No. 26. Read the following Proceedings of the Board of Revenue, dated 23rd May 1871, No. 2,120 :—

Read again Board's Proceedings, dated 8th September 1869, No. 6,733.

Read also the following letters :—

From the Acting Collector of North Arcot, to the Acting Secretary to the Board of Revenue, dated Chittoor 31st May 1870, No. 222.

I HAVE the honour to enclose three statements, marked A., B., and C., showing the particulars of lands taken up in the Calastry Zemindary on account of a local road from Calastry to Tripathy railway station.

2. The lands in question were measured and arranged according to their respective classes by the Sub-Magistrate of Calastry. The total extent, according to his measurement, shows a deficiency of acres 2·48 with the aggregate extent entered in the statement furnished by the Engineer Department, and the account now submitted was prepared from the letter.

3. The number of Ain villages from which land was taken for the line in question is nine.

4. Lands were also taken from eight hereditarily possessed Shrotriem villages; six of the Shrotriemdars paying an annual Jodi to the Zemindar as given in the margin, and the remaining two enjoying them rent-free.

	Rs.
Isikatangal	40
Peddaujimedu	250
Pothumanigunta	31
Venkatapurum Agrarum	21
Marigunta Agrarum	31
Rachagunnery	40

5. Lands were also taken from two Amaram villages which appear to have been granted for service rendered to the Zemindar and enjoyed by the holders rent-free. The particulars of Ain, Shrotriem, and Amaram villages are given in Statement A.

6. During the original settlement of the peishcush of this Zemindary, the beriz of these Shrotriems not having been deducted from the assets, none of the villages in the Zemindary have come under the action of the Inam Commissioner, nor have they been enfranchised by him, and therefore the proprietary right rests with the Zemindar as owner of the soil.

7. An extent of acres 1·29 of land, assessed at Rs. 22-8-8, being sundry Inams, was also taken for the line under notice.

8. Statements A. and B. exhibit assessment on dry and wet lands. The collections on the former, it will be observed, make no difference between the Sist-rate and the rate of collections, except in the Shrotriem village of Venkatapurum, where the collection is made at the rate placed against it, because the revenue is invariably paid in cash at a fixed uniform rate. The case is different in the collections on wet lands which show some difference, the revenue being paid in kind; and at the rates then ruling, the value of grain cannot well be determined from the fluctuation to which it is invariably subjected, and the Sist-rate of collection never being observed; and as per Board's Proceedings, Mr. Robinson, the last ten years' average rate of collection may be calculated for fixing the amount of compensation.

9. The unassessed waste fit for cultivation has been assessed at the same rate as that levied upon the land lying in its neighbourhood.

10. With regard to the Poramboke unfit for cultivation no rent has been fixed by the Zemindar; the plot taken up being but very insignificant, *i.e.*, acres 0 cents 58 in extent.

11. The compensation I now recommend to be paid to the Zemindar consists therefore of a permanent reduction from his peishcush from Fusly 1280, equal to the annual loss of revenue sustained by him, and the refund of a sum equal to the aggregate amount of revenue which was included in the peishcush already paid by the Zemindar to Government on the lands in question, from the period of their appropriation up to the end of Fusly 1279.

12. The following is an abstract of Statements A. and B., showing the permanent reduction to be made from the peishcush payable by the Zemindar of Calastry.

Description.	Area of land taken up.		Assessment. According to Sist-rate.			Assessment. Average amount of ten years' collection.			Amount of compensation claimed by the Zemindar.		
1	2		3			4			5		
	ACRES.	CENTS.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
Cultivated lands	16	53	338	14	5	548	10	3	10,972	13	0
Immemorial waste	14	75	25	1	7	30	12	11	616	2	4
Unassessed waste fit for cultivation	51	54	53	12	9	80	0	2	1,600	3	4
Porumboke land unfit for cultivation ...	...	58	.....			.....			.....		
Sundry Inams	1	29	16	2	6	22	8	8	450	13	4
Total ...	84	69	433	15	3	682	0	0	13,640	0	0

13. Under these circumstances I solicit sanction for permanently remitting the sum of Rs. 682, as shown in column 4 of the above abstract from the Zemindar's peishcush for Fusly 1280, which will hereafter be in consequence reduced to Rs. 1,80,317.

