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7

Revenue Department

Minutes of Consultations

14th July 1857

Back Numbers 1-7

Order no 687 dated 8th July 1857

பரத்தாப்பு பிரிவு - 1.

செப்பனிருபவர் பெயர்

செப்பனிருவதற்காக எடுத்துக்
கொள்ளப்பட்ட நாள்.

செப்பனிட்டு முடித்த நாள் 7/1/07

யாபாக்கும்
முதல் மு. நி. பா. எ.
கையொப்பம்

தொகையொப்பும்

ஆராய்ச்சி
உதவியாளர்
கையொப்பம்

Fort Saint George, Revenue Consultation of 14th July 1857.

No. 6. Read the following Extract from the Minutes of Consultation in the Judicial Department under date the 22d June 1857, No. 706.

Read again letter from the Acting Magistrate of Masulipatam, dated 21st April 1857.

Read also the following letter from T. J. KNOX, Esq., Acting Magistrate of Masulipatam; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George; dated 13th May 1847, No. 174.

SIR,

In obedience to Extract of Minutes of Consultation, Judicial Department, under date 4th May, I have the honor to report that the levy of fines on trespassing cattle, which the Civil Court had partially recognized, was under the following circumstances.

No. 511.

2. D. Gungarauze, who after 20 years' litigation, obtained from the Collector half the Agraharum of Ulloor, which the Collector had declared was the property of a Pagodah in a summary suit, moved the Civil Court for arrears of collections, &c., and on 30th September 1851, the Civil Judge ordered among other arrears the collections of fines on trespassing cattle to be made over to D. Gungarauze,* an Extract from his Proceedings is annexed, and with this order the Collector complied, without any remonstrance.

* Enclosure 1.

3. It is the custom for every Zemindar in this district to make this collection, and these fines were included by the Circuit Committee in their calculations of assets, for they are entered as an item of revenue to the Zemindar, and though it is difficult now to say positively, they were no more to be collected by the Zemindar, especially as the Peshkush on each estate seems to have been *fixed* on no defined rules, it is clear the Collectors of those days did not consider them leviable on Government account, and for 50 years this collection has been made by each Zemindar on his own behalf, and though it would be difficult to prove the legality of this levy by any written law, immemorial custom gives it equal sanction.

Vide memo. accompanied. Enclosure No. 2.

(Signed) T. J. KNOX,
Acting Magistrate.

Extract from an Extract from the Proceedings of the Civil Court of Masulipatam, dated 30th September 1853, No. 149.

* * *

Amount of fines credited to Vinnacotta and Goodewadah Estates above the Bilerneta Beriz, according to maumool, Rs. 43-0-7.

Para. 14. It is shewn from the statement of Appellant, that the system of recovering the fines, and carrying them to the credit of the Vinnacottah and Goodewadah Estates above the Bilerneta Beriz, fixed on this Agraharum, has been in force both before and after the attachment of this Agraharum; Respondent† argues that no sum whatever should be leviable under any denomination *beyond* the fixed Bilerneta Shrotreyem.

† D. Gungarauze.

* Collector.

Appellant* states, that it is usual to credit to the Vinnacottah and Goodewadah Estates the fines recovered on account of loss occasioned by stray cattle. The Civil Judge observes, that the practice is not known to be supported by any authentic document, and while Respondent as Agraharumdar pays a fixed Bilerneta Beriz to the Circar and thereby incurs this loss, he is the proper party who should obtain credit for any fines that may be recovered on the same account. Respondent is accordingly entitled to this item, unless satisfactory explanation is afforded to the contrary.

* * *

(True Extract.)

(Signed) T. J. KNOX,
Acting Collector.

Memo. drawn up from the Circuit Committee Accounts 1776 to 1783—District, Masulipatam.

