M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1365 Press ~~Mis.~~

429-431

Dated 23-7-~~19~~1863

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 23rd July 1863.

Read the following papers:—

No. 429. Petition from A. VENCATASAWMI, Abkarry Renter of the Cocanada Talook in the Godavery District, to the Honorable the Governor at Madras, dated Cocanada, 25th May 1863.

MOST HONORED SIR,

1. I most submissively beg leave to state that I have contracted this Talook from the Faslis 1265 to 1267 for about 13,500 Rupees, and from the Faslis 1268 to 1272 for about 18,125 Rupees, though the original amount is being 9,000 Rupees, as the troops were stationed at Samulcotta, a town attached to this Talook, and the troops occasionally used to be landed and embarked at Cocanada; on this occasion I sustained a loss of 6,000 Rupees from the date of the removal (April 1862, Fasli 1271) of troops at Samulcotta, as the sale of the liquor is almost entirely lessened.

2. I have presented a Petition to the Collector of the Godavery on the 10th July 1862, requesting him to enquire into these circumstances of the matter and grant me the remission for the loss 6,000 Rupees I sustained by the alteration of the troops from the abovementioned place: upon which he endorsed, on the 13th August 1862, No. 441, without any enquiry regarding the matter, that the Petitioner's request is not at all entitled to be considered, which was marked (A) and enclosed herein. I have also posted a Petition to the Board of Revenue, stating all the above events, on the 19th July 1862, for which an endorsement, dated 25th August 1862, No. 2,420, was given by them stating that they will grant me the justice on the receipt and perusal of the Collector's endorsement to my Petition, which together with the Petition was marked (B) and herewith enclosed. I moreover beg to state that I have again posted a Petition to the Board of Revenue on the 1st December 1862, together with the Collector's endorsement to my Petition as they required, but the Board endorsed that they have concurred with the Collector's opinion, and granted me injustice, and did not give me the remission for the loss, which together with the Petition was herein enclosed with a mark of (C).

3. The long residence of the troops at Samulcotta was caused for the greatest improvement of the sist of this Talook of all the other Talooks of the District; not only here the sist was improved but in many towns wherever the troops stationed. I contracted this Talook for a considerable amount, trusting that the troops will not be removed from Samulcotta, but I sustained a loss of 6,000 Rupees by the removal of them. It is not right to the Government to throw me into the great loss by the cause of the removal of the troops, and did not grant me the remission for the loss. It is also the general custom to the Government to please and recover the people whoever met with such accidenand t dangerous loss by the remission.

4. Though I am hitherto paying regularly the money due to Government but I am now quite unable and become poor to pay the sist to the Government according to the terms since the date of the removal of the troops from the said town and am afraid myself that the Collector of this District may perhaps insult and disgrace me in this affair as I have got no any property.

5. The Collector and the Board of Revenue without enquiring the affairs of my Petitions and the witnesses in order to produce me the justice, endorsed that they could not do anything regarding the matter.

6. I therefore most obediently solicit your gracious Honor to peruse all the enclosed Petitions together with this and bring them into your favorable consideration, and investigate all the circumstances of the Petitions by the Collector and grant me the justice as per the record of his trial, and grant me the loss of 6,000 Rupees sustained by the removal of the troops from Samulcotta.

For this act of justice and kindness I as in duty bound shall ever pray.

No. 174.

Transferred to the Chief Secretary to Government.

(By order.)

GOVERNMENT HOUSE,
Madras, 3rd June 1863.

(Signed) C. DENISON, Colonel,
Acting Private Secretary.

No. 430. Endorsement of the Collector of the Godavery District on Petition No. 3,813 of 1862, dated Rajahmundry, 14th January 1863.

1. The Petitioner prays for a remission of Rupees 6,000 in the Abkarry rent of the Talook of Cocanada held by him, on account of diminished sale, consequent on the removal of the troops at Samulcotta.

2. The Petitioner rented the Abkarry farm of the Talook of Cocanada from Fasli 1268 to 1272 at an annual Beriz of Rupees 18,125, and paid in full the amount of his engagement up to the close of Fasli 1271. The 28th Regiment left Samulcotta in March 1862, since which time Samulcotta has been abandoned as a station for regular troops, though the families of two Regiments now on foreign service, as well as a number of Military Pensioners are there located.

3. No doubt the departure of the Regiment must have seriously affected the sales of Arrack at Samulcotta, but the agreement under which the Petitioner holds the rent contains no stipulation under which any deduction can be claimed. The Petitioner accepting the contingencies consequent on the movement of troops, and there is reason to believe that the renter's profits in other places have to a great extent, if not wholly, made up his losses at Samulcotta. The renter at Ellore, and he of Rajahmundry, where regular troops were stationed when he took the rent and within whose limits the Dowlaishweram Cantonment is situated, might claim remission on similar grounds.

