Legislative (1899) Department.

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[Despatch Abstract.]

Madras Tenancy Bill

Forwarding to the Select Committee on the Memorial from the tenants of the Salem Mittah, complaining of several irregularities on the part of the Mittadarani of Salem Mittah.

T 28/7/99

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Government {1899} of Madras.

LEGISLATIVE.

Recd. } 1899. *Enclosures*

Regd. *Spare copies*

G.O., No. 107, 13th October 1899.

OCTOBER.

Madras Tenancy Bill.

Communicating to the Select Committee on the — memorial from the tenants of the Salem mitta complaining of several irregularities on the part of the Mittadarni.

GOVERNMENT OF MADRAS.

LEGISLATIVE DEPARTMENT.

Read—the following papers :—

G.O., Mis. No. 2608, Revenue, dated 15th July 1899.

Abstract.—Transferring, with remarks, to the Legislative Department a memorial from the tenants of the Salem mitta complaining of several irregularities on the part of the Mittadarni.

Enclosure.

Proceedings of the Board of Revenue (Land Revenue), Mis. No. 1452, dated 4th May 1899.

Read—the following papers :—

Endorsement of the Acting Under Secretary to Government, Revenue Department, Mis. No. 3641, dated 7th September 1898, on letter from W. J. H. LeFanu, Esq., Collector of Salem, to the Secretary to the Commissioners of Land Revenue, dated 29th May 1898, No. 2300.

Reference thereon, No. 1082, dated 26th September 1898.

From the Acting Collector and District Magistrate of Salem, dated 25th March 1899, No. 734.

Resolution—Mis. No. 1452, dated 4th May 1899.

In its endorsement, Mis. No. 3641, dated the 7th September 1898, Government called for "a full and clear report on the allegations" contained in the memorial presented by the tenants of the Salem mitta complaining of several irregularities on the part of Mrs. J. Foulkes, the proprietrix of the estate. The Collector of Salem, to whom the memorial was referred in Board's Reference No. 1082, dated the 26th September 1898, having reported in his letter last read above, the results of the enquiry instituted by the Head-quarters Deputy Collector, the Board now proceeds to deal *seriatim* with the several points raised in the memorial.

2. Paragraphs 1—8 of the memorial contain an account of the early history of the Salem district and of the Salem mitta and call for no remarks.

3. In paragraph 9, the memorialists allege that formerly while the proprietrix, Mrs. J. Foulkes, was absent from Salem and was living with her husband (the Rev. Thomas Foulkes) in other districts, the agents appointed to manage the affairs of the mitta revised the assessments, re-surveyed the lands, created improper accounts showing increased revenue and abused the provisions of Madras Act VIII of 1865, while the mittadarni paid no heed to the representations then made to her. The Deputy Collector states that these allegations are very vague and that the memorialists have expressed their inability to mention specific cases of irregularities committed during the period referred to, unless they are furnished with copies of the paimash and pattukat accounts of the mitta. On the other hand, the Rev. T. Foulkes who holds a power of attorney on behaf of Mrs. J. Foulkes has deposed before the Deputy Collector that the agents employed by the proprietrix were respectable men and that no complaints about them were made to him or to Mrs. Foulkes at the time. It appears that the Collector has sanctioned the grant to the memorialists of copies of the

accounts above referred to, but the Board considers that it would serve no useful purpose to institute further enquiries into these allegations which refer to a comparatively remote period.

4. In paragraph 10 of the memorial, the memorialists allege that several irregularities were committed by the mittadarni *after* she had settled in the mitta with the Rev. T. Foulkes and assumed the management herself.

(1) It is stated that patta lands were surveyed and that the excess areas found therein were assigned to the pattadars on an additional rent or disposed of by sale. The Rev. T. Foulkes admits the practice of ordering the survey of individual holdings by the karnams or other subordinate officers of the mitta, whenever it was reported that they contained excess areas, but he says that the excesses found in the course of the survey were always added to the respective patta lands with a separate rent thereon and that they were never sold. He also denies that a general survey of the mitta was ever conducted. The Collector deprecates the imposition by the mittadarni of an additional rent with reference solely to the results of the survey of isolated holdings made by the karnams and other officers of the mitta, seeing that these persons have had no training in survey and that in many cases it is not improbable that they started the proceedings out of personal spite. The Board does not see what can be done by Government to rectify these irregularities. Apparently, as the result of the ignorance of the tenants, the measurements of the karnams were not contested in revenue or civil courts in cases where they were incorrect.

(2) It is next alleged that the mittadarni has granted for purposes of cultivation communal porambokes, either by sale or on patta, to the great inconvenience of the community for whose benefit they were intended. The Deputy Collector considers that this allegation is not wholly without foundation and adds that the karnams of Ammapet have specified some cases of assignment in which it is said that the lands assigned formed part of village-site, cattle-stand, burning-ground, &c. The Deputy Collector however points out that the accounts of the mitta as at present maintained and the fact of the lands not having been surveyed preclude the possibility of any clear evidence being adduced in support of this allegation. The Rev. T. Foulkes contends that the lands referred to as having been assigned for cultivation adjoined, but never formed part of communal porambokes and that they were granted only on the recommendation of the karnams. The Board observes that Government has already in its order No. 909, Revenue, dated the 4th November 1897, recognised the necessity for resorting to legislation in order to protect communal lands in proprietary estates from encroachments.

(3) A third allegation made in paragraph 10 of the memorial is that the mittadarni has been levying taxes on earth, sand, stone, &c., removed from tanks, river-beds and stony porambokes in the mitta. It appears that seigniorage at so much per cart-load was levied some years ago on sand and stones removed and that the practice was afterwards discontinued. A fee, however, still continues to be levied on earth taken from porambokes and Mr. Foulkes himself produced an agreement under which certain potters have been allowed by the mittadarni to take clay from the beds of certain tanks in the mitta on condition of their giving her annually 15,000 tiles or Rs. 22–8–0. The Collector considers that in a large town like Salem where potters derive a large profit from the sale of pots, there is no reason why the mittadarni should not levy a fee from them, the removal of earth not being for the *bonâ fide* domestic use of agriculturists. The Board concurs in this view.

5. In paragraph 11 of the memorial it is alleged that the Jarugumalai hills in the mitta belong to Government and are illegally enjoyed by the mittadarni, that the latter grows tamarind and mango trees at the foot of the hills and does not allow the memorialists' cattle to graze there as in former days. The Collector states that the question of the ownership of the hills is being separately investigated and that he will make a special report on this subject when submitting his reply to G.O., Mis. No. 793, dated the 16th February 1898, in which Government ordered the preparation of a set of rules under the Madras Forest Act for the reservation of the hills in question as desired by the mittadarni. With regard to the alleged curtailment of the grazing privileges, it appears that the question was once adjudicated upon by the District Munsif and that on appeal the District Court eventually passed a decree, in the terms

of a deed of compromise under which the tenants were allowed to graze their cattle free of charge on the hills with the exception of those portions thereof "which the zamindarni has already given and will in future give for cultivation." The Rev. Foulkes has deposed before the Deputy Collector that the tenants have always been allowed to graze their cattle on such portions of the hills as have not been cultivated or where young plants do not grow. The Deputy Collector and the Collector therefore point out that the memorialists have no cause for complaint, the mittadarni being strictly within her rights in closing the cultivated portions of the hills against the tenants' cattle.

6. In paragraph 12 of the memorial, it is alleged that after the assumption by the Rev. T. Foulkes of the management of the estate, under a power of attorney executed by Mrs. J. Foulkes, some seven or eight years ago, the Reverend gentleman dismissed the registered karnams and appointed in their stead gumastas on half-pay and that he has been levying a separate tree-tax of double the land assessment on trees grown by the tenants at their own cost on patta lands. As regards the alleged removal of karnams and appointment of gumastas the Deputy Collector has found on enquiry that the statement is true only in a single case. The karnam of Komarasamipatti having been convicted in a criminal case, Rev. Foulkes admits that he appointed for the place on half-pay a gumasta who however appears subsequently to have resigned the post. Under Regulation XXIX of 1802 which was in force prior to the introduction of Madras Act II of 1894, the proprietor had, no doubt, no power to remove a karnam of his own accord; nor could he appoint a stranger except in the case of incapacity of the heirs of the preceding karnam, but the remedy for such irregularities lay only by a suit in the civil courts. Now that Madras Act II of 1894 has been introduced in permanently-settled estates, there is no possibility of such irregularities recurring and the Board also notes that when the Proprietary Estates Village Service fund is constituted in the district under section 28 of the Act, the salaries to the mitta karnams will be disbursed therefrom instead of being paid by the mittadarni. As regards the imposition of the tree-tax of which the memorialists complain, the Deputy Collector states that it is levied in accordance with the custom of the mitta and that this custom has been upheld by the High Court. It appears that scattered trees are charged at a certain rate per head, but in cases where the trees are in clumps or constitute topes, double the land tax is levied, the payment covering both the land and the trees. As the result of an error or defect in the High Court's judgment on the subject, the mittadarni levied for a time double the land tax for *the trees alone* or in other words, charged three times the land assessment for the trees and the land together. The mistake however, it is reported, was subsequently rectified by the High Court on revision.

7. In the course of the enquiry into the question of the levy of tree-tax, the Deputy Collector has found that the Rev. Foulkes has not been paying land-cess on the amount of the tree-tax. The Collector states that he will dispose of this question separately.

8. In paragraph 13 of the memorial, it is alleged (1) that the irrigation sources in the mitta are out of repair, (2) that tank-beds are let out for cultivation, (3) that with the connivance of the mittadarni, the tenants of the Kannankurichi mitta have been taking water from the channel feeding the Mukkaneri tank and have thus been diminishing the supply of the latter and (4) that trees on tank-bed porambokes which were formerly utilized by the tenants for making ploughs and other implements of husbandry are now sold by the mittadarni.

