M.R.O. 14-5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 981 Press ~~Misc.~~

415-16

Dated 26-4-1866.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
26th April 1866.

No. 415. Read the following Proceedings of the Board of Revenue, dated 21st November 1865, No. 7,446:—

Read the following letter from the Collector of the Godavery District, to the Acting Secretary to the Board of Revenue, dated Cocanada, 18th September 1865, No. 209.

1. With reference to the Board's Proceedings, dated 31st August 1864, communicating the Order of Government, No. 1,544, of the 25th idem, forwarding the Memorial presented to the Secretary of State by the Agraharumdar* of Narsimhapuram in the Baharzally Estate, and directing that a complete report on Memorialist's claim should be submitted, I have the honor to report as follows.

* Pydimarry Bucki Venkatramaiya.

2. Narsimhapuram Agraharum is in the Baharzally Estate, belonging to the joint Zemindars Rajah Papamma Row and Chinamma Row. It was granted to the grandfather of the Memorialist by a former Zemindar, Rajah Venkatadry Appa Row, for charity in the year 1762, or upwards of one hundred years ago, on an annual payment to the Zemindar of Rupees 317 as Kuttubady or quit-rent.

3. This amount of Kuttubady was included in the assets of the Estate, when the permanent settlement was made in Fusly 1212. The Agraharumdars fell into arrears, and the Agraharum was attached in Fusly 1239 for the arrears, amounting to Rupees 384, that accrued during the two preceding Fuslies. The estate was then under management of the Court of Wards consequent on the death of the then Zemindar, Rajah Venkata Narsimha Appa Row, in Fusly 1236, and during the minority of the late Zemindar Rajah Narraya Appa Row. This Agraharum was under attachment from Fuslies 1239 to 1264. Arrears, amounting to Rs. 5,038-15-8, accrued during the above period of twenty-six years. The estate reverted to Government, in Fusly 1261, for default of payment of Peshcush, and while the Government held possession of the Estate, Mr. G. Ballard, who was appointed as Special Assistant to the Collector of Masulipatam, inquired into the particulars of the arrears outstanding on this and other Agraharums, and recommended, in his report, that the Agraharum should be resumed, and the arrears written off the accounts.

4. The Government in paragraph 11 of their Proceedings, dated 18th January 1856, No. 63, received with the Proceedings of the Commissioner of the Northern Circars, under date the 28th idem, No. 62, finally ordered that the Agraharum should be resumed, and the balance written off, on the ground that the village was twenty-six years under attachment, and the balance outstanding against it was increasing annually, and that the Inámdars had made no attempt to regain the village or help themselves. This order was accordingly carried out in Fusly 1265.

5. The Memorialist now states that he will pay the arrears of Rupees 5,036, and requests that the Agraharum may be restored to him, and the surplus collections of the Agraharum since it was resumed, after deducting the Kuttubady, should be paid to him.

Petitioner has no rights whatever to request the restoration of the

No. 7,446.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 21st November 1865.

Read the following letter from J. FRASER, Esq., Collector of the Godavery District, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Cocanada, 18th September 1865, No. 209:—

1. With reference to the Board's Proceedings, dated 31st August 1864, communicating the Order of Government, No. 1,544, of the 25th idem, forwarding the Memorial presented to the Secretary of State by the Agraharumdar* of Narsimhapuram in the Baharzally estate, and directing that a complete report on Memorialist's claim should be submitted, I have the honor to report as follows.

* Pydimarry Buchi Venkatramaiya.

2. Narsimhapuram Agraharum is in the Baharzally estate belonging to the joint Zemindars Rajah Papamma Row and Chinamma Row. It was granted to the grand-father of the Memorialist by a former Zemindar, Rajah Venkatadry Appa Row, for charity in the year 1762, or upwards of one-hundred years ago, on an annual payment to the Zemindar of Rupees 317 as Kuttubady or quit-rent.

