M.R.O. 14—18,000—27-6-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1839 Press ~~Mis.~~

Dated 20-7- 1866

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 20th July 1866.

No. 458. Read the following Proceedings of the Board of Revenue, dated 11th July 1866, No. 4,749.

Read again Board's Proceedings, 8th June 1863, No. 3,346.
Do. do. 9th July ,, ,, 4,184.
Do. do. 20th Oct. ,, ,, 6,678.
Do. do. 5th June 1866, ,, 3,858.

Read also the following letter from the Acting Collector of the Kistna District, to the Acting Secretary to the Board of Revenue, dated Masulipatam, 15th June 1866, No. 207 :—

With reference to the Board's Proceedings of 5th instant, No. 8,858, I have the honor to inform you that the precise sum, which the Petitioner applies for as a refund, is Rupees 675, at Rupees 225 a year, collected from him as water-tax from Fuslies 1270 to 1272. No demand was made for Fusly 1273.

Enclosures Nos. 1 to 3.—Petitions.

1. Resolved that the papers recorded above be submitted to Government, with reference to the Government Endorsement on Petition No. 633 of 1866.

2. It appears that in Fusly 1270, Petitioner's land was rendered liable to frequent inundation, in consequence of the enlargement of a Government tank, and that notwithstanding this injury, water-cess to the amount of Rupees 255 was charged by the Collector. This water-cess was remitted by the Board's Order, from the commencement of Fusly 1273, and the Petitioner now seeks to recover a sum of Rupees 675 paid by him for the three Fuslies 1270, 1271, and 1272.

3. This request is supported by the present Collector, and the Board would recommend that the refund be sanctioned, as it appears that Petitioner's land has received more injury than benefit from the Government water.

No. 459. Order thereon, 20th July 1866, No. 1,839.

Land Revenue.

The refund of Rupees 675 is sanctioned.

(True Extract.)

(Signed) W. HUDLESTON,
Acting Secretary to Government.

To the Board of Revenue.
,, the Accountant General.

Exd. S. T. Augustin.

No. 3,346.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 8th June 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, 30th April 1863, No. 91 :—

1. With reference to the Board's Endorsement on Petition No. 2,883 of 1862, herewith returned, I have the honor to state, that the Agraharum land, comprising 75 acres, converted into wet under the influence of the anicut water, for which Petitioner declines to pay water cess, is situated in the bed of a tank, belonging to the Government village of Nandivada in the Gudivada Taluk. A channel called Golla Codu runs also through the land in question. Before the anicut was constructed the land was cultivated with dry crops. After the erection of the anicut the tank received a full supply of water, and the lands in question, forming the higher portion of the bed of the tank, were swamped as soon as the tank received water; and they were consequently converted into wet. Water rate has, therefore, been levied on them under the Rules in force.

2. The Petitioner presented Urzees to the Collector, that as the Government Tank of Nandivada referred to had received a large supply of water from the means subsequently afforded to it, the lands in the bed of the tank which belong to him could not but be cultivated with wet crops; that the lands have been generally swamped whenever a larger supply came to the tank; and that as he consequently suffered loss, the land under water may be exempted from the payment of water rate, or dry land be given him instead, or the land be protected from being swamped. The villagers corroborated the statement of the Petitioner as regards the land in question being generally swamped. The late Collector gave an Endorsement [illegible] Petitioner's land cannot be exempted from water tax, as wet cultivation has now been carried on it, notwithstanding the alleged excess of water, and that no dry lands in lieu of them can be given.

ENCLOSURE No. 1.—Petition.

The Acting Collector is requested to report upon what grounds the claims put forward by Petitioner to the land may rest. If it is situated in the bed of a Tank belonging to a Government village, it is not clear how it can be included in the limits of an Agraharum.

(A true Copy and Extract.)

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

To E. B. Foord, Esq., Acting Collector of the Kistna District.

Exd. J. Wright.

No. 4,184.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 9th July 1863.

Read again letter from the Acting Collector of the Kistna District, dated 30th April 1863, No. 91, recorded in Board's Proceedings 8th June 1863, No. 3,346.

Read also the following letter from the same Officer, dated 20th June 1863, No. 131 :—

1. With reference to the Board's Proceedings* dated 8th instant, No. 3,346, I have the honor to explain that the Agraharum land in question became immersed in the bed of the tank belonging to the Government village, on account of the tank having been enlarged, and its water-spread consequently increased.

* Enclosure (Petition) No. 2,883 of 1862, herewith returned.

2. The Petitioner consequently claimed exemption from water rate, which claim was disallowed by the late Collector.

3. It rests with the Board to decide whether the Petitioner is entitled to relief under the circumstances

ENCLOSURE No. 1.—Petition.

