M.R.O. 11—13.6.51—17-9-51

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1084 Press 1215.

3/5.320

Dated 20. 6 -15-1952

Not to be folded or roughly handled

No. 319. Read the following Proceedings of the Board of Revenue, dated 27th March 1863, No. 1,836:—

Read the following letter from A. PURVIS, Esq., Collector of the Godavery District, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Dracharum, 17th February 1863, No. 31.

SIR,

1. With reference to paragraph 5 of the Board's Proceedings of the 14th October last, No. 6,873, forwarding the Proceedings of the Madras Government of the 1st September, reviewing the Board's report on the settlement of revenue for Fasli 1270, I have the honor to afford the following explanation with regard to the arrears outstanding against the three Estates of Tungellamudi, Bynagudem and Billumilli up to the end of Fasli 1269.

2. TUNGELLAMUDI.—The Zemindar of Tungellamudi presented Arzis to the Collector of the late Masulipatam District, prior to the transfer of the Ellore Talook to this District, complaining that the supply of water obtained by the tanks of his villages of Maikapuram and Kumadavole had been greatly affected by the excavation of the Ellore channel, in consequence of the tank banks having been cut by the Department of Public Works, and praying for remission for the loss occasioned to his Estate from the above cause for Fasli 1269. The matter was referred by the Collector to the Acting District Engineer, and to his Head Assistant Collector. The Acting District Engineer states in his letter to the Collector dated 21th November 1859, that the supply of water to the tank called Veera Venkataramudi kunta had been cut off by the prolongation of the Ellore channel; that a considerable portion of the land under the tanks called Vyskhamuduchervu and Brammanakunta had not been irrigated, and that the Estate had sustained loss that year (Fasli 1269), the amount of which he left to be estimated by the Revenue Department. The Collector of the Kistna District referred the matter to me for disposal, as the Estate had meantime been transferred to this District. The Deputy Collector in charge of the Talook inquired into and reported on the loss sustained. I myself visited the locality, and there can be no doubt the Zemindar suffered considerable loss from the tanks being cut through at the commencement of Fasli 1269.

3. To what extent his lands may be eventually benefitted from the canal is a point which could not then be determined. The question to be settled was, what amount of remission in his Peshkush he was entitled to for Fasli 1269. According to the statement sent in by the Deputy Collector, who went very fully into the subject, the annual Peshkush of the two villages of Malakapuram and Kumadavole is Rupees 2,091-9-2, and the revenue realized in Fasli 1269 from the same villages but Rupees 863-8-0. The average income derived during a series of years, according to the Curnum's accounts, from the lands affected by the supply being cut off, was Rupees 2,971, but I did not altogether feel justified in adopting this account. The fairest way it appeared to me was to take the difference between the Peshkush after adding one-third thereto, and the income* derived from the villages in Fasli 1269, as shown below:—

* RS. 863 A. 8 P. 0

	RS.	A.	P.
Peshkush	2,094	9	2
Add one-third as the Zemindar's profits.	1,047	4	7
Total... ...	3,141	13	9
Deduct income derived as above stated.	863	8	0
Difference... ...	2,278	5	9

† 30th September 1861. It was under the above circumstances that the amount was classed as irrecoverable in my Jamabundy report† for Fasli 1270.

4. The Zemindar also complained that he sustained similar loss in Fasli 1270 from the same reason. The matter was referred to the Deputy Collector for inquiry, and the result showed that though the lands under Bramanakunta in the village of Malkapuram were left waste, those under Vyskhamuduchervu had been cultivated with the Anicut water and yielded well, consequently no remission was thought necessary. The lands under Vira Venkataramudikunta in the village of Kumadavole were wholly left waste, the banks having been cut a remission of 412 Rupees, being the average collections realized from the lands during the past ten years, was therefore considered necessary, and the above sum was classed as irrecoverable, and sanction requested for writing off the same in my Jamabundy report‡ for Fasli 1271.

‡ Paragraph 48.

