M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2214 Press ~~Mis.~~

101-102

Dated 5-12-~~19~~-1863

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 5th December 1863.

No. 101. Read the following Proceedings of the Madras Government in the Judicial Department :—

Forwarding for consideration in the Revenue Department a letter from the Collector of Godavery, reporting that the Munsifdar of the Hill Tracts of Rumpa collects a small revenue from Abkarry and Sayer, the latter in the form of an Octroi. } (Here enter 6th October 1863, No. 1,602.)

No. 102. ORDER THEREON, 5th December 1863, No. 2,214.

Referred to the Board of Revenue for early report.

(True Extract.)

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

To the Board of Revenue, with Proceedings Judicial Department, No. 1,602.

Exd. S. T. Augustin.

No. 44. Read the following letter from A. PURVIS, Esq., Collector, Godavery District; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Cocanada, 13th May 1863, No. 5.

I have the honor to acknowledge the receipt of the Order of Government of the 1st ultimo, forwarding a copy of the Proceedings of the Board of Revenue of the 27th February last, on the subject of the petition* presented by the Rumpa Munsifdar, and calling for a full report on the same.

* No. 121 of 1863, herewith returned.

2. The Munsifdar begins by referring to the services of his father. He has not very much to boast of in that regard, seeing that he was in 1812 in arms against the State; but it is not a point of importance as regards the subject at present under consideration, and from the time the country was given back to him, till his death in 1855, matters went on tolerably smoothly.

3. The difficulties which subsequently arose, and the circumstances under which the present Munsifdar succeeded to the post, are fully detailed in my letter to the Board of the 15th September last, and need not here be repeated, but to which letter I would beg that reference may be made.

4. The first complaint of the Munsifdar is that, due notice was not taken of the complaints made by him against certain of his men. As regards the matter to which he refers in paragraph 11 of his petition, he was, during the disturbances in 1857 and 1858 in the Hill Tracts, west of the Godavery, called upon to furnish a small party to protect from depradation a part of the country in the close vicinity of the Rumpa country. He did so, but some of the men deserted their post. They said, because the Munsifdar had neglected to supply them with provisions, as was usual. It was for the Munsifdar himself to keep his own men to their duty. The Magistrate could not interfere to punish them. It is worthy of notice that the Marrivada Chenal Dora, specially mentioned by the Munsifdar, is the man whose services have been so highly spoken of by the Superintendent of Police and to whom Government lately authorized† the presentation of a bangle as a reward for his services.

† Vide Government Order, 14th October 1862, No. 1,694.

5. I have referred to the matter alluded to by the Munsifdar in the 12th paragraph of his petition, in the 17th paragraph of my letter already quoted. As there stated, the statement given before me by the Munsifdar, and those of his party, were so improbable and so full of exaggerations as to deprive them of all value. Great care and circumspection in dealing with the hill men, or in issuing processes against them has been constantly inculcated by the higher authorities, and, unless there are good reasons for believing that charges preferred are true, the issue of processes, the attempt to execute which may perhaps of itself create a disturbance, is always to be avoided.

6. The statement in paragraph 14, that I refused to entrust warrants for the apprehension of the offenders, when the disturbance broke out last year, to the Munsifdar, is perfectly correct. The request was made quite as an after thought on the part of the Munsifdar, who was powerless to execute the warrants, and I felt it much safer to depend on the Police: the issue proved the correctness of my view.

7. I cannot accuse myself of not according to the Munsifdar all proper support, as long as he appeared to me deserving of it, or there was any hope of him. As mentioned in my letter already referred to, I, with some difficulty, induced the greater number of the Mutahdars to agree to pay the Munsifdar's demand, though but few did so. I have frequently advised him to act for himself and not on the advice of the man referred to in paragraph 18 of my letter of the 17th September last, but to no purpose. I fear there is no hope of his ever being able to obtain any real authority in the country, or being able to secure the peace of it.