3. This amount of Kuttubady was included in the assets of the estate, when the permanent settlement was made in Fasli 1212. The Agraharumdars fell into arrears, and the Agraharum was attached in Fasli 1239 for the arrears, amounting to Rupees 384, that accrued during the two preceding Faslis. The estate was then under management of the Court of Wards consequent on the death of the then Zemindar, Rajah Venkata Narsimha Appa Row, in Fasli 1236, and during the minority of the late Zemindar Rajah Narraya Appa Row. This Agraharum was under attachment from Faslis 1239 to 1264. Arrears, amounting to Rupees 5,038-15-8, accrued during the above period of twenty-six years. The estate reverted to Government, in Fasli 1261, for default of payment of Peshcush, and while the Government held possession of the estate, Mr. G. Ballard, who was appointed as Special Assistant to the Collector of Masulipatam, inquired into the particulars of the arrears outstanding on this and other Agraharums, and recommended, in his report, that the Agraharum should be resumed, and the arrears written off the accounts.

4. The Government in paragraph 11 of their Proceedings, dated 18th January 1856, No. 63, received with the Proceedings of the Commissioner of the Northern Circars, under date the 23th [illegible], No. 62, finally ordered that the Agraharum should be resumed, and the balance written off, on the ground that the village was twenty-six years under attachment, and the balance outstanding against it was increasing annually, and that the Inamdars had made no attempt to regain the village or help themselves. This order was accordingly carried out in Fasli 1265.

5. The Memorialist now states that he will pay the arrears of Rupees 5,036, and requests that the Agraharum may be restored to him, and the surplus collections of the Agraharum since it was resumed, after deducting the Kuttubady, should be paid to him.

6. The Government have restored the estate to the Zemindar in the year 1860.—*Vide* Government Proceedings, dated 21st January 1860, No. 109. This Agraharum is likewise in the occupation of the Zemindars, and the whole of its collections are appropriated by them since they have had possession of the estate. The revenue of the village in each year, since it was resumed by Government, is shown in the margin.

Fasli.	RS.	A.	P.
1265...	313	0	0
1266...	350	0	0
1267...	475	0	0
1268...	550	0	0
1269...	800	0	0
1270...	2,250	0	0
1271...	2,250	0	0
1272...	1,236	1	9
	8,243	1	9

7. From the foregoing circumstances, the Board will observe, that the matter in question has been already finally decided by Government. The circumstances of this village are similar to those of the village of Condapad, the Mokhasadars of which have sent in a Memorial to the

Secretary of State, requesting the restoration of the village, and their claim was rejected.—*Vide* the Despatch to the Secretary of State, dated 8th June 1865, No. 24, conveyed in the Government Proceedings, dated 14th July last, No. 1,618.

8. But the village of Condapad is attached to the Pentapad Purganah, the possession of which is now held by Government, while the Narsimhapuram Agraharum is attached to the estate held by the Zemindars.

9. I beg to notice chiefly that the Zemindar is entitled only to the quit-rent of Rupees 317 a year, which was included in the assets of the estate. As the right to the Agraharum has lapsed, by resumption, its reversionary right vests in Government, and they may retain the Agraharum, paying the quit-rent to the Zemindar annually. The arrears of quit-rent may be also paid to them, whatever it may be, deducting the amount of surplus collections, adjusted to the Zemindar by Government, as sanctioned in their Order, dated 3rd April 1861, No. 724, and appropriated by them since the estate was restored, or otherwise the Agraharum may be made over to the Zemindar with a proportionate addition to the Peshcush, as the Board may deem expedient, as they have stated in paragraph 9 of their Proceedings, dated 20th February 1861, No. 943.

10. There are some more Agraharums circumstanced as above. The course which may be ordered, with regard to the Narsimhapuram Agraharum, will equally apply to these.

ENCLOSURE No. 1.—Memorial and its four accompaniments.

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1. Submitted to Government with reference to their Order, dated 25th August 1864, No. 1,544.

2. In regard to paragraph 9, the Board are of opinion, that as the Agraharum has been sequestered, the difference between the quit-rent due to the Inamdar, and the full Beriz, *minus* ten per cent. for collection charges, should be added to the amount of Peshcush payable by the Inamdar.

(A true Copy and Extract.)

Acting Secretary.

