

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2049

Press
~~Mis.~~

175-176

Dated

14 — 11 — 1918

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
14th November 1863.*

No. 175. Read the following Proceedings of the Board of Revenue, dated 7th November 1863:—

Read the following letter from H. MORRIS, Esq., Acting Collector of the Godavery District, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated Cocanada, 26th October 1863, No. 355.

SIR,

1. I have the honor to transmit a translation of the Plaintiff in a Suit* which has been filed against the late Acting Sub-Collector and myself in the District Moonsiff's Court at Narasapore by Tallapragada Durga Varaprasada Rajudu, Ryot of Vipparru in the Talook of Tanaku.

2. The Suit is about the imposition of water tax. The translation of the Plaintiff and the answer which I propose to file, will inform the Board of the particulars of the case.

3. Plaintiff appealed to the late Collector, who approved of the Acting Sub-Collector's proceedings, and confirmed them by endorsement. He also appealed to the Board, who referred his Petition to the Collector for disposal, and I passed an endorsement on it, stating that I saw no reason for interfering with the decision of the Acting Sub-Collector and of my predecessor.

4. I request, therefore, that the Board will be good enough to obtain permission for me to defend the Suit on behalf of Government. The time for putting in an answer has been fixed for the 15th of December.

1. Ordered to be submitted to Government, with the Board's recommendation that the defence of the Suit at the public cost be sanctioned, on the ground that the Courts have no jurisdiction in such matters, and that the Acting Collector be authorized to file the Draft answer as modified by the Board.

2. Mr. Morris has not stated the facts of the case in his letter, and it is by no means easy to gather them from the Plaintiff and Draft answer; but so far as the Board can discover, the Plaintiff has no good ground to complain.

3. It would seem that his holding consists of Acres 293 $\frac{1}{2}$ of Jeraity land, and that in Fusly 1271, Mr. Master, as Sub-Collector, gave him an extract from the Asamiwar Register showing that so far as the then position of the land as regards irrigation was known, he was liable to pay Rupees 210 for Fusly 1272, and Rupees 347 from Fusly 1273 for land assessment and water tax, and at the same time informed him that for any further extension of irrigation, he would be liable to an additional half rate per Acre for the first year, and full rate for subsequent years, so long as water was available.

4. Subsequently the Revenue Authorities appear to have discovered that of the land entered in this extract as dry, about 100 Acres had been formerly cultivated with wet crops, and are fully irrigated, and they were consequently charged with Rupees 160-13-0 as water tax for Fusly 1272, although the Plaintiff had left them waste.

5. Presuming, as the Board do, that water for wet cultivation was available to Plaintiff in this year, and neither in the Plaintiff nor in the Draft answer is there anything to lead them to a contrary conclusion, the Board consider that Plaintiff was rightly charged for this land with the partial water rate, and that he has no good ground to complain.

6. The Board do not clearly understand to what Mr. Morris refers in the conclusion of paragraph 4 of his Draft answer, and as it appears immaterial to the defence, they have struck it out.

7. There has been singular misapprehension on the part of the local Revenue Officers as to the course they should pursue in connection with the new settlement and the water rate, and the Board have recently issued instructions on the subject, which they trust may mend matters, but in the present instance, if they have rightly understood the facts, there seems no reason to question the propriety of the local Officers' proceedings.

ORDER THEREON, 14th November 1863, No. 2049.

No. 176.

1. The defence of the Suit, as proposed by the Board, is sanctioned.

2. The case, as the Board rightly remark, has not been submitted in a creditable manner.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.

Exd. T. O'Connor.

*Revenue Department
with 2 enclosures.*

charged with Rs 100 - 13 as water tax for July 1872
altho the Plaintiff had left them waste.

5. Presuming, as the Board do, that water for
wet cultivation was available to Plaintiff in this
year, and neither in the Plaint nor in the Draft
answer is there any thing to lead them to a con-
-trary conclusion the Board consider that Plaintiff
was rightly charged for this land with the partial
water rate and that he has no good ground to
complain.

6. The Board do not clearly understand to what
Mr Morris refers in the conclusion of para 4 of his
Draft answer, and as it appears immaterial to the
defence they have struck it out.

7. There is a singular misapprehension
on the part of the local revenue Officers as to the
course they should pursue in connection with the
new settlement and the water rate, and the Board
have recently issued instructions on the subject
which they trust may mend matters, but in
the present instance if they have rightly under-
-stood the facts, there seems no reason to ques-
-tion the propriety of the local Officers Proceedings.

(True Copy & Extract)

J. Anouson
Secretary.

To J. P. Sim Esq.
Secretary to Government
Revenue Department
with 2 enclosures.

EA 16

Patd 1863. (21 of 1863)
 No. of 1863. 2378.
 Proceedings of the Board
 of Revenue.

Patd 1863. {
 No. of 1863. {
 2.2.66 AD

Submitting with

minutes taken from the Board
 of the Land Revenue District. In view
 of the transaction of the Board in
 a suit filed against the Board
 and the Board of Revenue &
 requesting to return the same
 for him to obtain the suit on
 behalf of Government.

With an order

As proposed by the Board is sanctioned
 The defence of the suit
 as proposed by the Board is sanctioned

As proposed by the Board is sanctioned
 The defence of the suit
 as proposed by the Board is sanctioned

Patd 1863. {
 No. of 1863. {
 2.2.66 AD

As proposed by the Board is sanctioned