

No. 495. Read the following Proceedings of the Board of Revenue, dated 24th July 1866, No. 5,081.

Read the following papers :—

Board's Proceedings, dated 23rd September 1865, No. 5,963.

Letter from the Collector of Madras, to the Acting Secretary to the Board of Revenue, dated on circuit at Cuttiwak, 9th June 1866, No. 174.

1. With reference to the Board's Proceedings, dated the 23rd September last, No. 5,963, calling for further information regarding the claim of the Cacaloor Moottahdar to Tank Meerah, &c., on certain Maniem lands, which had reverted in Fusly 1268 to Government, and were subsequently sold by them to one Ragava Charry, of Trivalloor, I have the honor to state that the Tarapady and other public accounts do not specially shew that the lands in question are subject to tank or other Village Meerah. They, however, shew that the Tank Meerah on Nunjah lands is at the rate of two Madras Measures for each colum of paddy, the commuted value of which, according to the average adopted in assessing the neighbouring Government villages, would be nine pies per colum.

2. It also appears, from the inquiries now made, that the holders of all the Nunjah Inam lands in the Cacaloor village are liable to pay Tank Meerah to the Moottahdar at the above rate, and that even the late Inamdar himself paid it, and that in fixing the peishcush of the Moottahdar, the Tank Meerah formed a part of the assets. This fact sufficiently establishes the right of the Moottahdar to collect such Meerahs, whether the lands be Inam or otherwise.

3. The Tarapady Accounts also shew that the Meerah was calculated at the rates noted in the margin, and the Village
Curnum, 1 measure per mercial, or 4½ pies per Curnum and the Zemindar's Gamastah
Colum. do. do. or 2 do. both now say that other Inamdars in the
Tookery, 2 do. do. or 2 do. village pay their quota at those rates
without demurring. These facts seem to me to be sufficient to establish the liability of the land to the Meerah in question, but the Curnum also has produced certain accounts, which shew that, while the land was under Amany management, the Meerahs were paid.

4. The total extent of the land in question is Cawnies 7-11-0, the whole of which was cultivated last year. The Melwaram paid to the Moottahdar by the neighbouring landowners is at the rate of C. 1, M. 6, M. 4 of paddy per Cawny, the commuted value of which, according to the average adopted at the then permanent settlement, would amount to Rupees 5-6-0; the Melwaram of some of the lands, however, to the west of the land in question, amounts to only Rupees 4-6-7. The Board will, therefore, see that the assessment already recommended by me was not unreasonable, and was only proposed on accurate data, and therefore I beg they will sanction the reduction proposed by me in the assessment, to which the land is now subject.

1. Under the further explanation afforded by the Collector in his last letter above recorded, the Board approve of his proposal to reduce the assessment on the lands in question from Rupees 8 to Rupees 5 per Cawny.

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

2. The sanction of Government will be requested to the assessment on these lands being made payable to the Mootahdar by adding its amount to the peishkush of the Mootah, and leaving it (the assessment) *plus* the tank, &c., Meerahs to be collected by him from the owner of the lands concerned.

No. 496.

ORDER THEREON, 20th August 1866, No. 2,144.

Miscellaneous.

The Board will request the Collector to mention the commutation rate referred to in paragraph 4 of his letter dated 9th June last.

(True Extract.)

(Signed) J. D. SIM.

Secretary to Government.

To the Board of Revenue.

Ed. S. T. Arguissin.

No. 5,963.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 23rd September 1865.

Read the following letter from E. G. R. FANE, Esq., Collector of Madras, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Saidapet, 4th August 1865, No. 233 :—

1. In the village of Cacaloor attached to the Mootah of that name in the Trivallur Taluk, certain Maniem lands, which had been excluded from the assets of the Mootah at the time of the permanent settlement, reverted to Government for want of legal heirs several years ago.

2. For some years these Maniem lands were annually leased out at a fixed money rent. In the year 1862, Mr. Cunliffe, the then Collector, had the cultivation right put up to public auction, as the practice of leasing out the land every year was a source of great inconvenience. At the auction the mere right of cultivating these lands was sold for Rupees 500 to one Ragava Charry, alias Veeraragava Charry of Trivallur, and the annual rent fixed at Rupees 8 per cawny. This rate seems to have been fixed, not with reference to the productive powers of the land, but by competition. A bill of sale was duly executed in the name of the purchaser.