To W. Hudleston, Esq., Acting Secretary to Government, R. D.,
with Memorial and its four accompaniments,

Copy to J. Fraser, Esq., Collector of the Godavery District,

Exd. J. Wright,

Dated 21st November 1865.

No. 7446.

Submitting with remarks letter from the Collector of the Godavery district reporting on the Memorial presented to the Secretary of State by the Agraharumdar of Narsimhapuram praying that the Agraharum resumed for arrears of revenue may now be restored to him.

1865. Department

No. 3380

PROCEEDINGS OF THE BOARD OF REVENUE.

Endorsement on Petition No. 632 of 1863

The Petitioner complains that the Pa-
dar of Niddadavole has not restored to him the Agraha-
when the Zemindary was given back to the Zemindar by the
Government.

2. The Agraharam was granted free to Pras-
to the Petitioners family, which held it till Fasli 122[illegible]
when it was attached for arrears of Kattubadi or Shrotrium
outstanding on it, and has for now upwards of 20 years been under
attachment.

3 On the enquiry made in the Masulipatam
District into the balance outstanding against mokh-
and Agraharams, it was found that the Agraharam
of Narasimhapuram were not willing to take back their
Agraharam unless the balance outstanding against it was
struck off; nor did they make any attempt during the
many years of attachment to regain the village or help themselves.
It was therefore recommended by the Collector of the
District to be resumed.

4. The Government in Minutes of Consultation dated
the 18th January 1856, granted authority to resume the village
and to write off the arrears.

5 Under these circumstances it is clear that the
Petitioner has no right whatever to expect the restoration of
the

Mad. Proceedings of the late Commissioner for the Northern Circars, dated 28th January 1856 No. 62.

Mad. 534 of 1864
Rev. 3380/65.

To

The Right Honorable the Secretary of State
for India

The Petition from Pydimurry
Butchi Venkatramaiah Agraharam
dar of Narasimhapuram in Bakar
gully Dt. annexed to the
Zamindary of Nadadavole in the
Godavery District

Humbly Sheweth

The Memorialist petitioned the Madras
Board of Revenue on the 19th February 1863 to enquire
into the injustice done to them by the Zamindar Rajah
Narayapatha Bahadar and restore over to them the
aforesaid Agraharam to which had been in the peaceable en-
joyment of Memorialist's Grand father, father &
himself, since July 1212 on the payment of a sist of
Rs. 317. peshcarsum entered on the permanent Cowle
granted to the Zamindar. The matter having been there
upon referred to the Collector for enquiry, that officer re-
ported [illegible] Rs. Rs. 2 As. 8 Rs. 111 Agraharamdars

without taking into consideration the sum of Rs 3035 to be paid by the Memorialist to the Circar and the occupation of the Agraharam by Raja Narayappa Rao failed to render him Justice. The Madras Government to whom he appealed on the 1st December setting forth all the circumstances have also confirmed the Board's decision.

2nd Being aggrieved of this the Memorialist herewith submits to your impartial Justice 3 enclosures Viz Copies of his Petitions to the Board and Government of the Depositions given before the Tasildar and of the orders of the Board and Government. If these papers be thoroughly reviewed your Excellency will be fully convinced of the fact of the Zamindar Raja Narayappa Rao having usurped Memorialists Agraharam and taken possession of its income —

3 In realization of the arrears of Peishkush of Rs 500,000 due by Zamindar Raja Narayappa Rao on the Pedadavole Zamin duly till July 1253 and for the amount of 5 lacs due by him to the Tassildar of Nizvid (Total Rs 1,000,000) the Pedadavole Estate was put up to sale and was taken under Circar Management and Pendru Mutta consisting of the two Purgunahs of Pintapadu and Gundugolanu was made over to the Zamindar of Nizvide by the Government who have also remitting the arrears of Rs 500,000 due

didavolu Bahavully and Ambapatta. As the arrears of Jeerwa due by the Memorialist on the Agraharam upto that period was included in the said remittance your Excellency will be fully convinced that the Raja Narayappa Rao has no right to demand the arrears on the Agraharam from the Memorialist —