9. The Deputy Collector who inspected some of the irrigation sources of the mitta has found that they were out of reapair but in the present state of the law the proper remedy for the tenants seems to lie in the *civil* courts. The Board notes that Chapter IX of the Madras Land Bill contains important provisions empowering Collectors to take cognizance of cases in which landlords neglect to repair irrigation works. With regard to the second allegation in paragraph 13 of the memorial Rev. Foulkes himself admits the practice of letting out tank-beds for pumpkin and cucumber cultivation which is occasionally done by Government. He however denies *in toto* the third allegation, namely, that the water-supply is surreptitiously diverted with the mittadarni's connivance by the tenants of Kannankurichi, while as regards the fourth

allegation, he questions the right of the tenants to cut the trees on tank-beds for the manufacture of agricultural implements and states that withered and blown down trees are sold on behalf of the mittadarni but that no living trees are cut and sold.

10. The Deputy Collector states in conclusion that the affairs of the mitta have not been managed as satisfactorily as they should have been and expresses hope that it will be managed better in future by Mr. R. Fisher into whose hands it has recently passed.

11. In paragraph 2 of its endorsement under reply, Government has called for an explanation of the delay of two years which occurred in the disposal of the present memorial in the Collector's office. Mr. Clegg, the present Acting Collector, states that the memorial was received in his office on the 20th August 1896 and was forwarded the next day to the Head-quarters Deputy Collector for report as to whether the signatories were aware of the contents of the petition. After making a reference to the Tahsildar, the Deputy Collector eventually answered the Collector's query in the affirmative in his endorsement, dated the 30th June 1897, but at the same time suggested the deputation of a special survey officer in order to see if communal porambokes really had been assigned by the proprietrix for cultivation purposes as alleged in the memorial. Mr. Mounsey, however, thought that no such deputation was necessary and recorded the papers on the 7th July 1897. The result was that the memorial was detained in the Collector's office till May 1898; when the memorialists having presented a further petition praying for the transmission of their former memorial to Government, it was accordingly forwarded with Mr. LeFanu's letter, dated the 29th May 1898, No. 2300. Mr. Mounsey appears to have thought it unnecessary to send on the present memorial to Government as the question of protecting communal porambokes from encroachment was already before Government in the Legislative Department and the complaint about the levy of tree-tax had been reported on to Government by Mr. G. Stokes in his endorsement No. 4797, dated the 27th October 1895, on a similar memorial from the tenants of the mitta. * * *

(True Extract.)

(Signed) LIONEL DAVIDSON,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with memorial and letter addressed to Government returned.

Translation of the memorial from the tenants of Salem Mitta.

We, the undersigned ryots of the Salem mitta in the Salem taluk of the Salem district, respectfully beg to submit as follows:—

1. When the Salem district was under the rule of Hyder Ali and Tippu Sultan, the Nabobs of Seringapatam in Mysore, before the year 1791, there was no proper settlement of the land revenue, and a tax at the rate of two to four fanams per plough was levied in some parts, while in some others it was fixed at one-fourth of the produce of the lands. As proper agents were not appointed for the collection of these taxes, the ryots had to suffer under various difficulties caused by the many impediments thrown in the way of their progress.

2. In the year 1791, the tract of country extending from Hosur in the north to Anjalam and Pulenjari on the borders of Trichinopoly in the south, and from the river Cauvery in the west to the outer borders of Salem in the east, was given over by Tippu to the British Government and it was then named the Sankagiri Subah.

3. In the year 1792, Messrs. Munro, MacLeod, Reade, and Cream were appointed for the administration of the Sankagiri Subah. They collected the arrears of tax due from the ryots according to the old arrangement, and the unspent portion of the grain thus collected is still to be found in the Sankagiri fort in a state quite unfit for use.

4. In 1793, the aforesaid gentlemen gave the name of Salem district to the Sankagiri Subah, and in 1794, divided it into fourteen taluks, constituting the two divisions of Baramal and Point Ghât, corresponding to the present Hosur division of the Sub-Collector and the Collector's division. In 1795, the Baramal division was assigned to Messrs. Reade and Cream, and the Point Ghât division to Messrs. Munro and MacLeod. After surveying the lands and classifying them as wet, dry and garden, they fixed the assessment according to the fertility of the soil, and also the proper tree-tax on tamarind trees, etc., standing on the unassessed waste lands, used by the ryots for the pasturage of their cattle. They also fixed a tope assessment at double the estimated land-tax on trees grown or betel-gardens raised on portions of the unassessed samudayam lands set apart for communal purposes, the unassessed lands used as cattle-stands and the Government poramboke lands by the side of rivers, and in the year 1797, granted to the ryots pattas, tenable for five years.

5. In 1800, all the lands in the district were inspected, and in 1801, the total extent of lands in all the villages and hamlets in each taluk was determined, and all the accounts were signed and sealed. As soon as the term of five years was over, the Istimrar regulations, securing the rights of the tenants from the Zamindars and fixing a low and permanent assessment in favour of the ancient Poligars and Zamindars and their descendants, were passed with a view to ensure peace and prosperity to the ryots of the district. In 1802, mittas were established at places where there were no polliems, for the convenience and comfort of the ryots, and persons competent to protect the poor ryots were appointed as mittadars, the charges of their village establishments being borne by Government. The land-tax was imposed only on (1) cultivated lands, (2) Podukal lands (assessed lands, cultivated by the ryots, but subsequently relinquished by them owing to their inability to cultivate them, and left waste) and (3) cultivable waste lands in each village, and the revenue was realised from the mittadars after allowing them a discount of 15 per cent. A large extent of Podukal waste lands was granted free of tax to the mittadars for the sole benefit of the ryots, and a sannad containing fifteen paras was granted to the mittadars in 1803 with a view to make both the ryots and the mittadars prosperous. These facts will be clear from column 1 of the sannad.

6. For sixteen years the mittadars, who were first appointed, treated the ryots in strict accordance with the terms of the sannad. After this, Mr. Munro, to whom the ryots represented their grievances against the unbearable treatment accorded to them by the descendants of the original mittadars, proceeded to England for the purpose and communicated them to the Honourable Members of Parliament, who deputed him as the Governor of the Madras Presidency. Knowing the cruel acts of the mittadars, Mr. Munro directed Mr. Cockburn, the Collector of Salem, in the year 1819, to sell many of the mittas by public auction with reference to a paragraph in the Cabuliat muchilka, given by the mittadars to Government, and to purchase all the lands on behalf of Government without giving them to others. Subsequently these lands were given to the ryots on cowle pattas, and advances of loans were made to them during the last thirty years. Now the ryots are being protected by reducing the excessive taxes on dry and wet lands, by granting remissions for failure of the crops during unfavourable seasons, and by granting loans at a low rate of interest for the improvement of the lands under cultivation.

7. The Salem mitta was originally assigned to Chengulvaraya Chettiar, and on his death its management passed into the hands of his wife, Nainammal, as he had no male issue. When the mitta was attached for arrears of revenue, amounting to Rs. 12,000, due to Government, an agreement and sale-deed were entered into in April 1836 between Mr. Fisher and Nainammal, according to which the latter was to pay the former the above-mentioned arrears of revenue and the former was to see to the maintenance of her family and the management of her affairs permanently without failure. The mitta was then registered in the name of Mr. Fisher.

8. In the year 1836, when Mr. Fisher was registered as the mittadar of Salem, the lands in the occupation of the ryots were surveyed and cowles, etc., were granted to them, and topes and betel gardens on such portions of Government poramboke lands by the side of rivers and cattle-stand poramboke lands were assessed at double the estimated tax on land according to the old arrangement, and a favourable tree-tax

was imposed on scattered trees. The ryots were given pattas accordingly and protected to some extent. These facts will be clear from the records during the time that Mr. Fisher was managing the mitta.

9. When the mitta was transferred to and registered in the name of his daughter, Mrs. J. Foulkes, the present mittadarni of Salem, in accordance with Mr. Fisher's will, competent persons were not appointed to look after the affairs of the mitta, and as she was living with the Rev. Thomas Foulkes (Chaplain), while he was employed in several districts, the agents appointed by the mittadarni subjected the ryots to many hardships by altering the settled rates of taxes in several ways, by preparing irregular accounts, by furnishing the mittadarni with accounts showing increase of revenue and by abusing the provisions of Act VIII of 1865. We represented these matters to Mrs. Foulkes at the time both in person and by petitions, but she did not attend to them at all.

10. When the Rev. Thomas Foulkes retired on pension, the mittadarni returned to Salem with her family and began to manage the affairs of the mitta personally. The permanent assessment fixed by Government on the lands in the occupation of the ryots has been altered by her without paying any regard to what had been done previously and to the paimash accounts; unassessed lands belonging to Government, such as, village-sites, cattle-stands, immemorial waste, river-banks and tank-beds, have been, without any reference to Government, assessed and assigned on pattas to ryots after sale; the lands of the ryots on which the assessment had been settled have been re-surveyed, the ryots have been prevented from entering on them on the ground that an excess in extent has been discovered, and the lands have been sold to them and granted on pattas bearing assessment, the pattas of such of the lands as were found to be in excess and not purchased by the ryots have been issued in her own name; the poor potters, who from time immemorial were taking clay from tank-beds, having been prohibited from doing so and deprived of their calling by the mittadarni herself having commenced to carry on the trade in earthenware vessels, have entered into a registered agreement with the mittadarni to pay her Rs. 22-8-0 per annum for being allowed to take clay from the unassessed tank-beds, and a tax has been imposed on all carts taking sand from the Government river-beds, and on all poor persons who live by quarrying stones in rocky poramboke lands of Government. She has subjected the ryots to many other difficulties and losses and obtained decrees against them after filing suits of various kinds. The records thus prepared by the mittadarni have been filed in summary appeal case No. 17 of 1891 in the District Court of Salem, and if these are scrutinised by competent revenue authorities, a large amount of profit due to Government and Local Funds, which now lies concealed, will be brought to light.

11. It will be seen from the Olungu register and the Tullacheethu (title-deed) of the mitta that the Jarugu hill, which belongs to Government and lies to the south of the mitta, does not form part of the mitta. The large profit derived from the forest and other produce of this hill is being appropriated by the local boards and others without being paid to Government. Further, the Jarugu hill and the uneven valleys at its foot, which had been for a long time used for the pasturage of cattle, have been declared to be forest reserves, and tamarind and mango trees are being planted thereon. Some years ago, the mittadarni prohibited the grazing of cattle on porambokes intended for their pasturage, but though a suit was instituted against her and the prohibition was set aside, she has paid no heed to it.