8. The undertaking referred to in the petition, and the Board's Proceedings is, among other conditions, to the effect that on each occasion of the Munsifdar's failure to maintain the peace

in the country, a certain number of the villages granted to him in the low country should be forfeited, and that on the third occasion the whole should be resumed. The tract under reference was, for some time, previous to the disturbances of last year, in an unsatisfactory state, and the Munsifdar by his own showing was unable to assert his authority therein; but no attacks were made on the low country till July 1862, when two villages were plundered. In my own opinion the Munsifdar has for some years shown himself wholly unable to perform his part of the contract, but, should Government consider that the plundering of two villages in the low country last year ought to be looked upon as the first specific instance of failure, the first part of the penalty may be imposed, though I do not advocate this course. If it be determined to leave the Munsifdar in possession of any portion of the country, I think it would be best to let him retain all he now has in his possession.

To the Honorable the Members of the Board of Revenue.

The humble Petition of Rajah MATHUVETEE SREE RAMAH BHOOPATE DAVOO GAUROO MUNSUBDAR of Rumpa Taluq, Godavery District, Rajahmundry.

Sheweth,

1. That by an Order of Government, No. 1,940, dated 1st December 1862, your petitioner was informed "that any representation he might wish to make should be laid before the Board of Revenue with as little delay as possible.

2. In accordance with this direction the following facts are stated.

3. Your petitioner's ancestors had been in the enjoyment of the Rumpa Taluq for a period of 500 or 600 years under the Mogul Government, and this territory was held by him as absolute property, unburdened by any conditions or service.

4. In 1813 your petitioner's father was induced to accept a Sunnud from the East India Company, by which he acknowledged their Sovereignty, and bound himself to perform certain services which are set out in the third paragraph of the Sunnud in the following words: "As a part of my allegiance I for ever bind myself and heirs to seize all suspicious persons, thieves and generally all enemies to the Company who may shelter themselves in my Taluq, and to send them to the nearest Magistrate or authorized authority to receive them; and so long as I and my heirs conform to these conditions we shall enjoy our Taluq and the protection of the Company's Laws, but in case of failure we shall be considered as rebels and suffer as such."

5. Your petitioner's father held the Taluq under this Sunnud and conformed to its conditions, and was always active in rendering assistance to the East India Company. In 1831 his exertions in arresting and delivering over to Government the rebel Kakerlapudi Paikaru, were acknowledged by the Cirkar officials, and a reward of Rupees 2,000 was bestowed upon the two persons who had effected the arrest. These facts are established by the documents marked A and B, annexed to this Memorial, and dated 14th July and 13th December 1831.

6. Your petitioner's father died in the year 1835, and was succeeded by your petitioner who was then a minor, and who attained his majority in the year 1847.

7. During the minority the Taluq was placed under attachment. In 1846 a rebellion was raised by Tinnamama Dora. Your petitioner and his sister then sent out men who fought with the rebels, and did their best to apprehend them. But they were informed by the Magistrate, Mr. Prendergast, that as the Taluq was under attachment, their forces should be withdrawn. These facts are evidenced by the documents D and E, annexed to this Memorial.

8. On the 22nd July your petitioner executed a Kararnamah to the then Collector, Thomas Prendergast, in which it was amongst other things stipulated that your Petitioner should pay a sum of Rupees 4,371-15-4 for salaries of Sibbundy employed during his minority; that he should use every exertion to prevent rebellion in the Taluq, and give information to the Cirkar of all rebellious acts. It was further provided, that in event of any *wilful* violation of the conditions of the Kararnamah, Government should be authorized, for the first fault, to take away the two

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villages of Ravilunka and Bhampully; for the second offence, the two villages of Varelunkapullay and Pantapillay; and for the third offence, entirely to deprive him of his estate: in which event your petitioner should be bound to receive whatever allowance might seem fit to Government. A copy of this Kararnamah is annexed marked C.

9. Your petitioner was accordingly placed in full enjoyment of the Taluq.

10. The rebellion of Bundapillay Tinnamama Dora was still proceeding, notwithstanding the exertions of Government to suppress it; but shortly after your petitioner was placed in possession of the Taluq he succeeded in arresting the rebels and delivering them over to Government. For this service, he received the thanks of the Government, and the reward which had been offered for the apprehension of the rebels. These facts are evidenced by the accompanying documents marked F and G.

