

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1496	Press ~~Mis.~~
275	
Dated	18 - 8 - 1864.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
18th August 1864.*

No. 275.

Dated 18th August 1864, No. 1,496.

Land Revenue.

13th July 1864, No. 4,366.
28th " " " 4,788.

1. The attention of Government has been drawn to the Proceedings of the Board of Revenue, marginally noted, in which upon the recommendation of Mr. Fane, the settlement of the Madras District recently made by Messrs. Banbury and Hutchins, the late Acting Collector and Sub-Collector, has been to a considerable extent reversed on an essential point.

2. This point is the practice which has been allowed, under lax management, of permitting irrigated lands to be held by proprietors who are too lazy or indifferent to cultivate, without requiring them to pay the Government assessment. The Government thus lose revenue and the benefit of the outlay which may have been made on irrigation works; and land is left uncultivated, although many persons are ready to cultivate it if allowed.

3. It was natural that a reform in this particular would meet with opposition not only from the owners of the lands, many of whom are rich and influential persons residing in Madras, but from the Native Revenue servants. The Board have in paragraphs 2 and 3 of their second Proceedings admitted the prevalence of the evil, and it is to be regretted that they should not have given warmer support to the officers who endeavoured to correct it.

4. The Government are not satisfied with the propriety of the orders which have been issued on Mr. Fane's representations. They consider that the Board should review the whole subject, calling on the late Acting Collector and Sub-Collector to explain their proceedings, and that no deviation from their settlement should be allowed except on satisfactory proof in the case of each village.

5. Of course after every Jamabandy new information may lead here and there to the modification of the settlement, and had Mr. Fane sought permission to make corrections in a few clear cases only, there could have been no objection. The information which he submitted, however, was quite insufficient to justify his wholesale proposal "to remit *in toto* the charges on "Nunjah waste throughout the District."

6. It is not so much the sum at issue, though that is not small, which is to be considered, but the important point of Revenue administration which is at stake.

(True Extract.)

(Signed) J. D. SIM,
Secretary to Government.

To the Board of Revenue,

Exd. S. T. Augustin.

No. 4,366.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 13th July 1864.

Read the following letter from the Collector of Madras, dated Sydapet, 8th July 1864, No. 307:—

1. The late Acting Collector, Mr. Banbury, during the Jammabandi of this District, came to the conclusion that certain wet lands had been left waste entirely through the negligence of the Ryots, and therefore granted them but partial remissions, and that even not invariably, the rates varying according to the known circumstances of the Ryots.

2. Numerous petitions have been presented both to the Board and myself complaining of the hardship of such orders, and the Tahsildars without exception have demurred to them, and say that many of the Ryots have downright refused to pay, knowing that the demand could not eventually be enforced.

3. It appears to me that the spirit of all the Board's and Government orders on the subject of collections on waste lands, is directly opposed to proceedings like Mr. Banbury's. It is not contended that the lands were cultivated, but only that water could have been obtained if the Ryots had been more energetic. That as much land was taken up as there was water for the increase of some lac and six thousand Rupees in the actual cultivation of the whole District, is adduced as proof; the Board however say in their Proceedings of the 19th June 1863, that "where there is no crop, the Government demand, which is based on its right to a share in the produce, must be wholly remitted." I have therefore taken upon myself to remit the above-said Banjer charge, and trust my proceedings will not meet with the Board's disapproval.

1. The Board are unable to confirm Mr. Fane's proceedings without further and full information. They observe that he was not competent to overrule Mr. Banbury's decision as Acting Collector, and that there could have been no necessity for acting on his opinion of the merits of the case without a previous reference to the Board, which need have involved no objectionable delay.

2. When cultivation is impeded or prevented by causes beyond a Ryot's control, he is entitled to remission, and if he could not get water for his wet land, he would be entitled to full remission. But it must be presumed that Mr. Banbury, who made the settlement, had satisfied himself as to the facts of the case, and it will be for Mr. Fane to show that circumstances justified the course which he has adopted.

3. He will please to submit a full explanatory statement of remissions which he has granted for the above cause, and which Mr. Banbury had previously refused to allow.

(A true Copy and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To E. G. R. Fane, Esq., Collector of Madras.

Exd. J. Wright.

