M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1964 Press ~~Mis.~~

221-222

Dated 12-9-1862

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 12th September 1862.

No. 22I. Read the following Proceedings of the Board of Revenue, dated 23rd September 1861, No. 5,128:—

Read the following letter from A. PURVIS, Esq., Collector of the Godavery District, to J. D. SIM, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Peranaram, 9th February 1861, No. 16.

SIR,

1. I have the honor to acknowledge the receipt of the Extract from the Proceedings of the Board of Revenue of the 20th June last, forwarding the Order of Government of the 18th of the same month, on the subject of the Peshkash at present fixed on the Nidadavole and Baharzalli Estates lately restored to the Zamíndár.

2. The total Peshkash of the six Paraganas, when they were all held by the Ellore Zamíndár was in round numbers 2,10,000. On the Sub-division the Peshkash was arranged as follows:—

		RS.
1.	Pentapad..... }	61,544
2.	Gundugolam... ..... }	
3.	Nidadavole..... }	1,20,886
4.	Baharzalli... .... }	
5.	Amberpeta.....	22,330
6.	Chevendra...	5,218
		2,09,978

The two first Paraganas eventually becam the property of Government, as did Nidadavole and Baharzalli. The two latter have lately been restored to the Zamíndár, and it is the amount of the Peshkash fixed on these Paraganas that is under discussion. Amberpeta and Chevendra were all along held by the Zamíndár and his brothers.

3. It is difficult for me now to form any decided opinion whether the arrangement of the Peshkash as above detailed was at the time strictly correct, but the Paraganas under notice were certainly the most valuable, and I think there cannot be a doubt that under existing circumstances the Peshkash on them is moderate. The total collections from the Estates, from Faslis 1263 to 1268, are shown in the Statement given below, the a erage being Rupees 1,84,455-13-3. It is true that a portion of these collections are due to the irrigation improvements from which both Paraganas have benefited so largely, and that the Zamíndár will have to pay a water rate in addition to the Peshkash, but this rate will by no means equal the advantages derived by the Zamíndár and his Estates from the water, both as regards irrigation and navigation.

Faslis.	Current.	Arrears.	Total.	Extra Revenue.	Total Collection.
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
1263...	1,65,908 8 7	10,321 3 6	1,76,229 12 1	34 2 7	1,76,263 14 8
1264...	1,71,744 4 6	3,876 6 11	1,75,620 11 5	39 0 6	1,75,659 11 11
1265...	1,75,539 10 5	1,131 0 11	1,76,670 11 4	63 0 10	1,76,733 12 2
1266	1,80,361 3 3	645 14 4	1,81,007 1 7	152 7 3	1,81,159 8 10
1267...	1,87,375 7 11	700 12 0	1,88,076 3 11	0 0 0	1,88,076 3 11
1268...	2,08,555 3 9	171 8 5	2,08,726 12 2	115 0 0	2,08,841 12 2
Total.....	10,89,484 6 5	16,846 14 1	11,06,331 4 6	403 11 2	11,06,734 15 8
Average..	1,81,580 11 9	2,807 13 0	1,84,388 8 9	67 4 0	1,84,455 13 3

4. The result of the management of the Estates under notice, from the time of sale till they were restored to the Zamíndár in February last, is shown in the Statement forwarded with my letter of the 29th ultimo (No. 11). It is worthy of remark that in the proposed new settlement the dry assessment on these Estates is fixed by the Deputy Director of Revenue Settlement, as will be seen from the Statement given at paragraph 126 of his report of the 13th October 1860, which is, I believe, now before the Board, as follows:—

	RS.
Relangy.....	1,09,911
Baharzalli (Kykalur) ...	51,663
Total...	1,61,574

And the proposed net dry assessment on land now cultivated, *with* the water rate after certain deductions,

	RS.
Relangy.....	1,39,962
Baharzalli.....	1,04,341
Total...	2,44,303

The Baharzalli (Akvid) Paragana was irrigated, though but imperfectly, before the construction of the anicut; a portion only, therefore, of the sum assessed for the water can fairly be charged against the Zamíndár.

