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# Revenue Department

Minutes of Consultations

30th March 1858

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Order no 419 of 30th March 1858

பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர் தி. சீனிவாசன்
செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள் 16-10-08

செப்பனிட்டு முடித்த நாள் 16-11-08

சரிபார்க்கும் முதல் மு. தி. பா. கையொப்பம்

ஆய்வர்க்கும் மே. தி. பா. ஏ. கையொப்பம்

துணை ஆய்வாளர் கையொப்பம்



## *Fort Saint George, Revenue Consultation of 30th March 1858.*

No. 76. Read the following Extract from the Proceedings of the Board of Revenue; dated 13th March 1858, No. 918.

*In Cons. 13th March 1858.*

Read letter from the Acting Collector of Ganjam dated 31st December 1857, reporting on Government Petition Nos. 556 and 1537 of 1857.

(Here enter No. 196.)

1. Ordered to be laid before Government with reference to endorsements dated 25th May and 5th August 1857.

2. The subject of which these Petitions treat was discussed on a former occasion and was disposed of by the late Commissioner of the Northern Circars, as follows :

3. Upon the complaint of the Sirdars and Peons of the Turla Estate that they were required to pay "Chowtaye," upon certain land which they and their ancestors before them had held for many years, paying Cuttoobady and rendering service to the Zemindar, and that their crops had been zufted for its realization, the Acting Agent reported the case for the orders of the Commissioner. The accounts connected with the village clearly shewed that the "Chowtaye," cess was of long standing, the principle upon which the calculation of its amount was based being in one case explained, and there being elsewhere allusions to the levy as a regular charge upon the villagers. It was also stated that the villagers never paid Cuttoobady (as now asserted by Petitioner) except during the period when the Estate was under the management of Government officers.

*To Com. 28th April in N. C. Dy. Con. 18th May 1854.*

*Marginal Statement para. 3, of same letter.*

*From Ganjam 31st Jany. in N. C. Con. 1st March 1855, para. 1.*

4. Under these circumstances the Commissioner was of opinion that the arrangements of the Zemindar in regard to this long established tax should not be disturbed.

*Pro. to Collr. 1st March 155.*

5. In the enquiry instituted with reference to this dispute it was further ascertained from the Records and the puttahs or title deeds which the occupants of the land hold, that the Zemindar possesses the right of dismissing "Paiks" on sufficient ground and of appointing others in their room and that this authority was exercised by his predecessors.

*To Com. 31st Jany: para. 4, in N. C. Con. 1st March 1856.*

6. From the letter placed at the head of these Proceedings it will be seen that Petitioner's conduct has been such as to render it necessary to bind him over to keep the peace. The Board do not consider his case entitled to any consideration.

7. Petitions Nos. 556 and 1537 of 1857, are herewith returned.

(A true Extract.)

(Signed) G. S. FORBES, *Secretary.*

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No. 77. ORDER THEREON, No. 419; dated 30th March 1858.

Ordered that the following Endorsement be made on Petitions Nos. 556 and 1537 of 1857

"The Government find that the right of the Zemindar to collect the chowtaye tax has "upon full enquiry been admitted by the Collector, and also by the late Commissioner Northern "Circars, and upon consideration of the correspondence connected with that enquiry they see "no reason to question the correctness of the decision, or to interfere on Petitioner's behalf."

(Signed) H. FORBES,
*Acting Secretary to Government.*

Revenue Department

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No.

Extract from the Proceedings of the Commissioner for the Northern Circars dated Vizagapatam 17th May 1854.

Read the following letter from the Acting Agent in Ganjam dated 28th April 1854.

