

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	5-91	Press M.S.
⁶⁸⁻⁶⁹ Dated	5-3-	1868.

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Revenue Department,
5th March 1863.*

No. 68. Read the following Proceedings of the Board of Revenue, dated 19th February 1868, No. 1,225.

Read the following letter from the Acting Collector of Madras, to the Secretary to the Board of Revenue, dated Sydapet, 2nd October 1867, No. 322:—

• Received 16th October 1865.
Returned 2nd .. 1867.

1. I have the honor to acknowledge the endorsement on Board Petition* No. 2,814 of 1865.

2. The petition is very vague, but as far as can be gathered from the petition the complaint appears to be simply that Rupees 90 and odd were improperly collected from the petitioners on account of arrears due on certain lands entered in a Samudayah Puttah. The petitioners request that this amount may be refunded to them, or certain lands, which they durkhasted for, be made over to them.

3. The petitioners' case is briefly this: Petitioners are Payakarries of the Pillapakam village, in the Conjeveram talook. In September 1856 they applied for 84 and odd cawnies of waste in the village, and obtained Cawnies 54 and odd, assessed at Rupees 289-12-7, in Fusly 1267, the rest, with the exception of Peramboke, having been made over to the Mirassidars. Petitioners' lands were entered in a Samudayah Puttah, in Fuslies 1267 and 1268, on the ground that the village was Pasungarai. In the former Fusly, arrears of Rupees 40-12-5 having accrued upon the land, petitioners' property was attached and sold. It is of this amount, together with the arrears of Rupees 45-7-9, also collected from the petitioners for Fusly 1268, that they now claim refund.

4. From the marginal correspondence it will be seen that on petitioners' objection separate Puttals were ordered to be issued for the lands made over to them on Durkhast. This has accordingly been done since Fusly 1269. As regards the question of refund, the Board will observe from the same correspondence that, on Collector's recommendation that Rupees 40-12-5, collected from the petitioners for Fusly 1267, should be remitted to them, as the amount was erroneously charged as Karanamah Banjer, no such document having been taken from the petitioners, the Board declared that "the remission of the demand improperly made on the petitioners for land left waste is matter for the Collector's decision." The Collector accordingly ordered the Tahsildar to grant the remission, but making it known to the petitioners at the same time that the indulgence was only for Fusly 1267, and the same would not be extended for future Fuslies. But before this order granting remission could reach the Tahsildar, the amount was collected, and no remission, therefore, appears to have been granted. The petitioners' claim for the refund of the amount collected in Fusly 1268 cannot hold good, as it was made known to petitioners beforehand that no remissions would be granted.

5. The second prayer in the petition is unintelligible, as all the lands durkhasted for by the petitioners have been disposed of as shewn above, and there are none whatever left which can be made over to them.

*Proceedings of the Madras Government, Revenue Department,
5th March 1863.*

Enclosure No. 1.—Petition.

1. In Board's Proceedings, dated 25th May 1859, No. 1,907, the Board, referring to the arrears demanded from petitioners for Fusly 1267, which amounted to Rupees 40-12-5, said: "The remission of the demand improperly made on the petitioners for land left waste is matter for the Collector's decision." It now appears that the Collector decided that the demand should be relinquished, and issued orders to that effect; but that the money had been already collected, and some of it was refunded.

2. The Board consider that the petitioners have a fair claim to be reimbursed, and resolve to request the sanction of Government for payment to them of Rupees 40-12-5.

3. The Board agree with the Collector in considering that petitioners cannot claim a refund of any part of the dues paid by them for Fusly 1263.

4. The extraordinary delay in reporting on this petition, which was sent to the Collector for report in October 1865, should have been explained.

No. 69.

ORDER THEREON, 5th March 1863, No. 591.

Land Revenue.

1. The refund of Rupees 40-12-5 is sanctioned.

2. The petitioners are clearly not

entitled to a refund or any part of the amount collected from them in Fusly 1264.
(True Extract.)

(Signed) F. BRANDT,

Under Secretary to Government.

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

Ed. S. T. Augustin.

No. 1907.

EXTRACT from the PROCEEDINGS of the BOARD of REVENUE, dated 25th May 1859.
Read Endorsements of the Collector of Chingleput on Petitions No. 3310 of 3310 of 1853. 1558 and 1263 of 1859.

Dated 29th October 1853. So far as the Board can make out from the Collector's several Endorsements* and from the Puttah submitted, the Petitioners obtained certain waste lands on Darkhast with the consent of the Meerasidars of the village who are not disposed to take them up themselves, but that at the time of the settlement instead of granting the Darkhastidars separate Puttahs for the lands thus granted to them, they were included in the Meerasidars' Puttah of the village and registered in the names of the Meerasidars, a note being merely added in the Samoodayern Puttah to the effect that the present Petitioners were cultivating the lands. Land under a Kararnamah, no such document having however been taken from them.

2. The Board do not see that the Meerasidars have any right to demand the entry of these lands in their names. Most if not all of them consented to their being granted to the Petitioners. None of the grant. The Petitioners are liable to Government for the assessment, and in fact their property has already once been distrained, through improperly, for arrears, and such being the case, the Board do not doubt that they are in fairness entitled to receive Puttahs for them, which they accordingly resolve to direct the Collector to issue, unless he sees objections which have not been brought to the notice of the Board, in which case he will submit a full report on the case.

3. The remission of the demand improperly made on the Petitioners for land left waste is matter for the Collector's decision.

(A true Extract.)

(Signed) W. HUDLESTON,
Sub Secretary.

C. J. SHUBRICK, Esq., Collector of Chingleput.

On the 3540 of 1859
1265 of 1859.

Recd: 616/58

Order in the name of the
Board of Revenue to the
Collector of the District of
Madras to pay the sum of
1265 Rs. 12.5.

3. The Board agree with the Collector in considering that petitioners cannot claim a refund of any part of the dues paid by them for Fusly 1263.

4. The extraordinary delay in reporting on this petition, which was sent to the Collector for report in October 1865, should have been explained.

(A true Copy and Extract.)

J. Crole
Sub-Secretary.

To the Secretary to Government, Rev. Dept.,
with copy of Board's Procs., dated 25th May 1859, No. 1,907.
Copy to the Collector of Madras.

Ext. J. Wright.

82-591-

1104 The refund of Rs. 40.12.5 is sanctioned.
2. The Petitioners are clearly not entitled to
a refund of any part of the amount
collected from them in Fusli 1268.

1104-21-21/Rev. Dept.
Head of Dept.

1111/58
7B.
on 11/11/68