4 The Zamindar having again in Jan 1851 allowed the Peishkush to fall in arrears the Commissioner Mr Walter Elliot put up onto public sale the two Purgunahs Pedadavolu and Bahavully and brought them under Circar Management. Therefore the two Purgunahs were under the Circar for a period of 8 years. Your Excellency will perceive that the report forwarded by Mr Walter Elliot in 1265 with a deceitful intention recommending to bring the Memorialists Agraharam under the Government Management on account of the arrears remitted 12 years ago is in July 1253 to be contrary to Equity

5 Your Excellency to [illegible] that the Local Government recommended in 1268 to sell to the Zamindar Narayappa Rao the two Purgunahs Pedidavolu and Bahavully together with this proamounting to Rs 400,000 Jeer eight years. Your Excellency has also sanctioned the same —

&c

derives an income of Rs 150,000 after paying the Circar Peishkush is endeavouring to usurp your Memorialists Agraharam. As Kararnamah had been executed by your Memorialist to the effect of his having made over the Agraharam to the Zamindar. Although the Zamindar is only entitled to Rs 317 the rest of the Agraharam entered in the permanent Cowle and not to the whole income of the Agraharam. he being influential and opulent has not made over the same to your Memorialist with the intention of usurping though your Memorialist repeatedly requested the Zamindar in

7. Taking the foregoing circumstances into Your Excellency's kind consideration it would deserve establish'd that Local Government not to recover him the Agraharam from the Zamindar; though he had consented to pay the arrears Rs 5035 due by him which arrears had been already remitted, while they had made over the Durgunahs with their income amounting to 40000 Rs to the Zamindar Raja Narayappa Rao under the tenor of our Majesty's Proclamation of 1st November 1858 to make over the properties to the respective owners.

8. Your Memorialist submits that the Local Government may be directed to make over to him his Agrahara on the payment of Rs 5035 already remitted and that the Zamindar may be

from 1254 to 1731 to the income of the Agraharam and disburse to him the surplus or receive from him the deficit if any.—

9 Your Memorialist moreover brings to notice that in case of his obtaining address there are several Agraharamdars & Inamdars whose Estates have been usurped by the Zamindar Narayappa Rao for arrears of Peishkush notwithstanding the same had been remitted by the Circar. prepared to address Your Excellency for establishing their rights and to pay to Government the arrears of Peishkush to the amount of or for thousand Rupees

For which act of Charity and Equity Your Excellency's petitioner as in duty bound. Shall ever pray.

Your most obedt Servant

20th May 1864

Triplicane Madras

(Sgd) Butchi Venkatramaiah

Rev: 3380/65.

Rev: 26th April 1965

Chief Secretary's Office

Th

Rev. Bo Rev. 2187 Rev. 1865 No 7446

The petitioners are the lacto holders of Narasimhapuram an agraharam in the Bahazally pergunnah of the Reddidi dole zemindary.

Narasimhapuram was granted to the ancestors of petitioners Rs 87 62 by the then zemindar. The quit rent was fixed at R. 81.7x This was included in the assets of the Bahazally estate at the permanent settlement in 1802

* The petition is in appeal to the Privy Council.

Para 2

The Nedadevole estate to fell under the management of the Court of Wards in 1826.

G.O 2181 Rev. 1860 N°109

In 1829 they attached Narasimha for arrears amounting to R 317.

This attachment was Nancy from the papers irregularly. It occurred very long time ago & the witnesses does not refer to the employ.

In 1834 the Court of Wards relinquished the management of the Nedadevole estate on the proprietor's coming of age; but Narasimhapuram remained under attachment.

The Nedadevole estate fell into arrears & was under attachment from 1838 to 1843 when it was sold & bought in by Govt. Govt gave 3 of the estates to the Mugadumadar, to whom the Nedadevole proprietor owed a great deal of money & they restored the remainder, including Bahargally. This was in 1845.

But not in checking Narasimhapuram remained under attachment.

The estate again fell into arrears & was in 1857 Bahargally & Nedadevole were sold to the ryots of the ryotwar pagunmahs by auction for arrears.

