No. 8-A. From the Secretary to the Government of India, Department of Agriculture, Revenue, and Commerce, (Land Revenue and Settlement,) to the Secretary to the Government of Madras, dated Calcutta, 20th January 1873, No. 67.

I AM directed to acknowledge the receipt of your letter No. 1,700, dated 20th ultimo, addressed to the Government of India in the Financial Department, stating that the proposal to offer certain Zemindars a deduction from their assessment in consideration of their relinquishing all claim to collect the Muhtarafa tax within their estates, was based on orders of Her Majesty's Secretary of State for India dated 15th February 1862.

2. In reply I am to request that as no inconvenience has arisen from the omission for 10 years to act upon this sanction, all further action may be suspended for the present, at least until the Government of India is placed in possession of complete information on the subject.

3. The Governor-General in Council will further be glad to be furnished with an explanation as to the manner in which the Government of Madras proposes to secure the released ryots from the exactions of the Zemindars in some other form. It is understood that in Western India the result of similar action has been, that while Government revenue has been remitted, the Zemindars have continued their exactions, though under different names and in different forms. *Prima facie* it is not clear why Government revenue, the property of the State at large, should be sacrificed to relieve a limited number of cultivators of particular payments, (which are certainly not oppressive or the Government of Madras would not have allowed them to be continued for 10 years after their discontinuance had been sanctioned,) if it is a fact that these ryots pay nothing to Government, and that no direct benefit will accrue to the State from their release from these payments. There are doubtless good reasons for such action, and His Excellency the Governor-General in Council would be glad of the fullest explanation of the whole subject.

(True Copy.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

Exd. T. Cartledge.

REVENUE DEPARTMENT,
FORT ST. GEORGE.
3rd February 1873.

No. 137.

No. 9.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
DEPARTMENT OF AGRICULTURE,
REVENUE, AND COMMERCE,

Miscellaneous.

SIR,—I have the honour to acknowledge your letter No. 67 of the 20th January ultimo, stating that the Government of India would be glad of the fullest explanation of the whole subject, before the Governor in Council carries out his proposed action in the matter of a remission of their assessment to certain Zemindars in consideration of their relinquishing all claim to collect the Muhtarafa tax within their estates. His Excellency the Governor-General in Council has observed that there are doubtless good reasons for such action, but that *prima facie* it is not clear why revenue should be sacrificed for the relief of the Zemindars' tenantry from payments which cannot be oppressive, especially as no direct benefit will accrue to the State from the ryots being released from such payments. Inquiry is also made how the Government of Madras propose to secure the ryots from future exactions which, it is suggested, may continue to be made under a different name, in spite of the agreement now entered into by the Zemindars.

2. I am first to explain, though it is not of much importance, that the Muhtarafa is not levied from ryots; it is paid by weavers, oilmongers, petty traders, shop-keepers, and artizans of all classes. When the British Government first assumed the Carnatic, it was found in every village of the country. In making the Permanent Settlement, the Government very generally reserved it along with the Sayer or transit duties, the Abkári or tax on the sale of spirituous liquors and some other articles of revenue; but in some cases it was not so reserved, and the Zemindaries under notice belong to the latter class. For 60 years these Zemindars levied the Muhtarafa in their estates, and the Government levied it in those estates where they had reserved their right to do so, and in all parts of the Presidency which were not under Zemindari tenure. Act XVIII. of 1861 abolished every form of the Madras Muhtarafa, and in anticipation of its coming into operation, Her Majesty's Government in the despatch cited in my letter marginally noted was pleased to approve the proposal of the Governor in Council that a fair compensation should be paid to those Zemindars who had theretofore lawfully levied Muhtarafa, by a reduction of the annual peshcush payable by them to the State.

To Government of India, Financial Department, No. 1,700, dated 20th December 1872.

3. The propriety of awarding this compensation has now been doubted, but the Governor in Council must express his inability to conceive a stronger case for it. The levy of Muhtarafa is now illegal : to demand it is therefore an attempt at extortion ; but until these Zemindars are compensated, how is it possible for the Government to direct a prosecution for a breach of the law ? On the other hand, with compensation granted or at least offered and refused, the Government will be free to act without any danger of placing itself in a false position. The Governor in Council is not acquainted with the particulars of the case which is said to have occurred in Western India, but he is confident that no ryot in this Presidency need be under any apprehension in petitioning for justice against his Zemindar ; and those who pay he Muhtarafa are, as has been already stated, not even ryots, but a more independant class.