12. Seven or eight years ago, the mittadarni executed a power of attorney in favour of her husband, the Rev. Thomas Foulkes, for managing the affairs of the Salem mitta. Ever since he assumed the management of the mitta, he has been causing great hardship to the ryots in various ways. He has removed the registered karnams of the villages and appointed accountants in their stead without any reference to Government, paying them only half the fixed pay of the karnams and thus effecting a saving of the other half to the mitta. He has caused the occupied lands of the ryots to be remeasured and has increased the taxes, alleging that there has been an excess in their extent. He has actually trebled the land-tax and entered the amount in the pattas for the assessed lands in the occupation of the ryots on which trees and topes have been grown by them at their own expense and labour, saying that he has merely doubled the estimated land-tax as in the case of trees, topes and betel-gardens

on poramboke lands, which were originally unassessed. He has also filed summary suits in some cases, and attached the occupied lands in some others, and he has personally appeared in the courts and given evidence in the summary suits, etc., instituted by him from time to time. It is fair to impose tree-tax on trees growing upon unassessed lands, which the ryots wish to have. But he is levying the tax on trees, etc., planted by the ryots on their assessed lands. This is quite against the sannad granted for the mitta.

13. The sources of irrigation are in a state of disrepair, the unassessed tank-bed lands in the mitta belonging to Government have been assigned to others in various ways, and taxes, etc., are being collected thereon. Moreover, the supply of water to the Mukkaneri tank in the Salem mitta, which is fed by a channel from the Garudapatchi anikat, has been considerably diminished by the mittadarni allowing the ryots of the Kannankurichi mitta to irrigate their lands by constructing a sluice in that channel, though the assessment payable on the portion of the land of the Palappatti village in the Kannankurichi mitta, through which the channel passes, had been remitted. The trees on the tank-bed poramboke in the Salem mitta, which were used for making ploughs and other implements of husbandry, have been sold and alienated.

14. As the cattle-stand and other poramboke lands belonging to Government, included in the ayakat of the villages in the Salem mitta, have been assigned for cultivation with a view to realise a revenue thereon, the ryots have been put to great difficulty in protecting their cattle. These lands should, according to the old arrangement, be ordered to be given over for the use of the ryots.

15. If the mittadarni of Salem is allowed to levy tree-tax in the mitta according to the decisions of the Court, regarding which opinions differ, she will get a large profit of Rs. 15,000 per annum and the Government cannot get even a pie thereby. We, the poor ryots, are generally running into debt, being unable to pay the reasonable taxes owing to failure of rains in these days. In this mitta, pattas for payment of tree-tax are being tendered in hundreds every day. The other mittadars in the district have also in the same manner begun to impose tree-tax by degrees, and this will result in a great loss to the ryots. Before we and the other ryots incur such loss, we pray that the Government will be pleased to appoint a Collector well-acquainted with revenue work as a Commissioner to find out from the records of the mittadarni and the depositions of the ryots, how far she has violated the conditions of the sannad and to render justice to us.

If you are pleased to permit us to name the Commissioner we wish for, we beg to state that if the Hon'ble Mr. Crole or Mr. LeFanu, the present members of the Board of Revenue, be appointed as Commissioner, we trust that justice will be obtained by us.

We earnestly request that the Government will not think lightly of the sorrow of the ryots consequent on the hardship caused to them by the imposition of the tree-tax.

We therefore respectfully beg to request that our sufferings and losses may be removed and that we may be protected.

Order—No. 107, Legislative, dated 13th October 1899.

The memorial will be translated into English and the translation with the Board's report communicated to the Select Committee on the Madras Tenancy Bill.

(True Extract.)

M. HAMMICK,
Ag. Secretary to Government.

To the Select Committee on the Madras Tenancy Bill.

Rxd. P. Seetharam.

Legislative

~~Judicial~~ (1891) Department.

CURRENT No. 201

6P

From

The Revenue Department.

Desp 107 & 13-10-99.

Order No ~~88 & 26~~ 788

A.V.

The memorial will be translated into English and the translation with the Boards report, communicated to the Select Committee on the Madras Tenancy Bill.

ale 26/7/99

b.s.b 26.7.99

Misc. No. 2608

Dated 15th July 1899.

Received

Registered 20.7.99 Reg 21.7.99

Enclosures

Spare copies.

SUBJECT.

Stating, with reference to complaints made by the tenants of the --- Salem Mittah, of oppression on the part of the Zamindarini, that the investigation of the complaints has not disclosed that any action on the part of Government is called for, and transferring the memorial to the Legislative Department with reference to the Tenancy Bill now under consideration.

T. 28/7.

I to The Select Committee on the Madras Tenancy Bill Desp 16/10/99.

21/7/99.

Petn forwarded to translation to post in memo No. 8 28.7.99.

24/7/99

madras

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.



13-8-56

மாகூதிமை தங்கிய

சென்னப்பட்டணம் கவர்ன்மெண்டார்

அவர்கள் சமுகத்துக்கு.

சேலம்ஜில்லா, சேலம்தாலூகா, சேலம் மிட்டாவைச் சார்ந்த அடியில் கையொப்பமும், சேலும்போட்ட குடிகளாகிய நாங்கள் வணக்கமாய்தாழ்மையுடன் மனு செய்துக்கொள்வதென்னவென்றால்:—

1-வது—இந்த சேலம்ஜில்லாவானது 1791-ஞுத்துக்கு முன் மைசூரைச்சார்ந்த ஸ்ரீரங்கபட்டணம் நவாபுகளாகிய ஐதரலி, திப்பு இவர்களுடைய ஆளுகையிலிருந்து நிலங்களுக்குச் சரியான தீர்வைகள் ஏற்பாடில்லாமல் சில இடங்களில் யேர் 1-க்கு 2-பணம், 4-பணம் தீர்வையாகவும்; சிலஇடங்களில் விளைந்த தானியங்களில் 4-ல் ஒருபங்கு தீர்வையாகவும் ஏற்பட்டு அவ்வகை தீர்வைகளை வசூல்செய்ய சரியான கரியஸ்தர்களேற்படாமலும் குடிகளிட விருத்திகளுக்கு அனேகவிதமான இடஞ்சல்களுண்டாகி பெருத்தகஷ்டங்களை அனுபவித்துவந்தார்கள்.

2-வது—1791-ஞுத்தில் வடக்கு ஒஜர் முதல் தெற்கு திருச்சினப்பள்ளி சரஹத்து அஞ்சலம் பூலாஞ்சேரி வரையிலும், மேற்கு காவேரியாறு முதல் கிழக்குவெளி சேலம் எல்லை கடைசிவரையிலும், இங்கிலீஷ் துரைத்தனத்தார் அவர்களுக்கு ஷை திப்பு அவர்களால் சுவாதீனம் கிடைத்து சங்ககிரி சுபா என்கிற பெயரும் ஏற்பட்டது.

3-வது—1792-ஞுத்தில் ஷை சங்ககிரிதுருக்கம் சுபா ஆளுகைக்கு மேஸ்தர் மண்ட்ரோல், மேஸ்தர் மக்லோட், மேஸ்தர் ரீட், மேஸ்தர் கிரீம் இவர்கள் ஏற்பட்டு குடிவார் பாக்கிகளை புராதீன ஏற்பாட்டின்படி வசூலிக்கப்பட்டு தாரியங்கள் சிலவிட்டது போக மீதி தானியங்கள் சங்ககிரிதுருக்கம் கோட்டையிலிருந்து இப்போதும் உபயோகமற்றதாக ஆஜரிலிருந்துவருகிறது.

4-வது—ஷை துரையவர்களால் ஷை சங்ககிரிதுருக்கம் சுபாவை 1793-ஞுத்தில் சேலம்ஜில்லா என்கிற பெயரைக்கொடுத்து 14 தாலூக்காக்களாக ஏற்படுத்தி இப்போது சப்-கலெக்டரவர்கள் டிவிஜனாக இருக்கும் ஓசூர் பிராந்தியத்தை பாராமாலென்றும், கலெக்டரவர்கள் டிவிஜன் பாயின்காட்டென்றும் 1794-ஞுத்தில பிரிக்கப்பட்டு 1795-ஞுத்தில் மேஸ்தர் ரீட் துரையவர்களும், மேஸ்தர்கிரீம் துரையவர்களும் ஷிபாராமாலுக்கும்மேஸ்தர் மண்ட்ரோல் துரையவர்களும், மேஸ்தர் மக்லோட் துரையவர்களும் பாயன்காட்டுக்கும் ஏற்பட்டு பூமிகளை அளவிட்டு புன்செய் நன்செய் தோட்டமாக பிரிக்கப்பட்டு நிலவளத்தையனுசரித்து தீர்வைகளை நிஷ்கரித்தும் கால்நடைகளின் மேய்வுகளுக்காக குடிகள் உபயோகித்துவந்த தீர்வை ஏற்படாத பொழிகட்டிலிருந்த புளியமரம் முதலியவைகளுக்கு சலீசான தீர்வைகளை தாக்கல் செய்து கிராமங்களின் பொது சவுக்கியத்துக்காக ஏற்பட்டிருந்த தீர்வை ஏற்படாத சமுதாய நிலங்களிலும் கால்நடைகளின் உபயோகத்துக்காக ஏற்பட்டிருந்த தீர்வை ஏற்படாத மந்தைவளி நிலங்களிலும் கவர்ன்மெண்டைச்சேர்ந்த ஆத்தோரம் தீர்வை ஏற்படாத புரம்போக்கு நிலங்களிலும் ஏற்பட்டிருந்த மரம் கொடிக்கால் முதலிய தோப்புகளடங்கிய பாகத்துக்கு நிலத்தின் உத்தேச தீர்வையை ரெட்டித்து தோப்பு தீர்வையாகவும் ஏற்படுத்தி யாவத்து குடிகளுக்கும் 5-வருஷம் வாயிதா காட்டி கவர்ன்மெண்டாரவர்களால் 1797-ஞுத்தில் பட்டா கொடுத்து குடிகளை ஆதரித்தார்கள்.

