

(1) Number of Pages.....26

(2) Date of repair.....20.5.68.

(3) Initials of the Referencer.....7/1.68

MADRAS RECORDS OFFICE**GOVERNMENT OF MADRAS***Revenue***DEPARTMENT**

G.O. No.

311

~~Press~~

B.P. No.

Mis.

Dated

17.2.1965

196

..

Not to be folded or roughly handled

Madras 28th Nov. 1874

To
The Chief Secretary to Government
Fort St. George.

Sir,

In bringing to notice the inconvenience which has been caused to me by the great, and apparently wholly unnecessary, delay on the part of the Collector of Malabar in furnishing me with the title deeds of certain land in Wynaad, which I purchased from Government upwards of twelve months ago, and the unwarrantable treatment accorded to a complaint which I addressed to that official, I have the honor to respectfully solicit the interference of Government.

In the month of July 1871 I made application to the Collector of Malabar for a block of land situate on the district road between Devalah and Cherambaddey, Wynaad; and on the 1st July 1873 I was declared to be the purchaser thereof. On the 25th of September following I remitted to the Collector the balance of purchase money, and requested to be furnished with my title deed - which request yet remains to be complied with.

There

There may not be room for complaint in connection with the time (two years) which elapsed between the date of my application for the land and that on which it was intimated to me that my offer for it had been accepted; for friends who have, at other times, obtained lands in Wynnaad from Government, inform me that to get the business advanced so far in such time is very unusual despatch indeed: but the delay which has since arisen seems by the mere statement of its circumstances to be quite inexcusable.

As stated above the balance of purchase money was remitted on 23rd September 1873; but it was not acknowledged to me until the following November and then only in reply to enquiries about it.

On 6th November 1873, the Deputy Collector of Wynnaad wrote enquiring my name in full to enable him to prepare the title deed.

On 24 January 1874, I addressed the Collector of Malabar and the Deputy Collector of Wynnaad enquiring whether the deed was ready.

On 18 February 1874, I again addressed the Collector of Malabar and Deputy Collector of Wynnaad, drawing attention to my letters of 24th Ultimo which had

had not been noticed.

On 23rd February 1874, the Deputy Collector of Wynnaad advised that the deed was in preparation.

On 15th May 1874, the Deputy Collector of Wynnaad forwarded the title deed for execution, which on 18th idem was returned without execution being found incorrect.

On 15th July 1874 the deed was retransmitted by the Deputy Collector of Wynnaad, and was signed and returned to him on 24th idem for execution in behalf of Government.

On 1st October 1874 the Deputy Collector of Wynnaad wrote enquiring my ~~name~~ profession that the same might be entered in the title deed, whereon, on the 5th idem, I wrote to the Collector of Malabar explaining that, at upwards of two months after its execution by me, it had been found necessary to refer for further information to be inserted in the title-deed; and that such delay and mismanagement as were disclosed in this fact could not possibly exist in a private Office.

On 22nd October 1874 my letter of 5th was received back with the following indorsement:—

"Returned to the writer with an intimation that impertinent letters of this sort will not be attended to."

Signed

Letter attached

Signed/ A. Macgregor
Collector.

A review of the foregoing circumstances shows that from 23rd Sept. to 6th Nov. 1873 no steps whatever were taken towards preparing the title-deed; that further 8 months elapsed before it was received for signature; that two months after returning it duly executed I am again referred to for additional information; and that now fourteen months after paying for the land, I am still without the Deeds which alone can enable me to make use of the property I have acquired.

I venture to submit that the inquiry about my name, and the later one about my profession ought to have been made when the receipt of the purchase money was acknowledged; that that acknowledgment ought to have been made promptly, and without the delay which attended it; that, as the title-deed is only a printed form to be filled up in parts, it ought not to be upwards of twelve months in preparation; that the having to inquire for further information to be inserted in the deed at a considerable time after its execution by one of the contracting parties, is highly irregular; and that the course of business in this matter has as stated in my letter to the

the Collector of Malabar been marked by delay and mismanagement such as could not exist in any private business Office.

By this delay I have been caused the greatest inconvenience; in that through it, all my plans in connection with the land have been disturbed.

Under the circumstances I deem that I had cause to complain to the Collector of Malabar, and I trust that Government will notice the treatment which my complaint received at his hands, and will direct the immediate completion and delivery of my title-deed.