1. The Board gather from the above letters that Petitioner in No. 2,883 of 1862 is possessed of 75 acres of Shrotriem land in close proximity to the Government tank of Mandavada, that the additional water which the improved irrigation works have thrown into this tank has so extended its water-spread that Petitioner's lands have been inundated, and that he has been charged a water rate for the land so immersed.

2. The Board can hardly believe that these are the actual facts of the case, and the Acting Collector is requested to make further inquiries into the matter. The Board are not aware that the rules referred to by Mr. Foord in paragraph 1 of his letter, dated 30th April, No. 91, provide that a water rate should be charged in such a case as the present, when the land is not supplied with water in the ordinary way for irrigation. If a portion of the 75 acres has been rendered unfit for cultivation by its being within the water-spread, and mere percolation has enabled the Petitioner to raise a wet crop on the remainder, probably the fairest course will be to forego all charge for water rate, leaving to Petitioner his increased gains on the latter portion of his land as compensation for his loss on that which is submerged.

3. The Collector will report to the Board the arrangement he proposes to make with the Petitioner.

(A true Copy and Extract.)

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

To E. B. Foord, Esq., Acting Collector of the Kistna District.

Exd. J. Tulloch.

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 8th June 1863.

No. 3,346.

Requesting him to report further regarding the Agraharum land referred to in Petition No 2883 of 1862.

1863 Department

No. 6,678.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 20th October 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, 24th September 1863, No. 217 :—

1. With reference to the Board's Proceedings, dated 9th July 1863, No. 4,184, on Petition No. 2,883 of 1862 (herewith returned), I have the honor to state that the actual facts of the case were communicated to the Board in my former letters on the subject.

2. I would propose that, under the circumstances, the Petitioner be exempted from paying water rate on the 75 acres of land, the whole of it being situated in the bed of the tank, and liable to be more or less submerged.

ENCLOSURE No. 1.—Petition.

The following Endorsement will be passed on the Collector's proposal is sanctioned. Petition :—

"Petitioner is referred to the Collector, who has received the Board's orders in the matter "of this Petition."

(A true Copy and Extract)
(Signed) R. A. DALYELL,
Sub-Secretary.

To E. B. Foord, Esq., Acting Collector of the Kistna District.
MS. copy of Endorsement to Petitioner.

Exd. J. Wright.

Enclosure Proceedings of the Board of Revenue to Mr. E. B. Foord Dated 19 July 1863 No. 6749.

1863. Department

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 9th July 1863.

No. 4,184.

Requesting further information regarding Petition No 2883 of 1862.

No. 3,853.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 5th June 1866.

Read the following letter from G. THORNHILL, Esq., Collector of the Kistna District, to the Secretary to the Board of Revenue, dated Challapalli, 9th May 1866, No. 140 :—

1. With reference to the Board's Endorsement on Petition No. 47 of 1866,* I have the honor to report that on the complaint of the Petitioner that his Kandrika land, being situated within the bed of a tank belonging to the Government village of Nandivada, in Gudivada Taluk, had been swamped since Fusly 1270, in which year the tank was supplied with water from the anicut, seventy-five acres of the Kandrika land were exempted from water assessment. This exemption dated from Fusly 1273, when the Petitioner's claim was settled agreeably to the orders of the Board noted in the margin.

* Government No. 633 of 1866.

8th June 1863, No. 3,346.
9th July 1863, No. 4,184.
20th October 1863, No. 6,678.

2. Now the Petitioner requests that retrospective effect may be given to these orders from Fusly 1270, in which the tank was repaired, and anicut water introduced; and that the water assessment already collected from him may be refunded.

3. The Petitioner has from time to time urged his claim to exemption from water tax on the above ground ever since Fusly 1270; and I think he is, therefore, entitled to the refund of the assessment collected in the years preceding the Fusly 1273, in which year it was first remitted. Should the Board approve of this, I request they will be pleased to obtain the sanction of the Government for the same.

4. The original Petition No. 47 of 1866, is herewith returned.

ENCLOSURE No. 1.—Petition.

The Collector should report the precise sum which Petitioner applies for as a refund.

(A true Copy and Extract)
(Signed) R. A. DALYELL,
Acting Secretary.

To the Collector of the Kistna District.

Exd. J. Wright.

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 20th October 1863.

No. 6,678.

Passing endorsement on Petition No 2333 of 1862.

Encl. in the Pro. of the Board of Revenue dated 11th July 1866 No. 4749.

1866. Department

No.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 5th June 1866

No. 3,858.

Requesting Collector of Kistna district to report precise sum desired by Petitioner in No 47 of 1866 on account of water assessment unjustly imposed on his Kandrika land.

Encl. in the Pro. of the Board of Revenue dated 11th July 1866 No. 4749.

1866. Department Revenue

No. 2132

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 11th July 1866.

No. 4,749.

Recommending the refund of water tax amounting to Rupees 675 to Petitioner in No 693 of 1866, of the Kistna district.