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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No.	6023.	Press.
B.P. No.		Mis.
Dated	4-10-1877.	1977.

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GOVERNMENT OF MADRAS.
FINANCIAL DEPARTMENT.

23rd August 1877, No. 2175.

Lands.

Read the following paper:—

No. 193. *Proceedings of the Board of Revenue, dated 20th July 1877, No. 3381.*

Read again—

Proceedings of the Board of Revenue, dated 1st July 1876, No. 5513 (Mis.).

Read the following letter from H. Sr. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to the Acting Secretary to the Board of Revenue, dated 11th May 1876, No. 731:—

In G.O., No. 566, dated the 7th April 1874, Government sanctioned a sum of Rupees 68,330-9-2 from Provincial Funds as compensation for lands taken up for widening the Trunk Road from Tuni to Chittivalsa, and for making the same road from Chittivalsa to Chicacole. Several landowners, whose claims were not considered at the time, have subsequently come forward claiming compensation on account of their lands taken up for the same purpose.

2. These landowners had not come up when application for sanction was made on account of this road, and their claims therefore still remain unsanctioned.

3. The reasons which induced Government to sanction the Rupees 68,330-9-2 originally as compensation on account of the road equally hold good as regards the lands for which it is now claimed. I have not therefore considered it necessary to lay these claims before the Local Fund Board.

4. The amount payable to the several landowners, as per accounts received in my office, is Rupees 21,413-12-1, or Rupees 21,500 in round numbers, the extent and assessment of the land occupied being 116 Acres and Rupees 880 respectively.

5. There is an Inam of Annas 8-9 belonging to a temple at Pulaparti. The Tahsildar recommends that the amount be paid every year to the temple. If this is sanctioned, the compensation amount will be reduced by Rupees 10-15-0.

6. Certain Jerayati lands in the Survasidhy Taluq, assessed at Rupees 26-7-11, were taken up for the road in question. The Tahsildar reports that the ryots requested a reduction of this amount from their puttass.

7. I have therefore the honor to request the Board will be so good as to obtain the sanction of Government for the disbursement of Rupees 21,500 from Provincial Funds, for reduction of Rs. 26-7-11 from the amounts of certain Jerayati Puttadars in the Survasidhy Taluq, and for payment of Rupees 10-15-0, being the capitalized value, at twenty years' purchase, of the amount annually due to the trustees of the temple at Pulaparti.

The Collector is requested to submit detailed statements prepared in the usual form, showing particulars of compensation referred to in the above letter as still due on account of lands taken up for widening the Trunk Road from Chittivalsa to Chicacole.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

Proceedings of the Board of Revenue, dated 17th October 1876, No. 8908 (Mis.).
Read again letter from the Collector of Vizagapatam, dated 11th May 1876, No. 731,
recorded in Board's Proceedings, dated 1st July 1876, No. 5513 (Mis.).

Read also statement of Compensation, dated 21st July 1876.

In the above statement the Collector recommends the payment of Rs. 21,413-12-1 compensation to certain Inamdars on account of land taken up for the Great Trunk Road in the Vizagapatam District. The statement will be returned to the Collector for disposal, as under recent orders he is competent to dispose of all claims for money compensation.

2. The Board will however make a few observations on the nature of the claims submitted. The money compensation is in most of the cases computed at twenty times the assessment, and a sum of Rupees 6,262-15-9, nearly one-third of the total compensation, is recommended on account of loss of assessment for back years. In 1874 the Government sanctioned* the payment of Rs. 68,330-9-2 as compensation for lands taken up for this very road. The claims of the present parties were not then noticed, as, the Collector states, they had failed to represent them at the time. Why the Collector, while admitting that the parties had neglected to represent their claims in time, recommends the payment for back faslis in addition to the full compensation is not clear. Had they come forward earlier they would have been paid at once, and the Government saved the additional expenditure for last year's loss. The Board are therefore of opinion that these Inamdars are not entitled to compensation for loss of assessment, at all events for periods anterior to the date of their application.

3. In Cases Nos. 3 and 6 the loss for past years is calculated from Faslis 1272 and seem to have been taken up evidently more than thirteen years before; the Inamdars appear to have lost all claim for compensation by lapse of time except for special reasons which should be reported to the Board.

(A true Copy and Extract.)

(Signed) H. E. STOKES,
Secretary.

Read also the following letter—

From H. ST. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to H. E. STOKES, Esq., Secretary to the Board of Revenue dated 5th April 1877, No. 368.

I have the honor to report on Board's Proceedings, No. 8908 (Miscellaneous), dated 17th October 1876.

