

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	860	Press Mis
214.215		
Dated	18.5.19	1863

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
18th May 1863.*

No. 214. Read the following Proceedings of the Board of Revenue, dated 26th January 1863,
No. 479 :—

Read the following letter from E. B. FOORD, Esq., Acting Collector of the Kistna District, to
W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Masulipatam,
20th December 1862, No. 316.

SIR,

1. With reference to the Board's endorsement on Petition No. 3,634 of 1862, presented by the Vakeel of Rajah Kisara Rookkamma Rao, Zemindarni of Moonegal Purgannah in this District, on the subject of Moturpha remission, I have the honor to state that the Estate being situated in the Nizam's territory, the shepherds and tradesmen were constantly exposed to the inroads of banditti. To give them therefore an encouragement to remain in these villages, no Moturpha was collected by the Government from the time of the permanent settlement.

2. On reference to the correspondence noted in the margin, and to the accounts of the permanent settlement, it appears that 62 Star Pagodas, being the average collections of Moturpha tax, was included in the assets (Star Pagodas 3,856) of the Moonegal Purgannah, and Star Pagodas 20 or Rupees 70 were included in the Peshkush fixed for that Estate.

3. In 1821, Mr. Lane, Collector, under orders of the Board, recommended the grant of Moturpha remission to the ancient Zemindars of the late Masulipatam District, for a period of twenty years from Fasli 1212 to Fasli 1231 (A.D. 1821). The Government in their letter dated 29th November 1822, sanctioned the payment of the arrears amounting to Rupees 1,34,686, and an annual remission from Fasli 1232 of Rupees 6,117-8-0, in which the sum of Rupees 70 belonging to the Moonegal Zemindar was included, and his share in the arrears sanctioned was Rupees 1,400.

Mr. Lane's letter to Board, 12th August 1822.

4. On 21st January 1823, the orders of the Government were intimated to the Zemindar by the Collector, by an Inayatnamah; but at the same time orders having been issued for the collection of the Moturpha tax in this Estate also, many of the Shop-keepers, &c., fled into the Nizam's villages. The Zemindar then represented that much inconvenience was felt to provide supplies to the Regiments passing to and from Hyderabad, and that the collection of Moturpha might be stopped. The request was complied with, and consequently neither the old arrears was paid, nor was the reduction made in the Peshkush as sanctioned by the Government.

5. As the Moturpha has been lately abolished, the Zemindarni claims a permanent reduction of the item in question (Rupees 70) from her Peshkush, and prays that the arrears of remission amounting to Rupees 1,400 up to Fasli 1231 formerly sanctioned by the Government, together with that from Faslis 1232 to 1271, at 70 Rupees per annum, may be paid to her.

6. In my opinion her claim for the arrears amounting to Rupees 4,200 from Faslis 1212 to 1271 at Rupees 70 a year is not tenable, because the Government collected no Moturpha from her villages during that whole period on her request. I beg to recommend that the sum of Rupees 70 included in her Peshkush on account of Moturpha, should be permanently deducted from the Peshkush from Fasli 1271.

ENCLOSURE No. 1.—Petition.

1. The Board cannot concur with Mr. Foord in considering that Petitioner is entitled to the remission of Peshkush which she claims. It appears that though the assets of her Estate were reckoned by the Circuit Committee, Sayer being deducted at Star Pagodas 3,856 a Peshkush of Star Pagodas 1,285 only was imposed by the Special Commissioner, this sum being less than one-third, instead of two-thirds of the estimated assets.

2. It is true that in the Statements which accompanied Mr. Russell's letter to the Board dated 1st May 1821, a deduction of Star Pagodas 20 from the Peshkush appears, and that in the Government Order noted in the margin, the Government sanctioned this deduction, as well as a refund, amounting to Star Pagodas 400;

Dated 29th November 1822, No. 752.

remission

*Proceedings of the Madras Government, Revenue Department,
18th May 1863.*

but in paragraph 12 of Mr. Russell's letter it is clearly shown that it was not intended to make this deduction and refund.

* Board's Procs., 18th April 1862, No. 202.

3. On the first occasion on which Mr. Russell's letter was submitted to Government,* this item of remission and refund was specially excluded from the recommendation; and it appears to have been included through an oversight when the proposal was again brought forward.†

† Board's Procs., 14th November 1862, No. 1,552.