5. I may mention in conclusion that the Zamíndár has increased the rent for the present year by Rupees 25,000 in the two Paraganas.

In Cons. 19th June 1860, No. 2,954.

1. Ordered that the above letter be submitted to Government, with reference to their Proceedings, dated 18th June 1860, No. 1,009, Revenue Department, regarding the Peshkash charged on the joint Estates of Nidadavole, Baharzalli and Amberpeta.

2. When in 1842, it was decided that the only way of releasing the Zamíndár from his embarrassments was to sell on account of the arrears of Peshkash the original Estate consisting of six different properties, to buy it on behalf of Government, to assign over three of the Estates to the Núzid Zamíndár in satisfaction of his claim, and to restore the remaining three Estates to the original proprietor on a proportionate Peshkash,

Paragraph 41 of letter from Home Government, dated 24th August 1842, No. 27.

it was expressly desired by the Home Government that the public demand to be fixed on the Estate thus reduced and restored to the original proprietor should be "not greater than can be discharged from the "proceeds without again leading the Zamíndár into embarrassments." Seeing that the result of the arrangement then made was that the Zamíndár again fell into arrears, and that a large portion of the reduced Estate was again sold and purchased by Government, which sale has recently been cancelled on the ground of illegality in the proceedings, and the Estate restored to the Zamíndár with a warning "that in the event of any future default the Law will take its course," the Home Government while concurring in the warning, yet observing that difference of opinion existed between the Honorable Mr. Elliot and the Board as to the suitability of the Peshkash assessed on the Estate to its capabilities, have desired that the subject should receive further consideration "with "reference to the improving condition of the country."

Letter from England, dated 8th May, in Proceedings of Government, No. 1,009, R. D., dated 18th, in Cons. 19th June 1860, No. 2,954.

3. The Board are not in possession of the remarks of Mr. Elliot to which the Home Government referred, but their own opinion was apparently taken from paragraphs 34 to 36 of their Proceedings, dated 9th August 1859, No. 3,080, in which they pointed out that although "the average collections of Nidadavole during the eight years 1776 to 1783 were indeed "Rupees 2,23,300, still during the twelve years Fasli 1240 to Fasli 1251, for eight of which it

"was under the Collector's management, the actual collections averaged only Rupees 1,50,000," while the Peshkash fixed on the Sub-division of the three Estates now under notice was Rupees 1,37,645, leaving to the proprietor only Rupees 12,355 of maintenance, management, &c., whereas had the proportion of two-thirds of the assets on which the permanent settlement was originally based been maintained on the occasion of the Sub-division, the Peshkash would have been reduced to about Rupees 1,00,000.

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5. The apportionment of the Peshkash made in 1849 when the calculation was closed which had commenced prior to the sale in 1843, gave the results shown in the margin for the three Estates now in question.

	RS.
Nidadavole.....	82,662
Baharzalli.....	38,224
Amberpeta	16,764
	1,37,646

See letter from the Collector of Masulipatam, dated 26th March 1859, paragraph 6, No.

6. Amberpeta has remained uninterruptedly in the Zamíndar's possession. The Peshkash on Nidadavole and Baharzalli which were puchased by Government was Rupees 1,20,886, at which amount the Zamíndár was debited on account of Peshkash in the adjustment of the mesne profits from Fasli 1261 to Fasli 1269, which now awaits the Government confirmation.

