

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1673

Press
~~Mis~~

185-186

Dated

12-9-1864.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
12th September 1864.*

No. 185. Read the following Proceedings of the Board of Revenue, dated 23rd August 1864, No. 5,422.

Read the following letter from J. FRASER, Esq., Officiating Collector of the Godavery District, dated Cocanada, 8th August 1864, No. 204 :—

1. I have the honor to acknowledge the receipt of the Proceedings of the Board of Revenue, dated 18th ultimo, No. 4,461, asking me to prepare, in the first instance, a Draft Deed to be given to V. Viranna Rai Bahadoor, restricting his rights to the existing Government right to the assessment in respect of lands in the possession of Ryots in the village of Mernipad, and conferring the proprietary right on him as regards the unoccupied lands in the village of Vetlapalem. I beg to state that all the Zirayati lands in the village of Mernipad are now in the absolute possession of the Sub-Engineer, and under his own cultivation, and that none of the Ryots, who held Zirayati lands before the grant was made to Viranna Rai Bahadoor, hold lands in the village now. I am therefore obliged to bring to the notice of the Board the facts of the case, and to obtain their instructions before I submit the Draft Deed.

2. The Government having authorized the grant of land to Sub-Engineer V. Viranna Rai Bahadoor, he selected the village of Mernipad, and a piece of land in the village of Kasavaram, being 15 Acres. At his request Mr. Purvis, the late Collector, put the village of Mernipad in his possession subject to the orders of the Board and Government, and mentioned the same in paragraph 8 of his letter to the Board, dated 11th June 1864, No. 60.

3. He issued an order on the 26th February 1861 to the Tahsildar, directing him to make over the lands at Mernipad to Viranna subject to the orders of the Board, as he requested to have them for cultivation from Fusly 1271, and the Tahsildar accordingly sent a Takeed to the village authorities to this effect, and also directed that no obstructions should be made to his (Viranna) making arrangements for cultivation from the following Fusly. Copies of the Sub-Engineer's letter* and Mr. Purvis's answer†, and the translations of the Collector's order to the Tahsildar, and of his Takeed to the village authorities, are herewith sent.

* 5th February.
† 26th ditto.

4. The Government, in paragraph 2 of their Proceedings of the 13th August 1861, No. 1,622, having directed that Viranna should have land assessed at 500 Rupees according to the new settlement rates, paying extra for irrigation if he took Government water, he elected to have the village of Mernipad at a valuation of Rupees 400, exclusive of payments that might be demandable for water tax; and it was accordingly made over to him on these terms, and reported by Mr. Purvis in his letter† dated 21st March 1863. The Ryots were ousted from possession

† To Board No. 61.

of their lands without getting any compensation, and apparently under a mistaken idea of the intentions of Government. It is only from ignorance of the rights of cultivating Ryots, which have been unhappily too often ignored and set aside in this District in many other cases, that these men have been silent till last February. I believe they did not complain only because they thought it was useless for them to do so.

5. In paragraph 3 of their Proceedings, the Board wished to know in what sense the village of Mernipad was made over to the Sub-Engineer; in answer Mr. Morris, the late Acting Collector, replied, that the entire village having been conferred on Viranna, it was not thought

20th April 1863, No. 2,273.
Vide letter dated 3rd June 1863, No. 131.

necessary to take the consent of the Ryots to relinquish their holdings, and that none of them made any objections at the time to the proposed arrangements. I have already stated what I believe to be the real cause why they did not.

6. The Board have decided that Viranna has no power of ousting from possession Ryots who are paying what is legally due from them, and also desired to know whether such possession has in any way been disturbed by the Sub-Engineer.

Dated 19th June 1863, No. 3,628.

*Proceedings of the Madras Government, Revenue Department,
12th September 1864.*

Mr. Morris reported that there was no dispute at all about the matter, and that Viranna had of course no power to displace any of the Ryots who may continue to pay their legal dues; upon which the Board have declared that if the possession of the former Ryots, occupiers of

29th June 1863, No. 174.

Dated 17th July 1863, No. 4,377.

land in Mernipad, has not been disturbed by the grant of the village to the Sub-Engineer, the Board have no objection to the arrangement. The truth is that not Viranna, but the Collector illegally ousted the Ryots through the Tahsildar, and therefore they were afraid to complain.

