M.R.O. 14—10,000—21-4-32.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 780 — Press / ~~Mis.~~

57-58.

Dated 15-5-1860.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, for the month of May 1860.

No. 57. Read the following Despatch from the Right Honorable Sir C. WOOD, Bart., Secretary of State for India, to His Excellency the Honorable the Governor in Council, Fort St. George, dated India Office, London, 29th March 1860, No. 22:—

I have considered in Council the Resolution of your Government, communicated to me in your letter of the 20th June (No. 21,) 1859, directing that, as a general rule, no remissions shall in future be allowed at the annual Settlements for lands comprised in the Raiyat pattás, which, from any cause, may be left uncultivated. The Raiyat is to be permitted, as heretofore, freely to relinquish so much of his holding as he may not desire to cultivate, but whatever he retains is to be fully paid for. It is alleged that remissions of all sorts are frequently the source of illicit gains to the Subordinate Revenue Officers, and that their abolition will tend to free the Raiyats from irregular exactions, and the example of Bellary is quoted, in which District the practice was a few years since more extensively admitted than in any other, and where it is now almost, if not altogether, discontinued.

2. This Resolution was adopted by your Government without any previous Consultation with the Board of Revenue, and although to some extent their sentiments may be gathered from their proceedings, as recorded on your Consultations of the 25th July and 6th August 1859 (which ought to have been specially brought to my notice), I think it right to point out to you that inconvenience is likely to arise from the issue of peremptory instructions on any branch of general policy, without giving the authority specially charged with its administration the opportunity of laying before you for your consideration and for the information of the Secretary of State, the sentiments which it may entertain on the points under discussion.

3. Under the Circular Orders prepared by the Board of Revenue and finally approved by you, all remissions, including those hitherto granted for fallows, will henceforth cease to be allowed; and the rule is to be inflexible, that all land comprised in the Raiyats' pattá shall be paid for. "The only exception will be, the case of irrigated lands, where, from indubitable "failure of water, it will be necessary to relax it. But no indulgence will be given where the "failure of water is found to proceed from any act or neglect of the Raiyats of the Village, "or any of them." Remissions for withered crops (Shávi) are to be granted, when absolutely required, not by a scrutiny into the out-turn of each Raiyats holding, as at present, but by a general per centage, either for the whole Táluq or for a set of Villages, or for a particular crop, as the case may be. The 30th April is fixed as the latest date for the relinquishment of land for the season, and it is ordered that, Raiyats giving up land shall not be allowed a preference over others to have it again.

4. The objects which you propose to yourselves, viz., "to free the Raiyat from "subservience to the inferior Native Revenue Servants, and to simplify the Revenue system," and also, to ensure that, "the yearly settlement of the Revenue shall be a real one," are doubtless highly desirable; and, if circumstances admit of their being attained, they may result in bringing about the end which you have in view, "the creation of a substantial and "independent body of landholders," with permanent holdings.

5. I however, see much reason to doubt, whether either the condition of the Assessment, or of the people by whom it is paid, is at present such as to render the rigid enforcement of the rules which you have laid down, however sound in principle, and salutary in practice under other circumstances, expedient, or even practicable.

6. You have directed the entire abolition of remissions for fallows, because you believe the custom to be unnecessary, and that a change of crop is sufficient to restore the exhausted fertility of the soil; and that, even if necessary, "it is but fair that the Raiyat who has the "profit of the crop, should pay for the consequent fallow." You object to the grant of remissions on lands, the irrigation of which is precarious, (such for instance, as land assessed as two-crop, but to which water sufficient for one crop only can occasionally be supplied) on the ground that such land "already bears a proportionably low Assessment." With respect to lands which, from their situation, are habitually liable to be flooded, you refuse any remission for the consequent destruction of the crops, on the assumption that the Assessment has been

fixed with reference to that liability, and that "a Raiyat cultivating such land does it with a "knowledge of the risk." On all these points no evidence whatever, in support of your assertions is adduced.

7. I regret that I cannot implicity adopt the conclusion at which your Government seem to have arrived, that the condition of the Assessment, and the general circumstances of the people, under your Presidency, will admit of the strict application of rules such as those noticed in the preceding paragraph, and that the time has arrived when principles, sound in themselves, may be properly and safely pushed to their logical consequences. As regards the Assessment, I have no hesitation in admitting that much has been done of late years to remedy previously existing evils, by reducing the rates in localities and on classes of land where experience had shown them to press heavily, and the result has been most satisfactory, in respect both to the comfort of the people, and to the Revenues of the State. These measures have, however, been only partial and palleative. The object of the costly operations of the Survey and Settlement Department, now in progress, is to bring about a more accurate adjustment between the demand of Government and the capabilities of the land subject to Assessment than is at present believed to exist. If that adjustment has been already effected, as your Orders now under discussion would appear to imply, the large expenditure which has been sanctioned for the purpose may be properly spared; but Her Majesty's Government apprehend that this is still far from being the case, and they consequently consider that, until it shall have been accomplished, it will be neither safe nor practicable to abolish altogether the practice of granting remissions. The rule that remissions for withered crops, shall be granted, not, as heretofore, by ascertaining the amount of loss suffered by each individual Raiyat, but a general per centage reduction of the demand, pre-supposes that the Assessment is already so equally distributed over the various descriptions of land, at any rate throughout considerable tracts, that each cultivator will, by the operation of the rule, receive his fair and proportionate share of the relief afforded. This, however, as has been already stated, Her Majesty's Government fear is at present far from being the case, and that the rule in question will consequently require reconsideration and modification.