4. Under the foregoing circumstances, the Collector rejected the prayer of the Petitioner as set forth in his Endorsement of the 13th August last, which accompanied this Petition, received 30th December 1862, returned 14th January 1863.

(Signed) A. PURVIS, *Collector.*

Endorsement of the Board of Revenue on Petition No. 3,813 of 1862, dated 4th February 1863.

The Collector having reported that Petitioner's profits in other places will more than cover any loss that he has sustained by the removal of troops from Samulcotta, the Board cannot entertain his application.

No. 431. ORDER THEREON, 23rd July 1863, No. 1,365.

1. This Petitioner purchased the Arrack farm of the Cocanada Talook for five years from 1st July 1858. In March 1862, or nearly four years afterwards, the Regiment of Native Infantry, which had for years been quartered at Samulcotta, was withdrawn. The Petitioner complains that its removal has diminished his sales by Rupees 6,000, and he prays for the remission of that sum from his rent.

2. His claim has been rejected both by the Collector and the Board. Mr. Purvis records his belief that "the renter's profits in other places have to a great extent, if not wholly, made up "his losses at Samulcotta." The Board have accepted this statement, declining to entertain the Petitioner's application on the ground that his "profits in other places will *more than cover* any "loss which he has sustained by the removal of the troops."

3. The Government are unable to adopt the views of the Board of Revenue. It appears to them that the Petitioner has established a fair claim to remission. Samulcotta was a regular station for troops. A Regiment had been maintained there for many years, and it was only withdrawn consequent on the recent large reductions in the Native Army. It is impossible that the renter could have foreseen the policy which induced these reductions, and it may reasonably be supposed that his bid was enhanced under the impression that the Regiment would be still kept up. Even assuming that his profits elsewhere have saved him from absolute loss, it is not the wish of Government that his contract should be wholly unremunerative.

4. It does not, however, follow that the Petitioner is entitled to the whole amount of remission which he claims. The Board will be good enough to ascertain and report what loss he has really incurred in consequence of the removal of the Regiment, with a view to a corresponding deduction being made from his rent.

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

Proceedings of the Madras Government, Revenue Department, 23rd July 1863.

Stated rejecting the [illegible] Next Letter 14 January 63

Endorsement 10

Petitioner is hereby informed that his prayer for the remission for the loss sustained by him in the sale of Arrack owing to the removal of Troops from Tamarlacotta ~~[illegible]~~ is inadmissible.

Dated 13th August 1862

(Signed) A Purvis
Collector

...t of the Collector
...1862 on Petition
...2.-

...der the circum-
...stances stated rejecting the prayer

(Here enter 14th Jany/63)

carry Godavari
& Cocanada Sailing
in the Godaveri Dist.
Dd 19 July/1862
Recd by S 12th Augt/62

State that I
have sent the Mo-
-dary farm of Cocanada
at an increase of Rs
of 1000. Per Annum
I have entered in Copy
Rs 1000 & the same
-ran in the 1000
farmed at Rs.

Received 1865.

Admiralty Letters from Abroad

Received 1865.

Admiralty Letters from Abroad

Revenue department

No. 1365

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Letter from Collector

Memorandum

Pet. for order

Pet. purchased the arrack farm of the Cocanada Taluk for five years from 1st July 58. In March 62, or nearly 4 years afterwards, the regiment who had for years been quartered at Samulcottah was withdrawn. Pet. complains that its removal has diminished his sales by Rs. 6000, & he prays for the remission of that sum from his rent.

His claim has been rejected both by the Collector & the Board. The former asserts a belief that the renter's profits in other places have to a great extent, if not wholly, made up his losses at Samulcottah

Under the circumstances stated rejecting the prayer

Here enter 14 Jany 63

Letter from Collector

Rt. 3713

Forwarded to the Collector for full enquiry & information thereon, as requested by his Endorsement of 13th August 1862.

By Order,

Sub Secretary

Rev. Sec. Office, Fort St. George, 20th Dec. 1862.

Ent. 14597/63.

No. 3813 of 1862

From Venkatasamy Abkary Inspector Cocanada Taluq

To the Dy. Collr. of Godavery

Dd. 1 Dec.

Recd. 8 Dec. 1862

Pet. 2 Encl.

Submitting the Collr's Rpt. as called for, on his former Petition herein enclosed, praying for orders to remit from the Renewal the sum of Rs. 6000, the loss sustained by him in the sale of arrack, from the removal of

Copy forwarded to the Collr. of Godavery for Report

By Order,

Sub Secretary

1 Aug 63

12 Aug 62

Petn. of [illegible] praying for remission of Rs. 6000 from the Renewal of his Cocanada Taluq

Copy forwarded to the Collr. of Godavery for Report

By Order,

Sub Secretary

Rev. Sec. Office, 20th Dec. 1862.

No. 1365.

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and the latter have, in their endorsement, construed this belief into an assurance that "the Petr's profits in other places will more than cover his loss".