(See enter No. 82)

From the accounts transmitted by the late Agent with reference to the claims of Zamindars & Proprietors to the villages mentioned in the foregoing letter are of the same description as those claimed by that individual. They have for a long period been classed as Sagir or Mokhassa but their quit rent or assessment in some instances their full Beriz has been credited to the revenue of the Estate in the accounts now for streaming of years before the permanent settlement. The permanent Summa however was not fixed on any precise data but simply on a general estimate of the probable value

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of the Zemindary and it is therefore impossible to say that any particular lands formed part of, or were excluded from, the assets. The Government have however ruled as regards the Vizianagrum Zemindary in the Vizagapatam district that whether lands be found in the permanent Settlement accounts under the head of Mokhassa or Jeroyaty long enjoyments of favorable tenures, constitutes a prescriptive right which cannot be lightly set aside. If these retainers therefore of the Surlah family have been in undisturbed enjoyment of the lands mentioned three Villages for a period anterior to the issue of the Permanent Cowle, the Zemindar is not at liberty to oust them arbitrarily on the plea that the lands are Jeroyaty.

2. The Zemindar however does not desire to proceed to that extremity so long as they obey his orders and pay their customary dues. The former requires them to attend to the ordinary revenue police and ceremonial duties exacted from peons. But the Paiks appear to think themselves only bound to render service in time of War.

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This is preposterous. They must be informed that it is their duty to obey the Zemindars orders at all time. With regard to their payments the Zemindar demands Chontae or half the Roy Khagum. the Paiks only give him a fixed cuttobady the amount of which is not stated. The Acting Agent however shows that they paid Chontae in 1845 and 1849 when the estate was under attachment. But Mr Anstey has directed that Cuttoobaddy only should be levied and the Ag Agent has omitted to explain the grounds on which this order was issued.

This information should now be furnished and he should also show as far as can be ascertained the years in which Chontae and those on which Cuttoobaddy have been paid.

3. Another point calling for settlement in the right of the Zemindar to dismiss individual Paiks and to appoint others in their room. Mr Knox should ascertain whether this right has been exercised in their past as maintained by the Zemindar.

(True Extract)
Signed J. D. Neville
Asst. Commissioner.

To W. Knox Esq.
Ag Collector of Ganjam.

True Copy
J. D. Inglis
Secretary

Compd
F. G. Boyle

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419

No. 915.

*Extract from the Proceedings of the Board of Revenue, dated 13th March 1858.*

In con 13th March 1858. Read letter from the Acting Collector of Ganjam dated 31st December 1857, reporting on Government Petition Nos. 556 and 1587 of 1857.

(Here enter No. 1963.)

1. Ordered to be laid before Government with reference to Endorsements dated 25th May and 5th August 1857.

2. The subject of which these Petitions treat was discussed on a former occasion and was disposed of By the late Commissioner of the Northern Circars, as follows:

3. Upon the complaint of the Sirdars and Peons of the Turlah Estate that they were required to pay "Chowtaye," upon certain land which they and their ancestors before them had held for many years, paying Cuttoobady and rendering service to the Zemindar, and that their crops had been sued for its realization, the Acting Agent reported the case for the orders of the Commissioner. The accounts connected with the village clearly shewed that the "Chowtaye," cess was of long standing, the principle upon which the calculation of its amount was based being in one case explained, and there being elsewhere allusions to the levy as a regular charge upon the villagers. It was also stated that the villagers never paid Cuttoobady (as now To C. of 28th April in N. C. Dy. con 15th May 1854. Marginal statement para. 2 of same letter. From Ganjam 31st July in N. C. con 1st March 1855. para. 7

Pro. to Collr. 1st March 1855. 4. Under these circumstances the Commissioner was of opinion that the arrangements of the Zemindar in regard to this long established tax should not be disturbed.

To Com. 31st July para. 5 in N. C. con 1st March 1855. In the enquiry instituted with reference to this dispute it was further ascertained from the Records and the puttahs or title deeds which the occupants of the land hold, that the Zemindar possesses the right of dismissing "Paiks" on sufficient ground and of appointing others in their room and that this authority was exercised by his predecessors.

6. From the letter placed at the head of these Proceedings it will be seen that Petitioner's conduct has been such as to render it necessary to bind him over to keep the peace. The Board do not consider his case entitled to any consideration.

7. Petitions Nos. 556 and 1587 of 1857, are herewith returned.

(A true Extract.)

*Secretary.*

To

H. FORBES, Esq.,
*Acting Secretary to Government,*
*Revenue Department.*