14. The appropriation of the lands in question having taken place at the commencement of Fusly 1271, the Zemindar is entitled to the payment of Rs. 7,733-13-6, with interest, as particularised in statement marked C., and provided for in the budget of 1870-71.

15. It will be seen that for Fuslies 1271 and 1272 interest has been calculated at the rate of 12 per cent. previous to the Arrears Recovery Act II. of 1864 coming into force, and at the rate of 6 per cent. after that date. The interest for each Fusly is charged from the beginning of the Fusly following.

16. The amount further claimed as compensation by the Zemindar is Rs. 13,640, as will be seen in column 5 of the [illegible] given above. This seems inadmissible, as Government had declined, under [illegible] circumstances, to pass the compensation claimed by the Carvetnugger Zemindar as per their Order dated 5th August 1863, No. 534, communicated by the Board in their Proceedings dated 10th August 1863.

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17. Further, it appears to me fair to propose to the Zemindar that in every case where land has been taken from either Shrotriemdar, Amaramdar or petty Inamdar, he should deduct an equal assessment levied upon such lands in the same way that Government deduct from the Zemindar's peishcush the amount of assessment levied on his Ain lands, or to grant fresh lands in lieu, if it is found impracticable to make a deduction in the jody payable to the Zemindar.

18. Had it not been for the irregular attendance of the Zemindar's people, and the dilatoriness of the Carnums of the several villages under survey, and the difficulties experienced in getting these officials to submit their accounts, this report should have gone forward some time ago.

Enclosures Nos. 1 to 3.—Statements.

From the Officiating Collector of Nellore, to the Acting Secretary to the Board of Revenue, dated 20th September 1870, No. 2,553.

In their Proceedings dated 8th September 1869, No. 6,733, the Board passed orders on the claim laid by the Rajah of Vencatagherry for compensation on account of lands taken up for various public purposes from time to time, observing that the claim for lands appropriated for the Abkarry shops and stills as well as avenues was altogether inadmissible, and that they will not recommend Government to grant compensation in cases of claims of more than twelve years standing.

2. On receipt of these Proceedings the late Acting Collector, Mr. Melville, considered it undesirable to request the Department Public Works to examine the lands in question, as they could not afford to undertake the examination of so many cases without special aid or with any prospect of early settlement. In the meanwhile the Rajah of Vencatagherry furnished* the details of his measurements for the lands taken up in his northern talook comprised in the sub-division. Abstracts of the accounts furnished by the Rajah were prepared in this Office, with reference to the Government talooks and Zemindary divisions to which the lands relate in view to entrusting the inspection and examination thereof to Revenue Inspectors and Gumastahs on behalf of Government with the aid of the Rajah's Establishment. The following distribution was made:—

* Letter dated 2nd September 1869, No. 7-3,046, with one Dufter of enclosures.

Talooks and divisions to which the lands relate.

Vencatagherry Division.	Gumastah Amencherla Lakshmaya, Revenue Inspector, Cherukumudi Lakshminarsu.	Of Rapur Talook.
Polur Division	Revenue Inspector, Murari Subba Row, Gumastah Patri Seshaya.	Of the Gudur Talook.
Gudur Talook	Revenue Inspector, Chatti Appaya, Do., Pokala Ramasawmy Nayadu,	Do.
Kanigiri Talook ...	[illegible] spector, P. Narasinga Row, Do., Polur Raghavaya,	Of the Kanigiri Talook.
Podile Division	Gumastah, Tankasala Narayana Row, Head Gumastah, Vemulapati Lakshmi Narsimulu, Gumastah, Petluru Venkataramanaya,	Of Podile.

Ongole Talook ... ... { Addanki Venkata Narasimhaya, Talook Sheristadar of Ongole. / Amancherla Venkataramanaya, Gumastah of Ongole.

Darsi Division ... ... { Tadakapalli Narayana Row, Deputy-Tahsildar. / Kondapalli Narsinga Row, Head Gumastah of Darsi.

3. The Tahsildars of Gudur and Rapur Talooks and the Deputy-Tahsildars of Vencatagherry and Polur were directed by Order dated 19th October 1869 to get the examination completed by their subordinates as above shown, and a docket No. 2,022, dated 26th October 1869, was issued to the Sub-Collector for similar arrangements in the sub-division. The Board's orders were communicated to the Rajah on the 19th October, requesting him, at the same time, to direct his Amils to render the requisite aid in completing the measurements on behalf of Government.