I would suggest that the Board's policy is neither liberal nor sound. If the confidence of capitalists in the justice of Govt be shaken, the value of these farms must suffer depreciation. Samulcottah, as I understand, was a regular station for troops. A regiment had been maintained there for many years, & was only withdrawn consequent on the recent large reductions in the Native army. It is impossible that the renter could have foreseen the policy which induced these reductions, & he was warranted in the assumption that the regiment would be still kept up. Even if his profits elsewhere have risen above the amount of the profits formerly derived from Samulcottah, it does not follow that he should not be entitled to compensation for the loss of profit which he has incurred by the withdrawal of the regiment. The Govt is bound to make good any loss which a renter may have incurred by the withdrawal of troops, whether he has or has not been in receipt of profits elsewhere sufficient to cover the loss. The question is, what amount of loss has been incurred by the petr in consequence of the removal of the regiment? & that question might be decided without reference to his other gains, & that amount might be deducted from his rent.

17 June 63

No. 3813 of 1862.

Under the circumstances stated rejecting the prayer of the petition

(Here enter 14th Jany 63)

Revenue Department

No. 1365.

Proceedings of the Madras Government
under date the 23d July 1863.

Read the follow-
-ing papers:-

From A. Venkatasawmi
Abkary Renter of the Co-
-canada Taluq, in the Go-
-davery District-

stating that he
has taken the Abkary
contract of the above Ta-
-luq for 3 Fasleis for Ru-
-pees 18,125, that owing to the
removal of the Troops
from Samulcotta, under
the orders of Govt, he suf-
-fered a loss of 6,000 Rs, i
that he applied to the
Collector, and the Board of
Revenue for the remission
of this said sum from
his rent, but his request
was refused- Praying for
an order for the grant
of remission as above so-
-licited.-

(Here enter 25th May 1863, No /

Endorsement of the Collector
of the Godavery dt on Petition
No 3813 of 1862.-

Under the circum-
-stances stated rejecting the
prayer

(Here enter 14th Jany /63

Petr has no
claim of right
but I think much
enquiry should
be made as to
his alleged losses
and if they are
found true with
fairly consider under
the category of trade
Contingencies an
allowance might
be made

L D S

6/11 July Rep 14th July A.G. Sub Rep

kept up. Loan if his profits are

prayer of the Petitioner in respect of granting a remission on the Abkary rent held by him of the Talky of Calcutta —

Endorsement of the Bd of Revenue on Petition No 3813 of 1862, dd 4th Feb 1863

The Collector has reported that Petitioner's profits in other places will more than cover any loss that he has sustained by the removal of troops from Sauniceotta, the Board cannot entertain his application. —

(Above dated 27th Feb 1863)

His Petitioner purchased the arack farm of the Beauda Talook for five years from 1st July 1858. In March 1862, or nearly four years afterwards, the regiment of Native Infantry which had for years been quartered at Sauniceotta was withdrawn — the Petitioner complains that its removal has diminished

diminished his sales by Rs 6,000, and he prays for the remission of that sum from his rent.

2. His claim has been rejected both by the Collector and the Board. Mr Purvis records his belief that "the Petitioner's profits in other places have to a great extent, if not wholly, made up his losses at Sauniceotta." The Board have accepted this statement, declining to entertain the Petitioner's application on the ground that his "profits in other places will more than cover any "loss which he has sustained by the removal of the troops." The Govt are unable to adopt the views of the Board of Revenue. It appears to them that the Petitioner has established a fair claim to remission. Sauniceotta was a regular station for troops. A regiment had been maintained

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maintained those for many years, and it was only withdrawn consequent on the general large reductions in the Native Army. It is impossible that the writer could have foreseen the policy which induced these reductions, and it may reasonably be supposed that his bid was enhanced under the impression that the regiment would be still kept up. Assuming that his profits elsewhere have saved him from absolute loss, it is not the will of Govt. that his contract should be wholly unremunerative.

4 It does not however follow that the Petitioner is entitled to the whole amount of remission which he claims. The Board will be good enough to ascertain and report on what amount of loss he has been really incurred by him in consequence of

the removal of the Regiment with a view to a corresponding reduction being made from his Estt.

MK

11 Copies To the Bd of Rev. Dept 24 July
1 — To the Petition Dept with One Petition & Ors — 1922 SB

Revenue 1863 Dep.tt

Pro: of Govt for July

No 1365.

Pro: of the Madras Govt

of 23d July 1863.

From Bd of Revt 10th Nov 63
No 2727

Petition from V. Venkata
Narasamma Chayadi Sahib
Pender of the Bandaru Talook
in the Godavery District
praying for the remission
of 6000 Rs from his rental
account for 1863 with drawal
of the Regimental Sepoys
which had been quartered
at Amalapuram this year
under them.

No 1429 Cat 63.

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