

*Proceedings of the Madras Government, Revenue Department,
28th January 1873.*

Read the following papers :—

No. 210. Proceedings of the Board of Revenue, dated 26th September 1872, Miscellaneous No. 6,525.

Read the following letter from the Collector of South Canara, to the Secretary to the Board of Revenue, dated Mangalore, 2nd September 1872, No. 1,103.

I HAVE the honour to request that the Board of Revenue will be pleased to obtain the sanction of Government for the compulsory acquisition of a piece of land situated on the southern bank of the Netravaty river at Mangalore, and required to be kept open for public purposes.

2. The Board may perhaps be aware that between the Mangalore backwater and the sea there is a long but narrow spit of sea-sand, which has been kept waste probably ever since its formation by the sea, although it is not incapable of growing trees. The policy of its having been so reserved is based on the interests of the navigation of the Port, for, if given out for cultivation, it would soon have been planted with trees, as the bit in question has been, and as the Badukode Island has been, and the cultivators would have thereby unconsciously prevented the sea-breeze from filling the sails of boats and vessels and enabling them thereby to sail to and from their moorings and moving about inside the Port and sailing up the river to the interior. Intervening trees would also be calculated to prevent ships outside the bar from communicating by signals with the flagstaff. They would also cut off the Custom-house from a knowledge of what the shipping in the roads were doing or wanting.

3. There has, however, been one single exception to this course. In Fasli 1268 (1858-59) one Hasane Beary succeeded in obtaining on Durkhast from an Assistant a small portion of this land at the southern extremity of the sand-spit, measuring acres 0-28-8, on an assessment of Rs. 3-6-0. The man, however, never made anything of the land, but resigned it in Fasli 1276, whereupon it was taken up by one Shikledar Shek Hussen in whose possession it now is. This individual has fenced in the ground (encroaching also upon a portion of the adjoining waste), and has laid out some money in digging three wells, and has put down a considerable number of cocoanut and other plants which must grow up and soon obstruct the breeze as above stated, and it is natural to expect that he will watch for an opportunity of again encroaching on the surrounding waste.

4. This land is also in the line of breeze required by boats sailing to Buntwal from Mangalore. Much merchandize and salt goes by this route. It is also close to the point at which it is expected that the river will again break out a mouth as of old. It being very desirable in the interests of the Port that the land should be resumed from its occupant, and allowed to remain waste as heretofore, I endeavoured to do this by giving him the option of either accepting an adequate and reasonable sum as compensation, or land of the same description, and larger in extent, if necessary, elsewhere, but the man declines to part with his holding on any terms.

5. Under these circumstances I see no alternative but to set the "Land Acquisition Act" in motion against him, and request accordingly that I may be authorized to make the required declaration under Section 6 of the Act, so as to enable me to take possession of the land as soon as practicable.

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28th January 1873.*

6. I beg to add that the compensation payable for the land is not likely to exceed a sum of Rupees 150 or thereabouts, and may well be disbursed from the "Port Funds" of this district.

THE Collector should comply with Circular Order No. XXIV. of 1869.

No. 211. Proceedings of the Board of Revenue, dated 3rd December 1872, Miscellaneous No. 8,000.

Read again letter from the Collector of South Canara dated 2nd September 1872, No. 1,103, recorded in Board's Proceedings dated 26th September 1872, Miscellaneous No. 6,525.

Read also the following letter from the Collector of South Canara, to the Secretary to the Board of Revenue, dated Subramanya, 5th November 1872, No. 1,360.

WITH reference to the Board's Miscellaneous Proceedings dated the 26th September last, No. 6,525, I have the honour to submit herewith translation of a written statement taken by the Tahsildar of Mangalore from the owner of the land therein alluded to on the 9th May 1872.

SUBMITTED for the orders of Government.

2. The Collector of South Canara states that there is a strip of sand between the Mangalore backwater and the sea which must be kept bare of trees in order that the sea-breeze may be felt by boats and ships sailing into and out of the Port.