Names of the Estates of the Zemindars.	Purganahs wherein collections under head "cattle fines and corn thefts" appear.	Purganahs wherein collections under head "Sevoy Dust" appear.	Purganahs wherein collections under head "Sevoy Dust or fines" appear.	Purganahs wherein collections under head "fines" appear.	Purganahs in which no mention is made any way.
1	2	3	4	5	6
1 Wooyoor Zemindary ...	1 Wooyoor Purganah..... 2 Chatroy do. ...		Gollapully	1 Vejayaroy	1 Moonastalum. 2 Madoor. 3 Sengagooden.
2 Sengagooden ...		.....	.....	.....	.....
3 Umberpettah Mootah ...	3 Numberpettah Mootah.	.....	.....	.....	.....
4 Tungallamoody do. ...	4 Tungalla Moody.	.....	.....	.....	4 Chavendra Mootah.
5 Chavendra do. ...	.....	.....	.....		5 Davercotah Purganah.
6 Davercottah Purganah ...	.....	.....	.....		6 Coochepoody.
7 Coochepoody ...	.....	.....	.....		7 Nursayagooden.
8 Nursayagooden ...	.....	.....	.....		8 Vulloor Samootoo.
9 Vulloor Samootoo ...	.....	1 Vasuntavadah ...	.....		.....
10 Vasuntavadah ...	.....	2 Narayanaporum ...	.....		.....
11 Narayanapoorum ...	.....	3 Doodapoody ...	.....		.....
12 Doodapoody ...	.....	4 Mulcacherlah. ...	.....		.....
13 Mulcacherlah ...	.....	.....	.....		9 Half part of Tirwoor Mootah.
14 Half part of Tirwoor Mootah ...	.....	.....	.....		10 Timmanagoodem.
15 Timmanagoodem ...	.....	.....	.....		11 Vuddlaputta Nootanum.
16 Vuddlaputta Nootanum ...	.....	.....	.....		12 Wootcoor Mootah.
17 Wootcoor Mootah ...	.....	.....	.....		13 Half part of Tirwoor Mootah.
18 Half part of Tirwoor Mootah ...	.....	.....	.....		14 Calagara.
19 Callagara village ...	.....	.....	.....		15 Pootrala.
20 Pootrala ...	.....	.....	.....		16 Condoor Cumbhum Naudoo.
21 Condoor Cumbhum Naudoo ...	.....	.....	.....		17 Cookelum Pandoo.
22 Cookelum Pandoo ...	.....	.....	.....		18 Moonoocolla.
23 Moonoocolla ...	.....	.....	.....		19 Pemgolanoo.
24 Pemgolanoo ...	.....	.....	.....		20 Enagadapah.
25 Enagadapah ...	.....	.....	.....		21 Half part of Gumpalagoodem.
26 Half part of Gumpalagoodem ...	.....	.....	.....		22 do.
27 do. ...	.....	.....	.....		
28 Comera Mootah ...	.....	.....	.....		23 Comera Mootah.
29 Lingagery Purganah ...	.....	.....	.....		24 Lingagery Purganah.
30 Moongala Purganah ...	.....	5 Moongalah Purganah	.....		.....
31 Penagoodoor Lunka ...	.....	.....	.....		25 Penagoodoor Lunka.
32 Chelegoodoor ...	.....	6 Chitegoodoor	.....		.....
33 Rayavarum ...	.....	7 Rayavarum	.....		.....
34 Goollapollem ...	.....	8 Gollapollem	.....		.....
35 Davarapully ...	.....	9 Davarapully	.....		.....
36 Croottvennoo ...	.....	10 Crottevannoo	.....		.....
37 Vissana Pettah ...	.....	.....	.....		Vissanapettah.
38 Mylavarum ...	.....	.....	.....		.....
39 Bully Purroo ...	5 Mylavarum.....	11 Bullepurroo	.....		.....
...	.....				

Masulipatam,
Collector's Cutcherry,
13th May 1857.

(Signed) T. J. KNOX,
Acting Collector.

1. The Acting Magistrate of Masulipatam requests the instructions of Government as to whether Zemindaries and Proprietary Estates in his district are excluded from the operation of Act III. of 1857. He observes that the proprietors levy fines on trespassing cattle for their own benefit, and that this source of revenue yields a considerable sum. He also notices an instance in which the practice was recognized as legal by a Decree of a Civil Court.

2. The Right Honorable the Governor in Council considers the practice above referred to objectionable in principle, and one likely to lead to abuses. He therefore directs that orders be at once issued, through the Revenue Department, to put a stop to it wherever these fines are not entered among the assets on which the Peshcush was fixed. In those instances where they have been included, the several Collectors will be required to report the compensation that should be allowed to proprietors, by deductions from their Peshcush, on their being deprived of this source of income. They will also state whether from local peculiarities it is advisable to exempt any estate from the operation of Act III. of 1857, under the provisions of Section XX.

(True Extract and Copies,)

(Signed) E. MALTBY,

Acting Chief Secretary.

No. 7. ORDER THEREON, No. 687 ; dated 8th July 1857.

Ordered to be communicated to the Board of Revenue.

(Signed) H. FORBES,

Acting Secretary to Government.

JUDICIAL DEPARTMENT.

No. 706.

Extract from the Minutes of Consultation under date the 22nd June 1857.

Read again letter from the Acting Magistrate of Masulipatam, dated 21st April 1857.

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2. D. Gungarauze, who after 20 years' litigation, obtained from the Collector half of the Agraharum of Ulloor, which the Collector had declared was the property of a Pagodah in a summary suit, moved the Civil Court for arrears of collections, &c., and on 30th September 1853 the Civil Judge ordered among other arrears the collections of fines on trespassing cattle to be made over to D. Gungarauze,* an Extract from his Proceedings is annexed.†
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Vide memo. accompanied, Enclosure, No. 2. fines were included by the Circuit Committee in their calculations of assets, for they are entered as an item of revenue to the Zemindars, though it is difficult now to say positively, they were no more to be collected by the Zemindar, especially as the Peshkush on each estate seems to have been *fixed* on no defined rules, it is clear the Collectors of those days did not consider them leviable on Government account, and for 50 years this collection has been made by each Zemindar on his own behalf, and though it would be difficult to prove the legality of this levy by any written law, immemorial custom gives it equal sanction.

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(True Extract and Copies.)

Acting Chief Secretary.

To the Revenue Department.
" Magistrate of Masulipatam.

Exd. F. Cartledge.