1/793

Revenue Department

Minutes of Consultation

15th June 1858

Book nos 25 & 26

Order no 793 dt 10th June 1858

Sheets 5

பாதுகாப்பு பிரிவு - 1

செப்பனிடுபவர் பெயர் : [illegible]

செப்பனிடுவதற்காக எடுத்துக்-
கொள்ளப்பட்ட நாள் : 7/08.

31/10/08
சரிபார்க்கும்
முதல் நிபாக
கையொப்பம்

18/11/08
சரிபார்க்கும்
2ம் நிபாக
கையொப்பம்

30/11/08
ஆராய்ச்சி
உதவியாளர்
கையொப்பம்

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Fort Saint George, Revenue Consultation of 15th June 1858.

No. 25. Read the following Extract from the Minutes of Consultation in the Financial Railway Department, under date the 22d May 1858, No. 263.

Read the following letter from Captain C. C. JOHNSTON, Officiating Consulting Engineer for Railways; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George; dated 11th May 1858, No. 123.

SIR,

With reference to Extract Minutes of Consultation, No. 404, dated 15th August 1857, and to Colonel Pears' Special Report, No. 319, of 14th September 1857, on the subject of the ground taken up for side cuttings in Malabar, Government, in Extract Minutes of Consultation, No. 491, dated 13th October 1857, para. 3, noticed that the precise information required as to "the amount "of compensation that should be assigned to the ryots who have had their wet lands so summarily drained had not yet been obtained, and called upon me to provide such a Return, in "communication with the Railway Engineers of Malabar, and the Collector of that Province, "the former supplying information as to the extent, and the latter as to the value of the lands "taken possession of."

2. The order of Government was communicated to the late Agent on the 20th October 1857, and he was requested "to forward with as little delay as possible, a Statement showing the "several lengths of line in Malabar, and their position, indicated by distance on the Surveys, of "the wet lands which have been summarily drained."

3. On the 21st October, the Acting Collector was informed that the above particulars had been called for, and he was requested to furnish copies of any Memoranda he might have in his possession of the various patches of land which had been drained, in order that a comparison of the same might be made with the Agent's Statement when received.

4. The Acting Collector in his reply, No. 4852, of the 26th October, stated that he had no such Memoranda, and that as land in Malabar was private property, the Revenue Accounts would afford very meagre information on such a point. He further pointed out the course which he considered should be pursued, in communication with the Railway Officers, in valuing the land taken up, and recommended that, as far as possible, the compensation given on this account, should be in the form of a single pecuniary payment in full of all demands.

5. A copy of the Acting Collector's letter was forwarded to the late Agent on the 4th November, with a request that no time might be lost in laying before Government a rough trace of each locality, showing the extent of land for which compensation was demanded.

6. The present Agent in a letter, No. 279, dated the 7th Ultimo, embodied certain information received from his Chief Engineer regarding the lands in question, and submitted two Statements, showing the extent of embankments formed from side cuttings, and from lowering the lands respectively, attributing the cause of delay in furnishing the information to the frequent changes which had taken place among the Engineers employed in Districts 16 and 17.

7. From the Statements made by the Chief Engineer, Mr. Heppel, to the effect that no land had been injured, but that on the contrary benefit had been derived by the ryots from the course that had been pursued, it was not to be expected that he would furnish any Return of the land for which *compensation* was demanded; the only course, therefore, was to forward copies of the Agent's letter and Statements to the Acting Collector for such remarks as he might consider it necessary to offer.

8. The documents were accordingly forwarded on the 12th Ultimo, when I observed that I had no doubt Mr. Lovell, the Resident Engineer in charge of Districts 16 and 17, would be prepared to furnish Mr. Robinson, with any additional information he might require, to enable him at an early date to determine what further steps he would recommend should be adopted for the final settlement of the question.

9. Mr. Robinson, in his reply, No. 1251 of the 4th Instant, reports his intention of appointing "a respectable Punchayet for the assessment of damage sustained by the land adjacent to "the side ditches, so soon as this year's crops are sufficiently advanced to enable the jury to form "an opinion from actual inspection, of the degree of deterioration caused," but it appears to me that it will be a difficult matter to ascertain in the first place, what area of land is affected by the sub-drainage, and, in the second, to what extent such land has been deteriorated.

10. In passing through Malabar on my late tour of inspection, I observed in many places, that high patches of land, from which earth had been taken for the Railway embankments had been reduced to the level of the adjacent fields, this land has, I believe, in some instances, been prepared for cultivation, if not actually cultivated; at all events as it is capable of being so; a benefit has so far been conferred on the ryots, and to ascertain correctly and report on the extent of this land should certainly form a part of the duty of the Punchayet about to be appointed.

11. It will be observed that much time is still likely to elapse before a settlement of the question respecting these lands can be arrived at, and I have, therefore, thought it necessary, after the lengthened correspondence that has taken place, to again bring the subject to the notice of Government, and to submit for their consideration whether it would not be desirable that Mr. Robinson should obtain the opinion of the District Engineer as to the probable extent to which the cutting of the side ditches has affected the value, or rather the drainage of the lands adjacent to them.