I have the honor to be,

Sir,

Your most obedient servant

W. L. Jones



7 OCT 74

The Collector of Malabar
Cabinet

On the 24th July last I executed and returned to you for execution in behalf of Government the title deeds of my land in Wynnad. I naturally supposed that they would be completed and re-transmitted to me in the course of a few days. However after a lapse of upwards of two months I this morning received a letter from the Dy. Collector of Wynnad inquiring about my possession, that the same may be described in the deed to be granted to me.

It is simply impossible for the outside public to understand the internal economy of many government offices: but I venture to assert that such delay & inefficient management as are disclosed in the above stated

facts could not possibly exist in any
other than a government office.
I have requested the D. Collector
of Hyderabad to describe me as an
employee of the Board of Madras,
and I shall be much obliged by your
instructing him to inquire at once
if he requires further information,
to furnish me with my title deeds
without any more unnecessary
delay. I have the honor to be, Sir,
Your obedient servant

J. J. Smith

Q1523

Return to the

writer, with an

intimation that

his statement will

of his and will

not be attended

to —

of his and will

of his and will

of his and will

of his and will

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 4th February 1875.

No. 11

Read the following

From,

A. Macgregor Esquire
Collector of Malabar

To,

J. Grose Esquire
Secretary to the Board of Revenue
Madras

Sir,

I have the honor to report
as directed in G.O. dated 7th December 1874, No. 60
communicated with Board's Proceedings of
the 8th idem, Miscellaneous No. 8563 on the sub-
ject of the land applied for by Mr. Holmes.

2. The point on which Mr. Holmes lays
greatest stress is the fact that whereas the
deed was executed by him on the 24th July
and retransmitted to the Deputy Collector, he
was on the 1st October applied to for further
information

No. 4186

Revenue 1874 Department

From

W. F. Holmes Esq^r
Madras

Dated 28: Nov^r

Recd 30: — a —

Sub No 369/75
Brings to notice of
Govt the inconvenience
& delay caused by the Col^r
of Malabar in furnishing
him with the title deeds
of certain land in Wynad
&c —

Col^r

Sub No 3117/74

2 R
Rev 423/75

Enclosures
(herewith returned)

information as to his profession. The explanation of this is very simple. In the deed prepared by the Deputy Collector Mr. Holmes was described as a gentleman. The deed after scrutiny in my office was on the 18th August transmitted to the Board of Revenue and by them to the Government Office for seal, and was received back on the 19th September with an objection taken in the Board's Office as to the designation of Mr. Holmes. It was on receiving the Deputy Collector's application for further description of his profession that Mr. Holmes expressed his very strong views on the subject of the mode of conducting business in public offices.

2. The next point of importance brought forward by Mr. Holmes is the delay of 9 months between the sale of the land and the preparation of the title deeds. Fortunately for the public service, this can

can be satisfactorily brought home to a gentleman employed in the Bank of Madras. The explanation of it is as follows: at the date of sale the detailed survey of the land had not been completed, and the exact relative proportion of grass and sholah was not known - consequently the deed could not be prepared until further survey. In order to account of the survey being incomplete it is necessary to go further back than Mr. Holmes has thought desirable to do in regard to dates. On completion of the skeleton survey it was reported that the land measured 298 acres instead of 125 acres as estimated by the applicant. I then addressed him as is invariably the practice when the excess is considerable; it being necessary to ascertain what the applicant wished to

to do, whether to cut off a portion, or extend his application to the larger area. To this question addressed to him on the 29th May, Mr. Holmes made no reply till the 7th December, when he apologized for his dilatoriness. Of course in the interval the detailed survey had been at a stand-still as it was impossible to know which portion of the land would be selected. The delay extended over nearly all the survey working season, and hence the necessity of completing it the next season.

4. Strictly speaking the sale should have been postponed till the survey was finished, but, as Mr. Holmes had stated in his application that he was anxious to begin operations at once, I advertised the land and it was put up to auction on the 22nd May, after the necessary 3 months notice. Special intimation

intimation was given to Mr. Holmes of the sale. He failed to appear either in person or by agent, but wrote to the Deputy Collector offering 500 Rupees and depositing 50. This being irregular, the Deputy Collector returned the money - on being applied to by Mr. Holmes I considered that under the circumstances there was no objection to accepting his offer, which I did and after a further correspondence in which Mr. Holmes advanced an untenable claim to withhold payment of the purchase money I placed him in possession of the land. I regret that by an oversight the receipt of Mr. Holmes' cheque was not at once acknowledged, but as it was on the Madras Bank, I trust he was not thereby occasioned much anxiety.

