M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 3001 Press ~~Mis.~~

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Dated 17—12—~~19~~1867

Not to be folded or roughly handled

Read the following :—

No. 310. Proceedings of the Board of Revenue, dated 19th October 1867, No. 6,834.

Read the following letter from the Acting Collector of Vizagapatam, to the Secretary to the Board of Revenue, dated 10th October 1867, No. 789.

1. A portion of an Inam of one Prayaga Brahmanna, an Inamdar of Penugolu village, in the Sarvasiddhi Talook, was taken up for the Northern Trunk Road in 1826. For this portion he used annually to receive a remuneration of one Rupee.

2. For want of provision in the Public Works Budget this sum has not been paid to him and other land-owners for three or four years past ; but on this point I will shortly address the Board in a separate communication.

3. Prayaga Brahmanna was in arrears in his quit-rent, and, with reference to orders from this Office, the Tahsildar collected all that was due by Prayaga Brahmanna and others. Prayaga Brahmanna wanted to deduct the compensation due by Government, but was not allowed, as sanction to pay him was not given. Upon this, Prayaga Brahmanna files a suit against me, as Collector, for the refund of this money. I beg to enclose a translation of the plaint, and to request authority to defend the suit at the public expense.

4. The matter is so trifling that I do not send a draft answer for approval. I propose to file a written statement embodying the facts of the case as above set forth, and trust the Board will accord their sanction to the course proposed.

Translation of a Plaint filed in No. 328 *of* 1867, *in the Court of District Munsiff of Rayavaram.*

Prayaga Brahmanna, Inamdar, and an inhabitant of Penugolu, *Plaintiff*,

Versus

J. H. Master, Esq., Collector of Vizagapatam, on behalf of Government, *Defendant.*

Complaint brought under Sections 26 and 27 of the Code of Civil Procedure, for recovery of Rupees 3, with interest and costs, being the amount abated from the Kattubadi of Rupees 13-6-0, payable by him to Government on his Inam land, on account of compensation in lieu of a piece of the said Inam land taken up for a public road, at one Rupee per year ; but which was not deducted for the past three years.

1. Plaintiff possesses Inam lands in Dharmavaram Agraharum, paying a Kattubadi of Rupees 13-6-0 per annum.

2. A portion of the said Inam land, viz., one-fourth of a Visam, has been taken up by Government for the use of a public road.

3. The Government were pleased to allow a reduction of one Rupee, on account of the said portion of the Inam land, from the Kattubadi payable by him, and was accordingly levying the balance of Rupees 12-6-0 from him since the year 1844.

4. But in 1867, a sum of Rupees 2, being the compensation deducted from the Kattubadi of Fuslies 1275 and 1276, was realized from him, and a receipt granted for the same on the 18th January of that year.

5. Again, the compensation of one Rupee due for Fusly 1277 was realized from him on the 8th April 1867.

6. On the plaintiff presenting a petition to the Tahsildar of Sarvasiddhi, dated 8th April 1867, applying for a refund of the money collected from him, the latter gave him an endorsement to the effect that the amount in question was collected from him under instructions of the Collector, hence the cause of action; and the plaintiff prays that the suit may be investigated, and a decree passed in his favor.

The abovementioned petition bearing the endorsement, together with the receipt, are hereto attached.

(Signed) Y. LATSANNA,
Pleader.

22nd June 1867.

I, plaintiff, do declare that what is contained in the foregoing plaint, is true to the best of my knowledge and belief.

(Signed) PRAYAGA BRAHMANNA.

The Board are unable to sanction the defence of the suit. The plaintiff should be informed that his first claim for compensation will be duly disposed of on his withdrawing the suit. The Collector should lose no time in submitting the report promised in paragraph 2 of his letter.

No. 311. Proceedings of the Board of Revenue, dated 28th November 1867, No. 7,759.

Read again letter from the Collector of Vizagapatam, dated 10th October 1867, No. 789, recorded in Board's Proceedings, dated 19th October 1867, No. 6,834.

Read also the following letter from the Acting Collector of Vizagapatam, to the Secretary to the Board of Revenue, dated 14th November 1867, No. 944.

1. I have the honor to acknowledge the receipt of the Board's Proceedings, dated 19th October last, No. 6,834, and, in reply, to state that the plaintiff therein referred to was sent for, and the orders of the Board explained to him. Notwithstanding all my persuasion, he has refused to withdraw his suit, unless I give him an endorsement to the effect that I would pay him, within a specified time, the arrears of compensation due to him, and costs of the suit, as also guarantee to deduct the future annual payment from the quit-rent payable by him.

2. I said I could not go to that extent, but that I would guarantee the payment of the arrears alone within a specified time, and that in respect to the costs and future payment I could not promise anything, but would refer the matter to the Board. He declined my proposal, and thus the matter dropped.

3. I would add that, since the date of my letter of the 10th October last, No. 789, two other suits have been instituted by Inamdars similarly situated as the plaintiff above referred to. The time for filing answers is fixed for the 29th January next.

