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1,000-25-7-95.

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 3/6

DATED 13th Feb. 1895.

INDEXED.

[Despatch Abstract.]

EXTENSION OF REGULATION VI OF 1831 TO GODAVARI AGENCY

Declining, with remarks, to extend Regulations VI of 1831 to the
Guditeru and Dutsarti muttahs in the Godavari Agency tracts.

Bv
Para-2

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Para-2

2664. 5-11-94

4628. 1895
5322 1896

No 766.

Godavari District Special Agent

Agent's Office, Polavaram

14th December 1894.

Sir

C. G. Spencer Esq.

Sq. Special Assistant Agent

Godavari District

To

The Government Agent,

Godavari District.

Sir,

Referring to your reference no 623

dated 23. 11. 94 and 29. 11. 94, I have the honor

to inform you that Regulation No 1831 is in

force in the Bhadrachalam and Rekapalle

taluks and the Rampu Country and the

Scheduled portions of the Yernagudem Taluk

(or the Polavaram Da) vide the Correspondence

noted in the margin.

2. The analogy of its being in force

in the Yernagudem hills, it may be said

Notification No 1150
of 3-10-1879.

Do - 1151
3-10-79.

G.O. No 1956
13-9-94

now under reference.

Pages 722 & 725 of 7. in the Yernagudem hills, it may be said

that it is also in force in the Agency portions of
 Rajahmundry and Peddapur Agency Taluks
 recently scheduled. The only question is
 whether the Regulation extends to the Guditem
 and Dutcheri muttas transferred from the
 Vizag to the Godavari District. These are
 entirely proprietary estates with no village
 establishments properly so called under
 the management of the Revenue Department
 except a few munsifs here and there.

As there may be claims to these offices to be
 adjudicated hereafter I think it is
 advisable that the Regulation should be
 extended to those muttas also.

I have &c
 (Signed) C. F. Spencer
 Secy to the A. Agent

no 319
 agency 7 20-12-74

Submitted to Government
 in reference to G.O. dated 5th November 1894
 no 2664 Judicial - (sd) J. H. L. L. L. L.
 Govt Agent
 Government Agent's Office

CURRENT 6865
 Sp. 2664: 5-11-94.
 1956: 13.9.88.
 Recd papers

Revenue {1894} Department.

1691 - 19-8-98-0
 2428 - 5-10-96-0
 1956 - 13-9-88

From ^{Feb 12 1894} Government Agent
 The Collector,
 Godavari District.

Dis: No. 319 of 94
 Agency

Dated 20 }
 Despatched } 12 1894
 Received 24 }
 CHIEF SECRETARY
 GOVERNMENT
 SUBJECT

Submitting in reference
 to G.O. no 2664 of 5-11-94
 copy of Special Asst: Agent's
 letter no 766 of 1894, reporting
 that Regulation VI of 1831 is in
 force throughout the Godavari
 Agency except Guditem and
 Dutcheri & requesting
 that it may be extended to
 those tracts also.

Submitted to U.S.
 Perhaps this may limit the
 present?

No. 6865

From

Govt. Agent Godavari

Dated 20 Dec 1894,

FOR ORDERS.

This has been detained pending receipt of the Adv. General reply to G.O. 5 Oct 1894, No. 2420, Ind. This has just been received & will be circ. separately. The Adv. Gen. agrees with the opinion expressed in G.O. 2(23) of the said G.O. He thinks, then, that Reg. VI of 1831 is probably not in force in Vizagm Agency & that a formal declaration to this effect should be issued. This opinion may be accepted except so far as regards sec. 2 which should be held to be of general application.

2. The proposal now to be considered is the extension of Reg. VI of 1831 to parts of the Godavari Agency.

In G.O. 5 Nov 94, No. 2664, Ind., the Govt. Agent was told to submit a list of the local areas in the Agency in which Reg. VI of 1831 is now in force. This G.O. was issued in the belief that the repealing clause of the

I should say let it come until some necessity arises
HN
G.O. 5

new law on the subject of village officers would be of general application & that, therefore, it would be necessary to extend that law, by Notif. under Act XIV of 1874, immediately on its coming into operation, to the areas in the Agency in which the Regulation is now in force.