Declining to confirm the Collector's proceedings in remitting the assessment, and requesting further information.

No. 4,366.

Received
Despatched
Dated 13th July 1864.

PROCEEDINGS OF THE BOARD OF REVENUE.

No. 4,366.
1864
Department

No. 4,788.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 28th July 1864.

Read the following letter from the Collector of Madras, dated Sydapet, 19th July 1864, No. 323:—

1. Adverting to the Board's Proceedings of the 13th instant, I beg to inform you that my saying in my letter of the 8th, that I had remitted the charge made on Nunjah waste in the last settlement was a mistake, as my orders to the Tahsildars and to the Sub-Collector were simply to suspend the collection of it until further orders.

2. The chief object of the reference was to obtain the permission of the Board to reverse Mr. Banbury's settlement regarding the waste charges in this District, as the orders of the

Board's Proceedings, paragraph 3, dated 6th June 1861, No. 2,917, and paragraph 12 of the Board's Proceedings dated 30th June 1864, No. 1,031.

Board, as per margin, are so distinctly in favor of total remissions or none. Total remission Mr. Banbury granted in but very few cases,

the remissions generally being only partial, and upon no fixed per centage.

3. With reference to the last paragraph of the Board's Proceedings, and to show also that Mr. Banbury went upon no fixed rule for his remission, I beg to forward herewith Mr. Banbury's note book (to be returned), which contains his decision in regard to each village. I also forward a Statement showing a few especial cases in which, notwithstanding the acknowledged deficiency of the supply of water, Mr. Banbury thought proper to charge.

4. To go into the particulars of each village would require a long Statement; so I shall

Sydapet Taluk.	No. 153. Rangunathapuram.
No. 11. Arumbakam.	" 68. Kodapakam.
" 8. Aminjikarai.	" 81. Attipattu.
" 167. Malayambakam.	" 83. Iyanambakam.
" 152. Poonamallee.	" Ponneri Taluk.
" 156. Mangadu.	" 91. Vallur.
" 196. Kunnathur.	

merely make remarks upon the villages as per margin, numbered as per Mr. Banbury's note book. In the cases of Aminjikarai No. 8 and Arumbakam No. 11, Mr. Banbury acknowledges that the supply was bad, and yet charged one-half of the assessment in one case, and

one-eighth in the other. In the remaining cases (Nos. 167 to 91) his reasons were simply "good season."

5. In the case of Malayambakam (No. 167), it appears there was no water at all, the entire cultivation in the village being carried on by means of private wells. From inquiry since made, it appears that the lands of this village are dependant upon the Chembrambakam Tank, the largest in the District. This tank has several sluices, some of which are situated on a high level, while the others are situated on low level. The sluices intended for the village in question, and Poonamallee, are on a high level, and the supply of water this year in the tank was so small as not to reach them.

6. The villages of Mangadu (No. 156) and Kunnathur (No. 196) are also irrigated by the Chembrambakam tank; their sluices are no doubt favorably situated; but as other villages have to be irrigated through them, they did not necessarily obtain a full supply, but had to allow a portion to pass on beyond the limits of their lands. The same remarks apply to many other villages dependant upon the above tank, which irrigates as many as fifty-five villages.

7. The village of Rangunathapuram (No. 153) received but one month's supply; but Mr. Banbury observes in his note book that the second crop cultivation in this village is a proof that there was water enough to have enabled the Ryots to extend their cultivation. The existence of a second crop cultivation alone cannot, I beg to submit, be of itself conclusive of there being water enough; for it frequently happens that a Ryot uses his own private well water in May and June for the first crop; when the early supply of water has failed, and for the second crop he uses the tank water.

8. The villages of Kodapakam (No. 68), Attipattu (No. 81), and Iyanambakam (No. 83) are dependant upon tanks, which from the Statement I send, are shown to have received a supply of water sufficient for a short period, and yet Mr. Banbury charged the waste in these villages on the ground that the season was good.

9. In Vallur (No. 91) in the Ponneri Taluk, a portion of the waste is inundated annually by salt water, and is rendered thereby unfit for cultivation, and another portion was left waste for want of water, the village having but one small tank and a scanty supply from a river channel and the freshes in the river having been deficient. The village generally is of bad soil, yet out of a holding of 8,456 Rupees the cultivation was 7,367; and Mr. Banbury notwithstanding charged the waste there, saying the Ryots were a "quarrelsome set, and doubtless negligent."