3. The Mirassidars also claim the Mirass right of the land, on the plea that the Inamdar was entitled to enjoy rent free only the Government share and the Coodiwarum right vested in them. From inquiries held by Mr. Cunliffe, he concluded that the Mirassidars did not exercise any such right when the Inamdars were enjoying the land, and hence their claims were disallowed by him, and the land put in the absolute possession of the purchaser, Petitioner.

4. It is so still; but now the purchaser complains that the rent of the land is very exorbitant, and that the former Tahsildar Peroomal Naidu, who conducted the sale of the land, clearly made him to understand at the time of sale, that he will not be required to pay anything more than the mere rent, or Rupees 8 a cawny; but there is nothing on record to verify the above statement, and that in spite of this, the Mootahdar of Cacaloor now demands from him tank and Ryots in the village, and that on his declining to pay either of these demands, the Mootahdar has forbidden the Petitioner from irrigating his land from the Mootah tank, which has resulted in a great loss to him. He also urges, that as in the Pattah given him by Government, no mention is made of the land being subject to any additional charge, he thinks the Government should reduce his rent by one-half, or engage to satisfy the demands now made against the land.

5. The claim of the Petitioner was referred to the Tahsildar, who reported, that the assessment fixed by the late Tahsildar Peroomal Naidu was unduly high, and that if to it the tank and other Meerahs are added, the demand against the Petitioner is more than the land can bear.

6. I am of the same opinion as the Tahsildar, having made inquiries on the spot, and ascertained that the Petitioner purchased the land under a wrong impression. I, therefore, beg to propose that the assessment be reduced to Rupees 4-3-0, or Rupees 5 a cawny, that being the rate at which the Inam Commissioner calculated the assessment of certain other Maniem lands in the neighbourhood when enfranchising Inams there, and that a fresh Pattah be issued to the Petitioner.

7. It would have been better if Mr. Cunliffe had originally made over the land to the resident Ryots or Mirassidars, without putting it up to public auction, and made the rent of the land payable to the Mootahdar, by adding the same to the Peishkush of the Mootah, and leaving it to the latter to collect the assessment, *plus* the tank Meerah, &c.

8. I may add, that while the land in question was under annual rent, the highest sum realized per cawny was only Rupees 8, and while it was under Amany management, the average rent was Rupees 5, after deducting the tank and village servants' Meerah. The rent, therefore, may now very fairly be reduced to this latter sum.

1. Before deciding on the rate of assessment, which it would be proper for Government to demand from Petitioner, the Board request that the Collector will, by a reference to the old Tarapady, and other public accounts, settle the question as to the right of the Mootahdar to levy any tank and village Meerahs on account of the lands in question, and the amount of such Meerahs should they be actually payable.

2. The Mootahdar is clearly bound by his engagement not to levy unauthorized fees, and the Inam, if a Nunjah Inam, is entitled to the use of water from the Mootah tank, but whether free, or on payment of Meerahs, remains to be ascertained by the Collector.

3. The Collector will further report the extent of the lands in question, and how much of it is cultivated; also the rates paid for similar and adjoining lands to the Mootahdar by the Ryots who may be now charged, in addition to those rates, with the Meerahs sought to be levied from Petitioner. The rate of assessment proposed by the Collector to be demanded from Petitioner, is five Rupees per cawny, or a trifle more than $3\frac{1}{2}$ Rupees per acre, which appears to the Board to be very moderate.

(A true Copy and Extract.)

(Signed) R. A. DALYELL,
Acting Secretary.

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

W. 2/14/66.

The Govt will expect
the Collector to mention
the commutation rate
referred to in para 4 of
his letter of 9 June last
I.O.S.

In Reply to the W.P. Rev. Dept. 20th Augt/66.

The Hon. Secy. to Govt. of Madras
in the W.P. Rev. Dept. 20th Augt/66.

Examine the Copy of the
of the Board of Revenue
20th Augt 1866

1866

Departure

No. 2282/66

No.

PROCEEDINGS OF THE BOARD OF REVENUE

Dated 23rd September 1865.

No. 5,963.

Directing the Collector to settle the question
as to the right of the Mootahdar of Ceval
to levy tank and village Meerahs on account
of the lands purchased by Trivallur R.
Chetty, and requesting to report the extent
and cultivation of the land and the rate
assessment paid for similar adjoining lands.

Exd. J. Wright.