7. I understand that after the village was made over to the Sub-Engineer in February 1861, he took Muchilkas from the Ryots, six in all, on the 19th April 1861, to the effect that they would cultivate the lands for Fusly 1271, on condition of giving to him half the gross produce of the dry crops, and three-fifths of the gross wet crops, and that they would not make any objection as to their having improved and manured the lands when he disposed of their lands for Fusly 1272 as he pleased. Viranna, however, is now in possession of all the lands, and they are cultivated by his own labourers.

8. I also observe that the Munsiff, a Ryot of Mernipad, complained to Mr. Morris in February 1864, that the Sub-Engineer has ousted him and other Ryots from possession of their lands without their consent, and is himself cultivating all the lands in the village; from the summary inquiry which Mr. Morris made, it appeared to him that the Ryots relinquished their lands in favour of the Sub-Engineer, and his decision was as follows:—

"I cannot go on with the case. Complainant himself states that he gave a paper of resignation two years ago; and although he now says he gave it unwillingly, I could not give the decision in his favor, if I went on with the case. He ought to have complained at once and have refused to relinquish his land. In the Muchilkas presented by the villagers to Viranna in Fusly 1271, it is stated that he might do what he liked with their lands in future."

9. The same Ryots presented a Petition on the subject to the Board, who referred it to the Collector for disposal by endorsement, and after an inquiry before the Tahsildar on the matter, it was disposed of by Mr. Chase, Acting Sub-Collector in charge, on the 20th May 1864, that the lands claimed having been in the occupation and enjoyment of the Sub-Engineer from Fusly 1271, or about three years, he cannot interfere in the matter.

10. The Sub-Engineer states before the Tahsildar, that the Ryots were not willing to hold the lands in the village at the new settlement rates, the dry assessment being 400 Rupees, while the joint rents which they paid in Fusly 1270 were Rupees 279, and that he was therefore obliged to rent out the lands to them on the shering system for Fusly 1271; and he also states that the lands were not given him on the understanding that he should collect only the assessment on the lands.

11. The Munsiff stated before Mr. Morris, that upon the Tahsildar's order to him to make over the village to the Sub-Engineer, and to make no obstructions in his doing with the lands as he wishes, they have given up all the lands to him.

12. From the foregoing circumstances I consider that the Collector in issuing his order to make over the village to the Sub-Engineer, subject to the orders of the Board and Government, wrongly considered that the intention of Government was to give Viranna the proprietary right in the lands; that he thereupon illegally dispossessed them; and that the Ryots, in the face of these proceedings, and in ignorance of what the intention of Government and their own rights were, were afraid to remonstrate, and afterwards gave deeds of relinquishment believing that they could not withhold them.

13. The Board will therefore observe that at present there is no difference between the lands in Mernipad and those in Vitlapalem. No assessment is being received by the Sub-Engineer from the Ryots on the former, as the Board think.

ENCLOSURE No. 1.

ABSTRACT.—Copies of correspondence between Mr. Purvis, the late Collector, and Vena Viranna Rai Bahadoor, Sub-Engineer.

*Proceedings of the Madras Government, Revenue Department,
12th September 1864.*

ENCLOSURE No. 2.

ABSTRACT.—Translations of two Takids.

1. Ordered that the above paper be submitted for the consideration of Government. The Board consider that the arrangement made in Mr. Purvis's time was probably oppressive and certainly illegal.

2. There is no doubt that what the Government intended to give Viranna was only the right to collect the Government dues in Mernipad from the Ryots, and to make arrangements for the extension of cultivation in that village, which for the purpose of his grant was valued by Government at Rupees 400, the dry land assessment at the revised rates being Rupees 450-9-1, and the water rate calculated to amount to Rupees 296-1-1. Viranna elected to take it as representing an income of Rupees 400, and he had to pay for irrigation supplied to the village. For the additional Rupees 100, he received waste land in Vetlapalem. Thus there was provided for him the full income of Rupees 500, which the Government intended him to receive and no doubt, as irrigation was extended in Mernipad, he might possibly have improved his income from that village although he was required to pay for irrigation. The Government Order, dated 9th October 1863, No. 1,854, Revenue Department, includes the correspondence relative to the settlement.

3. It now however appears that by some pressure, the old occupants of the land in Mernipad were ousted, and Viranna has become actual occupier of the whole of the land, notwithstanding the efforts made by the Board to ensure their rights to the original occupants. He has thus secured an income, including the cultivator's profits, much in excess of what the Government intended, and the Board consider that he should be required to give written statement of his proceedings. The Collector will state how far the Talook records exhibit the transfers from the original Ryots.

No. 186.

ORDER THEREON, 12th September 1864, No. 1,673.