5. BILLUMILLI AND BYNAGUDEM.—The balance against the Estates of Billumilli and Bynagudem is owing to a bund across a hill stream not having been repaired. The matter has already formed the subject of the separate correspondence quoted in the margin. The work, when the Bundakut has required repair or renewal, has been executed by Government, the proprietor paying half of the cost. In his letter, dated 13th July 1860, the District Engineer stated that the bund in question had not yet been repaired; that in the year 1857 some stone was quarried for the purpose of constructing a weir, and a channel dug from it; that this weir is intended to supply the place of the old mud bank or "Bundakut," and that the work, though entered in the Budget of 1859 and 1860, was still under restriction. The work would, I believe, have been finished before the restrictive orders came out, but for the very great difficulty experienced in obtaining labor in the scantily populated and unhealthy part of the District in which it is situated. A remission of Peshkush on this account was granted in Faslis 1264 and 1265 amounting to Rupees 2,618.

To Commissioner, 26th March 1856.
From do. 14th May "
From Board, 25th July "
To do. 6th " 1857.
From do. 1st August "

6. The Acting District Engineer informs me in his letter dated 6th September 1862, No. 568, that funds for the work have not been provided for in the Budget, that it is still under restriction, but that he will arrange for special provision being made for the work in the Budget for next year.

* Faslis of the Reports.	Paragraphs.	Faslis for which the arrear due.	Amount recommended for remission.
1270... ...	40	1266 to 1269	4,664 1 0
1271... ...	47	1270	1,906 0 0

7. Similar remissions have under the above circumstances been applied for, for subsequent Faslis in the Jamabundy reports* for Faslis 1270 and 1271.

8. The above explanations will, I trust, be considered satisfactory, and I beg that, if so, the Board will be pleased to obtain the sanction of Government for writing off the irrecoverable balance outstanding against the three Estates in question, as recommended for remission in my Jamabundy report for Fasli 1270.

1. Resolved that the above letter be submitted to Government, with reference to paragraph 20 of their Proceedings, dated 1st September 1862, No. 1,857.

2. Agreeably to the recommendation of the Collector in his Settlement Report for Fasli 1270, the Board requested the sanction of Government for writing off the arrears of Peshkush, amounting to Rupees 6,912-6-9, due for Fasli 1269 by the Estates noted in the margin, but the Government considered the information furnished, as to the nature of the claims for remission, insufficient; and Mr. Purvis was requested to submit clearer and more complete details, which he has done in his letter above recorded.

	Rs.	A.	P.
Tengalamudi...	2,278	5	9
Byanagudem	2,105	12	11
Billumilli.	2,558	4	1
Total...	6,942	6	9

3. The claim of the Zemindar of Tengalamudi for remission is based upon the circumstance that certain villages in his Estate were deprived of their usual supply of water by the excavation of the Ellore canal, through the tanks of those villages, and the tank bunds having been for the purpose cut by the Department Public Works. The matter was referred for inquiry to the District Engineer, and the Head Assistant Collector of the Kistna District, to which the Estate was originally attached, and it was reported by the former Officer that the supply of water had really been cut off by the prolongation of the channel, that a considerable portion of the lands under certain tanks had not been irrigated, and that the Estate had actually sustained loss in Fasli 1269; the extent of which he left however to be determined by the Collector's Department.

4. Subsequent to the transfer of the Estate to the Godavery District, the matter was again inquired into by the Deputy Collector in charge of the Talook, and the Collector, who has himself visited the locality, states that there can be no doubt that the Zemindar suffered considerable loss. In estimating however the amount of remission to which the Zemindar is entitled on account of the loss, some difficulty was experienced in consequence of the accounts furnished by the Curnum, of the average income derived from the lands effected, not being trustworthy. The sum of

Rupees 2,971, stated by the Curnum to be the average income during a series of years, has therefore not been adopted, and the course followed by the Collector appears to the Board fair and equitable. The Peshkush payable for the villages effected, with an addition of one-third as Zemindar's profits, being the usual proportion, would represent approximately the revenues of the villages, and deducting from this total the revenue ascertained to have been realized from the same villages for Fasli 1269, the remainder has been assumed to be the amount of loss sustained, for which it is recommended that a remission of Peshkush be granted.

5. The remission calculated according to the above principle is Rupees 1,929-4-2 as shown in the margin, but the amount given by the Collector in paragraph 3 of his letter, is Rupees 2,278-5-9, and the difference is the result of the Zemindar's profit having been calculated by the Collector at one-half instead of one-third of the Peshkush, though the latter was evidently the proportion intended to be adopted. As this however appears to be an oversight, and as the principle followed by the Collector is approved, the Board resolve to recommend that the Peshkush arrears due by the Estate for Fasli 1269 be remitted to the extent of Rupees 1,929-4-2, being as already stated the correct amount of remission to which the Zemindar is entitled according to the principle followed by the Collector himself. The Board will instruct the Collector to realize at once the remaining arrears due for the Fasli.

	Rs.	A.	P.
Peshkush of the two villages of Malakapuram and Kamadavole	2,094	9	2
Add one-third as Zemindar's profits...	698	3	0
Total...	2,792	12	2
Deduct revenue of the villages in Fasli 1269	863	8	0
Remainder	1,929	4	2

6. It appears that for Fasli 1270 also, similar remission was claimed by the Zemindar, but the result of the inquiry made, proved that the loss sustained was to a much smaller extent than in the preceding Fasli, and that a remission of only Rupees 442 was needed on account of land, under a single tank having been left waste. In this case the average revenue of the lands, whose supply of water had been cut off, has been taken as the amount of loss sustained, and this method appearing fair, though differing from that adopted in determining the remission for Fasli 1269, the Board consider that sanction may be granted for the remission of the whole sum of Rupees 442, as the Collector appears to have satisfied himself that the accounts may be accepted as correct.

7. It is presumed that no remission is needed for the past Fasli 1271, as the Collector makes no recommendation on that account. Mr. Purvis will state whether the Board are right in this supposition; and if not, will report what remission is necessary for that Fasli, whether any similar allowance will be needed annually, and if so, whether it cannot be met once for all by a moderate reduction in the Peshkush.

8. In paragraphs 5 to 7 the Collector explains the nature of the claims for remission brought forward by the Zemindars of Byanagudem and Billumilli. These rest upon the fact of a "Bundakuttoo" or embankment across a hill stream, on which the Estates referred to depend for irrigation, not having been duly repaired by Government. It appears from the correspondence quoted by the Collector that certain Government villages are equally dependant on this source of irrigation, and that consequently a moiety of the cost of repairs executed by Government is recovered from the proprietors. The embankment appears to have been breached in 1853, but its need of repair did not attract the attention of the Government Officers till the commencement of 1856. In 1857, some stone was quarried for the purpose of constructing a weir in place of the "Bundakuttoo," and it was proposed to dig a channel from it, but though the necessary provision for the work was made in the Budget of 1859-60, it was referred in consequence of the restriction on Maramut expenditure. The Collector has been informed by the District Engineer that the work is still under restriction, and that no funds have been provided in the Budget for it, but that he will arrange for special provision being made in the Budget for next year. The Board are not informed whether the necessary funds have been provided in the Budget for 1863-61, and they resolve therefore to request the Deputy Chief Engineer, Northern Circle, to furnish them with this information.

9. The Board presume that the work can no longer be under restriction, and its continued neglect has already been the cause of considerable loss of income to Government, not only by

the necessary remission every year of a portion of the Peshkush due by the Estates, but also by diminished cultivation in the Government villages under the influence of the "dam." The Board resolve to recommend to Government that the work be at once executed. It is probable that funds can be provided without difficulty.

10. From the circumstances explained above, it will be seen that the proprietors of the two Estates, are undoubtedly entitled to remission of the Peshkush for loss sustained by the non-repair of the work, and considering that the proprietors though willing have not been allowed to execute the necessary repair, and recover from Government its moiety of the cost, it necessarily became the duty of Government to take it up themselves, and the proprietors should be compensated for loss arising from the neglect to do so.

11. Remissions on this account were sanctioned for Faslis 1264 and 1265, and adjusted in the accounts. The principle on which these remissions were calculated, is explained in the letter from the Collector of Rajahmundry, dated 26th March 1856, communicated to Government with the Proceedings of the Commissioner of Northern Circars, dated 12th April 1856. The amount now recommended on the same principle for Faslis 1266 to 1270, is Rupees 6,570-1-0. The arrears remission recommended for the Tengalamudi Estate are Rupees 2,371-4-2 as already stated so that the total arrears, for the remission of which the sanction of Government is now requested, is Rupees 8,941-5-2 as detailed in the margin. The Collector is requested to report the amount of remission necessary for Fasli 1271 on account of Byanagudem and Billumilli Estates, as nothing is gained by keeping the sum under the head of Arrears.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

Extract from Minutes of Consultation, dated 21st July 1856, Public Works Department, No 1,227.

	Rs	A.	P.
Arrears due by Tengalamudi recommended for remission in paragraph 5 for Fasli 1269.	1,929	4	2
Do. recommended in paragraph 6, Fasli 1270	442	0	0
Total..	2,371	4	2
Arrears due by Byanagudem and Billumilli. From Fasli 1266 to 1269.	4,664	1	0
Do. Fasli 1270 ..	1,906	0	0
Total...	6,570	1	0
Grand Total...	8,941	5	2

No. 320.

ORDER THEREON, 20th June 1863, No. 1,084.

1. The Board request the sanction of Government for the remission of Rupees 8,941-5-2 on account of the three Estates in the Godavery District noted in the margin. The Collector calculated the loss incurred by the Tengalamudi Zemindar in Fasli 1269 at Rupees 2,278-5-9, but the Board reduced it to Rupees 1,929-4-2. The Collector's calculation however appears to Government to be correct, although the mode in which he expressed it is wrong. Of the estimated assets or average revenue he has taken two-thirds as the Peshkush and the remaining one-third (of the assets and not the Peshkush as presumed by the Board) as the Zemindar's profit. The Government therefore grant sanction under the explanation given by the Board for the remission of Rupees (9,290-6-9) nine thousand two hundred and ninety, Annas six and Pice nine.

		RS.	A	P
Tengalamudi for Faslis 1269 and 1270	...	2,371	4	2
Byanagudem and Billumilli for Faslis 1266 to 1270		6,570	1	0
Total	...	8,941	5	2

		RS.	A.	P.
Tengalamudi Estate for Fasli 1269	...	2,278	5	9
Do. do. 1270	... ...	442	0	0
Total	...	2,720	5	9
Byanagudem and Billumilli from Faslis 1266 to 1270	...	6,570	1	0
Grand Total	...	9,290	6	9

Public Works Orders, dated 21st July 1856, No. 1,227.
Do. do. 3rd January 1857, No. 9.

2. Paragraphs 8 to 10 of the Board's Proceedings will receive early notice in the Public Works Department, with reference to the orders noted in the margin.

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

4. Subsequent to the transfer of the Estate to the Godavery District, the matter was again inquired into by the Deputy Collector in charge of the Taluk, and the Collector, who has himself visited the locality, states that there can be no doubt that the Zemindar suffered considerable loss. In estimating however the amount of remission to which the Zemindar is entitled on account of the loss, some difficulty was experienced in consequence of the accounts furnished by the Kurnum, of the average income derived from the lands affected, not being trustworthy. The sum of Rupees 2,971, stated by the Kurnum to be the average income during a series of years, has therefore not been adopted, and the course followed by the Collector appears to the Board fair and equitable. The Peshkush payable for the villages affected, with an addition of one-third as Zemindar's profits being the usual proportion, would represent approximately the revenues of the villages, and deducting from this total the revenue ascertained to have been realized from the same villages for Fasli 1269, the remainder has been assumed to be the amount of loss sustained, for which it is recommended that a remission of Peshkush be granted.

