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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No.	1209	Press.
B.P. No.		Mis.
Dated	1-8-1878	197

Not to be folded or roughly handled

1209
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GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

1st August 1878, No. 1,209.

Read the following paper:—

No. 3. Proceedings of the Board of Revenue, dated 14th June 1878, No. 1,615.

Read the following letter from J. B. PENNINGTON, Esq., Collector of Tinnevely, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Nazareth, 15th March 1878, No. 194:—

I HAVE the honor to request the instructions of the Board on the following subject.

2. The Board are aware that under the special authority conveyed by G.O., No. 1,760, dated 6th December 1875, it has been the practice of late years in this district to sell the right of occupying waste lands in certain localities for the purpose of raising funds either for the completion of the Strivaiguntam anicut project or for miscellaneous village improvements in the taluqs where settlement is going on, and at the present time proposals for the purchase of waste lands are constantly being made all over the district. It seems desirable therefore to settle how far this system is to be carried, and whether it should be generally enforced even when all the required improvements under the Strivaiguntam anicut project are completed and when the Settlement Department has concluded its labors.

3. Now I am quite aware that a great deal of very valuable work has been executed out of these miscellaneous funds, chiefly of course under the personal supervision of Mr. Puckle and his subordinates in the Settlement Department: and with the same conditions the same results would follow still; but I doubt very much if it is desirable either to raise or to spend funds in this somewhat irregular fashion by the agency of the ordinary Revenue establishments as a permanent arrangement. However willing an individual officer here and there may be to give his personal attention to the measuring up of Public Works, I am quite satisfied that as a rule such work is incompatible with the other duties imposed upon him now-a-days. Moreover I think it is extremely necessary that all money collected should be regularly brought to account, and not disbursed again except upon regular estimate and sanction. Nor is it altogether an unmixed advantage to have a number of roads made all over the district with no provision for their maintenance; and when roads are made in this way without the prior sanction of the Local Fund Board, it is impossible to maintain them, and so the money is often wasted. At the present time a list has been prepared showing 81 miles of road made (after a fashion) for which no maintenance allowance has ever been allotted, and which therefore from a permanent compulsory charge on Local Funds of about Rupees 3,000 per annum (if they are to be maintained at all), and many of which even then are never likely to be satisfactory owing to imperfections in original construction.

4. I think therefore that the present system should cease at any rate when the settlement is completed, but it seems worth while to consider whether there is any reason why the right of occupying land should not (almost as a rule) be put up to auction amongst the villagers concerned, the proceeds being credited to Local Funds on the understanding that all money so raised together with a corresponding grant from General Funds shall be spent within the limits of the village on some road or other popular work of general utility.

5. There can be no doubt that in this way a considerable amount of very useful work might be done, and there would be a constant, even though small, supply of money always coming in to supplement the very slender resources of our Local Funds.

6. Such sales of the occupancy right do not of course amount to an alienation of the land or the land revenue such as is contemplated by the Government of India in their Resolution,* No. 141-151, dated 6th February 1872. They are merely a develop-

* Referred to in Board's Proceedings, No. 2,360, dated 16th September 1876. ment of the principle sanctioned by the Board in their Standing Order, No. 150, which admits of sale amongst the villagers concerned in certain cases; and if it should be argued that the proceeds of such sales should be credited to land revenue, the answer is that in that case there would be no sales, the inducement to buy being the furtherance of some local object. These sales in fact appear to be a form of innocent speculation amongst the villagers which can do no harm, and by means of which a considerable amount of good may be done.

SUBMITTED to Government with reference to paragraph 5, G.O., dated 6th December 1875, No. 1,760.

2. The Board concur with the Collector in considering that it is not expedient that the practice of selling by auction the occupancy right in Government waste lands, the proceeds being expended on local improvements, should be allowed to continue. The system was specially allowed in consideration of Mr. Puckle's personal fitness for carrying it out, and has never been introduced elsewhere; it is open to all the objections urged by Mr. Pennington, and is in direct contravention of the ancient darkhast system. Mr. Pennington suggests for consideration the desirability of disposing of the occupancy right of all waste, as a general rule, by putting it up to auction amongst the villagers concerned, the proceeds being credited to Local Funds. The Board agree with him in thinking that if the practice is to be allowed to continue in Tinnevelly there is no reason why it should not be extended to other districts, in which case definite rules must be laid down and provision made for the expenditure of the money under responsible authority; but the Board do not consider it necessary to enter upon the general question and recommend that the authority on which the system is based in Tinnevelly be cancelled.

(A true Copy and Extract.)

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

No. 4. ORDER THEREON, 1st August 1878, No. 1,209.

Land Revenue, No. 1.

* G.O., 23rd January 1874, No. 106.

THE sale of the occupancy right in Government waste lands in certain villages in the Tinnevelly District was sanctioned* for a special object which has now been attained and this exceptional arrangement will accordingly cease.

2. The Collector will notify widely that the ordinary Darkhast system will henceforward be maintained and will take care that the sale of preferential occupation of waste is not continued surreptitiously.

(True Extract.)

(Signed) C. G. MASTER,
Secretary to Government.

To the Board of Revenue.

Fxd. A. S. Rodgers.

1209
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No. 1,615.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 14th June 1878.

Read the following letter from J. B. PENNINGTON, Esq., Collector of Tinnevely, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Nazareth, 15th March 1878, No. 194:—

I HAVE the honor to request the instructions of the Board on the following subject.

