M.R.C. 1—30,000—16-10-29.

MADRAS OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1776 Press ~~Mis.~~

496-499

Dated 23 to June ~~10~~ 1869

Not to be folded or roughly handled

178

Proceedings of the Madras Government, Revenue Department, 23rd June 1869.

Read the following:—

No. 496. Proceedings of the Board of Revenue, dated 4th March 1868, No. 1,541.

Read the following letter from the Officer Commanding Saint Thomas' Mount, to the Secretary to Government, Revenue Department, Fort Saint George, dated 17th February 1868, No. 51.

I HAVE the honor to forward, for submission to Government, the enclosed correspondence noted in the margin, with a view to an abatement being made in the quit-rent of the ground belonging to Cantonment Serjeant-Major M. Donoghue attached to this station. He pays an annual quit-rent of Rupees 3-13-8 for 10 grounds and 2,373½ square-feet, whereas the proprietor of the holding opposite the Serjeant-Major's, pays only Rupees 1-6-10 for 2 cawnies 1 ground and 1,897 square-feet, as shown in the Extract from Register of Government Grants, received from Quartermaster-General's Department appended and marked D.

I. Letter from Serjeant-Major Donoghue and Lieutenant Drummond and Staff Officer.
II. Quit-rent Bill marked A.
III. Quit-rent Receipt marked B.
IV. Plan of ground marked C.
V. Letter, No. 448, of 29th November 1867, from Officer Commanding Mount, to Collector of Madras District.
VI. Letter, No. 56, of 11th February 1868, from Collector of Madras District.
VII. Extract from Register of Grants.

2. There is no difference in the quality of the Serjeant-Major's ground, when compared with that of his neighbour; the soil of both is the same. The amount of rent which he has to pay seems to be excessive, and considerably more than others who hold Government leases.

ENCLOSURES Nos. 1 to 7.— Correspondence and Plan.

TRANSFERRED to the Board of Revenue for disposal.

FORT SAINT GEORGE,
18*th February* 1868.

(Signed) F. BRANDT,
Under-Secretary to Government.

FORWARDED to the Collecter of Madras for early report.

No. 497. Proceedings of the Board of Revenue, dated 7th December 1868, No. 8,591.

Read the following letter from G. THORNHILL, Esq., Acting Collector of Madras, to the Acting Secretary to the Board of Revenue, dated Sydapet, 28th October 1868, No. 359.

I HAVE the honor to report on Board's Proceedings, No. 1,541, of the 4th March 1868, regarding an application from Serjeant-Major Donoghue for the reduction of quit-rent on his house and compound at Saint Thomas' Mount.

2. The facts of the case are briefly these:—The land referred to in Mr. Donoghue's letter, though situated within the Cantonment limits of Saint Thomas' Mount, is in reality a part of the village of Alundoor, a village belonging to the Palaveram Mutah, in the Sydapet Talook. It forms the site of a bungalow and compound now in the occupation of Serjeant-Major Donoghue. The property originally belonged to one Mrs. Taynton, who appears to have held it on a distinct lease. From her it passed to other individuals, and the gentleman that owned the house

and compound previous to Serjeant-Major Donoghue, was Colonel Macdonald, from whom the former is said to have purchased the ground.

3. In 1866 Serjeant-Major Donoghue complained of having to pay for more land than he actually had in his possession, and requested an abatement of the rent. The Tahsildar of Sydapet was then directed to report upon the Serjeant-Major's request, and to measure the land if necessary.

4. From his report it appeared that the house and compound of Serjeant-Major Donoghue originally consisted of no less than three plots or pieces, A., B., C., and to these was added the piece marked D., as shown in the accompanying plan, (to be returned,) though the whole is now converted into one compound. The first three pieces are assessed at Rupees 10-13-5 a cawny, while the last-named one is assessed at Rupees 2-10-1; but it is not possible now to distinguish the several pieces referred to in the plan one from the other; why two different rates should have been adopted, although both pieces are essentially the same in quality, and situated contiguous to each other, I had no means of ascertaining. Possibly the lease might have thrown some light on the subject, but Mr. Donoghue stated he had lost the lease.

5. In the Bills annually issued the pieces marked A., B., C., were given at 7 grounds and 1,200 square-feet, while the piece marked D. was represented to contain 18 grounds and 2,160 square-feet, both making a total area of 1 cawny 2 grounds and 1,560 square-feet, the quit-rent upon the whole property amounting to Rupees 5-9-0.