Faslis.	Land Revenue. Current	Arrears.	Total.	Extra Revenue.	Grand Total.
	RS.	RS.	RS.	RS.	RS
1261 from 18th August 1851.	1,42,819	16,421	1,59,240	82	1,59,322
Fasli 1262...	1,48,415	9,293	1,57,708	32	1,57,740
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Total.....	14,06,537	42,562	14,49,099	517	14,49,616
Deduct collections on account of previous arrears.	.....	16,750	16,750	.....	16,750
Remainder.	14,06,537	25,812	14,32,349	517	14,32,866
Fasli 1269 from 1st July 1859 to 7th February 1860.....	1,16,037	311	1,16,348	25	1,16,373

NOTE.—It must, however, be remarked that the average of the three years, Faslis 1266, 1267, and 1268, when the irrigation works were beginning to have marked effect on the Estates was Rupees 2,01,298, two-thirds of which sum amount to Rupees 1,34,198, being considerably in excess of the Peshkash.

7. The marginal Statement exhibits the actual collections from all sources on these two Estates, during this period of somewhat less than nine years. The gross total amounts to Rupees 15,65,989, but this includes a sum of Rupees 16,750 collected on account of previous arrears, and the last year of the series is incomplete. Excluding the collections of this year, and those on account of old arrears prior to this series of years, there remains a gross sum of Rs. 14,32,865 collected in eight years, giving an annual average of Rupees 1,79,108, two-thirds of which sum are Rupees 1,19,406, while as above shown, the Peshkash apportioned on these two Estates is Rupees 1,20,886. There is indeed to be added to the two-thirds of revenue or deducted from the Peshkash, the proportion of the annual compensation for the resumption of the Moturpha, but this, which is only Rupees 976-13-0 per annum for these two Estates, will not fully adjust the account. It must on the other hand be pointedly brought to notice that these revenues include large additional profits derived from the improved irrigation of the country, while it is proposed to debit the Zamíndár in adjustment with more than half a lac of Rupees on account of the cost of the works, and he will hereafter have to pay a large amount to Government for water supplied to his lands.

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NOTE.—The actual increase was as follows:—The average is fallacious.

Fasli.	Increase over Fasli 1261.
	Rs.
1262	211
1263	12,804
1264	15 501
1265	18,620
1266	28,303
1267	36,026
1268	68,620
	1,80,085

See Government Proceedings, dated 5th March 1861, No. 800, R. D., paragraph 5.

8. These additional profits amount, according to the Statement enclosed in the Collector's letter of 29th January 1861, to Rupees 1,80,085 for the eight years included in our present calculation, or an annual average of Rupees 22,510, and the Board fail to perceive how the Zamíndár can be expected to realize this portion of the income, when he is to pay Government for water supplied at the rate of Rupees 3 per acre, less 10 per cent. for trouble of collecting the additional tax from the Ryot, supposing that he is treated in the same manner as other Zamíndárs, and that their demands in their Ryots for water must be limited by the rules adopted in Government Táluqs. The Board question whether the Courts would uphold the Zamíndárs in making a larger demand than this in addition to the survey assessment or "Shist" on the land, when originally registered as dry land, or in asking even so much when classed in the accounts as "Nunjah," however much the irrigation may have been improved.

9. So long as the joint rents continue the difficulty may not press, but it is not to be expected that the Ryots will long consent to an annually and largely increased rent, or to continue under the joint rent system when they see the individual Ryotwar settlement introduced in the adjoining Government Táluqs. If they demand individual settlements the Zamíndárs cannot refuse the demand, and then the difficulty of increasing the assessment on the individual will be felt.

10. So far as there may be an actual increase in the area of cultivation, the Zamíndár will of course in any case profit.

11. But there is yet another deduction to be made from the profits shown above. The additional revenue derived from improved irrigation in Inám lands is included in them to the amount of Rupees 25,819, or an annual average of Rupees 3,227, and as the Zamíndár is not legally entitled to this revenue, the amount must be added to that which has swelled the income under Government management, beyond what the Zamíndár can be expected to realize. The Board are disposed to question the equity of withholding from the Zamíndár the whole of these profits on Inám lands as the cost of the subsidiary irrigation works has been charged to him, and it may fairly be assumed that without these the Inám lands could not have benefited as they have done, but nice adjustment of item is not possible here, and the decision as to the Peshkash must be based on wider considerations.