5. Up to this time Mr. Holmes
has not touched the land. For a considerable
time he has been offering the block
for sale for 3000 Rupees and has refused
2500. Recently, since the improvement
of gold mining prospects the land
has been withdrawn from the market
even at the former figure, and the
Government Geologists good offices
have been sought. I merely allude to
this as under the circumstances it is
difficult to understand what Mr.
Holmes means by "the inconvenience
he has experienced through his plans
having been disturbed."

6. In conclusion I have only to
state that when I last heard from
the Deputy Collector, the title deeds
awaited registration owing to Mr.
Holmes having failed to send the Deputy
Collector one of the copies he has of the

Survey for attached to the deed
Malabar Collector's Office } I have seen
Calicut } E. A. Macgregor
18th January 1875 } Collector

Submitted for the information
of Government with reference to G.O.
of December 1874, No. 60.

2. It is not clearly stated whether
Mr. F. Holmes has been called upon to
send the survey plan for want of which
registration and delivery of the title deeds
are delayed. If this has not been done,
he should now be informed how the
case stands.

(True copy & Extract)

H. K. M.

Acting Secretary

The Acting Secretary to Government
Revenue Department
with 2 original enclosures returned

B. M. S. S. S.
C. M. Narasimha Chetty

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 17th February 1875.

READ the following *Proceedings of the Board of Revenue.*

Subm^d letter from collector of Malabar affording explanation called for in G.O. of 7th December 1874 N. 60, on the subject of the lands applied for by Mr. Holmes.

H. E. 4 February 1875 N.

Mr. Holmes will be informed that the Government learn that the preparation of his title deeds was necessarily postponed until the completion of the detailed survey which has been delayed for one working season owing to Mr. Holmes' omission to reply until the 7th December to a letter from the

I cannot subscribe to a statement that the collector has been most obliging & very civil, his tone is not justifiable. I can see nothing in the returned letter which justifies his treatment under the circumstances. The proposed G.O. is to be

SP 423
Revenue 1875
Proceedings of the Board of Revenue

Dated 4th February 1875
No. 4 - " - "
Rec^d 5th - " - "

SP 311-17
Submitting for information of Government letter from collector of Malabar affording explanation called for in G.O. of 7th Dec 1874 N. 60, on the subject of the lands applied for by Mr. Holmes.

the collector addressed to him on
 29th of the May previous;
 that to suit Mr. Holmes' con-
 venience the collector departed
 from the usual course under
 which sales are delayed until
 detailed surveys are completed
 and bidders required to attend
 to sale in person or by agent;
 that the further information
 sent of him in October 1874
 is called for by the direction
 of an authority higher than the
 collector.

It thus appears that
 the delay complained of was
 no fault due to the District
 authorities, who showed every
 care to assist Mr. Holmes,
 and the Government have no
 doubt that full explanation
 would have been afforded him
 had he addressed the collector
 becoming tenant and not in

a source of laughter (fair
 laughter) to the public with
 the result before them

For more by
 Mr. M. G. - C. agent to
 find that much delay has oc-
 curred from cause stated on
 page 11 less responsible of
 explanation but need not be
 specified - He adopts the
 course suggested in 2^d P. of
 Mr. P. & directs that Mr. H.
 be informed how the matter
 stands at this moment & urged
 forward the missing work
 & Mr. Ludicrom wants
 of practice was the fault of the
 District Officer not W. H.

As to the 3^d cl. of
 para 2. I am able
 that the Deputy Collector
 ought to have known
 how to direct us to the
 G. and I am not ex-
 cept this - but the
 time I am able that

Mr. Macleod is &
 Hamilton & others
 holding & open to
 the public. I O L
 12/2
 Right Hon.

in this he was betrayed into
 using in his letter of the 5th
 October 1874.

13
 J. L.
 The collector should
 at once comply with
 the Board's instructions
 in para 2.

- 1. To the Board of Revenue on 18 Feb
- 1. The Collector of Malabar on 17 Feb
- 1. W. S. Holmes Esq. on 19 Feb

I agree with Mr. Linn
 that the D. O. (except in the
 particular alterations and
 also to the remarks on
 para 2 of N. S.
 Proposed
 12/2

90

The deeds of
Hobbes land
Reynolds

Am 11-1800

Am 311 of 75 (1800)

600

De 1/1800

Am 311 of 75 (1800)
De 1/1800
Am 311 of 75 (1800)
De 1/1800
Am 311 of 75 (1800)
De 1/1800