4. The result of the inspection and examination made with reference to the above arrangements have been submitted with the reports noted below:—

(1). Arzi from Deputy-Tahsildar of Darsi, dated 6th November 1869, No. 13-4,203.

(2). Arzi from Deputy-Tahsildar of Podile, dated 18th January 1870, No. 17-282.

(3). Arzi from Deputy-Tahsildar of Vencatagherry, dated 29th January 1870, No. 3-352.

(4). Arzi from Tahsildar of Kanigiri, dated 4th March 1870, No. 5-738.

(5). Arzi from Tahsildar of Ongole, dated 4th May 1870, No. 9-1,346.

(6). Arzi from Tahsildar of Gudur, dated 10th August 1870, No. 509-2,474.

5. I beg to enclose five Abstracts marked A., B., C., D., and E., as detailed below:—

A—Shows the details of lands on which permanent deduction from the peishcush is claimed.

B—Shows the details of the lands, the irrigation of which was intercepted, permanent reduction from the peishcush equal to the difference between the wet and dry rate being claimed on such lands.

C—Shows the details of lands on which a lump payment is claimed in full of all demands.

D—Shows the value of trees claimed.

E—Shows the details of lands according to the year in which they are reported to have been appropriated.

6. In his letter dated 26th January 1870, No. 16, the Rajah states that the delay in the settlement of the claim for the lands in question is not attributable to him as the letters addressed by him from time to time when the lands were appropriated remain unsettled. He submits a list of letters addressed by him, copy of which marked F. is enclosed, with an abstract of the contents of such of them as have been found in the Huzoor records. Those for which no purport is entered have not been found; they are probably included in the Dufter of old records marked

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for destruction when the records were recently arranged. It will be seen that in the letters which have been found, the Rajah referred to the loss caused on account of lands taken up, and laid claim to compensation, remarking that he invariably contributed to Government the lands required for public purposes, but that no compensation was paid.

7. The claim for compensation laid on account of the lands recently taken up for the Chennur channel, the extension of the East Coast Canal, and the Vencatagherry road, has been excluded from the statements now prepared, as the question of compensation for such lands has been the subject of special correspondence with the Department Public Works and the Tahsildar. These claims will be reported on separately on completion of the inquiry which has already been instituted.

8. It appears that some of the Rajah's lands in the village of Timmasamudram in the Ongole Talook and in the village of Smirna, situated within the limits of the Kistna District, were appropriated for the delta channels of the Kistna District. The lands in Timmasamudram have been examined and included in the statement, but the lands of Smirna have not been examined, and have been excluded from calculation.

9. The lands taken up for the Abkarry shops and stills as well as avenues have been also excluded as directed by the Board.

10. The following is an Abstract of the statements marked A., B., C., and D:—

Permanent reduction.

———	As per Statement A.			As per Statement B.			Total.		
	ACS.	RS.	A. P.	ACS.	RS.	A. P.	ACS.	RS.	A. P.
Total extent as per Rajah's statements...	1,598·12	3,758	6 11	362·66	2,353	4 7	1,960·78	6,111	11 6
Deduct Chennur channel lands	440·89	1,088	14 5	61·71	392	10 8	502·60	1,481	9 1
Remainder...	1,157·23	2,669	8 6	300·95	1,960	9 11	1,458·18	4,630	2 5
Deduct lands not examined	358·61	939	5 2	153·04	665	10 4	511·65	1,604	15 6
Remainder examined...	798·62	1,730	3 4	147·91	1,294	15 7	946·53	3,025	2 11
Result of examination of the same	797·11	1,960	13 6	150·37	1,349	11 0	947·48	3,310	8 6
Deducted as cultivated or available for cultivation	43·18	95	3 5	50·35	581	14 9	93·53	677	2 2
Remainder...	753·93	1,865	10 1	100·02	767	12 3	853·95	2,633	6 4
Add lands not examined	358·61	939	5 2	153·04	665	10 4	511·65	1,604	15 6
Total...	1,112·54	2,804	15 3	253·06	1,433	6 7	1,365·60	4,238	5 10

Lump payment.