12. While the Estates were in their charge, Government remitted to the Ryots a considerable amount of arrears of rents, said to be not much less than 1½ lac of Rupees, and the collection of the current revenue was "*pro tanto*" facilitated at the expense of the Zamíndár. This circumstance has also tended no doubt to enhance unduly the returns of the years under Government management.

13. The joint Peshkash on the three Estates now in the Zamíndár's hands is as already stated Rupees 1,37,646. Of the condition of Amberpeta the Board know nothing, but as the Zamíndár has managed to retain it in his own hands without falling into arrears, it may be assumed to yield him a profit. The Moturpha compensation on the three Estates is Rupees 1,451 per annum, leaving the net Government demand at Rupees 1,36,195. The Board have already shown how in their opinion a sum of Rupees 22,500 is included in the annual receipts under Government management, which it is more than doubtful whether the Zamíndár can realize in full, and they have also shown how, assuming that he realizes to the full all that the Government did, his Peshkash will still exceed two-thirds of the gross receipts on the average of eight years, but that this average does not afford a fair criterion in view of the rapid increase in the revenues of the Estates in late years, since the effect of the irrigation works began to be sensibly felt. They, however, consider it in the highest degree desirable in the face of past occurrences that the Zamíndár be placed in a position allowing beyond question of his being

dealt with equitably in strict accordance with the law and with the system adopted towards Zamíndárs in ordinary cases, and they do not think that supposing the Zamíndár is to be fully charged for water supplied to his Zamíndári, and to be restricted in his demands on the Ryots by the Government rate of charge for water, more than this position will be secured by making a permanent reduction of Rupees 17,646 in the Peshkash inclusive of the Moturpha compensation.

	Rs.
Present Peshkash	1,37,646
Proposed deduction	17,646
	1.20,000

14. The reduced Peshkash of Rupees 1,20,000 will represent a gross income of Rupees 1,80,000 from the three Estates on the assumed proportion of two-thirds of the assets to form the Peshkash. Bearing in mind that the 12 years' average from Fasli 1240 to Fasli 1251, was only Rupees 1,50,403, although during eight of those years the Estates were under the management of the Government Officers, the Board feel convinced that unless the Zamíndár be placed in some exceptionally favorable position in regard to the charge for water from the new Irrigation works, their present proposal is not more liberal than is necessary to give permanency to the present arrangements, and stability to the Zamíndár's position in those circumstances of comparative ease, which, as the representative of an ancient family, the Government cannot but desire him to occupy, even were he not entitled to more than ordinary consideration by reason of the somewhat scant justice that in recent times he has received at their hands.

15. The decision must, however, as already stated depend mainly on the determination of the settlement to be made with the Zamíndár in regard to the charge for water supplied to his Estate. The Board are given to understand that much of the Nidadavole Estate is on too high a level to benefit by the works to any large extent, while, in other ports of the property, the irrigation and draining have brought extensive tracts which were before unproductive into a state of high fertility.

16. It only remains for the Board to dispose of the matter of the resumed Agraharums left for future consideration in paragraph 9 of their Proceedings dated 20th February 1861, No. 943, on the adjustment of the past accounts.

17. The Zamíndár is entitled to receive from these villages a Kuttubadi of Rupees 3,214, which was included in the permanent assets. The entire "Shist" of the villages was Rupees 4,915 for Fasli 1269, but the average annual receipts from Faslis 1261 to 1268, when the Estates were under Government amounted to only Rupees 2,156, and since the *resumption* of the favorable tenure which took place in Fasli 1265, the receipts have averaged only Rupees 1,043, being less than one-third of the Kuttubadi at which they are rated in the Zamíndár's assets. The Zamíndár incurred large losses from these villages in former years, and the Board strongly recommend that they be made over to him unreservedly, saving of course all the rights of the Ryots, without any additional demand on account of the difference between the full "Shist" in the Government accounts and the Kuttubadi included in the permanent assets.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 222. ORDER THEREON, 12th September 1862, No. 1,964.

