M.R.O. 1—33,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1383. Press ~~Mis.~~

34-35.

Dated 2-9-1870. 19- .

Not to be folded or roughly handled

Government of Madras.

REVENUE DEPARTMENT.

Read. — *Enclosures*

1870.

Regd. — *Spare copies*

G.O., No. 1383, 2nd September 1870.

SEPTEMBER.

Nos. 34-35.

Tax levied on goods by Pagoda Trustees in Trichinopoly.—Board of Revenue informed that if the Trustees levy such taxes compulsorily at places which are not the property of the Pagoda, they will render themselves liable to a criminal prosecution for extortion.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following paper:—

No. 34. Read the following Proceedings of the Board of Revenue, dated 27th July 1870, No. 5066:—

Read the following letter from the Acting Collector of Trichinopoly, to the Acting Secretary to the Board of Revenue, dated 30th April 1870, No. 87.

Adverting to the Proceedings of the Board, No. 691, dated the 31st January last, I have the honour to report that a practice somewhat similar to that which exists in the Kistna District prevails also in this district in the town of Streerungam.

2. The Trustees of the Streerungam Pagoda lease out annually a farm called "Palapatray," by virtue of which the lessee collects a monthly tax from all bazaarmen within the precincts of that town. A cess is also levied by him upon other petty salesmen retailing their wares for sale within the walls of the enclosure and upon all produce or goods brought into that town for sale. The lessee further claims, it would appear, a prescriptive right of collecting a small tax, on the occasion of festivals, from Bazaarmen in other villages as, viz., Worriore, Teruvallaroy, and Samiaveram, in which there are small and subsidiary Pagodas, belonging to the Streerungam Pagoda.

3. The Trustees argue that this system has been in existence from time immemorial, and was in force while the Pagoda was under the immediate management of Government; and as a proof thereof, they state that in Fusly 1250, or A.D. 1840, the farm in question was rented out for Rs. 442.

4. The people seem to have quietly submitted themselves to the imposition from long usage, and no complaints appear ever to have been made regarding it.

5. I may observe that the town of Streerungam is peculiarly situated, the greater part thereof being surrounded by, and within the outer prakaram or enclosure of the Pagoda itself. Under these circumstances, I beg to request the instructions of the Board as to whether the imposition of the rate or tax is at once to be declared illegal or not.

Submitted for the information of Government, with reference to Government Order, dated 21st December 1869, No. 3220.

2. The Board see great objections to the duties levied on produce brought to the town, but would not interfere with the collection of fees from the bazaarmen, supposing them to be paid without compulsion.

3. The Notification as to the character of these collections should be republished at intervals, and they should be carefully watched by the Magistracy and Police.

No. 35. Order thereon, 2nd September 1870, No. 1383.

Miscellaneous.

The Government are of opinion that the Trustees of the Streerungam Pagoda are quite at liberty to collect rents or fees for the privilege of selling articles on land belonging to the Pagoda. The question as to their right to do so is, however, one which must be left for determination by the Civil Courts. But if the Trustees levy such rents or fees compulsorily at places which are not the property of the Pagoda, they will render themselves liable to a criminal prosecution for extortion.

(True Extract.)

(Signed) H. E. STOKES,
Under Secretary to Government.

To the Board of Revenue.
" Inspector-General of Police.

REVENUE DEPARTMENT.

3

No. 2351

~~From~~ Proceedings of the Board of Revenue No. 5066

Dated 27 July 1870.

FOR ORDERS.

It seems right that the
Trustees are entitled
to Export rents or fees for
the privilege of selling articles
on land belonging to the
Municipality. If they have
~~Corporation~~ other privileges
they do not at present exercise. The
question of right must however be

Left for the decision of the judicial tribunals

L. D. S.

A. F.

No 1383

The Govt are of opinion that the Trustees of the Ureerungam Pagoda are quite at liberty to collect rents or fees for the privilege of selling articles on land belonging to the Pagoda. The question as to their right to do so is, however, one which must be left for determination by the Civil Courts. But if the Trustees levy such rents or fees compulsorily at places which are not the property of the Pagoda they will render themselves liable to a criminal prosecution for Extortion. —

Ltr 7th