——	As per Statement C.				As per Statement D.				Total.		
	ACS.	RS.	A.	P.	No. of trees	RS.	A.	P.	RS.	A.	P.
As per Rajah's return ...	889·85	7,11[illegible]	12	0	334	231	2	0	7,349	14	9
Deduction of Chennur, etc...	212·90	1,703	3	2	198	116	13	0	1,820	0	2
Remainder...	676·95	5,415	9	7	136	114	5	0	5,529	14	7
Not examined	514·90	4,119	3	2	65	51	5	0	4,170	8	2
Remainder examined ...	162·05	1,296	6	5	71	63	0	0	1,359	6	5
Result of examination ...	136·87	1,094	15	5	121	121	10	0	1,216	9	5
Deduct as fit for cultivation, etc.	66·71	533	10	11	55	58	2	0	591	12	11
Remainder...	70·16	561	4	6	66	63	8	0	624	12	6
Add items not examined ...	514·90	4,119	3	2	65	51	5	0	4,170	8	2
Total...	585·06	4,680	7	8	131	114	13	0	4,795	4	8

11. The claim of the Rajah for a permanent reduction from his peishcush to the extent of Rs. 2,633-6-4 has been examined, and his claim for a further reduction of Rs. 1,604-15-6 has not been exa[illegible]ed; the total of these two items being Rs. 4,238-5-10. The claim for a lum[illegible]ayment of Rs. 624-12-6 has been examined, and the claim in regard to Rs. 4,17[illegible]2 has not yet been reported upon. The total lump payment amounting to Rs. [illegible]795-4-8.

12. The items which have not been examined relate to the Polur Division and three villages named Tiramalapudi, Sitaramapuram, and Vengamambapuram, which were included in the list sent to the Vencatagherry Division for examination. The examination of the lands in Polur Division has been almost completed, but the result has not yet been reported, pending the completion of the examination. The three villages referred to do not belong to the Vencatagherry Division, and the lands of these villages have not been examined by the parties appointed to measure the lands of that division. Orders will be issued for completing the examination in all these cases.

13. The Board have laid down that the claims of more than twelve years standing are inadmissible. Statement E. shows the details of the years in which the lands were taken. The Board will observe that the amount of permanent remission refers chiefly to years 1845, 1853, 1854, 1859, and 1862. The heaviest item on which lump payment is claimed refers to 1818.

14. The rate of Rs. 8 per acre on lands entered in Statement C. is arbitrary and heavy. The Kanigiri Tahsildar thinks that Rs. 6 per acre may be granted. Considering the state of the lands in that part of the district where several enfranchised Inams sold for arrears have been purchased at a nominal price, the part recommended by the Tahsildar is quite out of proportion. The other Tahsildars or Deputy Tahsildars do not fix any rate.

15. The Rajah's Gumastahs declined to sign the statements prepared by the Kanigiri Tahsildar, alleging that the measurements made in that talook were inaccurate. In the remaining tracts the measurements are agreed to by the Rajah's subordinates.

16. The average rates of the lands on which permanent remission is claimed are given below. The rates in each village differ. As the details of the rates are not given, it would be a tedious task to find out the average in each village by dividing the assessment by the extent involved. Judging from the average rates, the valuation may be accepted, as the Zemindary ryots generally pay a heavier assessment than Government ryots, and the rates are not much above the average rates of Government villages:—

——	Dry.				Wet.				Mulum.			Zarib.			Waste.		
	RS.	A.	P.		RS.	A.	P.		RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
Land examined	1	15	5		8	2	7		5	9	11	9	10	2	0	15	5
Do. not examined...	2	5	11		5	12	3		4	13	10	.....			0	11	5
Total...	1	13	3		6	14	10		5	1	3	9	10	2	0	13	3

17. The question to be decided is the period for which compensation is due. It is difficult to decide from which year the limitation of twelve years should commence. The Rajah's claim, laid afte[illegible]apse of twelve years from the time the appropriation was made, can be rejec[illegible]nder the Board's orders if it is possible to ascertain accurately the time of [illegible]priation and the time when the claim was laid in the first instance. The yea[illegible]ven by the Tahsildars can only be approximate, as at this distance of time, when most of the old records have been partly destroyed, and partly mixed up with useless papers, it is hopeless to attempt any examination on these points.

18. Lands comprised in Statement C. are not included either in A. or B. Statement. The Rajah seems to have claimed a lump payment on lands in C. Statement, as the extent of cultivated lands included therein is trifling and the Porumboke lands are unfit for cultivation.