3. A small portion of this spit, acres 0-28-8, assessed at Rs. 3-6-0, has got into the possession of a private individual who has planted it. He refuses to give it up because he expects not to get adequate compensation.

4. The Board recommend Government to declare the land needed for a public purpose under Section 6, Act X. of 1870.

No. 212. Proceedings of the Board of Revenue, dated 19th December 1872, Miscellaneous No. 8,444.

Read official memorandum from the Secretary to Government, Revenue Department, dated 10th December 1872, No. 117.

ABSTRACT.—Calling for draft of requisite Notification in view to acquisition of certain land in South Canara District under Land Acquisition Act X. of 1870.

ORDERED that the following draft Notification be submitted to Government:—

DRAFT NOTIFICATION.

UNDER the provisions of Section 6, Act X. of 1870, the Right Honourable the Governor in Council of Fort St. George hereby declares that all that piece of land at the southern extremity of the strip of land between the backwater and the sea at Mangalore in the district of South Canara, containing Acres 0, G. 28, A. 8,

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28th January 1873.*

be the same a little more or less, and now in the occupation of Shikledar Shek Hussen, is required for a public purpose, namely, to prevent obstruction to the navigation of the Port and backwater of Mangalore.

No. 213. ORDER THEREON, 28th January 1873, No. 106.

Miscellaneous.

ORDERED that the following Notification be published, and that the Collector be authorized to take the necessary steps for the acquisition of the land:—

NOTIFICATION.

UNDER the provisions of Section 6, Act X. of 1870, the Right Honourable the Governor in Council of Fort St. George hereby declares that all that piece of land at the southern extremity of the strip of land between the backwater and the sea at Mangalore in the district of South Canara, containing Acres 0, G. 28, A. 8, be the same a little more or less, and now in the occupation of Shikledar Shek Hussen, is required for a public purpose, namely, to prevent obstruction to the navigation of the Port and backwater of Mangalore.

(True Extract.)

(Signed) D. F. CARMICHAEL,

Secretary to Government.

To the Board of Revenue.

„ the Superintendent Government Press.

Erd. F. R. Bantleman.

Statement of Shikildar Shaikhasan Sahib, residing in Mangalore, taken by the Tahsildar of Mangalore on the 9. May 1872.

The ground, Kuli No. 254 of Ullal Casha Village registered in the name of Hasann Beary, and paying a Berig of Rupus 3. 6. " & situated near the Government garden at Ullal was in Insly 1268, registered as a Hofagame Hury. After the said Wurgdar had filed a Razinama relinquishing the land, I obtained the same on Durkhat from Government in Insly 1279, and have since then been paying the assessment and cultivating it, and thus enjoying it. I do not however now receive any rent or get any produce from the land. When I took possession of the said land, it was not cultivated nor enclosed by a hedge, but was a mere sandy waste. I fenced it in; having procured bambo shoots for the purpose from a distance, sunk 3 wells, erected 3 huts, and planted about 116. Cocconut plants, 4 jack plants, 5 teak plants, 40 cashu plants and 100 Honne plants, and also procured mud from a distance and had it put round the foot of Cocconut trees and thus brought the land under cultivation. In the eager hope of getting a large produce, after the plants came into bearing, I laid out nearly 600 Rupus, and brought the land under cultivation, as above stated. I have kept no accounts of the above expenditure. A Sum of Rupus 30 which I paid as compensation to the owner of a boat which broke while mud was being

brought in it, and similar other expenses are included in the said amount of Rs 600. Although from the appearance of the ground people will not think that so large an amount has been laid out on it, I am of opinion that any one would buy the ground with the cultivation for Rs 400. The said cultivation was effected by me only after I got the land on Durbaest, but not without orders. If I were to give up the said land which I cultivated at some cost and labour, I would be a great loser, and I am not therefore willing to do so. This is all that I have to state.

I have heard the Paimaish list enclosed in the report of the Shambhogue and Potail read over to me. It is true, as stated therein, that the present extent of the land of the said Wurg exceeds the former extent by grounds 8. 11. 8, but I have put down no plants whatever in the portion which forms the said excess.

