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MADRAS RECORD OFFICE.

Government of Madras.

Finance DEPARTMENT.

G.O. No. 1091	Press / Mis.
	268-269
Dated 29-6-	18 LF.

19/20

Not to be folded or roughly handled

No. 1091.

FROM

THE HON. D. F. CARMICHAEL,

Acting Chief Secretary to the Government of Fort St. George,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

DEPARTMENT OF REVENUE, AGRICULTURE, AND COMMERCE.

SIR,

In reply to your Under-Secretary's letter, dated the 16th April 1874, No. 33, forwarding, for report, a petition received from some of the inhabitants of the "Karar limits" of the town of Cannanore complaining against the recent extension of the Municipal Act to these limits, I am directed to forward the marginally-noted Proceedings of this Government, in which the position of the Cannanore family and the necessity of introducing the Act is fully discussed.

Dated 20th December 1871, No. 405, Pol. Dept.
" 20th February 1873, " 244, Finl. "
" 14th March " " 111, Pol. "
" 21st June " " 264, Pol. "
" 5th July " " 280, Pol. "

2. It will be seen that the action of this Government was imperatively called for by the insanitary condition of the town and suburbs, but that in consideration of the hardship to the people which would be involved by the imposition of Municipal taxation concurrently with certain petty taxes which (in addition to ground-rent as Zemindars) had for a considerable period of time been levied by the Cannanore family without the sanction of law, and feeling at the same time that the summary disallowance of the taxes would have the appearance of injustice towards the Cannanore family, the extension of the Municipal Act to the limits in question was delayed for some years in the hope that the "Rajah" might be induced amicably to forego his collection in consideration of a reduction to be made in the peshkush payable by him. All overtures of the kind, however, were met in the first instance by evasion, and finally by a distinct refusal which left this Government no alternative but to being the Act into immediate operation, notifying publicly that the Rajah had been offered full compensation for the relinquishment of the petty taxes hitherto levied without sanction of law, but that he had refused to consent to the arrangement. It is probable enough now that the people concerned will withhold payment of these irregular taxes, and will prosecute the Rajah or his officials for extortion if attempts be made to levy them. The Rajah, who must see the likelihood of this happening, is no doubt the real author of the petition.

3. With reference to paragraph 2 of the letter under reply, I am to state that it is supposed that the petitioners assumed that this Government acted under instructions from the Government of India when the extension of the Act to the Karar limits was formerly put in abeyance, and that it is to this that they refer in the third paragraph of their petition.

I have the honour to be,
Sir,
Your most obedient servant,

OOTACAMUND,
29th June 1874.

Acting Chief Secretary.

Exd. J. Wright.

Chas. Jas. Lyall
Secy. to the Government of India.

1874

REVENUE, AGRICULTURE, AND

COMMERCE DEPARTMENT.

From

The Acting Chief Secretary to Govt.,
Fort St. George,

To

The Secretary to the Govt. of India,
Revenue, Agriculture, and
Commerce Department

Dated 29th June 1874.

Recd.

No. 1091.

Enclosure.

Extension of the Municipal Act to the Karar limits, Cannanore.—With reference to the petition forwarded by the Government of India for report from some of the inhabitants of the "Karar limits" of the town of Cannanore, complaining against the recent extension of the Municipal Act to these limits, certain Proceedings of the Madras Government transmitted, in which the position of the Cannanore family and the necessity of introducing the Act is fully discussed

2

To,

His Excellency the Right Honorable
Thomas George Baring, Lord Northbrook
G. S. I.

Viceroy, and Governor General of India
in Council

The especial appeal of
the undersigned in the name
& behalf of the Hindoos, Mussul-
-mans & native Christians, resident
within the Kirar land.

Most respectfully Showeth,

That in submitting here-
-with copies of the Proceedings alleged
to have been received from the
"Government of India", furnished
to them by the Collector of Malabar
and the correspondence which has
subsequently passed between them
and the aforesaid functionary,
your Petitioners most humbly
and submissively beg that your
Excellency in Council will deign
to reconsider their hard case, and
prevent the ruin and expatriation

7

Chas. Dar. Lyall
Secy. to the Government of India.

Home

of thirty five thousand of Her Imperial Majesty's liege subjects who look up to Your Excellency's Government for justice and redress.