8. Considering, also, that the majority of the cultivators are assessed at sums not exceeding Rupees 10, or one pound sterling, per annum, it is not to be expected that they should possess either sufficient foresight or means to enable them to meet the losses of a bad season out of the profits of more prosperous ones. Her Majesty's Government cannot, therefore, but fear that your Orders, if stringently carried out, will either result in a great decrease of cultivation by reason of the unwillingness of the Raiyats to enter into engagements for land which, after the withdrawal of all expectation of relief under adverse circumstances, they may feel afraid to take up; or else in a large increase in the amount of irrecoverable balances. This latter contingency is the most to be deprecated, as placing the Raiyat still more helplessly and hopelessly in the power of the Subordinate Revenue Servants than even the practice of granting discretionary remissions, and the evil which you especially desire to cure would be aggravated rather than diminished.

9. But the rule from which Her Majesty's Government anticipate the most seriou consequences is that by which the latest date for the relinquishment of land for the season is fixed for the 30th April in each year; and under which, it is understood, no Raiyat will bes permitted either to reduce or to increase his holding until the following 30th of April. This rule (which, so far as regards the date fixed, the Board of Revenue do not expect will work well) if rigidly enforced, can scarcely fail to be injurious, alike to the Revenue and to the Raiyat, by keeping out of cultivation land which a sudden favorable change in a season commencing adversely may allow to be cultivated, and thus preventing the Raiyat, who will always be the first to discover, and the most competent to appreciate such a change, from retrieving the losses which he may have suffered by the failure of his early crops.

10. Her Majesty's Government are accordingly of opinion that the whole question requires your reconsideration, and that the Orders which you have issued should be subjected to careful revision, in communication with the Board of Revenue, and, through them, with the Local Officers of Districts. While on the one hand, it is most important that very strict restrictions should be placed on the grant of remission, and that all remissions should be exposed to a rigorous

Proceedings of the Madras Government, Revenue Department, for the month of May 1860.

scrutiny by the Board of Revenue, it is, on the other hand, inexpedient that they should, under existing circumstances, be altogether withheld, or even unduly curtailed, and in particular, that the Local Officers should be denuded of all discretion, and compelled peremptorily to refuse relief, even on occasions of partial calamity, without the previous sanction of the Central Government.

11. Your Excellency will be pleased to take this Despatch into your early consideration, and to communicate to me your reply with the least practicable delay.

No. 58. ORDER THEREON, 15th May 1860, No. 780.

1. This Despatch will be communicated to the Board of Revenue for their information.

2. The greater part of the objections stated in this paper against the Orders of the 18th June and 25th July 1859, have been already met by the Order of March 10th 1860. The Board of Revenue will however report their opinion, after careful consideration, on the matter treated of in the 9th paragraph of the Despatch, viz., the fixing the 30th April as the latest day for land to be given up by Raiyats. On one important point connected with that matter the Secretary of State has misunderstood the Order; it is no where said, neither is it intended, that the prohibition extends to the taking of additional land by Raiyats.

(Signed) J. D. BOURDILLON,
Secretary to Government.

R. D.

No. 780

Proceedings of the Madras Government
Under date the 15th May 1860

Read the follow
Despatch from the Rt
Honble the Secty of State
for India.

Makes observations on the
Proc: of this Govt directing the aboli-
tion of the practice of granting re-
mission for waste lands &ca at the
annual Settlements; expresses
the opinion of Her Majesty's Govt
that the whole question requires
reconsideration of this Govt, &
that the orders which have been issued
should be carefully revised in com-
munication with the Bd of Rev:
& with the local officers of Dists
& requests an early reply.

(Recd under 29th March 1860
No. 22.)

This despatch
will be communicated
to the Board of Revenue
for their information.

The

2. The greater part of the objections stated in this paper against the orders of the 18th June and 25th July 1839. have been already met by the order of March 10th 1840. The Board of Revenue will however report their opinion, after careful consideration, on the matter treated of in the 9th paragraph of the despatch, viz the fixing the 30th April as the latest day for land to be given up by Raiyats. On one important point connected with that matter the Secretary of State has misunderstood the

the order: it is nowhere said, neither is it intended, that the prohibition extends to the taking of additional land by Raiyats.

11 Copies to the Board of Rev: Dis: 5 C 16

20-6-07

Copy in a Letter to Govt
Dy 23d April 1861 No 62.

29-11-07
22-5-08
23-1-12
15-2-17

No 57 & 58

Revenue 1860 Dept
Pro: of Govt 20 May

No 780

Pro: of the Madras Govt
Dy 15th May 1860.

Recd Pro. 26 July 1860.

C: 34

Pro of Mr Bd of Rev 21st Jany 1860. C. No 1832 in Pro 18 Aug No 1633

Home Dispatch on the Proceedings of this Government abolishing the practice of granting remission for waste Lands &c at the annual Settlements, communicated to the Board of Revenue for report on certain points: