M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue—**DEPARTMENT.**

G.O. No. 125	Press Mis.
245-246	
Dated 30 1 - 19 18.63	

Not to be folded or roughly handled.

Proceedings of the Madras Government, Revenue Department, 20th January 1863.

No. 245. Read the following Proceedings of the Board of Revenue, dated 9th January 1863, No. 116:—

Read the following letter from A. PURVIS, Esq., Collector of the Godavery District, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Cocanada, 20th November 1862, No. 231.

SIR,

1. In paragraph 10 of their Proceedings dated 2nd September 1861, No. 1,733, regarding the receipts and charges of the Nidadavole and Baharzalli Estates, the Board observed, "in connection with this point; it however appears worthy of consideration, whether the Zemindar is "not entitled to compensation for lands occupied by works forming part of the general "scheme of Anicut irrigation, but not solely benefiting his property," and in reference to this point, the Government in paragraph 9 of their Proceedings under date 22nd March last, No. 638, remarked that "It will also render unnecessary the consideration of compensation for lands "occupied by works not solely benefiting the Zemindar's property."

2. As I am not quite certain of the exact intent of these observations, I have the honor to request the Board will be good enough to inform me, whether or not the Zemindar is to be considered entitled to compensation for lands occupied by works not solely benefiting his property, that is, whether he has any claim to a reduction from his Peshkush to the annual value of such lands.

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1. Ordered to be submitted for the decision of Goverment, with reference to the correspondence quoted by the Collector.

2. It will be in the recollection of Government that in the proposal for adjustment of the accounts between Government and the Zemindar for the time during which the Estate was in Government hands, the Zemindary was debited with Rupees 50,270 as cost of works planned solely for the benefit of the Estate, and also with Rupees 77,133 as the water cess due to Government. The equity of this double charge was questioned by the Board, who also remarked that it was worthy of consideration whether the Zemindar was not entitled to compensation for land occupied by works forming part of the general system of irrigation from the Anicut, but not solely benefiting his Estate.

3. The Government determined to waive all claim for the cost of the works, and observed that this would obviate all doubt as to the propriety of their taking the second item of Rupees 77,133 as water cess, while it would also render unnecessary the consideration of compensation for land occupied by works not solely benefiting the Zemindar's property.

4. The Board presume from Mr. Purvis' reference that the Zemindar does not acquiesce in the fairness of this arrangement, and it certainly appears to the Board that he is entitled to a further allowance on this account.

5. The Board are about to submit to Government their further proceedings on the question of the future charge for water to be made against the Zemindar on which the determination of his Peshkush must in great measure depend, and the present matter will be best disposed of in connection with that question.

(A true Copy and Extract.)

(Signed.) W. HUDLESTON, *Secretary.*

No. 246. ORDER THEREON, 20th January 1863, No. 125.

Ordered to lie over pending the receipt of the proceedings alluded to in paragraph 5.

(Signed.) C. G. MASTER,
Deputy Secretary to Government.

No. 116.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 9th January 1863.

Read the following letter from A. PURVIS, Esq., Collector of the Godavery District, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Cocanada, 20th November 1862, No. 231 :—

1. In paragraph 10 of their Proceedings dated 2nd September 1861, No. 4,733, regarding the receipts and charges of the Nidadavole and Baharazalli Estates, the Board observed, "in connection with this point; it however appears worthy of consideration, whether the Zemindar is not "entitled to compensation for lands occupied by works forming part of the general scheme of "Anicut irrigation, but not solely benefiting his property," and in reference to this point, the Government in paragraph 9 of their Proceedings under date 22nd March last, No. 633, remarked that "It will also render unnecessary the consideration of compensation for lands occupied by "works not solely benefiting the Zemindar's property."

2. As I am not quite certain of the exact intent of these observations, I have the honor to request the Board will be good enough to inform me, whether or not the Zemindar is to be considered entitled to compensation for lands occupied by works not solely benefiting his property; that is, whether he has any claim to a reduction from his Peshkush to the annual value of such lands.

---

1. Ordered to be submitted for the decision of Government, with reference to the correspondence quoted by the Collector.

2. It will be in the recollection of Government that in the proposal for adjustment of the accounts between Government and the Zemindar for the time during which the Estate was in Government hands, the Zemindary was debited with Rupees 50,270 as cost of works planned solely for the benefit of the Estate, and also with Rupees 77,133 as the water cess due to Government. The equity of this double charge was questioned by the Board, who also remarked that it was worthy of consideration whether the Zemindar was not entitled to compensation for land occupied by works forming part of the general system of irrigation from the Anikut, but not solely benefiting his Estate.

3. The Government determined to waive all claim for the cost of the works, and observed that this would obviate all doubt as to the propriety of their taking the second item of Rupees 77,133 as water cess, while it would also render unnecessary the consideration of compensation for land occupied by works not solely benefiting the Zemindar's property.

4. The Board presume from Mr. Purvis' reference that the Zemindar does not acquiesce in the fairness of this arrangement, and it certainly appears to the Board that he is entitled to a further allowance on this account.

5. The Board are about to submit to Government their further proceedings on the question of the future charge for water to be made against the Zemindar on which the determination of his Peshkush must in great measure depend, and the present matter will be best disposed of in connection with that question.

(A true Copy and Extract.)

Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.

Copy to A. Purvis, Esq., Collector of the Godavery District.

Exd. J. Wright,

Pro 22nd March 1621 : 394
394
19-10-08
19-11-08

22-1-10 &-

27-2-08

1-9-09

10245 & 246.

Revl- 1863 Department.
Proc.s of Govt for Canj.s/63

No. 115.

PROCEEDINGS OF THE BOARD OF REVENUE

Dated 13 Jan.y 1863.
Recd fol. 14 d.o
Read fol. 15 d.o

No. 116.

Submitting with remarks letter from Collector of Godavery District, requesting information as to whether the Zemindar of Nidadavole and Baharazalli Estates is entitled to compensation for lands occupied by Anicut Irrigation works not solely benefitting his property.

No. 125. 20th Jany.

Wm Taylor Secy

11. 125.

Ordered to lie over pending the receipt of the proceedings alluded to in para 5.—

Fort St. George
20th January 1863

10/1/63

4 — Bd of Revs Dispatch &c