2nd..... The intimation conveyed in the above Proceedings that "Your Excellency in Council will not interfere in the matter at issue between the inhabitants of the Kirar land and the local Government" has fallen upon them as a thunder bolt, scattering to the wind their sanguine hope of being relieved by a wise, liberal and paternal Government from the burden of a double taxation, and should Your Excellency desert them on this trying occasion, they are at a loss to know to whom they should look to for justice, sympathy, and redress.

3rd..... A reference to the public records will show that Your Excellency's illustrations and most excellent

excellent Predecessors did not turn their face from the grievance of the inhabitants of the Kirar land, but on the contrary, hastened to suspend the enforcement of the municipal act in Cannanore and left them unburdened for above a period of seven years, and the local Government, influenced by so singular a display of justice and magnanimity, entered into negotiation with the Cannanore Rajah exempt them from the payment of the Arrakel assessment, alleging in their Proceedings No. 111 of date the 14th March 1873, that they are not in a condition to pay both the Arrakel and municipal taxes, "on a promise of compensation for the loss he may thereby incur, but the Rajah, ever tenacious of his rights, would not consent to the above measure, and Your

Petitioners

Chas. Dav. Lyall
Secretary to the Government of India

Petitioners were, on the most flimsy pretence, as will be seen by the Proceedings of date the 5th July 1873, recklessly sacrificed to a necessity which could have been obviated by leaving the conservancy of the Kirar land to its legitimate feudatory, who had promised to undertake the same on certain condition but which was not accepted.

4th — The enforcement of the Municipal act within the Kirar has filled the inhabitants with horror and dismay — A thick cloud of discontent has settled on the length and breadth of the land, and the process of distraint is depriving the poor even of their cooking utensils and saddling upon them the expenses attending the above process which is in itself no inconsiderable

inconsiderable burden, and to crown their misfortune the spread of the small-pox which is now decimating the population and mocking the efforts of the Municipality to arrest its progress, is adding to their misfortune; and should this state of thing be allowed to continue they will be forced to sell out and seek shelter, from so grievous a burden, in foreign countries.

5th — Your Petitioners, furthermore, beg leave to submit, that the maximum rate of tax on building, exacted from the landholders by the Arrakel and the Circar agreeably to G.O.G. of 1864 does not exceed 3½ Rupees, whereas such buildings are now taxed at the rates of from 10 to 45 Rupees which is a burden too heavy to be borne by a people whose

Chas. Jas. Lyall
Secretary to the Government of India.

whose income is both scanty and precarious, and every delay in meeting such exac-tion is visited with fine and the expense attending the issue of warrants &c.

6th.---- During the mild and equitable rule of the Honorable the East India Company, the inhabitants of the Kirar land were treated with the utmost lenity in consideration of the vicissitude they had undergone by the transfer of their country to the British whereby many a family were reduced from affluence to indigence, and from indigence, to the most abject misery, and they were not therefore molested with extraneous taxation for up-wards of sixty years, and the rights, immunities, and pri-vileges they had enjoyed for so long a period, were guaranteed to them in the proclamation issued by Her Imperial Ma-jesty the Queen on her assuming the direct administration of British India.

7th.--- Under the above cir-cumstances Your Petitioners beg leave to add, that it is neither just nor reasonable that they should be crushed by grievous taxes and made to bleed profusely for the safety of the European troops which should be maintained at the expense of Government, and they there-fore most humbly and submis-sively pray for a reconsideration of their hard case and the re-dress of their grievance.

And your Petitioners as in duty bound,

Will ever Pray.

(Signed) Punakat Mossa Cotty and 46 others.

L.C.

Chas. Jas. Lyall
Secretary to the Government of India.

6 11C

Read Proceedings of Government of India dated 10th January 1874 on petition dated 8th November 1873 from Panakat Moossa Cooty and three others of Cannanore protesting against the enforcement of the Municipal Act within the Karar lands in Cannanore.

With reference to the above Order of Government the Petitioners are informed that the Government of India will not interfere with the Orders of the Government of Madras.

Malabar Collectors Office
Calicut 27th January 1874

/Signed/
Ag. Head Asst. Collector.

Chas. Jas. Lyall
Secy. to the Government of India.

7413C

Read Petition from Panachat Moossa Cotty and 4 others of Cannanore dated 31st January 1874.

Order thereon

Petitioners are informed that a Copy of the Government Proceedings cannot be granted. The purport of the instructions issued by the Government of India have been communicated to Petitioners.