19. It seems to me that the best way of meeting the difficulty is to recognize the claim for a permanent reduction on the lands included in A. and B. Statements after the examination is completed, giving effect to the reduction from Fusly 1278, when the Rajah furnished the details of his measurement without any retrospective effect. This proposal will be in accordance with the Board's views, expressed in their Proceedings, dated 17th August 1866, No. 254, referred to by Mr. Boswell in paragraph 14 of his letter, recorded in the Proceedings under reply, namely, that the lapse of time bars the claim for past years.

20. I do not think any compensation need be given for trees, as the Rajah can make the same use of them as he would do if the lands on which they stand had not been taken up. As regards the lump payment I think 1 Rupee or 8 Annas per acre will be ample.

21. On receipt of the Board's instructions on these points the actual amount will be fixed with reference to the results of the measurements in Polur and the three villages referred to.

ENCLOSURES Nos. A. to E.—Abstract Statements.

ENCLOSURE No. F.—List of letters from the Rajah of Vencatagherry to the Collector of Nellore.

From the Acting Collector of North Arcot, to the Acting Secretary to the Board of Revenue, dated 2nd May 1871, No. 248.

I HAVE the honour to submit, for the consideration and orders of the Board, the claim for compensation put forward by the Zemindar of Calastry for lands taken up for the construction of the two roads noted in the margin.

No. 1, Yerpidu to Vencatagherry.
No. 2, Calastry to Naidupett.

2. The extent of land taken up for these roads is given in the accompanying statements marked 1 and 2, and it is the same as that furnished by the Executive Officer in charge of the Second Range. The other information embodied in the above statements is that furnished by the Head Assistant Collector, and the Sub-Magistrate of Calastry, to whom the original accounts forwarded by the Zemindar were sent for scrutiny. The latter officer has certified to the accuracy of the Zemindar's accounts.

3. The total amount claimed by the Zemindar is Rs. 69,131-14-9 upon cawnies 136-7-1 of land which is the total extent taken up for the above roads, and this is composed of the items particularised below :—

	RS.	A.	P.
1. Refund of assessment from Fuslies 1274 to 1280...	17,092	6	4
2. Interest at 6 per cent. per annum	3,076	9	9
3. Amount of compensation for wells, trees, etc. ...	127	8	0
4. Value of proprietary right lost in the land, equal to twenty times the assessment	48,835	6	8
Total...	69,131	14	9

4. This figure represents the actual cash claimed by the Zemindar to be refunded to him at once. Besides this, he claims a permanent annual reduction of Rs. 2,441-12-4 in the amount of peishcush payable by him upon the entire estate on account of the same lands so taken up for the roads.

5. The Zemindar's claim under Item No. 4 is simply absurd, for it is indisputable that his entire estate, or at least a great portion of it, must have increased in value by the construction of the two important roads in question, which were not laid out, as the Zemindar appears to suppose, for the exclusive benefit of Government.

6. If we are hampered by exorbitant claims of this nature for every inch of land that is required for roads either in Zemindary estates or in ryotwary lands, there can be no doubt that road-making must become a matter of much difficulty. It is, I think, preposterous to confer a great benefit with one hand, and with the other, pay the recipient of the boon for his acceptance of the same. The chief difficulty in the matter of public works in this country arises from the growing demands for compensation put forward by land-holders, who, as a class, persist in shutting their eyes to the benefits conferred upon them by such roads, and viewing

their construction simply as a matter of State necessity productive of no profit or advantage to themselves, and therefore to be handsomely paid for.

7. I therefore strongly deprecate compliance with the present claim, which would create a most inconvenient precedent in the district, and which is, moreover, unreasonably large. If, however, the Board should consider that the Zemindar is deserving of compensation to some extent, I would recommend the refund of the amount specified in Statement No. 3, enclosed, and the reduction of the assessment charged upon the cultivated land actually taken up in the roads from the annual peishcush payable by the Zemindar upon his estate.

8. I regret the delay that has taken place in the disposal of this case, which the Zemindar has not been slow to take advantage of, and owing to which he has been enabled to charge interest upon the sum alleged to be due to him, and which the Board will perceive forms no inconsiderable item in the total amount of his claim.

9. The delay can scarcely be traced to any particular person, as the case passed through several officers' hands from the date of its institution. I can only inform the Board that the papers were finally received in this Office about ten days ago.

ENCLOSURES Nos. 1 to 3.—Statements.