5-வது—1800-ஞுத்தில் ஜில்லா ஒட்டு பூமிகளை அஜிமாஷி (தனிக்கை) செய்து 1801-ஞுத்தில் தாலூக்காவார் மஜரா பட்டிவார் ஆயகட்டுகள் ஏற்படுத்தி சகல கணக்குகளிலும் சயன் மொகர செய்து குடிகளுக்கு ஐந்துவருஷம் வாய்தா முடிவான உடனே ஷை ஜில்லாவின் பிரஜைகளாகிய குடிகள் சுகஜீவிகளாக இருக்கும்பொருட்டு புராதீன பாளயபட்டு ஜமீன்

தார்களுக்கும், அவர்களிட சந்ததிபார்களுக்கும் சாஸ்விதமான குமுறுந்த தீர்வைகளை ஏற்படுத்தி குடிகளுக்கு ஜமீன்தாரியால் யாதொரு கெடுதலும் கேடாமலிருக்க இன்திமீரார் வகைரா ரெகுலேஷன்களுண்டாக்கியும் பாளயபட்டு இல்லாத இடங்களில் குடிகள் சௌக்கியமடைந்து பிரஜா விருத்தியாகும் நிமித்தம் 1802-ஞுத்தில் மிட்டாக்களென்று ஏற்படுத்தி குடிகளை பாதுகாக்க தக்க போக்கியதையுடையவர்களுக்கு மிட்டாதார்களென்றும அவ்வகை மிட்டாக்களுக்கு கிராம சிப்பந்தி வகைரா சம்பளம் கவர்ன்மெண்டார் சாஸ்விதமாய் சொந்தத்தில வைத்துக்கொண்டும் ஷை மிட்டாவைச்சார்ந்த கிராமவார் ஆயகட்டில் சாகுபடி பொடுகால் (குடிகள் சாகுபடி செய்து வந்து சக்தியல்லாமல் ராஜினமா கொடுத்து தருசிலிருந்த தீர்வைஏற்பட்ட நிலம்) சாகுபடிக்கு லாய்க்கான தருசு என்கிற மூன்று பாபுகள் மட்டும் சேர்த்து அப்போது ஏற்பட்டிருந்த சாகுபடி தீர்வையில் 100-க்கு 15 ரூபாய் அலவன்ஸ் செய்து பாக்கி நிண்ணது கவர்ன்மெண்டுக்கு கிஸ்திபாக செலுத்தி வரும்படியாகவும், விஸ்தாரமான போடுகால் தருசு நிலங்களை குடிகளிட சம்தாவிக்காக தீர்வையன்றியில் மிட்டாதாருக்கு கொடுத்து மிட்டாதார்களுடைய சம்பத்துடனே குடிகளுடைய சம்பத்தும் பிரியாவடையாக இருந்துசுகஜீவிகளாக இருக்கும் பொருட்டு 1803-ஞுத்தில் 15 பாராக்கள் டங்கிய சன்னதி மிட்டாதார்களுக்கு கொடுக்கப்பட்டிருக்கிறது. ஷை சன்னதின் முதல் கலத்தினால் இது சங்கதி தெளிவாய் வெளியாகும்.

6-வது—முதலில் ஏற்பட்ட மிட்டாதார்கள் 16 ஞுகாலவரையில் குடிகளை சன்னதின் படி நடத்தி பாதுகாத்து வந்தார்கள். பின்பு அவர்களிட சந்ததியாருக்கு மிட்டா ஏற்பட்டதில் குடிகளை அனேக விதமான இடஞ்சல்கள் செய்து வந்ததை குடிகள் சஹிக்கக்கூடாமல் மேஸ்தர் மண்ட்ரோல் துரையவர்களிடம் மனு செய்துக்கொண்டதில் அவர் இது விஷயமாய் சிமைக்குப்போய் கனம்பொருந்திய பார்லிமெனடார் அவர்களுக்கு தெரிவித்து சென்னை ராஜதானியின் கவர்னராக வந்து மிட்டாதார்களின் குரூர செயகைகளை அறிந்து மிட்டாதார்கள் கொடுத்திருக்கும் முச்சலிக்கா வென்னுங் கட்டியத்தின் ஒருபாராவை அனுசரித்து அநேகம் மிட்டாக்களை 1819-ஞுத்தில் சேலம்ஜில்லா கலெக்ட்டர் அவர்களாகயிருந்த மேன்தர் காக்பரன் துரையவர்களால் யேலமாக்கி யாருக்கும்கொடாமல் கவர்ன்மெண்டுக்கு சேர்த்து குடிகளுக்கு கவுல்பட்டா கடன்உதவிமுதலான சகாயங்களை 30-ஞு காலமாய்நடத்திவந்து பின்புபுன்செய் நன்செய் நிலங்களுக்கு யேற்பட்டிருந்த அதிக தீர்வைகளை குறைத்தும், காலவித்தியாசங்களில் கேரிடுகிற வேளாண்மை குறைவுகளுக்கு தீர்வை ரிமிஷனும் சாகுபடி நிலங்களின் விருத்தியில் பொருட்டு சொல்ப வட்டியின் பேரில் கடன் முதலியவைகள் கொடுத்தும் குடிகளை பாதுகாத்து வரப்படுகிறது.

7-வது—இந்த சேலம் மிட்டாவானது ஆதியில் செங்கல்வராய செட்டியாருக்கு யேற்பட்டு அவர் அனுபவித்துவந்து அவர்இறந்ததின்மேல் அவருக்கு ஆண்சந்ததியில்லாமையால் அவர் பெண்ஜாதி சௌம்மாளால் ஷை சேலம் மிட்டாவின் காரியங்களை நடத்திவரப்பட்டு கவர்ன்மெண்டுக்குச் செலுத்தவேண்டிய கிஸ்து பாக்கி ரூபாய்கள் பனிரெண்டாயிரத்துக்கு ஜப்தி செய்யப்பட்டிருந்ததில் 1836-ஞு ஏப்பிரல்-மீ^த்தில் மேஸ்தர் பீஷர் துரையவர்களுக்கு ஷை சௌம்மாள் அவர்களால் ஷை கிஸ்து பாக்கியை கட்டும்படிக்கும், தன் குடும்ப சவரக்ஷணைமுதலிய அனேக விதமான காரியங்கள் தவராமல் சாஸ்விதமாய் நடத்தி வரும்படிக்கும், கராரும், கிரயமும் யேற்பட்டு ஷை பீஷர் துரையவர்கள் பேருக்கு மிட்டா ரிஜிஸ்தர் யேற்பட்டது.

8-வது ஷை மேஸ்தர் பீஷர் துரையவர்களுக்கு ஷை சேலம் மிட்டா ரிஜிஸ்தர் யேற்பட்ட 1836-ஞுத்தில் குடிகளிட ங்கபற்று நிலங்களை அளவிட்டு குடிகளுக்கு கவுல் முதலியவைகள் யேற்படுத்தி புராதன யேற்பாட்டின்படி கவர்ன்மெண்டுக்கு சார்ந்த ஆத்தோரம் முதலிய புரம்போக்குகளிலும் கால்நடை மேய்ஷகளுக்குச் சம்மந்தப்பட்ட புரம்போக்குகளிலுமிருந்த தோப்பு, கொடிக்கால் வகைராக்களுக்கு மேற்படி தோப்பு அடங்கிய நிலத்தின் உத்தேச தீர்வையை ரெட்டித்து விடுமரங்களாகவுள்ளதற்கு சலிசான மரத்தீர்வைகளையும் யேற்படுத்தி குடிகளுக்கு பட்டா கொடுத்து வொருவாரு பாதுகாத்து வந்தார். இது விஷயங்களானது மேற்படி மேஸ்தர் பீஷர் துரையவர்கள் மிட்டாவின் காரியங்களை பார்த்துவந்த காலங்களில் யேற்பட்டிருக்கும் ரிகார்ட்டினல் பரிஷ்காரமாய் வெளியாகும்.

9-வது—மேஸ்தர் பீஷர் துரையவர்களால் வில் சாசனமூலமாய் தன் குமார்த்தியான இப்போது ஆஜரிலிருக்கும் சேலம் மிட்டாதாரணி மிஸ்த்ரஸ் ஜே. போக்ஸ் துரைசாணியவர்களுக்கு மேற்படி மிட்டா கிடைத்துரிஜிஸ்தர் பெற்றதின்மேல் மேற்படி மிட்டா காரியங்களை நிர்வகிக்கத்தக்க யோக்கியாளை யேற்படுத்தாமலும் ரெவரெண்டு தாமஸ்போக்ஸ் துரையவர்கள் (சாப்லயன) வேலை விஷயமாய் பல ஜில்லாக்களிலிருந்தபோது மேற்படி மிட்டாதாரணியவர்கள் துரையவர்களுடன் கூட இருந்து வந்தமையாலும் அக்காலங்களில் மேற்படி மிட்டாதாரணியால் நேமிக்கப்பட்டிருந்த மிட்டா காரியஸ்தர்கள் பைசல தீர்வைகளை பலவாராக மாற்றியும் அளவிட்டும் ஓழங்கீனமான கணக்குகளை ஏற்படுத்தியும் மிட்டாவின் தீர்வைகளை விருத்தி செய்திருப்பதாக கணக்குகளை மிட்டாதாரணியவர்களுக்கு கொடுத்தும் 1865-ஞுத்திய 8-வது ஆக்ட்டு முதலிய சட்ட நடவடிக்கைகளை தப்பாக நடத்தியும் குடிகளை பலவிதமான இடஞ்சல்களை செய்து வந்தார்கள். அக்காலங்களில் இது விஷயங்களை மேற்படி மிட்டாதாரணியவர்களுக்கு கேரிலும் மனு மூலமாயும் தெரிவித்துக்கொண்டிருக்கிறோம். கவனிக்கவே இல்லை.

