

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	631	Press Mis.
23-24	Dated 3-5-1870	12

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
3rd May 1870.*

No. 23. Read the following Proceedings of the Board of Revenue, dated 31st March 1870, No. 2,176 :—

Read the following letter from the Acting Collector of South Canara, to the Acting Secretary to the Board of Revenue, dated Uppinangadi, 4th November 1869, No. 1,431.

I HAVE the honour to submit herewith, for the Board's sanction, a statement showing the assessment* to be reduced on, and the amount of compensation† due for certain lands taken up for the

* Enclosure No. II.

† Enclosure „ I.

new coast-road from Mangalore to Hosdroog, as well as that erroneously paid for certain others appropriated for the road from Hosdroog to Kanyangad under the following circumstances.

2. In a general statement of lands taken up for public purposes, submitted in 1864 by the then Collector Mr. Morris, and sanctioned by the Board in their Proceedings, dated the 30th August 1864, No. 5,609, Rupees 83-14-7 were entered as compensation due for portions‡ of ten wurgs appropriated for the Mangalore and Hosdroog road, and the amount disbursed accordingly to the respective wurgdars, and a proportionate reduction made in the assessment thereof.

3. A petition having been subsequently received by Mr. Cadell in November 1865 from one Vishnu Karanta, complaining that no compensation had yet been paid to him for certain land taken up from his wurg for the aforesaid Mangalore and Hosdroog road, an inquiry was instituted into the matter, when it seems to have been discovered that the lands of the ten individuals, to whom compensation had been paid as stated above, had never been taken up for this road, and that the lands actually appropriated for it belonged to some different individuals who had not received any compensation, and of whom the said Vishnu Karanta was one.

4. The statement submitted by Mr. Morris in 1864 being merely a compilation of those received from the several talooks, Annaji Row and Amaladi Santappa, who were then Tahsildar and Sheristadar, respectively, of the Kassargode Talook, but had since been transferred to other talooks, appear to have been called upon to account for the submission of such a false statement under their joint signature; but instead of explaining the mistake, each endeavoured, by his explanation, simply to throw the whole responsibility upon the other, and to exonerate himself from all blame.

5. At this stage of the inquiry Mr. Cadell left the district on leave, and was temporarily succeeded by Mr. Whiteside who, having failed to discover the origin of the mistake from the proceedings held in the case, referred the matter to the Assistant Collector, Mr. Hall, for inquiry and report.

6. As the case was in the hands of Mr. Hall at the time of my taking charge of the district in May 1867, it did not attract my attention till September 1867, when he applied for some papers relating to the inquiry, which were immediately called for from the talook and forwarded to him. But Mr. Hall returned the Proceedings in February 1868, without having been able to arrive at any decision as to how and where the mistake had originated, or as to whether any fraud had been practised in the matter.

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7. In the mean time another small road was opened in 1867-68 from Hosdroog to the Kanyangad River, and it was then discovered that eight out of the ten items paid for in 1864-65, as having been acquired for the Mangalore and Hosdroog road, were now appropriated to this road, and the question now became more complicated than ever.

8. On the above circumstance being reported to me, I instructed my Sheristadar to examine and check the various accounts and statements received from the talook, and to have a correct statement prepared therefrom, showing the nature, extent, assessment, etc., of the lands appropriated for each of the two roads. But unfortunately my old Sheristadar died shortly afterwards, and I was not reminded of the matter till the following November, when the talook statements being found incorrect and incomplete, had to be returned for revision and for a fresh survey of some of the lands, and the Tahsildar was directed at the same time to ascertain, by personal inquiry, whether all the proprietors agreed to receive the compensation proposed. With a view to trace the error, if possible, I also called for all proceedings held in the talook both by the talook and village-officials from the commencement. In December, however, I was obliged to leave the district on two months' leave, and though I returned in February, the then Sheristadar failed to remind me that the matter had not yet been disposed of till I was led to make inquiries about it in June. At the time of drawing up my Supplemental Local Fund Budget, when being informed that revised statements had not yet been furnished from the talook, I called for them immediately; but on their receipt, it appeared that a local inquiry would most probably clear all doubt, and settle the whole question. I therefore deputed my late Assistant Mr. Hall to this duty, but various other matters prevented his undertaking it. I then deputed Mr. Deputy-Collector Ball to proceed to the spot, but illness prevented him; so I undertook it myself, and to prevent any further mistake, I proceeded to visit the several lands in person.