THESE papers refer to claims by the [illegible]lars of Calastry and Vencatagherry to compensation on account of land taken [illegible] public purposes.

2. In May 1870 the Collector of North Arcot submitted the following claims of the Zemindar of Calastry on account of a road from Calastry to the Tripathy railway station :—

	RS.
Annual reduction of peishcush	682
Refund for past years	6,138
Interest thereon	1,596
Compensation...	13,640
	21,374

3. The Collector suggested that the item for loss of occupancy rights ought to be disallowed in accordance with Government Order dated 5th August 1863, No. 384.

4. The Collector has just submitted further claims by the same Zemindar on account of the roads from Yerpedu to Vencatagherry and from Calastry to Naidupett, namely :—

	RS.
Annual reduction of peishcush	2,442
Refund for past years	17,092
Interest thereon	3,077
Compensation for wells and trees	128
,, for land	48,835
	69,132

5. Mr. Whiteside considers the claim to compensation for land absurdly excessive. The Government Order quoted above seems to apply to it.

6. The Nellore papers show that the Rajah of Vencatagherry claims a reduction in peishcush of Rs. 3,142 and a payment of Rs. 6,799 as compensation. If these claims or any portions of them are allowed another for refunds is inevitable.

7. In submitting these claims the Collector inquired whether such of them as related to lands taken up several years ago were admissible. The Board answered that some but not all of the Zemindar's claims might be deserving of consideration, but that the Board would not recommend compensation in any case of more than twelve years standing.

8. From the letter of the 20th September 1870 it appears that the claims have been modified on investigation though not to any great extent, that there is some difficulty in determining how the period of limitation is to be fixed, and that the claims begin so far back as A.D. 1818.

9. Before proceeding further the Board resolve to request the instructions of Government as to whether claims [illegible] compensation for land taken up for public purposes and especially for roads in [illegible]lastry, Vencatagherry, and Carvetnugger are to be admitted at all, and if so to [illegible] extent.

10. The peishcush of these est[illegible]s not fixed with reference to their assets, but is a tribute most of which is [illegible]ation of Military service which the owners were bound to render wh[illegible]ish Government assumed the administration. No compensation has hithe[illegible]been paid on account of roads, so that the question has now to be decided for the first time, and the papers before the Board show that it is one of considerable importance.

11. Although no compensation has been paid for land taken up on roads, it has been given under the general rules for land taken up for railways, and the Board believe that it is this circumstance which has induced the Zemindars to bring forward claims such as were never heard of before.

12. By Government Order dated 22nd August 1864, No. 1,526, compensation for roads was allowed to the A[illegible] Jaghiredar whose position as a tribute-payer is similar in some respects to that of the Zemindars of Calastry and Vencatagherry, but eventually no compensation was paid and reduction of peishcush granted—*vide* Board's Proceedings dated 10th January 1866, No. 182.

13. The circumstances attendant on the settlement of these Zemindaries make the question how far they are bound to supply land for public roads almost a political question. The peishcush depends in no way on the extent of land, and the ability to pay it is not diminished but on the contrary is increased where a road is made through occupied land, for the cultivators do not desert the estate but take up land elsewhere within its boundaries. If the demand for compensation *can* be resisted, it ought to be for it is inequitable inasmuch as there has been no loss. It is unnecessary to point out that roads on an estate improve the value of the property immensely, and are even more beneficial to the Zemindar than to the public. Up to the present time the Zemindars have been paying nothing to the road-cess, and have even made a profit out of it.

14. On the other hand the Zemindars hold under Istimrar Sunnuds, and their rights of property in their estates are at least equal to those of other holders of similar Sunnuds.

No. 27. ORDER THEREON, 3rd July 1871, No. 1,151.

Land Revenue.

THESE are some claims for compensation preferred by the Zemindars of Calastry and Vencatagherry in the North Arcot and Nellore Districts on account of lands taken up for public purposes.

2. The Board of Revenue refrain from any definite recommendation, desiring, first of all, the instructions of Government as to whether such claims in these two Zemindaries and in that of Carvetnugur are to be admitted at all, and, if so, to what extent.

3. The peishcush of these estates, they observe, unlike the permanent jummah fixed on other Zemindaries, was not calculated with any reference to the assets, but is a tribute in commutation, generally, of certain Military service. No compensation has hitherto been paid on account of land through which roads were constructed; and the fact of compensation having been allowed under the general rules for land taken up for *railways* appears to have induced the Zemindars "to bring forward claims such as were never heard of before."