11. In 1857 another outbreak took place, the Magistrate ordered your petitioner to send 50 men to suppress it. The men were sent, but owing to the misconduct of Marrivada Chenal Dora who was in command of the party, and who entertained a secret grudge against your petitioner, in consequence of his father having been killed by your petitioner's father, the men ran away. Your petitioner applied to the Magistrate to punish those who had acted in this manner, but no punishment was inflicted upon them. These facts are evidenced by the accompanying documents marked H and I.

12. On the 29th and 30th December 1861, your petitioner's house was attacked by armed men. He presented charges against these men to the Magistrate, but through the assistance rendered to them by Appalarauze, the Head of Police, no notice was taken of the charge, and the offenders were not even summoned.

13. The existence of crimes of violence in the District is due to the impunity which these and other criminals have met with, and not to any negligence on your petitioner's part.

14. In 1862, further disturbances arose; your petitioner sent urzees to the Magistrate requesting him to issue writs for the apprehension of the offenders, and to supply information which might lead to their apprehension. Urzees to this effect were forwarded on the 20th July, and the 6th and 15th August. Your petitioner received in answer letters from the Magistrate, dated 8th August and 2nd September, in which he refuses the above requests, and directs your petitioner not to interfere in the matter. These letters are annexed and marked J and K.

15. Your petitioner has supplied the fullest information to the authorities in regard of the recent disturbances, but has been continually thwarted by the intrigues of Appalarauze.

16. Your petitioner has been informed that the Magistrate has sent in a report to your Board, recommending that the Taluq should be taken away from your petitioner. This report has never been submitted to him. He has never been allowed a copy of it, and has never had an opportunity of answering it in detail. Even at this moment he is defending himself against charges, which he has never been allowed to hear.

17. Your petitioner submits that the facts stated above show clearly that your petitioner and his father have always been loyal and active in the service of the British Government. This loyalty and activity have been evidenced by services for which they have been thanked, and for which their dependants have been rewarded. Your petitioner has been less successful during the last few years, and this has arisen partly from the want of support from the Magistracy and Police, and partly from the violence of the criminals. The Sunnud binds your petitioner to do his best to seize on rebels, but it does not compel him to do impossibilities, nor can he be punished whenever a successful criminal evades Justice.

18. Your petitioner also submits that his Sunnud cannot be cancelled by a mere order of Government, any more than a Zemindary, held under Regulation XXV of 1802, could be resumed without a regular suit. No contract to which Government is a party could be relied on, if Government could constitute itself Judge in its own case, and annul its own agreement for its own benefit, on the exparte representations of its own Officers.

19. Your petitioner also submits that under the Karar of 1817 no resumption of the Taluq can take place until after two distinct faults, each followed by a specific partial forfeiture.

He therefore prays that your Honorable Board will direct that a copy of every report and charge which has been made against him may be furnished to him, and that a full investigation may be granted, before any step is taken in the matter.

MADRAS,
5th January 1863.

(Signed) JOHN D. MAYNE,
Counsel for Petitioner.

No. 45.

ORDER THEREON, 6th October 1863, No. 1,602.