6. The Tahsildar's measurement resulted in a deficiency to the extent of 15 grounds and 1,586½ square-feet less than was represented in the bill. This Officer, while reporting the deficiency, stated that it is difficult to determine where the wrong measurement could have occurred, whether in the pieces marked A., B., C., or that marked D., inasmuch as the pieces were not distinguishable from each other.

7. On a due consideration of all the circumstances, I was of opinion that the wrong measurement must have occurred in the piece marked A., B., C., and remitted the assessment on the land discovered to be deficient at the rate at which that piece (A., B., C.,) was assessed originally. Mr. Donoghue is not satisfied with this decision. He states that the ground is still overcharged, compared with the rent paid on other lands in the neighbourhood. He therefore begs that the rate of assessment on the whole should be reduced to that which the owner of the ground opposite to Mr. Donoghue pays.

8. The lands held on similar leases within the Cantonment of Saint Thomas' Mount, and the limits of the village of Alundoor, are assessed at different rates. There are no less than thirteen rates varying from Rupees 10-13-5 to Rs. 0-10-11 per cawny. Mr. Donoghue's ground, however, is the only one which bears so high a quit-rent as Rupees 10-13-5 per cawny. It is difficult to know at this distance of time on what principle the quit-rent was originally fixed in the Cantonment; but I have no doubt that the quit-rent on the land in question is unduly high, and I therefore beg to recommend that the rate on the entire compound may be reduced to the rate hitherto charged on the piece D., or Rupees 2-10-0 per cawny, which will amount to Rupees 1-3-3 for the 10 grounds occupied. The adjoining

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compound is assessed at the lowest rate of all in the village, namely, Rupees 10 per cawny. How this came to be so lowly assessed I do not know; but if Serjeant Donoghue's land be reduced to that rate, there can be no reason why the entire Cantonment rates should not be similarly reduced.

9. The new assessment will be introduced before long, and I would not advocate any farther change until then. Under Government Order* all Cantonment lands should be assessed at one or one-and-a-half Pagodas per cawny. This has never been enforced at the Mount, and the rate now proposed to be fixed on Serjeant Donoghue's land is far below it.

* *Vide* Board's Circular Order, Vol. 1, page 269, Notes 1, 2, and 3.

ENCLOSURES NOS. 1 to 8.—Correspondence and two Plans.

THE Collector is requested to submit a statement showing the area under each rate of quit-rent within the Cantonment limits.

2. It is presumed that in paragraph 8 in the passage, "the adjoining "compound is assessed at the lowest rate of all in the village, namely, Rupees 10 per cawny," Rupees 10 is a clerical error for Annas 10.

No. 498. Proceedings of the Board of Revenue, dated 18th May 1869, No. 3,402.

Read the following papers:—

Read Board's Proceedings, dated 4th March 1868, No. 1,541.

Do. do. ,, 7th December 1868, No. 8,591.

From E. G. R. FANE, Esq., Collector of Madras, to the Acting Secretary to the Board of Revenue, dated Sydapet, 27th January 1869, No. 27.

WITH reference to the Board's Proceedings of the 7th December last, No. 8,591, I have the honor to forward a statement showing the several rates of quit-rent obtaining within the limits of the Cantonment of Saint Thomas' Mount and the area held under each. The Board will observe that the rates vary from Rupees 12-4-3 to Annas 10, Pies 11 per cawny, instead of Rupees 10-13-5, as stated in Mr. Thornhill's letter, dated 28th October 1868, No. 359. The highest rate, however, is confined but to one instance.

2. As observed by the Board, the passage in paragraph 8 of Mr. Thornhill's letter that the adjoining compound is assessed at the lowest rate of Rupees 10 per cawny, is a clerical error. It ought to have been 10 Annas.

ENCLOSURE No. 1.—Statement.

THE Board having forwarded the above letter, with its enclosures, to the Collector of Madras, that Officer reported on the 28th October 1868 that the property in question originally belonged to one Mrs. Taynton who appears to have held it on a distinct lease, and that from her it passed to others by sale, and finally to the present occupant.

Vide Proceedings, 4th March 1868, No. 1,541.

2. The compound originally consisted of no less than four plots (A., B., C., and D., in the plan), though all are now merged in one. The first three pieces are assessed at Rupees 10-13-5 per cawny, while the last piece is assessed at Rupees 2-10-1; but it is not ascertained why two different rates were adopted, both pieces being essentially the same in quality and situation; possibly the lease which Mr. Donoghue states he has lost, might have thrown some light on the subject.