The Government agree with the Officiating Consulting Engineer that it is desirable that the Acting Collector of Malabar should obtain the opinion of the District Engineer as to the probable extent to which the cutting of the side ditches for the formation of the Railway embankments has affected the drainage of the adjacent lands, as also that it is but equitable that the Punchayet for the assessment of the injury caused by the side cuttings should likewise ascertain and report to what extent the high lands have been levelled and adapted to rice cultivation by the Railway operations, and how far the benefit thus gained by the landowners may be taken as a set off against the damaged sustained by them in their low lands.

2. The Right Honorable the Governor in Council trusts that both the Revenue and the Railway Authorities will exert themselves to bring the inquiry to a close as soon as possible. The delay that has already occurred is much to be regretted. It is clear that keeping such questions as these unsettled must tend to make the work unpopular, and aggravate any difficulties in the way of its prosecution.

(True Extract and Copy.)

(Signed) T. PYCROFT, *Chief Secretary.*

No. 26. ORDER THEREON, No. 793; dated 10th June 1858.

Ordered to be communicated to the Board of Revenue for the report of the Acting Collector of Malabar. The Board will request the early attention of that Officer to the subject.

(Signed) W. H. BAYLEY,
Acting Secretary to Government.

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FINANCIAL RAILWAY DEPARTMENT.

No. 263.

Extract from the Minutes of Consultation under date the 22nd May 1858.

Read the following letter from Captain C. C. JOHNSTON, Officiating Consulting Engineer for Railways; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 11th May 1858, No. 123.

SIR,

With reference to Extract Minutes of Consultation, No. 404, dated 15th August 1857, and to Colonel Pears' special Report, No. 319, of 14th September 1857, on the subject of the ground taken up for side cuttings in Malabar, Government, in Extract Minutes of Consultation, No. 491, dated 13th October 1857, para: 3, noticed that the precise information required as to "the amount "of compensation that should be assigned to the Ryots who have had their wet lands so summarily drained had not yet been obtained, and called upon me to provide such a Return, in "communication with the Railway Engineers of Malabar, and the Collector of that Province, "the former supplying information as to the extent, and the latter as to the value of the lands "taken possession of."

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5. A Copy of the Acting Collector's letter was forwarded to the late Agent on the 4th November, with a request that no time might be lost in laying before Government a rough trace of each locality, showing the extent of land for which compensation was demanded.

6. The present Agent in a letter, No. 279, dated the 7th Ultimo, embodied certain information received from his Chief Engineer regarding the lands in question, and submitted two Statements, showing the extent of embankments formed from side cuttings, and from lowering the lands respectively, attributing the cause of delay in furnishing the information to the frequent changes which had taken place among the Engineers employed in Districts 16 and 17.

7. From the Statements made by the Chief Engineer, Mr. Heppel, to the effect that no land had been injured, but that on the contrary benefit had been derived by the Ryots from the course that had been pursued, it was not to be expected that he would furnish any Return of the land for which *compensation* was demanded; the only course, therefore, was to forward copies of the Agent's letter and Statements to the Acting Collector for such remarks as he might consider it necessary to offer.

8. The documents were accordingly forwarded on the 12th Ultimo, when I observed that I had no doubt Mr. Lovell, the Resident Engineer in charge of Districts 16 and 17, would be prepared to furnish Mr. Robinson, with any additional information he might require, to enable him at an early date to determine what further steps he would recommend should be adopted for the final settlement of the question.

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10. In passing through Malabar on my late tour of inspection, I observed in many places, that high patches of land, from which Earth had been taken for the Railway Embankments had been reduced to the level of the adjacent fields, this land has, I believe, in some instances, been prepared for cultivation, if not actually cultivated; at all events as it is capable of being so; a benefit has so far been conferred on the Ryots, and to ascertain correctly and report on the extent of this land should certainly form a part of the duty of the Punchayet about to be appointed.

11. It will be observed that much time is still likely to elapse before a settlement of the question respecting these lands can be arrived at, and I have, therefore, thought it necessary, after the lengthened correspondence that has taken place, to again bring the subject to the notice of Government, and to submit for their consideration whether it would not be desirable that Mr. Robinson should obtain the opinion of the District Engineer as to the probable extent to which the cutting of the side ditches has affected the value, or rather the drainage of the lands adjacent to them.

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(True Extract and Copy)

Chief Secretary.

To the Officiating Consulting Engineer for Railways.
„ Collector of Malabar.
„ Revenue Department.

Exd. J. A. Wilson.

No 793.

Ordered to be communicated to the Board of Revenue for the report of the Acting Collector of Malabar. The Board will request the early attention of that Officer to the subject.

W. K. 13

Lt. Col. Geo.
10 June 1858.
2 Copies to the Bd of Rev. Dispd 11th

Rec'd 22 Dec. 1858.
Dec. 24 June 1858.
No 793 11th June 1858.

Remarking that the cutting of the side ditches for the Railway embankments has affected the drainage of the adjacent lands, and requesting that the Punchayet for the Assessment of the injury caused by the side cuttings should likewise ascertain and report to what extent the high lands have been levelled and adapted to rice cultivation by the Railway Operations.

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