

(1) Number of Pages.....22
(2) Date of repair.....11. 7. 69
(3) Initials of the Referencer.....u. 20. 69

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	1680	Press
B.P. No.		Mis.
Dated	9. 11. 196	1876

98

Not to be folded or roughly handled

16/12

*Proceedings of the Madras Government, Revenue Department,
9th November 1876.*

Read the following papers :—

No. 117. Proceedings of the Board of Revenue, dated 13th July 1876, Miscellaneous No. 5,913.

Read the following letter from C. A. BIRD, Esq., Acting Head Assistant Collector, to J. HOPE, Esq., Acting Collector of the Godavari District, dated Cocanada, 28th April 1876, No. 109.

IN returning the Appeal Petition presented to the Board of Revenue by Banthacavi Venkataramannah, of Kavur, which accompanied your Memorandum, No. 2, dated 3rd January 1876, I have the honor to report that the Board of Revenue, in their Proceedings, dated 4th December 1874, No. 3,511, have decided that water-tax on the Ava lands in Nidadavole for Faslis 1280 and 1282 need not be collected, as it has been included in the lump sum paid by the Zemindarnis, viz., 28,000. On the same Ava, which was cultivated by the petitioner in Fasli 1279, water-tax of Rs. 503-5-2 was demanded and collected. The same reasons which induced the Board to exempt the Ava from water-tax in Faslis 1280 and 1282 I think hold good also for the refund of water-tax collected on the same in Fasli 1279, and I therefore recommend the same.

	RS.	A.	P.	
Water-tax.. .. .	488	0	10	2. The sum is made up of the marginally noted items, and was credited to the Tanuku Taluq chitta on 28th September 1871.
Land-cess.. .. .	15	4	4	
Total ..	503	5	2	

No. 151.

FORWARDED to the Board of Revenue with reference to their Endorsement, dated the 4th December 1875 on petition No. 2,594 of 1875.

2. The Board remitted arrears of tax on the Ava (low) lands due by the Zemindarnis for Faslis 1280 and 1282. On the same Ava Rs. 503-5-2 were collected from the petitioner for Fasli 1279. Mr. Bird's statement that the arrear due by the Zemindarnis was remitted as it has been included in the lump sum paid by the Zemindarnis, viz., Rs. 28,000, is not warranted by the Proceedings of the Board of the 4th December 1874, No. 3,511. The Board say: "Under all the circumstances of the case, the Board think the collection of the amount under notice should not be enforced." It was clearly represented to the Board that the Ava lands have always paid water-tax irrespective of the contract of Rs. 28,000, and this usual tax the petitioner paid in Fasli 1279. If the Zemindarnis collected it from him, he has a claim to a refund from them. Water-tax in Zemindaris is paid by tenants direct to Government, unless the Zemindar enters into a contract, and in this case, the lands did not form part of the contract.

The petition under report is herewith returned.

COCANADA,
5th June 1876.

(Signed) J. HOPE,
Acting Collector.

*Proceedings of the Madras Government, Revenue Department,
9th November 1876.*

PETITIONER will be informed that under no circumstances can his claim against Government be admitted. There was no contract between him and Government; if therefore he has paid water-rate to the Zemindari in addition to what he has paid to Government, he must recover from her.

(A true Copy and Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

No. 1,573.

No. 118.

OFFICIAL MEMORANDUM.

As requested in Memorandum, dated 22nd September 1876, No. 88, the undersigned has the honor to forward to the
 20th Jan. 1874, No. 92. Officiating Under-Secretary to Govern-
 16th Sept. " " 2,653. ment, Public Works Department, copies
 4th Dec. " " 3,511. of the Board's Proceedings noted in the
 13th July 1876, " 5,913, Mis.
 margin bearing on the subject of petition No. 2,594 of 1875.

(By Order,)

MADRAS,
5th October 1876.

(Signed) E. GIBSON,
Acting Sub-Secretary.

No. 119. From B. VENKATARAMANNAH, an Inhabitant of Kavur Agraharam, Tanuku Taluk, Godavery District, dated 28th August 1876.

ABSTRACT.—States that he rented from the Zemindar of Nidadavole an Asalminaha Ava land, at an annual rent of Rs. 660, including water-rate for Faslis 1278 and 1279; that he paid the rent regularly to the Zemindar, but the Tahsildar of Tanuku collected from him Rs. 503-5-4 as water-tax for Fasli 1279 under the erroneous impression that the water-tax on Asalminaha lands was not included in the contract between Government and the Zemindar; that water-rate for Faslis 1280 and 1281 was demanded from the Zemindar for the very same land, but the Board of Revenue decided that the demand was improper; that petitioner then requested the Head Assistant Collector to refund the sum of Rs. 503-5-3 unjustly collected from him; that an endorsement was granted to him to the effect that he must arrange this with the proprietor; that on appeal the Collector granted a similar reply; that the Board of Revenue endorsed that he should sue the Zemindar; that as the Tahsildar collected the sum from him on behalf of Government, he sees no reason to proceed against the Zemindar who never received the amount.

