M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 886 Press Mis.—

145-146

Dated 30-5 1866.

Not to be folded or roughly handled

No. 145. Read the following letter from J. D. SIM, Esq., Secretary to the Board of Revenue, to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, dated 9th May 1860, No. 2,253 :—

1. With reference to the Order of Government, dated 4th April 1860, Revenue Department, No. 526, I am directed by the Board of Revenue to submit Draft of a Sanad for the Punganúr Estate of North Arcot.

In Con. 11th April 1860, No. 1,590.

2. The Board have followed the terms of the Draft Lease referred to in the Despatch of Her Majesty's Secretary of State, so far as they are compatible with a Sanad to be issued under Regulation XXV of 1802.

3. The Board will briefly notice the several conditions of the Draft Lease, and the course adopted in regard to each, in the Draft Sanad.

No. 1, Included in clause 2 of Sanad.
No. 2, Do. in „ 13 of do.
No. 3, Do. in „ 13 of do.
No. 4, Inapplicable to a Zamíndári, under Regulation XXIX of 1802.
No. 5, Provided for in clause 11 of Sanad.
No. 6, Do. in „ 10 of do.
No. 7, Inapplicable to a Zamíndári.
No. 8, Provided for so far as applicable in clause 5 of Sanad.
No. 9, Do. in clause 3 of Sanad.

4. The Board have made an alteration in clause 6 of the existing form of Sanad with reference to Section 14, Regulation XXVII of 1802, and also in clause 9, with reference to Regulation I of 1819. In other respects they have as much as possible avoided deviating from it.

Vide clause 5 of Draft.
Vide „ 8 of Draft.

5. If Government approve of the Draft, it will be forwarded to the Acting Collector of North Arcot for the entry of the title, the names of the villages, &c. A copy will also be forwarded, if Government desire it, through the Acting Collector, to the Zamíndár for any observations he may wish to offer. The Acting Collector will, at the same time, explain and point out the variations from the usual form of Sanad, and explain their causes.

No. 146. ORDER THEREON, 30th May 1860, No. 886.

1. The Governor in Council approves the Draft of Sanad for the Punganúr Estate submitted with this letter, with certain exceptions.

2. The first is in paragraph 10, where it is required that notice of robbers, &c. shall be given to the "Magistrate." The Government are of opinion that with reference to the new Police arrangements, the phrase "Proper Authorities" should be substituted for "Magistrate."

3. A second is in paragraph 13. The Government see no necessity to stipulate, as is there proposed to be done, that the Zamíndár shall allow his Raiyats the same reductions in the rates of assessment that may be made in the neighbouring Government villages. Such a stipulation is quite new; and it might fairly be made a ground to claim a remission of Peshkash. The relations of the Government with the Zamíndárs, and of the latter with their Raiyats, stand on a different basis. Raiyats cannot be ejected from their lands so long as they pay what is agreed on between them and their Zamíndár; and, except in some special cases, the Zamíndár cannot demand more than the fixed Taram assessment. This is the Raiyats' security; and prices having risen, permanently as it seems, the fixed assessment is now much lighter than formerly.

4. If Government think fit still further to lower the assessment in Government Táluqs, whether from a desire to extend cultivation, from a wish to abolish remissions altogether, or from any other motive, that does not and cannot give the Zamíndári Raiyat any claim to reduction. The Zamíndár may, if he chooses, follow the same policy and lower his rates in order to extend the area of land occupied; but that is no concern of the Government. Many Zamíndárs and

Pálayagárs have already adopted that course, and have never thought of preferring a claim for remission of Peshkash; but if they are compelled by Government to take the step, they may fairly ask for reduction in their own payments. The passage in question should be omitted.

5. The obligation to keep the sources of irrigation in repair is also omitted, as being novel and unsupported by law.

6. The Government consider it proper to insert a clause specially securing the rights of the Raiyats under the Survey Assessment, in accordance with the provisions of Regulation IV of 1822. This will come in as paragraph 12. A passage in paragraph 11 apparently designed to have the same effect, but less full and exact, has been struck out.

7. Under paragraph 2 all the Ináms in the Táluq, as well as fees for Police purposes, are exempted from the settlement. The former will be dealt with under the rules of the Inám Commsion: respecting the Police fees orders will be passed hereafter.

8. With these remarks, the Government resolve to return the Draft Sanad to the Board of Revenue, with the request that they will modify it in conformity with the foregoing orders. This being done, the Board will adopt the further steps proposed in paragraph 5 of their letter; and they will eventually submit the Sanad in a complete shape for execution by the Government.

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

Rev. Dept

No. 886.

Proceedings of the Madras Government
Under date the 30th May 1860.

Read the following letter
from the Secy to the Board of
Revenue.

Submits for approval
Draft of a Sanad for the
Punganúr Estate in North
Arcot.

(Here enter 9th May 1860 No. 2253)

Resolved that the Govt in Council approves the Draft of Sanad for the Punganúr estate submitted with this letter with two exceptions.