9. On a personal inspection of both lines in the presence of the land-owners and talook servants concerned, and a careful scrutiny into the proceedings held in the talook, the whole complication appeared to have originated in the following simple facts.

The Collector having called for a statement of compensation due for lands taken up for the Mangalore and Hosdroog road, the talook authorities directed the Revenue Inspector of the Hosdroog Division to survey the same; but as no private land had been acquired for that portion of the Mangalore and Hosdroog road which lay in the Hosdroog Division of the Kassargode Talook, the Revenue Inspector supposed that the lands meant to be surveyed were those which would be required for a road of the usual width, which it was then contemplated to open in his division from Hosdroog to Kanyangad River in the direction of an existing foot-path, surveyed the same, and sent in an account thereof, unfortunately retaining, however, the name of the road as given by the talook-people unaltered in it. The Tahsildar and Sheristadar had a statement prepared from the Revenue Inspector's accounts without any further scrutiny or personal inspection of the locality, and submitted the same to the Huzoor. This was embodied in the Collector's general statement, and sanctioned by the Board, and the amount was disbursed accordingly

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to the several proprietors, who received it in good faith as being the value of lands acquired for the purpose of a public road then proposed to be opened. The question of compensation due for lands taken up for the Mangalore and Hosdroog road hence came to be considered as finally settled.

10. All the ten lands thus paid for as having been acquired for the Mangalore and Hosdroog road are, in fact, situated on the road from Hosdroog to Kanyangad, while ninety-one others, which have been really appropriated for the former road, are still remaining unpaid for. The fact of only eight of the above ten lands having been actually taken up for the latter road is owing to a change in some places in the line as originally contemplated, in consequence of which, two of those paid for were left untouched, while four others not entered in the former statement were newly appropriated. The compensation for the two former has since been recovered, and the amount of assessment reduced thereon re-entered in the accounts; and the four latter being uncultivated lands of very trifling value, their holders have accepted a proportionate reduction in the assessment without any other compensation; so there remains nothing more to be paid for the lands taken up for the Hosdroog and Kanyangad road.

11. The lands appropriated for the Mangalore and Hosdroog road belong to ninety-one individuals, and the compensation due for the same amounts to Rupees 2,199-15-8* as shown in the accompanying statement. The valuation has been made with due regard to

	Rs.	A.	P.
Value of lands ...	1,005	2	0
Do. of improvements ...	594	13	8
	2,199	15	8

the price of land prevailing in the neighbourhood, and has not been objected to by any of the wurgdars. As the lands appear, however, to have been appropriated for the road so far back as 1857, when the line was originally opened, and the owners have not only been kept out of compensation due for them, but have also paid the assessment due thereon up to this date without abatement, I propose to redress their wrongs in some measure by refunding the assessment, amounting in the aggregate to Rupees 429-14-0, which has hitherto been improperly collected from them, and which they would, I think, be legally entitled to recover, and trust that the Board will be pleased to sanction my proposal.

12. Of the sum of Rupees 2,199-15-8 due on account of compensation, Rupees 1,480 have been provided for in the Supplemental District Road Fund Budget of the current year, and the balance will have to be paid from the Reserve of 1870-71. The amount of assessment to be refunded can be met from general savings out of the next year's Budget.

13. The mistake which has occasioned so much trouble and delay in this case, the Board will find from what has been stated above, originated in a simple and not unnatural misunderstanding on the part of a Revenue Inspector, and was perpetuated by the carelessness of the Tahsildar and Sheristadar; but there has been no fraud or dishonesty practised by any person concerned, nor has any loss resulted to Government. Both the Tahsildar and Sheristadar have since been transferred without promotion to the Bellary District and the Uppinangadi Talook, respectively. Under these circumstances I am of opinion that a serious notice of the conduct of the officials concerned is not now called for, and would be too late.

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I beg to add that the subject of this compensation was not noticed in my annual Return of compensation due but not paid, submitted for the last official year 1868-69, as the inquiry connected with this case was not fully completed then, and the matter was reserved for a separate and special report.

ENCLOSURES Nos. 1 and 2.—Statements.

With the foregoing letter the Acting Collector submits for sanction two statements, one showing the particulars of the compensation to be paid for lands taken up in 1857 for roads from Mangalore to Hosdroog and from Hosdroog to Kanyangad, and the other of assessment to be refunded to the parties concerned.

2. Mr. Thomas explains fully the circumstances under which the compensation has remained unpaid for a space of twelve years, and states that the trouble and delay occasioned in the matter have been owing to a misunderstanding on the part of a Revenue Inspector, and to the carelessness of the Tahsildar and Sheristadar. The conduct of the latter servants is most reprehensible, but considering the length of time that has intervened, and the fact that one of them has been without promotion transferred to the Bellary District, and the other to the Uppinangadi Talook, the Board do not think it necessary to do more than record their disapproval.

3. Of the 105 items of compensation for lands taken up, the first ninety-one appertain to the road from Mangalore to Hosdroog, and show a total cost of Rupees 2,199-15-8.* The Board authorize the disbursement of this amount as hereunder particularised:—

* Value of lands	Rs.	A.	P.
Do. of improvements	1,605	2	0
	594	13	8
Total	2,199	15	8

Rupees 1,480 this year from the provision of the like sum in the current year's Supplemental Road Fund Budget.

Rupees 719-15-8 from the Reserve of 1870-71.

For reasons stated opposite to Items Nos. 92 to 105, no action appears necessary regarding them.

4. Statement No. 2 shows the particulars of the assessment to be refunded, amounting in the aggregate to Rupees 429-14-0. The Acting Collector reports that the lands were appropriated for the road so far back as 1857, and that the owners have not only been kept out of the compensation due for them, but have also paid the assessment due thereon up to the present time without abatement. He proposes that the amount to be refunded should be met from the general savings out of the next year's Budget, meaning the Road Fund Budget.

5. The Board admit the propriety of the refund, but it is clear that the sums which have been improperly credited to Imperial revenues should be disbursed from that source, and they accordingly resolve to request the sanction of Government for their payment.

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No. 24.

ORDER THEREON, 3rd May 1870, No. 631.

Miscellaneous.

THE Board in their Proceedings above recorded authorized the payment of Rupees 2,199-15-8 from the District Road Fund as compensation for lands taken for the road from Mangalore to Hosdroog, and request sanction for refunding from Imperial Funds Rupees 429-14-0, being the amount of assessment on lands appropriated for the road so far back as 1857, but which nevertheless was collected and credited to Imperial revenues.

2. Sanction is accordingly granted for the refund of Rupees (429-14-0) four hundred and twenty-nine and Annas fourteen.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.
,, the Accountant-General.
,, the Public Works Department.

Ed. F. R. Bantleman.

PROCEEDINGS of the MADRAS GOVERNMENT.

under date the 3rd May 1870.
Read the following. Proceedings of the
Board of Revenue.

Submitting for sanction two state-
ments forwarded by Collector of
South Canara showing particulars
of compensation for certain lands
taken up for roads and of refund
of assessment to certain parties.

H. E. 31st March 1870

The Board in their
Proceedings above recorded authorizing
the payment of Rs. 2199-15-8 from
the District Road Fund as com-
pensation for lands taken up for
the road from Mangalore to Kas-
drug and request sanction for
refunding from Imperial funds
Rs. 429-14-0 being the amount
of assessment on lands appro-
priated for the road so far back
as 1857, but which nevertheless
was collected and credited to
Imperial

J. D. S.

Cost. of 1870 31/10/75.

REVENUE.

THE BOARD OF REVENUE,

Secy. Secy. Secy.

Dated May, 3rd.

Recd.

Encl.

G. O., 3rd May 1870, No. 631.

MAY.

Nos. 23-24.

Lands taken up for Mangalore and Kas-
drug road in South Canara.—Assessment
collected on them and credited to Imperial Revenue,
ordered to be refunded.

Imperial Revenues

2. Sanction is accordingly
granted for the refund of Rs (429-14-0)
Four hundred and twenty nine
and Annas fourteen.

11/- Board of Revenue, D. & P. W. 11/11/11
6 Accountant General D. & P.
21 Public Works Department D. & P.

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End