4. Accompanying, I beg to submit the statement, referred to in paragraph 2 of my letter, dated 10th October, No. 789. In the remark column, I have explained everything connected with the claims of the Inamdars, and request the Board will be so good as to place funds at my disposal for payment of the compensation due to the parties.

5. The amount included in the statement is the same referred to in my No. 825 of the 18th ultimo, Items 2 and 3.

Proceedings of the Madras Government, Revenue Department,
17th December 1867.

beyond the Inamdar's control, or by some act of Government, in the District of Vizagapatam.

NATURE OF COMPENSATION PROPOSED.

Taluk and Village.	Nature of the Inam, whether personal for religious, State, or charitable service.	Whether Nunjah or Punjah.	Extent.	Full rate of assessment.	Estimated annual rent value.	Estimated price calculated from sales of similar land in the neighbourhood.	A. Whether Nunjah, Punjah, or Waste.	A. Extent.	A. Assessment.	A. Fresh grant of land. Addition of quit-rent, if the value of the land proposed to be given exceeds the present emolument.	B. Reduction of quit-rent proposed in lieu of fresh lands, if any quit-rent is payable on the rest of the Inam. Original quit-rent.	B. Quit-rent now proposed	C. Money payment once for all.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.				Annual compensation.	Rs. A. P.	Rs. A. P.		
Dharmavaram village of Sarvasiddhi Taluk.	Personal ...	Punjah.	0 19 0	4 12 0	4 12 0	10 8 0	.....	...	...	...	205 5 8	188 0 0	...	The lands here referred to were, with other lands, taken up for the Northern Trunk Road in 1836.—*Vide* G. O., dated 30th May 1836.
		Nunjah.	1 2 0	12 9 6	12 9 6	74 2 0	.....	...	...	...				
Woomavaram ...	Do.	Nunjah.	0 9 0	2 4 0	2 4 0	22 8 0	.....	...	...	...	5 0 0	2 12 0	...	The Zemindary portions were compensated for by a reduction in the Peishcush of the parties concerned under G. O., dated 1st September 1865, No. 2,066.
Cokkirapilli ...	Do.	Do. ...	0 11 0	2 1 0	2 1 0	22 0 0	.....	...	...	...	2 8 0	0 7 0	...	
			2 1 0	21 10 6	21 10 6	129 2 0				...	212 13 8	191 3 2	...	The owners of the present lands used formerly to be compensated by money received from the Public Works Department each year; but since Fusly 1274 no money has been received, owing apparently to no provision being made in the Public Works Department each year, but with the same result. For the future a reduction in the quit-rent is recommended as shown in column 13. Sanction is now solicited for the payment of Rupees 36-10-0, being the compensation due for the last four years. The amount can be met from Budget funds under head "Salt Compensation."
													Annual compensation.	21 10 6

(Signed) J. H. MASTER,
Acting Collector.

VIZAGAPATAM,
14th November 1867.

Proceedings of the Madras Government, Revenue Department, 17th December 1867.

1. In the first letter above recorded, the Acting Collector of Vizagapatam requests sanction to defend a suit, which has been brought against him for Rupees 3, with interest and costs, being compensation for land taken up by Government, which is due to a certain Inamdar of the district.

2. It appears that an annual sum of one Rupee has been paid to the plaintiff ever since 1826, but that it has not been paid in 1866-67, as there was no provision in the Public Works Budget. As the plaintiff refuses to withdraw his suit, the Collector should pay the amount due to him into Court, and request the Court to relieve him for the suit.

3. As it appears that there are numerous other Inamdars in the district in a similar position to plaintiff, the Board resolve to request Government to place the funds, referred to in paragraph 9 of Mr. Master's letter, dated 18th October 1867, No. 825, which was submitted to Government with the Board's Proceedings, dated 6th November 1867, No. 7,248, at his disposal, in order that their just claims may be met.

4. Mr. Master should submit detailed applications in the prescribed forms, in anticipation of a special grant of funds.

No. 312. ORDER THEREON, 17th December 1867, No. 3,001.

Miscellaneous.

1. The proposed permanent reduction of quit-rent in lieu of the annual payment hitherto made is sanctioned, and the Acting Collector is authorized to disburse the arrears, aggregating Rupees 86-10-0, due for past years.

2. As regards the other item of Rupees 6,927, in the statement appended to the Acting Collector's letter in Board's Proceedings, dated 6th November 1867, No. 7,248, it is observed that the land in question was taken up for *cross-roads*, and the charge would therefore seem debitable to the District Road Fund. If so, the Board will admit the charge against that Fund.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
,, the Accountant General.
,, the Department Public Works.

Exd. F. R. Bantleman.

No. 3001.

The proposed permanent reduction of Quit-rent in lieu of the annual pay[t] in this case is sanctioned & the Collr is authorized to disburse the arrears aggregating Rs. 86-10-0 due for past years.

As regards the other item of Rs. 6927. in the statement appended to the Collr's letter in Bd's Proc[s] dated 6th Nov[r] 1867 No. 7248. it is observed that the land in question was taken up for cross-roads & the charge would therefore seem debitable to the D[t] Road fund. If so