Miscellaneous.

The Government never intended to transfer to V. Viranna more than the fixed money assessment payable to them by the Ryots for lands in their occupation; waste land not held by the Ryots being, however, at his absolute disposal. The Board will instruct the Collector to make known to Viranna what the order of the Government was, and warn him that if he omits to restore the lands or give compensation, the Ryots will have grounds of action against him. The Ryots should also be informed of this order, and the Title Deed should be so prepared as to grant Viranna no more than was originally intended.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

Shenbannam
5 February 1861

Most Respectful Sir

I beg leave to inform you that the Area of land in the village of Kerpipadu is about 273 $\frac{3}{4}$ Acres, as will be seen from the Map I handed to you indicating Poonthas Tanks site of Village &c. The reason of my not sending this earlier was that I had not kept a copy of the Map of the Ground which I gave you. therefore I was obliged to prepare a fresh one and hence arose the delay.

I further beg to express a hope that you have been kindly pleased to issue the order. You were good enough to promise that I should be allowed to make arrangements with the Ryots before the next cultivation season to enable me to erect houses &c on the Ground preparatory to taking final possession and oblige -

Shenbannam

Sir,

Yours very obediently.

(Signed) V. Vinnam R. S.

20

1870.

C. Ramur
26th February 1861.

T. Tirumagan Rai Bahader.

3rd Class Sub Engineer S. D.

Dowlahpore.

Sir,

Referring to your letter of the
5th instant and to your request to be permitted
to enter at once upon the occupation of the
land of the village of Mernipad which it is
proposed should form a part of the grant
sanctioned by Government to be made to you,
I have the honor to state that I have no
objection to the arrangement on the understanding
that you will abide by any orders given by
the Board of Revenue or Government
when the particulars of the proposed grant
are placed before them which will be on or
early a date as possible. Orders to the
above effect have been given to the Tahsildar.
A part of the land in the village has hitherto
been in the occupation of Messrs Arbutnot
& Co. I conclude you have satisfied
yourself that no objection will be
made

made in their behalf to the transfer of the
land.

Believe me

(Signed) A. D. D. D.

Collector.

True copies

J. D. D.

Apprentice

Ampt D. Ramachandram

W. D. D.

Създаване Ресурса

Setting. Demandar of Bellapur
Taluk and in charge of Bellapur
Taluk -

The Government having been pleased to order lands bearing a cost of Rs. 500 to be made over to Sub Engineer Tine Tirumala Rai Bahader, the Village of Mervid, and certain lands in the village of Sessanaram were assigned for by him and in his letter of the 5th Instant he requests that he may now only be put in possession of the said village, so as to admit of his carrying on operations for next year's cultivation.

A reply has been sent to him stating that the said village of Mernipad will be made over to him on the understanding that he will abide by the orders of the higher authorities which may be given upon placing before them the particulars of the village in question and its lands.

1874 Department
from Charles
W. McArthur
George
To the Secretary of the
Board of Claims
James Harrison
dated 8th Auguech } 1874
Recd

Dec: 2259/64

Copies of correspondence

Adrian de Parris

Philadelphia

Winnipeg die 3. April

and Engineer -

12th of April 1854 & 1855

Jul 16 5056 80m

You are therefore hereby directed on the receipt of this order, to hand over to the said Tine Tiramma Rai Bahader the above village and to report of your having done so.

Dated Alampur the 25th February 1861.

(Signed) O. P. Durais
Collector.

To
The Village Moondiff, Pettandar,
and Vernons of the village
of Merris.

Under orders from Government and Tine Tiramma Rai Bahader has selected your village to be given him as Motchasa and applied that it may be made over to him now, so that cultivation may be carried on by him for next year; and as Collector accordingly issued an order on the 25th ultimo No 142 directing me to make over to him your village on the understanding that he will abide by the orders of

of the higher authorities, which may be given upon placing before them the whole particulars of the village, you are hereby informed that the said T. Tiramma Rai Bahader is going to make Amaramba of your village for next year's cultivation and that you must not prevent him from his doing so.

Dated Mandapett the 10th March 1861.

(Signed) O. P. Ramanna
Acting Amalder.

True Translation

J. Fraser.
Officer

Camp at Mandapett
H. C. Lal

13. The Board will therefore observe that at present there is no difference between the lands in Mernipad and those in Vitlapalem. No assessment is being received by the Sub-Engineer from the Ryots on the former, as the Board think.

ENCLOSURE No. 1.