4. The present state of the question between these Zemindars and the Government, I am to state in conclusion, is this. All have accepted the compensation tendered except one, and corresponding deductions have been formally made in their several assessments accordingly. The recusant has been informed that the offer made to him—a deduction of Rs. 6,000 per annum—has been withdrawn and will not be repeated.

I have the honour to be,
Sir,
Your most obedient servant,

(Signed) D. F. CARMICHAEL,
Secretary to Government.

15 February 62 Nos 338-339
13 ——— 1720 — 156-159
20 Cumulative — 139-640

Revenue 1873 Dept.

No 250

From

The Govt of India
Dept of Agri: &c.

Dated 20 Jany 1873.
Recd: 29.
No 67.

S L Dr No 107. 5 February 1873

Requesting, for stated reasons, that all further action in regard to the proposal to offer certain Zemindars deduction from their assessment in consideration of their relinquishing all claim to collect the Mutaspha tax within their estates, may be suspended for the present until complete information is furnished on the subject, &c.

Dr. 8 Aug

30 Jan 1873. R 3 Feby 73

Feby 1873.

No 107.

To the Secy. Govt of India
Agricultural Dept.

I have the honour to acknowledge your letter No 67 dated 20th January ultimo, stating that the Govt of India wish to place on the fullest explanation of the whole subject, before Her M. in C. carries out his proposed action in the matter of a remission of their assessment to certain Zemindars in consideration of their relinquishing all claim to collect the Mutaspha tax within their estates - His Ex & Hon. the G. in C. has stated that he has no doubt of your power to remit such assessment, without previous sanction, but that he considers it advisable that the subject should be fully explained for the orders of Her Majesty's Secretary of State for India in Council before any remission is effected, especially as the benefit will accrue not to the Ryots but to the Zemindars, who will be relieved from future payments. Having also regard to the fact of Indian Princes and Chiefs having on the Ryots from future contributions which they now enjoy, may continue to levy from their subjects, and the apparent unfairness of the present system under which Zemindars

2. I am first to explain,
though it is not the most
unfortunate, that the Mukturfa
is not levied from Ryots; it is paid
by weavers, oilmongers, petty traders,
shopkeepers and artizans of all
classes. When the British Govt first
assumed the Carnatic, it was
found in every Village of the Country
in making the Permanent Settlement,
the Govt very generally assessed it
along with the Sayer on Land it
shared, the Ryots entirely on the Sale
of their Commodities; — but in Districts
where Zemindaries were created, and the
Zemindars under whom they belong
to the Sales class. For 60 years
the Zemindars levied the Mukturfa
in their estates, and Govt levied
it in those estates when they had
been resumed but ryots & the Ryots, and in
all parts of the Presidency which were
also in Govt Zemindary tenure.
In 1802 abolished every
form of the Mukturfa, and
in satisfaction for its coming into

To Govt 1 Rules
Fort St George 1st Sept 1809

Dear Sir

Marginally noted was referred to a
Committee the proposals of the Govt in Council stated,
for their compensation to the land
to those Zemindars who had trusted
to those carefully made Mukturfa, by
reduction of the annual peshcush payable by them to the State.

3. The propriety of awarding this compensa-
tion has now been doubted, but the Govt
must express his willingness to consider
it strongly due from it. The levy of
Mukturfa is now illegal: to demand
it is therefore an attempt at Extortion;
but until these Zemindars are compen-
sated, how is it possible for the Govt
to direct a prosecution for a breach
of the Law? On the other hand, with
Compensation granted or at least offered
& refused, the Govt will be free to act
without any danger of placing itself
in a false position. The Govt in Council
acquainted with the particulars of
the case which is said to have occurred
in Western India, but has confined
itself to Ryots in his Province would
be under any apprehension in publish-
ing for future guard to Zemindars
and those who pay the Mukturfa
are, as has been already stated, not even
Ryots, but a more independent class

to the present state of the question be-
tween the Proprietors & the Govt,
I am to state for information, that
they have accepted the compensation
tendered except one, & the corresponding
deductions have been formally made
in their several assessments accordingly.
The Peasant has been informed
that the offer made to him — a
deduction of £2 6000 per annum —
has been withdrawn & will not be
repeated.

L. H. 29/1/73.

B6

9/14/1611