3. Mr. Donoghue requests that the rate of assessment on the whole of his property should be reduced to that which the owner of the ground opposite to his pays, namely, 10 Annas 11 Pies per cawny.

4. From the statement furnished with the last letter above recorded, it appears that there are thirty-three rates of quit-rent prevailing in the Cantonment, ranging from 10 Annas 11 Pies to Rupees 12-4-3 per cawny. The greater part of Mr. Donoghue's property is charged with the highest rate but one, namely, Rupees 10-13-5 per cawny.

5. The Acting Collector, Mr. Thornhill, in his report recorded in the Board's Proceedings, dated 7th December 1868, No. 8,591, was of opinion that the quit-rent on Mr. Donoghue's property was unduly high, and recommended that the rate on the entire compound should be reduced to that charged on the piece D., or Rupees 2-10-0 per cawny.

6. He referred to the Orders of Government,* in which it is laid down that Cantonment lands should be assessed, as a rule, at 1 or 1½ Pagodas per cawny.

* *Vide* Board's Circular Orders, (old Series,) Vol. I., page 269, Notes 1, 2, and 3.

7. The Board observe that the rates of 1 Pagoda and 1½ Pagodas were qualified by the remark that, of course, a higher rate would be demanded were the lands even of superior quality, or had previously yielded a higher rent; and that the orders in question were not made specially applicable to lands in Military Cantonments.

The rules under which quit-rent is levied in Military Cantonments were originally prescribed in Extract Minutes of Consultation, 15th June 1844, Revenue Department, No. 588,† and are embodied in the Board's Standing Order, (New Series,) No. 119. It is therein laid down that the terms of all old grants are to be respected, quit-rent being levied at the rates therein mentioned; that for lands in excess of the extent mentioned in the grant, and for lands held without grant, the regular survey rate is to be charged; and that when this rate is in excess of the quit-rent on similar lands held under grant, the survey rates should be reduced accordingly.

† *Vide* Board's Circular Orders, dated 8th July 1844, Vol. I, page 361.

8. Mr. Donoghue's property having been originally held under a grant, which he states he has lost, the quit-rent hitherto charged was doubtless that entered in the original grant; but at the same time the Board agree with the late Acting Collector, in whose opinion Mr. Fane also appears to concur, that the rate is unduly high, and they accordingly resolve to recommend its reduction to a Pagoda and a half which is the sixth rate on the list.

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23rd June 1869.

Per Cawny.
Rupees 12-4- 3
,, 7-3- 2
,, 6-3-10
,, 5-4- 2

9. The Collector will be requested to report on the four other properties assessed above that rate as shown in the margin.

No. 499. ORDER THEREON, 23rd June 1869, No. 1,776.

Land Revenue.

UNDER the circumstances brought to notice by the Board of Revenue in the foregoing Proceedings, and agreeably to their recommendation in paragraph 8, the Government grant authority for the quit-rent on the land therein referred to being reduced to Rupees 5-4-0 per cawny.

(True Extract.)

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

To the Board of Revenue.

Exd. E. C. Shunker.

Revenue Department

Fr. 1776.

Proceedings of His Excellency Government
Under date 28th June 1869

Read Petn of Claiming
Rev: of the Board of Revenue.

Recommg to Commutation
1½ Cawny Jer Cawny Quitrent
on Lands belonging to Sergeant
Major Donaghue in Cantonment
of St Thomas Mount, Madras
Dist & Requesting Collr to re-
port on certain other properties
within Cantonment of Jesse Gradope
Esqr &c.

(G.O. 18th May 1869 No 3402)

Under the circ-
cumstances being
to notice by the Board
of Revenue in the
foregoing Papers and
agreeably to their
recommendation
Resolved that
Sanction be
granted on the Govt
part to the
Commutation
of the Quit-rents on the
Lands

Land

Govt. of Madras

REVENUE.

To

THE BOARD OF REVENUE.

Dated June, 28th.

Recd. ,,

G. O., 23rd June 1869. No. 1,776.

JULY.

Nos. 496—499.

Quit-rent on lands belonging to Serjeant-Major Donoghue in St. Thomas Mount, Madras District.—Reduced to Rupees 5-4-0 per cawny.