Prays that Government may issue orders to refund the sum of Rs. 503-5-3 to him, as otherwise he has to sue the Zemindar or the Collector or both in the Civil Court.

*Proceedings of the Madras Government, Revenue Department,
9th November 1876.*

No. 120. ORDER THEREON, 9th November 1876, No. 1,610.

Land Revenue, No. 3.

The Government approve the Board's order.

2. The petitioner will be informed that Government decline to interfere.

(True Extract.)

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

To the Board of Revenue.
" the Petition Department.

Exd. F. R. Bantleman.

Recd 2nd Sept. -

an inhabitant of Kanur
Agoaharam, Tanuku Taluq
Godavery District,

(With official Memo: from
the Board of Revenue dated 5th
October 1876, N^o 1573 forwarding
Copies of Certain Proceedings -)

States that he rented
from the Zemindar of Nidada:
-vile an Aul Minaha Awa:
-land at an annual rent
of Rs 660 including water rate
for Husies 1278 and 1279; that
he paid the rent regularly
to the Zemindar, but the Tahsildar
of Tennuke collected from him
Rs 503-5-4

Red-Brown Pm. 13 kg. 76

W. 5-513

for B. Nakatani
no 1972 - 1670

1610

42. Gov. Spross the
Board's view
the Rei will be assigned
Gov. decline to interfere

Fort St George
June 1856

Z. B. Messen
Peterson Sept

Wth - The case on part of the Cole
in this letter of the 5th June seems
quite correct - that same land,
among which an ~~pl~~, appears
to have been excluded for

2. Rotherham 29/10/11
Poleham 29/10/11
with 1 Bull

Rs 503-5-4 as water tax for
Fusli 1279; under the erroneous
impression that the water tax
on Aal Mincha lands was
not included in the contract
between Government and the
Zemindar; that water rate for
Fuslies 1280 and 1281 was demand-
ed from the Zemindar for the
very same lands; but the Board
of Revenue decided that the
demand was improper; that
petitioners then requested the
Head Assistant Collector to
refund the sum of Rs 503-5-3
unjustly collected from him;
that an endorsement was grant-
ed to him to the effect that
he must arrange this with the
Proprietor; that on appeal the
Collector

the put arrangement with
the Zemindar - From
these lands tax was always
collected - ⁵⁰⁰ Rs 500
with a note that he has
paid to the Zemindar
as well as to the ² ¹/₂ ¹/₂ - he
is under a misapprehension
of the facts of the case - It
was only in the final
arrangement with the
Zemindar that the
whole of the lands were
included for a pay-
ment in the lump. of Rs 40,000

LF

1610
4
Collector granted a similar reply;
that the Board of Revenue endorsed
that he should sue the Zemindar;
that as the Tahsildar collected
the sum from him on behalf
of Government, he sees no
reason to proceed against the
Zemindar who never received
the amount -

Prays that Government
may issue orders to refund
the sum of Rs 503-5-3
to him as otherwise he has to
sue the Zemindar or the Collector
or both in the Civil Courts -

Memorandum No. 5913.

16/10
1876

to refund the sum of Rs 503-5-3 the Zemindar or the
unjustly collected from him, Collector or both in
that an endorsement the Civil Court. 16/10
was granted to him to the
effect that he must
arrange this with the
Inspector; that on appeal
the collector granted a
similar reply, that the
Board of Revenue endorsed
that he should sue the
Zemindar; that as the
Zaheddar collected the
sum from him on behalf
of Govt, he sees no reason
to proceed against the
Zemindar who never
received the amount.

Rev. P. W. J. 27-1-75

142

Prays that Govt may
issue orders to refund
the sum of Rs 503-5-3 to him
as otherwise he has to sue

Memorandum No. 2 dated 3rd

January 1876. I have the honor to refer
to the Board of Revenue in
this

their Proceedings dated 4th December
1874 No. 3511 have decided that water tax
on the aua lands in Midadavole for
Fashis 1280 & 82 need not be collected
as it has been included in the lump
sum paid by the Zamindaries viz
28,000. On the same Aua which was
cultivated by the Pethones in Fashi
1279 water tax of Rs 503-5-2 was
demanded and collected. The same
reasons which induced the Board
to exempt the Aua from water
tax in Fashis 1280 and 82 I think
hold good also for the refund of
water tax collected on the same
in F. 1279 and I therefore recommend
the

488-4-10 water
tax
15-4-4 Land
Cens.
Rs 503.5.2

the same.

16/10/7
The sum is made up of the mar-
ginally noted items and was cre-
dited to the Samthi Sahib Chittha
on 28th September 1871.

I have per-
Godavery District (Sd.) C. A. Bird
Head Accts. Collr. }
Office Camp Cocanada }
28th April 1876
No. 151.

Forwarded to the Board of Revenue
with reference to their endorsement
dated the 4th December 1875 and
Petition No. 2594 of 1875.