Meanwhile Narasimhapuram had remained under attachment. They

The petitioners urge that the arrears of quitrent on their agrahaarams were necessarily remitted when Govt remitted the arrears due from the zemindar in 1843. It is clear, however, that because the govt chose to be lenient to the zemindar they are not debarred from proceeding just claims against his tenants.

Letter to Sec of State Misc. No 5 of 1885

The case of Kondapadu for exactly similar relief presented as one of exemption

The same argument was pressed, & disallowed by the Sec of State, in the case of Kondapad

Petitioners offer to pay up the arrears due when the estate

agrahaarum dars had not given them the least trouble about it. much of the land lay waste & the arrears accumulated till in 1858 they amounted to R5036. 1855-6

In 1856 Govt on a report from Mr Ballard resumed the agrahaarum

In 1860 they decided that the sale of Medadavole & Baharzally referred to above was illegal & restored them to the proprietor. Nassimbapuram was restored as being part of Baharzally.

was resumed in 1856, but they evidently do so because the Estate has increased in value considerably.

The agraharam has been legally resumed. It has been made over to the zemindar. It cannot therefore be restored to petitioners. Their appeal should, I think, be forwarded to the Secy. of State.

There is another important point for decision.

Narasimhapuram was,

9 years ago

as has been before remarked, restored to the zemindar after it had been resumed, & had therefore ceased to be held at a favourable quit rent.

The assessment has been gradually increasing of late years. In 1271 the collections were R 1236. As two villages out of which formed part of the zemindar's assets when his peishcush was fixed, and amounted to R 317. It follows that he is making a profit of R 919 or more out of the village.

This has been brought to the notice of the Board by the Collector

4 had increased 7 times

Bd Rv in Govt Rv. 8th April 1861 No 724 re 6 agraharums

In 1861. the Board said with regard to this subject "The arrears of quitrent (prior to resumption) exceeded half a lac of rupees, which sum has thus been lost to the zemindar. By law the zemindar is entitled only to the quitrent, & as the rights of the agraharamdars have wholly lapsed, Govt may either retain the land paying the quitrent to the zemindar — or they may make them over to the latter with — or without a proportionate addition to the peshkesh.

& they recommend in an offhand way that the difference between the collections & the quitrent minus ten per cent for charges should be added to the zemindar's peishcush.

They say nothing about the arrears of this "addition" which have been accruing since the zemindary was restored in 1860.

They seem to have forgotten that there are 5 other agraharums which have been resumed & returned in the same way. Of course the same decision will apply to all.

" " " "

This question will however be disposed of separately hereafter, in connection with that of the revision of the peishcush of the estate."

The question about the peishcush has become subordinate to the general question about charges for water supplied for irrigation purposes, & the Board have not since occurred to the subject of the Agraharams.

In a letter which was before the Board when they passed the proceedings mentioned above the Collector, Mr. Parris, says

that the yearly profit from the additional collections on the agraharams is ~~R 4,91,5~~ R 4,708 suggests ~~that~~ in contrast to this profit that the zemindars ~~have~~ sustained great losses by non payment of quit rent in former years.

Considering that in 1843 for= omitted arrears amounts to R 2,45,000 I do not think that the zemindar has any claim for losses before that year. It is nowhere stated in the papers whether the part of the peishcush

answering to the quit rent or three ayrakarums was charged to the Zemindar after they had been attached by Govt or not. It is not likely that the Zemindars would admit such a charge.

Upon the whole, I think the Board's proposal, that the difference between the quit rent & the actual collections amounts ten per cent should be added to the former, & the Zemindar should be called on to surrender his profits for the last 5 years.

But perhaps the matter had better be referred back to the Bd with an expression of opinion as to the above proposal.

C.H. Brandt

V

Revenue Department

Proceedings of the Madras Government under date the March 1866

Read the following Pro: of the Bd of Rev:—

(Recd enter 21st Novr 1865 No —)

The Memorial referred to in these proceedings will now be forwarded to the Secy of State.