10-வது—மேற்படி ரெவரண்டு தாமஸ் போக்ஸ் துரையவர்கள் பென்ஷன்பெற்றதின் மேல்ஷமிட்டாதாரணியவர்கள் குடும்பசமேதமாய் சேலம்சேர்ந்து மிட்டாவின்காரியங்களை சுதாவாகநடத்திவர துடங்கி முன்திஏற்பட்டிருக்கும் நடவடிக்கைகளையும்பைமாஷிகணக்கு ஆதாரங்களையும் கவனியாமல் குடிகளிட கைபற்றுகிலங்களுக்குகவர்ன்மெண்டாரால் சாஸ்விதமாய் ஏற்படுத்திபிருக்கும் பைசல் தீர்வைகளை மாற்றியும் கவர்ன்மெண்டுக்கு சம்மந்தப்பட்ட தீர்வை ஏற்படாத ஊர்கட்டு மந்தை வெளி பொழிகட்டு ஆத்தோரம் ஏரி உள்வாய் நிலங்களை கவர்ன்மெண்டு தகவலன்னியில் தீர்வை முதலிய வகைகள் தாக்கல் செய்தும் குடிகளிடம் கிரயம் பெற்று பட்டா செய்வதும், குடிகளிட பைசல் தீர்வை ஏற்பட்ட நிலங்களை அளவிட செய்து ஜாஸ்தி இருப்பதாகவும் அதில் பிரவேசிக்கக்கூடாதென்று நடத்தி அதற்கு கிரயம்பெற்று தீர்வை ஏற்படுத்தி பட்டா கொடுப்பதும் அதற்கு உடன்படாத கேசுகளில் அவ்வகை நிலங்களை பட்டா தன் பேரால் செய்துக்கொள்வதும் மண்பாண்டம் செய்து ஜீவனம் செய்யும் ஏழை குயவர்கள் ஏரி உள்வாயில் நெடுநாளாக மண்எடுத்துவந்ததை தடுத்துதான் மேற்படி மண்பாண்டம் வியாபாரம் செய்யஆரம்பித்து அவ்வகைகுயவர்களுக்கு ஜீவனமில்லாமல் மறுபடிமிட்டாதாரணியைஅடைந்துகவர்ன்மெண்டாரால் தீர்வை ஏற்படாத மேற்படி ஏரி உள்வாயில் மண்ணெடுத்துக்கொள்ளும் பொருட்டு வருஷம் 1-க்கு ரூ 22-8-0 கொடுப்பதாக ஒப்பந்தம் எழுதி ரிஜிஸ்தர் செய்யப்பட்டிருக்கிறதுமவிர கவர்ன்மெண்டைச்சார்ந்த ஆறுகளில் மணல் எடுக்கும் வண்டிகளுக்கும், கரட்டு புரம்போக்கில் கல் முதலியவைகள் எடுத்து ஜீவனம் செய்யும் ஏழை குடிகளிடம் மேற்படி கல்லுகளுக்காகவும் வரி பெற்றும் இன்னம், பலவாக அனேக கஷ்டங்களையும் நஷ்டங்களையும் குடிகளுக்கு ஏற்படுத்தி பலவிதமான தாவாக்களை செய்து தீர்ப்பு அடைந்து வருகிறார். மேற்படி மிட்டாதாரணியால் தயாரிக்கப்பட்டிருச்கும் அவ்வகை ரிகார்ட்டுகள் 1891-ஞுத்திய சம்மேரி அப்பீல் சூட் நெ. 17ல் ஒப்பிவைக்கப்பட்டு இப்போது சேலம் டிஸ்திரிக்ட்டு கோர்ட்டில் ஆஜரிலிருக்கிறது. அதுகளை தக்க ரெவினியு அதிகாரிகளைக்கொண்டு பரிசீலிக்கச்செய்தால் மறைத்திருக்கும் கவர்ன்மெண்டுக்கும் லோகல்பண்டுக்கும் சேரத்தக்க பெருத்தநபர வெளியாகும்.

11-வது—மேற்படி சேலம் மிட்டாவின் தென்பாகத்திலிருக்கும் கவர்ன்மெண்டைச்சார்ந்த ஜருகுமலையானது ஆதியில் ஏற்பட்டிருக்கும் மிட்டாஒழுங்கென்னும் ரிஜிஸ்தரிலும், மிட்டாவுக்கு ஏற்பட்டிருக்கும் துள்ளசிட்டிலும் மிட்டாவுக்கு சேர்ந்ததல்லவென்பது வெளியாகும். மேற்படி மலையின் பாரெஸ்டு முதலிய பெருத்தநபாவை லோகல்பண்டு முதலியவைகளும், கவர்ன்மெண்டாருகளு செலுத்தாமல் அனுபவித்து வருகிறார்கள். மேலும் மேற்படி ஜருகு மலையிலும் அடிவாரம் முதலிய கரட்டுகளிலும் இடைவெளிகளிலும் நெடுநாளாக மேய்ந்து வந்த கால்நடைகளின் மேய்வுகளுக்கு இடஞ்சல் உண்டாக்கி ரிஜர்வ் என்பதாக ஏற்படுத்தி புளியம் விதை மாமரம் முதலியவைகள் விருத்திசெய்யும்பொருட்டு ஆரம்பித்திருக்கிறார்கள். சில வருஷங்களுக்கு முன்தி மேற்படி கால்நடைகளின் மேய்வுகளுக்கு சம்மந்தப்பட்ட புரம்போக்கில் மேற்படி மிட்டாதாரணியால தடுக்கப்பட்டு அது விஷயமாய் தாவா நடந்துமேற்படி தடையை விலக்கப்பட்டிருக்கிறது. அதை மிட்டாதாரணி கவனிக்கவில்லை.

12-வது—கடந்த சுமார் 7 அல்லது 8-ஞ்சுத்திய போது மேற்படி மிட்டாதாரணி யின்நாயகராகிய ரெவரெண்டு தாமஸ்போக்ஸ் துரையவர்களுக்கு ஷே சேலம் மிட்டாவின் காரிய ங்களை நடத்திவர பவராப் அட்டர்ணி யென்னும் அதிகாரம் கொடுக்கப்பட்டு அவர் மிட்டாவின் காரியங்களை நடத்த துடங்கியது முதல் கிராமத்தின் ரிஜிஸ்தர் கான்னங்களை ஈக்கி கணக்கு கு மாஸ்தா வென்பதாக கவரன்மெண்டுக்கு தகவலன்னியில் கேமித்து கிராமகரனத்துக்கு யேற் பட்டு வரும் சம்பளத்தில் பாதி கொடுத்து மீதிபாதி சம்பளத்தை மிட்டாவுக்கு ஈபா செய்தும் குடிகளிட கைபற்று நிலங்களை அளவிடசெய்து சாஸ்தியிருப்பதாக அதிகமான தீர்வைகளை தாக்கல்செய்தும் ஆதியில் தீர்வை யேற்படாத புரம்போக்கின்மரவகைகளுக்கும், தோப்புகளு க்கும், கொடிக்கால்களுக்கும், யேற்பட்டிருந்த தோப்பு ரெட்டிப்பு தீர்வைகளைப்போல தீர்வை யேற்பட்ட குடிகளிட கைபற்று நிலங்களில் சொந்த சிலவினலும், தேகபிரயாசையினலும விருத்திசெய்திருக்கும் மரம் முதலிய தோபபு வகைகளுக்கு ரெட்டிப்பென்கிற பெயரைக்காட்டி நில தீர்வையுடன் மூனுபங்கு தீர்வையை புட்டாக்களில் தாகக்கல்செய்து வொழுங்கினமாக டெண்டர் செய்விப்பதும் சிலகேசுகளில் சம்மேரி நடத்துவதும், சிலகேசுகளில கைபற்று நில ங்களை ஜப்தி செய்விப்பதும் அப்போதைக்கப்போ யேற்படும் சம்மேரி முதலிய தாவாக்களில் தான் ஆஜராய் சாக்ஷியும் முதலியவைகள் கொடுத்து குடிகளுக்கு கஷ்டத்தை உண்டாக்கி வருகிறார். மேலும் ஆதியில் தீர்வை யேற்படாத நிலங்களில் உற்பத்தியான மரங்களுக்கு அதை விரும்பும் குடிகளுக்கு மரத்தீர்வை போடுவது நியாயம். அப்படிக்கல்லாமல் தீர்வை யேற்பட்ட நிலங்களில் குடிகளால் விருத்திசெய்திருக்கும் மரவகைகளுக்கு தீர்வை தாக்கல் செய்து வருகிறார். அப்படிக்கு செய்வது மிட்டாவுக்கு யேற்பட்டிருக்கும் சன்னதுக்கு வி ரோதம்.

13-வது—நீரபாசன விஷயமாய் யேற்பட்டிருக்கும் ஜலாசான்கள் அனேக சிகல் தோடு கூடியிருப்பதும் தவிர கவரன்மெண்டைச் சார்ந்த தீர்வை யேற்படாத ஏரி உள்வாய் நிலங்களை அநேக விதமாய் மிட்டாவில் பராதினம் செய்து தீர்வை முதலியவைகள் வசூலித் து வரப்படுகிறது. அன்றியும் மேற்படி மிட்ட வைச்சார்ந்த மூக்கனேரிக்கு ஜலம் வரும் கெ ருடபக்ஷி அணையின் வாய்க்காலுக்காக கனன குரிச்சி மிட்டா பாலப்பட்டி ஆய்கட்டில் வாய் க்கால் கொண்டபாகம் தீர்வையை மேற்படி ஆயக்கட்டில் வஜா செய்யப்பட்டிருந்து சுமார் சில வருஷங்களாக மேற்படி மிட்டாதாரணியின் அனுமதியின்பேரில் மேற்படி வாய்க்காலில் மதகு யேற்படுத்தி கன்னங்குரிச்சிமிட்டா இலாகா குடிகள் நீர்பாய்ச்சி ஏரி ஜலவருத்துக்கு குறை வு உண்டாக்கியும் ஏரி உள்வாய் புரம்போக்கில் ஏர் முதலிய சாகுபடி கருவிகளுக்கு உபயோ கித்துவந்த மரங்களையும் மிட்டாவில் வீற்பனை முதலிய பராதீனமசெய்யப்பட்டிருக்கிறது.

14-வது—ஷே சேலம் மிட்டா கிராமங்களுக்கு யேற்பட்டிருக்கும் ஆயகட்டில்கண்ட கவரன்மெண்டை சார்ந்த மந்தவளி முதலிய புரம்போக்கு வகைரா நிலங்களின் ஈபாவின் பொருட்டு சாகுபடிக்கு விட்டிருப்பது கால் நடை முதலியவைகளின் சவரக்ஷணைக்கு குடிக ளுக்கு பெருத்த கஷ்டமாயிருக்கிறது. அவ்வகை நிலங்களை புராதீன யேற்பாட்டின்படி குடி கள் உபயோகத்துக்கு யேற்படுத்திக் கொடுக்கவேனும்.