10. The Board will observe that in the cases as per margin, and in the Statement now sent,

Pariagoodal, No. 7. Madaveram, No. 25.
Aminjikarai, " 8. Paravullore, " 59.
Arumbacum, " 11.

although the tank or tangal is stated to have received its full supply of water, there is still much waste. This may seem to have been caused by negligence, but the fact is that the capacity of the tanks in all these cases is not commensurate with the extent of land under them, and unless therefore these tanks or tangals fill three or four times in a year, but a small portion of the land can be brought under the plough.

Vide note book's remarks opposite to villages marked with blue pencil.

No. 94. Sivanvoyal.	No. 9. Arthupakam.
" 105. Kilvelagam.	" 19. Vanankuppam.
" 109. Kunnalalam.	" 116. Pandur.
" 151. Tirukanachori.	" 96. Pudumavalingai.
" 110. Ariyapakam.	" 149. Siyanjeri.
" 114. Karatanur.	" 119. Alilikuli.

11. In the villages as per margin, all of which are in the Trivallur Taluk, Mr. Banbury fully acknowledges in his notes that the supply was bad, and yet charged the waste.

12. Whatever Mr. Banbury's opinion may have been at the time, from inquiries I have

since made, I feel convinced that the waste was chiefly owing to a deficiency of water, caused in some cases by failure of rain, in others from the disrepair of the irrigation works; and to charge the Ryots for such waste would only cripple their future resources, and perhaps add to a diminution of cultivation in the Fasli just commenced.

13. The late Acting Sub-Collector, Mr. Hutchins, made the settlement of the Sub-division on the same principle as Mr. Banbury did; and my desire for remission is equally applicable to the Sub-division.

14. It is to be remarked that in many of the villages in which Nunjah waste has been charged, remissions have also to be granted for Shavi. The fact of there being any Shavi therein clearly proves that the supply was really deficient, as otherwise the Ryots would have brought to completion the cultivation they had commenced.

15. In conclusion, I beg that the Board will, as requested in the 2nd paragraph of this letter, allow me to so far modify Mr. Banbury's settlement as to remit *in toto* the charges on Nunjah waste throughout the District.

ENCLOSURE No. 1.

ABSTRACT.—Statement showing the capabilities of the tanks in certain villages of the Sydapet and Ponneri Taluks, and the supply received during the year.

1. The Board are satisfied with Mr. Fane's explanation, and consider that he has shown good cause for seeking permission to revise the Settlement of the so-called "Nunjah dittum Bunjer." The Board are quite prepared to maintain the rule that Ryots are entitled to remission to the full extent for waste resulting *bona fide* from natural causes beyond their control, and authorize the Collector to apply the rule to those cases in which Mr. Banbury charged the waste wholly or in part, when Mr. Fane is satisfied that the waste was the result of insufficient supply in the Tank.

2. The case strengthens the Board's conviction of the necessity for very careful revision of the Nunjah classification as recently sanctioned by Government, but the Board consider that when that revision has been made, and the Ayacut of the Tanks reduced to what they are really capable of supplying, then it will be necessary to exercise great care in allowing remission in a succession of years for "Nunjah dittum Bunjer" in individual holdings.

3. There is no question that laxity has prevailed in this respect in past times in the Madras District, and that the Ryots are in the habit of retaining in their Puttals land which they have no intention to cultivate, and for which they are confident they will not be charged. The Board rely on Mr. Fane's steadily setting his face against this abuse, which has for its object merely to deprive others of the land which the holders turn to no profit.

(A true Copy and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To E. G. R. Fane, Esq., Collector of Madras, with Book returned.

Ed. J. Wright

The papers which I circulate show that Mr. Fane who has recently joined the (Chingleput) Madras District & can know little or nothing of it personally, wishes to upset the settlement made by the late Acting Col. Mr. Banbury & the Sub. Col. Mr. Hutchins, both able & experienced Revenue Officers on an equal point. This point is the abuse which has been allowed under his management of allowing irrigated lands to be held by persons who are too lazy & indifferent to cultivate, without their being called on to pay the Govt. expenditure - Govt. thus loses its revenue, & the benefit of its outlay on irrigation works, and land is left uncultivated although many persons are ready to cultivate it if allowed.