4. In the opinion of the Board too, it is open to question whether it can be said, strictly speaking, that the sanction of Government was accorded to this refund and remission. It is expressly stated in the Order that Government only sanction the abatements of assessment, and the refund of collections for former years, on the distinct understanding that it was needed by the Zemindars "to place them in comfort and respectability"; but such could certainly not be said of a proprietor who paid less than one-third of his average gross receipts as Government Peshkush.

5. Under these circumstances therefore the Board resolve to pass the following Endorsement on Petitioner's address, and to submit a copy of these Proceedings for the information of Government:—

"Petitioner's request appears to the Board to be inadmissible."

(A true Copy and Extract.)

(Signed) R. A. DALYELL, Sub-Secretary.

No. 215.

ORDER THEREON. 18th May 1863, No. 860.

The Government concur with the Board in rejecting Petitioner's application.

(Signed.) J. D. SIM,

Secretary to Government.

Memorandum.

1. In his report of 1819 on Masulipatam the Collector Mr. Russell referring to the wretched condition of the agricultural classes caused by the exactions of the Zemindars, and to the necessity of diminishing the Government demand on the latter if any amelioration in the state of the former was to be expected, remarked that "the Zemindars already complain of the hardship of being debarr'd from collecting the 'Moturpha' and other items which were erroneously included in the accounts on which their assessments were founded."

20th March
1819 -
Para 42..

2. In their review of that report the Board remarked "with regard to the rights of the Zemindars to compensation for the Moturpha Revenue which they are prevented from collecting but which is nevertheless included in the assets on which the permanent Jummah of their estates was formed, the Board have only to observe that in the Zemindaris in Guntoor and in other Districts where claims of this description have been established they have been submitted to Government and the remission

Board's Procs.
27th Apr 1820
para 30. -

"remission to which the zemindars are
"entitled on this account has been granted.
"The same will be done with regard to the
"zemindars in Masulipatam so soon as the
"Collector shall lay their claims in a separate
"communication before the Board"

3. In 1821 the Collector reported
accordingly - He pointed out in the first
instance that although moturpha may be
said to have been included in the assets
upon which the permanent settlement was
calculated yet in reality the Special
Commission did not adhere to the principle
which they had originally laid down viz.
to take a fixed proportion of the gross
collections but had in all estates but five
deviated either in the way of increase or
reduction of that proportion for reasons
which they gave at length in each case -

Mr Russell's first impression was that "the
"accounts of ^{the} Circuit Committee did not so
"distinctly form the basis of the Settlement
"as to entitle the zemindars to an abatement
"on account of any items which might have
"been erroneously included in them." He sub-
sequently saw reason however to change
his

* 1st May 1821.

para 6.

para 8.

his opinion, and finally came to the
conclusion that the introduction of "Moturpha"
among the assets on which the permanent
settlement was formed must have been
intentional, and if it was thus intended to
invest the zemindars with the right of
levying this branch of revenue "it would seem
"to follow that the Government are now col-
"lecting from the inhabitants what they
"are paid for by the zemindars, while the
"zemindars are paying for what they do not
"receive"

para 12

4. The statements enclosed in this
report and which had been carefully pre-
pared with reference to the varying
circumstances of each case shewed that
"remission on account of past times, in-
cluding the then fasli 1230, would amount
"to Rs 2,32,200 - 8 - " and the yearly remission
"to be allowed in future Rs 12,782 - - -"

5. These papers together with another
letter from the Collector explaining that the
reason why moturpha had been collected by
the Government from the earlier periods of
the permanent settlement was because the
terms of the Cawle excluded all right on the
part of the zemindar to such collection,
were

were submitted to Government with the Board's opinion that remission on account of past years should be allowed and that for the future either an annual deduction should be permitted on the Zemindars authorized to collect the revenue themselves.

* From Board
18th Sept/22
N^o 202.

6. The Government differed entirely from the Board. Notwithstanding that Moturpha was included in the assets of the Zemindaris, these data were abandoned in the calculation of the assessments, and it was expressly declared in the canals that the Zemindars should not collect Moturpha.

21st May/22
N^o 378.

The Government therefore declined to entertain the Board's proposition but intimated that if in any of the ancient Zemindaris the assessment had proved too high, it might be reduced so as to place the Zemindars in comfort and respectability. Those however who were created Zemindars by the Permanent Settlement were not entitled to the same consideration.

7. The Board in reply and under the impression that Government had forgotten that the question was not a new one but had been settled in regard to the Guntur Zemindaris, brought

* 10th June/22
N^o 293.

brought this circumstance to notice in view to a reconsideration.