2 The representation and the documents submitted by them to Government have not been received back in this Office.

/Signed/ A. McGregor
Collector.

Malabar Collectors Office
Calicut 12th February 1874

/True Copy/

No. 33

1150

FROM

C. J. LYALL, ESQUIRE,

Under-Secretary to the Government of India,
Department of Revenue, Agriculture,
~~Revenue~~ and Commerce,

768

TO

The Chief Secretary to the Government of Madras.

Calcutta dated 16th April 1874.

Municipalities.

SIR,

I am directed to forward herewith in original, (to be returned) a petition addressed to the Government of India by certain inhabitants of Cannanor, praying against the refusal of the Madras Government to exempt the Kirar lands from Municipal taxation, and to state that His Excellency the Governor General in Council will be glad to learn what the real facts of the case are.

2. I am also to enquire to what former orders the petitioners allude in paragraph 3 of their petition, as no such orders are traceable in the records of the Government of India.

I have the honor to be,
Sir,
Your Most obedient Servant,

Chas. J. Lyall

Secretary to the Government of India.

Calicut. June 19.

17c

My dear Carmichael.

As regards the legality of the so called Motorpha taxes in Cannanore. I doubt if any of them would stand the test of a suit. Suppose the people withhold them. Can the house, & market taxes. How would it clearly upheld in the ground that the Rajah is Jenmy of the Land, just as they are in the case of the Tamorin who owns a large part of the land in Calicut —

In any case it must be remembered that the house tax has only been imposed at the Select of 5 per cent.

Bill for Repairs to Chapel
Rec'd 23rd —
1926
25

Amount in rupees
Sanction obtained
Work commenced
Work completed
Measurements taken
Bill received
Bill passed for payment
Cheque issued

Original bill

No 2268

is given by the Petitioners as a ground for not introducing the act? insisting small pox in particular.*

I observe from the Kellore District Manual P. 557. that the same course has been pursued as regards the pest Zemindars in that District. & I pray also in North Arcot: an order first given but by subsequently was withdrawn. & the Zemindars left to judge for themselves whether they could legally levy. It is added that it is in contemplation to make the levy illegal: & make a corresponding deduction in the Peishkush. Any such act might be framed as to take in Cannum.

Believe me
Yours sincerely
A Thackeray

* The act is not in force but was passed with a view to the Zemindars & others

some property & realize taxes. as his example prevented others from paying. I hear now that there is not likely to be any more difficulty with the Cuper Lights. I daresay he will try to make capital out of this. Last time I was in Cannum he was hiding from a Civil Court bailiff.

Coty. May 30/74.

My dear Macgregor.

Sam to send you these pa-
pers. and to ask your opinion
on what answer may be
made.

Hint. Is it quite clear
the petty topics, of the lectures of
Mohtsopa are illegal? as
they certainly would be in
any other part of the Madras
Presidency, not being an in-
dependent Raj.

Secondly. if illegal, why
do the people so paying the
the answer, suppose
that the Rajah compel such
a

P.S. I [illegible] 19 c/a

Nothing can possibly be
done to influence the
Rajah. He is an ignorant
dot. & has enough money
& credit to carry on
his debaucheries whatever
happens. & his only idea
is to stick to his
Royal dignity.

The Commissioners had
at last to attack

a Letter on them, as far
: as, that they could ex-
: plain.

If the Rajah to insist
: what that in spite of constant
warnings and proclama-
: tions, he snaps his fingers
at us, in the matter?

Please give us every
information & suggestion
in your power.

Yr: truly
(Sigd) D. H. Carmichael.

Withdrawing Petn Ditt 2 Encls with-
five of same copies sent on the 8/7/74

Financial DEPARTMENT.

21C

No. 1091.

To

The Secretary to the Government
of India,

DEPARTMENT. of Revt. Agriculture & Commerce.

Sir,

In reply to your Under Secretary's letter dated 16th April 1874, No. 33, forwarding for report a petition received from some of the inhabitants of the "Karaikal limits" of the town of Caraikal complaining against the recent extension of the Municipal Act to those limits, I am directed to forward the marginally noted Proceedings of this Govt in which the position of the Caraikal family and the necessity of introducing the Act is fully discussed.