The reform thus undertaken was an unnecessary one, & had of course to meet the opposition of the Native Revenue servants, including the Collector Cutcherry & the owners of the lands, many of whom are rich & influential persons residing in Madras. The Board in P 2 & 3 of their final Order admit the

Prevalence of the evil & it was their duty to have supported the Act Col. & Sub Col. in their endeavours to correct it, yet without first calling on those officers to explain their settlement, they allow it to be upset in toto in the new Col. & Sub Col. & wholesale representation.

Such a course is to sacrifice the public interests & to allow the clamor of interested parties to check reform & bring back old abuses. - The Board have not even noticed Mr. Fane's surprising statement "that the demand could not eventually be enforced" or set him right on this point.

- I consider that the interference of Gov. is called for & that the Board should be requested to obtain information from the Act Col. & Sub Col. on the whole subject, and allow no deviation from their settlement except on satisfactory proof in the case of each Village.

Of course ^{where the possibility} after ~~a~~ new information may lead here & there to the modification of the settlement, and had Mr. Fane sought permission to make corrections in a few clear cases only, there could have been no objection - But it is

against the public interests that the labors of experienced officers should be hastily set aside on the application of a new Col. who seems to have listened too readily to the interested parties & his native servants. - The sum at issue I believe from 1/2 lac to 1 lac, but an important point of Revenue administration is at stake. The Bd. should look well into & report on the whole matter. -

I agree JP.

15 Augt. 1864

JP.

practice ~~above~~ which has been allowed

Revenue Department
 No. 1496.
 Proceedings of the Madras Government.
 Under date the 18th Aug^r 1864.

1. The attention of Govt has been drawn to the proceedings of the Board of Revenue, marginally noted, in which upon the recommendation of Mr. Lane the settlement of the Madras district recently made by Messrs. Pambury and Hutchins, then late Acting Collector and subcollector, has been to a considerable extent ^{reversed} ~~upset~~ on an essential point.

2. This point is the ^{preference} ~~above~~ which has been allowed

13th July 1864, No 4,366:
 28th July 1864, No 4,788:-

1864 Department

No.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 28th July 1864.

No. 4,788.

In G.O. 18th Aug^r 1864
 No. 1496

Considering that Mr. Fane has shown good cause for seeking permission to revise the settlement of the Nuzvid District, and passing further orders on the subject.

2. Against the former revenue officer, should be hastily set aside on the ground of a new Collector who seems to have listened to the interested parties & his native servants. The sum at issue is 1/2 Lac to 1 Lac, but an important point of Revenue is at stake. The Bd. should look well into & report on the whole matter.

allowed, under ^{the present} ~~law~~ ^{management}, of ~~the present~~ ^{permitting} irrigated lands to be held by proprietors, who are too lazy or indifferent to cultivate, without ~~the~~ ^{requiring them} ~~being called upon~~ to pay the Govt assessment. The Govt thus lose revenue, and the benefit of the outlay which may have been made on irrigation works, and land is left uncultivated, although many persons are ready to cultivate it if allowed.

3. It was natural that a reform in this particular would meet with opposition not only from the owners of the lands, many of whom are rich and influential persons residing in Madras, but from the Native Revenue Servants. The Board have in paras 2 and 3 of their second proceedings admitted the prevalence

prevalence of the evil, and it is to be regretted that they should not have given more support to the officers who endeavoured to correct it.

4. The Govt are not satisfied with the propriety of the orders, which have been issued, on Mr. Saul's representations. They consider that the Board should review the whole subject, calling on the District Collector and Sub-Collector to explain their proceedings, and that no deviation from their settlement should be allowed except on satisfactory proof in the case of each village.

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egll

JWS

Revenue 1857 Receipt
No. of Govt for August

No. 1496.

Pro. of the Charles Fort
of 1857 August 1864.

See 2

No. Board of Revenue
of 28/10/14/64, C. No. 2573.

James
James

200

Noting certain

points in the statement
of the District Officer
as to the practice
of claiming irregular
lands to be held by
protestants and to set
the payment of abso-
lute

No. 275.

113

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