8. It did not seem to the Government that any alteration in the views previously expressed by them was necessary. They observed however that such of the Zemindars as were in possession of their estates before the permanent settlement must according to the usage of the country have collected moturpha and were therefore on the same footing as the Guntur Zemindars to whom compensation had been allowed.

The Governor in Council was therefore disposed to show consideration for the ancient Zemindars by an abatement of the assessment in all cases in which it might be found necessary.

9. In consequence of the foregoing permission the Board requested sanction for the payment of arrears of remission on account of Moturpha resumed and collected by Government from Fasli 1212 to Fasli 1231 amounting to Rs 134,686-3-6 and for the annual remission from Fasli 1232 of Rs 6,717-8-0.

14th Nov^r
1822
N^o 559.

29th Nov^r/22
N^o 752.

10. This was granted on the understanding that the ancient Zemindars, in whose

favor

favor this remission was recommended, stood in need of the abatement to place them in comfort and respectability.

11. The Board's Proceedings of 26th January 1863 No 479 - refer to a claim set up by the Zamindar of Moorigal Purgunnah for arrears of remission at 70 Rs a year from Fashi 1212 to 1271 amounting to Rs 4200, and for the reduction of his peshkash in future by the sum of Rs 70.

12. This Purgunnah was entered in the statements which accompanied the Board's letters referred to in the preceding paragraphs, and formed one of the Ancient Zamindari. The Gross Revenue according to the Circuit Committee amounted to Star Pagodas 3856 and the Peshkash would, had the fixed proportion of two-thirds been taken, have been Star Pagodas 2571. The amount ultimately settled was however but Star Pagodas 1285. It was a frontier district and liable to incursions of Banditti from the Nizam's territories, besides being in the vicinity of the high road. For these reasons which rendered the Zamindar liable to additional expense the peshkash was fixed low.

* para 12
of the same
letter. —

* 18th Apr 1822
para 10. —

* vide para 10.

Mr Russell's
letter of 1 May
1821 - p. 3 and
enclosures. —

13. It further appeared that no motorpha had been levied for many years in this Purgunnah, in consequence of the frontier situation of the village and the other reasons mentioned above. Mr Russell therefore was of opinion that, as this exemption was of material benefit to the Zamindary, it would not be necessary to make any alteration in the assessment, and though he had entered in the statements accompanying his letter the sum of 20 Pagodas to be annually remitted on account of Motorpha included in the Permanent Purgunnah, he again deducted this amount before arriving at the sum entered in para 4 of this Memorandum. The Board also when first submitting the general proposition to Government referred especially to this recommendation and apparently approved of it.

14. When however the revised statements finally sanctioned by Government on 29th November 1822, were prepared, this recommendation was overlooked and being an Ancient Zamindari, this Purgunnah was put down for a remission on account of past years amounting to Pagodas 400, and a future annual deduction of

of Pagadas 20 - on Rs 70-0-0

15. From the Collector's letter, now forwarded by the Board it appears that the sanction of Government to this remission was made known to the Zemindar in 1823 but that no sum was actually disbursed nor reduction in Peshkash made because at the Zemindar's request the collection of Moturpha, which had been commenced by Government, was stopped again in order to keep the Shopkeepers from abandoning the place.

8/20th Decr/62
N^o 316.
para 4.

16. The Board are now of opinion that the claim should not be allowed. The original sanction was evidently an oversight and indeed looking at the promise entered by Government at the time of giving their sanction viz that the abatement should only be allowed in cases where it was needed to place a Zemindar "in comfort and respectability" it is obvious that the present case could not have come under the operation of the Government order of 29th November 1822, inasmuch as the proprietor of Mooneyalah enjoys more than two thirds of the gross receipts of the Pergunah. -

* vide para 10
supra.

This seems
wrong.

16. I presume therefore that the Board's view are correct and have effect accordingly. C. W. J. D. V.

No. 479.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 26th January 1863.

Read the following letter from E. B. FOORD, Esq., Acting Collector of the Kistna District, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Masulipatam, 20th December 1862, No. 316 :—

1. With reference to the Board's endorsement on Petition No. 3,634 of 1862, presented by the Vakil of Rajah Kisara Rookkamma Rao, Zemindarni of Moonegal Perganah in this District, on the subject of Moturpha remission, I have the honor to state that the Estate being situated in the Nizam's territory, the shepherds and tradesmen were constantly exposed to the incursions of banditti. To give them therefore an encouragement to remain in these villages, no Moturpha was collected by the Government from the time of the permanent settlement.