5. The remission calculated according to the above principle is Rupees 1,929-4-2 as shown in the margin, but the amount given by the Collector in paragraph 3 of his letter, is Rupees 2,278-5 9, and the difference is the result of the Zemindar's profit having been calculated by the Collector at one-half instead of one-third of the Peshkush, though the latter was evidently the proportion intended to be adopted. As this however appears to be an oversight, and as the principle followed by the Collector is approved, the Board resolve to recommend that the Peshkush arrears due by the Estate for Fasli 1269 be remitted to the extent of Rupees 1,929-4-2, being as already stated the correct amount of remission to which the Zemindar is entitled according to the principle followed by the Collector himself. The Board will instruct the Collector to realize at once the remaining arrears due for the Fasli.

	RS.	A.	P.
Peshkush of the two villages of Malakapuram and Kamadavole	2,094	9	2
Add one third as Zemindar's profits.....	698	3	0
Total ..	2,792	12	2
Deduct revenue of the villages in Fasli 1269...	863	8	0
Remainder....	1,929	4	2

of water had been cut off, has been taken as the amount of loss sustained, and this method appearing fair, though differing from that adopted in determining the remission for Fasli 1269, the Board consider that sanction may be granted for the remission of the whole sum of Rupees 442, as the Collector appears to have satisfied himself that the accounts may be accepted as correct.

7. It is presumed that no remission is needed for the past Fasli 1271, as the Collector makes no recommendation on that account. Mr. Purvis will state whether the Board are right in this supposition; and if not, will report what remission is necessary for that Fasli, whether any similar allowance will be needed annually, and if so, whether it cannot be met once for all by a moderate reduction in the Peshkush.

8. In paragraphs 5 to 7 the Collector explains the nature of the claims for remission brought forward by the Zemindars of Byanagudem and Billumilli. These rest upon the fact of a "Bundakuttoo" or embankment across a Hill stream, on which the Estates referred to depend for irrigation, not having been duly repaired by Government. It appears from the correspondence quoted by the Collector that certain Government villages are equally dependant on [illegible] moiety of the cost of repairs executed [illegible] pose of constructing a weir in place of the Bundakuttoo, and it was proposed to dig a channel from it, but though the necessary provision for the work was made in the Budget of 1859-60, is was deferred in consequence of the restriction on Maramut expenditure. The Collector has

been informed by the District Engineer that the work is still under restriction, and that no funds have been provided in the Budget for it, but that he will arrange for special provision being made in the Budget for next year. The Board are not informed whether the necessary funds have been provided in the Budget for 1863-64, and they resolve therefore to request the Deputy Chief Engineer, Northern Circle, to furnish them with this information.

9. The Board presume that the work can no longer be under restriction, and its continued neglect has already been the cause of considerable loss of income to Government, not only by the necessary remission every year of a portion of the Peshkush due by the Estates, but also by diminished cultivation in the Government villages under the influence of the "dam." The Board resolve to recommend to Government that the work be at once executed. It is probable that funds can be provided without difficulty.

10. From the circumstances explained above, it will be seen that the Proprietors of the two Estates, are undoubtedly entitled to remission of the Peshkush for loss sustained by the non-repair of the work, and considering that the Proprietors though willing have not been allowed to execute the necessary repair, and recover from Government its moiety of the cost, it necessarily became the duty of Government to take it up themselves, and the Proprietors should be compensated for loss arising from the neglect to do so.

11. Remissions on this account were sanctioned for Faslis 1264 and 1265, and adjusted in the accounts. The principle on which these remissions were calculated is explained in the letter from the Collector of Rajahmundry dated 26th March 1856, communicated to Government with the Proceedings of the Commissioner of Northern Circars dated 12th April 1856. The amount now recommended on the same principle for Faslis 1266 to 1270, is Rupees 6,570-1-0. The arrears remission recommended for the Tungalamurdi Estate are Rupees 2,371-4-2

Extract from Minutes of Consultation dated 21st July 1856, Public Works Department, No 1,227.

Arrears due by Tungalamurdi recommended for remission in paragraph 5 for Fasli 1269...	Rs.	A.	P.
	1,929	4	2
Do. recommended in paragraph 8, Fasli 1270.....	442	0	0
Total....	2,371	4	2
Total....	6,570	1	0
Grand Total....	8,941	5	2

say for Fasli 1271 on account of Byanagudem and Billumilli Estate, as nothing is gained by keeping the sum under the head of Arrears.