15-வது—அபிப்பிராயபேதமுள்ள கோர்ட்டு தீர்மானத்தின்படி இந்தமிட்டாவில் மர தீர்வைபோட சேலம் மிட்டாதாரணிக்கு இடம் தருவீர்களானல் சுமார் ரூ 1,500-0-0 மொத்த முள்ள பெருத்த லாபத்தை மிட்டாதாரணி வருஷம்பிரதி அடையக் கூடியதாயிருக்கும். கவர ன்மெண்டார் ஒரு காசளவில் அடையப்போகிறதில்லை. சாதாரணமாய் இக்காலத்தில் மழைகுறை வினல் யேழைக்குடிகளாகிய நாங்கள் நியாயமான தீர்வை கொடுக்க சக்தியற்றவர்களாய் கடன் பட்டவருகிறோம். இந்த மிட்டாவில் மரதீர்வை தாக்கல்செய்த பட்டாக்கள் 100, 200 மாகபிரதி தினம் டெண்டர்செய்துவரப்படுகிறது. இதேமாதிரியாக இந்தஜில்லாவின் இதரமிட்டாதார்களும் கொஞ்சம் கொஞ்சமாய் மரதீர்வைபோட ஆரம்பித்துவிட்டார்கள். இதனல் குடிகளுக்குபெரு த்த நஷடம் உண்டாகபோகிறது. அப்பேர்ப்பட்ட கஷ்டத்தை நாங்களும் இதர குடிகளும் அ டைவதற்கு முந்தி கவரன்மெண்டார் தயவுசெய்து ரெவினியு வேலைகளை அறிந்த கலெக்ட்டர் ஒருவரை கமிஷனராக யேற்படுத்தி இந்த சேலம் மிட்டாதாரணி சன்னதிக்கு விரோதமாய்

15000—0—0

எவ்வளவு தூரம் நடத்தியிருக்கிறார்களென்பதை அவர்களிட ரிகார்ட்டினலும், குடிகளிட வாக்குமூலங்களினலும் கண்டறிந்து நீதி செலுத்த கோருகிறோம்.

இவ்விதமாய் கோரப்படும் கமிஷனரை இன்னரென்றுசொல்ல தயவு கூர்ந்து இடம் கொடுப்பீர்களானல் இப்போது ரெவினியு போர்டு மெம்பர்களான ஆன்ரேபில் மேஸ்தர் குரோல் துரையவர்களாவது, மேஸ்தர் லீபான் துரையவர்களாவது இருந் தால் எங்களுக்கு நியாயம் கிடைக்குமென்று நம்புகிறோம்.

மரதீர்வை விஷயமாய் இப்போது குடிகளுக்கு உண்டாயிருக்கும் கஷ்டத்தினல் யேற் பட்டிருக்கும் மனக்குறையானது துரைத்தனத்தார் அல்பமாய் எண்ணக்கூடாதென்று மன்றாடி கேட்டுக்கொள்ளுகிறோம்.

ஆகையால் ஏழை குடிகளாகிய எங்கள் முறைக்கிரங்கி எங்கள் கஷ்டத்தையும், நஷ்டத் தையும் நிவர்த்தி செய்து பரிபாலிக்கவேனுமாய் அனேக வந்தனத்தோடு தாழ்மையுடன் கேட் டுக்கொள்ளுகிறோம்.

1896-ஞ்ஞ ஆகஷ்டு-மீ 14-உ.

SOWRASTRA PRESS, SALEM.

11

1947
C&D 96

1072

Encl 1072 D 26-9-96

Forwarded to the Tahsildar of Salem for report at once on the point referred to in the Collector's endorsement

Dy Collector
25-9-96

Encl No 1676 D 20-8-96.

W. of D. W.s. requested (— report if such of the Malcomsa as have land pay. If not, shall they hold the ryots pay.

C.H.M.

8/10
GS

To the Head Quarters Dy Collector Salem

TAHSILDAR'S OFFICE Received No. 1390 SALEM

Report in duplicate

Rd. on 30 1947 C&D 96

Forwarded Dy Collector Salem Copy for report without delay addressed to the Dy Collector

Thomas Dy Tahsildar 6-9-96

RECEIVED 5.9.96 R.V. RANGASWAMY

Tahsildar's letter dated 11-9-96

1898 REVENUE DEPARTMENT. Endorsem No 1 I.C. Current No. 3990

CURRENT NO. 2892

Revenue Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

- * * -

Read again G.O. No.3641 Mis. dated 7th September '98, referring to the Board of Revenue for report petition from -- the ryots of Salem Mittah, complaining against the imposition of additional taxes &c. by the Mittadarni of Salem.

Enclosure petition will be sent later.

Read also Proceedings of the Board of Revenue, Land Revenue, No.1452 Mis. dated 4th May 1899, submitting to Government a report on the memorial presented by the tenants of the Salem mitta.

Print in full hereafter

= $ =

ORDER thereon No.2608 Mis. dated 15th July 1899.

The investigation of the petitioners' complaints has not disclosed that any action on the part of Government is -- called for. The petitioners should have sought redress of --- their individual grievances from time to time before the proper authorities.

2. The memorial with the Board's report thereon will be transferred to the Legislative Department for information with reference to the Tenancy or Land Bill now under consideration.

3. The Government concurs in the opinion expressed in the concluding sentence of the Board's Resolution which should be communicated to Mr.Mounsey.

(True extract)

H Tremenheere

Ag.Secretary to Government.

To the Board of Revenue, Land Revenue.
,, Legislative Dept. with Memorial and Board's report.
,, Public Department.
Endt. to petitioners.(para 1 and 2 only)

Leg CURRENT No. 392

From M R Ry
Dewan Bahadur V. Raghava Chariar B.A.
Tamil Translator
to Government,

To
The Secretary to Government
Legislative
Department

No. 217.

Dated 6th October 1899.

Received 7 OCT. 1899

Subject.

Submitting a translation of the Petition from the tenants of the Salem Mittah dated the 4th August 1899

No. 217.

Tamil Translator's Office,
Old High Court Buildings,
Madras, 6th October 1899.

From M R Ry
Dewan Bahadur V. Raghava Charlu Avl B

Tamil Translator to Government,

To

The Secretary to Government,
Legislative Department
Fort St. George

Sir,

With reference to your Memorandum No. 369, Legislative, dated 31st July 1899, I have the honor to submit herewith a translation of the Petition from the tenants of the Salem Mittah dated 14th August 1896.

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

V. Raghava Charlu
Tamil Translator to
Government

copy sent to Press.

ed for signature.

atched in print.

Order complete. 25
Number of copies required. Letter only.
Order complete with Letter.

AGAIN G.O., No. DATED
19 ,,

NT No. 201 — A - as marked

EMS TO C. No.

OF GOVERNMENT

SH OF GOVERNMENT.

TEMENT WITH DITTO.

NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.

N.B.—

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

4-6-38 II

Government {1899} of Madras.

LEGISLATIVE.

Rcd. } 1899. Enclosures
Regd. } Spare copies

G.O., No. 107, 13th October 1899.

OCTOBER.

Madras Tenancy Bill.

Communicating to the Select Committee on the — memorial from the tenants of the Salem mitta complaining of several irregularities on the part of the Mittadarni.

GOVERNMENT OF MADRAS.

LEGISLATIVE DEPARTMENT.

Read—the following papers :—

G.O., Mis. No. 2608, Revenue, dated 15th July 1899.

Abstract.—Transferring, with remarks, to the Legislative Department a memorial from the tenants of the Salem mitta complaining of several irregularities on the part of the Mittadarni.

Enclosure.

Proceedings of the Board of Revenue (Land Revenue), Mis. No. 1452, dated 4th May 1899.

Read—the following papers :—

Endorsement of the Acting Under Secretary to Government, Revenue Department, Mis. No. 3641, dated 7th September 1898, on letter from W. J. H. LeFanu, Esq , Collector of Salem, to the Secretary to the Commissioners of Land Revenue, dated 29th May 1898, No. 2300.

Reference thereon, No. 1082, dated 26th September 1898.

From the Acting Collector and District Magistrate of Salem, dated 25th March 1899, No. 734.

Resolution—Mis. No. 1452, dated 4th May 1899.

In its endorsement, Mis. No. 3641, dated the 7th September 1898, Government called for "a full and clear report on the allegations" contained in the memorial presented by the tenants of the Salem mitta complaining of several irregularities on the part of Mrs. J. Foulkes, the proprietrix of the estate. The Collector of Salem, to whom the memorial was referred in Board's Reference No. 1082, dated the 26th September 1898, having reported in his letter last read above, the results of the enquiry instituted by the Head-quarters Deputy Collector, the Board now proceeds to deal *seriatim* with the several points raised in the memorial.

2. Paragraphs 1—8 of the memorial contain an account of the early history of the Salem district and of the Salem mitta and call for no remarks.

3. In paragraph 9, the memorialists allege that formerly while the proprietrix, Mrs. J. Foulkes, was absent from Salem and was living with her husband (the Rev. Thomas Foulkes) in other districts, the agents appointed to manage the affairs of the mitta revised the assessments, re-surveyed the lands, created improper accounts showing increased revenue and abused the provisions of Madras Act VIII of 1865, while the mittadarni paid no heed to the representations then made to her. The Deputy Collector states that these allegations are very vague and that the memorialists have expressed their inability to mention specific cases of irregularities committed during the period referred to, unless they are furnished with copies of the paimash and pattukat accounts of the mitta. On the other hand, the Rev. T. Foulkes who holds a power of attorney on behaf of Mrs. J. Foulkes has deposed before the Deputy Collector that the agents employed by the proprietrix were respectable men and that no complaints about them were made to him or to Mrs. Foulkes at the time. It appears that the Collector has sanctioned the grant to the memorialists of copies of the

accounts above referred to, but the Board considers that it would serve no useful purpose to institute further enquiries into these allegations which refer to a comparatively remote period.

4. In paragraph 10 of the memorial, the memorialists allege that several irregularities were committed by the mittadarni *after* she had settled in the mitta with the Rev. T. Foulkes and assumed the management herself.