2. The Board remitted arrears of
tax on the Aua (low) lands due
by the Zamindaries for Fashis 1280
and

their Proceedings dated 4th December
 1874 No. 3511 have decided that water tax
 on the aua lands in Midadavole for
 Faslis 1280 & 82 need not be collected
 as it has been included in the lump
 sum paid by the Zamindaries viz
 28,000- On the same Aua which was
 cultivated by the Pethones in Fasli
 1279 water tax of Rs 503-5-2 was
 demanded and collected. The same
 reasons which induced the Board
 to exempt the Aua from water
 tax in Faslis 1280 and 82 I think
 hold good also for the refund of
 water tax collected on the same
 in F. 1279 and I therefore recommend

488-4-10 water
 tax
 15-4-4 Land
 cess.
Rs 503.5-2

the same.

The sum is made up of the mar-
 ginally noted items and was cre-
 dited to the Junction Sahib Chitta
 on 28th September 1871.

I have per-
 Godavery District (Sd.) C. A. Bird
 Head Accts. Coltr. }
 Office Camp Cocanada }
 28th April 1876
 No. 151.

Forwarded to the Board of Revenue
 with reference to their endorsement
 dated the 4th December 1875 on
 Petition No. 2594 of 1875.

2. The Board remitted arrears of
 tax on the Aua (low) lands due
 by the Zamindaries for Faslis 1280
 and

their Proceedings dated 4th December
 1874 No. 3511 have decided that water tax
 on the aua lands in Mitha daval for
 Faslis 1280 & 82 need not be collected
 as it has been included in the lump
 sum paid by the Zamindaries viz
 28,000- On the same Aua which was
 cultivated by the Pethones in Fasli
 1279 water tax of Rs 503-5-2 was
 demanded and collected. The same
 reasons which induced the Board
 to exempt the Aua from water
 tax in Faslis 1280 and 82 I think
 hold good also for the refund of
 water tax collected on the same
 in F. 1279 and I therefore recommend
 the

the same.

488-4-10 water
 tax
 15-4-4 Land
 cess.
Rs 503-5-2

The sum is made up of the mar-
 ginally noted items and was cre-
 dated to the Santhan Sahib Chittha
 on 28th September 1871.

I have per-
 Godavery District (Sd) C. A. Bird
 Head Accts. Collr. }
 Office Camplocanade }
 28th April 1876
 No. 151.

Forwarded to the Board of Revenue
 with reference to their endorsement
 dated the 4th December 1875 on
 Petition No. 2594 of 1875.

2. The Board remitted arrears of
 tax on the Aua (low) lands due
 by the Zamindaries for Faslis 1280
 and

and 1282. On the same Awa Rs 503-5-2
were collected from the Pethones for
Tash 1279. Mr. Bird's statement
that the arrears due by the Zemin-
daries was remitted as it has been
included in the lump sum paid
by the Zeminaries viz Rs 28,000
is not warranted by the Proceedings
of the Board of the 4th December
1874 No. 3511. The Board say "under
all the circumstances of the case,
the Board think the collection of
the amount under notice should
not be enforced." It was clearly
represented to the Board that the
Awa lands have always paid water
tax irrespective of the Contracts of
Rs

Rs 28,000 and this usual tax the
Pethones paid in Tash 1279. If the
Zeminaries collected it from him
he has a claim to a refund from them.
Water tax in Zaminaries is paid
by tenants direct to Government un-
less the Zamindar enters into a
contract and in this case, the lands
did not form part of the contract.

The Pethon under report is here
with returned.

Cochin District (Sd) James Hope
Collector's Office } Ag. Collector
Cochin 5th June 1876 }

Pethones will be informed that
under no circumstances can his claim
against

against Government be admitted.

There was no Contract between him
and Government, if therefore he has
paid water rate to the Zemindar
in addition to what he has paid
to Government, he must recover from
her.

(True Copy and Extract)

(Sd.) E. Gibson

Ag. Subsecretary

To the Collector of Enderbury District
(True Copy)

Haroldson

Ag. Subsecretary

W. C. Bogg

No. 117

Rev. 4/27/76

Official Memo: 4657
6th Oct 1876 No 1573
to the Secretary: 1573
P. W. D.

21

Revenue Board Office
Madras.
Dated 5th Oct 1876.

No. 1673

Official Memorandum.

As requested in Memo. dated
22nd September 1876 No. 88, the undersigned
has the honor to forward to the Officiating
Under Secretary to Government P. W. Depart.
most copies of the Board's Proceedings
noted in the margin
bearing on the sub-
ject of Petition
20th January 1874 No. 92
16th Sept 1874 No. 2653
4th Dec. 1874 No. 3511
13th July 1876 Min. No. 5913
No. 2594 of 1875.

(By Order)

Lawrence

Ag. Subsecretary
to the Under Secretary to Government, P. W. Dept.
with copies of B's Nos. of 20th Jan. 74 No. 92, 16th Sept
74 No. 2653, 4th Dec. 74 No. 3511 + 13th July 76 Min No 5913

By James 1874 20. 100

James Mc

From the 49. Substantive

Book of the

To

the Substantive 5th

1874

At 5

Oct 1874

Also 31st

Oct 1874

31st

Forwarding copies of

entire Packaging of

the 1874 of 1874

on the 1874 of 1874

No 2594 of 1874

1118