The Governor in Council agrees with the Board of Revenue as to the nature of the arrangement which should be made with the Zemindar of Bobarzally on account of the increased

revenue derived from Narasimhapooram.–

He observes however that the Board of Revenue make no reference to the arrears of this increase of revenue which have been accruing since 1860, and that they seem to have overlooked the fact that there are 5 other Agraháráms which have been resumed by Govt. and restored to the Zemindár in the same way as Narasimhapuram.–

The Board will therefore be directed to report fully on the subject of the arrangements which should be made with the Zemindár with regard to all these villages.–

J.G.

J.D.

Unless conditions were imposed on the Zemindar at the time of the restoration of the Agraháram, we shall have difficulty in now compelling him to accept conditions such as the Board have proposed:– and, certainly, in respect of a demand on him to pay to Govt. for several years back the original difference between the quit-rent & the amount (or much in excess of that quit-rent) which the Agraharam at present yields, I am inclined to believe we are powerless – What can we say Can we make if as most likely will be the case, he alleges that the improved condition of the village, is the result of his own outlay – or of favorable terms as landlord to new ryots whom he has been conceding to new ryots whom he has brought in where formerly there drawn to the village – who had unexpectedly were only a few cultivators & wholly their short-sighted the original agraharamdars of their agraharam? policy fell into arrears

The matter should go back to the Bd. for but I dont think we can take it for granted that the Zemindar will be such a simpleton as to accept the fresh liability. I thought it better to ask the Bd. whether the restoration of the agraharam was made in a manner which clearly admits of the addition of the old public demand being now levied on to the Zemindary. 7.4.66 WM

I would add that "insufficient attention has been paid by the Govt. of Madras to the preservation of the revenue contained in para 3 of this letter to the Bd. of R. 18 ... last". The whole of the letter is far from creditable to the Govt. who seem to have employed a native in drafting an important paper of this kind WM

In strictness all that the Zemindar is entitled to is the Jodi on this Agraharam and the others similarly situated – But as the Govt. have thought proper to make them over to him with his estate generally, the proper way as it seems to me would be to assess the whole property on the same principle – There is no reason why the Govt. should lose on it ...

Rev.l Department
No. 98

Proceedings of the Madras Govt.
Under date the 26th April 1866
Read the following
Proc: of the Bd. of Rev.

Submitting with remarks
Letter from the Collr. of the Gr:
Vaccery Distt. reporting on the Mem:
morial forwarded to the Secy. of
State by the Agraharamdar of
Narasimhapuram praying that
the Agraharam resumed for arrears
of revenue may never be restored
to him.

(Recd. citer. 21st Novr. 65
No. 7446

The Memorial re-
ferred to in these pro-
ceedings will now be
forwarded to the Secy.
of State, & the Memo-
rialists will be in-
formed of its disposal.

With respect to
the opinion expressed
by the Board in para

9

4th Head of collec-
ting the revenue of
the Agraharam, &
the usual percentage
of 33% for the use of
his estate.

His present Petition is now being
settled. The Bd. should be directed to
treat the entire Jodi Agraharam &
all or the same principles and fix
the new Jodi-Demand accordingly.

When that has been done the question
of arrears in respect of any difference
between the future Peishcush and the
old one which the Jodi is now laying
will come under consideration but
should not be mooted now in rela-
tion to the Agraharam case.

J.P.

Collector
Vaccery
P.D. Chingleput
Board's Proc. No. 1866
Chingleput Dist.

of their proceedings the Rt. Hon. the Governor in Council observes that it would be premature to make any arrangement with regard to Karas'ma happenings without taking into consideration at the same while the question of revision of the Zamindari settlement which is still under consideration.

In determining the new assessment the Board will of course treat Karas'ma happenings and the other afforestations which have been restored to the zamin-

dar after resumption in the same way as the other villages on the estate.

JH

19-10-08

19-11-08

Reference to England.
of 9th March 20 of 1866 Mis.

28

27.3.18

1.9.45

30.7.25 II

7.11.25 II

20.7.26 II

No 4154116

Revenue 1866 Dep.
Pro of Govt for April

No 981

Pro of the Madras
Government Dt
26 April 166.

(23 sheets)
(46 pages)

Memorial to the
Home Government from
Agriculturalists of Nandiapooram, Jonnagudem