With a view to prevent the plants planted in the Wurg land being destroyed by cattle, I included in it the portion which forms the excess, and put up a hedge all round outside the limits of the land. If this portion which is in excess cannot be granted on a peshment, I am willing to give it up. I beg to state that I am unable to give up the Wurg land on which assessment has been fixed.

I have heard the

Statement read over to me and it is correct.

(True Translation.)

H. Thomas.

Collector.

Camp J.

Miscellaneous No 6525. Revenue Department
 Proceedings of the Board of Revenue
 dated 26 September 1872.
 Read the following
 No 1103.
 From H. S. Thomas Esq.
 Member of South Canara
 J. Rose Esq.
 Secretary to the Board of Revenue
 Madras.

I have the honor to request that
 the Board of Revenue will be pleased
 to obtain the sanction of Government for
 the compulsory acquisition of a piece of
 land situated on the Southern bank
 of the Kaveri River at Mangalore
 and requires to be kept open for public
 purposes.
 2. The Board may perhaps be aware
 that between the Mangalore backwaters
 and the sea, there is a long but narrow
 strip of sea-sand, which has been kept
 from being probably ever since its formation
 by the sea, although it is not incapable
 of

Enclosure 1

On a letter from the Collector
 of South Canara to the
 Secretary to the Board of
 Revenue, dated 10th Nov 1872.

Rs. 2
 3847 2 1/2

Statement of Mr. Thomas
 Esq. Member, residing in
 Mangalore, taken by the
 Secretary of Mangalore
 on the 9th May 1872.

26/10/1872

off growing trees. The policy of the having
them so reserved is based on the interests
of the navigation of the Port, for, if given
out for cultivation, it would soon have
been planted with trees, as the bill in
question has been, and as the Rada Kade
Islands has been, and the cultivators would
have thereby unconsciously prevented the
sea-breeze from filling the sails of boats
and vessels, and enabling them thereby
to sail to and from their moorings, and
moving about inside the Port, and sailing
up the river to the interior. Intervening
trees would also be calculated to prevent
ships outside the bar from communi-
cating by signals with the flagstaff.
They would also cut off the Custom-house
from a knowledge of what the shipping
in the roads were doing, or wanting.

3 There has, however, been no single
exception to this course. In Saali ¹²⁶⁸ _{1857/59} one
Hassam Bexary succeeded in obtaining
on Dindkash from an Assistant,
a small portion of this land at the
Southern extremity of the Sand Spit, measuring
Acres "—18—8, on an assessment of
Rupers

Rupers 3-6-11. Sherman, however, never made
anything of the land, but resigned it in Saali
1276, whereupon it was taken up by one
Shikledar Shik Hussain in whose
possession it now is. This individual
has fenced in the ground (encroaching also
upon a portion of the adjoining waste), and
has laid out some money in digging wells,
and has put down a considerable number
of Coconut, and other plants, which must
grow up and soon obstruct the breeze as
above stated, and it is natural to
expect trouble will ensue for an in-
opportune & again encroaching on the
surrounding waste.

4 This land is also in the line of breeze
required by boats sailing to Buntwal
from Mangalore. Much merchandise
and salt goes by this route. It is also
close to the point at which it is expected
that the river will again break out a
mouth as of old. It being very desirable
in the interests of the port, that the land
should be resumed from its occupant,
and allowed to remain waste, as heretofore,
I endeavoured to do this, by giving him
the

the option of either accepting an adequate and reasonable sum as Compensation, or land of the same description, and larger in extent if necessary elsewhere, but the man declines to part with his holding on any terms.

5. Under these circumstances, I see no alternative, but to set the "Land Acquisition Act" in motion against him, and to request, accordingly, that I may be authorized to make the required declarations under Section 6 of the Act, so as to enable me to take possession of the land, as soon as practicable.

6. I beg to add that the Compensation payable for the land is not likely to exceed a sum of Rs. 150, or thereabouts, and may well be disbursed from the "Post Funds" of this District.