4. The Board, however, admit that these Zemindars, no less than others, hold under Istimrar Sanads, and that their rights of property are at least equal to those of other holders of similar Sanads. Under circumstances, although no doubt roads on an estate greatly improve the value of the property, the Government can hardly expect the Zemindars to be magnanimous enough to forego the additional profit arising from the present value of the land occupied for such purposes; at all events they cannot urge them to forego it, much less can they summarily withhold it. At the same time the Board should consult the Advocate-General and Government Pleader, and learn whether any sufficient grounds exist, in view of the terms of the Sanads, or the absence of compensation heretofore, for resisting these claims, so far, at all events, as regards land classable under Porumboke or Anâdi Bunger, which yield no revenue to the Zemindars.

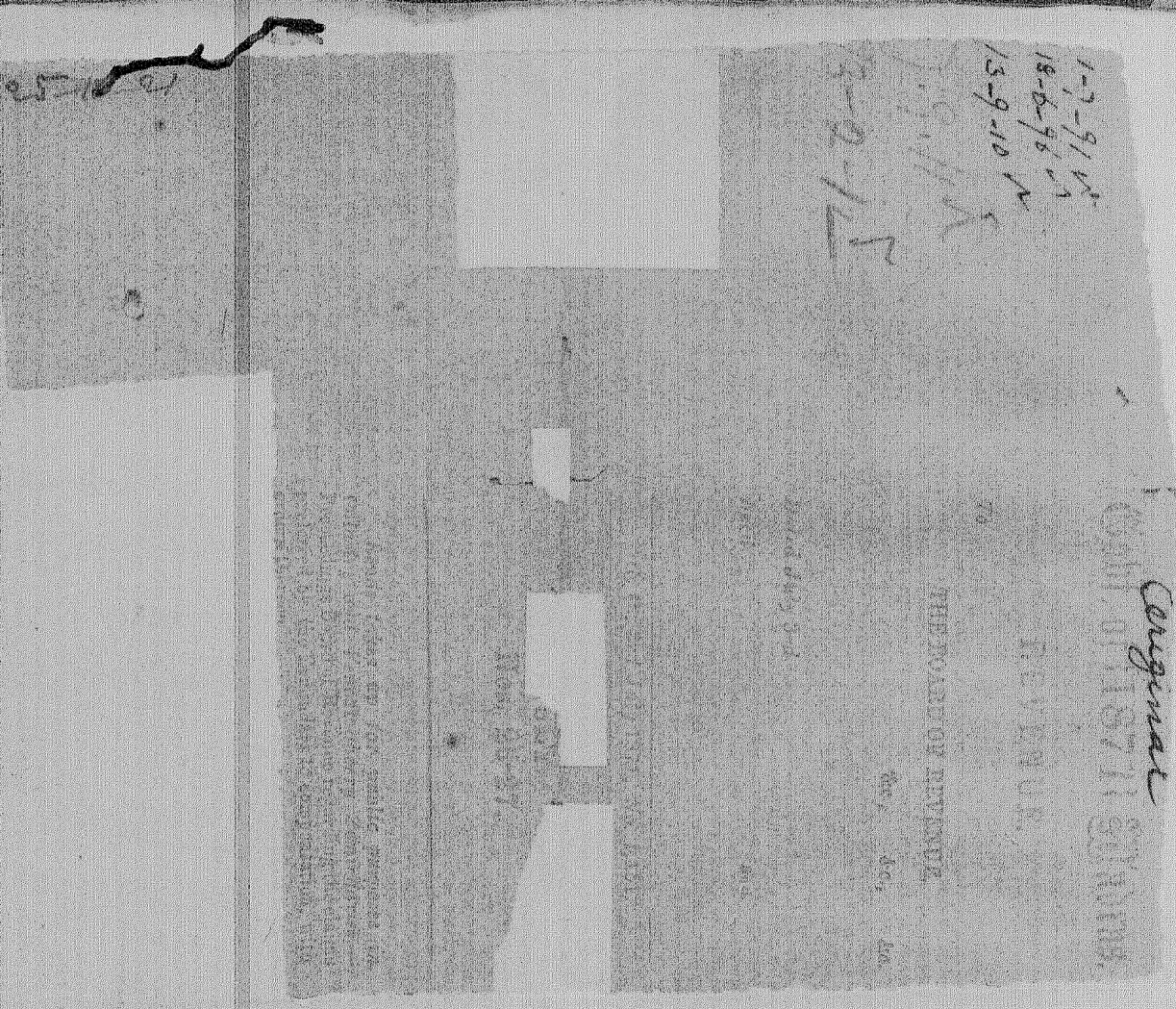
5. Meanwhile, the amount of compensation and the question whether a great portion of the claims, some of which, it is observed, date back to the year 1818, is not barred by the Act of Limitations, are matters for strict investigation. In deciding these points the Board should avail themselves of the services of the law officers of the Government for an analysis of the several items set out in the Zemindars' accounts.