2. On reference to the correspondence noted in the margin, and to the accounts of the permanent settlement, it appears that 62 Star Pagodas, being the average collections of Moturpha tax, was included in the assets (Star Pagodas 3,856) of the Moonegal Perganah, and Star Pagodas 20 or Rupees 70 were included in the Peshkush fixed for that Estate.

3. In 1821, Mr. Lane, Collector, under orders of the Board, recommended the grant of Moturpha remission to the ancient Zemindars of the late Masulipatam District, for a period of 20 years from Fasli 1212 to Fasli 1231 (A. D. 1831). The Government in their letter dated 29th November 1822, sanctioned the payment of the arrears amounting to Rupees 1,34,686, and an annual remission from Fasli 1232 of Rupees 6,117-8-0, in which the sum of Rupees 70 belonging to the Moonegal Zemindar was included, and his share in the arrears sanctioned was Rupees 1,400.

4. On 21st January 1823, the orders of the Government were intimated to the Zemindar by the Collector, by an Inayetnamah; but at the same time orders having been issued for the collection of the Moturpha tax in this Estate also, many of the Shop-keepers, &c., fled into the Nizam's villages. The Zemindar then represented that much inconvenience was felt to provide supplies to the Regiments passing to and from Hyderabad, and that the collection of Moturpha might be stopped. The request was complied with, and consequently neither the old arrears was paid, nor was the reduction made in the Peshkush as sanctioned by the Government.

5. As the Moturpha has been lately abolished, the Zemindarni claims a permanent reduction of the item in question (Rupees 70) from her Peshkush, and prays that the arrears of remission amounting to Rupees 1,400 up to Fasli 1231 formerly sanctioned by the Government, together with that from Faslis 1232 to 1271, at 70 Rupees per annum, may be paid to her.

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ENCLOSURE No. 1.—Petition.

1. The Board cannot concur with Mr. Foord in considering that Petitioner is entitled to the remission of Peshkush which she claims. It appears that though the assets of her Estate were reckoned by the Circuit Committee, Sayer being deducted at Star Pagodas 3,856, a Peshkush of Star Pagodas 1,235 only was imposed by the Special Commissioner, this sum being less than one-third, instead of two-thirds of the estimated assets.

2. It is true that in the Statements which accompanied Mr. Russell's letter to the Board dated 1st May 1821, a deduction of Star Pagodas 20 from the Peshkush appears, and that in the Government Order noted in the margin, the Government sanctioned this deduction, as well as a refund, amounting to Star Pagodas 400 ; but in paragraph 12 of Mr. Russell's letter it is clearly shown that it was not intended to make this deduction and refund.

3. On the first occasion on which Mr. Russell's letter was submitted to Government,* this item of remission and refund was specially excluded from the recommendation ; and it appears to have been included through an oversight when the proposal was again brought forward. †

4. In the opinion of the Board too, it is open to question whether it can be said, strictly speaking, that the sanction of Government was accorded to this refund and remission. It is expressly stated in the Order that Government only sanction the abatements of assessment, and the refund of collections for former years, on the distinct understanding that it was needed by the Zemindars "to place them in comfort and respectability" ; but such could certainly not be said of a proprietor who paid less than one-third of his average gross receipts as Government Peshkush.

5. Under these circumstances therefore the Board resolve to pass the following Endorsement on Petitioner's address, and to submit a copy of these Proceedings for the information of Government :—

"Petitioner's request appears to the Board to be inadmissible."

(A true Copy and Extract.)

W. Russell
28-6-93
23-7-94

Sub-Secretary.

To E. B. Ford, Esq., Acting Collector of the Kistna District.
Copy to J. D. Sim, Esq., Secretary to Government, R. D.
MS. copy of Endorsement to Petitioner.

W-800

The Govt. concurs with the Board

in rejecting Petitioner's application

Exd. J. Wright.

Copy to the Secy. Gen. Cyp. 17

Printed by George
180. May 1821

180 May 1821
180 May 1821

Passing orders on Petition No. 3034 of 1802 from the Zemindars of Moonegal Pergamah in the Kistna district claiming remission of Peshkush.

No. 470.

29 January 1863.

PROCEEDINGS OF THE BOARD OF REVENUE.

No. 275.

Rev. 1863. Department 1863
Rev. of Govt. for May 1863

Pro. 1st May 1821 No. 14-15
" 21-11-1822 " - 5-6
29 Nov 1821 " - 2-3

25/11/16