South Canara
Collector's Office
Mangalore

2^d September 1872

The Collector should comply with

74
with Circular order ~~XXIV~~ of 1869.

(True copy attached)

1871 I Grose

Secretary

The Collector of South Canara.

(True copy)

I Grose

Secretary

Edmund
Spencer
Mangalore

Miscellaneous No. 8000

Revenue Department

Proceedings of the Board of Revenue.
dated 3rd December 1872.

Read again letter from the Collectors
of South Canara, dated 2nd September
1872. It was decided in Board's
Proceedings, dated 26th September 1872
Miscellaneous No. 6525.

Read also the following.
No. 1360.

From.

H. S. Thomas Esquire
Collector of South Canara

J. Giese Esquire
Secretary to the Board of Revenue

With reference to the Board's
Miscellaneous Proceedings dated
26th September last No. 6525, I
have the honor to submit herewith
translation of a written statement
taken by the Tahsildar of Mangalore
from the owner of the land therein
attended to on the 9th May 1872.

Collector's Office on Circuit
Camp Subramanyam. 5th Nov. 1872

I have to
(Sd) H. S. Thomas
Collector
Submitted

Enclosure in forwarding
of the Board of Revenue
dated 3rd December 1872
No. 8000 & the
Secretary to Government
C.O.

Rev. No. $\frac{1}{384782/72}$

Copy of Board's
Proceedings, dated 3rd
26th September 1872 No.
6525.

Submitted for the orders of
Government.

The collector of South Canara states that there is a strip of sand between the Mangalore Backwater and the Sea which must be kept bare of trees in order that the sea breeze may be felt by boats and ships sailing into and out of the port.

A small portion of this Spit,
Acres 0-28-8 assessed at Rs. 3-6-0
has got into the possession of a private
individual who has planted it. He
refuses to give it up because he
expects not to get a adequate Compensation.

The Board recommended judgement
to declare the land needed for a public
purpose under Section II Act X of 1870.

(True Extract)

Grote
Secretaris

The Secretary to the Commission

Revenue Department

with Copy of Board Proceedings

Miscellaneous no 6525 of 1872

and a statement.

E. H. Hough

~~Copied in May of 1891.~~

Revenue Department
#106.

Proceedings of the Madras Government
Under date the 28th January 1872.

Read the following Res.
of the Board of Revenue.

Recommending Govt.
to declare certain land
between Mangalore backwater
and the Sea to be required
for a public purpose under
Act X of 1870. (H.E. 3rd Decr 1872 Serial 8000)

Submitting to Govt. Draft
Notification in view to acquisition
of certain land in South
Canara & under Land
Acquisition Act X of 1870. (H.E. 19th Decr 1872 Serial 8444)

Ordered that the
following Notification
be published, and
that the Collector be
authorized to take
the necessary steps for
the acquisition of
the

[Signature]

Revenue 1872 & 1872

No 3849

Proceedings of the
Board of Revenue

Dated 3rd December 1872

Resoln 3 — — —

Resoln 4: — — —

Recommending Govt.
to declare certain land
between Mangalore back-
water & the sea to be
required for a public
purpose under Act X
of 1870.

Rs 210-213

Rs 210-213

S.O. No 406-28 Aug 72

S. O. No. 106-28 Jan. 73

S. O. No. 106-28 Jan. 73

The Land

...
...
...

Notification

Under the provisions
of Section 6 Act X of 1870,
the Right Honorable the
Governor in Council of
Fort Saint George hereby
declares that all that
piece of land at the
Southern extremity of the
strip of land between the
backwater and the sea, at
Mangalore in the District
of South Canara, contain-
ing Acres $28 \frac{1}{2}$, be the
same a little more or less,
and now in the occupation
of Shiklesha Shet Apora,
is required for a public
purpose, namely to prevent
obstruction

obstruction
to the navigation of the port
and backwater of Mangalore

11. Board of Revenue Dec 29 Jan 73
1. Rep to of the Govt Pres.

Ed. M. D.

12/1/73