ABSTRACT.—Copies of correspondence between Mr. Purvis, the late Collector, and Vena Viranna Rai Bahadoor, Sub-Engineer.

ENCLOSURE No. 2.

ABSTRACT.—Translations of two Takids.

1. Ordered that the above paper be submitted for the consideration of Government. The Board consider that the arrangement made in Mr. Purvis's time was probably oppressive and certainly illegal.
2. There is no doubt that what the Government intended to give Viranna was only the right to collect the Government dues in Mernipad from the Ryots, and to make arrangements for the extension of cultivation in that village, which for the purpose of his grant was valued by Government at Rupees 400, the dry land assessment at the revised rates being Rupees 450-9-1, and the water rate calculated to amount to Rupees 296-1-1. Viranna elected to take it as representing an income of Rupees 400, and he had to pay for irrigation supplied to the village. For the additional Rupees 100, he received waste land in Vetlapalem. Thus there was provided for him the full income of Rupees 500, which the Government intended him to receive, and no doubt, as irrigation was extended in Mernipad, he might possibly have improved his income from that village although he was required to pay for irrigation. The Government Order, dated 9th October 1863, No. 1,854, Revenue Department, includes the correspondence relative to the settlement.
3. It now however appears that by some pressure, the old occupants of the land in Mernipad were ousted, and Viranna has become actual occupier of the whole of the land, notwithstanding the efforts made by the Board to ensure their rights to the original occupants. He has thus secured an income, including the cultivator's profits, much in excess of what the Government intended, and the Board consider that he should be required to give written statement of his proceedings. The Collector will state how far the Taluk records exhibit the transfers from the original Ryots.

(A true Copy and Extract.)

[Signature]
Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.,
with two enclosures.
Copy to J. Fraser, Esq., Officiating Collector of the Godavery District.

Exd. J. Wright.

*1864 Department
From the Collector
The Collector
To the Secretary
1864
British & the Secretary
1864
No 204
Rev: 2259/64
Translations of
two Takids.
D. 12th April 1864
10/188
L. 116 5056/1864*

Revenue Department

W. 1673.

Proceedings of the Madras Government
under date the 12th Sept. 1864.

Read the following

Pro: of the Bd. of Revenue

Submitting, with
remarks, letter from
offg. Collector, of the Goda-
very St., requesting instructions
regarding draft deed to be
given to V. Viramma Rai
Bahadur, for certain
zerayati lands in Merni-
pad village.

(These letters 23rd Augt. 1864, No. 5422/-

The Govt never
intended to transfer to
V. Viramma more than
the fixed money assess-
ment payable to them by
the Ryots for lands in
their occupation; waste
land not held by the
Ryots being, however, at
his absolute disposal.
The Board will instruct
the

Pro: of the Bd. of Revenue
No. 5422/-

Pro: of Govt for Deeds
No. 2237.

PROCEEDINGS OF THE BOARD OF REVENUE

Dated 23rd August 1864.
Sept. 25th 1864
Oct. 2nd 1864
Oct. 2nd 1864

No. 6,422

Dec. 10th 1864. 12th 1864

Submitting with remarks letter from Officiating
Collector of Godavery District, requesting in-
structions regarding Draft Deed to be given to
V. Viramma Rai Bahadur, for certain zerayati lands
in Mernipad village.

No. 185.

23rd Sept. 1864

It has not in the least
to cause for the Viramma
some of the fixed money
assessments payable by the
Ryots for lands in
their occupation - waste
land not held by the Ryots
being known at his absolute
disposal. He should now
I think be reprimanded either
to re-visitate or compensate
the Ryots who are unfairly
suffered - when requested
J. A. P.

the Collector to make
known to Virama what
the order of the Govt was
and warn him that
if he omits to restore
the lands or give com-
pensation, the Ryots will
have grounds of action
against him. - The Ryots
should also be informed
of this order - and

the letter deed
should be so
prepared as to
grant V. no more
than was originally
intended.

W

14 Copies Letter to P. of Revenue with two Encls.
Sept 13/84.

End of the

22 1 08 ✓
2-3-12

Revenue Dept.
No. of Govt for debt

No. 1673.
No. of the Board of Govt.
of 12-12/14.

No. Board of Revenue
of 20-12/14. C.N. 2530.
No. of the Board of Revenue
of 15-12/14. C.N. 1212.

No. 185-1186.

Following order in
respecting the lands
transferred to J. V. V. V.
No. 1. V. V. V. V. V. V.
No. 1. V. V. V. V. V. V.
No. 1. V. V. V. V. V. V.