It has, however, been decided to limit the repealing clause to the ordinary tracts & therefore, Reg. II of 1881 will remain in force in the Agency until the new law is extended thereto by Notif. as aforesaid.

It will be seen from the Note for Orders in G.O. of 19 Jan 1873, No. 137, Indl., that the Godavari Agency is divided into five separate tracts viz:

- (1) the Bhadrachalam & Kelpalli Taluks — transferred to this Pres? in 1874;
- (2) the Rampa Country — scheduled in 1874;
- (3) portions of Gernagudem, Jaddangi & other areas — scheduled in 1883;
- (4) portions of Rajahmundry & Peddapur Taluks — scheduled in 1891;
- (5) the Outcaste & Suditeru Muttahs — transferred from the Vizag: Agency to Godavari in 1881.

In the case of No. (1), Reg. II of 1881 was formally extended

by Notif. under sec. 5 of Act XIV of 1874, in 1879.

In the case of No. (2), the Regⁿ was formally notified to be in force under sec. 3 of Act XIV of 1874, in the same year.

There remain Nos (3), (4) & (5). Nos (3) & (4) are ~~substantially~~ on the same footing. Before the scheduling took place, Reg. II of 1881 was in force in them. The scheduling did not have the effect of repealing the Regⁿ, as it is still in force in both the tracts.

No. (5) was transferred from the Vizag: Agency. It has been held that the Regⁿ (except sec. 2) is not in force there & it has not been extended thereto subsequent to the transfer of the tract to Godavari. Consequently, the Reg: is not now in force in the Outcaste & Suditeru Muttahs, but it is in force every where else.

The Special Asst. Agent recommends that the Reg: should be extended to the two Muttahs; if this is done, it will have to be by Notif. under sec. 5 of Act XIV of 1874. Mr. Spencer says there are a few Muttahs in these parts & that claims to their offices may have to be adjudicated upon. The Agent makes no remarks, as Mr. Spencer says, these Muttahs consist entirely of

proprietary estates within
the meaning of Madras Act
II of 1894, it should be
this enactment, & not Reg.
VI of 1831, which should be
extended to them.

But it is almost certain
that these muttals are not
"permanently settled muttals"
& it is even doubtful if the
muttadars possess any rights
in the soil. Probably they
(like the Parlatinadi Koonjins)
are mere assignees of
revenue.

In any case it is useless to
extend Reg VI of 1831 to these
muttals, for, in a few months,
the notif. will have to be
cancelled by another extend-
ing the new Act to them.

If the muttals are not "pro-
prietary estates", the ex-
tension thereto of the law
which will replace Reg VI
of 1831, appears unnecessary.
Perhaps the best plan at
present will be to tell the
Agent to report exactly the
position of the so-called
proprietors in Suditem &
Dutarti & to give some
account of the nature of
the Village Est^{ts}. If, for
instance, they are not
hereditary, it would be
useless to extend Reg VI of
1831 or the corresponding
new law to them.

7/4/95

Extension of Reg
of 1831 to Godavari
Agency

C.S. ^{Order} 13 Feb 1895

Reg. VI of 1831 is in force there
out the Agency tracts of Godavari
with the exception of the Suditem
~~tracts~~ & Dutarti muttals where
sec. 2 alone is applicable.
The Govt. does not consider it
advisable to extend the Reg^{ny}
to the two muttals mentioned
above, partly because they
Reg^{ny} will shortly be
repealed, partly because
the necessity ~~has been~~
for this extension has not been
made out & partly because
sufficient information as to
the nature of the land tenure
& of the village establishments
in the tract concerned has not
been furnished. The Bill to repeal
Reg. VI of 1831, as now revised, leaves
the Reg^{ny} in force in the Scheduled
Dist until the new law is extended
thereto. When the Bill is passed
into law the Agent should report
whether the new enactment should
be extended by notif. to ~~the~~
~~the~~ Godavari Agency,
or whether it should be extended
subject to modifications which
can be made under Act 21 of 1891

24/2/95

2-1-08 ✓
19-1-9 ✓

20-8-2005 ✓

4-4-21 ✓

27-9-41 ✓

16-7-49 ✓

$\frac{63}{95}$ 0.8 ✓