in the 2 cases referred to in para 5
of the ~~18th~~ Col's letter & submit them
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entire record being at his command, if called
for. ~~His~~ ^{His} ~~advice~~ ^{advice} should be strictly re-

No. 5773
 Sup. & J. before going.

Dated 16th August 1866.

PROCEEDINGS OF THE BOARD OF REVENUE.

No.

Ms. 2660-
Pro of Govt
for Day 1

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Department

24th Aug
1866