(1) It is stated that patta lands were surveyed and that the excess areas found therein were assigned to the pattadars on an additional rent or disposed of by sale. The Rev. T. Foulkes admits the practice of ordering the survey of individual holdings by the karnams or other subordinate officers of the mitta, whenever it was reported that they contained excess areas, but he says that the excesses found in the course of the survey were always added to the respective patta lands with a separate rent thereon and that they were never sold. He also denies that a general survey of the mitta was ever conducted. The Collector deprecates the imposition by the mittadarni of an additional rent with reference solely to the results of the survey of isolated holdings made by the karnams and other officers of the mitta, seeing that these persons have had no training in survey and that in many cases it is not improbable that they started the proceedings out of personal spite. The Board does not see what can be done by Government to rectify these irregularities. Apparently, as the result of the ignorance of the tenants, the measurements of the karnams were not contested in revenue or civil courts in cases where they were incorrect.

(2) It is next alleged that the mittadarni has granted for purposes of cultivation communal porambokes, either by sale or on patta, to the great inconvenience of the community for whose benefit they were intended. The Deputy Collector considers that this allegation is not wholly without foundation and adds that the karnams of Ammapet have specified some cases of assignment in which it is said that the lands assigned formed part of village-site, cattle-stand, burning-ground, &c. The Deputy Collector however points out that the accounts of the mitta as at present maintained and the fact of the lands not having been surveyed preclude the possibility of any clear evidence being adduced in support of this allegation. The Rev. T. Foulkes contends that the lands referred to as having been assigned for cultivation adjoined, but never formed part of communal porambokes and that they were granted only on the recommendation of the karnams. The Board observes that Government has already in its order No. 909, Revenue, dated the 4th November 1897, recognised the necessity for resorting to legislation in order to protect communal lands in proprietary estates from encroachments.

(3) A third allegation made in paragraph 10 of the memorial is that the mittadarni has been levying taxes on earth, sand, stone, &c., removed from tanks, river-beds and stony porambokes in the mitta. It appears that seigniorage at so much per cart-load was levied some years ago on sand and stones removed and that the practice was afterwards discontinued. A fee, however, still continues to be levied on earth taken from porambokes and Mr. Foulkes himself produced an agreement under which certain potters have been allowed by the mittadarni to take clay from the beds of certain tanks in the mitta on condition of their giving her annually 15,000 tiles or Rs. 22-8-0. The Collector considers that in a large town like Salem where potters derive a large profit from the sale of pots, there is no reason why the mittadarni should not levy a fee from them, the removal of earth not being for the *bonâ fide* domestic use of agriculturists. The Board concurs in this view.

5. In paragraph 11 of the memorial it is alleged that the Jarugumalai hills in the mitta belong to Government and are illegally enjoyed by the mittadarni, that the latter grows tamarind and mango trees at the foot of the hills and does not allow the memorialists' cattle to graze there as in former days. The Collector states that the question of the ownership of the hills is being separately investigated and that he will make a special report on this subject when submitting his reply to G.O., Mis. No. 793, dated the 16th February 1898, in which Government ordered the preparation of a set of rules under the Madras Forest Act for the reservation of the hills in question as desired by the mittadarni. With regard to the alleged curtailment of the grazing privileges, it appears that the question was once adjudicated upon by the District Munsif and that on appeal the District Court eventually passed a decree, in the terms

of a deed of compromise under which the tenants were allowed to graze their cattle free of charge on the hills with the exception of those portions thereof "which the zamindarni has already given and will in future give for cultivation." The Rev. Foulkes has deposed before the Deputy Collector that the tenants have always been allowed to graze their cattle on such portions of the hills as have not been cultivated or where young plants do not grow. The Deputy Collector and the Collector therefore point out that the memorialists have no cause for complaint, the mittadarni being strictly within her rights in closing the cultivated portions of the hills against the tenants' cattle.

6. In paragraph 12 of the memorial, it is alleged that after the assumption by the Rev. T. Foulkes of the management of the estate, under a power of attorney executed by Mrs. J. Foulkes, some seven or eight years ago, the Reverend gentleman dismissed the registered karnams and appointed in their stead gumastas on half-pay and that he has been levying a separate tree-tax of double the land assessment on trees grown by the tenants at their own cost on patta lands. As regards the alleged removal of karnams and appointment of gumastas the Deputy Collector has found on enquiry that the statement is true only in a single case. The karnam of Komarasamipatti having been convicted in a criminal case, Rev. Foulkes admits that he appointed for the place on half-pay a gumasta who however appears subsequently to have resigned the post. Under Regulation XXIX of 1802 which was in force prior to the introduction of Madras Act II of 1894, the proprietor had, no doubt, no power to remove a karnam of his own accord; nor could he appoint a stranger except in the case of incapacity of the heirs of the preceding karnam, but the remedy for such irregularities lay only by a suit in the civil courts. Now that Madras Act II of 1894 has been introduced in permanently-settled estates, there is no possibility of such irregularities recurring and the Board also notes that when the Proprietary Estates Village Service fund is constituted in the district under section 28 of the Act, the salaries to the mitta karnams will be disbursed therefrom instead of being paid by the mittadarni. As regards the imposition of the tree-tax of which the memorialists complain, the Deputy Collector states that it is levied in accordance with the custom of the mitta and that this custom has been upheld by the High Court. It appears that scattered trees are charged at a certain rate per head, but in cases where the trees are in clumps or constitute topes, double the land tax is levied, the payment covering both the land and the trees. As the result of an error or defect in the High Court's judgment on the subject, the mittadarni levied for a time double the land tax for *the trees alone* or in other words, charged three times the land assessment for the trees and the land together. The mistake however, it is reported, was subsequently rectified by the High Court on revision.

7. In the course of the enquiry into the question of the levy of tree-tax, the Deputy Collector has found that the Rev. Foulkes has not been paying land-cess on the amount of the tree-tax. The Collector states that he will dispose of this question separately.

8. In paragraph 13 of the memorial, it is alleged (1) that the irrigation sources in the mitta are out of repair, (2) that tank-beds are let out for cultivation, (3) that with the connivance of the mittadarni, the tenants of the Kannankurichi mitta have been taking water from the channel feeding the Mukkaneri tank and have thus been diminishing the supply of the latter and (4) that trees on tank-bed porambokes which were formerly utilized by the tenants for making ploughs and other implements of husbandry are now sold by the mittadarni.

9. The Deputy Collector who inspected some of the irrigation sources of the mitta has found that they were out of reapair but in the present state of the law the proper remedy for the tenants seems to lie in the *civil* courts. The Board notes that Chapter IX of the Madras Land Bill contains important provisions empowering Collectors to take cognizance of cases in which landlords neglect to repair irrigation works. With regard to the second allegation in paragraph 13 of the memorial Rev. Foulkes himself admits the practice of letting out tank-beds for pumpkin and cucumber cultivation which is occasionally done by Government. He however denies *in toto* the third allegation, namely, that the water-supply is surreptitiously diverted with the mittadarni's connivance by the tenants of Kannankurichi, while as regards the fourth

allegation, he questions the right of the tenants to cut the trees on tank-beds for the manufacture of agricultural implements and states that withered and blown down trees are sold on behalf of the mittadarni but that no living trees are cut and sold.

10. The Deputy Collector states in conclusion that the affairs of the mitta have not been managed as satisfactorily as they should have been and expresses hope that it will be managed better in future by Mr. R. Fisher into whose hands it has recently passed.

11. In paragraph 2 of its endorsement under reply, Government has called for an explanation of the delay of two years which occurred in the disposal of the present memorial in the Collector's office. Mr. Clegg, the present Acting Collector, states that the memorial was received in his office on the 20th August 1896 and was forwarded the next day to the Head-quarters Deputy Collector for report as to whether the signatories were aware of the contents of the petition. After making a reference to the Tahsildar, the Deputy Collector eventually answered the Collector's query in the affirmative in his endorsement, dated the 30th June 1897, but at the same time suggested the deputation of a special survey officer in order to see if communal porambokes really had been assigned by the proprietrix for cultivation purposes as alleged in the memorial. Mr. Mounsey, however, thought that no such deputation was necessary and recorded the papers on the 7th July 1897. The result was that the memorial was detained in the Collector's office till May 1898; when the memorialists having presented a further petition praying for the transmission of their former memorial to Government, it was accordingly forwarded with Mr. LeFanu's letter, dated the 29th May 1898, No. 2300. Mr. Mounsey appears to have thought it unnecessary to send on the present memorial to Government as the question of protecting communal porambokes from encroachment was already before Government in the Legislative Department and the complaint about the levy of tree-tax had been reported on to Government by Mr. G. Stokes in his endorsement No. 4797, dated the 27th October 1895, on a similar memorial from the tenants of the mitta. * * *

(True Extract.)

(Signed) LIONEL DAVIDSON,
Acting Secretary.

To the Secretary to Government, Revenue Department,
with memorial and letter addressed to Government returned.

Translation of the memorial from the tenants of Salem Mitta.

We, the undersigned ryots of the Salem mitta in the Salem taluk of the Salem district, respectfully beg to submit as follows:—

1. When the Salem district was under the rule of Hyder Ali and Tippu Sultan, the Nabobs of Seringapatam in Mysore, before the year 1791, there was no proper settlement of the land revenue, and a tax at the rate of two to four fanams per plough was levied in some parts, while in some others it was fixed at one-fourth of the produce of the lands. As proper agents were not appointed for the collection of these taxes, the ryots had to suffer under various difficulties caused by the many impediments thrown in the way of their progress.

2. In the year 1791, the tract of country extending from Hosur in the north to Anjalam and Pulenjari on the borders of Trichinopoly in the south, and from the river Cauvery in the west to the outer borders of Salem in the east, was given over by Tippu to the British Government and it was then named the Sankagiri Subah.

3. In the year 1792, Messrs. Munro, MacLeod, Reade, and Cream were appointed for the administration of the Sankagiri Subah. They collected the arrears of tax due from the ryots according to the old arrangement, and the unspent portion of the grain thus collected is still to be found in the Sankagiri fort in a state quite unfit for use.