(True Extract.)

Acting Secretary to Government

To the Board of Revenue.
,, the Government Solicitor.
,, the Government Pleader.

Exd. F. R. Bantleman



Original

1-7-71 Ag.
18-8-71 Ag.
13-9-71 Ag.

No. 1151
31st July 1871
Rec. Bd Rev. No 2,120
& 23rd Aug 1871

There are some claims for compensation preferred by the Zamindars of Calastry & Venkatagherry in the N. Arcot & Nellore districts, on account of lands taken up for public purposes.

2. The Bd of Rev refrain from any definite recommendation, desiring first of all, the instructions of Govt as to whether such claims in these two Zamindaris & in that of Carvetnagar are to be admitted at all, and if so to what extent.

3. The Research of these Estates, being extensive, unless the permanent Farmers proceed on these Zamindaris, will not be settled with any reference to the assets, but on a liberal commutation, generally, for certain Military Service. No compensation has hitherto been fixed on account of Land through which Roads were constructed; and the fact of compensations having been

allowed, under the present rules,
for land taken up for "Railway",
appears to have misled the Zamin-
dars "to bring forward claims
"such as were never heard of
"before".

4. The Bd however admit that
these Zamindars, no less than others,
hold under Settlement Lawds,
& that their rights of property are
at least equal to those of other holders
of Settlement Lands. Under these
circumstances, although no doubt
limits on an estate greatly en-
hance the value of the property, the
Govt can hardly expect the Zamindars
to be reasonable enough to
forgo the additional profit arising
from the present value of the
land occupied for such purposes;
at all events they cannot urge
them to forgo it, much less can they
permanently withhold it. We do not
5. But the amount of compensation
and the question whether a grant

(1 June, the Bd will call on
the Collector Govt & Govt
Pleader, and learn whether any
difficulties present themselves
to the terms of the Lawds,
or the absence of comparable
transfers, for ascertaining the
claims, & if any, what events
might be created which
under Reg VIII of 1819
might be evidence to the
Zamindars.

1 Mr Bd to Rev Settlers Subdiv &
to Govt Collectors
3 Govt Pleaders

for both of the claims - some of
which, it is observed, date back
to the year 1818 - is not barred
by the Act of limitations, are
matters for strict investigation.
In deciding these points, the Bd
the advantages of the
services of the Law Officers of the
Govt, for an analysis of the several
items set out in the Zamindars'
accounts.

S.H.
12/6/71.

It will be known that
from the very first
year of our Land Assessment demands
have been disputed in part & withheld.
Judgment of Confirmation. The first Court
for consideration will be to take that
the decisions which have not been
present claim - at least as regards
the already known Lands. The case of Rail
way is not in point - as that is the first
undertaking of a Private Company for
profit - whose Lands are bought &
taken out of the General Revenue not
of local cess by the Zamindars, as
had been the case in the Lands. It must

be [illegible] misled also
that the [illegible] came in cont-
possession with the
material condition of
the [illegible] [illegible] [illegible]
made, his claim to
[illegible] his objection.
The case [illegible] [illegible]
[illegible] [illegible] again [illegible]
again
[illegible] [illegible] [illegible] [illegible] may
be proposed to Mill
but not beyond the
term allowed by
the Statute of Limi-
tations - In [illegible] [illegible]
[illegible] land, I question
the claim - at any
rate it should be
[illegible] only - For all other land
I think it is an incident of the tenure
of the estate that land should be
free from [illegible] & [illegible] [illegible] [illegible] free
of charges
[illegible]
In future the Land
Boards must [illegible] [illegible] (6)