2. The Board are aware that under the special authority conveyed by G.O., No. 1,760, dated 6th December 1875, it has been the practice of late years in this district to sell the right of occupying waste lands in certain localities for the purpose of raising funds either for the completion of the Strivaiguntam ancient project or for miscellaneous village improvements in the taluqs where settlement is going on, and at the present time proposals for the purchase of waste lands are constantly being made all over the district. It seems desirable therefore to settle how far this system is to be carried, and whether it should be generally enforced even when all the required improvements under the Strivaiguntam ancient project are completed and when the Settlement Department has concluded its labors.

3. Now I am quite aware that a great deal of very valuable work has been executed out of these miscellaneous funds, chiefly of course under the personal supervision of Mr. Puckle and his subordinates in the Settlement Department: and with the same conditions the same results would follow still; but I doubt very much if it is desirable either to raise or to spend funds in this somewhat irregular fashion by the agency of the ordinary Revenue establishments as a permanent arrangement. However willing an individual officer here and there may be to give his personal attention to the measuring up of Public Works, I am quite satisfied that as a rule such work is incompatible with the other duties imposed upon him now-a-days. Moreover I think it is extremely necessary that all money collected should be regularly brought to account, and not disbursed again except upon regular estimate and sanction. Nor is it altogether an unmixed advantage to have a number of roads made all over the district with no provision for their maintenance; and when roads are made in this way without the prior sanction of the Local Fund Board, it is impossible to maintain them, and so the money is often wasted. At the present time a list has been prepared showing 81 miles of road made (after a fashion) for which no maintenance allowance has ever been allotted, and which therefore from a permanent compulsory charge on Local Funds of about Rupees 3,000 per annum (if they are to be maintained at all), and many of which even then are never likely to be satisfactory owing to imperfections in original construction.

4. I think therefore that the present system should cease at any rate when the settlement is completed, but it seems worth while to consider whether there is any reason why the right of occupying land should not (almost as a rule) be put up to auction amongst the villagers concerned, the proceeds being credited to Local Funds on the understanding that all money so raised together with a corresponding grant from General Funds shall be spent within the limits of the village on some road or other popular work of general utility.

5. There can be no doubt that in this way a considerable amount of very useful work might be done, and there would be a constant, even though small, supply of money always coming in to supplement the very slender resources of our Local Funds.

6. Such sales of the occupancy right do not of course amount to an alienation of the land or the land revenue such as is contemplated by the Government of India in

Obt. of 1878: 31/12/78.

REVENUE.

THE BOARD OF REVENUE.

Dated August 1st.

Printed 701.

Recd.

Encl.

G.O., 1st August 1878, No. 1,209.

AUGUST.

No. 34.

Government waste lands in certain Villages in the Tinnevely District.—Ordering discontinuance of the practice of selling the occupancy right in—; directing the Collector to notify widely that the ordinary Darbhast system will henceforward be maintained, and to take care that the sale of preferential occupation of waste is not continued surreptitiously.



their Resolution, No. 141-151, dated 6th February 1872. They are merely a development of the principle sanctioned by the Board in their Standing Order, No. 2,360, dated 16th September 1876. 150, which admits of sale amongst the villagers concerned in certain cases; and if it should be argued that the proceeds of such sales should be credited to land revenue, the answer is that in that case there would be no sales, the inducement to buy being the furtherance of some local object. These sales in fact appear to be a form of innocent speculation amongst the villagers which can do no harm, and by means of which a considerable amount of good may be done.

SUBMITTED to Government with reference to paragraph 5, G.O., dated 6th December 1875, No. 1,760.

2. The Board concur with the Collector in considering that it is not expedient that the practice of selling by auction the occupancy right in Government waste lands, the proceeds being expended on local improvements, should be allowed to continue. The system was specially allowed in consideration of Mr. Puckle's personal fitness for carrying it out, and has never been introduced elsewhere; it is open to all the objections urged by Mr. Pennington, and is in direct contravention of the ancient durkhast system. Mr. Pennington suggests for consideration the desirability of disposing of the occupancy right of all waste, as a general rule, by putting it up to auction amongst the villagers concerned, the proceeds being credited to Local Funds. The Board agree with him in thinking that if the practice is to be allowed to continue in Tinnevely there is no reason why it should not be extended to other districts, in which case definite rules must be laid down and provision made for the expenditure of the money under responsible authority; but the Board do not consider it necessary to enter upon the general question and recommend that the authority on which the system is based in Tinnevely be cancelled.

(A true Copy and Extract)

Ch. Ch.
Acting Secretary.

To the Secretary to Government, Revenue Department.
Copy to the Collector of Tinnevely.
" " Director of Revenue Settlement.

Ed. A. Grubert.

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For order

Timor & other white
lands - private
selling occupancy
right

Dr 1809

C 15-7-78
H 22-7-78
R 27-7-78
R 31-7-78
R 28-7-78 R 28-78

For order

128/5

Boards Prop
14th June 78 No: 1615

There can be no doubt
that the they has been ultra
vires & irregular at initial
as pointed out by me in
the discussion on Dec.
26/1/74 in the M.C.

+ put up with
original paper

not - and wrote a con-
clusion have been the con-
sequence - some advan-
taging of the standard
and with the

There was some
discussion when
this practice
of selling the
occupancy right
to certain waste
lands in Timor
was sanctioned
This was done
by J.O 23 Jan 74
No 106. That by
the order quoted
by the Collector
& Board which

C 16
R 2
R 3
R 3
R 3

16/7 22A.

I don't think there
was any action "without
us" - but the case
was altogether exceptional
the special object has been
attained & the Eastern
arrangement is now