4. In 1793, the aforesaid gentlemen gave the name of Salem district to the Sankagiri Subah, and in 1794, divided it into fourteen taluks, constituting the two divisions of Baramal and Point Ghât, corresponding to the present Hosur division of the Sub-Collector and the Collector's division. In 1795, the Baramal division was assigned to Messrs. Reade and Cream, and the Point Ghât division to Messrs. Munro and MacLeod. After surveying the lands and classifying them as wet, dry and garden, they fixed the assessment according to the fertility of the soil, and also the proper tree-tax on tamarind trees, etc., standing on the unassessed waste lands, used by the ryots for the pasturage of their cattle. They also fixed a tope assessment at double the estimated land-tax on trees grown or betel-gardens raised on portions of the unassessed samudayam lands set apart for communal purposes, the unassessed lands used as cattle-stands and the Government poramboke lands by the side of rivers, and in the year 1797, granted to the ryots pattas, tenable for five years.

5. In 1800, all the lands in the district were inspected, and in 1801, the total extent of lands in all the villages and hamlets in each taluk was determined, and all the accounts were signed and sealed. As soon as the term of five years was over, the Istimrar regulations, securing the rights of the tenants from the Zamindars and fixing a low and permanent assessment in favour of the ancient Poligars and Zamindars and their descendants, were passed with a view to ensure peace and prosperity to the ryots of the district. In 1802, mittas were established at places where there were no polliems, for the convenience and comfort of the ryots, and persons competent to protect the poor ryots were appointed as mittadars, the charges of their village establishments being borne by Government. The land-tax was imposed only on (1) cultivated lands, (2) Podukal lands (assessed lands, cultivated by the ryots, but subsequently relinquished by them owing to their inability to cultivate them, and left waste) and (3) cultivable waste lands in each village, and the revenue was realised from the mittadars after allowing them a discount of 15 per cent. A large extent of Podukal waste lands was granted free of tax to the mittadars for the sole benefit of the ryots, and a sannad containing fifteen paras was granted to the mittadars in 1803 with a view to make both the ryots and the mittadars prosperous. These facts will be clear from column 1 of the sannad.

6. For sixteen years the mittadars, who were first appointed, treated the ryots in strict accordance with the terms of the sannad. After this, Mr. Munro, to whom the ryots represented their grievances against the unbearable treatment accorded to them by the descendants of the original mittadars, proceeded to England for the purpose and communicated them to the Honourable Members of Parliament, who deputed him as the Governor of the Madras Presidency. Knowing the cruel acts of the mittadars, Mr. Munro directed Mr. Cockburn, the Collector of Salem, in the year 1819, to sell many of the mittas by public auction with reference to a paragraph in the Cabuliat muchilka, given by the mittadars to Government, and to purchase all the lands on behalf of Government without giving them to others. Subsequently these lands were given to the ryots on cowle pattas, and advances of loans were made to them during the last thirty years. Now the ryots are being protected by reducing the excessive taxes on dry and wet lands, by granting remissions for failure of the crops during unfavourable seasons, and by granting loans at a low rate of interest for the improvement of the lands under cultivation.

7. The Salem mitta was originally assigned to Chengulvaraya Chettiar, and on his death its management passed into the hands of his wife, Nainammal, as he had no male issue. When the mitta was attached for arrears of revenue, amounting to Rs. 12,000, due to Government, an agreement and sale-deed were entered into in April 1836 between Mr. Fisher and Nainammal, according to which the latter was to pay the former the above-mentioned arrears of revenue and the former was to see to the maintenance of her family and the management of her affairs permanently without failure. The mitta was then registered in the name of Mr. Fisher.

8. In the year 1836, when Mr. Fisher was registered as the mittadar of Salem, the lands in the occupation of the ryots were surveyed and cowles, etc., were granted to them, and topes and betel gardens on such portions of Government poramboke lands by the side of rivers and cattle-stand poramboke lands were assessed at double the estimated tax on land according to the old arrangement, and a favourable tree-tax

was imposed on scattered trees. The ryots were given pattas accordingly and protected to some extent. These facts will be clear from the records during the time that Mr. Fisher was managing the mitta.

9. When the mitta was transferred to and registered in the name of his daughter, Mrs. J. Foulkes, the present mittadarni of Salem, in accordance with Mr. Fisher's will, competent persons were not appointed to look after the affairs of the mitta, and as she was living with the Rev. Thomas Foulkes (Chaplain), while he was employed in several districts, the agents appointed by the mittadarni subjected the ryots to many hardships by altering the settled rates of taxes in several ways, by preparing irregular accounts, by furnishing the mittadarni with accounts showing increase of revenue and by misusing the provisions of Act VIII of 1865. We represented these matters to Mrs. Foulkes at the time both in person and by petitions, but she did not attend to them at all.

10. When the Rev. Thomas Foulkes retired on pension, the mittadarni returned to Salem with her family and began to manage the affairs of the mitta personally. The permanent assessment fixed by Government on the lands in the occupation of the ryots has been altered by her without paying any regard to what had been done previously and to the paimash accounts; unassessed lands belonging to Government, such as, village-sites, cattle-stands, immemorial waste, river-banks and tank-beds, have been, without any reference to Government, assessed and assigned on pattas to ryots after sale; the lands of the ryots on which the assessment had been settled have been re-surveyed, the ryots have been prevented from entering on them on the ground that an excess in extent had been discovered, and the lands have been sold to them and granted on pattas bearing assessment, the pattas of such of the lands as were found to be in excess and not purchased by the ryots have been issued in her own name; the poor potters, who from time immemorial were taking clay from tank-beds, having been prohibited from doing so and deprived of their calling by the mittadarni herself having commenced to carry on the trade in earthenware vessels, have entered into a registered agreement with the mittadarni to pay her Rs. 22-8-0 per annum for being allowed to take clay from the unassessed tank-beds, and a tax has been imposed on all carts taking sand from the Government river-beds, and on all poor persons who live by quarrying stones in rocky poramboke lands of Government. She has subjected the ryots to many other difficulties and losses and obtained decrees against them after filing suits of various kinds. The records thus prepared by the mittadarni have been filed in summary appeal case No. 17 of 1891 in the District Court of Salem, and if these are scrutinised by competent revenue authorities, a large amount of profit due to Government and Local Funds, which now lies concealed, will be brought to light.

11. It will be seen from the Olungu register and the Tullacheethu (title-deed) of the mitta that the Jarugu hill, which belongs to Government and lies to the south of the mitta, does not form part of the mitta. The large profit derived from the forest and other produce of this hill is being appropriated by the local boards and others without being paid to Government. Further, the Jarugu hill and the uneven valleys at its foot, which had been for a long time used for the pasturage of cattle, have been declared to be forest reserves, and tamarind and mango trees are being planted thereon. Some years ago, the mittadarni prohibited the grazing of cattle on porambokes intended for their pasturage, but though a suit was instituted against her and the prohibition was set aside, she has paid no heed to it.

12. Seven or eight years ago, the mittadarni executed a power of attorney in favour of her husband, the Rev. Thomas Foulkes, for managing the affairs of the Salem mitta. Ever since he assumed the management of the mitta, he has been causing great hardship to the ryots in various ways. He has removed the registered karnams of the villages and appointed accountants in their stead without any reference to Government, paying them only half the fixed pay of the karnams and thus effecting a saving of the other half to the mitta. He has caused the occupied lands of the ryots to be remeasured and has increased the taxes, alleging that there has been an excess in their extent. He has actually trebled the land-tax and entered the amount in the pattas for the assessed lands in the occupation of the ryots on which trees and topes have been grown by them at their own expense and labour, saying that he has merely doubled the estimated land-tax as in the case of trees, topes and betel-gardens

on poramboke lands, which were originally unassessed. He has also filed summary suits in some cases, and attached the occupied lands in some others, and he has personally appeared in the courts and given evidence in the summary suits, etc., instituted by him from time to time. It is fair to impose tree-tax on trees growing upon unassessed lands, which the ryots wish to have. But he is levying the tax on trees, etc., planted by the ryots on their assessed lands. This is quite against the sannad granted for the mitta.

13. The sources of irrigation are in a state of disrepair, the unassessed tank-bed lands in the mitta belonging to Government have been assigned to others in various ways, and taxes, etc., are being collected thereon. Moreover, the supply of water to the Mukkaneri tank in the Salem mitta, which is fed by a channel from the Garudapatchi anikat, has been considerably diminished by the mittadarni allowing the ryots of the Kannankurichi mitta to irrigate their lands by constructing a sluice in that channel, though the assessment payable on the portion of the land of the Palappatti village in the Kannankurichi mitta, through which the channel passes, had been remitted. The trees on the tank-bed poramboke in the Salem mitta, which were used for making ploughs and other implements of husbandry, have been sold and alienated.

14. As the cattle-stand and other poramboke lands belonging to Government, included in the ayakat of the villages in the Salem mitta, have been assigned for cultivation with a view to realise a revenue thereon, the ryots have been put to great difficulty in protecting their cattle. These lands should, according to the old arrangement, be ordered to be given over for the use of the ryots.

15. If the mittadarni of Salem is allowed to levy tree-tax in the mitta according to the decisions of the Court, regarding which opinions differ, she will get a large profit of Rs. 15,000 per annum and the Government cannot get even a pie thereby. We, the poor ryots, are generally running into debt, being unable to pay the reasonable taxes owing to failure of rains in these days. In this mitta, pattas for payment of tree-tax are being tendered in hundreds every day. The other mittadars in the district have also in the same manner begun to impose tree-tax by degrees, and this will result in a great loss to the ryots. Before we and the other ryots incur such loss, we pray that the Government will be pleased to appoint a Collector well-acquainted with revenue work as a Commissioner to find out from the records of the mittadarni and the depositions of the ryots, how far she has violated the conditions of the sannad and to render justice to us.

If you are pleased to permit us to name the Commissioner we wish for, we beg to state that if the Hon'ble Mr. Crole or Mr. LeFanu, the present members of the Board of Revenue, be appointed as Commissioner, we trust that justice will be obtained by us.

We earnestly request that the Government will not think lightly of the sorrow of the ryots consequent on the hardship caused to them by the imposition of the tree-tax.

We therefore respectfully beg to request that our sufferings and losses may be removed and that we may be protected.

Order—No. 107, Legislative, dated 13th October 1899.

The memorial will be translated into English and the translation with the Board's report communicated to the Select Committee on the Madras Tenancy Bill.

(True Extract.)

Ag. Secretary to Government.

To the Select Committee on the Madras Tenancy Bill.

Exd. P. Seetharam.