(A true Copy and Extract)

Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.
" Lieutenant-Colonel S. O. E. Ludlow, R.E., Deputy Chief Engineer, Northern Circle.
" A. Purvis, Esq., Collector of the Godavery District.

Exd J. Wright

R 13th Dec 56 No 9-10
R 23rd Feb 57 No 60-8.
R 1st Sept 62 No 3-6

Rec'd 1863. Department of Revenue, Sales & Finance.

No. 769.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 27th March 1863.
Despatched 31/3/63
Received 7/4/63

No. 1,836.

Submitting with remarks letter from the Collector of the Godavery District, affording certain explanation with regard to the arrears outstanding against the Estates of Tungellamudi Byanagudem and Billamilli.

Copy sent

Sanction is accordingly granted for the remission of Rupees (8,941-5-2) eight thousand nine hundred and forty one, annas five and pie two.—

2. Paras 8 to 10 of the Board's Proceedings with enclosure to the Public Works Department with reference to the orders noted in the margin.

"W" order dated 2nd July 1855 No 1227 para.
6-10-32 Jany 1857 No 209.—

Returned to me

The Board of Revenue
Rec'd Encl.
"W" Sept — that Mr Collis calculation — para 3 of his letter

Abstract

No. 1084.

Proceedings of the Madras Government,
Under date the 20th June 1863.

Submitting with
reference to letter from the Collr
of the Godavery dated 6th ulto, exp.
-laining certain explanation
with regard to the arrangement
-standing against certain Ryots
of Tungellamundi Byragee-
-edevaram Villages.

(Here enter 3rd March 1863
No. 1536)

The Board recom-
-mend the sanction of Government
for the remission of the sum
of Rs 9911-0-2 on account of the
three Ryots in the Godavery
District noted in the margin.
The Collector calculated the
loss incurred by the Tungel-
-lamundi Zemindar in
Fasly 1269 at Rs 2278-0-9
but the Board reduced it to
Rs 1929-4-2. The calculation

Tungalamundi for Fasles 1269 & 1270	Rs 971-4-2
Byragudevaram and Vallu-millé for Fasles 1268 to 1270	6957-1-0
Total	9911-0-2

is right although his mode of
expressing it is wrong – Of the
estimated assets – a moiety
belongs, to Raiah on taken
as Peishcush and Kistna from
Ryot – i.e after assessment &
Peishcush – is the Zemindar's
profit – equal to 3/4 profits
or half a Peishcush –

Say Assets ——— 3000 A
Peishcush 2/3d of A – 2000 – B
3/4 profits ——— 1000 –
1/3d of A or ½ B.

however
calculation appears to Govt
to be correct although the
mode in which he expressed
it is wrong) - Of the ascertained
assets or average proceeds
he sets down to the share
of the Petitioners and the
remaining one-third of
the assets and not the
Petitioners as presumed by
the Board) as the gross
land profit. The Government

Jungulamedi Estate.
For Fasly 1265 — 2278-5-9
" 1264 — 442-0-0
Total — 2720-5-9
Byangudam and Billa-
mallavaram Fasly 1266
@ 12½ — 6570-1-0
Grand Total 9290-6-9

as under
the explanation given by
the Board in the proceedings
of 12th (9290-6-9) - Nine
thousand two hundred and
ninety, Annas six and
pie nine.

Paras 8 to 10 of the
Board's Proceedings with previous
early notices in the Pub Works
Depts with reference to the
orders noted in the margin

G.O.

1st Order of 21st July 1856 - 1277.
2d do do 5th Aug 1859 - 9.

14 Copies Vellum Ms Plan Despatched
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21 — Blue Prints

Revenue 1863 Dec.r 11.
Pro: of Govt. for Views.

No. 1084.

Pro: of the Madras Govt.
Dt.d 20.th June/63.

Pro Public Works Dep.t dt.d
25 June/63 & No. 1546

Sanctioning the
remission of the ar:
rears against three
Estates in Godavery
and submitting to the
D. of P. W. the question
of repairs to a certain
irrigation works.

No. 319 & 320