2. The first is in para 10, where it is proposed that notice of robbery &c shall be given to the "Magistrate". The Govt are of opinion that [illegible] the proper Authority

substituted for
should be ~~used instead~~
"Magistrate"
~~with reference to the newly~~
~~constituted Police~~.

3. The other point is in para 13. The Govt see no necessity to stipulate as is proposed to be done that the Zamindar shall allow to his raiyats the same reductions in the rates of assessment that may be made in the neighbouring Govt villages. Such a stipulation is quite new, and it might fairly be made a ground to claim a remission of Peishkash. The relations of the Govt with the Zamindars, and of the latter with their raiyats, stand on a different basis. Raiyats cannot be ejected from their lands so long as they pay what is agreed on between them and their Zamindar; and except in some special cases the Zamindar cannot demand more than the fixed Tarum assessment. This is the Raiyats security; and prices having risen permanently as it seems, the fixed assessment is now much lighter than formerly.

4. If Govt think fit still further to lower the assessment in Govt Talugs, whether from a desire to extend cultivation, from a wish to abolish remissions altogether, or from any other motive, that does not and cannot give the Zamindari Raiyat any claim to reduction. The Zamindar may, if he chooses, follow the same policy and lower his rates in order to extend the area of land occupied

~~recompiled~~; but that is no
concern of the Govt. Many
Zamindárs and Palegárs
have already adopted
that course, and have
never thought of preferring
a claim for remission of
Peishkash: but if they
are compelled to take
the step, they may fairly
ask for reduction in their
own payments.

~~9. For the foregoing~~
~~reasons, the Govt will be~~
~~of opinion that~~ The passage
in question should be omitted.

10. With these remarks,
the Govt resolves to return
the Draft Sanad to the
Board of Rev, with the request
that they will modify it
in conformity with the
foregoing orders.
~~Draft approved.~~

This being done, the
Board will adopt the
further steps in the matter
proposed in para 5 of

their

Pálayagárs

Jr. dl.

12. — And whereas a
survey and field assess-
-ment has been made
of the lands of the
Dungamúr Talug, and
this assessment have
been the basis of the
annual settlements
during the last fifty
years and more, and
improvements have
been made by Ryots
on their land in faith
of the permanence
of that assessment,
it is hereby made
a condition of this
Sanad that you
shall

shall in every case
be guided by the Fur-
ney assessment,
and by the Establish-
ed rules of settlement,
and shall allow to
Ryots the full ben-
-efit of improvement
made by them in
their land; and you
will be answerable
under the Regs. III of 1822, & the other
Regulations and Acts
applicable to the case,
for any breach of
this condition.

Reg 4 of 1822

2055

11 Copies to Mem. Board of Rev.

their letter; and they will eventually submit the Canaud in a complete shape for execution by the Govt.

Copy in a Letter to Govt
Dy 25th January 1861 No. 18

5-12-07

5

No 145 to 146

Revenue 1860 Despatch
Pro: of Govt 31st May.

No 886.

Pro: of the Madras Govt

D/ 30th May 1860.
Forwg Bd of Rev 17 October 60
No 2296 in Rev. Con. Pp. No 1994

Approving the draft of Sanad for the Pungamin Estate with two exceptions and returning it to the Bd of Revenue for submission of the Sanad in a complete shape

Sent

2

I have read the draft, which is in the equitable large-minded spirit of Lord Cornwallis's policy, and am of opinion that it would not be advisable to alter the form of it. It is the usual form and a departure from it would excite mistrust. I have substituted the Lords "Proper Authorities" for "Magistrate" and I agree with Mr Bourdillon that the two passages requiring the Zemindar to assimilate his rates of assessment to those of the Government should be omitted

I consider the course proposed to be followed on this occasion. The large & salient Estates of the Northern Circars, the arguments in §§ 2 & 3 of the Memo appear to me to hold good. But in Estates where we have fixed the Peishcush at a certain portion of the Assets, the case is different. The

shall make the same reduction
to his Ryots, that may be made
in neighbouring fowl. Districts
Such a tribulation is quite new,
& it ~~could~~ might fairly be
made a ground to claim
a remission of Paishkush. I
submit that the relations of
the Govt. with the Zamindars,
& of the latter with their Raiyats
stand on a different basis.
Raiyats cannot be ejected from
their lands ~~so~~ long as they
pay what is agreed on between
them & their Zamindars; &
except in ~~some~~ certain cases the

Zamindar cannot demand
more than the fixed Jamam
assessment. This is the Raiyats'
security; & prices having
risen, permanently or it seems,
the fixed assessment is now
much lighter than formerly.
3. If Govt. ~~to~~ think fit
still further to lower the assess-
ment in Govt. Talugs, whether
from a desire to extend cultiv-
ation, from a wish to abolish
remotest altogether, or from
any other motive, that does
not & cannot give the Zamin-
dari Raiyat any claim to
reduction. The Zamindar may
if he likes forbear the same.