1. The foregoing papers relate to the question of the Peshkash to be charged on the Estates of Nedadavole and Baharzalli which have recently* been restored to the Zamíndár. The present joint demand on these and on a third Estate which has remained in the Zamíndár's uninterrupted possession, amounts to Rupees 1,37,646, which the Board propose to reduce to 1,20,000, but at the same time, they remark that the decision on this point "must mainly depend on the determination of "the settlement to be made with the Zumíndár in regard to the charge for water supplied to his "Estate."

* Extract Minutes Consultation 21st January 1860, No. 109.

2. In this observation the Governor in Council entirely concurs. He can form no opinion on the suitability of the present Peshkash, while it remains uncertain at what rate the Zamíndár

is to be charged for water. This latter question therefore must first be decided, and with this view the Government have hitherto deferred passing orders on the foregoing papers in expectation of the Report called for in paragraph 9 of Government Order No. 638, 22nd March 1862, being shortly submitted. They now resolve to call upon the Board to expedite this Report, as the question of the Peshkash should be no longer delayed.

3. The matter of the resumed Agraháram discussed in the concluding paragraphs of the Board's Report, and the consideration of their proposition to make over these villages to the Zamíndár unreservedly must also be deferred.

(Signed) P. P. HUTCHINS,
Acting Deputy Secretary to Government.

Revenue Department

No. 1964.

Proceedings of the Madras Government

Under date the 12th September 1862.

Read the following Proceedings of the Board of Revenue.

Submitting with remarks a letter from the Collector of Godavery forwarding information regarding the Peshcush charged on the joint estates of Nedadavole, Baharzalli, and Amberpeta.

(Here enter 23d September 1861, No. 5128)

The foregoing papers relate to the question of the Peshkash charged on the estates of Nedadavole and Baharzally which have recently been restored to the Zamindars. The present joint demand on these and on a third estate which has remained in the Zamindar's uninterrupted possession, amounts to Rs. 137,646, which the Board propose to reduce to 120,000, but

*C. In C. 21st January 1860 No. 109.

Sam

same time, ~~while making the recommendation~~, they remark that the decision on this point "must "mainly depend on the determina "tion of the settlement to be ma "with the Zamindar in regard to "the charge for water supplied "to his estate."

2. In this observation the Governor in Council entirely co curs. He can form no opinion on the suitability of the present Peshkash, while it remains un certain at what rate the Zamin dar is to be charged for water This latter question therefore must first be decided, and with this view the Govt have hitherto deferred passing orders on the foregoing papers in expectation that the Report called for in para graph 9 of G. O No 638, 22d March would be shortly submitted.

They now resolve to call upon the Board to expedite this Report, as the question of the Peshkash should be no longer delayed.

3. The matter of the resumed Agrahárams discussed in the con cluding paragraphs of the Board's Report, and the consideration of their proposition to make over those villages to the Zamindar unreservedly must also be deferred.

J.

14 Copies to the Board of Revenue &c.

19-10-08
19-11-08
22-1-10

Peshkash charged on the estates of Nidadavole and Bahavzully.

Revenue 1862 Deptt.
Pro: of Govt for Septr.

No. 1964.

Pro: of the Madras Govt.
Dt 12th Septr 62.

From the Secy to the B. of Rev.
Dt 13th Septr 62. & No 2631 inclg Pro

27-2-28

1-9-69

Rev. From England No. 27
24-8-1842

Rev. No. 206-207
18-6-60
58-59
3-3-61

Passing orders on papers relating to the question of Peshkush to be charged on the Nedadavole and Bahavzalli Estates recently restored to the Zamindar.

Nos 221 & 222.

Lo 25 August 1862 Sd/ H Sewell