1. The foregoing papers relate to the disturbances which took place last year in the Hill Tracts of Rumpa, and to the recommendation which was made, in consequence, by the Collector of the Godavery District that the Rumpa country should be taken under the management of the Officers of Government, and an allowance granted to the Munsifdar. This recommendation was made with reference to the conditions under which the possession of the Zemindary, which since 1839 had been under the Collector's management, was transferred to the Munsifdar in 1848. The conditions were, that in the event of his failing to preserve peace and good order in the country, he should forfeit two of his villages in the low country; on the second occasion, two others; and on the third, the whole of his territory; and should thereupon be granted such an allowance as the Government might deem proper. Mr. Purvis stated that the Munsifdar, Ram Bhupaty, had never been able to enforce his authority in the Hill Tracts; that he seldom visited them; and that he had never resided there, as his predecessors had always done, but lived at Erumpolliem, one of the villages in the low country. He attributed the hostility of the inhabitants of the Hill Tracts towards the Munsifdar to his having in his service, as his chief adviser, a Brahmin to whom they are very inimical. The Munsifdar himself, he observed, was a man of no intelligence and entirely in the hands of the Brahmin in question. In the opinion of Mr. Purvis, he had shown himself quite unable to control the people of it; and the Collector believed it to be utterly hopeless to expect that he would ever be able to obtain or to exercise any real authority in it. Mr. Purvis was satisfied that under the direct management of the Officers of Government the country would be as quiet as any other part of the District. Similar results he remarked, had followed the resumption of other Hill Tracts, as Juddunghi on one side, now part of the Peddapur Taluq, and the country to the north of the Godavery on the other. He recommended that the Munsifdar should be allowed to retain as many of the six villages held by him in the plains as would give him an income of Rupees 200 per mensem. The Board of Revenue concurred in the Collector's opinion as to the expediency of resuming the management of the country; and while supporting his recommendation that an allowance of Rupees 200 per mensem should be made to the Munsifdar, they suggested for the consideration of Government whether this should be effected by continuing the family in the possession of the villages in the plains, or whether these villages also should be taken under Government management, and their revenues charged with the allowance proposed. The Board inclined to the latter of the two alternatives.

2. The Government in their Proceedings of the 1st December last declined to sanction the resumption of the country until the Munsifdar should have had an opportunity of laying before Government any representation he might have to make on the subject. Subsequently, a petition presented on behalf of the Munsifdar was submitted by the Board of Revenue and was sent to the Collector for report on the various points noticed in it. The Munsifdar complained in his petition of want of support on the part of the local authorities. This, the Collector's report shows to be unfounded; but it seems questionable whether the disturbances which occurred last year would justify the resumption of the whole of the Munsifdar's territory. In the Kararnamah which was executed when the country was placed in the present Munsifdar's possession, it was stipulated that on the first occasion of his failing to maintain the public peace, he should forfeit, not the whole, but a portion of his estate. The Collector is doubtless correct in his assertion that the Munsifdar has never exercised any real authority over the inhabi-

tants of the Hill Tracts, but the disturbances of last year were the first specific instance that has been adduced of the peace of the country being broken owing to the powerlessness of the Munsifdar; and although under ordinary circumstances such disturbances would justify the Government in taking the entire management of the country, such a step in the present case would be a violation of the agreement above referred to.

3. Since the disturbances, which have led to the late correspondence took place, a Police force has been established in Rumpa; and arrangements have been made for making cheap roads through it. It is not probable that the peace of the country will be again disturbed; and under all the circumstances, the Governor in Council is not disposed to enforce the only part of the conditions entered into on the transfer of the country to Ram Bhupaty Deo, which could now be acted on, viz., the resumption of two of the villages in the low country.

4. It is stated in Mr. Purvis' letter of the 15th September 1862, that the Munsifdar collects a small revenue from Abkari and Sayer, the latter in the form of an octroi. This matter will be considered in the Revenue Department.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

Pro. 30 aug 63 No 418 - 411 -

Revenue 1863 Dept
Pro: of Govt for Decr
No 2616

Pro: of the Madras
Govt Judicial Dept

No 6 }
Read 8 } October 1863

No 1602

From Bo of Rev Jr
22 March 64 No 811 Order No 678
from Do 14 Nov 63 No 3024
Forwarding for consider-
ation on the Revenue Dept a letter
from the Collr of Godavery
reporting that the Manufacture
of the Gill Sheets of Tirumpa
Collects a small Revenue
from Mr Macrae & Layer, the
Letter in the Form of an Address.

With an order

No 2214 - 5 Decr

L

Pro. Bd of Rev 14 March 64
No 1593
19 March 64 No 473

1503 + 752.

No 2214 -

Referred to the Board of
Revenue for early report.

Fort St George
5th December 1863

1 Copy to the Bd of Revl
Dept 5 Decr
with Pro JC 1602