2. It will be seen that the action of this Govt was imperatively called for by the insanitary condition

of

18/5 Govt

Mch 25

× 7 20th Dec. 73, No. 405. Pol. D.
20th Feby 74, No. 264-F. D.
14th March 74, No. 111 Pol. D.
21st June 74, No. 264 Pol. D.
5th July 74, No. 280 Pol. D.

To Mr. McGregor. 30 Aug 74.

of the town and suburbs, but that in consideration of the hardship to the people which would be involved by the imposition of Municipal taxation concurrently with certain petty taxes which had for a considerable period of time been levied by the Zamanore family without the sanction of law, and feeling at the same time that the summary disallowance of the taxes would have the appearance of injustice towards the Zamanore family, the extension of the Municipal Act to the limits in question was delayed for a period of more than seven years in the hope that the Rajah might be induced amicably to forgo their collection in consideration of a reduction to be made in the peshkash payable by him. All overtures of the kind, however, were met in the first instance by evasion, and finally by an ~~obstinate~~ distinct refusal which left this Govt no alternative but to bring the Act into immediate operation notifying publicly that the Rajah had been offered full compensation for the relinquishment of the petty taxes hitherto levied without sanction of law but that he had refused to consent to the arrangement.

3. With reference to para 2 of the letter under reply I am to state that it is supposed that the petitioners assumed that this Govt acted under instructions from the Govt of India when the extension of the Act to the Karar limits was formerly put in abeyance and that it is to this that they refer in the third para of their petition.

I have &c

(signature)

Ootacamund
29th May 1874

236

126
1874-25

1091

(9) (10)

Statement
of Events in the Camanore
Country under the
Kurar Chiefs

(11)

Jul. 1874. DEPARTMENT.

No. 1091.

To
The Secretary to the
Government of India.
Department.

Read. &c.

No 268. 269.

Dated June 20 1874.

Submission of the Rajah Rad. to the Kurar Chiefs Camanore. With ref. to the petition forwarded by the Govt of India for restoration to some of the inhabitants of the Kurar Chiefs of the Cam. of Camanore complaining against the recent Usurpation of the Rajah Rad. to their hereditary rights & privileges of the Rajahship & the Govt of India will direct such measures as may be deemed necessary for the settlement of the matter.

Send to Bombay
22/5-4

Draft as amended & Rep.
Cancel copy
Copy here - in Mis. post -

C10/5
C26/5-

The facts of the case are simply these. After the assault and surrender of the Camanore fort in 1791, the Camanore family (then represented by a Beebee) was the only Malabar Rajah family which was in arms against us as an ally of Tippu during the war of 1791-92 — the usurpation of this house under the patronage of Tippu from the Cherkal Rajahs and Nairs were restored to their proper fiefs and an

an agreement was somewhat reluctantly entered into to allow the family to retain their own private property in and about Calicut on what amounts to the ordinary Zemindari tenure. The terms granted to the Calicut Rajah were far less favourable than those allowed to Malabar Rajahs in General - being a full moiety of all profits &c - and no Concession whatever was made as regards rights or privileges in respect to landed property on the mainland.

As regards therefore the so called Arikel Estate

Estate of Calicut, the Rajah is simply a Zemindar landlord collecting ground rent from the occupants of a position which - it has been over-ruled - especially in regard to Bengal - does not exempt from special local taxation. In fact probably throughout Malabar taxes, this Condition widely Subsists by tenure holder The land occupied the tenants is not the private property of the occupants who pay ground rent to the proprietor - paid House-tax to the State under the head Mohatarfa until 1880 - and now pay

pay the Municipal Rates & taxes without murmurs. The Cannanore Rajahs evidently inspires this petitions

If these cesses of any kind are levied by this Zamindar - and this point requires careful inquiry as respects cesses on shops, nets &c foreshore dues & the like - they are illegal. Moleftax dues continues to be levied in spite of their abolition by Act - 9/1860. the same Legislature

The proper solution of any grievance which these Petitioners have is to require that all Extra cesses levied by this Zamindar be inquired into at once without

reference to the wishes of the Rajah and forbidden - proper Commutation being provided for by Resolution of Pechench as has been done in the case of the Western Zamindars and Amii Jagheedars. Such cesses however have nothing to do with the House tax which alone is now levied by the Municipality in Cannanore. Where the Trades tax under consideration, the Existence of these cesses might be urged as a grievance but not as against the House tax.

25/5 1872

Commanderie
Rayon Centre

Le Rédacteur

F 29 Semois 4 - 1091