2. The correspondence which resulted in G.O., dated 7th April 1874, No. 566, commenced so early as 1870. It has already been brought to the notice of the Board that previous to that year, the Department of Public Works has been in the habit of taking possession of lands without reference to the Revenue authorities. The lands for which compensation was proposed in the statement, referred to in the Board's Proceedings under reply, were with one exception, viz., Item No. 7, taken up by the Department of Public Works previous to 1870.

3. His Highness the Maharaja of Vizianagram, K.C.S.I., was the first gentleman who sought compensation from the Revenue authorities on behalf of himself and of the Inamdars in his estate whose lands had been taken up for the Trunk Road. He preferred his claims in 1869, and after a long and unsuccessful correspondence with the Department of Public Works the Board of Revenue were for the first time

addressed by the Collector—vide this office letter, No. 727, dated 28th July 1871. The other Proprietors and Inamdars, whose lands had also been taken up, finding that their lands were not included in the statement submitted by His Highness the Maharaja, commenced to set forth their claims.

4. The claims included in the statement were in (6) six cases preferred subsequent to the original application to the Board in 1871, and in the other two cases subsequent to the Maharaja's application referred to in paragraph 3 *supra*, as shown in the margin. The delay on the part of the claimants is, I am convinced, entirely

owing to ignorance. When the application came in it was found very difficult until after a searching inquiry to identify the lands and fix compensation.

5. In Case No. 3 the assessment for back faslis previous to Fasli 1276 need not be paid to the Inamdar, as the land on subsequent inquiry was found to have been actually taken up in 1867. In Case No. 6 the land was taken up in 1863 for the Salt Road from Nellimukku to Gazmooka. Compensation does not seem to have been paid to the party, although claims appear to have been set forth on several occasions and admitted by Government officials. In no one case has the claim for purchase money been barred by the Law of Limitation; and I do not think that the claim for compensation for back faslis is, under the circumstances, barred. The officers of Government having taken forcible possession of the lands without settling any terms with the owners it would be both unjust and illegal to refuse payment on the ground that they had not come earlier.

6. Under these circumstances, I have the honor to request that the Board will be so good as to authorize me to pay up the amount of Rupees 21,393-12-1 to the parties concerned, as per instructions contained in G.O., No. 566, dated 7th April 1874. I also request to be informed whether I may pay the whole amount from Provincial Funds without any allotment; and if so, to what head I should debit the charge.

The above papers will be submitted for the orders of Government with reference to G.O., dated 22nd October 1872, No. 1438, and 7th April 1874, No. 566.

2. The claims to the compensation now advanced are for lands taken up for the Trunk Road from Tuni to Chittivalsa and Chicacole. In the second of the orders quoted above a sum of Rupees 68,330-9-2 was sanctioned on account of compensation for lands taken up for this line, but at the time when that application was made, the claims of the present applicants were not considered as they had not then come forward. The delay is attributed to ignorance, and the Board concur with the Collector in thinking that the claims should be admitted, and request that the amount of compensation recommended, viz., Rupees 21,393-12-1, may be placed at the disposal of the Collector from Provincial Funds in order to enable him to dispose of the matter.

(True Copies and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

To the Secretary, Government, Revenue Department.

Transferred to the Financial Department, with reference to the orders in that Department, dated 22nd October 1872, No. 1438, and 7th April 1874, No. 566.

FORT ST. GEORGE,
18th August 1877.

(Signed) C. G. MASTER,
Secy. to Govt., Rev. Dept.

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FINANCIAL DEPARTMENT, 23RD AUGUST 1877, No. 2175.

No. 194.

ORDER THEREON, 23rd August 1877, No. 2175.

There are no funds available during the current year for payment of the compensation of Rupees 21,393-12-1.

2. The Public Works Department will be requested to provide for the amount in the Budget for 1878-79.

(True Extract.)

D. F. CARMICHAEL,
Chief Secretary.

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

Exd. J. Wright.

Gobt. of Madras.

FINANCIAL.

To THE PUBLIC WORKS DEPARTMENT,

&c. &c.

Dated August, 23rd.

Issued

By

Encl.

G.O. 23rd August 1877, No. 2175.

Gift 4-10-77 N. 6023.

AUGUST.

Nos. 193-194.

Rev 4225

Lands. - The Public Works Department requested to provide for the sum of Rs. 21,393 12 in the Budget for 1878-79, being compensation for lands taken up for the Frank Road from the Chittaralea and Chinnole, in the Vinayapada District.

Financial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

READ the following letter - No. of Govt. Revenue Dept. dated 1st September 1877, No. 2621. to the Chief Secretary to Government, dated

Order thereon 2nd October 1877, No. 2414

Communicated to the Public Works Department for disposal in continuation of G.O. dated 23rd August 1877, No. 2175.

(True Extract,

J. H. H. H.

Under Secretary

By The Revenue Dept. with copy of G.O. cited.

